

Westown Haulage Cowling Road

Monitoring Programme

Annual Report

2022-2023

Technical Report 2023-22



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Taranaki Regional Council
Private Bag 713
Stratford

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Executive summary

Westown Haulage Limited/Westown Agriculture Limited (the Company) operates a cleanfill located on Cowling Road in Hurdon, in the Huatoki catchment. The activity relates to the filling of the southern portion of a gully with cleanfill material, with a contingency to receive a small amount of untreated sawdust from the Taranaki Pine site in Bell Block.

This report for the period July 2022 to June 2023 describes the monitoring programme implemented by the Taranaki Regional Council (the Council) to assess the Company's environmental and consent compliance performance during this period. The report also details the results of the monitoring undertaken and assesses the environmental effects of the Company's activities.

During the monitoring period, an improvement was required in the Company's environmental performance and the Company demonstrated a good level of administrative performance.

The Company holds one resource consent for the discharge of cleanfill to land, which includes a total of 15 conditions setting out the requirements that the Company must satisfy.

The Council's monitoring programme for the year under review included three inspections and two water samples collected for physicochemical analysis.

The monitoring showed that only acceptable materials were discharged at the site during the period under review. Although good erosion and sediment controls were in place at the start of the monitoring year, and no visible effects were noted in the receiving waters, these were found to have deteriorated towards the end of the period under review.

During the year under review, an improvement was required in the Company's environmental performance and the Company demonstrated a good level of administrative performance. An abatement notice was issued as a result of there being inadequate erosion and sediment control measures in place at the site at the end of the year under review and the sampling results showed that the suspended solids concentration of the receiving waters was elevated. Reinspection found that the abatement notice had been complied with. The improvement that had been required in the Company's administrative performance in the 2021-2022 year due to the lack of provision of the Erosion and Sediment Control Plan was achieved early in the 2022-2023 year.

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

This report includes recommendations for the 2023-2024 year.

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1 Introduction

1.1 Compliance monitoring programme reports and the Resource Management Act 1991

1.1.1 Introduction

This report is for the period July 2022 to June 2023 by the Taranaki Regional Council (the Council) describing the monitoring programme associated with resource consents held by Westown Haulage Limited/Westown Agriculture Limited (the Company). The Company operates a cleanfill situated on Cowling Road in Hurdon.

This report covers 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 cleanfill to land in the Huatoki catchment. This is the second annual report to be prepared by the Council to cover the Company's discharge to land and its effects.

1.1.2 Structure of this report

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

- consent compliance monitoring under the *Resource Management Act 1991* (RMA) and the Council's obligations;
- the Council's approach to monitoring sites through annual programmes;
- the resource consent 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 2023-2024 monitoring year.

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

1.1.3 The Resource Management Act 1991 and monitoring

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

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

In drafting and reviewing conditions on discharge permits, and in implementing monitoring programmes, the Council is recognising the comprehensive meaning of 'effects' in as much as is appropriate for each

activity. Monitoring programmes are not only based on existing permit conditions, but also on the obligations of the RMA to assess the effects of the exercise of consents. In accordance with Section 35 of the RMA, the Council undertakes compliance monitoring for consents and rules in regional plans, and maintains an overview of the performance of resource users and consent holders. Compliance monitoring, including both activity and impact monitoring, enables the Council to continually re-evaluate its approach and that of consent holders to resource management and, ultimately, through the refinement of methods and considered responsible resource utilisation, to move closer to achieving sustainable development of the region's resources.

1.1.4 Evaluation of environmental and administrative performance

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

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

1.2 Process description

The site is located at the end of Cowling Road, Hurdon. The Company operates from the southern area of the site supplying contracting services to farms within the Taranaki Region including the supply of silage, mulch, equipment hire, fertiliser spreading and hay bailing. Equipment and material associated with the business are stored on buildings at the southern end of the site.

The cleanfill area is a gully to the north of the area used for their contracting services. The gully is being filled from the south towards the north. The gully starts and is shallower in the southern portion of the site (Photo 1) and drops off/deepens towards the northern boundary. The lower, northern portion of the gully contains a waterbody (Photo 2, Figure 1). Only the upper, southern portion of the gully, which does not contain the water body is proposed to be filled as shown in Figure 2.

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



Photo 1 Cleanfill face before filling - photograph taken from the northern end of the property facing south



Photo 2 Waterbody at the northern end of the property that will not be filled



Figure 1 Aerial image showing the Westtown Haulage cleanfill site and waterways, before filling



Figure 2 Approximate extent of the Westtown Haulage Ltd cleanfill, 180 Cowling Road, before filling

Mitigation measures at the site include requirements for the installation of cut off drains, where required, to prevent stormwater from outside the fill area from running across it, and sediment controls downstream of the discharge area and control of the type of materials discharged at the site.

1.3 Resource consents

The Company holds one resource consent, the details of which are summarised in the table below (Table 1). Summaries of the conditions attached to the permit are set out in Section 3 of this report.

A list of the various consent types issued by the Council is included in Appendix I, as is a copy of the permit held by the Company during the period under review.

Table 1 Resource consent summary

Consent number	Purpose	Granted	Review	Expires
<i>Discharges of waste to land</i>				
10884-1.0	To discharge cleanfill and inert materials onto and into land, where contaminants may enter into an unnamed tributary of the Mangaotuku Stream	03 Dec 2020	Jun 2023	Jun 2038

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 cleanfill 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;
- 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 cleanfill site was visited three times during the monitoring period to assess compliance with the consent. The main points of interest were processes with potential or actual discharges to receiving watercourses, including potential for contaminated stormwater and leachate. The inspections focused on stormwater control, sub-fill drainage, the nature of the fill being disposed of at the site, and sedimentation controls. 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

The adverse effects of the discharge of inert cleanfill materials to land are less than minor. However, in practice, non-inert material is often found within cleanfills that can cause adverse environmental effects. The Company has indicated that wood shavings, saw dust and bark will be received into the cleanfill, along with typical cleanfill material. Adverse effects of contaminated material have the potential for the generation of:

- biochemical oxygen demand in any water that enters the fill area and then leaches out;
- tannins in any leachate produced; and
- sediment.

To monitor whether any of these adverse effects are occurring at the site, the Council undertakes sampling at the discharge site and downstream of the site. During this monitoring period the Council undertook sampling of both the discharge from the site and the water quality downstream of the discharge point and mixing zone.

The discharge and unnamed tributary of the Mangatoku Stream were sampled on one occasion, and the samples were analysed for dissolved carbonaceous biochemical oxygen demand, pH and suspended solids.

2 Results

2.1 Water

2.1.1 Inspections

5 August 2022

At the time of inspection it was found that the site had been well used. There was no unauthorised material located on the site. There were silt fences and a settling pond in place that appeared to be effective at the time of inspection. It was reported that some good work had been taking place by the bulldozer operator. There were no issues with dust or odour found during the inspection. Consent conditions were being complied with.

3 April 2023

At the time of inspection it was again found that the site had been well used, with no unauthorised material located on site. It was noted that, whilst silt fences were in place, they were in urgent need of repair. It appeared that the material used is more of a wind break type material rather than silt fencing. The Company was asked to address this as soon as possible. The site was well contoured with tracking helping to slow water flow down tip face, thereby reducing the entrainment of solids. Although samples were scheduled to be taken at this inspection, there was no discharge from site and little flow in the stream below the site. Therefore no samples were collected on this occasion. There were no issues with dust or odour at the time of inspection. Consent conditions were being complied with.

29 June 2023

The site was again found to have been well used since the previous inspection. No unauthorised material was found on site. The tip face was well contoured with water directed to the western side of the tip face and then joining up with the discharge of the ring drain from the main site. This drain was running slightly turbid and discharged at the base of the cleanfill prior to the silt fences. It was noted that the silt fences at the toe of the tip face were ineffective. They were not dug into the ground and appeared to be constructed out of shade cloth and not silt fencing. Due to the poor installation, they were allowing water to run underneath them. A sample of the discharge and a downstream receiving water sample were obtained. Both samples were slightly turbid. This was considered to be a breach of condition 11 of the consent. Due to a number of non-compliant matters identified during this inspection, the Company was advised that an abatement notice was to follow. The additional non-compliances related to conditions 9, 12, and 13 of the consent. This is reported on further in Section 2.2 and Section 3.3.

2.1.2 Results of and discharge and receiving water monitoring

During the year under review a sample was collected of the discharge from the cleanfill site and from the receiving water downstream of the site boundary as described in Table 2 and shown in Figure 3. The results are given in Table 3.

Table 2 Location and description of sampling sites

Site description	Site Code	Co-ordinates (NZTM)
Discharge sample	STW002104	E 1690299, N 5671555
Receiving water sample	MGK000110	E 1690276, N 5671590



Figure 3 Downstream receiving water (MGK000110) and discharge (STW002104) sampling sites at Westtown Haulage cleanfill. Aerial image from 2021

Table 3 Chemical analysis of the discharge and receiving water downstream of the site, June 2023

Parameters	Units	Discharge	Downstream receiving water
		STW002104	MGK000110
Filtered carbonaceous biochemical oxygen demand*	g/m ³	1.3	1.2
pH	pH	7.8	6.9
Suspended solids	g/m ³	420	133
Temperature	°C	9.5	11.1

The results of these samples showed that the suspended solids concentration of the discharge was elevated and that, after allowing for reasonable mixing, the suspended solids concentration of the receiving waters was also elevated, although to a lesser extent.

This was registered on the incidents database and an abatement notice was issued.

2.2 Incidents, investigations, and interventions

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

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

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

In the 2022-2023 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.

Table 4 below sets out details of any incidents recorded, additional investigations, or interventions required by the Council in relation to the Company's activities during the 2022-2023 period. This table presents details of all events that required further investigation or intervention regardless of whether these were found to be compliant or not.

Table 4 Incidents, investigations, and interventions summary table

Date	Details	Compliant (Y/N)	Enforcement Action Taken?	Outcome
12 Jul 2022	Erosion and Sediment Control Plan not provided	N	Abatement notice (EAC-24674)	Abatement notice required plan to be submitted by 31 August 2022. Abatement notice was complied with
29 Jun 2023	Insufficient erosion and sediment controls: <ul style="list-style-type: none"> • the silt fences were ineffective; • there was a conspicuous change in the colour and visual clarity of the receiving water; and • the Erosion and Sediment Control Plan submitted to Council had not been implemented. 	N	Abatement notice (EAC-25178)	Reinspection on 5 September 2023 found that the abatement notice had been complied with

3 Discussion

3.1 Discussion of site performance

There was good control of materials accepted for disposal at the site during period under review. No prohibited materials were found and the discharge details were recorded as required by the consent. The Council had been working with the Company throughout the 2021-2022 monitoring year to ensure that the management plan required by condition 11 was provided. As the plan was still outstanding at the end of the previous year, an abatement notice was issued in July 2022 requiring that the plan be provided by 31 August 2022. The plan was submitted as required and the Company maintained a high level of administrative performance from the remainder of the year under review.

At the time of the first inspection during the year under review there were good silt control measures in place in the form of silt fencing and a settling pond. However, the silt control measures and management of clean stormwater from above the cleanfill site deteriorated during the year under review. Although the site was considered to be compliant with consent conditions at the April inspection, it was noted that urgent repairs were needed on the silt fencing. At the time of the June inspection there were a number of non-compliances with consent conditions relating to stormwater management and erosion and sediment controls and an abatement notice was issued. Reinspection found that the abatement notice had been complied with.

3.2 Environmental effects of exercise of consents

No visual effects were found in the receiving waters on two of the three compliance monitoring inspections. At the time of the final inspection of the year it was found that the silt controls at the site were inadequate, there was a conspicuous change in the colour and clarity of the receiving water. Further to this, results of the water samples showed that the suspended solids concentration of the discharge, and to a lesser extent, the receiving waters were elevated. This would have been a minor transient effect, with corrective actions undertaken in a timely manner.

3.3 Evaluation of performance

A tabular summary of the consent holder's compliance record for the year under review is set out in Table 5.

Table 5 Summary of performance for consent 10884-1.0

Purpose: To discharge cleanfill and inert materials onto and into land, where contaminants may enter into an unnamed tributary of the Mangaotuku Stream		
Condition requirement	Means of monitoring during period under review	Compliance achieved?
1. Notification of commencement of filling	Check of documentation on file. Notification received	Yes
2. Extent of cleanfill discharge area specified. 25 m buffer from gully containing waterbody	Site inspection	Yes
3. Materials permitted for discharge specified	Site inspection	Yes
4. No discharge of the prohibited materials listed in the consent	Site inspection	Yes

Purpose: To discharge cleanfill and inert materials onto and into land, where contaminants may enter into an unnamed tributary of the Mangaotuku Stream		
Condition requirement	Means of monitoring during period under review	Compliance achieved?
5. If the acceptability of a material is uncertain, obtain approval from the Council	Check of Council records and inspection	N/A
6. Prior notification of non-virgin excavated material (NVEM) required	Check of Council and consent holder records and site inspection. No discharges other than virgin excavated material found at inspection	N/A
7. Record keeping	Records viewed at inspection	Yes
8. Diversion of stormwater from up gradient of the fill site	Site inspection	Yes
9. Stormwater diversion, treatment and site stabilisation requirements	Site inspection	No. Silt fences ineffective on one of three inspections
10. Capping, stabilisation and stormwater control measures required	Site inspection	Yes
11. Prohibited effects beyond specified mixing zone	Site inspection and sampling	No. Change in colour and visual clarity on one of three inspections
12. Adopt best practicable option to avoid or minimise effects	Site inspection and sampling	Non-compliant on one of three inspections due to the other non-compliances
13. Site to be managed in accordance with certified erosion and sediment control plan.	Received in August 2022	Plan in place from August 2022. Site operations non-compliant with the plan on one of three inspections
14. Provision for lapse of consent	Consent exercised	N/A
15. Optional review provision re environmental effects	Not scheduled for consideration during year under review. Next consideration June 2023	N/A
Overall assessment of consent compliance and environmental performance in respect of this consent		Improvement required
Overall assessment of administrative performance in respect of this consent		Good

N/A = not applicable

Table 6 Evaluation of environmental performance over time

Year	Consent no	High	Good	Improvement req	Poor
2020-21	10884-1.0	1	-	-	-
2021-22	10884-1.0	1	-	-	-
2022-2023	10884-1.0	-	-	1	-
Totals	-	2	-	1	-

During the year under review, an improvement was required in the Company's environmental performance and the Company demonstrated a good level of administrative performance. An abatement notice was issued as a result of there being inadequate erosion and sediment control measures in place at the site at the end of the year under review and the sampling results showed that the suspended solids concentration of the receiving waters was elevated. Reinspection found that the abatement notice had been complied with. The improvement that had been required in the Company's administrative performance in the 2021-2022 year due to the lack of provision of the Erosion and Sediment Control Plan was achieved early in the 2022-2023 year.

3.4 Recommendations from the 2021-2022 Annual Report

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

1. THAT in the first instance, monitoring of consented activities at the cleanfill site in the 2022-2023 year continues at the same level as in 2021-2022.
2. THAT should there be issues with environmental or administrative performance in 2022-2023, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
3. THAT the option for a review of resource consent(s) in June 2023, as set out in condition 15 of the consent, not be exercised, on the grounds that the current conditions are adequate.

These recommendations were implemented.

3.5 Alterations to monitoring programmes for 2023-2024

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

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

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

It is proposed that for 2023-2024 monitoring year the programme remains unchanged from that of 2022-2023.

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

4 Recommendations

1. THAT in the first instance, monitoring of consented activities at the cleanfill site in the 2023-2024 year continues at the same level as in 2022-2023.
2. THAT should there be issues with environmental or administrative performance in 2023-2024, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

Glossary of common terms and abbreviations

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

CBOD	Carbonaceous biochemical oxygen demand. A measure of the presence of degradable organic matter, excluding the biological conversion of ammonia to nitrate.
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.
m ²	Square metres.
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.
MPN	Most Probable Number. A method used to estimate the concentration of viable.
NVEM	Non virgin excavated material. This is material that is not: natural material, such as clay, gravel, sand, soil or rock fines that; have been excavated or quarried from areas that are not contaminated with manufactured chemicals or residues; and does not contain sulfidic ores or soils or any other waste.
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 an Environment Quality Manager.

Bibliography and references

Ministry for the Environment. 2018. *Best Practice Guidelines for Compliance, Monitoring and Enforcement under the Resource Management Act 1991*. Wellington: Ministry for the Environment.

Taranaki Regional Council (2021): Westown Haulage Cowling Road Monitoring Programme Annual Report 2020-21. Technical Report 2021-69.

Taranaki Regional Council (2022): Westown Haulage Cowling Road Monitoring Programme Annual Report 2021-22. Technical Report 2022-94.

Appendix I

Resource consents held by Westown Haulage/Westown Agriculture

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

Water abstraction permits

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

Water discharge permits

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

Air discharge permits

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

Discharges of wastes to land

Sections 15(1)(b) and (d) of the RMA stipulate that no person may discharge any contaminant onto land if it may then enter water, or from any industrial or trade premises onto land under any circumstances, unless the activity is expressly allowed for by a resource consent, a rule in a regional plan, or by national regulations. Permits authorising the discharge of wastes to land are issued by the Council under Section 87(e) of the RMA.

Land use permits

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

Coastal permits

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

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

Name of Consent Holder: Westown Haulage Limited/Westown Agriculture Limited
180 Cowling Road
Hurdon
New Plymouth 4371

Decision Date 4 December 2020

Commencement Date 4 December 2020

Conditions of Consent

Consent Granted: To discharge cleanfill and inert materials onto and into land, where contaminants may enter into an unnamed tributary of the Mangaotuku Stream

Expiry Date: 1 June 2038

Review Date(s): June 2023 and three yearly thereafter

Site Location: 180 Cowling Road, Hurdon

Grid Reference (NZTM) 1690389E-5671449N

Catchment: Huatoki

Tributary: Mangaotuku

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

General condition

- a. The consent holder shall pay to the Taranaki Regional Council all the administration, monitoring and supervision costs of this consent, fixed in accordance with section 36 of the Resource Management Act 1991.

Special conditions

1. At least 7 working days prior to the commencement of the fill operation, the consent holder shall notify the Taranaki Regional Council of the proposed start date for the work. Notification shall include the consent number and a brief description of the activity consented and shall be served by completing and submitting the 'Notification of work' form on the council website <http://bit.ly/TRCWorkNotificationForm>
2. The discharge of cleanfill shall only occur in the approximate shaded area shown on the plan attached. The final finished fill site shall be located at least 25 metres back from the bottom portion of the gully containing a waterbody (this area north of the existing stock water feeding trough).
3. The contaminants to be discharged shall be limited to cleanfill and/or inert materials. For the purposes of this condition, "clean fill and inert materials" are defined as uncontaminated materials consisting of any cured bitumen, concrete, cement or cement wastes, bricks, mortar, tiles (clay, ceramic or concrete), untreated sawdust, wood shavings, bark, porcelain, glass, gravels, boulders, shingles, sand, soils and clays, and/or tree stumps and roots, whether singly or in combination or mixture, or any other material (subject to condition 4) that when placed onto and into land will not render that land or any vegetation grown on that land toxic to vegetation or animals consuming vegetation.
4. The discharge of the following contaminants shall not occur: food wastes, paper and cardboard, grass clippings, garden wastes including but not limited to wastes containing foliage or other vegetation (other than tree stumps and roots as permitted under condition 3), textiles, steel, metals, construction materials containing lead based paint or fillers or sealers or their containers, oils or greases or any liquids or sludges or their containers, any industrial process by-products other than as permitted under condition 3, any poisons or solvents or their containers, batteries, general domestic refuse not otherwise described, or any wastes with the potential to render land or any vegetation grown on the land toxic to vegetation or to animals consuming such vegetation, or material that will produce contaminated leachate.
5. If the consent holder is uncertain as to the acceptability or not of a certain material the consent holder shall obtain written approval from the Consents Manager, Taranaki Regional Council, prior to its discharge.

Consent 10884-1.0

6. The consent holder shall notify the Chief Executive, Taranaki Regional Council at least 2 working days prior to the discharge of any non- virgin excavated material on site. Notification shall be served completing and submitting the 'Notification of work' form on the council website <http://bit.ly/TRCWorkNotificationForm> and shall include as a minimum:
 - the consent number;
 - a description of the nature of the material;
 - the source of the material, including the location details;
 - the volume (or truck loads) of the material expected;
 - name, address and other contact details of the 'Discharger'; and
 - the date and period of discharge.
7. For compliance monitoring purposes, the consent holder shall keep a record of the material discharged at the site. This record shall be maintained and made available to the Chief Executive, Taranaki Regional Council on request. The record kept shall include as a minimum:
 - a description of material received;
 - the source of the material, including the location details;
 - the total volume (or truck loads) of the material;
 - name, address and other contact details of the 'Discharger'; and
 - the date and period of discharge.
8. The consent holder shall ensure that the only source of water entering the fill is that of direct rainwater and the fill is isolated from any stormwater infiltration from the immediate catchment area.
9. The consent shall take all reasonable and necessary steps to minimise effects of the activity on water, including, but not limited to, the following:
 - installation and maintenance of diversion drains and retention devices to minimise stormwater infiltration into the filled area;
 - installation of sediment settling/maturation pond to treat discharges to the Mangaotuku Stream tributary; and
 - placing interim cover of 100 mm of compacted clay on any exposed fill during periods of inactivity no more than 1 month.
10. The consent holder shall ensure that exposed surfaces of the discharge area are progressively capped upon completion of each discharge activity and following the filling of the entire discharge area. The fill cap shall:
 - have a minimum layer of compacted clay, at least 300 mm thick and shall be covered with topsoil, no less than 100 mm thick;
 - be contoured to prevent ponding and promote runoff from the fill cap area; and
 - be stabilised and vegetated in a manner that withstands subsidence, erosion or scouring.

Consent 10884-1.0

11. After allowing for reasonable mixing, at or about approximate grid reference (NZTM) 1690337E -5671525N, the discharge shall not, either by itself or in combination with other discharges, give rise to any or all of the following effects in the receiving water:
 - 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.
12. The consent holder shall at all times adopt the best practicable option or options (as defined in section 2 of the Resource Management Act 1991) to prevent or minimise any actual or potential effect on the environment arising from any discharge at the site.
13. The site shall be managed and any stormwater treated in accordance with a finalised Soil Erosion and Sediment Control Plan that has been approved by the Chief Executive, Taranaki Regional Council, acting in a certification capacity. This finalised plan shall conform to the Waikato Regional Council's *Guidelines for Soil Disturbing Activities* and shall detail methodology/ design of stormwater drainage from the cleanfill, and maintenance of sediment control practices, with a specific focus on rainfall events.
14. This consent shall lapse five years following the date of issue, unless the consent is given effect to before the end of that period or the Taranaki Regional Council fixes a longer period pursuant to section 125(1)(b) of the Resource Management Act 1991.
15. 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 2023 and three yearly 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.

Signed at Stratford on 4 December 2020

For and on behalf of
Taranaki Regional Council



A D McLay
Director - Resource Management

Map showing cleanfill location



Map showing extent of cleanfill discharge (approximate)



Appendix II

Categories used to evaluate environmental and administrative performance

Categories used to evaluate environmental and administrative performance

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

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

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

Environmental Performance

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

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

For example:

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

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

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

Administrative performance

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

Good: Perhaps some administrative requirements of the resource consents were not met at a particular time, however this was addressed without repeated interventions from the Council staff. Alternatively

adequate reason was provided for matters such as the no or late provision of information, interpretation of 'best practical option' for avoiding potential effects, etc.

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

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