

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER OF applications for resource consent
to Horizons Regional Council
associated with the operation of
the Pahiatua Wastewater
Treatment Plant (APP-
1993001253.02)

BY **TARARUA DISTRICT COUNCIL**

Applicant

**MEMORANDUM OF COUNSEL FOR THE APPLICANT REGARDING IWI
CONSULTATION ON PROPOSED WETLAND DESIGN**

11 August 2017

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MAY IT PLEASE THE HEARING PANEL:

1. INTRODUCTION

- 1.1 This memorandum is filed on behalf of Tararua District Council ("**TDC**"), the Applicant for consents relating to the Pahiatua wastewater treatment plant (the "**Pahiatua WWTP**").
- 1.2 At the hearing held during the week of 22 May 2017, the Panel proposed a process option for progressing the Pahiatua WWTP project. This included an adjournment for a short period, during which time TDC would engage with Rangitāne o Tamaki nui-ā-Rua ("**Rangitāne**") and Kahungunu ki Tamaki-nui-ā-rua ("**Kahungunu**") about the design of the proposed wetland.
- 1.3 The aim of this engagement was to achieve a design that would maximise the wetland's effectiveness in mitigating adverse effects on the mauri of the Mangatainoka River, without compromising the wetland's function of providing additional 'polishing' treatment to the wastewater.
- 1.4 By way of memorandum dated 29 May 2017, TDC confirmed its agreement to proceed according to the Panel's proposed process. The Panel's direction was formalised in a memorandum of 5 July 2017 ("**Memorandum 4**") and TDC was directed to engage with Rangitāne and Kahungunu on the proposed wetland and report back to the Panel by 4pm on Friday 11 August 2017.
- 1.5 This memorandum updates the Panel on:
 - (a) the engagement carried out, since Memorandum 4 was issued, between:
 - (i) TDC and Rangitāne; and
 - (ii) TDC and Kahungunu; and
 - (b) the outcomes of that engagement.
- 1.6 As an initial comment, counsel wish to express TDC's sincere gratitude to Rangitāne and Kahungunu for making their representatives available to participate in this process, for the constructive discussions that have ensued, and for the information provided that has been, and will continue to be, factored into the design of the proposed wetland. TDC remains committed to continued development of its proposal in conjunction with Rangitāne and Kahungunu, with a view to maximising the wetland's effectiveness in mitigating adverse cultural effects (while retaining the 'polishing' function).

2. ENGAGEMENT WITH RANGITĀNE

- 2.1 TDC contacted representatives of Rangitāne to seek a meeting and, on 10 July 2017 Dave Watson, TDC's Water and Waste Manager, and Roger MacGibbon of Opus met with Hineirangi Carberry and Manahi Paewai at the Pahiatua Wastewater Treatment Plant site.
- 2.2 Those present discussed TDC's proposed two-stage wetland, which would comprise a nutrient treatment wetland in the upper portion and a biodiversity wetland in the lower portion. Another matter discussed was the functional differences between the two wetlands, including the potential for a diversity of native plant species to be planted in the latter wetland, which could include less common species that may have cultural significance to iwi. Those present also discussed maintenance of the wetland.
- 2.3 Following the meeting, Mr MacGibbon updated the draft design of the wetland in light of the discussions on 10 July 2017, and produced a document describing and explaining the design (annexed to this memorandum as **Attachment A**). Finding a time for a follow-up meeting to present that updated design proved difficult, so Mr Watson emailed the document to Rangitāne representatives on 1 August 2017, again suggesting a meeting and seeking any comments to be forwarded to the Panel.
- 2.4 No response or further comments have yet been received (understandably given people's commitments at a busy time of the year), but TDC looks forward to continuing to work with Rangitāne representatives as the project continues. As discussed further below, TDC will propose updated conditions providing for an ongoing process, post-consent, for the wetland's detailed design to be informed by the views of tangata whenua.
- 2.5 Counsel will update the Panel in future reports or in closing submissions about any additional feedback received about the draft wetland design.

3. ENGAGEMENT WITH KAHUNGUNU

- 3.1 Likewise, TDC contacted representatives of Kahungunu to seek a meeting and, on 9 June 2017, Blair King, TDC's Chief Executive, attended a meeting with representatives from Kahungunu.
- 3.2 Subsequently, on 10 July 2017, Dave Watson and Roger MacGibbon attended a meeting with Morry Black and James Kendrick, representing Kahungunu, to discuss the wetland design. This meeting was also very constructive and productive, and included discussions around native bush restoration to

promote birdlife habitat, the inclusion of various native tree species (including totara and kahikatea) into the planting mixes, and the possibility of community engagement in the planting programme. In a follow-up email Dave Watson noted a draft wetland design would be provided shortly.

- 3.3 Mr Watson met with Mr Black again on 27 July 2017 to present the draft wetland design (**Attachment A**). The parties also discussed Kahungunu's education programme, as well as sampling procedures at the Pahiatua plant.
- 3.4 On 7 August 2017 Mr Black sent TDC the letter included as **Attachment B**, addressing matters discussed at the meetings and related points. Counsel responded on TDC's behalf to that letter on 10 August 2017. That letter is included as **Attachment C**.

4. OUTCOMES AND NEXT STEPS

- 4.1 Again, TDC is very grateful for the participation in the process to date of Rangitāne and Kahungunu, and for their constructive input to the design of the proposed wetland. In due course TDC will put forward updated proposed conditions for the Panel's consideration containing changes intended:
- (a) to provide for an ongoing process, post-consent, for the wetland's detailed design to be informed by the views of tangata whenua in order to maximise the wetland's effectiveness in addressing potential adverse cultural effects (while preserving the wetland's 'polishing' function); and
 - (b) to reflect TDC's strong commitment to working with Kahungunu and Rangitāne on this and other matters into the future.
- 4.2 In accordance with the Panel's Memorandum 4, TDC is required to provide a revised set of draft conditions to Horizons' planner, Ms Morton, by Friday 18 August 2017, with the next steps being:
- (a) Ms Morton to provide comments to TDC by 25 August 2017;
 - (b) the conditions then to be circulated, by 28 August 2017, to submitters for comment; and
 - (c) submitters to provide any comments on the draft conditions to Horizons by 4pm on Friday 8 September 2017.

4.3 At the conclusion of that process, the Panel will see the detail of the conditions proposed by TDC to provide for the participation in the process to date of Rangitāne and Kahungunu, and any comments of Horizons and of submitters on those (and other) conditions.

DATED this 11th day of August 2017

A handwritten signature in blue ink, appearing to be 'DRB', is positioned above the name of the signatory.

David Randal / Esther Bennett
Counsel for Tararua District Council