

Before Hawkes Bay Regional Council and Hastings District Council

In the matter of the Resource Management Act 1991

And

In the matter of Application by Hastings District Council and Napier City Council to
Hawke's Bay Regional Council for resource consents authorising
the operation of Area B at Ōmarunui Landfill (**consent application**)

And

In the matter of A notice of requirement by Hastings District Council to Hastings
District Council for alteration of designation for the Ōmarunui
Regional Landfill (**NoR**)

Statement of evidence by Martin Jarvis on behalf of Hastings District Council and Napier City Council

Dated 2 September 2021

INTRODUCTION

1. My full name is Martin Leslie Jarvis. I am the Waste and Data Services Manager for Hastings District Council (**HDC**) and have held this role for 14 years.
2. As the Waste and Data Services Manager for the HDC, I am principally responsible for the delivery of solid waste infrastructure services for the community. These services relate to waste collection and disposal, recycling, waste minimisation and the delivery of associated educational programmes. With regards the Ōmarunui Regional Landfill, I manage that facility on behalf of both the HDC and Napier City Council (**NCC**) under the terms of a joint Heads of Agreement between the two Councils. I report quarterly to the Ōmarunui Landfill Committee on operations, site development, compliance, planning and financial matters. The Data component of my role relates to the management of the HDC's Three Waters and Parks/Property/Buildings asset data bases that are used for planning and management purposes.

3. I have 39 years of experience in the Civil Engineering field, working across surveying, design, contract and maintenance management, project management and asset planning for waste services. I have a New Zealand Certificate in Engineering (NZCE) Civil. Previous employers include the Central Hawkes Bay Catchment Board (now HBRC), Waipawa District Council (now Central Hawke's Bay District Council), Kent County Council (UK), MWH (now Stantec) and the HDC.
4. My working relationship with the Ōmarunui Landfill started in 2005 when I managed the construction of Area D. The initial stages of this work took two years to complete. During this time I also managed day to day operations at the site. Area D opened in 2007 and has continued to operate as the main waste receiving area at the site since that time. As the area has filled, additional liner has been constructed along with associated infrastructure. Only two stages of liner construction remain before full capacity is reached in Area D.
5. In 2007 I took up my current role which included overall responsibility for the landfill and required a closer working relationship with the Landfill Committee members.
6. This evidence is given in support of the planning approvals which are being sought to authorise the operation of a landfill at Ōmarunui Regional Landfill (**Landfill**) in Area B, specifically:
 - (a) Application by HDC and Napier City Council (**NCC**), as owners of the Landfill, for regional consents from Hawke's Bay Regional Council (**HBRC**); and
 - (b) A notice of requirement by HDC as requiring authority to Hastings District Council in its regulatory capacity (**HDC - Reg**) to alter Designation D123 – Ōmarunui Landfill in the Hastings District Plan.
7. I refer to HDC in its capacity as requiring authority and applicant, and NCC as applicant, together as the **Applicants**, and the application and notice of requirement together as the **Proposal**.
8. I confirm I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014. To the extent it is relevant to my evidence as an officer of HDC, my evidence has been prepared in compliance with that Code.
9. I am authorised to give this evidence on behalf of the Applicants.

SCOPE OF EVIDENCE

10. My evidence focuses on the context of the Proposal and its delivery. It follows on from the evidence of Mr Craig Thew, HDC's Group Manager of Asset Management, who provided a high level account of the need for the Proposal and an explanation of the ownership and governance of the site. The topics addressed in my evidence are:
- (a) An overview of the context of the Proposal, including the capacity for waste disposal within the Hawke's Bay
 - (b) Alternatives to the Proposal, including the Waste Futures Study
 - (c) History of the Landfill site
 - (d) Waste composition and volume trends at the Landfill, including life expectancy
 - (e) Consultation undertaken and comment on submissions received
 - (f) Comment on HBRC s 42A Report including conditions
 - (g) Comment on HDC-Reg s 42A Report including conditions
 - (h) Conclusion.

CONTEXT OF PROPOSAL

Legislative Context

11. The Assessment of Effects on the Environment prepared by Tonkin & Taylor for the Proposal sets out the legal and policy framework for waste within New Zealand and the Hawke's Bay Region.¹ Without repeating that in full, I note the following key matters of context.
12. At a national level, the New Zealand Waste Strategy provides high level direction on waste management and minimisation, with the overarching goals being reducing the harmful effects of waste and improving the efficiency of resource use.² From Central

¹ Tonkin & Taylor, Ōmarunui Landfill – Area B – Assessment of Effects on the Environment, December 2020, pgs 5 -11.

² Ministry for the Environment, New Zealand Waste Strategy, October 2010, p5.

Government's perspective, this is largely delivered through providing a legislative framework, with territorial authorities having a primary role under the legislation.

13. There are a number of relevant statutes which regulate waste management in New Zealand, the main ones being the Waste Minimisation Act 2008 (**WMA**), the Local Government Act 2002 (**LGA**) and the Resource Management Act 1991 (**RMA**).
14. The WMA requires territorial authorities to promote effective and efficient waste management and minimisation within its district (s 42) and to adopt a waste management and minimisation plan (s 43). The plan must be prepared using the special consultative procedure and is required to consider the methods of reduction, reuse, recycling, recovery, treatment and disposal in descending order of importance.
15. NCC and HDC worked together to prepare a joint Waste Management and Minimisation Plan (**WMMP**), with the current version covering the 2018 – 2024 period. As discussed further below, a key target identified in that Plan is to divert as much waste as possible away from the Landfill.

Capacity for Waste Disposal in Hawke's Bay

16. Since the requirement to prepare a WMMP came into force in the WMA, NCC and HDC have always prepared and adopted a joint WMMP. This approach came about as a result of the Councils sharing the same landfill, the geographic positioning of the two authorities and the corresponding economic and social linkage between the communities.
17. The current joint WMMP was publicly consulted on in March 2018 across the Hastings and Napier areas. As a result, 6,165 submissions were received and considered by the Joint Waste Futures Project Steering Committee prior to amending and formalising the Joint WMMP document.
18. Prior to the WMMP consultation, a 2016 waste composition survey (SWAP) that analysed kerbside waste, transfer station waste and waste going directly to landfill, indicated that close to 50% of material going to the Ōmarunui Landfill could be composted or recycled. The other 50% had materials that could also be diverted, albeit not as easily or practically.

19. While the aspirational goal is zero waste, key targets for the current WMMP (2018 to 2024) are to reduce organic waste going to landfill by 30% and to increase the diversion of common recyclables away from the landfill by 20% by 2024.
20. To achieve the WMMP goals an Action Plan was developed with actions categorised under the following headings:
 - Kerbside Rubbish Collection
 - Kerbside Recycling Collection
 - Organic Waste
 - Facilities
 - Planning controls
 - Diversion initiatives (of residual waste from landfill)
 - Education
 - Landfill
 - Joint Services Monitoring Reporting and evaluation
 - Resources
21. A key component of the kerbside actions was to introduce new rubbish and recycling services and extend them (where possible) to others in the community. The new services are designed to provide an efficient service that maximises the opportunity for residents to recycle and provide incentive to reduce landfill waste. In the case of the HDC the kerbside contracts have just completed their first year of service. The NCC contracts had slightly different contract start dates.
22. No green waste is accepted in the Council provided rubbish wheelie bins to help achieve the organic waste diversion target. This is to be enforced via a three strikes policy.
23. The direct incentives around rubbish collection are focused on the financial reward for not using the service as often, the size of the wheelie bin provided and the rules about what can and can't be put into the bin. The financial incentive for producing less waste is a rates remission in the case of the HDC, and a fortnightly collection charge option for NCC residents. The 120 litre size of the wheelie bin was selected as the SWAP survey showed that if all compostable and easily recyclable materials were removed all household waste would fit in this size bin. Less direct incentives include the educational promotion of other available disposal options that are

provided by the Councils and private sector i.e. green waste wheelie bin collection services, specialist recycling and reuse options.

24. In line with the joint WMMP and other statutory requirements, the Council's Solid Waste activity includes the long-term planning, development, provision, operation and administration of solid waste assets and ancillary services for the district. These functions are delivered via a combination of in-house Council resources and contracted services. This work includes waste minimisation education and advocacy services as well as the provision of waste minimisation opportunities and partnerships.
25. Two key relationships of particular note are the ones both Councils have with Hawk Packaging and Bio Rich Composting. The paper and cardboard collected from kerbside recycling and at the free recycling drop-off facilities is taken directly to Hawk Packaging in Whakatu where it is used to make fruit trays. This is a win-win result as the material doesn't require sorting and can be transported directly to Whakatu where it is made into a product for another use. The Bio Rich Composting facility accepts green waste from the region's refuse transfer stations, private waste operators and the public if they chose to go there directly. The establishment of this facility has greatly assisted in the availability of composting as an alternative to landfilling. Historically the HDC collects approximately 3,000 tonnes of green waste at its Henderson Rd RTS and transports it to Bio Rich for composting. This figure is however dropping as the HDC is encouraging the community to bypass the transfer station and go directly to the Bio Rich facility. This avoids double handling and is a cheaper option for the customer. Bio-Rich is now open 7 days a week and this has resulted in more customers dumping directly at the site.
26. In terms of its overall operation, BioRich is successfully processing more than 50,000 tonnes of organic waste per annum and preventing disposal of these materials to landfill. The company has just been awarded funding from the Waste Minimisation Fund to expand their existing composting facility to increase their annual capacity from 50,000 tonnes to 62,000 tonnes a year. The project will produce organic compost and should assist in addressing the issues of stockpiled sheep skins (discussed below), and the large volume of wood waste generated around Napier and Hastings that cannot be burnt because of air quality controls.
27. Landfill tonnages at Ōmarunui have changed dramatically over the years. In 1999/2000 just over 97,000 tonnes of waste was deposited at the site. This figure

rose to 140,000 tonnes in 2004/05 before dropping to 71,000 tonnes in 2012/13. After a period of little change, tonnages started increasing again in 2016/17 and reached 108,000 tonnes in the 2020/21 year.

28. Both Councils have endeavoured to keep landfill tonnages as low as possible by way of their Joint WMMP as discussed above. The recycling tonnage collected by HDC services had increased in the two years following the adoption of the Joint WMMP by 12.5%, however due to the Covid 19 lockdown (with recycling not being collected during this time) at the end of the 2019/2020 year, tonnages fell below the baseline rate. It is expected that the tonnage will have increased at the end of the 2020/21 year.
29. The organic waste reduction target is monitored through the SWAP surveys. The surveys are conducted every three years and the next one is scheduled for between March and May 2022. However, in the interim the landfill has reported an increase in special waste volumes received at Ōmarunui Landfill since the adoption of the WMMP. The special waste category includes organic waste such as food waste, offal, animal skins, contaminated waste, hazardous waste and waste types that are difficult to manage on site. The special waste type that has driven much of this recent increase is the waste received from local tanneries. This waste includes sheep skins and pelts which are classified as organics.
30. It is understood that the significant increase in sheep skins being received at the landfill is largely due to reduced market demand (nationally and internationally) for sheep skins and difficulties with their processing at the BioRich facility. The increased special waste is in the order of 10,000 tonnes per annum more than expected. The landfill has been working with those companies bringing this waste to the landfill to identify alternative disposal options and has also introduced a new charge rate so that this problematic waste contributes fairly to the cost of landfill operations. As noted above, plans are in place to increase capacity at BioRich to allow the sheep pelts to be accepted there.

ALTERNATIVES

31. Consideration of alternatives in terms of the alteration to designation is considered in more detail in the evidence of Ms Brabant, however I note the following matters from the Councils' perspective.

32. In planning and understanding the future waste disposal picture for the region, HDC and NCC initiated the Waste Futures Project and established a Waste Futures Joint Committee to oversee the work. A key driver in terms of timing was that the currently consented area for landfilling at Ōmarunui was projected to be full by 2025 at current rates. In order to expand the landfill operation into the adjoining valleys (Area B or C), significant investment and commitment would be required. Prior to committing to any expansion of the landfill, the Councils chose to comprehensively review, by way of the Waste Futures Project, the strategic options available to manage solid waste.
33. The review started in 2015 and was completed in 2016. The review process employed the New Zealand Better Business Case framework with the outcome being a detailed business case comparing various solid waste disposal and recovery options. This was the essence of the Waste Futures project. The Councils were assisted technically by Jacobs NZ Ltd and central government funding partially covered some of the project costs.
34. At the conclusion of the review the preferred option as derived from the multi-criteria assessment and taking into account all factors was to progress with development of the next Area (B or C) at the Ōmarunui Landfill combined with an optimised collection system (enhanced kerbside recycling collection with the addition of a kerbside organics collection). Based on the modelling completed at that time, this would result in a modest increase in diversion while keeping costs similar to those incurred currently.
35. Following the Waste Futures Review, and subsequent WMMP consultation and adoption, the detailed planning work required to lodge landfilling consent applications commenced.
36. In terms of considering the possibility of alternative sites, realistically no other sites exist in the area. The Wairoa District Council and Central Hawke's Bay District Council each operate a small municipal landfill, but these sites are not in a position to accept the volume of waste produced by the NCC and HDC. The nearest suitable existing landfills that could accept this waste are the Bonny Glen (Marton), Hampton Downs (north of Hamilton) and Tirohia (Paeroa) sites. The Tirohia site is currently applying for consents to extend its capacity and is an unlikely option. While the Bonny Glen site may have capacity it has a number of large customers (including territorial authorities) and initial discussions with them were not encouraging. The

Bonny Glen site is 210kms away with a one way travel time of approximately 2 hours 45 minutes. The Hampton Downs site has a reasonable capacity and may consider accepting Napier and Hastings waste. The Hampton Downs option is however problematic in terms of distance, it is 366km north of Napier with a one-way travel time of approximately 5 hours.

37. The disposal of waste at any of these sites would create significant challenges for both the community and Councils alike. Matters relating to pre-haul processing, logistics, distance, cost and the increased carbon footprint would need to be addressed.
38. There has always been a strong desire within the community to take responsibility for our own waste and not make it someone else's problem. By continuing to landfill at Ōmarunui, as originally planned, the community will be in a position to manage its own waste and maintain control of this essential infrastructural asset. The landfill is a not for profit facility that focuses on delivering an efficient service that benefits the whole Napier and Hastings communities.

SITE HISTORY

39. Hastings District and Napier City cover a combined land area of 510,600 hectares and comprise the main urban centres of Clive, Flaxmere, Hastings, Havelock North, Napier and Taradale as well as numerous rural and coastal settlements. The combined population of Hastings and Napier is now in excess of 150,000 with approximately 77% of residents living across the urban settlements with the remaining population in the rural area. The Ōmarunui Landfill is the only municipal waste disposal site servicing the area.
40. The landfill was established as a jointly owned facility by Local Authorities, when all of their separate existing disposal facilities reached capacity at approximately the same time. This fact was a catalyst for the establishment of a single waste disposal facility for the Napier Hastings area. The site commenced operation in December 1988 and remains a standalone key component in managing the region's waste. The larger waste disposal facilities that closed their landfilling operations at that time included the Roys Hill, Blackbridge, and Redclyffe sites.
41. Four valleys on the 150ha Ōmarunui site, known as Areas A, B C and D, were originally identified for landfilling in the original applications in 1984. The first valley

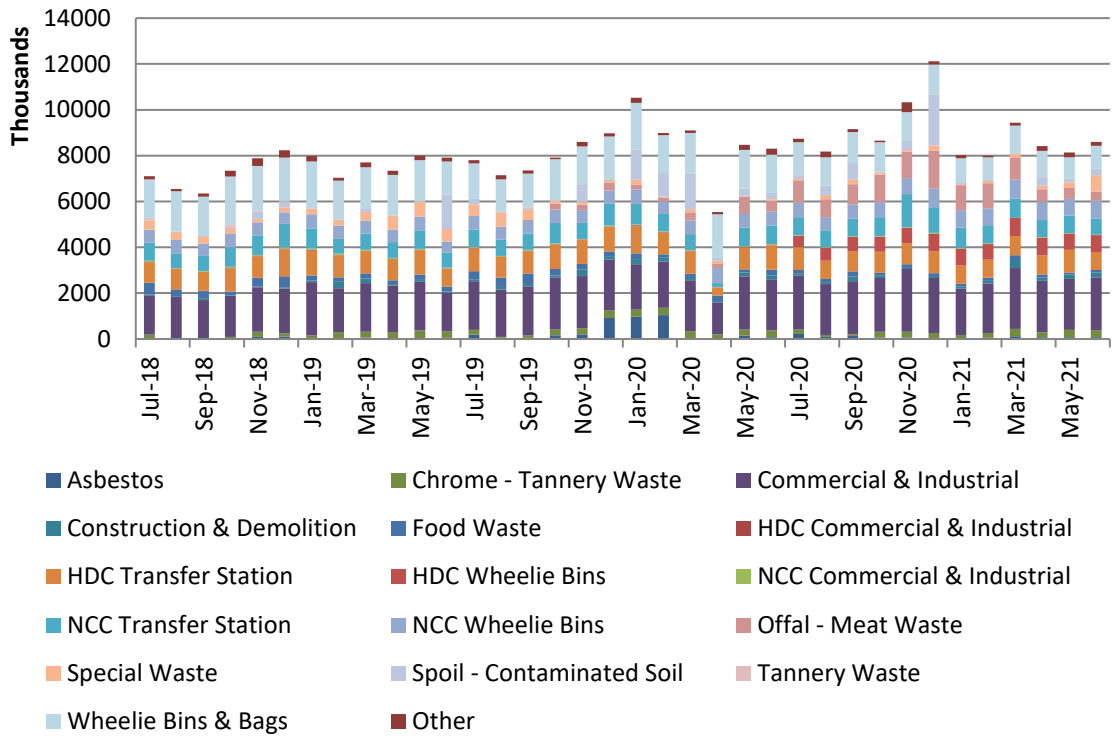
developed for the disposal of refuse was Area A and it reached capacity in 2007. An additional valley, named Area E, was later identified as a possible clean fill site. Resource consent for the clean fill was granted in 2014, however no clean fill was deposited there until the 2019/20 year. The material placed in Area E to date has mainly been packaged asbestos building material.

42. The applications to develop the second valley (Area D) for municipal landfilling were lodged (and granted) in 2004 and included the continued operation of Area A until that valley was filled to the consented profile. These new approvals also included conditions relating to the ongoing aftercare and monitoring of Area A as well as Area D.
43. In 2007 the first stage of construction in Area D was completed and waste disposal operations moved from Area A to Area D. During the life of area D, annual tonnages fell from 120,000 tonnes to 71,000 tonnes before increasing to the current rate of 108,000 tonnes per year. The lower than expected tonnages between 2009 and 2020 is one of the reasons that area is now expected to accept waste until 2025, some 5 years later than originally expected. For landfilling to continue at Ōmarunui beyond 2025, the valley identified as Area B now needs to be developed and ready to receive waste by that time.
44. At the time of constructing Area D a gas flare was installed at the site. Since that time landfill gas from Area A and D has been captured and destroyed by the flare. A significant enhancement to the gas destruction system occurred when a gas to energy (electricity) plant was constructed at the site. This plant became operational in late 2014 and has capacity to generate up to 1 Megawatt of electricity. The landfill now uses the gas to energy plant as the main method of destroying gas while the flare is used to destroy any excess gas. As more waste is deposited at the site, and volume of captured gas increases, a second gas to energy engine will be installed which would double the electrical output generated at the site. The energy plant is owned by a standalone company, LMS Energy, who are responsible for generating and selling the electricity into the national grid (via the power lines supplied by Unison). The landfill leases the relevant part of the land to LMS and receives payment for each cubic metre of gas that is supplied to the plant.

WASTE TRENDS AND LIFE EXPECTANCY

45. Since mid-2000 the amount of waste received at the landfill has fluctuated dramatically. In the 2004/05 year 140,000 tonnes were received at the site, however this dropped to 71,000 tonnes by 2012/13 before steadily climbing back to around the 100,000-tonne mark. The landfill often reflects what is happening in both the national and local economy. In times of economic growth and strength waste to landfill increases.
46. Other factors do come into play and can influence the tonnages in any given year. Examples of this would be Covid-19, the recent Napier flood event (November 2020) and an industry specific occurrence i.e. tannery waste disposal. In reviewing the 2020/21 year the annual tonnage should have been around the 90,000 tonne mark (and not 108,000 tonnes) if it hadn't been for the extra waste generated by the local tanneries and Napier flood event.
47. Disposal data is continually collected at the landfill via the weight tracking system that is linked to the weighbridge and used for recording all loads and invoicing customers. The system, Weightrax, is robust, fit for purpose and meets all audit requirements. Data from this weighing system has been used to generate the graph shown below. This graph provides a breakdown of the Hastings and Napier waste as received by the Ōmarunui Landfill from July 2018 to June 2021.
48. From this information the impact of events such as the Napier flood, Covid Pandemic and Hastings Railway Station fire can be seen. Trends such as the increase in tannery waste and changes in kerbside refuse collections systems can also be identified and tracked. When viewed on a longer time scale the influence of changes in regional economic activity can also be seen. With regards population growth, this is something that needs to be considered and planned for. As the population grows so does the pressure on waste disposal sites such as landfills. Reducing landfill tonnages when the population is growing therefore becomes more challenging.
49. Despite the impact of the Covid-19 lockdown, economic activity and population growth in Hawke's Bay has been greater than expected and this has put pressure on the landfill to receive more waste. As economic and population growth are set to continue on their current trajectories, the Councils are taking this factor into account when planning and implementing waste minimisation initiatives.

Hastings and Napier material types to Ōmarunui Landfill - monthly trends



50. Should Area B be granted approval to accept waste it would provide the region with 28 to 30 years' life depending on waste volumes. This extension will ensure that there is future capacity to receive residual waste until greater minimisation is achieved and alternative waste disposal technologies become more advanced in providing a local solution.

51. End-of-life consideration is an important aspect of landfill planning. An after-care reserve fund was established when the landfill first opened and each tonne of waste entering the site continues to contribute financially to that reserve. The amount collected per tonne is reviewed annually or at a time of significant development or operational change and is done so to ensure that there are sufficient funds in the reserve to cover all reasonably expected costs post closure. The financial model used is the Ministry for the Environment's Full Cost Accounting Model (FCAM), which takes into account all costs associated with operating, maintaining and developing the site as well as aftercare post closure.

52. The user charges also include the collection of central government taxes, namely GST, ETS, and waste levy fees. By 2023 it is expected that these taxes will equate to over 50% of the gate cost.

53. In 1992, the landfill planted 43.2 hectares of the site in pinus radiata. The rationale for planting was that the area in question was not suitable for landfilling and that the trees would absorb some of the carbon dioxide produced by the landfill. This pine forest was harvested in 2017 and has since been replanted in pine.
54. Landscape plans formed part of the development in Area A and D and planting was undertaken in those areas. Additional planting of native trees at the landfill has also been carried out by students of the Eastern Institute of Technology as part of their horticulture programme.
55. In consideration of the Area B planting and landscaping proposal, a longer term view of the overall site is being undertaken. This is so that what is now being proposed for Area B fits into a well-managed and coordinated approach involving the whole site. From this, a clear direction and works programme can be established and implemented. The totara and park themed proposal outlined in the evidence of Mr Bray is seen as an excellent example of what can potentially be achieved over a longer period of time but also satisfying more immediate requirements.
56. There are other uses for the site pre and post closure that have already been successfully undertaken. The site has been used to host duathlons and mountain bike events. The feedback from competitors has been very positive. Over time the scale of these events will be able to be increased.
57. Educational tours of the landfill have been popular and local schools have made numerous visits to the site. Should Area B consents be granted it is intended to construct a building that overlooks Area B that would be used as a facility where visitors could learn about waste minimisation and gain an appreciation of what happens to the waste they generate.
58. The landfill has a number of large water tanks that are available for rural fire fighting purposes. The fire service is aware of the tanks and is able to access them if the need arises. This is a service the landfill can continue to offer post closure.

CONSULTATION AND SUBMISSIONS

59. Pre-lodgement consultation effectively started at the completion of the Waste Futures Project in 2016, when the Councils resolved to accept the project's recommendation to continue landfilling. From that time, the Councils have stated their intention to seek approvals to extend the landfill in subsequent Annual Plans

and Long Term Plans that were put to the community for consultation. Additionally the proposal to continue to utilise the existing landfill formed a key part of the well-publicised joint WMMP consultation process that received over 6,000 responses. While other matters also formed part of these consultation opportunities, the proposed extension of the landfill has been clearly signalled as a key component in the management of solid waste in the district.

60. In terms of more targeted pre lodgement consultation, this is recorded in the Consultation Summary attached as **Attachment A** and I make the following further comments.
61. Pre-lodgement consultation started in March 2019 with two hui. The first was with the Heretaunga Tamatea Settlement Trust (HTST) and the second with Te Taiwhenua o Heretaunga (TTOH). The information shared at both hui was well received and numerous questions were asked and answered. A key takeaway for Council officers was the number of questions asked about the wider role councils play in dealing with refuse, recycling, waste minimisation, waste education and the services provided to community members. While it was appreciated that the planning work was still ongoing there was nothing of major concern raised at this time.
62. In April 2019, an information newsletter was prepared which provided information on the project and inviting feedback on the proposal. A site plan of the Ōmarunui Landfill development areas, which included the Area B proposal, was included as an attachment to this pre-consultation newsletter. The newsletter was posted to local residents, landowners and mana whenua groups/entities. A total of 99 residents/landowners and six mana whenua received the pre-consultation newsletter. Feedback and views were welcomed by Council. A site visit was subsequently arranged for those that requested one (held 6 August 2019).
63. Six mana whenua groups/entities were identified for initial engagement following advice from the Hastings District Council-Maori Joint Committee and Dr James Graham – Pou Ahurea Matua Principal Advisor Relationships, Responsiveness and Heritage.
64. A further hui was held in May 2019 at the Waiohiki Marae, where the views from Ngāti Pārau were verbally expressed and discussed. Members of Ngāti Pārau Hapū Trust were shown around Ōmarunui Landfill on 16 September 2019. Follow up correspondence was received from Ngāti Pārau on 30 September, reconfirming the

significance of the Upokohino Stream to Ngāti Pārau Hapū Trust, and a desire to be involved in the consent process, including raising the possibility of enhancements along the Upokohino Stream.

65. The following Iwi groups were directly served with the notification package of the Ōmarunui Landfill extension application:

- Ngāti Kahungunu Iwi Incorporated
- Ngāti Pārau Hapu Trust
- Mana Ahuriru Trust
- Omahu Marae Committee
- Te Taiwhenua o Heretaunga
- Te Taiwhenua o te Whanganui-a-orotu

66. Post lodgement consultation has included a number of meetings and hui. All submitters with concerns about the landfill extension have been contacted. Only one submitter has not responded to an offer to meet and/or visit the site. Two hui have been held with Ngāti Pārau, one of which included a site visit. A larger group meeting was also held with those residents living close to the landfill. Tonkin & Taylor and Council staff gave presentations and answered questions at these gatherings.

67. The meeting with Ōmarunui Rd and Breckenridge submitters was held on 29th March 2021. The meeting started with a site visit (including Area B) before continuing at the landfill kiosk office. At the meeting there were presentations from Tonkin & Taylor and Council staff before a 'question and answer' session. The key concerns expressed by those attending were centred around groundwater, litter, traffic, odour and possible visual impact.

68. A number of meetings have been held with Danny Bearsley at the landfill. While Mr Bearsley has raised a number of matters, his two main concerns are the impact of stormwater run-off from Area B and the landscaping (tree planting) on the landfill property. In terms of landscaping, the evidence of Mr Bray discusses the proposal, and discussions with Mr Bearsley, in more detail. In terms of stormwater, Tonkin & Taylor has been engaged to consider this in detail and is addressed in the evidence of Mr Van de Munckof and Mr Hansford. A number of hui have been held with Ngāti Pārau. Representatives of Ngāti Pārau have also visited the landfill on three

occasions. The hui and site visits have been an excellent way of sharing information and answering questions.

69. Ngāti Pārau have now prepared a Cultural Values Assessment (CVA) with regards the development of Area B. This is appended as **Attachment B** and I understand one of the authors, Alice Hughes, will attend the hearing and speak to the report. Key findings of the report are that Ngāti Pārau do not object to the Landfill expansion because:

- *It is unlikely the expansion project has a direct effect on the Waiohiki community and Ngāti Pārau sites of cultural significance;*
- *Regular and active engagement has been established between the applicant, the submitter, and mana whenua who are kaitiaki of the area;*
- *The applicant has demonstrated a strong commitment for mana whenua's continued involvement at the Ōmarunui Regional Landfill through employment opportunities, the potential establishment of a mana whenua seat on the Ōmarunui Landfill Committee, future site beautification and environmental development project*

70. The Conclusion of the Report makes several observations and recommendations that will be pursued separately from this hearing. For instance, the idea of there being a mana whenua seat on the Landfill Committee is one that I personally support and will continue to pursue in parallel. The partnership opportunities for providing employment at the Landfill and coordination on planting, fencing and pest control are also ones that will be actively pursued. The relationship that has been established between Landfill management and Ngāti Pārau through this process has been extremely positive and will certainly be continued.

71. The Applicants take this opportunity to express their appreciation for the willingness of Ngāti Pārau, and indeed the majority of submitters, to engage with the Applicants through this process.

SECTION 42A REPORTS

72. As noted above, I have read the reports prepared by Mr Shirras for the Regional Council and Mr McKay for HDC in its regulatory capacity. I agree with and support the recommendations that the approvals sought be granted.

73. In terms of the conditions of designation and resource consents, these will be commented on in the relevant experts' evidence and a track change version is included with the evidence of Ms Brabant. I note that in some cases, the Applicants

have not accepted changes proposed by HBRC, on the basis of expert advice that the change is unnecessary. Given that the cost of complying with conditions is ultimately met by ratepayers, the Applicants consider it important that conditions are appropriately justified by reference to potential adverse environmental effects.

74. The only matter I wish to comment on is in terms of wind blown litter, which is addressed in Mr Shirras's report at page 22, para 7.47 and Mr McKay's report at page 49, para 8.9.1. I confirm Mr Shirras's description of litter collection by staff is correct and reflects information I provided to him. Likewise, if any neighbour contacts the Landfill regarding litter on their property, staff will arrange to go and collect it. Litter Control is covered in section 13 of the current Operations and Maintenance Manual, however this is largely focussed on prevention measures. Such measures currently include litter fences, as described in the evidence of Mr Doolan and others. In terms of remedial measures, such as collection of litter that may be blown off-site or off trucks, this is not currently addressed in the Manual in any detail, but could usefully be included. We have suggested adding a requirement that the Manual address collection of off-site litter originating from the Landfill.

CONCLUSION

75. The Ōmarunui Landfill is an important strategic asset for the Hastings and Napier communities, and its expansion will allow us to continue to offer an essential service in an environmentally responsible manner.
76. The Applicants are conscious of the potential impact of the Landfill, particularly on the surrounding communities and we have worked hard to understand the concerns and ensure they are addressed. In my view, the proposed extension, with the comprehensive suite of conditions proposed by our experts, will mean all effects are appropriately addressed.

Martin Jarvis
2 September 2021

Attachment A

Submission number	Submitter	Summary of consultation
1	Melanie and Peter Lang	<p>Public meeting held 29 March 2021 with submitters on site – minutes sent to HBRC. The meeting comprised a site visit to look over the Area B site, a presentation by HDC and its consultants to describe the proposal and questions/answers.</p> <p>HDC advised submitters to get in contact if they had any further questions. To date, HDC has received no further questions.</p>
2	Simon Nash	
3	Marcus Simcox and Anna Murphy	
4	William and Shona Tait	
5	Dave Kruger	
6	Bruce Bates	
7	Katherine Bates	
8	Helen Crawford and Greg Young	
9	Max Wood	
10	Annabel Bates	
11	Tipene Cottrell	<p>HDC has made the following attempts to contact Mr Cottrell to discuss his submission:</p> <ul style="list-style-type: none"> • A phone call on 31 March 2021; • An email dated 1 April 2021 (see attached); and • Two phone calls and a voice message on 8 April. <p>To date, HDC has received no replies to the email or phone calls.</p>

12	Alison McEwan on behalf of Bearsley Farms Limited	<p>A number of meetings have been held with Mr Danny Bearsley. These are summarised below:</p> <ul style="list-style-type: none"> • A site visit was held on 4 October 2019 with included Mr Bearsley, Grant Russell (Stantec) and Philip Doolan (HDC). The following matters were discussed: <ul style="list-style-type: none"> - Flow and direction of stormwater across Mr Bearsley's land - Planting of the shelter belt overlooking Area B and surrounding area; - Access across Mr Bearsley's property for sampling and monitoring purposes. <p>As a result of these discussion, the following was agreed:</p> <ul style="list-style-type: none"> • Further discussions will take place regarding the preparation of a Landscape Plan; • HDC will remain in contact with Mr Bearsley regarding the drain across Mr Bearsley's property and whether that will need upgrading (within reason); • The farm manager will be contacted in any instances when access to Mr Bearsley's property is required by HDC. <ul style="list-style-type: none"> • Further to this, a meeting was held on site on 29 March 2021 which included a visit to parts of the landfill site and a drive over Mr Bearsley's property. This was attended by Martin Jarvis and Phil Doolan (HDC) and Tony Bryce and Rachel Signal-Ross (T+T). Concerns raised by Mr Bearsley focussed on his expectation that the landfill development in Area B would increase run-off to the Upokohino Stream and increase the flooding on his property. Photos were produced showing existing flooding in a paddock near the top of the Upokohino Stream catchment. Other matters raised included increases in bird droppings affecting his kiwifruit crop. <ul style="list-style-type: none"> • A further meeting on 22 June 2021 was held between Shannon Bray (Wayfinder Landscape Planning and Strategy Ltd), Philip Doolan and Martin Jarvis (HDC) and Mr Bearsley. The following was discussed:
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		<ul style="list-style-type: none"> - HDC advised that a site-wide landscape plan is now being prepared, which will allow for a consistent approach to planting to be taken across the entire landfill site; - Different methods of weed control and spraying proposed; - Timing of planting; and - Litter fencing and proposed planting along the site boundary. <p>At the conclusion of this meeting, Mr Bearsley advised that he was comfortable with the approach proposed by HDC regarding planting and raised no objections at this stage.</p> <p>Following this, plans showing the proposed post-closure planting was also provided to Mr Bearsley for feedback. At this point in time Mr Bearsley raised no objections and he was advised that Wayfinder Landscape Planning and Strategy Ltd would continue to develop a post-closure plan for the site.</p>
13	Jesse Friedlander on behalf of Hawke's Bay Fish and Game Council	<p>Meeting held on 13 April 2021 to discuss application and provide information. Meeting was attended by Jesse Friedlander (F&G), Martin Jarvis and Phil Doolan (HDC) and Tony Bryce (landfill engineer – T+T) and Dean Miller (Ecologist T+T). The discussion focused on potential effects on groundwater and the Upokohino Stream from the landfill operation in relation to stormwater, leachate and litter.</p> <p>HDC/T+T described the design features of the Area B landfill extension to control potential effects and provided a description of the operation of the landfill to control effects. Specifically, the current low ecological quality of the stream was discussed and measures being undertaken by HDC to remove litter from the stream.</p> <p>Following this, HDC advised Fish and Game to get in contact if they required any further information. To date, HDC has received no further questions.</p>
14	Aimee Brown on behalf of Fire and Emergency New Zealand (FENZ)	<p>Meeting held on 16 April 2021 to discuss FENZ's submission.</p> <p>HDC agreed to the inclusion of the following condition:</p>

		<p><i>As part of the update to the O&M Manual required by condition 1, the consent holder shall prepare an updated Fire Prevention and Control Plan for Area B in consultation with Fire and Emergency New Zealand. The Fire Prevention and Control Plan shall be updated and maintained accordingly.</i></p> <p>We understand that on the basis that this condition is included, FENZ has no outstanding concerns.</p>
15	Alice Huges on behalf of Ngāti Pārau Hapū Trust	<p>Hui was held 13 April 2021 (see attached minutes). This was attended by Chad Tareha and Alice Hughes from Ngati Parau Hapu Trust, Craig Thew, Martin Jarvis and Phil Doolan from HDC, Tony Bryce and Dean Miller from T+T and Grant Russell from Stantec.</p> <p>Chad described the history of the Tutaekuri River and the importance of the River to Ngati Parau.</p> <p>Matters discussed at hui included:</p> <ul style="list-style-type: none"> • Overview of landfill works • Stormwater and leachate collection and discharges • Groundwater flows <p>Opportunities for involvement of Ngati Parau at the landfill site were discussed, particularly in relation to planting at the site and direct employment. Following this hui, Ngati Parau is preparing a CVA. A subsequent visit to the landfill was undertaken by Alice Hughes and Felicity on 12 June 2021.</p> <p>Another hui was held on 31 July 2021 at the Waiohiki Marae followed by a site visit, including with kaumatua. The purpose of this hui was to discuss landfill construction and operations and potential effects from the proposed Area B development, and to obtain feedback from the attendees. A presentation was given by HDC (Martin Jarvis and Phil Doolan) and T+T specialists (Tony Reynolds and Jonathan Shamrock (site visit only) and the following matters were discussed:</p> <ul style="list-style-type: none"> • A brief history of landfilling in Hawke’s Bay • The establishment of the Omarunui site as a landfill

		<ul style="list-style-type: none"> • The joint HDC/NCC ownership and governance of the site • The role that the landfill plays in the region • Operational challenges and compliance requirements • Liner and barrier system • Design life for the liner • Construction quality control work • Stormwater control • The groundwater system beneath and around the site and potential effects from the landfill <p>Shannon Bray (Wayfinder Landscape Planning and Strategy Ltd) attended the hui and provided an overview of the proposed planting and high-level post-closure plans for the site. Angela Atkins and Cloe Vinning (both from the HDC) gave a brief presentation on waste minimisation, the current HDC/NCC joint Waste Management and Minimisation Plan and some of the current waste minimisation programmes being run by the HDC.</p> <p>Overall, the reaction from the presentation and site visit was positive from Ngati Parau.</p>
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Cultural Impact Assessment

Ōmarunui Regional Landfill Area B Expansion Project



August 2021



Ngāti Pārau Pepeha

Ko Hikurangi te maunga
Ko Ōtātara, ko Hikurangi ngā pā
Ko Tūtaekurī te awa
Ko Te Whanganui ā Ōrotū te moana
Ko Tākitimu te waka
Ko Waiohiki te marae
Ko Ngāti Pārau te hapū
Ko Ngāti Kahungunu te iwi
Ko Tareha Te Moananui te tangata

AUTHOR'S COMMENT

This CVA was prepared by Alice Hughes and Felicity Cusack, August 2021.

Alice Hughes and Felicity Cusack are of Ngāti Pārau descent. Alice Hughes is a Trustee and the Secretary of Ngāti Pārau Hapū Trust.

In the authorship of this report, Alice Hughes is mandated with preparing this CVA on behalf of the Ngāti Pārau hapū and Waiohiki Marae.



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SECTION 1: INTRODUCTION

Background

The Ōmarunui Regional Landfill is located approximately 12km to the northwest of Hastings. Ōmarunui Regional Landfill is jointly owned by Hastings District Council [HDC] and Napier City Council [NCC] and receives residual solid waste collected from Napier and Hastings boundary areas.

The site is located at the end of Land Access Road, Puketapu and is situated west of the Tūtaekurī River, between Ōmarunui Road (to the East) and Swamp Road (to the West). The entire Ōmarunui Regional Landfill site covers an area of 145 hectares of land.

The landfill site comprises of four separate valleys identified for landfilling activities, described as Area A, Area B, Area C, and Area D. Area A commenced operation in 1988 and was closed and capped in 2006. Area D is the current landfill site which commenced operation in 2006, and has an expected closure of 2025/2026. There are two undeveloped sites known as Area B and Area C. Area B is located to the North East of the existing landfill area (Area D) and covers approximately 23 hectares.

HDC and NCC are proposing to develop Area B, located on the northeast part of the site. Accordingly, they are seeking resource consent from the Hawke's Bay Regional Council for the construction and operation of Area B for the purpose of collecting solid waste from Napier and Hastings boundary areas. The resource consent is to alter the designation for the Ōmarunui Regional Landfill to enable waste placement within Area B and the relevant activities undertaken in the delivery of the service. The resource consent file number is Hastings District Council Application Number RMA20190573.

Ngāti Pārau has occupied Waiohiki for several hundred years and the close proximity (6.8kms) to our settlement has raised concerns. Ngāti Pārau Hapū Trust [NPHT] made a submission on behalf of Ngāti Pārau on February 17, 2021 raising several concerns of the hapū as Mana Whenua¹ regarding storm water, leachate, loose rubbish, noise, and air pollution. Due to the close proximity of Ōmarunui Regional Landfill to Waiohiki, NPHT flagged potential cultural and

¹ The term Mana Whenua has been used to denote the long standing occupation of Ngāti Pārau in the Waiohiki area. The Mana Whenua hapū have continuous traditional boundaries and acts as a collective.



health concerns due to the majority of households in Waiohiki accessing water from the ground water system that flows under Waiohiki is located downstream from the landfill site.

Executive Summary

The purpose of this Cultural Values Assessment [CVA] is to document and highlight Ngāti Pārau hapū values, interests, historic connections, and record hapū concerns it holds within the proposed expansion project site and surrounding area.

It is anticipated that the information provided will be of considerable interest to HDC and NCC the owners of Ōmarunui Regional Landfill and is surrounded by several sites of significance to Ngāti Pārau. The close proximity of Ōmarunui Regional Landfill to the following sites have concerned Ngāti Pārau hapū members for some time.

1. Ōmarunui was the site of a one day battle between mana whenua supported by military forces, settlers and Pākehā against invading Te Hauhau forces who were armed (Buchanan, p83).
Ngāti Pārau considers the mauri of Ōmarunui as an important
 - a) Wāhi taonga (place of cultural significance to Māori)
 - b) Wāhi wairua (place of spiritual significance to Māori)

2. Tūtaekurī River and surrounding areas are a place of great cultural significance to the people of Ngāti Pārau. The river has a long history of events and continues to be an area of cultural value to Ngāti Pārau.
Ngāti Pārau consider the mauri of the Tūtaekurī River as an important
 - a) Mahinga kai (food gathering place)
 - b) Wāhi taonga (place of cultural significance to Māori)
 - c) Wāhi wairua (place of spiritual significance to Māori)
 - d) Wāhi tākaro (place for recreational activities)

3. Te Upokohino Stream was traditionally known as Upokohuia (Buchanan, p.97) and starts at Te Roto Kare Lake in the neighbouring hills, along the side of Ōmarunui Regional Landfill, runs alongside and enters the Tūtaekurī River within close proximity (<100m) to Waiohiki Marae and the Waiohiki community.
Ngāti Pārau considers the mauri of the Upokohino Stream as an important
 - a) Mahinga kai (food gathering place)
 - b) Wāhi tākaro (place for recreational activities)

4. Oueroa Pā is located adjacent to the Ōmarunui Regional Landfill site and is an ancient pā. Oueroa Pā is connected with significant historical events in the area and all descendants of Ngāti



Pārau whakapapa (lineage) to the pā through the marriages of Hikawera II to Te Rangimokai and Te Uira ki Waho.

Ngāti Pārau considers the area surrounding Oueroa Pā and Te Roto Kare Lake as

- a) Wāhi taonga (place of cultural significance)
- b) Wāhi wairua (place of spiritual significance)
- c) Mahinga kai (food gathering place)

5. Ōtātara Pā is a strategic hilltop location that was home to the principal chief Turauwha.

Ngāti Pārau considers the area surrounding Ōtātara Pā and Hikurangi mountain as

- a) Wāhi taonga (place of cultural significance)
- b) Wāhi wairua (place of spiritual significance)

6. Waiohiki has played an important role in settlement of early settlers during the early 19th century.

Many meetings were held at Pā Whakairo to discuss land sales and was the principal meeting place for establishing the co-habitation of Mana Whenua and Pākehā.

Ngāti Pārau considers Waiohiki as

- a) Tūrangawaewae (founding land)
- b) Wāhi taonga (place of cultural significance)
- c) Wāhi wairua (place of spiritual significance)
- d) Mahinga kai (food gathering place)

Ngāti Pārau acknowledges the important role the Ōmarunui Regional Landfill plays in the wider community and supports the HDC and NCC applications to expand the landfill into Area B for solid as a result of the remaining life expectancy of the current site known as Area D. Therefore, we do not currently object to the Ōmarunui Regional Landfill Extension Area B project on the following basis:

- It is unlikely the expansion project has a direct effect on the Waiohiki community and Ngāti Pārau sites of cultural significance
- Regular and active engagement has been established between the applicant, the submitter, and mana whenua who are kaitiaki of the area
- The applicant has demonstrated a strong commitment for mana whenua's continued involvement at the Ōmarunui Regional Landfill through employment opportunities, the potential establishment of a mana whenua seat on the Ōmarunui Landfill Committee, future site beautification and environmental development projects



SECTION 2: POLICY AND FRAMEWORK

Resource Management Act 1991

The main objective of the Resource Management Act 1991 (RMA) is the sustainable management of natural and physical resources such as land, air and water. Sections 6 and 8 of the RMA require local authorities to recognise and provide for iwi environmental concerns:

- Section 6(e): The relationship of Māori with ancestral lands, waters and sites
- Section 6(f): The protection of historical heritage (including cultural lands, water and sites)
- Section 8: All persons exercising functions and powers under the RMA shall take into account the principles of Te Tiriti o Waitangi

Ngāti Pārau Hapū Engagement

1. **February 14, 2021** Ngāti Pārau Hapū Trust had a hui and agreed to make a submission and mandated Alice Hughes to be the submitter
2. **February 17, 2021** Ngāti Pārau Hapū Trust made a submission
3. **April 13, 2021** Alice Hughes (the mandated submitter) and Chad Tareha (Chair of NPHT) met with Stantec, Tonkin & Taylor staff, HDC staff at the office of Stantec, Napier
4. **May 26, 2021** Alice Hughes and Felicity Cusack met with Grant Russell (Stantec) and Martin Jarvis (HDC) regarding the how to progress the CVA
5. **July 7, 2021** Alice Hughes (the submitter) and Felicity Cusack (co-author) met with Martin Jarvis (HDC) and Phil Doolan (Ōmarunui Regional Landfill) for a guided tour of the site for the authors of this CVA to gain an understanding of the extension proposal
6. **July 31, 2021** NPHT held a Waiohiki community day where HDC provided a presentation of the construction of the Area B landfill extension and held a guided tour for all interested persons
7. **August 17, 2021** Alice Hughes (the submitter) emailed draft CVA to hapū members for peer review and feedback
8. **August 26, 2021** Alice Hughes (the submitter) email CVA to Martin Jarvis (Waste and Data Services Manager for the Hastings District Council).

AIMS AND OBJECTIVES

A CVA is a technical assessment of Māori cultural values regarding an area and/or its resources. It identifies the potential impacts of a proposed activity on Māori values and mauri. Although a CVA is not a statutory document, it helps gauge considerations and values regarding proposed activities. The objectives of this CVA will be to:



- a) Provide an outline of the cultural significance of the area in which the expansion project will take place
- b) Provide potential impacts due to the expansion project

METHODOLOGY

The creation of a CVA was mandated by the Ngāti Pārau Hapū Trust in 14 February, 2021.

1. A review of the background information, which included an Assessment of Effects on the Environment December 2020 by Tonkin & Taylor
2. Hui and interviews with Ngāti Pārau whānau with knowledge and experience of the area
3. Hui and Ōmarunui Regional Landfill site visit by Alice Hughes & Felicity Cusack in preparation of this report
4. Waiohiki Community hui held at Waiohiki Marae. The hui was followed by a tour of Ōmarunui Regional Landfill
5. Distribution of a draft report to hapū representatives for peer review
6. Submit final copy to HDC to accompany the Resource Consent application
7. Attend submission hearing

SUMMARY OF REPORT ASSOCIATED WITH THE ACTIVITY

Tonkin & Taylor – Ōmarunui Landfill – Area B Assessment of Effects on the Environment December 2020.



SECTION THREE: Cultural History, Values and Impacts

Our history and connection to the Tūtaekurī River and surrounding areas.

Early in the period of European settlement, the Tūtaekurī River flowed north across the Ahuriri Plains, through the present Marewa and Onekawa areas of Napier, into Te Whanganui-ā-Ōrotū (Ahuriri Estuary). Today the Tūtaekurī River flows down from the Kaweka Ranges through Te Matau-ā-Māui (the Hawke's Bay region, eastern North Island) of Aotearoa. The Tūtaekurī River is a factor that the Ngāti Pārau hapū has sustained a 600-year connection to the area.

Our whakapapa (lineage) extends back to Tangaroa through Pānia and Moremore thus recognising the links we have to the waterbodies stretching from Waiohiki, along the Tūtaekurī River to Te Moananui-ā-Kiwa (Pacific Ocean). Both Te Whanganui-ā-Ōrotū and the Tūtaekurī River were critical to the prosperity and survival of the mana whenua who dwelled, and still dwells in its vicinities and is regarded as a wāhi taonga. The Tūtaekurī River and surrounding area represents the strong continuous connection Ngāti Pārau has with the area. 'A place of great cultural and whakapapa lineage significant to the people of Ngāti Pārau where further up from there was the overflow of Te Roto Kare, known to tangata whenua as 'The house/place of tuna'.²

Ngāti Pārau has used the Tūtaekurī River to teach successive generations to gather rongoā, swim, fish, and dive for centuries.

The collection of flounder, eels and watercress were whānau dietary staples. Teaching successive generations to respect the river, resource management by teaching our tamariki to take only what they need so resources are replenished continually for generations to come. Ngāti Pārau hapū are actively involved in environmental restoration and enhancement to support the improvement of mauri of the Tūtaekurī River by undertaking:

- a) The creation of a new 15-hectare wetlands in Waitangi Regional Park in 2019
- b) Planting 16,000 native plant species along the Tūtaekurī River between 2015 – 2020.
- c) Planting 4,000 native plants in the Waitangi wetlands area in 2019
- d) The creation and enhancement of 200m of whitebait spawning habitat in the Tūtaekurī backwash area in 2015

² Personal communication Te Koha Tareha 21.07.2021



Ngāti Pārau hapū continue to use the Tūtaekurī River and surrounding areas for harvesting kai, recreational use and maintaining ancestral, spiritual and physical links.

Ngāti Pārau whānau continue to harvest kai such as:

- a) Tuna, by setting hīnaki along the Tūtaekurī River
- b) Whitebait, in and around the Tūtaekurī and Waitangi River mouths
- c) Kahawai, pātiki and mullet
- d) Collecting other foods around the area. 'It became an extended playground to all our tamariki. Picking blackberries and cooking spuds char coal cooked with butter on the open fire. Making huts and slingshots using the surrounding whenua.³

Ngāti Pārau whānau continue to use the Tūtaekurī river recreationally including:

- a) Swimming. Many Ngāti Pārau whānau learnt and continue to learn how to swim at the Tūtaekurī River. Memories by whānau highlights the importance of the river to the hapū. 'Times your cousin would just throw you in. You soon learnt how to swim, even if it was a 2 metre dash to the other side! Lessons such as strength, confidence and boundaries were discovered⁴.'
- b) Taking school groups down to learn about the history and the importance of rivers
- c) Walking and biking

Ngāti Pārau whānau continue traditional cultural practices such as;

- a) Pure (ceremony to remove tapu)
- b) Practice of karakia
- c) Observation of taonga and mahinga kai species. 'Tūtaekurī Awa was a place where whānau would use what our Kuia/Kaumatua called 'Green Snag' (soft green seaweed). It was known and used by our whānau as rongoā for healing wounds and cuts. It was only good to use when it was at its younger stage of growth, when the green snag was a very light green⁵.'

In the Waitangi, Awatoto and Tūtaekurī areas, the Ngāti Pārau Hapū have engaged in several initiatives including:

- a) creation of a *Hapū River Management Plan*
- b) creation of *Tūtaekurī Awa Cultural Values Report*
- c) environmental restoration and enhancement
- d) ongoing recreational and cultural practices
- e) undertaking the creation of a *Ngāti Pārau Hapū 3 Waters Management Plan*

Te Upokohino Stream

³ Personal communication Elaine Taukamo and Hera Taukamo

⁴ Personal Communication Wade Taukamo and Felicity Cusack 20.7.2021

⁵ Personal communication Te Koha Tareha 21.07.2021



Traditionally the stream was called Upokohuia (Buchanan, p.97). Te Upokohino Stream was an important area for mahinga kai gathering, namely for tuna (eels) and kōura (crayfish). In more recent times due to land-use change the stream is no longer suitable for mahinga kai. Watercress gathering was the last known kai gathered from the stream and unfortunately, this kai is no longer harvested and cow-cress now dominates the stream.

Upokohino stream was traditionally a major fish passage for freshwater fish species such as tuna, kōura and some whitebait species to and from a significant lake to our hapū named Te Roto Kare. Te Roto Kare is located in the Ōmarunui hills, directly adjacent to the lake is a famous pā site linked to Ngāti Pārau called Oueroa. 'My father would tell me to check the Upokohino Stream after the first big rains in Winter. Slowly the stream would rise and when it reached just above ankle depth my father would take his hīnaki (eel net) and spears and head to the stream. The hīnaki would be used in reverse and the opening would face upstream which differed to our usual practice. The eels were so fat, they were migratory eels and they were on their journey out to sea to begin breeding"⁶.

Ngāti Pārau Values and Use

Ngāti Pārau hapū hold and practice many traditions and values. Below are four principles the hapū practice and are guided by. More information can be found in our Ngāti Pārau Hapū Strategic Plan.

- a) **Manaakitanga:** Is the process of showing respect, generosity, hospitality and the care for others. An important story of the Ngāti Pārau hapū is how the Tūtaekurī received its name. Through hospitality and nourishing a starving group of travellers, by harvesting and preparing kai, such as kurī, manu, tuna and pātiki (flounder). Providing kai from our awa for our guests is a principle our hapū holds with high importance and is central to maintaining the mana of our hapū and nourishment of our guests.
- b) **Whanaungatanga:** Is the sense of family connection – a relationship through shared experiences and working together which provides people with a sense of belonging. It develops as a result of interconnections and obligations to each other, which also serve to strengthen each member of the group. One of the many important places for whānau of Ngāti Pārau to come together and create memories is the Tūtaekurī River and Waiohiki Marae which is situated 5.8kms downstream from Ōmarunui Regional Landfill.
- c) **Kaitiakitanga:** Is the care and protection of the environment including, people, flora and fauna. Ngāti Pārau takes great responsibility, in its role as kaitiaki, to ensure the sustainability of the environment and the ability for whānau to harvest kai for future generations.

⁶ Personal communication with Alby Gray 19.07.2021



- d) **Tohungatanga:** Is the pursuit of traditional practices, skills, and mātauranga Māori (Māori knowledge, higher learning). Rivers, wetlands, estuaries and areas of native plant species are areas critical to the practice of Tohungatanga.

Mauri

Mauri is considered to be the vital essence or life force that provides life to all living organisms. Everything has a mauri including water. The linkages and health between all living organisms within the ecosystem establish the basis for the holistic view of the environment. Impacting on the mauri of our environment also impacts on the values and traditions of mana whenua.

Cultural impact from the expansion project

Ngāti Pārau considers a cultural impact to be an adverse effect on one or more of the following aspects; ecosystems, biodiversity, recreational use, gathering of food or resources, spiritual and physical interaction with an area, cultural values and practices.

There were several areas of concern raised by Ngāti Pārau whanau members

- Ground water pollution

The leaching of chemicals, bacteria, and other landfill contaminants into the ground water is of particular concern to hapū members. Many households in the area are solely reliant on safe drinking water from the ground water system.

Confirmation that the entire landfill site is subjected to the use of modern materials, construction, and rigorous testing techniques has empowered the hapū's understanding of the processes in place to ensure there is no risk of contaminants entering the ground water system directly from Ōmarunui Landfill. A joint presentation by HDC and Tonkin & Taylor showed the construction techniques to be used and the purpose each component within the landfill structure contributed. The presentation was followed by landfill site tour where all attendees could understand and visualise the presentation points in a functioning landfill site.

Scheduled routine independent testing by Stantec, after local weather events and at Stantec's discretion has allayed the fears that the HDC and NCC may have influence over testing results. Reports are presented at committee meetings and meeting minutes are available online and on request.

- Loose rubbish

The ability for loose rubbish to leave the landfill site and enter the Tūtaekurī River, Te Upokohino Stream and the Waiohiki community is a concern. The hilltop location with strong winds can provide a potential risk for loose waste to leave the landfill site. The operational landfill site is systematically worked in small stages and layers to ensure a minimum amount surface waste area is exposed to the



elements. At the cessation of every day the site has a layer of soil applied to minimise the risk of loose waste coming loose.

The site visit provided an opportunity for attendees to view the high fences which are specifically designed to catch any flying debris from the working landfill area. This technique was effective in minimising the risk of loose waste leaving the site and are cleaned regularly. Ōmarunui Regional Landfill staff also patrolled the perimeter of the landfills site with the permission of adjacent landowners to collect any loose waste that had passed over the fences. The same courtesy is offered along Ōmarunui Road although any loose waste would potentially be a result of waste management companies transporting waste to the landfill site. Ōmarunui Regional Landfill has an arrangement with adjacent landowners to clear any loose waste on their lands on request.

- Leachate management

The contaminants contained within leachate are of serious concern to Waiohiki residents and NPHT. Should leachate leak into the ground water the effects could be devastating for our community. A majority of the households in Waiohiki contain at least one retiree (<65). The high concentration and toxicity of landfill leachate means the smallest amount of leaked leachate could potentially render the entire ground water system in Waiohiki unavailable for human consumption. The short and long term health impacts of leachate consumption is devastating. The environmental impacts not only immediately after an event but long term is very stressful to the community.

The leachate containment system in the base of the landfill pit is designed to draw the leachate from the base into lined leachate ponds. The leachate has three methods of reduction; evaporation is the natural result of an open pond system, spraying leachate over grassed areas during optimal absorption periods. The ground is monitored to ensure maximum absorption is attained using this method. All areas receiving this treatment are built on top of existing landfill sites to continually recycle any leachate that may permeate the ground and drain through the landfill. The third method is for a specialist disposal company such as Beards Environmental to collect the leachate and take it offsite for processing and disposal. The processing of leachate is done only when the ponds are full and after heavy rain events. The processing of leachate is a backup contingency plan and Ōmarunui Regional Landfill has a fund dedicated to this method of disposal.

- Storm water management

Rain water that flows off the ground around Ōmarunui Regional Landfill is collected in storm water ponds located around the perimeter of the landfill site. Any runoff is run through drainage ditches, rip rap drains and storage ponds (including wetlands on the larger drains).

Vegetation development of the site will be greatly beneficial around drainage ditches and storm water ponds. Vegetation will improve the water quality, soil structure of the pond, and collect solids in the storm water. Ōmarunui Regional Landfill has begun consultation to regenerate the site with a view the landfill will be repurposed as a recreational park once the landfill site has reached its end of life

- Methane gas management



A natural by-product of decomposing organic waste is methane gas. Landfill gas is a contributor to smog, landfill fires, and respiratory illnesses in humans. Management of methane gas is vital to the integrity of the landfill site.

Ōmarunui Regional Landfill utilises two methods to manage the production of methane at the site. Electricity generation is the productive use of the methane produced from Site A and Site D. The gas is tapped, captured and processed through a generation site at the base of Site A for electricity generation. Any surplus gas is burnt off by a flare.

The electricity generation is managed by an independent contractor, LMS Energy Ltd. There will be additional turbines operating at the power generation site upon the completion of Site B development to manage additional gas intake from a new landfill area. Currently LMS Energy Ltd generates enough power to power 1000 homes annually.



SECTION FOUR: Conclusion

It is unlikely the extension at Ōmarunui Regional Landfill will have a direct effect on areas of significance to Ngāti Parau.

Regular and active engagement has been established and will continue between the applicant and mana whenua.

Ngāti Pārau considers that the impacts identified in our submission will be avoided, minimised and/or mitigated through the systems and processes at an operational level.

Ngāti Pārau proposes that we build a closer partnership with HDC at a governance level. The purpose of these partnerships will be to build a closer connection between our entities, provide advice and guidance as mana whenua, and support a positive community kaupapa.

Potential outcomes from the process

- Mana Whenua seat on Ōmarunui Regional Landfill Committee.

During site visits to Ōmarunui Regional Landfill several conversations have occurred discussing the Hastings District Council's view on a dedicated seat for mana whenua on the Committee. There is a process that needs to be undertaken. Ngāti Pārau Hapū Trust will continue to promote and support the introduction of a mana whenua seat on the committee.

- Employment opportunities.

Waiohiki Marae has hosted several 'Wheels, Tracks and Rollers Courses'. When whānau express an interest or Ōmarunui Regional Landfill has employment vacancies, Ngāti Pārau Hapū Trust has the capability to run a course expressly to meet vacancies at the landfill.

- Partnership opportunities.

The beautification and future preparation of Ōmarunui Regional Landfill presents several partnership opportunities. Te Wai Mauri Trust, the environmental trust representing Ngāti Pārau has a plant nursery, fencing, planting and pest control teams available to support the end of life vision of the Ōmarunui Landfill Committee.

The plant nursery has the ability to grow native trees suitable for sustainable harvesting and revegetation around the site. There is the potential for a commercial partnership in sustainable plantations in the future. Ngāti Pārau Hapū Trust will continue to investigate any opportunities for a partnership.

Confidentiality



This CVA has been prepared for Hastings District Council – Ōmarunui Regional Landfill.

The information contained in this CVA may not be used in any other context, shared with any other person or organisation or for any other purposes without prior review and agreement with Ngāti Pārau Hapū Trust.

Disclaimer

This CVA does not reflect the opinions, traditional, or recorded history of other hapū who may have interest in the area in question. Should new information and technical reports provided to Ngāti Pārau as reference subsequently prove to be incorrect or inaccurate, Ngāti Pārau should be informed immediately as this may result in the potential cultural impacts having been reviewed

Ngāti Pārau Takiwā (Traditional and Current Boundaries)

