

Cudby Contracting Limited
Quarry Monitoring Programme
Biennial Report
2011-2013
Technical Report 2013-107

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September 2014

Executive summary

Cudby Contracting Limited operates a quarry located at Whenuku Road in the Waingongoro catchment. This report for the period July 2011-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 Company's activities.

The Company holds one resource consent, which includes 10 conditions setting out the requirements that the Company must satisfy. The Company holds resource consent 7845-1 to discharge stormwater to land from quarry activities.

The Council's monitoring programme for the period under review included four site inspections.

The monitoring showed that the Company demonstrated a high level of environmental performance and compliance with the resource consents.

This report includes recommendations for the 2013-2015 monitoring period.

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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 biennial report for the period July 2011-June 2013 by the Taranaki Regional Council describing the monitoring programme associated with resource consents held by Cudby Contracting Limited. The Company operates a quarry situated on Whenuku Road.

This report covers the results and findings of the monitoring programme implemented by the Council in respect of the consent 7845-1 held by Cudby Contracting Limited that relate to discharges of stormwater into land. This is the first report to be prepared by the Taranaki Regional Council to cover the Company's stormwater discharges.

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 consents held by Cudby Contracting Limited, the nature of the monitoring programme in place for the period under review, and a description of the activities and operations conducted in the Waingongoro catchment.

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 2013-2015 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 *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 RMA, 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 performance

Besides discussing the various details of the performance and extent of compliance by the consent holder(s) 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 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 period, 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

In the past, a large percentage of aggregate production came from river-based sites within Taranaki. The Waiwhakaiho River supplied much of New Plymouth's requirements as far back as the 1950s with the Waitara River, Waiongana River, Kapuni Stream and Waingongoro River also providing a valuable source of aggregate. The aggregate source within these rivers was often over-exploited. The protective armouring of the boulders and gravel was removed in places, exposing the underlying erodible ash beds and creating deep narrow channels, which moved progressively upstream with no noticeable recovery. This brought about the need for the Shingle Extraction Bylaw introduced in 1974. Aggregate extraction from rivers was then controlled through the issue of permits accompanied by a set of conditions, with the removal of river-based aggregate being restricted to that for river control purposes only.

Historically, land-based sites required steady markets to compete with the easily won river-based extraction operations. However, in the early 1980s, due to the restriction placed on river-based aggregate extraction (and the completion of various major river control programmes and 'Think Big' projects) land-based sites became more widespread (Taranaki Regional Council, 1992).

Thirty operating quarries presently supply aggregate in Taranaki. These quarries are generally located in a reasonable proximity to urban areas, from which the greatest demand for aggregate stems.

Provision of aggregate to meet longer term demand will continue to be dominated by several large quarry operations. Extra demand on alluvial terraces and laharic deposits has occurred due to the controlled river bed extraction. These resources are of good quality and are relatively plentiful. Importation of various aggregates may need to continue to meet the requirement for aggregate types not available in Taranaki.

Quarrying and extraction of gravel in NZ is regulated by two statutory processes. Allocation and protection of priority rights to extract gravel is obtained under the Crown Minerals Act from the NZ Petroleum and Minerals, a division of the Ministry of Economic Development.

Regulatory responsibility for control of environmental effects of quarrying and extraction is under the RMA 1991 as applied by respective regional councils. In some cases these controls may act as a constraint or limitation on allocation decisions.

Sections 15 and 30 of the RMA give regional councils responsibility for the discharge of contaminants into the environment. Discharges of water into water, contaminants onto or into land that may result in water contamination, and contaminants from industrial premises into air or onto/into land, may not take place unless expressly allowed by a rule in a regional plan, a resource consent, or regulations. Aggregate extraction usually involves washing aggregates, and therefore requires the discharge of wastes. Other discharges, such as emissions to air from crushing and processing plants, disposal of spoil and solid wastes, and discharges of stormwater are also the responsibility of regional councils.

1.2.1 Cudby Contracting Limited

Cudby Contracting Limited operates a quarry operation at the end of Whenuku Road, near Normanby in South Taranaki, to supply aggregate to a mostly the local market. The workings covered an area of approximately 0.4 ha.

The quarry site was essentially flat terrace with the Waingongoro River along the western boundary of the quarry site and contains predominantly fine-grained river sorted aggregate. The material was stockpiled onsite as required. No washing was carried out at this site.



Figure 1 Aerial map showing Cudby Contracting Limited's quarry site

1.3 Resource consents

1.3.1 Water discharge permit

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.

Water quality is a primary concern to the Taranaki Regional Council with regard to aggregate extraction. A quarry can operate as either a 'dry' quarry discharging only stormwater or a 'washing' quarry where aggregate washing facilities are in place. Many of the quarries in Taranaki have some form of washing facility and also operate in the vicinity of a water body or have some form of discharge into a water body.

Waste water from aggregate washing has a high silt concentration. Discharge of this water into a waterbody, particularly to a river during low flow, results in the smothering of instream life and deterioration in aesthetic conditions and can affect downstream abstractions of water, local fisheries and recreational activity.

Stormwater is generally less contaminated (in terms of silt concentration) and run-off tends to occur when rivers are in higher flow. This means that the effect of silt contamination is reduced due to lower quantities, dilution and carrying capacity. The installation of appropriate stormwater diversion structures, together with construction and maintenance of contaminated stormwater and aggregate washing discharge treatment facilities are most important in maintaining water quality.

Cudby Contracting Limited holds discharge permit **7845-1** to cover discharge of stormwater into land from quarry activities. This permit was issued by the Taranaki Regional Council on 7 July 2011 under Section 87(e) of the RMA. It is due to expire on 1 June 2029.

Consent **7845-1** has 10 special conditions as summarised below;

Special condition 1 states only stormwater may be discharged, no washwater or ground water.

Special condition 2 states the active quarry area shall no exceed 0.5 hectares

Special condition 3 states the discharge shall be to land via underground infiltration system and special condition 4 states all run off must pass through settlement ponds or sediment traps.

Special condition 5 states condition 3 above shall cease to apply, only when the site is stabilized.

Special condition 6 requires notification 7 working days prior to the commencement of works.

Special condition 7 states all earthwork areas shall be stabilised with vegetation.

Special condition 8 states the consent holder shall at all times adopt best practicable option.

Special condition 9 the consent shall lapse on 30 September 2016.

Special condition 10 states that review may occur June 2017 and/or June 2023.

The permit is attached to this report in Appendix I.

1.4 Monitoring programme

1.4.1 Introduction

Section 35 of the 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 Cudby Contracting Limited's 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 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 quarry site was visited four times during the monitoring period. With regard to consents for the discharge to water, the main points of interest were plant processes with potential or actual discharges to receiving watercourses, including contaminated stormwater and process wastewaters.. The neighbourhood was surveyed for environmental effects.

1.4.4 Chemical sampling

Sampling of the discharge was programmed to be undertaken on one occasion if warranted during the period under review.

No sampling of the discharge from the site was undertaken during the period under review.

2. Results

2.1 Water

2.1.1 Inspections

Four inspections were undertaken during the 2011-2013 monitoring period, the inspection notices are summarised below;

3 February 2012

Quarrying had begun on the site. There was no one onsite at the time of inspection. Stormwater was directed to a large settling pond. There was some product stockpiled onsite. The site was tidy and complying with consent conditions at the time of inspection.

20 June 2012

The inspection was undertaken following heavy rain. There was no one onsite and the gate was closed. There were some stockpiles of product onsite. The stormwater was being directed to a holding pond which was not discharging. The site was complying with consent conditions at the time of inspection.

5 November 2012

The site was unattended at the time of inspection. Some product was stockpiled. The silt pond was not discharging. There were no ponding or dust issues. The site was tidy and complying with consent conditions at the time of inspection.

25 January 2013

There was some product stockpiled onsite. The silt pond was not discharging at the time of inspection. There were no ponding or dust issues. The site was tidy and complying with consent conditions at the time of inspection.

No sampling of the receiving waters was undertaken during the monitoring period. At the time of the inspections there was no discharge of stormwater into the unnamed tributary of the Manganui River.

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 2011-2013 period, there were no incidents recorded by the Council that were associated with Cudby Contracting Ltd.

3. Discussion

3.1 Discussion of performance

Four inspections were undertaken during the period under review. Generally the site was tidy and well maintained at each inspection.

With regard to the water discharges, in general, the stormwater bunding and treatment systems were found to be operated and maintained in a satisfactory manner in the 2011-2013 monitoring period.

3.2 Environmental effects of exercise of water permit

The main potential environmental effect on waterways that quarries have is the discharges of wash water containing high suspended solids concentrations into nearby waterways. Such discharges may result in discolouration of the waterway near the discharge point and may result in smothering of benthic lifeforms, form a barrier to fish movement and may affect fish spawning habitats.

The Taranaki Regional Council monitors for possible effects on stream life by conducting a visual inspection of the streambed both up and downstream of the quarry.

There was no discharge from the quarry during the inspections and no adverse effects were observed on the water quality downstream of the quarry.

3.3 Evaluation of performance

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

Table 1 Summary of performance for Consent 7845-1 for discharge of stormwater into land from quarry activities

Condition requirement	Means of monitoring during period under review	Compliance achieved?
1. Only stormwater may be discharged	Inspections of treatment system and discharge point	Yes
2. Quarry area shall not exceed 0.5 hectares	Site inspections	Yes
3. Discharge to land via underground infiltration system	Inspections of treatment system and discharge point	Yes
4. Run off must pass through settlement ponds or sediment traps	Inspections of treatment system and discharge point	Yes
5. Site shall be stabilized	Site inspections/Notification	N/A
6. Notification required	Notification received	Yes
7. Earthwork to be stabilised vegetatively	Site inspections/Notification	Yes

Condition requirement	Means of monitoring during period under review	Compliance achieved?
8. Adopt best practicable option	Site inspections	Yes
9. Consent shall lapse	Site inspections/Notification	N/A
10. Optional review provision	Not scheduled for consideration during year under review. Next consideration June 2017	N/A
Overall assessment of consent compliance and environmental performance		High

N/A = not applicable

During the year, Cudby Contracting Limited demonstrated a high level of environmental performance and compliance with the resource consent 7845-1 at its Whenuku Road quarry site in Hawera.

3.4 Alterations to monitoring programmes for 2013-2015

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 RMA, the obligations of the Act 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.

3.5 Exercise of optional review of consent

Resource consent 7845-1 did not provide for optional review in the 2011-2013 monitoring period. The next review date is in June 2017.

4. Recommendations

1. THAT monitoring of discharges from Cudby Contracting Limited for 2013-2015, is extended to include a biomonitoring survey.

Glossary of common terms and abbreviations

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

Al*	Aluminum.
As*	Arsenic.
Biomonitoring	Assessing the health of the environment using aquatic organisms.
BOD	Biochemical oxygen demand. A measure of the presence of degradable organic matter, taking into account the biological conversion of ammonia to nitrate.
BODF	Biochemical oxygen demand of a filtered sample.
Bund	A wall around a tank to contain its contents in the case of a leak.
CBOD	Carbonaceous biochemical oxygen demand. A measure of the presence of degradable organic matter, excluding the biological conversion of ammonia to nitrate.
cfu	Colony forming units. A measure of the concentration of bacteria.
COD	Chemical oxygen demand. A measure of the oxygen required to oxidise all matter in a sample by chemical reaction.
Condy	Conductivity, an indication of the level of dissolved salts in a sample, usually measured at 20°C and expressed in mS/m.
DO	Dissolved oxygen.
DRP	Dissolved reactive phosphorus.
Ent	Enterococci, an indicator of the possible presence of faecal material and pathological micro-organisms. Usually expressed as the number of colonies per 100 ml.
F	Fluoride.
FC	Faecal coliforms, an indicator of the possible presence of faecal material and pathological micro-organisms. Usually expressed as the number of colonies per 100 ml.
Fresh	Elevated flow in a stream, such as after heavy rainfall.
g/m ³	Grammes per cubic metre, and equivalent to milligrammes per litre (mg/L). In water, this is also equivalent to parts per million (ppm), but the same does not apply to gaseous mixtures.
l/s	Litres per second.
MCI	Macroinvertebrate community index; a numerical indication of the state of biological life in a stream that takes into account the sensitivity of the taxa present to organic pollution in stony habitats.
mS/m	Millisiemens per metre.
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 7 times the width of the stream at the discharge point.
NH ₄	Ammoniacal nitrogen, normally expressed in terms of the mass of nitrogen (N).
NH ₃	Unionised ammonia nitrogen, normally expressed in terms of the mass of nitrogen (N).
NTU	Nephelometric Turbidity Unit, a measure of the turbidity of water.
O&G	Oil and grease, defined as anything that will dissolve into a particular organic solvent (e.g. hexane). May include both animal material (fats) and mineral matter (hydrocarbons).

pH	A numerical system for measuring acidity in solutions, with 7 as neutral. Numbers lower than 7 are increasingly acidic and higher than 7 are increasingly alkaline. The scale is logarithmic i.e. a change of 1 represents a ten-fold change in strength. For example, a pH of 4 is ten times more acidic than a pH of 5.
Physicochemical	Measurement of both physical properties (e.g. temperature, clarity, density) and chemical determinants (e.g. metals and nutrients) to characterise the state of an environment.
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	Resource Management Act 1991 and subsequent amendments.
SS	Suspended solids.
Temp	Temperature, measured in °C.
Turb	Turbidity, expressed in NTU.
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.
Zn*	Zinc.

*an abbreviation for a metal or other analyte may be followed by the letter 'As', to denote the amount of metal recoverable in acidic conditions. This is taken as indicating the total amount of metal that might be solubilised under extreme environmental conditions. The abbreviation may alternatively be followed by the letter 'D', denoting the amount of the metal present in dissolved form rather than in particulate or solid form. For further information on analytical methods, contact the Council's laboratory

Bibliography and references

Taranaki Regional Council, 1992: Regional Policy Statement Working Paper.
Aggregate extraction in Taranaki. TRC Report.

Appendix I

**Resource consent held by
Cudby Contracting Limited Quarry**



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

CHIEF EXECUTIVE
PRIVATE BAG 713
47 CLOTEN ROAD
STRATFORD
NEW ZEALAND
PHONE: 06-765 7127
FAX: 06-765 5097
www.trc.govt.nz

Please quote our file number
on all correspondence

Name of
Consent Holder: Grant Cudby Contracting Limited
12 Beech Place
HAWERA 4610

Decision Date: 7 July 2011

Commencement
Date: 7 July 2011

Conditions of Consent

Consent Granted: To discharge treated stormwater into land from quarry activities at or about (NZTM) 1705874E-5623037N

Expiry Date: 1 June 2029

Review Date(s): June 2017, June 2023

Site Location: 277 Whenuku Road, Hawera
[Property owner: B & M Schrader]

Legal Description: Sec 38 Patea Dist [Discharge source & site]

Catchment: Waingongoro

General condition

- a. The consent holder shall pay to the Taranaki Regional Council all the administration, monitoring and supervision costs of this consent, fixed in accordance to section 36 of the Resource Management Act.

Special conditions

1. This authorises the discharge of stormwater only, no washwater or groundwater is to be discharged.
2. The active area of the quarry shall not exceed 0.5 hectares at any one time.
3. The discharge shall be to land after settlement via an underground infiltration system.
4. If any area of soil is exposed, all run off from that area shall pass through settlement ponds or sediment traps with a minimum total capacity of;
 - a) 100 cubic metres for every hectare of exposed soil between 1 November to 30 April; and
 - b) 200 cubic metres for every hectare of exposed soil between 1 May to 31 October;unless other sediment control measures that achieve an equivalent standard are agreed to by the Chief Executive of the Taranaki Regional Council.
5. The obligation described in condition 3 above shall cease to apply, and accordingly the erosion and sediment control measures can be removed, in respect of any particular site or area of any site, only when the site is stabilised.


Note: For the purpose of conditions 3 and 4 "stabilised" in relation to any site or area means inherently resistant to erosion or rendered resistant, such as by using rock or by the application of basecourse, colluvium, grassing, mulch, or another method to the reasonable satisfaction of the Chief Executive, Taranaki Regional Council and as specified in the Taranaki Regional Council's Guidelines for Earthworks in the Taranaki Region, 2006. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once, on reasonable visual inspection by an officer of the Taranaki Regional Council, an 80% vegetative cover has been established.
6. At least 7 working days prior to the commencement of works the consent holder shall notify the Taranaki Regional Council of the proposed start date for the work. Notification shall include the consent number and a brief description of the activity consented and shall be emailed to worknotification@trc.govt.nz.
7. All earthwork areas shall be stabilised vegetatively or otherwise as soon as is practicable immediately following completion of soil disturbance activities.
8. 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 actual or likely adverse effect on the environment associated with the discharge of contaminants from the site.

Consent 7845-1

9. This consent shall lapse on 30 September 2016, 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 2017 and/or June 2023, 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 7 July 2011

For and on behalf of
Taranaki Regional Council



Chief Executive

