

3.0 DISCUSSION

3.1 THE RESOURCE MANAGEMENT ACT

The discharge of contaminants into the environment is regulated by the provisions of Section 15 of the Resource Management Act.

Under Section 15(1)(a) and (b), no person may discharge any contaminant into water, or any contaminant onto land in circumstances which may result in contaminants entering water, unless they hold a resource consent expressly allowing them to do so.

Under Section 15(1)(d), no person may discharge contaminants from any industrial or trade premises onto or into land unless they hold a resource consent expressly allowing them to do so. "Industrial or Trade premises" are defined in the Act as "any premises used for the storage, transfer, treatment, or disposal of waste materials or for other waste-management purposes" (Section 2). Therefore the dumping of wastes that may affect land requires a consent.

3.2 IDENTIFICATION OF DUMPING SITES

During this survey, a total of eighty existing or previous dumping sites around Taranaki have been provisionally investigated. In almost every case, the existence of the site was not previously recognised or formally recorded. The sites are not covered by resource consents (with the exception of site 75). This survey has been the first comprehensive identification of the extent of such sites in Taranaki.

At the majority of sites, dumping has ceased. However, eighteen sites have been identified where dumping of materials appears to be an ongoing practice. At sixteen sites, evidence was found of discharge of contaminants off-site into surface water.

3.3 SITE EVALUATIONS

In Section 2, a total of eighty sites identified as current or former dump sites have been described, and results of analyses of leachate or surface water discussed.

There are three sites where it is considered that the strength of leachate discharging from the site or the extent of effects upon land or surface waters are such that the site owners or occupiers must be considered to be currently in breach of Section 15(1)(a) or 15(1)(d) of the Act. They should therefore be required to apply to the Taranaki Regional Council for the appropriate resource consents under the Resource Management Act. These sites are listed in Table 3.

At fourteen other sites where discharges appear to be having a lesser effect on the environment in the vicinity, it is considered that further work should be conducted by the Taranaki Regional Council to determine whether effects are significant and will be present on an ongoing basis. This work would include both additional site investigations, and discussions with site owners and occupiers as to present and potential land use, the obligations of the Resource Management Act, and measures to avoid, remedy, or mitigate any adverse environmental effects that may arise.

It would be on the basis of the additional information, as well as the results described here, that a decision would be made in each case as to whether enforcement provisions of the Act should be used to stop further dumping, to require site rehabilitation, or to require application for the necessary resource consents. Table 4 lists those sites where dumping is continuing on a significant scale, but without evidence of a significant adverse impact upon waterways at this

stage, and Table 5 lists sites where there is some evidence of adverse effects upon water, but the scale of these effects warrants further study before consequent actions are determined.

There are sites where dumping has taken place, or is currently occurring on a minor scale, but where off-site effects have not been found. This includes sites where the nature of the material being deposited is essentially 'clean fill', that is, relatively inert materials such as concrete, soil, gravel, and other wastes that are not going to have a substantial effect upon the environment, and are being used for landscaping or contouring purposes. Elsewhere, the scale of activity is so minor that a resource consent for the discharge of contaminants to land could not be justified at this time. In these cases it is considered that the main resource management issue is that of land use, and accordingly the matter is a District Council rather than Regional Council responsibility. In these cases it is considered that the proper course of action is to inform the relevant District Council of the identification of the sites, and to leave any further action to the District Council. However, it is appropriate for the Taranaki Regional Council to maintain a residual level of monitoring of the sites, to ensure that the site usage does not increase or change to the extent of creating a potential for off-site environmental effects. These sites are listed in Table 6.

The remainder of the sites investigated can be considered not to pose any potential for off-site environmental effects, because of the time elapsed since material was dumped, the isolation of sites from water sources, the extent of site rehabilitation, the nature of materials placed on the site, or other considerations. The Taranaki Regional Council has no further interest in such sites at the present time. These sites are listed in Table 7.

Finally, there are a number of sites identified but not yet studied. In these cases, noting that among sites already visited several have been found that give cause for concern, the implementation of assessment should be afforded some priority. This work could be carried out simultaneously with the extended monitoring of some sites discussed above. It should also be noted that additional sites may still be identified. Known sites are listed in Table 8.

Table 3: Sites considered to require a water discharge permit

10	Former Taranaki County Council Depot, Bewley Road, New Plymouth
32	Marfell Park, New Plymouth
38	Former Oakura Dump, Oakura

Table 4: Sites where a permit for the discharge of wastes to land may be required

11	Waiwhakaiho River Mouth, New Plymouth
36	Ngamotu Road, New Plymouth
66	Glover Road, Hawera

Table 5: Sites where a water discharge permit may be required

1	Urenui Domain, Urenui
4	Te Puna Park, Waitara
17	Saxton Road, New Plymouth
18	Carrington Road, New Plymouth
21	Sanders Park, New Plymouth
26	Cnr Clawton/Trelawny Street, New Plymouth
30	Gilmour Street/Borrell Park, New Plymouth
36	Ngamotu Road, New Plymouth
68	Tawhiti Road, Hawera
69	Former Hawera Landfill, Matangara Road, Hawera
79	Ihupuku Road, Waitotara

Table 6: Sites where waste disposal is continuing without known off-site effects

3	Coastal End of Otararoa Road, Waitara
15	Rimu Street, New Plymouth
16	Mangorei Road, New Plymouth
31	Sunley Street/Borrell Park, New Plymouth
37	Lincoln Road, Inglewood
39	SH45, Oakura
40	AhuAhu Road, Oakura
47	Coastal End of Kaihihi Road, Okato
67	Glover Road, Hawera
71	Newall Road, Warea
72	Coastal End of Bayley Road, Pungarehu
74	Coastal End of Normanby Road, Manaia
76	Old Patea Dump, Victoria Street, Patea
77	Oturi Road, Waverley
78	Ihupuku Road, Waiinu

Table 7: Sites investigated but where no potential adverse environmental effects were observed

2	Urenui Town, Urenui
5	Battiscombe Terrace, Waitara
6	Mould Street Depot, Waitara
7	Te Arei Road West Quarry, Waitara
8	Shingle Pit, Bell Block
9	Katere Road, New Plymouth

12	Smart Road, New Plymouth
13	Freight Company, Smart Road, New Plymouth
14	East End Reserve, Nobs Line, New Plymouth
19	Carrington Road, New Plymouth
20	Corner Liardet and Gilbert Streets, New Plymouth
22	Lynmouth Park, New Plymouth
23	Lawry Street, New Plymouth
24	Lawry Street, Playground, New Plymouth
25	Devon Street West/Seaview Road, New Plymouth
27	Aotea and Avery Reserves, Timandra Street, New Plymouth
28	Junction Road, New Plymouth
29	Seaview Road, New Plymouth
34	Pioneer Road/South Road, New Plymouth
35	South Road, New Plymouth
41	Messenger Terrace, Oakura
42	Lower Timaru Road, Okato
43	Hoani Road, Okato
44	Lower Timaru Road, Okato
45	South Road/ Oxford Road, Okato
46	Cumming Street, Okato
48	Old Dairy Factory, Midhirst
49	Old Dairy Factory Farm, Midhirst
50	Cambria/Standish Streets, New Plymouth
51	Cambria Street, Midhirst
52	Domain Road, Toko
53	Warwick Road, Stratford
54	Corner East and Esk Road, Stratford
55	Cordelia/Ariel Streets/Pembroke Road, Stratford
56	Cordelia Street/Pembroke Road, Stratford
57	Hamlet Street South, Stratford

58	Behind Oxidation Ponds, Stratford
59	Corner Derby and London Street, Eltham
60	Corner Browne/Hobson/Egmont Streets, Normanby
61	Ketemarae/Austin Roads, Normanby
62	Mawhitiwhiti Road, Normanby
63	Rifle Range Road, Hawera
64	Ketemarae/Glover Road, Hawera
65	Ngawhini Gorge, Hawera
70	Historic Reserve, Newall Road, Warea
73	Cape Road, Pungarehu
75	Old Otakeho Dump, Otakeho
80	Old Quarry off Ihupuku Road, Waiinu Beach

Table 8: Sites still to be reported or investigated

81	Raleigh Street, Waitara
82	Lepperton Overbridge, Waitara/Lepperton
83	Quarry, Manutahi Road, Bell Block
84	Paraita Road, Bell Block
85	Carrington Road, New Plymouth
86	Huatoki Street, New Plymouth
87	Tariki
88	Tirimoana Road, Normanby
89	Ihaia Road, Opunake
90	Adjacent to outfall, Kaupokonui
91	Inaha Road, Manaia
92	Manawapou Road, Hawera
93	Waitotara Valley, Waitotara
94	Mangaoapa Road, Matau
95	Tangarakau

3.4 RECOMMENDATIONS

The following recommendations arise out of the discussion above.

Recommendation 1: That the Taranaki Regional Council requires the occupiers or owners of sites listed in Table 3 to apply for a discharge permit under Section 15(1)(a) and 15(1)(b) of the Resource Management Act.

- Recommendation 2: That the Taranaki Regional Council reviews in conjunction with the owners or occupiers of sites listed in Table 4 the use of those sites for waste disposal, with regard to the requirements for a discharge permit under Section 15(1)(d) of the Resource Management Act.
- Recommendation 3: That the Taranaki Regional Council further investigates the extent of environmental effects arising from the use of sites listed in Table 5, with regard to the requirement for a discharge permit under Section 15(1)(a) and 15(1)(b) of the Resource Management Act.
- Recommendation 4: That the Taranaki Regional Council informs the relevant district councils of Taranaki of the presence of sites listed in Table 6, for their consideration and action, and continues to keep these sites under observation.
- Recommendation 5: That the Taranaki Regional Council notes that sites listed in Table 7 have been identified and investigated by officers of the Council, and have not been found to be causing environmental effects pursuant to sections 15(1)(a), 15(1)(b), or 15(1)(d) of the Resource Management Act.
- Recommendation 6: That the Taranaki Regional Council investigates the sites listed in Table 8, to determine the extent of any environmental effects that may be arising from any current or former use of the site for waste disposal.