

Malandra Downs Limited
Monitoring Programme
Annual Report
2012-2013
Technical Report 2013-103

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Taranaki Regional Council
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July 2014

Executive summary

Malandra Downs Limited holds one resource consent to discharge greenwaste to land for the purposes of dune stabilisation at Albany Road, Patea in the Patea catchment.

Green waste from a Hawera based contractor is transported to the site and discharged over areas of sandy pasture that have undergone aeolian erosion. The green waste helps trap soil and sand and upon decomposition, adds nutrients and condition to the sandy soils.

This report for the period July 2012-June 2013 describes the monitoring programme implemented by the Taranaki Regional Council to assess the Company's environmental performance during the period under review, and the results and environmental effects of the consent holder's activities. This is the fifth annual report for this site.

Malandra Downs Ltd holds one resource consent to discharge green waste to land. This consent has 10 conditions setting out the requirements that the consent holder must satisfy.

The Council's monitoring programme for the year under review was comprised of two inspections, assessing the types of materials being received and how the discharge to land is being managed.

During the year, the consent holder demonstrated a high level of environmental performance and compliance with the resource consents. There were no incidents logged or complaints received by Council about the site during the period under review.

This report includes recommendations for the 2013-2014 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 the Annual Report for the period July 2012-June 2013 by the Taranaki Regional Council on the monitoring programme associated with the resource consent held by Malandra Downs Limited. The consent holder accepts green waste for discharge to land for dune stabilisation purposes at Albany Road, Patea in the Patea catchment.

This is the fifth Annual Report for the site compiled by Council and covers the results and findings of the monitoring programme implemented by the Council in respect of the consent held by Malandra Downs Limited.

1.1.2 Structure of this report

Section 1 of this report is a background section. It sets out general information about compliance monitoring under the *Resource Management Act 1991* (RMA) and the Council's obligations and general approach to monitoring sites through annual programmes, the resource consent held by Malandra Downs Limited 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 on the consent holder'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 interpretation, and their significance for the environment.

Section 4 presents recommendations to be implemented in the 2013-2014 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(RMA) and monitoring

The *Resource Management Act 1991* (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 a discharger, and may include cultural and socio-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 (eg, recreational, cultural, or aesthetic);
- (e) risks to the neighbourhood or environment.

In drafting and reviewing conditions on discharge permits, and in implementing monitoring programmes, the Taranaki Regional Council is recognising the comprehensive meaning of 'effects' inasmuch as is appropriate for each discharge source. 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 Resource Management Act 1991, the Council undertakes compliance monitoring for consents and rules in regional plans; and maintains an overview of performance of resource users against regional plans and consents. Compliance monitoring, including impact monitoring, also enables the Council to continuously assess its own performance in resource management as well as that of resource users particularly consent holders. It further enables the Council to continually re-evaluate its approach and that of consent holders to resource management, and, ultimately, through the refinement of methods, to move closer to achieving sustainable development of the region's resources.

1.1.4 Evaluation of environmental and consent performance

Besides discussing the various details of the performance and extent of compliance by the consent holder during the period under review, this report also assigns an overall rating. The categories used by the Council, and their interpretation, are as follows:

- A **high** level of environmental performance and compliance indicates that essentially there were no adverse environmental effects to be concerned about, and no, or inconsequential (such as data supplied after a deadline) non-compliance with conditions.
- A good level of environmental performance and compliance indicates that adverse environmental effects of activities during the monitoring period were negligible or minor at most, or, 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, or, there were perhaps some items noted on inspection notices for attention but these items were not urgent nor critical, and follow-up inspections showed they have been dealt with, and any inconsequential non compliances with conditions were resolved positively, co-operatively, and quickly.
- **Improvement required (environmental) or improvement required (administrative compliance)** (as appropriate) indicates that the Council may have been obliged to record a verified unauthorised incident involving measurable environmental impacts, and/or, there were measurable environmental effects arising from activities and intervention by Council staff was required and there were matters that required urgent intervention, took some time to resolve, or remained unresolved at the end of the period under review, and/or, there were on-going issues around meeting resource consent conditions even in the absence of environmental effects. Abatement notices may have been issued.
- **Poor performance (environmental) or poor performance (administrative compliance)** indicates generally that the Council was obliged to record a verified unauthorised incident involving significant environmental impacts, or there were

material failings to comply with resource consent conditions that required significant intervention by the Council even in the absence of environmental effects. Typically there were grounds for either a prosecution or an infringement notice.

For reference, in the 2012-2013 year, 35% 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 59% demonstrated a good level of environmental performance and compliance with their consents.

1.2 Process description

The site is a mixed sheep, beef and dairy hold-over farm. The south-western boundary of the farm runs along the edge of the sea cliffs. 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's Contracting 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; the peak volume is projected to be approximately 150 cubic metres of uncompressed green waste per week.

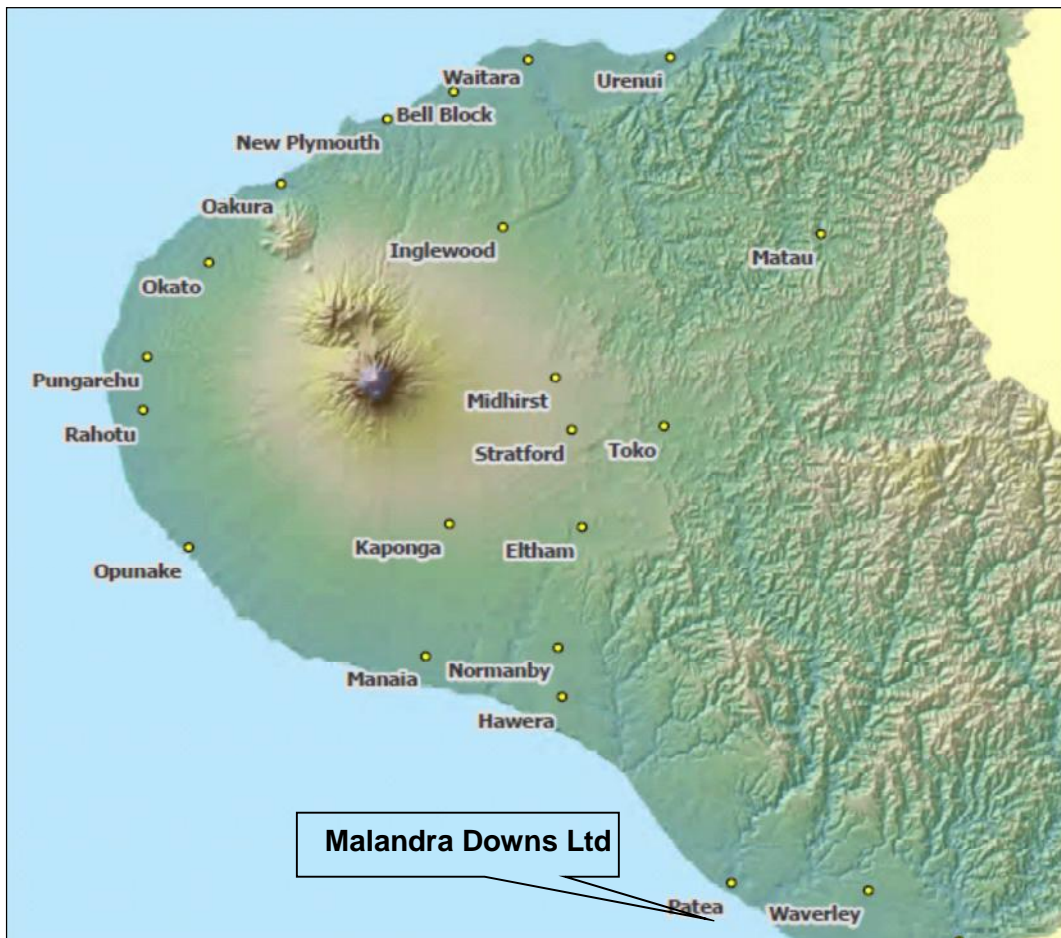


Figure 1 Regional map showing the location of the site

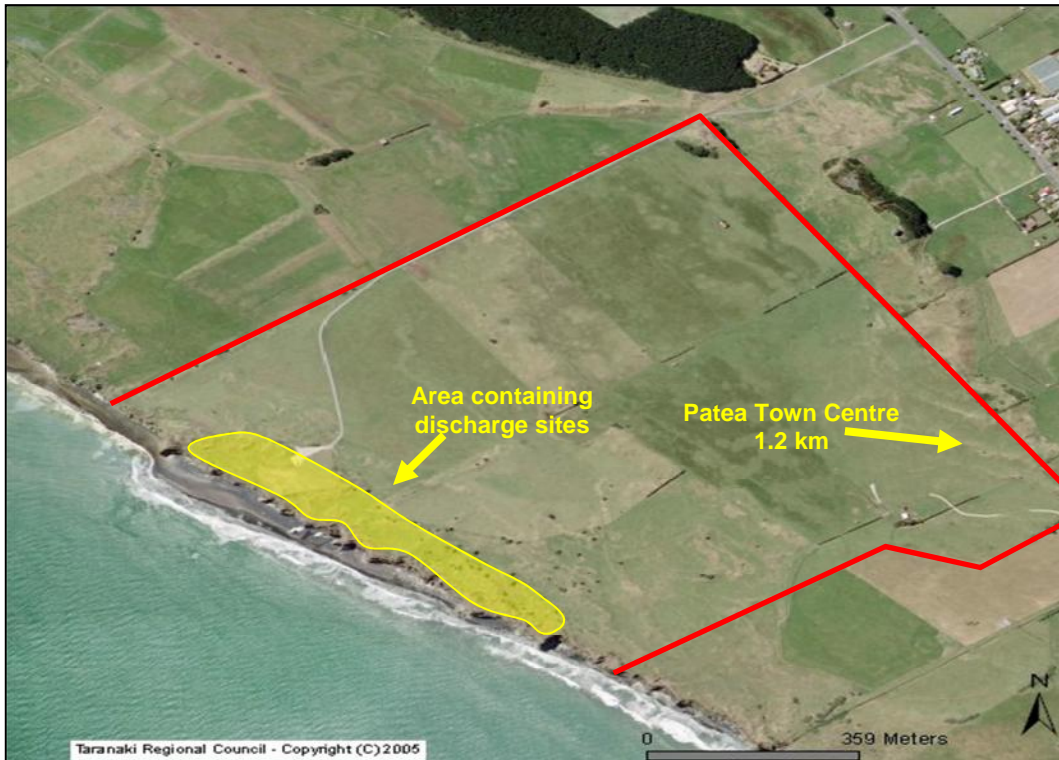


Figure 2 Aerial image of the property

1.3 Resource consent

1.3.1 Discharges of wastes to land

Sections 15(1)(b) and (d) of the *Resource Management Act 1991* (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.

Malandra Downs Limited holds discharge permit 7374 to cover the discharge of domestic green waste onto and into land for land stabilisation purposes and to discharge associated stormwater and leachate onto and into land at or about (NZTM) 1724659E-5598329N. This permit was issued by the Taranaki Regional Council on 15 September 2008 under Section 87(e) of the RMA to KP and BA O'Leary and it was transferred to Malandra Downs Limited on 2 May 2011. This consent is due to expire on 1 June 2022 and has optional review dates of June 2016 and June 2022.

Consent 7374 has ten special conditions;

Condition 1 requires the consent holder to adopt the best practicable option as defined by Section 2 of the RMA to minimise adverse effects.

Conditions two, three and four deal with the source and nature of acceptable green waste, and require that Ingram's Contracting be the sole source of the green waste.

Condition five requires that the site complies with the *Pest Plant Strategy for Taranaki; Plants*.

Conditions six and seven deal with the proscription of contaminants directly entering surface water or the marine area.

Condition eight deals with discharge site reinstatement.

Conditions nine and ten define the lapse period and review dates.

The permit is attached to this report in Appendix I.

1.4 Monitoring programme

1.4.1 Introduction

Section 35 of the *Resource Management Act 1991* (RMA) sets out an obligation for the Taranaki Regional Council to gather information, monitor, and conduct research on the exercise of resource consents, and the effects arising, within the Taranaki region.

The Taranaki Regional 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 Limited site consisted of two components: liaison and site inspections.

1.4.2 Programme liaison and management

There is generally a significant investment of time and resources by the Taranaki Regional 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, or new consents, advice on the Council's environmental management strategies and the content of regional plans, and consultation on associated matters.

1.4.3 Site inspections

The site was visited on two occasions during the monitoring period. 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.

2. Results

2.1 Inspections

The site was inspected on two occasions. The inspections focussed on the type of material being discharged, discharge site stability and leachate/stormwater control.

7 November 2012.

A site visit was made to conduct a compliance monitoring inspection. The weather was fine with no rain falling over the previous 48 hours. There did not appear to be any new greenwaste discharged at the site since the last inspection and access to the area had been blocked to vehicles by new fencing. The existing piles had browned off and settled down and appeared to be stable.

The consent holder was contacted and it was outlined that there had been no greenwaste deliveries for sometime and that deliveries would not recommence until a new race is finished.

Several of the older discharge sites were inspected and these were found to be free of unacceptable wastes.

There were no issues in regards to leachate or windblown greenwaste at the site.

30 May 2013

A site visit was made to conduct a compliance monitoring inspection. The weather was showery with 18mm rain falling over the last 72 hours.

There did not appear to have been much activity at the site since the last inspection. The stock pile area was empty and no new piles could be found in the usual discharge areas. Previously discharged greenwaste had browned off and settled down and appeared to be stable. No unacceptable wastes were found at the site.

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 consent holder. 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 Taranaki Regional 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 Unauthorised Incident Register (UIR) 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 2012-2013 year, it was not necessary for the Council to undertake significant additional investigations and interventions, or record incidents.

There were no incidents recorded by the Council that were associated with non-compliance by Malandra Downs Limited with conditions in resource consents or provisions in Regional Plans.

3. Discussion

3.1 Discussion of site performance

Overall the site appeared to be well managed, the discharge sites were all fenced off to exclude stock and the green waste was largely free of unacceptable wastes.

There was very little activity at the site during the monitoring period in regards to the discharge of new greenwaste. No issues were noted in the general management of the site.

Some of the existing discharge sites showed improvement in stabilisation evidenced by sand and soil building up around the green waste.

3.2 Environmental effects of exercise of consent

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. There is no fresh water body near any of the disposal sites and the soil is very sandy and drains well.

The volume of leachate generated would have been small and likely only to contain 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 either via springs in the cliff face or at the base of the cliffs. 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. 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.

From observations made during the inspections of the site, no adverse environmental effects were occurring as a result of the exercise of consent 7374.

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 1.

Table 1 Summary of performance for Consent 7374-1 To discharge domestic green waste onto and into land for land stabilisation purposes and to discharge associated stormwater and leachate onto and into land

Condition requirement	Means of monitoring during period under review	Compliance achieved?
1. Adopt best practicable option	Inspections	Yes
2. Ingram's Contracting is sole supplier of green waste	Programme management and liaison	Yes
3. Accepted green waste adhered to Council specifications	Inspections	Yes

Condition requirement	Means of monitoring during period under review	Compliance achieved?
4. Unacceptable materials removed	Inspections –none found	Yes
5. Compliance on Pest Plant matters	Inspections – no viable plants seen	Yes
6. No contaminants to directly enter surface water	Inspections- no discharges found	Yes
7. Green waste not to enter marine area	Inspections – greenwaste piles appeared stable	Yes
8. Reinstatement of sites prior to surrender or expiry of consent	N/A	N/A
9. Lapse of consent	Consent exercised	Yes
10. Review condition	No review option this period	N/A
Overall assessment of consent compliance and environmental performance in respect of this consent		High

N/A = not applicable

During the year, Malandra Downs Limited demonstrated a high level of environmental performance and compliance with the resource consent. During the year under review there were no incidents or complaints recorded or observed during inspections.

3.4 Recommendations from the 2011-2012 Annual Report

The 2011-2012 Annual Report recommended;

THAT monitoring of discharges from Malandra Downs Limited in the 2012-2013 year continue at the same level as in 2011-2012.

This recommendation was implemented with the exception that only two inspections were undertaken due to the lack of activity at the site.

3.5 Alterations to monitoring programmes for 2013-2014

In designing and implementing the monitoring programmes for air/water discharges in the region, the Taranaki Regional Council has taken into account the extent of information made available by previous authorities, its relevance under the *Resource Management Act 1991 (RMA)*, the obligations of the RMA in terms of monitoring emissions/discharges and effects, and subsequently reporting to the regional community, 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/discharging to the environment.

It is proposed that the programme for the 2013-2014 period remain unchanged from that undertaken in the 2012-2013 period.

A recommendation to this effect is attached to this report.

4. Recommendation

THAT monitoring of discharges at the Malandra Downs Ltd site in the 2013-2014 period continue at the same level as in the 2012-2013 period.

Glossary of common terms and abbreviations

The following abbreviations and terms may have been used within this report:

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
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.
Leachate	water that has percolated through a solid and leached out some of the constituents.
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 subsequent amendments.
UI	Unauthorised Incident.
UIR	Unauthorised 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.

Bibliography and references

- Taranaki Regional Council (2012): 'Malandra Downs Monitoring Programme Annual Report 2011-12'. Technical Report 2012-06.
- Taranaki Regional Council (2010): 'Malandra Downs /KP and BA O'Leary, Monitoring Programme Annual Report 2010-11'. Technical Report 2011-09.
- Taranaki Regional Council (2010): 'KP and BA O'Leary, Monitoring Programme Annual Report 2009-10'. Technical Report 2010-22.
- Taranaki Regional Council (2009): 'KP and BA O'Leary Monitoring Programme Annual Report 2008-09'. Technical Report 2009-40.
- Taranaki Regional Council (2008): 'Officer Report 7374-1.
- Taranaki Regional Council (2007): 'Pest Management Strategy for Taranaki: Plants.

Appendix I

**Resource consent held by
Malandra Downs Ltd**



CHIEF EXECUTIVE
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47 CLOTEN ROAD
STRATFORD
NEW ZEALAND
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FAX: 06-765 5097
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Please quote our file number
on all correspondence

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

Name of
Consent Holder: Keady Patrick & Brenda Alice O'Leary
23 Albany Street
PATEA

Consent Granted
Date: 15 September 2008

Conditions of Consent

Consent Granted: To discharge domestic green-waste onto and into land for
land stabilisation purposes, and to discharge the
associated stormwater and leachate onto and into land at
or about (NZTM) 1724659E-5598329N

Expiry Date: 1 June 2028

Review Date(s): June 2016, June 2022

Site Location: 23 Albany St, Patea

Legal Description: Lot 1 DP 6934

Catchment: Patea

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

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

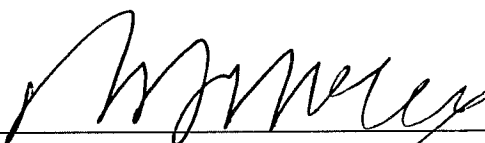
1. Notwithstanding any other condition of this consent the consent holder shall at all times adopt the best practicable option, as defined in section 2 of the Resource Management Act 1991, to prevent or minimise any adverse effects on the environment from the exercise of this consent.
2. Ingram's Contracting of Hawera shall be the sole supplier of the green-waste for discharge. No other external sources of green waste are permitted to discharge at the site.
3. For the purposes of this consent, 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*.
4. The consent holder shall remove any dumped material from the site that is not green waste (as defined in condition 3).
5. The consent holder shall comply with the requirements of the *Pest Management Strategy for Taranaki: Plants* at the site.
6. The discharge of green waste to land shall not result in any contaminant entering surface water.
7. The exercise of this consent shall not result in any green waste, either by wind action, gravity, or any other process leaving the discharge sites and entering the sea or any part of coastal marine area adjacent to the property.
8. Prior to the expiry or surrender of this consent, the consent holder shall reinstate and revegetate the discharge areas to the satisfaction of the Chief Executive of the Taranaki Regional Council.

Consent 7374-1

9. This consent shall lapse on the expiry of five years after the date of issue of this consent, unless the consent is given effect to before the end of that period or the Taranaki Regional Council fixes a longer period pursuant to section 125(1)(b) of the Resource Management Act 1991.
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 2016 and/or June 2022, 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.

Signed at Stratford on 15 September 2008

For and on behalf of
Taranaki Regional Council



Director-Resource Management

