

Groundworkx Taranaki Limited
Monitoring Programme
Biennial Report
2012-2014

Technical Report 2014-84

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Executive summary

Groundworkx Taranaki Limited (the Company) operates a cleanfill located on Victoria Road at Stratford, in the Patea catchment. This report for the period July 2012 – June 2014 describes the monitoring programme implemented by the Taranaki Regional Council (the Council) to assess the Company's environmental performance during the period under review, and the results and environmental effects of the Company's activities.

The Company holds one resource consent to discharge cleanfill onto and into land for quarry reinstatement purposes. The consent includes a total of ten conditions setting out the requirements that the Company must satisfy.

During the monitoring period the Company demonstrated a good level of environmental performance.

The Council's monitoring programme for the years under review included four compliance monitoring inspections. No water samples were taken as the site is well contained and some distance from the nearest waterway.

The monitoring showed that there had been no significant adverse environmental effects in the receiving environment as a result of the Company's cleanfilling activity. There were some issues with unauthorised materials at the cleanfill site, but with negligible effect. One complaint was received regarding polystyrene that had blown alongside the boundary of the cleanfill, but a follow up investigation showed that the Company had removed the materials promptly. There were no Unauthorised Incidents (UIs) recording non-compliance in respect of the consent holder during the period under review.

During the monitoring period, the Company demonstrated a good level of environmental performance and compliance with the resource consents.

For reference, in the 2012-2013 year, 35% of consent holders in Taranaki monitored through tailored compliance monitoring programmes achieved a high level of environmental performance and compliance with their consents, while another 59% demonstrated a good level of environmental performance and compliance with their consents. In the 2013-2014 year, 60% of consent holders achieved a high level of environmental performance and compliance with their consents, while another 29% demonstrated a good level of environmental performance and compliance.

This report includes a recommendation for the 2014-2016 period.

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1. Introduction

1.1 Compliance monitoring programme reports and the Resource Management Act 1991

1.1.1 Introduction

This report is the Biennial Report for the period July 2012- June 2014 by the Taranaki Regional Council (the Council) describing the monitoring programme associated with the resource consent held by Groundworkx Taranaki Limited (the Company) that operates a cleanfill situated on Victoria Road at Stratford.

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 abstractions and discharges of water in the Patea catchment. This is the seventh Biennial 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 *Resource Management Act 1991* (RMA) and the Council's obligations and general approach to monitoring sites through annual programmes, the resource consents held by the Company in the Patea 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 Company'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 a recommendation to be implemented in the 2014-2016 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 (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/s during the period under review, this report also assigns a rating as to each 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 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 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.

For reference, in the 2012-2013 year, 35% of consent holders in Taranaki monitored through tailored compliance monitoring programmes achieved a high level of

environmental performance and compliance with their consents, while another 59% demonstrated a good level of environmental performance and compliance with their consents. In the 2013-2014 year, 60% of consent holders achieved a high level of environmental performance and compliance with their consents, while another 29% demonstrated a good level of environmental performance and compliance.

1.2 Process description

The Company's Victoria Road cleanfill is situated on a meander loop on the true right bank of the Patea River, approximately 600 m downstream of the Stratford municipal oxidation ponds and landfill sites. The site was previously operated as a quarry. Cleanfill material discharged to the site serves as backfill for excavated areas of the quarrying operations.

Green waste is also stored and composted on a fenced off section of the site. This activity is covered by a separate consent held by Central Greenwaste 2012, and is discussed in its own monitoring report.

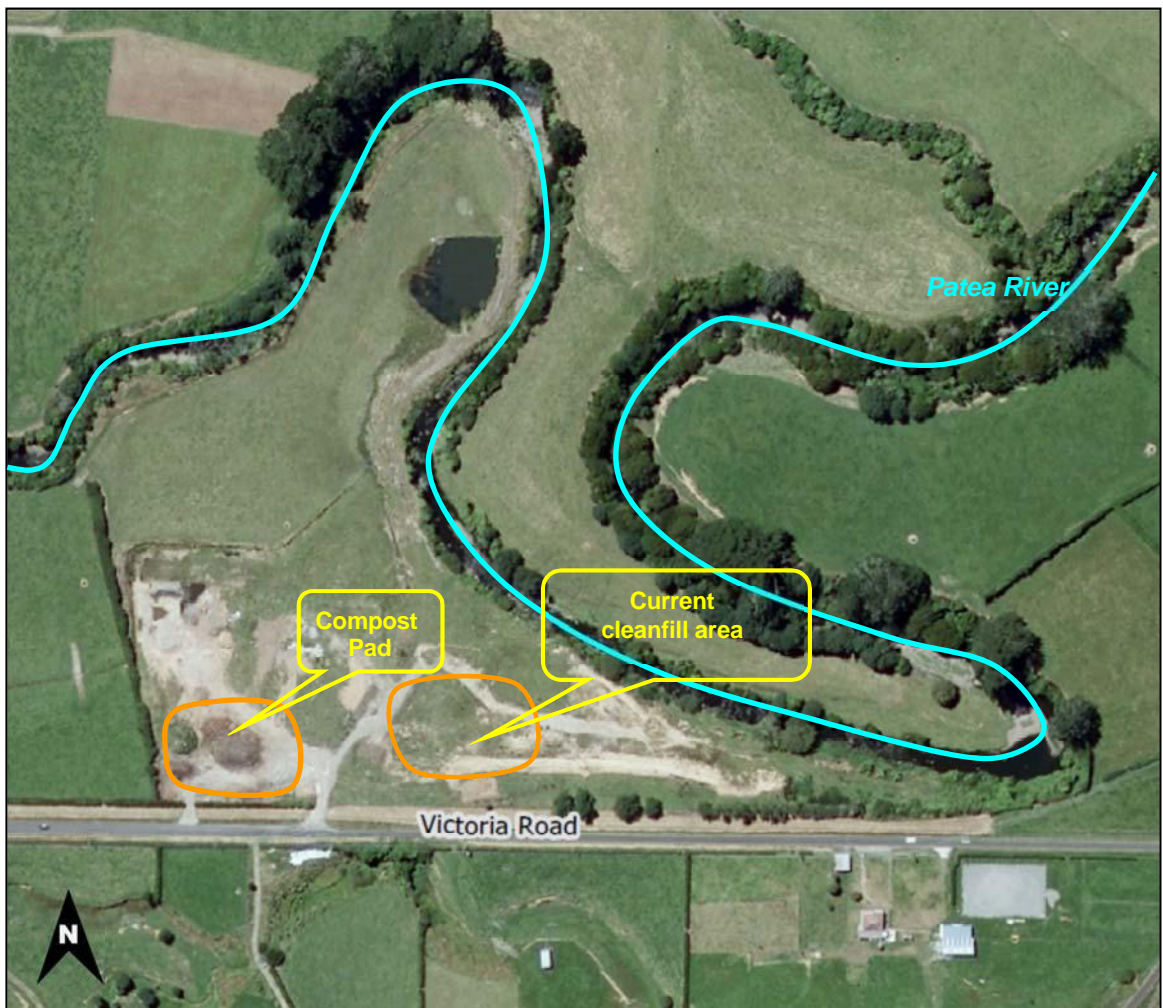


Figure 1 Groundworkx cleanfill site, Victoria Road

1.3 Resource consents

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 Company holds discharge permit **6192-1** to discharge cleanfill onto and into land for quarry reinstatement purposes. This permit was issued by the Council on 26 August 2003 under Section 87(e) of the RMA. It is due to expire on 1 June 2022. This consent was transferred from M J Purvis Earthmoving on 26 July 2010.

Permit **6192-1** has ten special conditions, which are summarised below:

Special condition one relates to the information submitted in support of the consent application.

Special conditions two, three and four relate to acceptable and non-acceptable cleanfill materials.

Special condition five relates to the effects of contaminants entering surface water while special conditions six and seven set out requirements relating to erosion and silt control measures.

Special condition eight relates to best management practices to prevent or minimise any effects on the environment.

Special condition nine refers to site reinstatement while special condition ten is a review provision.

The permit is attached to this report in Appendix I.

1.4 Monitoring programme

1.4.1 Introduction

Section 35 of the RMA sets out 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 Company's Victoria 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 Victoria Road site was visited a total of four times during the monitoring period. The main points of interest were potential or actual discharges to receiving watercourses, including contaminated storm water 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 Biomonitoring surveys

No biological surveys were programmed for the monitoring period in relation to the Victoria Rd cleanfill. However, a comprehensive biomonitoring survey of the Patea River in the vicinity of the cleanfill is carried out each year as part of the site specific monitoring programme for the Stratford Municipal Oxidation Ponds. It is considered that if there was reduced water quality of the Patea River due to cleanfilling operations carried out by the Company, this would be observed in this survey. No such deterioration in water quality of the Patea River due to cleanfilling operations has been noted for the reporting period.

2. Results

2.1 Inspections

31 August 2012

The gate was locked at the site at the time of the inspection. Materials discharged since the last inspection included soil, clay, shingle and broken concrete. No ponding or dust issues were noted. The site was tidy and consent conditions were being complied with.

22 January 2013

The gate was open at the site at the time of the inspection. Not a lot of material had been discharged since the previous inspection. The materials consisted of broken concrete, dirt and clay. No ponding, dust, or odour issues were noted.

16 May 2014

The gate was locked at the site at the time of the inspection. The discharged materials included a lot of bitumen, clay, dirt and timber. The site appeared to be in good condition. There was a small pile containing a few steel 44 gallon drums. This pile was to be removed.

13 November 2013

The gate was locked at the site at the time of the inspection. A lot of demolition material had been discharged since the last inspection. The discharged materials included concrete, brick, timber, clay and dirt. There was a little bit of rebar in the concrete, which is prohibited. The consent holder was reminded to monitor the materials being discharged. Apart from the rebar, the site looked to be in a clean and tidy condition. No dust issues were noted.

2.2 Investigations, interventions, and incidents

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

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

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

In the 2012-2014 period, the Council was required to undertake additional investigations and interventions in association with conditions in the Company's resource consent or provisions in Regional Plans.

On 11 March 2014, a complaint was received regarding rubbish alongside the boundary of the cleanfill. Investigations showed that polystyrene had blown across the paddock and along the boundary fence. A phone call was made to the consent holder and they were going to pick up the rubbish the next day. The rubbish had been removed by the time of the follow up inspection on 27 March 2014.

3. Discussion

3.1 Discussion of site performance

The management of the site was reasonably good with only one complaint received by the Council during the reporting period. Overall, the discharge of cleanfill was also managed well. The gate was found to be locked during most inspections. There were some issues regarding small amounts of prohibited materials at the site, but these materials were removed upon request.

3.2 Environmental effects of exercise of consents

No significant environmental effects were noted in the immediate vicinity of the cleanfill during any of the inspections. Monitoring undertaken in Patea River by Council for other activities in the area indicated that the presence of the cleanfill was having no adverse effect on receiving waters.

3.3 Evaluation of performance

A tabular summary of the consent holder's compliance record for the years under review are set out in Table 1.

Table 1 Summary of performance for consent 6192-1 to discharge cleanfill onto and into land for quarry reinstatement purposes

Condition requirement	Means of monitoring during period under review	Compliance achieved?
1. Exercise of consent carried out in accordance with information supplied to the council	Liaison between consent holder and council	Yes
2. Contaminants to be discharged limited to cleanfill or inert materials	Inspection	Inconsequential non-compliance
3. No discharge of materials with the potential to render the land toxic	Inspection	
4. Liaison with the Council on acceptability of materials for cleanfill	Liaison with the Company and inspections	Yes
5. Discharge shall not result in contaminants entering surface water	Inspections	Yes
6. Silt retention structures installed and maintained	Liaison with company and inspections	Yes
7. Minimise stormwater movement across site or ponding	Inspection	Yes

Condition requirement	Means of monitoring during period under review	Compliance achieved?
8. Adopt best practicable option to prevent actual or potential effects on the environment	Inspection	Yes
9. On completion of operations site to be stabilised and re-vegetated	Inspection and records	N/A
10. Optional review of consent	No option to review this period	N/A
Overall assessment of environmental performance in respect of this consent		Good
Overall assessment of administrative performance in respect of this consent		High

N/A= not applicable

During the year, the Company demonstrated a good level of environmental performance and a high level of administrative performance.

3.4 Recommendations from the 2010-2012 Annual Report

In the 2010-2012 Annual Report, it was recommended:

THAT monitoring of the Groundworkx Taranaki Limited cleanfill in the 2012-2014 period continue at the same level as in 2010-2012.

3.5 Alterations to monitoring programmes for 2014-2016

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 the 2014-2016 period, the Groundworkx Taranaki Limited cleanfill site be monitored at the same level as in the 2010-2012 period.

4. Recommendation

THAT monitoring of the Groundworkx Taranaki Limited cleanfill in the 2014-2016 year continue at the same level as in 2012-2014.

Glossary of common terms and abbreviations

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

Biomonitoring	Assessing the health of the environment using aquatic organisms.
Conductivity	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.
MCI	Macroinvertebrate community index; a numerical indication of the state of biological life in a stream that takes into account the sensitivity of the taxa present to organic pollution in stony habitats.
mS/m	Millisiemens per metre (a measurement of conductivity).
NH ₄ ⁺	Ammoniacal nitrogen, normally expressed in terms of the mass of nitrogen (N).
NH ₃	Unionised ammonia, normally expressed in terms of the mass of nitrogen (N).
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.
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).
Temp	Temperature, measured in °C (degrees Celsius).
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.

Bibliography and references

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Appendix I

Resource consents held by Groundworkx Taranaki

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

Name of
Consent Holder: Groundworkx [Taranaki] Limited
 22 Beaconsfield Road
 R D 24
 STRATFORD 4394

Review Completed 26 July 2010 [Granted: 26 August 2003]
Date:

Conditions of Consent

Consent Granted: To discharge cleanfill onto and into land for quarry
 reinstatement purposes at or about (NZTM)
 1712733E-5644265N

Expiry Date: 1 June 2022

Review Date(s): June 2016

Site Location: Victoria Road, Stratford

Legal Description: Pt Lots 9, 19 & 23 DP 1942 Blk II Ngaere SD

Catchment: Patea

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

General conditions

- a) On receipt of a requirement from the Chief Executive, Taranaki Regional Council 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 undertaken in accordance with the documentation submitted in support of application 2578, but subject to the conditions of this consent. In the case of any contradiction between the documentation submitted in support of application 2578 and the conditions of this consent, the conditions of this consent shall prevail.
2. 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 materials consisting of any concrete, cement or cement wastes, bricks, mortar, tiles [clay, ceramic or concrete], non-tanalised timber, porcelain, glass, gravels, boulders, shingles, fibreglass, plastics, sand, soils and clays, and/or tree stumps and roots, whether singly or in combination or mixture, or any other material [subject to conditions 3 & 5] 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.
3. 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 2], textiles, steel, galvanised metals, construction materials containing 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 2, 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.
4. 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.
5. The discharge to land shall not result in any contaminant entering surface water or groundwater.

Consent 6192-1

6. Silt retention structures shall be installed and maintained to the satisfaction of the Chief Executive, Taranaki Regional Council.
7. The consent holder shall maintain stormwater drains, culverts, the sediment detention pond, and/or ground contours at the site, in order to minimise stormwater movement across, or ponding on the site.
8. Notwithstanding any conditions within this consent, 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.
9. Upon completion of the works associated with the exercise of this consent, the discharge site covered by this consent shall be stabilised and revegetated to the satisfaction of the Chief Executive, Taranaki Regional Council.
10. In accordance with section 128 and section 129 of the Resource Management Act 1991, the Taranaki Regional Council may serve notice of its intention to review, amend, delete or add to the conditions of this resource consent by giving notice of review during the month of June 2010 and/or June 2016, 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.

Transferred at Stratford on 26 July 2010

For and on behalf of
Taranaki Regional Council

Director-Resource Management