



Andrew Sherratt – Pukeatua Farming Company Limited

Formal Presentation to the Independent Hearings Panel

In the Matter of: Application APP-2006012018.03 by Winstone Pulp International and Te Ara Hiko Limited for resource consents to discharge contaminants to air and water at the Tangiwai/Karioi Mill site.

Presented By: Andrew Sherratt, on behalf of Pukeatua Farming Company Limited.

Date: October 2026

1. Introduction, Standing, and Clear Process Failures

Thank you for the opportunity to address the panel today. My name is Andrew Sherratt, and I am speaking today on behalf of Pukeatua Farming Company Limited. Our family has owned and farmed land in this catchment since 1906. For 120 years, across multiple generations, we have lived alongside the Whangaeahu River. Furthermore, I have been an active, founding member of our local river care group since 2003. Looking around this room today, and reviewing the speaker schedules, I notice that I am the only person presenting or present who has been actively involved with this river for that entire length of time. The corporate applicants, the legal teams, and the council officers in this room are viewing this catchment through modern modeling and temporary work files. I am here representing the actual, living historical memory of this waterway.

Despite this deep generational and institutional connection, my family and our river group were completely frozen out of this process. We received zero consultation from the applicant or the Council. When we finally discovered this application at the eleventh hour and requested an explanation, the applicant scheduled a meeting with us—only to abruptly cancel it. The explicit reason we were given by the applicant for this cancellation was that another submitter was 'being difficult' and required their full attention.

I must remind the panel that under the Resource Management Act, consultation is not a triage system for corporate PR damage control. An applicant cannot legally drop a cooperative, 120-year multi-generational farming family because they are too busy firefighting a 'difficult' party elsewhere. By canceling our meeting, the applicant denied us our statutory right to raise critical cumulative concerns on our boundary lines—most notably noise pollution.

When we raise noise, the applicant's lawyers try to dodge the issue by saying it belongs to the District Council, not this Regional panel. But while the administrative enforcement may be split, the legal definition of consultation cannot be split. Consultation is a chance for affected parties to present all cumulative issues. By freezing us out, the applicant denied us a multi-council dialogue and has brought a fundamentally broken consultation record to this hearing. It is deeply insulting to my family that we were forced to frantically beg for late presentation status just to have a voice today.

2. Rejecting the Flawed "85% Reduction" Baseline

We are the historical baseline of this river. For decades, my family didn't call it the Whangaehu—we called it the 'Poopongawheu' due to the foul, frothing chemical discharge of the old mill. Following its closure in 2024, we saw an opportunity for this waterway to heal. I am here today to ensure that the mistakes of the past are not quietly pushed through behind closed doors, and I request that the hearings panel decline the application for a water discharge consent.

As a multi-generational custodian of this land, I am deeply troubled by the applicant's primary argument: that because this new biocoal facility discharges 85% less wastewater than the old pulp mill, it should be viewed as an environmental victory. This argument reminds me of the famous line from *Blackadder*: "*When a choice must be made, one must always choose the lesser of two weevils.*" But independent commissioners are not bound by *Blackadder's* logic, nor should we be. A choice between heavy historical contamination and a smaller volume of new chemical contamination is a false choice.

The pulp mill is permanently dead. Its right to pollute has ended, and the river's baseline has reset to its current, recovering state. The independent commissioners cannot legally measure the effects of a brand-new commercial activity against the ghost of a defunct chemical plant. Choosing "the lesser of two weevils" is still choosing a weevil. Going from heavy historical pollution to less pollution is still a net introduction of new point-source contamination into a recovering river system. The only acceptable baseline for a new activity is zero industrial discharge.

2.1 The Atmospheric and Energy Deficit: Worse Than Coal at the Stack

The applicant further attempts to justify this plant by cloaking it in "green" sustainability rhetoric. From a standpoint of pure physics, thermal dynamics, and immediate atmospheric impact, the process of manufacturing and burning compressed wood pellets is fundamentally less energy-efficient and releases more upfront carbon dioxide than burning coal.

- **The Energy Efficiency Deficit:** High-grade industrial coal possesses a concentrated energy density of roughly 24 to 30 MJ/kg, whereas processed wood pellets only achieve 16 to 19 MJ/kg. Because wood pellets hold significantly less energy per kilogram, this facility must harvest, process, transport, and burn roughly 1.5 to 2 times the physical volume of material to match the thermal output of coal. Furthermore, the immense energy consumed on-site to mechanically shred, thermally dry out natural moisture, and compress raw wood waste creates a massive parasitic energy loss before the fuel even leaves the processing floor.
- **The Immediate Carbon Penalty:** When burned in a boiler, wood biomass actually releases up to 15% to 20% MORE immediate carbon dioxide emissions into the atmosphere per megawatt-hour of heat produced than traditional coal. The applicant's claim of carbon neutrality relies entirely on a legal accounting loophole—the assumption that replanted commercial forestry will eventually re-absorb this carbon over the next 50 to 100 years. Physics does not operate on future accounting ledgers. Injecting an inefficient, high-carbon thermal load into our local airshed right now is an environmental step backward, not a victory.

3. Contradiction with Horizons' Own "Target Catchment" Red-Zone Status

I must remind the panel that Horizons Regional Council has explicitly designated this water management zone as a Target Catchment under the One Plan due to existing nutrient degradation. It is, by the Council's own definition, a high-priority "red zone" for nitrogen (N) and phosphorus (P) over-saturation. The entire purpose of a Target Catchment framework is to mandate a strict sinking lid on nutrient inputs across the region. If a catchment is already in the red zone, its capacity to absorb any further industrial nitrogen or phosphorus is entirely exhausted. Any intentional addition of contaminants breaks the mandatory downward trajectory required for a degraded catchment. Approving this point-source pipe directly undermines the regulatory integrity and overarching goals of Horizons' own regional water strategy.

The applicant attempts to use the Whangaehu River's unique volcanic chemistry—specifically its naturally low, highly acidic pH (~3.2) and elevated background phosphorus—as an ecological alibi to claim that the effects of their discharge will be minor. This is a dangerous legal misdirection. While the river's natural acidity currently keeps background ammoniacal nitrogen locked in its less toxic ammonium form, the introduction of a massive, near-neutral (~7.0 pH) wastewater footprint over a volcanic basin changes the equation. By allowing neutral industrial wastewater to leach into the local water table, the applicant risks altering the delicate subterranean chemical balance. A localized rise in pH will actively trigger the formation of highly toxic un-ionised ammonia within the shallow aquifers that link directly to our farm boundaries and Lake Otamataraha. The fact that the Whangaehu River naturally exceeds targets for phosphorus does not grant a commercial entity a loophole to introduce a brand-new point-source contaminant pipe into an already exhausted system.

4. An Unfair Regulatory Double Standard for Local Farmers

Representing Pukeatua Farming Company, I see a glaring, indefensible double standard in how regional rules are applied. Under the One Plan, our agricultural sector is facing intensive, costly, and uncompromising restrictions to pull this catchment out of the "red". We haven't just talked about cleaning up our act; we have done it. Over the last 20 years alone, my family has physically fenced off 48 kilometres of wetlands across our property to protect the catchment's waterways from diffuse runoff. This is an immense, ongoing multi-generational investment of our own private capital and labor to restore the health of this environment.

The applicant's proposal to discharge 9 kg of ammonium-N and 9 kg of nitrate-N per day represents a massive cumulative nutrient load. Combined, this equals 18 kg of nitrogen every single day, or 6,570 kg of total nitrogen entering this catchment annually. Based on Horizons' own regional leaching baselines of 25 to 40 kg N/ha/year, the applicant's daily discharge is the environmental equivalent of an intensive, 219-hectare dairy farm operating directly on the mill footprint. It represents the entire annual leaching footprint of roughly 1.5 full-scale New Zealand commercial dairy farms.

If a local farming family cannot legally increase their nitrogen output by even a single kilogram in a Target Catchment 'Red Zone' without facing strict regulatory barriers, an international commercial joint venture cannot be granted a point-source right to dump 6.5 tonnes of nitrogen annually into that exact same over-saturated system. This is an absolute regulatory double standard. If a local farming family can hold the line to protect the environment, a multi-million-dollar industrial facility can invest in a closed-loop system to do the same.

It is completely contradictory and insulting for the Council to force local families to go to these extreme lengths to protect every single metre of water, while simultaneously granting a brand-new industrial manufacturer a 20-year legal mandate to discharge wastewater through a point-source pipe. If a local farming family can commit to fencing 48km of wetlands to protect the environment, then this international joint venture can commit to a closed-loop system that doesn't rely on a river pipe. If farmers must hold the line, industry must too.

5. The Preservation of Our On-Farm Wetland, Lake Otamataraha, and Mahinga Kai

The applicant's ecological experts have testified that this reach of the river has "low ecological value" as an excuse to discharge industrial waste. I completely reject that isolated view. They are willfully ignoring the wider, highly sensitive interconnected catchment ecosystem.

On our own property, which my family has farmed since 1906, we share a boundary with the Te-Mataraha wetland and Lake Otamataraha. According to the official national LakeSPI (Lake Submerged Plant Indicators) survey tracking 276 lakes and wetlands across New Zealand, Lake Otamataraha is ranked number 5 in the entire country—and number 2 across the entire Horizons region—for its pristine native character and complete lack of invasive weed disruption.

Historically, local iwi came to this top-tier lake and wetland right on our farm to catch longfin tuna as a vital source of mahinga kai. But decades of historical corporate choices systematically battered that ecosystem. Bringing a new industrial chemical profile to this specific site puts our country's 5th most pristine native lake ecosystem right back in the corporate firing line. Allowing a continuous subsurface plume of industrial nutrients to leach into this pristine aquifer will fuel aggressive, invasive weed growth and toxic algal blooms, permanently destroying a national treasure.

6. The Precedent of Neglect: The MyNoke Failures on This Exact Site

The applicant argues that we can trust the regional council's monitoring conditions to keep this catchment safe. As a neighbor and a multi-generational farmer who watches this land daily, I know from bitter experience that this is simply not true. We have seen this institutional disregard play out physically. The MyNoke vermicomposting operation is located right here on this mill footprint. Because the council failed to accurately account for the high drainage and leaching traits of the highly porous volcanic soils in this basin, severe failures occurred. We observed these leakages occurring physically on the receiving sites directly adjacent to our farm, where industrial contaminants broke through the soil baseline and migrated straight into the surrounding waterways, fouling the water networks that feed our property.

Even though the actual vermicomposting activity has ceased, the MyNoke resource consent remains legally active and ongoing on this site today. It is an un-remediated, un-policed legal paper trail of neglect. If Horizons cannot manage, contain, or clean up active consent leakages that physically escaped onto neighboring sites, they have absolutely zero credibility telling us that adding a brand-new 17,000 m² industrial facility to the same location is safe.

7. Severe Soil Leaching Risks and the "Stone Wetland" Concession

This brings me to the critical technical flaw in the proposal. Te Ara Hiko plans to construct an enormous 17,000 m² wetland footprint to hold and treat concentrated thermal wood condensate. The applicant's files incorrectly downplayed the site soils as manageable clay and silt, when the underlying footprint is porous volcanic pumice. In their latest evidence, the applicant has pivoted to include a High-Density Polyethylene (HDPE) synthetic liner. While we welcome this major design change, it represents an implicit admission by the applicant's own engineers that our local volcanic soils are a porous sieve.

Furthermore, the applicant's updated expert evidence reveals a severe engineering bottleneck: the raw wastewater temperature exiting the plant is expected to be between **40°C and 50°C**. Their ecological witness, Ms Barnett, explicitly acknowledged that native wetland plants cannot survive with root systems sitting directly

in a lined pocket flooded with 40°C–50°C industrial effluent. To avoid immediate biological failure, the applicant has been forced to propose a **'Stone Wetland' design**—using rock deposits and stone-lined channels to radiate thermal energy into the atmosphere before the water reaches any vegetation. Introducing a 40°C to 50°C stream into a plastic pocket creates a high-stakes, engineered balancing act:

- **Root Cooking on Bare Plastic:** Continuous exposure to these thermal loads will cook the root zones of surrounding native vegetation, causing widespread plant die-off and completely disrupting any supplementary biological treatment mechanisms.
- **Subsurface Thermal Plumes:** If any tear occurs in the HDPE liner under the weight of this hot water, a massive 40°C–50°C thermal and chemical plume will leach straight through the volcanic pumice, bypassing the engineered cooling structures, polluting the local water table, and migrating directly into the cold-water aquifers feeding Lake Otamataraha.

7.2 Downplaying the Thermal Cumulative Impact on the Whangaehu

The applicant's technical witnesses, Mr Coutinho and Dr Ausseil, rely on an idealized mass-conservation approach to claim the river can easily absorb this heat. Their modeling asserts that the proposed discharge will only increase the Whangaehu River's temperature by **less than 0.1°C to 0.2°C** after full mixing under low-flow conditions, sitting below the strict 2°C statutory limit in the Horizons One Plan. However, this argument treats a highly stressed, living ecosystem as an infinite cooling sink:

1. **A False Regulatory Alibi:** A statutory ceiling is not a license to introduce point-source thermal loads into an already designated Target Catchment 'Red Zone' that is over-saturated.
2. **Disrupting Volcanic Chemistry:** The river possesses a fragile, naturally low, highly acidic pH (~3.2). Elevating temperatures while introducing a near-neutral (~7.0 pH) footprint risks accelerating chemical reactions within local shallow aquifers, potentially triggering the formation of highly toxic un-ionised ammonia on our farm boundaries.
3. **The Flaw of Static Models:** Continuous thermal plumes do not mix instantly; they create localized, higher-temperature edge zones that act as thermal barriers for native aquatic life and permanently alter the pristine native character of our surrounding waterways.

7.3 Legal Disconnect and the Missing Commercial Link for Process Ash

Crucially, the proceedings have revealed a profound legal gap regarding secondary waste management. In his corporate statement of evidence, the applicant's project manager, **Paul Duder, explicitly stated that 'the supply of ash to MyNoke has not yet been entered into.'**

While the high-level application materials heavily implied that the biocoal manufacturing waste (ash) would be cleanly integrated, repurposed, and safely managed off-site by the existing on-footprint vermicomposting operation, **there is currently no legally binding agreement or operational contract in place to absorb this material.** By failing to secure a closed-loop contract for the resulting ash, the applicant has effectively omitted a massive, active waste stream from the formal baseline assessment of this hearing. They are asking for a 20-year legal mandate to operate while leaving the physical destination of their toxic processing ash completely open-ended on a porous volcanic pumice basin.

8. Absolute Minimum Conditions of Approval

If the panel ignores our plea to decline this consent outright, then the absolute bare minimum conditions of approval must mandate a complete engineering overhaul of the proposed infrastructure. The applicant must be legally bound to implement a four-tier safety containment framework:

- **Condition A: Non-Downgradable HDPE Synthetic Liner**

The requirement for a complete, certified HDPE synthetic liner across the entire 17,000 m² footprint must be written into the consent conditions as a non-downgradable baseline. The applicant must be legally barred from substituting this with clay blankets or site soils during construction.

- **Condition B: Mandatory Multi-Stage Cooling Cascades**

The applicant shall be strictly prohibited from discharging wastewater above 25°C into any vegetated zone or the river itself. The infrastructure must feature a Stage 1 engineered Stone Wetland designed exclusively to radiate thermal energy into the atmosphere. Wastewater must only cascade into a lined Stage 2 vegetative zone or final outfall once temperatures have naturally dropped to safe biological ambient levels (below 25°C).

- **Condition C: Automated Summer Temperature Safety Cut-off**

Continuous, real-time temperature telemetry must be installed at both the plant outfall and the final river discharge pipe. An automated safety cut-off system must be legally mandated during summer months. If ambient air temperatures prevent the Stone Wetland from cooling the water below 25°C, the industrial discharge pipe must automatically shut down on-site, and the condensate must be diverted to enclosed, structural backup holding tanks.

- **Condition D: Mandatory Closed-Loop Ash Contract Prerequisite**

The applicant shall be strictly prohibited from commencing any commercial wood processing, torrefaction, or plant testing operations until a complete, certified, and legally binding commercial contract for 100% of the process ash output is executed with a verified, council-approved disposal or processing facility. No on-site stockpiling of uncontained ash shall be permitted on the porous volcanic pumice geology.

9. Conclusion

For decades, historical operators used the Whangaehu River as a convenient disposal unit, turning it into the 'Poopongawheu'. The permanent closure of the pulp mill was a structural reset for our environment. If Te Ara Hiko Limited wants to operate a modern, sustainable biocoal facility, they must invest in a modern, sustainable solution: a closed-loop, zero-discharge system that treats and reuses 100% of their water on-site. Our family has cared for this catchment since 1906. We have fenced 48km of our own waterways, and we have already seen our adjacent boundaries damaged by council-approved leakages from the MyNoke site that sits active on this property today. The river and our soils have paid their dues to corporate industry. I urge the commissioners to stand up for the rules of their own Target Catchments, protect a top-tier national and regional ecosystem, acknowledge the failures of past consents, and decline the water discharge consent.

Thank you.

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HAVE BEEN SURPRISED WITH THE SILENCE AND TRANQUIL
NATURE OUR GENERATION HOME SINCE THE MILL CLOSED
DOWN.