

Groundworkx Taranaki Limited
Monitoring Programme
Biennial Report
2014-2016

Technical Report 2016-65

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Taranaki Regional Council
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Executive summary

Groundworkx Taranaki Limited (the Company) operates a cleanfill located on Victoria Road at Stratford, in the Patea catchment. This report for the period July 2014 to June 2016 describes the monitoring programme implemented by the Taranaki Regional Council (the Council) to assess the Company's environmental performance during the period under review. The report also details the results of the monitoring undertaken and assesses the environmental effects of the Company's activities.

The Company holds one resource consent to discharge cleanfill onto and into land for quarry reinstatement purposes. The consent includes a total of ten conditions setting out the requirements that the Company must satisfy.

During the monitoring period, the Company demonstrated an overall good level of environmental performance.

The Council's monitoring programme for the years under review included four compliance monitoring inspections. No water samples were taken as the site is well contained and some distance from the nearest waterway.

The monitoring showed that there had been no significant adverse environmental effects in the receiving environment as a result of the Company's cleanfilling activity. For the most part the Company managed unauthorised material deposited at the site well, although on one occasion a small amount of treated timber off cuts were found in the tip face. This material was removed promptly on request and would have had negligible effect. There were no unauthorised incidents recording non-compliance in respect of this consent holder during the period under review.

During the year, the Company demonstrated a good level of environmental and a high level of administrative performance with the resource consent.

For reference, in the 2014-2015 year, 75% of consent holders in Taranaki monitored through tailored compliance monitoring programmes achieved a high level of environmental performance and compliance with their consents, while another 22% demonstrated a good level of environmental performance and compliance with their consents.

In the 2015-2016 year, 71% of consent holders in Taranaki monitored through tailored compliance monitoring programmes achieved a high level of environmental performance and compliance with their consents, while another 24% demonstrated a good level of environmental performance and compliance with their consents.

In terms of overall performance by the consent holder over the last several years, this report shows that the consent holder's performance remains at a good level.

This report includes recommendations for the 2016-2018 years, including a recommendation relating to an optional review of consent 6912-1.

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1. Introduction

1.1 Compliance monitoring programme reports and the Resource Management Act 1991

1.1.1 Introduction

This report is for the period July 2014 to June 2016 by the Taranaki Regional Council (the Council) on the monitoring programme associated with resource consent held by Groundworkx Taranaki Limited (the Company). The Company operates a cleanfill situated on Victoria Road at Stratford, in the Patea catchment.

The report includes the results and findings of the monitoring programme implemented by the Council in respect of the consent held by the Company that relates to discharges to land within the Patea catchment. This is the eighth Biennial Report to be prepared by the Council to cover the Company's discharges and their effects.

1.1.2 Structure of this report

Section 1 of this report is a background section. It sets out general information about:

- consent compliance monitoring under the RMA and the Council's obligations;
- the Council's approach to monitoring sites through annual programmes;
- the resource consents held by the Company in the Patea catchment;
- the nature of the monitoring programme in place for the period under review; and
- a description of the activities and operations conducted at the Company's site.

Section 2 presents the results of monitoring during the period under review, including scientific and technical data.

Section 3 discusses the results, their interpretations, and their significance for the environment.

Section 4 presents recommendations to be implemented in the 2016-2018 monitoring years.

A glossary of common abbreviations and scientific terms, and a bibliography, are presented at the end of the report.

1.1.3 The Resource Management Act 1991 and monitoring

The RMA primarily addresses environmental 'effects' which are defined as positive or adverse, temporary or permanent, past, present or future, or cumulative. Effects may arise in relation to:

- (a) the neighbourhood or the wider community around an activity, and may include cultural and social-economic effects;
- (b) physical effects on the locality, including landscape, amenity and visual effects;
- (c) ecosystems, including effects on plants, animals, or habitats, whether aquatic or terrestrial;
- (d) natural and physical resources having special significance (for example recreational, cultural, or aesthetic); and

- (e) risks to the neighbourhood or environment.

In drafting and reviewing conditions on discharge permits, and in implementing monitoring programmes, the Council is recognising the comprehensive meaning of 'effects' inasmuch as is appropriate for each activity. Monitoring programmes are not only based on existing permit conditions, but also on the obligations of the RMA to assess the effects of the exercise of consents. In accordance with Section 35 of the RMA, the Council undertakes compliance monitoring for consents and rules in regional plans, and maintains an overview of the performance of resource users and consent holders. Compliance monitoring, including both activity and impact monitoring, enables the Council to continually re-evaluate its approach and that of consent holders to resource management and, ultimately, through the refinement of methods and considered responsible resource utilisation, to move closer to achieving sustainable development of the region's resources.

1.1.4 Evaluation of environmental and administrative performance

Besides discussing the various details of the performance and extent of compliance by the Company, this report also assigns them a rating for their environmental and administrative performance during the period under review.

Environmental performance is concerned with actual or likely effects on the receiving environment from the activities during the monitoring year. **Administrative performance** is concerned with the Company's approach to demonstrating consent compliance in site operations and management including the timely provision of information to Council (such as contingency plans and water take data) in accordance with consent conditions.

Events that were beyond the control of the consent holder and unforeseeable (that is a defence under the provisions of the RMA can be established) may be excluded with regard to the performance rating applied. For example loss of data due to a flood destroying deployed field equipment.

The categories used by the Council for this monitoring period, and their interpretation, are as follows:

Environmental Performance

- **High:** No or inconsequential (short-term duration, less than minor in severity) breaches of consent or regional plan parameters resulting from the activity; no adverse effects of significance noted or likely in the receiving environment. The Council did not record any verified unauthorised incidents involving significant environmental impacts and was not obliged to issue any abatement notices or infringement notices in relation to such impacts.
- **Good:** Likely or actual adverse effects of activities on the receiving environment were negligible or minor at most. There were some such issues noted during monitoring, from self reports, or in response to unauthorised incident reports, but these items were not critical, and follow-up inspections showed they have been dealt with. These minor issues were resolved positively, co-operatively, and quickly. The Council was not obliged to issue any abatement notices or

infringement notices in relation to the minor non-compliant effects; however abatement notices may have been issued to mitigate an identified potential for an environmental effect to occur.

For example:

- High suspended solid values recorded in discharge samples, however the discharge was to land or to receiving waters that were in high flow at the time;
 - Strong odour beyond boundary but no residential properties or other recipient nearby.
- **Improvement required:** Likely or actual adverse effects of activities on the receiving environment were more than minor, but not substantial. There were some issues noted during monitoring, from self reports, or in response to unauthorised incident reports. Cumulative adverse effects of a persistent minor non-compliant activity could elevate a minor issue to this level. Abatement notices and infringement notices may have been issued in respect of effects.
 - **Poor:** Likely or actual adverse effects of activities on the receiving environment were significant. There were some items noted during monitoring, from self reports, or in response to unauthorised incident reports. Cumulative adverse effects of a persistent moderate non-compliant activity could elevate an 'improvement required' issue to this level. Typically there were grounds for either a prosecution or an infringement notice in respect of effects.

Administrative performance

- **High:** The administrative requirements of the resource consents were met, or any failure to do this had trivial consequences and were addressed promptly and co-operatively.
- **Good:** Perhaps some administrative requirements of the resource consents were not met at a particular time, however this was addressed without repeated interventions from the Council staff. Alternatively adequate reason was provided for matters such as the no or late provision of information, interpretation of 'best practical option' for avoiding potential effects, etc.
- **Improvement required:** Repeated interventions to meet the administrative requirements of the resource consents were made by Council staff. These matters took some time to resolve, or remained unresolved at the end of the period under review. The Council may have issued an abatement notice to attain compliance.
- **Poor:** Material failings to meet the administrative requirements of the resource consents. Significant intervention by the Council was required. Typically there were grounds for an infringement notice.

For reference, in the 2014-2015 year, 75% of consent holders in Taranaki monitored through tailored compliance monitoring programmes achieved a high level of environmental performance and compliance with their consents, while another 22% demonstrated a good level of environmental performance and compliance with their

consents. In the 2015-2016 year, 71% of consent holders in Taranaki monitored through tailored compliance monitoring programmes achieved a high level of environmental performance and compliance with their consents, while another 24% demonstrated a good level of environmental performance and compliance with their consents

1.2 Process description

The Company's Victoria Road cleanfill is situated on a meandering loop on the true right bank of the Patea River, approximately 600 m downstream of the Stratford municipal oxidation ponds and landfill sites. The site was previously operated as a quarry. Cleanfill material discharged to the site serves as backfill for excavated areas of the quarrying operations.

Green waste is also stored and composted on a fenced off section of the site. This activity is covered by a separate consent held by Central Greenwaste 2012, and is discussed in its own monitoring report.

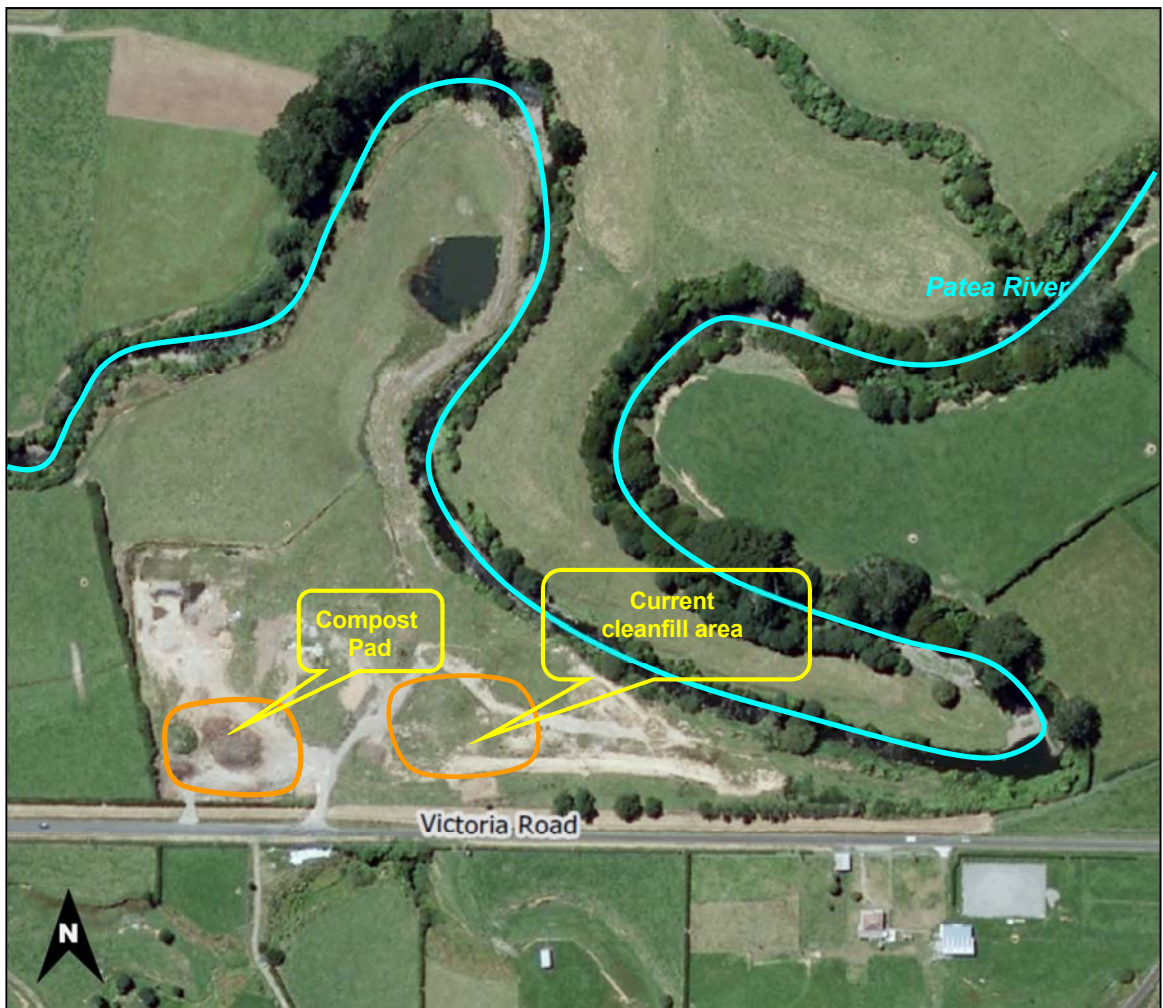


Figure 1 Groundworkx cleanfill site, Victoria Road

1.3 Resource consents

1.3.1 Discharges of wastes to land

Sections 15(1)(b) and (d) of the RMA stipulate that no person may discharge any contaminant onto land if it may then enter water, or from any industrial or trade premises onto land under any circumstances, unless the activity is expressly allowed for by a resource consent, a rule in a regional plan, or by national regulations.

The Company holds discharge permit **6192-1** to discharge cleanfill onto and into land for quarry reinstatement purposes. This permit was issued by the Council on 26 August 2003 under Section 87(e) of the RMA. It is due to expire on 1 June 2022. This consent was transferred from M J Purvis Earthmoving on 26 July 2010.

Permit **6192-1** has ten special conditions, which are summarised below:

Condition one relates to the information submitted in support of the consent application.

Conditions two, three and four relate to acceptable and non-acceptable cleanfill materials.

Condition five relates to the effects of contaminants entering surface water while conditions six and seven set out requirements relating to erosion and silt control measures.

Condition eight relates to best management practices to prevent or minimise any effects on the environment.

Condition nine refers to site reinstatement while condition ten contains provisions for review of the conditions of the consent.

A copy of this consent is appended to this report.

1.4 Monitoring programme

1.4.1 Introduction

Section 35 of the RMA sets obligations upon the Council to gather information, monitor and conduct research on the exercise of resource consents within the Taranaki region. The Council is also required to assess the effects arising from the exercising of these consents and report upon them.

The Council may therefore make and record measurements of physical and chemical parameters, take samples for analysis, carry out surveys and inspections, conduct investigations and seek information from consent holders.

The monitoring programme for the Company's Victoria Road site consisted of three primary components.

1.4.2 Programme liaison and management

There is generally a significant investment of time and resources by the Council in:

- ongoing liaison with resource consent holders over consent conditions and their interpretation and application;
- in discussion over monitoring requirements;
- preparation for any reviews;
- renewals;
- new consents;
- advice on the Council's environmental management strategies and content of regional plans; and
- consultation on associated matters.

1.4.3 Site inspections

The Victoria Road site was visited a total of four times during the monitoring period. The main points of interest were potential or actual discharges to receiving watercourses, including contaminated stormwater and process wastewaters. Sources of data being collected by the Company were identified and accessed, so that performance in respect of operation, internal monitoring, and supervision could be reviewed by the Council. The neighbourhood was surveyed for environmental effects.

1.4.4 Biomonitoring surveys

No biological surveys were programmed for the monitoring period in relation to the Victoria Road cleanfill. However, a comprehensive biomonitoring survey of the Patea River in the vicinity of the cleanfill is carried out each year as part of the site specific monitoring programme for the Stratford Municipal Oxidation Ponds. It is considered that if there was reduced water quality of the Patea River due to cleanfilling operations carried out by the Company, this would be observed in this survey. No such deterioration in water quality of the Patea River due to cleanfilling operations has been noted for the reporting period.

2. Results

2.1 Water

2.1.1 Inspections

1 September 2014

The inspecting officer met with the consent holder on site. The materials that had been deposited on site were discussed. The consent holder pointed out where they remove and store any prohibited materials, which consisted of the odd piece of corrugated iron and metal. It was noted that a lot of material had been dumped lately, and this consisted of clay, dirt, concrete, and timber. It was considered that the site looked good, and there were no compliance issues found at the time of inspection.

10 June 2015

The gate was locked at the time of inspection. It was observed that there was a bull dozer on site. It was found that a lot of material had been discharged since the previous inspection. The materials consisted of clay, dirt, broken concrete and stumps. It was noted that the site again looked good and that there was no ponding or other compliance issues found during this inspection.

9 December 2015

The gate was locked at the time of inspection. It was noted that a lot of chip metal had been discharged on site, along with some clay, dirt and cured bitumen. There was a small pile of tanalised timber off cuts found that the Company was advised needed to be removed from the tip face. The Company was asked to advise the inspecting officer when this had been done. It was observed that the culvert pipe had been extended and that the Company was back filling into that area. No odours, ponding or dust issues were found at inspection.

The following action was to be taken:

Remove the small pile of tanalised timber off cuts

After the inspection, notification was received that the treated timber off cuts had been removed.

29 June 2016

The gate was open at the time of inspection. A lot of material had been discharged since the previous inspection. The materials consisted of clay, dirt, timber, concrete and metal (gravel) chip. It was noted that, overall, the site looked good. A pile of prohibited material had been stacked in the middle of the turnaround area, consisting of corrugated iron and steel pieces. It was noted that this gets sold as scrap steel. There were no odours, dust or ponding found at the time of inspection.

2.2 Investigations, interventions, and incidents

The monitoring programme for the year was based on what was considered to be an appropriate level of monitoring, review of data, and liaison with the Company. During the year matters may arise which require additional activity by the Council, for example provision of advice and information, or investigation of potential or actual courses of non-compliance or failure to maintain good practices. A pro-active approach that in the first instance avoids issues occurring is favoured.

The Council operates and maintains a register of all complaints or reported and discovered excursions from acceptable limits and practices, including non-compliance with consents, which may damage the environment. The incident register includes events where the Company concerned has itself notified the Council. The register contains details of any investigation and corrective action taken.

Complaints may be alleged to be associated with a particular site. If there is potentially an issue of legal liability, the Council must be able to prove by investigation that the identified company is indeed the source of the incident (or that the allegation cannot be proven).

In the 2014-2016 period, the Council was not required to undertake significant additional investigations and interventions, or record incidents, in association with the Company's conditions in resource consents or provisions in Regional Plans.

3. Discussion

3.1 Discussion of site performance

The site was generally well managed during the period under review. The gates were generally found to be locked when the site was unattended. On the whole, unauthorised materials brought on to the site were well managed, being segregated and stored for appropriate off site disposal. On one of the four inspections, small amounts of unauthorised material were observed in the tip face (treated timber off cuts). These were removed promptly upon request.

3.2 Environmental effects of exercise of consents

There were no significant adverse effects noted in the vicinity of the cleanfill at the time of any of the compliance monitoring inspections. Monitoring undertaken in Patea River by Council for other activities in the area indicated that the presence of the cleanfill was having no adverse effect on receiving waters.

3.3 Evaluation of performance

A tabular summary of the Company's compliance record for the years under review is set out in Table 1.

Table 1 Summary of performance for consent 6192-1

Purpose: To discharge cleanfill onto and into land for quarry reinstatement purposes		
Condition requirement	Means of monitoring during period under review	Compliance achieved?
1. Exercise of consent carried out in accordance with information supplied to the council	Liaison between consent holder and council	Yes
2. Contaminants to be discharged limited to cleanfill or inert materials	Inspection	Inconsequential non-compliance
3. No discharge of materials with the potential to render the land toxic	Inspection	Inconsequential non-compliance
4. Liaison with the Council on acceptability of materials for cleanfill	Liaison with the Company and inspections	Yes
5. Discharge shall not result in contaminants entering surface water	Inspections	Yes
6. Silt retention structures installed and maintained	Liaison with company and inspections	Yes
7. Minimise stormwater movement across site or ponding	Inspection	Yes
8. Adopt best practicable option to prevent actual or potential effects on the environment	Inspection	Yes
9. On completion of operations site to be stabilised and re-vegetated	Inspection and records	N/A
10. Optional review of consent	Final review opportunity June 2016	N/A
Overall assessment of consent compliance and environmental performance in respect of this consent		Good
Overall assessment of administrative performance in respect of this consent		High

N/A = not applicable

During the year, the Company demonstrated a good level of environmental performance and a high level of administrative performance. Ratings are as defined in Section 1.1.4.

3.4 Recommendation from the 2012-2014 Biennial Report

In the 2012-2014 Biennial Report, it was recommended:

THAT monitoring of the Groundworkx Taranaki Limited cleanfill in the 2014-2016 years continues at the same level as in 2012-2014.

3.5 Alterations to monitoring programmes for 2016-2018

In designing and implementing the monitoring programmes for air and water discharges in the region, the Council has taken into account:

- the extent of information made available by previous authorities;
- its relevance under the RMA;
- its obligations to monitor emissions and discharges and their effects under the RMA; and
- to report to the regional community.

The Council also takes into account the scope of assessments required at the time of renewal of permits, and the need to maintain a sound understanding of industrial processes within Taranaki emitting to the atmosphere and discharging to the environment.

It is proposed that for 2016-2018 the programme remains unchanged.

3.6 Exercise of optional review of consent

Resource consent 6192-1 provided for an optional review of the consent in June 2016. Condition 10 allows the Council to review the consent, for the purpose of ensuring that the conditions are adequate to deal with any adverse effects on the environment arising from the exercise of this resource consent, which were either not foreseen at the time the application was considered or which it was not appropriate to deal with at the time.

Based on the results of monitoring in the year under review, and in previous years as set out in earlier annual compliance monitoring reports, it is considered that there were no grounds that required a review to be pursued.

4. Recommendations

1. THAT monitoring of consented activities at the Company's site in the 2016-2018 years continues at the same level as in 2014-2016.
2. THAT it be noted that the option for a review of resource consent 6192-1 in June 2016, as set out in condition 10 of the consent, was not exercised, on the grounds that the current conditions are adequate to prevent any adverse effects.

Glossary of common terms and abbreviations

The following abbreviations and terms may be used within this report:

Biomonitoring	Assessing the health of the environment using aquatic organisms.
Incident	An event that is alleged or is found to have occurred that may have actual or potential environmental consequences or may involve non-compliance with a consent or rule in a regional plan. Registration of an incident by the Council does not automatically mean such an outcome had actually occurred.
Intervention	Action/s taken by Council to instruct or direct actions be taken to avoid or reduce the likelihood of an incident occurring.
Investigation	Action taken by Council to establish what were the circumstances/events surrounding an incident including any allegations of an incident.
Incident Register	The Incident Register contains a list of events recorded by the Council on the basis that they may have the potential or actual environmental consequences that may represent a breach of a consent or provision in a Regional Plan.
Mixing zone	The zone below a discharge point where the discharge is not fully mixed with the receiving environment. For a stream, conventionally taken as a length equivalent to seven times the width of the stream at the discharge point.
Resource consent	Refer Section 87 of the RMA. Resource consents include land use consents (refer Sections 9 and 13 of the RMA), coastal permits (Sections 12, 14 and 15), water permits (Section 14) and discharge permits (Section 15).
RMA	<i>Resource Management Act</i> 1991 and including all subsequent amendments.

Bibliography and references

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Appendix I

**Resource consent held by
Groundworkx Taranaki Limited**
(For a copy of the signed resource consent
please contact the TRC consent department)

Discharge Permit
Pursuant to the Resource Management Act 1991
a resource consent is hereby granted by the
Taranaki Regional Council

Name of
Consent Holder: Groundworkx [Taranaki] Limited
 22 Beaconsfield Road
 R D 24
 STRATFORD 4394

Review Completed 26 July 2010 [Granted: 26 August 2003]
Date:

Conditions of Consent

Consent Granted: To discharge cleanfill onto and into land for quarry
 reinstatement purposes at or about (NZTM)
 1712733E-5644265N

Expiry Date: 1 June 2022

Review Date(s): June 2016

Site Location: Victoria Road, Stratford

Legal Description: Pt Lots 9, 19 & 23 DP 1942 Blk II Ngaere SD

Catchment: Patea

Consent 6192-1

General conditions

- a) On receipt of a requirement from the Chief Executive, Taranaki Regional Council the consent holder shall, within the time specified in the requirement, supply the information required relating to the exercise of this consent.
- b) Unless it is otherwise specified in the conditions of this consent, compliance with any monitoring requirement imposed by this consent must be at the consent holder's own expense.
- c) The consent holder shall pay to the Council all required administrative charges fixed by the Council pursuant to section 36 in relation to:
 - i) the administration, monitoring and supervision of this consent; and
 - ii) charges authorised by regulations.

Special conditions

1. The exercise of this consent shall be undertaken in accordance with the documentation submitted in support of application 2578, but subject to the conditions of this consent. In the case of any contradiction between the documentation submitted in support of application 2578 and the conditions of this consent, the conditions of this consent shall prevail.
2. The contaminants to be discharged shall be limited to cleanfill and/or inert materials. For the purposes of this condition, "clean fill and inert materials" are defined as materials consisting of any concrete, cement or cement wastes, bricks, mortar, tiles [clay, ceramic or concrete], non-tanalised timber, porcelain, glass, gravels, boulders, shingles, fibreglass, plastics, sand, soils and clays, and/or tree stumps and roots, whether singly or in combination or mixture, or any other material [subject to conditions 3 & 5] that when placed onto and into land will not render that land or any vegetation grown on that land toxic to vegetation or animals consuming vegetation.
3. The discharge of the following contaminants shall not occur: food wastes, paper and cardboard, grass clippings, garden wastes including but not limited to wastes containing foliage or other vegetation [other than tree stumps and roots as permitted under condition 2], textiles, steel, galvanised metals, construction materials containing paint or fillers or sealers or their containers, oils or greases or any liquids or sludges or their containers, any industrial process by-products other than as permitted under condition 2, any poisons or solvents or their containers, batteries, general domestic refuse not otherwise described, or any wastes with the potential to render land or any vegetation grown on the land toxic to vegetation or to animals consuming such vegetation.
4. If the consent holder is uncertain as to the acceptability or not of a certain material the consent holder shall obtain written approval from the Consents Manager, Taranaki Regional Council, prior to its discharge.
5. The discharge to land shall not result in any contaminant entering surface water or groundwater.

Consent 6192-1

6. Silt retention structures shall be installed and maintained to the satisfaction of the Chief Executive, Taranaki Regional Council.
7. The consent holder shall maintain stormwater drains, culverts, the sediment detention pond, and/or ground contours at the site, in order to minimise stormwater movement across, or ponding on the site.
8. Notwithstanding any conditions within this consent, the consent holder shall at all times adopt the best practicable option or options [as defined in section 2 of the Resource Management Act 1991] to prevent or minimise any actual or potential effect on the environment arising from any discharge at the site.
9. Upon completion of the works associated with the exercise of this consent, the discharge site covered by this consent shall be stabilised and revegetated to the satisfaction of the Chief Executive, Taranaki Regional Council.
10. In accordance with section 128 and section 129 of the Resource Management Act 1991, the Taranaki Regional Council may serve notice of its intention to review, amend, delete or add to the conditions of this resource consent by giving notice of review during the month of June 2010 and/or June 2016, for the purpose of ensuring that the conditions are adequate to deal with any adverse effects on the environment arising from the exercise of this resource consent, which were either not foreseen at the time the application was considered or which it was not appropriate to deal with at the time.

Transferred at Stratford on 26 July 2010

For and on behalf of
Taranaki Regional Council

Director-Resource Management