

## **Consents and Regulatory Committee**

Tuesday 17 July 2018

9.30am

Taranaki Regional Council, Stratford



**Agenda for the meeting of the Consents and Regulatory Committee to be held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford, on Tuesday 17 July 2018 commencing at 9.30am.**

<b>Members</b>	Councillor M P Joyce	(Committee Chairperson)
	Councillor M J Cloke Councillor M G Davey Councillor B K Raine	
	Councillor D L Lean	(ex officio)
<b>Representative Members</b>	Mr H Eriwata	(Iwi Representative)
	Mr K Holswich	(Iwi Representative)
	Ms F Mulligan	(Iwi Representative)

**Opening Karakia**

<b>Apologies</b>	Councillor C L Littlewood Councillor M J McDonald Councillor D N MacLeod Councillor N W Walker
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**Notification of Late Items**

<b>Item</b>	<b>Page</b>	<b>Subject</b>
Item 1	4	Confirmation of Minutes
Item 2	9	Resource consents issued under delegated authority and applications in progress
Item 3	32	Consent monitoring annual reports
Item 4	38	National Environmental Standards for Plantation Forestry in Taranaki
Item 5	43	Incident, Compliance, Monitoring Non-compliances and Enforcement Summary
Item 6	72	Mana Whakahono a Rohe (Iwi relationship agreements) MFE guidance and update on relationship discussions.

**Whakataka te hau**

***Karakia to open and close meetings***

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

## Agenda Memorandum

**Date** 17 July 2018

**Memorandum to  
Chairperson and Members  
Consents and Regulatory Committee**



**Subject: Confirmation of Minutes – 5 June 2018**

**Approved by:** G K Bedford, Director-Environment Quality

B G Chamberlain, Chief Executive

**Document:** 2085980

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### Resolve

That the Consents and Regulatory Committee of the Taranaki Regional Council:

1. takes as read and confirms the minutes of the Consents and Regulatory Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford, on Tuesday 5 June 2018 at 9.30am
2. notes the recommendations therein were adopted by the Taranaki Regional Council on 26 June 2018.

### Matters arising

#### Appendices

Document #2064607 – Minutes Consents and Regulatory Committee

**Minutes of the Consents and Regulatory Committee Meeting of the Taranaki Regional Council, held in the Taranaki Regional Council Chambers, 47 Cloten Road, Stratford, on Tuesday 5 June 2018 at 9.30am.**



<b>Members</b>	Councillors	M P Joyce	(Committee Chairperson)
		M J Cloke M J McDonald N W Walker	
		D L Lean	(ex officio)
		D N MacLeod	(ex officio)
<b>Representative Members</b>	Mr	H Eriwata	(Iwi Representative)
	Mr	K Holswich	(Iwi Representative)
	Ms	F Mulligan	(Iwi Representative)
<b>Attending</b>	Messrs	B G Chamberlain	(Chief Executive)
		G K Bedford	(Director-Environment Quality)
		A D McLay	(Director-Resource Management)
		B E Pope	(Compliance Manager)
		C H McLellan	(Consents Manager)
		S Tamarapa	(Iwi Communications Officer)
	Mrs	K van Gameren	(Committee Administrator)
	Mr	P Ledingham	(Communications Officer)
	Mr	R Ritchie	(Communications Manager)
	Mr	B Jansma	(Environmental Scientist)
Mr	M Ritai	(Iwi Representative)	

**Opening Karakia** Mr H Eriwata (Iwi Representative) gave the opening Karakia to the Consents and Regulatory Committee.

**Apologies** The apologies from Councillor M G Davey and Councillor C L Littlewood were received and sustained.

**Notification of Late Items** There were no late items of business.

**1. Confirmation of Minutes - 24 April 2018**

**Resolved**

THAT the Consents and Regulatory Committee of the Taranaki Regional Council

1. takes as read and confirms the minutes of the Consents and Regulatory Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford, on Tuesday 24 April 2018 at 9.30am
2. notes that the recommendations therein were adopted by the Taranaki Regional Council on 15 May 2018.

MacLeod/Cloke

### **Matters Arising**

Mr A D McLay, Director-Resource Management, advised the Committee that meetings have been held with Ngaa Rauru Kiihahi regarding Mana Whakahone o Rohe relationship agreements for consents and that meetings with Ngāruahine were planned. A Ministry for the Environment hui will be held this week with all Taranaki Iwi regarding iwi input on Resource Management Act matters which the Council has been invited to attend.

#### Mt Messenger Bypass Project

It was noted to the Committee that the hearing for the resource consent applications, lodged by the New Zealand Transport Agency, has been deferred from the planned dates to mid July 2018.

#### Forestry

The impacts of recent extreme rainfall in the Gisborne region and the discharge of forestry slash to rivers was raised and a discussion held over the likelihood of this being an issue for Taranaki and how this could be managed under the NES – Production Forestry.

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

Mr K Holswich (Iwi Representative) declared an interest in agenda item 2 (Resource consents issued under delegated authority and applications in progress) in relation to Technix Bitumen Technologies Limited, and took no part in the discussions or deliberations.

- 2.1 The Committee considered and discussed the memorandum advising of consents granted, consents under application and of consent processing actions since the last meeting of the Committee.
- 2.2 Written questions and some positive feedback on some applications (and incidents) were provided by H Eriwata to Mr McLay for a later response.

**Recommended**

THAT the Taranaki Regional Council

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

Cloke/Raine

**3. Compliance monitoring of consented instream structures**

- 3.1 Mr G K Bedford, Director-Environment Quality, spoke to the memorandum summarising the monitoring programme of consented instream structures and presented the results of monitoring completed to date.
- 3.2 Mr K Holswich, Iwi Representative, requested to Council staff that agenda reports identify statutory acknowledgements (Treaty acknowledgements) when dealing with water issues/matters.

**Recommended**

THAT the Taranaki Regional Council

1. receives this memorandum *Compliance monitoring of consented instream structures*
2. approves the continuation of the monitoring programme in subsequent years.

Holswich/Walker

**4. Report on notified coastal permit – South Taranaki District Council Treated Hawera discharge**

- 4.1 Mr A D McLay, Director-Resource Management, spoke to the memorandum recommending that the Council approve an application by the South Taranaki District Council to renew consent 5079 to discharge treated municipal wastes from the Hawera wastewater treatment plant as well as treated meat processing, dairy industry and other wastes, through a combined marine outfall into the Tasman Sea.

**Recommended**

THAT the Taranaki Regional Council:

1. receives the memorandum *Report on notified coastal permit – South Taranaki District Council Treated Hawera discharge*
2. notes the long and extensive pre-hearing process that has been undertaken to successfully resolve submissions on the application
3. approves the consent application to renew consent 5079-2.

Cloke/Raine

**5. Incident, Compliance Monitoring Non-compliances and Enforcement Summary – 29 March 2018 to 17 May 2018**

Councillor D N MacLeod declared an interest in agenda item 5 (Incident, Compliance Monitoring Non-compliances and Enforcement Summary 29 March 2018 to 17 May 2018) in relation to Port Taranaki Limited, and took no part in the discussions or deliberations.

- 5.1 The Committee received and noted the summary of the Council’s Incidents, Compliance Monitoring Non-compliances and Enforcement for the period 29 March 2018 to 17 May 2018.
- 5.2 Mr B E Pope, Compliance Manager, provided an overview to the Committee on the reported incidents and answered questions concerning officer assessments of the incidents.

**Recommended**

THAT the Taranaki Regional Council

- 1. receives the memorandum
- 2. receives the summary of the Incidents, Compliance Monitoring Non-compliances and Enforcement for the period from 29 March 2018 to 17 May 2018, notes the action taken by staff acting under delegated authority and adopts the recommendations therein.

Walker/Holswich

There being no further business, the Committee Chairperson Councillor M P Joyce, declared the Consents and Regulatory Committee meeting closed at 10.15am.

**Confirmed**

Chairperson \_\_\_\_\_  
**M P Joyce**

Date **17 July 2018**



## Agenda Memorandum

**Date** 17 July 2018



**Memorandum to  
Chairperson and Members  
Consents and Regulatory Committee**

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

**Approved by:** A D McLay, Director – Resource Management  
B G Chamberlain, Chief Executive

**Document:** 2084223

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### **Purpose**

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

### **Executive summary**

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

### **Recommendation**

That the Taranaki Regional Council:

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

### **Background**

The following resource consent applications have been investigated by officers of the Taranaki Regional Council. They are activities with less than minor adverse effects on the environment or minor effects and affected parties have agreed to the activity. In accordance with sections 104 to 108 and section 139 of the Resource Management Act 1991, and pursuant to delegated authority to make decisions on consent applications, the Chief Executive or the Director – Resource Management has granted the consents/certificates of compliance.

The exercise of delegations under the Resource Management Act 1991 is reported for Committee Members' information. Under the delegations manual, consent processing actions are to be reported to the Consents and Regulatory Committee.

The attached appendices (consent applications in progress) show the total number of applications in the consent processing system over the last twelve months. The number of applications for the renewal of resource consents is also shown. The difference between the two is the number of new applications, including applications for a change of conditions. New applications take priority over renewal applications. Renewal applications are generally put on hold, with the agreement of the applicant, and processed when staff resources allow. A consent holder can continue to operate under a consent that is subject to renewal. The above approach is pragmatic and ensures there are no regulatory impediments to new activities requiring authorisation.

Also attached are the following:

- Applications in progress table - the number of applications in progress at the end of each month (broken down into total applications and the number of renewals in progress) for this year and the previous two years.
- Consents issued table - the number of consents issued at the end of each month for this year and the previous two years.
- Potential hearings spreadsheet outlining the current status of limited/notified applications where hearing committees have been appointed.
- Breakdown of consents issued. This is the number of consents issued broken down by purpose - new, renewals, changes or review.
- Types of consents issued, further broken down into notification types - non-notified, limited notified or public notified.
- Public and iwi involvement in non-notified consents. This assessment excludes routine farm dairy discharges as generally affected party approval and iwi consultation is not required for these.
- Application processing time extensions used compared to the previous years.
- Consent type process shows the notification type including applications submitted on and the pre-hearing resolution numbers.

## **Discussion**

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

## **Decision-making considerations**

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

## **Financial considerations—LTP/Annual Plan**

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

### **Policy considerations**

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

### **Iwi considerations**

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

### **Legal considerations**

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

### **Appendices/Attachments**

- List of non-notified consents (document #2084169)
- List of publicly notified consents (document #2084172)
- Schedule of non-notified consents (document #2084209)
- Schedule of publicly notified consents (document #2084219)
- Consents processing charts for Agenda (document #2083684)

**Non-notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

<b>Discharge Permit</b>				
<b>Consent</b>	<b>Holder</b>	<b>Subtype</b>	<b>Primary Industry Purpose</b>	<b>Activity Purpose</b>
<a href="#">R2/2605-3.0</a>	Waiteika Trust	Land - animal waste	Dairy Farm	Replace
<a href="#">R2/2311-3.0</a>	Devon West Trust	Water - Animal Waste	Dairy Farm	Replace
<a href="#">R2/5500-2.1</a>	Lakeview Trust	Land - animal waste	Dairy Farm	Change
<a href="#">R2/5238-2.1</a>	Smith Trust Partnership	Air - odour	Poultry Farm	Change
<a href="#">R2/7882-1.1</a>	New Plymouth District Council	Land - Industry	Cemetery	Extension of Lapse
<a href="#">R2/2424-3.0</a>	Ainsley Edwards Estate	Land - animal waste	Dairy Farm	Replace
<a href="#">R2/0952-3.1</a>	Oakura Farms Limited	Land - animal waste	Dairy Farm	Change
<a href="#">R2/0852-3.0</a>	Gordon Partners	Water - Animal Waste	Dairy Farm	Replace
<a href="#">R2/1888-3.0</a>	Livingstone Farms Limited	Land - animal waste	Dairy Farm	Replace
<a href="#">R2/10304-1.1</a>	Cheal Petroleum Limited	Land - DWI	Hydrocarbon Exploration	Change
<a href="#">R2/2059-3.0</a>	Bushline Trust	Water - Animal Waste	Dairy Farm	Replace
<a href="#">R2/6077-2.0</a>	Cold Creek Community Water Supply Limited	Water - Industry	Water Supply or Treatment	Replace
<a href="#">R2/4482-3.0</a>	M & P Hawken Trust	Water - Animal Waste	Dairy Farm	Replace
<a href="#">R2/5037-2.2</a>	Todd Energy Limited	Land - DWI	Hydrocarbon Exploration	Change
<a href="#">R2/3526-3.0</a>	St George By The Sea Limited	Land - animal waste	Dairy Farm	Replace
<a href="#">R2/1917-3.0</a>	Eric & Diane Ardern	Water - Animal Waste	Dairy Farm	Replace
<a href="#">R2/10586-1.0</a>	Todd Energy Limited	Land - stormwater	Hydrocarbon Exploration	New
<a href="#">R2/10591-1.0</a>	Todd Energy Limited	Land - stormwater	Hydrocarbon Exploration	New
<a href="#">R2/1891-3.0</a>	Hickey & Neal Limited	Land - animal waste	Dairy Farm	Replace
<a href="#">R2/5278-3.0</a>	Ken G Moratti Limited	Land - animal waste	Agricultural Services	Replace
<a href="#">R2/4317-4.0</a>	Kalin Contracting Limited	Land - animal waste	Agricultural Services	Replace
<a href="#">R2/2426-3.0</a>	Opua Road Farm Limited	Land - animal waste	Dairy Farm	Replace
<a href="#">R2/10661-1.0</a>	Todd Energy Limited	Land - DWI	Hydrocarbon Exploration	New
<a href="#">R2/2608-3.0</a>	GAG Farms Limited	Water - Animal Waste	Dairy Farm	Replace
<a href="#">R2/2650-3.0</a>	Macro Family Trust	Land - animal waste	Dairy Farm	Replace
<a href="#">R2/1895-3.0</a>	Barron Holdings	Land - animal waste	Dairy Farm	Replace
<a href="#">R2/2309-3.0</a>	KL & DE Harvey Family Trusts Partnership	Water - Animal Waste	Dairy Farm	Replace
<a href="#">R2/2420-3.0</a>	FJ Mullan & JA Mullan Family Trust	Land/Water - Animal	Dairy Farm	Replace
<a href="#">R2/2460-3.0</a>	James & Suzanne Mugeridge	Water - Animal Waste	Dairy Farm	Replace
<a href="#">R2/3704-3.0</a>	Kurinel Trusts Partnership	Water - Animal Waste	Dairy Farm	Replace
<a href="#">R2/2422-3.0</a>	MA Watt Family Trust	Water - Animal Waste	Dairy Farm	Replace
<a href="#">R2/2647-3.0</a>	Daniel & Margaret Mullan	Land - animal waste	Dairy Farm	Replace
<a href="#">R2/2349-3.0</a>	Mr Michael Hammond	Water - Animal Waste	Dairy Farm	Replace
<a href="#">R2/2067-3.0</a>	BD & DM Campbell Limited	Water - Animal Waste	Dairy Farm	Replace
<a href="#">R2/1979-3.0</a>	JF & LM le Fleming Family Trust	Land - animal waste	Dairy Farm	Replace
<a href="#">R2/2463-3.0</a>	Ballymullin Farms Limited	Land - animal waste	Dairy Farm	Replace
<a href="#">R2/0797-3.0</a>	H & H Bayliss Family Trust	Land - animal waste	Dairy Farm	Replace
<b>Land Use Consent</b>				
<b>Consent</b>	<b>Holder</b>	<b>Subtype</b>	<b>Primary Industry Purpose</b>	<b>Activity Purpose</b>
<a href="#">R2/10587-1.0</a>	Newton Forestry Limited	Forestry – Earthworks	Forestry	New
<a href="#">R2/10589-1.0</a>	Newton Forestry Limited	Forestry – Harvesting	Forestry	New
<a href="#">R2/5454-2.0</a>	Cold Creek Community Water Supply Limited	Dam/Weir	Water Supply or Treatment	Replace
<a href="#">R2/10592-1.0</a>	Uruti Sutton Family Trust	Forestry – Harvesting	Forestry	New
<a href="#">R2/10593-1.0</a>	Padrutt Trustees Limited	Structure - Bridge	Dairy Farm	New

**Non-notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

Doc #2084169-v1

**Publicly Notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

Coastal Permit				
Consent	Holder	Subtype	Primary Industry Purpose	Activity Purpose
<a href="#">R2/5079-2.0</a>	South Taranaki District Council	Discharge to water (CMA)	Sewage Treatment	Replace

**Non-notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

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[R2/2605-3.0](#)

Waiteika Trust

Russell Hohaia, 883 Waiteika Road, RD 32,  
Opunake 4682

**Commencement Date:** 25 May 2018

**Expiry Date:** 01 Dec 2042

**Review Dates:** June 2024, June 2030,  
June 2036

**Activity Class:** Controlled

**Location:** 838 Waiteika Road, Opunake

**Application Purpose:** Replace

To discharge farm dairy effluent onto land

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[R2/2311-3.0](#)

Devon West Trust

C/- Brendan Attrill Agricultural Limited, PO  
Box 177, Stratford 4352

**Commencement Date:** 25 May 2018

**Expiry Date:** 01 Dec 2042

**Review Dates:** June 2024, June 2030,  
June 2036

**Activity Class:** Controlled

**Location:** 267 Nopera Road, Pihama

**Application Purpose:** Replace

To discharge farm dairy effluent onto land, and until 1 December 2020 after treatment in an  
oxidation pond system, into an unnamed tributary of the Wahoungakino Stream

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[R2/5500-2.1](#)

Lakeview Trust

PO Box 21, Waverley 4544

**Commencement Date:** 25 May 2018

**Expiry Date:** 01 Dec 2040

**Review Dates:** June 2022, June 2028,  
June 2034

**Activity Class:** Discretionary

**Location:** 157 Lower Herengawe Road,  
Waverley

**Application Purpose:** Change

To discharge effluent from a farm dairy onto and into land

Change of conditions to increase the herd size only

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**Non-notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

[R2/5238-2.1](#)

Smith Trust Partnership  
181 Manutahi Road, RD 2, New Plymouth  
4372

**Commencement Date:** 28 May 2018

**Expiry Date:** 01 Jun 2032

**Review Dates:** June 2018, June 2020,  
June 2026

**Activity Class:** Discretionary

**Location:** 181 Manutahi Road, Bell Block

**Application Purpose:** Change

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

Change of consent conditions to increase the area of sheds used for intensively housing poultry

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[R2/7882-1.1](#)

New Plymouth District Council  
Private Bag 2025, New Plymouth 4342

**Commencement Date:** 28 May 2018

**Expiry Date:** 01 Jun 2046

**Review Dates:** June 2020, June 2026,  
June 2032, June 2038

**Activity Class:** Discretionary

**Location:** 279 Junction Road, New Plymouth

**Application Purpose:** Extension of Lapse

To discharge contaminants into land at a cemetery in circumstances where they may enter water

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[R2/2424-3.0](#)

Ainsley Edwards Estate  
C/- Brendan Attrill, PO Box 177, Stratford  
4352

**Commencement Date:** 29 May 2018

**Expiry Date:** 01 Dec 2042

**Review Dates:** June 2024, June 2030,  
June 2036

**Activity Class:** Controlled

**Location:** 2761 South Road, Oeo

**Application Purpose:** Replace

To discharge farm dairy effluent onto land

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**Non-notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

[R2/0952-3.1](#)

Oakura Farms Limited  
Norton & Carol Moller, PO Box 20, Oakura  
4345

**Commencement Date:** 29 May 2018

**Expiry Date:** 01 Dec 2025

**Review Dates:** June 2019

**Activity Class:** Discretionary

**Location:** Ahu Ahu Road, Oakura

**Application Purpose:** Change

To discharge farm dairy effluent onto land

Change of conditions so the discharge is to land only and to increase the herd size

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[R2/0852-3.0](#)

Gordon Partners  
1551 Upper Palmer Road, RD 21, Stratford  
4391

**Commencement Date:** 29 May 2018

**Expiry Date:** 01 Dec 2023

**Review Dates:** June 2019, June 2021

**Activity Class:** Controlled

**Location:** 1551 Upper Palmer Road, Mahoe

**Application Purpose:** Replace

To discharge farm dairy effluent:

- onto land and, after treatment in an oxidation pond system, into an unnamed tributary of the Mangatoki-iti Stream if the land disposal area is unsuitable for effluent disposal; and,
  - until 1 June 2020 to discharge farm dairy effluent after treatment in an oxidation pond system, into an unnamed tributary of the Mangatoki-iti Stream
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[R2/1888-3.0](#)

Livingstone Farms Limited  
C & S Livingstone, 402 Watino Road, RD 32,  
Opunake 4682

**Commencement Date:** 29 May 2018

**Expiry Date:** 01 Dec 2042

**Review Dates:** June 2024, June 2030,  
June 2036

**Activity Class:** Controlled

**Location:** 536 Watino Road, Opunake

**Application Purpose:** Replace

To discharge farm dairy effluent onto land

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**Non-notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

[R2/10304-1.1](#)

Cheal Petroleum Limited  
PO Box 402, New Plymouth 4340

**Commencement Date:** 06 Jun 2018

**Expiry Date:** 01 Jun 2034

**Review Dates:** June annually

**Activity Class:** Discretionary

**Location:** Cheal-E wellsite, Sole Road, Ngaere (Property Owner: J O'Neill) **Application Purpose:** Change

To discharge produced water, well drilling fluids, well work over fluids and hydraulic fracturing fluids from hydrocarbon exploration and production operations into the Mount Messenger Formation by deep well injection at the Cheal-E wellsite for the purpose of water flooding

Change to consent condition 5 to allow injection to occur at a minimum depth of 1,600 m true vertical depth below ground level

[R2/10587-1.0](#)

Newton Forestry Limited  
282 Waihi Road, Normanby, Hawera 4673

**Commencement Date:** 06 Jun 2018

**Expiry Date:** 01 Jun 2022

**Review Dates:**

**Activity Class:** Restricted discretionary

**Location:** 654 Piko Road, Okoki

**Application Purpose:** New

To undertake earthworks relating to plantation forestry

[R2/10589-1.0](#)

Newton Forestry Limited  
282 Waihi Road, Normanby, Hawera 4673

**Commencement Date:** 06 Jun 2018

**Expiry Date:** 01 Jun 2022

**Review Dates:**

**Activity Class:** Controlled

**Location:** 654 Piko Road, Okoki

**Application Purpose:** New

To harvest a plantation forest

[R2/2059-3.0](#)

Bushline Trust  
C/- SD & SL Coomey, 1799 Opunake Road,  
RD 29, Hawera 4679

**Commencement Date:** 07 Jun 2018

**Expiry Date:** 01 Dec 2042

**Review Dates:** June 2024, June 2030,  
June 2036

**Activity Class:** Controlled

**Location:** 1512 Opunake Road, Mahoe

**Application Purpose:** Replace

To discharge farm dairy effluent onto land, and until 1 December 2020 after treatment in an oxidation pond system, into the Dunns Creek

**Non-notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

[R2/5454-2.0](#)

**Commencement Date:** 07 Jun 2018

Cold Creek Community Water Supply Limited **Expiry Date:** 01 Jun 2030

C/- M Drought, 2 Havelock Street, Opunake 4616 **Review Dates:** June 2019, June 2022,  
June 2025, June 2028

**Activity Class:** Discretionary

**Location:** 620 Kiri Road, Te Kiri

**Application Purpose:** Replace

To dam water with a weir and water intake structure in the Cold Stream for water abstraction purposes

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[R2/6077-2.0](#)

**Commencement Date:** 07 Jun 2018

Cold Creek Community Water Supply Limited **Expiry Date:** 01 Jun 2030

C/- M Drought, 2 Havelock Street, Opunake 4616 **Review Dates:** June 2019, June 2022,  
June 2025, June 2028

**Activity Class:** Discretionary

**Location:** 620 Kiri Road, Te Kiri

**Application Purpose:** Replace

To discharge filter backwash water and stormwater from the Cold Creek water treatment plant into the Cold Stream

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[R2/4482-3.0](#)

**Commencement Date:** 07 Jun 2018

M & P Hawken Trust

**Expiry Date:** 01 Dec 2040

38A Old South Road, RD 12, Hawera 4672 **Review Dates:** June 2028, June 2034

**Activity Class:** Controlled

**Location:** 38A Old South Road, Mokoia

**Application Purpose:** Replace

To discharge farm dairy effluent onto land, and until 1 June 2019 after treatment in an oxidation pond system and wetland, into an unnamed tributary of the Manawapou Stream

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[R2/5037-2.2](#)

**Commencement Date:** 07 Jun 2018

Todd Energy Limited

**Expiry Date:** 01 Jun 2033

PO Box 802, New Plymouth 4340 **Review Dates:** June annually

**Activity Class:** Discretionary

**Location:** Pouri-A wellsite, Foreman Road, Tikorangi (Property owner: FD & KS Wyatt)

**Application Purpose:** Change

To discharge waste drilling fluids, water, produced water and stormwater from hydrocarbon exploration and production operations by deepwell injection at the Pouri-A wellsite

Change of consent conditions to change the minimum deep of discharge

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**Non-notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

[R2/3526-3.0](#)

St George By The Sea Limited  
C/- EHB & LS Newton, 41 Massey Road,  
Guelph, Ontario N1H7M6, CANADA

**Commencement Date:** 08 Jun 2018  
**Expiry Date:** 01 Dec 2043  
**Review Dates:** June 2025, June 2031,  
June 2037  
**Activity Class:** Controlled

**Location:** 294 Wataroa Road, Pungarehu  
To discharge farm dairy effluent onto land

**Application Purpose:** Replace

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[R2/1917-3.0](#)

Eric & Diane Ardern  
294 Kiri Road, RD 32, Opunake 4682

**Commencement Date:** 08 Jun 2018  
**Expiry Date:** 01 Dec 2042  
**Review Dates:** June 2024, June 2030,  
June 2036  
**Activity Class:** Controlled

**Location:** 294/304 Kiri Road, Te Kiri

**Application Purpose:** Replace

To discharge farm dairy effluent onto land, and until 1 December 2020 after treatment in an oxidation pond system and constructed drain, into the Cold Stream

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[R2/10586-1.0](#)

Todd Energy Limited  
PO Box 802, New Plymouth 4340

**Commencement Date:** 11 Jun 2018  
**Expiry Date:** 01 Jun 2020  
**Review Dates:**  
**Activity Class:** Controlled

**Location:** McKee-D wellsite, 1444 Otaraoa  
Road, Tikorangi

**Application Purpose:** New

To discharge stormwater and sediment from earthworks during construction of a Rig Camp at the McKee-D wellsite onto and into land

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[R2/10591-1.0](#)

Todd Energy Limited  
PO Box 802, New Plymouth 4340

**Commencement Date:** 11 Jun 2018  
**Expiry Date:** 01 Jun 2020  
**Review Dates:**  
**Activity Class:** Controlled

**Location:** Mangahewa-G wellsite, Otaraoa  
Road, Tikorangi

**Application Purpose:** New

To discharge stormwater and sediment, deriving from soil disturbance undertaken for the purpose of extending the Mangahewa-G wellsite, into land where it may enter an unnamed tributary of the Mangahewa Stream

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**Non-notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

[R2/1891-3.0](#)

Hickey & Neal Limited  
3450 Eltham Road, RD 32, Opunake 4682

**Commencement Date:** 18 Jun 2018  
**Expiry Date:** 01 Dec 2042  
**Review Dates:** June 2024, June 2030,  
June 2036  
**Activity Class:** Controlled

**Location:** 210 Ihaia Road, Opunake  
To discharge farm dairy effluent onto land

**Application Purpose:** Replace

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[R2/5278-3.0](#)

Ken G Moratti Limited  
7 Carrington Street, Inglewood 4330

**Commencement Date:** 13 Jun 2018  
**Expiry Date:** 01 Jun 2029  
**Review Dates:** June 2019, June 2022,  
June 2025, June 2028  
**Activity Class:** Controlled

**Location:** Various locations throughout the  
Taranaki region

**Application Purpose:** Replace

To empty dairy farm effluent ponds by irrigation onto and into land throughout the  
Taranaki region

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[R2/4317-4.0](#)

Kalin Contracting Limited  
PO Box 177, Hawera 4610

**Commencement Date:** 13 Jun 2018  
**Expiry Date:** 01 Jun 2029  
**Review Dates:** June 2019, June 2022,  
June 2025, June 2028  
**Activity Class:** Controlled

**Location:** Various locations throughout the  
South Taranaki region

**Application Purpose:** Replace

To empty dairy farm effluent ponds by irrigation onto and into land throughout the South  
Taranaki region

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[R2/2426-3.0](#)

Opua Road Farm Limited  
176 Neill Road, RD 29, Hawera 4679

**Commencement Date:** 13 Jun 2018  
**Expiry Date:** 01 Dec 2042  
**Review Dates:** June 2024, June 2030,  
June 2036  
**Activity Class:** Controlled

**Location:** 161 Opua Road, Opunake  
To discharge farm dairy effluent onto land

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**Application Purpose:** Replace

**Non-notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

[R2/10661-1.0](#)

Todd Energy Limited  
PO Box 802, New Plymouth 4340

**Commencement Date:** 13 Jun 2018

**Expiry Date:** 01 Jun 2033

**Review Dates:** June annually

**Activity Class:** Discretionary

**Location:** Tuhua-D wellsite, Foreman Road, Tikorangi (Property owner: Cheryl & Lynn Foreman)

**Application Purpose:** New

To discharge produced water, well drilling fluids, well work over fluids and hydraulic fracturing fluids from hydrocarbon exploration and production operations into the McKee Formation by deep well injection at the Tuhua-D wellsite

[R2/2608-3.0](#)

GAG Farms Limited  
109 Conroy Road, RD 1, Waiuku 2681

**Commencement Date:** 15 Jun 2018

**Expiry Date:** 01 Dec 2042

**Review Dates:** June 2024, June 2030, June 2036

**Activity Class:** Controlled

**Location:** 180 Wiremu Road, Awatuna

**Application Purpose:** Replace

To discharge farm dairy effluent onto land, and until 1 December 2019 after treatment in an oxidation pond system and constructed drain, into the Black Creek

[R2/2650-3.0](#)

Macro Family Trust  
AS & SJ Langton, 223 Arawhata Road, RD 31, Opunake 4681

**Commencement Date:** 15 Jun 2018

**Expiry Date:** 01 Dec 2042

**Review Dates:** June 2024, June 2030, June 2036

**Activity Class:** Controlled

**Location:** 223 Arawhata Road, Oaonui

**Application Purpose:** Replace

To discharge farm dairy effluent onto land

[R2/1895-3.0](#)

Barron Holdings  
C/- P & A Barron, 94 Kaihihi Road Upper, Okato 4335

**Commencement Date:** 15 Jun 2018

**Expiry Date:** 01 Dec 2042

**Review Dates:** June 2024, June 2030, June 2036

**Activity Class:** Controlled

**Location:** 4732 South Road, Opunake

**Application Purpose:** Replace

To discharge farm dairy effluent onto land

**Non-notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

[R2/2309-3.0](#)

KL & DE Harvey Family Trusts Partnership  
C/- Keith Harvey, 1445 South Road, RD 4,  
New Plymouth 4374

**Commencement Date:** 26 Jun 2018

**Expiry Date:** 01 Dec 2042

**Review Dates:** June 2024, June 2030,  
June 2036

**Activity Class:** Controlled

**Location:** 831 Kina Road, Rahotu

**Application Purpose:** Replace

To discharge farm dairy effluent onto land, and until 1 June 2020 after treatment in an oxidation pond system, into an unnamed tributary of the Manganui Stream

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[R2/2420-3.0](#)

FJ Mullan & JA Mullan Family Trust  
PO Box 17, Opunake 4645

**Commencement Date:** 26 Jun 2018

**Expiry Date:** 01 Dec 2042

**Review Dates:** June 2024, June 2030,  
June 2036

**Activity Class:** Controlled

**Location:** 322 Kina Road, Oaonui

**Application Purpose:** Replace

To discharge farm dairy effluent onto land and, until 1 June 2020 after treatment in an oxidation pond system, into an unnamed tributary of the Oaonui Stream if the land disposal area is unsuitable for effluent disposal

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[R2/2460-3.0](#)

James & Suzanne Muggerridge  
2 Edna Wills Place, Hawera 4610

**Commencement Date:** 26 Jun 2018

**Expiry Date:** 01 Dec 2042

**Review Dates:** June 2024, June 2030,  
June 2036

**Activity Class:** Controlled

**Location:** 2489 Eltham Road, Te Kiri

**Application Purpose:** Replace

To discharge farm dairy effluent onto land, and until 1 December 2019 after treatment in an oxidation pond system, into the Ouri Stream

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[R2/3704-3.0](#)

Kurinel Trusts Partnership  
1741 Palmer Road, RD 21, Stratford 4391

**Commencement Date:** 26 Jun 2018

**Expiry Date:** 01 Dec 2042

**Review Dates:** June 2024, June 2030,  
June 2036

**Activity Class:** Controlled

**Location:** 920 Ihaia Road, Opunake

**Application Purpose:** Replace

To discharge farm dairy effluent onto land, and until 1 December 2019 after treatment in an oxidation pond system and constructed drain, into the Waiaua River

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**Non-notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

[R2/10592-1.0](#)

Uruti Sutton Family Trust

C/- Warren & Pauline Sutton, 266 Uruti Road,  
RD 48, Urenui 4378

**Commencement Date:** 27 Jun 2018

**Expiry Date:** 01 Jun 2020

**Review Dates:**

**Activity Class:** Controlled

**Location:** 265 Uruti Road, Uruti

To harvest 12 ha of plantation forest

**Application Purpose:** New

[R2/2422-3.0](#)

MA Watt Family Trust

41A Hollister Lane, Tauranga 3112

**Commencement Date:** 27 Jun 2018

**Expiry Date:** 01 Dec 2042

**Review Dates:** June 2024, June 2030,  
June 2036

**Activity Class:** Controlled

**Location:** 3223 Eltham Road, Opunake

To discharge farm dairy effluent onto land, and until 1 June 2020 after treatment in an oxidation pond system and constructed drain, into an unnamed tributary of the Mangahume Stream

**Application Purpose:** Replace

[R2/2647-3.0](#)

Daniel & Margaret Mullan

Upper Kina Road, RD 31, Opunake 4681

**Commencement Date:** 28 Jun 2018

**Expiry Date:** 01 Dec 2042

**Review Dates:** June 2024, June 2030,  
June 2036

**Activity Class:** Controlled

**Location:** 574 Upper Kina Road, Oaonui

To discharge farm dairy effluent onto land

**Application Purpose:** Replace

[R2/2349-3.0](#)

Mr Michael Hammond

Unit 7, 120 St Aubyn Street, New Plymouth  
4310

**Commencement Date:** 28 Jun 2018

**Expiry Date:** 01 Dec 2042

**Review Dates:** June 2024, June 2030,  
June 2036

**Activity Class:** Controlled

**Location:** 919 Auroa Road, Auroa

To discharge farm dairy effluent onto land, and until 1 June 2020 after treatment in an oxidation pond system, into an unnamed tributary of the Kuporaho Stream

**Application Purpose:** Replace



**Non-notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

[R2/2067-3.0](#)

BD & DM Campbell Limited  
90 Puketapu Road, RD 32, Opunake 4682

**Commencement Date:** 04 Jul 2018  
**Expiry Date:** 01 Dec 2042  
**Review Dates:** June 2024, June 2030,  
June 2036  
**Activity Class:** Controlled

**Location:** 90 Puketapu Road, Pihama

**Application Purpose:** Replace

To discharge farm dairy effluent onto land, and until 1 June 2020 after treatment in an oxidation pond system and wetland, into an unnamed tributary of the Puketapu Stream

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[R2/1979-3.0](#)

JF & LM le Fleming Family Trust  
461 Auroa Road, RD 28, Hawera 4678

**Commencement Date:** 04 Jul 2018  
**Expiry Date:** 01 Dec 2042  
**Review Dates:** June 2024, June 2030,  
June 2036  
**Activity Class:** Controlled

**Location:** 433 Auroa Road, Manaia

**Application Purpose:** Replace

To discharge farm dairy effluent onto land

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[R2/2463-3.0](#)

Ballymullin Farms Limited  
C/- Lance Mullin, 646 Patiki Road, RD 32,  
Opunake 4382

**Commencement Date:** 04 Jul 2018  
**Expiry Date:** 01 Dec 2042  
**Review Dates:** June 2024, June 2030,  
June 2036  
**Activity Class:** Controlled

**Location:** 646 Patiki Road, Te Kiri

**Application Purpose:** Replace

To discharge farm dairy effluent onto land

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[R2/0797-3.0](#)

H & H Bayliss Family Trust  
70 Shelter Grove, Frankleigh Park, New  
Plymouth 4310

**Commencement Date:** 04 Jul 2018  
**Expiry Date:** 01 Dec 2042  
**Review Dates:** June 2024, June 2030,  
June 2036  
**Activity Class:** Controlled

**Location:** Skeet Road, Auroa

**Application Purpose:** Replace

To discharge farm dairy effluent onto land

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**Non-notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

[R2/10593-1.0](#)

Padrutt Trustees Limited

1647 Manaia Road, RD 29, Hawera 4679

**Commencement Date:** 05 Jul 2018

**Expiry Date:** 01 Jun 2035

**Review Dates:** June 2023, June 2029

**Activity Class:** Discretionary

**Location:** 1647 Manaia Road, Kaponga

**Application Purpose:** New

To demolish and replace a farm bridge over the Kaupokonui Stream for access purposes

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**Publicly Notified authorisations issued by the Taranaki Regional Council  
between 25 May 2018 and 05 Jul 2018**

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[R2/5079-2.0](#)

South Taranaki District Council

Chief Executive, Private Bag 902, Hawera 4640

**Commencement Date:** 26 Jun 2018

**Expiry Date:** 01 Jun 2052

**Review Dates:** June 2019 and at 6-yearly intervals thereafter

**Activity Class:** Discretionary

**Location:** Tasman Sea, Rifle Range Road,  
Hawera

**Application Purpose:** Replace

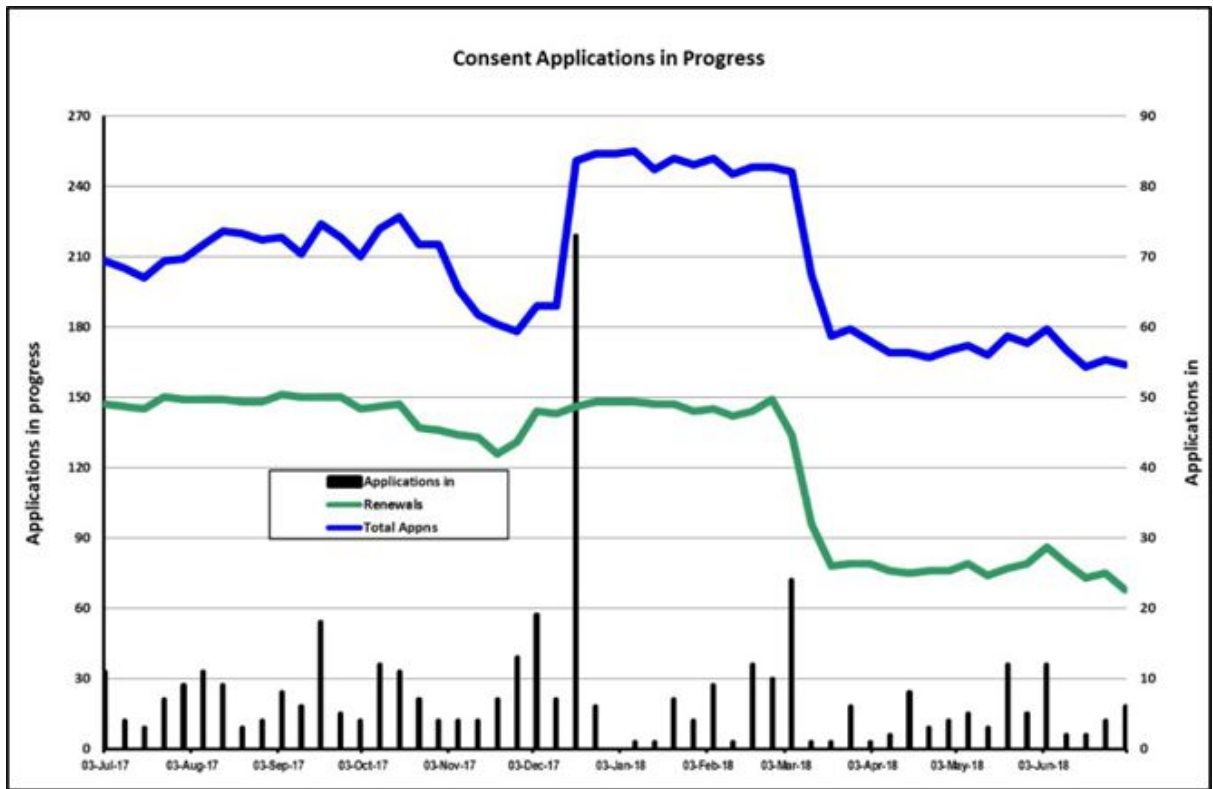
To discharge through a combined marine outfall into the Tasman Sea:

- municipal wastes (including trade wastes, meat processing and dairy industry wastes) from the reticulated sewerage systems in Hawera, Normanby and Eltham; and
- septic tank cleanings and other wastes transported by tanker from within the South Taranaki District;

following treatment in the oxidation ponds at the Hawera Waste Water Treatment Plant

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### Applications in progress



### Month Ending

	July		Aug		Sept		Oct		Nov		Dec		Jan		Feb		Mar		Apr		May		Jun	
	Total	R	Total	R	Total	R	Total	R	Total	R	Total	R	Total	R	Total	R	Total	R	Total	R	Total	R	Total	R
2017/2018	209	149	218	151	210	145	210	136	189	144	253	146	249	144	248	149	174	79	170	76	176	77	164	68
2016/2017	175	125	175	118	161	113	169	117	179	129	204	143	200	138	226	160	210	159	204	149	211	150	208	147
2015/2016	206	129	183	125	178	116	173	114	169	117	181	121	186	125	169	120	178	126	200	128	194	135	180	128

R = Renewals

### Potential Hearings

Applicant	Description	Notification date	Status	Date Issued
South Taranaki District Council	To discharge through a marine outfall into the Tasman Sea - renewal	30/01/2016	Issued	05/06/2018
New Zealand Transport Agency	Consents relating to the Mt Messenger Bypass	27/01/2018	Hearing rescheduled to commence 01 August 2018	

### Consents Issued (running totals)

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
<b>2017-2018</b>	15	38	72	116	160	176	195	217	236	253	279	308
<b>2016-2017</b>	18	36	57	76	104	122	138	161	193	216	235	263
<b>2015-2016</b>	35	64	104	133	171	187	204	257	282	307	340	382

### Breakdown of consents issued

	New	Renewal	Change	Review	Totals
2015-2016 Total	156	124	92	10	<b>382</b>
2016-2017 Total	112	93	58	0	<b>263</b>
<b>2017-2018 Total</b>	<b>134</b>	<b>106</b>	<b>61</b>	<b>7</b>	<b>308</b>

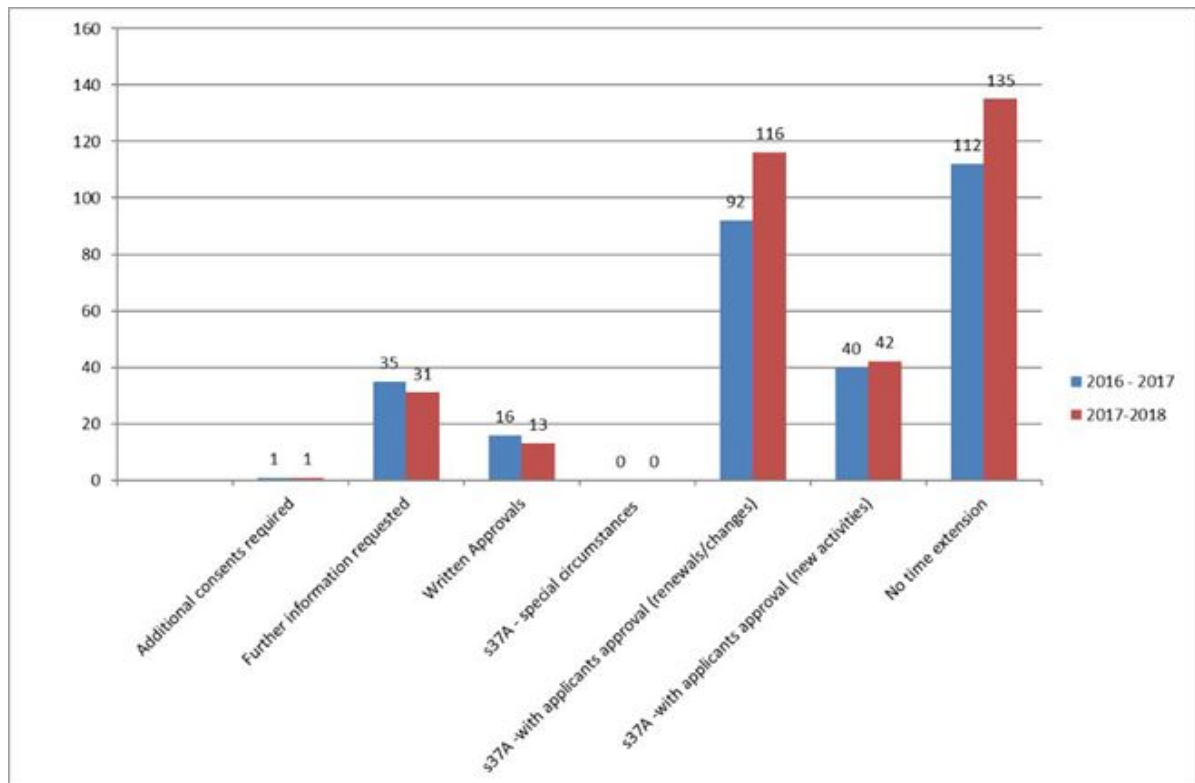
### Types of consents issued - year to date comparison

	Publicly Notified					Total publicly notified	Limited					Total Limited Notified	Non Notified					Total Non-notified	Grand Total			
	Local Authority	Dairy Farm	Poultry Farm	Oil & Gas	Other		Local Authority	Dairy Farm	Poultry Farm	Oil & Gas	Other		Local Authority	Dairy Farm	Poultry Farm	Oil & Gas	Other					
							%						%							%		
July 2015 to June 2016	0	0	0	0	0	0.0%	0	2	2	0	0	7	3.2%	11	55	82	20	71	101	96.8%	329	340
July 2016 to June 2017	0	0	0	0	0	0.0%	0	0	0	0	2	7	3.4%	9	19	102	4	44	85	96.6%	254	263
<b>July 2017 to June 2018</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>1.9%</b>	<b>6</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1.0%</b>	<b>3</b>	<b>29</b>	<b>103</b>	<b>6</b>	<b>71</b>	<b>90</b>	<b>97.1%</b>	<b>299</b>	<b>308</b>

### Non notified number of parties consulted and written approval provided

	Consultation/ Involved (number of parties)	Number of Affected Party Approvals (written)	Totals
District Councils	4	3	<b>7</b>
DOC	2	8	<b>10</b>
Environmental/Recreational Groups	2	0	<b>2</b>
Fish & Game	4	6	<b>10</b>
Individuals/Neighbours/Landowners	85	64	<b>149</b>
Network Utilities	2	0	<b>2</b>
Non Govt Organisations	4	0	<b>4</b>
Other Govt Departments	2	1	<b>3</b>
Iwi/hapu	281	6	<b>287</b>
<b>Totals - 2017-2018</b>	<b>386</b>	<b>88</b>	<b>474</b>

### Application processing time extensions used 2016-2017 versus 2017-2018



### Consent type process

	Last 10 year average 2008 - 2017	July 2016 to June 2017	July 2017 to June 2018
Total consents granted	395	263	308
Publically Notified	4	0	6
Limited-notified	12	9	3
Non-notified	380	254	299
Applications submitted on (in opposition and to be heard)	9	5	8
Application Pre-hearing resolution (%)	77%	100%	100%
Hearings (no. of applications)	1 (2)	0 (0)	0 (0)
Appeals (no. of applications)	1 (1)	0 (0)	0 (0)
Total current consents	4579	4932	4837

**Deemed Permitted Activities Issued**

None issued

**Applications returned incomplete under Section 88**

For the 2017-2018 year, 11 applications have been returned incomplete under S88 of the RMA for insufficient information. Of those eleven, 7 applications have since been returned by the applicant and accepted by Council.

## Agenda Memorandum

**Date** 17 July 2018

**Memorandum to  
Chairperson and Members  
Consents and Regulatory Committee**



**Subject: Consent monitoring annual reports**

**Approved by:** G K Bedford, Director-Environment Quality

B G Chamberlain, Chief Executive

**Document:** 2076994

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### Purpose

The purpose of this memorandum is to advise the Committee of 3 tailored compliance monitoring reports that have been prepared since the last Committee meeting.

### Executive summary

The Council considers the regular reporting of comprehensive and well-considered compliance monitoring is vital to undergird-

- community standing and reputation enhancement for companies that consistently attain good or high levels of environmental performance. Informed feedback is appropriate and valuable, and assists a proactive alignment of industry's interests with community and Resource Management Act expectations. Reporting describes the effective value of investment in environmental systems;
- a respectful and responsible regard for the Taranaki region's environment and our management of its natural resources. Reporting allows evaluation and demonstration of the overall rate of compliance by sector and by consent holders as a whole, and of trends in the improvement of our environment; and
- the Council's accountability and transparency. Reporting gives validity to investment in monitoring and to assessments of effective intervention.

These Council reports have been submitted to the consent holder for comment and confirmation of accuracy prior to publication. All reports provide environmental performance and administrative compliance ratings for each consent holder in relation to their activities over the period being reported and provide recommendations for the following monitoring year.

There are 3 reports for presentation to the meeting. Within the reports 3 high gradings were assigned (Table 1). For reference, in the 2017-2018 year, consent holders were found to achieve a high level of environmental performance and compliance for 76% of the consents monitored through the Taranaki tailored monitoring programmes, while for another 20 % of the consents, a good level of environmental performance and compliance was achieved.



Recommendations pertaining to each site or programme are set out in the relevant report. The attention of Committee members is directed to the Executive Summary at the front of each report.

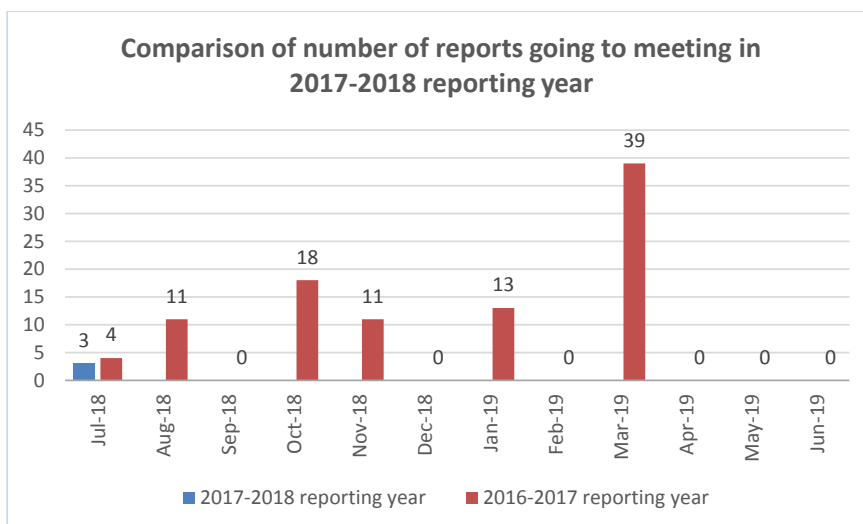
### Recommendations

That the Taranaki Regional Council:

1. receives the 18-06 STDC Wai-inu Beach Settlement Monitoring Programme Annual Report 2017-2018 and adopts the specific recommendations therein.
2. receives the 18-05 Todd Petroleum Limited Mangahewa-C Hydraulic Fracturing Monitoring Programme 2016-2017 and adopts the specific recommendations therein.
3. receives the 18-3 Greymouth Petroleum Limited Turangi-C Hydraulic Fracturing Monitoring Programme 2016-2017 and adopts the specific recommendations therein.

Table 1

Report Name	Overall environmental performance
<a href="#">18-06 STDC Wai-inu Beach Settlement Monitoring Programme Annual Report 2017-2018</a>	High
<a href="#">18-05 Todd Petroleum Limited Mangahewa-C Hydraulic Fracturing Monitoring Programme 2016-2017</a>	High
<a href="#">18-3 Greymouth Petroleum Limited Turangi-C Hydraulic Fracturing Monitoring Programme 2016-2017</a>	High



### **18-06 STDC Wai-inu Beach Settlement Monitoring Programme Annual Report 2017-2018**

The South Taranaki District Council (STDC) operates a sewage treatment system located at the Wai-inu Beach Settlement, in the Waitotara catchment. This report for the period July 2017 to June 2018 describes the monitoring programme implemented by the Taranaki Regional Council (the Council) to assess STDC's environmental performance during the period under review. The report also details the results of the monitoring undertaken and assesses the environmental effects of STDC's activities.

STDC holds one resource consent in relation to the sewage treatment system, which includes a total of 16 conditions setting out the requirements that STDC must satisfy. This resource consent was applied for and renewed early, on 1 December 2017, as STDC is in the process of upgrading the wastewater treatment system and STDC sought clarity around expectations.

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

The Council's monitoring programme for the year under review included three site inspections, with associated bacteriological sampling of seawater.

The monitoring showed that the wastewater treatment system was well maintained. As in previous years, the monitoring indicated that the exercise of resource consent 3769 was not having an adverse effect on the environment. There were no Unauthorised Incidents recording non-compliance in respect of this consent holder during the period under review.

During the 2017-2018 monitoring year, STDC demonstrated a high level of environmental and administrative compliance with their resource consent.

For reference, in the 2017-2018 year, consent holders were found to achieve a high level of environmental performance and compliance for 76% of the consents monitored through the Taranaki tailored monitoring programmes, while for another 20% of the consents, a good level of environmental performance and compliance was achieved.

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

This report includes recommendations for the 2018-2019 year.

### **18-05 Todd Petroleum Limited Mangahewa-C Hydraulic Fracturing Monitoring Programme 2016-2017**

This report outlines and discusses the results of the monitoring programme implemented by the Taranaki Regional Council (the Council) in relation to the programme of hydraulic fracturing undertaken by Todd Energy Limited (Todd) at their Mangahewa-C wellsite, over the period July to October 2016. The report also assesses Todd's level of environmental performance and compliance with the resource consent held in relation to the activity.

The programme of hydraulic fracturing undertaken by Todd at their Mangahewa-C wellsite included the hydraulic fracturing of two wells. The wells targeted for stimulation were the Mangahewa-11 and Mangahewa-15 wells. The discharges are authorised by Consent 7971-2.

**During the monitoring period Todd demonstrated an overall high level of environmental performance.**

The programme of monitoring implemented by the Council in relation to these hydraulic fracturing activities spanned the 2016-2017 and 2017-2018 monitoring years. Monitoring

included a mixture of groundwater, surface water and discharge monitoring components. This is the fifth monitoring report produced by the Council in relation to the hydraulic fracturing activities at the Mangahewa-C wellsite. The four previous reports covered hydraulic fracturing activities spanning July 2011 to June 2016.

The programme of monitoring implemented by the Council during the period being reported included pre and post discharge groundwater sampling. Biomonitoring surveys were also carried out to assess the impact of any site discharges during the fracturing programme on unnamed tributaries of the Waiiau Stream. Samples of hydraulic fracturing fluids, and fluids returning to the wellhead post-fracturing, were also obtained for physicochemical analysis in order to characterise the discharges and to determine compliance with consent conditions.

The monitoring carried out by the Council indicates that the hydraulic fracturing activities undertaken by Todd had no significant adverse effects on local groundwater or surface water resources. There were no unauthorised incidents recording non-compliance in respect of the resource consents held by Todd in relation to these activities, or provisions in regional plans, during the period under review.

Todd demonstrated a high level of environmental and administrative performance and compliance with the resource consent over the reporting period.

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

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

This report includes recommendations for the future monitoring of any hydraulic fracturing activities at the Mangahewa-C wellsite.

### **18-3 Greymouth Petroleum Ltd Turangi-C HF Programme 2016-2017**

This report outlines and discusses the results of the monitoring programme implemented by the Taranaki Regional Council (the Council) in relation to hydraulic fracturing activities conducted by Greymouth Petroleum Limited (GPL) at their Turangi-C wellsite over the period September to October 2016. The wellsite is located on Turangi Road Upper, Motunui and lies within the Parahaki Catchment. This report also assesses GPL's level of environmental performance and compliance with the resource consents held in relation to the activity.

GPL hold resource consent 9418-2, authorising the discharge of water based hydraulic fracturing fluids into land at depths greater than 3,390 metres true vertical depth subsea (TVDss) beneath the Turangi-C wellsite. This consent was issued by the Council on 14 January 2016 replacing consent 9418-1 which was issued on 25 February 2013. Consent 9418-2 contains a total of 20 special conditions which set out the requirements that GPL must satisfy.

The programme of hydraulic fracturing undertaken by GPL at Turangi-C discussed in this report included the fracturing of one well. The well targeted for stimulation was Turangi-6. The hydraulic fracturing of the well took place between September and October 2016.

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

The programme of monitoring implemented by the Council in relation to hydraulic fracturing activities at the Turangi-C wellsite was initiated in 2016. This report details the results of monitoring conducted in relation to the activities undertaken during the 2016-2017 monitoring year.

The programme of monitoring implemented by the Council during the period being reported included pre and post discharge groundwater sampling. Biomonitoring surveys were also carried out to assess the impact of any site discharges during the fracturing programme on an unnamed tributary of the Parahaki Stream. Samples of hydraulic fracturing fluids, and fluids returning to the wellhead post-fracturing, were also obtained for physicochemical analysis in order to characterise the discharges and to determine compliance with consent conditions.

The monitoring carried out by the Council indicates that the hydraulic fracturing activities undertaken by GPL had no significant adverse effects on local groundwater or surface water resources. There were no unauthorised incidents recording non-compliance in respect of the resource consents held by GPL in relation to these activities, or provisions in regional plans, during the period under review.

GPL demonstrated a high level of environmental and administrative performance and compliance with the resource consent over the reporting period.

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

This report includes recommendations for the future monitoring of any hydraulic fracturing activities at the Turangi-C wellsite.

## **Stakeholder and iwi interests**

Consent 3769-4: Wai-inu Beach Settlement sewage plant

This consent was non-notified because the adverse effects of the activity were no more than minor and nobody was adversely affected. STDC met with Ngaa Rauru Kiiitahi during the consent application process and provided a cultural values assessment. Te Kaahui o Rauru also provided their written approval for the application.

Consent 7971-2: Todd Petroleum Ltd Mangahewa-C Hydraulic Fracturing

This consent was non-notified because the Council determined that nobody was affected because the discharge is at significant depth and into a secure hydrocarbon reservoir to which Todd has sole access under a permit issued by the MBIE. It was determined that the activity, undertaken in accordance with reasonable terms and conditions would take account of the principles of the Treaty of Waitangi.

Consent 9418-2: Greymouth Petroleum Ltd Turangi-C Hydraulic Fracturing

This consent was non-notified because the adverse effects of the activity will not be more than minor and nobody was adversely affected. It was determined that the activity, undertaken in accordance with reasonable terms and conditions would take account of the principles of the Treaty of Waitangi. Written approval was received from the landowners.

No complaints or matters concerning these consents were raised by iwi.

### **Decision-making considerations**

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

### **Financial considerations—LTP/Annual Plan**

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

### **Policy considerations**

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

### **Iwi considerations**

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

### **Legal considerations**

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

### **Appendices/Attachments – 3 separate reports**

<b>Report Name</b>	<b>PDF Number</b>	<b>Reporting period</b>
18-06 STDC Wai-inu Beach Settlement Monitoring Programme Annual Report 2017-2018	2070745	2017-2018
18-05 Todd Petroleum Limited Mangahewa-C Hydraulic Fracturing Monitoring Programme 2016-2017	2056244	2016-2017
18-3 Greymouth Petroleum Limited Turangi-C Hydraulic Fracturing Monitoring Programme 2016-2017	2046578	2016-2017

## Agenda Memorandum

**Date** 17 July 2018



**Memorandum to  
Chairperson and Members  
Consents and Regulatory Meeting**

**Subject: National Environmental Standards for  
Plantation Forestry in Taranaki**

**Approved by:** AD McLay, Director – Resource Management  
BG Chamberlain, Chief Executive

**Document:** 2070710

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### **Purpose**

The purpose of this memorandum is to advise the Committee of the monitoring and enforcement activities to be undertaken of slash management by the Council in relation to the National Environmental Standards for Plantation Forestry (NES-PF). Interest had been shown at the previous meeting after the issues that arose in Gisborne with heavy rainfall causing flooding and slash movement into waterways damaging farmland and road infrastructure.

The same agenda item will be presented to the Policy and Planning Committee given the interest shown by that Committee in these matters.

A power-point presentation on how the NES-PF would be applied will be provided at the meeting.

### **Executive summary**

The National Environmental Standards for Plantation Forestry was introduced on 1 May 2018 by the Ministry for Primary Industries and are intended to provide a nationally consistent set of regulations to manage the environmental effects of plantation forestry activities. It contains 106 regulations and applies to forested areas above one hectare.

New Zealand has 1.7 million hectares of plantation forestry. Taranaki has 1.6 percent of this (29,000 hectares) and about 15,000 ha could be harvested in the next 6 years, depending on log prices.

In the majority of cases, the regulations will override the various council Resource Management Act plan provisions for forestry, including the Regional Fresh Water Plan for Taranaki and the Regional Soil Plan.

The Taranaki Regional Council has created a new position (Forestry Lead), in the Compliance Section, to undertake the necessary monitoring inspections and enforcement, where required, under the Council's Enforcement Policy (2017).

## Recommendations

That the Taranaki Regional Council:

1. receives this memorandum;
2. notes the Council has employed a staff member to monitor the forestry industry and will recover the reasonable cost of this from the sector using the user pays provisions of the Long Term Plan;
3. notes the Council will monitor and where necessary enforce the provisions of the National Environmental Standard for Production Forestry and the Resource Management Act using its Enforcement Policy(2017);
4. notes, given the differences in catchment characteristics, forestry cover, harvesting methods and regulation, the issues with slash management experienced in Gisborne are unlikely to occur in Taranaki.

## Background

The Ministry for Primary Industries and the Ministry for the Environment developed the National Environmental Standard jointly. It was gazetted in August 2017 with a delay in commencement to 1 May 2018 to enable councils and foresters to understand their responsibilities under the regulations and put in place processes to meet these responsibilities.

Foresters and councils have been supported in this process through a series of regional workshops. More than 600 foresters and council representatives throughout New Zealand attended these. A workshop was held in May in Stratford and attended by about 40 people. Those present recognised the need for appropriate regulation of the activity under the NES-PF and for there to be a consistent regulatory approach for all operators to ensure high standards and minimal adverse environmental effects.

The National Environmental Standards for Plantation Forestry will be reviewed in 12 months to ensure they are being successfully implemented. The standards are based on existing good practice for the forestry industry and include risk assessment tools developed to manage the environmental impacts from forestry, covering issues of erosion, wilding pines and fish spawning. The benefits of these tools are that the restrictions on forestry activities are related to the environmental risk rather than the forestry operation.

In the past, the Council has undertaken some monitoring inspections on consented forestry activities, associated with earthworks, and enforcement action has been undertaken as required when non-compliances have been found. As the level of harvesting is increasing in the region it is appropriate to increase regulation.

The NES-PF allows the Council to recover the cost of monitoring permitted forestry activities.

## **Discussion**

The NES-PF addresses the full forestry lifecycle. In the future under the NES regulation of forestry activities will be addressed under eight activities:

- Afforestation
- Pruning and thinning to waste
- Earthworks
- River crossings
- Forest quarrying
- Harvesting
- Mechanical land preparation
- Replanting.

Each of these activities will either require a consent or fall into the permitted activity category. The consents can be treated as controlled or restricted discretionary. Regardless of which category the activity falls into, the Taranaki Regional Council requires notification of the activity along with supporting information including Erosion Susceptibility, wilding tree risk calculation etc. Inspections will be undertaken by this council on both permitted activities and consented activities.

District councils will be able to monitor compliance with their responsibilities under the NES-PF.

Under the National Environmental Standards for Plantation Forestry more inspections will be completed, with pre, during and post inspections taking place where required. There will also be a focus on harvesting techniques in particular ground based harvesting on land where a cable hauler would be more appropriate.

Another area of focus will be on how sites are decommissioned, for example all tracks left with correct drainage and sediment controls, skid sites having slash pulled back from the edges and drainage installed. Emphasis will be placed on ensuring slash is not left in waterways (slash must now be outside the 5% AEP zone which is a one in 20 year flood).

The Council will target operators who have been and are currently operating without either a consent or not notifying us of permitted activity. During inspections undertaken on consented and notified sites we will find site operators that have not followed the requirements of the NES-PF, these sites will be dealt with on a case by case basis.

### **How big an issue is this for Taranaki?**

Comparatively for Taranaki we are a relatively low risk compared to somewhere like Gisborne whose forestry land is predominantly on very large steep faces with deep seated erosion prone soils. Our biggest risk would be the big catchments like Waitotara. For most of inland Taranaki like east of Stratford, a large rainfall event would likely only effect the immediate downstream property from the forestry block and not make it any further, unless there were landslides/debris dams where impacts could be greater.

There are about 28,000 ha of forestry plantings above 1 ha in the region. In the next six years about 15,000 ha of mature trees could be harvested, but this will depend on log prices, as high prices can mean younger trees are harvested. Conversely, when prices are low owners



can leave the trees standing. Hence, it is difficult to accurately predict harvesting trends over time.

The plantations are spread throughout eastern Taranaki with large areas in the Tangahoe and Waitotora catchments. In Gisborne the plantations are more concentrated.

Given the differences in catchment characteristics, forestry cover and harvesting, the issues with slash management experienced in Gisborne are unlikely to occur in Taranaki. There is also more regulation of activities in Taranaki than in Gisborne.

In Gisborne a months rainfall was received in 24 hours which is an extreme rainfall event.

There will be little the Council could do with an extreme rainfall event that occurs between harvesting and forest reestablishment as there may be slope failure, and debris entering waterways (causing debris dams and great impacts when these fail) and debris being captured by water above the 20 year flood level in the NES-PF. However, the Council will do everything it can under the NES and RMA to minimise environmental impacts. The NES also controls where you can plant trees with setbacks from neighbours, rivers, lakes and wetlands so slash will be less prone to being captured by high flow events.

### **What enforcement tools do we have?**

If a non-compliance is identified, Warranted Officers in the TRC have the following options under the Council's Enforcement Policy (2018):

- An abatement notice can be served directing a person to cease work;
- An abatement notice can be served directing the person to undertake works to become compliant;
- An infringement notice or multiple infringement notices can be served if the non-compliance is serious enough or there is failure to comply with an abatement notice; and
- For extremely serious incidents or cases of significant environmental effects then a prosecution would be considered.

### **District Council vs Regional Council**

District Councils require notification of works similar to the Regional Council. District Councils have responsibilities with issues such as planting near boundaries where neighbouring properties may be affected with issues such as shading, similarly alongside public roads. There are also setbacks for afforestation for papakainga and an urban area.

### **Decision-making considerations**

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

### **Financial considerations—LTP/Annual Plan**

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

### **Policy considerations**

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

### **Iwi considerations**

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

MPI would have worked with other government departments to develop the NES-PF. There is limited consideration of specific iwi values in the NES-PF. ( e.g. waahi tapu sites). As noted above district councils have responsibilities for planting separation distance from papakainga. All the regulations are aimed to minimise environmental effects of forestry so fulfil kaitiakitanga responsibilities.

### **Legal considerations**

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

## Agenda Memorandum

**Date** 17 July 2018



**Memorandum to  
Chairperson and Members  
Consents and Regulatory Committee**

**Subject: Incident, Compliance Monitoring Non-compliances and Enforcement Summary – 18 May 2018 to 30 June 2018**

**Approved by:** A D McLay, Director Environment Quality  
BG Chamberlain, Chief Executive

**Document:** 2083833

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### **Purpose**

The purpose of this memorandum is to allow the Council to consider and receive the summary of the incidents, compliance monitoring non-compliances and enforcement for the period 18 May 2018 to 30 June 2018.

### **Executive summary**

#### **Incidents**

There are 31 incidents reported.

Eighteen of the incidents were found to be compliant and Eleven were found to be non-compliant. Two of the incidents reported relate to non-compliance from previous periods (updates). The action taken on the incidents are set out for Members information.

#### **Compliance monitoring non-compliances**

There are twenty three compliance monitoring non-compliances reported. Ten of the compliance monitoring non-compliances reported are updates from previous periods

### **Recommendations**

That the Taranaki Regional Council:

1. receives this memorandum
2. receives the summary of the incidents, compliance monitoring non-compliances and Enforcement for the period from 29 March 2018 to 17 May 2018, notes the action taken by staff acting under delegated authority and adopts the recommendations therein.

## **Background**

The Council receives and responds to pollution events and public complaints throughout the year. Consent compliance monitoring undertaken can also identify non-compliance. This information is recorded in the IRIS database together with the results of investigations and any follow-up actions. Incidents and non-compliances are publicly reported to the Council through the Consents and Regulatory Committee via the Incidents, Compliance Monitoring Non-compliances and Enforcement Report or the Annual Compliance Monitoring Reports.

Attached is the summary of the Incidents, Compliance Monitoring Non-compliances and Enforcement for the period from 18 May 2018 to 30 June 2018.

Staff have been delegated by the Council to undertake enforcement actions. The enforcement policy and procedures are approved by the Council and then implemented and reported on by staff.

## **Disclosure Restrictions**

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

## **Discussion**

Council responds to all complaints received with most complaints responded to within four hours. This usually involves a site visit. Responses to complaints and non-compliances with rules in the Council's regional plans, resource consents and the Resource Management Act 1991 are recorded in the IRIS database. Where necessary, appropriate advisory or enforcement actions are undertaken. The latter may include issuing an inspection, abatement or infringement notice, or initiating a prosecution. Where an infringement notice or prosecution is possible, details of the information in the Incidents, Compliance Monitoring Non-compliances and Enforcement agenda item and staff comment will be restricted for legal disclosure reasons. Further information will be provided at a later date to the Council and for prosecutions a detailed report will be provided for information purposes, in the confidential section of the agenda.

A summary of Incidents, Compliance Monitoring Non-compliances and Enforcement for the period 18 May 2018 to 30 June 2018 is attached. The 'compliant' incidents are presented first in a table and the 'non-compliant' incidents are presented after in a more detailed summary, followed by the compliance monitoring non-compliances.

Generally incidents in the 'compliant' table have a recommendation of 'no further action'. However, an incident is considered 'compliant' until such time as a non-compliance is found. Therefore occasionally an incident in the 'compliant' table will have a recommendation of 'investigation continuing', if an ongoing investigation is still underway to confirm compliance.

A series of graphs are also attached comparing the number of incidents between 2016-2017 and 2017-2018, and also showing how the incidents are tracking in 2017-2018 in relation to environment type and compliance status. There is a graph showing the non-compliances found during compliance monitoring. There is also a graphs showing enforcement action taken to date during 2017-2018.

### **Decision-making considerations**

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

### **Financial considerations—LTP/Annual Plan**

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

### **Policy considerations**

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

### **Iwi considerations**

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

### **Legal considerations**

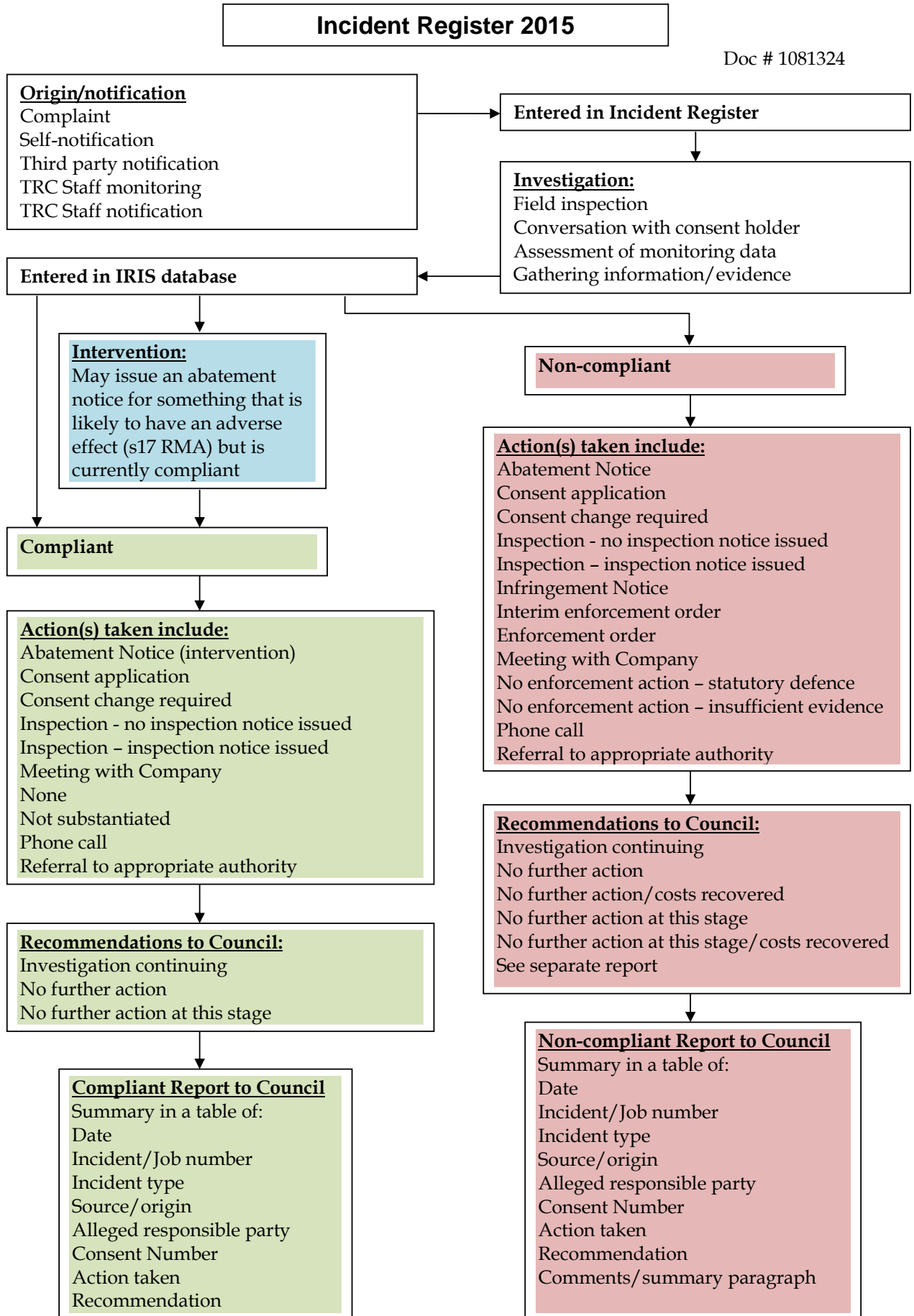
This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

### **Appendices/Attachments**

Incident flowchart and terms explained (document #1081324).

Incidents and consent non-compliance - Agenda Graphs to 30 June 2018 (document #2083459).

Incidents and Enforcement Summary 18 May 2018 to 30 June 2018 (document #2083651).



## Terms explained

### Compliance rating

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

### Origin/Notification:

Complaint	Notification of incident received from public.
Self notification	Notification of incident received from the responsible party.
Third Party Notification	Notification of incident received from third party such as New Zealand Fire, District Council etc.
TRC Staff monitoring	Notification of incident found during routine compliance monitoring.
TRC Staff notification	Notification of incident found during unrelated monitoring/field work.

### Action/s Taken:

14 day Letter	A letter was sent requesting an explanation for the non-compliance and why enforcement action should not be considered. The recipient is given 14 days to reply.
Abatement Notice	A notice was issued requiring something to be undertaken or something to cease to ensure compliance with Rules in the regional plans, resource consent or Resource Management Act 1991. Notice must be complied with or further enforcement action can be considered.
Consent application	A consent application has been received as a result of the investigation.
Consent change required	During the investigation it was found that a consent change was required.
Emergency Works	Emergency works was allowed under section 330 of the RMA. Often a subsequent resource consent is required.
Enforcement Order	An enforcement order has been issued by the Environment Court requiring action to be undertaken or something to cease. Notice must be complied with or further enforcement action can be

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

**Recommendations to Council**

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

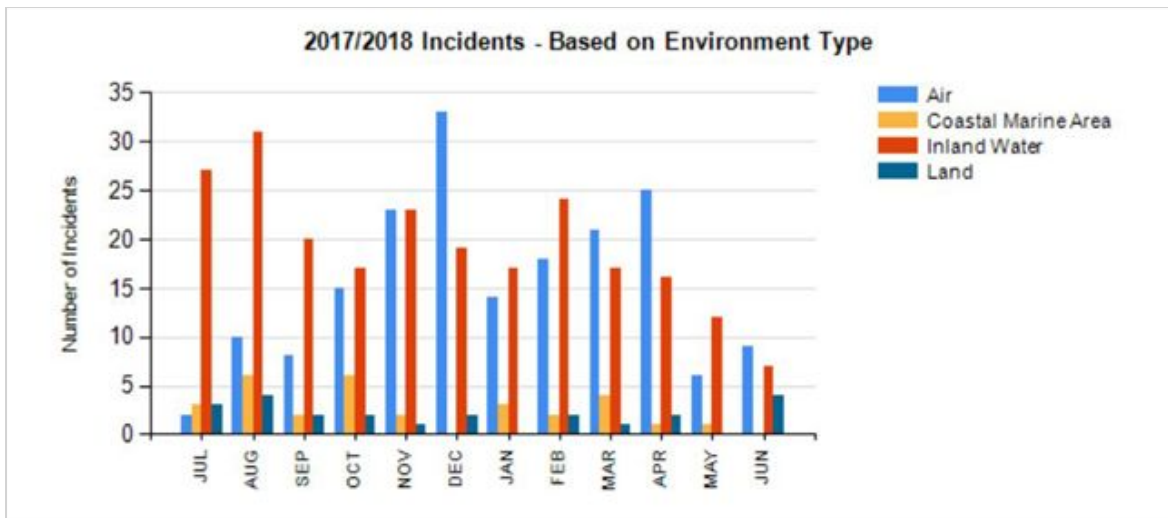
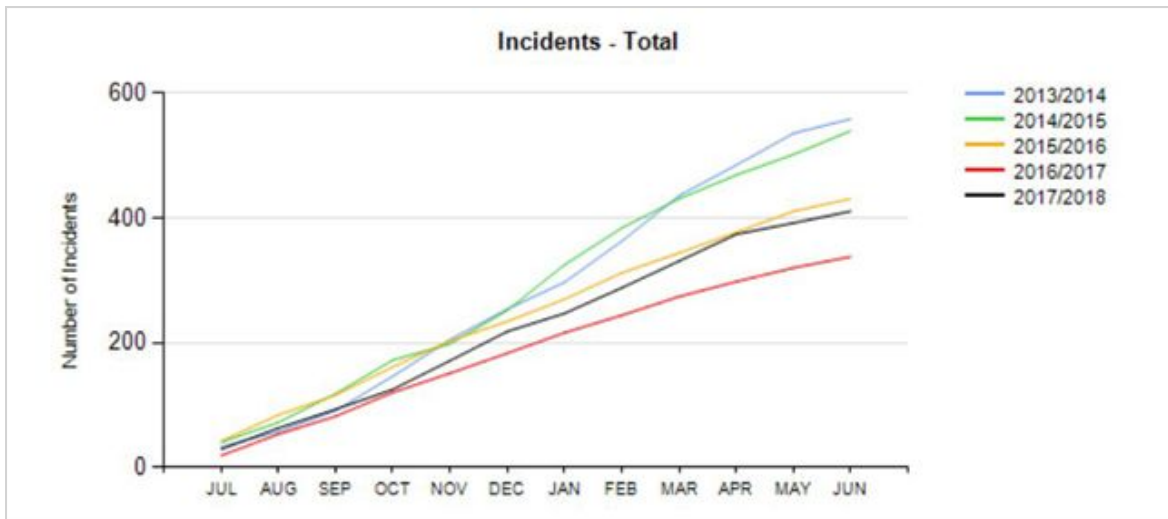
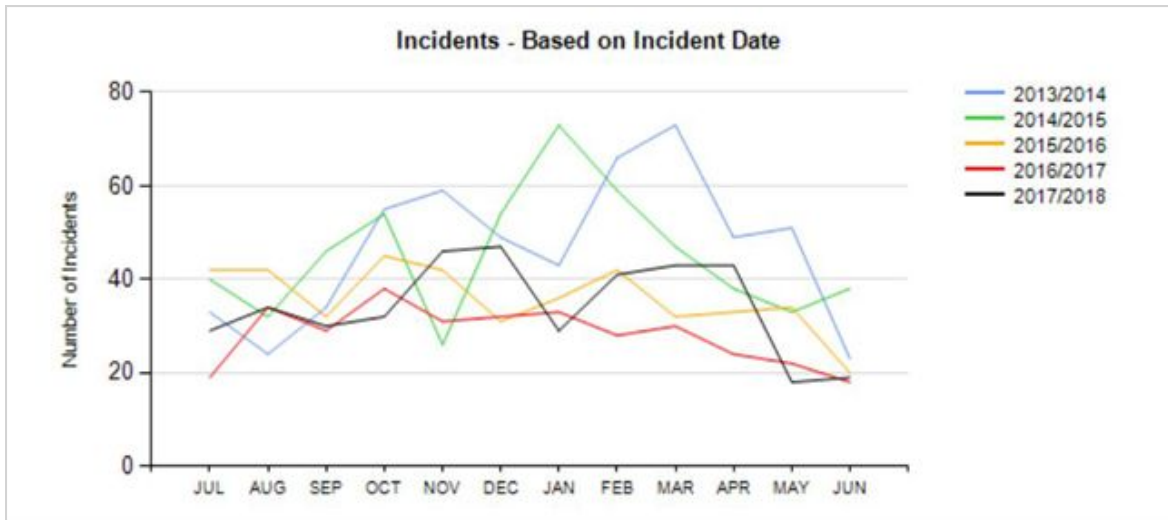


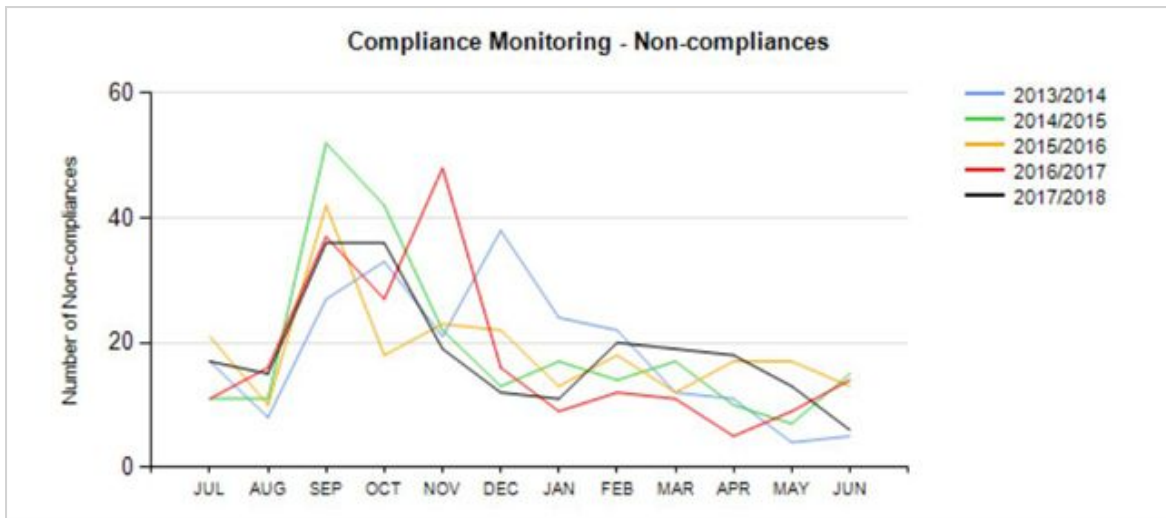
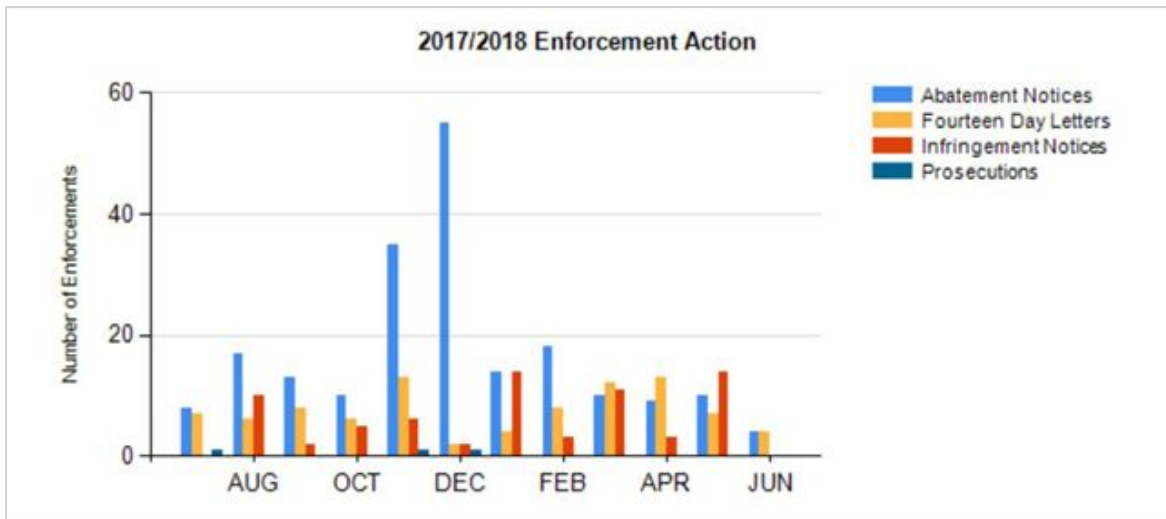
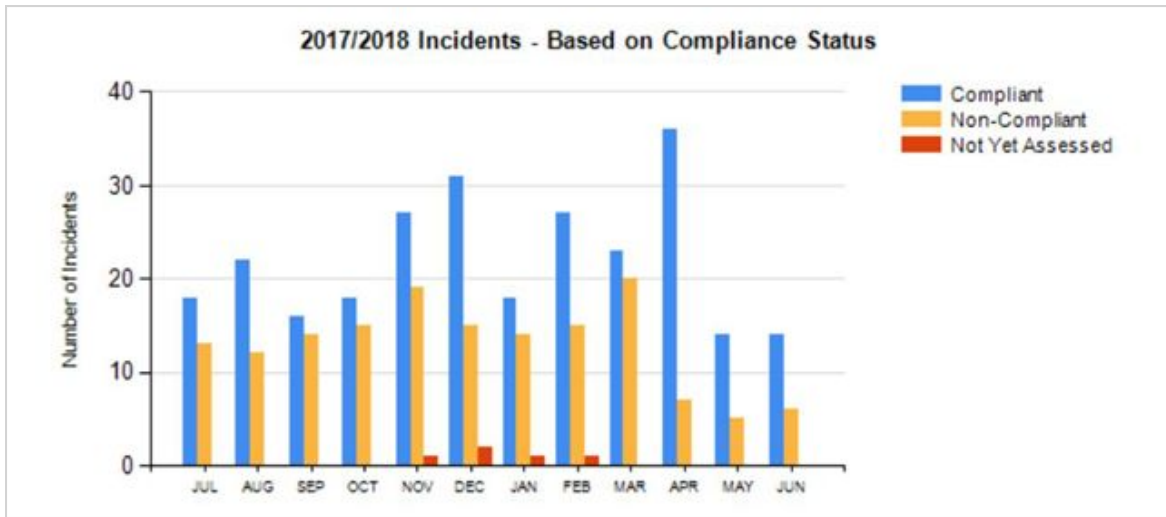
No further Action at this Stage/Costs Recovered	Investigation is completed, any required enforcement action has been undertaken and further action may be required at a later date (reinspection of Abatement Notice etc). Costs will be recovered from the alleged offender for the investigation.
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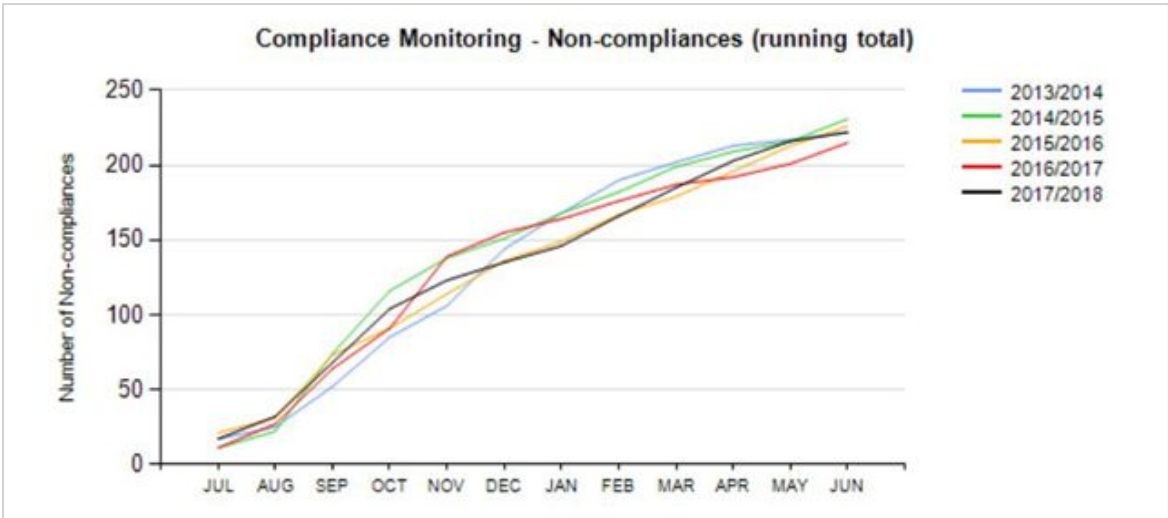
**Defences under Sections 340 and 341 of the Resource Management Act 1991**

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

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







**Compliant Incidents for the period 18 May 2018 to 30 Jun 2018**

<b>Incident Date</b>	<b>Job Number / IRIS ID</b>	<b>Incident Type</b>	<b>Source</b>	<b>Alleged Responsible Party</b>	<b>Consent Number</b>	<b>Compliance Status</b>	<b>Recommendation</b>
16 May 2018	<a href="#">3301-18-384</a> <a href="#">IN/36448</a>	Alleged Blocked culvert - Armstrong Ave, Waitara	Complaint	Unsourced		RFWP Allowed	No Further Action
22 May 2018	<a href="#">3301-18-389</a> <a href="#">IN/36063</a>	Alleged Odour - Inland North Road - Waitara	Complaint	Faull Farms Limited		RAQP Allowed	No Further Action
28 May 2018	<a href="#">3301-18-391</a> <a href="#">IN/36166</a>	Alleged Water discharge - McKee Production Station - Tikorangi	Self-Notification	Todd Petroleum Mining Company Limited		RFWP Allowed	No Further Action
31 May 2018	<a href="#">3301-18-393</a> <a href="#">IN/36131</a>	Alleged Hydrocarbon sheen - Huatoki Stream - New Plymouth	Complaint	Unsourced		RFWP Allowed	No Further Action
06 Jun 2018	<a href="#">3301-18-395</a> <a href="#">IN/36203</a>	Alleged Poultry odour - Tegel Foods Ltd - Egmont Village	Complaint	Tegel Foods Ltd	R2/9500-1	Consent Compliance	No Further Action
09 Jun 2018	<a href="#">3301-18-396</a> <a href="#">IN/36204</a>	Alleged Poultry odour - Tegel Foods Ltd - Egmont Village	Complaint	Tegel Foods Ltd	R2/9500-1	Consent Compliance	No Further Action
09 Jun 2018	<a href="#">3301-18-397</a> <a href="#">IN/36205</a>	Alleged poultry odour - Tegel Foods Ltd - Egmont Village	Complaint	Tegel Foods Ltd	R2/9500-1	Consent Compliance	No Further Action
10 Jun 2018	<a href="#">3301-18-398</a> <a href="#">IN/36206</a>	Alleged Stock in Waiongana Stream - Brixton	Complaint	Grant Knuckey /Puketapu E Block Reserve		RFWP Allowed	No Further Action

**Compliant Incidents for the period 18 May 2018 to 30 Jun 2018**

Incident Date	Job Number / IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Compliance Status	Recommendation
12 Jun 2018	<a href="#">3301-18-400</a> <a href="#">IN/36276</a>	Alleged Rubbish - Waste Management - Katere Road, New Plymouth	Complaint	Waste Management - A division of Transpacific Industries Group NZ Limited		RFWP Allowed	No Further Action
14 Jun 2018	<a href="#">3301-18-402</a> <a href="#">IN/36333</a>	Alleged Burning odour - State Highway 45, Pihama	Complaint	Unsourced		RAQP Allowed	No Further Action
18 Jun 2018	<a href="#">3301-18-408</a> <a href="#">IN/36446</a>	Alleged Odour- Dead Sheep- South Road	Complaint	Unsourced		RCP Allowed	No Further Action
18 Jun 2018	<a href="#">3301-18-404</a> <a href="#">IN/36449</a>	Alleged Urea spill - Main Road North, Tongaporutu	Third Party Notification	Shannon Bulk Haulage Ltd		RFWP Allowed	No Further Action
21 Jun 2018	<a href="#">3301-18-406</a> <a href="#">IN/36423</a>	Alleged Stock in waterbody - Ladies Mile, Eltham	Complaint	Pauline Kennedy		RFWP Allowed	No Further Action
21 Jun 2018	<a href="#">3301-18-405</a> <a href="#">IN/36525</a>	Alleged Black smoke - Methanex - Motonui	Complaint	Methanex Motunui Limited	R2/4042-3	Consent Compliance	No Further Action
23 Jun 2018	<a href="#">3301-18-407</a> <a href="#">IN/36444</a>	Alleged Smoke - Titania Street - Stratford	Complaint	John Anderson		RAQP Allowed	No Further Action
26 Jun 2018	<a href="#">3301-18-409</a> <a href="#">IN/36461</a>	Alleged Stock truck effluent - Toko Domain - Toko	Complaint	Aitken Transport 1994 Limited /Lloyd Gernhoefer Contractor Limited	R2/5352-2	RFWP Allowed	No Further Action

**Compliant Incidents for the period 18 May 2018 to 30 Jun 2018**

<b>Incident Date</b>	<b>Job Number / IRIS ID</b>	<b>Incident Type</b>	<b>Source</b>	<b>Alleged Responsible Party</b>	<b>Consent Number</b>	<b>Compliance Status</b>	<b>Recommendation</b>
27 Jun 2018	<a href="#">3301-18-411</a> <a href="#">IN/36527</a>	Alleged Palm kernal extract spill - SH3A, Inglewood	Third Party Notification	Un sourced		RFWP Allowed	No Further Action
28 Jun 2018	<a href="#">3301-18-412</a> <a href="#">IN/36526</a>	Alleged Odour - TBP - Okaiawa	Complaint	Taranaki By-Products Limited	R2/4058-4	Consent Compliance	No Further Action

**Updates of Non-Compliant incidents from previous agendas**

Incident Date	Job Number / IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
02 Apr 2018 <u>Update</u>	<a href="#">3301-18-334</a> <a href="#">IN/35923</a>	Smoke - burning cars - Waverley	Complaint	Warwick Lupton (30486)		EAC-22010 - Explanation Requested - Letter	Investigation Continuing
<b>Comments:</b> Complaints were received concerning smoke discharging from the burning of vehicles on Main Road, Waverley. Investigation found that an area of land had been cleared, with unwanted materials placed onto a fire for disposal. Unauthorised materials were being burnt, such as tyres, vehicles, treated timber and plastics. A letter requesting explanation was sent. Enforcement action is being considered.							
27 Apr 2018 <u>Update</u>	<a href="#">3301-18-372</a> <a href="#">IN/35982</a>	Foaming discharge- Contract Resources- Normanby	Complaint	Contract Resources (New Zealand) Limited (34585)	R2/9295-1		Investigation Continuing
<b>Comments:</b> A complaint was received regarding an unnamed tributary foaming due to the discharge from an industrial services site at Wallscourt Place, Normanby. Inspection found the discharge from the interceptor system had created a foaming effect in the receiving waters. Sample results found the discharge to be non-compliant with resource consent conditions. The company responsible for the discharge outlined some detergent had discharged into the interceptor pond. The company cleaned out the interceptor system. Enforcement action is being considered.							



**Non-Compliant incidents for the period 18 May 2018 to 30 Jun 2018**

Incident Date	Job Number / IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
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18 May 2018	<a href="#">3301-18-386</a> <a href="#">IN/36059</a>	Low pH - Hongihongi Stream - Ngamotu Beach	TRC Staff Compliance Monitoring	Unsourced (9768)			No Further Action At This Stage
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**Comments:** During routine monitoring it was found that the Hongihongi Stream had a low pH at the Ngamotu Beach outfall. Investigation of upstream sites could not find any unauthorised discharges. No environmental impacts were found. Further sampling the following days found that pH was within normal range.

24 May 2018	<a href="#">3301-18-390</a> <a href="#">IN/36083</a>	Green stream - Whitely - Mountain Road, Midhirst	TRC Staff Notification	Edward Whiting (51784) Airport Farm Trustees Limited (54363)	R2/1011-2.1	EAC-22050 - Abatement Notice	Investigation Continuing
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**Comments:** During unrelated monitoring it was found that an unnamed tributary of the Piakau Stream was running green at Mountain Road, Midhirst. Investigation found that effluent being applied by a travelling irrigator had ponded on land and discharged into a stormwater drain and the unnamed tributary of the Piakau Stream. The application of effluent appears to have been excessive for the weather conditions at the time. Discharge immediately stopped by consent holder on being notified. An abatement notice was issued requiring the effluent system to be operated and maintained to ensure compliance with resource consent conditions. Reinspection will be undertaken after 2 July 2018. Further enforcement action is being considered.

**Non-Compliant incidents for the period 18 May 2018 to 30 Jun 2018**

Incident Date	Job Number / IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
28 May 2018	<a href="#">3301-18-392</a> <a href="#">IN/36090</a>	Blocked Culvert - Armstrong Developments - Armstrong Avenue, Waitara	Complaint	Armstrong Developments Limited (54980)	R2/10456-1.0	EAC-22062 - Abatement Notice	Investigation Continuing

**Comments:** A complaint was received concerning a blocked stormwater culvert on Armstrong Avenue, Waitara. Investigation found that the stormwater culvert was blocked and New Plymouth District Council (NPDC) were undertaking works to have it cleared. Rocks have been placed unlawfully above the stormwater culvert by an upstream landowner, which is affecting the stream flow rate and contributing to the issue. Another consented stream culvert downstream of the first culvert was blocked with silt/sediment from development activities being undertaken by a contractor. Sediment controls in place were not adequate. An abatement notice was issued to the contractor requiring works to be undertaken to ensure compliance with resource consent conditions for the consented stream culvert. Reinspection will be undertaken after 6 July 2018. A meeting is being held with NPDC to discuss options to clear the stormwater culvert. The landowner upstream has been instructed to remove the rocks from the stream.

12 Jun 2018	<a href="#">3301-18-399</a> <a href="#">IN/36239</a>	Sediment discharge - Dreaver - Kairau Road East, Lepperton.	Complaint	Richard Dreaver (37034)	R2/9526-1		Investigation Continuing
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**Comments:** A complaint was received regarding sediment being discharged into the Waiongana Stream from a quarrying operation on Kairau Road East, Lepperton. Investigation found that the discharge of stormwater from the quarry was discoloured in the receiving environment. Samples were taken and analysis found that parameters were within some resource consent conditions. However, the resource consent requires that there be no discolouration in the receiving environment, therefore the discharge was non-compliant. Enforcement action is being considered.

**Non-Compliant incidents for the period 18 May 2018 to 30 Jun 2018**

Incident Date	Job Number / IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
18 May 2018	<a href="#">3301-18-387</a> <a href="#">IN/36074</a>	Hydrocarbon discharge - SMB Recyclers - Scott Street, Hawera.	Complaint	SMB Recyclers Ltd (55474) Jason Churchill (56830) The 3D Company Limited (56831)		EAC-22042 - Abatement Notice EAC-22044 - Abatement Notice EAC-22045 - Explanation Requested - Letter EAC-22046 - Explanation Requested - Letter	No Further Action At This Stage

**Comments:** A complaint was received concerning hydrocarbons discharging into residential properties from a neighbouring scrap metal recycling yard on Scott Street, Hawera. Investigation found that there was evidence that contaminants, such as hydrocarbons, had discharged onto land and into the nearby unnamed tributary of the Tawhiti 1 Stream. At the time of inspection no environmental effects were found in the stream. Samples, photographs and videos were taken. Analysis of samples confirmed no effect. Abatement notices were issued requiring works to be undertaken to comply with Rule 44 of the Regional Fresh Water Plan for Taranaki. Reinspection will be undertaken after 29 June 2018.

21 May 2018	<a href="#">3301-18-388</a> <a href="#">IN/36061</a>	Hydraulic oil discharge - TSB Showplace - New Plymouth.	Self-Notification	New Plymouth District Council (9565)			No Further Action
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**Comments:** Self-notification was received that some hydraulic oil (up to 50 litres) had leaked into the stormwater drain from the lift shaft at the TSB Showplace in New Plymouth. Investigation found that while repairs were being undertaken to the lift shaft the hydraulic oil had leaked from the shaft and had probably escaped via the stormwater system. No evidence of any hydrocarbons were found in either the Mangaotuku Stream or Huatoki Stream. Both streams were flowing above normal after a wet weekend. An incident report was received and accepted.

**Non-Compliant incidents for the period 18 May 2018 to 30 Jun 2018**

Incident Date	Job Number / IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
06 Jun 2018	<a href="#">3301-18-394</a> <a href="#">IN/36222</a>	Stormwater discharge - Ballance site - Midhirst	Complaint	Ballance Agri-Nutrients Limited (24305) Taranaki Bulk Storage Limited (32785)	R2/5689-2.1		No Further Action/Costs Recovered
<p><b>Comments:</b> During an investigation into an unrelated incident, it was found that some fertiliser was discharging into the Te Popo Stream from the old Dairy Factory site in Midhirst. The site is currently changing management for some activities. The activities on the site have been ceased while works are being undertaken to ensure compliance with rules in the Regional Fresh Water Plan for Taranaki.</p>							
11 Jun 2018	<a href="#">3301-18-401</a> <a href="#">IN/36286</a>	Ponding - Opunake sewage treatment plant - State Highway 45, Opunake	Complaint	South Taranaki District Council (9623)	R2/4248-2	EAC-22064 - Abatement Notice	No Further Action/Costs Recovered
<p><b>Comments:</b> A complaint was received regarding an increased amount of ponding within the vicinity of the soakage field at the Opunake municipal sewage treatment facility at State Highway 45, Opunake. Investigation found that ponding was occurring above the soakage field in breach of resource consent conditions. An abatement notice was issued requiring workings to be undertaken to ensure resource consent conditions are being complied with at all times. Reinspection found the ponding had decreased. A change in management practises will be undertaken which will further reduce ponding to ensure compliance with the abatement notice. A further reinspection found the site to be compliant with resource consent conditions.</p>							
18 Jun 2018	<a href="#">3301-18-403</a> <a href="#">IN/36447</a>	Diesel spill - Bunnings - New Plymouth	Third Party Notification	Inter - Freight Ltd (67209)		No Enforcement Action - Statutory defence	No Further Action/Costs Recovered

**Non-Compliant incidents for the period 18 May 2018 to 30 Jun 2018**

Incident Date	Job Number / IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
<p><b>Comments:</b> Notification was received from New Zealand Fire Service regarding a diesel spill at Bunnings, Molesworth Street, New Plymouth. Investigation found that a fuel tank on a diesel truck had been ruptured during unloading operations. Diesel had discharged onto the forecourt of the site. There was evidence that some diesel had discharged to the stormwater system but at the time of inspection the diesel had been contain and recovered.</p>							
27 Jun 2018	3301-18-410 IN/36541	Works on stop bank-Drill Co- West Quay Waitara	TRC Staff Notification	New Plymouth District Council (9565)			No Further Action At This Stage/Costs Recovered
<p><b>Comments:</b> During unrelated monitoring it was found that some unauthorised works had occurred on the Waitara Flood Control Scheme stop bank. Investigation found that the works had been undertaken in preparation for a new sewage pump station. New Plymouth District Council were directed under section 330 of the Resource Management Act 1991 to reinstate the stop bank. Reinstatement works were undertaken under the supervision of this Council's Rivers Engineer. Further works will need to be undertaken for installation of the sewage pump station and this will be in consultation with Taranaki Regional Council.</p>							
28 Jun 2018	3301-18-413 IN/36540	Smoke - NPDC Crematorium - New Plymouth	TRC Staff Compliance Monitoring	New Plymouth District Council (9565)	R2/5205-2.0	No Enforcement Action - Statutory defence	No Further Action/Costs Recovered
<p><b>Comments:</b> While driving by a Council Officer noticed that black smoke was discharging from the New Plymouth Crematorium. Investigation found that the black smoke was being emitted during the cremation of a very large casket. The obscuration meter showed levels climbing to beyond 15%, in contravention of allowable consent levels of 2% for the Newton Cremator. An explanation was received. The type of timber casket and body type had increased the burning state very fast causing the smoke emissions. The site operator had immediately undertaken remedial action to return the cremation to a state where no further emissions occurred. The cremator is set for renewal this coming financial year. The explanation was accepted.</p>							

**Updates of Compliance Monitoring - Non-compliances from previous agendas**

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
<a href="#">08 Mar 2018 Update</a>	<a href="#">332118-158 ENF-21505</a>	Compliance Monitoring Insp.	Non-compliance	GrainCorp Feeds Limited (52286)	<a href="#">R2/7707-1</a>	EAC-22047 - Infringement Notice (\$750) EAC-21963 - Explanation Requested - Letter	No Further Action/Costs Recovered

**Comments:** During routine compliance monitoring it was found that best practice for preventing contaminants from entering the stormwater network and surface water was not being undertaken as required by resource consent conditions at a grain storage facility on Paraite Road, Bell Block. A letter requesting explanation was sent, no reply has been received to date.

<a href="#">16 Mar 2018 Update</a>	<a href="#">332118-160 ENF-21498</a>	Annual Inspection	Significant non-compliance	Awatea Farm Trust (33763) Soutar Farms Limited (34098)	<a href="#">R2/7655-1</a>	EAC-22040 - Infringement Notice (\$750) EAC-22041 - Infringement Notice (\$750) EAC-21950 - Abatement Notice EAC-21959 - Abatement Notice EAC-21985 - Explanation Requested - Letter EAC-21988 - Explanation Requested - Letter	No Further Action/Costs Recovered
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**Comments:** During the annual dairy inspection round it was found that the farm dairy effluent system was not operating within consent conditions at Waipipi Road, Waverley. Abatement notices were issued requiring works to be undertaken to ensure the farm dairy effluent disposal system is designed, maintained and operated in accordance with the special conditions of Resource Consent 7655-1. Reinspection found that the abatement notices were being complied with at the time of inspection. Letters of explanation were received.

**Updates of Compliance Monitoring - Non-compliances from previous agendas**

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
<a href="#">04 Apr 2018 Update</a>	<a href="#">332118-176 ENF-21541</a>	Annual Inspection	Non-compliance	Ross & Jan Dunlop (3779) Ross & Jan Dunlop Trust (37533)	<a href="#">R2/3706-2.1</a>	EAC-21995 - Abatement Notice EAC-21997 - Abatement Notice EAC-21994 - Explanation Requested - Inspection Notice	No Further Action/Costs Recovered

**Comments:** During the annual dairy inspection round it was found that the dairy effluent disposal system was not operating within resource consent conditions at Ohawe Road, Tokaora. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection found the abatement notice was being complied with at the time of inspection. An explanation was received and accepted. The consent holder has undertaken to apply to land only and is in the process of changing the resource consent to provide for this.

<a href="#">06 Apr 2018 Update</a>	<a href="#">332118-189 ENF-21569</a>	Compliance Monitoring Insp.	Non-compliance	Tegel Foods Limited - Poultry Processing Plant (9844)	<a href="#">R2/7389-1</a> <a href="#">R2/3470-4.0</a>		No Further Action/Costs Recovered
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**Comments:** During routine compliance monitoring it was found that best practice was not being followed with maintenance and management of some processes on site at Pariate Road, Bell Block. Investigation found that the Company has developed an action plan as a result of the non-compliance. This outlines the issues and the actions that have been taken to prevent reoccurrence. Follow up monitoring will be undertaken to ensure compliance with resource consent conditions.

**Updates of Compliance Monitoring - Non-compliances from previous agendas**

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
<a href="#">06 Apr 2018 Update</a>	<a href="#">332118-182 ENF-21555</a>	Annual Inspection	Non-compliance	Noel Leonard & Gillian Mary Caskey (1992)	<a href="#">R2/3160-3.0</a>	EAC-22015 - Abatement Notice	No Further Action At This Stage/Costs Recovered

**Comments:** During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at East Road, Toko. An abatement notice was issued requiring works to be undertaken to ensure compliance with Resource Consent 3160-3.0. Reinspection will be undertaken after 31 December 2018.

<a href="#">13 Apr 2018 Update</a>	<a href="#">332118-190 ENF-21572</a>	Annual Inspection	Non-compliance	Mr Peter Anthony Myers (2895)	<a href="#">R2/4516-2</a>	EAC-22072 - Abatement Notice	No Further Action At This Stage/Costs Recovered
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**Comments:** During the annual dairy inspection round it was found that the dairy effluent disposal system was not operating within resource consent conditions at Glenn Road, Manaia. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection to be undertaken after 12 January 2019.



**Updates of Compliance Monitoring - Non-compliances from previous agendas**

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
<a href="#">16 Apr 2018 Update</a>	<a href="#">332118-177 ENF-21546</a>	Annual Inspection	Significant non-compliance	Blue Rata Investments Limited (24599)	<a href="#">R2/4991-2</a>	EAC-22005 - Abatement Notice EAC-22054 - Abatement Notice EAC-22004 - Explanation Requested - Letter EAC-22053 - Explanation Requested - Letter	Investigation Continuing

**Comments:** During the annual dairy inspection round it was found that the dairy effluent disposal system was not operating within resource consent conditions at Carrington Road, Okato. Dairy effluent was found to be overflowing from the storage ponds, onto land and into water. Abatement notices were issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection found that the abatement notice was being complied with. However, leachate from a maize silage pit was discharging overland and into a drain which discharges to the Mangatete Stream. Samples and photographs were taken. Letters of explanation were received. Further enforcement action is being considered.

<a href="#">09 May 2018 Update</a>	<a href="#">332118-186 ENF-21565</a>	Other Inspection	Non-compliance	Freight & Bulk Transport Limited (9982)	<a href="#">R2/10008-1.0</a>	EAC-22023 - Explanation Requested - Inspection Notice	Investigation Continuing
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**Comments:** During analysis of samples taken during routine monitoring it was found that the concentrations of suspended solids and carbonaceous biochemical oxygen demand in the discharge exceeded the limits set by conditions of consent 10008-1, at a bulk storage site at Katere Road. An explanation has been requested. Enforcement action is being considered.

**Updates of Compliance Monitoring - Non-compliances from previous agendas**

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
<a href="#">14 May 2018 Update</a>	<a href="#">332118-188 ENF-21574</a>	Compliance Monitoring Insp.	Non-compliance	Port Taranaki Limited (26226)	<a href="#">R2/0197-2.1</a>	EAC-22038 - Explanation Requested - Inspection Notice No Enforcement Action - Insufficient evidence	No Further Action

**Comments:** During analysis of samples taken during routine monitoring it was found that the pH levels in a stormwater discharge were slightly acidic in contravention of resource consent conditions, at Port Taranaki. Further investigation was undertaken at the site and no unauthorised discharges were found that would explain the result. An explanation was received and accepted. The levels will be checked during further routine monitoring.

<a href="#">15 May 2018 Update</a>	<a href="#">332118-187 ENF-21566</a>	Compliance Monitoring Insp.	Significant non-compliance	Osflo Fertiliser Limited (36015) Taranaki Civil Construction Limited - Inglewood (33867)	<a href="#">R2/10522-1.0</a>	EAC-22024 - Abatement Notice EAC-22026 - Abatement Notice EAC-22027 - Abatement Notice EAC-22029 - Abatement Notice	Investigation Continuing
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**Comments:** During routine monitoring it was found that there were multiple breaches of resource consent conditions at the new fertiliser storage site on Mountain Road, Inglewood. There were silt and erosion controls in place the majority of the sites stormwater run off was bypassing the controls and discharging into surrounding surface water. The culvert on site was not constructed to the required resource consent specifications. Samples were taken of the stormwater discharge and allowable limits were significantly exceeded. Abatement notices were issued requiring works to be undertaken to the culvert and stormwater controls to ensure compliance with resource consent conditions. Reinspections found that the abatement notices are being complied with. Further enforcement action is being considered.

**Compliance Monitoring - Non-compliances for the period 18 May 2018 to 30 Jun 2018**

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
16 May 2018	332118-202 ENF-21594	Office Assessment	Non-compliance	Molten Metals Limited (25848)	R2/9974-1.0		Investigation Continuing
<p><b>Comments:</b> During analysis of samples taken during a wet weather sampling run (14 May 2018), it was found that the stormwater discharge (690 g/m<sup>3</sup>) exceeded allowable suspended solid limits (100 g/m<sup>3</sup>) at a scrap metal yard on Centennial Drive, New Plymouth. Enforcement action is being considered.</p>							
23 May 2018 06 Jun 2018	332118-199 ENF-21582	Compliance Monitoring Insp.	Non-compliance	New Plymouth District Council (9565)	R2/2370-3	EAC-22057 - Explanation Requested - Letter	No Further Action At This Stage/Costs Recovered
<p><b>Comments:</b> During routine monitoring it was found that capping and compaction and vegetative cover in the Stage 2 area was insufficient to comply with resource consent conditions at the Colson Road Landfill site, New Plymouth. A letter was sent requesting explanation and advising that capping, contouring and compaction in the area needs to be addressed. A letter was received advising measures to be undertaken to address the issue.</p>							
24 May 2018	332118-195 ENF-21591	Compliance Monitoring Insp.	Non-compliance	Greymouth Petroleum Central Limited (55157)	R2/9966-1.0		No Further Action/Costs Recovered
<p><b>Comments:</b> During routine monitoring it was found that insufficient bunding was in place to ensure that the stormwater catchment area was within consent conditions at the Radnor wellsite, Midhirst. The Company undertook immediate works to remedy the matter. No environmental effects occurred as a result.</p>							

**Compliance Monitoring - Non-compliances for the period 18 May 2018 to 30 Jun 2018**

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
29 May 2018	332118-204 ENF-21600	Compliance Monitoring Insp.	Non-compliance	New Zealand Transport Agency (14205)	R2/10187-1.0		No Further Action At This Stage/Costs Recovered
<b>Comments:</b> During routine monitoring, in moderately high flows, it was found that a culvert was perched and no spat rope had been installed as required by resource consent conditions. An explanation was requested from the consent holder. The consent holder is undertaking remedial works.							
30 May 2018	332118-196 ENF-21578	Compliance Monitoring Insp.	Non-compliance	AWE Limited (30256) Burgess Crowley Civil Limited (34601)	R2/10231-1.0	EAC-22069 - Infringement Notice (\$750) EAC-22052 - Explanation Requested - Inspection Notice	No Further Action/Costs Recovered
<b>Comments:</b> During a compliance monitoring inspection it was found that special condition 6 of resource consent 10231-1 was not being complied with. Civil works had commenced before sediment controls had been completed. A letter of explanation was received from AWE outlining the reasons for non-compliance with resource consent conditions. Given the circumstances, any effects from the breach were likely to be minor, however the conditions are in place to ensure adverse effects are avoided in the first instance and it is not up to the consent holder to pick and choose which conditions are to be complied with or partially complied with.							
01 Jun 2018	332118-198 ENF-21579	Office Assessment	Non-compliance	Tegel Foods Limited - Poultry Processing Plant (9844)	R2/3470-4.0	EAC-22055 - Explanation Requested - Inspection Notice	Investigation Continuing
<b>Comments:</b> During analysis of samples taken during routine monitoring it was found that BOD limits in a stormwater discharge had been exceeded at a poultry processing plant at Paraite Road, Bell Block. An explanation was received and the reason for non-compliance could not be traced. Enforcement action is being considered.							

**Compliance Monitoring - Non-compliances for the period 18 May 2018 to 30 Jun 2018**

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
01 Jun 2018	332118-197 ENF-21580	Office Assessment	Non-compliance	Halliburton New Zealand Limited - NEW PLYMOUTH (10357)	R2/2337-3	EAC-22056 - Explanation Requested - Inspection Notice	Investigation Continuing
<p><b>Comments:</b> During analysis of samples taken during routine monitoring it was found that suspended solids had exceeded suspended solids consent limits at an oil and gas service facility in Bell Block. An explanation has been requested from the Company. To date no reply has been received. Enforcement action is being considered.</p>							
01 Jun 2018	332118-206 ENF-21604	Compliance Monitoring Insp.	Non-compliance	Estate of Margaret J Abbott (2819)	R2/10398-1.0		No Further Action At This Stage/Costs Recovered
<p><b>Comments:</b> During routine monitoring it was found that a culvert had not been installed within resource consent conditions. A meeting was held with the contractor who undertook to remedy the matter. Reinspection will be undertaken after 13 July 2018.</p>							
11 Jun 2018	332118-200 ENF-21583	Compliance Monitoring Insp.	Non-compliance	AML Limited (Trading as Allied Concrete) (30416)	R2/4539-2	EAC-22058 - Abatement Notice EAC-22060 - Explanation Requested - Letter	No Further Action/Costs Recovered
<p><b>Comments:</b> During routine monitoring it was found that an unauthorised discharge of contaminated stormwater was occurring at a concrete batching facility at Hurlstone Drive, New Plymouth. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection found that the abatement notice was being complied with at the time of inspection.</p>							

**Compliance Monitoring - Non-compliances for the period 18 May 2018 to 30 Jun 2018**

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
15 Jun 2018	332118-201 ENF-21593	Compliance Monitoring Insp.	Non-compliance	Aitken Transport 1994 Limited (2100)	R2/1805-3		No Further Action/Costs Recovered
<b>Comments:</b> During routine monitoring it was found that the effluent disposal system was not operating within resource consent conditions. A contractor had already been engaged earlier that day to undertake the works required to ensure compliance. Reinspection found that the system was compliant with resource consent conditions.							
22 Jun 2018	332118-205 ENF-21603	Compliance Monitoring Insp.	Non-compliance	Fitzroy Engineering Group Limited (9482)	R2/4025-3.2	EAC-22070 - Abatement Notice EAC-22071 - Explanation Requested - Letter	Investigation Continuing
<b>Comments:</b> During routine monitoring it was found that sandblasting garnet had discharged onto land and into the Waiwhakaiho River. An abatement notice was issued requiring works to be undertaken to ensure compliance with consent conditions. Reinspection will be undertaken after 31 July 2018.							
25 Jun 2018	332118-203 ENF-21596	Compliance Monitoring Insp.	Significant non-compliance	Jason Bunn (25981)	R2/10527-1.0		Investigation Continuing
<b>Comments:</b> During routine monitoring it was found that run off from the entrance track and part of the quarry floor was occurring in contravention of resource consent conditions at a quarry site on Surrey Road, Tariki. Patches of hydrocarbons were also visually present in this runoff, in small quantities. The discharge was entering the nearby waterbody. Samples and photographs were taken. Sample results are pending. Enforcement action is being considered.							

**Compliance Monitoring - Non-compliances for the period 18 May 2018 to 30 Jun 2018**

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
27 Jun 2018	332118-207 ENF-21606	Office Assessment	Non-compliance	Cold Creek Community Water Scheme Limited (31051) Cold Creek Community Water Supply Limited (50581)	R2/1134-3.2		Investigation Continuing

**Comments:** Self-notification was received concerning a lightning strike which had affected the stage and water abstraction data from a water take at a community water supply at Kiri Road, Opunake. Data was analysed and it was found that data may have been inaccurate for several months. Council is working with the Company to remedy the situation. The site is the subject of an abatement notice and further enforcement action is being considered.

## Agenda Memorandum

**Date** 17 July 2018



**Memorandum to  
Chairperson and Members  
Consent and Regulatory Committee**

**Subject: Mana Whakahono a Rohe (Iwi  
relationship agreements) MFE guidance  
and update on relationship discussions**

**Approved by:** A D McLay, Director – Resource Management

B G Chamberlain, Chief Executive

**Document:** 2086133

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### Purpose

The purpose of this memorandum is to introduce a recent report by the Ministry for the Environment (MFE) and Pou Taiao- Iwi leaders group on the development of Mana Whakahono a Rohe (iwi relationship agreements) under the Resource Management Act (RMA) and update Members about work undertaken to date on developing such agreements.

A link to the MFE website and full report is attached for Members' reference - <http://www.mfe.govt.nz/rma/manawhakahono>.

This item has also been presented to the Policy and Planning Committee given it addresses policy and consents matters.

### Executive summary

- The *Resource Management Act 1991* (RMA) was amended in 2017 to provide for Mana Whakahono a Rohe (Iwi relationships) agreements between local authorities and iwi/hapu. As a result these are limited to RMA operational matters and not Local Government Act or other statutory matters ;
- The intent of the legislation is to enhance and formalise Māori participation in RMA resource management and decision making processes;
- A Guide to developing such agreements has recently been prepared by MFE and Pou Taiao- Iwi leaders group and provides some useful guidance the Council is following;
- The Council and other councils in the region have met with iwi representatives and Ministry for the Environment officials to discuss and explore options for pan iwi/council approaches to Mana Whakahono a Rohe agreements;
- The Taranaki iwi chairs forum is also engaging with the Mayoral Forum on possible pan council/iwi approaches;



- Initial discussions to date with two, of the eight iwi of Taranaki, have been reasonably positive and constructive in terms of identifying issues and seeking possible solutions.

## Recommendations

That the Taranaki Regional Council:

1. receives the memorandum on the Mana Whakahono a Rohe (Iwi relationships) Guide;
2. notes the Guide and the MFE workshop provided some useful material to assist the Council and Iwi in the development of a successful relationship agreement;
3. notes the Council along with the other councils, within the region and beyond, have begun informal discussions with Te Kaahui o Rauru representatives and also with Te Korowai o Ngāruahine Trust representatives on developing a Mana Whakahono a Rohe agreement;
4. notes the discussions with the two iwi have been reasonably positive and constructive in terms of identifying issues that can be addressed and seeking possible solutions for these issues; and
5. notes the Taranaki iwi chairs forum is also engaging with the Mayoral Forum on possible pan council/iwi approaches.

## Background

The report notes while the RMA has had some successes in tangata whenua participation, other times there has been disappointment and frustration at their inability to meaningfully engage in RMA processes and have influence over how resources are managed.

Setting clear performance expectations through a Mana Whakahono a Rohe (Mana Whakahono) for both tangata whenua and local authorities will help resolve these frustrations and common complaints such as, local authorities failing to consult adequately or a lack of responsiveness from tangata whenua.

A Mana Whakahono is a binding statutory arrangement that provides for a more structured relationship under the RMA between iwi authorities, hapu and a local authority.

The intent of Mana Whakahono is to improve working relationships between tangata whenua (through their iwi authority or hapu) and local authorities, to enhance Maori participation in RMA resource management and decision making processes.

## Legal Requirement

The RMA, Section 58M: sets out the purpose of a Mana Whakahono a Rohe. It states:

### *Section 58M: Purpose of Mana Whakahono a Rohe*

*The purpose of a Mana Whakahono a Rohe is-*

- (a) to provide a mechanism for iwi authorities and local authorities to discuss, agree and record ways in which tangata whenua may, through their iwi authorities participate in resource management and decision making processes under the RMA; and*
- (b) to assist local authorities to comply with their statutory duties under the RMA, including through the implementation of sections 6(e), 7(a), and 8:*

In relation to sections 6(e), 7(a) and 8, the following apply:

- Section 6(e) declares the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga as a matter of national importance and requires all persons exercising functions and powers under the RMA to recognise and provide for it, as a matter of national importance.
- Section 7(a) requires all persons exercising functions and powers under the RMA when managing the use, development, and protection of natural and physical resources to have particular regard to kaitiakitanga.
- Section 8 imported the principles of the Treaty of Waitangi and provides that in achieving the purpose of the RMA, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

In making plan and consent decisions the Council must consider all the matters in Part II (sections 6-8) of the RMA according to the statutory direction given in each of the sections. Under section 6(e) the Council must recognise and provide for the matters listed as a matter of national importance while under section 7(a) the Council is required to have particular regard to kaitiakitanga. Under section 8 the Council is required to take into account the principles of the Treaty of Waitangi. Within each section, all matters are treated equally according to the circumstances or facts of each particular case or decision and no one matter is more significant than another.

In terms of a Mana Whakahono a Rohe the RMA provides for a Mana Whakahono a Rohe to be entered into between:

- an iwi authority and a local authority / local authorities;
- a combination of iwi authorities and a local authority / local authorities;
- a combination of an iwi authority / iwi authorities and hapu, and a local authority or local authorities;
- a hapu and a local authority (if initiated by the local authority);
- a combination of hapu and local authorities (if initiated by the local authorities).

Under the RMA an iwi authority (authorities jointly) may initiate a Mana Whakahono a Rohe with a local authority or authorities any time except 90 days before a local body election, and the local authority or authorities must respond to the invitation from an iwi authority or authorities and convene a hui within 60 days of receiving the invitation. A local authority may also initiate a Mana Whakahono a Rohe with an iwi authority or with hapu. Collectively the parties must conclude a Mana Whakahono a Rohe within 18 months unless otherwise agreed. The key focus is around iwi input to operational matters with plans and resource consents.

## **Work to date**

The Council and Horizons Regional Council, Wanganui District Council, South Taranaki District Council have met with Te Kaahui o Rauru representatives and agreed to work together on an agreement to formalise and enhance current relationships and set clear performance expectations on RMA processes and decision making. Discussions have been underway since mid-March.

The Council with the South Taranaki District Council, Stratford District and New Plymouth District Council have also met with representatives from Te Korowai o Ngāruahine Trust for preliminary discussions towards achieving a similar agreement. Discussions started in June 2018.

Discussions with the two iwi have been reasonably positive and constructive in terms of identifying issues that can be addressed and seeking possible solutions for these issues.

Council staff recently attended a regional forum meeting with iwi representatives and officials from the Ministry for the Environment and other Government Agencies where we were provided with a presentation on the development of the Mana Whakahono provisions by Tina Porou from the Pou Taiao iwi leaders group and a presentation from the Independent Maori Statutory Board advisors to the Auckland Council, on iwi involvement in the RMA in Auckland City. Both were useful and it was stressed informal discussions should be held before formally initiating a Mana Whakahono a Rohe agreement. This approach is being applied by the two iwi in their discussions with the Councils.

The Taranaki iwi chairs forum and the Mayoral Forum have met recently to discuss possible pan council/iwi approaches.

Hence progress is being made and closer understandings and relationships are being developed. A key matter arising has been the scope of matters that can be addressed in a relationship agreement. The matters are limited to RMA operational matters and not Local Government Act or other statutory matters.

There should be benefits to the Council, iwi and consent applicants (resource users) if efficient and effective processes and systems can be developed that avoid duplication and increase certainty for all concerned.

## **Decision-making considerations**

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

## **Financial considerations—LTP/Annual Plan**

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

### **Policy considerations**

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

### **Iwi considerations**

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

See above.

### **Legal considerations**

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

## **Agenda reports**

### **Consents & Regulatory Committee, July 2018**

#### **Item 3: Consent monitoring reports**

[Greymouth Petroleum Turangi-C hydraulic fracturing](#) (PDF, 900 KB)

[Todd Energy Mangahewa-C hydraulic fracturing](#) (PDF, 1 MB)

[Wai-inu Beach Settlement](#) (580 KB)