

**BEFORE A HEARINGS PANEL OF THE GREATER WELLINGTON REGIONAL
COUNCIL AND MASTERTON DISTRICT COUNCIL**

**Resource Consents: WAR 070077 (27160-27172)
Notice of Requirement**

In the matter of Resource consent applications to Greater Wellington
Regional Council pursuant to section 88 of the Resource
Management Act and its Amendments.

&

In the matter of a Notice of Requirement to Masterton District Council
pursuant to section 168A and 181 of the Resource
Management Act and its Amendments.

By Masterton District Council

For The Masterton Wastewater Treatment Plant and
Disposal System Long-Term Upgrade

**ADDITIONAL SUPPLEMENTARY STATEMENT OF EVIDENCE OF
ROBERT SCHOFIELD
ON BEHALF OF MASTERTON DISTRICT COUNCIL**

Subject: Planning & Resource Management Analysis

1. INTRODUCTION

1.1 The purpose of this supplementary evidence is to respond to a number of concerns raised by submitters since I completed my Supplementary Statement of Evidence dated 26 February 2009.

2. EFFECTS ON NEIGHBOURING AMENITY VALUES FROM THE BORROW PIT CONSTRUCTION ACTIVITIES

2.1 The following comments are written in addition to the assessment provided in section 8.9 of the AEE and sections 8.28-8.31 of my original evidence, as well as taking into account the supplementary evidence of Mr Archer tabled in this hearing on Monday 9 March 2009, which confirmed that:

- Three separate borrow pit areas are proposed to be created in the locations shown on Drawing 3202216-560-C600:
 - A ‘northern’ borrow pit located immediately adjacent to the Martin’s and Gardiners’ properties
 - A ‘middle’ borrow pit
 - A ‘southern’ borrow pit located immediately on the opposite side of Te Whiti Road from Mrs Wullums and Mr & Mrs Elcock’s property.

2.2 I also acknowledge the evidence presented by the following neighbours who have raised a number of concerns regarding the potential for adverse effects on their amenity values from construction activities, particularly the works associated with the borrow pits:

- Mr M Gardiner
- Mrs A Wullums
- Mr P Martin

2.3 Drawing on the supplementary evidence provided by Mr Archer, it is my understanding that:

- Construction activities associated with the borrow pits would be temporary, with the following programme proposed:

- Construction activities in the three borrow pit areas are anticipated to be completed in a single summer/autumn period (September-May)
- Construction would begin in the northern borrow pit, followed by the middle borrow pit, and finishing with the southern borrow pit, as follows:
 - Construction activities in the northern borrow pit would begin in September and be carried out for 6-12 weeks, finishing by December
 - Construction activities in the middle borrow pit would begin in November and be carried out for 6-12 weeks, finishing by February
 - Construction activities in the southern borrow pit would begin in February and be carried out for 6-12 weeks, finishing by May
 - The hours of construction activities in these borrow pit areas have been reduced from 6am-8pm to 6am-6pm
- No excavations would occur within 20m of a site boundary.
- Construction activities associated with the southern borrow pit areas will not be carried out during the flower growing season (July to December), thus avoiding Mrs Wullums' more significant concerns regarding her flower production business.
- Temporary screening will be provided in the form of hay bales, which will provide acoustic and visual screening, particularly in the early stage of earthworks before the levels in the borrow pits drop below the existing surrounding ground levels.
- A construction management plan, specific to the management of construction activities in the borrow pit areas, would be prepared by the approved contractor, and would include further mitigation measures and protocols confirming, among other things:
 - A description of the actual works and programme
 - Contact details of key personnel responsible for the construction activities
 - An outline of the measures to be taken to avoid potentially adverse effects including dust, noise, mud tracking, and vibration

- A monitoring and auditing programme, including a complaints register

2.4 In my opinion, the above measures would appropriately mitigate any actual or potential adverse effects associated with the anticipated construction activities within the borrow pit areas. While construction activities may create a nuisance for neighbouring properties from time to time, overall, the borrow pit construction activities will not give rise to any significant adverse effect.

2.5 For the reasons already stated in section 8.28-8.31 of my evidence-in-chief, I maintain that the overall impact of construction activities on neighbouring amenity values can be satisfactorily mitigated, and will be minor and temporary in nature.

3. CONCERNS OF MR PERRY REGARDING EXISTING DRAINS

3.1 To clarify, I understand from Mr Archer that the proposed modifications to the land subject to the proposed NoR will not disrupt the existing drainage system on neighbouring properties, including that of Mr Perry's.

3.2 Certainly, MDC would be responsible for ensuring that existing drainage systems on Mr Perry's property (and other properties) would not be disturbed by the land modification proposed on the MDC land.

3.3 In light of Mr Perry's concerns, I understand MDC will investigate specifically the potential impacts of the land modification on the existing drainage systems on Mr Perry's land, and address them as required through the construction/land modification process.

4. CONCERNS REGARDING CONSULTATION

4.1 A number of submitters raised concern that they were not specifically consulted or consulted adequately. In addition to my assessment in my earlier evidence (section 9), I would make the following points:

- Under current legislation, there is no requirement for MDC to consult any party, including iwi, neighbours, potentially interested parties nor the community generally. However, the Council has, in my opinion, followed best practice, and consulted all potentially affected parties, iwi, and stakeholders in a thorough, timely and responsive manner. As highlighted in section 11 of the AEE and in section 9 of my evidence-in-chief, MDC has

carried out extensive consultation over the life of the project development, including with iwi, individual neighbours and interested parties – importantly, the District Council has also responded to requests for meetings and information.

- In particular regard to the consultation concerns raised by Rangitane O Wairarapa Iwi Authority earlier this week, I would note that several briefings and meetings with iwi have occurred at key points since my involvement with the project (from late 2006), including at the time the Council was considering utilising its expanded landholdings at Homebush for the scheme that is now before the Councils.
- Since June 2008, both MDC and project consultants have attempted unsuccessfully on several occasions to engage with Rangitane O Wairarapa Iwi. While I acknowledge there have been timing and resourcing difficulties, nevertheless, the Masterton District Council has kept an 'open door' to further meetings and queries. For example, in response to a request from Ngati Kahungunu, the District Council's project team meet with iwi representatives at a special workshop on 9 October 2008, from which the Council instructed its consultants to investigate the Hastings District Council's bio-filter trickling system at Clive, and undertake a comparative analysis of the relative features and processes with the proposed system at Homebush.
- It is appropriate that MDC did not contact neighbours and interested parties on a one-by-one basis. Every neighbour was notified and informed through numerous newsletters prepared by MDC that specifically encouraged interested parties to contact MDC officers.
- Two groups of neighbours were invited to separate meetings in early June 2008: those from the neighbouring properties to the north and northwest of the site, and those from other nearby properties, including across the river.
- The proposal has been widely notified and there have been numerous opportunities for interested / affected parties to discuss the proposal with MDC officers and consulting experts. I note over the last 6 years (July 2003 to February 2009) twelve newsletters have been posted to every ratepayer in Masterton, with the Council's website having a dedicated page for the MWTP Upgrade.

4.2 Overall, in my opinion, I would reiterate that the level of consultation carried out in regard to the assessment and design of the upgrading proposal has been appropriate.

5. CONCERNS REGARDING THE REGIONAL FRESHWATER PLAN

5.1 In his statement, Mr Duncan suggested that resource consent may be required for infiltration of freshwater into the wastewater reticulation system under the GWRC Regional Freshwater Plan, and, conversely, for potential leakage of wastewater into the groundwater system. In my opinion:

- This matter has no bearing on the resource consent applications and NoR before the hearings panel and need not be considered – indeed, I consider it is outside the scope of the Commissioners to take into account; and
- The responsibility of determining if resource consent is or is not required lies with the GWRC – If GWRC considers that consent is required, then MDC would need to apply for the necessary resource consents.

5.2 In addition to the above, Mr Duncan submits that a number of the policies of the WRFP are not met by the proposal. In response I would comment as follows:

- The proposal would result in an overall improvement in the water quality of the Ruamahanga River and therefore I consider the proposal is consistent with Policy 5.2.10
- From the consultation and expert technical work carried out to date, and from the expert advice presented on behalf of MDC in this hearing, I believe MDC has given appropriate regard to any actual or potential adverse effects on the water quality, as well as tangata whenua and community considerations and therefore consider the proposal to be consistent with Policies 5.2.11 and 5.2.12.

5.3 Overall, I consider the proposal is not contrary to any of the objectives and policies of the Regional Freshwater Plan.

Robert Schofield
Environmental Planner – Director
Boffa Miskell Limited
13 March 2009

