



AGENDA

Consents & Regulatory

Tuesday 8 June 2021, 9.30am



Purpose of Consents and Regulatory Committee meeting

This committee attends to all matters in relation to resource consents, compliance monitoring and pollution incidents, biosecurity monitoring and enforcement.

Responsibilities

Consider and make decisions on resource consent applications pursuant to the *Resource Management Act 1991*.

Ensure adequate compliance monitoring of resource use consents and receive decisions on enforcement actions in the event of non-compliance, pursuant to the *Resource Management Act 1991*.

Consider and make decisions on monitoring and enforcement matters associated with plant and animal pest management.

Other matters related to the above responsibilities.

Membership of Consents and Regulatory Committee

Councillor D L Lean (Chairperson)	Councillor C S Williamson (Deputy Chairperson)
Councillor M J Cloke	Councillor M G Davey
Councillor C L Littlewood	Councillor D H McIntyre
Councillor E D Van Der Leden	Councillor D N MacLeod (ex officio)
Councillor M P Joyce (ex officio)	

Representative Members

Ms E Bailey	Mr M Ritai
Mr K Holswich	

Health and Safety Message

Emergency Procedure

In the event of an emergency, please exit through the emergency door in the committee room by the kitchen.

If you require assistance to exit please see a staff member.

Once you reach the bottom of the stairs make your way to the assembly point at the birdcage. Staff will guide you to an alternative route if necessary.

Earthquake

If there is an earthquake - drop, cover and hold where possible.

Please remain where you are until further instruction is given.

Consents and Regulatory Committee

08 June 2021 09:30 AM

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Whakataka te hau

Karakia to open and close meetings

Whakataka te hau ki te uru	Cease the winds from the west
Whakataka te hau ki tonga	Cease the winds from the south
Kia mākinakina ki uta	Let the breeze blow over the land
Kia mātaratara ki tai	Let the breeze blow over the ocean
Kia hī ake ana te atakura	Let the red-tipped dawn come with a sharpened air
He tio, he huka, he hauhu	A touch of frost, a promise of glorious day
Tūturu o whiti whakamaua kia tina.	Let there be certainty Secure it!
Tina!	Draw together! Affirm!
Hui ē! Tāiki ē!	



Date 8 June 2021

Subject: **Confirmation of Minutes - 27 April 2021**

Approved by: A J Matthews, Director - Environment Quality
S J Ruru, Chief Executive

Document: 2785277

Recommendations

That the Taranaki Regional Council:

- a) takes as read and confirms the minutes and resolutions of the Consents and Regulatory Committee of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on 27 April 2021 at 9.30am
- b) notes the recommendations therein were adopted by the Taranaki Regional Council on 18 May 2021.

Matters arising

Appendices/Attachments

Document 2760709: Minutes Consents and Regulatory - 27 April 2021



Date 27 April 2020, 9.30am

Venue: Taranaki Regional Council chambers, 47 Cloten Road, Stratford

Document: 2760709

Members	Councillors	D L Lean C S Williamson M J Cloke M G Davey C L Littlewood D H McIntyre E D Van Der Leden M P Joyce D N MacLeod	Committee Chairperson Committee Deputy Chairperson ex officio ex officio
Representative Members	Mr Ms	K Holswich E Bailey	Iwi Representative Iwi Representative via Zoom
Attending	Messrs Ms Messrs Miss	M J Nield G K Bedford A D McLay D N Harrison A Matthews C McLellan J Glasgow R Phipps P Ledingham L Davidson	Director - Corporate Services Director - Environment Quality Director - Resource Management Director - Operations Director - Environment Quality Consents Manager Senior Investigating Officer Science Manager - Hydrology Communications Adviser Committee Administrator One member of the media and one member of the public.
Opening Karakia	The meeting opened with a group karakia.		
Apologies	An apology was received from Mr M Ritai, Iwi Representative. Lean/Holswich		
Notification of Late Items	There were no late items.		

1. Confirmation of Minutes – 16 March 2021

Resolved

That Consents and Regulatory Committee of the Taranaki Regional Council:

- a) takes as read and confirms the minutes and resolutions of the Consents and Regulatory Committee of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on 2 February 2021 at 9.30am
- b) notes the recommendations therein were adopted by the Taranaki Regional Council on 6 April 2021.

Lean/Williamson

Matters arising

There were no matters arising.

2. Resource consents issued under delegated authority and applications in progress

- 2.1 Mr C McLellan, Consents Manager, spoke to the memorandum advising of consents granted, consents under application and of consent processing actions since the last meeting.
- 2.2 Mr K Holswich declared an interest in Greymouth Petroleum.
- 2.3 It was raised that the process for iwi comment on applications is not seen as effective. There are a lot of consents going to iwi and hapu, but iwi do not consider that concerns around the adequacy of information are followed up. Officers noted that this is one of the key issues that needs to be worked through within the Mana Whakahono a Rohe agreement.

Recommended

That the Taranaki Regional Council:

- a) receives the schedule of resource consents granted and other consent processing actions, made under delegated authority.

Cloke/Joyce

3. Consent Monitoring Annual Reports

- 3.1 Mr R Phipps, Science Manager – Hydrology/Biology, spoke to the memorandum advising of 10 tailored compliance monitoring reports that have been prepared since the last meeting.
- 3.2 Mr K Holswich declared an interest in Port Taranaki (Technix).
- 3.3 Councillor D McIntyre declared an interest in Fonterra.
- 3.4 Councillors D MacLeod and C Littlewood declared an interest in Port Taranaki Limited.
- 3.5 It was requested that Officers include information on how long the operation has been running in the report.

- 3.6 It was suggested that Officers review the recommendations to make it clearer that the recommendations within the individual reports are already being given effect to.

Recommended

That the Taranaki Regional Council:

- a) receives the 20-08 Stanley Bros Trust (Piggery) Programme Annual Report 2019-2020 and adopts the specific recommendations therein
- b) receives the 20-22 Concrete Batching Plants Programme Annual Report 2019-2020 and adopts the specific recommendations therein
- c) receives the 20-23 Hickman JD 1997 Family Trust Monitoring Programme Annual Report 2019-2020 and adopts the specific recommendations therein
- d) receives the 20-55 Fonterra Whareroa Monitoring Programme Annual Report 2019-2020 and adopts the specific recommendations therein
- e) receives the 20-86 NPDC Mangapouri Cemetery Monitoring Programme Annual Report 2019-2020 and adopts the specific recommendations therein
- f) receives the 20-89 SDC Water Supplies Monitoring Programme Annual Report 2019-2020 and adopts the specific recommendations therein
- g) receives the 20-93 Contact Energy Stratford Power Station Monitoring Programme Annual Report 2019-2020 and adopts the specific recommendations therein
- h) receives the 20-95 Flexgas Ahuroa-B Storage Facility Monitoring Programme Annual Report 2019-2020 and adopts the specific recommendations therein
- i) receives the 20-99 Port Taranaki Industries Monitoring Programme Annual Report 2019-2020 and adopts the specific recommendations therein
- j) receives the 20-100 Oaonui Water Supply Ltd Monitoring Programme Annual Report 2019-2020 and adopts the specific recommendations therein.
- k) notes that the Committee would like the wording of the recommendations to be reconsidered eg 'to receive' the specific recommendations, instead of 'to adopt'..

MacLeod/Van Der Leden

4. Incident, Compliance Monitoring Non-compliances, and Enforcement Summary - 23 February 2021 to 25 March 2021

- 4.1 Mr J Glasgow, Senior Investigating Officer, spoke to the memorandum to consider and receive the summary of the incidents, compliance monitoring non-compliances and enforcement for the period 23 February 2021 to 25 March 2021.
- 4.2 It was requested that a little more specific detail in relation to the complaint incidents be included

Recommended

That the Taranaki Regional Council:

- a) receives this memorandum Incident, Compliance Monitoring Non-compliances and Enforcement Summary - 23 February 2021 to 25 March 2021

- b) receives the summary of the incidents, compliance monitoring non-compliances and enforcement for the period from 23 February 2021 to 25 March 2021, notes the action taken by staff acting under delegated authority and adopts the recommendations therein.

Lean/Williamson

5. Prosecution Sentencing Decision – Silver Fern Farms Limited

- 5.1 Mr J Glasgow, Senior Investigating Officer, spoke to the memorandum updating Members on the prosecution of Silver Fern Farms Limited, for breaches of the Regional Air Quality Plan for Taranaki and the Regional Fresh Water Plan for Taranaki, involving the discharge of ammonia from a beef processing facility into air and into water, causing a major fish (eel) kill in the Tawhiti Stream, in February 2020.
- 5.2 It was noted that the company have agreed to work with tangata whenua to restore the stream, including funding.

Recommended

That the Taranaki Regional Council:

- a) receives this report and notes the successful outcome of the prosecution against Silver Fern Farms Limited.

Holswich/Williamson

6. Public Excluded

In accordance with section 48(1) of the *Local Government Official Information and Meetings Act 1987*, resolves that the public is excluded from the following part of the proceedings of the Consents and Regulatory Committee meeting on Tuesday 27 April 2021 for the following reasons:

Item 7 – Confirmation of Public Excluded Minutes – 16 March 2021

THAT the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

Lean/Davey

Mr K Holswich thanked the Council for agreeing to give representative members the option to be provided information technology for meetings.

Councillor D Lean thanked Mr G Bedford, Director – Environment Quality who is finishing with Council for all the work he has done over the years.

There being no further business the Committee Chairman, Councillor D L Lean, declared the public meeting of the Consents and Regulatory Committee closed at 10.11am.

Confirmed

Consents and Regulatory

Committee Chairperson: _____

D L Lean

8 June 2021



Date: 8 June 2021

Subject: **Resource consents issued under delegated authority and applications in progress**

Approved by: A D McLay, Director - Resource Management
S J Ruru, Chief Executive

Document: 2786471

Purpose

1. The purpose of this memorandum is to advise the Council of consents granted, consents under application and of consent processing actions since the last meeting. This information is summarised in attachments at the end of this report.

Executive summary

2. Memorandum to advise the Council of recent consenting actions made under regional plans and the Resource Management Act 1991, in accordance with Council procedures and delegations.

Recommendation

That the Taranaki Regional Council:

- a) receives the schedule of resource consents granted and other consent processing actions, made under delegated authority.

Background

3. The attachments show resource consent applications, certificates of compliance and deemed permitted activities that have been investigated and decisions made by officers of the Taranaki Regional Council. They are activities having less than minor adverse effects on the environment, or having minor effects where affected parties have agreed to the activity. In accordance with sections 87BB, 104 to 108 and 139 of the Resource Management Act 1991, and pursuant to delegated authority to make these decisions, the Chief Executive or the Director – Resource Management has allowed the consents, certificates of compliance and deemed permitted activities.

4. The exercise of delegations under the Resource Management Act 1991 is reported for Members' information. Under the delegations manual, consent processing actions are to be reported to the Consents and Regulatory Committee.
5. In addition to the details of the activity consented, the information provided identifies the Iwi whose rohe (area of interest) the activity is in. If the activity is in an area of overlapping rohe both Iwi are shown. If the activity is within, adjacent to, or directly affecting a statutory acknowledgement (area of special interest), arising from a Treaty settlement process with the Crown, that is also noted.
6. Also shown, at the request of Iwi members of the Council, is a summary of the engagement with Iwi and Hapū, undertaken by the applicant and the Council during the application process. Other engagement with third parties to the consent process is also shown. The summary shows the highest level of involvement that occurred with each party. For example, a party may have been consulted by the applicant, provided with a copy of the application by the Council, served notice as an affected party, lodged a submission and ultimately agreed with the consent conditions. In that case the summary would show only 'agreed with consent conditions', otherwise reporting becomes very complicated.
7. The attachment titled 'Consent Processing Information' includes the figure 'Consent Applications in Progress' which shows the total number of applications in the consent processing system over the last twelve months. The number of applications for the renewal of resource consents is also shown. The difference between the two is the number of new applications, including applications for a change of consent conditions. New applications take priority over renewal applications. Renewal applications are generally put on hold, with the agreement of the applicant, and processed when staff resources allow. A consent holder can continue to operate under a consent that is subject to renewal. The above approach is pragmatic and ensures there are no regulatory impediments to new activities requiring authorisation.
8. The attachment also includes:
 - Applications in progress table - the number of applications in progress at the end of each month (broken down into total applications and the number of renewals in progress) for this year and the previous two years
 - Potential hearings table outlining the status of applications where a hearing is anticipated and the decision maker(s) (e.g. a hearing panel) has been appointed
 - Consents issued table - the number of consents issued at the end of each month for this year and the previous two years
 - Breakdown of consents issued. This is the number of consents issued broken down by purpose – new, renewals, changes or review
 - Types of consents issued, further broken down into notification types – non-notified, limited notified or public notified
 - Number of times that the public and iwi were involved in an application process for the year so far
 - Application processing time extensions compared to the previous years
 - Consent type process shows the notification type including applications submitted on and the pre-hearing resolution numbers
 - Applications that have been returned because they are incomplete

Decision-making considerations

9. Part 6 (Planning, decision-making and accountability) of the *Local Government Act 2002* has been considered and documented in the preparation of this agenda item. The recommendations made in this item comply with the decision-making obligations of the *Act*.

Financial considerations—LTP/Annual Plan

10. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

11. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

12. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan. Similarly, iwi involvement in adopted work programmes has been recognised in the preparation of this memorandum.

Legal considerations

13. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Appendices/Attachments

- Document 2786414: List of non-notified consents
- Document 2768421: Schedule of non-notified consents
- Document 2786299: Consents processing charts for Agenda
- Document 2786384: List of public-notified consents
- Document 2786789: Schedule of public-notified consents

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

Discharge Permit						
Consent	Holder	Subtype	Industry Primary	Industry Secondary	Purpose Primary	Activity Purpose
R2/0373-4.0	Wiremu Trusts 1 & 2	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/0504-4.1	Lethol Farms Limited	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/0644-4.0	R & D Brown & Co Limited	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/1003-3.0	Ngatitu Whanau Trust No 1	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/1621-4.0	Bushline Trust	Land/Water - Animal	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/1784-4.0	Bushline Trust	Land/Water - Animal	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/1964-3.0	Sandstone Farms Partnership	Land/Water - Animal	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/1990-3.0	GM & JA Fraser Trust	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2123-3.0	Mark Robin Gordon	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2207-3.0	AW & SJ Cole Trusts Partnership	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2220-3.0	Maude Peak Farm Trust	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2246-3.1	Aaron Jane Family Trust	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Change
R2/2303-3.0	Hibell Farms (2002) Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2378-4.0	Taylor Family Farms Trust	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2396-3.0	Robert Joseph & Karen Schumacher	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2408-3.0	Stephen & Janet Andrews	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2488-3.0	Rimu Acres Family Trust	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2490-3.0	KP & MJ Clince Family Trusts	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2494-3.0	Allan & Margaret Ryan	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2535-3.0	Skinner Boyde Farms	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2568-3.0	Terry & Raewyn Wells	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2570-3.0	Plymouth Road Farms Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2623-3.0	SM & Estate JB Duynhoven	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2678-3.0	RNB Trust Limited	Land/Water - Animal	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2679-3.0	Justin Peter Bishop	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2696-3.0	Shane & Margaret Helms	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2834-3.0	GB Dairies Partnership	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2865-3.0	Wayne & Christine Foreman	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/2868-3.0	Snowdon Farm Company Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/3107-3.0	KA & YI Rowlands Family Trustees Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/3248-3.0	John & Keren Baumann	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/3307-3.0	Bushline Trust No 3	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/3378-3.0	MLC Hitchcock Family Partnership	Land/Water - Animal	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/3536-3.0	Brittany Trust Partnership	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/4321-3.0	Roger Michael & Colleen Ann Burr	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/4621-1.1	New Plymouth District Council	Land - Solid Waste	Local Government	Waste Management	Landfill	Change
R2/4871-3.1	Highview Trust	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/4872-3.0	Corbett Family Trust	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace

Consents and Regulatory Committee - Resource Consents Issued Under Delegated Authority and Applications in Progress

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

R2/5677-2.0	Streamside Farm Limited	Land - Animal Waste	Agriculture	Farming - Poultry	Effluent disposal	Replace
R2/5678-2.0	Streamside Farm Limited	Air - Agricultural	Agriculture	Farming - Poultry		Replace
R2/5976-2.0	Tegel Foods Limited	Land - Animal Waste	Agriculture	Farming - Poultry	Effluent disposal	Replace
R2/5977-2.0	Tegel Foods Limited	Air - Agricultural	Agriculture	Farming - Poultry		Replace
R2/6018-2.0	Aviagen New Zealand Limited	Land - Animal Waste	Agriculture	Farming - Poultry	Effluent disposal	Replace
R2/6056-2.0	Tegel Foods Limited	Land - Animal Waste	Agriculture	Farming - Poultry	Effluent disposal	Replace
R2/6057-2.0	Tegel Foods Limited	Air - Agricultural	Agriculture	Farming - Poultry		Replace
R2/6098-2.0	Aviagen New Zealand Limited	Land - Animal Waste	Agriculture	Farming - Poultry	Effluent disposal	Replace
R2/6622-2.0	Popuanui Goats Limited	Water - Animal Waste	Agriculture	Farming - Goat	Effluent disposal	Replace
R2/7431-2.0	Longview Limited	Water - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
R2/9912-1.2	GJ Meredith Limited	Water - Stormwater	Manufacturing and Processing	Scrap Metal/Wrecker		Change
R2/10845-1.0	Greymouth Petroleum Central Limited	Land - DWI	Energy	Wellsite	Exploration and Production	New
Land Use Consent						
Consent	Holder	Subtype	Industry Primary	Industry Secondary	Purpose Primary	Activity Purpose
R2/10416-2.0	Tree Awareness Management Limited	Structure - Culvert	Forestry		Access	Replace
R2/10922-1.0	Nigel & Susan Cromwell	Disturb	Property Development		Construction	New
R2/10924-1.0	Berndt & Paul Partnership	Forestry – Afforestation	Forestry		Forest Harvesting	New
R2/10925-1.0	Ian & Jill Smith	Structure - Culvert	Property Development		Access	New
Water Permit						
Consent	Holder	Subtype	Industry Primary	Industry Secondary	Purpose Primary	Activity Purpose
R2/10915-1.0	Greymouth Petroleum Central Limited	Take produced water	Energy	Wellsite	Exploration and Production	New

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/10845-1.0](#)

Commencement Date: 16 Apr 2021

Expiry Date: 01 Jun 2039

Greymouth Petroleum Central Limited

Review Dates: Jun annually

Activity Class: Discretionary

Location: Ngatoro-A wellsite, 561 Dudley Road, Inglewood

Application Purpose: New

To discharge produced water, heat and/or hydrocarbons via deep well injection into the Mt Messenger Formation at the Ngatoro-A wellsite, at depths below 1200 mTVDss

Rohe:

Taranaki

Te Atiawa

Engagement or consultation:

Te Kahui o Taranaki Trust

Provided with application

Te Kotahitanga o Te Atiawa Trust

Provided with application

[R2/10922-1.0](#)

Commencement Date: 19 Apr 2021

Expiry Date: 01 Jun 2022

Nigel & Susan Cromwell

Activity Class: Non-complying

Location: 8D Amy Way, Bell Block

Application Purpose: New

To undertake earthworks within 10 metres of a natural wetland including discharge of stormwater and sediment to land

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Comment on application received

- *Do not oppose, subject to conditions*

#2786421

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/0373-4.0](#)

Commencement Date: 19 Apr 2021

Expiry Date: 01 Dec 2044

Wiremu Trusts 1 & 2

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Location: 241 Albert Road, Egmont Village

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system and constructed drain, into an unnamed tributary of the Waiwhakaiho River

Rohe:

Taranaki (Statutory Acknowledgement)

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

New Plymouth District Council

Provided with application

Te Kahui o Taranaki Trust

Provided with application

Te Kotahitanga o Te Atiawa Trust

Provided with application

[R2/2623-3.0](#)

Commencement Date: 19 Apr 2021

Expiry Date: 01 Dec 2044

SM & Estate JB Duynhoven

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Location: 1140 Junction Road, Egmont Village

Application Purpose: Replace

To discharge farm dairy effluent onto land

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/3107-3.0](#)

Commencement Date: 19 Apr 2021

Expiry Date: 01 Dec 2044

KA & YI Rowlands Family Trustees Limited

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Location: 688 Junction Road, Burgess Park
To discharge farm dairy effluent onto land

Application Purpose: Replace

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Provided with application

[R2/2220-3.0](#)

Commencement Date: 19 Apr 2021

Expiry Date: 01 Dec 2044

Maude Peak Farm Trust

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Location: 315 Kent Road, Korito

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system and constructed wetland, into an unnamed tributary of the Mangorei Stream

Rohe:

Taranaki (Statutory Acknowledgement)

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kahui o Taranaki Trust

Provided with application

Te Kotahitanga o Te Atiawa Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/2490-3.0](#)

KP & MJ Cline Family Trusts

Location: 546 Lincoln Road, Everett Park
To discharge farm dairy effluent onto land

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 20 Apr 2021

Expiry Date: 01 Dec 2045

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Controlled

Application Purpose: Replace

Comment on application received

- *Generally consistent with Iwi Environmental Management Plan*
- *Application lacks sufficient detail*

[R2/2678-3.0](#)

RNB Trust Limited

Location: 556 Egmont Road, Hillsborough
To discharge farm dairy effluent onto land and, until 1 December 2022 after treatment in an oxidation pond system, into an unnamed tributary of the Black Water Creek if the land disposal area is unsuitable for effluent disposal

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 20 Apr 2021

Expiry Date: 01 Dec 2044

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Application Purpose: Replace

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/2679-3.0](#)

Justin Peter Bishop

Location: 283 Egmont Road, Hillborough
To discharge farm dairy effluent onto land

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 20 Apr 2021

Expiry Date: 01 Dec 2044

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Application Purpose: Replace

Provided with application

[R2/2834-3.0](#)

GB Dairies Partnership

Location: 1971 Egmont Road, Kaimiro

To discharge farm dairy effluent:

- onto land and, after treatment in an oxidation pond system, into an unnamed tributary of the Mangaoraka Stream if the land disposal area is unsuitable for effluent disposal; and,
- until 1 December 2022 to discharge farm dairy effluent after treatment in an oxidation pond system, into an unnamed tributary of the Mangaoraka Stream

Rohe:

Taranaki (Statutory Acknowledgement)

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kahui o Taranaki Trust

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 22 Apr 2021

Expiry Date: 01 Dec 2026

Review Dates: Jun 2022, Jun 2024

Activity Class: Controlled

Application Purpose: Replace

Provided with application

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/2494-3.0](#)

Allan & Margaret Ryan

Location: 439 Egmont Road, Hillsborough
To discharge farm dairy effluent onto land

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 22 Apr 2021

Expiry Date: 01 Dec 2044

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Application Purpose: Replace

Provided with application

[R2/2570-3.0](#)

Plymouth Road Farms Limited

Location: 95 Plymouth Road, Omata
To discharge farm dairy effluent onto land

Rohe:

Taranaki (Statutory Acknowledgement)

Engagement or consultation:

Te Kahui o Taranaki Trust

Commencement Date: 22 Apr 2021

Expiry Date: 01 Dec 2044

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Application Purpose: Replace

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/10925-1.0](#)

Ian & Jill Smith

Location: 80 Brookes Road, Cardiff

To install a box culvert in the Mangawharawhara Stream, including associated disturbance of the stream bed

Rohe:

Ngaruahine (Statutory Acknowledgement)

Ngati Ruanui

Engagement or consultation:

Te Korowai O Ngaruahine Trust

Te Runanga O Ngāti Ruanui Trust

Commencement Date: 23 Apr 2021

Expiry Date: 01 Jun 2035

Review Dates: Jun 2023, Jun 2029

Activity Class: Discretionary

Application Purpose: New

Provided with application

Provided with application

[R2/2246-3.1](#)

Aaron Jane Family Trust

Location: 217 Brooks Road, Stratford

To discharge farm dairy effluent onto land

Change of conditions to change the herd size

Rohe:

Ngaruahine (Statutory Acknowledgement)

Ngati Ruanui

Engagement or consultation:

Te Korowai O Ngaruahine Trust

Te Runanga O Ngāti Ruanui Trust

Commencement Date: 23 Apr 2021

Expiry Date: 01 Dec 2041

Review Dates: Jun 2023, Jun 2029, Jun 2035

Activity Class: Discretionary

Application Purpose: Change

Provided with application

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/3248-3.0](#)

Commencement Date: 23 Apr 2021

Expiry Date: 01 Dec 2044

John & Keren Baumann

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Location: 158 Lower King Road, Tarurutangi
To discharge farm dairy effluent onto land

Application Purpose: Replace

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Provided with application

[R2/0644-4.0](#)

Commencement Date: 27 Apr 2021

Expiry Date: 01 Jun 2044

R & D Brown & Co Limited

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Location: 88 Hurworth Road, Hurworth
To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system and constructed drain, into the Huatoki-nui Stream

Application Purpose: Replace

Rohe:

Taranaki (Statutory Acknowledgement)

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kahui o Taranaki Trust

Provided with application

Te Kotahitanga o Te Atiawa Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/4872-3.0](#)

Commencement Date: 27 Apr 2021

Expiry Date: 01 Dec 2026

Corbett Family Trust

Review Dates: Jun 2022, Jun 2024

Activity Class: Controlled

Location: 325 Kirihaui Road, Koru

Application Purpose: Replace

To discharge farm dairy effluent:

- onto land and, after treatment in an oxidation pond system, into an unnamed tributary of the Momona Stream if the land disposal area is unsuitable for effluent disposal; and,
- until 1 December 2022 to discharge farm dairy effluent after treatment in an oxidation pond system, into an unnamed tributary of the Momona Stream

Rohe:

Taranaki (Statutory Acknowledgement)

Engagement or consultation:

Te Kahui o Taranaki Trust

Provided with application

[R2/1964-3.0](#)

Commencement Date: 28 Apr 2021

Expiry Date: 01 Dec 2044

Sandstone Farms Partnership

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Location: 547 Lepper Road Upper, Kaimiro

Application Purpose: Replace

To discharge farm dairy effluent onto land and, until 1 December 2022 after treatment in an oxidation pond system and constructed drain, into an unnamed tributary of the Waiongana Stream if the land disposal area is unsuitable for effluent disposal

Rohe:

Taranaki (Statutory Acknowledgement)

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kahui o Taranaki Trust

Provided with application

Te Kotahitanga o Te Atiawa Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/2123-3.0](#)

Mark Robin Gordon

Location: 159 Albert Road, Egmont Village

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system and constructed drain, into an unnamed tributary of the Waiwhakaiho River

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

New Plymouth District Council

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 29 Apr 2021

Expiry Date: 01 Dec 2044

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Application Purpose: Replace

Provided with application

Provided with application

[R2/1003-3.0](#)

Ngatitu Whanau Trust No 1

Location: 350 Glenn Road, Kaupokonui

To discharge farm dairy effluent onto land

Rohe:

Ngaruahine (Statutory Acknowledgement)

Engagement or consultation:

Te Korowai O Ngaruahine Trust

Commencement Date: 29 Apr 2021

Expiry Date: 01 Dec 2047

Review Dates: Jun 2023, Jun 2029,
Jun 2035, Jun 2041

Activity Class: Controlled

Application Purpose: Replace

Comment on application received

- *Do not oppose, subject to conditions*

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/2868-3.0](#)

Snowdon Farm Company Limited

Location: 372 Mountain Road, Lepperton
To discharge farm dairy effluent onto land

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 29 Apr 2021

Expiry Date: 01 Dec 2044

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Application Purpose: Replace

Comment on application received

- *Generally consistent with Iwi Environmental Management Plan*
- *Application lacks sufficient detail*

[R2/10915-1.0](#)

Greymouth Petroleum Central Limited

Location: Ngatoro-F wellsite, 508 Bedford
Road North, Norfolk (Property owner: Ross &
Gloria Moffitt)

To take groundwater, including the incidental take of heat and energy, that may be encountered as produced water during hydrocarbon exploration and production activities at the Ngatoro-F wellsite

Rohe:

Te Atiawa

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 30 Apr 2021

Expiry Date: 01 Jun 2039

Review Dates: Jun 2027, Jun 2033

Activity Class: Discretionary

Application Purpose: New

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/2303-3.0](#)

Hibell Farms (2002) Limited

Location: 724 Carrington Road, Hurworth
To discharge farm dairy effluent onto land

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 03 May 2021

Expiry Date: 01 Dec 2044

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Application Purpose: Replace

Comment on application received

- *Generally consistent with Iwi Environmental Management Plan*
- *Application lacks sufficient detail*

[R2/2408-3.0](#)

Stephen & Janet Andrews

Location: 712 Upland Road, Egmont Village
To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system and a constructed drain into an unnamed tributary of the Mangaoraka Stream

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 03 May 2021

Expiry Date: 01 Dec 2044

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Application Purpose: Replace

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/4621-1.1](#)

Commencement Date: 04 May 2021

Expiry Date: 01 Jun 2025

New Plymouth District Council

Activity Class: Discretionary

Location: Colson Road Landfill, Colson Road, New Plymouth
Application Purpose: Change

To discharge up to 500 tonnes/day of contaminants onto and into land in areas B1, C1 and C2 at the Colson Road landfill

Change of consent conditions to update monitoring bore requirements

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Provided with application

[R2/2488-3.0](#)

Commencement Date: 04 May 2021

Expiry Date: 01 Dec 2044

Rimu Acres Family Trust

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Location: 563 Plymouth Road, Koru

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system, into an unnamed tributary of the Tapuae Stream

Rohe:

Taranaki (Statutory Acknowledgement)

Engagement or consultation:

Te Kahui o Taranaki Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/2378-4.0](#)

Commencement Date: 04 May 2021

Expiry Date: 01 Dec 2026

Taylor Family Farms Trust

Review Dates: Jun 2022, Jun 2024

Activity Class: Controlled

Location: 720 Alfred Road, Kaimiro

Application Purpose: Replace

To discharge farm dairy effluent:

- onto land and, after treatment in an oxidation pond system and constructed drain, into an unnamed tributary of the Kaiauaia Stream if the land disposal area is unsuitable for effluent disposal; and,
- until 1 December 2022 to discharge farm dairy effluent after treatment in an oxidation pond system and constructed drain, into an unnamed tributary of the Kaiauaia Stream

Rohe:

Taranaki (Statutory Acknowledgement)

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kahui o Taranaki Trust

Provided with application

Te Kotahitanga o Te Atiawa Trust

Provided with application

[R2/2568-3.0](#)

Commencement Date: 05 May 2021

Expiry Date: 01 Dec 2044

Terry & Raewyn Wells

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Location: 701 Cross Road, Lepperton

Application Purpose: Replace

To discharge farm dairy effluent onto land

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/6622-2.0](#)

Commencement Date: 06 May 2021

Expiry Date: 01 Dec 2044

Popuanui Goats Limited

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Location: 1411 Junction Road, Inglewood

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system, into an unnamed tributary of the Waiongana Stream

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Provided with application

[R2/2396-3.0](#)

Commencement Date: 06 May 2021

Expiry Date: 01 Jun 2045

Robert Joseph & Karen Schumacher

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Controlled

Location: 556 Durham Road Upper, Norfolk

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system, into an unnamed tributary of the Maketawa Stream

Rohe:

Taranaki (Statutory Acknowledgement)

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kahui o Taranaki Trust

Provided with application

Te Kotahitanga o Te Atiawa Trust

Comment on application received

- *Generally consistent with Iwi Environmental Management Plan*
 - *Application lacks sufficient detail*
-

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/2865-3.0](#)

Commencement Date: 06 May 2021

Expiry Date: 01 Dec 2044

Wayne & Christine Foreman

Review Dates: Jun 2026, Jun 2032, Jun 2038

Activity Class: Controlled

Location: 167 Little Lepper Road, Inglewood
To discharge farm dairy effluent onto land

Application Purpose: Replace

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Provided with application

[R2/3378-3.0](#)

Commencement Date: 07 May 2021

Expiry Date: 01 Dec 2026

MLC Hitchcock Family Partnership

Review Dates: Jun 2022, Jun 2024

Activity Class: Discretionary

Location: 869 Dudley Road Upper, Kaimiro

Application Purpose: Replace

To discharge farm dairy effluent onto land and after treatment in an oxidation pond system into an unnamed tributary of the Waiongana Stream if the land disposal area is unsuitable for effluent disposal

Rohe:

Taranaki (Statutory Acknowledgement)

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kahui o Taranaki Trust

Provided with application

Te Kotahitanga o Te Atiawa Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/2207-3.0](#)

AW & SJ Cole Trusts Partnership

Location: 61 Whitehead Lane, Patea
To discharge farm dairy effluent onto land

Rohe:
Ngati Ruanui

Engagement or consultation:
Te Runanga O Ngāti Ruanui Trust

Commencement Date: 07 May 2021

Expiry Date: 01 Dec 2046

Review Dates: Jun 2022, Jun 2028,
Jun 2034, Jun 2040

Activity Class: Controlled

Application Purpose: Replace

Provided with application

[R2/10924-1.0](#)

Berndt & Paul Partnership

Location: 200 Mangamaio Road, Mimi
To plant and grow up to 14 hectares of plantation forest

Rohe:
Ngati Mutunga

Engagement or consultation:
Te Runanga o Ngati Mutunga

Commencement Date: 10 May 2021

Expiry Date: 01 Jun 2055

Review Dates: Jun 2025, Jun 2031,
Jun 2037, Jun 2043, Jun 2049

Activity Class: Restricted discretionary

Application Purpose: New

Comment on application received

- *General support*

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/4871-3.1](#)

Highview Trust

Location: 399 Bedford Road North, Norfolk
To discharge farm dairy effluent onto land

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 13 May 2021

Expiry Date: 01 Dec 2045

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Controlled

Application Purpose: Replace

Comment on application received

- *Generally consistent with Iwi Environmental Management Plan*
- *Application lacks sufficient detail*

[R2/3536-3.0](#)

Brittany Trust Partnership

Location: 145 Cardiff Road, Cardiff

To discharge farm dairy effluent:

- onto land and, after treatment in an oxidation pond system and constructed drain, into an unnamed tributary of the Tuikonga Stream if the land disposal area is unsuitable for effluent disposal; and,
- until 1 December 2022 to discharge farm dairy effluent after treatment in an oxidation pond system and constructed drain, into an unnamed tributary of the Tuikonga Stream

Rohe:

Ngaruahine (Statutory Acknowledgement)

Ngati Ruanui

Engagement or consultation:

Te Korowai O Ngaruahine Trust

Te Runanga O Ngāti Ruanui Trust

Commencement Date: 13 May 2021

Expiry Date: 01 Dec 2029

Review Dates: Jun 2023, Jun 2025, Jun 2027

Activity Class: Controlled

Application Purpose: Replace

Comment on application received

- *General opposition*

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/2696-3.0](#)

Commencement Date: 13 May 2021

Expiry Date: 01 Dec 2045

Shane & Margaret Helms

Review Dates: Jun 2027, Jun 2033, Jun 2039

Activity Class: Controlled

Location: 533 Salisbury Road, Midhirst

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system and constructed drain, into an unnamed tributary of the Manganui River

Rohe:

Ngati Maru

Ngati Ruanui

Engagement or consultation:

Te Runanga o Ngati Maru (Taranaki) Trust

Provided with application

Te Runanga O Ngāti Ruanui Trust

Provided with application

[R2/4321-3.0](#)

Commencement Date: 17 May 2021

Expiry Date: 01 Dec 2046

Roger Michael & Colleen Ann Burr

Review Dates: Jun 2022, Jun 2028,

Jun 2034, Jun 2040

Activity Class: Controlled

Location: 823 Wingrove Road, Pukengahu

Application Purpose: Replace

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system, constructed drain and wetland, into an unnamed tributary of the Patea River

Rohe:

Ngaa Rauru Kiiitahi (Statutory Acknowledgement)

Ngati Ruanui (Statutory Acknowledgement)

Engagement or consultation:

Te Kaahui o Rauru

Provided with application

Te Runanga O Ngāti Ruanui Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/7431-2.0](#)

Longview Limited

Location: Jackson Road, Waiinu Beach

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system and constructed drain, into the Waitotara River

Rohe:

Ngaa Rauru Kiihahi (Statutory Acknowledgement)

Engagement or consultation:

Te Kaahui o Rauru

Commencement Date: 17 May 2021

Expiry Date: 01 Dec 2046

Review Dates: Jun 2022, Jun 2028,
Jun 2034, Jun 2040

Activity Class: Controlled

Application Purpose: Replace

Provided with application

[R2/2535-3.0](#)

Skinner Boyde Farms

Location: 72 Skinner Road, Stratford

To discharge farm dairy effluent onto land

Rohe:

Ngati Ruanui

Engagement or consultation:

Te Runanga O Ngāti Ruanui Trust

Commencement Date: 18 May 2021

Expiry Date: 01 Dec 2046

Review Dates: Jun 2022, Jun 2028,
Jun 2034, Jun 2040

Activity Class: Controlled

Application Purpose: Replace

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/0504-4.1](#)

Lethol Farms Limited

Location: 305 Arawhata Road, Opunake

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system and constructed drain, into an unnamed tributary of the Arawhata Stream

Rohe:

Taranaki (Statutory Acknowledgement)

Engagement or consultation:

Te Kahui o Taranaki Trust

Commencement Date: 18 May 2021

Expiry Date: 01 Dec 2048

Review Dates: Jun 2024, Jun 2030,
Jun 2036, Jun 2042

Activity Class: Controlled

Application Purpose: Replace

Provided with application

[R2/1990-3.0](#)

GM & JA Fraser Trust

Location: 851 Main South Road, Mokoia

To discharge farm dairy effluent onto land, and until 1 December 2022 after treatment in an oxidation pond system and wetland, into an unnamed tributary of the Tangahoe River

Rohe:

Ngati Ruanui

Engagement or consultation:

Te Runanga O Ngāti Ruanui Trust

Commencement Date: 18 May 2021

Expiry Date: 01 Dec 2046

Review Dates: Jun 2022, Jun 2028,
Jun 2034, Jun 2040

Activity Class: Non-complying

Application Purpose: Replace

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/9912-1.2](#)

GJ Meredith Limited

Location: 7 Catalina Place, Bell Block

To discharge stormwater from scrap metal storage and processing into the Waitaha Stream and into an unnamed tributary of the Mangaoraka Stream via the New Plymouth District Council reticulated stormwater system

Change of consent conditions to change site location and remove any reference to the De Havilland Drive site

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 19 May 2021

Expiry Date: 01 Jun 2032

Review Dates: Jun 2026

Activity Class: Discretionary

Application Purpose: Change

Provided with application

[R2/10416-2.0](#)

Tree Awareness Management Limited

Location: Tangahoe Valley Road, Ohangai

To use and remove a modified shipping container culvert in the bed of the Patete Stream within the Tangahoe Forest to provide temporary access for forest harvesting purposes

Rohe:

Ngati Ruanui

Engagement or consultation:

Te Runanga O Ngāti Ruanui Trust

Commencement Date: 19 May 2021

Expiry Date: 01 Jun 2022

Review Dates:

Activity Class: Controlled

Application Purpose: Replace

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/5677-2.0](#)

Streamside Farm Limited

Location: 266 Upper Durham Road,
Inglewood

To discharge washdown water from the cleaning of broiler chicken sheds onto and into
land

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 20 May 2021

Expiry Date: 01 Jun 2039

Review Dates: Jun 2027, Jun 2033

Activity Class: Controlled

Application Purpose: Replace

Comment on application received

- *Neither support or oppose*
- *Application deficient – no engagement with
Iwi/hapu*

[R2/5678-2.0](#)

Streamside Farm Limited

Location: 266 Upper Durham Road,
Inglewood

To discharge emissions into the air from a poultry farming operation and associated
practices including waste management activities

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Commencement Date: 20 May 2021

Expiry Date: 01 Jun 2039

Review Dates: Jun 2027, Jun 2033

Activity Class: Restricted discretionary

Application Purpose: Replace

Comment on application received

- *Neither support or oppose*
 - *Application deficient – no engagement with
Iwi/hapu*
-

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/5976-2.0](#)

Commencement Date: 21 May 2021

Expiry Date: 01 Jun 2039

Tegel Foods Limited

Review Dates: Jun 2027, Jun 2033

Activity Class: Controlled

Location: 168 Avenue Road, Urenui (Property owner: RN & MF Bryant) **Application Purpose:** Replace

To discharge washdown water from the cleaning of chicken sheds onto and into land

Rohe:

Ngati Mutunga (Statutory Acknowledgement)

Engagement or consultation:

Te Runanga o Ngati Mutunga

Provided with application

[R2/5977-2.0](#)

Commencement Date: 21 May 2021

Expiry Date: 01 Jun 2039

Tegel Foods Limited

Review Dates: Jun 2027, Jun 2033

Activity Class: Restricted discretionary

Location: 168 Avenue Road, Urenui (Property owner: RN & MF Bryant) **Application Purpose:** Replace

To discharge emissions into the air from a poultry farming operation and associated practices including waste management activities

Rohe:

Ngati Mutunga (Statutory Acknowledgement)

Engagement or consultation:

Te Runanga o Ngati Mutunga

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/6056-2.0](#)

Commencement Date: 24 May 2021

Expiry Date: 01 Jun 2039

Tegel Foods Limited

Review Dates: Jun 2027, Jun 2033

Activity Class: Controlled

Location: 116 Ngatimaru Road, Tikorangi
(Property owner: NJ & RJ Chilcott)

Application Purpose: Replace

To discharge washdown water from the cleaning of chicken sheds onto and into land

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Provided with application

[R2/6057-2.0](#)

Commencement Date: 24 May 2021

Expiry Date: 01 Jun 2039

Tegel Foods Limited

Review Dates: Jun 2027, Jun 2033

Activity Class: Restricted discretionary

Location: 116 Ngatimaru Road, Tikorangi
(Property owner: NJ & RJ Chilcott)

Application Purpose: Replace

To discharge emissions into the air from a poultry farming operation and associated practices including waste management activities

Rohe:

Te Atiawa (Statutory Acknowledgement)

Engagement or consultation:

Te Kotahitanga o Te Atiawa Trust

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/6018-2.0](#)

Commencement Date: 25 May 2021

Expiry Date: 01 Jun 2039

Aviagen New Zealand Limited

Review Dates: Jun 2027, Jun 2033

Activity Class: Controlled

Location: 11 Waiiti Road, Waiiti

Application Purpose: Replace

To discharge poultry washdown water onto and into land

Rohe:

Ngati Mutunga

Ngati Tama

Engagement or consultation:

Te Runanga o Ngati Mutunga

Comment on application received

- *No specific comment about the proposal*

Te Runanga O Ngati Tama

Provided with application

[R2/6098-2.0](#)

Commencement Date: 26 May 2021

Expiry Date: 01 Jun 2039

Aviagen New Zealand Limited

Review Dates: Jun 2027, Jun 2033

Activity Class: Controlled

Location: 956 Pukearuhe Road, Waiiti

Application Purpose: Replace

To discharge poultry washdown water onto and into land

Rohe:

Ngati Tama

Engagement or consultation:

Te Runanga O Ngati Tama

Provided with application

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/1621-4.0](#)

Bushline Trust

Location: 1045 Rowan Road, Mahoe

To discharge farm dairy effluent onto land and after treatment in an oxidation pond system into an unnamed tributary of Kellys Creek if the land disposal area is unsuitable for effluent disposal

Rohe:

Ngaruahine (Statutory Acknowledgement)

Engagement or consultation:

Te Korowai O Ngaruahine Trust

Commencement Date: 27 May 2021

Expiry Date: 01 Dec 2029

Review Dates: Jun 2023, Jun 2025, Jun 2027

Activity Class: Controlled

Application Purpose: Replace

Comment on application received

- *General opposition*

[R2/1784-4.0](#)

Bushline Trust

Location: 1120 Rowan Road, Mahoe

To discharge farm dairy effluent onto land and after treatment in an oxidation pond system into an unnamed tributary of Little Dunns Creek if the land disposal area is unsuitable for effluent disposal

Rohe:

Ngaruahine (Statutory Acknowledgement)

Engagement or consultation:

Te Korowai O Ngaruahine Trust

Commencement Date: 27 May 2021

Expiry Date: 01 Dec 2029

Review Dates: Jun 2023, Jun 2025, Jun 2027

Activity Class: Controlled

Application Purpose: Replace

Comment on application received

- *General opposition*
-

**Non-notified authorisations issued by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/3307-3.0](#)

Commencement Date: 27 May 2021

Expiry Date: 01 Dec 2029

Bushline Trust No 3

Review Dates: Jun 2023, Jun 2025, Jun 2027

Activity Class: Controlled

Location: 1760 Opunake Road, Kaponga

Application Purpose: Replace

To discharge farm dairy effluent:

- onto land and, after treatment in an oxidation pond system, into an unnamed tributary of the Mangawheroiti Stream if the land disposal area is unsuitable for effluent disposal; and,
- until 1 December 2021 to discharge farm dairy effluent after treatment in an oxidation pond system, into an unnamed tributary of the Mangawheroiti Stream

Rohe:

Ngaruahine (Statutory Acknowledgement)

Engagement or consultation:

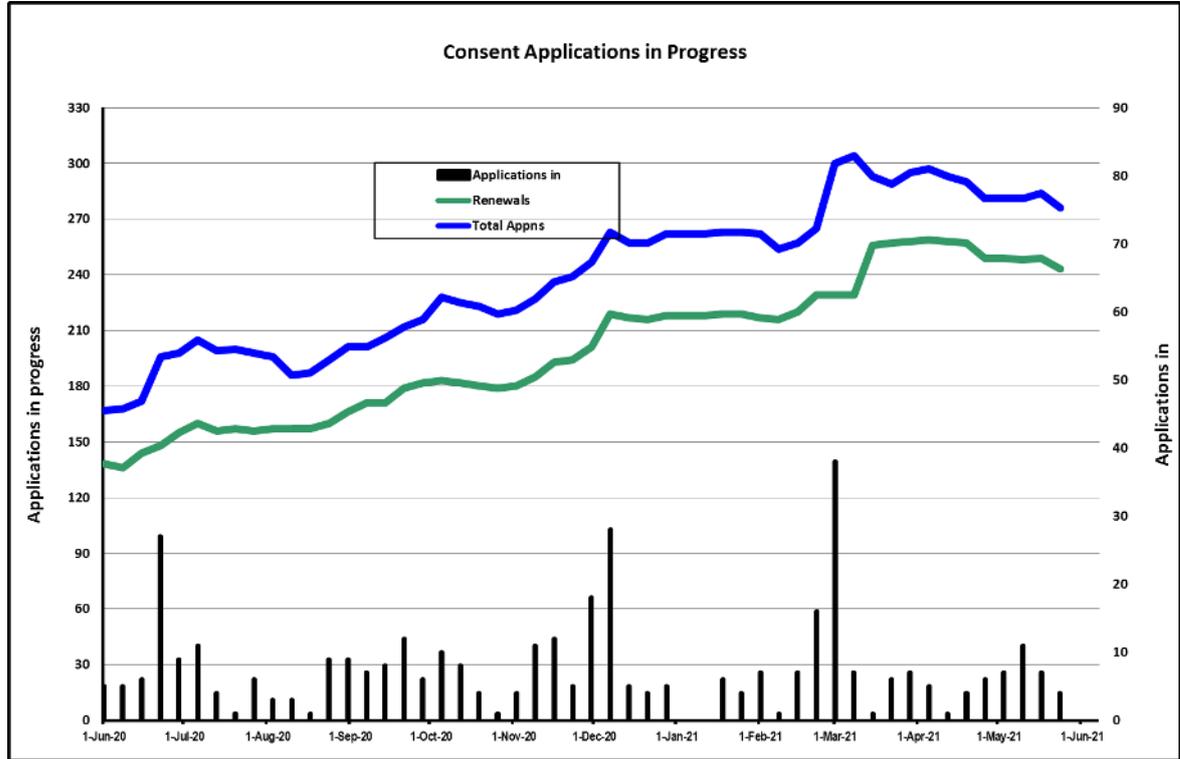
Te Korowai O Ngaruahine Trust

Comment on application received

- *General opposition*
-

Consent Processing Information

1) Applications in progress



2) Month Ending

	July		Aug		Sept		Oct		Nov		Dec		Jan		Feb		Mar		Apr		May		Jun	
	Total	R																						
2020/2021	196	157	187	157	221	182	221	180	263	219	257	216	262	217	300	229	297	259	293	258	271	238		
2019/2020	136	107	126	101	136	103	129	101	130	101	136	103	135	100	152	130	139	119	142	119	165	136	205	160
2018/2019	144	53	124	44	127	43	143	43	142	45	91	58	94	61	98	73	107	70	105	69	105	67	129	92

R = Renewals

3) Potential Hearings

Nil

4) Consents Issued (running totals)

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
2020-2021	20	38	53	75	94	116	131	154	178	209	241	
2019-2020	26	51	72	102	148	162	188	218	239	245	248	263
2018-2019	32	55	66	84	109	186	195	211	225	242	265	286

Note: May part month

5) Breakdown of consents issued

	New	Renewal	Change	Review	Totals
2020-2021 to May 26th	67	128	35	11	241
2019-2020 T total	81	138	44	0	263
2018-2019 T total	148	93	45	0	286

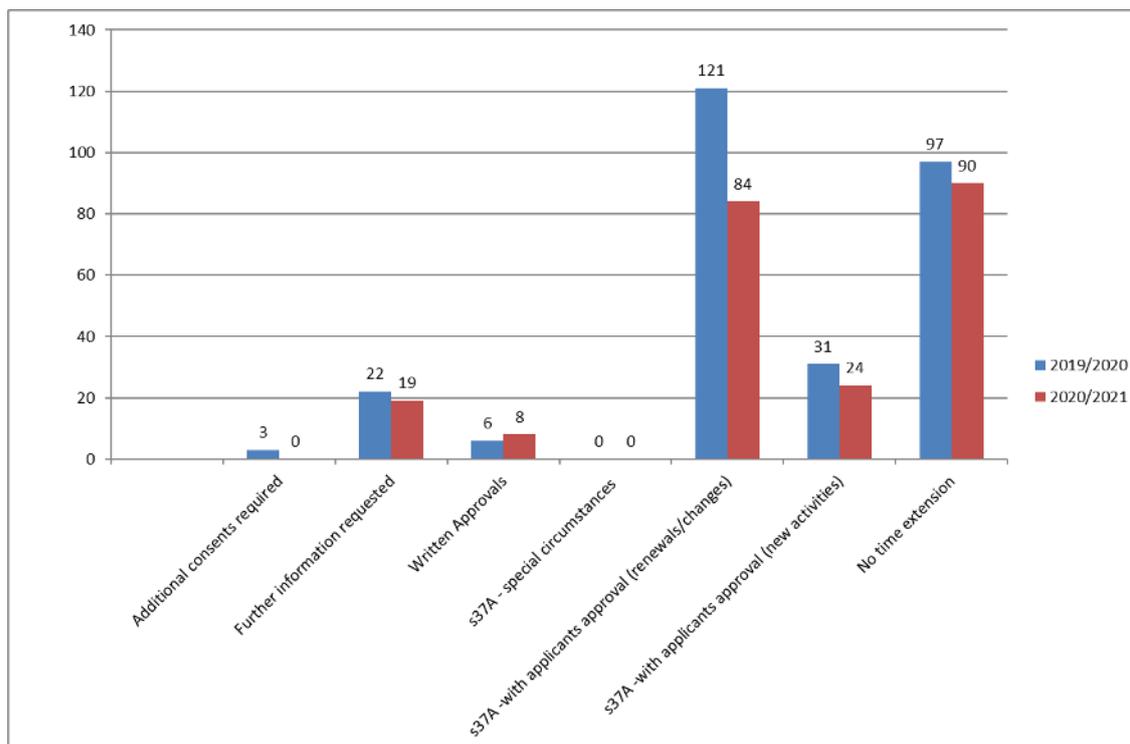
6) Types of consents issued - year to date comparison

	Publically Notified						%		Limited						%		Non Notified						%		Grand Total
	Agricultural	Central/Local Government	Energy	Forestry	Other	Total publically notified	Agricultural	Central/Local Government	Energy	Forestry	Other	Total Limited Notified	Agricultural	Central/Local Government	Energy	Forestry	Other	Total Non-notified							
July 2018 to June 2019	0	57	0	0	0	19.9%	57	6	2	0	0	1	3.1%	9	103	32	41	10	34	76.9%	220	286			
July 2019 to June 2020	0	1	0	0	0	0.4%	1	1	4	0	0	2	2.7%	7	147	30	28	8	42	97.0%	255	263			
July 2020 to 26 May 2021	0	0	0	0	0	0.0%	0	0	1	0	0	0	0.4%	1	123	20	42	6	49	99.6%	240	241			

7) Involvement with third parties for applications granted year to date

	Consultation/ Involved (number of parties)	Number of Affected Party Approvals (written)	Totals
District Councils	11	4	15
DOC	7	3	10
Environmental/Recreational Groups			0
Fish & Game	3	0	3
Individuals/Neighbours/Landowners	3	11	14
Network Utilities			0
Non Govt Organisations	9	2	11
Other Govt Departments	3	0	3
Iwi/hapu	335	6	341
Totals - July 2020 - April 2021	371	26	397

8) Application processing time extensions used 2019-2020 versus 2020-2021



9) Consent type process

	Last 10 year average 2009 - 2018	July 2019 to June 2020	July 2020 to May 26th 2021
Total consents granted	371	263	241
Publically Notified	9	1	0
Limited-notified	12	7	1
Non-notified	352	255	240
Applications submitted on (in opposition and to be heard)	14	5	1
Application Pre-hearing resolution (%)	82%	100%	100%
Hearings (no. of applications)	1 (6)	0 (0)	0 (0)
Appeals (no. of applications)	1 (6)	0 (0)	0 (0)
Total current consents	4708	4622	4633

10) Applications returned incomplete under Section 88

For the 2020-2021 year, 12 applications have been returned incomplete under S88 of the RMA for insufficient information. Six of those applications have since been resubmitted by the applicant.

11) Deemed Permitted Activities issued

Nil

**Public-notified authorisations declined by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

Discharge Permit						
Consent	Holder	Subtype	Industry Primary	Industry Secondary	Purpose Primary	Activity Purpose
R2/5838-3.0	Remediation (NZ) Ltd	Land/Water Industry	Waste Management	Worm farm	Composting	Replace
R2/5839-3.0	Remediation (NZ) Ltd	Air - Industry	Waste Management	Worm farm	Composting	Replace

**Public-notified authorisations declined by the Taranaki Regional Council
between 16 Apr 2021 and 27 May 2021**

[R2/5838-3.0 & R2/5839-3.0](#)

Remediation (NZ) Limited

Decision Date: 26 May 2021

Location: 1460 Mokau Road, Uruti

Application Purpose: Replace

- a) Discharge contaminants to land, including in circumstances which may result in those contaminants (or other contaminants emanating from those contaminants) entering water in the Haehanga Stream catchment;
- b) Discharge contaminants directly to an unnamed tributary of the Haehanga Stream; and
- c) Discharge contaminants to air.

Rohe:

Ngati Mutunga (Statutory Acknowledgement)

Engagement or consultation:

Sydney Baker	Submitter – to be heard
Vikki Bazeley	Submitter – to be heard
Dawn Bendall	Submitter – to be heard
Blackstock Roadsweeping	Submitter – not heard
Brough Earthworks Limited	Submitter – withdrawn
Clelands Timber Products Limited	Submitter – not heard
Climate Justice Taranaki Incorporated	Submitter – to be heard
Envirowaste New Zealand Limited	Submitter – withdrawn
Fonterra Limited	Submitter – withdrawn
Intergroup Limited	Submitter – to be heard
Paora Laurence	Submitter – to be heard
Rawiri McClutchie	Submitter – not heard
Anne-Maree McKay	Submitter – not heard
New Plymouth District Council	Submitter – withdrawn
Carol Shenton	Submitter – to be heard
Urs Signer	Submitter – to be heard
Taranaki Energy Watch Incroproate	Submitter – to be heard
Te Runanga o Ngati Mutunga	Submitter – to be heard
Tegel Foods Ltd	Submitter – not heard
Urenui & Districts Health Group Incorporated	Submitter – to be heard
Waste Management NZ Ltd	Submitter – withdrawn
Ross Whelan	Submitter – withdrawn

#2786789



Date 8 June 2021

Subject: **Consent Monitoring Annual Reports**

Approved by: AJ Matthews, Director - Environment Quality
S J Ruru, Chief Executive

Document: 2782341

Purpose

1. The purpose of this memorandum is to advise the Council of 6 tailored compliance monitoring reports that have been prepared since the last meeting.

Executive summary

2. The Council considers the regular reporting of comprehensive and well-considered compliance monitoring is vital to undergird:
 - Community standing and reputation enhancement for companies that consistently attain good or high levels of environmental performance. Informed feedback is appropriate and valuable, and assists a proactive alignment of industry's interests with community and Resource Management Act 1991 expectations. Reporting describes the effective value of investment in environmental systems
 - A respectful and responsible regard for the Taranaki region's environment and our management of its natural resources. Reporting allows evaluation and demonstration of the overall rate of compliance by sector and by consent holders as a whole, and of trends in the improvement of our environment
 - The Council's accountability and transparency. Reporting gives validity to investment in monitoring and to assessments of effective intervention
3. These Council reports have been submitted to the consent holder for comment and confirmation of accuracy prior to publication. All reports provide environmental performance and administrative compliance ratings for each consent holder in relation to their activities over the period being reported, and provide recommendations for the following monitoring year.
4. There are 6 tailored compliance monitoring reports. Within the reports 27 high and 12 good, and 5 improvement required were assigned (Table 2).
5. For reference, in the 2019-2020 year, consent holders were found to achieve a high level of environmental performance and compliance for 81% of the consents monitored

through the Taranaki tailored monitoring programmes, while for another 17% of the consents, a good level of environmental performance and compliance was achieved.

6. In 2018 the Ministry for the Environment published Best Practice Guidelines for Compliance, Monitoring and Enforcement under the Resource Management Act 1991. These guidelines include the following recommendation: “It is good practice for councils to provide regular (e.g. annual) reports to the public on Compliance Monitoring and Enforcement (CME) activities. Council public reporting on CME gives assurance to the public that rules/policies are being enforced, and educates the public on how the council responds to non-compliance.” (MfE, 2018). The Council has been providing annual compliance reports to consent holders and the public for over three decades.
7. Recommendations pertaining to each site or programme are set out in the relevant report. Recommendations pertain generally to the continuation of existing monitoring programmes in the case of acceptable environmental performance, or alternatively amendments as appropriate. Where there is an option for a review of conditions on a consent, officers make a further recommendation as to whether a review is justified. The attention of Committee members is directed to the Executive Summary at the front of each report.
8. In the past, memoranda presenting the compliance annual reports have also included a section outlining the stakeholder and iwi engagement within the consenting assessment process for the existing consents covered by the reports. With the completion of a full annual reporting cycle, this material on existing consents will no longer be included, as the Committee have now been fully appraised of this historical information and its inclusion would simply be repetitive. Information on iwi and stakeholder engagement in new consents will be presented separately to the Committee, within the agenda report on consenting activity.

Table 1 Historical environmental and compliance performance ratings

Year	High	Good
2012-2013	59%	35%
2013-2014	60%	29%
2014-2015	75%	22%
2015-2016	71%	24%
2016-2017	74%	21%
2017-2018	76%	20%
2018-2019	83%	13%
2019-2020	81%	17%

Table 2 List of annual reports with overall environmental performance rating

Report Name	Overall environmental performance
20-12 New Plymouth District Council Closed and Contingency Landfills Monitoring Programme Annual Report 2019-2020	1 x good
20-57 Dow AgroSciences Monitoring Programme Annual Report 2019-2020	1 x high
20-64 Lower Waiwhakaiho Catchment Monitoring Programme Annual Report 2019-2020	5 x high, 7 x good, 2 x imprmt req
20-77 Mangati Catchment Joint Monitoring Programme Annual Report 2019-2020	11 x high, 1 x good, 2 x imprmt req
20-80 Waitaha Catchment Monitoring Programme Annual Report 2019-2020	9 x high, 3 x good, 1 x imprmt req
20-101 South Taranaki District Council Water Supplies Monitoring Programme Annual Report 2019-2020	1x high

Recommendations

That the Taranaki Regional Council:

- a) receives the 20-12 New Plymouth District Council Closed and Contingency Landfills Monitoring Programme Annual Report 2019-2020 and notes the specific recommendations therein.
- b) receives the 20-57 Dow AgroSciences Monitoring Programme Annual Report 2019-2020 and notes the specific recommendations therein.
- c) receives the 20-64 Lower Waiwhakaiho Catchment Monitoring Programme Annual Report 2019-2020 and notes the specific recommendations therein.
- d) receives the 20-77 Mangati Catchment Joint Monitoring Programme Annual Report 2019-2020 and notes the specific recommendations therein.
- e) receives the 20-80 Waitaha Catchment Monitoring Programme Annual Report 2019-2020 and notes the specific recommendations therein.
- f) receives the 20-101 South Taranaki District Council Water Supplies Monitoring Programme Annual Report 2019-2020 and notes the specific recommendations therein.

20-12 New Plymouth District Council Closed and Contingency Landfills Monitoring Programme Annual Report 2019-2020

9. The New Plymouth District Council (NPDC) maintains two reinstated landfills, one at Inglewood and one at Okato. Both of these sites are now used as transfer stations and are held in reserve to accept refuse, if required, as a contingency. The Inglewood landfill is an active cleanfill site; located on King Road at Inglewood, in the Waiongana catchment. The Okato landfill is an active cleanfill and green waste disposal site; located on Hampton Road at Okato, in the Kaihihi catchment.
10. NPDC also maintains a closed landfill, Marfell Park (Marfell) landfill in the Huatoki catchment. This landfill does not accept any waste for disposal and has been fully reinstated.
11. This report for the period July 2019 to June 2020 describes the monitoring programme implemented by the Taranaki Regional Council (the Council) to assess NPDC'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.

12. NPDC holds seven resource consents in relation to these landfills, which include a total of 62 conditions setting out the requirements that they must satisfy. NPDC holds three consents to discharge leachate and stormwater into various streams, two consents to discharge contaminants onto and into land, and two consents to discharge emissions into the air.
13. **During the monitoring period, NPDC demonstrated an overall good level of environmental performance.**
14. The Council's monitoring programme for the year under review included six inspections, one discharge sample, 14 receiving water samples, two biomonitoring surveys of receiving waters, and one ambient air quality analysis.
15. Overall during the year, NPDC demonstrated a good level of environmental performance and a high level of administrative performance in relation to the Inglewood landfill consents as defined in Section 1.1.4.
16. During the year, NPDC demonstrated a high level of environmental performance and administrative performance in relation to the Okato landfill resource consents as defined in Section 1.1.4.
17. For reference, in the 2019-2020 year, consent holders were found to achieve a high level of environmental performance and compliance for 81% of the consents monitored through the Taranaki tailored monitoring programmes, while for another 17% of the consents, a good level of environmental performance and compliance was achieved.
18. 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 is remained at a good or high level in the year under review.
19. This report includes recommendations for the 2020-2021 year.
20. **Summary of Recommendations**
21. The following is a summary of the recommendations for each landfill as presented in the individual sections of this report.
 - 21.1. THAT monitoring of consented activities at the Inglewood landfill in the 2020-2021 year remain unchanged from that undertaken in 2019-2020 with the exception of an alteration to the macroinvertebrate survey to a more suitable sampling site. This will include an additional downstream site in the summer survey to further understand the landfills impact on the stream.
 - 21.2. THAT in the biennial monitoring of discharges at the Marfell landfill continues unchanged from the 2018-2019 monitoring year and that the programme next be implemented in the 2020-2021 period.
 - 21.3. THAT monitoring of consented activities at the Okato landfill in the 2020-2021 year continue at the same level as in the 2019-2020 period.
 - 21.4. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

20-57 Dow AgroSciences Monitoring Programme Annual Report 2019-2020

22. Dow AgroSciences (NZ) Ltd (DAS) operates an industrial agrichemical formulating and packaging facility located at Paritutu Road, New Plymouth, in the Herekawe catchment. This report for the period July 2019 to June 2020 describes the monitoring programme implemented by the Taranaki Regional Council (the Council) to assess DAS'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 DAS's activities.
23. DAS holds two resource consents, which include a total of 24 conditions setting out the requirements that DAS must satisfy. DAS holds one consent to allow it to discharge stormwater into the Herekawe Stream, and one consent to discharge emissions into the air at the plant site.
- 24. During the monitoring period, Dow AgroSciences (NZ) Ltd demonstrated an overall high level of environmental performance.**
25. The Council's monitoring programme for the year under review included four inspections, four sets of water samples collected for pesticide analysis, two biomonitoring surveys of receiving waters and an intertidal marine inspection. DAS provided groundwater and air quality data from monitoring carried out by independent consultants.
26. The monitoring showed that DAS has had no significant impact on air quality in the vicinity of the plant or on water quality in the Herekawe Stream. There were no unauthorised incidents recording non-compliance in respect of the consent holder during the period under review.
27. During the year, DAS demonstrated a high level of both environmental performance and administrative compliance with the resource consents.
28. For reference, in the 2019-2020 year, consent holders were found to achieve a high level of environmental performance and compliance for 81% of the consents monitored through the Taranaki tailored monitoring programmes, while for another 17% of the consents, a good level of environmental performance and compliance was achieved.
29. 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 remained at a high level in the year under review.
30. This report includes recommendations for the 2020-2021 year.

31. Recommendations

- 31.1. THAT in the first instance, monitoring of consented activities at the DAS Paritutu Road plant in the 2020-2021 year continue at the same level as in 2019-2020.
- 31.2. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

20-64 Lower Waiwhakaiho Catchment Monitoring Programme Annual Report 2019-2020

32. The Lower Waiwhakaiho River catchment monitoring programme addresses discharges by several consent holders in the Fitzroy area of New Plymouth. The report covers the

period July 2019 to June 2020, and is the 27th report for this combined monitoring programme.

33. The Waiwhakaiho River catchment is significant for the Taranaki region. It is used for domestic, agricultural and industrial water supply, hydroelectric power generation, recreational purposes, and waste assimilation. It is also important to the local hapū. Because of the pressure on the river, the Taranaki Regional Council (the Council) adopted a water management plan for the river in September 1991.
34. During the 2019-2020 monitoring period a total of 20 consents were held by the 14 industries monitored under this programme that discharge wastewater, stormwater and/or leachate from the industrial area at Fitzroy, New Plymouth to the lower Waiwhakaiho River and Mangaone Stream, or to land in the lower Waiwhakaiho and Mangaone Stream catchments. The activities and impacts of the consent holders upon water quality are discussed, as is the extent of their compliance with their permits, and their overall environmental performance. There is a separate report covering emissions to air within the catchment.
35. During the monitoring period, the companies demonstrated an overall good level of environmental performance and a high level of administrative performance.
36. The monitoring programme included 46 site inspections, 82 samples of discharges, groundwater and receiving waters, and two biomonitoring surveys of the Waiwhakaiho River and Mangaone Stream.
37. Overall, the results of biomonitoring surveys undertaken during the monitoring period indicated that discharges from the industrial area were not having a significant negative effect on the macroinvertebrate communities in the lower Waiwhakaiho River. However, the taxa richness and MCI scores indicated that a pollution event had likely occurred upstream of the industrial area. The Mangaone Stream had a significant decline in macroinvertebrate indices in the middle reaches, which may be due in part to chronic pollution from historic sites but the results suggest that a more recent discharge lowering water quality has also occurred.
38. There continued to be evidence of some nutrient enrichment occurring in the lower Mangaone Stream. This was most likely to have been caused by inputs from various sites in the middle reaches. Also noted is the persistence of nutrient contamination in the groundwater surrounding the old Ravensdown site. In addition, there was the introduction of discharges from the new Ravensdown site which was found to be non-compliant in regard to ammoniacal nitrogen.
39. The light organic solvent preservative (LOSP) chemical Propiconazole was detected in the Mangaone Stream downstream of Taranaki Sawmills Ltd during a wet weather survey. The levels were found to be well within the empirical NOECs (no observable effect concentrations) for aquatic life developed by the European Chemical Agency and the Cawthron Institute.
40. Monitoring of groundwater and leachate in relation to the old landfill area off Bewley Road showed that all of the samples collected from the three monitoring bores complied with consent limits.
41. There were eight unauthorised incidents recorded that were associated with the consents covered by this report, which resulted in two abatement notices being issued.
42. During the period under review, AML Ltd demonstrated a **good** level of environmental and a **high** level of administrative performance and compliance, with their resource

consent as defined in Section 1.1.5. There have been ongoing minor issues with dust tracking on the site.

43. During the period under review, Devon 662 Limited Partnership demonstrated a **good** level of environmental performance and a **high** level of administrative performance. Groundwater monitoring continues to show the likelihood of fugitive historical fertiliser discharges from the former storage depot. More recent sampling appears to indicate that these trends are decreasing.
44. During the period under review, Dialog Fitzroy Ltd demonstrated a **good** level of environmental and a **high** level of administrative performance and compliance with their resource consents as defined in Section 1.1.5 in relation to its Rifle Range Road site.
45. During the period under review, Downer EDI Works Ltd demonstrated a **high** level of environmental and administrative performance and compliance with their resource consent in relation to the site at Rifle Range Road.
46. During the period under review, Envirowaste Services Ltd demonstrated a **high** level of environmental and administrative performance and compliance with their resource consent, as defined in Section 1.1.5.
47. During the period under review, an **improvement was required** in Firth Industries Ltd's level of environmental performance in relation to its site on Clemow Road as defined in Section 1.1.5. There have been ongoing issues with sediment loading in stormwater discharges, which the Company have since addressed. Firth Industries Ltd demonstrated a **high** level of administrative performance.
48. During the period under review, Freight and Bulk Transport Holdings Ltd demonstrated a **high** level of environmental and administrative performance and compliance with their resource consent as defined in Section 1.1.5.
49. During the period under review, Nankervis Family Trust demonstrated a **high** level of environmental and administrative performance and compliance with their resource consent as defined in Section 1.1.5. This consent has since been surrendered, and activities at the site are now classed as a permitted activity under the Regional Freshwater Plan for Taranaki.
50. During the period under review, New Plymouth District Council demonstrated a **high** level of environmental performance and **high** level of administrative performance and compliance with its resource consents as defined in Section 1.1.5.
51. During the period under review, KiwiRail Holdings Ltd and New Zealand Railways Corporation Ltd demonstrated a **good** level of environmental performance and **high** level of administrative performance and compliance with their resource consents as defined in Section 1.1.5 in relation to its Smart Road site.
52. During the monitoring period an **improvement** in Ravensdown's environmental performance and compliance with their resource consent was **required** as set out in Section 1.1.5. Two samples were found to be non-compliant with regards to ammoniacal nitrogen. The consent holder has made various improvements to the site and is undertaking further works to address the issues. Ravensdown demonstrated a **high** level of administrative performance.
53. During the period under review Taranaki Sawmills Ltd demonstrated a **good** level of environmental performance. They achieved a **high** level of administrative performance and compliance with the resource consents in relation to its site on Katere Road. There

was one non-compliant discharge sample in which elevated zinc concentrations were found. Works undertaken at the site have hopefully resolved this matter.

54. During the period under review, Technix Group Ltd demonstrated a **good** level of environmental performance and **high** level of administrative performance and compliance with their resource consents in relation to their sites on Rifle Range Road. On two occasions during the year under review, there were issues with suspended sediment levels in the stormwater discharged from the site.
55. During the period under review, Waste Management NZ Ltd demonstrated a **good** level of environmental and **high** level of administrative performance and compliance with their resource consent and RFWP as defined in Section 1.1.5.
56. For reference, in the 2019-2020 year, consent holders were found to achieve a high level of environmental performance and compliance for 81% of the consents monitored through the Taranaki tailored monitoring programmes, while for another 17% of the consents, a good level of environmental performance and compliance was achieved.
57. This report includes recommendations for the 2020-2021 year, including a recommendation relating to an optional review of consent 3865-4.

58. Recommendations

- 58.1. THAT in monitoring of consented activities at AML Limited in the 2020-2021 year continue at the same level as in 2019-2020.
- 58.2. THAT for 2020-2021, the programme for Devon 662 Limited Partnership remains similar to that programmed for the 2019-2020 period.
- 58.3. THAT monitoring of discharges from Dialog Fitzroy Ltd in the 2020-2021 year continue at the same level as in 2019-2020.
- 58.4. THAT monitoring of consented activities at Downer EDI Works Ltd in the 2020-2021 year remain similar to that in 2019-2020.
- 58.5. THAT monitoring of consented activities at Envirowaste Services Ltd in the 2020-2021 year remain similar to that in 2019-2020.
- 58.6. THAT monitoring of discharges from Firth Industries Ltd in the 2020-2021 year remain similar to that programmed in 2019-2020.
- 58.7. THAT monitoring of discharges from Freight and Bulk Transport Holdings Ltd in the 2020-2021 year remain similar to that programmed in 2019-2020.
- 58.8. THAT the programme for monitoring Nankervis Family Trust be dis-established.
- 58.9. THAT monitoring of discharges covered by consents held by New Plymouth District Council in the 2020-2021 period continues at similar a level to that undertaken in the 2019-2020 period.
- 58.10. THAT monitoring of discharges from New Zealand Railways Corporation Ltd and KiwiRail Holding Ltd in the 2020-2021 period remain similar to that programmed in the 2019-2020 period.
- 58.11. THAT monitoring of discharges from Ravensdown Fertiliser Co-operative Ltd in the 2020-2021 period continue at a similar level as that undertaken in the 2019-2020 period.
- 58.12. THAT monitoring programme for discharges from Taranaki Sawmills Ltd in the 2020-2021 period continue at a similar level as that undertaken in the 2019-2020 period.

- 58.13. THAT monitoring of discharges from Technix Group Ltd in the 2020-2021 period continue at a similar level as that undertaken in the 2019-2020 period.
- 58.14. THAT monitoring of discharges from Waste Management NZ Ltd's site during 2020-2021 remains similar to that programmed for the 2019-2020 period.
- 58.15. THAT should there be issues with environmental or administrative performance with any of the consent holders in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
- 58.16. THAT the option for a review of resource consent 3865-4 in June 2021, as set out in condition 10 of the consent, not be exercised, on the grounds that the current conditions are adequate.

20-77 Mangati Catchment Joint Monitoring Programme Annual Report 2019-2020

59. This report is the Annual Report for the period July 2019 to June 2020 by the Taranaki Regional Council (the Council) describing the monitoring programme associated with 14 industries within the catchment of the Mangati Stream, Bell Block.
60. The Mangati catchment has, in the past, been heavily utilised for the disposal of stormwater and wastewaters from a large number of industrial sites. As a consequence of inadequate treatment and management of discharges and minimal dilution capacity in the past, the water quality and aquatic ecosystems of the stream were significantly impacted. The Mangati Stream catchment is listed in the Regional Freshwater Plan for Taranaki (Appendix III) as having been identified for enhancement of natural, ecological and amenity values, and life supporting capacity. The Council has addressed this by requiring consents for discharges from every industrial site within the catchment that has significant potential for contamination. A combined monitoring programme has been implemented by Council to monitor these discharges, and since the 2002-2003 year a holistic approach has been applied to the monitoring of abstractions and discharges to all media.
61. During the 2019-2020 monitoring period a total of one water abstraction consent, 16 water discharge consents, four air discharge consents and one discharge to land consents were held by industries in this catchment. This report covers the results and findings during this monitoring period for these 22 consents, which contain a total of 227 special conditions that the consent holders must satisfy. It represents the 23rd report produced by Council to cover water discharges by industries within the catchment and their effects, and is the thirteenth combined report to cover abstractions and discharges to all media.
62. Overall, a good level of environmental performance was achieved by the consent holders in the industrial area of the Mangati Stream catchment.
63. Monitoring during the year under review included 52 site inspections, discussions with site operators over site management, 47 discharge samples, 12 receiving water samples, 16 macroinvertebrate samples, and several odour surveys.
64. Historically, chemical and biological monitoring results for the Mangati catchment have shown there to be a two-stage reduction in water quality, one below the main stormwater outlet from Tegel Foods poultry processing plant, the other below the industrial drain which joins the stream at the main highway.

65. Receiving water monitoring results for the year were generally in line with historical ranges, and the trend of increased BOD results at the top of the catchment, as noted in the previous monitoring year, appears to have been short-lived. It appears that there may also be an emerging trend of reducing metals concentrations, particularly in dissolved copper and zinc, at the site below pond 4 and the bypass drain, as well as at the coast.
66. During the period under review, the instream dissolved zinc and copper concentrations met the appropriate USEPA acute or chronic exposure guidelines in 11 of the 12 samples. None of the 12 instream samples taken during the period under review exceeded the 0.025 g/m³ Regional Freshwater Plan unionised ammonia guideline or the 0.9 g/m³ total ammonia national guideline.
67. Overall, the results of biological surveys indicated that macroinvertebrate health was generally 'poor' for the surveyed sites in the Mangati Stream and this was attributed to discharges to the stream which had a significant negative impact on the macroinvertebrate communities present.
68. There were 10 substantiated non-compliances recorded in the Mangati catchment during the period under review, eight of which were related to the consented companies monitored under this catchment programme. All incidents or non-compliances (substantiated or otherwise) were investigated and appropriate enforcement action was taken as required.
69. During the year, Barton Holdings Limited demonstrated a **high** level of environmental and administrative performance and compliance with their resource consent defined in Section 1.1.4.
70. During the year, First Gas Ltd demonstrated a **high** level of environmental and administrative performance with their resource consent.
71. During the year, Greymouth Petroleum Acquisition Company Limited demonstrated a **high** level of environmental performance and compliance with their resource consent and a **good** level of administrative performance.
72. During the year, J Swap's level of environmental and administrative performance were both **high** as defined in Section 1.1.4.
73. During the year, McKechnie Aluminium Solutions Ltd demonstrated a **good** level of environmental performance and compliance with their resource consent. The Company demonstrated a **high** level of administrative performance.
74. During the year, NPDC demonstrated a **high** level of environmental and administrative performance and compliance with their resource consent.
75. During the year, Nexans New Zealand Ltd demonstrated a **high** level of environmental and administrative performance and compliance with their resource consents.
76. During the year, OMV New Zealand Ltd demonstrated a **high** level of environmental performance and administrative performance and compliance with their resource consent.
77. During the year, Schlumberger demonstrated a **high** level of environmental and administrative performance and compliance with their resource consents.
78. During the year, Tasman Oil Tools Ltd demonstrated a **high** level of environmental and administrative performance and compliance with their resource consent.

79. During the year, an **improvement was required** from Tegel Foods Ltd (feed mill) in regards to environmental performance and compliance with their resource consents. A **high** level of administrative performance was demonstrated as defined in Section 1.1.4.
80. Overall, during the period under review, **an improvement was required** in Tegel Foods Ltd (poultry processing plant) level of environmental performance and compliance with their resource consents. There were ongoing issues in regards to site management and this resulted in an infringement fine being issued. A **high** level of administrative performance was demonstrated as defined in Section 1.1.4.
81. During the year, TIL Freightling Ltd demonstrated a **high** level of environmental and administrative performance and compliance with their resource consent as defined in Section 1.1.4.
82. During the year under review, W Abraham Ltd demonstrated a **high** level of environmental and administrative performance and compliance with their resource consent.
83. In terms of overall environmental and compliance performance by the consent holders over the last several years, this report shows that the consent holders' performance generally remained at a good level in the year under review. It is noted however that there are a few consent holders that either continued to have issues that required improvement (following on from the previous period), or required interventions and enforcement action as a result of significant events. Council officers continue to follow up with these situations at the end of the period under review.
84. In terms of overall environmental and compliance performance by the consent holders over the last several years, this report shows that the consent holders' performance remains at a good level in the year under review.
85. This report includes recommendations for the 2019-2020 year.
- 86. Summary of recommendations**
 - 86.1. THAT in the first instance, monitoring programmed for the consented activities of Barton Holdings Ltd in the 2020-2021 year continues at a similar level to that programmed for 2019-2020.
 - 86.2. THAT in the first instance, monitoring programmed for consented activities of First Gas Ltd in the 2020-2021 year continues at a similar level to that programmed for 2019-2020.
 - 86.3. THAT in the first instance, monitoring programmed for the consented activities of Greymouth Petroleum Acquisitions Company Ltd in the 2019-2020 year continues at a similar level to that programmed for 2018-2019.
 - 86.4. THAT in the first instance, monitoring programmed for consented activities of J Swap Contractors Ltd in the 2020-2021 year continues at a similar level to that programmed for 2019-2020.
 - 86.5. THAT, in the first instance, monitoring programmed for consented activities of McKechnie Aluminium Solutions Ltd in the 2019-2020 year continues at a similar level to that programmed for 2018-2019.
 - 86.6. THAT in the first instance, monitoring programmed for consented activities of New Plymouth District Council in the 2020-2021 year continues at a similar level to that programmed for 2019-2020.

- 86.7. THAT in the first instance, monitoring programmed for consented activities of Nexans New Zealand Ltd in the 2019-2020 year continues at a similar level to that programmed for 2018-2019.
- 86.8. THAT in the first instance, monitoring programmed for consented activities of OMV New Zealand Ltd in the 2020-2021 year continues at a similar level to that programmed for 2019-2020.
- 86.9. THAT in the first instance, monitoring programmed for consented activities of Schlumberger New Zealand Ltd in the 2020-2021 year continues at a similar level to that programmed for 2019-2020, and that the conditions for both consents be combined into consent 6032.
- 86.10. THAT in the first instance, monitoring programmed for consented activities of Tasman Oil Tools Ltd in the 2020-2021 year continues at a similar level to that programmed for 2019-2020.
- 86.11. THAT in the first instance, monitoring programmed for consented activities of Tegel Foods Ltd (feed mill) in the 2020-2021 year continues at a similar level to that programmed for 2019-2020, with the triennial deposition gauging next due in 2021-2022.
- 86.12. THAT in the first instance, monitoring programmed for consented activities of Tegel Foods Ltd (poultry processing plant) in the 2020-2021 year continues at a similar level to that programmed for 2019-2020.
- 86.13. THAT in the first instance, monitoring programmed for consented activities of TIL Freightling Ltd in the 2020-2021 year continues at a similar level to that programmed for 2019-2020.
- 86.14. THAT in the first instance, monitoring programmed for consented activities of W Abraham Ltd in the 2020-2021 year continues at a similar level to that programmed for 2019-2020.
- 86.15. THAT should there be issues with environmental or administrative performance at any of the sites in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

20-80 Waitaha Catchment Monitoring Programme Annual Report 2019-2020

87. This 2019-2020 annual compliance monitoring report is the 26th report by the Taranaki Regional Council (the Council) to be prepared for the monitoring programme in the Waitaha Stream catchment. Twelve industrial premises were monitored under this programme during the year under review. The monitoring reflects an on-going process of identifying and improving discharges into the catchment in a similar manner to the management of those in the neighbouring Mangati Stream catchment.
88. A total of 17 consents were included in the monitoring programme during the 2019-2020 monitoring period. Of these, ten licence discharges to water, one licence a discharge to land, and six licence discharges to air. These consents include a total of 203 special conditions.
89. Overall, a good level of environmental performance was achieved by the consent holders in the industrial area of the Waitaha Stream catchment.
90. The Council's monitoring included 56 inspections, 23 discharge samples and eight receiving water samples collected for physicochemical analysis, a review of consent

holder monitoring data, odour surveys, ambient air quality analyses, ambient PM10 monitoring, and deposition gauging.

91. During the year under review, inspections found that the sites were generally well managed, with only transient non-compliances found at some sites, the majority of which were addressed in a timely manner. The persistent issue of non-compliant levels of suspended solids seems to have been resolved somewhat, with only one instance recorded during the monitoring period. There was one unauthorised discharge into the Waitaha Stream with enforcement action taken as a result of this.
92. Chemical monitoring of the stream found that although there were measurable changes in some parameters, most of these would have resulted in only minor transient effects at most. In terms of guidelines, no exceedances of guidelines for copper, ammoniacal nitrogen, or biochemical oxygen demand were noted.
93. Only one of the six wet weather samples taken in the Waitaha Stream system was found to be below the USEPA acute guideline for zinc, however all the dissolved copper results were below the USEPA chronic and acute guidelines.
94. Overall the consented discharges in the Waitaha catchment achieved a good level of environmental compliance and Council is continuously working with consent holders to apply best practice. The Council, in co-operation with New Plymouth District Council (NPDC) as the consented reticulation owners, is also educating and engaging with non-consent holders in the catchment who may be unaware of their environmental and regulatory obligations.
95. During the year, AICA (NZ) Ltd demonstrated an overall **good** level of environmental performance and a **high** level of administrative performance and compliance.
96. During the year, C&O Concrete Products Ltd demonstrated a **high** level of environmental performance and administrative performance.
97. During the year, Energyworks Ltd demonstrated a **high** level of environmental performance and administrative performance.
98. During the year, Greymouth Facilities Ltd demonstrated a **high** level of environmental performance and administrative performance.
99. During the year, Intergroup Ltd demonstrated a **high** level of environmental performance and administrative performance.
100. During the year, Meredith Metals Ltd demonstrated a **good** level of environmental performance and a **high** level of administrative performance.
101. During the year, NPDC demonstrated a **high** level of environmental performance and administrative performance.
102. During the year, Pounamu Oil Services Ltd demonstrated a level of environmental performance that **required improvement**. There was a **high** level of administrative performance.
103. During the year Symons Property Development demonstrated a **good** level of environmental performance and a **high** level of administrative performance.
104. During the year, Taranaki Sawmills demonstrated a **high** level of environmental performance and administrative performance.
105. During the year, TBS Coatings Ltd demonstrated a **high** level of environmental performance and administrative performance.

106. During the year, Woodward's 2008 Ltd demonstrated a **high** level of environmental performance and administrative performance.
107. During the year, Zelam Ltd demonstrated a **high** level of environmental performance and administrative performance.
108. For reference, in the 2019-2020 year, consent holders were found to achieve a high level of environmental performance and compliance for 81% of the consents monitored through the Taranaki tailored monitoring programmes, while for another 17% of the consents, a good level of environmental performance and compliance was achieved.
109. In terms of overall environmental and compliance performance by the consent holders' over the last several years, this report shows that the consent holders' performance remains at a good level in the year under review.
110. This report includes recommendations for the 2020-2021 year.

111. Summary of recommendations

- 111.1. THAT in the first instance, monitoring of consented activities at AICA Ltd in the 2020-2021 year continue at the same level as in 2019-2020.
- 111.2. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
- 111.3. THAT in the first instance, monitoring of consented activities at C&O Concrete Products Ltd in the 2020-2021 year continue at the same level as in 2019-2020.
- 111.4. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
- 111.5. THAT in the first instance, monitoring of consented activities at Energyworks Ltd in the 2020-2021 year continue at the same level as in 2019-2020.
- 111.6. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
- 111.7. THAT in the first instance, monitoring of consented activities at Greymouth Facilities Ltd in the 2020-2021 year continue at the same level as in 2019-2020.
- 111.8. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
- 111.9. THAT in the first instance, monitoring of consented activities at Intergroup Ltd in the 2020-2021 year continue at the same level as in 2019-2020.
- 111.10. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
- 111.11. THAT in the first instance, monitoring of consented activities at Meredith Metals Ltd in the 2020-2021 year continue at the same level as in 2019-2020.
- 111.12. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

- 111.13. THAT in the first instance, monitoring of consented activities by NPDC in the 2020-2021 year continue at the same level as in 2019-2020.
- 111.14. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
- 111.15. THAT in the first instance, monitoring of consented activities at Pounamu Oilfield Services Ltd in the 2020-2021 year continue at the same level as in 2019-2020.
- 111.16. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
- 111.17. THAT in the first instance, monitoring of consented activities at Symons Property Development Ltd in the 2020-2021 year continue at the same level as in 2019-2020.
- 111.18. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
- 111.19. THAT in the first instance, monitoring of consented activities at Taranaki Sawmills Ltd in the 2020-2021 year continue at the same level as in 2019-2020.
- 111.20. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
- 111.21. THAT in the first instance, monitoring of consented activities at TBS Coatings Ltd in the 2020-2021 year continue at the same level as in 2019-2020
- 111.22. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
- 111.23. THAT in the first instance, monitoring of consented activities at Woodward's 2008 Ltd in the 2020-2021 year continue at the same level as in 2019-2020.
- 111.24. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
- 111.25. THAT in the first instance, monitoring of consented activities at Zelam Ltd in the 2020-2021 year continue at the same level as in 2019-2020.
- 111.26. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

20-101 South Taranaki District Council Water Supplies Monitoring Programme Annual Report 2019-2020

112. The South Taranaki District Council (STDC) operates a total of 11 water treatment plants (WTP's) throughout the district. STDC holds 33 resource consents which include 291 conditions setting out the requirements that must be satisfied. STDC holds 15 consents

to take water, ten consents to discharge to both land and water, and eight consents to construct and maintain in-stream structures.

113. This report for the period July 2019 to June 2020 describes the monitoring programme implemented by the Taranaki Regional Council (the Council) to assess STDC'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 STDC's activities.

114. During the monitoring period, STDC demonstrated an overall high level of environmental performance.

115. During the 2019-2020 monitoring period the Council's monitoring programme included ten inspections, the collection of six water samples for physicochemical analysis, three biomonitoring surveys of receiving water, and two fish surveys. Abstraction, stream flow and discharge data, provided by the consent holder, was analysed and reviewed.

116. Chemical sampling of discharges and receiving waters and macroinvertebrate surveys indicated that the water supply schemes were not causing any adverse environmental effects. Fish surveys were inconclusive as to whether weirs were presenting a barrier to fish passage.

117. During the monitoring period, STDC demonstrated an overall high level of environmental performance and administrative performance.

118. For reference, in the 2019-2020 year, consent holders were found to achieve a high level of environmental performance and compliance for 81% of the consents monitored through the Taranaki tailored monitoring programmes, while for another 17% of the consents, a good level of environmental performance and compliance was achieved.

119. 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 remains at a good or high level.

120. This report includes recommendations for the 2020-2021 year.

121. Recommendations

121.1. THAT in the first instance, monitoring of consented activities in relation to the STDC water supplies in the 2020-2021 year continue at the same level as in 2019-2020.

121.2. THAT should there be issues with environmental or administrative performance in 2020-2021, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

Financial considerations—LTP/Annual Plan

122. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

123. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks

including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

124. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan. Similarly, iwi involvement in adopted work programmes has been recognised in the preparation of this memorandum.

Community considerations

125. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

Legal considerations

126. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Appendices/Attachments

Report Name	PDF Number	Reporting period
20-12 New Plymouth District Council Closed and Contingency Landfills Monitoring Programme Annual Report 2019-2020	2727023	2019-2020
20-57 Dow AgroSciences Monitoring Programme Annual Report 2019-2020	2630944	2019-2020
20-64 Lower Waiwhakaiho Catchment Monitoring Programme Annual Report 2019-2020	2651873	2019-2020
20-77 Mangati Catchment Joint Monitoring Programme Annual Report 2019-2020	2669906	2019-2020
20-80 Waitaha Catchment Monitoring Programme Annual Report 2019-2020	2600304	2019-2020
20-101 South Taranaki District Council Water Supplies Monitoring Programme Annual Report 2019-2020	2732988	2019-2020



Date 8 June 2021

Subject: **Incident, Compliance Monitoring Non-compliances and Enforcement Summary - 26 March 2021 to 12 May 2021**

Approved by: A D McLay, Director - Resource Management
S J Ruru, Chief Executive

Document: 2781549

Purpose

1. The purpose of this memorandum is to allow the Council to consider and receive the summary of the incidents, compliance monitoring non-compliances and enforcement for the period 26 March 2021 to 12 May 2021.
2. The annual inspection for farm dairy effluent monitoring programme commences in September each year and usually finishes around March, however follow up inspections and winter milking inspections are also carried out during the rest of the year.

Executive summary

Incidents

3. There are one hundred and nine (109) incidents reported.
4. Fifty seven (57) of the incidents were found to be compliant and thirty one (31) were found to be non-compliant. Twenty one (21) of the incidents reported relate to non-compliances from previous periods (updates). The action taken on the incidents is set out for Members information.
5. For the fourth reporting period in row there continues to be a high number of incidents found to be compliant.

Compliance monitoring non-compliances

6. There are thirty one (31) compliance monitoring non-compliances reported. Fifteen (15) of the compliance monitoring non-compliances reported are updates from previous periods.
7. Fourteen (14) of the non-compliances reported are as a result of the annual dairy inspection round. The annual inspections have now been completed for the annual dairy inspection round. There were a total of 1,614 annual inspections undertaken. The overall non-compliance rate was 8.6%, including a significant non-compliance rate of 2.7%, for

adverse environmental effects in contravention of resource consent conditions or abatement notice.

Recommendations

That the Taranaki Regional Council:

- a) receives this memorandum Incident, Compliance Monitoring Non-compliances and Enforcement Summary - 26 March 2021 to 12 May 2021
- b) receives the summary of the incidents, compliance monitoring non-compliances and enforcement for the period from 26 March 2021 to 12 May 2021, notes the action taken by staff acting under delegated authority and adopts the recommendations therein.

Background

8. The Council receives and responds to pollution events and public complaints throughout the year. Consent compliance monitoring undertaken can also identify non-compliance. This information is recorded in the IRIS database together with the results of investigations and any follow-up actions. Such incidents and non-compliances are publicly reported to the Council through the Consents and Regulatory Committee via the Incidents, Compliance Monitoring Non-compliances and Enforcement Report or the Annual Compliance Monitoring Reports.
9. Attached is the summary of the Incidents, Compliance Monitoring Non-compliances and Enforcement for the period from 26 March 2021 to 12 May 2021.
10. Staff have been delegated by the Council to undertake enforcement actions. The enforcement policy and procedures are approved by the Council and then consistently implemented and reported on by staff.

Disclosure Restrictions

11. The incident register information presentation was reviewed in 2014-2015 to increase reader understanding in this complex area. The first section addresses compliant incidents and can be publically discussed. The second section provides an update on non-compliant incidents from previous meetings and where an incident has been resolved it can be publically discussed. The third and fourth sections provide information on non-compliant incidents and non-compliances found during compliance monitoring during the period that are still under investigation and staff are limited in terms of public disclosure of information, while the investigation is ongoing and enforcement responses have not been determined. The incident flow chart and definition of terms provide further operational detail.

Discussion

12. Council responds to all complaints received with most complaints responded to within four hours. This usually involves a site visit. Responses to complaints and non-compliances with rules in the Council's regional plans, resource consents and the Resource Management Act 1991 are recorded in the IRIS database. Where necessary, appropriate advisory or enforcement actions are undertaken. The latter may include issuing an inspection, abatement or infringement notice, or initiating a prosecution. Where an infringement notice or prosecution is possible, details of the information in the

Incidents, Compliance Monitoring Non-compliances and Enforcement agenda item and staff comment will be restricted for legal disclosure reasons. Further information will be provided at a later date to the Council and for prosecutions a detailed report will be provided for information purposes, in the confidential section of the agenda.

13. A summary of Incidents, Compliance Monitoring Non-compliances and Enforcement for the period 26 March 2021 to 12 May 2021 is attached. The 'compliant' incidents are presented first in a table and the 'non-compliant' incidents are presented after in a more detailed summary, followed by the compliance monitoring non-compliances.
14. Generally incidents in the 'compliant' table have a recommendation of 'no further action'. However, an incident is considered 'compliant' until such time as a non-compliance is found. Therefore occasionally an incident in the 'compliant' table will have a recommendation of 'investigation continuing', if an ongoing investigation is still underway to confirm compliance.
15. A series of graphs are also attached comparing the number of incidents between 2016-2017 and 2020-2021, and also showing how the incidents are tracking in 2020-2021 in relation to environment type and compliance status. There is a graph showing the non-compliances found during compliance monitoring. There is also a graph showing enforcement action taken to date during 2020-2021.
16. The data in the graphs for 2020-2021 to date is showing that there are more incidents but less compliance monitoring non-compliances.

Decision-making considerations

17. Part 6 (Planning, decision-making and accountability) of the *Local Government Act 2002* has been considered and documented in the preparation of this agenda item. The recommendations made in this item comply with the decision-making obligations of the *Act*.

Financial considerations—LTP/Annual Plan

18. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

19. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

20. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan. Similarly, iwi involvement in adopted work programmes has been recognised in the preparation of this memorandum.

Community considerations

21. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

Legal considerations

22. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Appendices/Attachments

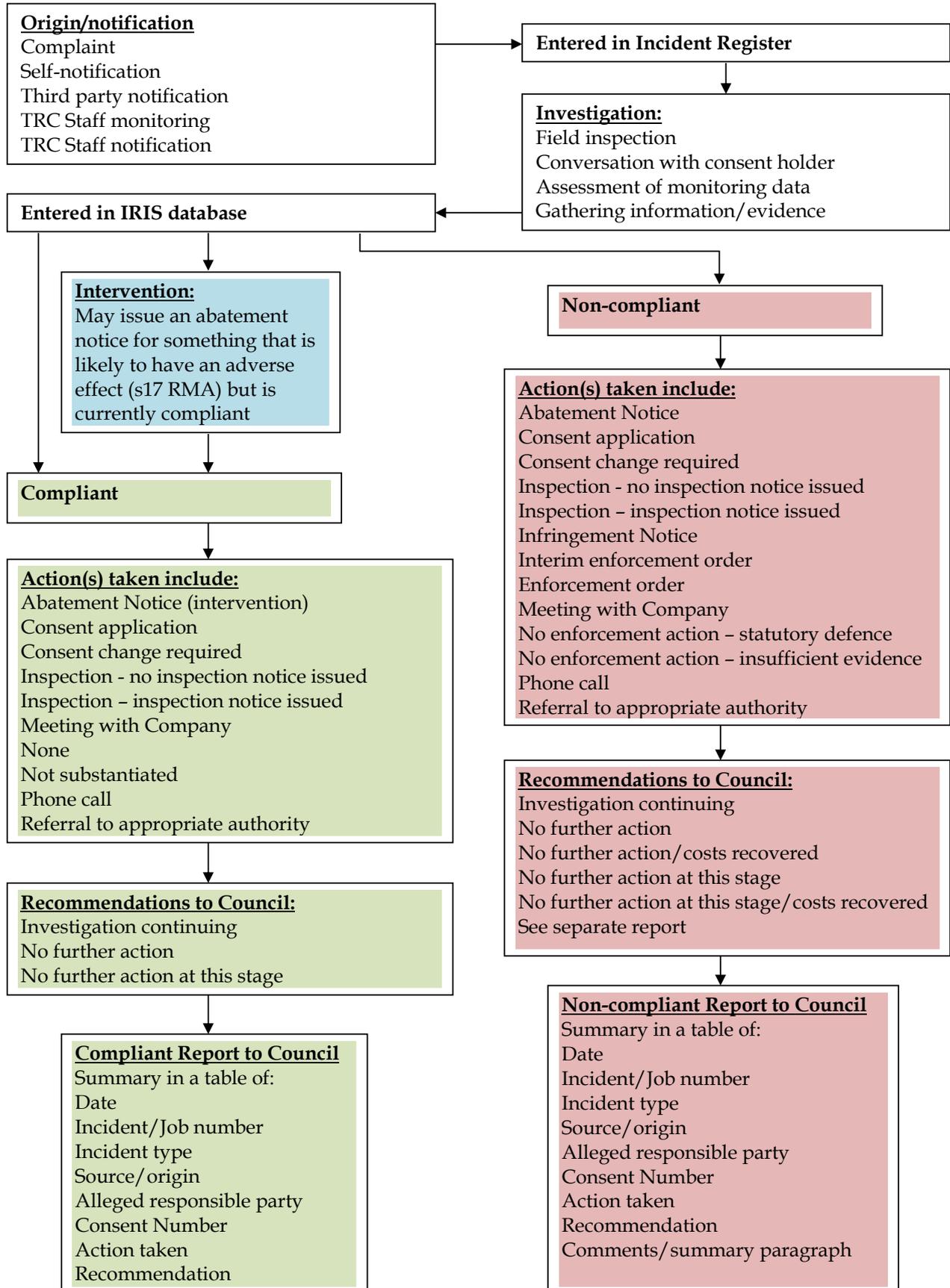
Document 1081324: Incident flowchart and terms explained

Document 2781698: Incident and Enforcement Graphs to 30 April 2021

Document 2781472: Incidents and Enforcement Summary 26 March 2021 to 12 May 2021

Incident flow chart

Doc # 1081324



Terms explained

Compliance rating

Compliant After investigation the incident was found to be compliant with environmental standards or other regulations, permitted rules in a regional plan (e.g. RFWP, RAQP, RCP allowed), a resource consent and/or the Resource Management Act 1991.

Non-compliant After investigation the incident was found to be non-compliant with environmental standards or other regulations, rules in a regional plan, a resource consent and/or the Resource Management Act 1991

Origin/Notification:

Complaint Notification of incident received from public.

Self notification Notification of incident received from the responsible party.

Third Party Notification Notification of incident received from third party such as New Zealand Fire, District Council etc.

TRC Staff monitoring Notification of incident found during routine compliance monitoring.

TRC Staff notification Notification of incident found during unrelated monitoring/field work.

Action/s Taken:

14 day Letter A letter was sent requesting an explanation for the non-compliance and why enforcement action should not be considered. The recipient is given 14 days to reply.

Abatement Notice A notice was issued requiring something to be undertaken or something to cease to ensure compliance with Rules in the regional plans, resource consent or Resource Management Act 1991. Notice must be complied with or further enforcement action can be considered.

Consent application A consent application has been received as a result of the investigation.

Consent change required During the investigation it was found that a consent change was required.

Emergency Works Emergency works was allowed under section 330 of the RMA. Often a subsequent resource consent is required.

Enforcement Order An enforcement order has been issued by the Environment Court requiring action to be undertaken or something to cease. Notice must be complied with or further enforcement action can be

	considered.
Infringement Notice (\$xxx.xx)	An infringement notice was issued under Section 338(1)(a) of the Resource Management Act 1991 and Councils delegated authority.
Inspection Notice	An inspection was undertaken and a notice of advice/instruction was issued to landowner/alleged offender.
Inspection/no notice issued	An inspection was undertaken, however no inspection notice was issued as there was no alleged offender/landowner to issue one to (natural event, unsourced etc).
Interim Enforcement Order	An interim enforcement order has been issued by the Environment Court requiring action to be undertaken or something to cease. Notice must be complied with or further enforcement action can be considered.
Meeting with Company	A meeting was held with the Company to discuss the incident and ways to resolve any issues.
None	No action was required.
Not Substantiated	The incident could not be substantiated (i.e. it is not likely/possible/probable that the alleged incident could have taken place).
Phone call	A phone call was made to the alleged offender/authority.
Prosecution	A prosecution is being initiated for this incident.
Referral to Appropriate Authority	The incident was referred to the appropriate authority (District Council, Department of Conservation etc).

Recommendations to Council

Investigation continuing	Outcome has not been finalised. Investigation is continuing on this incident, information/evidence still being gathered. Further action, including enforcement are being considered and therefore legally all information cannot be reported on this incident at this stage. These incidents will continue to be reported as updates in the following agendas.
No Further Action	Investigation is completed, any required enforcement action has been undertaken and no further action is required.
No Further Action At This Stage	Investigation is completed, any required enforcement action has been undertaken and further action may be required at a later date.
No Further Action/Costs Recovered	Investigation is completed, any required enforcement action has been undertaken and no further action is required. Costs will be recovered from the alleged offender for the investigation.

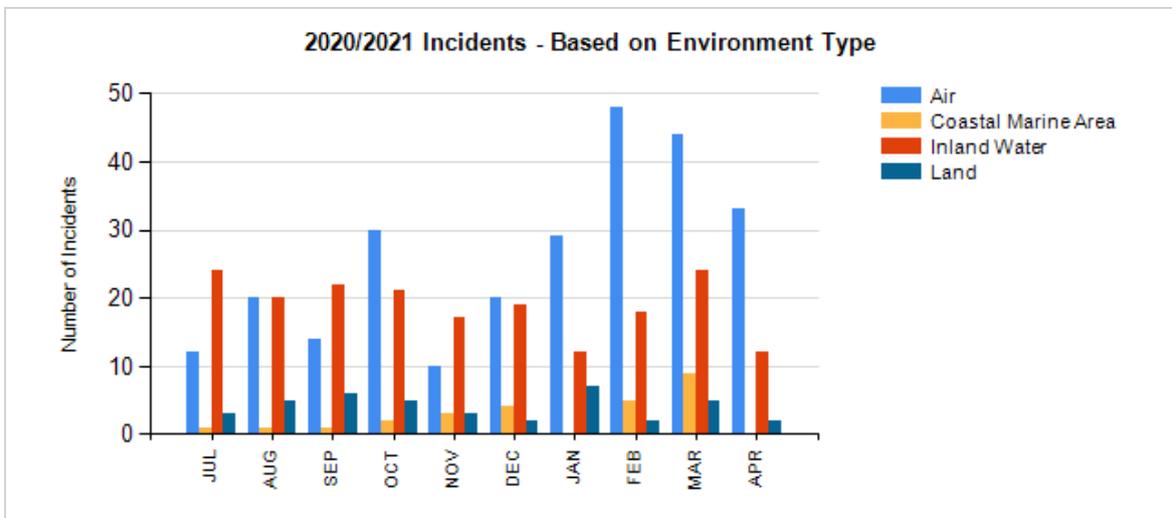
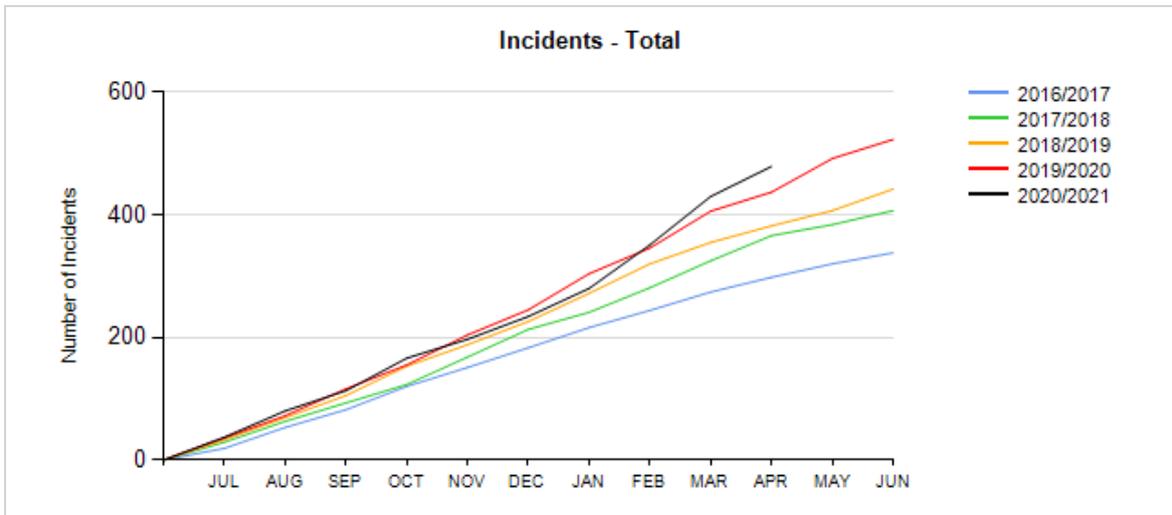
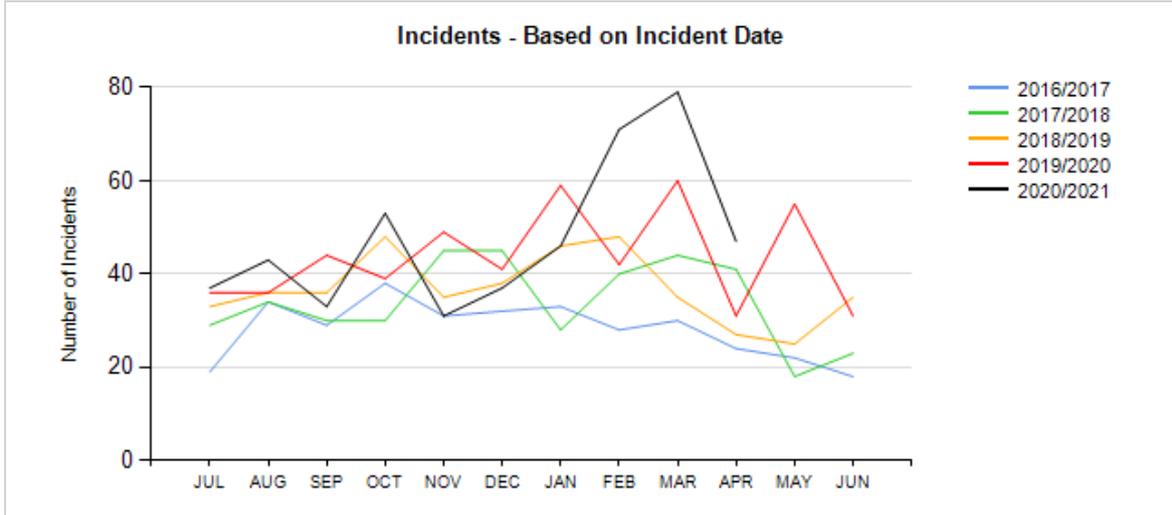
No further Action at this Stage/Costs Recovered	Investigation is completed, any required enforcement action has been undertaken and further action may be required at a later date (reinspection of Abatement Notice etc). Costs will be recovered from the alleged offender for the investigation.
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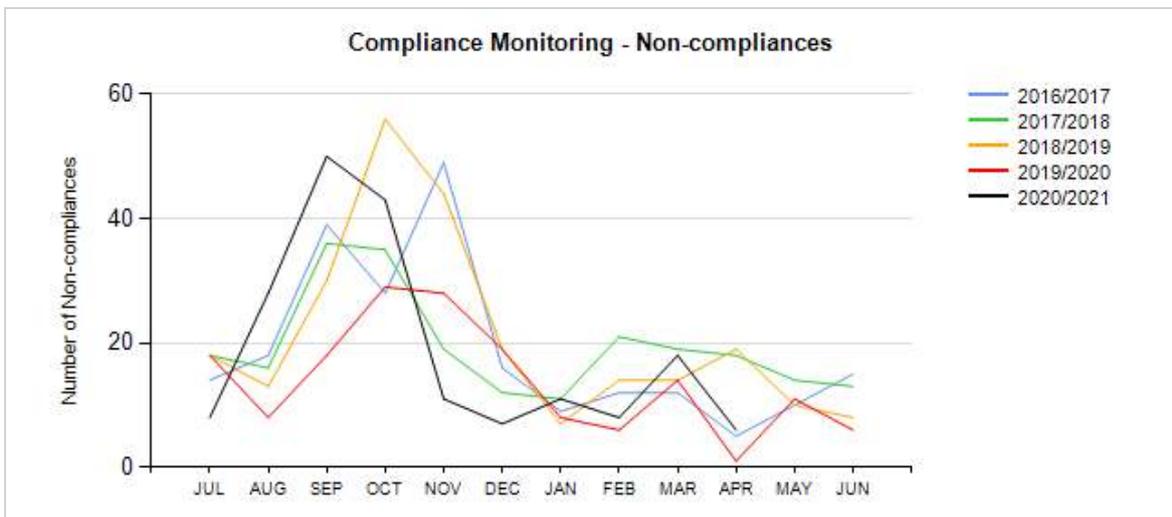
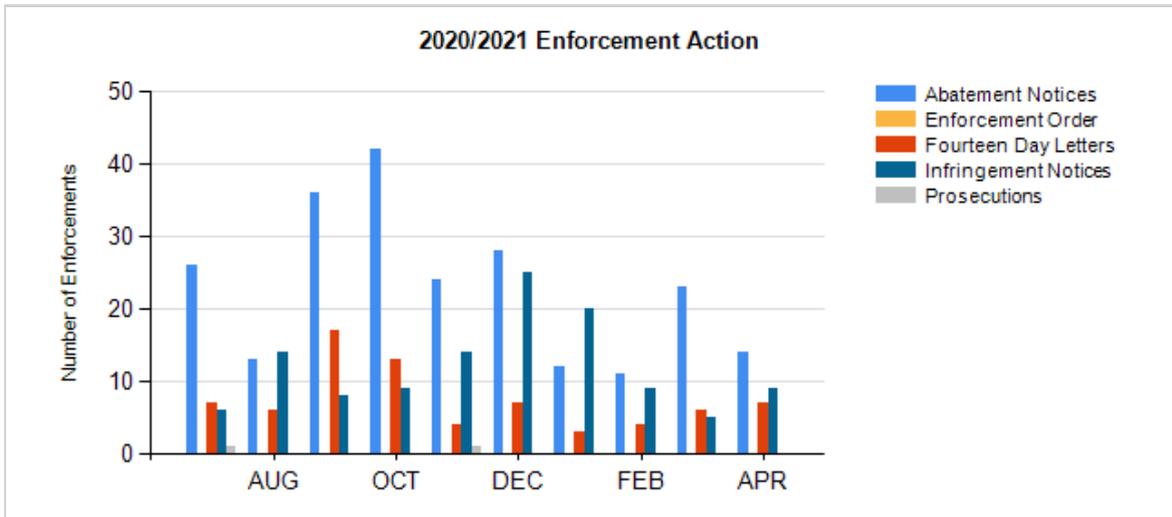
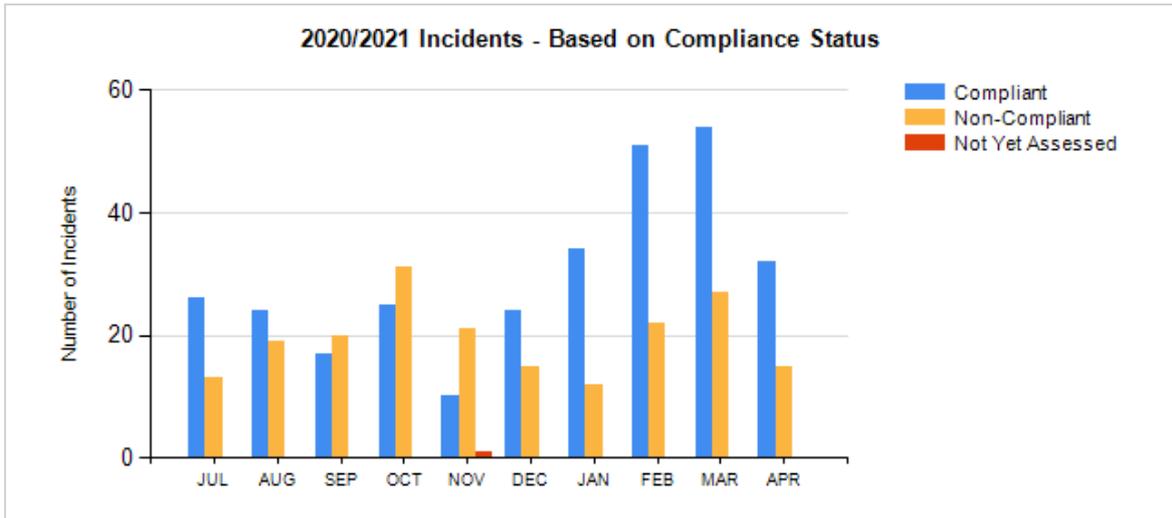
Defences under Sections 340 and 341 of the Resource Management Act 1991

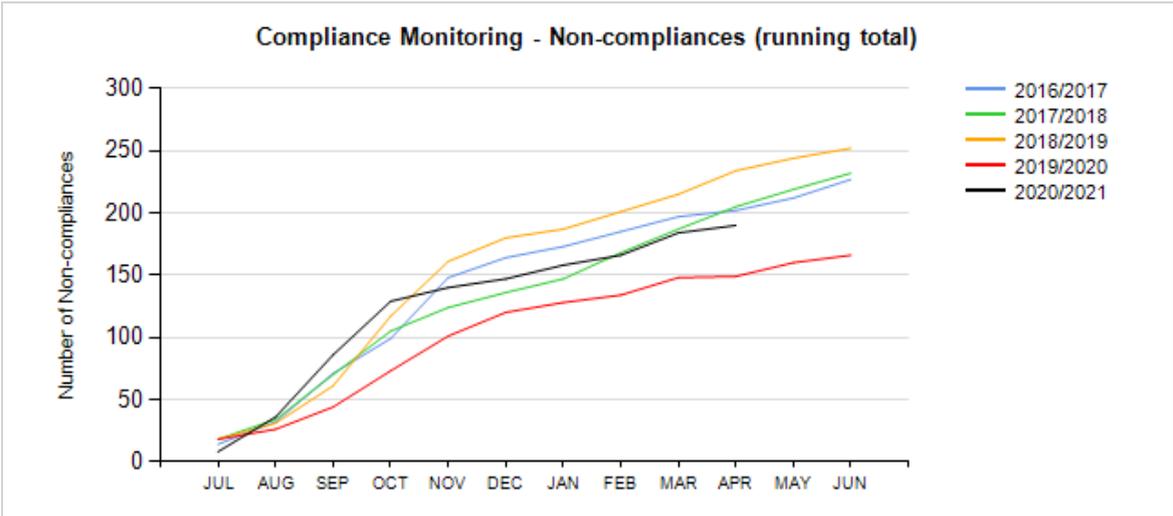
Sometimes no enforcement action is undertaken against an alleged offender for a non-compliant incident as they have a defence under Section 340 of the Resource Management Act 1991 including reasons such as:

- the defendant can prove that he or she did not know, and could not reasonably be expected to have known that the offence was to be or was being committed, or
- that he or she took all reasonable steps to prevent the commission of the offence, or
- the action or event could not reasonably have been foreseen or been provided against by the defendant.

Incident and Enforcement Graphs to 30 April 2021







Compliant Incidents for the period 26 Mar 2021 to 12 May 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Compliance Status	Recommendation
26 Mar 2021	3301-21-429 IN/42027	Alleged Dust - Connett Road, Bell Block	Complaint	Offshore Plumbing & Pipeline		RAQP Allowed	No Further Action
26 Mar 2021	3301-21-432 IN/42046	Alleged Burning - Graves Street, Eltham	Complaint	Riverlands Eltham Limited		RAQP Allowed	No Further Action
26 Mar 2021	3301-21-433 IN/42047	Alleged Burning - Meremere Road, Hawera	Complaint	Aaron Sturgeon		RAQP Allowed	No Further Action
27 Mar 2021	3301-21-434 IN/42048	Alleged Burning - South Road, Manaia	Complaint	Kevin Mathews		RAQP Allowed	No Further Action
27 Mar 2021	3301-21-435 IN/42058	Alleged Odour - Sentry Hill, Bell Block	Complaint	Peter Sole Transport Ltd		RAQP Allowed	No Further Action
27 Mar 2021	3301-21-438 IN/42095	Alleged Odour - Mokau Road, Uriti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
28 Mar 2021	3301-21-437 IN/42096	Alleged Earthworks - Ross Road, Tariki	TRC Staff Notification	KJ & HL Uhlenberg (Waitui) Family Trust Partnership		RFWP Allowed	No Further Action
28 Mar 2021	3301-21-439 IN/42097	Alleged Odour - Mokau Road, Uriti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
28 Mar 2021	3301-21-440 IN/42099	Alleged Sewage discharge - Mangati Road, New Plymouth	Self-Notification	New Plymouth District Council	R2/0882-4 R2/10406-1.0	Consent Compliance	No Further Action
29 Mar 2021	3301-21-400 IN/42100	Alleged Earthworks/stream disturbance - South Road, Pungarehu	Complaint	PV & PG Mullin Trust	R2/3404-2	Consent Compliance	No Further Action

Compliant Incidents for the period 26 Mar 2021 to 12 May 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Compliance Status	Recommendation
30 Mar 2021	3301-21-444 IN/42460	Alleged Cows in Whenuakura River - Patea	Complaint	PKW Farms LP		RFWP Allowed	No Further Action
1 Apr 2021	3301-21-445 IN/42101	Alleged Odour/gas - Mokau Road, Uriti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
3 Apr 2021	3301-21-446 IN/42072	Alleged Odour - Mokau Road, Uriti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
5 Apr 2021	3301-21-451 IN/42077	Alleged Odour/gas - Mokau Road, Uriti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
6 Apr 2021	3301-21-467 IN/42118	Alleged Odour - Mountain Road, Inglewood	Complaint	Osflo Fertiliser Limited	R2/10578-1.0	Consent Compliance	No Further Action
7 Apr 2021	3301-21-458 IN/42167	Alleged Odour - Mokau Road, Uriti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
7 Apr 2021	3301-21-466 IN/42190	Alleged poultry odour - Kaipii Road, Egmont Village	Complaint	Tegel Foods Limited	R2/9500-1.1	Consent Compliance	No Further Action
8 Apr 2021	3301-21-455 IN/42130	Alleged Paint odour - Devon Street West, New Plymouth	Complaint	Pro Paint NZ		RAQP Allowed	No Further Action
8 Apr 2021	3301-21-456 IN/42131	Alleged Odour - Connett Road, Bell Block	Complaint	Un sourced		RAQP Allowed	No Further Action
8 Apr 2021	3301-21-457 IN/42141	Alleged Pigs in Stream - Waverley Beach Road, Waverley	TRC Staff Notification	Western Southland Shearing CO.		RFWP Allowed	No Further Action

Compliant Incidents for the period 26 Mar 2021 to 12 May 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Compliance Status	Recommendation
8 Apr 2021	3301-21-470 IN/42207	Alleged Smoke - Eltham township	Complaint	Unsourced		RAQP Allowed	No Further Action
8 Apr 2021	3301-21-447 IN/42238	Alleged Odour - Kaipi Road, Egmont Village	Complaint	Tegel Foods Limited	R2/9500-1.1	Consent Compliance	No Further Action
9 Apr 2021	3301-21-459 IN/42144	Alleged Odour - Mountain Road, Inglewood	Complaint	David Geraghty	R2/10578-1.0	Consent Compliance	No Further Action
11 Apr 2021	3301-21-460 IN/42155	Alleged Odour - Carrington Street, Inglewood	Complaint	Civil Properties Limited		RFWP Allowed	No Further Action
11 Apr 2021	3301-21-461 IN/42159	Alleged Odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
12 Apr 2021	3301-21-463 IN/42176	Alleged Gas odour - High Street, Hawera	Complaint	Ann Chisnell		RAQP Allowed	No Further Action
13 Apr 2021	3301-21-464 IN/42193	Alleged Odour - Mountain Road, Inglewood	Complaint	Osflo Fertiliser Limited	R2/10578-1.0	Consent Compliance	No Further Action
14 Apr 2021	3301-21-465 IN/42202	Alleged Odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
17 Apr 2021	3301-21-475 IN/42260	Alleged Odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
19 Apr 2021	3301-21-476 IN/42261	Alleged Odour - Mountain Road, Inglewood	Complaint	Osflo Fertiliser Limited		Consent Compliance	No Further Action

Compliant Incidents for the period 26 Mar 2021 to 12 May 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Compliance Status	Recommendation
20 Apr 2021	3301-21-478 IN/42256	Alleged Petrol spill - Ihaia Road, Opunake	Third Party Notification	Dennis Eichert		RFWP Allowed	No Further Action
21 Apr 2021	3301-21-480 IN/42271	Alleged Earthworks - Kiri Road, Opunake	Complaint	Neville Lynsay & Beverley Louisa Ardern		RFWP Allowed	No Further Action
22 Apr 2021	3301-21-486 IN/42294	Alleged Odour - Mountain Road, Inglewood	Complaint	Osflo Fertiliser Limited	R2/10578-1.0	Consent Compliance	No Further Action
22 Apr 2021	3301-21-479 IN/42339	Alleged Odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
22 Apr 2021	3301-21-490 IN/42349	Alleged Odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
22 Apr 2021	3301-21-503 IN/42465	Alleged Earthworks - Kiri Road, Opunake	TRC Staff Notification	Eric Graham & Diane Mary Ardern		RFWP Allowed	No Further Action
23 Apr 2021	3301-21-491 IN/42350	Alleged Sewage overflow - NPDC WWTP - New Plymouth	Complaint	New Plymouth District Council		RFWP Allowed	No Further Action
24 Apr 2021	3301-21-483 IN/42315	Alleged Odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
24 Apr 2021	3301-21-484 IN/42317	Alleged Foaming in Herekawe Stream - New Plymouth	Complaint	Un sourced		Not Applicable/Natural Event	No Further Action
27 Apr 2021	3301-21-498 IN/42400	Alleged Odour - Mountain Road, Inglewood	Complaint	Osflo Fertiliser Limited	R2/10578-1.0	Consent Compliance	No Further Action

Compliant Incidents for the period 26 Mar 2021 to 12 May 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Compliance Status	Recommendation
28 Apr 2021	3301-21-488 IN/42319	Alleged Odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
28 Apr 2021	3301-21-487 IN/42344	Alleged Effluent odour - East Road, Stratford	Complaint	Gerald & Maree Collins Family Trust		RAQP Allowed	No Further Action
29 Apr 2021	3301-21-493 IN/42474	Alleged Earthworks - Ansliee Street, Eltham	Complaint	Chris Herd	R2/10332-1.0	Consent Compliance	No Further Action
30 Apr 2021	3301-20-495 IN/42378	Alleged Odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
30 Apr 2021	3301-21-494 IN/42405	Alleged Green stream - South Road, Opunake	Complaint	South Taranaki District Council	R2/4248-3.0	Consent Compliance	No Further Action
2 May 2021	3301-21-497 IN/42396	Alleged Odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
3 May 2021	3301-21-500 IN/42422	Alleged Odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
4 May 2021	3301-21-501 IN/42501	Alleged Effluent odour - East Road, Stratford	Complaint	Hwitan Tune Holdings Limited		RAQP Allowed	No Further Action
5 May 2021	3301-21-502 IN/42445	Alleged Road drainage - Mountain Road, Inglewood	Complaint	Waka Kotahi NZ Transport Agency		RFWP Allowed	No Further Action
6 May 2021	3301-21-506 IN/42406	Alleged Discoloured stream - Hamua Place, Waitara	Complaint	Natural Event		Not Applicable/Natural Event	No Further Action

Compliant Incidents for the period 26 Mar 2021 to 12 May 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Compliance Status	Recommendation
6 May 2021	3301-21-511 IN/42412	Alleged Earthworks - Ainslee Street, New Plymouth	Complaint	Brian Marsden		RFWP Allowed	No Further Action
6 May 2021	3301-21-512 IN/42423	Alleged Odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited	R2/5839-2	Consent Compliance	No Further Action
6 May 2021	3301-21-507 IN/42429	Alleged Sewage discharge - Clifton Drive, Waitara	Complaint	Peter & Michelle Flay		RFWP Allowed	No Further Action
7 May 2021	3301-21-508 IN/42404	Alleged Smoke - Iredale Road, Hawera	Complaint	Morgan Dransfield		RAQP Allowed	No Further Action
7 May 2021	3301-21-510 IN/42415	Alleged Odour - Mountain Road, Inglewood	Complaint	Osflo Fertiliser Limited	R2/10578-1.0	Consent Compliance	No Further Action
7 May 2021	3301-21-482 IN/42466	Alleged Sewage discharge - Otararoa Road, Waitara	Complaint	Unsourced		Not Applicable/Natural Event	No Further Action
10 May 2021	3301-21-481 IN/42459	Alleged Hydrocarbon discharge - Victoria Road, Stratford	Complaint	Bunn Earthmoving Ltd		RFWP Allowed	No Further Action

Updates of Non-Compliant incidents from previous agendas

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
2 Nov 2020 <u>Update</u>	3301-21-366 IN/41730	Stream piping - Kahui Road, Rahotu	TRC Staff Notification	Ian Walden (52491)			Investigation Continuing
<p>Comments: During routine monitoring it was found that approximately 120 metres of stream had been piped in contravention of the NES for Freshwater, at a property at Kahui Road, Rahotu. Enforcement action is being considered.</p>							
26 Nov 2020 <u>Update</u>	3301-21-201 IN/41120	Unauthorised culvert - Mountain Road, Inglewood	Complaint	Tim Verry (72233)			No Further Action
<p>Comments: Complaints were received concerning water backing up from a culvert on a neighbouring property. Investigation found that the water was backing up during heavy rain events, most likely due a historic culvert not being of an adequate size. The culvert had sustained significant damage. The Council's Rivers team worked with the landowner and the culvert was upgraded.</p>							

Updates of Non-Compliant incidents from previous agendas

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
8 Dec 2020 <u>Update</u>	3301-21-215 IN/41182	Effluent discharge - Arawhata Road, Opunake	Complaint	Karl Stanley (72321) Noel Stanley (70950) Ronald Stanley (55413) Stanley Bros Trust (2510)	R2/10671-1.1 R2/5251-2.2	EAC-23752 - Abatement Notice EAC-23753 - Abatement Notice EAC-23754 - Abatement Notice EAC-23756 - Abatement Notice EAC-23772 - Explanation Requested - Letter EAC-23773 - Explanation Requested - Letter EAC-23774 - Explanation Requested - Letter	Investigation Continuing

Comments: A complaint was received concerning an overflowing effluent pond on Arawhata Road, Opunake. Investigation found that there had been cattle grazing in and around the effluent ponds causing damage to a wall of the second pond. The level of the pond had become high and discharged over the low point of the wall causing untreated effluent to discharge over land and to pond in the adjacent paddock. It was also found that the landowners had cut open and directed the ponded effluent and effluent from the pond via existing underground drainage that had discharged into the Arawhata Stream. Samples, photographs and videos were taken. Abatement notices were issued requiring the discharge to cease and for works to be undertaken to ensure compliance with resource consent conditions. Reinspection the following day found that the abatement notices were being complied with at the time of inspection. Letters seeking explanation were sent. Further enforcement action is being considered.

16 Dec 2020 <u>Update</u>	3301-21-223 IN/41474	High nitrates in Motumate Stream - Kapuni	TRC Staff Compliance Monitoring	Un sourced (9768)			No Further Action At This Stage
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Comments: During routine monitoring it was found that there were elevated nitrates in the Motumate Stream at Kapuni. Sampling has been undertaken to identify the source of the nitrates. The sample results have not identified a point source discharge. Further sampling will be undertaken during routine monitoring.

Updates of Non-Compliant incidents from previous agendas

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
21 Jan 2021 <u>Update</u>	3301-21-276 IN/41438	Sewage discharge - Wills Road, Bell Block	Complaint	New Plymouth District Council (9565)		EAC-23833 - Abatement Notice	No Further Action
<p>Comments: A complaint was received concerning a seepage of sewage, underground, from a pump station at Wills Road, Bell Block. Samples and photographs were taken. Samples result show high faecal coliforms in the stream adjacent to the pump station. An abatement notice was issued requiring an investigation to be undertaken to find the source of the discharge and for works to be undertaken to ensure that no contaminants discharge to any waterbody. An investigation was undertaken by NPDC and no contaminants were discharging to any waterbody. Further sampling found no further contamination was occurring. The abatement notice was withdrawn.</p>							
19 Feb 2021 <u>Update</u>	3301-21-334 IN/41600	Smoke and odour - Cordelia Street, Stratford.	Complaint	Marcus Caldwell (72607)		EAC-24000 - Infringement Notice (\$1,000.00)	No Further Action
<p>Comments: A complaint was received concerning smoke and odour at Cordelia Street, Stratford. Investigation found black smoke and odour discharging from an industrial site. Inspection of the site found that fire, containing furniture, household rubbish and car tyres had been lit. The fire was extinguished at the time of inspection.</p>							
20 Feb 2021 <u>Update</u>	3301-21-351 IN/41666	Stream diversion - Skeet Road, Auroa	Complaint	Murray Calder & Jill Corbett (31503)		EAC-23866 - Abatement Notice EAC-23867 - Abatement Notice EAC-23868 - Explanation Requested - Letter	No Further Action
<p>Comments: A complaint was received regarding stream works at a property on Skeet Road, Auroa. Investigation found a large trench had been dug with the intention of diverting an unnamed tributary. Abatement notices were issued requiring the works to cease and the area where earthworks were undertaken to be reinstated. Reinspection found that one abatement notice were being complied with at the time of inspection. Reinspection found that the abatement notices were being complied with at the time of inspection.</p>							

Updates of Non-Compliant incidents from previous agendas

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
<u>25 Feb 2021 Update</u>	3301-21-353 IN/41685	Seismic survey drilling - Onaero	Complaint	NZ Surveys 2020 Limited (72187)	R2/10871-1.0		No Further Action/Costs Recovered

Comments: A complaint was received concerning the location of a bore used for the purposes of containing an explosive device for a seismic survey at a property near Onaero. Investigation found that a bore use for seismic survey purposes was in breach of a resource consent condition as it had been drilled within 100 metres of a spring. The complainant was concerned that the explosive charge, if set off, may contaminate the nearby spring which is used for water supply. The consent holder acknowledged the breach, removed the charge and remediated the bore. An explanation was received.

<u>2 Mar 2021 Update</u>	3301-21-369 IN/41769	Silage wrap in stream - Pungarehu Road, Pungarehu	Complaint	Ashley Greenway (1684)		EAC-23888 - Abatement Notice	No Further Action
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Comments: A complaint was received regarding a potential silage wrap dump site beside the Kapoiaia Stream on Pungarehu Road, Pungarehu. Investigation found some silage wrap located along a fence line within 25 meters of then Kapoiaia Stream. Silage wrap was noticed on the banks and some in the stream downstream from this site. It was also found that there was some silage wrap present upstream of this site but it was more sparse than downstream. An abatement notice was issued requiring silage wrap to be removed from where it was likely to discharge into the stream. Reinspection found that the abatement notice was being complied with at the time of inspection. Occupiers of properties adjacent to the stream were spoken to and undertook to remove silage wrap from the stream and stream banks. A further inspection found all accessible silage wrap had been removed.

<u>4 Mar 2021 Update</u>	3301-21-373 IN/41756	Riverbank farm dump - Mid Kahui Road, Rahotu	Complaint	Donald Charles & Maree Agnes Anderson (2039)			No Further Action
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Comments: A complaint was received regarding a historical farm dump located in a stream bank on Kahui Road, Rahotu. Investigation found the dump consisted of a digger bucket, a metal shed and other items. The landowner was spoken to and agreed to undertake works to remove the materials. Reinspection found that works had been completed to remove the historical farm dump. The material has been removed and the stream bend armoured. Vegetation has been reinstated.

Updates of Non-Compliant incidents from previous agendas

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
4 Mar 2021 <u>Update</u>	3301-21-374 IN/41757	Riverbank farm dump - Upper Kina Road, Oaonui	Complaint	Francis Mullan (2715)			No Further Action At This Stage
<p>Comments: A complaint was received regarding a historical farm dump in the Oaoiti Stream at Upper Kina Road, Oaonui. Investigation found aged household and farm type rubbish below a steep bank in the vicinity of the watercourse. A meeting was held with the landowner onsite and there is no immediate likelihood of discharge to the waterbody. Works will be undertaken during the dry summer months to remove the materials. A further inspection will be undertaken after the materials have been removed.</p>							
4 Mar 2021 <u>Update</u>	3301-21-375 IN/41758	Riverbank farm dump - Ngariki Road, Oaonui	Complaint	Grant Alistar & Merrilyn Isabel Bishop (2145)			No Further Action At This Stage
<p>Comments: A complaint was received regarding a historical farm dump. Investigation found old machinery and some general rubbish below a steep bank above the watercourse at Ngariki Road, Oaonui. A meeting was held with the landowner onsite and there is no immediate likelihood of discharge to the waterbody. Works will be undertaken during the dry summer months to remove the materials. A further inspection will be undertaken after the materials have been removed.</p>							
4 Mar 2021 <u>Update</u>	3301-21-376 IN/41761	Riverbank farm dump - Upper Kina Road, Oaonui	Complaint	Russell & Lois Simpson (2933)			No Further Action At This Stage
<p>Comments: A complaint was received regarding a riverbank farm dump at upper Kina Road, Oaonui. Investigation found that a historical farm dump consisting of building material, metals and household rubbish was above a waterbody where it was likely to discharge. The landowner was spoken to and agreed to undertake works to remove the materials. Reinspection found that a significant amount of materials had been removed and further works will be undertaken to remove the remaining materials. There is no longer any likelihood of any materials discharging to the stream.</p>							
6 Mar 2021 <u>Update</u>	3301-21-382 IN/41822	Odour - London Street, Eltham	Complaint	RENCO New Zealand (52083)		EAC-24004 - Infringement Notice (\$1,000.00)	No Further Action
<p>Comments: A complaint was received regarding a 'rotten cheese' type odour from the rennet processing plant on London Street, Eltham. Investigation found that there was an offensive odour beyond the boundary of the site in contravention of rules in the Regional Air Quality Plan for Taranaki. An explanation was received.</p>							

Updates of Non-Compliant incidents from previous agendas

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
<u>12 Mar 2021 Update</u>	3301-21-448 IN/42094	Disposal and storage of paunch contents - Graeme Lowe Protein Limited	TRC Staff Compliance Monitoring	Graeme Lowe Protein Limited (10349)		EAC-23990 - Abatement Notice EAC-23991 - Abatement Notice	No Further Action/Costs Recovered

Comments: Self-notification was received concerning the storage and disposal of paunch on a rendering plant site at Tawhiti Road, Hawera. The storage and land disposal is usually permitted by rules in the Regional Fresh Water Plan for Taranaki. However, the paunch is not generated on site and the content of the paunch may be considered a contaminant. Abatement notices were issued requiring the disposal to cease and for works to be undertaken to ensure appropriate storage. Reinspection and further sampling found the abatement notices were being complied with.

<u>15 Mar 2021 Update</u>	3301-21-391 IN/41837	Insufficient notification - Kota Road, Huiroa	TRC Staff Notification	Shane Jordan Sawmilling Limited (67148)	PA/20314-01	EAC-24007 - Infringement Notice (\$300.00)	No Further Action/Costs Recovered
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Comments: During the approval process for a harvesting permitted activity on a property at Kota Road, Huiroa, it was found that harvesting had already begun prior to the date of receipt of the notification. This was in contravention of NES for Plantation Forestry, which requires 20 days notice to this Council.

<u>17 Mar 2021 Update</u>	3301-21-398 IN/41892	Stream works - Mokau Road, Pukearuhe	TRC Staff Notification	Greenmantle Farm Limited (54666) Peter Sole Transport Ltd (14463)	R2/10426-1.0	EAC-23975 - Abatement Notice EAC-23976 - Explanation Requested - Letter EAC-24048 - Infringement Notice (\$500.00)	Investigation Continuing
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Comments: During unrelated monitoring it was found that some instream works has taken place at a property on Mokau Road, Pukearuhe, in contravention of Regional Fresh Water Plan for Taranaki. An abatement notice was issued requiring works to be undertaken to ensure compliance with the Regional Fresh Water Plan for Taranaki. Reinspection will be undertaken after 31 May 2021.

Updates of Non-Compliant incidents from previous agendas

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
19 Mar 2021 <u>Update</u>	3301-21-404 IN/41914	Molasses spill - Port Taranaki, New Plymouth	Self-Notification	GrainCorp Liquid Terminals NZ Ltd (69592) Orion Haulage Ltd (50316)		EAC-23980 - Explanation Requested - Inspection Notice EAC-23981 - Explanation Requested - Inspection Notice	No Further Action/Costs Recovered

Comments: Self-notification was received advising that molasses had discharged onto the ground and entered Tasman Sea within the Port area. Investigation found that the driver of a truck failed to disconnect a molasses transfer hose before driving away from the loading area. This had caused molasses to discharge onto the road and slowly flow towards a stormwater drain. However it was the washing of molasses with hose water that diluted the molasses and caused it to discharge into the stormwater drain and then a very small amount discharged into the Tasman Sea. Immediate steps were taken to block the stormwater drains and use a sucker truck/water blasters to clean the area. No environmental effects were found at the time of inspection.

19 Mar 2021 <u>Update</u>	3301-21-408 IN/41923	Digger in stream - Plymouth Road, Oakura	Complaint	Blair Holdt (72769) David Morris (71226) Plymouth Road Farms Limited (16696)	R2/2570-2	EAC-24039 - Infringement Notice (\$500.00)	No Further Action
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Comments: A complaint received regarding a digger working in an unnamed tributary at a property on Plymouth Road, Oakura. Investigation found that recent digger work had been carried out to clean out a stream. Work was completed in order to save installing some fencing and also in preparation for riparian planting. Unfortunately while steps were taken to save the fish life, four dead eels were found. No further environmental effects were found upstream or downstream as a result of the excavation work carried out by the sharemilker without the farm owner's knowledge. Work had been completed by the time of inspection and the digger removed.

Updates of Non-Compliant incidents from previous agendas

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
24 Mar 2021 <u>Update</u>	3301-21-427 IN/41985	Tyre burning - Upper Stuart Road, Eltham	Self-Notification	Leonie Hofmans (69859) Tony Hofmans (72792)		EAC-24019 - Infringement Notice (\$300.00) EAC-24046 - Infringement Notice (\$300.00) EAC-24047 - Infringement Notice (\$300.00)	No Further Action
<p>Comments: During unrelated monitoring black smoke was observed to be coming from a property on Upper Stuart Road, Eltham. Investigation found that nine large piles of forestry slash had been set alight and were emitting black smoke. At least two tyres had been burned on each pile. Photographs were taken.</p>							
25 Mar 2021 <u>Update</u>	3301-21-423 IN/42022	Unauthorised burning - Opunake Road, Stratford	TRC Staff Notification	Rodney Houghton (69595)		EAC-23977 - Abatement Notice	Investigation Continuing
<p>Comments: During unrelated monitoring it was found that burning of unauthorised materials was occurring in a farm dump, which was within 25 metres of surface water. Photographs were taken. An abatement notice was issued requiring the materials to be removed and any farm dump to be 25 metres away from any surface waterbody. Reinspection found the abatement notice was being complied with at the time of inspection. Further enforcement action is being considered.</p>							

Non-compliant incidents for the period 26 Mar 2021 to 12 May 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
26 Mar 2021	3301-21-430 IN/42029	Non-notified river crossing - Waitotara Valley Road, Waitotara	TRC Staff Compliance Monitoring	Tree Awareness Management Limited (30257)		EAC-24050 - Infringement Notice (\$500.00)	No Further Action
<p>Comments: During routine monitoring it was found that a river crossing had been installed without the required notification to this Council, at a forestry site in Waitotara. The river crossing was being removed at the time of inspection.</p>							
26 Mar 2021	3301-21-431 IN/42045	Burning - Monmouth Road, Stratford	Complaint	Peter Bayly (17317)			No Further Action
<p>Comments: A complaint was received regarding smoke from a fire, blowing across the Pembroke School grounds, Pembroke Road, Stratford. Investigation found the remanats of a fire on a nearby farm on Monmouth Road, which had been extinguish prior to the inspection by the fire brigade in co-operation with the farmer, when he realised that smoke was having an effect at the school. The materials on the fire was vegetation and the farmer explained that wind direction had change two hours after the fire was lit causing the smoke to drift towards the school.</p>							
27 Mar 2021	3301-21-436 IN/42057	Flaring smoke - Turangi Road, Motunui	Complaint	Greymouth Petroleum Mining Group Limited (72086)	R2/6497-1		Investigation Continuing
<p>Comments: A complaint was received concerning black smoke discharging from a well site on Turangi Road, Motunui. Investigation found that flaring was occurring and black smoke was being discharged. Staff on site advised that that a low pressure compressor had tripped so flow was diverted to flare for safety protection. The gas stream was not stopped due to process gas being required before the low pressure compressor can run. Further investigation is being undertaken.</p>							
30 Mar 2021	3301-21-441 IN/42052	Cloudy stream - Smart Road, New Plymouth	Complaint	Un sourced (9768)			No Further Action
<p>Comments: A complaint was received concerning a white cloudy discharge into the Mangaone Stream, at Katere Road, New Plymouth. Investigation found that a white cloudy substance was discharging from Puremu Stream into the Mangaone Stream. Extensive investigation upstream could not find any source for the discharge. The stream cleared during the inspection.</p>							

Non-compliant incidents for the period 26 Mar 2021 to 12 May 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
30 Mar 2021	3301-21-443 IN/42065	Green stream/farm dump - Palmer Road, Kaponga	TRC Staff Notification	M Eliason Trust No 1 (50612) Mathew Eliason (50613)	R2/2142-3.0	EAC-23977 - Abatement Notice	Investigation Continuing
<p>Comments: During an investigation into another incident it was found that an unauthorised discharge of dairy effluent to water was occurring, at Palmer Road, Kaponga. A non-compliant farm dump was also located. An abatement notice was issued requiring works to be undertaken to ensure compliance with rules in the Regional Fresh Water Plan for Taranai. Reinspection will be undertaken after 28 May.</p>							
30 Mar 2021	3301-21-442 IN/42066	Green Stream - Palmer Road, Kaponga	Complaint				No Further Action
<p>Comments: A complaint was received concerning a 'green' stream at Palmer Road, Kaponga. Investigation found that the stream had been running green for at least 24 hours. However, the requestor had only just contacted this Council. The stream was found to be running green but the source could not be located. The stream cleared during the inspection.</p>							
31 Mar 2021	3301-21-452 IN/42162	Sewage overflow - Rifle Range Road, New Plymouth	Self-Notification	New Plymouth District Council (9565)			No Further Action
<p>Comments: Self-notification was received concerning a sewage overflow into the Waiwhakaiho River at Rifle Range Road, New Plymouth. Investigation found that the discharge had occurred due to an extremely heavy downpour of rain overloading the system causing sewage to overflow from a manhole. The discharge had ceased by the time of inspection. The stream was at a high level and flowing at a very fast rate. Signage was erected and the contingency plan was followed. No visible adverse effects were sighted.</p>							
4 Apr 2021	3301-21-450 IN/42075	Smoke - Egmont Street, Kaponga	Complaint	John & Win Luond (31945)			No Further Action
<p>Comments: A complaint was received regarding smoke blowing through the Kaponga township. Investigation found that a pile of vegetation was being burnt off in a paddock near the township. When the landowner was located he noted that the wind had changed direction and took steps to mitigate the smoke immediately.</p>							

Non-compliant incidents for the period 26 Mar 2021 to 12 May 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
4 Apr 2021	3301-21-449 IN/42076	Permeate spill - Whareroa Road, Hawera	Complaint	Fonterra Co-operative Group Limited, Whareroa - Hawera (50837)	R2/4133-3.1	EAC-24006 - Explanation Requested - Letter	Investigation Continuing
Comments: Self-notification was received from Fonterra regarding a spill of permeate into the stormwater system, which discharges into the Tasman sea. Inspection of the outfall could find no visual effects from the discharge. A letter requesting explanation has been sent.							
6 Apr 2021	3301-21-466 IN/42120	Poultry odour - Kaipi Road, Egmont Village	Complaint	Tegel Foods Limited (9994)	R2/9500-1.1		Investigation Continuing
Comments: A complaint was received regarding odour from poultry farm on Kaipi Road, Egmont Village. An odour survey was undertaken and an offensive and objectionable odour was found beyond the boundary of the site. Enforcement action is being considered.							
6 Apr 2021	3301-21-471 IN/42215	Car in river - SH3, Waitotara	Complaint	Un sourced (9768)			No Further Action
Comments: A complaint was received regarding a car that had crashed and been left abandoned in the Waitotara River. Investigation found that the car had come off the bridge and was in the bed of the river. The owner was contacted and the car was removed.							
7 Apr 2021	3301-21-469 IN/42188	Odour - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited (30679)	R2/5839-2		Investigation Continuing
Comments: A complaint was received regarding odour from a composting facility at Mokau Road, Uruti. An odour survey was undertaken and an offensive and objectionable odour was found beyond the boundary of the site. Enforcement action is being considered.							

Non-compliant incidents for the period 26 Mar 2021 to 12 May 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
8 Apr 2021	3301-21-453 IN/42129	Earthworks - Rainie Road, Okaiawa	TRC Staff Notification	TPJ Partnership (12834)	R2/10209-1.1	EAC-23992 - Abatement Notice EAC-23995 - Explanation Requested - Letter	Investigation Continuing

Comments: During unrelated monitoring it was found that earthworks were being undertaken, on a historically piped stream, at a property on Rainie Road, Okaiawa. There was an exposed area of over 2 hectares and inadequate silt and sediment controls were in installed. There was silt and sediment present on the bank and within the stream bed, adjacent to the works. A juvenile dead eel was found within the area of the old stream bed. An abatement notice was issued requiring the installation and maintenance of silt and sediment controls to ensure compliance. Reinspection will be undertaken after 20 May 2021.

9 Apr 2021	3301-21-454 IN/42135	Smoke - Eltham area	Complaint	David England (53285)			Investigation Continuing
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Comments: Several complaints were received concerning thick smoke across the Eltham township. Investigation found several forestry slash fires were burning on a rural property on Sole Road. Significant objectionable smoke was discharging beyond the boundary of the site and across the area (including Eltham township) for quite some distance. Fire and Emergency NZ arrived during the inspection. Photographs were taken. The forestry slash piles were very large and still green and wet. The farmer admitted to lighting the fires that morning and acknowledged that the smoke was excessive. Enforcement action is being considered.

10 Apr 2021	3301-21-474 IN/42293	Instream works - Eltham Road, Awatuna	Complaint	Michael Collins (10581)		EAC-24018 - Abatement Notice	No Further Action
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Comments: A complaint was received regarding instream works on a property at Eltham Road, Awatuna. Investigation found that a small unidentified tributary had been piped. There was no reasonable way for the landowner to have know this was a stream. An abatement notice was issued requiring works to cease. Reinspection found that the abatement notice was being complied with at the time of inspection.

Non-compliant incidents for the period 26 Mar 2021 to 12 May 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
12 Apr 2021	3301-21-462 IN/42178	Sewage discharge - Konini Street, Inglewood	Self-Notification	New Plymouth District Council (9565)	R2/10406-1.0 R2/0882-4.1		No Further Action
<p>Comments: Self-notification was received concerning a sewage overflow at Konini Street, Inglewood. Investigation found that an overflow had occurred from a back-up man hole, over land and into a nearby stream. There were no environmental effects found at the time of inspection. The cause was a fat build up that had blocked the pipe. The contingency plan was followed.</p>							
15 Apr 2021	3301-21-472 IN/42220	Backyard burning - Hussey Street, Waverley	Complaint	Dave Fearn (72857)			No Further Action
<p>Comments: A complaint was received regarding smoke from burning at a property on Hussey Street, Waverley. Investigation found that the fire service were in attendance and the fire was in an incinerator. The fire was extinguished at the time of inspection. The occupier had believed he could burn untreated timber, paper and cardboard. He was advised of rules in the Regional Air Quality Plan for Taranaki that prohibited burning in urban defined areas.</p>							
16 Apr 2021	3301-20-473 IN/42224	Hydrocarbon spill - Nelson Street, Waitara	Third Party Notification	St Joseph's School (Waitara) (72858)			No Further Action
<p>Comments: Notification was received from Fire and Emergency NZ (FENZ) concerning a small hydrocarbon spill at St Josephs School, Waitara. Investigation found that FENZ had attended a fire at the school at 5.00am. The fire had occurred in the caretaker's shed where approximately 20 litres of hydrocarbon was stored. Some hydrocarbon had entered a stormwater drain, located approximately 40 metres from the shed, in the process of extinguishing the fire. The fire service had deployed sorbent pads and booms around the stormwater drain which had captured some of the hydrocarbon. New Plymouth District Council confirmed the stormwater drain flows into an open drain at the Pukekohe Domain and then discharges to the Waitara River at the West Quay stormwater outlet. No visible hydrocarbons were observed at either of these sites at the time of inspection. The Waitara River was at a high level and fast flowing after a moderate rainfall overnight.</p>							

Non-compliant incidents for the period 26 Mar 2021 to 12 May 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
19 Apr 2021	3301-21-477 IN/42255	Acid Spill - Spotswood Primary School - New Plymouth	Complaint	Spotswood Primary School (18558) Unsourced (9768)			No Further Action
<p>Comments: Notification was received regarding a spill of hydrochloric acid after a break in at Spotswood Primary School, New Plymouth. An unknown offender had broken into the primary school and tipped out 20 litres of hydrochloric acid onto concrete. Fire and Emergency NZ had attended and a small amount of hydrochloric acid had discharged into a drain. No environmental effects were found at the time of inspection.</p>							
25 Apr 2021	3301-21-485 IN/42316	Unauthorised burning - Junction Road, Inglewood	TRC Staff Notification	Jim Mahony (24888)			No Further Action
<p>Comments: During unrelated monitoring a minor smoky fire was found, that had a small amount of unauthorised materials on it, at Junction Road, Inglewood. The landowner was advised of rules in the Regional Air Quality Plan for Taranaki. There were no off site effects from the burning.</p>							
28 Apr 2021	3301-21-489 IN/42320	Odour - Omata Road, New Plymouth	Complaint	Dean Redshaw (72884) Peter Sole Transport Ltd (14463)		EAC-24025 - Explanation Requested - Letter EAC-24026 - Explanation Requested - Letter	Investigation Continuing
<p>Comments: Two complaints were received regarding a strong fertiliser odour in a residential area at Omata Road, New Plymouth. Investigation found that there was an objectionable odour present in the residential area. The odour was traced to chicken fertiliser, which had been spread on a school paddock nearby. An explanation was received from the contractor. Enforcement action is being considered.</p>							
29 Apr 2021	3301-21-492 IN/42342	Discoloured stream - Brown Road, Brixton	Complaint	Jones Quarry Limited (30989)	R2/6274-1	EAC-24028 - Abatement Notice	Investigation Continuing
<p>Comments: A complaint was received regarding a discoloration of the Waiongaga Stream at Brown Road, Brixton. Investigation found that washdown water from a quarry was being discharged directly into the Mangaoraka Stream causing significant discoloration. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection will be undertaken after 17 May 2021.</p>							

Non-compliant incidents for the period 26 Mar 2021 to 12 May 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
2 May 2021	3301-21-496 IN/42464	Hydrocarbon Sheen - Huatoki Stream, New Plymouth	Complaint	Unsourced (9768)			No Further Action
<p>Comments: A complaint was received concerning a hydrocarbon sheen in the Huatoki Stream, at Ariki Street, New Plymouth. Investigation found that there was a small non-odorous sheen in the stream. Inspection of the stormwater drains in the vicinity were undertaken and the source for the hydrocarbons could not be found.</p>							
3 May 2021	3301-21-499 IN/42424	Hydrocarbon spill - Struthers Place, New Plymouth	Third Party Notification	Peter Ansett (72912)			No Further Action
<p>Comments: Notification was received concerning hydrocarbon spill, from a truck fire, at Struthers Place, New Plymouth. Investigation found a small flat deck truck had been stolen and set on fire in a car park in close vicinity to a stormwater drain. A small amount of engine oil had discharged from the engine during the fire. The diesel tank remained intact and no diesel had escaped. The fire service had deployed sorbent booms and pads around the stormwater drain which captured the majority of the oil. The pads and booms were replaced by the officer at the time of inspection and collected the following day. The truck and debris were removed the following day.</p>							
5 May 2021	3301-21-504 IN/42433	Odour - Ngahere Street, Inglewood	Complaint	Popuanui Goats Limited (53006)			Investigation Continuing
<p>Comments: A complaint was received concerning an offensive odour at Ngahere Street, Inglewood. An odour survey was undertaken and it was found that there was an offensive odour at the complainant's address which was traced to a dairy/goat farm at Junction Road. The goat housing shed was in the process of an annual clean and goat effluent had been spread to pasture. The odour was deemed to be offensive beyond the site boundary, in contravention of rules in the Regional Air Quality Plan for Taranaki. Enforcement action is being considered.</p>							
6 May 2021	3301-21-505 IN/42420	Sewage discharge - Mace Street, Waitara	Self-Notification	New Plymouth District Council (9565)	R2/10406-1.0 R2/0882-4.1		No Further Action
<p>Comments: Notification was received regarding an overflow of sewage from a manhole to water at Mace Street, Waitara. Investigation found that the discharge had been cleaned up and the area sanitized. No environmental effects were noted in the stream and signage was in place. The contingency plan was followed.</p>							

Non-compliant incidents for the period 26 Mar 2021 to 12 May 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
6 May 2021	3301-21-513 IN/42479	White stream - Tikorangi Road, Tikorangi	Complaint	Neil Whitehead (33530)			No Further Action/Costs Recovered
<p>Comments: A complaint was received concerning milk in the Waiau Stream at Tikorangi Road, Tikorangi. Initial investigation could find no source for the contamination. However as a result of leaving a card at a door, a farmer contacted the officer and explained that there had been a discharge of milk to the stream due to an unforeseen blockage at the farm dairy shed sand trap. Inspection was undertaken the following day and the sand trap and blockage had been cleared. No adverse environmental effects could be found.</p>							
7 May 2021	3301-21-509 IN/42407	Smokey fire - SH45 - Manaia	Complaint	Jocelyn Richardson (71393)			No Further Action
<p>Comments: A complaint was received regarding smoke from backyard burning at SH45, Manaia. Investigation found that green waste was being burnt on a lifestyle property and smoke from the fire was drifting beyond the boundary. No prohibited items were being burnt. The landowner put the fire out and was advised of rules in the Regional Air Quality Plan for Taranaki.</p>							
7 May 2021	3301-21-518 IN/42482	Smoke - Katere Road, New Plymouth	Complaint	Elite Scaffolding (72931)			No Further Action
<p>Comments: A complaint was received concerning smoke from an unknown source in the Katere Road, New Plymouth area. Investigation into the cause of the smoke found that a neighbouring business was burning old business documentation that was no longer required. When notified of the complaint the fire was immediately put out. The owner of the business was apologetic and stated he was unaware he could not burn on his site. He was advised of rules in the Regional Air Quality Plan for Taranaki and that any further breaches may result in enforcement action.</p>							

Non-compliant incidents for the period 26 Mar 2021 to 12 May 2021

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
11 May 2021	3301-21-514 IN/42444	Sediment discharge - Plymouth Road, Koru	Complaint	Andrea McLachlan (72921) David Hodges (72920)		EAC-24051 - Abatement Notice EAC-24053 - Abatement Notice	Investigation Continuing
<p>Comments: A complaint was received concerning sediment discharging from earthworks on Plymouth Road, Koru. Investigation found that earthworks were being undertaken which were within rules of the Regional Fresh Water Plan for Taranaki. However inadequate silt and sediment controls had been installed. Abatement notices were issued requiring works to be undertaken to ensure compliance with Rule 25 of the Regional Fresh Water Plan for Taranaki. Reinspection will take place after 21 May 2021.</p>							
11 May 2021	3301-21-517 IN/42451	Diesel spill - State Highway 3, Waverley	Complaint	Bob Robinson (72935)			No Further Action
<p>Comments: Notification was received regarding diesel leaking from a truck on State Highway 3, Waverley. Investigation found that diesel had been leaking from the trucks diesel tank and the leak was discovered by the driver. Fire and Emergency NZ and a contractor had been in attendance and banded the spill. Diesel may have reached stormwater but there was no evidence of any diesel in any nearby waterbody.</p>							

Updates of Compliance Monitoring – Non-compliances from previous agendas

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
6 Oct 2020 <u>Update</u>	332121-105 ENF-22784	Annual Inspection	Non-compliance	Stephen Coomey (50274)	R2/1784-3	EAC-23883 - Abatement Notice	Investigation Continuing
<p>Comments: During analysis of samples (9 November 2020), taken during the annual dairy inspection round (5 October 2020), it was found that the farm dairy effluent oxidation pond disposal system was not operating within resource consent conditions at Upper Rowan Road, Kaponga. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection found that abatement notice was not being complied with at the time of inspection. Further enforcement action is being considered.</p>							
11 Nov 2020 <u>Update</u>	332121-137 ENF-22866	Annual Inspection	Significant non-compliance	John Mitchell (71410) Mitchell Family Trust (22004) Paul Mitchell (24675) Sam Lenox (53768)	R2/5776-2.0	EAC-23996 - Infringement Notice (\$750) EAC-23837 - Abatement Notice	No Further Action At This Stage/Costs Recovered
<p>Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions on Rakaupiki Road, Patea. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection will be undertaken after 19 June 2021.</p>							
20 Jan 2021 <u>Update</u>	332121-143 ENF-22879	Annual Inspection	Significant non-compliance	Murray Collins (10620)	R2/1533-3	EAC-23810 - Explanation Requested - Letter EAC-23803 - Abatement Notice	Investigation Continuing
<p>Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions on Patiki Road, Te Kiri. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. A letter of explanation was received. Reinspection found that abatement notice was being complied with. Further enforcement action is being considered.</p>							

Updates of Compliance Monitoring – Non-compliances from previous agendas

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
<u>21 Jan 2021 Update</u>	332121-144 ENF-22881	Annual Inspection	Significant non-compliance	Rosglo Farms (51898) Ross Moffitt (27874)	R2/0697-3.0	EAC-23968 - Infringement Notice (\$750) EAC-23811 - Abatement Notice	Investigation Continuing
Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions on Bedford Road, Inglewood. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection found that the abatement notice was not being complied with. Further enforcement action is being considered.							
<u>21 Jan 2021 Update</u>	22121-154 ENF-22907	Annual Inspection	Significant non-compliance	Alex Wilkie (11027)	R2/2483-3.0	EAC-23998 - Infringement Notice (\$750)	No Further Action/Costs Recovered
Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions and was also in contravention of Abatement Notice EAC-23169 issued as a result of a previous non-compliance on State Highway 45, Pungarehu.							
<u>22 Jan 2021 Update</u>	332121-158 ENF-22912	Instream Structure Inspection	Non-compliance	New Plymouth District Council (9565)	R2/7035-1	EAC-23997 - Abatement Notice	No Further Action At This Stage/Costs Recovered
Comments: During routine monitoring it was found that resource consent conditions were not being complied with for a culvert at a property on Mangamaio Road, New Plymouth. An abatement notice was issued requiring works to be undertaken to ensure consent compliance. Reinspection will be undertaken after 10 September 2021.							
<u>28 Jan 2021 Update</u>	332121-159 ENF-22913	Instream Structure Inspection	Non-compliance	New Plymouth District Council (9565) Tonkin & Taylor Limited (10305)	R2/10502-1.0		Investigation Continuing
Comments: During routine monitoring it was found that resource consent conditions were not being complied with for a culvert at a property on Rotokare Road, Eltham. Enforcement action is being considered							

Updates of Compliance Monitoring – Non-compliances from previous agendas

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
3 Feb 2021 <u>Update</u>	332121-149 ENF-22900	Annual Inspection	Significant non-compliance	Mile Square Farms Limited (3884)	R2/4940-2.0	EAC-23999 - Infringement Notice (\$750) EAC-23857 - Explanation Requested - Letter	No Further Action/Costs Recovered

Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions and was also in contravention of Abatement Notice EAC-23070 issued as a result of a previous non-compliance on Surrey Road, Tariki. A letter of explanation was received.

4 Feb 2021 <u>Update</u>	332121-175 ENF-23012	Chemical Sampling Survey	Non-compliance	New Plymouth District Council (9565)	R2/2370-3 R2/4619-1	EAC-24001 - Explanation Requested - Letter	No Further Action At This Stage/Costs Recovered
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Comments: During analysis of samples taken during routine monitoring it was found that consent conditions had been contravened at the Colson Road Landfill site, New Plymouth. The levels of manganese and ammonical nitrogen were 1.14mg/l and 2.9mg/l which exceeded maximum concentrations of 1.0mg/l and 2.5mg/l at the PMU000110 site. Also at the PMU000113 site levels of ammonical nitrogen were found to be 2.5mg/l which exceeds limit of 2.0 gm-3 for pH below 7.75. A letter of explanation was received and accepted. Further sampling will be undertaken during routine monitoring.

11 Feb 2021 <u>Update</u>	332121-160 ENF-22914	Instream Structure Inspection	Non-compliance	New Plymouth District Council (9565) WSP New Zealand Limited (55852)	R2/10712-1.0	EAC-23994 - Abatement Notice	No Further Action At This Stage/Costs Recovered
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Comments: During routine monitoring it was found that resource consent conditions were not being complied with for a culvert on a road reserve at Wiri Road, Tarata. An abatement notice was issued requiring works to be undertaken to ensure consent compliance. Reinspection will be undertaken after 12 August 2021.

Updates of Compliance Monitoring – Non-compliances from previous agendas

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
16 Feb 2021 <u>Update</u>	332121-161 ENF-23023	Office Assessment	Non-compliance	Waitui Trust (20446)	R2/10685-1.0		Investigation Continuing
<p>Comments: During an office assessment it was found that there was a non-compliance due to piping in excess of consent conditions at a property at Finnerty Road, Stratford. Further investigation is being undertaken and enforcement action will be considered.</p>							
18 Feb 2021 <u>Update</u>	332121-163 ENF-22923	Annual Inspection	Non-compliance	TPJ Partnership (12834)	R2/10202-1.1	EAC-24054 - Explanation Requested - Inspection Notice EAC-23877 - Abatement Notice	Investigation Continuing
<p>Comments: During routine monitoring it was found that insufficient notifications and record keeping was occurring, in contravention of resource consent conditions, for a cleanfill site at Rainie Road, Hawera. An abatement notice was issued requiring consent conditions to be complied with. Reinspection found that the abatement notice was not being complied with. Further enforcement action is being considered.</p>							
1 Mar 2021 <u>Update</u>	332121-162 ENF-22919	Annual Inspection	Significant non-compliance	Cardiff United Limited (25246)	R2/3576-2	EAC-23875 - Abatement Notice	Investigation Continuing
<p>Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions on Ronald Road, Cardiff. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection found that the abatement notice was not being complied with. Further enforcement action is being considered.</p>							

Updates of Compliance Monitoring – Non-compliances from previous agendas

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
3 Mar 2021 <u>Update</u>	332121-164 ENF-22924	Compliance Monitoring Insp.	Non-compliance	Colin Boyd (3013) Schlumberger New Zealand Limited (51451) Surrey Road Land Farm Limited (32728)	R2/7591-1.2	EAC-24003 - Infringement Notice (\$750) EAC-24002 - Infringement Notice (\$750) EAC-23878 - Explanation Requested - Letter	No Further Action/Costs Recovered

Comments: During routine monitoring it was found that a land farming site was not complying with resource consent conditions. It was found that there were areas of dead pasture in the irrigation area, in contravention of resource consent conditions and Abatement Notices EAC-23577 and EAC-23579.

12 Mar 2021 <u>Update</u>	332121-169 ENF-22998	Annual Inspection	Non-compliance	Greymouth Petroleum Limited (20755)	R2/7853-1	EAC-23961 - Explanation Requested - Letter	No Further Action/Costs Recovered
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Comments: During routine monitoring of the Turangi B wellsite, at Turangi Road, Motunui, it was found that resource consent conditions were not being complied with because stormwater from the site was discharging to water when the consent only permits discharge to land. The company undertook works to ensure consent compliance.

Compliance Monitoring – Non-compliances for the period 26 Mar 2021 to 12 May 2021

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
26 Mar 2021	332121-176 ENF-23019	Compliance Monitoring Insp.	Non-compliance	Tree Awareness Management Limited (30257)	PA/20259-01	EAC-23978 - Abatement Notice	No Further Action/Costs Recovered
<p>Comments: During routine monitoring it was found that it was evident that soil from disturbed areas had discharged into water at a forestry harvesting site on Waitotara Valley Road, Waitotara. An abatement notice was issued requiring that soil be stabilised or contained to ensure compliance with Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017. Reinspection found that the abatement notice was being complied with at the time of inspection.</p>							
29 Mar 2021	332121-181 ENF-23061	Chemical Sampling Survey	Non-compliance	Taranaki Sawmills Limited (10015)	R2/2333-4.4	EAC-24030 - Explanation Requested - Letter	Investigation Continuing
<p>Comments: During analysis of samples taken during routine monitoring it was found that suspended solids in the discharge were above allowable consent limits. A letter requesting explanation was sent. Enforcement action is being considered.</p>							
30 Mar 2021	332121-168 ENF-23028	Compliance Monitoring Insp.	Non-compliance	Taranaki Sawmills Limited (10015)	R2/2333-4.4	EAC-23989 - Abatement Notice	Investigation Continuing
<p>Comments: During routine monitoring it was found that there was a discharge of kiln condensate, in contravention of resource consent conditions at a sawmill site at Hudson Road, Bell Block. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection will be undertaken after 14 April 2021.</p>							
30 Mar 2021	332121-167 ENF-23026	Compliance Monitoring Insp.	Non-compliance	Taranaki Sawmills Limited (10015)	R2/4096-2	EAC-23988 - Abatement Notice EAC-23987 - Abatement Notice	Investigation Continuing
<p>Comments: During routine monitoring it was found that unauthorised materials were being burnt in a firepit at a sawmill site on Hudson Road, Bell Block. An abatement notice was issued requiring burning of unauthorised materials to cease. Reinspection will be undertaken after 14 April 2021.</p>							

Compliance Monitoring – Non-compliances for the period 26 Mar 2021 to 12 May 2021

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
7 Apr 2021	332121-179 ENF-23031	Compliance Monitoring Insp.	Non-compliance	Tree Awareness Management Limited (30257)	PA/20116-01	EAC-23993 - Abatement Notice	No Further Action/Costs Recovered
<p>Comments: During routine monitoring it was found that soil had not been stabilised as required by Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 at a forest harvesting site at Matau Road, Matau. An abatement notice was issued requiring works to be undertaken to stabilise areas. Reinspection found that the abatement notice was being complied with at the time of inspection.</p>							
14 Apr 2021	332121-186 ENF-23073	Chemical Sampling Survey	Non-compliance	Intergroup Limited (50186)	R2/4776-2.0		Investigation Continuing
<p>Comments: During analysis of samples taken during routine monitoring it was found that the suspended solids were above allowable limits on resource consent conditions at an industrial site on Hudson Road, Bell Block. A letter requesting explanation was sent.</p>							
16 Apr 2021	332121-145 ENF-23035	Compliance Monitoring Insp.	Significant non-compliance	Tree Awareness Management Limited (30257)	R2/10790-1.0	EAC-24005 - Abatement Notice	Investigation Continuing
<p>Comments: During routine monitoring it was found that silt controls were inadequate to prevent silt from discharging over land and into water at a forestry harvesting site at Tangahoe Valley Road, Tangahoe Valley. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection found that abatement notice was being complied with.</p>							
28 Apr 2021	332121-180 ENF-23056	Dairy Non-compliant Re-inspection	Significant non-compliance	JM Hickey Trust & BA Hickey Trust (31385)	R2/4371-2	EAC-24024 - Explanation Requested - Letter	Investigation Continuing
<p>Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions and Abatement Notice EAC-23781, issued as a result of a previous non-compliance, at Kohi Road, Waverley. A letter requesting explanation was sent. Enforcement action is being considered.</p>							

Compliance Monitoring – Non-compliances for the period 26 Mar 2021 to 12 May 2021

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
28 Apr 2021	332121-146 ENF-23055	Dairy Non-compliant Re-inspection	Significant non-compliance	JM Hickey Trust & BA Hickey Trust (31385)	R2/4517-2	EAC-24023 - Explanation Requested - Letter	Investigation Continuing
<p>Comments: During the annual dairy inspection round it was found that the farm dairy effluent oxidation pond disposal system was not operating within resource consent conditions and Abatement Notice EAC-23780, issued as a result of a previous non-compliance, at Medicott Road, Kohi, Waverley. A letter requesting explanation was sent. Enforcement action is being considered.</p>							
30 Apr 2021	332121-182 ENF-23060	Annual Inspection	Significant non-compliance	Lupton Trust (30526)	R2/4949-2.1	EAC-24029 - Abatement Notice	Investigation Continuing
<p>Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions on Lennonx Road, Waverley. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection found that the abatement notice was being complied with at the time of inspection. Further enforcement action is being considered.</p>							
4 May 2021	332121-189 ENF-23077	Dairy Non-compliant Re-inspection	Significant non-compliance	Cardiff United Limited (25246)	R2/3576-2	EAC-24035 - Abatement Notice EAC-24040 - Explanation Requested - Letter	Investigation Continuing
<p>Comments: During the annual dairy inspection round reinspection it was found that the farm dairy disposal system was not operating within resource consent conditions on Ronald Road, Cardiff. It was also found that effluent was discharging from the race in significant volumes into a paddock and was likely to enter the stream below. An abatement notice was issued requiring works to be undertaken to ensure compliance with Rules in the Regional Fresh Water Plan for Taranaki. Further enforcement action is being considered.</p>							

Compliance Monitoring – Non-compliances for the period 26 Mar 2021 to 12 May 2021

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
5 May 2021	332121-183 ENF-23065	Annual Inspection	Non-compliance	Awatea Farm Trust (33763) William Dickie (54553)	R2/9825-1.0	EAC-24036 - Abatement Notice	No Further Action/Costs Recovered
<p>Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions on Stewart Road, Waverley. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection found that the abatement notice was being complied with at the time of inspection.</p>							
5 May 2021	332121-184 ENF-23066	Annual Inspection	Non-compliance	Belmont Dairies Limited (29885) Duncan Johnston (67550)	R2/7273-1	EAC-24037 - Abatement Notice	No Further Action/Costs Recovered
<p>Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions on Brewer Road, Waverley. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection found that the abatement notice was being complied with at the time of inspection.</p>							
5 May 2021	332121-185 ENF-23067	Annual Inspection	Significant non-compliance	Alan Larsen (55086) Larsen Trusts Partnership (36379)	R2/4750-2	EAC-24038 - Abatement Notice	Investigation Continuing
<p>Comments: During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions on Oturi Road, Waverley. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection found that the abatement notice was not being complied with at the time of inspection. Further enforcement action is being considered</p>							

Compliance Monitoring – Non-compliances for the period 26 Mar 2021 to 12 May 2021

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
6 May 2021	332121-187 ENF-23070	Compliance Monitoring Insp.	Significant non-compliance	Paul O'Rorke (52063) William Barker (72905)	R2/6567-2.0	EAC-24045 - Explanation Requested - Letter EAC-24042 - Explanation Requested - Letter EAC-24041 - Abatement Notice	Investigation Continuing

Comments: During routine monitoring it was found that the over application of farm dairy effluent had occurred on a property at Ihaia Road, Opunake. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection will be undertaken after 21 May 2021. Letters requesting explanation were sent. Further enforcement action is being considered.

10 May 2021	332121-188 ENF-23071	Compliance Monitoring Insp.	Significant non-compliance	NZ Forestry Limited (51862)	PA/20321-01	EAC-24049 - Abatement Notice	Investigation Continuing
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Comments: During routine monitoring it was found that earthworks were not within the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 at a forestry harvesting site at Toko Road, Toko. An abatement notice was issued requiring works to be undertaken to ensure compliance. Reinspection will be undertaken after 18 May 2021.



Date 8 June 2021

Subject: **Generally Ceasing Discharges of Farm Dairy Effluent to Water on Consent Renewal**

Approved by: A D McLay, Director - Resource Management
S J Ruru, Chief Executive

Document: 2677672

Purpose

1. The purpose of this memorandum is to advise the Committee of the intention to accelerate the removal of treated farm dairy effluent (FDE) discharges from waterways and discharge to land.

Executive summary

2. The Council's *Requirements for good farm management in Taranaki* (2017) document requires those with existing consents for discharge of treated effluent to water to switch to land-based disposal within a reasonable timeframe as consents expire or earlier.
3. The removal of FDE discharges to water is important to recognise tangata whenua values and for general water quality improvement.
4. For more than five years any consents issued that allow a FDE discharge to water have included conditions requiring that the discharge to water ceases within about 2 years and the effluent go to land instead. However, with the enactment of the *National Policy Statement for Freshwater 2020* (NPS) in September 2020, staff reviewed this practice.
5. The review resulted in a decision that consents expiring from December 2022 onwards, when renewed, would be required to discharge to land immediately, i.e. the practice of allowing a '2-year transition period' following renewal is to be phased out.
6. Of note, climatic and topographic impediments to full time land discharges would still be recognised (e.g. on the upper ring plain the discharge to water might be allowed from high level effluent treatment systems where the land was unable to receive the effluent).

Recommendations

That the Taranaki Regional Council:

- a) receives this memorandum

- b) agrees that from December 2022 consent holders applying for a consent renewal will be required to immediately start discharging to land once their consent has been issued
- c) agrees that those consent holders whose consents are about to expire be informed of the change to the transition period.

Background

- 7. For an extended period, the Taranaki Regional Council (the Council) has signalled treated farm dairy discharges will have to move from water to land, in most cases. The removal of FDE discharges to water is important to recognise tangata whenua values and is part of the Council's broader efforts to promote general water quality improvement across the region.
- 8. Accordingly, the Council has made all dairy farmers aware that, except in a small number of cases where climatic and topographical conditions make it unachievable at times, farm dairy effluent must be discharged to land. For example, the exceptions to this general 'rule' might be high on the ring plain where the discharge to water might be allowed from high treatment effluent systems when the land was unable to receive the waste.
- 9. In practice that means that if their current consent authorises a discharge to water they may continue to exercise that consent but on expiry any replacement consent would not authorise any long term water discharge. That is, all discharges would need to go to land within about 2 years of the replacement consent being issued.

Discussion

- 10. The NPS-FM includes a policy prescribing that, where an activity would result in a loss of river values, the Council cannot consider issuing a consent for that activity unless it is satisfied that there is a functional need for the activity. Any discharge of contaminant, including treated FDE, to water results in some loss of river values.
- 11. Therefore, the Council must be satisfied that there is a functional need for any FDE discharge to water before it can consider issuing a consent for it.
- 12. Without going into detail about the meaning of 'functional need' and the application of the NPS-FM (Policy 3.24) the Council can be satisfied that there is a functional need for discharges to water. But this conclusion is largely based on the interpretation that there are significant costs and management changes associated with changing to a land discharge, and consent holders have been working towards implementing the change 2 years after their current consent expires. That is, there is a lead in time necessary before the transfer from water to land can occur and that lead in time is about 2 years.
- 13. Therefore, after the NPS-FM has been in effect for two years, the view of staff is that there will be no functional need to continue discharging to water because the consent holder will have had a reasonable two-year period to plan for and make the changes necessary for a land discharge.
- 14. A small number of farms, with small herds, wish to continue discharging to water for short periods before exiting the industry. An allowance is made for such discharges.
- 15. Results of the review that followed the NPS enactment are:
 - a) Subject to (c) below all FDE consents issued to replace those expiring in 2022 or later require immediate discharge to land (i.e. no further discharge to water will be allowed).

- b) Consents issued to renew those expiring in 2020 and 2021 allow the discharge to water to continue for a transition period ending no later than 1 December 2022.
 - c) Where climatic and/or topographic features make it impracticable to discharge to land exclusively, contingency discharges to water may be allowed (this is current practice).
 - d) The Council will write to all holders of dairy discharge consents to water advising of the important new 'land discharge dates'.
16. The *Regional Freshwater Plan for Taranaki* allows farm dairy effluent consents to be processed as controlled activities, if certain standards are met. Rule 35 addresses discharges to land and requires no surface runoff from the irrigation area, separation distances from wells/bores and streams, adoption of the best practicable option and an application rate. These applications are non-notified with few if any affected party approvals required.
17. For information, the number of consents expiring over the next four years to which the change applies is shown below. Beyond 2023 there are about 50 expiring each year until 2030. However, it is notable that there are many farmers who are opting to renew consents early, thereby discharging to land earlier than they are otherwise would be required.

Consent renewal Year	2020	2021	2022	2023
No. of water discharge consents expiring* (1 Dec)	40	77	98	108
Year land discharge will be required* (1 Dec)	2022	2022	2022	2023
No. of land discharges to be implemented*	0	0	215	108
* refers to consents authorising discharges to water (i.e. dual and water)				
* for consents expiring that year				

Consultation

18. Senior Council officers attended a recent meeting of Federated Farmers held in Stratford. The matter of removing the 2 year transition period was raised and discussed. Farmers have had plenty of warning about the need to go from discharging treated FDE from water to land based discharge systems. As long as farmers were written to and the change explained then there was general support for the change.
19. Allowing FDE water discharge consents, for small herds, to continue for short periods, while land owners moved out of the industry, was supported.
20. At the meeting a potential study by a group of farmers about the FDE options they had in high altitude and rainfall locations (i.e. upper ring plain) was discussed. A funding application has been made to central government and there was support from the Council.

Decision-making considerations

21. Part 6 (Planning, decision-making and accountability) of the *Local Government Act 2002* has been considered and documented in the preparation of this agenda item. The recommendations made in this item comply with the decision-making obligations of the *Act*.

Financial considerations—LTP/Annual Plan

22. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

23. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

24. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan. Similarly, iwi involvement in adopted work programmes has been recognised in the preparation of this memorandum.
25. The move requiring FDE discharge to go to land has been brought about by some iwi concerns about waste discharges to water and the Council's approach has been generally supported. The removal of the transition period will hasten this trend and should also be supported.

Legal considerations

26. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.



Date 8 June 2021

Subject: **Farm Dairy Discharge Monitoring Programme Review**

Approved by: A D McLay, Director - Resource Management
S J Ruru, Chief Executive

Document: 2479404

Purpose

1. The purpose of this memorandum is to present to Members the Farm Dairy Discharge Monitoring Programme (2021). A copy of the programme is attached to this memorandum.
2. The programme was recently reviewed to reflect changes in practice, the use of technology, the law and council policy. The programme is broad and includes the important associated processes of consenting and enforcement. It is through this integrated approach the Council has been able to maintain low to moderate costs which have been passed on to the industry.

Recommendations

That the Taranaki Regional Council:

- a) receives this memorandum Farm Dairy Discharge Monitoring Programme
- b) endorses the Farm Dairy Discharge Monitoring Programme
- c) notes the programme utilises the latest technology and pragmatic approaches
- d) notes the programme delivers cost effective monitoring
- e) notes the programme, when benchmarked against others, could be considered best practice
- f) determines that this decision be recognised as not significant in terms of section 76 of the *Local Government Act 2002*
- g) determines that it has complied with the decision-making provisions of the *Local Government Act 2002* to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Background

3. As Members will be aware dairying is a major traditional activity in the Taranaki region, and the Taranaki Regional Council has had an extensive programme to monitor the environmental consequences of this activity in place for over 40 years. The programme is the largest monitoring programme undertaken by the Taranaki Regional Council. The programme is associated with water quality management, which remains a key resource management issue for the region going forward, notwithstanding the progress made to date.
4. The programme has contributed significantly to the region's policy objective of maintaining or enhancing water quality. It is a strategic component of resource management in the region. This involves policy being developed with the community; it being implemented by non-regulatory (advice and information) means, under-girded by regulatory (consents and enforcement) provisions; compliance and state of the environment monitoring being undertaken, to assess both consent compliance and the overall state of the environment; policy effectiveness being assessed using both sets of monitoring results and science; and policy being reviewed as appropriate in the light of this feedback.
5. The Council has had a longstanding programme to monitor farm dairy discharges in place and the results have been of interest to dairy industries, the community and environmental groups.

The Programme

6. The document summarises all aspects of the Council's Farm Dairy Discharge Monitoring Programme and touches on related activities such as consenting and enforcement. These important activities are considered integral to successful resource management. The programme sets out expectations, procedures and standards, and is aimed at providing clarity and certainty for all parties that the Farm Dairy Discharge Monitoring Programme is indeed an integrated, cost effective, fair, comprehensive, robust, and scientifically-based programme designed and managed to deliver sustainable management of natural and physical resources in Taranaki.
7. The programme is undertaken by compliance officers. The key components of the programme are summarised below, with appropriate examples, and further detail is provided in the document:
 - Considerable focus on working with farmers and providing advice and information
 - Farm dairy discharges consented in 1980/90's and all dairy farmers hold resource consents
 - The Regional Freshwater Plan (2001) and Regional Policy Statement (2010), developed with community consultation and scientific and technical input, provide the policy framework and direction for the monitoring programme
 - The majority of resource consent applications are for controlled activities under the above Plan
 - Farm dairy discharges applications are processed according to standard operating procedures, which include provision for catchment based consent review dates and terms

- Farm dairy discharges are inspected annually, with the opportunity for advice and consultation taken at the same time, and re-inspections carried out where improvement is needed
- Relationship established with farmers through the monitoring process with inspectors recognized as a valuable asset and fostering the potential uptake of other non-regulatory programmes
- Consent holders pay for 100 % of monitoring and re-inspections cost, and effective management means the charges are some of the lowest in New Zealand
- Compliance officers are generally experienced operators, with individual development programmes in place to address any training needs and provide professional extension
- Compliance officers are regularly rotated between catchments to maintain standards and consistency, and to avoid potential complacency
- Compliance officers use the latest technology (e.g. field Tablets [computers] and printers) to deliver cost effective, relevant and timely monitoring information and feedback to consent holders and the community
- Pragmatic and cost effective monitoring approaches have been sought and implemented
- The business of monitoring is integrated with that of processing resource consents, and consent renewal assessments are integrated into the monitoring programme to reduce costs to the consent holder, and to help the farmer anticipate and prepare for achieving rising expectations
- Regulatory approach means, when advice and information is unsuccessful, appropriate enforcement action is considered and undertaken under the Council's Enforcement Policy (2017). This provides integrity to the Act, Council plans, and consents granted under them, and develops trust and respect within the community
- Extensive and strategic use of enforcement methods (abatement notice, infringement notice and prosecution). All enforcement decisions delegated to Council staff. In 1980/90's significant enforcement action undertaken and less often necessary now as a result
- Policy, monitoring and enforcement are all underpinned by targeted science, to validate the approaches undertaken. Strategic research is pursued, to anticipate and resolve future issues
- The monitoring programme results are reported annually to the Council and the community, for the sake of accountability and transparency
- Monitoring programme reviewed regularly to ensure best practice continues to be achieved.

Financial considerations—LTP/Annual Plan

8. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

9. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

10. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan. Similarly, iwi involvement in adopted work programmes has been recognised in the preparation of this memorandum.
11. Iwi, as kaitiaki, are involved in sentencing submissions for prosecutions and there is regular contact during major non-compliance situations.

Community considerations

12. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

Legal considerations

13. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Appendices/Attachments

Document 2230257: TRC Farm Dairy Discharge Monitoring Programme (May 2021)

Taranaki Regional Council

Farm Dairy Discharge Monitoring Programme

Taranaki Regional Council
Private Bag 713
Stratford

Document 2230257

May 2021

Executive summary

Dairying is a major traditional economic activity in the Taranaki region, and the Taranaki Regional Council has had an extensive programme to monitor the environmental consequences of this activity in place for over 40 years. A review of the programme was undertaken in 2020/21. The programme is the largest and longest monitoring programme undertaken by the Taranaki Regional Council. The programme is associated with water quality management which remains a key resource management issue for the region going forward, notwithstanding the progress made to date.

The programme has contributed significantly to the region's policy objective of maintaining or enhancing water quality, and is a strategic component of resource management in the region. This involves policy being developed with the community; it being implemented by non-regulatory (advice and information) means, under-girded by regulatory (consents and enforcement) provisions; compliance and state of the environment monitoring being undertaken to assess both consent compliance and the overall state of the environment; policy effectiveness being assessed using both sets of monitoring results and science; and policy being reviewed as appropriate in the light of this feedback.

The Council requirement to move, in most cases, from the discharge of treated effluent to water to a discharge to land, means the focus of the programme will become land based and the monitoring programme has accordingly been reviewed.

The requirement to move to land based discharge systems will improve water quality and addresses important tangata whenua cultural concerns regarding waste discharges to water.

This document summarises all aspects of the Council's farm dairy monitoring programme and related activities such as consenting and enforcement. These important activities are considered integral to successful monitoring and resource management. The programme sets out expectations, procedures and standards, and is aimed at providing clarity and certainty for all parties that the Farm Dairy Discharge Monitoring Programme is indeed an integrated, cost effective, fair, comprehensive, robust, and scientifically-based programme designed and managed to deliver sustainable management of natural and physical resources in Taranaki.

The programme is undertaken by compliance officers otherwise known as inspectors. The key components of the programme are summarised below, with appropriate examples, and further detail is provided in this document:

- Considerable focus on working with farmers and providing advice and information;
- Farm dairy discharges were consented in the 1980's and all dairy farmers hold resource consents;
- All consents are annually inspected and no warning of the inspection is given;
- The Regional Policy Statement (2010) and the Regional Freshwater Plan (2001), developed with community consultation and scientific and technical input, provide the policy framework and direction for the monitoring programme. The Draft Freshwater and Land Plan (2015) strengthens this policy framework, including the move towards land based discharge systems. The Government's National Policy Statement for Freshwater Management (2020) also applies to resource consents processing and tends to support land based discharge methods;

- The majority of resource consent applications are for controlled activities under the Regional Freshwater Plan. The discharge of untreated farm dairy wastewater to water has been deemed a prohibited activity by the Council;
- Farm dairy discharge applications are processed according to standard operating procedures, which include provision for catchment based consent review dates and terms;
- Farm dairy discharges are inspected annually by compliance officers, with the opportunity for advice, consultation, and re-inspections carried out where improvement is needed;
- Relationships established with farmers through the monitoring process with inspectors is recognised as a valuable asset, fostering the potential uptake of other non-regulatory programmes (e.g. riparian, key native ecosystem);
- Consent holders pay for 100% of monitoring and re-inspection costs. Effective management and the use of technology mean the charges are generally low to moderate;
- Compliance officers are generally experienced operators, with individual development programmes in place to address any training needs and provide professional extension;
- Compliance officers are regularly rotated between catchments to maintain standards and consistency, and to avoid potential complacency;
- Compliance officers use the latest technology (e.g. field devices, computers and printers) to deliver cost effective, relevant and timely monitoring information and feedback to consent holders and the community;
- The business of monitoring is integrated with that of processing resource consents. Consent renewal assessments are integrated into the monitoring programme to reduce costs to the consent holder, and to help the farmer anticipate and prepare for achieving rising community expectations;
- The regulatory approach means, when advice and information is unsuccessful, appropriate enforcement action is considered and undertaken under the Council's Enforcement Policy (2017). Policy is provided in the programme to guide these important decisions. This provides integrity to the Act, Council plans, and consents granted under them, and develops trust and respect within the community;
- Extensive and strategic use of enforcement methods (abatement notice, infringement notice, enforcement order and prosecution). All enforcement decisions are delegated to the appropriate Council staff;
- Policy, monitoring and enforcement are all underpinned by targeted science, to validate the approaches undertaken. Strategic research is pursued, to anticipate and resolve future issues;
- The monitoring programme results are regularly reported to the Council and the community, for the sake of accountability and transparency;
- Iwi are involved in prosecutions and provide sentencing submissions; and
- The monitoring and enforcement of farm dairy discharges is reviewed regularly to ensure best practice is achieved. This can include an external audit undertaken by experienced peers.

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1 Introduction

Dairying is the dominant farming in Taranaki, particularly on the ring plain. There are 1,645 dairy farms in the region, accounting for 14% of all dairy farms in New Zealand and almost 20% of New Zealand's total milk fat production. In addition to direct farm income from milk production, the added value brought to the region from the processing of milk, whey, cheese, speciality manufacture of cheese and other products derived from milk is one of the most significant contributors to employment and the economic wellbeing of people in Taranaki.

Presently 61% (1,013) of farm dairy effluent discharge systems in the region involve irrigation to land with a storage facility as a contingency, when pasture is not suitable for irrigation. The remainder 39% (632) involve oxidation pond systems, which subsequently discharge to a watercourse.

Overall, the quality of Taranaki's fresh water and coastal water resources is good when measured against a range of chemical and biological indicators.

However, there is a general tendency for fresh water quality and stream appearance to deteriorate toward lower reaches. This is in part (but not entirely) a direct reflection of the changes in land cover and land use between the National Park and the coast, where intensive dairy farming dominates.



Photo 1 Farm dairy and cows

It is commonly expected by the public of Taranaki that the quality of the region's ring plain streams and coastal waters will be maintained and that water quality is suitable for consumptive use requirements, cultural, recreational and aesthetic demands and the maintenance of 'healthy' aquatic ecosystems.

The *Regional Policy Statement for Taranaki* and the *Regional Fresh Water Plan*, prepared by the Taranaki Regional Council ('the Council') on behalf of the community, both contain objectives and policies to maintain the quality of our water resources and to enhance that quality where necessary and appropriate. The *Draft Freshwater and Land Plan (2015)* strengthens this policy framework, including the move towards land based discharge systems.

The Council's Farm Dairy Discharge Monitoring Programme is vital to the achievement of the Council's policies and of community expectations to maintain or enhance the quality of our water resources. The programme has been in operation for almost 40 years.

As part of carrying out that responsibility, the Council recognises that it has the responsibility under the *Resource Management Act 1991* ['the Act'] to promote sustainable management of natural and physical resources, a responsibility it takes very seriously given the public expectations for water and environmental quality noted above. Sustainable management is not just about the environment and its quality and involves enabling '.....people and communities to provide for their social, economic, and cultural wellbeing.....'

It is therefore important for the dairy industry, as well as the wider Taranaki community, that environmental practices within the industry are sustainable in the long term.

The way this is done is also important. In developing its Farm Dairy Discharge Monitoring Programme, the Council has been guided by its Mission Statement which is set out below:
'To work for a thriving and prosperous Taranaki by:

*Promoting the sustainable use, development and protection of Taranaki's natural and physical resources;
Safeguarding Taranaki's people and resources from natural and other hazards
Promoting and providing for Taranaki regionally significant services, amenities, and infrastructure representing
Taranaki's interests and contributions to the regional, national and international community*

We will do this by leading with a responsibility, working cooperatively, encouraging community participation, and taking into account the Treaty of Waitangi.

The Council's Farm Dairy Discharge Monitoring Programme must also be transparent, that is, it must be able to be seen and understood by a wide range of stakeholders in the community. This ensures that those stakeholders have trust and confidence in the Council and its work.

In March 2017 the Council set out its requirements for good farm management, which included dairy effluent management. As a general rule, farm dairy effluent must be discharged to land. A review of Council requirements is underway and good farming measures are being developed nationally and will apply in the future.

The requirement to move to land based discharge systems will improve water quality and also address important tangata whenua cultural concerns regarding waste discharges to water.

Delivering the mission and Council farm dairy effluent good farming requirements is the purpose of this document.

This document summarises all aspects of the Council's farm dairy discharge monitoring programme and related activities and matters. It was last reviewed in 2007. It sets out expectations, procedures and standards, and is aimed at providing clarity and certainty for all parties that the Farm Dairy Discharge Monitoring Programme is indeed an integrated, comprehensive, fair, cost effective, robust, and scientifically-based programme designed and managed to deliver sustainable management of natural and physical resources in Taranaki.

This document notes and summarises all relevant aspects of the Monitoring Programme contained within Council policy documents, plans and procedure documents, and refers to these other documents for further information and detail. As such, this document sits mid-way between national policies and standards and the Council's own 'high-level' policy documents and plans (such as the *Regional Policy Statement* and the *Regional Fresh Water Plan*), and the more detailed procedure documents and other activities such as science and research, education and advice, and staff training, that make up the programme. The elements of the Council's Farm Dairy Discharge Monitoring Programme and how they fit together are shown in Figure 1.

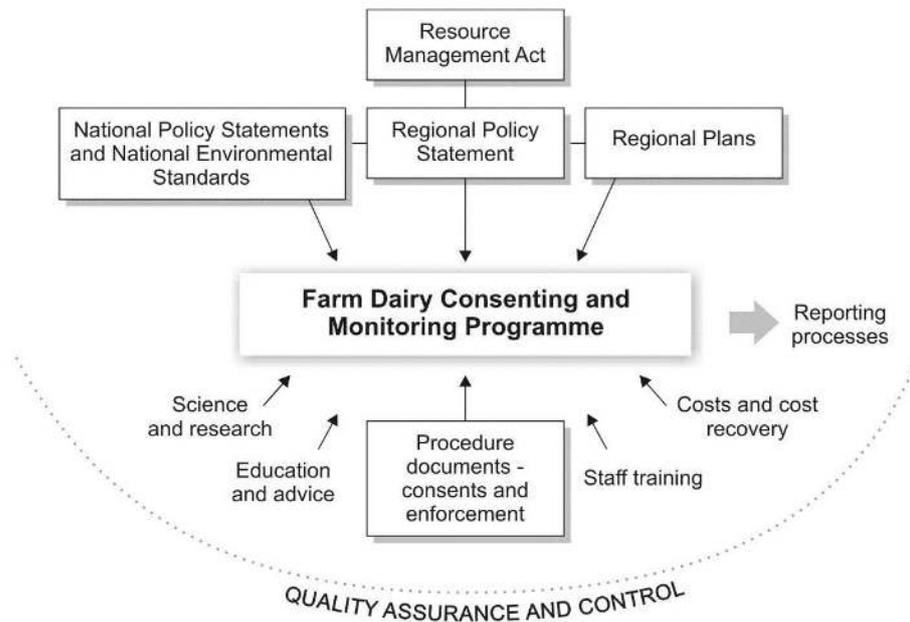


Figure 1 Elements of the Farm Dairy Discharge Monitoring Programme

This document provides for readers:

- an introduction and background to the Farm Dairy Discharge Monitoring Programme;
- a section on the policy framework adopted by the Council to guide the management of farm dairy discharges;
- the objectives of the Programme;
- a section on how the Council deals with applications for resource consents for farm dairy wastes;
- a section outlining details of the Council's monitoring of resource consents;
- a section on how the Council enforces conditions and requirements of resource consents;
- a section on the role of education and advice to the dairying community in best managing farm dairy wastes;
- some details of the programmes of research that the Council has undertaken and aims to carry out with regard to farm dairy waste discharges and related receiving environments;
- a section on the Council's approach to setting and recovering costs associated with the Programme;
- a section setting out the Council's staff training systems and procedures;
- a section summarising the Council's quality assurance and control systems that ensures that the Council delivers services to the industry and the wider Taranaki community in line with its mission statement and values (above); and
- a section on reporting.

[Refer
Regional Policy Statement for Taranaki 2010
Regional Fresh Water Plan for Taranaki 2001
Farm Dairy Discharge Standard Operating Procedures for Consent Processing and Compliance Monitoring
Resource Consents Procedures Document
Resource Consents Monitoring Procedures Document

Enforcement Provisions and Procedures under the Resource Management Act 2017
Resource Management Act Enforcement Policy 2017
Design, Construction and Maintenance Guidelines for Dairyshed and Feed Pad Wastes
Design, Construction and Maintenance Guidelines for Spray Irrigation]
A farmer's guide to managing farm dairy effluent DairyNZ
Practice Note 21 Farm Dairy Effluent ponds version 3, August 2017 DairyNZ]

2 Background

The dairy industry has been a significant industry in the Taranaki region for over a century. Many people in the community will remember the many small dairy factories dotted around the region, generally all located on a stream or river with sufficient water flow to provide the needs of the factory, both in terms of water supply and waste disposal. But in many cases, the waste disposal practices employed had a significant impact on those streams and rivers.

Similarly, on the farm, milking shed waste was more often than not discharged directly into waterways.

With the advent of the Water and Soil Conservation Act in 1967, and the subsequent formation of the Taranaki Catchment Commission and Regional Water Board (now the Taranaki Regional Council), significant inroads were made into improving waste disposal practices, initially by encouraging dairy farmers to utilise the nutrient value of shed wastes via pasture irrigation of those wastes, and then more latterly adopting design and management guidelines for farm dairy treatment systems.

Since the late 1970s therefore, the organisation now known as the Taranaki Regional Council has been actively improving the quality of waterways within the region utilising advice and education, the requirement for such discharges to have resource consents, and enforcement of consent conditions as the primary tools. The Council has maintained high quality staff and has invested heavily in the necessary resourcing, technology, equipment, investigations, and training necessary to carry out this work.

In a joint regional council case study coordinated by the Ministry for the Environment in 1999, in which the Council participated, it was considered that policy regimes now being established, effectively managed the environmental risks posed by dairy effluent. As an aside, the working group considered the priority for further improvements in water quality with improvements in riparian management and the control of non-point source contaminants (MFE 1999). The Council's riparian management programme commenced in 1993.

For about the past 40 years the Council has provided both advice to dairy farmers on appropriate wastewater treatment and disposal systems, and as well, undertaken monitoring of those discharges and their receiving environments. As a consequence, there has been a substantial improvement in freshwater quality over this time, coupled with a change in attitude of the dairy farming community as well as the general public as awareness of the effects of inappropriate waste treatment and disposal practices has increased.

The Farm Dairy Discharge Monitoring Programme is the Council's single largest programme, with all farms in the region holding resource consents for their discharge systems. Farm inspections are not contracted out as the task can efficiently be undertaken by well managed and resourced Council inspectors, and the Council strongly believes regulatory functions should stay with the organisation responsible. All farms are inspected annually for compliance with the associated consent conditions. Re-inspections occur where non-compliance is identified and improvement is needed. No warning is given of the farm monitoring inspections.

As such, the Programme is an important part of the Council's strategic resource management framework, which itself involves:

- policy development pertaining to the industry;
- delivery via the resource consent process and related activities;
- consent compliance activities;
- regular state-of-environment monitoring and reporting;
- regular review of all of the above, with changes made to policies as and when required; and finally; and
- regular reporting of results to the community.

This can be best summarised in the following diagram (Figure 2):

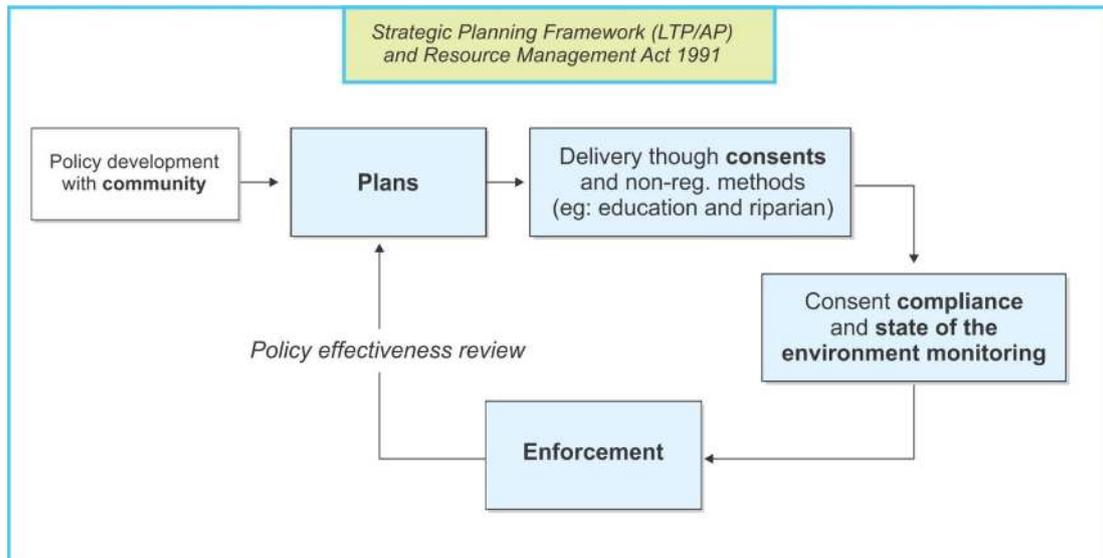


Figure 2 Principal components of resource management

As shown in Figure 2, the resource management process begins with policy development and its implementation through resource consents and other, non-regulatory methods (e.g. advice and education).

The main policies adopted by the Council to manage farm dairy discharges and their effects on the environment are set out in the next section.

3 Policy framework

The Regional Policy Statement (RPS) for Taranaki contains as an overall objective for Taranaki.

'To maintain and enhance the quality of the water resources of Taranaki for water supply purposes, contact recreation, shellfish gathering for human consumption, aesthetic purposes, cultural purposes and aquatic ecosystems by avoiding, remedying or mitigating the adverse effects of contaminants discharged to water from point sources'.

This objective reflects the aspirations and expectations of the community of the region, crystallised through the RPS process.

The Regional Fresh Water Plan for Taranaki (2001) contains more detailed policies and methods by which to implement this objective. In relation to managing point source discharges to land and water including discharges from farm dairy waste treatment and disposal systems, the Regional Fresh Water Plan (RFPW) contains the following policies and methods.

- POL 6.2.1 In managing point-source discharges to land and water, the Taranaki Regional Council will recognise and provide for the different values and uses of surface water including:*
- (a) natural, ecological and amenity values;*
 - (b) the relationship of Tangata Whenua with water;*
 - (c) the maintenance and enhancement of aquatic ecosystems, and water quality for fisheries and fish spawning;*
 - (d) use of water for water supply purposes;*
 - (e) use of water for contact recreation.*
- POL 6.2.2 Discharges of contaminants or water to land or water from point sources should:*
- (a) be carried out in a way that avoids, remedies or mitigates significant adverse effects on aquatic ecosystems;*
 - (b) maintain or enhance, after reasonable mixing, water quality of a standard that allows existing community use of that water for contact recreation, and water supply purposes, and maintains or enhances aquatic ecosystems;*
 - (c) be of a quality that ensures that the size or location of the zone required for reasonable mixing does not have a significant adverse effect on community use of fresh water or the life supporting capacity of water and aquatic ecosystems.*
- POL 6.2.3 Waste reduction and treatment practices which avoid, remedy or mitigate the adverse environmental effects of the point-source discharge of contaminants into water or onto or into land will be required.*

In assessing applications for resource consents to discharge contaminants or water to land or water, the Taranaki Regional Council will consider:

- (a) the natural, ecological and amenity values of the water body;*
- (b) the relationship of Tangata Whenua with the water body;*
- (c) the allowance for reasonable mixing zones and sufficient flows (determined in accordance with (a) to (k) of this policy);*
- (d) the potential for cumulative effects;*
- (e) the actual or potential risks to human and animal health from the discharge;*
- (f) the degree to which the needs of other resource users may be compromised;*
- (g) the effect of the discharge on the natural state of the receiving environment;*
- (h) measures to avoid, remedy or mitigate the effects of contaminants to be discharged;*
- (i) measures to reduce the volume and toxicity of the contaminant;*
- (j) the use of the best practicable option for the treatment and disposal of contaminants;*
- (k) the availability and effectiveness of alternative means of disposing of the contaminant (including discharge of wastewater into a municipal sewerage system).*

POL 6.2.4 The Taranaki Regional Council may, where appropriate, require the adoption of the best practicable option to prevent or minimise adverse effects on the environment from the discharge of contaminants to land or water. When considering what is the best practicable option, the Taranaki Regional Council will give consideration to the following factors, in addition to those contained in the definition in the Act of best practicable option:

- (a) the capital, operating and maintenance costs of relative technical options, the effectiveness and reliability of each option in reducing the discharge, and the relative benefits to the environment offered by each option;*
- (b) the weighing of costs in proportion to any benefits to the receiving environment to be gained by adopting the method or methods;*
- (c) maintaining and enhancing the existing water quality in the area as far as practicable.*

POL 6.2.5 The Taranaki Regional Council will promote the best practicable option for the disposal of farm dairy effluent. Disposal may either be to land or to surface water. Matters that will be considered in the assessment of the best practicable option include:

- (a) topography and land area;*
- (b) weather and soil conditions;*
- (c) assimilative capacity of receiving water;*
- (d) cumulative adverse effects on receiving water;*
- (e) use of systems appropriate to the receiving environment.*

POL 6.2.6 The Taranaki Regional Council will advocate the tertiary treatment or land application of farm dairy effluent as a sustainable method of effluent disposal.

POL 6.2.7 Contingency plans and other measures to reduce the risk and effect of any spill event will be required at all sites which are subject to the risk of a spill that may have significant actual or potential effects.

The following methods are included in the RFWP to implement the Policies:

- Apply regional rules contained in Section 7 of this Plan, to allow, regulate or prohibit point-source discharges of contaminants or water into water and/or into or onto land where the discharge may have an adverse effect on water.
- Have regard to water quality guidelines contained in Appendix V of this Plan when assessing applications for resource consents to discharge contaminants to water or land.
- Encourage the adoption of waste minimisation or reduction practices to reduce the quantity of contaminants being discharged to the environment.
- Apply, where appropriate, in conjunction with the objectives, policies and rules in this plan, the best practicable option for preventing or minimising any actual or potential adverse effect on the environment of any discharge of a contaminant or water to water or into or onto land.
- Consider the use of riparian planting as a means to mitigate the effects of point-source discharges, where appropriate.
- Support the preparation and implementation of codes of practice and guidelines by industry aimed at reducing the effects of point-source discharges, and support their implementation and adoption where appropriate.
- Promote the continued improvement of the management of all farm dairy waste treatment and land application systems, with an inspection, advice and monitoring focus on those systems which are performing poorly.

Promote or undertake research into methods of water quality management.

The Draft Freshwater and Land Plan has similar methods.

The RFWP also contains detailed information on good management practices for the treatment and disposal of farm dairy effluent. This information provides guidance to assist farmers on selecting the best practicable option for preventing or minimising adverse effects on the environment from the discharge of farm dairy effluent, as required by rules in the Plan. However, there is more recent dairy industry information available (e.g. Farmers guide to managing farm dairy effluent-A good practice guide for land application) on the Council's Land and Farm hub on the Council's website (www.trc.govt.nz). The Council recognises that there may very well be a rising expectation that there will be increasing scrutiny of the effectiveness of the Farm Dairy Discharge Monitoring Programme, including specific field and laboratory monitoring results, in order to ensure that the programme is implementing the Council's policies to maintain and enhance water quality throughout the region. This in turn leads to the need for scientifically-defensible, robust, rigorous monitoring techniques and practices, and transparent Monitoring Programme activity.

These matters are addressed in the remaining sections of this document.

The Government's National Policy Statement for Freshwater Management (2020) applies to resource consents processing and tends to support land based discharge methods.

4 Objectives of the monitoring programme

With the Council's policy objectives in mind, the following are the specific objectives of the Taranaki Regional Council's Farm Dairy Discharge Monitoring Programme:

- Excellent environmental performance within the industry, noting however that there may on occasions be detrimental environmental effects caused by discharges even though resource consent conditions have been complied with (hence the need for the ability to review those conditions on both an individual and a generic basis);
- Innovation and wherever practicable, continuous improvement in performance and outcomes both within the industry as well as for the Council;
- High levels of compliance with resource consent conditions; and
- Council processes which are transparent, fair, cost-effective, efficient, and accountable.

These objectives are built into every monitoring programme undertaken by the Council, including the Farm Dairy Discharge Monitoring Programme, and apply from resource consent processing and administration to monitoring, research and ongoing staff training.

5 Resource consents

In Taranaki, all discharges of dairy shed wastes, whether by spray irrigation to land or treated and then directly discharged to water, require a resource consent.

The Council has adopted a set of standardised resource consent procedures, in the main for use by Council staff but also of use as a general guide for anyone seeking to obtain a resource consent (including for the discharge of farm dairy wastes). The approach by Council in processing an application for a consent to discharge farm dairy waste is therefore no different to any other consent application, in terms of processes involved and matters to be considered before consents are approved. This is appropriate given that the Act sets out the specific steps, considerations and timelines for consent applications, as can be summarised in Figure 3.

The Council has gone further, and adopted standard operating procedures for the processing of consents and for compliance monitoring of farm dairy waste treatment and disposal systems, in essence the 'Bible' for Council staff and the dairy industry. This in effect is a compilation of design and operations guidelines as well as matters considered in the processing of resource consents for these discharges, and is linked directly to the RFWP's Appendices VIIA and VIIB (good management practices for discharging farm dairy effluent to land and to water, respectively) and subsequent guidelines.

Applicants generally use DairyNZ guidelines to design, construct and maintain land based systems.

As well, the RFWP sets out all of the policy considerations to be used when resource consent applications are processed, as well as specific Rules (35, 36, 39 & 40) which define when a farm dairy discharge meets the standards for a controlled activity or when it requires to be considered as a discretionary activity.

Most applications are processed as controlled activities under the RFWP on a non-notified basis with few affected party approvals required. Applicants tend to favour the certainty provided by this regime in the Plan.

Relevant considerations when processing a resource consent application include:

- farm location;
- herd size;
- proposed method of discharge, and the contingency available when land is not suitable for application;
- positioning of the storage facility or treatment system;
- features of the receiving environment (land or water);
- available dilution and water quality for discharges to water, or
- soil type, slope and climate for discharges to land; and
- other values associated with the receiving environment (other uses, amenity value, natural and cultural values etc); and
- any relevant measures that can be taken to minimize environmental impacts.

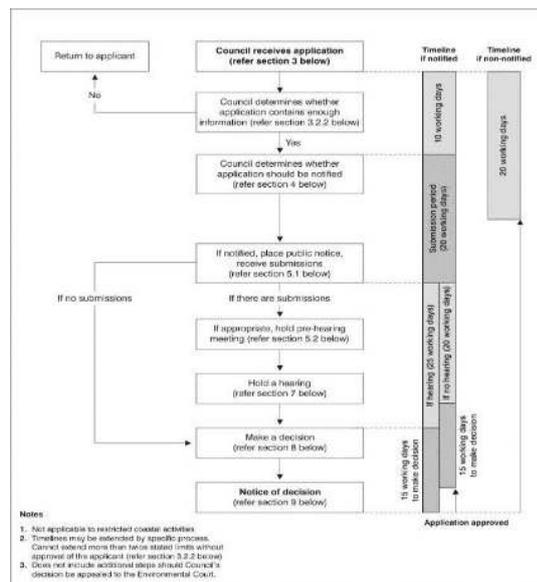


Figure 3 Resource consent process and timelines

Farm dairy discharge consents have generally been issued with long terms [about 18 years], to provide certainty and to reflect investment in treatment systems. However, all have a review condition, which allows a review of the consent. The terms of the review are to establish whether the consent conditions are adequate to deal with any adverse effects on the environment arising from the exercise of the 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 of granting the consent. This allows Council policy to be implemented during the term of the consent. A catchment based approach to setting consent terms and review dates is utilised.

Those applicants going from a discharge to water to a discharge to land are given longer consent terms. The Council's standard operating procedures document sets out the following with regard to the conditions that will be attached to resource consents for dairy shed discharges. The numerical standards in the conditions are based on water quality standard assessment and scientific analysis undertaken by the Council in preparing the RFWP.

For the discharge of dairy shed effluent to land.

If such discharges meet the following criteria, they satisfy the conditions as a controlled activity, and the resource consent must be granted. However, the Council may still impose conditions upon the nature of the disposal system's operation and the level of environmental performance required:

Special conditions Activity definition

1. For the purposes of this consent:
 - a) Farm dairy includes every area of the dairy cow milking process and includes covered and uncovered areas where cows reside for longer than five minutes for the purpose of milking (including a stand-off pad or yard) but does not include raceways;
 - b) Unless otherwise specified, 'effluent' includes its liquid, slurry and solid forms. It also includes sand trap cleanings; and
 - c) 'Liquid effluent' is any effluent that is discharged through a pipe or spray equipment, any non-liquid effluent is 'solid effluent'.
2. All effluent shall be discharged to land in accordance with conditions x to y of this consent.
3. The effluent discharged shall be from the milking of no more than xxx cows.
4. The consent holder shall advise the Taranaki Regional Council by sending an email to consents@trc.govt.nz if the number of cows to be milked exceeds the number authorised in condition 3. The email shall include the consent number or dairy supply number.
5. 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 of the discharge on the environment.

Effluent treatment and disposal system

6. The effluent disposal system shall include a storage facility, designed by a suitably qualified person, that can contain a volume of effluent that is adequate to manage the discharge and achieve compliance with the conditions of this consent for the number of cows specified in condition 3.

Note. The Chief Executive, Taranaki Regional Council will accept as compliance with this condition a storage volume calculated using the 'Dairy Effluent Storage Calculator' (developed by Massey University and Horizons Regional Council), as determined by a person with appropriate skills employed by a company that has undergone the accreditation programme set by Irrigation New Zealand.

7. The design for the storage facility shall be submitted to the Chief Executive, Taranaki Regional Council within 6 months of this consent commencing.
8. Any pond or tank for containing effluent shall be sealed to prevent effluent leaking through the bed or sidewalls.
9. There shall be no overflow of effluent from any part of the effluent disposal system.
10. The consent holder shall, at all times, manage effluent irrigation so that, while complying with the other requirements of this consent, the storage available in the effluent disposal system is maximised.

Maintenance of the effluent treatment and disposal system

11. The effluent disposal system shall be operated and maintained to ensure compliance with the conditions of this consent. Operation and maintenance includes, but is not limited to:
 - (a) vegetation control on and around the storage facility;
 - (b) cleaning, repairing and generally ensuring the integrity of any:
 - (i) pond or tank;
 - (ii) irrigator;
 - (iii) stormwater diversion;
 - (iv) sand trap;
 - (v) piping;
 - (vi) pump; and
 - (vii) fence.

Advice Note: For guidance on maintaining the treatment system refer to the Council publications "Design, Construction and Maintenance Guidelines for the oxidation pond treatment of farm dairy and feedpad wastes" and "Design, Construction and Maintenance Guidelines for spray irrigation of farm dairy wastes".

Land discharge standards

12. The consent holder shall ensure that over any June to May period, liquid effluent is discharged as evenly as is practically achievable over an area no less than xxx ha.
13. Any settled sludges and solids from the bottom zone of a storage facility, and any sand trap cleanings, shall be discharged to an area where there has been no effluent discharged in the previous 12 months.
14. Over any 12-month period the Total Nitrogen applied to any hectare of land as a result of the effluent discharge, including solids, shall be no more than 200 kg.

Advice Note: Any Nitrogen applied within effluent should be taken into account in the nutrient budget for that land.

15. The depth of liquid effluent discharged to land in any single discharge event shall not exceed the maximum application shown in the table below for the soil type that corresponds with soil in the area that the effluent is applied.

Soil Type	Maximum Application
Sand	15 mm
Sandy loam	24 mm
Silt loam	24 mm
Clay loam	18 mm
Clay	18 mm
Peat	20 mm

16. The discharge shall not result in any effluent reaching surface water, any subsurface drainage system or any adjacent property.
17. Discharges to land shall not result in liquid effluent ponding on the surface that remains for more than 30 minutes.
18. No contaminants shall be discharged within:
- (a) 25 metres of any surface water body; or
 - (b) 25 metres of any fenced (or otherwise identified) urupa without the written approval of the relevant Iwi; or
 - (c) 50 metres of any bore or well;
 - (d) 50 metres of any spring used for water supply purposes; or
 - (e) 150 metres from any marae, unless the written approval of the marae Chair has been obtained to allow the discharge at a closer distance.

Information provision

19. When requested to do so by the Taranaki Regional Council the consent holder shall measure the depth of application and/or the rate of application at representative locations over the full extent of the irrigation area. This information shall be provided to the Taranaki Regional Council upon request.
20. The consent holder shall keep a record of effluent discharged to land including as minimum the:
- (a) date of discharge;
 - (b) depth, volume or rate of discharge of liquid effluent;
 - (c) volume of solid effluent;
 - (d) effluent type (e.g. liquid, slurry, solid);
 - (e) source of any solid effluent (e.g. anaerobic pond sludge, sand trap);
 - (f) the specific area that effluent was applied to (shown on a map, plan or aerial photograph); and
 - (g) the size (in ha or m²) of the area that effluent was applied to.

This information shall be in a format that, in the opinion of the Chief Executive, Taranaki Regional Council, is suitable for auditing and shall be provided to the Taranaki Regional Council upon request.

21. If for any reason (accidental or otherwise), effluent enters surface water or a subsurface drainage system, other than in accordance with this consent, the consent holder shall:
 - (a) immediately notify the Taranaki Regional Council on Ph 0800 736 222 (notification must include either the consent number or farm dairy number); and
 - (b) stop the discharge and immediately take steps to control and stop the escape of untreated or partially treated effluent to surface water; and
 - (c) immediately take steps to ensure that a recurrence of the escape of untreated or partially treated effluent to surface water is prevented; and
 - (d) report in writing to the Chief Executive, Taranaki Regional Council, describing the manner and cause of the escape and the steps taken to control it and to prevent it reoccurring. The report shall be provided to the Chief Executive within seven (7) days of the occurrence.

Review of consent conditions

22. 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 2025 and at 6-yearly intervals thereafter, 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.

To discharge farm dairy effluent onto land and, until a specified date, oxidation pond system to water

If such discharges meet the standards of a controlled activity, the resource consent must be granted by the Council. However, the Council may still impose conditions upon the nature of the disposal system's operation and the level of environmental performance required.

The following resource consent conditions are imposed on a case by case basis and the environmental risks associated with the discharge.

Special conditions Activity definition

1. For the purposes of this consent:
 - a) Farm dairy includes every area of the dairy cow milking process and includes covered and uncovered areas where cows reside for longer than five minutes for the purpose of milking (including a stand-off pad or yard) but does not include raceways;
 - b) Unless otherwise specified, 'effluent' includes its liquid, slurry and solid forms. It also includes sand trap cleanings; and
 - c) 'Liquid effluent' is any effluent that is discharged through a pipe or spray equipment, any non-liquid effluent is 'solid effluent'.
2. Only liquid effluent treated as described in condition 11 and condition 12 shall be discharged to water.

3. There shall be no discharge to water unless any discharge to land in accordance with the conditions of this consent would result in effluent ponding on the surface that remains for more than 30 minutes, or flowing to surface water or a subsurface drainage system.
4. From 1 December xxxx there shall be no discharge to water and all effluent shall be discharged to land in accordance with conditions 0 to 0 of this consent.
5. The effluent discharged shall be from the milking of no more than xxx cows.
6. The consent holder shall advise the Taranaki Regional Council by sending an email to consents@trc.govt.nz if the number of cows to be milked exceeds the number authorised in condition 3. The email shall include the consent number or dairy supply number.

Advice Note: The effects of the treated wastewater discharge were assessed based on the consent holder milking a maximum of xxx cows each day. If the number of milking cows increases beyond that number the adequacy of the existing treatment system will be reassessed.

7. 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 of the discharge on the environment.
8. Discharge to water shall only occur at a single designated discharge point located at or about NZTM xxxxxxE-xxxxxxN and there shall be no overflow of effluent from any other point in the effluent disposal system.

Effluent treatment and disposal system

9. From 1 December xxxx the effluent disposal system shall include a storage facility, designed by a suitably qualified person, that can contain a volume of effluent that is adequate to manage the discharge and achieve compliance with the conditions of this consent for the number of cows specified in condition 3.

Note. The Chief Executive, Taranaki Regional Council will accept as compliance with this condition a storage volume calculated using the 'Dairy Effluent Storage Calculator' (developed by Massey University and Horizons Regional Council), as determined by a person with appropriate skills employed by a company that has undergone the accreditation programme set by Irrigation New Zealand. .

10. The design for the storage facility shall be submitted to the Chief Executive, Taranaki Regional Council before 1 December xxxx.
11. Any effluent that is discharged to water shall have been treated in a system that includes at least x anaerobic pond and x aerobic ponds. The anaerobic pond shall have a total volume no less than xxxx m³ and a minimum depth of 4 metres. The aerobic ponds shall have a total surface area no less than xxxx m² and a maximum depth of 1.5 metres.
12. In addition to the ponds described in condition 11 above, any effluent that is discharged to water shall have been treated in a system that also includes a constructed drain. The dimensions shall be no less than those shown in the table below.

	Length (m)	Width (m)	Depth (m)
Constructed drain	xxx	xx	xx

13. Any pond or tank for containing effluent shall be sealed to prevent effluent leaking through the bed or sidewalls.
14. From 1 December xxxx shall be no overflow of effluent from any part of the effluent disposal system.
15. From 1 December xxxx the consent holder shall, at all times, manage effluent irrigation so that, while complying with the other requirements of this consent, the storage available in the effluent disposal system is maximised.
16. Until 1 December xxxx a flow control structure, such as a 'tee-piece' pipe or other baffle system that achieves the same outcome, shall be maintained and operated on the outlet of the first oxidation (anaerobic) pond so as to minimise the movement of solids from the pond.

Maintenance of the effluent treatment and disposal system

17. The effluent disposal system shall be operated and maintained to ensure compliance with the conditions of this consent. Operation and maintenance includes, but is not limited to:
 - (c) vegetation control on and around the storage facility;
 - (d) cleaning, repairing and generally ensuring the integrity of any:
 - (i) pond or tank;
 - (ii) irrigator;
 - (iii) stormwater diversion;
 - (iv) sand trap;
 - (v) piping;
 - (vi) pump; and
 - (vii) fence.

Advice Note: For guidance on maintaining the treatment system refer to the Council publications "Design, Construction and Maintenance Guidelines for the oxidation pond treatment of farm dairy and feedpad wastes" and "Design, Construction and Maintenance Guidelines for spray irrigation of farm dairy wastes".

18. In order for the constructed drain to continually provide effective treatment, it shall be left undisturbed (including by excluding stock) and shall not be sprayed.

Land discharge standards

19. The consent holder shall ensure that over any June to May period, liquid effluent is discharged as evenly as is practically achievable over an area no less than xx ha.
20. Any settled sludges and solids from the bottom zone of a storage facility, and any sand trap cleanings, shall be discharged to an area where there has been no effluent discharged in the previous 12 months.
21. Over any 12-month period the Total Nitrogen applied to any hectare of land as a result of the effluent discharge, including solids, shall be no more than 200 kg.

Advice Note: Any Nitrogen applied within effluent should be taken into account in the nutrient budget for that land.

22. The depth of liquid effluent discharged to land in any single discharge event shall not exceed the maximum application shown in the table below for the soil type that corresponds with soil in the area that the effluent is applied.

Soil Type	Maximum Application
Sand	15 mm
Sandy loam	24 mm
Silt loam	24 mm
Clay loam	18 mm
Clay	18 mm
Peat	20 mm

23. The discharge shall not result in any effluent reaching surface water, any subsurface drainage system or any adjacent property.
24. Discharges to land shall not result in liquid effluent ponding on the surface that remains for more than 30 minutes.
25. No contaminants shall be discharged within:
- (a) 25 metres of any surface water body; or
 - (b) 25 metres of any fenced (or otherwise identified) urupa without the written approval of the relevant Iwi; or
 - (c) 50 metres of any bore or well;
 - (d) 50 metres of any spring used for water supply purposes; or
 - (e) 150 metres from any marae, unless the written approval of the marae Chair has been obtained to allow the discharge at a closer distance.

Water discharge standards (Note: No discharge to water is allowed after 1 December xxxx)

26. After treatment in the final pond (approximately NZTM xxxxxxE-xxxxxN) the maximum concentration of the constituents shown in the table below shall not be exceeded in the effluent.

Constituent	Maximum Concentration
Total carbonaceous BOD ₅	110 gm ⁻³
Suspended solids	100 gm ⁻³

27. A minimum dilution rate of 1 part effluent to 100 parts receiving water shall be maintained at all times in the receiving water at the point of discharge.
28. The consent holder shall ensure that there is always clear and safe access to a point where the effluent from the final pond can be sampled.

29. The discharge shall not cause the maximum concentration of any constituent shown in the following table to be exceeded in the receiving water more than 20 metres downstream of the discharge to the receiving water.

Constituent	Maximum Concentration
Unionised ammonia	0.025 gm ⁻³
Filtered carbonaceous BOD ₅	2.0 gm ⁻³

30. The discharge shall not give rise to any of the following effects in the receiving water more than 20 metres downstream of the discharge point:
- (a) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;
 - (b) any conspicuous change in the colour or visual clarity;
 - (c) any emission of objectionable odour;
 - (d) the rendering of fresh water unsuitable for consumption by farm animals;
 - (e) any significant adverse effects on aquatic life, habitats or ecology; or
 - (f) the generation of undesirable heterotrophic growths (sewage fungus).

Information provision

31. When requested to do so by the Taranaki Regional Council the consent holder shall measure the depth of application and/or the rate of application at representative locations over the full extent of the irrigation area. This information shall be provided to the Taranaki Regional Council upon request.
32. The consent holder shall keep a record of effluent discharged to land including as minimum the:
- (a) date of discharge;
 - (b) depth, volume or rate of discharge of liquid effluent;
 - (c) volume of solid effluent;
 - (d) effluent type (e.g. liquid, slurry, solid);
 - (e) source of any solid effluent (e.g. anaerobic pond sludge, sand trap);
 - (f) the specific area that effluent was applied to (shown on a map, plan or aerial photograph); and
 - (g) the size (in ha or m²) of the area that effluent was applied to.

This information shall be in a format that, in the opinion of the Chief Executive, Taranaki Regional Council, is suitable for auditing and shall be provided to the Taranaki Regional Council upon request.

33. On each occasion that a discharge to water occurs the consent holder shall keep a record of the:
- (a) date of discharge;
 - (b) estimated discharge duration (in hours);
 - (c) reasons that a discharge to land could not occur; and
 - (d) reasons that the effluent could not be stored.

This information shall be in a format that, in the opinion of the Chief Executive, Taranaki Regional Council, is suitable for auditing and shall be provided to the Taranaki Regional Council upon request.

34. If for any reason (accidental or otherwise), effluent enters surface water or a subsurface drainage system, other than in accordance with this consent, the consent holder shall:
 - (a) immediately notify the Taranaki Regional Council on Ph 0800 736 222 (notification must include either the consent number or farm dairy number); and
 - (b) stop the discharge and immediately take steps to control and stop the escape of untreated or partially treated effluent to surface water; and
 - (c) immediately take steps to ensure that a recurrence of the escape of untreated or partially treated effluent to surface water is prevented; and
 - (d) report in writing to the Chief Executive, Taranaki Regional Council, describing the manner and cause of the escape and the steps taken to control it and to prevent it reoccurring. The report shall be provided to the Chief Executive within seven (7) days of the occurrence.
35. If, as a consequence of the activity authorised by this consent, an event occurs that may have a significant adverse effect on water quality at the registered drinking-water supply abstraction point downstream the consent holder shall, as soon as reasonably practicable, telephone the Taranaki Regional Council and water supply operator and notify them of the event.

Review of consent conditions

36. 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 2025 and at 6-yearly intervals thereafter, 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.

To discharge farm dairy effluent onto land and oxidation pond system to water if the land disposal area is not suitable for effluent disposal

If such discharges meet the standards of a controlled activity, the resource consent must be granted by the Council. However, the Council may still impose conditions upon the nature of the disposal system's operation and the level of environmental performance required.

The following resource consent conditions are imposed on a case by case basis and address the environmental risks associated with the discharge.

Special conditions

Activity definition

1. For the purposes of this consent:
 - a) Farm dairy includes every area of the dairy cow milking process and includes covered and uncovered areas where cows reside for longer than five minutes for the purpose of milking (including a stand-off pad or yard) but does not include raceways;
 - b) Unless otherwise specified, 'effluent' includes its liquid, slurry and solid forms. It also includes sand trap cleanings; and
 - c) 'Liquid effluent' is any effluent that is discharged through a pipe or spray equipment, any non-liquid effluent is 'solid effluent'.

2. Only liquid effluent treated as described in condition 11 and condition 12 shall be discharged to water.
3. There shall be no discharge to water unless any discharge to land in accordance with the conditions of this consent would result in effluent ponding on the surface that remains for more than 30 minutes, or flowing to surface water or a subsurface drainage system.
4. The effluent discharged shall be from the milking of no more than xxx cows.
5. The consent holder shall advise the Taranaki Regional Council by sending an email to consents@trc.govt.nz if the number of cows to be milked exceeds the number authorised in condition 3. The email shall include the consent number or dairy supply number.
Advice Note: The effects of the treated wastewater discharge were assessed based on the consent holder milking a maximum of xxx cows each day. If the number of milking cows increases beyond that number the adequacy of the existing treatment system will be reassessed.
6. 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 of the discharge on the environment.
7. Discharge to water shall only occur at a single designated discharge point located at or about NZTM xxxxxxE-xxxxxxN and there shall be no overflow of effluent from any other point in the effluent disposal system.

Effluent treatment and disposal system

8. Any effluent that is discharged to water shall have been treated in a system that includes at least x anaerobic pond and x aerobic ponds. The anaerobic pond shall have a total volume no less than xxxx m³ and a minimum depth of 4 metres. The aerobic ponds shall have a total surface area no less than xxxx m² and a maximum depth of 1.5 metres.
9. In addition to the ponds described in condition 11 above, any effluent that is discharged to water shall have been treated in a system that also includes a constructed drain. The dimensions shall be no less than those shown in the table below.

	Length (m)	Width (m)	Depth (m)
Constructed drain	160.00	1.00	.300

10. Any pond or tank for containing effluent shall be sealed to prevent effluent leaking through the bed or sidewalls.
11. A stormwater diversion system and a sand trap system shall be installed, maintained and operated at the farm dairy. The diversion system shall prevent, as far as practicable, uncontaminated stormwater entering the effluent disposal system.
Note. Farm dairy includes any stand-off pad or yard (see condition 1(a)).
12. A flow control structure, such as a 'tee-piece' pipe or other baffle system that achieves the same outcome, shall be maintained and operated on the outlet of the first oxidation (anaerobic) pond so as to minimise the movement of solids from the pond.

Maintenance of the effluent treatment and disposal system

13. The effluent disposal system shall be operated and maintained to ensure compliance with the conditions of this consent. Operation and maintenance includes, but is not limited to:
- (e) vegetation control on and around the storage facility;
 - (f) cleaning, repairing and generally ensuring the integrity of any:
 - (i) pond or tank;
 - (ii) irrigator;
 - (iii) stormwater diversion;
 - (iv) sand trap;
 - (v) piping;
 - (vi) pump; and
 - (vii) fence.

Advice Note: For guidance on maintaining the treatment system refer to the Council publications "Design, Construction and Maintenance Guidelines for the oxidation pond treatment of farm dairy and feedpad wastes" and "Design, Construction and Maintenance Guidelines for spray irrigation of farm dairy wastes".

14. In order for the constructed drain to continually provide effective treatment, it shall be left undisturbed (including by excluding stock) and shall not be sprayed.

Land discharge standards

15. The consent holder shall ensure that over any June to May period, liquid effluent is discharged as evenly as is practically achievable over an area no less than xx ha.
16. Any settled sludges and solids from the bottom zone of a storage facility, and any sand trap cleanings, shall be discharged to an area where there has been no effluent discharged in the previous 12 months.
17. Over any 12-month period the Total Nitrogen applied to any hectare of land as a result of the effluent discharge, including solids, shall be no more than 200 kg.
Advice Note: Any Nitrogen applied within effluent should be taken into account in the nutrient budget for that land.
18. The depth of liquid effluent discharged to land in any single discharge event shall not exceed the maximum application shown in the table below for the soil type that corresponds with soil in the area that the effluent is applied.

Soil Type	Maximum Application
Sand	15 mm
Sandy loam	24 mm
Silt loam	24 mm
Clay loam	18 mm
Clay	18 mm
Peat	20 mm

19. The discharge shall not result in any effluent reaching surface water, any subsurface drainage system or any adjacent property.

20. Discharges to land shall not result in liquid effluent ponding on the surface that remains for more than 30 minutes.
21. No contaminants shall be discharged within:
 - (a) 25 metres of any surface water body; or
 - (b) 25 metres of any fenced (or otherwise identified) urupa without the written approval of the relevant Iwi; or
 - (c) 50 metres of any bore or well;
 - (d) 50 metres of any spring used for water supply purposes; or
 - (e) 150 metres from any marae, unless the written approval of the marae Chair has been obtained to allow the discharge at a closer distance.

Water discharge standards

22. After treatment in the final pond (approximately NZTM xxxxxxE-xxxxxxN) the maximum concentration of the constituents shown in the table below shall not be exceeded in the effluent.

Constituent	Maximum Concentration
Total carbonaceous BOD ₅	110 gm ⁻³
Suspended solids	100 gm ⁻³

23. A minimum dilution rate of 1 part effluent to 100 parts receiving water shall be maintained at all times in the receiving water at the point of discharge.
24. The consent holder shall ensure that there is always clear and safe access to a point where the effluent from the final pond can be sampled.
25. The discharge shall not cause the maximum concentration of any constituent shown in the following table to be exceeded in the receiving water more than 20 metres downstream of the discharge to the receiving water.

Constituent	Maximum Concentration
Unionised ammonia	0.025 gm ⁻³
Filtered carbonaceous BOD ₅	2.0 gm ⁻³

26. The discharge shall not give rise to any of the following effects in the receiving water more than 20 metres downstream of the discharge point:
 - (a) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;
 - (b) any conspicuous change in the colour or visual clarity;
 - (c) any emission of objectionable odour;
 - (d) the rendering of fresh water unsuitable for consumption by farm animals;
 - (e) any significant adverse effects on aquatic life, habitats or ecology; or
 - (f) the generation of undesirable heterotrophic growths (sewage fungus).

Information provision

27. When requested to do so by the Taranaki Regional Council the consent holder shall measure the depth of application and/or the rate of application at representative locations over the full extent of the irrigation area. This information shall be provided to the Taranaki Regional Council upon request.
28. The consent holder shall keep a record of effluent discharged to land including as minimum the:
 - (a) date of discharge;
 - (b) depth, volume or rate of discharge of liquid effluent;
 - (c) volume of solid effluent;
 - (d) effluent type (e.g. liquid, slurry, solid);
 - (e) source of any solid effluent (e.g. anaerobic pond sludge, sand trap);
 - (f) the specific area that effluent was applied to (shown on a map, plan or aerial photograph); and
 - (g) the size (in ha or m²) of the area that effluent was applied to.

This information shall be in a format that, in the opinion of the Chief Executive, Taranaki Regional Council, is suitable for auditing and shall be provided to the Taranaki Regional Council upon request.
29. On each occasion that a discharge to water occurs the consent holder shall keep a record of the:
 - (a) date of discharge;
 - (b) estimated discharge duration (in hours);
 - (c) reasons that a discharge to land could not occur; and
 - (d) reasons that the effluent could not be stored.

This information shall be in a format that, in the opinion of the Chief Executive, Taranaki Regional Council, is suitable for auditing and shall be provided to the Taranaki Regional Council upon request.
30. If for any reason (accidental or otherwise), effluent enters surface water or a subsurface drainage system, other than in accordance with this consent, the consent holder shall:
 - (a) immediately notify the Taranaki Regional Council on Ph 0800 736 222 (notification must include either the consent number or farm dairy number); and
 - (b) stop the discharge and immediately take steps to control and stop the escape of untreated or partially treated effluent to surface water; and
 - (c) immediately take steps to ensure that a recurrence of the escape of untreated or partially treated effluent to surface water is prevented; and
 - (d) report in writing to the Chief Executive, Taranaki Regional Council, describing the manner and cause of the escape and the steps taken to control it and to prevent it reoccurring. The report shall be provided to the Chief Executive within seven (7) days of the occurrence.
31. If, as a consequence of the activity authorised by this consent, an event occurs that may have a significant adverse effect on water quality at the registered drinking-water supply abstraction point downstream the consent holder shall, as soon as reasonably practicable, telephone the Taranaki Regional Council and water supply operator and notify them of the event
32. 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 xxxx and at 2-yearly intervals thereafter, 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.

Review of consent conditions

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 2025 and/or June 2031 and/or June 2037, 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.

In the event that the proposed discharge cannot meet any of the above criteria as controlled activities, the Council has the discretion to approve, or not, any application, under whatever conditions that may be necessary to ensure that the requirements of the relevant policies, plans and rules relating to environmental quality are met. Such activities are termed 'discretionary' under the RFWP.

All dairy shed discharges within the Taranaki region fall within river catchments which are grouped for the purposes of resource consent considerations – that is, for each group of catchments there is a standard expiry or review date for resource consents, and for the whole region there is a rolling expiry/review date system on a six-yearly rotation. This means that in any one year, all dairy shed discharge consents in a particular group of catchments will either expire, or will undergo review. The main purpose of this is to enable the Council to review all monitoring data and information, river quality and flow information, and any relevant other information (e.g. increased water usage or discharges in the river catchments under review), and thereby lead to a more coordinated catchment-based management regime than would otherwise occur if a more ad-hoc approach was taken.

A critical part of this is the use of effluent, water quality and other monitoring data and information (e.g. changes in herd size, results of the annual inspections etc) at the time of each review and renewal of consents. Details of the Council's monitoring and inspection regimes are set out in the following section of this document.

The Council runs a comprehensive database to support its consents processing and monitoring systems, called IRIS.

The charge for consent processing and transfers is provided in section 9 below.

In all of the above, the Council is keen to ensure that it is utilizing best practices for consent processing – this is measured by benchmarking against other Councils around the country, in terms of:

- turnaround times for processing applications;
- meeting statutory timeframes for resource consent processes;
- quality control (including in terms of internal reporting, supervision, sign-off, staff training etc – see separate section below);
- information sharing; and
- costs associated with processing and monitoring.

Comparisons to date show that the Council is at the forefront of best practice within New Zealand. This however is not viewed, as a final achievement in itself – the Council is aware that there can always be improvements made, and is committed to the principle of continual improvement.

[Refer
Resource Consents Procedures document
Farm Dairy Discharges Standard Operating Procedures for Consent Processing & Compliance Monitoring
Regional Fresh Water Plan, Rules 35, 36, 39 & 40]

6 Monitoring

Introduction

Monitoring is a critical component of ensuring that the Council is achieving its objectives and statutory requirements for environmental performance and sustainable management of natural resources. The Act in fact established new requirements for local authorities to undertake monitoring. Specifically, local authorities are required by section 35(1) of the Act "*...to gather such information, and undertake or commission such research, as is necessary to carry out effectively its functions under this Act.*" In particular, local authorities are required to monitor the:

- a. state of the environment;
- b. suitability and effectiveness of policy statements and plans;
- c. exercise of delegations or transfers; and
- d. exercise of resource consents (section 35(2) of the Act).

The Council has promulgated a Resource Consents Monitoring Procedures document which sets out the framework for its monitoring activities, and how it goes about carrying out this role.

Monitoring "on the ground" generally occurs at two levels:

- ensuring that the holder of a resource consent is meeting all of the requirements and standards stipulated within their consent, "Compliance Monitoring". Monitoring of the discharge itself verifies the anticipated or predicted performance of the disposal system, while impact monitoring verifies that the environmental effects of the activity are as predicted in the consent application, or assesses that the parameters defined by a resource consent are complied with when the consent is exercised; and
- monitoring of the environment, to ensure that requirements, standards, policies and societal aspirations are being achieved.

Compliance Monitoring

The type of monitoring programme required by the Council for a resource consent is initially assessed during the resource consent granting process (see above) and will depend on the following factors:

- the nature and scale of the consented activity;
- the nature and quantity of the contaminants discharged;
- the sensitivity of the receiving environment;
- any long-term or permanent effects (e.g. structures, contamination);
- any off-site effects (e.g. pollution from spray drift, ground water or surface water contamination);
- any cumulative effects (e.g. where several people may take water from the same aquifer or stream);
- any social and cultural effects;
- any previous complaints relating to the same activity; and
- any previous problems (pollution) from similar activities.

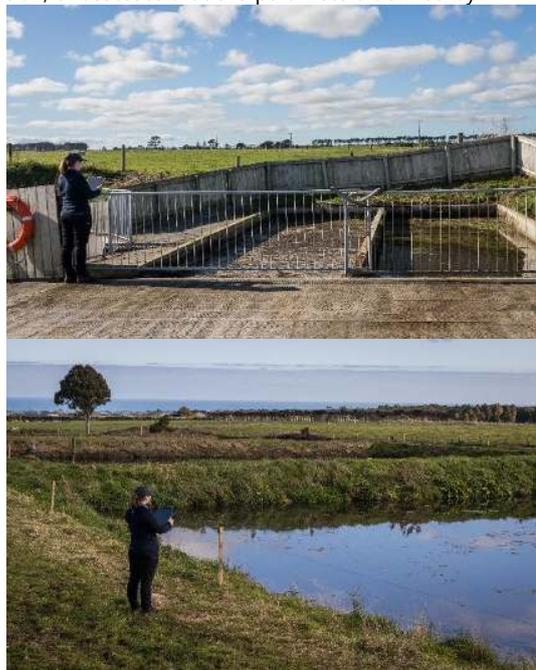


Photo 2 Condition based monitoring with portable device

The different types of compliance monitoring programmes are discussed in detail in the Monitoring Procedures document noted above.

For farm dairy effluent discharges, the Council's Farm Dairy Discharges Standard Operating Procedures for Consent Processing & Compliance Monitoring document sets specifically the rationale and regime for monitoring.

No warning is given to the consent holder about the monitoring visit.

Compliance monitoring is based on annual inspections carried out by Investigating Officers, with additional monitoring (known as follow-up and/or dairy non-compliance re-inspections) undertaken as and when required. For example, if significant ponding had occurred from an irrigator, additional monitoring is undertaken to ensure mitigation of environmental effects and resource consent conditions are complied with.

Upon discovery of a non-complaint discharge, officers have the ability to increase the scope of water quality testing within the receiving environment. The officers have access to specialist staff to assess the health of the biological communities within the affected waterbody or assess the likelihood of ground water contamination for cases of unauthorised discharges to land.

Also, investigating officers are equipped in the field with devices (tablets, mobile phones, GPS, digital thermometer, a selection of sample bottles to cover the common analysis requirements and note books) to take photographs, video, record information and collect samples (water, air, soil or organic matter) for analysis.

For the disposal of farm dairy effluent to land, the key aspects monitored are:

- Uncovered areas where cows reside for longer than five minutes for the purpose of milking, i.e. stand-off-pads or yards are checked by the officer to ensure all farm dairy effluent areas are bunded and direct all waste water to the disposal system.
- Land suitability- if the land is not suitable for irrigation, what is the disposal system's contingency? For example, if a storage facility is available, the consent holder must manage farm dairy effluent so that, while complying with the other requirements of the consent, there is sufficient storage available.
- Farm dairy effluent irrigation fields are inspected to ensure, when farm dairy effluent has been applied to pasture, best industry practice has been followed and the application to land adheres to resource consent conditions, For example, no ponding is occurring which may lead to overland flow to surface water or the contamination of ground water.



Photo 3 Visual inspection to check condition of the irrigator and application rate

For the treatment of farm dairy effluent via oxidation pond systems, the key aspects monitored are the:

- Uncovered areas where cows reside for longer than five minutes for the purpose of milking, i.e. stand-off-pads or yards are checked by the officer to ensure all farm dairy effluent areas are bunded and direct all waste water to the disposal system.
- Oxidation pond system ensuring it comprises at least an anaerobic pond and an aerobic pond. Also, the ponds are sized correctly for the number of cows milked.

- Condition of the treatment system. For example, an officer will investigate the anaerobic pond to ensure the required volume is being maintained (de-sludging of the anaerobic ponds is required from time to time) and sufficient volume is available to efficiently treat the effluent. Also, ensuring the aerobic pond or ponds surface area is clear and is at the required dimensions. Solids and vegetation encroachment will reduce the surface area of an aerobic pond which will reduce the ponds ability to treat effluent and in some cases turn the pond anaerobic.
- Discharge point and receiving environment. Many oxidation systems discharge to a tertiary system (constructed drain or wetlands) before the receiving waters, an officer will inspect the condition of the tertiary system, insuring lush vegetation is left undisturbed, which includes excluding stock.
- Receiving water including ensuring a minimum dilution rate of one part effluent to one hundred parts receiving water is being maintained and there are no conspicuous change in visual clarity or condition of the receiving waters, i.e. undesirable heterotrophic growths. Oxidation pond system discharges are regularly sampled to check compliance, which is analysed by an accredited external contractor.

A key issue encountered in the field, is the management of uncontaminated stormwater discharging to the disposal system. Regular sampling of oxidation pond system discharges has identified excess stormwater as a contributing factor to non compliance because the effluent residence time and associated treatment are reduced. Oxidation pond treatment of farm dairy effluent, was largely considered a very low maintenance system. However, with farm intensification, an oxidation pond system has become a disposal method which requires a greater degree of management to operate successfully. Oxidation pond discharges to water have a relatively high non compliance rate, compared to discharges to land. This has resulted in some consent holders renewing their consent early and quickly moving to land based discharge systems in line with best industry practice.



Photo 4 Collecting samples, recording temperature and entering sample information into the laboratory database remotely

Council officers have the ability to work remotely and input data in the field to mobile devices (tablet or mobile phone) which can be later synchronised with the Council's computer databases. Monitoring processes and technology used are shown in photographs 2, 3, 4, and 5. At the time of monitoring an assessment is made on each special condition, which can include general comments and evidence base comments. This information is then synchronised and downloaded to the IRIS database. The information stored from the compliance monitoring and consent processing programmes includes:

- type of disposal system;
- number of cows;
- GPS location of the farm entrance;
- GPS location of discharge point (central area for land base discharge, oxidation pond system point of discharge and receiving water mixing zone);
- storage facility volume;
- available area for land application;
- storage facility volume and design reports;
- oxidation pond size;
- type and size of tertiary treatment, including dilution requirements;
- parameters for contaminants, which there are consent conditions (BOD₅, treated or untreated effluent; suspended solids; ammonia);
- analysis results and reporting;

- photographs and videos;
- sample sites;
- inspection, advices and information provided history;
- current and historic compliance status;
- consent holder details;
- resource consent application details;
- property legal description;
- submission data;
- statutory acknowledgements to Iwi;
- resource consent conditions;
- copy of resource consent;
- links to other relevant documents and information;
- invoicing data. i.e. compliance monitoring invoice, Non-compliance fees, infringement fees and application processing charges;
- resource consent review and expiry dates;
- witness statements, if required;
- prosecution details, if undertaken;
- RMA details, i.e. statutory requirements for application processing and non-compliance breaches;
- plan details, i.e. which rule the resource consent is process under, including regional plan policies taken in to account.



Photo 5 Officer completing inspection and printing out notice. Also, synchronising to Council data base

The charge for the monitoring inspections and re-inspections is discussed in section 9 below.

So what has monitoring to date shown? In the main, that farm dairy effluent waste discharge consents are being complied with, and that the environmental impacts of these discharges is no more than minor in the vast majority of cases. Cumulative environmental effects can arise in some catchments.

The inspection results and monitoring data are, as noted above, fed in to the Council's databases each night and are available for reporting. The results from routine sampling are sent out to the consent holder advising them of the compliance rating for the inspection. The Council's elected members and the community also receive a six-weekly report on any unauthorised incidents (not just dairy shed waste ones).

State of the Environment Monitoring

The Council also prepares a five-yearly report on long-term trends in environmental quality around the region, and obviously all information and monitoring data related to the discharge of dairy shed wastes is incorporated in summary form in those reports.

The scientifically defensible data and statistical assessment undertaken in State of the Environment reporting is used for policy effectiveness monitoring. The reports for the last fifteen years show that the Regional Policy Statement sustainable management objective to maintain or enhance water quality in Taranaki is being met. Finally, the information from this monitoring programme forms a key component of the Council's statutorily-required State of the Environment report.

[Refer Resource Consents Monitoring Procedures document
Charging policy under section 36 of the RMA, 2001
Taranaki Regional Council 2018/2028 Long-Term Plan, 2018
'Taranaki as One- Taranaki Tangata Tu Tahī: State of the environment Report 2015
Vaderholm, D H: 'Agricultural Waste Manual'. N Z Agricultural Engineering Institute Project Report No. 32].

7 Enforcement

The regulatory approach means that when advice and information is unsuccessful, appropriate enforcement action ensues. The success with which the Council is able to address its resource management responsibilities is dependent very much upon the efficiency and effectiveness with which it implements, and indeed, enforces its policies and rules (Figure 2). In 2017 the Council reinforced its enforcement policy and prepared and adopted a *Resource Management Act Enforcement Policy*. A separate supporting document introduces enforcement provisions and procedures to implement the policy.

If the Council's policies and rules are not enforced in an appropriate, professional, consistent and comprehensive manner, then their relevance, integrity and worth are undermined. Appropriate enforcement action generally changes community behaviour by sending a specific deterrent to the offender and a general deterrent to those in the sector, which the Council has found results in positive environmental outcomes. Enforcement reinforces the importance of the Council's objectives.

For farm dairies, the non-compliance rate as shown by monitoring is shown in Figure 4. The non-compliance includes significant and minor non-compliance and is discussed further below.

As such, enforcement plays a critical role in achieving the main objective of the RMA that is sustainable management of natural and physical resources.

Enforcement mechanisms can be broadly categorised as being concerned with three inter-related outcomes, namely:

- avoidance, mitigation or remedying of any adverse environmental effects through direct timely intervention by the Council;
- as noted above, ensuring compliance with the RMA , plans and resource consents; and
- compensation for those affected by an unlawfully-generated environmental effect (i.e. the polluter pays principle).

Enforcement also assists in developing trust and respect in the Council's regulatory regime and those involved in administering it, which in turn leads to credibility for the Council. For example, one of the frequently-encountered comments from a member of the public making a formal complaint to the Council is along the lines of:

"If I'm required to keep to the standards then so can they."

Obviously, the Council has to be fair and equitable in its enforcement dealings, something which it strives to achieve through the Enforcement Policy. It uses a variety of enforcement methods, as detailed below, but in the end it occasionally is forced to initiate prosecution proceedings, something the Council views as a measure of last resort.

The process of enforcement is a staged one of assistance, warnings, and use of enforcement methods or tools and, in extreme cases, prosecution. These tools are used in a number of combinations on a case by case basis. The Council carries out prosecutions where the significance of the effect, or the actions of a person, warrant such action (refer to the Enforcement Policy).

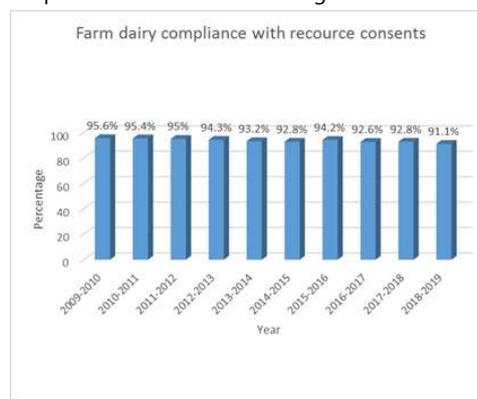


Figure 4 Farm dairy compliance with resource consents

Every incident in which prosecution is considered necessary is essentially the end of the line of the enforcement process.

The Council also responds to complaints generally within four hours, so that there is early intervention to any known pollution incident. The procedures in the monitoring and enforcement guides support this approach and ensure that pollution does not continue unabated.

Where non-compliance occurs, a three-staged approach to enforcement is generally available. Council officers will, in normal circumstances, provide the opportunity for an offending party to correct the situation. In many cases, resource users may not be aware that they have breached the Council's, and indeed the Act's requirements, therefore provision is made for these persons to rectify the situation, prior to punitive enforcement action being taken. An abatement notice is the normal method of presenting a warning and requiring corrective action.

The Act allows the Council discretion over how, when, and where to use the enforcement provisions of the Act. To assist in any assessment, some guiding principles have been developed to act as decision-making guidelines. The Council and its officers will have regard to these when evaluating the use of enforcement provisions and/ or other alternatives. These principles are set out below with a brief explanation:

- **Transparency**
We will provide clear information and explanation to the community, and those being regulated, about the standards and requirements for compliance. We will ensure that the community has access to information about industry environmental performance as well as actions taken by us to address environmental issues and non-compliance.
- **Consistency of process**
Our actions will be consistent with the legislation and within our powers. Compliance and enforcement outcomes will be consistent and predictable for similar circumstances. We will ensure that our staff have the necessary skills and are appropriately trained, and that there are effective systems and policies in place to support them.
- **Fair Reasonable and Proportional approach**
We will apply regulatory interventions and actions appropriate for the situation and all classes of consent holders/resource users may expect to be impartially and fairly treated via the same process regardless of the type and size of resource use. We will use our discretion justifiably and ensure our decisions are appropriate to the circumstances, and that our interventions and actions will be proportionate to the risks posed to people and the environment and the seriousness of the non-compliance.
- **Evidence Based, informed**
We will use an evidence-based approach to our decision making. Our decisions will be informed by a range of sources, including sound science, the regulated parties, information received from other regulators, members of the community, industry and interest groups.
- **Collaborative**
We will work with and, where possible, share information with other regulators and stakeholders to ensure the best compliance outcomes for our region. We will engage with the community, those we regulate and government to explain and promote environmental requirements, and achieve better community and environmental outcomes.
- **Lawful, ethical, and accountable**
We will conduct ourselves lawfully and impartially and in accordance with these principles and

relevant policies and guidance. We will document and take responsibility for our regulatory decisions and actions. We will measure and report on our regulatory performance.

- **Targeted**
We will focus on the most important issues and problems to achieve the best environmental outcomes. We will target our regulatory intervention at poor performers and illegal activities that pose the greatest risk to the environment. We will apply the right tool for the right problem at the right time.
- **Responsive, effective and efficient**
We will consider all alleged non-compliances to determine the necessary interventions and action to minimise impacts on the environment and the community and maximise deterrence. We will respond in an effective and timely manner in accordance with legislative and organisational obligations whilst keeping the costs to the ratepayer to the most practical minimum through providing a system that is unduly bureaucratic or that is unduly costly to administer.

The following enforcement tools available to Council include:

- **Abatement Notice:** An enforcement officer has the power to issue an abatement notice. An abatement notice is a lower level enforcement tool and requires a person to take or cease action to address adverse environmental effects. The Council can issue an infringement notice or prosecute (see below) for contravention of an abatement notice. Abatement notices are used instead of letters because they have statutory force and are more likely to be complied with.
- **Infringement Notice:** An enforcement officer has the power to issue an infringement notice to a person committing an infringement offence. The Council is entitled to retain all infringement fees. An infringement notice does not result in a conviction and is another lower level enforcement tool, entailing an economic penalty.
- **Application for an Enforcement Order:** The Council can apply to the Environment Court for an enforcement order that requires a person to take or cease action to address adverse environmental effects. In relation to a dairy farm, this could say be used to stop the farmer from continuing to discharge dairy shed waste to land without a resource consent. Essentially, in the enforcement order process the weight of the courts and the judicial system comes in behind the authority of the Council to apply the Resource Management Act.
- **Application for an Interim Enforcement Order:** The scope of an interim enforcement is the same as for an Enforcement Order, but is a quicker method of obtaining an Enforcement Order. It involves the Council making an application without notice to the respondent to a Judge for an Order that requires a person to take or cease action to address adverse environmental effects.
- **Emergency work:** The Council has the power to invoke emergency works. This mechanism is used when immediate action is required to avoid adverse effects of land, air and water resources. In the case of a dairy farm, this could relate to, say, the imminent collapse of the wall of a dairy shed pond which, if it occurred, would pollute a nearby river.

As noted above, as a last resort, the Council can initiate a prosecution which is a tool not noted above. The decision to prosecute is not taken lightly. The Chief Executive, assisted by other senior staff, makes the decision about whether to prosecute or not. Appropriate Council staff have the delegations in place to use the other enforcement methods. All compliance officers are able to issue abatement notices.

The Council has promulgated two documents, noted below, specifically relating to enforcement, and these can be referred to for further details:

- [Enforcement Provisions and Procedures under the RMA \(2017\)](#).

This document serves to set out, as far as is practicable, the manner in which the Council and its officers will act when implementing the Act's enforcement provisions. It provides detailed guidance for staff conduct and procedures when using the various provisions and has been developed within a general enforcement policy framework); and

- [RMA Enforcement Policy \(2017\)](#).

This document sets out in more detail how and when the Council will take enforcement action. The Council has appointed enforcement officers to police its statutory functions and responsibilities. The Act states that the Council may authorise any of its officers to carry out all, or any, of the functions and powers of an enforcement officer. Staff of the Compliance Section of the Council are the first line response to most complaints, spills and investigations. Nevertheless, such authorisations have also been delegated to technical and monitoring staff, and the like, who will on occasion be engaged in monitoring, sampling or survey work, and who may well assist in gathering evidence of possible non-compliance.

The use of enforcement methods under the Act for the last seven years are summarised in Figures 5,6 and 7 below for the dairy production industry and comparative data provided for all other activities. Figure 4 above shows the compliance rate for farm dairy consents for the last seven years. The annual non-compliance rate over the last 15 years ranges from 3% to 9 % and includes the following:

- Minor non-compliance – those consents where an abatement notice was issued requiring actions to be undertaken. This is generally where there is no adverse environmental effect. Where a minor adverse environmental effect occurs an infringement notice is issued.
- Significant non-compliance – those consents where non-compliance is ongoing and a prosecution may be undertaken.

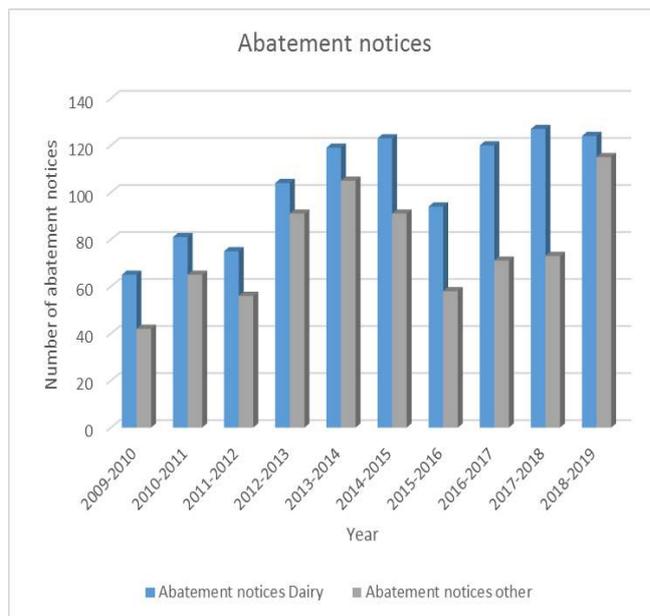


Figure 5 Abatement Notices issued between 2009 and 2019.

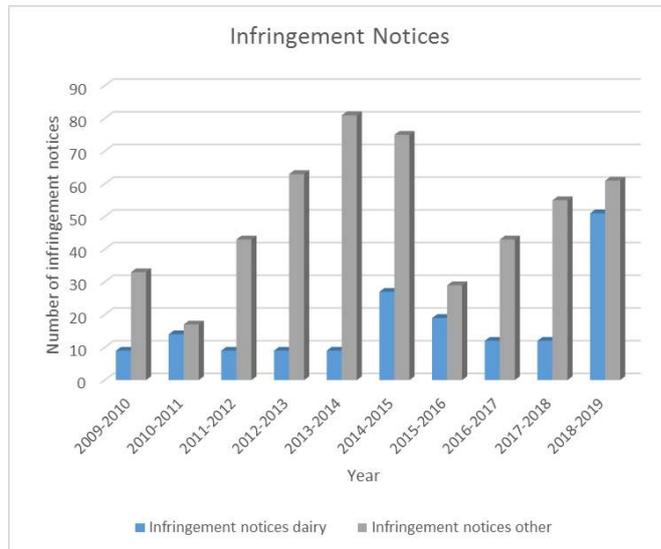


Figure 7 Infringement notices issued between 2009 and 2019

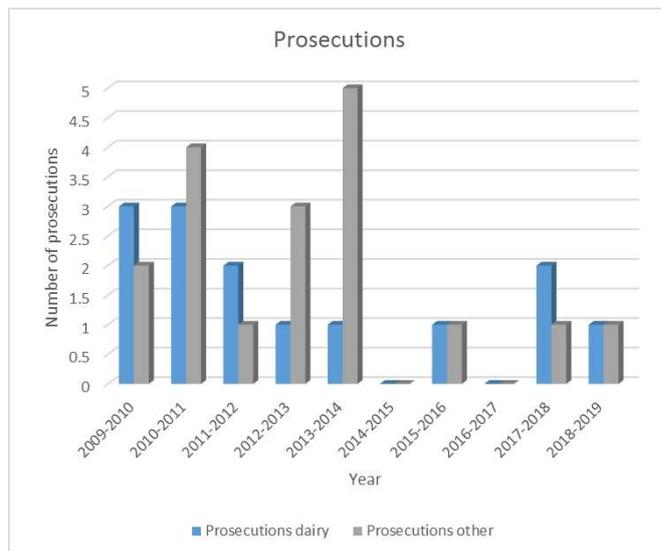


Figure 6 Prosecutions undertaken and successful between 1999 and 2019

[Refer

RMA Enforcement Policy, 2017
 Taranaki Regional Council Delegations Manual 2017
 Farm Dairy Discharges Standard Operating Procedures for Consent Processing and Compliance Monitoring document]

8 Education and advice

The Council places great store in education and advice as valuable tools to achieve its (and the Act's) aims and objectives. The Council has in fact reflected this in its motto or slogan:

"Working with people – caring for Taranaki."

The Council has for many years recognised that the economic, social and environmental goals of the region can often be more effectively achieved through a collaborative approach, that is, working together with and alongside people and the community rather than relying on regulatory and enforcement methods alone. The basis for this approach is quite straight forward – simply put, it is the philosophy that people are the solution to our issues, rather than the problem.

With regard to the dairy production industry and this document, Council has for over 35 years been providing on-farm advice and assistance with regard to farm dairy shed waste disposal. Council advises a consent holder to engage a professional to design a suitable long term disposal system for their farm, including directing the consent holder or authorised agent to guidelines for storage and spray irrigation, which have been published by DairyNZ. Also, Council has published design and operation guidelines for oxidation ponds systems.

Use is made of material prepared by the dairy industry in the education process and the Council will continue to act collaboratively with the industry and other councils to prepare and make available manuals and other material.

The Council is also committed to communicating the results of its monitoring and other environmental investigations, through its five-yearly state of the environment trends reports, its statutorily-required and more formal State of the Environment reports, and other publications. These publications and advisory tools have the aim of alerting the community to emerging trends, good or bad, and therefore seeking input into what if anything should be done or changed in order to correct any deteriorating situation.

All of the Council's educative and advisory activity is summarised each year in the Council's Annual Report.



Photo 6 Inspector provides advice and assistance to the farmer

[Refer

Design, Construction and Maintenance Guidelines for Dairy shed and Feed Pad Wastes
Design, Construction and Maintenance Guidelines for Spray Irrigation]

9 Research

The Council has undertaken in the past, and will continue to undertake, various pieces of research associated with the Taranaki environment, the uses made of it, and any associated environmental effects. Good science is necessary to successfully develop policy, to stay abreast of best current practice, and undertake effective consenting, monitoring, and enforcement.

With regard to the dairy industry, such research has included:

- a detailed investigation of whether oxidation ponds designed, sited, constructed and operated in accordance with the Council's guidelines (updated in accordance with recognised best practice) routinely and reliably achieve the biological and physicochemical water quality objectives and standards required of these discharges;
- regular monitoring of region-wide water quality (surface and ground waters) and aquatic ecosystems, and from this work determining whether or not there are any demonstrable detrimental impacts caused by various uses, including the dairy industry, and determining trends in the state of the region's surface and ground waters to confirm progress towards objectives and goals stated in the Council's planning documents;
- investigations into the impact of irrigation of dairy shed waste on the quality of underlying ground water, including assessing loading rates and loss rates;
- regional continuation of the former national 'best practice in dairying catchments' study; and
- investigations into options for reducing the hydraulic loadings on ponds (and hence enhancing treatment capability at minimal additional cost).

The Council views research as an important component in monitoring whether its policies and plans are effective or not, and ultimately to the aim of continuous improvement.

The research carried out is all what is called applied, that is targeted to specific circumstances and scenarios, and is designed to assist the Council carry out its functions more cost-effectively.

The Council may undertake any research on its own, or may join with other organisations, and for issues of larger, even national significance, may join with other Councils or research providers in carrying out the research.

Council staff also routinely review scientific publications and meet with staff of other councils, in special interest groups), to ensure that they are staying abreast of new developments and findings.

With the trend towards land irrigation of farm dairy effluent waste, research is being directed to land based loading rates and measures to reduce environmental effects.

10 Costs and cost recovery

The Act allows the Council the ability to fix different charges for different costs it incurs in the performance of its various functions, powers, and duties under the Act. Section 36 of the Act allows the Council to fix charges for a number of activities.

When fixing charges and in determining any additional charge, the Council is obliged to have regard to the principles and criteria set out in the Act. In accordance with these principles, charges must be:

- **Lawful:** The charge fixed is allowed by and provided for in accordance with the requirements of the Resource Management Act and the Local Government Act;
- **Reasonable:** The sole purpose of a charge is to recover the reasonable costs incurred by the Council in respect of the activity to which the charge relates;
- **Equitable:** The charge set reflects the benefits to the community and to consent holders when setting a charge. It would be inequitable to charge consent holders for resource management work undertaken for the interests of the regional community, and *vice versa*;
- **Justified:** The charge set reflects the costs incurred as a result of the consent holder's activities and/or must reflect the benefits obtained by that person as distinct from the regional community. The Council can only charge consent holders to the extent that their actions have contributed to the need for the Council's actions and/or to the extent that they derive benefits from the Council's actions;
- **Uniformly applied:** Irrespective of the location of an activity within the region, the Council will aim to provide the same service, for the same price. Charges should be applied uniformly and consistently to users whose activities require them to hold a consent, and where the Council incurs ongoing costs;
- **Simple to understand and administer:** Charges set should be clear and easy to understand. The administration and collection of charges should also be simple and cost effective;
- **Transparent:** Charges should be calculated in a way that is clear, logical and justifiable. The work of the Council, for which costs are to be recovered, should be identifiable; and
- **Predictable and certain:** Consent applicants and resource users are entitled to certainty about the cost in their dealings with the Council. The manner in which charges are set should enable customers to evaluate the extent of their liability.

In terms of this Programme, the Council may charge for:

- its costs associated with receiving and processing resource consent applications; and
- its costs associated with administering and monitoring resource consents, including for the annual inspection, non-compliance re inspection and consent transfers.

Further details can be found within the Council's document 'Charging Policy Under Section 36 of the Resource Management Act' and in the Long-Term Plan (LTP).

Under the Council's charging policy, the consent holder meets 100% of the cost of the monitoring. For farm dairy effluent discharges, there is an additional non-compliance charge for additional monitoring.

Under the Council's charging policy, the consent applicant meets 100% of the cost of the process.

The cost of a consent transfer is set out in the LTP and the user meets 100 % of the cost.

For specific monitoring and consenting, as noted above the Council recovers 100% of the cost. However, under the LTP the activity of monitoring only recovers 70% of its costs recognising provision of the important advice and information element. A similar situation exists for consent processing except the figure is 60%.

For any non-compliance there may be infringement notices and associated non-compliance costs.

[Refer
Charging policy under section 36 of the RMA, 1997
Taranaki Regional Council 2018/2028 Long-Term Plan, 2018]

11 Training

The Council conducts initial and ongoing staff training to ensure that all staff involved in the Farm Dairy Discharge Monitoring Programme have the necessary knowledge, expertise and experience to implement the Programme in a fully competent and professional manner, and to ensure there are sufficient staff for the Council to deliver a comprehensive programme.

Key elements of the Council's training programme are:

- A comprehensive induction programme for new staff to familiarise them with all relevant policies, rules and procedures. This includes one to one guidance and mentoring from senior experienced staff, hands-on training, and familiarisation with equipment, inspection sampling and testing protocols and field procedures, before new staff take on independent duties.
- Information sharing through regular staff meetings to discuss issues that have arisen, problems encountered, and solutions and improvements made to practice.
- Monthly reporting and tracking of performance with review by section managers.
- An annual Individual Development Programme whereby any professional or personal development or training needs relevant to the officers' duties are identified and a programme put in place to meet those needs. Conflict de-escalation training is a recent example. This programme is reviewed at six monthly intervals. Both use the Council's Cognology database tool.
- Regular rotation of Council staff on inspection duties to have them become equally adept and competent in all areas of the Council's inspection regime and to avoid the potential for complacency.
- Attendance at internal or external workshops, seminars, demonstrations etc. relevant to the officers' duties.
- Ongoing liaison and information sharing with other councils, industry groups and other stakeholders on best practice.
- General encouragement and support for officers to keep abreast of changes and developments in science, technology and practices relevant to the management of farm dairy discharges.

Properly qualified Council staff are critical to the successful implementation of the Farm Dairy Discharge Monitoring Programme. Council staff maintain a high profile among the farming community in undertaking regular inspections and in offering information and advice. The Council places a very high priority on competent, professional and well-trained staff.

12 Quality assurance and control

In everything the Council does, from inspecting dairy shed oxidation ponds to preparing its State of the Environment Reports, there requires to be sufficient, robust quality control, to ensure that everything is “above board, ship-shape and as it should be” – the community (as well as the Courts) expects nothing less.

The Council’s quality control and assurance programmes underpin all aspects of the Farm Dairy Discharge Monitoring Programme. Key components of quality assurance and control relating to this programme are:

- regular calibration of the field test equipment and devices (computers), even to the extent of formal calibration of Inspection Officers’ noses, for dealing with odour complaints;
- a formal quality accreditation for the Council contractors laboratory;
- comprehensive and regular quality control checks of all of the Council’s databases, including IRIS and the Incident Register;
- routine water quality testing associated with the catchment renewal regime, to ensure that there are no detrimental environmental effects being caused or likely to be caused by dairy shed discharges within the catchment;
- initial followed by ongoing staff training, including for the purposes of this Strategy a formal liaison with Fonterra and Open Country Cheese and other related stakeholders, which then extends to routine rotating of Inspectorate staff in order to have them become equally adept and competent in all areas of the Council’s monitoring regime;
- participation in the Compliance and Enforcement special interest group compliance and enforcement audit programme; and
- the Council’s commitments to reviewing its policies and plans every five years, and procedure documents as required, including with stakeholder consultation and input, peer review, public submissions and appeals.

13 Review and reporting

As with anything the Council is involved with, time brings changes, and as a consequence this document will likely require review and, if necessary, amendment.

The Council plans to regularly review this document, and as well whenever changes and improvements have been made (e.g. to treatment technology), more particularly to ensure the continuing effectiveness of the policies, plans, rules and measures outlined above in achieving the region's and Act's objectives for sustainable management of natural and physical resources.

As well, at the end of every monitoring year, the Council's Inspectorate section will undertake a review of the effectiveness and "performance" of this programme, any new issues arising and lessons learned will be formally recorded, and where necessary, changes made to this programme as appropriate.

The results of the monitoring programme, like this one, are reported to the Council and the community each year.

14 References

Note the following are not all referenced in this document but were used to develop the programme over the years:

- Dairying and Environment Committee: 'Dairying and the Environment – Managing Farm Dairy Effluent'. 1996.
- Dairying and Environment Committee: 'Managing Farm Dairy Effluent'. Revised and updated version. 2006.
- Dexcel: 'Minimising Muck, Maximising Money – Stand-off and feed pads design and management guidelines'. 2005.
- Heatley P R: 'Dairying and the Environment Manual: Managing Farm Dairy Effluent.' Dairying and the Environment Committee, NZ Dairy Research Institute, NZ. 1996.
- Hickey C W, Quinn J M, and Davies-Collier R J: 'Effluent characteristics of dairy shed oxidation ponds and their potential impacts on rivers'. NZ Journal of Marine and Freshwater Research. 1989.
- Ministry for the Environment: 'Resource Management -Water Quality Guidelines No 1'. 1992.
- Ministry for the Environment: 'Resource Management -Water Quality Guidelines No 2'. 1994.
- Ministry for the Environment: 'RMA Practice and Performance: are designed environmental outcomes being achieved? A case study of farm dairy effluent management'. 1999.
- Taranaki Regional Council: 'Dairy Effluent Pond Guidelines'. 2013
- Taranaki Regional Council: 'Regional Policy Statement for Taranaki '. 2010.
- Taranaki Regional Council: 'Regional Fresh Water Plan for Taranaki '. 2001.
- Taranaki Regional Council: 'Resource Management Act Enforcement Policy'. 2017.
- Taranaki Regional Council: 'Farm Dairy Discharge Standard Operating Procedures for Consent Processing and Compliance Monitoring'.
- Taranaki Regional Council: 'Resource Consents Procedures Document'. 2003.
- Taranaki Regional Council: 'Resource Consents Monitoring Procedures Document'. 2003.
- Taranaki Regional Council: 'Design, Construction and Maintenance Guidelines for Dairyshed and Feed Pad Wastes'.
- Taranaki Regional Council: 'Design, Construction and Maintenance Guidelines for Spray Irrigation'.
- Taranaki Regional Council: 'Charging Policy under Section 36 of the RMA'. 2001.
- Taranaki Regional Council: 'Taranaki Regional Council Delegations Manual'. Updated July 2017.
- Taranaki Regional Council: '2018/2028 Long-Term Plan'. 2018.
- Taranaki Regional Council: 'Freshwater Macroinvertebrate Fauna Biological Monitoring Programme Annual State of the Environment Monitoring Report 2016-2017. 2018.
- Taranaki Regional Council: 'RMA Enforcement Policy'. 2017.
- Taranaki Regional Council: 'Enforcement Provisions and Procedures under the Resource Management Act'. 2017.
- Taranaki Regional Council: 'Freshwater Physicochemical Programme State of the Environment Monitoring Annual Report 2016-2017' 2018.
- Taranaki Regional Council: 'Dairy shed oxidation pond discharges in Taranaki, Volumes I & II'. 2006.
- Taranaki Regional Council: 'Taranaki as One- Taranaki Tangata Tu Tahī: State of the environment Report 2015'.
- Vaderholm, D H: 'Agricultural Waste Manual'. N Z Agricultural Engineering Institute Project Report No. 32. NZAEI, Lincoln College, NZ. 1984.



Date: 8 June 2021

Subject: **Hearing Panels Decision on Remediation (NZ) Ltd Discharge Applications**

Approved by: A D McLay, Director - Resource Management
S J Ruru, Chief Executive

Document: 2786448

Purpose

1. The purpose of this memorandum is to formally advise the Taranaki Regional Council of the decision of the Hearing Panel which heard applications by Remediation (NZ) Ltd to:
 - a) Discharge contaminants to land, including in circumstances which may result in those contaminants (or other contaminants emanating from those contaminants) entering water in the Haehanga Stream catchment;
 - b) Discharge contaminants directly to an unnamed tributary of the Haehanga Stream; and
 - c) Discharge contaminants to air.

The Hearing Panel comprised Councillor Michael Joyce [Chair], Councillor Neil Walker and commissioner Rawiri Faulkner and their decision is attached for Members' information. The Commissioners were delegated the power to hear the applications and submissions by the Council.

Recommendations

That the Taranaki Regional Council:

- a) receives the report and decision of the Hearing Panel that heard applications by Remediation (NZ) Ltd to discharge to land, air and water.
- b) notes that the Hearing Panel have, under delegated authority from this Council, declined the resource consents sought.
- c) notes that the decision can be appealed within 15 working days and in law Remediation (NZ) Ltd can continue to operate under their existing consents until any appeals are resolved.

Background

2. Remediation (NZ) Ltd is a vermicast (worm casting) and compost production company that supplies organic fertiliser to both organic and conventional growers.
3. Remediation (NZ) Ltd lodged an application to renew consents 5838-2.0 and 5839-2.0. The consents expired in June 2018, but in accordance with Section 124 of the Resource Management Act, Remediation (NZ) Ltd has continued to operate under the existing consents.
4. The consent process is now the responsibility of the Environment Court going forward and as such the Council will not make public statements.

Financial considerations—LTP/Annual Plan

5. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

6. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

7. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan. Similarly, iwi involvement in adopted work programmes has been recognised in the preparation of this memorandum.

Community considerations

8. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

Legal considerations

9. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Appendices/Attachments

Document 2784838: Decision of Hearing Panel - Remediation (NZ) Ltd 5838-3.0 & 5839-3.0

Hearing before a Hearing Panel appointed by the Taranaki Regional Council



Resource consent application

Being in relation to an Application of **Remediation (NZ) Limited** to;

- a) Discharge contaminants to land, including in circumstances which may result in those contaminants (or other contaminants emanating from those contaminants) entering water in the Haehanga Stream catchment;
- b) Discharge contaminants directly to an unnamed tributary of the Haehanga Stream; and
- c) Discharge contaminants to air.

The application for consents 5838-3.0 and 5839-3.0 was made in accordance with the Resource Management Act 1991 (the RMA), and lodged with the Taranaki Regional Council (the Council).

HEARING PANEL DECISION

Dated: 26 May 2021

Decision: The resource consent application is **Declined**

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1 Proposal Overview, Location, and Existing Character

1.1 Introduction

1. The proposal and the receiving environment are set out in full in the Council Officers' Report¹. A summary of the proposal is given below.
2. The Council Officers' Report, which was provided 15 days before the hearing, recommended granting the consents subject to the conditions they saw necessary to achieve the purpose of the RMA. After hearing the evidence, Council Officers modified their recommended conditions.

1.2 Proposed activity

3. Remediation (NZ) Limited (the Applicant) is a vermicast (worm casting) and compost production company that supplies organic fertiliser to both organic and conventional growers. These products are produced from a range of locally sourced organic waste streams such as paunch² and chicken mortalities.
4. The site receives over 100,000 tonnes of organic waste every year³.
5. The vermiculture operation is carried out from Pad 2, which receives paunch only. The worms within the beds digest the paunch and convert it into vermicompost⁴ and then to vermicast. Stormwater runoff and leachate from the paunch pond is directed to a wetland treatment system (WTS), which discharges to an unnamed tributary of the Haehanga Stream.
6. Pad 1 receives organic material which will then be blended with shredded green waste and untreated sawdust to achieve the required carbon/nitrogen ratios, and windrowed. Stormwater and leachate from Pads 1 and 3 is collected and directed to a pond treatment system (PTS) before being irrigated to land.
7. The stormwater and leachate will be irrigated to 8 separate irrigation areas, providing a total irrigation area of 13.18 ha⁵.
8. Pad 3, formerly referred to as the 'drilling mud pad', now holds more than 20,000 tonnes of stockpiled material. Drilling waste material along with organic material (such as chicken mortalities, fish waste, hatchery waste, and any other organic material), was unloaded into the collection pond beside Pad 3. This material was removed with a digger and blended with bulking agents, such as shredded greenwaste, sawdust, and wood shavings, and then stockpiled on Pad 3.

¹ Prepared in accordance with Section 42A of the RMA.

² Partly digested grass from a cattle beast's stomach at slaughter.

³ Remediation NZ consent application, page 2.

⁴ Humus-like material produced by worm composting.

⁵ Council Officers' Report, paragraph 81.

9. Contrary to what was described in the previous consent applications (2010), the current application indicates that the vermiculture and composting processes operate completely separate to one another i.e. none of the material received on Pad 1, or the drilling waste, have gone through the vermiculture process as previously stated (resulting in the stockpile on Pad 3).
10. As a result of the issues associated with the existing stockpiled material, the Applicant stopped receipt of all drilling waste material as of 31 December 2020 – although it is our understanding that organic material continues to be deposited to the collection pond and added to the stockpile.
11. If the stockpiled material is unable to be sold off-site, the Applicant proposes to utilise the material as a ‘soil conditioner’ onsite.
12. The application proposes to mitigate adverse effects of the proposed activities by implementing the following measures to improve onsite management:
 - further expansion of the irrigation area to a total of 13.18 ha (confirmed by way of drone survey);
 - steps to manage the stockpiled material on Pad 3 that has been unable to be sold off-site due to its association with drilling activities;
 - changes to site operations to reduce nutrient and contaminant loads in the irrigation ponds;
 - having a detailed understanding of the nitrogen cycle onsite, and steps to mitigate N losses/leaching;
 - the decision to cease the receipt of drilling waste material as of 31 December 2020.

1.3 Location and existing character

13. The subject site is 641 ha in total area and the composting operations (which occupy a small area of the site), are situated approximately 1.3 km inland of State Highway 3 and approximately 2 kilometres from Uruti Village.

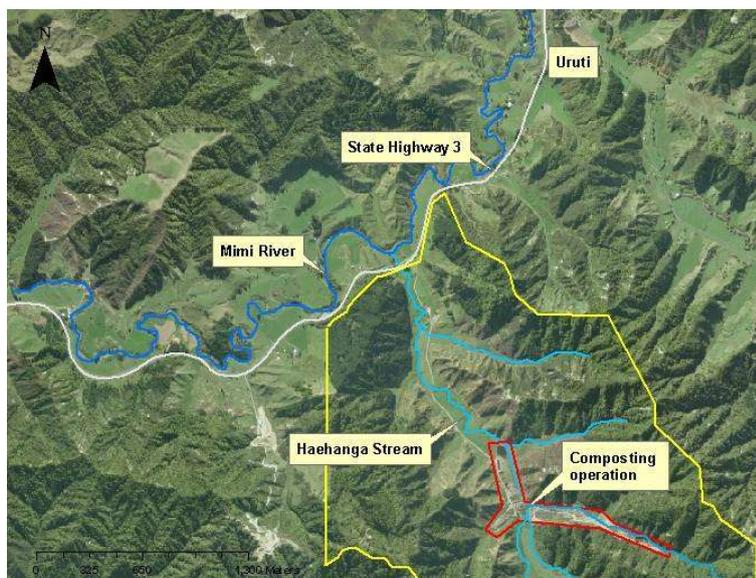


Figure 1: Location of the subject site

14. The Council Officers' Report⁶ describes the location as an erosive-type environment that naturally generates a sediment load within the watercourses, especially during heavy rainfall events. The surrounding hills are steep with a mixture of grass cover, scrub, and native bush, and the valley floor is generally comprised of shallow alluvial soils with a papa clay base.

2 Report structure

15. Our report is structured to provide a decision with respect to the resource consent application.
16. Resource consent applications require a decision to be made, either granting consent (with or without conditions), or declining consent. Statutorily, we must consider certain matters with respect to this resource consent application, however at the outset we note that Section 113(3) of the RMA states:

A decision prepared under subsection (1) may,

(a) instead of repeating material, cross-refer to all or a part of -

(i) the assessment of environmental effects provided by the applicant concerned:

(ii) any report prepared under section 41C, 42A, or 92; or

(b) adopt all or a part of the assessment or report, and cross-refer to the material accordingly.

17. We intend to adopt the approach enabled by Section 113(3) in this decision.
18. Section 113(1) also identifies the matters that we must include in our decision.
19. Where we have generally agreed with the Applicant, Council Officers, submitters or technical expert evidence, we will cross reference where possible to avoid unnecessary duplication.

3 Resource Consents

3.1 Resource consents required

20. The Applicant seeks resource consent from the Council under both the operative Regional Freshwater Plan for Taranaki (RFP) and the operative Regional Air Quality Plan for Taranaki (RAQP). The consents are to replace those that expired in 2018.
21. Since 2018, the Applicant has been operating under the expired consents in accordance with Section 124 of the RMA.

3.2 Previous consents

22. Consents 5838-1.0 and 5839-1.0 were first granted by the Council on 24 July 2001. On 27 May 2010, a Council appointed Hearing Committee determined that the applications be renewed for a period of 8 years, subject to conditions which placed emphasis on the use and appropriate management of treatment facilities.

⁶ Council Officers' Report, paragraphs 113-114.

23. The consents were granted on the basis that the activities would be undertaken as described in the applications, i.e.:
- material received on Pad 1 would be blended with shredded greenwaste and then screened and blended for sale;
 - paunch received on Pad 2 would be wedge piled, fed to the worm beds, and then screened and dried to form vermicast (which is then sold);
 - drilling waste received in the collection pond would be blended with bulking agents (shredded greenwaste and sawdust) prior to being stockpiled in rows for composting, and then processed through the vermiculture process.
24. However, almost all of the material received onsite for the past 10 years, including some unauthorised material (but also authorised organic material that could otherwise be composted), has been deposited into the collection pond, blended with bulking agents, and then stockpiled on Pad 3⁷.
25. As a result, the stockpile on the Pad 3 is now greater than 20,000 tonnes. This material does not comply with composting standards (after approximately 15 years) which the Applicant believes to be a result of ineffective turning of the material and not turning it frequently enough. This has caused what's referred to in the application as a "legacy" issue, as the Applicant has been unable to sell this product off-site due to its association with drilling activities.

4 Process Before Hearing

4.1 Consultation

26. The Applicant had direct consultation with Ngāti Mutunga prior to lodging consent, which included a site visit on 28 September 2017⁸. Representatives also met with Ngāti Mutunga officials on 18 April 2018 and 17 May 2018. A further site visit was undertaken on 8 June 2018⁹.
27. The Applicant also had meetings and discussions with immediate neighbours of the operation.
28. We understand that a common issue raised in engagement with immediate neighbours was the nature and extent of odour generated from the property, and the perceived lack of action by the Applicant to avoid, remedy or mitigate this.
29. The cultural significance of the area to Ngāti Mutunga was discussed and this is covered in more detail later in this report. It is our understanding that a breakdown in the relationship between the Applicant and Ngāti Mutunga had a direct impact on early and meaningful consultation.

4.2 Public notification and submissions

30. The application was publicly notified on 12 January 2019. Notice of the application was served on 8 affected/interested parties including individuals and organisations.

⁷ Council Officers' Report, paragraph 22.

⁸ Council Officers' Report, paragraph 132.

⁹ Remediation NZ consent application section 6, page 82.

31. Twenty two (22) submissions were received. Ten (10) submissions were received in support or conditional support of the proposal, and twelve (12) were received in opposition. No neutral submissions were received. The submitters were:

- Glen & Dawn Bendall
- Sydney & Jennifer Baker
- Vikki Bazeley
- Paora Laurence
- Carol Shenton
- Urs Singer
- Climate Justice Taranaki Incorporated
- Anne-Maree McKay
- Rawiri McClutchie
- Te Runanga o Ngāti Mutunga
- Taranaki Energy Watch (TEW)
- Urenui & Districts Health Group Incorporated
- Fonterra Kapuni
- Ross Whelan (Contract Resources)
- Tegel Foods Ltd
- Clelands Tiimber
- Brough Earthworks Ltd
- Blackstock Roadsweeping
- Waste Management NZ Ltd
- Envirowaste NZ Ltd
- Intergroup Ltd
- New Plymouth District Council (NPDC)

32. The issues raised in the submissions were summarised in the Council Officers' Report¹⁰. We see no need to repeat this level of detail in this decision. We adopt that summary and address the principal issues in contention in section 7 of this decision report.

33. Prior to the hearing closing, the following organisations withdrew their submissions and therefore any material associated with these submissions was not taken into account by the Hearing Panel:

- Fonterra Kapuni
- Brough Earthworks
- Waste Management NZ
- NPDC

¹⁰ Council Officers' Report, pages 34-39.

4.3 Pre-hearing meeting

34. A pre-hearing meeting was held on 31 August 2020. Details of this meeting are included in the Council Officers' Report¹¹.
35. The report notes that no issues were resolved at the meeting.¹²

4.4 Site visit

36. The Hearing Panel undertook a site visit on 23 March 2021. We were accompanied by Jared Glasgow (Senior Investigating Officer), and were met by Herbert Van Veen (Remediation NZ).
37. We visited a number of areas including Pad 3, an irrigation paddock, vermicast area, wetland and site operations office. We also viewed the air sanitiser in operation.
38. As with most site visits, it was very useful to see the operation and we thank the staff for their co-operation.

4.5 Commissioners' minutes

39. We issued a Minute on 28 April 2021 formally closing the hearing.
40. We issued a second Minute on 18 May 2021 which extended the time limit for giving notice of a hearing decision by 5 working days¹³.

5 Expert Conferencing

41. No expert or joint witness conferencing was undertaken.

6 Hearing Overview and Matters in Contention

6.1 Hearing Panel appointments

42. The Hearing Panel comprising Councillors Michael Joyce (Chair) and Neil Walker, and independent commissioner Rawiri Faulkner was delegated authority by the Council under Section 34A(1) of the RMA to hear and determine the resource consent application.

6.2 Hearing schedule

43. The hearing was held over 24 and 25 March 2021 at the Devon Hotel, New Plymouth. The hearing was formally closed on 28 April 2021 via Minute 1, after we received further information that had been requested during the hearing.

¹¹ Council Officers' Report, paragraphs 145-148.

¹² Council Officers' Report, paragraph 148.

¹³ In accordance with Section 37A of the RMA.

6.3 Applicant appearances

44. We heard from the Applicant and their expert witnesses. The Applicant's representatives and expert witnesses included:
- John Maassen (Legal Counsel)
 - David Gibson (Remediation NZ General Manager)
 - Kathryn Hooper (Planner)
 - Andrew Curtis (Chemical Engineer and Air Quality Expert)
 - Colin Kay (Agricultural Consultant)
 - Hayden Easton (Water Scientist and Stormwater Management Expert)

6.4 Council appearances

45. We heard from Matt Conway (Legal Counsel) and Colin McLellan (Consents Manager). Also in attendance from the Council was Kim Giles (Consents Officer) and Nathan Crook (Environmental Scientist).

6.5 Submitter appearances

46. We heard from 10 individual submitters. The individual submitters were:
- Ngāti Mutunga
 - Carol Shenton
 - Rawiri McClutchie
 - Anne-Maree McKay
 - Glen & Dawn Bendall (with support from John Oxenham)
 - Jennifer Baker
 - Taranaki Energy Watch (Sarah Roberts)
 - Paora Laurence
 - Climate Justice Taranaki (Catherine Cheung)
 - Urenui & Districts Health Board (Rodney Baker and Alison Gillespie)
47. Members and supporters of Ngāti Mutunga were assisted by technical evidence and legal submissions. The following gave technical evidence or legal submissions on behalf of Ngāti Mutunga:
- Sarah Ongley (Legal Counsel)
 - Jamie Tuuta (Chair of Ngāti Mutunga)
 - Anne-Maree McKay and Marlene Benson (Environmental Officers)
 - Katie Beecroft (Environmental Scientist)
 - Kathryn McArthur (Freshwater Expert)
48. Individual submitters were also assisted by technical evidence and legal submissions. The following gave technical evidence or legal submissions on behalf Glen and Dawn Bendall:
- Ruby Haazen (Legal Counsel)
 - Duncan Backshall (Air Quality Expert)

49. The main concerns of submitters in opposition included:
- Offensive and objectionable odour;
 - The adverse effects of the proposed activity on the Haehanga Stream and Mimitangiata River;
 - The impacts of the proposed activity on the cultural values of Ngāti Mutunga;
 - Non-compliance with existing consents;
 - The proposed activity being inconsistent with the National Policy Statement for Freshwater Management (NPS-FM), the Regional Policy Statement (RPS), the Regional Air Quality Plan (RAQP), and the Regional Fresh Water Plan (RFWP);
 - Adverse effects on the health of the community including skin irritation, asthma and respiratory issues.
50. Submitters in support of the application identify the following positive aspects:
- No other facility like this one exists in Taranaki;
 - Sustainable disposal of waste that would otherwise go to landfill;
 - Well-constructed drop off and wash down facility;
51. These issues are addressed in more detail in this decision.

7 Principal Issues in Contention

52. Section 113(1) of the RMA requires us to identify the principal issues of contention and to state our main findings in relation to those issues.
53. The Applicant provided an extensive summary of these matters as part of the Assessment of Environmental Effects report (AEE). Having considered the application documents, the submissions, the evidence presented to the hearing and the Council Officers' Report, we consider that the following are the principal issues in contention.

7.1 Discharges to water – Issues and effects

54. The AEE¹⁴ provides a summary of the effects of the discharges on water quality. These include flora and fauna, amenity, cultural values and mahinga kai.
55. In her planning evidence,¹⁵ Ms Hooper provides a response to the Ngāti Mutunga concerns and NPS compliance.
56. The main areas in contention are summarised below.

Applicant evidence and submissions

57. Expert evidence was presented by Ms Hooper and Mr Easton on behalf of the Applicant.

¹⁴Remediation NZ AEE, paragraph 7.2.1.

¹⁵ Evidence of Kathryn Hooper, paragraph 44.

58. Mr Easton's evidence stated that the treatment ponds and wetland treatment system are holding water (therefore groundwater contamination from these sources is likely to be negligible), and that storm water is controlled and directed to treatment devices.
59. Mr Easton also concluded that the concentration of Total Ammoniacal Nitrogen (TAN) at some monitoring sites exceeded the national bottom line guidelines in the NPS-FM. However, Ms Hooper's evidence argued that the Applicant has committed to transition their site operations to achieve the bottom lines, and that the NPS-FM certainly didn't anticipate 100% compliance the day it came into force.

Council Officers' Report

60. The Council Officers' Report included an assessment of previous monitoring data, which showed an increase in certain contaminants down the length of the Haehanga Stream. The report notes that the concentrations of contaminants were compliant with consented limits. However, it also notes that the national bottom line values for ammonia (outlined in the NPS-FM) are currently being exceeded, and therefore recommended a consent condition that required the standard to be complied with by June 2026. After hearing evidence at the hearing, Council Officers recommended that this condition be amended to require compliance with the standard by June 2022.
61. The report states that, results of macroinvertebrate surveys suggest that there is a progressive increase in the organic enrichment of the Haehanga Stream. However, as a result of upstream conditions (no stock exclusion or riparian planting), it is difficult to assess the impact of site activities on the macroinvertebrate community health of the Haehanga Stream.

Submitter summary and evidence

62. The Council Officers' Report¹⁶ provides a useful summary of the concerns raised by submitters and the experiences they have had regarding water quality. The concerns ranged from low fish numbers to the potential impact of leachate on the Haehanga Stream and the Mimitangiatua River.
63. Expert evidence was presented by Ms McArthur on behalf of Ngāti Mutunga.
64. Ms McArthur assessed the results of water quality and aquatic ecological monitoring data against the NPS-FM, and ecological guidelines and thresholds in published reports. Ms McArthur concluded that there is evidence of significant adverse effects on water quality and ecosystem health as a result of contaminants being discharged both directly and indirectly to water.
65. Ms McArthur's evidence stated that water quality standards contained in the consent conditions proposed by Council Officers would not be sufficient to avoid significant adverse effects on ecosystem health and mahinga kai values from occurring, particularly in the short term, or in the longer term with respect to nutrient enrichment and subsequent effects on macroinvertebrate/ecosystem health.

¹⁶ Council Officers' Report pages 34-39.

7.2 Discharges to air – Issues and effects

Applicant evidence and submissions

66. Expert evidence was presented by Mr Curtis on behalf of the Applicant.
67. Mr Curtis' evidence concludes that with the implementation of mitigation measures proposed in the application together with the additional measures recommended (including monitoring), there is low potential for off-site odour effects.
68. Mr Curtis disagreed with the suggestion to exclude some waste streams from the compost process, as full implementation of the mitigation measures would allow any materials of concern to be composted successfully without resulting in off-site odour nuisance.
69. The Applicant, in their final submission, offered additional conditions of consent to assist with mitigating the concerns of submitters regarding odour. These included the provision of an 'accountable person' onsite to be responsible for mitigating odour issues, amongst other responsibilities.

Council Officers' Report

70. The Council Officers' Report stated that submissions from neighbouring landowners suggest they are still regularly subjected to offensive and objectionable odour beyond the site boundary, however in most cases, Council Officers responding to odour complaints have not detected an offensive or objectionable odour.
71. The report also states that there are difficulties with enforcing consent conditions, measuring odour compounds and their effects is not practically possible, and even with the use of mitigation measures, odour will not necessarily be prevented. The report states that 'noticeable' odour is allowed beyond the boundary as long as it is intermittent and not extensive, and therefore not offensive or objectionable.

Submitter summary and evidence

72. Expert evidence was presented by Mr Backshall on behalf of Glen & Dawn Bendall (individual submitters).
73. Mr Backshall identified katabatic flows as a key issue as odour mitigation alone may be inadequate to sufficiently reduce odour beyond the site boundary to a level that avoids offensive or objectionable effects.
74. Mr Backshall agreed with Mr Curtis' recommendation to include specific mitigation measures as consent conditions, however he also had serious reservations as to whether implementation of these control measures would result in no offensive or objectionable odour beyond the boundary (due to previous compliance history and the presence of katabatic flows).
75. Other submitters raised concerns about the regular occurrence of objectionable odour and the impact of this odour on the wellbeing of residents.

7.3 Cultural matters – Issues and effects

76. Ngāti Mutunga are recognised as having mana whenua status in the area through their Claims Settlement Act. In this section we provide an analysis of the cultural matters relevant to this decision.
77. As noted earlier, Ngāti Mutunga were consulted directly by the Applicant.

Applicant evidence and submissions

78. In section 7.11 of the application, an assessment is provided regarding the effects on Tangata Whenua. A cultural impact assessment (CIA) was also provided as Appendix S.
79. In the summary of effects on Tangata Whenua, the Applicant provides a number of mechanisms including cultural monitoring and a formal Memorandum of Understanding (MOU) to mitigate the concerns raised by Ngāti Mutunga.
80. The Applicant considers that proposed conditions will mitigate the adverse effects of the proposed activity on the cultural values of Ngāti Mutunga¹⁷.

Council Officers' Report

81. The Council Officers' Report identifies cultural considerations relevant to this application. These include:
- 1) RMA Section 6(e) - the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga; and
 - 2) RMA Section 7(a) kaitiakitanga and Section 8 – Principles of the Treaty of Waitangi.
82. The report acknowledges that the discharges will result in adverse effects on cultural values regardless of whether or not adverse effects on water quality/ecology can be adequately mitigated.

Ngāti Mutunga submission and evidence

83. A number of submitters spoke to the impact that this activity has had on the Haehanga Stream and Mimitangiatua River¹⁸.
84. In evidence, Ngāti Mutunga also provided results of some monitoring through the development of a 'Mauri Compass' report¹⁹ and reference to certain provisions within the Iwi Environmental Management Plan.
85. Ngāti Mutunga also gave evidence regarding the impact of the proposed activity on their cultural practices (mahinga kai, etc) and shared a deep concern for the overall health of the iwi members regarding the inability for them to 'connect' with the river.

¹⁷ Offered conditions 3, 10, 19, 32, 35, 36, 37, 38.

¹⁸ Jamie Tuuta, Katie Beecroft, Kathryn McArthur, Anne-Maree McKay and Marlene Benson, Carol Shenton, Rawiri McClutchie.

¹⁹ Te Runanga o Ngati Mutunga (2020). Mauri Compass Assessment of the Urenui River and the Mimitangiatua River.

7.4 Stockpiled material – Issues and effects

Applicant evidence and submissions

86. The Applicant's AEE proposed more active management of the stockpiled material to try and accelerate the breakdown process, and in particular to reduce the hydrocarbon levels. Approximately 1000 m³ of this material could then be used around the site per year.
87. Evidence presented by Mr Gibson at the hearing, provided information regarding a proposed new strategy for bioremediation of the material, which involved treating a sample of the stockpiled material with an enzyme and then bioremediating it. As a result, Mr Gibson concluded that the stockpiled material could be bioremediated over a 3 year period using the new strategy.

Council Officers' Report

88. The Council Officers' Report stated that the stockpiled material would remain a constant source of chloride until fully processed and used around the site as proposed by the Applicant (optimistically 40 years).
89. After hearing evidence at the hearing, Council Officers modified their initial recommendation to include a consent condition requiring the stockpiled material to be removed from the site.

Submitter summary and evidence

90. Expert evidence was presented by Ms Beecroft on behalf of Ngāti Mutunga.
91. Ms Beecroft's evidence stated that there is insufficient detail regarding the composition of contaminants in the stockpiled material, and therefore the effects of discharging this material to land could not be adequately assessed.
92. Ms McKay's evidence also stated that creating a contaminated site within the rohe of Ngāti Mutunga was offensive, and creating cold air bunds as a way to solve the problem, even if 'capped', was unacceptable.
93. Taranaki Energy Watch raised concerns about the stockpiled material and in particular the impact of the stockpiled material on the surrounding environment.
94. A number of other submitters²⁰ also raised concerns regarding their experience with the stockpiled material.
95. Submissions in support stated that the facility provided a service not available elsewhere in the region.

7.5 National Policy Statement for Freshwater Management 2020 – Issues and effects

96. An assessment of the application against the provisions of the NPS-FM is considered in the planning assessment later in this decision (section 9.1).

²⁰ Ngāti Mutunga, Glen & Dawn Bendall, Sydney & Jennifer Baker, Paora Laurence, Climate Justice Taranaki.

8 Section 104(1)(a) Consideration of Effects

97. This section of our report draws on the preceding discussion of issues and effects in section 7 above, and presents our findings related to:
- Discharges to water;
 - Discharges to air;
 - Cultural matters; and
 - Stockpiled material.
98. Our consideration under Section 104(a) excludes any matters we have found as being out of scope.

8.1 Discharges to water

99. We refer to discharges to water matters in section 7.1 of our report.
100. Submissions on behalf of Ngāti Mutunga identified a number of issues associated with discharges to the Haehanga Stream and subsequently to the Mimitangiatua River. In submissions and evidence there were examples of how the 'Mauri Compass' monitoring and provisions within the Iwi Environmental Management Plan identified key areas of concern regarding the impact of discharges to water.
101. Mr Easton also concluded that TAN exceeded limits at some sites.

Findings on water discharges

102. Overall, we find that the proposed mitigation will not address the effects appropriately. In reaching our conclusion we have had regard to the following matters:
- 1) We acknowledge the adverse effects on ecosystem health and mahinga kai values of the Haehanga Stream.
 - 2) We note that the adverse effects on the cultural values of Ngāti Mutunga are significant as identified through evidence.
 - 3) We note the Applicant's commitment to achieving compliance with NPS-FM standards, however as noted by Ms McArthur, the impact of the proposed activity will not avoid significant adverse effects on ecosystem health.
103. In summary we find that the application will lead to a significant adverse effect on water quality. We are not satisfied that the consent conditions proposed by the Applicant will adequately mitigate the adverse effects of the proposed activity on water quality.

8.2 Discharges to air

104. We refer to discharges to air in section 7.2 of our report.
105. The matters of contention were between the technical evidence of Mr Curtis and Mr Backshall.

Findings on discharges to air

106. Overall, we find that the effects of discharges to air are unacceptable. In reaching our conclusion we have had regard to the following matters:
- 1) We acknowledge the efforts made in the revised conditions by the Applicant to address odour (accountable person), however we are not satisfied that this would be an effective mitigation due to the lack of clarity regarding what effects this person would actually mitigate. We note that just having a person 'available' does not mitigate the risk of odour beyond the boundary.
 - 2) We accept the evidence that enforcing conditions is difficult due to the subjective nature of odour. However, we are not convinced that the application addresses the concerns raised by submitters and the response to previous concerns.

8.3 Cultural matters

107. We refer to cultural matters in section 7.3 of our report.
108. We note the statutory considerations, the Applicant's efforts at consultation, and a proposed condition of consent.

Findings on Cultural Matters

109. Overall, we find that the Applicant's proposal will not adequately address the adverse effects on the cultural values of Ngāti Mutunga.
- 1) We acknowledge the Applicant's attempt to consult during the early stages of the application, however the Applicant has **not** engaged or consulted appropriately or meaningfully with Ngāti Mutunga to ensure the adverse effects on cultural values could be mitigated.
 - 2) We note that the Applicant did not provide a full analysis of the statutory acknowledgement, the cultural association of Ngāti Mutunga to the area, and the tikanga associated with cultural connection²¹.
 - 3) The historic association of the Haehanga Stream and Mimitangiatua River and the relevant provisions within the Iwi Environmental Management Plan have not been appropriately considered.
 - 4) We note the conditions offered by the Applicant, however we are not satisfied that the conditions will mitigate the adverse effects on cultural values.

8.4 Stockpiled material

110. We refer to stockpiled material matters in section 7.4 of our report.

²¹ Evidence of Jamie Tuuta, paragraph 26.

Findings on stockpiled material

111. Overall, we find that the proposed remediation is unacceptable. In reaching our conclusion, we have had regard to the following matters:
- 1) After considering all of the evidence provided, we are not satisfied with the Applicant's proposal for remediation of the stockpiled material.
 - 2) We acknowledge that removal or remediation can be achieved, but we remain concerned regarding the lack of detail (especially in relation to adverse effects that may occur during removal or remediation), and the potential long term impacts of the stockpiled material.

9 Section 104(1)(b) Consideration of Planning Instruments

112. We accept that relevant provisions from the following planning instruments have been appropriately identified by the planning experts. We have had regard to these in reaching our decision.

9.1 National Policy Statement for Freshwater Management 2020

113. The Council Officers' Report provides a useful overview of the National Policy Statement for Freshwater Management²².
114. On 20 November 2020 the Council sought additional information from the Applicant in relation to the provisions of the NPS-FM, in particular an assessment of the relevance of Clause 3.24.
115. In response, the Applicant wrote to the Council on 7 December 2020 outlining that in their legal opinion the provisions of Clause 3.24 do not apply to this application as the clause applies to physical changes in the river stem. The Applicant contends that there are no changes to the river stem as a result of the proposed activity.
116. The Applicant also took the opportunity to respond to functional need, the effects management hierarchy, and Te Mana o Te Wai. These matters are covered in more detail below.

Te Mana o Te Wai

117. Policy 1 of the NPS-FM requires freshwater to be managed in a way that gives effect to Te Mana o Te Wai and refers to the fundamental importance of water. Te Mana o te Wai is a holistic concept that ensures that a water body will sustain the full range of environmental, social, cultural and economic values held by the Iwi and the community.
118. In their letter of response dated 7 December 2020, the Applicant stated the AEE within the application provides the necessary information to confirm that the activity is consistent with the principle of Te Mana o Te Wai.

²² Council Officers' Report section 12.2.1, page 84.

119. Further to this view, during questioning in his legal submission presentation, Mr Maassen, on behalf of the Applicant, stated that Te Mana o Te Wai allowed for adverse effects providing there were appropriate off-sets. During questioning Mr Maassen pointed out that it was still early days with regard to these provisions and that approaches to mitigating this are still being developed.
120. Ms Hooper contends that the 'entire site' needs to be considered in the context of Te Mana o Te Wai and not just the discharge to water²³. Also the benefit of the operation to the wider Taranaki community should be considered.
121. In the legal submission of Ms Ongley and the statement of evidence from Mr Tuuta, and others, reference was made to the Ngāti Mutunga Iwi Management Plan which states "natural and physical resources are managed in a holistic and integrated way".
122. Ngāti Mutunga contend that the proposed activity is inconsistent with this approach and also Te Mana o Te Wai.
123. Ngāti Mutunga consider water is not a commodity to benefit land based production, nor does water exist to receive nutrients from land based activities²⁴.
124. Further, Mr Tuuta states water, land and people are interconnected "the Mimitangiatua River is its headwaters down to the Mimitangiatua estuary"²⁵.

Findings on Te Mana o Te Wai

125. Overall we find the application to be inconsistent with Te Mana o Te Wai. The Applicant has not provided sufficient information regarding how the activity will comply with Te Mana o Te Wai.
126. We accept the evidence of Mr Tuuta outlining the adverse impact the proposed activity would have on the application of Te Mana o Te Wai.
127. We consider that the Applicant has not given due consideration to the effects of the activity on the application and intent of Te Mana o Te Wai.
128. We note that the community has not yet identified the values of Te Mana o Te Wai, however, this is not a reason to avoid considering this activity against these provisions.
129. We do not agree with the Applicant that off-setting is a justified mitigation as we believe this is inconsistent with the purpose and intent of the NPS-FM.
130. We consider the broader site issues raised by Ms Hooper's evidence (as referred to in paragraph 120 above) as being inconsistent with the intent of the NPS-FM.

²³ Evidence of Kathryn Hooper, paragraph 106.

²⁴ Evidence of Jamie Tuuta, paragraph 39.

²⁵ Evidence of Jamie Tuuta, paragraph 42.

Clause 3.24 of the NPS-FM

131. Clause 3.24 of the NPS-FM 2020 requires regional councils to insert a policy in their regional plans that states:
- The loss of river extent and values is avoided, unless the council is satisfied:*
- (a) that there is a functional need for the activity in that location; and*
- (b) the effects of the activity are managed by applying the effects management hierarchy*
132. The Applicant contends that Clause 3.24 of the NPS-FM does not apply as the provisions only apply to physical changes to the river stem (which are not proposed). However, the Applicant contends that if Clause 3.24 **does** apply, then there is a functional need.
133. Further, in the letter of response to further information²⁶ Ms Hooper states that *'it is unreasonable to read the NPS as developing an avoidance policy for all renewals and there is no evidence from the framework that this was intended'*.
134. The Council Officers' Report²⁷ and the legal submission of Ms Ongley, legal counsel for Ngāti Mutunga, discuss the issue of functional need in detail.
135. Ms Ongley points out that functional need means *'the proposal or activity to traverse, locate, or operate in a particular environment because the activity can only occur in that environment²⁸'*.
136. According to Ms Ongley this differs from operational need which is defined as *'the need for a proposal or activity to traverse, locate, or operate in a particular environment because of technical, logistical, or operational constraints'*. Ms Ongley contends that there is an operational need for the discharge but no functional need so, on that basis, the loss of river values must be avoided.
137. The Council Officers' Report noted that there is a functional need for the activity to occur because the discharges can only occur in this environment.

Findings on Clause 3.24

138. We accept that Clause 3.24 does apply to this activity. We also agree that there is a functional need for the activity to occur in the existing environment, and we note that this aligns with the conclusion of the Council Officers.
139. We note the summary in the Council Officers' Report provides useful context to this matter.

²⁶ Remediation NZ letter of reply to further information, 7 December 2020.

²⁷ Council Officers' Report, paragraphs 376-378.

²⁸ National Planning Standards definition.

140. In the letter of response to further information²⁹, Ms Hooper provides a summary of the Effects Management Hierarchy. In this summary Ms Hooper outlines how the Effects Management Hierarchy applies to this activity. However, based on our discussion of adverse effects earlier in this decision, we have concluded that there are residual effects that are more than minor. No offsetting or compensation has been provided by the Applicant.

9.2 Regional Policy Statement for Taranaki

141. The Council Officers' Report provides an assessment of the proposed activities against the RPS provisions³⁰. We adopt this assessment in a general sense, subject to comments made below.
142. The report notes that the majority of policies in the RPS that are relevant to the application are refined and expanded on in the RFWP and the RAQP, and therefore makes an assessment of WST Policy 1, relating to waste management practices. The report states that the Applicant's proposal to reprocess waste into a usable product is consistent with this policy.
143. In her evidence Ms McArthur identifies that the Mimitangiatua River is recognised as having high natural ecological and amenity values. She contends that this application does not recognise the high natural values of the Mimitangiatua River in a way that would be consistent with these RPS provisions. We provide a summary of this further in our assessment against the RFWP below.

9.3 Regional Freshwater Plan for Taranaki

144. The Applicant provides a summary and assessment of the proposed activity against the RFWP in section 8.2.3 of the application.
145. In this section the Applicant identifies the relevant policies and finishes with a statement '*The AEE provided has shown that the proposed activities are able to occur in a manner that is consistent with the relevant policies in the RFWP*'.
146. The Applicant also refers to the CIA for an assessment of the activity against cultural relationships with land and water.
147. The Council Officers' Report provides an assessment of the proposed activities against the provisions of the RFWP.
148. The Council Officers' Report notes that Ngāti Mutunga are generally supportive of the idea of reprocessing waste streams³¹. However, Ngāti Mutunga are concerned about the way the site is managed and the impact this is having on the Haehanga Stream and Mimitangiatua River. At the hearing, it was clear that the concerns raised by Ngāti Mutunga remained unchanged in regard to this.

²⁹ Remediation NZ letter of reply to further information, 7 December 2020.

³⁰ Council Officers' Report, paragraphs 382-385.

³¹ Council Officers' Report, paragraph 392.

149. Overall, Council Officers concluded that the proposal is consistent with the provisions of the RFWP. However, we are not satisfied that the proposed activity is consistent with the RFWP.
150. In her evidence, Ms McArthur makes the following statement³²:
- The Taranaki Regional Policy Statement (RPS) and the Regional Freshwater Plan for Taranaki (RFWP) recognise the Mimitangiatua River as having high natural, ecological and amenity values and it is listed in Appendix 1A of the RFP. Policies within the RPS afford protection to the rivers and streams listed in Appendix I of the RPS (including the Mimitangiatua). Policy 3.1.4 of the RFP states: "The high natural, ecological and amenity values of those rivers and streams listed in Appendix 1A will be maintained and enhanced as far as practicable. Adverse effects of activities on these values will be avoided as far as practicable, or remedied or mitigated"*
151. She also contends that *there is little information to determine whether and to what degree the proposed activities are having an adverse effect on water quality and aquatic life in the Mimitangiatua River*. Ms McArthur goes on to say *"there is certainly not enough information to determine there is no effect or to support such statements in the AEE or applicants evidence"*³³.
152. Policies 4.1.1 – 4.1.6 of the RFWP recognise the cultural associations iwi and hapu have with rivers, and aims to protect these values and areas from any adverse effects. They also encourage active participation of iwi in fresh water management.

Findings on RFWP

153. It is clear from the evidence of Mr Tuuta and others that the proposed activity will impact on the cultural association and is therefore inconsistent with the above policies. Nor is this resolved by the CIA.
154. We consider that the application and the CIA³⁴ do not provide a robust assessment against the relevant policies.
155. We consider that the proposed conditions will not mitigate the adverse effects of the activity in a manner that is consistent with the RFWP.

9.4 Regional Air Quality Plan for Taranaki

156. The applicant provides a summary and assessment of the activity against the relevant policies of the RAQP in section 8.2.4. The policies are primarily related to odour, smoke and dust.
157. The applicant states that the proposed activity is consistent with these policies.
158. In her planning evidence, Ms Hooper provides a useful assessment against the RAQP provisions.³⁵ This included an assessment which was much broader than what was in the original application.

³² Evidence of Kathryn McArthur, paragraph 36.

³³ Evidence of Kathryn McArthur, paragraph 113.

³⁴ CIA, pages 14-15.

³⁵ Evidence of Kathryn Hooper, paragraphs 91-99.

159. Ms Hooper's evidence included assessments against Policies 5.1, 5.2 and 5.3.
160. The economic benefits of the operation are also considered by Ms Hooper as part of this assessment.
161. The Council Officers' Report provides an assessment of the proposed activities against the provisions of the RAQP.
162. The report notes that it is unlikely that discharges of contaminants to air would occur at a rate and volume which would adversely affect human health or other environments, and that the site can be managed to ensure there is no offensive or objectionable odour beyond the boundary.
163. Overall, Council Officers consider the proposed activities could occur in a manner that is consistent with the relevant policies, provided they were well managed.

Findings on RAQP

164. When considering the evidence presented at the hearing and the assessment of effects, we are not satisfied that the proposed activity will be consistent with the RAQP.
165. In particular we consider that the proposed activity is inconsistent with Policy 5.1 and the applicant has not provided sufficient evidence to satisfy the Hearing Panel that the effects of the discharges will be appropriately avoided, remedied or mitigated.
166. We note that although additional conditions were offered by the applicant to mitigate the adverse effects, we are not convinced that these will adequately address adverse effects in a manner that is consistent with the provisions of the RAQP.

10 Section 104(1)(c) Consideration of Other Matters

10.1 Compliance history

167. Compliance history has been considered as an 'other relevant matter'. Section 10 of the Council Officers' Report provides a useful summary of the compliance history of this operation³⁶.
168. In summary there have been a number of non-compliance issues including poor record keeping, receipt of unapproved material, lack of maintenance and monitoring or sampling not undertaken.
169. Whilst we note there have been issues with compliance in the past, we have not placed significant weight on those matters and have instead focused on whether or not we can be satisfied with the effects of the future operation of the activities.

³⁶ Council Officers' Report, page 40.

11 Sections 105 and 107 – Discharges

170. With regard to discharges, the RMA requires us to consider certain matters. These are set out by Sections 105 and 107.

105 Matters relevant to certain applications

- (1) *If an application is for a discharge permit or coastal permit to do something that would contravene section 15 or section 15B, the consent authority must, in addition to the matters in section 104(1), have regard to—*
- (a) *the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and*
 - (b) *the applicant's reasons for the proposed choice; and*
 - (c) *any possible alternative methods of discharge, including discharge into any other receiving environment.*

107 Restriction on grant of certain discharge permits

- (1) *Except as provided in subsection (2), a consent authority shall not grant a discharge permit or a coastal permit to do something that would otherwise contravene section 15 or section 15A allowing—*
- (a) *the discharge of a contaminant or water into water; or*
 - (b) *a discharge of a contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or*
 - (ba) *the dumping in the coastal marine area from any ship, aircraft, or offshore installation of any waste or other matter that is a contaminant,—*
if, after reasonable mixing, the contaminant or water discharged (either by itself or in combination with the same, similar, or other contaminants or water), is likely to give rise to all or any of the following effects in the receiving waters:
 - (c) *the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;*
 - (d) *any conspicuous change in the colour or visual clarity;*
 - (e) *any emission of objectionable odour;*
 - (f) *the rendering of fresh water unsuitable for consumption by farm animals;*
 - (g) *any significant adverse effects on aquatic life.*

11.1 Section 105

171. The relevance and implications of these Sections of the RMA are set out in the Council Officers' Report³⁷.
172. However, in legal submissions, Ms Ongley states that the RPS and RFWP identify the Mimitangiatua River as 'high sensitivity' and it is also recognised by statute.

³⁷ Council Officers' Report, section 12.3.

173. Ms Ongley goes on to state the RFWP requirements of Policy 3.1.4 are to *'avoid, remedy or mitigate the adverse effects on rivers and streams listed in Appendix 1A'*³⁸.
174. Ms Ongley also states that the alternatives assessment provided by the Applicant is very brief, and the alternative of moving the operation elsewhere is not discussed³⁹.

11.2 Section 107

175. The Council Officers' Report summarises Section 107 matters in section 12.4.
176. The Council Officers' report considers there will be no adverse effects after reasonable mixing.
177. However, in her evidence Ms McArthur provides a useful analysis and finds that the discharge of un-ionised ammonia from the wetland is having a significant adverse effect⁴⁰.
178. Ms McArthur goes on to state that she fundamentally disagrees with the Council Officers' Report and considers the ammonia from both the wetland and irrigation to land are having significant adverse effects.⁴¹
179. In her legal submissions, Ms Ongley also considers that the Council Officers' Report recommendation to roll over the current ammoniacal nitrogen limit is unacceptable to Ngāti Mutunga⁴².
180. In evidence, Ms McArthur also considers that the proposed conditions will not adequately mitigate the adverse effects sufficiently to meet the requirements of Section 107.
181. In his legal submissions⁴³, Mr Maassen states that the assessment of Ms McArthur is both legally wrong and scientifically unsafe⁴⁴. Mr Maassen considers that the standard only applies after reasonable mixing and that Ms McArthur has not taken this into account in her assessment.
182. Mr Maassen also considers that there is no safe assumption that the applicants discharge is the primary or dominant cause of the effect.

Findings on Section 107 of the RMA

183. We consider that the proposed activity is inconsistent with Section 107 and agree with the assessment of Ms McArthur and Ms Ongley that the significant adverse effects will not be effectively mitigated.

³⁸ Sarah Ongley Legal Submission, paragraph 38.

³⁹ Sarah Ongley Legal Submission, paragraph 40.

⁴⁰ Evidence of Kathryn McArthur, paragraphs 53-73.

⁴¹ Evidence of Kathryn McArthur, paragraph 111.

⁴² Sarah Ongley Legal Submission, paragraph 43.

⁴³ John Maassen Legal Submission, paragraphs 51-56.

⁴⁴ John Maassen Legal Submission, paragraph 52.

184. We are not satisfied that the proposed conditions will mitigate the adverse effects sufficiently to meet the requirements of Section 107 of the RMA.

12 Part 2 RMA Assessment

185. The Court of Appeal⁴⁵ has determined that while decision makers should usually consider Part 2 when making decisions on resource consent applications, where the relevant plan provisions have clearly given effect to Part 2 there may be no need to do so as it *would not add anything to the evaluative exercise*. In other words, *genuine consideration and application of relevant plan considerations may leave little room for Part 2 to influence the outcome*.
186. However it has been more than 20 years since the RFWP was notified, so it is appropriate for the avoidance of doubt that a specific Part 2 assessment is made in this case.
187. The application⁴⁶ states that there are no matters under Section 6 that will be affected by the application, and that the proposal is consistent with the requirements of Section 7 and not inconsistent with the principles of the Treaty of Waitangi in terms of Section 8.
188. In their assessment, Council Officers provided robust analyses of the application against Part 2 of the RMA.
189. Section 6 identifies matters of national importance including natural character, significant indigenous vegetation and relationships of Māori with their culture and traditions.
190. Ngāti Mutunga provided evidence that the cultural association with the Haehanga Stream and Mimitangiatua River have been adversely effected from this activity. In her evidence⁴⁷ Ms Hooper agrees with Ngāti Mutunga that the application did not appropriately address Section 6(e) matters. Ms Hooper states that planned riparian planting and other initiatives will address this as conditions of consent.
191. Section 7 'other matters' requires particular regard to be had to specific matters in relation to the management, use, development, and protection of natural and physical resources, including Kaitiakitanga, the ethic of stewardship, maintenance and enhancement of amenity value, intrinsic value of the ecosystem, and the quality of the environment.
192. In her evidence, Ms Hooper states that with early consultation and changes to the application and the cessation of receipt of drilling mud, the adverse effects on cultural values can be avoided.
193. The Council Officers' Report identified that cultural values will be adversely affected even if the effects on water can be managed.
194. Section 8 identifies the principles of the Treaty of Waitangi. Although early consultation was undertaken with Ngāti Mutunga, the Applicant has not satisfied the Hearing Panel that the principles of the Treaty of Waitangi have been appropriately considered.

⁴⁵ RJ Davidson Family Trust v Marlborough District Council [2018] NZCA 316.

⁴⁶ Remediation NZ consent application, section 8.1.

⁴⁷ Kathryn Hooper Evidence, paragraph 131.

Findings on Part 2 Matters

195. We find the following with regards to Part 2 matters:

- The proposed activity is inconsistent with Section 6(e) of the RMA. The proposed activity will have a significant impact on the relationship of Ngāti Mutunga with Section 6(e) matters.
- Section 7 matters have not been adequately addressed by the Applicant. In particular, Section 7(a) regarding kaitiakitanga. The lack of meaningful, early and focused engagement with Ngāti Mutunga has had a direct impact on their ability to act as kaitiaki in the Haehanga Stream and Mimitangiatua River.
- The Applicant has not effectively taken into account the principles of the Treaty of Waitangi. We note the attempt by the Applicant to undertake early consultation with Ngāti Mutunga, however it has not been consistent or meaningful enough to be consistent with Treaty of Waitangi principles.

13 Decision

196. Having regard to the evidence presented, the relevant statutory provisions identified in this report and for the reasons set out below, we (the Hearing Panel) **decline** the application for consents 5838-3.0 and 5839-3.0 to:

- a) Discharge contaminants to land, including in circumstances which may result in those contaminants (or other contaminants emanating from those contaminants) entering water in the Haehanga Stream catchment;
- b) Discharge contaminants directly to an unnamed tributary of the Haehanga Stream;
and
- c) Discharge contaminants to air.

13.1 Reasons for the Decision

197. Section 113(1) of the RMA requires that we state the reasons for the decision. Although it will be clear from the assessment carried out above, for the avoidance of doubt we confirm that the principal reasons for decline are:

- the proposed activities will have a significant adverse effect on water quality and ecology, and we are not satisfied that the revised suite of conditions (offered by the Applicant) will adequately mitigate these effects;
- the effects of discharges to air are unacceptable;
- the Applicant has not engaged or consulted appropriately or meaningfully with Ngāti Mutunga, and conditions offered up after the hearing will not mitigate adverse effects on cultural values;
- although removal or bioremediation of the stockpiled material could be achieved, we remain concerned regarding the lack of detail and the potential long term adverse effects of the stockpiled material;

- the application is inconsistent with Te Mana o Te Wai;
- in terms of the effects management hierarchy, there are residual effects that are more than minor, and no offsetting or compensation has been provided by the Applicant;
- the application is inconsistent with Sections 6(e), 7(a) and 8 of the RMA;
- the application is inconsistent with the relevant policies of the RFWP;
- the application is inconsistent with Policy 5.1 of the RAQP; and
- the application is inconsistent with Section 107 of the RMA.

14 Acknowledgements

198. We would like to thank the participants for their constructive engagement in the process. We note in particular, the contribution of all submitters and their witnesses. We also acknowledge all individual personal appearances which we found valuable in providing additional context for the issues we needed to consider.
199. The careful consideration and technical assessment provided by the Applicant and other parties was appreciated.
200. Finally, we gratefully acknowledge the assistance of the hearing administrators before, during and after the hearing.

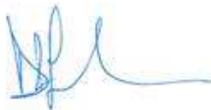
Hearing Commissioners



Cr Michael Joyce (Chairperson)



Cr Neil Walker



Mr Rawiri Faulkner



In accordance with section 48(1) of the *Local Government Official Information and Meetings Act 1987*, resolves that the public is excluded from the following part of the proceedings of the Consents and Regulatory Committee Meeting on Tuesday 8 June 2021 for the following reason/s:

Item 8 - Confirmation of Minutes – 27 April 2021

THAT the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.