

Case study

EELS – court fines for dead fish

A business and individual were fined more than \$240,000 after illegally discharging a contaminant which led to the deaths of more than 1700 fish.

Environment Canterbury's investigation found that Polarcold Stores Limited (which has since changed its name to Emergent Cold Ltd) and an employee* of Polarcold had illegally discharged a contaminant, namely ammonia or ammonia contaminated water, to land in circumstances where it entered water, which is prohibited under the Resources Management Act (RMA).

The discharge originated from Polarcold's site in Belfast and was a result of a purging tank overflowing with ammonia contaminated water. There was no secondary containment system in place to contain the overflow. The discharge then caused the nearby Kaputone Creek to become contaminated over a 5 kilometre stretch.

An Ecological Impact Report confirmed the 5 kilometre stretch had been adversely affected with effects that were "significant in scale", including causing an almost complete fish kill along that length of the creek. Around 1780 dead fish were recovered, most of which were eels, both short and long fin, ranging in size and age.

Samples taken from the creek in the two days following the incident confirmed ammonia levels downstream of the discharge point of between 14-16 times higher than upstream of the discharge point.

Fortunately, there were no long-term adverse effects to vegetation or food sources, and fish stocks will replenish over time.

In sentencing Polarcold and Trent in November 2019, Judge Brian Dwyer described the "devastating effect of the discharge on the aquatic life of the creek" as well as acknowledging the affront to tangata whenua of the damage to the waterway and the taonga species within it.

He ordered them to pay \$145,350 and \$97,000, respectively.

*The employee has appealed their sentence.



Case study

BROMLEY – a new approach to odour

An innovative approach to residents' complaints about odour in a Christchurch suburb has led to action being taken to address the smell.

Environment Canterbury, with the support of the Christchurch City Council and the Bromley community, carried out a pilot study in March 2020.

Environment Canterbury operations director Nadeine Dommissie said the study identified Christchurch City Council-run facilities Living Earth and EcoDrop as significant odour emitters.

"We know this has been an issue for Bromley residents for a long time and it hasn't been an easy one to resolve. Tracing odour is a complex issue and the usual methods councils use to track odour simply didn't work in Bromley.

The pilot study used reports from the community via a mobile app, and an independent odour assessor. Those reports were compared to wind and weather information and site operational data provided by the Christchurch City Council to determine the significant sources of odour.

See more at ecan.govt.nz/bromleyodour



Incident response reporting 2019-20 ANNUAL REPORT

Protecting the environment is our top priority

The public play an important role in protecting our region's natural resources. Every year, we receive about 4,000 reports regarding incidents with potential to harm the quality of our air, land or water.

Most reports last year related to discharges to air – many relating to outdoor burns and dust.

We respond to environmental incidents and consent breaches with a range of enforcement procedures, to remediate adverse effects, educate those responsible, and prevent similar incidents recurring.

All reports are researched and evaluated to assess the potential environmental effects. Due to the high volume of reports, we respond to the most serious incidents first. Our priority when responding, is the safety of our officers, followed by minimising any adverse effect, and then investigating the incident.

Our staff call upon expertise from other technical staff (scientists, engineers), city and district council staff, and external consultants as the situation demands.

Breaching the Resource Management Act can amount to serious criminal offending. Our investigative practices are carried out to police standards, including conducting thorough scene examinations and evidence gathering.

In the last year, we've responded to reports from our community by:

- Introducing a 'Smelt It' app in a Christchurch suburb to help identify odours (see case study on back)
- Ensured Yaldhurst quarries have installed boundary monitoring devices to help with monitoring objectionable and/or offensive dust over boundaries
- Agreed with Fish & Game to undertake site visits for 80% of all complaints about stock in waterways within five working days for extensive farms and two working days for intensive farms.

- ▶ See inside for our incident response results.
- ◀ See the back for case studies.



Taking action together to shape a thriving and resilient Canterbury, now and for future generations.

Toitū te marae o Tāne, toitū te marae o Tangaroa, toitū te iwi.

www.ecan.govt.nz

Incident response report

JULY 2019 – JUNE 2020 REPORT

Why this matters

Incidents involving contaminants in waterways or unauthorised discharges to land or air should be notified to Environment Canterbury by calling us on 0800 765 588 (24 hours).

We evaluate all calls to assess the potential environmental effects the reported incidents may have. Due to the high volume of reports we can receive, we respond to the most serious incidents first.

What the grades mean



(Full compliance) Full compliance with all relevant consent conditions, plan rules, regulations and national environmental standards



(Low risk non-compliance) Compliance with most of the relevant consent conditions, plan rules, regulations and national environmental standards. Carries a low risk of adverse environmental effects.



(Moderate non-compliance) Non-compliance with some of the relevant consent conditions, plan rules, regulations and national environmental standards. Some environmental consequence.



(Significant non-compliance) Non-compliance with many of the relevant consent conditions, plan rules, regulations and national environmental standards. Significant environmental consequence.

How we respond to incidents



Our first response is to work with individuals and businesses to stop environmental damage and achieve the right environmental outcome if there is an issue. We then investigate to determine what action should be taken, including enforcement.



Formal written warnings are sent out to notify of an offence and they require action to be taken.



If it is a significant breach we may issue an **infringement notice** which includes payment of a fine.



Abatement notices are a formal written direction, requiring certain actions to be taken or to cease within a specified time.

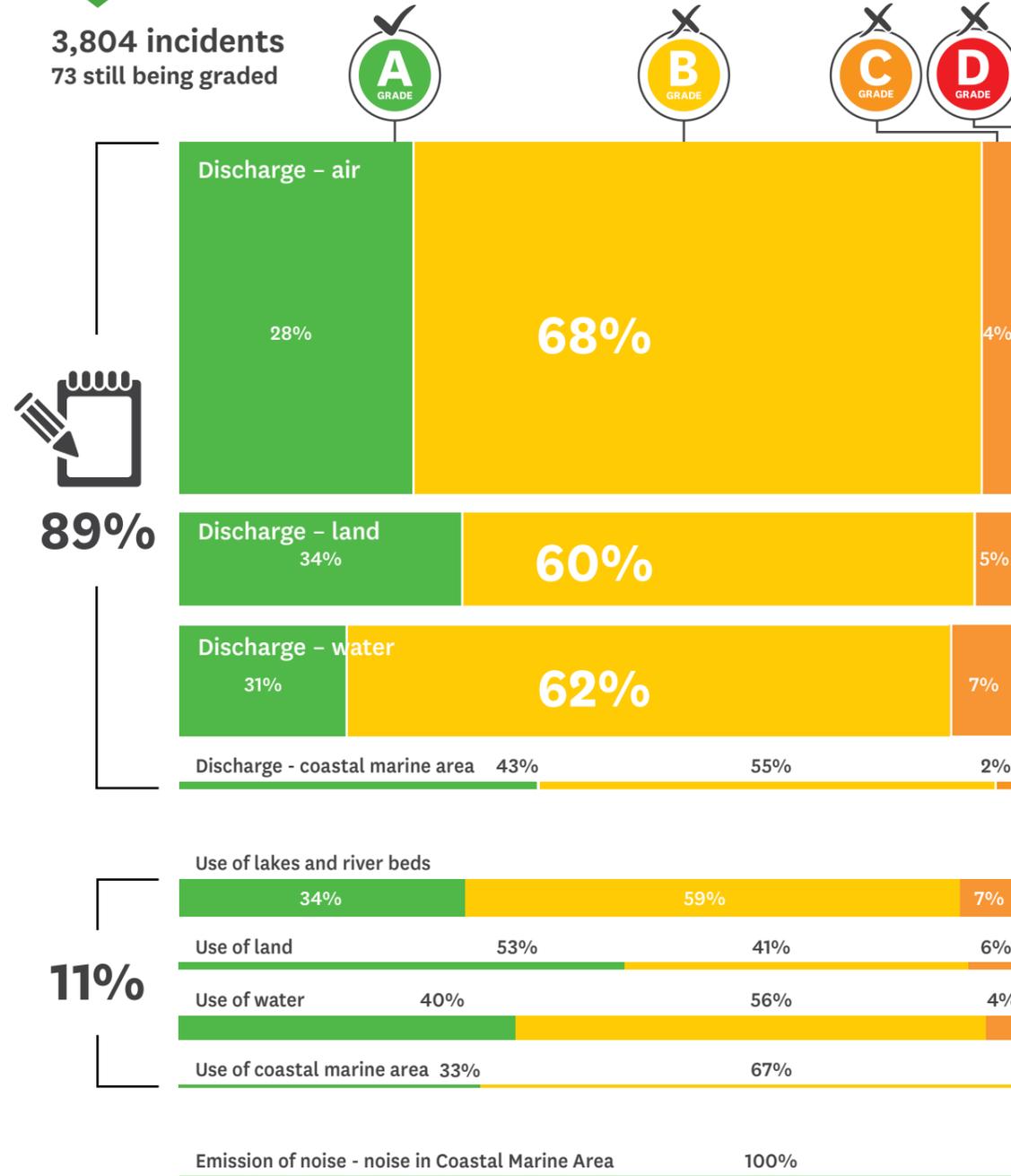


Anyone can make an application to the Environment Court to issue an **enforcement order**. The court then identifies the conditions which must be satisfied before issuing the order. Breaching an enforcement order issued by the court is an offence which may lead to prosecution.

3,877 incidents

What we found

3,804 incidents
73 still being graded



*Due to rounding, percentages will not always add up to 100% exactly.

Note: In the graph above the reported incidents that are still being graded are not shown.

How we responded to reduce environmental damage



3,877 reported incidents - proportion by zone

