

**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 3 TO PARTICIPANTS**

**Directions**

13 April 2017

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## BACKGROUND

- 1 The hearing of the application by Tararua District Council to discharge treated wastewater from the Eketahuna Wastewater Treatment Plant (the WWTP) commenced on Wednesday 5 April 2017 and was adjourned on Friday 7 April. By that time we had heard from four representatives of the applicant, eight submitters, some with expert witnesses, and two reporting officers from the Regional Council.
- 2 The applicant presented a proposal to provide additional treatment to the present wastewater discharge. This included a clarifier and UV treatment of the discharge. They sought a term of seven years: one year to collect further information to characterise the discharge, three years to design, build and optimise the proposed treatment, and three years to monitor the effects of the upgraded discharge on the receiving environment of the Makakahi River.
- 3 However it remains unclear at which point the proposed discharge will eventually occur, and the extent to which the treated wastewater may flow through a wetland to provide some land based treatment of the effluent. In our view it would be difficult to grant a consent for the seven years sought by the applicant unless both of these matters are certain.
- 4 There are other significant uncertainties about the applicant's current proposal. The existing discharge contributes to a significant adverse effect on aquatic life. As such it does not meet the requirements of s107(1)(g) of the RMA, and so would have to be granted as a temporary permit under s107(2) for up to four years. There are differences of opinion as to whether the treated discharge would then meet the receiving environment standards of the One Plan after reasonable mixing and there are uncertainties about the effects of leakage from the base of the treatment ponds.
- 5 More importantly however, the current proposal is opposed strongly by at least two of the three Iwi or Hapu who appeared at the hearing, and the proposal is in direct conflict with several policies in Chapter 2, and with Policy 5.11 of the operative One Plan. Given this, we have strong reservations about whether we can grant consent to the applicant's current proposal for anything but a short term. And even then, a short term consent can only be justified if it is for the purpose of installing a new treatment and/or wastewater management system that is more consistent with One Plan objectives and policies than the current proposal.

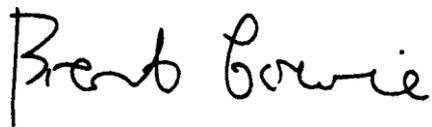
- 6 In this context we note that other discharges of wastewater to the Manawatu River and its tributaries have recently been granted at both Shannon and Feilding – albeit with conflicting outcomes about the extent to which a land based treatment system is essential to meet One Plan requirements. We need to take both these decisions into account in making our eventual decision.
- 7 We understand that land based treatment options for the sewage discharge from Eketahuna have been evaluated by the District Council, and have not been pursued further. No such proposal is before us. However any proposal that at least involved land based treatment during all but higher flow conditions in the Makakahi River has a strong appeal to us – particularly as consent for such a proposal could potentially be granted for a much longer term than the seven years presently sought by the applicant. Such a proposal may not fully meet the expectations of Iwi and Hapu, and may not fully meet the Policy requirements of the One Plan. It could however go much further towards addressing those expectations and policy requirements than does the present proposal.

#### **DIRECTIONS**

- 8 Accordingly we ask the applicant to consider and respond to the following matters when the hearing is reconvened on **23 May 2017**.
- (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.
- 9 We encourage TDC to consult with submitters and Horizons Regional Council as they consider their response to these three questions.
- 10 After hearing TDCs response to the three questions we will then hear verbal responses from the other parties to the hearing as to how they think the process

of further information and caucusing can best occur to progress the decision making for this application. Following the receipt of these views on 23 May we will issue clear directions and a timetable as to how this hearing process will proceed to a conclusion.

- 11 Finally we note that further work to characterise the quantity and quality of inflows and outflows from the Eketahuna WWTP (including a water balance assessment to determine pond leakage) should proceed as soon as possible.
- 12 Any questions about this memorandum or the directions given should be directed to Carina Hickey at Horizons Regional Council. 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

13 April 2017