

To: The Resource Consent Administration Officer
 Tasman District Council
 Private Bag 4
 Richmond 7050



tasman
 district council

Te Kaunihera o
te tai o Aorere

Submission on Resource Consent Application

Email: resourceconsentadmin@tasman.govt.nz



PLEASE ENSURE THAT ALL SECTIONS OF THIS FORM, ON BOTH SIDES, ARE COMPLETED.

Please note: all submissions become public documents. If the application requires a hearing, your submission may be published on the council's hearings page, including your name and contact details.

Personal information will also be used for administration purposes, including notifying submitters of hearings and decisions. All information will be held by the Tasman District Council with submitters having the right to access and correct personal information.

Submitter Details

Full Name:	Waimea Inlet Forum working group	
Contact Person (if different):	David Sissons	
Address for Service:	Waimea Inlet Forum working group c/- David Sissons 23 Cropp Place, Richmond, Nelson 7020	
Postcode:	Richmond, Nelson 7020	
Phone:	(03) 544 1573	E-mail: sissonsihug@outlook.com

Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: (Name of Applicant): Nelson Regional Sewerage Business Unit

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

RM200638 Application of biosolids to land at Moturoa/Rabbit Island
 RM200640 Operation and maintenance of the Biosolids Application Facility and all other land use activities associated with the application of biosolids to land at Moturoa/Rabbit Island

Tasman District Council Application Number (if known): RM RM200638 RM200640

1) The specific part(s) of the application that my submission relates to is/are (Give details*):

Spreading of biosolids to land at Moturoa/Rabbit Island and all other associated land use activities.

* Note: Any additional information should be submitted on a separate sheet(s).

2) The reasons for my submission are (Give details*):

As per the attached sheets (5 pages)

*Note: Any additional information should be submitted on a separate sheet(s).

3) The nature of my submission is that: (Tick one of the following three boxes):

I support the application I oppose the application I am neutral regarding the application

4) The decision I would like the Council to make is (Tick one of the following two boxes):

To grant consent To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

As per the attached sheets (5 pages)

*Note: Any additional information should be submitted on a separate sheet(s).

5) Attendance at any Council Hearing (You must tick one of the following two boxes):

I wish to be heard in support of my submission I do not wish to be heard in support of my submission

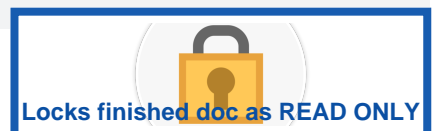
Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name:

Signature*: _____
(Person making submission or authorised agent)

Date:

*Note: A signature is not required if you make your submissions by electronic means.



A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.

Submission on Resource Consent Application

Submitter Details

Full Name: Waimea Inlet Forum working group

E-mail: waimea.inlet@gmail.com

Contact Person (if different from above): David Sissons

Address for Service:

Waimea Inlet Forum working group

c/- David Sissons

23 Cropp Place, Richmond, Nelson 7020

Phone: (03) 544 1573

Mobile: 027 216 1100

E-mail: sissonsihug@outlook.com

Submission Details

This is a submission on the following application for resource consent lodged with the Council.

This is a submission on an application from:

Nelson Regional Sewerage Business Unit

For a resource consent to:

- **RM200638** Application of biosolids to land at Moturoa/Rabbit Island
- **RM200640** Operation and maintenance of the Biosolids Application Facility and all other land use activities associated with the application of biosolids to land at Moturoa/Rabbit Island

1) The specific part(s) of the application that our submission relates to is:

Spreading¹ of biosolids to land at Moturoa/Rabbit Island and all other associated land use activities.

2) The reasons for our submission are:

Purpose of the Waimea Inlet Forum (WIF) working group

The Waimea Inlet Forum is an informal group that was created to support the implementation of actions springing from the Waimea Inlet Management Strategy (WIMS). Collaborators include the Tasman and Nelson councils, Department of Conservation, statutory agencies, non-statutory groups and organisations, businesses and residents who have an interest in and a commitment to the Waimea Inlet and its sustainable

1 Note on wording:

To avoid confusion between the 'application' for consent and the 'application' of biosolids, this submission uses the phrase 'spreading' of biosolids (while the consent application uses the phrase 'application' of biosolids).

future. The Forum has a working group and a co-ordination group which meet regularly to co-ordinate actions that achieve the aims of the Strategy.

The WIMS brings together the communities of Tasman and Nelson and the many groups who have an interest in and a commitment to the Waimea Inlet and its sustainable future. It is also an inter-agency strategy that includes the Tasman and Nelson councils. It is a support document under the councils' Long Term Plans (LTPs). As such it supports the vision and community-sourced outcome statements of those documents, and it guides the councils' decision-making across all departments, influencing not only statutory resource management but also provision of infrastructure, services and all areas of council involvement. It was adopted by the two councils in 2010.

WIF relationship with the Nelson Regional Sewerage Business Unit (NRSBU)

The NRSBU is a joint committee of the Tasman and Nelson councils. It oversees the Nelson Regional Sewerage Scheme (NRSS), which is evenly owned by each of the two councils. The current consent application is for activities that lie alongside and have the potential to affect the Waimea Inlet.

The WIMS has policies to keep the Waimea Inlet healthy and to make it better for the future.

The WIMS also contains a goal of "Having specific regard to Nelson Airport, the Bells Island Sewerage Treatment plant, and roading, to find best outcomes for both inlet values and the continued operation of these facilities".

WIF support for the environmental responsibility of the NRSBU

Since our founding in 2010, we in the Waimea Inlet Forum working group have observed the NRSBU to be environmentally aware and keen to do its best to keep the Waimea Inlet healthy and to make it better for the future.

We acknowledge the applicant's pre-application consultation with us and we see that it is referred to in the application.

We see that the applicant has commissioned updated specialist assessments in support of the current application, and those have concluded that, subject to consent conditions, the proposed activities (in amounts no higher than those applied to date) will have less than minor adverse effects on the environment.

The applicant considers the Moturoa/Rabbit Island Reserve Management Plan (September 2016) and concludes that the spreading of biosolids is consistent with it.

3) The nature of our submission is that:

- ✓ We support the application, provided that
 - a) further conditions are added, as discussed below, and
 - b) the term of the consents is adjusted to match, or to be less than, the term of the recently renewed Bell Island Wastewater Treatment Plant discharge consents.

4) The decision we would like the Council to make is:

- ✓ To grant consent.

If consent is granted, we wish the Council to impose the following conditions:

Overall, the results of the Cawthron monitoring programme indicate that spreading of biosolids to land on Moturoa / Rabbit Island over the past 24 years has had less than minor adverse effects on the enrichment or contaminant status of intertidal habitats around Moturoa / Rabbit and Rough islands. It has not resulted in the accumulation of arsenic or any of the monitored trace metals in intertidal sediments, nor have any effects on the sediment-living fauna been identified. They consider that the risk of adverse effects from cumulative nutrient enrichment and toxic contamination of intertidal sediments and the wider Waimea Inlet due to future spreading of biosolids (in amounts no higher than those applied to date) is likely to be less than minor.

However, the consent conditions proffered by the applicant do not deal with:

- any increasing volume or change in composition of the biosolids caused by, for instance, urban growth and changing trade waste composition, nor
- the predictable and unpredictable effects of climate change, mainly through sea level rise and increased storminess, and of changes in vegetation management on Rabbit Island.

Environmental effects of biosolids

Both national and landowner policies show that the NRSBU must take an adaptive approach to its future use of the reserve for the spreading of biosolids, whereby the NRSBU commits to a certain standard of environmental and public health outcomes, and then ensures that these standards are not breached. This should be done through the establishment and use of trigger points to determine when and where spreading should be altered, before any likelihood of breaches arises.

The applicant's proffered consent conditions provide for six-yearly monitoring to detect if, where and why adverse effects are arising. The six-yearly reviews must also be able to trigger robust remedial actions if the monitoring reveals that the standard of environmental and public health outcomes is at risk. The proffered conditions do not achieve this.

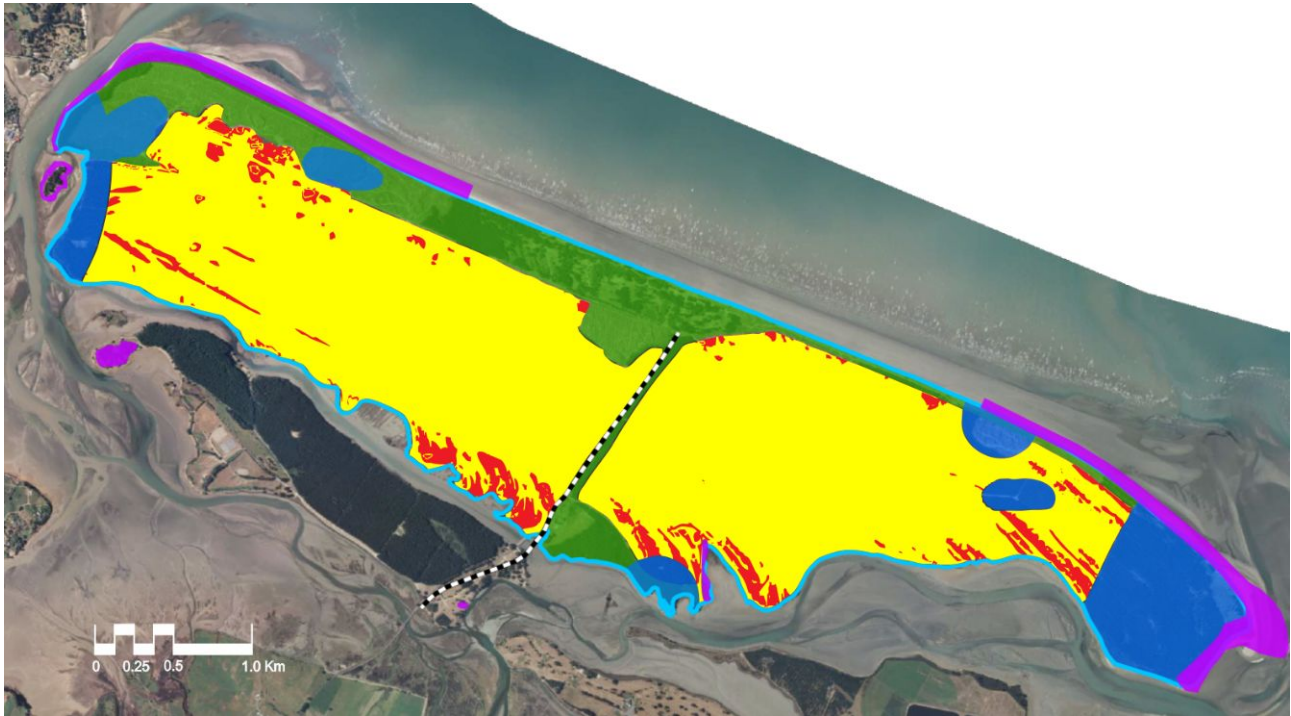
Indeed, the applicant proposes not to carry over Condition 13 from the expired consent (*13.0 Council's District Resource Analyst or his/her agent may require remedial works to be implemented if monitoring shows unacceptable environmental impacts; such works may include application of biosolids at reduced loading rates, or the addition of lime if soil pH at any soil sampling site falls below 5.0*). Thus the applicant's proffered conditions will no longer require any remedial works if monitoring shows unacceptable environmental impacts. Contrary to the statement on the last page of the Volunteered Draft Consent Conditions, this requirement for remedial action is *not* covered by any of the proffered conditions regarding reporting, complaints register, etc.

There is not even a condition specifically *requiring* compliance with the Biosolids Guidelines (*Guidelines For The Safe Application Of Biosolids To Land In New Zealand (August 2003)*) - all that is required is "an assessment" (see proffered condition (9)(d)).

Proffered condition (28)(d)(iii) requires that if any soil sample exceeds the heavy metal maximum soil concentration limits recommended in the Biosolids Guidelines, then the Consent Holder shall "recommend whether any further action needs to be taken by the Consent Holder". This condition requires the poacher to act as gamekeeper. It must be amended to require remedial works before the Guidelines are exceeded.

Climate change

In assessing the application, the consenting authority will need to assess the effect of sea level rise over the term of the consent, both on the line of MHWS and on the depth to groundwater in the disposal areas. The proffered 50 m wide buffer from MHWS can be expected to move inland, and at a faster rate where the land is low-lying, notably around the south side of the island. As this impact comes into effect, the NRSBU will need to review how much of the affected land should be taken out of the biosolids spreading area.



Map of the biosolids spreading area, shown in yellow, with those localities within it which are likely to be the most vulnerable to short term sea level rise, shown in red. Overlaid on the consent application's Fig 4.1.

This is the full list of matters about which the Waimea Inlet Forum's working group wish to see consent conditions added:

1. To make the six-yearly reviews available to the general public by posting them on the NRSBU website,
2. To establish upper limits on the amounts of contaminants and nutrients reaching the soil, the groundwater and the Inlet, and to require that if the six-yearly monitoring reveals rising trends that may be heading towards exceedance of those limits, remedial action will be taken by the consent holder to ensure that they will not be exceeded,
3. To require that the consent be amended as necessary to ensure that the biosolids operation complies with and implements the Tasman District Council's Coastal Management Strategy, within three months of that document being finalised, so that at predetermined trigger (decision) points, operational changes will be made, in order to achieve the outcomes of that Strategy for the rest of the term of the consent,

4. To require the Consent Holder to prepare a climate change adaptation plan and to implement measures which anticipate and adapt to future climate change before it causes adverse environmental impacts, through the establishment of trigger points for preventative actions².
5. In particular, to require the width of the coastal buffer area to be increased in specific places, within three months after each six-yearly review, in the event that the progress of sea level rise causes the 50m width to be reasonably foreseen to be inadequate to prevent contaminants and nutrients reaching the Inlet in those places, especially with regard to occasional high tide storms³,
6. To require exclusion zones to be added or extended, within three months after each six-yearly review, wherever the depth to the water table becomes insufficient to prevent contaminants and nutrients reaching it, in the event that the progress of sea level rise shows that the depth to the water table will reduce before the end of the term of the consent,
7. To provide for the realignment of buffer area boundaries, within three months after each six-yearly review, in the event that natural regeneration, migration of natural vegetation, and/or re-establishment of native cover show that the migration of the inland boundaries of any of the significant native habitats will encroach into mapped buffer areas before the end of the term of the consent.

Term of consent

The applicant is seeking to renew the existing consents, for which the 24 year term has now expired. A new term of 35 years is sought. The Cultural Impact Assessment recommends a term of 15 years.

The recently renewed Bell Island Wastewater Treatment Plant discharge consents run for twenty years from February 2020.

We note that the applicant's proffered condition requiring six-yearly reporting aligns with the conditions imposed on the Bell Island Wastewater Treatment Plant discharge consents. We consider that the maximum duration of the biosolids consents should similarly align with the duration of the Bell Island Wastewater Treatment Plant discharge consents, such that both consents expire on the same date in February 2040. At the end date, both parts of the NRSBU operation will then be reviewed together as one process, and any further consent renewal could draw on the findings of the third six-yearly report.

However, we would also be happy to see a shorter term for the biosolids consent, such as 15 years, which would enable any further consent renewal to draw on the findings of the second six-yearly report.

5) Attendance at any Council Hearing:

- ✓ We wish to be heard in support of our submission.

² See [Coastal hazards and climate change: Guidance for local government: Ministry for the Environment \(2017\)](#)

³ On 1 February 2018 Cyclone Fehi caused tidal flooding that extended about 1 metre higher than MHWS.



HERITAGE NEW ZEALAND
POUHERE TAONGA



Tairangahia a tua whakarere;
Tatakihia nga reanga o amuri ake nei
Honouring the past; Inspiring the future

17 May 2021

File reference: 33002-093

Resource Consents Team
Tasman District Council
Private Bag 4
Richmond 7050

resourceconsentadmin@tasman.govt.nz

SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA ON RESOURCE CONSENTS BY NELSON REGIONAL SEWERAGE BUSINESS UNIT FOR DISPOSAL OF BIOSOLIDS AT MOTUROA / RABBIT ISLAND

To: Tasman District Council

Name of Submitter: Heritage New Zealand Pouhere Taonga

1. Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage.
2. This is a submission on a resource consent applications by Nelson Regional Sewerage Business Unit (NRSBU) for disposal of biosolids at Moturoa / Rabbit Island. Application numbers are RM200638 and RM200640.
3. HNZPT is not a trade competitor for the purposes of Section 308B of the Resource Management Act 1991.
4. The specific parts of the application that this Heritage New Zealand submission relates to are:
 - Potential effects on archaeological values

5. **Heritage New Zealand submission is:**

- **Oppose some aspects of the application**

6. **The reasons for Heritage New Zealand's position are as follows:**

- 6.1 Moturoa is an island which has extensive cultural and archaeological values. There are a number of recorded archaeological sites on the island, and there is also the potential for unidentified archaeological sites throughout the island. All archaeological sites (both recorded and unrecorded) are protected under the Heritage New Zealand Pouhere Taonga Act 2014. It is important that both recorded and unrecorded sites are adequately protected from inappropriate use and development.
- 6.2 A Cultural Impact Assessment (CIA) has been included with the application. HNZPT acknowledges the engagement and consultation with tangata whenua which has been undertaken as part of the project. We also acknowledge that in the application it is stated that NRSBU is committed to ongoing consultation beyond lodgement and throughout the terms of any granted consents.
- 6.3 The application recognises six recorded archaeological areas on Moturoa. NRSBU has provided a buffer zone around these areas and no discharge to land is to be undertaken in those areas. However, according to the CIA (page 31) there are also other known cultural heritage areas on the island which will be subject to accidental discovery protocols. An ADP has been included in Appendix 1 of the CIA.
- 6.4 The CIA recommends (page 36) that there is a buffer zone of 200 metres for the currently identified archaeological and cultural areas to provide adequate protection and retirement of these areas from any activities due to the high significance of Moturoa to Iwi. HNZPT is supportive of this recommendation.
- 6.5 A further recommendation of the CIA is that there is a preliminary survey by a registered archaeologist of the currently identified sites and any other potential. The CIA states that there should be a work programme to review, evaluate and assess current archaeological sites and known sensitive cultural sites/areas not marked on the NRSBU map, and provide for associated buffer and exclusion zones for any activities that may impact on Iwi cultural values. HNZPT concurs with this recommendation.
- 6.6 As the AEE states (p.24) the exclusion zones were largely determined during the original consent process in the mid 1990's. Although modifications have been made to their extents during production of the RMP around 2016, there is still a need for further work to investigate potential cultural and archaeological areas and revise the exclusion zones. It is acknowledged in the application that revision to the exclusion zones may be required as a result of ongoing engagement with Te Tau Ihu Iwi.
- 6.7 The application includes a recommended condition (draft condition 7) that there will be an annual hui with Te Tau Ihu Iwi to ensure cultural concerns are understood, and to provide an opportunity for Iwi to assess sites of cultural significance and confirm that archaeological sites are adequately protected. HNZPT is supportive of this condition.
- 6.8 Appendix Q includes a list of current conditions no longer considered necessary, including Condition 5.2:

An archaeological survey is to be undertaken in construction areas before works begin. Any archaeological sites in addition to those already excluded that are discovered during this survey or during subsequent biosolids operations are to be brought to the immediate attention of a representative nominated by tangata whenua and the Historic Places Trust for assessment and advice. Council shall also be notified. Works in the immediate vicinity of any such site are to cease until advice is offered. Such sites may be excluded from the biosolids operation. Reason: Recorded sites already in exclusion zones. Recently confirmed via RMP process (September 2016).

- 6.9 This condition as currently worded may no longer be necessary. However the submission of HNZPT is that there is a need for a condition for further archaeological and cultural survey work in areas not already assessed. Suggested wording for such a condition is provided below:

An archaeological assessment report shall be prepared and submitted to Council by a registered archaeologist prior to any ground disturbance activity. This report shall include a review, evaluation and assessment of the current cultural and archaeological exclusion zones to ensure they adequately address known and potential sites of significance. The report may recommend additional exclusion zones and/or amendments to the spatial extent of the existing exclusion zones.

- 6.10 In conclusion Heritage New Zealand Pouhere Taonga has some concerns with this application in relation to the existing exclusion zones and the need for further archaeological assessment. If these matters are adequately addressed HNZPT is not opposed to approval of the application.

7. Heritage New Zealand Pouhere Taonga seeks the following decision:

- That a condition is included requiring the undertaking of an archaeological assessment, as suggested in paragraph 6.9 above.

Heritage New Zealand does not wish to be heard in support of its submission.

Yours sincerely



Alison Dangerfield

Area Manager / *Kaiwhakahaere ā-Takiwā*
Central Region / *Te Takiwā o Te Pūtahi a Māui*
Heritage New Zealand Pouhere Taonga

Address for service:

Heritage New Zealand Pouhere Taonga
Central Region *Te Takiwā o Te Pūtahi a Māui*

PO Box 2629
Wellington 6140
Ph: 04 494 8325
Contact person: Dean Raymond, Planner / Kaiwhakamāhere

Email: draymond@heritage.org.nz

Copy to:

Nelson Regional Sewerage Business Unit
C/- Duncan Cotterill
PO Box 5
Christchurch 8140
katherine.forward@duncancotterill.com

To: The Resource Consent Administration Officer
 Tasman District Council
 Private Bag 4
 Richmond 7050
 Email: resourceconsentadmin@tasman.govt.nz



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Te Kaunihera o
te tai o Aorere



Submission on Resource Consent Application

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Submitter Details

Full Name:	Te Rūnanga o Ngāi Rārua		
Contact Person (if different):	Rowena Cudby		
Address for Service:	56 Vickerman Street Port Nelson Nelson 7010		
Postcode:			
Phone:	027 234 4246	E-mail:	taiao@ngatirarua.iwi.nz

Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: (Name of Applicant): Nelson Sewerage Business Unit

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Discharge biosolids to land on Moturoa Island

Tasman District Council Application Number (if known): RM200638

1) The specific part(s) of the application that my submission relates to is/are (Give details*):

Please see attached letter.

* Note: Any additional information should be submitted on a separate sheet(s).



EP-RC040D 08/19

2) The reasons for my submission are (Give details*):

Please see attached letter.

*Note: Any additional information should be submitted on a separate sheet(s).

3) The nature of my submission is that: (Tick one of the following three boxes):

I support the application I oppose the application I am neutral regarding the application

4) The decision I would like the Council to make is (Tick one of the following two boxes):

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If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

Please see attached letter.

*Note: Any additional information should be submitted on a separate sheet(s).

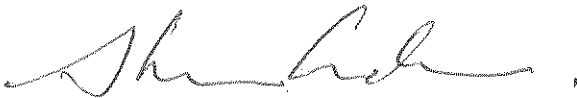
5) Attendance at any Council Hearing (You must tick one of the following two boxes):

I wish to be heard in support of my submission I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name: Shane Graham - Chief Executive Officer, Te Rūnanga o Ngāti Rārua

Signature*:



Date: 18 May 2021

(Person making submission or authorised agent)

*Note: A signature is not required if you make your submissions by electronic means.

A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.



18 May 2021

**SUBMISSION ON RESOURCE CONSENT RM200638 FOR THE DISCHARGE OF BIOSOLIDS AT
MOTUROA (RABBIT) ISLAND FOR THE NELSON SEWERAGE BUSINESS UNIT (NRSBU)**

To: Tasman District Council
C/- Resource Consents Administration
189 Queen Street
Private Bag 4
Richmond 7050

Name of organisation making submission:

Te Rūnanga o Ngāti Rārua

Tēnā koe

Introduction

1. Thank you for the opportunity to make a submission on the resource consent application RM200638 et al applied for by the NRSBU that seeks to authorise the discharge of biosolids to land on Moturoa Island for an additional term of 35 years, among other associated activities.
2. Ngāti Rārua acknowledge the applicant's consultation to date and appreciates the open process with iwi involvement. Ngāti Rārua was part of the iwi working group that contributed to the cultural impact assessment (CIA) prepared by Aneika Young of Te Aranga Environmental Consultancy. This CIA forms part of the application documents.
3. Ngāti Rārua originate from the western coast of the King Country region and descend from those tupuna who travelled to Aotearoa aboard the Tainui Waka. Ngāti Rārua came to Te Tau Ihu o te Waka a Māui (the northern South Island) in the late 1820s and 1830s and established pā and kainga at Te Tai Tapu/West Whanganui, Golden Bay, Tasman Bay and Wairau. Today Ngāti Rārua holds mana whenua status over these areas.
4. Te Rūnanga o Ngāti Rārua manages assets, business and taonga on behalf of all registered Ngāti Rārua members.

Ngāti Rārua association with Moturoa and surrounding lands

5. The associations of Te Tau Ihu iwi with Moturoa are well described in the CIA.
6. Ngāti Rārua have traditional and cultural association and relationship with the Waimeha (Waimea) catchment. This incorporates the coastal waters and islands at the mouth of the awa, including Moturoa. Ngāti Rārua whare were located at the mouth of the Waimeha River and the surrounding area provided tūpuna with a plentiful supply of harakeke for making things like nets, ropes and cords, kete and kākahu (cloaks). The Waimeha area was the gateway to the trading route between Whakatū (Nelson) and Te Tai Poutini (West Coast). Goods traded included kumara, dried tāmure and pakohe tools – valuable taonga which were not obtainable on the Coast.
7. The Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014 includes a statutory acknowledgement by the Crown of the cultural, spiritual, historical and traditional associations that Ngāti Rārua have with the Waimeha (Waimea) River catchment and the Te Tau Ihu Coastal Marine Area. Both of these areas immediately adjoin Moturoa.
8. The fact that Moturoa is not a specifically identified statutory area does not diminish the importance of the associations Ngāti Rārua have with this land. It is noted that statutory acknowledgements made through settlement legislation can only be made over Crown-owned land or resources. Because Moturoa is not in Crown ownership it was never possible for this land to be included in Ngāti Rārua 's settlement claim.

Ngāti Rārua Submission

9. Overall, Ngāti Rārua consider that the long term discharge of biosolids to Moturoa has the potential to cause significant adverse effects on customary practice and the cultural association that the iwi have with Moturoa.
10. For this reason Ngāti Rārua opposes the application.
11. Ngāti Rārua would like the Council to refuse/decline the consent.
12. Ngāti Rārua does wish to be heard in support of this submission.
13. The specific parts of the application that Ngāti Rārua 's submission relates to are detailed below.
14. Should consent be granted, conditions of consent are suggested where appropriate.

Protection of wāhi tapu and taonga

15. It is considered that the proposed activity will not provide adequate protection of wāhi tapu and taonga.

16. Should consent be granted the following conditions should be imposed as a minimum.
17. A buffer zone of 200 metres should be required from all current and future archaeological and cultural areas to provide adequate protection and separation of these areas from the subject activity.
18. An Iwi Monitor Protocol should be required activities as described in Section 9.1 of the CIA.
19. A work program to review, evaluate and assess archaeological and cultural sites should be required.

Duration of consent

20. Ngāti Rārua does not support a term of 35 years for the activity.
21. A 35 year duration would not focus the applicant on the removal or relocation of the discharge from Moturoa. The long term use of this site for waste discharge is offensive to Ngāti Rārua and impacts on customary practices and the exercise of kaitiakitanga.
22. A duration of 15 years is considered to be more appropriate as this gives the applicant sufficient time to run the facility while seeking to phase out and remove the discharge component from Moturoa.

Assessment of Alternatives

23. The application itself and the applicant's assessment of alternatives focuses primarily on the provision of different treatment methods while still discharging to Moturoa. There is some discussion about potentially removing the activity on site and transporting the biosolids to other industry such as horticulture.
24. Ngāti Rārua considers that insufficient assessment has been carried out for the phasing and removal of the discharge from the site. The focus of the application should not be the retention of the discharge on Moturoa for the long term, but rather the progressive removal of the activity from this culturally significant site.
25. The assessment of alternatives should provide detailed timelines and further options for the phasing out and removal of this discharge from Moturoa. It is considered that the motivation for looking at alternative sites is especially diminished if the 35 year duration is granted.

Cultural Health Indicator Monitoring

26. A key recommendation in the CIA was to establish a baseline of cultural health monitoring and to continue with cultural health monitoring for the duration of the consent.
27. Cultural Health Indicator monitoring should be required as a condition of consent to collect data based on Te Ao Māori values and indicators of the natural environment. This work will

complement the western science data and monitoring and inform better planning and management practices.

Annual hui

28. The proposed condition (7) relating to an annual hui for Te Tau Ihu iwi (refer Appendix Q of the application) is supported in principle.
29. However, the proposed condition does not adequately specify what outcomes from the hui the applicant will be bound to. Further discussion and refinement of this condition is sought.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Shane Graham', with a long horizontal flourish extending to the right.

Shane Graham
Pou Whakahaere | Chief Executive Officer

To: The Resource Consent Administration Officer
 Tasman District Council
 Private Bag 4
 Richmond 7050

Email: resourceconsentadmin@tasman.govt.nz



tasman
district council

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Submission on Resource Consent Application

PLEASE ENSURE THAT ALL SECTIONS OF THIS FORM, ON BOTH SIDES, ARE COMPLETED.

Please note: all submissions become public documents. If the application requires a hearing, your submission may be published on the council's hearings page, including your name and contact details.

Personal information will also be used for administration purposes, including notifying submitters of hearings and decisions. All information will be held by the Tasman District Council with submitters having the right to access and correct personal information.

Submitter Details

Full Name:	Te Atiawa Manawhenua Ki Te Tau Ihu Trust	
Contact Person (if different):	Sylvie Heard	
Address for Service:	PO Box 340, Picton	
Postcode:	7250	
Phone:	03 5735170	E-mail: taiao@teatiawatrust.co.nz

Submission Details

This is a submission on the following application for resource consent lodged with the Council:

This is a submission on an application from: (Name of Applicant): Nelson Regional Sewerage Business Unit

For a resource consent to: (details can be found on the notice in the letter from Council, newspaper, website or on-site)

Nelson Regional Sewerage Business Unit (NRSBU) are seeking replacement consents to continue applying biosolids to the forestry land on Moturoa. The biosolids are from the Bell Island Wastewater Treatment Plant.

Tasman District Council Application Number (if known): RM RM200638, RM200639, RM200640 & RM200641

1) The specific part(s) of the application that my submission relates to is/are (Give details*):

see attached

* Note: Any additional information should be submitted on a separate sheet(s).



2) The reasons for my submission are (Give details*):

see attached

*Note: Any additional information should be submitted on a separate sheet(s).

3) The nature of my submission is that: (Tick one of the following three boxes):

I support the application I oppose the application I am neutral regarding the application

4) The decision I would like the Council to make is (Tick one of the following two boxes):

To grant consent To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions

(Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):

*Note: Any additional information should be submitted on a separate sheet(s).

5) Attendance at any Council Hearing (You must tick one of the following two boxes):

I wish to be heard in support of my submission I do not wish to be heard in support of my submission

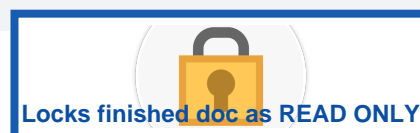
Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearing report if a hearing is held.

Print Full Name: Sylvie Heard on behalf of Te Atiawa Manawheua Ki Te Tau Ihu Trust


Signature*:
(Person making submission or authorised agent)

Date: 18/05/2021

*Note: A signature is not required if you make your submissions by electronic means.



A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.



**TE ĀTIAWA MANAWHENUA KI TE TAU IHU TRUST'S SUBMISSION ON AN
APPLICATION FOR RESOURCE CONSENTS, TO CONTINUE TO DISCHARGE
BIOSOLIDS FROM THE BELL ISLAND WASTEWATER TREATMENT FACILITY TO
MOTUROA ISLAND**

Te Ātiawa Manawhenua Ki Te Tau Ihu Trust is a trust that represents those people who whakapapa to Te Ātiawa in Te Tau Ihu. The Trust is recognised by the Crown as an Iwi Authority which holds mana whenua mana moana within the region and specific area that is subject to this resource consent application. As recognised in the Iwi Environmental Management Plan 2014 (IEMP) of Te Ātiawa, the people of Te Ātiawa are kaitiaki within the Rohe and carry a responsibility for ensuring that the mauri or essential life principle of the natural world remains vibrant.

Te Ātiawa holds numbers of concerns regarding the application, including that the relationship to its cultural and traditions with its ancestral lands, water, sites and other taonga will be significantly reduced if the application is granted as currently proposed. Whilst it is acknowledged that the applicant has attempted to consult with the Trust, concerns were raised by the Trust with the applicant which have not been taken on board.

In this instance, the matter of a resource consent application involves kaitiaki and the exercise/implementation of kaitiakitanga of the coastal waters within the rohe of Te Ātiawa for the following:

- Discharge permit: Application of biosolids to land at Moturoa/Rabbit Island
- Discharge permit: Discharge of odour to air as a result of applying biosolids to land and the operation of the BAF at Moturoa/Rabbit Island
- Land use consent: Operation and maintenance of the Biosolids Application Facility and all other land use activities associated with the application of biosolids to land at Moturoa/Rabbit Island
- Discharge permit: Discharge of washdown water and stormwater at the BAF to land at Moturoa/Rabbit Island.

For three of the four resource consents/permits sought, the applicant is seeking the maximum term afforded under the Resource Management Act 1991 to, in essence, continue business as usual. Due to uncertainties of the future, including climate change, the term sought, of 35 years, runs counter to precaution. This reduces the ability to rectify issues still needing to be addressed and does not allow opportunity to action precautionary activities to protect the integrity of wāhi tapu. Te Ātiawa is not

satisfied that its concerns regarding the excessive terms have been carefully considered by the Applicant. Te Ātiawa seeks a maximum term of 10 years, in the event that consents are granted.

The mana of an iwi is directly correlated to the health of their rohe. Te Ātiawa places considerable cultural and spiritual value on the quality of the environment (in this case the whenua and coastal area of the proposed discharge) where 'quality' is not just considered in chemical and/or physical terms but also in cultural and spiritual terms. It is well known that Māori find coastal discharge of effluent abhorrent which considerably impacts on the mauri of the water and relationship to it. If this proposal is granted as applied for, the Trustees of Te Ātiawa o Te Waka-a-Māui Trust consider that their relationship and connection to their traditional lands and waters will be further degraded.

With regard to consultation, relevant iwi representatives on the NRSBU Project Team and Technical Experts, Te Waari Carkeek (TDC Kaihautū) and Frank Hippolite (NRSBU Board Member), did not have a consistent presence at the hui held with iwi. Within Te Ao Māori, Te Ātiawa submits that Moturoa/Rabbit Island is a wāhi tapu. The archaeological layer is an archaeological lens assessment only and does not identify the full cultural scope of association and activity of the area. While it is not proposed to discharge treated waste to these sites, the areas suffer under forestry management and related activities. Forest machinery and practices are still active on urupā. The pine trees in the excluded zones were recently marked with spray paint. As the forestry representative were not invited/present this could not be addressed.

In making this submission, Te Ātiawa Trust advises the regional authority and the decision-makers of this application that:

- Te Ātiawa Trust opposes the application in its entirety.
- Te Ātiawa Trust wishes to be heard in support of its submission.
- Te Ātiawa Trust considers the application as currently proposed:
 - Is not consistent with the intended outcomes of Part 2 of the Resource Management Act 1991, including - does not promote the sustainable management of natural and physical resources; is contrary to section 6(e), 6(f), 6(g), 6(h); fails to adequately regard for matters under section 7(a); and, fails to adequately take account of the Council's responsibilities under the Treaty of Waitangi – section 8.
 - Frustrates and/or is contrary to the relevant provisions in Chapters 21, **33**, **34**, 36, and 37 of the Tasman Resource Management Plan.

- Frustrates the provisions and intent of the Treaty of Waitangi Settlement Agreement between the Crown and Te Ātiawa o Te Waka-a-Māui Trust.

To summarise, Te Ātiawa Manawhenua Ki Te Tau Ihu Trust opposes the application based on the following concerns:

- Adverse environmental effects that are more than minor;
- Adverse cumulative effects that are more than minor;
- The term is excessive;
- Adverse cultural and spiritual issues for mana whenua mana moana iwi;
- Adverse cultural and spiritual effects on significant cultural sites;
- Inconsistencies with the outcomes sought by Part 2 of the Resource Management Act 1991;
- Contrary to and frustrates the relevant provisions of the Tasman Resource Management plan;
- Contrary to the tikanga of Te Ātiawa;
- Enabling the continued degradation of the mauri of the coastal environment;
- Compromising the role of Te Ātiawa as kaitiaki;
- Compromising the mana of Te Ātiawa.

Te Ātiawa would like to see the proposal, as it currently stands, declined.

The Trustees of Te Ātiawa Manawhenua Ki Te Tau Ihu Trust thank the Tasman District Council for the opportunity to participate and engage in this process.