

**IN THE MATTER OF**

The Resource Management Act 1991

**AND**

**IN THE MATTER OF**

An application made to Manawatu-Wanganui  
(Horizons) Regional Council (MWRC)

(Consent Authority)

**BY**

**TARARUA DISTRICT COUNCIL**

(the Applicant)

For the hearing of **APP-200511178.01** 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.

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**MEMORANDUM 4 TO PARTICIPANTS**

**Directions**

19 May 2017

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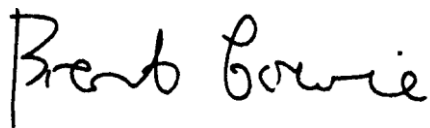
## PURPOSE OF THIS MEMORANDUM

- 1 The purpose of this memorandum is to update participants about the progress with the application to discharge treated wastewater from Eketahuna Township to the Makakahi River. This hearing will be re-convened at **0930h on Tuesday 23 May 2017**.
- 2 The hearing of the application (**APP-1993001253.02**) sought by TDC to authorise the discharge from the Pahiatua WWTP will then commence at **1045h** on that day. An updated timetable for that hearing accompanies this memorandum.

## DIRECTIONS

- 3 Ms Hickey has circulated a memorandum from Legal Counsel for the TDC, dated 17 May, which says that the Applicant wishes to pursue the current application to discharge via a treatment system and a wetland to the Makakahi River.
- 4 They intend that this discharge be from a new wetland to be constructed on the existing golf course. An application for resource consent will need to be sought from HRC to construct the wetland. This will be for a controlled activity pursuant to Rule 13-2 of the One Plan. A further consent will be required for the land seepage from the wetland pursuant to discretionary activity Rule 14-30.
- 5 The Commissioners will be granted delegated authority to decide the upcoming application for both of these activities. For this reason, following an update from the Applicant, the Eketahuna hearing will need to be re-adjourned until that application is lodged and considered. At the re-convened Eketahuna hearing, we ask that the Applicant provide us with a detailed timeframe as to when the application for both of these activities will be lodged.
- 6 In our Memorandum 3 we said that other parties could comment at the re-convened hearing as to how they think the process of further information and caucusing can best occur to progress the decision making for application **APP-200511178.01**. As the hearing of the Eketahuna application(s) will be adjourned until this further application is lodged, we no longer seek comment from other parties at the re-convened hearing.
- 7 Any discussion will be limited to ourselves, representatives of the applicant and perhaps the reporting officers.

- 8 Once the further application is lodged the Commissioners will decide if the Eketahuna hearing needs to be re-convened again, and if so, what process will be followed. Participants will be advised of their decision via a memorandum.
- 9 There is one final matter. In their memorandum, Counsel for the Applicant criticised the provision of late evidence by Mr Carlyon and Ms McArthur after the hearing had been adjourned. We had requested the three research papers circulated by Ms McArthur, and a written summary of the points she made to us in her verbal presentation. We thank her for providing those. However no leave was sought to submit additional evidence after the hearing was adjourned; accordingly we intend to take no account of the supplementary evidence of either Ms McArthur or Mr Carlyon that goes beyond their verbal comments at the hearing.
- 10 Any questions about this memorandum or the directions given should be directed to Carina Hickey at Horizons Regional Council via email ([carina.hickey@horizons.govt.nz](mailto:carina.hickey@horizons.govt.nz)). She will confer with the Commissioners as necessary.

A handwritten signature in black ink that reads "Brent Cowie". The signature is written in a cursive, slightly slanted style.

Signed by Brent Cowie (Chair)  
on behalf of the Hearing Panel

19 May 2017

Attached: Update Hearing Timetable

# Tararua District Council Pahiatua WWTP Hearing Indicative Timetable

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**Scheduled hearing date:** Tuesday 23 May 2017 – Friday 26 May 2017.

*Note: All days' listed are possible hearing dates however the hearing will be run as efficiently as possible and participants are expected to be available at the times allocated within the schedule below. If any submitter has any issues with the allocated time they are to contact the hearings officer, Carina Hickey, as soon as possible either by email, [carina.hickey@horizons.govt.nz](mailto:carina.hickey@horizons.govt.nz) or phone direct dial, 06 9522 827.*

*As per the Commissioner's direction all pre-circulated evidence will be taken as read. Short summaries of the evidence or any corrections can be presented and read.*

*The Commissioners will undertake site visits to each of the Pahiatua and Eketahuna WWTP's on Monday 22<sup>nd</sup> May 2017.*

## **Tuesday 23 May 2017.**

9.30am Eketahuna Hearing: The Commissioners will reconvene the hearing to allow the Applicant to respond to the three questions asked in their third Memorandum dated 13 April 2017 namely:

a) Do they still wish to proceed with the present proposal to provide additional wastewater treatment with a discharge to the Makakahi River?

(b) If the applicant wishes to proceed with the present proposal, can they provide more definitive information on the exact location of the proposed discharge, and whether or not wetland treatment will be provided?

(c) Alternatively, do they wish us to further adjourn the hearing for a period of up to six months pursuant to s41C(3) of the RMA to allow land based treatment options to be investigated further and to discuss the design of feasible options with submitters and Horizons Regional Council. (If that is the case it must be for a genuine consideration of alternatives, not just to defer the release of our decision).

## **10.30 -10.45 Morning Tea**

10.45 Opening of the Pahiatua Hearing and introductions by the Chair. The Chair will address any procedural matters raised by any participant

11.00 – 12.30 The applicant will begin with their opening statements, followed by their expert witnesses who will present any updates to their evidence if required and answer questions from the Chair in the following order:

- Olivier Ausseil – Water Quality
- Roger MacGibbon
- Tabitha Manderson – Planning

**12.30 – 1.30 Lunch**

1.30 – 3.00 Applicant Continues

**3.00 – 3.15 Afternoon Tea**

**3.15 – 5.00** Applicant Continues

**Wednesday 24 May 2017: Submitters Speaking Timetable to present evidence and answer questions from the Hearings Panel**

9.00 – 9.30 Phillip Percy – Planning Expert for Rangitane o Tamaki nui-a-Rua Inc (s11)

9.30 – 10.00 Manahi Paewai – Cultural Expert for Rangitane o Tamaki nui-a-Rua Inc (s11)

10.00 – 10.30 Kelvin Lane (MET) (s10)

**Morning Tea 10.30 – 10.45**

10.45 – 11.45 Robert Ketu (Te Roopu Taiao o Ngati Whakatere) (s8)

11.45 – 12.30 Charlotte & Corny Andrews (s3)

**Lunch 12.30 – 1.30**

1.30 – 2.00 Mike Smith (WECA) (s9)

2.00 – 2.15 Phil Teal (Wellington Fish & Game) (s4)

2.15 – 2.30 Peter Wood (MCDHB) (s1)

2.30 – 3.00 Chris Teo-Sherrell (WPI) (s7)

**Afternoon Tea 3.00 – 3.15**

3.15 – 3.45 John Bent (s6)

**Thursday 25 May 2017**

9.00 – 10.30 John Crawford

**Morning Tea 10.30 – 10.45**

10.45 – 11.15 John Crawford continues

11.15 – 11.45 Morry Black (Kahungunu Ki Tamaki nui-a-rua Trust) (s2)

11.45 - 12.30 Horizons Regional Council expert witnesses will present any supplementary evidence to the hearing panel and answer questions from the Chair in the following order:

- Michael Patterson – Water Quality
- Fiona Morton - Planning

**Lunch 12.30 - 1.30**

1.30 – 3.00 Horizons Continues

**Afternoon Tea 3.00 – 3.15**

**3.15 – 5.00** Applicants Close

\*Please note that although Submitter 5 (Christina Paton) stated she wished to be heard in support of her submission, she later advised she would not be attending the Hearing and confirmed this in an email.

\*Please note Adam Canning (Expert for Wellington Fish & Game) cannot attend the Hearing. His evidence will be taken as read

\*Please note John Crawford (Expert for TDC), is not available until Thursday 25 May 2017.

\*Please note Morry Black, due to prior commitments, requested to speak on Thursday 25 May 2017.