

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of submissions (288) and further submissions (480) by **WINSTONE PULP INTERNATIONAL LIMITED** to the **HORIZONS REGIONAL COUNCIL** on Chapter 6 (water), Chapter 13 (discharges to land and water), Chapter 15 (takes, uses and diversions of water and bores) and Schedule D of the Proposed One Plan

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**SUPPLEMENTARY STATEMENT OF EVIDENCE OF  
CARMEN WENDY TAYLOR**

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## **Introduction**

1. My name is Carmen Wendy Taylor and I have prepared this supplementary statement of evidence on behalf of Winstone Pulp International Limited ('WPI').
2. In my supplementary statement of evidence, I set out my comments in response to the supplementary reports and evidence<sup>1</sup>, dated November 2009, and prepared by Horizons Regional Council's ('Council') staff and/or external advisors. In particular, I comment on matters raised in the following:
  - Report of a meeting between experts, hereafter referred to as the 'Caucusing Report', prepared by Mr Richard Thompson;
  - Supplementary report prepared by Ms Clare Barton and Ms Natasha James;
  - Supplementary evidence of Mrs Kathryn McArthur; and
  - Supplementary evidence of Dr Jon Roygard.
3. In preparing my supplementary evidence I have only commented on matters where I consider that the recommendations contained in the above reports or evidence, if accepted by the Hearing Panel ('Panel'), mean that the matters raised in my evidence in chief has been largely addressed. In circumstances where this supplementary evidence does not comment on a matter covered in my evidence in chief, then the statements contained in my evidence in chief still remain pertinent and they need to be considered by the Panel.
4. The matters I discuss within this evidence are as follows:
  - Schedule D and the water quality standards in relation to one of the matters raised within the Caucusing Report.

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<sup>1</sup> All supplementary reports and evidence referred to within this supplementary evidence is dated November 2009 and has been sourced from Council's webpage ([www.horizons.govt.nz](http://www.horizons.govt.nz)).

- Rules 15-5 and 15-6 in relation to WPI's submission requesting certainty for resource users in terms of their ability to access information relating to the remaining volume of water available for allocation.

#### **Schedule D and the water quality standards**

5. The first issue addressed within the Caucusing Report relates to the application of the standards within the Proposed One Plan ('POP') in terms of whether they are standards which are bottom lines that must be complied with, or whether they are resource management targets. The Caucusing Report identifies the matters that were agreed by the experts in relation to this issue which were as follows:

6. *For the purposes of all agreements reached in this meeting it is understood that the standards in Schedule D are targets.*
7. *HRC experts will refer back to HRC planners that 'standards' is not a good term to use in this context and that clarity is needed.*
- ...
9. *HRC experts will discuss with HRC planners options for clarifying that standards applied as absolute trigger values for permitted activities will be regarded as targets in other situations (e.g., resource consents)."*

6. The supplementary reports and evidence that have been posted to Council's webpage do not indicate that the above matter has been considered and addressed following the caucusing. The current 'pink version' of the POP does not contain any changes to the term 'water quality standards'.
7. Standards, as a term, have a specific meaning in scientific terms. Namely, they are absolute numeric values that are to be complied with, or in other words, they are not to be exceeded. I consider that this meaning has also effectively been incorporated into the Resource Management Act 1991 ('RMA') as is evident by the fact that national environmental standards effectively establish the bottom line for specific resource use activities.
8. WPI's submission opposed the use of the water quality standards effectively for the same reason that the issue was raised by the experts at

the caucusing meeting. That is, it was considered that the proposed water quality standards, as currently contained in the POP (i.e., given the use of the 'standards' terminology), infer that they are a bottom line which all resource users would be required to comply with, irrespective of a range of other matters, including but not limited to, the natural levels of contaminants in water bodies. If the standards are a bottom line then it could be inferred that they would also be applied without consideration of the range of other matters that Council, as decision makers, need to consider in relation resource utilisation activities (i.e., namely the requirements of Part 2 of the RMA).

9. In saying this, I acknowledge that the relevant policy framework of the POP does indicate that the water quality standards will be used as a management tool, rather than a bottom line. However, irrespective of this, in my opinion the use of the term 'standards' is misleading and it was for this reason that I requested various amendments to Schedule D as well as Policies 6-1 to 6-5 and 6-8 of my evidence in chief (paragraphs 16 to 35).
10. Given the matters I have outlined above, if the statement contained in the Caucusing Report were to be acknowledged by the Panel with the result that the title to Schedule D is changed from 'Surface Water Quality Standards' to either 'Surface Water Quality Targets' or 'Surface Water Quality Goals', and that all other references within the POP to the water quality standards is changed to either targets or goals, then the issue relating to the use of 'standards' as a resource management tool in the proposed, as I outlined in my evidence in chief would be largely addressed. Provided this was to occur, I can advise that the amendments requested in my evidence in chief in relation to Schedule D and Policies 6-1 to 6-5 and 6-8 (paragraphs 16 to 35) would no longer be required and therefore would not need to be considered by the Panel, that is with the exception of any specific changes to the individual values contained in Schedule D which are identified by Mr Kennedy in his evidence.

**Rules 15-5 and 15-6 – Core Allocation Available For Resource Users**

11. WPI opposed these rules for two reasons, one of which related to the need to provide certainty for resource users by enabling them to access information on the volume of core allocation that is still available. My evidence identifies that this information needs to be available as part of publicly available information (refer to paragraphs 52 to 55 of my evidence in chief).
12. Dr Roygard, in his supplementary evidence (Table 3, page 10), identifies that this information will be available as part of Council's Water Matters website ([www.horizons.govt.nz/WaterMatters](http://www.horizons.govt.nz/WaterMatters)).
13. On this basis, provided that the POP identifies the location of this information, I consider that WPI's opposition to Rules 15-5 and 15-6 in relation to this one matter (but not the second matter) no longer applies.

**Conclusion**

14. To summarise, provided all references to 'water quality standards' in the POP are replaced with either 'water quality targets' or 'water quality goals', then I consider that WPI's opposition to Schedule D and Policies 6-1 to 6-5 and 6-8, in relation to the matters covered in my evidence in chief, have been adequately addressed.
15. In addition, provided the location of the 'Water Matters' website is clearly identified within the POP, I consider that WPI's opposition, in relation to one of the two matters identified in my evidence in chief, has also been addressed

**Carmen Taylor**

**29 January 2010**