

Malandra Downs Ltd

Monitoring Programme

Annual Report

2022-2023

Technical Report 2023-32



Working with people | caring for Taranaki



Taranaki Regional Council
Private Bag 713
Stratford

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March 2024

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Executive summary

Malandra Downs Ltd (the Company) operate green waste stabilisation activities at Albany Road, Pātea, in the Pātea catchment. Green waste, as well as activated carbon and diatomaceous earth, is transported to the site and discharged over areas of sandy pasture that have undergone aeolian erosion. Discharged material helps trap soil and sand and upon decomposition, adds nutrients and condition to the sandy soils.

This report for the period July 2022 to June 2023 describes the monitoring programme implemented by the Taranaki Regional Council (the Council) to assess the Company's environmental and consent compliance 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. This is the twelfth annual report for this site.

During the monitoring period, Malandra Downs Ltd demonstrated a level of environmental and administrative performance that both required improvement.

The Company holds one resource consent to discharge contaminants and the associated stormwater and leachate, onto and into land, for land stabilisation purposes. This consent includes a total of 13 conditions setting out the requirements that the Company must satisfy.

The Council's monitoring programme for the year under review included three inspections to assess the type of materials being received and how the discharge to land was being managed.

The monitoring showed that the site was in need of improvements. The sand movement due to a lack of sand dune restoration is an ongoing concern. Improvements are required in the managing of the site, to ensure this does not continue to degrade over time. The site management plan was updated to reflect this, including planting plans.

For reference, in the 2022-2023 year, consent holders were found to achieve a high level of environment performance and compliance for 878 (87%) of a total of 1007 consents monitored through the Taranaki tailored monitoring programmes, while for another 96 (10%) of the consents a good level of environmental performance and compliance was achieved. A further 27 (3%) of consents monitored required improvement in their performance, while the remaining one (<1%) achieved a rating of poor.

In terms of overall environmental and compliance performance by the consent holder over the last several years, this report shows that the consent holder's performance has deteriorated and is at a level that requires improvement in the year under review.

This report includes recommendations for the 2023-2024 year.

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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 2022 to June 2023 by the Taranaki Regional Council (the Council) on the monitoring programme associated with the resource consent held by Malandra Downs Ltd (the Company). The consent holder accepts domestic green waste from three specified suppliers, as well as activated carbon and diatomaceous earth from Fonterra Kapuni, for discharge to land for dune stabilisation purposes at Albany Road, Patea in the Patea catchment.

The report covers the results and findings of the monitoring programme implemented by the Council in respect of the consent held by the Company. This is the twelfth annual report to be prepared by Council to cover the Company's discharges to land 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 *Resource Management Act 1991* (RMA) and the Council's obligations;
- the Council's approach to monitoring sites through annual programmes;
- the resource consents held by Malandra Downs Ltd;
- the nature of the monitoring programme in place for the period under review; and
- a description of the activities and operations conducted in the Company's site/catchment.

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 2023-2024 monitoring year.

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' in as much 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 consent holders, this report also assigns a rating as to each Company's environmental and administrative performance during the period under review. The rating categories are high, good, improvement required and poor for both environmental and administrative performance. The interpretations for these ratings are found in Appendix II.

For reference, in the 2022-2023 year, consent holders were found to achieve a high level of environment performance and compliance for 878 (87%) of a total of 1007 consents monitored through the Taranaki tailored monitoring programmes, while for another 96 (10%) of the consents a good level of environmental performance and compliance was achieved. A further 27 (3%) of consents monitored required improvement in their performance, while the remaining one (<1%) achieved a rating of poor.¹

1.2 Process description

The site is a mixed sheep, beef and dairy hold-over farm located North West of Patea (Figure 1). The south-western boundary of the farm runs along the edge of the sea cliffs (Figure 2). The land adjacent to the cliff has a high sand content and is prone to scouring and erosion from the high winds experienced in the area.

Green waste is sorted at Ingram Contracting Ltd (Ingram's) yard in Hawera to remove any unacceptable material before being transported to the site via truck. The weekly volume of the green waste discharged varies from season to season with a limit of 50 m³ per week. A variation to the consent in the 2014-2015 year also provided for the discharge of tomato green waste from greenhouses on a nearby property, while a variation in the 2016-2017 year allows Fulton Hogan and South Taranaki District Council to supply green waste in addition to Ingram's. Additionally, a variation to the consent in the 2021-2022 year, provided for Fonterra Kapuni to supply on average approximately 6.4 m³ per week of activated carbon and diatomaceous earth for dune stabilisation.

¹ The Council has used these compliance grading criteria for more than 19 years. They align closely with the 4 compliance grades in the MfE Best Practice Guidelines for Compliance, Monitoring and Enforcement, 2018

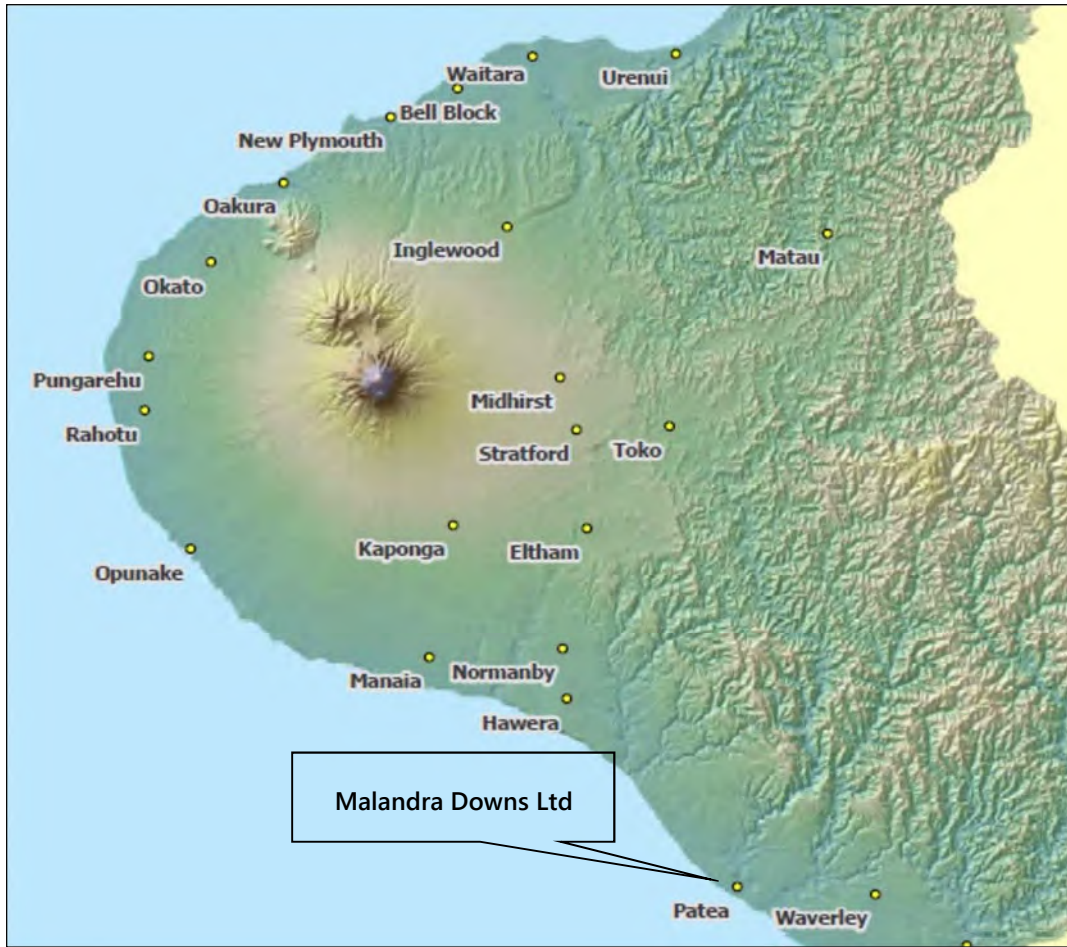


Figure 1 Regional map showing the location of the site



Figure 2 Aerial image of the Malandra Downs property

1.3 Resource consents

The Company holds one resource consent the details of which are summarised in the table below. Summaries of the conditions attached to each permit are set out in Section 3 of this report.

A summary of the various consent types issued by the Council is included in Appendix I, as are copies of all permits held by the Company during the period under review.

Table 1 Summary of consents held by the company during the period under review

Consent number	Purpose	Granted	Review	Expires
7374-1.5	To discharge contaminants, and the associated stormwater and leachate, onto and into land for land stabilisation purposes	10 June 2021	N/A	1 June 2028

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 Malandra Downs site consisted of two 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;
- discussion over monitoring requirements;
- preparation for any consent reviews, renewals or new consent applications;
- advice on the Council's environmental management strategies and content of regional plans; and
- consultation on associated matters.

1.4.3 Site inspections

There are two inspections per year scheduled under this programme, with the provision for a third inspection if required. The site was visited on three occasions during the year under review. The inspections focussed on the presence or absence of unacceptable materials, the stability of the green waste stacks (against wind), and the management of any stormwater and leachate. 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.

2 Results

2.1 Water

2.1.1 Inspections

Throughout the year, three inspections were conducted focusing on assessing compliance against the consent conditions. Inspections found that the log books were in poor condition, a large recreational pit had been dug (Figure 3), discharge of green waste was within the 10 m boundary, a coastal discharge drainage system had been dug (Figure 4) and that the movement of sand from the site was beginning to become unmanageable. Moreover pest plants were beginning to establish within the dune systems.

The log books were replaced promptly by the consent holder. Sampling was undertaken on the water within the pit and the coastal discharge system to ensure no contaminants were present. It was agreed that the green waste was in fact discharged outside the 10 m boundary and that the cliff face had eroded away.

The management plan was updated during the monitoring year and it was agreed that spinifex planting would occur in April/May 2023. The management plan also had a contingency around the management of pest plants.

The site is still an ongoing concern due to sand movement and erosion of the coastline. There was signs of improvement throughout the monitoring year. Fewer 'blow outs' were present amongst the dune systems. The green waste was being used to help stabilise the sand. The continued use of the green waste in conjunction with diatomaceous earth sourced from Fonterra should further aid in the dune stabilisation.



Figure 3 Large pit dug for recreational purposes 1st September 2023



Figure 4 Coastal discharge located onsite 1st September 2023

2.2 Incidents, investigations, and interventions

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 causes of non-compliance or failure to maintain good practices. A pro-active approach, that in the first instance avoids issues occurring, is favoured.

For all significant compliance issues, as well as complaints from the public, the Council maintains a database record. The record includes events where the individual/organisation concerned has itself notified the Council. Details of any investigation and corrective action taken are recorded for non-compliant events.

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 individual/organisation is indeed the source of the incident (or that the allegation cannot be proven).

Table 2 below sets out details of any incidents recorded, additional investigations, or interventions required by the Council in relation to Malandra downs activities during the 2022-2023 period. This table presents details of all events that required further investigation or intervention regardless of whether these were found to be compliant or not.

Table 2 Incidents, investigations, and interventions summary table

Date	Details	Compliant (Y/N)	Enforcement Action Taken?	Outcome
01/09/22	Adopt best practicable option - Sand movement No green waste to be discharged within 10 m of the cliff Site operated in accordance with Management Plan Compliance on pest plant matters	N	N	Ongoing work with the consent holder, including updated management plan
01/09/22	No contaminants not to enter marine area No contaminants to directly enter surface water	Y	N	Testing results showed no contaminants present

3 Discussion

3.1 Discussion of site performance

Inspections over the 2022 to 2023 period have found that the site management requires improvement. The main cause of concern is the sand movement which has taken place from the site. This can be observed in the contrast between Figures 5 and 6 below.

Improvements were made throughout the year to achieve compliance. The management plan was updated to include the planting of spinifex to help restore the sand dune system. Spinifex planting took place but was not done so in the advised seasonal time period. Due to this the effectiveness of the spinifex may have been impacted, and therefore more planting may be required in the 2023/2024 period.

Special condition 2 of the consent requires no green waste to be deposited within 10m of the cliff, which has proved problematic to enforce. This is due to the erosion of the cliff face constantly moving the 10 m boundary. This will be monitored throughout the 2023/2024 period to ensure it is being considered.

The discovery of the large pit in Figure 3 and the coastal discharge in Figure 4 required water quality testing to ensure that special condition 10 was being followed. This testing resulted in no contaminants being found to be of concern. The large pit should not have been dug as this exposes groundwater to potential run-off contaminants and was further evidence of poor site management.

The management of pest plants on the site also requires ongoing attention. The consent holder is aware of this and is actively managing to negate any further establishment of pest plants.

Malandra Downs management are aware of the non-compliances and the concerns of the Council. The Company are actively working with the Council to address the non-compliances and improve their site performance.



Figure 5 Malandra Downs site in 2007



Figure 6 Aerial image showing the extent of the sand movement from area around the property (2021)

3.2 Environmental effects of exercise of consents

The potential effects of the activity arise from the generation of leachate from the decomposition of green waste, and stormwater run-off from the discharge areas. Neither of these will be likely to have significant effects, as there is no fresh water body near any of the disposal sites, and on the whole the soil is very sandy and drains well.

The volume of leachate generated would have been small and likely to contain only moderate amounts of ammoniacal nitrogen and free ammonia. Any leachate generated percolates through the sandy soil and mixes with other subsurface waters. These waters eventually make their way to the sea via springs in the cliff face, at the base of the cliffs, or through the discovered coastal discharge drainage system. As this coastal area is considered 'high energy', and also that there is only a very narrow strip of beach (at low tide only), any waters emerging from the cliff would be swiftly mixed and dispersed. Any effects on groundwater quality or coastal water quality would be negligible. In general the creation of stable interlocked layers of green waste ensures that it does not fall off or get blown off the cliffs and down onto the coastal marine area or into the sea.

The effect of the sand movement from the lack of dune systems has seen the degradation in the land available for farming on the property. The ongoing issue is that this movement of sand has the potential to encroach onto neighbouring properties and furthermore into the Pātea township if management is not improved.

3.3 Evaluation of performance

A tabular summary of the consent holder's compliance record for the year under review is set out in Table 3.

Table 3 Summary of performance for consent 7374-1.5

Purpose: to discharge contaminants, and the associated stormwater and leachate, onto and into land for land stabilisation purposes		
Condition requirement	Means of monitoring during period under review	Compliance achieved?
1. Defines consented waste materials and supplier of consented waste materials	Inspections	Yes
2. No green waste to be discharged within 10 m of the cliff	Inspections	No
3. Adopt best practicable option	Inspections	No
4. Ingram's Contracting of Hawera, Fulton Hogan, and South Taranaki District Council are the sole suppliers of green waste	Programme management and liaison	Yes
5. Maximum volume of green waste 50 m ³ per week, and 10 m ³ per week of activated carbon and diatomaceous earth	Records checked at inspection	Yes
6. Consent holder to maintain records of discharge	Records checked at inspection	Yes
7. Site operated in accordance with Management Plan	Inspection	No
8. Prior to the discharge of any activated carbon and diatomaceous earth on site, the consent holder shall update the 'Management Plan'	Programme management and liaison	Yes
9. Compliance on pest plant matters	Inspections-no viable pest plants seen	No
10. No contaminants to directly enter surface water	Inspections	Yes
11. No contaminants to enter marine area	Inspections	Yes
12. Reinstatement of sites prior to surrender or expiry of consent	N/A	N/A
13. Review condition	01 June 2025	N/A
Overall assessment of environmental performance in respect of this consent		Improvement required
Overall assessment of administrative performance in respect of this consent		Improvement required

N/A = not applicable

Table 4 Evaluation of previous environmental performance over time

Year	Consent no	High	Good	Improvement req	Poor
2010-2011	7374	1	-	-	-
2011-2012	7374	1	-	-	-
2012-2013	7374	1	-	-	-
2013-2014	7374	1	-	-	-
2014-2015	7374	1	-	-	-
2015-2016	7374	-	1	-	-
2016-2017	7374	-	1	-	-
2017-2018	7374-1.4	-	-	1	-
2018-2019	7374-1.4	1	-	-	-
2019-2020	7374-1.4	1	-	-	-
2020-2021	7374-1.4	1			
2021-2022	7374-1.5	1			
2022-2023	7374-1.5			1	
Totals	-	9	2	2	-

During the year, the Company demonstrated a level that required improvement of environmental and administrative performance with the resource consent as defined in Appendix II.

3.4 Recommendations from the 2021-2022 Annual Report

In the 2021-2022 Annual Report, it was recommended:

1. THAT in the first instance, monitoring of consented activities at the Malandra Downs Ltd site in the 2022-2023 year continue at the same level as in 2021-2022.
2. THAT should there be issues with environmental or administrative performance in 2022-2023, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

Recommendations 2 was implemented.

3.5 Alterations to monitoring programmes for 2023-2024

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

- the extent of information already made available through monitoring or other means to date;
- its relevance under the RMA;
- the Council's obligations to monitor consented activities and their effects under the RMA;
- the record of administrative and environmental performances of the consent holder; and
- reporting 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 exercising resource consents.

It is proposed that for 2023-2024 that there is increased monitoring placed upon the site.

It should be noted that the proposed programme represents a reasonable and risk-based level of monitoring for the site(s) in question. The Council reserves the right to subsequently adjust the programme from that initially prepared, should the need arise if potential or actual non-compliance is determined at any time during 2023-2024.

4 Recommendations

1. THAT in the first instance, monitoring of consented activities at the Malandra Downs Ltd site in the 2023-2024 be amended from that undertaken in 2022-2023 to increase monitoring.
2. THAT should there be issues with environmental or administrative performance in 2023-2024, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

Glossary of common terms and abbreviations

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

Aeolian	Pertaining to wind or wind action.
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.
Green Waste	Domestic green waste is defined as: leaves, grass clippings, hedge trimmings, sticks/branches/logs with a diameter no greater than 100 mm. Specifically excluded from the definition are: sticks/branches/logs with a diameter greater than 100 mm; timber (treated or not); and any viable plant identified in the Pest Management Strategy for Taranaki: Plant.
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.
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 1991</i> and including all subsequent amendments.
STDC	South Taranaki District Council.

For further information on analytical methods, contact an Environment Quality Manager.

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- Taranaki Regional Council (2021): Officer Report 7374-1.5.
- Taranaki Regional Council (2007): Pest Management Strategy for Taranaki: Plants.

Appendix I

Resource consents held by Malandra Downs Ltd

(For a copy of the signed resource consent
please contact the TRC Consents department)

Water abstraction permits

Section 14 of the RMA stipulates that no person may take, use, dam or divert any water, unless the activity is expressly allowed for by a resource consent or a rule in a regional plan, or it falls within some particular categories set out in Section 14. Permits authorising the abstraction of water are issued by the Council under Section 87(d) of the RMA.

Water discharge permits

Section 15(1)(a) of the RMA stipulates that no person may discharge any contaminant into water, unless the activity is expressly allowed for by a resource consent or a rule in a regional plan, or by national regulations. Permits authorising discharges to water are issued by the Council under Section 87(e) of the RMA.

Air discharge permits

Section 15(1)(c) of the RMA stipulates that no person may discharge any contaminant from any industrial or trade premises into air, unless the activity is expressly allowed for by a resource consent, a rule in a regional plan, or by national regulations. Permits authorising discharges to air are issued by the Council under Section 87(e) of the RMA.

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. Permits authorising the discharge of wastes to land are issued by the Council under Section 87(e) of the RMA.

Land use permits

Section 13(1)(a) of the RMA stipulates that no person may in relation to the bed of any lake or river use, erect, reconstruct, place, alter, extend, remove, or demolish any structure or part of any structure in, on, under, or over the bed, unless the activity is expressly allowed for by a resource consent, a rule in a regional plan, or by national regulations. Land use permits are issued by the Council under Section 87(a) of the RMA.

Coastal permits

Section 12(1)(b) of the RMA stipulates that no person may erect, reconstruct, place, alter, extend, remove, or demolish any structure that is fixed in, on, under, or over any foreshore or seabed, unless the activity is expressly allowed for by a resource consent, a rule in a regional plan, or by national regulations. Coastal permits are issued by the Council under Section 87(c) of the RMA.

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

Name of
Consent Holder: Belmont Dairies Limited
113 River Road
R D 6
PALMERSTON NORTH

Consent Granted
Date: 4 April 2008

Conditions of Consent

Consent Granted: To discharge untreated farm dairy effluent by spray
irrigation onto and into land at or about
2655621E-6155838N

Expiry Date: 1 December 2022

Review Date(s): June 2010, June 2016

Site Location: Brewer Road, Waverley

Legal Description: Pt Sec 312 Blk XII Wairoa SD

Catchment: Waitotara

Treatment/Discharge
System[s]: Spray Irrigation

*For General, Standard and Special conditions
pertaining to this consent please see reverse side of this document*

Consent 7273-1

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 discharge shall not exceed 68 cubic metres/day.
2. The centre of the discharge area shall be located at 2655621E-6155838N.
3. No contaminants shall be discharged within 150 metres of any dwelling, nor within 50 metres from any bore, well or spring used for water supply purposes, nor within 25 metres of any surface water body.
4. The discharge shall not result in any discharge of contaminants to surface water.
5. The discharge shall not result in ponding on the surface that remains for more than three hours after the discharge has ceased.
6. The area of application shall be at least 30 hectares.
7. The return period between applications of effluent shall be at least 15 days.
8. The treatment/discharge system shall be operated and regularly maintained to ensure that the conditions of this consent are met.

Consent 7273-1

9. The Taranaki Regional Council may review any or all of the conditions of this consent by giving notice of review during June 2010 and/or June 2016, for the purpose of ensuring that the conditions are adequate to deal with any significant adverse effects on the environment arising from the exercise of this consent, which either were not foreseen at the time the application was considered or which it was not appropriate to deal with at the time.

Signed at Stratford on 4 April 2008

For and on behalf of
Taranaki Regional Council

Director-Resource Management

Appendix II

Categories used to evaluate environmental and administrative performance

Categories used to evaluate environmental and administrative performance

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 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 during investigations of incidents reported to the Council by a third party 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 during investigations of incidents reported to the Council by a third party. 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 during investigations of incidents reported to the Council by a third party. 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.