



# **AGENDA**

## Operations & Regulatory

Tuesday 6 June 2023, 9.00am

# Operations and Regulatory Committee

06 June 2023 09:00 AM - 05:00 PM



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### 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 te 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!

### Nau mai e ngā hua

#### *Karakia for kai*

Nau mai e ngā hua	Welcome the gifts of food
o te wao	from the sacred forests
o te ngakina	from the cultivated gardens
o te wai tai	from the sea
o te wai Māori	from the fresh waters
Nā Tāne	The food of Tāne
Nā Rongo	of Rongo
Nā Tangaroa	of Tangaroa
Nā Maru	of Maru
Ko Ranginui e tū iho nei	I acknowledge Ranginui above and
Ko Papatūānuku e takoto ake nei	Papatūānuku below
Tūturu o whiti whakamaua kia	Let there be certainty
tina	Secure it!
Tina! Hui e! Taiki e!	Draw together! Affirm!



**Date:** 6 June 2023

**Subject:** **Operations and Regulatory Committee Minutes – 26 April 2023**

**Approved by:** A J Matthews, Director - Environment Quality  
S J Ruru, Chief Executive

**Document:** 3175042

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### **Recommendations**

That the Taranaki Regional Council:

- a) takes as read and confirms the minutes of the Operations And Regulatory Committee meeting of the Taranaki Regional Council held in the Taranaki Regional Council chambers, 47 Cloten Road, Stratford on 26 April 2023 at 9.00am
- b) notes the recommendations therein were adopted by the Taranaki Regional Council on Tuesday 16 May 2023.

### **Matters arising**

### **Appendices/Attachments**

Document: 3166312 Minutes Operations and Regulatory Committee 26 April 2023.



**Date** 26 April 2023, 9.00am  
**Venue:** Taranaki Regional Council Boardroom, 47 Cloten Road, Stratford  
**Document:** 3166312

<b>Present</b>		S W Hughes D M Cram M J Cloke M G Davey D H McIntyre B J Bigham D L Lean N W Walker C L Littlewood D Luke Ā White R Buttimore P Muir	<i>Chairperson</i> <i>Deputy Chairperson</i>     <i>(zoom)</i> <i>ex officio</i> <i>ex officio (zoom)</i> Iwi Representative Iwi Representative Iwi Representative <i>(zoom)</i> Federated Famers Representative
<b>Attending</b>	Mr Ms Mr Mr Ms Mrs Mr Miss Mr Mr Mr Dr	S J Ruru A J Matthews A D McLay M J Nield L Miller V McKay J Glasgow N Chadwick C Woollin C Clark D Shearman R Hill	Chief Executive Director - Environment Quality Director - Resource Management Director - Corporate Services Manager - Resource Consents Manager - Environmental Assurance Compliance Manager Governance Administrator Communications Advisor <i>(Zoom)</i> GIS Specialist Land Services Manager Soil Scientist- Landsystems

**Opening Karakia:** The meeting opened with a group karakia at 9.00am.

**Apologies:** No apologies were received.

**Conflicts of Interest:** Councillor M G Davey declared a conflict of interest and abstained from voting on item 3.

1. **Confirmation of Minutes Operations and Regulatory Committee 14 March 2023**

**Recommended**

That the Taranaki Regional Council:

- a) took as read and confirmed the minutes of the Operations and Regulatory Committee of the Taranaki Regional Council held on 7 February 2023 at Taranaki Regional Council 47 Cloten Road Stratford
- b) noted the recommendations therein were adopted by the Taranaki Regional Council on Tuesday 4 March 2023.

Cloke/Davey

2. **Resource Consents Issued under Delegated Authority & Applications in Progress**

- 2.1 Ms L Miller, spoke to the memorandum to advise the Committee of consents granted, consents under application and of consent processing actions since the last meeting.

**Recommended**

That the Taranaki Regional Council:

- a) received the schedule of resource consents granted and other consent processing actions, made under delegated authority.
- b) noted any specific recommendations therein.

Cloke/Walker

3. **Consent Monitoring Annual Reports**

- 3.1 Mrs V McKay spoke to the memorandum to advise the Committee of 18 tailored compliance monitoring reports, for the 2021-2022 reporting year.
- 3.2 Councillor M G Davey declared a conflict of interest and abstained from discussion and voting.

**Recommended**

That the Taranaki Regional Council:

- a) received the 18 compliance monitoring reports listed in table 1
- b) noted any specific recommendations therein.

Walker/Cloke

4. **Incidents, Compliance Monitoring Non Compliances and Enforcement Summary 17 January 2023 to 17 February 2023**

- 4.1 Mr J Glasgow spoke to the memorandum to update the Committee and provided a summary of the incidents, compliance monitoring non-compliances and enforcement for the period 17 January 2023 to 17 February 2023.

**Recommended**

That the Taranaki Regional Council:

- a) received the memorandum *Incident, Compliance Monitoring Non- Compliance and Enforcement Summary – 18 February 2023 to 29 March 2023*
- b) received the summary of the incidents, compliance monitoring non-compliances and enforcement for the period from 18 February 2023 to 29 March, noted the action taken by staff acting under delegated authority and adopted the recommendations therein.

Muir/McIntyre

*\*9.31 Iwi Representative R Buttimore left the meeting.*

**5. Regional LiDAR PGF/LINZ Project Update**

- 5.1 Mr S Ruru – Chief Executive and Mr C Clark - spoke to the Committee to inform the members of the completions of the Regional LiDAR capture project for Taranaki.

**Recommended**

That the Taranaki Regional Council:

- a) received the memorandum *LiDAR PGF/LINZ Project*.

Cram/McIntyre

*\*9.45 Chairperson C Littlewood left the meeting.*

**6. Riparian Programme Audit Report April 2023**

- 6.1 Mr D Shearman – Land Services Manager and Dr R Hill spoke to the memorandum to update the committee on the Riparian Programme review findings.

**Recommended**

That the Taranaki Regional Council:

- a) received this agenda memorandum *Riparian Programme audit Report*
- b) noted the report's recommendations that Council already has in place.

Cloke/Walker

*\*9.59 M Nield left the meeting.*

*\*10.19 Councillor D Cram left the meeting.*

**7. PUBLIC EXCLUDED**

In accordance with section 48(1) of the *Local Government Official Information and Meetings Act 1987*, resolves that the public is excluded from the following part of the proceedings of the Operations and Regulatory Committee Meeting on Tuesday 14 March 2023 for the following reason/s:

Item 12 – Confirmation of Public Excluded Minutes 14 March 2023

The matter to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under section 48(1) of the *Local*

*Government Official Information and Meetings Act 1987* are as follows:

1. <b>General subject of each matter to be considered</b>	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Prosecution- Under the Resource Management (National Environmental Standards [for Air Quality]) Regulations 2004	<p>To protect the privacy of natural persons, including that of deceased natural persons.</p> <p>To maintain legal professional privilege.</p> <p>Making the information available would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial.</p>	<p>That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 (a) and section 7 (2) (a) and (2) (g) of the <i>Local Government Official Information and Meetings Act 1987</i>.</p>

McIntyre/Davey

There being no further business the Committee Chairperson, Councillor N W Walker, declared the public meeting of the Operations and Regulatory Committee closed at 10:26 am.

**Operations and  
Regulatory**

**Committee Chairperson:** \_\_\_\_\_

**S W Hughes Chair**





**Date:** 6 June 2023

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

**Approved by:** A D McLay, Director – Resource Management  
S J Ruru, Chief Executive

**Document:** 3173183

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### **Purpose**

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

### **Executive summary**

2. Memorandum to advise the Council of recent consenting actions made under regional plans and the Resource Management Act 1991, in accordance with Council procedures and delegations.

### **Recommendation**

That the Taranaki Regional Council:

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

### **Background**

3. The attachments show resource consent applications, certificates of compliance and deemed permitted activities that have been investigated and decisions made by officers of the Taranaki Regional Council. They are activities having less than minor adverse effects on the environment, or having minor effects where affected parties have agreed to the activity. In accordance with sections 87BB, 104 to 108 and 139 of the Resource Management Act 1991, and pursuant to delegated authority to make these decisions, the Chief Executive or the Director – Resource Management, has allowed the consents, certificates of compliance and deemed permitted activities.
4. The exercise of delegations under the Resource Management Act 1991 is reported for Members’ information. Under the delegations manual, consent processing actions are to be reported to the Consents and Regulatory Committee.

5. In addition to the details of the activity consented, the information provided identifies the Iwi whose rohe (area of interest) the activity is in. If the activity is in an area of overlapping rohe both Iwi are shown. If the activity is within, adjacent to, or directly affecting a statutory acknowledgement (area of special interest), arising from a Treaty settlement process with the Crown, that is also noted.
6. Also shown, at the request of Iwi members of the Council, is a summary of the engagement with Iwi and Hapū, undertaken by the applicant and the Council during the application process. Other engagement with third parties to the consent process is also shown. The summary shows the highest level of involvement that occurred with each party. For example, a party may have been consulted by the applicant, provided with a copy of the application by the Council, served notice as an affected party, lodged a submission and ultimately agreed with the consent conditions. In that case the summary would show only 'agreed with consent conditions', otherwise reporting becomes very complicated.
7. The attachment titled 'Consent Processing Information' includes the figure 'Consent Applications in Progress' which shows 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 consent 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.
8. The attachment also includes:
  - 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
  - Potential hearings table outlining the status of applications where a hearing is anticipated and the decision maker(s) (e.g. a hearing panel) has been appointed
  - Consents issued table - the number of consents issued at the end of each month for this year and the previous two years
  - 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
  - Number of times that the public and iwi were involved in an application process for the year so far
  - Application processing time extensions compared to the previous years
  - Consent type process shows the notification type including applications submitted on and the pre-hearing resolution numbers
  - Applications that have been returned because they are incomplete.

### **Decision-making considerations**

9. 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**

10. 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**

11. 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**

12. 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.

### **Legal considerations**

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

### **Appendices/Attachments**

Document 3172832: List of non-notified consents

Document 3173058: Schedule of non-notified consents

Document 3172847: Consents processing charts for Agenda

**Non-notified authorisations issued by the Taranaki Regional Council  
between 01 Apr 2023 and 14 May 2023**

<b>Discharge Permit</b>						
<b>Consent</b>	<b>Holder</b>	<b>Subtype</b>	<b>Industry Primary</b>	<b>Industry Secondary</b>	<b>Purpose Primary</b>	<b>Activity Purpose</b>
<a href="#">R2/0486-3.0</a>	Oliver Farms Flint Road Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
<a href="#">R2/0690-3.0</a>	McWerdens Farm Trust	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
<a href="#">R2/1321-4.0</a>	Nichoshanks Farm Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
<a href="#">R2/1708-4.0</a>	Parkfields (2005) Co. Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
<a href="#">R2/2181-3.0</a>	Mitchfam Farm Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
<a href="#">R2/2191-3.0</a>	Bish-One Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
<a href="#">R2/2534-3.0</a>	Erwin & Angela Kiser	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
<a href="#">R2/2645-3.0</a>	Kohinoor Farms Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
<a href="#">R2/3028-3.0</a>	Brewer Farms	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
<a href="#">R2/3355-3.0</a>	Troy Gestro	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
<a href="#">R2/3729-3.0</a>	Swiss Bell Trust	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
<a href="#">R2/3775-3.0</a>	Soffra Farm Limited	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	New
<a href="#">R2/7028-2.0</a>	Caiseal Trust Partnership	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	Replace
<a href="#">R2/10980-1.0</a>	Todd Energy Limited	Air - Industry	Energy	Wellsite	Exploration and Production	New
<a href="#">R2/10981-1.0</a>	Todd Energy Limited	Air - Industry	Energy	Wellsite	Exploration and Production	New
<a href="#">R2/10982-1.0</a>	Todd Energy Limited	Land/Water Industry	Energy	Wellsite	Exploration and Production	New
<a href="#">R2/10984-1.0</a>	Todd Energy Limited	Land - Hydraulic Fracturing	Energy	Wellsite	Exploration and Production	New
<a href="#">R2/10985-1.0</a>	Todd Energy Limited	Land - Stormwater	Energy	Wellsite	Exploration and Production	New
<a href="#">R2/11113-1.0</a>	Petrus Robbertze	Land - Animal Waste	Agriculture	Farming - Dairy	Effluent disposal	New
<b>Land Use Consent</b>						
<b>Consent</b>	<b>Holder</b>	<b>Subtype</b>	<b>Industry Primary</b>	<b>Industry Secondary</b>	<b>Purpose Primary</b>	<b>Activity Purpose</b>
<a href="#">R2/6506-2.0</a>	Greymouth Petroleum Turangi Limited	Structure - Culvert	Energy	Wellsite	Access	Replace
<a href="#">R2/7048-2.0</a>	Cheal Petroleum Limited	Structure - Pipeline	Energy	Wellsite	Exploration and Production	Replace
<a href="#">R2/10987-1.0</a>	Todd Energy Limited	Structure - Culvert	Energy	Wellsite	Exploration and Production	New
<a href="#">R2/11047-1.1</a>	EB Developments Limited	Structure - Culvert	Property Development		Subdivision	Change
<a href="#">R2/11086-1.0</a>	Warwick Curtis	Structure - Bridge	Agriculture	Farming - Dairy	Access	New
<b>Water Permit</b>						
<b>Consent</b>	<b>Holder</b>	<b>Subtype</b>	<b>Industry Primary</b>	<b>Industry Secondary</b>	<b>Purpose Primary</b>	<b>Activity Purpose</b>
<a href="#">R2/10983-1.0</a>	Todd Energy Limited	Take produced water	Energy	Wellsite	Exploration and Production	New
<a href="#">R2/11105-1.0</a>	Sona Chosta Limited	Take Surface Water	Agriculture	Farming - Dairy	Stock water	New
<a href="#">R2/11106-1.0</a>	Todd Energy Limited	Divert	Energy	Wellsite	Exploration and Production	New
<a href="#">R2/11109-1.0</a>	Parihaka Papakainga Trust	Take Groundwater	Private Water Supply		Water Supply - Community	New

**Non-notified authorisations issued by the Taranaki Regional Council  
between 01 Apr 2023 and 14 May 2023**

[R2/0486-3.0](#)

Oliver Farms Flint Road Limited

**Commencement Date:** 14 Apr 2023

**Expiry Date:** 01 Dec 2046

**Review Dates:** 01 Jun 2028, 01 Jun 2034, 01 Jun 2040

**Activity Class:** Controlled

**Application Purpose:** Replace

**Location:** 256 Flint Road East, Stratford  
To discharge farm dairy effluent onto land

**Rohe:**

Ngāti Maru

Ngāti Ruanui

**Engagement or consultation:**

Te Rūnanga o Ngāti Maru (Taranaki) Trust  
Te Rūnanga o Ngāti Ruanui Trust

No return correspondence was received  
Responded they had no comment to make

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[R2/0690-3.0](#)

McWerders Farm Trust

**Commencement Date:** 28 Apr 2023

**Expiry Date:** 01 Dec 2046

**Review Dates:** 01 Jun 2028, 01 Jun 2034, 01 Jun 2040

**Activity Class:** Controlled

**Application Purpose:** Replace

**Location:** 295 Upper Manutahi Road,  
Manutahi  
To discharge farm dairy effluent onto land

**Rohe:**

Ngāti Ruanui

**Engagement or consultation:**

Te Rūnanga o Ngāti Ruanui Trust

Responded they had no comment to make

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**Non-notified authorisations issued by the Taranaki Regional Council  
between 01 Apr 2023 and 14 May 2023**

[R2/10980-1.0](#)

Todd Energy Limited

**Commencement Date:** 09 May 2023

**Expiry Date:** 01 Jun 2038

**Review Dates:** 01 Jun 2027, 01 Jun 2033

**Activity Class:** Controlled

**Location:** Mangahewa-C wellsite, 232  
Tikorangi Road East, Tikorangi

**Application Purpose:** New

To discharge contaminants to air from hydrocarbon exploration at the Mangahewa-C wellsite, including flaring of petroleum recovered from natural deposits, in association with well development or redevelopment and testing or enhancement of well head production flows

**Rohe:**

Ngāti Mutunga

Te Atiawa (Statutory Acknowledgement)

**Engagement or consultation:**

Ngāti Rahiri Hapū

Consulted by applicant

Otaraua Hapū Trust

Consulted by applicant

Te Kotahitanga o Te Atiawa Trust

No return correspondence was received

Te Rūnanga o Ngāti Mutunga

No return correspondence was received

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[R2/10981-1.0](#)

Todd Energy Limited

**Commencement Date:** 09 May 2023

**Expiry Date:** 01 Jun 2038

**Review Dates:** 01 Jun 2027, 01 Jun 2033

**Activity Class:** Restricted discretionary

**Location:** Mangahewa-C wellsite, 232  
Tikorangi Road East, Tikorangi

**Application Purpose:** New

To discharge emissions to air during flaring from well workovers and in emergency situations and miscellaneous emissions associated with production activities at the Mangahewa-C wellsite

**Rohe:**

Ngāti Mutunga

Te Atiawa (Statutory Acknowledgement)

**Engagement or consultation:**

Ngāti Rahiri Hapū

Consulted by applicant

Otaraua Hapū Trust

Consulted by applicant

Te Kotahitanga o Te Atiawa Trust

No return correspondence was received

Te Rūnanga o Ngāti Mutunga

No return correspondence was received

**Non-notified authorisations issued by the Taranaki Regional Council  
between 01 Apr 2023 and 14 May 2023**

[R2/10982-1.0](#)

Todd Energy Limited

**Commencement Date:** 09 May 2023

**Expiry Date:** 01 Jun 2038

**Review Dates:** 01 Jun 2027, 01 Jun 2033

**Activity Class:** Controlled

**Location:** Mangahewa-C wellsite, 232  
Tikorangi Road East, Tikorangi

**Application Purpose:** New

To discharge stormwater from skimmer pits at the Mangahewa-C wellsite onto and into land, a constructed wetland and an unnamed tributary of the Waiau Stream

**Rohe:**

Ngāti Mutunga

Te Atiawa (Statutory Acknowledgement)

**Engagement or consultation:**

Ngāti Rahiri Hapū

Consulted by applicant

Otaraua Hapū Trust

Consulted by applicant

Te Kotahitanga o Te Atiawa Trust

No return correspondence was received

Te Rūnanga o Ngāti Mutunga

No return correspondence was received

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[R2/10983-1.0](#)

Todd Energy Limited

**Commencement Date:** 09 May 2023

**Expiry Date:** 01 Jun 2038

**Review Dates:**

**Activity Class:** Controlled

**Location:** Mangahewa-C wellsite, 232  
Tikorangi Road East, Tikorangi

**Application Purpose:** New

To take groundwater, including the incidental take of heat and energy, that may be encountered as produced water during hydrocarbon exploration and production activities at the Mangahewa-C wellsite

**Rohe:**

Ngāti Mutunga

Te Atiawa (Statutory Acknowledgement)

**Engagement or consultation:**

Ngāti Rahiri Hapū

Consulted by applicant

Otaraua Hapū Trust

Consulted by applicant

Te Kotahitanga o Te Atiawa Trust

No return correspondence was received

Te Rūnanga o Ngāti Mutunga

No return correspondence was received

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**Non-notified authorisations issued by the Taranaki Regional Council  
between 01 Apr 2023 and 14 May 2023**

[R2/10984-1.0](#)

Todd Energy Limited

**Commencement Date:** 10 May 2023

**Expiry Date:** 01 Jun 2038

**Review Dates:** Jun Annually

**Activity Class:** Discretionary

**Location:** Mangahewa-C wellsite, 232  
Tikorangi Road East, Tikorangi

**Application Purpose:** New

To discharge water based hydraulic fracturing fluids into land at depths greater than 3,000 mTVDss beneath the Mangahewa-C wellsite

**Rohe:**

Ngāti Mutunga

Te Atiawa (Statutory Acknowledgement)

**Engagement or consultation:**

Ngāti Rahiri Hapū

Consulted by applicant

Otaraua Hapū Trust

Consulted by applicant

Te Kotahitanga o Te Atiawa Trust

No return correspondence was received

Te Rūnanga o Ngāti Mutunga

No return correspondence was received

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[R2/10985-1.0](#)

Todd Energy Limited

**Commencement Date:** 10 May 2023

**Expiry Date:** 01 Jun 2028

**Review Dates:**

**Activity Class:** Controlled

**Location:** Mangahewa-C Wellsite, 232  
Tikorangi Road East, Tikorangi

**Application Purpose:** New

To discharge stormwater and sediment from earthworks associated with the construction of the access track, wellsite extension, and culvert at the Mangahewa-C wellsite onto and into land in the vicinity of an unnamed tributary of the Waiau Stream

**Rohe:**

Ngāti Mutunga

Te Atiawa (Statutory Acknowledgement)

**Engagement or consultation:**

Ngāti Rahiri Hapū

Consulted by applicant

Otaraua Hapū Trust

Consulted by applicant

Te Kotahitanga o Te Atiawa Trust

No return correspondence was received

Te Rūnanga o Ngāti Mutunga

No return correspondence was received



**Non-notified authorisations issued by the Taranaki Regional Council  
between 01 Apr 2023 and 14 May 2023**

[R2/10987-1.0](#)

Todd Energy Limited

**Commencement Date:** 10 May 2023

**Expiry Date:** 01 Jun 2038

**Review Dates:** 01 Jun 2028, 01 Jun 2033

**Activity Class:** Discretionary

**Location:** Mangahewa-C Wellsite, 232  
Tikorangi Road East, Tikorangi

**Application Purpose:** New

To construct, place and use a culvert in an unnamed tributary of the Waiau Stream,  
including the associated disturbance of the stream bed

**Rohe:**

Ngāti Mutunga

Te Atiawa (Statutory Acknowledgement)

**Engagement or consultation:**

Ngāti Rahiri Hapū

Consulted by applicant

Otaraua Hapū Trust

Consulted by applicant

Te Kotahitanga o Te Atiawa Trust

No return correspondence was received

Te Rūnanga o Ngāti Mutunga

No return correspondence was received

**Non-notified authorisations issued by the Taranaki Regional Council  
between 01 Apr 2023 and 14 May 2023**

[R2/11047-1.1](#)

EB Developments Limited

**Commencement Date:** 28 Apr 2023

**Expiry Date:** 01 Jun 2037

**Review Dates:** 01 Jun 2025, 01 Jun 2031

**Activity Class:** Discretionary

**Location:** Cunningham Lane, Oakura

**Application Purpose:** Change

To install a culvert in the Wairau Stream

Change of consent condition 7, to enable the final components of the culvert installation to extend into the winter period post 30 April

**Rohe:**

Taranaki (Statutory Acknowledgement)

**Engagement or consultation:**

Ngāti Tairi Hapū

Consulted by applicant

Te Kahui o Taranaki Trust

Response received

Comments from Taranaki

*Taranaki Trust were in agreement with feedback provided by Ngāti Tairi prior to the application being lodged which were as follows:*

*"There is a level of comfort with the rationale for this consent variation based on the understanding to date. The time frame is acknowledge and we do not oppose to the lodging of the consent variation in the absence of receiving a draft consent for review beforehand."*

Response and considerations during processing of application

*Although Council cannot comment or assess the effects of this proposal on tangata whenua values, it is considered the proposal within the scope of the application, will not contravene their values. Taranaki iwi have provided comment that they are comfortable with the consent variation application and that they do not oppose the application. The effects of the activity on tangata whenua values are considered to have been appropriately managed.*

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**Non-notified authorisations issued by the Taranaki Regional Council  
between 01 Apr 2023 and 14 May 2023**

[R2/11086-1.0](#)

Warwick Curtis

**Commencement Date:** 05 Apr 2023

**Expiry Date:** 01 Jun 2038

**Review Dates:** 01 Jun 2026, 01 Jun 2032

**Activity Class:** Discretionary

**Location:** 325 Kirihau Road, Koru, New Plymouth

**Application Purpose:** New

To construct and use a stock bridge over the Momona Stream

**Rohe:**

Taranaki (Statutory Acknowledgement)

**Engagement or consultation:**

Te Kahui o Taranaki Trust

Consulted by applicant

Te Kahui o Taranaki Trust

No return correspondence was received

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[R2/11105-1.0](#)

Sona Chosta Limited

**Commencement Date:** 19 Apr 2023

**Expiry Date:** 01 Jun 2037

**Review Dates:** 01 Jun 2025, 01 Jun 2031

**Activity Class:** Discretionary

**Location:** 28 Ruakere Road, Warea

**Application Purpose:** New

To take and use surface water from the Waiweranui Stream for stock consumption, dairy hygiene and domestic uses

**Rohe:**

Taranaki (Statutory Acknowledgement)

**Engagement or consultation:**

Te Kahui o Taranaki Trust

No return correspondence was received

Te Kotahitanga O Nga Mahanga A Tairi Society Incorporated

Consulted by applicant

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**Non-notified authorisations issued by the Taranaki Regional Council  
between 01 Apr 2023 and 14 May 2023**

[R2/11106-1.0](#)

Todd Energy Limited

**Commencement Date:** 10 May 2023

**Expiry Date:** 01 Jun 2038

**Review Dates:** 01 Jun 2028, 01 Jun 2033

**Activity Class:** Discretionary

**Location:** Mangahewa-C Wellsite, 232  
Tikorangi Road East, Tikorangi

**Application Purpose:** New

To temporarily dam and divert an unnamed tributary of the Waiau Stream to enable the placement of a culvert

**Rohe:**

Ngāti Mutunga

Te Atiawa (Statutory Acknowledgement)

**Engagement or consultation:**

Ngāti Rahiri Hapū

Consulted by applicant

Otaraua Hapū Trust

Consulted by applicant

Te Kotahitanga o Te Atiawa Trust

No return correspondence was received

Te Rūnanga o Ngāti Mutunga

No return correspondence was received

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[R2/11109-1.0](#)

Parihaka Papakainga Trust

**Commencement Date:** 04 May 2023

**Expiry Date:** 01 Jun 2028

**Review Dates:**

**Activity Class:** Controlled

**Location:** 249 Mid Parihaka Road, Pungarehu

**Application Purpose:** New

To take and use groundwater from an exploration bore, for testing purposes

**Rohe:**

Taranaki (Statutory Acknowledgement)

**Engagement or consultation:**

Te Kahui o Taranaki Trust

No return correspondence was received

## Non-notified authorisations issued by the Taranaki Regional Council between 01 Apr 2023 and 14 May 2023

[R2/11113-1.0](#)

Petrus Robbertze

**Commencement Date:** 04 May 2023

**Expiry Date:** 01 Dec 2047

**Review Dates:** 01 Jun 2029, 01 Jun 2035, 01 Jun 2041

**Activity Class:** Controlled

**Application Purpose:** New

**Location:** 1850 Skeet Road, RD 29, Hawera, 4679

To discharge farm dairy effluent onto land

### Rohe:

Ngāruahine (Statutory Acknowledgement)

### Engagement or consultation:

Te Korowai o Ngāruahine Trust

Response received

#### Comments from Ngāruahine

*There has been no pre-application communication or consultation from the applicant with Te Korowai or the relevant Hapū.*

*Te Korowai acknowledges that under Section 36A of the RMA, there is no requirement for the applicant to consult anyone regarding a resource consent application. However, it is the expectation of Te Korowai that applicants and/or consultants are following best practice for the planning industry by engaging early with Hapū and Iwi to identify potential issues. Te Korowai notes that the consent application is based on the farms effluent system being upgraded to include a storage facility and new effluent irrigator.*

*We would expect that any granted consent contains conditions which require the applicant to complete these upgrades within a set time period.*

#### Response and considerations during processing of application

*Thank you for providing council with your comments, regarding application 23-11113-1.0, Petrus Robbertze. As you are aware, almost every dairy discharge application received by council is a replacement of an existing activity and a controlled activity under the Regional fresh water plan for Taranaki. Applications, which meet the standards/terms/conditions of a controlled activity and must be granted.*

*However, the council sets the terms and conditions of a resource consent, granted under a controlled activity. When granted, the activity will be subject to the conditions reasonably necessary to avoid or mitigate adverse environmental effects in accordance with the Regional Freshwater Plan for Taranaki. Also, all farm dairy effluent discharge consents are subject to a monitoring programme, ensuring conditions of their consent are adhered to.*

*With the introduction of a new application form, for the discharge of dairy farm effluent, the form requires the applicant to provide more detail than they have in the past. The information provided, is reviewed by council staff, which includes an on farm investigation with the applicant and individuals involved in the day-to-day operation of the dairy farm.*

*In regards to application 23-11113-1.0, Petrus Robbertze, the upgrade of this disposal system is near completion and will be fully functional before the 2023/2024 milking season commences.*

*Council will pass on your comments on to the applicant.*

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**Non-notified authorisations issued by the Taranaki Regional Council  
between 01 Apr 2023 and 14 May 2023**

[R2/1321-4.0](#)

Nichoshanks Farm Limited

**Commencement Date:** 06 Apr 2023

**Expiry Date:** 01 Dec 2046

**Review Dates:** 01 Jun 2028, 01 Jun 2034, 01 Jun 2040

**Activity Class:** Controlled

**Application Purpose:** Replace

**Location:** 62 Allen Road, Ohangai

To discharge farm dairy effluent onto land

**Rohe:**

Ngāti Ruanui

**Engagement or consultation:**

Te Rūnanga o Ngāti Ruanui Trust

Responded they had no comment to make

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[R2/1708-4.0](#)

Parkfields (2005) Co. Limited

**Commencement Date:** 03 Apr 2023

**Expiry Date:** 01 Dec 2046

**Review Dates:** 01 Jun 2028, 01 Jun 2034, 01 Jun 2040

**Activity Class:** Controlled

**Application Purpose:** Replace

**Location:** 374 State Highway 3, Patea

To discharge farm dairy effluent onto land

**Rohe:**

Ngaa Rauru Kiitahi

Ngāti Ruanui

**Engagement or consultation:**

Te Kaahui o Rauru

No return correspondence was received

Te Rūnanga o Ngāti Ruanui Trust

No return correspondence was received

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**Non-notified authorisations issued by the Taranaki Regional Council  
between 01 Apr 2023 and 14 May 2023**

[R2/2181-3.0](#)

Mitchfam Farm Limited

**Commencement Date:** 21 Apr 2023

**Expiry Date:** 01 Dec 2046

**Review Dates:** 01 Jun 2028, 01 Jun 2034, 01 Jun 2040

**Activity Class:** Controlled

**Application Purpose:** Replace

**Location:** 134 Rakaupiko Road, Patea  
To discharge farm dairy effluent onto land

**Rohe:**

Ngaa Rauru Kiitahi

Ngāti Ruanui

**Engagement or consultation:**

Te Kaahui o Rauru

No return correspondence was received

Te Rūnanga o Ngāti Ruanui Trust

Response received

Comments from Ngāti Ruanui

*The applicant has not been able to demonstrate or even considered starting to plan for compliance of the new rules and regulations from 1st December 2022. We expect that the applicant must be able to demonstrate their intention to comply with the new rules and regulations. For this reason, we believe the consent in its current status is incomplete.*

Response and considerations during processing of application

*This response was taken into consideration during assessment of the activity against the relevant rules and regulations.*

---

**Non-notified authorisations issued by the Taranaki Regional Council  
between 01 Apr 2023 and 14 May 2023**

[R2/2191-3.0](#)

Bish-One Limited

**Commencement Date:** 12 May 2023

**Expiry Date:** 01 Dec 2046

**Review Dates:** 01 Jun 2028, 01 Jun 2034, 01 Jun 2040

**Activity Class:** Controlled

**Application Purpose:** Replace

**Location:** 172 Radnor Road, Midhirst  
To discharge farm dairy effluent onto land

**Rohe:**

Ngāruahine (Statutory Acknowledgement)

Ngāti Maru

Ngāti Ruanui

**Engagement or consultation:**

Te Korowai o Ngāruahine Trust

Response received

Te Rūnanga o Ngāti Maru (Taranaki) Trust

No return correspondence was received

Te Rūnanga o Ngāti Ruanui Trust

No return correspondence was received

Comments from Ngāruahine

*There has been no pre-application consultation from the applicant with Te Korowai or the relevant Hapū.*

*We acknowledge that Section 36A of the RMA does not require applicants to consult with anyone about resource consent applications.*

*However, it is the expectation of Te Korowai that applicants and consultants are following best practice for the planning industry by engaging early with Hapū and Iwi to identify potential issues.*

*Te Korowai acknowledges this application is for a renewal of a discharge permit to land. This aligns with bottom lines of Te Uru Taiao o Ngāruahine which opposes discharges of any type directly to water bodies within the rohe of Ngāruahine. This is regardless of whether the discharge is treated or untreated.*

*Te Korowai notes the applicant has a current stormwater diversion system, which aligns with our Papatūānuku Policy 1.8.*

*Te Korowai would like more information on the design of the applicant's treatment ponds.*

*Te Korowai would like the applicant to provide a copy of their riparian management plan (If available) to enable us to assess the impacts of land discharge.*

*Te Korowai encourages the applicant to fence and riparian plant all tributaries to the Piakau Stream and Patea River on the site, to a width of 20 metres. These expectations are beyond those of TRC but ensure that the maximum possible protection is afforded to those waterways which are highly valued by mana whenua.*



## Non-notified authorisations issued by the Taranaki Regional Council between 01 Apr 2023 and 14 May 2023

### Response and considerations during processing of application

Thank you for providing council with your comments, on application 22-02191-3.0 Bish-One Limited

As you are aware, almost every dairy discharge application received by council is a replacement of an existing activity and a controlled activity under the Regional fresh water plan for Taranaki. Applications, which meet the standards/terms/conditions of a controlled activity must be granted.

However, the council sets the terms and conditions of a resource consent, granted under a controlled activity. When granted, the activity will be subject to the conditions reasonably necessary to avoid or mitigate adverse environmental effects in accordance with the Regional Freshwater Plan for Taranaki.

Also, all farm dairy effluent discharge consent are subject to a monitoring programme, ensuring conditions of their consent are adhered to.

With the introduction of a new application form, for the discharge of dairy farm effluent, the form requires the applicant to provide more detail than they have in the past, which will improve the quality of that information, lodged with council.

Thank you for your response and council will pass on your comment to the applicant.

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[R2/2534-3.0](#)

Erwin & Angela Kiser

**Commencement Date:** 04 May 2023

**Expiry Date:** 01 Dec 2046

**Review Dates:** 01 Jun 2028, 01 Jun 2034, 01 Jun 2040

**Activity Class:** Controlled

**Application Purpose:** Replace

**Location:** 896 Maata Road, Rawhitiroa

To discharge farm dairy effluent onto land

**Rohe:**

Ngāti Ruanui

**Engagement or consultation:**

Te Rūnanga o Ngāti Ruanui Trust

Responded they had no comment to make

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**Non-notified authorisations issued by the Taranaki Regional Council  
between 01 Apr 2023 and 14 May 2023**

[R2/2645-3.0](#)

Kohinoor Farms Limited

**Location:** 109 Paerewa Road, Waverley  
To discharge farm dairy effluent onto land

**Rohe:**

Ngaa Rauru Kiitahi

**Engagement or consultation:**

Te Kaahui o Rauru

**Commencement Date:** 10 May 2023

**Expiry Date:** 01 Dec 2046

**Review Dates:** 01 Jun 2028, 01 Jun 2034, 01 Jun 2040

**Activity Class:** Controlled

**Application Purpose:** Replace

No return correspondence was received

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[R2/3028-3.0](#)

Brewer Farms

**Location:** 103 Upper Taumaha Road,  
Manutahi  
To discharge farm dairy effluent onto land

**Rohe:**

Ngāti Ruanui

**Engagement or consultation:**

Te Rūnanga o Ngāti Ruanui Trust

**Commencement Date:** 18 Apr 2023

**Expiry Date:** 01 Dec 2046

**Review Dates:** 01 Jun 2028, 01 Jun 2034, 01 Jun 2040

**Activity Class:** Controlled

**Application Purpose:** Replace

Responded they had no comment to make

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**Non-notified authorisations issued by the Taranaki Regional Council  
between 01 Apr 2023 and 14 May 2023**

[R2/3355-3.0](#)

Troy Gestro

**Commencement Date:** 20 Apr 2023

**Expiry Date:** 01 Dec 2046

**Review Dates:** 01 Jun 2028, 01 Jun 2034, 01 Jun 2040

**Activity Class:** Controlled

**Application Purpose:** Replace

**Location:** 501 Turuturu Road, Hawera

To discharge farm dairy effluent onto land

**Rohe:**

Ngāti Ruanui

**Engagement or consultation:**

Te Rūnanga o Ngāti Ruanui Trust

No return correspondence was received

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[R2/3729-3.0](#)

Swiss Bell Trust

**Commencement Date:** 11 May 2023

**Expiry Date:** 01 Dec 2046

**Review Dates:** 01 Jun 2028, 01 Jun 2034, 01 Jun 2040

**Activity Class:** Controlled

**Application Purpose:** Replace

**Location:** 56 Crompton Road, Patea

To discharge farm dairy effluent onto land

**Rohe:**

Ngāti Ruanui

**Engagement or consultation:**

Te Rūnanga o Ngāti Ruanui Trust

Response received

Comments from Ngāti Ruanui

*It is commendable that the applicant has identified that their plan is to install a Flexi Tank which would improve their current practises. The applicant has not provided any information about the Flexi Tank. Ngāti Ruanui would like to see the planning and inclusion of the Flexi Tank as part of the application.*

Response and considerations during processing of application

*Thank you for providing council with your comments, on application 22-03729-3.0 Swiss Bell Trust*

*As you are aware, almost every dairy discharge application received by council is a replacement of an existing activity and a controlled activity under the Regional fresh water plan for Taranaki. Applications, which meet the standards/terms/conditions of a controlled activity must be granted.*

*However, the council sets the terms and conditions of a resource consent, granted under a controlled activity. When granted, the activity will be subject to the conditions reasonably necessary to avoid or mitigate adverse environmental effects in accordance with the Regional Freshwater Plan for Taranaki.*

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## Non-notified authorisations issued by the Taranaki Regional Council between 01 Apr 2023 and 14 May 2023

*Also, all farm dairy effluent discharge consent are subject to a monitoring programme, ensuring conditions of their consent are adhered to.*

*With the introduction of a new application form, for the discharge of dairy farm effluent, the form requires the applicant to provide more detail than they have in the past, which will improve the quality of that information, lodged with council.*

*In regards to "The Flexi Tank", please follow the link below to the website  
<https://www.flexitanksnz.com/effluent/>*

*Bladders are becoming, increasingly popular as storage system, which is easy to install, reduces odour and no rainfall into the tank means you can considerably reduce the amount of storage needed, an option to consider in high rain fall areas.*

*Typically, farm dairy effluent is directed to a sand trap then tank with pump system, effluent is then applied directly to land or to the bladder.*

*The Bladder will have a return valve, effluent is gravity feed from the bladder back to the tank, were it is then applied to land*

*Thank you for your response and council will pass on your comments, to the applicant.*

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[R2/3775-3.0](#)

Soffra Farm Limited

**Location:** 323 Rotokare Road, Eltham  
To discharge farm dairy effluent onto land

**Rohe:**

Ngāti Ruanui

**Engagement or consultation:**

Te Rūnanga o Ngāti Ruanui Trust

**Commencement Date:** 19 Apr 2023

**Expiry Date:** 01 Dec 2047

**Review Dates:** 01 Jun 2029, 01 Jun 2035, 01 Jun 2041

**Activity Class:** Controlled

**Application Purpose:** New

No return correspondence was received

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## Non-notified authorisations issued by the Taranaki Regional Council between 01 Apr 2023 and 14 May 2023

[R2/6506-2.0](#)

Greymouth Petroleum Turangi Limited

**Commencement Date:** 13 Apr 2023

**Expiry Date:** 01 Jun 2039

**Review Dates:** 01 Jun 2027, 01 Jun 2033

**Activity Class:** Discretionary

**Location:** Turangi-A Wellsite, 126 Turangi Road, Motunui

**Application Purpose:** Replace

To use a culvert in an unnamed tributary of the Parahaki Stream for site access purposes

### Rohe:

Te Atiawa (Statutory Acknowledgement)

### Engagement or consultation:

Ngāti Rahiri Hapū

Consulted by applicant

Te Kotahitanga o Te Atiawa Trust

Consulted by applicant

Te Kotahitanga o Te Atiawa Trust

Response received

### Comments from Te Atiawa

*A summary of their comments is provided below:*

*The applicant has not consulted with Te Kotahitanga o Te Atiawa Trust or Ngāti Rāhiri Hapū, nor have they considered the relationship Ngāti Rāhiri Hapū have with the existing environment*

*The photos provided of the culvert are not labelled, and no details of fish passage or riparian planting have been provided within the application*

*The Te Atiawa Iwi Environmental Management Plan, Tai Whenua, Tai Tangata, Tai Ao (IMP), has not been assessed, nor have the relevant Tangata Whenua policies within the Regional Freshwater Plan for Taranaki (RFWP). The relevant provisions within the National Policy Statement for Freshwater Management (NPS-FM) and Part 2 of the Resource Management Act 1991, particularly sections 6(e), 7(a) and 8, have also not been addressed*

*"...the on-going provision of the culvert will have an unacceptable effect on Ngāti Rahiri and their relationship with the awa, as well as an unacceptable effect on the statutory acknowledgement."*

*A recommendation was made that Council request further information from the applicant addressing the above concerns, and identify Te Kotahitanga o Te Atiawa Trust and Ngāti Rāhiri Hapū as affected parties pursuant to section 95 of the Resource Management Act 1991*

### Response and considerations during processing of application

*Within the application documentation, the applicant confirmed that they had consulted with Te Kotahitanga o Te Atiawa Trust regarding all the replacement consents required for the Turangi-A Production Station/Wellsite, including the replacement consent for the access culvert. At the request of Te Kotahitanga o Te Atiawa Trust, the applicant then consulted directly with Ngāti Rāhiri Hapū. A summary of the consultation undertaken prior to lodgement is provided below:*

- A meeting was held on 22 May 2020, at which the applicant provided Ngāti Rāhiri Hapū with a list of the consents due for replacement. Ngāti Rāhiri Hapū confirmed they would discuss the replacement consents at the next hapū meeting, and inform the applicant of any concerns*
-

## Non-notified authorisations issued by the Taranaki Regional Council between 01 Apr 2023 and 14 May 2023

- A second meeting was held with Ngāti Rāhiri Hapū on 6 July 2020. No concerns with the proposal were raised by the hapū
- A meeting was held again on the 6 August 2020. Ngāti Rāhiri Hapū requested an updated copy of the replacement consents sought, which was provided

Council sent a further information request, pursuant to section 92 of the Resource Management Act 1991, to the applicant on 15 December 2022. The further information was requested in order to adequately understand the likely effects of the proposal on the environment, and to address Te Kotahitanga o Te Atiawa Trust's concerns. The information requested is summarised below:

- A photo of the culvert inlet
- An assessment of the NPS-FM provisions 3.24 and 3.26
- An assessment of the likely effects on fish passage, including any proposed mitigation measures
- An assessment of the culverts capacity to convey high flows
- A policy assessment of the Te Atiawa IMP and the tangata whenua policies within the RFWP
- A recommendation was made to engage with Te Kotahitanga o Te Atiawa Trust regarding the concerns raised, and to seek advice on how best to address the adverse cultural effects identified

The applicant responded to the further information request on the 24 January 2023. Council deemed that the information provided was adequate, and resumed processing of the application.

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[R2/7028-2.0](#)

Caiseal Trust Partnership

**Location:** 320 Toko Rd, Toko

To discharge farm dairy effluent onto land

**Rohe:**

Ngāti Maru (Statutory Acknowledgement)

Ngāti Ruanui (Statutory Acknowledgement)

**Engagement or consultation:**

Te Rūnanga o Ngāti Maru (Taranaki) Trust

No return correspondence was received

Te Rūnanga o Ngāti Ruanui Trust

No return correspondence was received

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**Commencement Date:** 01 May 2023

**Expiry Date:** 01 Dec 2046

**Review Dates:** 01 Jun 2028, 01 Jun 2034, 01 Jun 2040

**Activity Class:** Controlled

**Application Purpose:** Replace

**Non-notified authorisations issued by the Taranaki Regional Council  
between 01 Apr 2023 and 14 May 2023**

[R2/7048-2.0](#)

Cheal Petroleum Limited

**Commencement Date:** 04 May 2023

**Expiry Date:** 01 Jun 2040

**Review Dates:** 01 Jun 2028, 01 Jun 2034

**Activity Class:** Discretionary

**Location:** Pipeline route between Cheal-A to  
Cheal-B wellsites & Waihapa Production  
Station

**Application Purpose:** Replace

To maintain and use pipelines for hydrocarbon conveyance purposes under the beds of the  
Ngaere Stream, Kahikatea Stream, and unnamed tributaries, including the ancillary  
disturbance of stream beds

**Rohe:**

Ngāti Ruanui

**Engagement or consultation:**

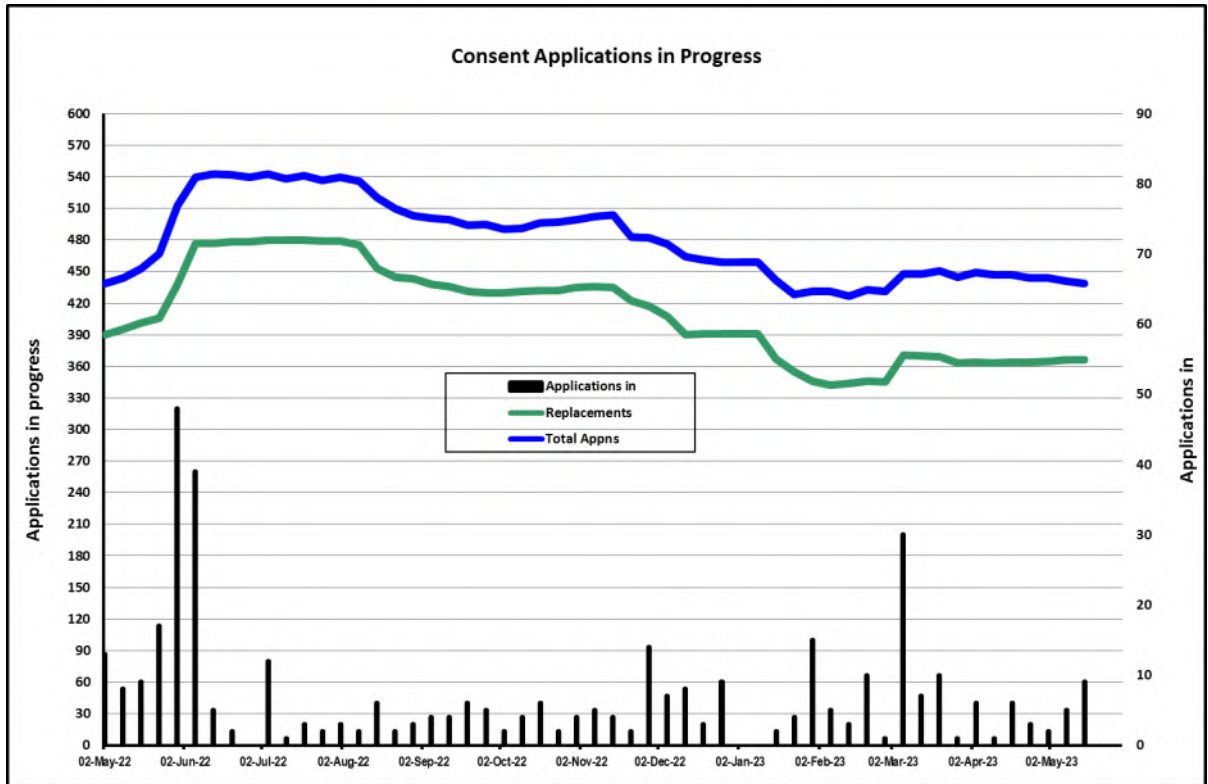
Te Rūnanga o Ngāti Ruanui Trust

No return correspondence was received

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### Consent Processing Information

#### 1) Applications in progress



#### 2) 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
<b>2022/2023</b>	540	479	520	453	490	430	499	435	482	417	459	391	431	342	448	371	448	364	444	365	439	366		
<b>2021/2022</b>	310	274	310	277	276	246	258	235	311	280	367	313	354	304	403	350	423	372	439	390	466	406	542	480
<b>2020/2021</b>	196	157	187	157	221	182	221	180	263	219	257	216	262	217	300	229	297	259	293	258	271	238	312	271

R = Replacements

Note: May part month

#### 3) Potential Hearings

Nil



**4) Consents Processed (running totals)**

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
<b>2022-2023</b>	7	53	82	86	139	171	211	228	249	261		
<b>2021-2022</b>	17	37	87	114	123	136	152	162	184	202	218	225
<b>2020-2021</b>	20	38	53	75	94	116	131	154	178	209	247	269

**5) Breakdown of consents processed**

	New	Replace	Change	Review	Totals
<b>2022-2023 - to April</b>	51	197	8	5	261
<b>2021-2022 Total</b>	54	149	16	6	225
<b>2021-2021 Total</b>	71	148	39	11	269

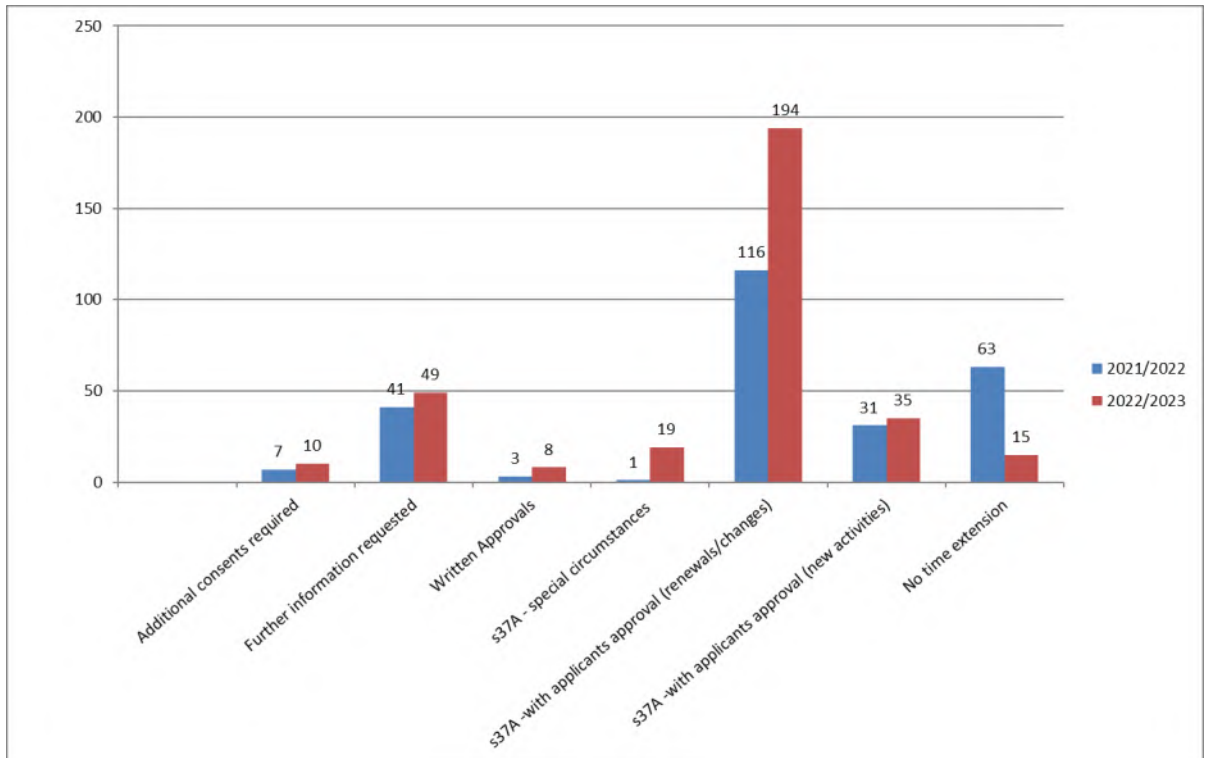
**6) Types of consents issued - year to date comparison**

	Publicly Notified						%		Limited						%		Non Notified						%		Grand Total
	Agricultural	Central/Local Government	Energy	Forestry	Other	Total publically notified			Agricultural	Central/Local Government	Energy	Forestry	Other	Total Limited Notified			Agricultural	Central/Local Government	Energy	Forestry	Other	Total Non-notified			
July 2020 to June 2021	0	0	0	0	2	0.7%	2		0	1	0	0	0	0.4%	1		146	20	44	6	50	98.9%	266	269	
July 2021 to June 2022	0	0	8	0	0	3.6%	8		1	0	0	0	0	0.4%	1		132	36	18	3	27	96.0%	216	225	
July 2022 to April 2023	0	0	0	0	0	0.0%	0		1	1	0	0	0	0.0%	2		191	15	16	0	37	99.2%	259	261	

**7) Involvement with third parties for applications processed year to date**

	Consultation/Involved (number of parties)	Number of Affected Party Approvals (written)	Totals
<b>Councils</b>	1	13	14
<b>DOC</b>	0	0	0
<b>Environmental/Recreational Groups</b>	0	0	0
<b>Fish &amp; Game</b>	0	0	0
<b>Individuals/Neighbours/Landowners</b>	3	19	22
<b>Network Utilities</b>	0	0	0
<b>Non Govt Organisations</b>	0	0	0
<b>Other Govt Departments</b>	0	0	0
<b>Iwi/hapu</b>	426	0	426
<b>Totals - April 2023</b>	430	32	462

**8) Application processing time extensions used 2021/2022 versus 2022/2023**



**9) Consent type process**

	Last 10 year average 2013 - 2022	July 2021 to June 2022	July 2022 to April 2023
Total consents granted	347	225	261
Publically Notified	9	8	0
Limited-notified	10	1	2
Non-notified	330	216	259
Applications submitted on (in opposition and to be heard)	13	9	2
Application Pre-hearing resolution (%)	7 81%	8 89%	2 100%
Hearings (no. of applications)	1 (6)	1 (1)	0 (0)
Appeals (no. of applications)	1 (6)	0 (0)	0 (0)
Total current consents	4714	4372	4426

**10) Applications returned incomplete under Section 88**

For the 2022-2023 financial year, 25 applications have been returned incomplete under S88 of the RMA for insufficient information. Thirteen of those applications have since been resubmitted by the applicant.

**11) Deemed Permitted Activities issued**

Nil



**Date** 6 June 2023

**Subject:** **Incidents, Compliance Monitoring Non-Compliances and Enforcement Summary - 30 March 2023 to 9 May 2023**

**Approved by:** A D McLay, Director - Resource Management  
S J Ruru, Chief Executive

**Document:** 3174744

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### **Purpose**

1. 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 30 March 2023 to 9 May 2023.
2. The annual inspection for farm dairy effluent monitoring programme commences in September each year and usually finishes around March, however follow up inspections and winter milking inspections are also carried out during the rest of the year.

### **Executive summary**

#### **Incidents**

3. There are sixty (60) incidents reported.
4. Thirty two (32) of the incidents were found to be compliant and twenty (20) were found to be non-compliant. Eight (8) of the incidents reported relate to non-compliances from previous periods (updates). The action taken on the incidents is set out for Members information.

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

5. There are forty (40) compliance monitoring non-compliances reported. Twenty three (23) of the compliance monitoring non-compliances reported are updates from previous periods.
6. Twenty three (23) of the non-compliances reported are as a result of the annual dairy inspection round.

## Recommendations

That the Taranaki Regional Council:

- a) receives this memorandum *Incident, Compliance Monitoring Non-Compliances and Enforcement Summary – 30 March 2023 to 9 May 2023*
- b) receives the summary of the incidents, compliance monitoring non-compliances and enforcement for the period from 30 March 2023 to 9 May 2023, notes the action taken by staff acting under delegated authority and adopts the recommendations therein.

## Background

7. 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. Such 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.
8. Attached is the summary of the Incidents, Compliance Monitoring Non-compliances and Enforcement for the period from 30 March 2023 to 9 May 2023.
9. Staff have been delegated by the Council to undertake enforcement actions. The enforcement policy and procedures are approved by the Council and then consistently implemented and reported on by staff.

## Disclosure Restrictions

10. 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 publicly discussed. The second section provides an update on non-compliant incidents from previous meetings and where an incident has been resolved it can be publicly 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

11. 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.

12. A summary of Incidents, Compliance Monitoring Non-compliances and Enforcement for the period 30 March 2023 to 9 May 2023 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.
13. 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.
14. A series of graphs are also attached comparing the number of incidents between 2016-2017 and 2021-2022, and also showing how the incidents are tracking in 2021-2022 in relation to environment type and compliance status. There is a graph showing the non-compliances found during compliance monitoring. There is also a graph showing enforcement action taken to date during 2021-2022.
15. The data in the graphs for 2021-2022 to date is showing that there are more incidents but less compliance monitoring non-compliances. Although in the first month of this period, there is limited data.

### **Decision-making considerations**

16. 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**

17. 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**

18. 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**

19. 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.

### **Community considerations**

20. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

### **Legal considerations**

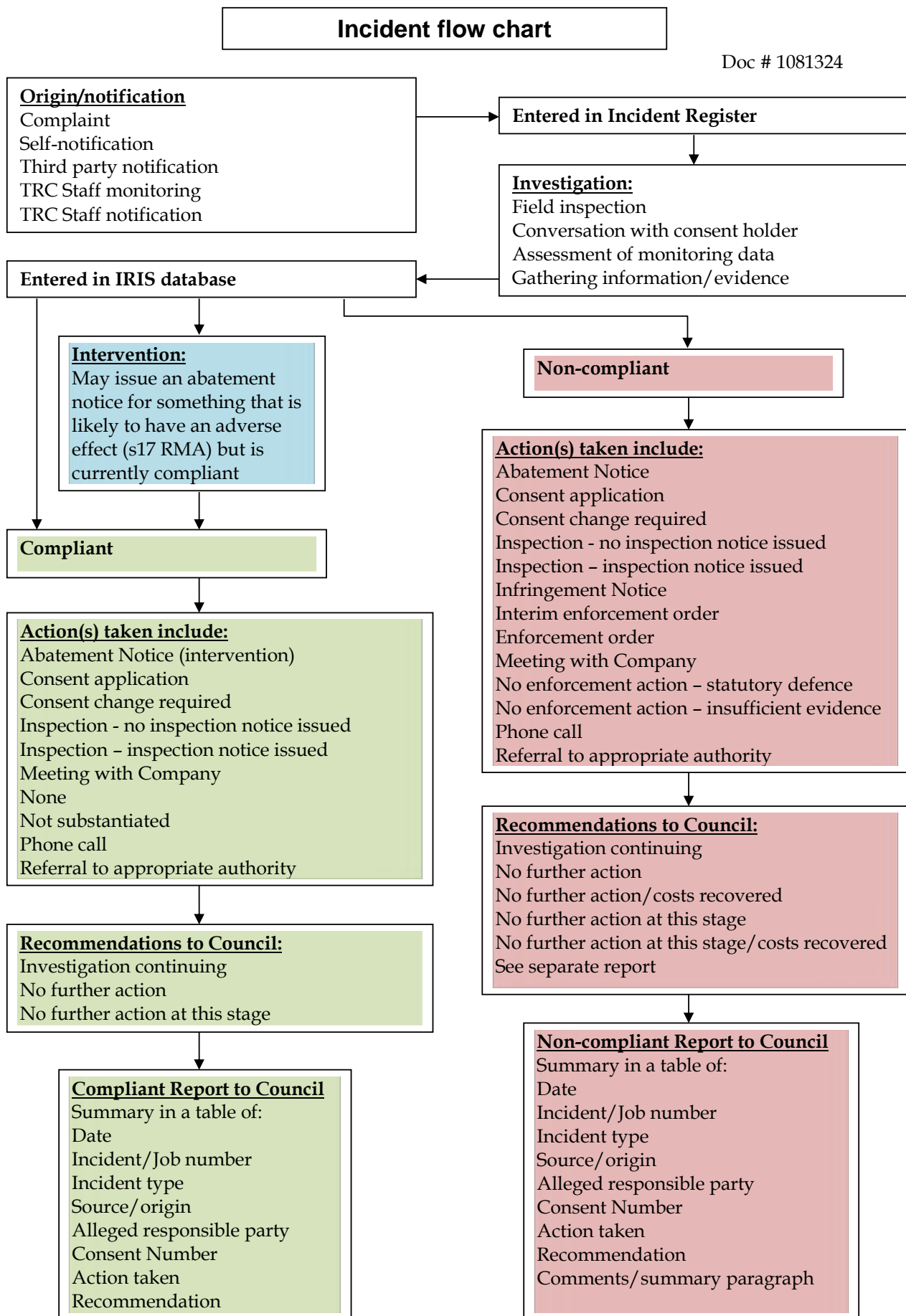
21. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

### **Appendices/Attachments**

Document 1081324: Incident flowchart and terms explained

Document 3174135: Incident and Enforcement Graphs to 31March 2023

Document 3174745: Incidents, Compliance Monitoring and Enforcement Summary 18 Feb 2023 to 29 Mar 2023





## 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.

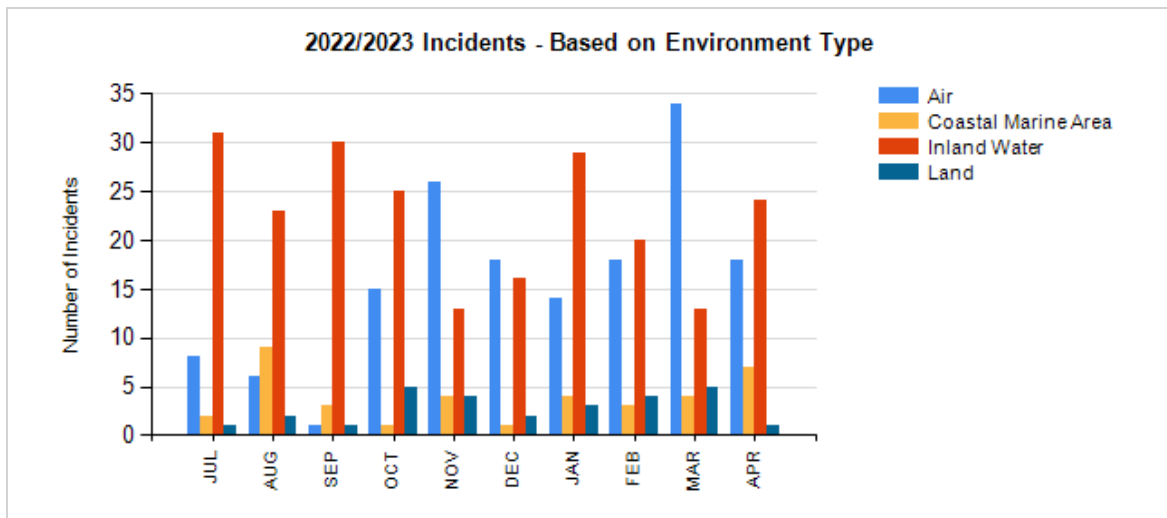
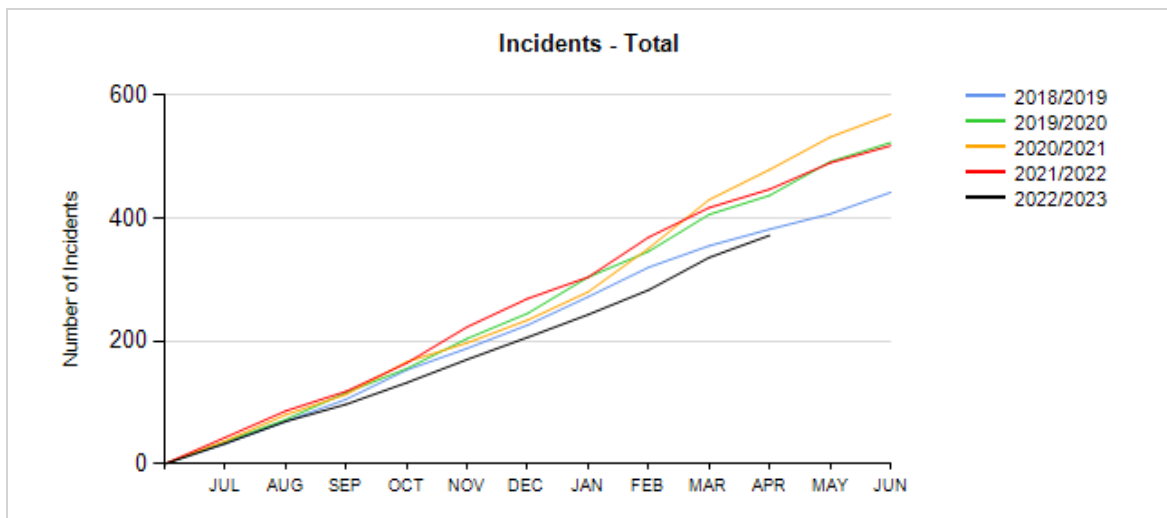
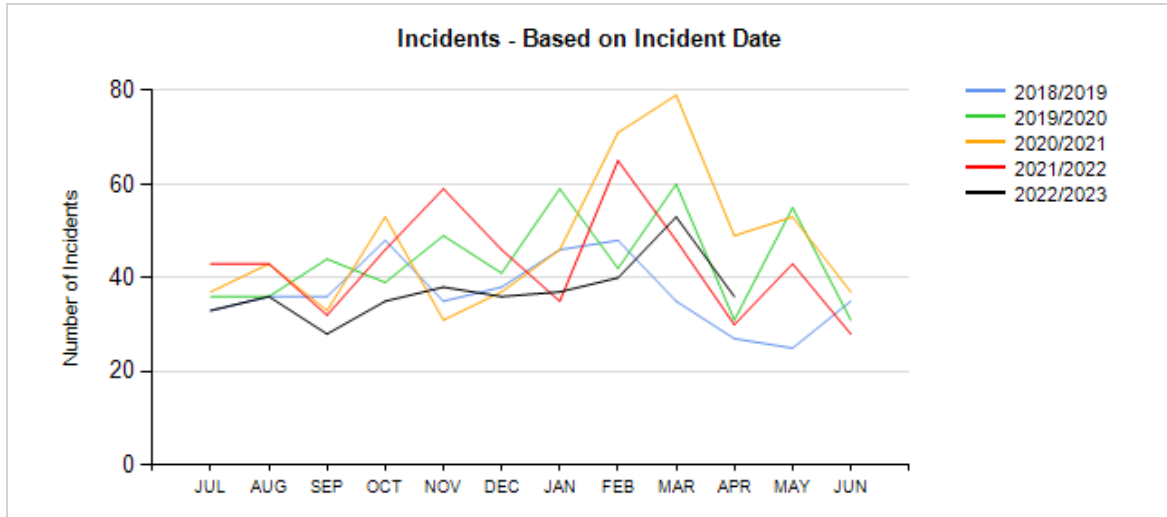
No further Action at this Stage/Costs Recovered	Investigation is completed, any required enforcement action has been undertaken and further action may be required at a later date (reinspection of Abatement Notice etc). Costs will be recovered from the alleged offender for the investigation.
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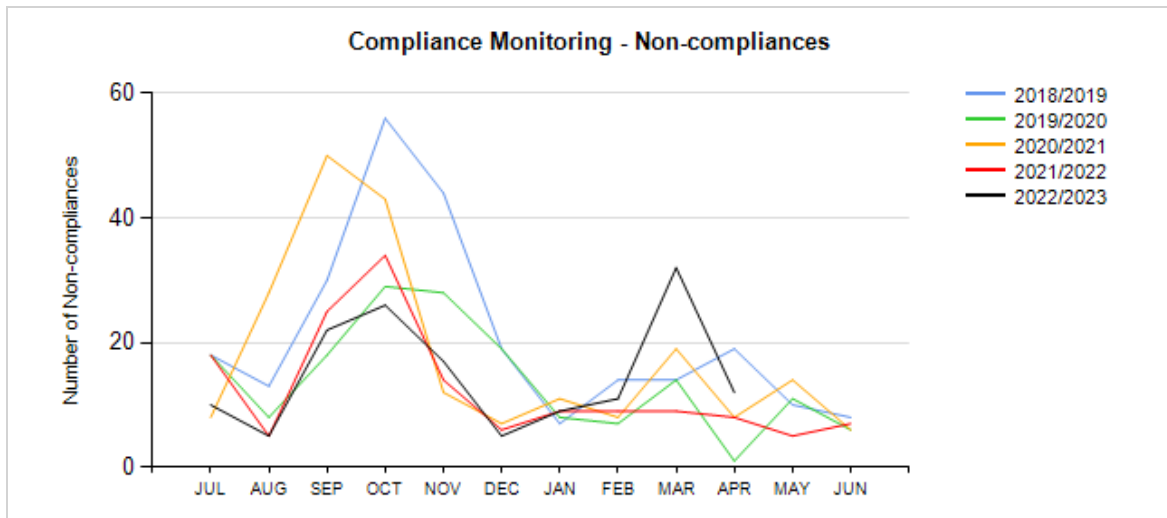
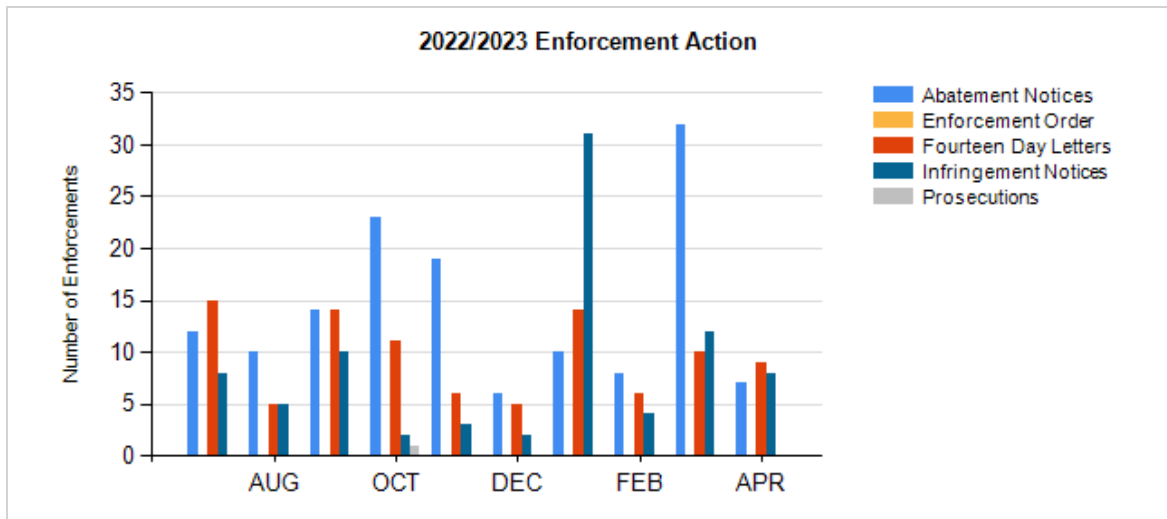
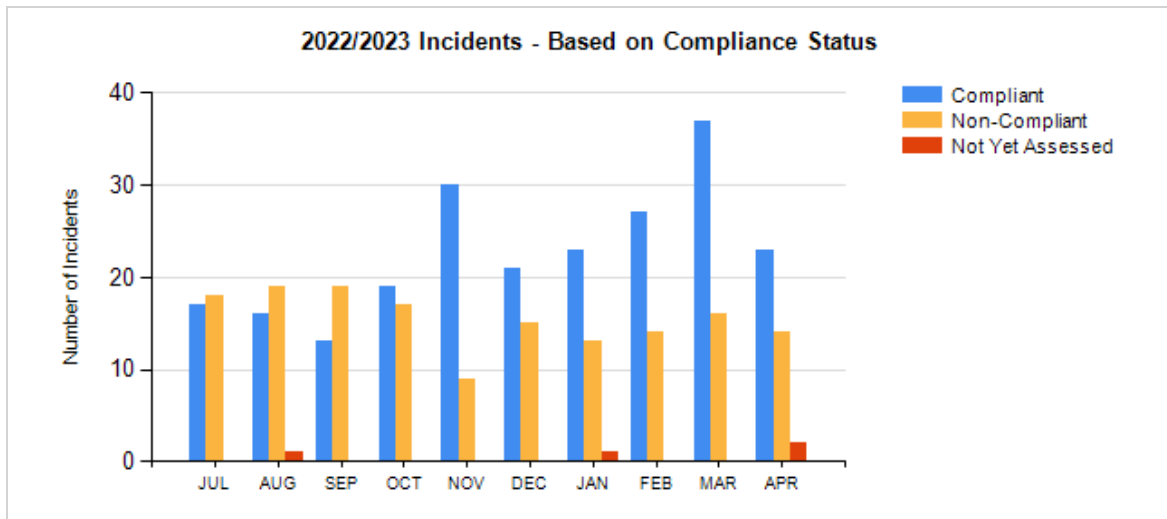
### **Defences under Sections 340 and 341 of the Resource Management Act 1991**

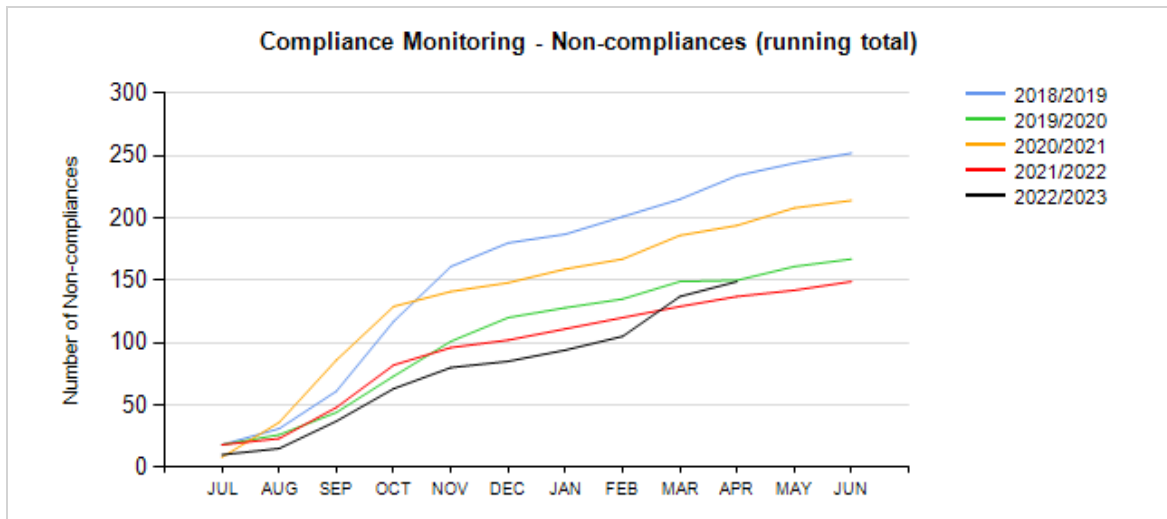
Sometimes no enforcement action is undertaken against an alleged offender for a non-compliant incident as they have a defence under Section 340 of the Resource Management Act 1991 including reasons such as:

- 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.

### Incident and Enforcement Graphs to 30 April 2023







**Compliant Incidents for the period 30 Mar 2023 to 09 May 2023**

Incident Date	Job Number IRIS ID	Incident Type	Source	Compliance Status	Recommendation
28 Mar 2023	3301-23-362 IN/47558	Alleged dust/sediment run-off - Garrett Drive, New Plymouth	Complaint	RAQP Allowed	No Further Action
30 Mar 2023	3301-23-388 IN/47378	Alleged dust - Ballance Street, New Plymouth	Complaint	RAQP Allowed	No Further Action
30 Mar 2023	3301-23-344 IN/47380	Alleged smoke - Mahoetahi Road, Bell Block	Complaint	RAQP Allowed	No Further Action
30 Mar 2023	3301-23-345 IN/47381	Alleged coffee odour - Cutfield Road, New Plymouth	Complaint	RAQP Allowed	No Further Action
31 Mar 2023	3301-23-346 IN/47385	Alleged smoky fire - Airport Drive, Bell Block	Complaint	RAQP Allowed	No Further Action
3 Apr 2023	3301-23-348 IN/47406	Alleged piggery effluent - Mangaehu Road, Douglas	Complaint	RFPW Allowed	No Further Action
4 Apr 2023	3301-23-347 IN/47397	Alleged green stream - Puneho Road, Okato	Complaint	RFPW Allowed	No Further Action
4 Apr 2023	3301-23-379 IN/47409	Alleged dam in waterbody - Charles Major Place, Hawera	Complaint	RFPW Allowed	No Further Action
5 Apr 2023	3301-23-350 IN/47424	Alleged odour - Mokau Road, Uruti	Complaint	Consent Compliance	No Further Action
11 Apr 2023	3301-23-360 IN/47432	Alleged rocks placement near stream - SH45, Opunake	Complaint	RFPW Allowed	No Further Action

**Compliant Incidents for the period 30 Mar 2023 to 09 May 2023**

Incident Date	Job Number IRIS ID	Incident Type	Source	Compliance Status	Recommendation
11 Apr 2023	3301-23-354 IN/47444	Alleged piped stream - Stanley Road, Midhirst	TRC Staff Notification	RFWP Allowed	No Further Action
12 Apr 2023	3301-23-352 IN/47438	Alleged truck washing - Lower King Road, Bell Block	Complaint	RFWP Allowed	No Further Action
12 Apr 2023	3301-23-353 IN/47439	Alleged sewage odour - South Road, Opunake	Complaint	Consent Compliance	No Further Action
12 Apr 2023	3301-23-356 IN/47455	Alleged brown Waingongoro Stream - Ohawe Beach	Complaint	Not Applicable/Natural Event	No Further Action
13 Apr 2023	3301-23-357 IN/47456	Alleged poultry odour - Mountain Road, Stratford	Complaint	Consent Compliance	No Further Action
15 Apr 2023	3301-23-358 IN/47485	Alleged poultry odour - Manutahi Road, Bell Block	Complaint	Consent Compliance	No Further Action
19 Apr 2023	3301-23-364 IN/47507	Alleged hydrocarbon discharge - Gaine Street, New Plymouth	Complaint	RFWP Allowed	No Further Action
20 Apr 2023	3301-23-365 IN/47508	Alleged hydrocarbon discharge - Princes Street, Hawera	Complaint	RCP Allowed	No Further Action
20 Apr 2023	3301-23-366 IN/47517	Alleged poultry odour - Manutahi Road, Bell Block	Complaint	Consent Compliance	No Further Action
21 Apr 2023	3301-23-367 IN/47521	Alleged green stream - Kina Road, Oaonui	Complaint	RFWP Allowed	No Further Action



**Compliant Incidents for the period 30 Mar 2023 to 09 May 2023**

Incident Date	Job Number IRIS ID	Incident Type	Source	Compliance Status	Recommendation
21 Apr 2023	3301-23-369 IN/47525	Alleged hydrocarbon discharge - Molsworth/Liardet Streets, New Plymouth	Third Party Notification	RFWP Allowed	No Further Action
21 Apr 2023	3301-23-370 IN/47528	Alleged poultry odour - Manutahi Road, Bell Block	Complaint	Consent Compliance	No Further Action
22 Apr 2023	3301-23-373 IN/47541	Alleged odour from stormwater outlet - Ngamotu Beach, New Plymouth	Complaint	RCP Allowed	No Further Action
24 Apr 2023	3301-23-371 IN/47539	Alleged discharge Ngamotu Beach - New Plymouth	Complaint	Not Applicable/Natural Event	No Further Action
25 Apr 2023	3301-23-376 IN/47557	Alleged odour - Kohiti Road, Okaiawa	Complaint	Consent Compliance	No Further Action
27 Apr 2023	3301-23-378 IN/47570	Alleged burning - South Road, Kaupokonui	Complaint	RAQP Allowed	No Further Action
27 Apr 2023	3301-23-384 IN/47604	Alleged smoke - Dover Road, Okato	Complaint	RAQP Allowed	No Further Action
28 Apr 2023	3301-23-383 IN/47598	Alleged smoke/burning - South Road, Hawera	Complaint	RAQP Allowed	No Further Action
2 May 2023	3301-23-387 IN/47614	Alleged dairy effluent - East Road, Stratford	Complaint	RFWP Allowed	No Further Action
3 May 2023	3301-23-386 IN/47611	Alleged smoke - Ketemarae Road, Normanby	Complaint	RAQP Allowed	No Further Action

**Compliant Incidents for the period 30 Mar 2023 to 09 May 2023**

<b>Incident Date</b>	<b>Job Number IRIS ID</b>	<b>Incident Type</b>	<b>Source</b>	<b>Compliance Status</b>	<b>Recommendation</b>
4 May 2023	3301-23-389 IN/47618	Alleged industrial site earthworks - Mould Street, Waitara	Third Party Notification	RFWP Allowed	No Further Action
8 May 2023	330 123-390 IN/47646	Alleged odour - Osflo Inglewood	Complaint	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
11 Jul 2022 <u>Update</u>	3301-23-008 IN/45622	Unauthorised discharge into stream - Rimutauteka Road, Inglewood	TRC Staff Compliance Monitoring	Codylan Farms Limited (36519)	R2/10321-1.0	EAC-24667 - Abatement Notice EAC-24669 - Abatement Notice EAC-24830 - Infringement Notice (\$750) EAC-25039 - Infringement Notice (\$750) EAC-25040 - Infringement Notice (\$750)	No Further Action At This Stage

**Comments:** During unrelated monitoring of a wellsite, it was found that farm dairy effluent was discharging to a skimmer pit outfall and then into surface water at Rimutauteka Road, Inglewood. Photographs, video and samples were taken. Whilst collecting a sample of the discharge it was also noted that silage leachate was discharging to the stream causing sewage fungus growths downstream of the discharge. The discharge of farm dairy effluent was in contravention of consent conditions and the discharge of leachate was in contravention of Rule 30 of the RFWP. Abatement notices were issued requiring the discharge of dairy effluent to cease and for works to be undertaken to prevent the discharge of silage leachate. Further reinspections have found the abatements notices were not being complied with. A meeting was held with the responsible party to ensure appropriate steps are put in place to achieve compliance. Reinspection found that works had been undertaken at the feedpad to ensure compliance with the abatement notice. Some works had been undertaken to address the silage leachate, however Council will work with the responsible party to ensure further works are undertaken to ensure ongoing compliance.

**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
7 Sep 2022 <u>Update</u>	3301-23-080 IN/46007	Stream realignment - Komene Road, Okato	Complaint	Denis James & Raewyn Edna Gladys Goodwin (2605)		EAC-24741 - Abatement Notice EAC-24744 - Abatement Notice EAC-24852 - Explanation Requested - Letter EAC-24853 - Explanation Requested - Letter	Investigation Continuing

**Comments:** A complaint was received concerning instream works being undertaken on a property at Komene Road, Okato. Investigation found that works had been undertaken to realign two sections of stream, totalling approximately 380 metres. The works were in contravention of rules in the Regional Fresh Water Plan for Taranaki and the Resource Management (National Environmental Standards for Freshwater) Regulations 2020. An abatement notice was issued requiring works to be undertaken to reinstate the streams. Reinspections undertaken so far have found that the majority of the works required to ensure compliance with the abatement notices have been completed. Further reinspections will be undertaken. A letter of explanation has been received. Further enforcement action is being considered.

**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
17 Jan 2023 <u>Update</u>	3301-23-233 IN/46822	Dairy effluent - Plymouth Road, Oakura	Complaint	Jason Hayward (74663) Martin Strauss (74270) Nicholas & Christine Barrett (3403) Zenith Farms Family Trust (36016) Zenith Trustee 2022 Limited (74713)	R2/1702-3	EAC-24934 - Explanation Requested - Letter EAC-24935 - Explanation Requested - Letter EAC-24936 - Explanation Requested - Letter EAC-24937 - Explanation Requested - Letter EAC-24940 - Explanation Requested - Letter EAC-24945 - Abatement Notice EAC-24947 - Abatement Notice EAC-24948 - Abatement Notice EAC-25130 - Infringement Notice (\$750) EAC-25131 - Infringement Notice (\$750)	No Further Action At This Stage/Costs Recovered

**Comments:** A complaint was received regarding a 'green' stream at a property at Plymouth Road, Oakura. Investigation found that a tributary of the Tapuae Stream was discoloured. Inspection of upstream properties found that a traveling irrigator had been positioned too close to a stream, resulting in dairy effluent discharging overland and into surface water. The irrigation had ceased at the time of inspection, however discolouration of the stream remained. Abatement notices were issued requiring works to be undertaken to ensure consent compliance. Reinspection found that the abatement notices were being complied with at the time of inspection.

### 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
3 Feb 2023 <u>Update</u>	3301-23-261 IN/47007	Dairy effluent - Mitchell Road, Manaia	TRC Staff Compliance Monitoring	John Bevins Family Trust trading as Hurford Farms (12849)	R2/6905-1	EAC-24978 - Explanation Requested - Letter EAC-25084 - Infringement Notice (\$750)	No Further Action At This Stage/Costs Recovered

**Comments:** During a follow-up inspection of advice provided the previous day, it was found that the effluent disposal system was not being operated in accordance with resource consent conditions at Mitchell Road, Manaia. The inspection of a dairy effluent spray irrigation disposal system found the advice had not been followed and it was found that excessive ponding of farm dairy effluent was occurring. A further reinspection found that works had been undertaken to ensure consent compliance. A letter requesting explanation was sent.

10 Feb 2023 <u>Update</u>	3301-23-276 IN/47369	Backyard burning - Wynyard and Hunter Streets, Normanby	Complaint	Nathan Taylor (74939)			No Further Action
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**Comments:** A complaint was received concerning black smoke from a fire on a property at the corner of Wynyard and Hunters Streets, Normanby. Investigation found that a fire had been lit in a 1.5 metre tall stainless steel drum on a concrete driveway. The fire was out but still smoking and the smoke was dark black. There was evidence that material had been burnt in the fire in contravention of rules in the Regional Air Quality Plan for Taranaki. The landowner advised it is a patio heater that burns waste oil and diesel and they were unaware such burning is prohibited and will not use the device in the future.

22 Mar 2023 <u>Update</u>	3301-23-333 IN/47315	CCA treatment - Ihaia Road, Opunake.	Third Party Notification	Malcolm Thompson (22645)		EAC-25046 - Abatement Notice	Investigation Continuing
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**Comments:** A complaint was received alleging that a sawmill was using Copper Chromium Arsenic (CCA) to treat wood at a sawmill at Ihaia Road, Opunake. Investigation found that CCA was being used to tanalise timber on the premise. The inspection identified that insufficient controls were in place to prevent discharges to the receiving environment from the treatment process. An abatement notice was issued requiring works to be undertaken to ensure compliance with Rule 23 of the Regional Fresh Water Plan for Taranaki. Reinspection will be undertaken after 31 May 2023.

**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
<u>24 Mar 2023 Update</u>	3301-23-334 IN/47328	Dairy effluent discharge - Anderson Road, Eltham	Complaint	Paul Cornelius & Christine Maree Erkes (10993)	R2/2853-2	EAC-25065 - Abatement Notice EAC-25066 - Abatement Notice EAC-25067 - Explanation Requested - Letter	Investigation Continuing

**Comments:** A complaint was received concerning dairy effluent from race scrapings discharging overland and into a constructed drain, at Anderson Road, Eltham. Investigation found that farm dairy effluent was ponding in a paddock and discharging into the constructed drain in contravention of rules in the Regional Fresh Water Plan for Taranaki. An abatement notice was issued requiring works to be undertaken to prevent further discharge. Reinspection will be undertaken after 30 April 2023. A letter seeking explanation was sent. Further enforcement is being considered.

<u>25 Mar 2023 Update</u>	3301-23-339 IN/47349	Dust - State Highway 3, Ngaere	Complaint	Downer New Zealand Limited (50648)		EAC-25070 - Explanation Requested - Letter EAC-25132 - Infringement Notice (\$300)	No Further Action
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**Comments:** A complaint was received concerning dust discharging from roadworks at State Highway 3, Ngaere. Investigation found that offensive levels of dust were discharging from the roadworks site, affecting neighbouring properties, in contravention of Section 15(2A) of the Resource Management Act 1991. A letter requesting explanation was sent.

**Non-compliant incidents for the period 30 Mar 2023 to 09 May 2023**

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
5 Apr 2023	3301-23349 IN/47418	Odour - Carthew Street, Okato	Complaint	Coastal Meat Processors (74625)			No Further Action
<p><b>Comments:</b> A complaint was received regarding odour discharging from a meat processing facility on Carthew Street, Okato. Investigation found that offall had not been collected by an independent company. Steps were taken to mitigate odour discharges until such time that the offall could be removed from site.</p>							
12 Apr 2023	3301-23-351 IN/47437	Sewage discharge - Esk Road, Stratford	Self-Notification	Stratford District Council (10048)			No Further Action
<p><b>Comments:</b> Self-notification was received concerning a discharge of wastewater from a pump station at Esk Road, Stratford. Investigation found that a power failure had resulted in a discharge of wastewater onto land adjacent to the pump station. Remedial works to address the issue were taken by Council and at the time of the inspection the discharge had ceased. There was no evidence of the discharge entering surface water.</p>							
12 Apr 2023	3301-23-355 IN/47451	Brown Stream - Okato	TRC Staff Notification	Dale Corrigan (10844) Darrell Hickey (10673)	R2/3796-2	EAC-25134 - Abatement Notice	Investigation Continuing
<p><b>Comments:</b> While proactively investigating ongoing reports of a 'green' stream in the Matanehunehu Stream, Okato, it was observed that the stream was discoloured in nature. Further investigation traced the discolouration to a discharge of dairy effluent from an oxidation pond treatment system. Photographs and samples were taken. An abatement notice was issued requiring the consent holder to undertake works to ensure compliance with resource consent conditions. A reinspection will be undertaken after 15 May 2023.</p>							



**Non-compliant incidents for the period 30 Mar 2023 to 09 May 2023**

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
16 Apr 2023	3301-23-359 IN/47487	Poultry odour - Kaipi Road, Egmont Village	Complaint	Conrad Preece (72552) Kaipi Holdings Limited (50510) Tegel Foods Limited (9994)	R2/9500-1.1	EAC-25085 - Explanation Requested - Letter EAC-25086 - Explanation Requested - Letter EAC-25087 - Explanation Requested - Letter	Investigation Continuing
<p><b>Comments:</b> A complaint was received concerning odour emanating from a poultry farm at Kaipi Road, Egmont Village. While no offensive or objectionable odour was detected beyond the boundary of the property, it was found that poultry were being removed from the facility at a time which contravened resource consent conditions. Letters requesting explanation were sent.</p>							
17 Apr 2023	3301-23-361 IN/47496	Sediment discharge - Humphries Street, Inglewood	Complaint	Un sourced (9768)			No Further Action
<p><b>Comments:</b> A complaint was received regarding a discharge of sediment laden stormwater from a stormwater pipe at Humphries Street, Inglewood. At the time of the inspection the stormwater was running clear and an investigation of the NPDC stormwater network failed to locate the potential source of the discharge.</p>							
18 Apr 2023	3301-23-363 IN/47505	Earthworks in Inaha Stream - Kohiti Road, Okaiawa	Complaint	Taranaki By-Products Limited (9197)	R2/6431-1		Investigation Continuing
<p><b>Comments:</b> A complaint was received regarding the discoloration of the Inaha Stream at Kohiti Road, Okaiawa. Investigation found that works were being undertaken to install a temporary culvert, following the failure of a previous culvert at the site during a flood event, within the Inaha Stream resulting in the discharge of sediment in contravention of the Regional Fresh Water Plan for Taranaki. Works were immediately ceased until an appropriate installation methodology and silt controls were implemented. An application will be made for a resource consent to authorise the culvert.</p>							

**Non-compliant incidents for the period 30 Mar 2023 to 09 May 2023**

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
19 Apr 2023	3301-23-377 IN/47564	Rubbish in Mangatokiiti Stream - Opunake Road, Stratford	TRC Staff Compliance Monitoring	Unsourced (9768)			No Further Action
<p><b>Comments:</b> During routine compliance monitoring a significant volume of household rubbish was discovered in the Mangatokiiti Stream at Opunake Road, Stratford. The rubbish was removed and disposed of by officers at the time of the inspection. The responsible party could not be identified.</p>							
21 Apr 2023	3301-123-368 IN/47522	Burning - Radnor Road, Midhirst	Complaint	Allan Rowlands (74608)			No Further Action
<p><b>Comments:</b> A complaint was received concerning smoke emanating from a fire on Radnor Road, Midhirst. Investigation found no offensive or objectionable smoke beyond the boundary of the property. An inspection found that the fire had burnt out, however it was noted that a small amount of unauthorised material had been burnt in contravention of the Regional Air Quality Plan for Taranaki. The responsible party was advised of the rules in relation to on-farm waste disposal options.</p>							
23 Apr 2023	3301-23-372 IN/47540	Dead cow on beach - Weld Road, Oakura	Complaint	Raymond Lewis (10913)			No Further Action
<p><b>Comments:</b> A complaint was received regarding a dead cow on the beach at the end of Weld Road, Oakura. Officers located the carcass and identified the owner of the animal who took immediate steps to remove it from the beach.</p>							
23 Apr 2023	3301-123-374 IN/47542	Dead eels - Patea River, Patea	Complaint	Manawa Energy Limited (74010)	R2/0489-2.3	EAC-25108 - Explanation Requested - Letter	Investigation Continuing
<p><b>Comments:</b> A complaint was received regarding the discovery of dead eels at the Patea River mouth, Patea. Investigation confirmed a number of dead eels at the Patea River mouth. Further investigations also located dead eels below the Manawa Energy Limited hydroelectric power scheme at Lake Rotorangi. Visible injuries to the eels indicate that they were being injured during their migration through the hydro scheme. Resource consent conditions require Manawa Energy to facilitate the non-lethal downstream passage of adult eels from upstream of the Patea Dam to below the tailrace. A letter of explanation has been requested. Enforcement action is being considered.</p>							

**Non-compliant incidents for the period 30 Mar 2023 to 09 May 2023**

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
27 Apr 2023	3301-123-375 IN/47578	Dead cow - Patea Beach, Patea	TRC Staff Compliance Monitoring	Andrea Burling (34027)			Investigation Continuing
<p><b>Comments:</b> During unrelated monitoring a dead cow was located on Patea Beach, Patea. The owner of the animal was identified, however removal of the carcass is difficult due to it being located under an unstable coastal cliff.</p>							
27 Apr 2023	3301-123-380 IN/47580	Burning - James Drive, Bell Block	Complaint	Nicholas Johns (75060)			Investigation Continuing
<p><b>Comments:</b> A complaint was received regarding a smoky fire at James Street, Bell Block. Investigation found that farm fencing, including galvanised wire, had been burnt in contravention of the Regional Air Quality Plan for Taranaki. The responsible party immediately extinguished the fire using a digger. Further enforcement action is being considered.</p>							
27 Apr 2023	330123-381 IN/47583	Burning - Surrey Road, Tariki	TRC Staff Compliance Monitoring	Colin Boyd (3013) Mile Square Farms Limited (3884)		EAC-25101 - Abatement Notice EAC-25102 - Abatement Notice	Investigation Continuing
<p><b>Comments:</b> During unrelated compliance monitoring it was found that tyres had been burnt at a rural property on Surrey Road, Tariki. An abatement notice was issued requiring the responsible party to cease and not recommence the burning of tyres in breach of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004. A reinspection found that the abatement notice was being complied with. Further enforcement action is being considered.</p>							

**Non-compliant incidents for the period 30 Mar 2023 to 09 May 2023**

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
29 Apr 2023	330123-382 IN/47653	Diesel spill - Leach Street, New Plymouth	Complaint	Provida Freight Limited (75068)			No Further Action
<p><b>Comments:</b> A complaint was received regarding a diesel spill on Leach Street, New Plymouth. Investigation found that diesel had discharged onto the road and into the stormwater network as a result of a punctured fuel tank on a heavy motor vehicle. Fire and Emergency New Zealand and Downer undertook works to recover the diesel spilt on the road. A series of sorbent booms were deployed by Council officers at the outlet of the stormwater network to contain any hydrocarbons that had discharged into the network.</p>							
1 May 2023	330123-394 IN/47652	Burning - Victoria Street, Hawera	Complaint	Anonymous (22726)			No Further Action
<p><b>Comments:</b> A complaint was received regarding backyard burning on Victoria Street, Hawera. Investigation found a small fire at the rear of a residential property. The responsible party was advised of the rules in the Regional Air Quality Plan for Taranaki.</p>							
3 May 2023	330123-385 IN/47609	Burning - Mokau Road, Uruti	Complaint	Remediation (NZ) Limited (30679)			No Further Action
<p><b>Comments:</b> A complaint was received regarding a burning type odour discharging from a composting facility Mokau Road, Uruti. Although no off site effects were noted during the inspection, it was found that a small volume of vegetation consisting of stumps and larger branches, being a by-product of the composting process, were being burnt onsite in contravention of the Regional Air Quality Plan for Taranaki. Responsible party was advised that a resource consent would be required if this practice was to continue.</p>							

**Non-compliant incidents for the period 30 Mar 2023 to 09 May 2023**

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
3 May 2023	3301-23-393 IN/47649	Stock effluent - Johnston Street, Brixton	Complaint	Hareb Earthmoving (56743) Matthew Hareb (55404)		EAC-25133 - Infringement Notice (\$750) EAC-25136 - Infringement Notice (\$300)	No Further Action

**Comments:** A complaint was received regarding the application of dairy stock effluent to land at Johnston Street, Brixton. Investigation found that stock effluent has been brought to the property and applied to land via a slurry wagon in contravention of Rule 44 of the Regional Fresh Water Plan for Taranaki as no resource consent was held to authorise the discharge.

4 May 2023	330123-395 IN/47627	Flooding - Tukapa Street, New Plymouth	Complaint	Smudgy Developments Limited (56784)		EAC-25109 - Abatement Notice	Investigation Continuing
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**Comments:** A complaint was received regarding the discharge of stormwater from a subdivision onto a neighbouring property at Tukapa Street, New Plymouth. Investigation found that an urban subdivision was under development on the property. The incomplete permanent stormwater system resulted in stormwater being directed onto the neighboring property, causing flooding in contravention of Rule 77 of the Regional Fresh Water Plan for Taranaki. An abatement notice was issued requiring works to be undertaken to control discharge of stormwater from the site. A reinspection found the abatement notice was being complied with.

5 May 2023	330123-390 IN/47633	Wastewater discharge - Monmouth Road, Stratford	Complaint	Ample Group Limited (52845)	R2/5221-2	EAC-25129 - Explanation Requested - Letter	Investigation Continuing
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**Comments:** A complaint was received regarding spray drift from a wastewater irrigator discharging beyond the boundary of the property on Monmouth Road, Stratford. Investigation found that no wastewater was being discharged beyond the property boundary. However, in response to a further complaint, an inspection was undertaken the following day where wastewater being discharged from the irrigator was observed ponding on the surface and flowing overland into the adjacent stream in contravention of resource consent conditions. An employee of the company was advised of the discharge and as a response moved the irrigator away from the stream which subsequently resulted in spray drift discharging beyond the boundary of the property. A letter requesting explanation has been sent. Further enforcement action is being considered.

**Non-compliant incidents for the period 30 Mar 2023 to 09 May 2023**

Incident Date	Job Number IRIS ID	Incident Type	Source	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
8 May 2023	3301-23-391 IN/47643	Dairy effluent - Pembroke Road, Stratford	Complaint	D & S Hancock Trusts (10942)	R2/4667-3.0		Investigation Continuing

**Comments:** A complaint was received regarding odour from a dairy farming operation discharging beyond the boundary of the property on Pembroke Road Stratford. Investigation found the dairy effluent irrigator was in operation and discharging dairy effluent to land near the property boundary. An inspection of the irrigator found that dairy effluent was flowing overland and into the Mangarangi Stream in contravention of resource consent conditions. Samples were taken and further 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
24 Aug 2022 <u>Update</u>	332123-007 ENF-23605	Annual Inspection	Non-compliance	Tractormeisters Limited (21002)	R2/3602-2	EAC-25029 - Explanation Requested - Letter EAC-24718 - Abatement Notice EAC-24716 - Abatement Notice	No Further Action At This Stage

**Comments:** During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions on Hu Road, Eltham. Abatement notices were issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection found that Abatement Notice EAC-24718 was not being complied with. Council is currently working with the responsible party to ensure abatement notices are being complied with on an ongoing basis.

17 Nov 2022 <u>Update</u>	332123-081 ENF-23761	Compliance Monitoring Insp.	Non-compliance	Barton Holdings Limited (56677)	R2/7707-1	EAC-24894 - Explanation Requested - Letter EAC-24889 - Abatement Notice	No Further Action/Costs Recovered
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**Comments:** During analysis of samples taken during routine monitoring it was found there was a minor exceedance of suspended solids in the stormwater discharge at an industrial site at Paraita Road, Bell Block. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Compliance with the abatement notice will be ascertained during routine monitoring. A letter requesting explanation was sent.

**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
<u>1 Dec 2022 Update</u>	332123-077 ENF-23743	Compliance Monitoring Insp.	Non-compliance	Hintz Family Trust Partnership (12720)	R2/10561-1.1	EAC-24876 - Explanation Requested - Letter	No Further Action

**Comments:** During a compliance monitoring inspection it was found that shelter belt planting had not been undertaken, as required by resource consent conditions, for a proposed boiler farm development at Cardiff Road, Cardiff. An explanation was received and accepted. Council will work with the consent holder to ensure compliance is achieved.

<u>15 Dec 2022 Update</u>	332123-131 ENF-23860	Follow Up Inspection	Non-compliance	Rocky Acres Trust (23569)	R2/1918-3.0		Investigation Continuing
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**Comments:** During a follow up inspection, as part of the annual dairy inspection round, it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at Waiteika Road, Opunake. Reinspection found that the system was still non-compliant. The consent holder is in the process of upgrading the stormwater diversion system.

<u>23 Jan 2023 Update</u>	332123-087 ENF-23781	Annual Inspection	Significant non-compliance	Peter Myers (2895)	R2/2395-3.0	EAC-25015 - Infringement Notice (\$750) EAC-24943 - 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 farm dairy effluent disposal system was not operating within resource consent conditions at Austin Road, Normanby. An abatement notice was issued requiring the discharge to cease and for works to be undertaken to ensure compliance with resource consent conditions. A follow-up inspection found that the abatement notice was not being complied with. Subsequent reinspections confirmed compliance with the abatement notice and 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
7 Feb 2023 <u>Update</u>	332123-094 ENF-23824	Annual Inspection	Non-compliance	Nigel King Developments Limited (30518)	R2/3279-3.0	EAC-25080 - Explanation Requested - Letter EAC-25028 - Explanation Requested - Letter EAC-24984 - 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 Upland Road, Inglewood. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection found that the abatement notice was not being complied with. After further investigation the abatement notice was extended and a further reinspection will be undertaken after 1 September 2023.

27 Feb 2023 <u>Update</u>	332123-106 ENF-23846	Annual Inspection	Significant non-compliance	Margaret Radford (73231)	R2/0249-4.0	EAC-25089 - Infringement Notice (\$750) EAC-25012 - Abatement Notice	No Further Action/Costs Recovered
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**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 Warea Road, Warea. 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.

**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
<u>28 Feb 2023 Update</u>	332123-107 ENF-23843	Annual Inspection	Significant non-compliance	Tony Shrader (74845)	R2/2858-3.0	EAC-25090 - Infringement Notice (\$750) EAC-25010 - Abatement Notice	No Further Action/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 Wataroa Road, Pungarehu. 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.

<u>1 Mar 2023 Update</u>	332123-099 ENF-23841	Annual Inspection	Significant non-compliance	Adam McMillan (74848) Francis Mullan (2715) Gareth Mullan (30747)	R2/2966-2.1	EAC-25094 - Infringement Notice (\$750) EAC-25093 - Infringement Notice (\$750) EAC-25092 - Infringement Notice (\$750) EAC-25002 - Abatement Notice	No Further Action/Costs Recovered
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**Comments:** During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions on Kina Road, Oaonui. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection found that the abatement notice and resource consent conditions were being complied with at the time of inspection.

**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
<u>2 Mar 2023 Update</u>	332123-109 ENF-23844	Annual Inspection	Significant non-compliance	Estate WA Williams (1990) Mary Washer (75010)	R2/1680-4.0	EAC-25095 - Infringement Notice (\$750) EAC-25011 - Abatement Notice	No Further Action/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 Newall Road, Okato. 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.

<u>7 Mar 2023 Update</u>	332123-126 ENF-23895	Annual Inspection	Non-compliance	Taylor Family Farms Trust (28814)	R2/2378-4.0		Investigation Continuing
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**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 Alfred Road, Kaimiro. Enforcement action is being considered.

<u>8 Mar 2023 Update</u>	332123-103 ENF-23849	Annual Inspection	Non-compliance	AW Brocklehurst Trust (17144)	R2/0643-3.0	EAC-25019 - Abatement Notice	No Further Action/Costs Recovered
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**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 Bristol Road, Waitui. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection found that the abatement notice and resource consent were being complied with at the time of inspection.

**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
<u>14 Mar 2023 Update</u>	332123-118 ENF-23859	Annual Inspection	Non-compliance	Nichoshanks Farm Limited (74179)	R2/1988-2	EAC-25030 - Abatement Notice	No Further Action/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 on Allen Road, Hawera. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection found that the abatement notice was being complied with at the time of inspection.

<u>17 Mar 2023 Update</u>	332123-129 ENF-23899	Annual Inspection	Non-compliance	South Taranaki District Council (9623)	R2/2544-2		No Further Action/Costs Recovered
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**Comments:** During the annual dairy inspection round it was found that the resource consent to authorise the discharge of farm dairy effluent had expired at a dairy farm on Mountain Road, Eltham. The discharge of farm dairy effluent was found to be in contravention of Rule 35 of the Regional Fresh Water Plan for Taranaki. An application has subsequently been received by Council for the renewal of the resource consent.

<u>17 Mar 2023 Update</u>	332123-121 ENF-23887	Compliance Monitoring Insp.	Non-compliance	Fletcher Concrete & Infrastructure Limited (24970)	R2/5026-2	EAC-25075 - Explanation Requested - Letter	Investigation Continuing
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**Comments:** During routine monitoring it was found that a concrete batching site was not operating within resource consent conditions and in contravention of Abatement Notice-EAC-23386 at Mountain Road, Stratford. The discharge from the site had a high suspended sediment load. A letter of explanation was requested. Reinspection found that works were being undertaken, but had not been completed, at the site to ensure compliance with resource consent conditions. A further inspection will be undertaken once the works have been completed.

**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
<u>17 Mar 2023 Update</u>	332123-120 ENF-23886	Compliance Monitoring Insp.	Non-compliance	Taranaki Stock Car Club Inc (2299)	R2/2116-4.0	EAC-25074 - Explanation Requested - Letter	Investigation Continuing

**Comments:** During routine monitoring it was found that the site was not operating within resource consent conditions. The discharge from the site had a high suspended sediment load. A letter of explanation was requested. A follow up inspection and sampling will be undertaken. Works have subsequently been undertaken at the site and a follow up inspection, including sampling, will be undertaken to ascertain compliance with resource consent conditions.

<u>21 Mar 2023 Update</u>	332123-112 ENF-23871	Annual Inspection	Significant non-compliance	Multigrain Limited (51654) Taniora Jones (16138)	R2/1958-3.0	EAC-25111 - Infringement Notice (\$750)	No Further Action At This Stage/Costs Recovered
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**Comments:** During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions, and Abatement Notice EAC-24478 issued as a result of a previous non-compliance, at a property at Oeo Road, Auroa. Reinspection will be undertaken after 30 May 2023.

<u>21 Mar 2023 Update</u>	332123-104 ENF-23868	Compliance Monitoring Insp.	Non-compliance	Lorry Land Limited (24772)	R2/7965-1	EAC-25138 - Infringement Notice (\$1000) EAC-25113 - Explanation Requested - Letter EAC-25081 - Explanation Requested - Letter EAC-25045 - Abatement Notice	No Further Action At This Stage/Costs Recovered
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**Comments:** During routine monitoring it was found that unauthorised materials (including fibreglass or asbestos, polystyrene and a calcium sulfonate complex grease tube) were being burnt in contravention of resource consent conditions, at a vehicle dismantler's site on Rugby Road, Tariki. An abatement notice was issued requiring unauthorised burning to cease. Reinspection will be undertaken after 27 March 2023. A letter seeking explanation was sent.

**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
22 Mar 2023 <u>Update</u>	332123-105 ENF-23870	Annual Inspection	Non-compliance	Cameron Goodchap (50491) Double D Trust (17271) Ian Robert & Lynette Gail Diack (1970)	R2/2950-2	EAC-25116 - Infringement Notice (\$750) EAC-25114 - Infringement Notice (\$750) EAC-25050 - Explanation Requested - Letter EAC-25049 - Explanation Requested - Letter EAC-25048 - Abatement Notice EAC-25047 - Abatement Notice	No Further Action/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 on Manaia Road, Kaponga. Abatement notices were issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Re-inspection found that the abatement notice and resource consent conditions were being complied with at the time of inspection.

23 Mar 2023 <u>Update</u>	332123-122 ENF-23888	Compliance Monitoring Insp.	Non-compliance	Horizon Trust Management Limited (36890)	R2/7845-1.2	EAC-25088 - Abatement Notice	Investigation Continuing
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**Comments:** Analysis of samples, taken during routine monitoring on 23 March 2023, found that the allowable suspended solids limit was contravened at a quarry site at Whenuku Road, Normanby. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection will be undertaken after 19 May 2023.

**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
23 Mar 2023 <u>Update</u>	332123-102 ENF-23872	Annual Inspection	Significant non-compliance	KJ & JK Foskin (10733) ME & MF Foskin Estate (2887)	R2/3087-2	EAC-25117 - Infringement Notice (\$750) EAC-25063 - Explanation Requested - Letter EAC-25056 - Abatement Notice	No Further Action/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 on Manaia Road, Manaia. An abatement notice was issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection found that the abatement notice and resource consent conditions were being complied with at the time of inspection.

29 Mar 2023 <u>Update</u>	332123-116 ENF-23885	Annual Inspection	Significant non-compliance	Grahame John & Annette Lillian Hill (2844) Greg Hill (55389)	R2/3632-3.0	EAC-25121 - Infringement Notice (\$750) EAC-25119 - Infringement Notice (\$750) EAC-25077 - Explanation Requested - Letter EAC-25076 - Explanation Requested - Letter EAC-25073 - Abatement Notice EAC-25071 - Abatement Notice	No Further Action/Costs Recovered
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**Comments:** During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions on Manaia Road, Manaia. Abatement notices were issued requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection found that the abatement notice and resource consent conditions were being complied with at the time of inspection.

**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
29 Mar 2023 <u>Update</u>	332123-134 ENF-23902	Annual Inspection	Non-compliance	Pukengahu Family Trust (34610)	R2/3804-3.0		No Further Action/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 on Pukengahu Road, Stratford. Upon discovery of the non-compliance, works were immediately undertaken to ensure compliance with resource consent conditions. Reinspection found that resource consent conditions were being complied with at the time of inspection.



**Compliance Monitoring – Non-compliances for the period 30 Mar 2023 to 09 May 2023**

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
30 Mar 2023	332123-142 ENF-23927	Annual Inspection	Non-compliance	Jerseydale Trust (22831)	R2/2770-2		No Further Action/Costs Recovered
<p><b>Comments:</b> During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions on Eltham Road, Eltham. Further investigation found that Abatement Notice EAC-25082 had been issued the previous day as a result of an incident, requiring works to be undertaken to the farm dairy effluent disposal system to ensure compliance with resource consent conditions. Reinspection found that the abatement notice and resource consent conditions were being complied with at the time of inspection.</p>							
30 Mar 2023	332123-132 ENF-23933	Annual Inspection	Non-compliance	Greenhills Trust (12618)	R2/1101-4.0		Investigation Continuing
<p><b>Comments:</b> During the annual dairy inspection round it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at Wiremu Road, Okato. Enforcement action is being considered.</p>							
3 Apr 2023	332123-127 ENF-23896	Compliance Monitoring Insp.	Non-compliance	Cygnets Land Development Limited (26485)	R2/10831-2.0		No Further Action/Costs Recovered
<p><b>Comments:</b> During routine monitoring of an earthworks site it was found that works had been undertaken to remove sediment controls in contravention of resource consent conditions at Ballance Street, New Plymouth. A conversation was held with the project manager onsite who acknowledged the issue and took steps to reinstate the controls. Reinspection found that the controls had been reinstated and the resource consent conditions were being complied with.</p>							

**Compliance Monitoring – Non-compliances for the period 30 Mar 2023 to 09 May 2023**

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
12 Apr 2023	332123-135 ENF-23907	Annual Inspection	Non-compliance	Hwitan Tune Holdings Limited (35314) John Whittington (50156)	R2/2746-3.0	EAC-25096 - 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 Beaconsfield Road, Stratford. An abatement notice was issued requiring works to be undertaken to ensure consent compliance. Reinspection will be undertaken after 22 May 2023.

13 Apr 2023	332123-136 ENF-23909	Annual Inspection	Non-compliance	Frederick Charles & Judith Anne Perrett (3100)	R2/2514-3.0	EAC-25098 - 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 farm dairy effluent disposal system was not operating within resource consent conditions at Cross Road, Te Popo. An abatement notice was issued requiring works to be undertaken to ensure consent compliance. Reinspection will be undertaken after 22 May 2023.

18 Apr 2023	332123-137 ENF-23908	Annual Inspection	Non-compliance	Chris Hofmans (56360)	R2/0726-3	EAC-25097 - 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 farm dairy effluent disposal system was not operating within resource consent conditions at Pungarehu Road, Pungarehu. An abatement notice was issued requiring works to be undertaken to ensure consent compliance. Reinspection will be undertaken after 22 May 2023.

**Compliance Monitoring – Non-compliances for the period 30 Mar 2023 to 09 May 2023**

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
18 Apr 2023	332123-108 ENF-23850	Follow Up Inspection	Significant non-compliance	Irene Phillips (69381)	R2/3239-3.0	EAC-25020 - Abatement Notice	Investigation Continuing

**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 Upper Newall Road, Newall. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection found that the abatement notice was not being complied with and further enforcement action is being considered.

18 Apr 2023	332123-143 ENF-23929	Compliance Monitoring Insp.	Non-compliance	Greymouth Petroleum Limited (20755)	R2/7853-1.1		Investigation Continuing
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**Comments:** During routine monitoring it was found that best practicable options were not being undertaken, in relation to general housekeeping and site cleanliness, resulting in the potential entrainment of contaminants in stormwater during rainfall events at Turangi B Wellsite, at Upper Turangi Road, Motunui in contravention of resource consent conditions. Enforcement action is being considered.

20 Apr 2023	332123-128 ENF-23928	Office Assessment	Non-compliance	Civil Quarries Limited (54626) Simon Mulligan (54996)	R2/10247-1.1 R2/11113-5.1	EAC-25137 - Explanation Requested - Letter	Investigation Continuing
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**Comments:** During analysis of data collected during routine monitoring it was found that the water take and subsequent discharge rate had exceeded allowable consent limits at a quarry operation on Everett Road, Inglewood. A letter requesting explanation was sent. Enforcement action is being considered.

**Compliance Monitoring – Non-compliances for the period 30 Mar 2023 to 09 May 2023**

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
20 Apr 2023	332123-141 ENF-23920	Compliance Monitoring Insp.	Non-compliance	Molten Metals Limited (24944)	R2/9975-1.0	EAC-25115 - Abatement Notice	Investigation Continuing
<b>Comments:</b> During routine monitoring it was found that best practicable options were not being used at a scrap metal site, in contravention of resource consent conditions, at Centennial Drive, New Plymouth. An abatement notice was issued requiring works to be undertaken to ensure consent compliance. Reinspection will be undertaken after 8 June 2023.							
20 Apr 2023	332123-145 ENF-23932	Compliance Monitoring Insp.	Non-compliance	Value Timber Supplies Limited (30481)	R2/7338-1		Investigation Continuing
<b>Comments:</b> During analysis of samples taken during routine monitoring it was found that the allowable consented suspended solids limit had been exceeded in the stormwater discharge at a timber processing site at Bristol Road, Inglewood. Enforcement action is being considered.							
20 Apr 2023	332123-140 ENF-23921	Compliance Monitoring Insp.	Non-compliance	Molten Metals Limited (24944)	R2/9974-1.0	EAC-25118 - Abatement Notice	Investigation Continuing
<b>Comments:</b> During routine monitoring it was found that required updates to documentation had not been submitted to this Council and best practicable options were not being used at a scrap metal site, in contravention of resource consent conditions, at Centennial Drive, New Plymouth. An abatement notice was issued requiring works to be undertaken to ensure consent compliance. Reinspection will be undertaken after 8 June 2023.							
21 Apr 2023	332123-139 ENF-23918	Annual Inspection	Non-compliance	S & M Gardner Farms Trust (67536)	R2/2900-3.0		No Further Action/Costs Recovered
<b>Comments:</b> During the annual dairy monitoring round it was found that the farm dairy effluent system was not operating within resource consent conditions on Pukearuhe Road, Urenui. The property has been retired as a dairy unit. The resource consent is in the process of being surrendered and as a result no abatement notice was issued.							

**Compliance Monitoring – Non-compliances for the period 30 Mar 2023 to 09 May 2023**

Inspection Date	Job Number IRIS ID	Inspection Type	Compliance Status	Alleged Responsible Party	Consent Number	Action Taken	Recommendation
27 Apr 2023	332123-144 ENF-23930	Compliance Monitoring Insp.	Non-compliance	Fonterra Limited (50606)	R2/3902-3.0		Investigation Continuing
<p><b>Comments:</b> Analysis of samples taken during routine monitoring found that the oil and grease concentrations within the stormwater discharge were above the consented limits at a milk processing site at Whareroa Road, Hawera. The company is undertaking an investigation into the non-compliance. Further enforcement action is being considered.</p>							
2 May 2023	332123-138 ENF-23925	Dairy Non-compliant Re-inspection	Significant non-compliance	Nigel Wayne & Denise Mary King (3009)	R2/4276-2.1	EAC-25128 - Abatement Notice	Investigation Continuing
<p><b>Comments:</b> During routine compliance monitoring it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at Egmont Road, New Plymouth. An abatement notice was issued requiring works to be undertaken to ensure compliance with resource consent conditions. Reinspection will be undertaken after 1 August 2023.</p>							
5 May 2023	332123-146 ENF-23934	Dairy Non-compliant Re-inspection	Significant non-compliance	DJ Harvey Family Trusts Partnership (69531)	R2/1609-4.0		Investigation Continuing
<p><b>Comments:</b> During routine compliance monitoring it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at Parihaka Road, Pungarehu. Enforcement action is being considered.</p>							
9 May 2023	332123-147 ENF-23935	Dairy Non-compliant Re-inspection	Significant non-compliance	Mile Square Farms Limited (3884)	R2/4940-2.0		Investigation Continuing
<p><b>Comments:</b> During routine compliance monitoring it was found that the farm dairy effluent disposal system was not operating within resource consent conditions at Surrey Road, Inglewood. Enforcement action is being considered.</p>							



**Date:** 6 June 2023

**Subject:** **Upcoming Freshwater Requirements for Farmers**

**Approved by:** A D McLay, Director - Resource Management  
S J Ruru, Chief Executive

**Document:** 3170810

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### **Purpose**

1. The purpose of this memorandum is to inform Members of upcoming regulations to protect water ways from stock and an update on intensive winter grazing regulations and synthetic nitrogen regulation requirements.

### **Executive summary**

2. The regulations are part of the Government's Essential Freshwater reforms which aim to protect rivers, streams and wetlands and stop further degradation of freshwater.
3. While the rules were set out in the National Environmental Standards for Freshwater in 2020, this year will mark the start of requirements around intensive winter grazing (IWG) and stock exclusion from streams. Dairy farmers will have to report by 31 July how much synthetic nitrogen fertiliser they used the previous year.

### **Recommendations**

That the Taranaki Regional Council:

- a) receives the memorandum *Upcoming Freshwater Requirements for Farmers*
- b) notes the Council prepared a booklet and developed a land and water hub on the website to assist farmers to comply.

### **Background**

4. Winter is upon us and this means farmers need to be aware of changes to the national rules around how they are managing freshwater on their farms.
5. The regulations are part of the Government's Essential Freshwater reforms which aim to protect rivers, streams and wetlands and stop further degradation of freshwater.
6. The onus is on farmers to know the national rules but the Council have helped by preparing a new booklet that contains all the rules and the Council's website has a section called the [Land & Farm Hub](#) where farmers can get more in-depth information.

The appropriate regulations from the Resource Management (National Environmental Standards for Freshwater) Amendment Regulations (No2) 2022 are attached.

### **Requirement's**

#### **Intensive Winter Grazing**

7. Intensive winter grazing (IWG) is where large numbers of stock are confined over winter to small feeding areas planted with annual forage crops. The regulations came into effect in November 2022 and those planning IWG operations this season must obtain a consent or be able to meet the environmental conditions of a permitted activity.

#### **New Stock Exclusion**

8. Under new stock exclusion rules which come into force on 1 July 2023, exclusions from lakes, rivers or streams wider than 1 metre apply to dairy cattle and pigs on any terrain while all stock (including deer) need to be excluded from wetlands identified in the Regional Freshwater Plan for Taranaki and 1 July 2025 for other natural wetlands on low slope land.
9. Where dairy stock are in grazed areas where there are no permanent fences, they can be excluded from rivers wider than a metre by temporary fences.
10. From 1 July 2025, beef cattle must be excluded from 1m wide streams and natural wetlands on low slope land.

#### **Synthetic Nitrogen Reporting**

11. Synthetic nitrogen fertiliser usage for the year 1 July 2022 to 30 June 2023 must be reported by the end of July this year. There are three tools online available for farmers, provided by Ravensdown and Ballance and a regional sector N-cap webform, for those who are not customers of the two fertiliser companies.

### **Discussion**

12. The appropriate regulations from the Resource Management (National Environmental Standards for Freshwater) Amendment Regulations (No2) 2022 are attached.
13. The new freshwater requirements have been well publicised and Council staff will respond to any complaints and follow the Council's Enforcement Policy, which includes an educational element, that will be initially applied.
14. There are increased environmental requirements on farmers and more to come with farm environmental plans likely in 2025.

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

15. 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**

16. 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**

17. 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.

### **Community considerations**

18. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

### **Legal considerations**

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

### **Appendices/Attachments**

Document: Excerpt from [Resource Management \(National Environmental Standards for Freshwater\) Amendment Regulations \(No2\) 2022](#) sections 26 to 36



## Appendix 1

Excerpt from Resource Management (National Environmental Standards for Freshwater) Amendment Regulations (No2) 2022 sections 26 to 36

### 26 Regulation 51 amended

- (1) In regulation 51(2) and (3), replace “natural wetland” with “natural inland wetland”.
- (2) Replace regulation 51(4) with:
  - (4) The taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural inland wetland is a permitted activity if—
    - (a) the activity is for the purpose of natural hazard works; and
    - (b) there is a hydrological connection between the taking, use, damming, diversion, or discharge and the wetland; and
    - (c) the taking, use, damming, diversion, or discharge will change, or is likely to change, the water level range or hydrological function of the wetland; and
    - (d) the activity complies with the conditions.
- (3) In regulation 51(5)(a)(ii), (c), and (d)(i), replace “natural wetland” with “natural inland wetland”.

### 27 Cross-heading above regulation 52 replaced

Replace the cross-heading above regulation 52 with:

*Drainage of natural inland wetlands*

### 28 Regulation 52 amended (Non-complying activities)

- (1) In regulation 52(1), replace “natural wetland” with “natural inland wetland” in each place.
- (2) In regulation 52(2),—
  - (a) replace “diversion, or discharge” with “or diversion”; and
  - (b) replace “natural wetland” with “natural inland wetland” in each place.

### 29 Regulation 53 amended (Prohibited activities)

- (1) In regulation 53(1), replace “natural wetland” with “natural inland wetland” in each place.
- (2) In regulation 53(2),—
  - (a) replace “diversion, or discharge” with “or diversion”; and
  - (b) replace “natural wetland” with “natural inland wetland” in each place.

### 30 Regulation 54 amended (Non-complying activities)

- (1) In regulation 54(a) and (b), replace “natural wetland” with “natural inland wetland”.
- (2) Replace regulation 54(c) with:
  - (c) the taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland if—
    - (i) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and
    - (ii) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland;
  - (d) the discharge of water into water within, or within a 100 m setback from, a natural inland wetland if—
    - (i) there is a hydrological connection between the discharge and the wetland; and
    - (ii) the discharge will enter the wetland; and
    - (iii) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.

**31 Regulation 55 amended (General conditions on natural wetland activities)**

- (1) In the heading to [regulation 55](#), after “natural”, insert “inland”.
- (2) In [regulation 55\(3\)\(a\), \(c\), and \(d\)](#), replace “natural wetland” with “natural inland wetland”.
- (3) Replace [regulation 55\(3\)\(e\)](#) with:
  - (e) debris and sediment must not be placed—
    - (i) within a setback of 10 m from any natural inland wetland; or
    - (ii) in a position where it may enter any natural inland wetland.
- (4) In [regulation 55\(5\)\(c\) and \(d\)](#), replace “natural wetland” with “natural inland wetland”.
- (5) In [regulation 55\(7\)\(b\), \(c\), \(d\), and \(e\)](#), replace “natural wetland” with “natural inland wetland”.
- (6) In [regulation 55\(8\)\(a\)](#), replace “natural wetlands” with “natural inland wetlands”.
- (7) In [regulation 55\(9\)\(a\)](#), replace “natural wetland” with “natural inland wetland” in each place.
- (8) In [regulation 55\(12\)\(a\), \(b\), \(c\), and \(d\)](#), replace “natural wetland” with “natural inland wetland” in each place.
- (9) In [regulation 55\(13\)\(c\)](#), replace “natural wetland” with “natural inland wetland” in each place.

**32 Regulation 56 amended (Restricted discretionary activities: matters to which discretion is restricted)**

- (1) In [regulation 56\(a\)](#), replace “natural wetland” with “natural inland wetland” in each place.
- (2) In [regulation 56\(c\) and \(f\)](#), replace “natural wetland” with “natural inland wetland”.
- (3) After [regulation 56\(e\)](#), insert:
  - (ea) the extent to which the effects of the activity will be managed through applying the effects management hierarchy:

**33 New regulation 56A inserted (Meaning in this subpart of applying effects management hierarchy)**

Before [regulation 57](#), insert:

**56A Meaning in this subpart of applying effects management hierarchy**

In this subpart, a requirement to **apply the effects management hierarchy** includes a requirement to apply clause 3.24(3) of the National Policy Statement for Freshwater Management as if a reference in that clause to a regional council were a reference to the consent authority.

**34 Regulation 57 amended (Discretionary activities)**

In [regulation 57](#), insert as subclause (2):

- (2) A resource consent for a discretionary activity under this regulation must not be granted unless the consent authority has first—
  - (a) satisfied itself that there is a functional need for the reclamation of the river bed in that location; and
  - (b) applied the effects management hierarchy.

**34 Regulation 57 amended (Discretionary activities)**

In [regulation 57](#), insert as subclause (2):

- (2) A resource consent for a discretionary activity under this regulation must not be granted unless the consent authority has first—
  - (a) satisfied itself that there is a functional need for the reclamation of the river bed in that location; and
  - (b) applied the effects management hierarchy.

**35 Regulation 75 replaced (Local authorities may charge for monitoring permitted activities)**

Replace [regulation 75](#) with:

**75 What local authorities may and must not charge for**

- (1) A local authority may charge for monitoring activities that are permitted activities under these regulations if the authority is responsible for monitoring those activities.
- (2) However, a local authority must not charge to receive or review notifications of intended permitted activity work (including restoration plans, where required) for wetland restoration, wetland maintenance, or biosecurity.

**36 Schedule 2 amended**

- (1) In the [Schedule 2](#) heading, after “**natural**”, insert “**inland**”.
- (2) In [Schedule 2](#), heading to clause 1, after “**natural**”, insert “**inland**”.
- (3) In [Schedule 2](#), [clause 1\(e\) and \(f\)](#), replace “natural wetland” with “natural inland wetland”.
- (4) In [Schedule 2](#), replace clause 1(g) with:
  - (g) the details of any management partners, including tangata whenua or key stakeholders, involved in the restoration plan.
- (5) In [Schedule 2](#), heading to clause 2, after “**natural**”, insert “**inland**”.
- (6) In [Schedule 2](#), [clause 2](#), replace “natural wetland” with “natural inland wetland” in each place.
- (7) In [Schedule 2](#), heading to clause 3, after “**natural**”, insert “**inland**”.
- (8) In [Schedule 2](#), [clause 3\(a\) and \(b\)](#), replace “natural wetland” with “natural inland wetland”.
- (9) In [Schedule 2](#), heading to clause 4, after “**natural**”, insert “**inland**”.
- (10) In [Schedule 2](#), [clause 4](#), replace “natural wetland” with “natural inland wetland”.
- (11) In [Schedule 2](#), [clause 5](#), replace “natural wetland” with “natural inland wetland” in each place.



**Date:** 6 June 2023

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

**Approved by:** A D McLay, Director - Resource Management  
S J Ruru, Chief Executive

**Document:** 3163155

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### **Purpose**

1. The purpose of this memorandum is to advise the Committee of the monitoring and enforcement activities undertaken in relation to slash management under the *National Environmental Standards for Plantation Forestry* (NES-PF).
2. Interest had been shown by Elected Members after the issues that arose from a severe weather event in the North Island with heavy rainfall causing flooding and slash movement into waterways damaging farmland and road infrastructure in Hawkes Bay and Gisborne.
3. A presentation on how the NES-PF is applied will be provided at the meeting and be available for Elected Members.

### **Executive summary**

4. The National Environmental Standards for Plantation Forestry was introduced on 1 May 2018 by the Ministry for Primary Industries and is 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.
5. 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 that could be harvested in the next five years, depending on log prices.
6. 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.
7. The Taranaki Regional Council's Compliance Section, undertakes the necessary monitoring inspections and enforcement, where required, under the Council's *Enforcement Policy (2017)*. All Compliance staff have been trained to have a basic knowledge of the obligations and practices required to ensure compliance with the NES-PF while a small number of staff who undertake the regular inspections of the sector have received more advanced training.

## Recommendations

That the Taranaki Regional Council:

- a) receives the memorandum, *National Environmental Standards for Plantation Forestry in Taranaki*.
- b) notes the Council will monitor and where necessary enforce the provisions of the *National Environmental Standard for Production Forestry and the Resource Management Act 1991* using its *Enforcement Policy (2017)*.
- c) notes given the differences in catchment characteristics, geology, forestry cover, harvesting methods and regulation, the issues with slash management experienced in Gisborne are unlikely to occur in Taranaki.

## Background

8. The Ministry for Primary Industries (MPI) and the Ministry for the Environment (MfE) 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.
9. The *National Environmental Standards for Plantation Forestry* was reviewed in 2019 to ensure they were being successfully implemented. The standards are based on 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, fish spawning and works within or within the immediate vicinity of surface water bodies. The benefits of these tools are that the restrictions on forestry activities are related to the environmental risk rather than the forestry operation.
10. 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.
11. The NES-PF allows the Council to recover the cost of monitoring permitted forestry activities only in relation to earthworks, river crossings, quarrying and harvesting. It does not provide a cost recovery function to review the documentation associated with these activities nor does it allow for cost recovery in association with other permitted activities within the NES-PF such as afforestation, pruning and thinning to waste and replanting

## Issues

12. The recent inquiry into forestry management on the East Coast, arising from the severe impacts of Cyclone Gabriel, has been critical of the NES-PF and a lack of compliance monitoring by the Gisborne Unitary Council.
13. The presentation by staff will set out this Council's regulatory approach and why we are quite different.

## Discussion

14. The NES-PF addresses the full forestry lifecycle. Under the NES regulation of forestry activities are addressed under eight activities:

- Afforestation
  - Pruning and thinning to waste
  - Earthworks
  - River crossings
  - Forest quarrying
  - Harvesting
  - Mechanical land preparation
  - Replanting.
15. 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, harvesting plans, earthworks management plans etc. Inspections are undertaken on both permitted activities and consented activities.
16. District councils are able to monitor compliance with their responsibilities under the NES-PF.
17. Under the *National Environmental Standards for Plantation Forestry* inspections are completed pre, during and post logging. There is also a focus on harvesting techniques, in particular ground based harvesting on land where a cable hauler would be more appropriate.

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

18. 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 Waitōtara. For most of inland Taranaki, like east of Stratford, a large rainfall event would likely only affect 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.
19. There are about 28,000 ha of forestry plantings above 1 ha in the region. In the next five 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.
20. The plantations are spread throughout eastern Taranaki with large areas in the Tangahoe and Waitōtara catchments. In Gisborne the plantations are more concentrated.
21. Given the differences in catchment characteristics, geology, 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.
22. In Gisborne about a month's rainfall was received in about 24 hours which is an extreme rainfall event.
23. There will be little the Council could do with an extreme rainfall event that occurs between harvesting and forest re-establishment 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 as permitted 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?**

24. If a non-compliance is identified, Warranted Officers in the TRC have the following options under the Council's *Enforcement Policy (2017)*:
- 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 and/or an application for an enforcement order would be considered.

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

25. 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 maybe affected with issues such as shading, similarly alongside public roads. There are also setbacks for afforestation for papakāinga and an urban area.

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

26. 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**

27. 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**

28. 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.
29. 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. wāhi tapu sites). Because these matters need to be considered on a site by site basis as noted above. District Councils managing the land use aspects for plantation forestry are able to insert provisions in their district plans to manage it if they wish to do.

**Community considerations**

30. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

**Legal considerations**

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



## AGENDA AUTHORISATION

Agenda for the Operations and Regulatory Committee meeting held on Tuesday 6 June 2023

Confirmed:



29 May, 2023 12:55:43 PM GMT+12

A J Matthews  
**Director-Environment Quality**

Approved:



28 May, 2023 3:37:25 PM GMT+12

S J Ruru  
**Chief Executive**