

Dimar Partnership Landfill
Monitoring Programme
Annual Report
2013-2014

Technical Report 2014-100

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Executive summary

Dimar Partnership (the consent holder) previously operated a refuse dump located on Ararata Road at Hawera, in the Tangahoe catchment. The site was investigated in June 2014 and it was found that it was accepting household rubbish, other refuse from off-site and that it was closer than 25 metres to a waterway. An abatement notice was issued and the site owner then applied for a consent to discharge leachate into the Mangimangi Stream

This report for the period July 2013 – June 2014 describes the monitoring programme implemented by the Taranaki Regional Council (the Council) to assess the consent holder's environmental performance during the period under review, and the results and environmental effects of the consent holder's activities.

The consent holder holds one resource consent, which includes a total of five conditions setting out the requirements that the consent holder must satisfy. The consent allows the consent holder to discharge contaminants (leachate) from a closed farm refuse dump into land where it may enter the Mangimangi Stream.

During the monitoring period the consent holder demonstrated an overall high level of environmental performance with the resource consents.

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

The monitoring showed that whilst no environmental impacts were found, there were however site performance issues in regards to getting the site capped, contoured and vegetated in a timely manner. There were no unauthorised incident/s recording non-compliance in respect of this consent holder during the period under review, however the site was operating under an abatement notice at the start of monitoring period.

During the year, the consent holder demonstrated a high level of environmental performance, however an improvement was required in the level of administrative performance.

For reference, in the 2013-2014 year, 60% of consent holders in Taranaki monitored through tailored compliance monitoring programmes achieved a high level of environmental performance and compliance with their consents, while another 29% demonstrated a good level of environmental performance and compliance with their consents.

This report includes recommendation for the 2014-2015 year.

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1. Introduction

1.1 Compliance monitoring programme reports and the Resource Management Act 1991

1.1.1 Introduction

This report is the Annual Report for the period July 2013- June 2014 by the describing the monitoring programme associated with the resource consent held by Dimar Partnership Ltd (the consent holder). The consent holder previously operated a refuse dump situated on Ararata Road at Hawera.

This report covers the results and findings of the monitoring programme implemented by the Council in respect of the consent held by the consent holder that relates to discharges of water in the Tangahoe catchment. This is the first Annual Report to be prepared by the Council to cover the consent holder'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 compliance monitoring under the RMA and the Council's obligations and general approach to monitoring sites through annual programmes, the resource consent held by The consent holder in the Tangahoe catchment, the nature of the monitoring programme in place for the period under review, and a description of the activities and operations conducted in the consent holder's site/catchment.

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 2014-2015 monitoring year.

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

1.1.3 The Resource Management Act 1991 and monitoring

The *Resource Management Act 1991* (RMA) primarily addresses environmental 'effects' which are defined as positive or adverse, temporary or permanent, past, present or future, or cumulative. Effects may arise in relation to:

- (a) the neighbourhood or the wider community around 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 (eg, recreational, cultural, or aesthetic);

- (e) risks to the neighbourhood or environment.

In drafting and reviewing conditions on discharge permits, and in implementing monitoring programmes, the 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 consent holder'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 consent holder'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 (i.e. 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 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 compliance

- **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.

For reference, in the 2013-2014 year, 60% of consent holders in Taranaki monitored through tailored compliance monitoring programmes achieved a high level of environmental performance and compliance with their consents, while another 29% demonstrated a good level of environmental performance and compliance with their consents.

1.2 Process description

The consent holder previously operated a refuse dump on a farm located at Ararata Road, Hawera. The total area of the site is approximately 17.8 hectares with the surrounding land uses being predominantly agricultural. The Mangimangi Stream is located to the west and southwest of the site.

For a number of years the dump was filled with household rubbish, broken concrete, timber, tree prunings and farm waste from several surrounding properties. The dump is located approximately 22 m away from the Mangimangi Stream. The discharge of contaminants (leachate) into the Mangimangi Stream has the potential to result in the contamination of surface water.

After the recent closure of the dump, the consent holder intended to rehabilitate the site. All rubbish located within 25 m of the stream was to be removed. The site was to be covered with 500 mm of clay, shaped to the desired contour, capped with 500 mm of top soil and re-vegetated with grass.

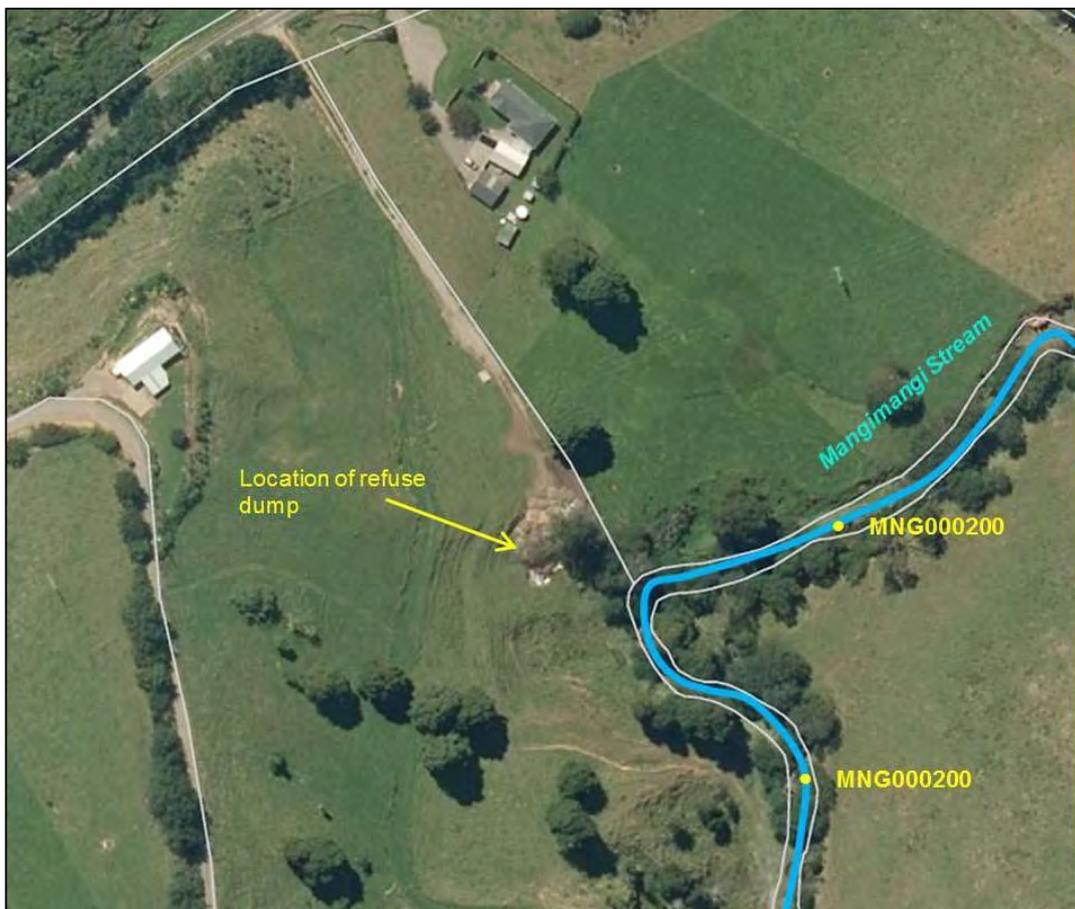


Figure 1 Aerial map of site and location of refuse dump and sampling sites



Photo 1 Photograph showing the refuse dump prior to capping



Photo 2 Photograph showing the refuse dump after capping (foreground)

1.3 Resource consent

1.3.1 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.

The consent holder holds discharge permit **9640-1** to cover the discharge of contaminants (leachate) from the recently closed farm refuse dump where it may enter the Mangimangi Stream. This permit was issued by the Council on 1 August 2013 under Section 87(e) of the RMA. It is due to expire on 1 June 2018.

Special conditions 1 and 2 relate to the rehabilitation of the land previously used as a refuse dump.

Special conditions 3 and 4 specify the level of acceptable change to the receiving waters as a result of the landfill operation.

Special condition 5 is an optional review provision.

1.4 Monitoring programme

1.4.1 Introduction

Section 35 of the RMA sets out obligations upon the Council to gather information, monitor, and conduct research on the exercise of resource consents, and the effects arising, within the Taranaki region and report upon these.

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 Ararata Road 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 reviews;
- renewals;
- new consents;
- advice on the Council's environmental management strategies and content of regional plans and;
- consultation on associated matters.

1.4.3 Site inspections

The site was visited two times during the monitoring period. With regard to consents for the discharge of leachate, 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 consent holder 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 Council undertook sampling of the water quality upstream and downstream of the discharge point and mixing zone. The Mangimangi Stream was sampled on two occasions, and the sample analysed for a range of water quality parameters.

2. Results

2.1 Inspections

Two compliance monitoring inspections were carried out on 26 February 2014 and 26 June 2014.

26 February 2014

During this compliance monitoring inspection it was found that the filled area was not properly capped or vegetated and there was exposed refuse in several places. The consent holder informed the Council Officer that he had been away and this had delayed capping works. It was also outlined that another Council officer had been dealing with the consent holder. As works under abatement notice 12029 (to scrape back and cap) were still outstanding, the matter was referred back to inspectorate. Routine compliance monitoring will be still carried out to take water samples and monitor capping progress. Water samples were taken up and downstream of the site. During sampling it was noted that spring water was draining out from under the fill and flowing toward the stream in numerous places. No visual effects were noted in the waterway.

26 June 2014

During this compliance monitoring inspection, it was found that some more work had been done on capping of the tipface, however, there were still areas where refuse was exposed. There was also no vegetative cover on the cap as required by abatement notice 12029 and consent 9640-1. Routine compliance monitoring water samples were taken up and downstream of the site. During sampling it was noted that spring water was draining out from under the fill and towards the stream in numerous places. The stream was at a moderate flow and quite turbid. No visual effects on stream quality were noted.

The continuing non-compliance was referred to inspectorate.

2.1.1 Results of receiving waters monitoring

Sampling of two sites upstream and downstream of the closed refuse dump was undertaken on 26 February 2014 and 26 June 2014.

Table 1 Results of chemical monitoring of the Mangimangi Stream at Ararata Road for Dimar Partnership compliance monitoring programme 2013-2014, 26 February 2014

Parameter	Unit	MNG000200 (20 m upstream of Dimar Landfill)	MNG000202 (40 m downstream of Dimar Landfill)
BODCF	g/m ³	0.8	0.7
Unionised Ammonia	g/m ³	0.00036	0.00023
Ammoniacal Nitrogen	g/m ³ N	0.017	0.014
pH	pH	7.8	7.7
Temperature	Deg.C	15.3	15.3
Dissolved Zinc	g/m ³	0.006	0.005

Table 2 Results of chemical monitoring of the Mangimangi Stream at Ararata Road for Dimar Partnership compliance monitoring programme 2013-2014, 26 June 2014

Parameter	Unit	MNG000200 (20 m upstream of Dimar Landfill)	MNG000202 (40 m downstream of Dimar Landfill)
BODCF	g/m3	<0.5	<0.5
Unionised Ammonia	g/m3	0.00032	0.00033
Ammoniacal Nitrogen	g/m3 N	0.06	0.062
pH	pH	7.3	7.3
Temperature	Deg.C	12.1	12
Dissolved Zinc	g/m3	0.007	0.012

The results show that the levels of landfill indicator species such filtered carbonaceous oxygen demand, ammonia and zinc are at low levels at both up and downstream sites. There appears to be little variation in water quality occurring between the two sites indicating that landfill is not having a significant effect on the Mangimangi Stream.

2.2 Investigations, interventions, and incidents

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

The Council operates and maintains a register of all complaints or reported and discovered excursions from acceptable limits and practices, including non-compliance with consents, which may damage the environment. The Unauthorised Incident Register (UIR) includes events where the consent holder 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 consent holder is indeed the source of the incident (or that the allegation cannot be proven).

In the 2013-2014 period, the Council was required to undertake additional investigations in response to the consent holder's compliance conditions in their resource consents.

Just prior to the period under review on 14 June 2013, the Council issued abatement notice 12029 under sections 322 and 324 of the RMA requiring compliance with either Rule 30 or Rule 44 of the Regional Fresh Water Plan for Taranaki. This abatement notice was issued after a Council officer had visited the property on 12 June 2013 and found that there was an area by the Mangimangi Stream where cleanfill, organic material, household rubbish and other material such as a fridge and washing machine were being disposed of.

Discharge permit 9640-1 was subsequently applied for and granted by the Council on 1 August 2013 to cover the discharge of contaminants (leachate) from the recently closed farm refuse dump.

During the period under review it was found that works required by consent conditions were not being undertaken in a timely manner and extra inspections and a 14 day letter requesting an explanation was required to have these works done. The issue was resolved in August 2014 without further intervention.

3. Discussion

3.1 Discussion of site performance

The consent holder did not comply with the required timeframes in terms of having the necessary works undertaken to scrape back and cap the refuse. Until these works were undertaken it was not possible for consent 9640 to be complied with in regards to capping and vegetative growth on the site. The site was however found have been capped shortly after the end of the period under review, and the capped area was found to be well vegetated during a later inspection.

3.2 Environmental effects of exercise of consents

Chemical sampling shows almost no change in water quality when comparing the upstream and downstream sampling. Spring water was seen to be flowing out from under the toe of the landfill in several places, and the amount of spring water observed would provide for a measure of dilution for any leachate it contained prior to entering the stream. The stream it self would also provide a high level of dilution. No odour or dust nuisances were noted during inspections.

Based on the results of sampling and observations made during inspections, the presence of the landfill is unlikely to be having a significant adverse effect on the environment, despite the consent holder's failure to meet the consented timeframes.

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 3.

Table 3 Summary of performance for Consent 9640-1

Condition requirement	Means of monitoring during period under review	Compliance achieved?
1. Land to be permanently covered with low level vegetation	Inspection	No. Work incomplete. Timeframes not met.
2. Compaction and maintenance of overlying soil	Inspection	No. Work incomplete. Timeframes not met.
3. Limits on concentration of unionised ammonia, zinc, biochemical oxygen demand	Sampling	Yes
4. Discharge cannot cause specified adverse effects in Mangimangi Stream beyond the mixing zone	Inspection and chemical sampling	Yes
5. Review of consent	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		Improvement required

N/A = not applicable

During the year, the consent holder demonstrated a high level of environmental performance. An improvement in the consent holder's administrative performance is however required. During the year under review the landfill cap was not stabilised or

re-vegetated as per consent requirements. However water quality did not appear to have been significantly affected by discharges from the landfill.

3.4 Recommendations from the 2012-2013 Annual Report

This is the first annual report for the consent holders, therefore there are no recommendations from previous reports.

3.5 Alterations to monitoring programmes for 2014-2015

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

It is proposed that for 2014-2015 the consent holder landfill be monitored at the same level as it was in 2013-2014.

4. Recommendation

That for 2014-2015 the consent holder landfill be monitored at the same level as it was in 2013-2014.

Glossary of common terms and abbreviations

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

BOD	Biochemical oxygen demand. A measure of the presence of degradable.
Conductivity	An indication of the level of dissolved salts in a sample, usually measured at 20°C and expressed in mS/m.
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.
mS/m	Millisiemens per metre.
Mixing zone	The zone below a discharge point where the discharge is not fully mixed with the receiving environment. For a stream, conventionally taken as a length equivalent to 7 times the width of the stream at the discharge point.
NH ₄	Ammonium, normally expressed in terms of the mass of nitrogen (N).
NH ₃	Unionised ammonia, normally expressed in terms of the mass of nitrogen (N).
NTU	Nephelometric Turbidity Unit, a measure of the turbidity of water.
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).
Turb	Turbidity, expressed in NTU.
UI	Unauthorised Incident.

UIR	Unauthorised Incident Register – contains a list of events recorded by the Council on the basis that they may have the potential or actual environmental consequences that may represent a breach of a consent or provision in a Regional Plan.
Zn*	Zinc.

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

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

Bibliography and references

Taranaki Regional Council (2013): Officer Report for Consent 9640- 1 'To discharge contaminants (leachate) from a closed farm refuse dump into land where it may enter water'. Document 1226368

Appendix I

Resource consents held by Dimar Partnerships

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

Name of
Consent Holder: Dimar Partnership
 (Mark Owen & Diane Fay West)
 162B Ararata Road
 R D 14
 HAWERA 4674

Decision Date: 1 August 2013

Commencement Date: 1 August 2013

Conditions of Consent

Consent Granted: To discharge contaminants (leachate) from a closed farm
 refuse dump into land where it may enter water

Expiry Date: 1 June 2018

Review Date(s): June 2014

Site Location: 162B Ararata Road, Hawera

Legal Description: Lot 3 DP 19598 Blk VI Hawera SD (Discharge site)

Grid Reference (NZTM) 1714046E-5620496N

Catchment: Tangahoe

Tributary: Mangimangi

*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. The consent holder shall ensure that the area of land previously used as a refuse dump is permanently covered with low level vegetation.
2. The consent holder shall ensure that the soil overlying the closed refuse dump shall be compacted, contoured, and maintained to ensure that stormwater is directed away from this area.
3. The discharge shall not cause any of the following effects in the Mangimangi Stream after a mixing zone extending 10 metres downstream of the discharge point:
 - (a) unionised ammonia (expressed as nitrogen) concentration greater 0.025 gm⁻³;
 - (b) dissolved zinc concentration greater than 0.05 gm⁻³;
 - (c) an increase in biochemical oxygen demand of more than 3.00 g; or
 - (d) a pH of <6.0 or >9.0.
4. After allowing for reasonable mixing, within a mixing zone extending 10 metres downstream of the discharge point, 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.
5. 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 2014, 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 1 August 2013

For and on behalf of
Taranaki Regional Council

Director-Resource Management