

BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of applications by Tararua District Council to Horizons Regional Council for application APP-2005011178.01 for resource consents associated with the operation of the Eketahuna Wastewater Treatment Plant, including a discharge into the Makakahi River, a discharge to air (principally odour), and a discharge to land via pond seepage, Bridge Street, Eketahuna.

**REPORT TO THE COMMISSIONERS
DR BRENT COWIE, MR REGINALD PROFFIT
AND MR PETER CALLANDER**

Statement of Evidence of Gregory John Carlyon (Planning)
for
Kahungunu ki Tamaki nui-a-rua Trust
21 March 2017

Introduction

- 1 My name is Gregory John Carlyon. I am the Practice Leader – Planning for The Catalyst Group, a multi-disciplinary resource management company in Palmerston North. I am also a Director of that company and have held that role since 2011. I hold the qualification of a Bachelor of Resource and Environmental Planning from Massey University. I am a member of the Resource Management Law Association and am a certified Commissioner under the Ministry for the Environment’s programme, with an additional endorsement for Chair.
- 2 In 2004 I was employed as Policy Manager for Manawatu-Wanganui Regional Council (“Horizons”), and in 2005 took on the role of Group Manager, responsible for policy, consents, compliance, science and local government engagement processes.
- 3 I led the development of Horizons Regional Council’s One Plan (“One Plan”), New Zealand’s first fully integrated second generation plan. I also led re-development of the compliance, monitoring and enforcement programmes, the design and delivery of a comprehensive state of the environment monitoring programme for the region, and was involved directly at the operational and executive level with renewal or replacement consents for more than 20 sewage schemes and landfills. I led all enforcement and prosecution activity for the regional council through this period.
- 4 I developed the concept and first draft of the Manawatu River Accord and generated the first round of signatory parties to that accord.
- 5 In my role with The Catalyst Group, I have been extensively involved with local authorities throughout New Zealand, reviewing resource management practice and implementing change programmes to deliver outcomes that more closely align with statutory directions in the Resource Management Act 1991. In the past 12 months, I have been retained by regional councils and the Ministry for the Environment, to assess current approaches to the protection of outstanding freshwater bodies. I am currently assisting various parties in relation to discharge issues at Pahiatua and Foxton, located along the Manawatu River.
- 6 I have read the Code of Conduct for Expert Witnesses in the Environment Court practice note 2014. I agree to comply with that code. Other than where I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Background and Involvement

- 7 I have been retained by Kahungunu ki Tamaki nui-a-rua Trust to provide planning evidence, before the Hearing considering an application by Tararua District Council to renew consents required for operation of the Eketahuna Wastewater Treatment Plant (EWWTP).
- 8 I have previously visited the site, have read the Assessment of Environmental Effects (AEE), reviewed the s42A reports of Mr Tim Baker, Ms Deborah Ryan, Mr Logan Brown and Ms Fiona Morton for Horizons Regional Council. I have read the statement of evidence prepared by Ms Tabitha Manderson, Mr John Crawford and Dr Olivier Ausseil for Tararua District Council.
- 9 I assisted the Trustees with their involvement in the pre-hearing meeting of 19 October 2016.

Scope of Evidence

- 10 For the sake of brevity, I have restricted my evidence to addressing matters where I hold a different view to that of Ms Morton and/or Ms Manderson with regards to planning matters. I address the following matters in particular:
 - A. Current state and operation of the treatment plant
 - B. Consultation with tangata whenua
 - C. Actual and Potential Effects
 - D. Statutory Matters
 - E. Consent Duration
 - F. Consent Conditions

A Current State and Operation of the Treatment Plant

- 11 As I understand it, Tararua District Council made an application in 2005 to continue the discharge and operating regime for the STP at Eketahuna. This consent was operated pursuant to section 124 through until 18 December 2012, when the Regional Council granted a consent which subsequently expired on 1 July 2015. The District Council has been once again operating the plant pursuant to section 124. The reporting for Horizons Regional Council from officers and consultants, along with the significant number of commitments by the applicant for upgrades

makes for discouraging reading. This is further exacerbated when the non-compliance reports prepared by the regional council identify very high levels of non-compliance over a long period of time.

- 12 The Tararua District Council has sought consents for a 20 year term in order to continue discharging treated wastewater to the Makakahi River, to discharge wastewater through the base of the existing treatment ponds and to discharge odour.
- 13 Ms Morton and Mr Brown for Horizons Regional Council and Ms McArthur for Kahungunu ki Tamaki nui-a-rua Trust, expressed the view that the proposal being considered by this hearing has been substantially modified through the period since notification. There is little in the way of monitoring data that assists with understanding the actual or potential effects of the EWWTP. Any assessment is made more complex by proposals from Tararua District Council to upgrade the plant at unspecified timeframes with unspecified outcomes. As Mr Brown identifies from his assessment at paragraphs 53 on, the discharge downstream of the EWWTP does not meet the One Plan targets for a number of water quality parameters. He also notes a change in QMCI of approximately 43% on more than one occasion. Mr Brown has previously quantified a change of QMCI of greater than 20% as equating to a change in ecosystem processes and species composition denoting a significant adverse effect.
- 14 Ms McArthur supports this view in her evidence. Mr Brown, Ms McArthur and Dr Ausseil also identify that the One Plan target of 120m/m² for periphyton has been exceeded both upstream and downstream of the discharge point on a number of occasions.
- 15 The changes proposed by Tararua District Council for the EWWTP include:
 - ongoing replacement and upgrading of the reticulated pipe network,
 - lining of the ponds;
 - installation of a clarifier and UV disinfection,
 - introduction of a wetland between the treatment ponds and discharge point for the purpose of meeting Policy 5-11 of the One Plan, and
 - installation of rock rip-rap at the discharge point.
- 16 The Applicant has made recent changes to the Plant including fine screening (not yet commissioned), installation of an inflow meter (installed in reverse), a lift pump (not yet commissioned), and an aerator. I also understand that the ponds were desludged recently.

- 17 It is increasingly difficult to properly understand the scope and nature of the application. Ms Manderson, for TDC, has recommended a term of seven years (as I understand it, reflecting the uncertainty of the proposal with respect to adverse effects) and Mr Crawford, the TDC's consulting engineer, has questioned the requirement for pond lining and the value of treatment from wetland systems. I also note that the District Council has previously commissioned work from Mr David Veale¹ to investigate land treatment including options for full discharge or a dual land river discharge. The opportunities highlighted in that work are not addressed by the Applicants representatives. In essence, the recommendation of Ms Manderson for a seven year term and Ms Morton of a five year term (if the Hearing Panel is inclined to grant) are an indication of the shortest possible term required for the District Council to install and make basic changes to the plant infrastructure and obtain a monitoring dataset that can be relied on for decision making in the context of the statutory framework for sustainable management. A short term of seven years, as recommended by Ms Manderson, is one method that allows for ongoing operation of the EWWTP.
- 18 Finally, I note the view of Ms McArthur that the Makakahi water management subzone is "over allocated with respect to one or more of the One Plan water quality targets". (paragraph 22)

B Consultation with Tangata Whenua

- 19 The submission from Mr Morry Black, dated 8 May 2016 and subsequent evidence dated 21 March 2017, was prepared on behalf of Kahungunu ki Tamaki nui-a-rua Trust. Mr Black is an officer of the Trust and is delegated a responsibility for providing expert support with regards to resource management issues. The submission is attached at Annex A. Broadly speaking, the concerns of the Trust included a requirement for cultural health monitoring for the purposes of understanding the impact of the various discharges on tangata whenua values. It also required monitoring of groundwater and surface water, along with the dissemination and analysis of data to the Trust. The Trust's view was that the applications did not provide for their cultural and spiritual relationships, have not characterised those relationships, do not address cumulative effects, have effects on aquatic ecosystems and taonga species and affect the mauri of the Makakahi River.
- 20 The Trust had originally supported the 20 year term applied for by the Applicant on the basis that the matters identified above were adequately addressed. In the event that there is no

¹ Wai Waste 2015 Eketahuna wastewater land irrigation preliminary investigation. Tararua District Council.

commitment or certainty with respect to these matters and this is confirmed by the applicant's planner, with a recommendation of a seven year term.

- 21 Mr Black and representatives of the Trust have taken an active role in the three pre-hearings, have visited the EWWTP site, and have spent a significant amount of time with officers of TDC exploring opportunities to address discharge issues in a way that tangata whenua values can be provided for. My observation of the engagement with the District Council and the Trust is one of honesty and transparency with a commitment from senior staff and the chief executive (Mr Blair King) to finding resolution of the large number of outstanding matters. I acknowledge that there are a number of iwi involved in this hearing process. Those parties will have their own views with regards to consultation and engagement.

C Actual and Potential Effects

- 22 The requirements of section 104 are clear. They direct the Authority to have regard to the actual and potential effects on the environment of allowing the activity, to address the relevant provisions of statements, standards and plans, and other matters the Authority considers relevant and reasonably necessary.

Surface water quality

- 23 Mr Brown, Dr Ausseil and Ms McArthur have addressed the effects of the existing and future discharge in their evidence. Dr Ausseil's evidence at paragraph 5-19 identifies "Overall, I am of the opinion that the changes in macroinvertebrate communities in the Makakahi River between the two monitoring sites are adverse and significant" [emphasis added]. Mr Brown identified a lack of monitoring data or certainty in the proposals from the applicant that did not allow confidence in respect of assessing future effects on instream water quality. Ms McArthur expressed the view at paragraph 20 of her evidence, "What is not in dispute is that the EWWTP is negatively impacting water quality in the Makakahi River. For some parameters, the discharge exceeds One Plan targets. For other parameters, it materially increases their levels, contributing to an overall degradation of the water quality and ecological health of the Makakahi River...". Further, she identifies at her paragraph 16 "... The catchment in its middle and lower reaches is over allocated with respect to one or more of the One Plan water quality targets". I also note

Ms Morton's opinion that the changes in QMCI observed with respect to this discharge constitute a significant adverse effect on life supporting capacity².

Groundwater quality matters

- 24 As Ms Morton and Mr Baker identify, there has been no attempt by the applicant to characterise the state of the groundwater environment in the AEE or section 92 response. There is also no data to assist with an analysis. Mr Baker has attempted to summarise the hydrological setting and confirms the view that poorly treated effluent is likely to be discharging from the unlined base of the pond to groundwater, and subsequently to the Makakahi River. The applicant is currently not clear with respect to its intention to line the ponds, with Ms Manderson seeking consent conditions allowing flexibility in this regard and Ms Morton proposing conditions which address the applicant's future failure to line the ponds, with further monitoring conditions.

Amenity values

- 25 I agree with Ms Morton's view that amenity use of the river environment has not been addressed by the applicant. Consequently, it is difficult to assess these impacts. Proposals to undertake this work in the event a consent is granted, are very much "after the fact" and do not assist decision makers with respect to these applications.

Effects on cultural values

- 26 The applicant did not undertake a cultural impact assessment and consultation with Ngati Kahungunu, Rangitane and Ngati Whakatere appears to have been ad hoc in nature. I agree with Ms Morton's view that the current and proposed discharge will have negative impacts on cultural values and the spiritual relationships that the iwi and hapu have with the Makakahi River. The concerns held by Kahungunu ki Tamaki nui-a-rua Trust are outlined in my paragraph 18. I have addressed the term proposed by the submitter. As I indicated, the term was predicated on a number of matters being addressed. In my opinion, there can be little confidence that this will be the case and there must be considerable concern with respect to granting a consent where the impact on cultural values is so significant, with no attempts by the applicant to mitigate them.

² Ms Fiona Morton, Section 42A Report, paragraph 45

D Statutory Matters

The Consolidated Regional Policy Statement and Regional Coastal Plan for the Manawatu-Whanganui Region (One Plan)

- 27 I agree with Ms Morton’s assessment of the relevant version of the One Plan at her paragraphs 87 and 88. Further, I agree with Ms Morton’s view with respect to the relevance of the Davidson Family Trust case at her paragraph 139 with respect to the requirement for a Part 2 evaluation where the relevant planning instruments (primarily the One Plan) is clear. The exception to this is the consideration of Te Ao Maori issues addressed by Chapter 2 of the One Plan.

Chapter 2 – Te Ao Maori

- 28 I agree with Ms Morton’s view expressed at her paragraph 92. In my view, the provisions of the Te Ao Maori chapter do not provide for the discharge contemplated by the EWWTP. However, I do note that the objective requires decision makers to “have regard to the Mauri of natural and physical resource...” and the supporting policies are very much focused on the means, not the end. In my view, the rights and interests of tangata whenua are best provided for at other parts of the plan. These relationships are expressed at Table 2.1, page 2-14 of the One Plan. This table identifies the resource issues of significance to iwi and directs decision makers to the relevant part of the plan. I note that no cultural impact assessment was commissioned for this project. In my view, this is a basic requirement to assess impacts on cultural values. The iwi with an interest in this matter are well known to the consent applicant.

Chapter 3 - Infrastructure and Energy

- 29 The relevant objective at 3-1 provides for the operation, maintenance and upgrading of infrastructure of national or regional importance. Policy 3-1 (VIII) affirms this status for the EWWTP. I note that this activity has been previously established, but highlight that the objective does not provide the local authority immunity from addressing statutory requirements. Policy 3-3 requires Regional Councils and TA’s to avoid remedy or mitigate more than minor adverse effects (Policy C). In particular, the policy requires consideration of reasonable practicable alternative locations (III), and where there are more than minor adverse effects, the policy directs consideration of offsets by way of financial contributions (IV).

30 In my view, the District Council has not completed the assessments required to assess alternatives and I am not aware of any consideration of offsets to address the identified significant adverse effects generated by the EWWTP.

Chapter 5 – Water

31 Ms Morton has accurately identified the relevant provisions of Chapter 5 with respect to this application.

32 Objective 5-1: The evidence from water quality experts identifies that life supporting capacity is compromised, and a number of values in Schedule B are not being provided for. The objective 5-1 is not met by the application.

33 Objective 5-2 (a)(ii): Is relevant, in that the current water quality cannot provide for the values in Schedule B. This view is supported by the evidence of Ms McArthur, Mr Brown and Dr Ausseil.

34 Objective 5-2(b): The application is directly contrary to the groundwater objective. The groundwater at the EWWTP receives an unquantified, unmonitored volume of partially treated wastewater. There is no confirmed proposal from the applicant that will address this degradation and enhance water quality at the site.

35 Policy 5-1: This policy is explicit. It states: *“the rivers and lakes and their beds must be managed in a way which safeguards their life supporting capacity and recognises and provides for the Schedule B values when decisions are made ...”* The evidence before this hearing identifies that Schedule B values are not provided for with the current discharge, and will not be provided for as a consequence of the new application for a discharge to groundwater and surface water.

36 Policy 5-4: This policy is relevant in that it addresses enhancement of water quality where targets are not met. The wording of the policy is explicit, *“must be managed in a manner that enhances water quality in order to meet [Schedule E and B values]”*. In my opinion, there is no certainty in the broad range of proposals by the applicant that would allow confidence that this policy requirement is met.

37 Policy 5-6(a): The policy is explicit in support of Objective 5-2(a) that groundwater quality be maintained or enhanced. This degraded groundwater resource will continue in this state unless pond lining is secured by way of conditions.

38 Policy 5-6(b): The applicant has not sought to apply the exception criteria and may have difficulty demonstrating the current discharge from the ponds is the best practicable option.

39 Policy 5-9: On the basis of the evidence provided by the applicant, the proposal is unlikely to be able to meet the policy requirements.

- There is an adverse effect on Schedule B values and life supporting capacity,
- A number of Schedule E values will be breached,
- The applicant has not demonstrated that it is applying best management practices,
- The applicant has not proposed or substantiated a timeline for improvements (in parts, the evidence is in conflict and a number of commitments to change at the plant have not been met; including pond lining programmed for 2017),
- The proposal is not temporary and methods exist to avoid adverse effects, the applicant has not attempted to consider offsets by way of a financial contribution,
- The evidence does not demonstrate adoption of a best practicable option and it would appear it would be hard to validate in light of significant uncertainty with respect to water quality and cultural matters.

40 Policy 5-11: The applicant has not demonstrated a methodology that provides for the outcome envisaged with respect to policy 5-11. It has undertaken preliminary consultation with Kahungunu ki Tamaki nui-a-rua Trust. I note that the concerns of the Trust are much broader than this matter with respect to the discharge, and its effects on cultural values and water quality.

National Policy Statement for Freshwater 2014 (NPS FM)

41 The requirements of the NPS FM, with respect to Objectives A1 and A2, have been to a large extent provided for by the One Plan. The One Plan, to an extent, predates the NPS FM, but was developed in a way consistent with the 2011 and 2014 documents.

42 Objective D1 and its supporting Policy D1 require, amongst other things, that tangata whenua values and interests are reflected in the management of freshwater. The policy requires tangata whenua values and interests to be identified and reflected at the policy level and in all subsequent decision making processes.

43 In my view, the application from TDC conflicts with Objective A1 and A2 and does not provide for Objective D. The applicant proposes an ongoing discharge that has an adverse effect on life supporting capacity and is contrary to the te ao maori and freshwater objectives of the One Plan. On the submissions provided by tangata whenua, their rights and interests are significantly affected.

Manawatu River Accord

44 I was the original lead for the Manawatu River Accord, identified the foundation participants to the programme, and assisted with drafting the Accord.

45 I do not agree with the conclusions drawn by Ms Morton and Ms Manderson with respect to the Accord. The fundamental tenants of the Accord is:

“If the water is healthy, the land and the people are nourished”.

In addition, the Main Goal of the Accord is:

“Our goal is to improve the Manawatu River, the mauri of the Manawatu River catchment, such that it sustains fish species and is suitable for contact recreation, in balance with the social, cultural and economic activities of the catchment community”.

46 TDC identified that it would meet the general key actions at page 9 of the Accord to ensure consented discharges meet Regional Plan water quality discharge standards and that it would meet resource consent conditions, compliance monitoring and enforcement. TDC, at page 29 of the Accord Action Plan, committed to the specific tasks of obtaining consents for Eketahuna with funding for this work set aside for 2010-2011.

47 As Ms Morton identified, the District did not meet this timeframe and subsequently revised their goal to a more general target of resolution of the issues post-2016. I agree with Ms Morton’s view that the One Plan objectives and policies align with the Accord. This may be problematic, as a number of witnesses referred to in my evidence, examine the contrast between the application, and the objectives and policies contained within the One Plan.

Resource Management Act 1991

Section 107

48 Section 107 specifies that a Consent Authority shall not grant a consent if after reasonable mixing, the contaminant discharge is likely to give rise to “... (e) any significant adverse effects on aquatic life”.

49 The evidence of Dr Ausseil, Mr Brown and Ms McArthur highlights significant adverse effects on aquatic life, an inability to achieve the Schedule B values and Schedule E targets, and an effect on life supporting capacity. In my opinion, the requirements of section 107(e) cannot be met with the application as proposed. There is a heavy reliance on future monitoring and data collection to mitigate adverse effects. I have not sighted evidence that demonstrates a relationship in this regard. The applicant may highlight that after reasonable mixing, the

requirements of section 107 can be met with regards to surface water quality values and targets. The consent condition identifying a reasonable mixing zone of 330 metres is inconsistent with the definition of reasonable mixing contained in the One Plan, which reads:

Reasonable mixing, in relation to the discharge of contaminants into a river or an artificial watercourse, means either:

(a) A distance downstream that is the least of:

- (i) The distance that equals seven times the width of the river at the point of discharge when the flow is at half the median flow, or
- (ii) 200 metres from the point of discharge or, for discharges to artificial watercourses, 200 metres from the point of discharge or the property boundary, whichever is the greater, or
- (iii) the point at which mixing of the particular contaminant concerned has occurred across the full width of the body of water in the river, artificial watercourse, or

(b) a distance for reasonable mixing determined as appropriate for a consent application where special circumstances apply.

50 Ms McArthur provides an estimate of distance from the EWWTP discharge point that complies with this policy of 105 metres. The application approved on 18 December 2012 identified a mixing zone of 70m.

Relevant Part 2 considerations

51 As indicated earlier in my evidence, I agree with Ms Morton's evidence with respect to a Part 2 assessment. Like Ms Morton, I am happy to address any direction by the Hearing Committee with respect to a Part 2 analysis. The relevant matters for consideration would include section 6(a), (d), and (e), section 7(a), (aa), (b), (c), (f), and (h), and section 8.

52 With respect to section 5, it is my view that the consents sought by TDC for the EWWTP are not consistent with the purpose of the Act in that they do not promote the sustainable management of natural and physical resources. In particular, the application does not provide for the cultural wellbeing, health and safety of people and communities, does not safeguard the life-supporting capacity of water and ecosystems, and does not demonstrate that they have avoided, remedied or mitigated adverse effects of activities on the environment. The applicant is essentially

seeking a holding consent that allows it to lawfully operate in order that it can investigate options of treatment and discharge that will allow it to meet the requirements of Part 2 of the Act, the NPS FM, and the objectives and policies of the One Plan.

E Consent Duration

53 It is inappropriate to recommend a term for consent in light of the substantive unresolved matters identified by submitters and in expert evidence from a number of parties, including Mr Brown, Dr Ausseil, Ms McArthur, Mr Baker, and Mr Crawford. As Ms Morton identified at her paragraph 49, the final discharge point is not known, there is no certainty regarding effluent quality, potential land discharge options are not clear. I agree with this summary, and add that the effects on tangata whenua values have not been characterised by the applicant. The evidence from iwi is that the effects are significant and adverse.

F Consent Conditions

54 In the event that the Hearing Committee are given to granting the consents, it is my view that substantial changes to the conditions are required. The usual practice of the consent applicant and consent authority to tabulate and identify differences in approach has not been followed and requests from submitter parties for expert caucusing to address conditions have not been taken up. In my view, there would be significant benefit in directing water quality, cultural and planning caucusing for the purposes of refining conditions. I am advised that Kahungunu ki Tamaki nui-a-rua Trust are amenable to providing their experts for this purpose.

55 My general comments with regard to conditions are as follows:

- a. The conditions proposed by Ms Morton and Ms Manderson are not consistent with conditions imposed on recent wastewater treatment consents for Shannon and those agreed for the Foxton discharge to the Manawatu River;
- b. The milestone conditions proposed by the applicant at condition 2(a) deliver little certainty with regard to completion timeframes for infrastructure upgrades;
- c. There is significant conflict in the numerical limits proposed by the Regional Council and applicant. These conflicts are evident with respect to the discharge to water permit condition 1, 2, 3, 4 and 5.

- d. Condition 8 has determined an apparently arbitrary reasonable mixing distance of 330 metres, contrary to the advice of Dr Ausseil in his 2007 report to the regional council, and the evidence of Ms McArthur to this hearing.
- e. The Independent Monitoring Panel identified at condition 28 is not independent. The only party excluded from the science review process in the following conditions are submitters to this process. Further, it is difficult to contemplate a science panel of the type envisaged addressing the broad matters that might be raised by the liaison group, or consideration of cultural values and impacts identified through cultural health monitoring processes.
- f. General condition 11 anticipates a wastewater forum that has not been agreed with submitters, nor designed with a particular outcome in mind. Further, the wastewater forum does not particularly relate to the operation of the EWWTP, nor attempt to remedy or mitigate any effects generated by the operation of that plant.
- g. The term of consent sought by the applicant remains at 20 years in contrast to the recommendation of the applicants planner of 7 years and consultant planner for HRC of 5 years. In my view, it is inappropriate to address term until a substantial number of uncertainties within the application are resolved.
- h. The applicant and regional council acknowledge actual or potential effects on the cultural and spiritual values of iwi. However, I am not aware of any proposed conditions to address these matters by way of monitoring or other conditions. It is important that conditions to address this are included in the caucusing process.

Summary

- 56 The application by Tararua District Council for the EWWTP follows a long period of relative inaction and temporary consents obtained for the purposes of addressing a number of matters in dispute.
- 57 The applicant cannot provide confidence that surface water quality outcomes, plant operation, groundwater quality or cultural values can be addressed in the context of the One Plan, NPS FM, or Part 2 of the Resource Management Act 1991.
- 58 The applicant proposes a number of mitigation options, consent term and engagement processes that may allow for a more competent application at some stage in the future. However, this does not assist submitters, or potentially decision makers, in the forthcoming hearing.
- 59 Water quality and groundwater quality remain degraded in the Makakahi catchment.
- 60 The cultural values and spiritual connection of the tangata whenua, represented by Kahungunu ki Tamaki nui-a-rua Trust are undermined by the proposal set out in the application from Tararua District Council for WWTP.

Greg Carlyon

21 March 2017

Annex A:

**Submission on the Eketahuna Wastewater Discharge Consent
Applications from Tararua District Council**

To:

Manawatu-Wanganui Regional Council,
Private Bag 11025,
Manawatu Mail Centre,
Palmerston North 4442
(Attention Fiona Morton)
Email: consent.submissions@horizons.govt.nz

And

Tararua District Council
C/- Opus Consultants,
PO Box 1472,
Palmerston North 4440
(Attention Tabitha Manderson)

1. Applications:

Resource Consent Application to discharge treated wastewater to the Makakahi River under Rule 13-40 of the OnePlan;

Consent for the discharge of treated wastewater to land where it may enter water under Rule 13-40 of the OnePlan; and

A discharge to air permit to authorise the discharge of contaminants to air under Rule 15-17

2. Submitter:

Kahungunu ki Tamaki nui-a-rua Trust

3. Address for Service:

P O Box 97
Dannevirke
4930
(Att: Morry Black)

Phone: 06 374 9224
Mobile: 027 343 5705
Email: morryb@xtra.co.nz

4. Introduction:

Kahungunu ki Tamaki nui-a-rua are a collective who represent the broad interests of the marae, hapū and whānau who affiliate to Ngāti Kahungunu and reside within the Tamaki nui-a-rua (Taranua) District. We operate as a Trust and advocate for the health and well-being of our registered members, their families and associates, and for Māori from other iwi who reside within our traditional rohe (tribal area).

There is a growing alignment between the cultural and environmental aspirations of Māori with those of the wider community. This manifests itself in numerous ways including the desire for cleaner waterways so that communities can enjoy their outdoor recreational and cultural pursuits including swimming, fishing and the gathering of kai from our freshwater resources.

5. Statement A:

We **oppose** the applications in their current form; and
We seek the **addition of specific conditions** to the resource consents to accommodate or alleviate our concerns including:

- A condition requiring commissioning and resourcing for Kahungunu ki Tamaki nui-a-rua to carry out cultural health monitoring and assessment of the wastewater discharge and the Makakahi River at 2-yearly intervals;
- Imposition of a groundwater monitoring programme that incorporates a monthly monitoring frequency for 2 years, then quarterly thereafter, with monitoring of the groundwater below and adjacent to the oxidation pond to gauge ground water quality and ground water flow direction;
- Monitoring of treated wastewater exiting the oxidation pond for the range of determinants in Table 2 (AEE) with concentrations restricted to enable compliance with current ANZECC water quality guidelines within the Makakahi River 200 metres downstream of the discharge; and
- The provision of all scientific monitoring data undertaken by or on behalf of Taranua District Council, to Kahungunu ki Tamaki nui-a-rua.

6. Reasons for our position:

- The applications have not taken into account the cultural and spiritual relationships that the hapū of Kahungunu ki Tamaki nui-a-rua have with the Makakahi River or the wider Manawatu catchment;

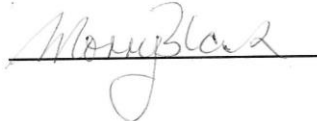
- The applications do not include results from cultural values or cultural health monitoring whereby the effects of the discharges on the cultural values and relationships that our hapū and whānau have with the Makakahi River have been categorised, assessed or addressed;
- The cumulative effects of these discharges and other discharges have not, in our view, been adequately monitored or assessed;
- Influent flow has not been properly monitored or categorised (Table 1 – estimates only). The range or levels of improvement through oxidation pond treatment cannot therefore be accurately determined;
- Some species that reside in the Makakahi River are taonga species and classified as “threatened” (e.g. short-jawed kokopu), so their habitat requires more careful management; and
- The effects of the discharges on Mauri (as referred to in the Horizons OnePlan) can only be accurately determined by the hapū of Kahungunu ki Tamaki nui-a-rua who are the kaitiaki.

7. Statement B

We agree with the 20-year duration of consent for the wastewater discharge consents to water and to land where such discharge may enter water. The upgrades to broken infrastructure due to the earthquake in January 2014 were scheduled to be completed early 2016. Replacement of pipes will mean greater efficiency for wastewater flow and reduced stormwater infiltration.

We wish to be heard at any hearing or pre-hearing convened to consider these resource consent applications.

Signed:



For Kahungunu ki Tamaki nui-a-rua

Date:

8th May, 2016