

Hickman JD 1997 Family Trust
Monitoring Programme
Annual Report
2016-2017

Technical Report 2017-97

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Taranaki Regional Council
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Executive summary

The Hickman JD 1997 Family Trust (the Company) operates a road transport depot located on Waitara Road at Brixton, Waitara, in the Waiongana catchment. The operations at this site mainly involve packaged dairy related products. Goods are stored under roofed catchments with the remaining areas being paved or gravel. The site also has a truck wash facility with waste water draining to sumps and then to the stormwater system.

This report for the period July 2016 to June 2017 describes the monitoring programme implemented by the Taranaki Regional Council (the Council) to assess the Company's environmental and consent compliance performance during the period under review. The report also details the results of the monitoring undertaken and assesses the environmental effects of the Company's activities.

The Company holds one resource consent, which includes a total of six conditions setting out the requirements that the Company must satisfy. The Company holds the consent to allow it to discharge truck washwater and stormwater into an unnamed tributary of the Waiongana Stream.

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

The Council's monitoring programme for the year under review consisted of three inspections.

The monitoring showed that any discharges to water from the site would probably not have a significant adverse effect on the receiving environment. There were no unauthorised incidents recorded in respect of this consent holder during the period under review.

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

For reference, in the 2016-2017 year, consent holders were found to achieve a high level of environmental performance and compliance for 74% of the consents monitored through the Taranaki tailored monitoring programmes, while for another 21% of the consents, a good level of environmental performance and compliance was achieved.

In terms of overall environmental and compliance performance by the consent holder over the last several years, this report shows that the consent holder's performance has remained at a high level.

This report includes a recommendation for the 2017-2018 year.

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1 Introduction

1.1 Compliance monitoring programme reports and the Resource Management Act 1991

1.1.1 Introduction

This report is for the period July 2016 to June 2017 by the Taranaki Regional Council (the Council) on the monitoring programme associated with the resource consents held by Hickman JD 1997 Family Trust (the Company). The Company operates a road transport depot situated on Waitara Road at Brixton, Waitara.

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

1.1.2 Structure of this report

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

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

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

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

Section 4 presents recommendations to be implemented in the 2017-2018 monitoring year.

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

1.1.3 The Resource Management Act 1991 and monitoring

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

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

In drafting and reviewing conditions on discharge permits, and in implementing monitoring programmes, the Council is recognising the comprehensive meaning of 'effects' inasmuch as is appropriate for each activity. Monitoring programmes are not only based on existing permit conditions, but also on the

obligations of the RMA to assess the effects of the exercise of consents. In accordance with Section 35 of the RMA, the Council undertakes compliance monitoring for consents and rules in regional plans, and maintains an overview of the performance of resource users and consent holders. Compliance monitoring, including both activity and impact monitoring, enables the Council to continually re-evaluate its approach and that of consent holders to resource management and, ultimately, through the refinement of methods and considered responsible resource utilisation, to move closer to achieving sustainable development of the region's resources.

1.1.4 Evaluation of environmental and administrative performance

Besides discussing the various details of the performance and extent of compliance by the consent holder during the period under review, this report also assigns a rating as to the Company's environmental and administrative performance.

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

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

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

Environmental Performance

High: No or inconsequential (short-term duration, less than minor in severity) breaches of consent or regional plan parameters resulting from the activity; no adverse effects of significance noted or likely in the receiving environment. The Council did not record any verified unauthorised incidents involving significant environmental impacts and was not obliged to issue any abatement notices or infringement notices in relation to such impacts.

Good: Likely or actual adverse effects of activities on the receiving environment were negligible or minor at most. There were some such issues noted during monitoring, from self reports, or in response to unauthorised incident reports, but these items were not critical, and follow-up inspections showed they have been dealt with. These minor issues were resolved positively, co-operatively, and quickly. The Council was not obliged to issue any abatement notices or infringement notices in relation to the minor non-compliant effects; however abatement notices may have been issued to mitigate an identified potential for an environmental effect to occur.

For example:

- High suspended solid values recorded in discharge samples, however the discharge was to land or to receiving waters that were in high flow at the time;
- Strong odour beyond boundary but no residential properties or other recipient nearby.

Improvement required: Likely or actual adverse effects of activities on the receiving environment were more than minor, but not substantial. There were some issues noted during monitoring, from self reports, or in response to unauthorised incident reports. Cumulative adverse effects of a persistent minor non-compliant activity could elevate a minor issue to this level. Abatement notices and infringement notices may have been issued in respect of effects.

Poor: Likely or actual adverse effects of activities on the receiving environment were significant. There were some items noted during monitoring, from self reports, or in response to unauthorised incident reports. Cumulative adverse effects of a persistent moderate non-compliant activity could elevate an 'improvement required' issue to this level. Typically there were grounds for either a prosecution or an infringement notice in respect of effects.

Administrative performance

High: The administrative requirements of the resource consents were met, or any failures to do this had trivial consequences and were addressed promptly and co-operatively.

Good: Perhaps some administrative requirements of the resource consents were not met at a particular time, however this was addressed without repeated interventions from the Council staff. Alternatively adequate reason was provided for matters such as the no or late provision of information, interpretation of 'best practical option' for avoiding potential effects, etc.

Improvement required: Repeated interventions to meet the administrative requirements of the resource consents were made by Council staff. These matters took some time to resolve, or remained unresolved at the end of the period under review. The Council may have issued an abatement notice to attain compliance.

Poor: Material failings to meet the administrative requirements of the resource consents. Significant intervention by the Council was required. Typically there were grounds for an infringement notice.

For reference, in the 2016-2017 year, consent holders were found to achieve a high level of environmental performance and compliance for 74% of the consents monitored through the Taranaki tailored monitoring programmes, while for another 21% of the consents, a good level of environmental performance and compliance was achieved.

1.2 Process description

This site was originally the Brixton Dairy Factory until it shut down and the discharge resource consent was transferred into Hickman JD 1997 Family Trust.

The site is now used for road transport operations and storage, mainly involving packaged dairy related products. Goods are stored under roofed catchments leaving the remaining areas similar to a roading surface with respect to stormwater discharges.

The site has a truck wash facility with the waste water draining to sumps and then to the stormwater system.

The site also has a truck workshop area, and an area to steam clean vehicle parts. This area drains to a series of three interceptor sumps where grease/oil/hydrocarbons are collected and removed off site prior to the wash water then being directed to the stormwater system.

1.4 Monitoring programme

1.4.1 Introduction

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

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

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

1.4.2 Programme liaison and management

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

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

1.4.3 Site inspections

The Company's site was visited three times during the monitoring period. With regard to consents for the discharge to water, the main points of interest were plant processes with potential or actual discharges to receiving watercourses, including contaminated stormwater and process wastewaters. Sources of data being collected by the Company were identified and accessed, so that performance in respect of operation, internal monitoring, and supervision could be reviewed by the Council. The neighbourhood was surveyed for environmental effects.

1.4.4 Chemical sampling

There is provision in the programme for sampling of the discharges and receiving waters in the vicinity of the site to be undertaken at inspection, if visual assessment indicates that the consent conditions may have been exceeded. Council staff found that it was not necessary to collect samples during the period under review.

2 Results

2.1 Water

2.1.1 Inspections

During the 2016-2017 monitoring period three scheduled inspections of the Company's site were conducted by an officer of the Council. The following were found during the inspections.

16 November 2016

It was noted that a sand trap had been constructed at the south-western end of the site, this would aid in minimising sediment entering surface water. Overall the site was observed to be satisfactory, with all areas bunded and sediment controls in place to minimise sediment laden stormwater entering surface water. There was no visual impact on the receiving water.

7 June 2017

The truck wash area was tidy. This was not in use at the time of inspection, and no discharge was observed from this, or from any other part of the yard. The sand trap looked to be working well, but the inspecting officer noted that this may require a clean out to continue working effectively.

No odour or dust was detected beyond the site boundary.

21 June 2017

The truck wash was not in use at the time of the inspection, it appeared to be tidy and no discharge was noted. The sand trap appeared to be working well. The separator by the wash down bay nearest the workshop had been cleaned out. Overall the site was in a satisfactory state, with no discharge leaving the yard.

No odour or dust was detected beyond the site boundary.

2.1.2 Results of discharge monitoring

The monitoring programme provides for chemical water sampling of the stormwater (STW002079) and truck wash (IND002043) discharges from the Company's site. However, after visual inspection of the on site truck wash and its drainage system, along with the stormwater systems and discharge locations (Figure 2), the assessment was made that either the discharges complied with the component concentrations on the consent or there was no discharge occurring at the time of inspection. As a result of this assessment, sampling was not undertaken during the period under review.



Figure 2 Location of the Hickman JD 1997 Family Trust site and associated sampling sites

2.1.3 Results of receiving environment monitoring

The monitoring programme provides for chemical water quality sampling of the receiving environment upstream (WGA000463, Figure 2) and downstream (WGA000465, Figure 2) of the site discharges, in conjunction with the site inspections and discharge monitoring.

During the period under review sampling was not considered necessary. Visual inspection of the receiving waters found that the requirements of special condition 4 of the Company's resource consent were being complied with at the time of inspection.

2.2 Investigations, interventions, and incidents

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

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

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

In the 2016-2017 period, the Council was not required to undertake significant additional investigations and interventions, or record incidents, in association with the Company's conditions in resource consents or provisions in Regional Plans.

3 Discussion

3.1 Discussion of site performance

Inspections of the Company's site during the 2016-2017 period found that the site was well managed, and the truck wash and stormwater systems were maintained to a satisfactory standard.

New silt retention devices were installed in the drainage systems at the site during the 2014-2015 year following noncompliant (suspended solids) discharges from both the stormwater and truck wash waste water systems during the previous year. These have been well maintained and effective at reducing suspended sediment load from the site. A sand trap was installed at the beginning of the 2016-2017 year at the south-western end of the site, and this has also aided in minimising sediment entering surface water.

3.2 Environmental effects of exercise of consents

All visual assessments of the receiving water quality upstream and downstream of the site indicated that, during the 2016-2017 year, there were no significant adverse effects occurring in the unnamed tributary of the Waiongana Stream as a result of discharges from the Company's site.

3.3 Evaluation of performance

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

Table 1 Summary of performance for consent 1281-3

Purpose: To discharge stormwater and truck washwater from a road transport depot into an unnamed tributary of the Waiongana Stream		
Condition requirement	Means of monitoring during period under review	Compliance achieved?
1. Consent to be exercised in accordance with application information	Inspections of treatment systems, discharge point and receiving waters	Yes
2. Adoption of best practicable options to minimise effects	Inspections of treatment systems, discharge point and receiving waters	Yes
3. Limits on contaminants in the discharge	Visual assessment	Yes
4. Limits on effects in the receiving waters	Visual assessment	Yes
5. Provide and maintain a contingency plan to the Council	Contingency plan received and approved by Council in 2014	Yes
6. Optional review provision	Consent expired on 1 June 2014	N/A
Overall assessment of consent compliance and environmental performance in respect of this consent		High
Overall assessment of administrative performance in respect of this consent		High

N/A = not applicable

Table 2 Evaluation of environmental performance over time

Year	Consent no	High	Good	Improvement required	Poor
2009-10	1281-3		1		
2010-11	1281-3		1		
2011-12	1281-3	1			
2012-13	1281-3		1		
2013-14	1281-3		1		
2014-15	1281-3	1			
2015-16	1281-3	1			
2016-17	1281-3	1			
Totals		4	4		

During the year, the Company demonstrated a high level of environmental and administrative performance with their resource consent as defined in Section 1.1.4.

3.4 Recommendation from the 2015-2016 Annual Report

In the 2015-2016 Annual Report, it was recommended:

1. THAT monitoring of consented activities at Hickman JD 1997 Family Trust in the 2016-2017 year continues at the same level as programmed for the 2015-2016 year.

This recommendation was implemented.

3.5 Alterations to monitoring programmes for 2017-2018

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

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

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

It is proposed that for 2017-2018 the programme remains unchanged.

It should be noted that the proposed programme represents a reasonable and risk-based level of monitoring for the site(s) in question. The Council reserves the right to adjust this baseline programme should the need arise if potential or actual non-compliance is determined at any time during 2017-2018.

4 Recommendation

1. THAT in the first instance, monitoring of consented activities at Hickman JD 1997 Family Trust in the 2017-2018 year continues at the same level as programmed for the 2016-2017 year.
2. THAT should there be issues with environmental or administrative performance in 2017-2018, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

Glossary of common terms and abbreviations

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

Bund	A wall around a tank to contain its contents in the case of a leak.
g/m ³	Grams per cubic metre, and equivalent to milligrams per litre (mg/L). In water, this is also equivalent to parts per million (ppm), but the same does not apply to gaseous mixtures.
Incident	An event that is alleged or is found to have occurred that may have actual or potential environmental consequences or may involve non-compliance with a consent or rule in a regional plan. Registration of an incident by the Council does not automatically mean such an outcome had actually occurred.
Intervention	Action/s taken by Council to instruct or direct actions be taken to avoid or reduce the likelihood of an incident occurring.
Investigation	Action taken by Council to establish what were the circumstances/events surrounding an incident including any allegations of an incident.
Incident register	The Incident register contains a list of events recorded by the Council on the basis that they may have the potential or actual environmental consequences that may represent a breach of a consent or provision in a Regional Plan.
L/s	Litres per second.
m ²	Square Metres.
mS/m	Millisiemens per metre.
Mixing zone	The zone below a discharge point where the discharge is not fully mixed with the receiving environment. For a stream, conventionally taken as a length equivalent to 7 times the width of the stream at the discharge point.
O&G	Oil and grease, defined as anything that will dissolve into a particular organic solvent (e.g. hexane). May include both animal material (fats) and mineral matter (hydrocarbons).
pH	A numerical system for measuring acidity in solutions, with 7 as neutral. Numbers lower than 7 are increasingly acidic and higher than 7 are increasingly alkaline. The scale is logarithmic i.e. a change of 1 represents a ten-fold change in strength. For example, a pH of 4 is ten times more acidic than a pH of 5.
Physicochemical	Measurement of both physical properties (e.g. temperature, clarity, density) and chemical determinants (e.g. metals and nutrients) to characterise the state of an environment.
Resource consent	Refer Section 87 of the RMA. Resource consents include land use consents (refer Sections 9 and 13 of the RMA), coastal permits (Sections 12, 14 and 15), water permits (Section 14) and discharge permits (Section 15).
RMA	<i>Resource Management Act 1991</i> and including all subsequent amendments.
SS	Suspended solids.
Temp	Temperature, measured in °C (degrees Celsius).

For further information on analytical methods, contact the Council's laboratory.

Bibliography and references

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Appendix I

Resource consent held by Hickman JD 1997 Family Trust

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

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

Name of
Consent Holder: J D Hickman 1997 Family Trust
P O Box 7151
NEW PLYMOUTH

Consent Granted
Date: 13 May 2002

Conditions of Consent

Consent Granted: To discharge stormwater and truck washwater from a road transport depot into an unnamed tributary of the Waiongana Stream at or about GR: Q19:157-420

Expiry Date: 1 June 2014

Review Date(s): June 2008

Site Location: Old Brixton Dairy Factory Complex, Waitara Road, Brixton, Waitara

Legal Description: Lot 1 DP 12537 Lot 1 DP 18913 Blk III Paritutu SD

Catchment: Waiongana

Consent 1281-3

General conditions

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

Special conditions

1. The exercise of this consent shall be conducted in accordance with the information submitted in support of the application and to ensure that the conditions of the consent are met at all times.
2. The consent holder shall at all times adopt the best practicable option, as defined in section 2 of the Resource Management Act 1991, to prevent or minimise any adverse effects on the environment.
3. The following concentrations shall not be exceeded in the discharge effluent:

Component	Concentration
pH (range)	6.5-8.5
suspended solids	100 gm ⁻³
total recoverable hydrocarbons [infrared spectroscopic technique]	15 gm ⁻³

This condition shall apply prior to the entry of the treated stormwater into the receiving waters of the unnamed tributary, at a designated sampling point approved by the General Manager, Taranaki Regional Council.

4. After allowing for reasonable mixing within a mixing zone extending 25 metres downstream of the discharge point, the discharge shall not give rise to any of the following effects in the unnamed tributary:
 - 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.

Consent 1281-3

5. The consent holder shall provide and maintain a contingency plan to the Taranaki Regional Council, outlining measures and procedures to be undertaken to prevent the spillage or accidental discharge of contaminants in the stormwater catchment, and measures to avoid, remedy or mitigate the environmental effects of such a spillage or discharge.

6. 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 2008, for the purpose of ensuring that the conditions are adequate to deal with any adverse effects on the environment arising from the exercise of this resource consent, which were either not foreseen at the time the application was considered or which it was not appropriate to deal with at the time.

Signed at Stratford on 13 May 2002

For and on behalf of
Taranaki Regional Council

Director-Resource Management

