



*Tasman Resource Management Plan*

**Plan Change 67**  
**Waimea Water Management**  
**Technical Amendments**

**Notified 14 July 2018**

**Original Submissions**  
**incl. Submitter & Submission Numbers**

**August 2018**

# Submission on a Change to the Tasman Resource Management Plan (TRMP)

Postal Address: 658 Moutere Highway R.D.1 Richmond 7081

Phone: (03) 5440119 Email: colandcar@yahoo.co.nz

Date: 13 Aug 2018

Total number of pages submitted (including this page): 5

Submitter Name: Colin Garnett (individual)

**IMPORTANT – Please state:**

This submission relates to Change No.:67

**Change Title/Subject Waimea Water Management Technical Amendments:**

I wish to be heard in support of my submission.

I would be prepared to consider presenting my submission in a joint case with others making a similar submission at any hearings.

Could you gain an advantage in trade competition through this submission? No

Signed: *C J Garnett*

Signature of submitter (or person authorised to sign on behalf of submitter). *NOTE: A signature is not required if you make your submission by electronic means.*

I oppose the Plan Change AND The aspect of the provisions I support or oppose, together with reasons, are:

## 1 Date stamp changes

My submission relates to TRMP provisions:

30.2.3.12 (B) (a) +(b), 30.2.3.13, 30.2.3.13 A , 30.2.3.21, Schedule 30A without WC Dam (3x) , Schedule 30B without WCD, Schedule 31A Waimea Plains (8x), Schedule 31C Table 1C (2x). (namely at pages 30/1,3,,4,4,7,10,12,17 and 31/11(8x)and 31/15 as in the schedule of amendments.)

①

That is the full set of all dates being proposed to be changed.

The reason for my opposition to the plan change is that these dates have already been changed two or three times and this continual changing and extension of deadlines has no basis under section 32. Just because the Planners and council project planners can't get their act together is no reason to continue with a willy nilly extension of deadlines. Those dates that stand as before the change should remain and be adhered to. Besides some of the newly proposed dates do not actually exist so the question arises as to the intent in changing valid

dates to those that do not exist. Because those dates are not in the calendar does that mean there is to never be another renewal date for those water rights as their expiry date will never be reached. Or is this perhaps another error to be amended???

I accordingly seek that Council retains all the original dates in existence before the plan change thus ensuring that the dates will actually come to pass and be able to be enacted upon.

**2. 30.2.3.12 (a)(b) and hence (c).**

I refer to the above section. It is unnecessary to change dates for the sake of past events because it would appear that the 2016 and 2017 permits named as due for renewal now no longer exist. There is thus no need to change dates to refer to permits that no longer exist.

It would be wise to delete the changes and retain the original in a form that makes sense time wise to the following sections.

**3. 30.2.3.13 and (b) and 30.2.3.13A**

I ask that the dates mentioned herein remain unchanged in recognition of a Sec32 analysis existing in support of the earlier date. I would further request that some clarification be forthcoming as to why in some of the zone maps both the Wai-iti and Wai-iti dam service zones are deemed to be Waimea water management zones for the case of no dam but are treated as separate when it comes to the allocation target and allocation limits parts of this plan. What is the justification for treating various sub groups of Waimea zones differently. They should all fall under the umbrella of being Waimea water management zones regardless of whether a dam is built or not. There needs to be consistency here.

I thus ask that all the Waimea water management zones are defined in an unambiguous way and that they are recognised to exist as of right in clear distinction with or without a dam. I accordingly request that this ambiguity be resolved and the dates remain unchanged.

**4. 30.2.3.13 (b)**

It would appear that subdividers and developers have taken advantage of community supply schemes rendering them as providers for nothing short of urban expansion in the rural area. Thus it is imperative that the original purposes and beneficiaries are safeguarded in the first instance when it comes to allocating community water in times of stress. It would appear to me that the provisions proposed are too beneficial to recent arrivals and will thus mean that the original providers of the scheme are being taken advantage of. This is apparently the case of the redwood valley community water supply and perhaps to a lesser degree for south Nelson housing. If section (ii) is not deleted then place the deadline date for the redwood valley supply back to a date 10 or 15 years prior to the present to reflect the waiting list at that time. I assume that other schemes would require likewise backdating for qualification and consideration due to historic waiting lists and over-allocation. I assume the same will apply to Nelson if capacity is an issue.

I thus ask that (b) either be deleted or reworded so that established bona fide users are not adversely penalised by recent urban subdivision in the rural area. (5)

#### 4. 30.2.30

It would seem that in making provision to cater for Richmond urban and rural development and that in Brightwater and Ruby Bay council has exacerbated the over-allocation issues on the plains. Such is clearly in contravention of the NZ Freshwater Policy Statement whereby no increase in over-allocation is sanctioned. It is beholden of Council to remedy this contravention. The newly adopted council policy and rule provisions that recognise existing water permits and reallocation of water for community water supply that have caused this over-allocation increase need to be reversed.

Council needs to revisit their newly adopted policy and rule provisions that have added in any way to over-allocation and amend them to comply. This para also needs to be rewritten to reflect the legal obligations that council are required to adhere to. That will probably mean deleting the proposed changes. (6)

#### 5. 31.1.2.2

The use of both Golden Hills and Golden hills with Waimea community dam zones in the same table is not logical as one is a subset of the other. One exists in the no dam and the other with the dam. How the existence of a dam can change zones like this needs to be explained or the less credible zone deleted. (7)

Council needs to explain how zones can change in size and shape and how two zones one being a subset of the other can be treated in the same table before they can justify their proposed change – or delete the change.

#### 6. Schedule 31C Table 1B

This table is missing both the Wai-iti and Wai-iti dam service zones from it Please add them. It also fails to cover the Golden hills zone outside of the golden hills with WCD zone, Why. Redwoods is also missing Why. Are these intentionally omitted. (8)

Also the note 2 mentions that "All triggers are based on the unmodified flow of the Wairoa River at Irvines" .I have asked previously how such will be arrived at as the water taken by NCC at the Roding will need to be included here somehow. (9)

Delete the Golden hills with WCD zone and return to using the Golden hills zone. Explain why the other Waimea zones are missing. (10)

Provide comprehensive description as to how the unmodified flow volume will be calculated or remove such from table notes. (9)

#### 7. Schedule 31C Table 1C

Same problems as with above table.

(11)

Delete changes or provide robust explanation as to use of conflicting and missing zones and how the unmodified flow will be calculated.

**8. Schedule 31C Table 1D**

Again same problems as with above table.

(12)

Explain non inclusion of Wai-iti zones and why Golden Hills has been removed.

Also the use of an unmodified flow becomes doubly problematic in calculation as the natural Lee flows without a dam will need to be calculated as well as the Roding abstractions to arrive at an unmodified flow at Irvines.

Provide clear and detailed explanation as to how this Flow at Irvines will be calculated or delete this proposed note.

Delete anything causing inconsistencies in the overall picture.

**9 Schedule 31A**

(13)

Please note that 31 November 2039 does not exist.

Explain why it is necessary to use nonsensical future dates or delete proposed change.

**10. Fig 31.1FA Table1**

(14)

Please explain why in the released proposal Golden Hills with Waimea Community dam is 90 to 65 but on your site it is 90 to 67 and why in the released proposal Redwoods with Waimea Community dam is 1.86 to 14 but on your site it is 1.86 to 13 and why

Why are both the Wai-iti zones missing from this table?

The loose use of figures and changed or missing zones fails to convey a full picture of the Waimea plains zones and needs to be rewritten with accuracy.

Rewrite this table correcting all errors and omissions.

**11. Fig 31.1FA Table2**

(15)

Retain the Redwood zone in this table and explain why the figure for the Appleby Gravel is so high.

Rewrite this table correcting all errors and omissions.

Also at note 2 explain how allocations in two totally distinct and unconnected zones can be subtracted . (i.e, explain how upper catchment takes can be subtracted from the Appleby gravels zone ) or delete this part.

(16)

**12 Map232**

This map appears to have no relation to the rest of the proposed change.

(17)

It is hard to find direct reference to Waimea Deep Moutere Aquifer in the plan.

Please explain the need for this Map, how it is referenced in the plan and why it needs to be included in this proposed change or delete it.

**13 Map232A**

This Map fails to show any Wai-iti zone to the west of the Wai-iti dam service zone.

(18)

Redraw the Map correctly or delete it in its entirety.

**14 Map232B**

Explain how redwood with WCD has taken part of Golden hills with the result that Golden Hills with WCD is now smaller than the original Golden Hills zone.

(19)

Restore the rightful size to Golden Hills by redrawing this map accurately or delete it.

(20)

**14 Map232C**

This map fails to show the two Wai-iti zones as it should because these are Waimea Water management zones like the rest.

The GNS modelling showed that dam water would recharge back up the Wai-iti so these zones ought to be included on this map to give a true picture if the model is to be relied on.

Redraw this map including the two Wai-iti zones or delete it entirely.

(21)

**15 Map236 and 236A**

There appears to be no legend identifying all the different soils.

Supply a legend to match the soil series or delete both maps.

(22)

**16. 31.1.2.3A (1B) (i) and (ii)**

It is not clear what these will achieve. Provide clear and compelling evidence for this to be included or delete it.

(23)

**17. Schedule 31C**

The reference to section 31 rules seems unnecessary. Please justify their inclusion or delete.

(24)



**COVER SHEET**



Return your submission by the advertised closing date to:  
Environmental Policy  
Tasman District Council  
Private Bag 4, Richmond 7050 OR  
189 Queen Street, Richmond OR  
fax 03 543 9524 OR  
i mail: tasman@tasman.govt.nz

# Submission on a Change to the Tasman Resource Management Plan (TRMP)

**OFFICE USE**

Date received stamp:

13/8/18

Initials: AK  
Submission No: 2502

**Note:**

1. This form is only for the purpose of making a submission on the Plan. It is NOT for making a further submission (i.e. in support or opposition to an original submission) or for making a submission on a resource consent or on Council's Annual Plan.
2. It is not mandatory to use either the cover or content sheet of this form, however your submission must be in writing and provide the necessary information as indicated on the form, e.g. what is supported or opposed, the reason why and the decision sought, contact details, etc.
3. Council cannot accept a submission that does not clearly indicate what a submitter wishes Council to do (i.e. Council makes a decision to refuse, amend or accept the changes). Please include specific recommendations if amendments are sought. Council also cannot accept a submission that does not relate specifically to the Plan Change. In these cases, the submission may be considered 'Out of Scope' and may not be considered further.

**Richard Kirby, Engineering Services Manager, Tasman District Council**

Submission Name:  
(organisation/individual)

**Dwayne Fletcher, Activity Planning Manager**

Registration Contact:  
(if different from above)

Postal Address:

189 Queen Street, Private Bag 4, Richmond, Nelson, 7050

Phone: **03 543 8440**

Fax:

E-mail: **Richard.Kirby@tasman.govt.nz** X

Date: **13 August 2018**

Postal address for service of person making submission:  
(if different from above)

Total number of pages submitted (including this page): 2

Signed:

Signature of submitter (or person authorised to sign on behalf of submitter). *NOTE: A signature is not required if you make your submission by electronic means.*

**IMPORTANT - Please state:**

This submission relates to Change No.: 67

Change Title/subject: **Waimea Water Management Technical Amendments**

I/we wish to be heard in support of my/our submission.

I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.

Could you gain an advantage in trade competition through this submission? (tick one)  Yes  No

If "Yes" are you directly affected by an effect of the subject matter of this submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition?

(tick one)  Yes  No

07/18

Remember: Attach this Cover Sheet to as many Content Sheets as required



# Submission on a Change to the Tasman Resource Management Plan

Please attach the Cover Sheet to your Content Sheet(s) outlining your submission request(s).  
For each matter of the Plan Change you wish to submit on, please provide the following. Continue on another Content Sheet, if required.

## CONTENT SHEET

Sheet No. **81**

OFFICE USE Submitter Number: **2802**

<p>My submission relates to TRMP provision or map number:</p>	<p><input type="checkbox"/> I support the Plan Change  <input checked="" type="checkbox"/> I support in part the Plan Change  <input type="checkbox"/> I oppose the Plan Change</p> <p><b>AND</b>          The aspect of the provisions I support or oppose, together with reasons, are:</p> <p><i>State the nature of each submission point and indicate whether you:</i></p> <ul style="list-style-type: none"> <li>• support or oppose the provision or wish to have it amended and</li> <li>• the reasons for your view</li> </ul>	<p>I seek that Council retain/delete/replace/amend the specific Plan Change provision as follows:</p> <p><i>I or our franchisee point provision number, state, specifically, what changes you would like to see:</i></p>	<p><b>OFFICE USE</b> Submitter No.</p>
---	--	--	--

**Example:**

<b>17.5.3.1(k)(6)(i)</b>	<i>I oppose the restriction of... because...</i>	<i>Delete and replace condition 17.5.3.1(k)(6)(i) with:</i>	
<b>30.2.3.13</b>	<p>I support the amendments proposed clarifying that land connected to Council's water supply will remain connected in the event of 'no dam'. However, I note the proposed amendments do not cover other situations where Council has effectively granted a right to connect to the council's water supply and /or has effectively rezoned the land.</p> <p>Staff are aware of instances where resource consents have been granted prior to this plan change, or the earlier plan change outlining the current no dam rules in 30.2.3.13. These consents have been granted with the expectation, requirement, and right to connect to Council's urban water supply. These consents may not be covered by 30.2.3.13 where they have been granted on land that is not zoned urban (such as rural residential) and/or land that is not currently connected to council's urban water supply.</p> <p>This creates potential for a regulatory clash between the TRMP no dam rules and these consents.</p> <p>In a similar vein, the Council has granted a number of special housing areas that are not 'urban land', meaning the SHA is over rural residential or rural land. This creates potential for a regulatory clash between the TRMP and approved special housing areas.</p> <p>In some cases - the land has an existing consent and is a SHA.</p> <p>In both of the above, cases, I understand most of the land is effectively urban in nature even if not zoned as such. They are effectively contained within what the public would consider 'urban Richmond' for example.</p> <p>I ask these situations be explicitly addressed by the proposed plan change. Specifically - I ask they are permitted to be provided water from Council's urban water supply under the "no dam" rules.</p>	<p>Amend 30.2.3.13(b) as follows...(see attachment for track changes version)</p> <p>'(b) allowing requiring permits for community water supplies to be exercised to service only land that:</p> <p>(i) land that was zoned for urban development as at 27 April 2013, including any urban deferred zones that existed at that time, and including any such zoned land in Nelson City reclassified for community water supplies from the Council's supply; or</p> <p>(ii) was connected to a community water supply before [date of notification of C67], including land zoned for rural development connected to rural extensions or to the Redwood Valley community water supply; or</p> <p>(iii) has a resource consent related to it, permitting the land to connect to Council's water supply, provided that the consent was granted before [date of notification of C67] and has not since lapsed; or</p> <p>(iv) has special housing area status under the Housing Accords and Special Housing Areas Act 2013, provided that status was granted before [date of notification of C67] and has not since lapsed.</p>	<p><b>1</b></p>

Tasman Resource Centre

Feel free to contact us!



Tasman District Council  
 Email: [info@tasman.govt.nz](mailto:info@tasman.govt.nz)  
 Website: [www.tasman.govt.nz](http://www.tasman.govt.nz)  
 24 hour assistance

**Richmond**  
 180 Queen Street  
 Private Bag 4  
 Richmond 7010  
 New Zealand  
 Phone: 03 543 6400  
 Fax: 03 543 6524

**Blenheim**  
 62 Fairfax Street  
 Blenheim 7027  
 New Zealand  
 Phone: 03 532 8017  
 Fax: 03 532 1812

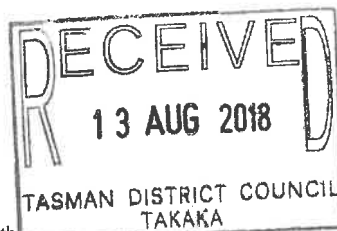
**Motueka**  
 7 Hectors Place  
 PO Box 123  
 Motueka 7143  
 New Zealand  
 Phone: 03 536 2022  
 Fax: 03 536 8951

**Tokoroa**  
 26 Commercial Street  
 PO Box 10  
 Tokoroa 7143  
 New Zealand  
 Phone: 03 525 4030  
 Fax: 03 525 4072

### **Proposed changes to TRMP 30.2.3.13**

If substantial progress towards giving effect to the relevant resource consents for construction of the Waimea Community Dam has not been made by 1 November 2019/2020, as determined under Policy 30.2.3.13A, Council will provide priority for the taking of water from any of the Waimea Plains zones and use of water for community water supplies in a way that recognises and accounts for the constraints on water availability, by:

- (a) ensuring that water allocated for community water supplies is retained for that use when those existing permits expire and are replaced;
- (b) allowing requiring permits for community water supplies to be exercised to service only land that:
- (i) ~~land that was zoned for urban development as at 27 April 2013, including any urban deferred zones that existed at that time, and including any such zoned land in Nelson City reticulated for community water supplies from the Council's supply; or~~
  - (ii) was connected to a community water supply before [date of notification of C67], including land zoned for rural development connected to rural extensions or to the Redwood Valley community water supply; or
  - (iii) has a resource consent related to it, permitting the land to connect to Council's water supply, provided that the consent has commenced before [date of notification of C67] and has not since lapsed; or
  - (iii) has special housing area status under the Housing Accords and Special Housing Areas Act 2013, provided that status was granted before [date of notification of C67] and has not since lapsed.



Submission from Trevor Riley, Milnthorpe, 10<sup>th</sup> August 2018.

To TDC's: 'Proposed Plan Change Number 67 "WITH LEGAL EFFECT" to Waimea Water Management, as Technical Amendments.'

For a Tasman Resource Management Plan to be amended this way now, with the basis of these amendments involving/stemming from the 'Waimea Community Dam Ltd' [a WWAC Dam] process, then, to reach this point, at every step of the way, the material must have had to be LAWFULLY processed, with honest, factually complete, untainted mapping & associated evidence. This process was overseen since 2011, by some TDC Councillors, TDC Management, Consenting Officers & Coordinators, plus the Irrigators etc, fronting as a **Waimea Water Augmentation Committee** along with 'Dam intent' promoter parties. This setup was presumably to ensure that **their** honest, factual, valid maps & evidential documentation (sic) **that they produced**, (but which were paid for by TDC Ratepayers) formed the exact, full basis of material that was later put before the Ratepayers, Submitters and Commissioners in a Resource Consent Process for their WWAC dam. The Hearing stage was fronted by a **limited liability** grouping. The lawful basis and liability components of each of these happenings must be clearly established beyond question and the facts clearly expounded **now BEFORE ANY LEGAL EFFECT** on possible Water-right holders can ever be considered or imposed now or later.

Without that valid oversight, checking and verification of a supposedly truthful (sic) Consenting Documentation process using those WWAC Maps & their supposed correlating evidence, then any Scheme Changes in the future – such as this Change No 67 to the Water-right holders – are null and void – and WITHOUT any possible 'Legal Effect'.

To quote the Waimea Community Dam Ltd applicants Counsels "Respondents Reply" Point 6.6 to the Resource Consent Hearing Commissioners, 27 Jan 2015: "...you [the Commissioners] must make a decision under the RMA based on the evidence before you". However, the Maps these Councillor/s, Management and Staff sanctioned as being fit for presentation to Ratepayers, Submitters and Hearing Commissioners alike – these **essential** Resource Consent Documents namely Tonkin & Taylor's Dwg 27425-GEO-09 Reservoir Landslide Map.. here as **Map 5** and Tonkin & Taylor's Dwg 27425-GEO-02 of the supposed 'Lee Valley to 10km upstream of the Dam site'.. here as **Map 1**, were **in fact fabricated deceitful misrepresentations** designed and concocted for/by the WWAC to conceal the true facts about these terranes: that is **the extreme instability** of ALL the landforms about, above and through the Reservoir environs. All of these very steep ravines in the catchments above, will **drain**, with all of their scree loads, directly or indirectly **into** the Reservoir – this, the first scree-settlement area in the Lee River. **Scree then governs everything here**. Indeed, Geologist Dr. Mike Johnston said to attendees at the earlier TDC Brightwater meeting about the Dam: "It is very unstable up there!" This was repeated, with expletives, by the top brass when they visited the uplands. Yet the Dam Decision (26 Feb 15) Page 28 is very clear: 'There have been no measurements of gravel yields (bed load) [**scree load**] in the Lee River'.

The unique Scree and rotten rock **infill** hereabouts will quickly render any reservoir in these terranes useless in mere years. This Lee Valley Dam will give massive quick returns for a few irrigators and complete disaster and debt for eons to innocent TDC Ratepayers. The **ONLY** true costs the irrigators have ever fronted up to, in all their years of intensive irrigation, are the power/fuel bills for their own pumps: the actual water they have taken **has cost them nothing!**

It is well known that the costs associated with the decommissioning of a failed dam, (here with a reservoir filled to the brim with scree), will be incredibly high. [Ex UK Local Gov. Finance Manager, L.Coleman. G.B.Weekly 3/8/18] Meanwhile, the promotional irrigators can walk away unencumbered, while counting their profits.

The total Dam-accounted costs to TDC's Ratepayers, **when** these two maps were fabricated for deceptive purposes [**Map 5** in August 2012 – **Map 1** in Sept 2012] would have been minimal. T&T's evidence that went with them could only go with them: those fabrications were timeless.

For political and submission-ability purposes by affected parties, these two Maps were tucked away unaltered, to reappear in late 2014 for the Resource Consent Dam Application still labeled and directly attributable to the unlimited liability WWAC grouping.

The total dam cost to Ratepayers **now** that the illegal tort using these two fabricated maps has been implemented, **is just on \$20 million**. There is **NO** way that "**Footnote 4**" on T&T's August 2012 **Map 1** could have got there without the full involvement of one or more TDC Councillors, some of TDCs Management, TDC Consenting Officers and selected members of WWAC: they knew why **Map 1** was wandering off the evidential 10km, in the opposite direction to reality, but still wanted reassurance for their own 'directional stability', hence their 'Shaded relief model' on **Map 1**. Such are the trials for the Emperors new clothes. These people and companies **HAVE** to be held to account: it is **NOT** the way elected Council representatives and their key-staff members can behave, no matter what the cause they blithely believe in: **20 million dollars gone on illegal subterfuges** by an internal cohort and not a skerrick of advancement on the two map fabrications in 2012.

The **Resource Consent Application** was clear & simple: to "Dam the Lee River AND its Tributaries". Although out of sequence to the map-fabrication dates, Geology comes first in such Hearings. The basic QMap material used to "derive" **Map 1** was taken from a \$35 DVD of all 21 NZ QMaps presented seamlessly by GNS. All essential information is in removable 'layers'. Within their \$1.67 investment, T&T removed all layers showing rivers, roads etc. Then they took the base 'bed-rock' and showed that as a mapping, **a full 10 km in the wrong direction to the [attached] evidential-word material describing it. The DVD Map Warnings were very clear: the material was **NOT** for use as a basis for Engineering Projects; at 1:250,000 it could show nothing in detail. So they now illegally magnify it 8.33 times to 1; 30,000 and use it as the fundamental 'Detailed Design Drawing' here as **Map 1**. But it still shows nothing. Magnify nothing over eight times and you are still left with nothing. Any sign of the Lee & its valley was deleted.**

However, if they had shown the terranes **a fraction more** up the true “Lee Valley up-stream” then the massive Earthflows and Rotational Slumping Scree-flows **beside the true Reservoir** would have shown up as large yellow blobs! & then “What are these?” This is shown clearly in the *overlay* of **Map 1** atop the true ‘upstream Lee River’ on a paper ‘QMap 9 Nelson Area’ **Map 2**, enlarged to the same 1:30,000 scale. Councillors, there is no rocket science involved here: it is just a matter of getting the two maps to the same scale and matching them up. **Try it yourself**: take the appropriate area of a paper QMap, enlarge that 500% to get a 1:50,000 portion – then enlarge that new map 166% to get the 1:30,000 scale. The Fault Lines will show the match up & you’ll have a correct *overlay* mapping. **This will clearly show you**, as seemingly hamstrung Councillors, what I believe is evidential perjury in both its mapped and written form: clear, concise perjury that totally invalidates any Resource Consent Decision based upon T&Ts Dwg 27425-GEO-02 here as **Map 1**. (But, as stated earlier, this Geological type **Map 1** was created a full month after the governing Reservoir mapping [**Map 5** here] and was designed solely to coordinate with what was being concealed in that earlier Reservoir Mapping.)

Turning now to that map they created first-off: T&Ts Dwg 27425-GEO-09 **Reservoir Map**, here as **Map 5**. The issues surrounding the factual Scree-drains & tributaries coming into every quarter of the Reservoir area, governed everything that was portrayed in this T&T fabrication.

To repeat: the Resource Consent Application was very clear and simple – seeking permission to Dam the Lee River AND its [upstream] TRIBUTARIES. If those tributaries were on a mapping whose scale dictated that the tributaries influential size demanded their inclusion in that mapping – then they **MUST** be shown. If they were **deliberately excluded to avoid** the proponents facing and explaining the massive scree-infill problems such as they have here – then that exclusion totally invalidates the Resource Consent Application.

With the aid of a legitimate Geological Map it is easy to establish that the tributaries **were all** deliberately excluded and the Resource Consent for the Lee Dam **is** totally invalid....The ‘Footnote 2’ on this **Map 5** explains, “Aerial imagery and existing ground contours sourced from New Zealand Aerial Mapping Ltd. Flown between 30 May & 03 June 2011.” As is evident from **Map 4** (a synopsis of the 3 Dam Engineering RC drawings at 1:1000) this LiDAR imagery **does** produce unique, perfectly contoured mappings, showing every moderately sized nook and cranny in detail. These RC Engineering Maps were at 1:1000. As a small example, now try reducing those contour profiles from 1:1000 to 1:10,000 ... **every stream bed and scree-ravine will still show up perfectly.**

But **Reservoir Map 5** was made up at 1:10,000 from NZ Mapping Ltds Aerial LiDAR – paid for by the TDC Rate-payers – and **SHOULD** have been shown in its clear original unadulterated form with the scree-drains shown in their obvious tributary beds. [The original mappings should easily be sourced] **Instead**, TDC Ratepayers **pay**, through the cohort, **for T&T to smear, fudge, and paint over** every contouring that shows the least sign of things the cohort didn’t want the ratepayers & others to see: Every semblance of a tributary, and every scree-drain [The Lee aside] coming into the Reservoir, from every direction, being totally erased - all at the proponents sanctioned behest.

They even took the opportunity to foreshorten ALL the landslides coming into that first reservoir arm to the east of the Dam, so giving the impression of a lessened landslide/ scree problem...

All this was then sanctioned and approved by the cohort part within the TDC. The Resource Consent Commissioners could only make a decision based on the TDC & 'expert' approved fabrications placed before them. The cohort had made sure they had removed any features from the mappings that might have given concern to anyone. The 'Respondents Reply' (27 Jan 2015) Point 6.2 has T&T's Mr. Foley confirming that **he did not see any features** [of the reservoir site] **that gave him concern..** Now this gentleman was stated, in material sent by the TDC to submitters immediately before the RC Dam Hearing, as the 'Expert on Geology'; this written 6 times in succession. Recipients could but accept this to mean he was a true Geologist, and so adjusted their submission writings accordingly. The first day or two of Hearings was reserved for the 'Experts'. On the first day Mr. Foley – the first expert up, was asked by Commissioners two particular questions: 'What expertise do you have as a Geologist?' and 'What work experience do you have as a Geologist?'. To each question Mr. Foley answered "None." The Commissioners did NOT register this information in their Decision. Seemingly only one no-dam submitter heard this: others didn't register this fact till many weeks later. It is Mr. Foley's evidence that I believe is truthfully deficient here. I believe his evidential words defining parts of the two maps listed here as **Map 1** and **Map 5** constitutes perjury.

No Submitters could get anywhere near the site to see for themselves: it was distant & inaccessible behind locked gates; The RC process a closed shop, with a fabricated 'water-tight' done-deal.

I cannot be held responsible for the TDC staffs persistence in making these defining maps on this matter, totally illegible to Councillors, by reducing them down to A4 or less for their individual viewing.

But again it is not rocket science to look, as a Councillor, for yourself, into matters behind T&T's **Map 5**: it helps if you were confused by the original RC Dam maps and could ask two simple questions: 'Where did they get that type of QMap [ **Map 1** ] from?' and 'Why did they illegally enlarge a QMap?' That leads to the discovery of the legitimate 1:50,000 Geological Map N28BD 'Red Hills' available seemingly only from GNS itself: a map unmentioned in any TDC material. Then **anyone** with 10 minutes access to an A3 photocopier could do what comes next: enlarge the Lee River area of your 'Red Hills' Map by 166%. This gives the enclosed **Map 3** at 1:30,000. Fiddle around and get two A3 map enlargements of the Lee to Serpentine area at 200% on Map 3, giving a background base of 1:15,000 to make **Map 6**. Then reduce T&T's Reservoir map, **Map 5** by 66% to give a 1:15,000 copy as the *overlay* on your new background map, **Map 6**. Again the fault lines of *base-map* and *overlay* align perfectly. Tabulated elevations and the Lee River itself all fall into place. But – and this is the fundamental aspect of all this perjury, deceit & collusion by the cohort – **but ALL** the tributaries and scree-drains **into** the Reservoir STOP at the outside-borders into T&T's Reservoir Dwg 27425-GEO-09. [Here as **Map 5**] Nothing could be more cynically deliberate and deceitful than that.

Please, do not take the self assumptions of doubters on this matter: you as individual Councillors apparently are barred from looking at material that is not sanctioned by TDC doctrines. But there is absolutely nothing stopping any Councillor from buying their own legitimate GNS or LINZ map, then doing their own enlarging of maps & map overlays and proving for themselves this deceit, corruption and perjury that has occurred to get TDC Ratepayers \$20 million into debt.

You could use a Topo50 Map – NZ Topo50-BQ26, 1:50,000 from a local bookshop. Again enlarge the Lee area by 166% to give a 1:30,000 portion, then that map-part by 200% to match the 1:15,000 RC Reservoir *overlay*. [Here as 2<sup>nd</sup> *overlay* on **Map 6**] Take it another 150% and you would have a duplicate matching the original **Map 5**, but beware: this map will NOT show all the earth flows, landslides or slumpings which dominate these environs. Again this source of information **confirms** the joint actions of the cohort in **hiding** every trace of tributaries and scree-drains from the ravines around and above, into the Consented region; **hiding** so much of the basic Resource Consent subject matter; that it totally invalidates the original Application.

Now **Map 5** – the Reservoir Map showed almost continuous walls of Landslides and Slumpings on both banks of the Lee River from the maps South border to its North border. NONE of these LiDAR tabulated/positioned terrane movements showed on any of the issued Maps of the area – neither N28 BD nor Topo BQ26. It was not the job of those map-compilers to tabulate such matters. However, such occurrences do happen naturally, but largely unobserved, on every bank of every Tributary & every section of the upper Lee River: thousands of unrecorded slumps and landslides adding continuous streams of Scree to settle permanently in the proposed Reservoir below...and not a pennyweight of it recorded or considered for Consenting purposes.

The material collectively herein cannot be taken any other way: a cohort with self interest intent has manipulated events since August 2012 to produce fabricated deceitful maps to pervert the course of Justice – maps which, when coupled with the evidential words that goes with this material, can only be taken I believe, as perjury: perjury and deceit that nullifies the original Consent and brings in the questions of \$20 million of liability against WWACs deceitful actions.

With such unresolved torts comes the pressure for more power to the instigators and here, with the allocation of Water-rights, unfair and unjust decisions. That is not how our democratic process should work. No new water right measures should be administered “WITH LEGAL EFFECT” – until the illegal aspects of the Dam’s Resource Consent Application and its subsequent Decision have been fully investigated by a formal Judicial Review.

I ask to speak to this submission please.

A copy of this submission will be sent to the Attorney General The Hon David Parker.

Trevor Reby

## Attachments

As **Attachments** to this Submission, I include all of my material which was submitted to the TDC by way of :-

**Feedback on Lee Valley Dam** 13<sup>th</sup> December 2017 'Speaking to the Submission'.

**Long term Plan** 'Submission' and 'Speaking to Submission' 4<sup>th</sup> & 23<sup>rd</sup> April 2018 including copy of letter to Attorney General Mr. Parker 23<sup>rd</sup> Jan 2018

In this digital age seemingly these references will avoid any rescanning by Council staff.

For the fundamentality of the Earth Flows and Slumping, the two photocopies from the 'Red Hills' booklet are included. Hence attached are:

- The seven Geological-type **Maps** defining the situation
- Photo of the **Croisilles Melanges** scene
- Photo of **Mt Rintoul** collapsing from the effect of a small cirque within
- Sheet N28 BD Red Hills **key to symbols**
- TDC Proposed Plan Change No 67 "**WITH LEGAL EFFECT**"