

Additional Comments (No 2):

- related to Kaipara District Proposed Private Plan Change PPC 78
- by John Dickie (BE(Civil), M.Env.Sc)
- Dated 02 February 2021

(Original submission Number John Dickie 138)

I appreciate that this second set of additional comments is made very close to the reconvened hearing. The supporting timeline is given in Attachment A.

Considering the Attachment A, and recognising that the reconvened hearing set for tomorrow has been programmed to only accept verbal evidence from the KDC and from Mangawhai Central, I request that these comments be provided to the Panel:

1. All information submitted by Mangawhai Central has been provided to submitters very late – and even more so considering that the water take details granted on 08 January were only provided to me after a specific request.
2. There is a supposed “solution” to the water supply now given which I consider:
 1. Has significant implications on which the community, and especially potentially affected landowners in the catchments (see later), should have the opportunity to formally review and submit on for consideration by the Hearing Panel.
 2. May not “work” in being able to provide the necessary volume of water, nor water of adequate quality. I addressed the volume issue in my Additional Comments of 21 January, and these have been reinforced by my very recent discussions with two landowners in the catchment, and by the continuing drought in Mangawhai (as at 0710 02 February the most optimistic prediction of the 6 models I examined had a total rainfall of some 5 mm over the next 10 days).
 3. Does not provide a legal sustainable mechanism for implementation and operation – as outlined in my 21 January “Additional Comments”. Furthermore:
 1. The current policy of KDC is not to be associated with water supply for Mangawhai apart from the very limited supply KDC currently provides.
 2. The latest “evidence” / statements from Mangawhai Central are imprecise about how my 21 January reservations in relation to, for example, water conservation, could actually be implemented.
 4. If, and only if,
 1. there is a legally sustainable mechanism set out for implementation and operation of the water supply system (including “how do authorities control” consumer behaviour), and
 2. water harvesting volumes fall short of Mangawhai Central predictions,
 3. is the wider Mangawhai Community going to be affected in any way by such matters as reduced availability of the already limited trucked supplies or by KDC (if it were the operating agency) having to expend further funds.

In relation to 2.1 above I have considered potential effects on landowners within the catchments upstream of the Mangawhai Central consented off-take locations. I can envisage a situation whereby those landowners may wish to use or develop their land in a particular manner but Mangawhai Central (or the then managing water supply authority) “objects” on the basis that such use may affect the quality and / or quantity of off-take water. Is this fair if these landowners have not had an opportunity to submit on what has been an ever-changing proposal?

Thus I consider that the new “evidence” and information only reinforces my earlier arguments that PPC78 be rejected.

Submitted electronically John Dickie 02 February 2021

Attachment A Timeline making Additional Comments (No 2).

I made an original submission, a "Further Submission" and attended most of, and presented at, the Hearing, and then made Additional Comments on 21 January 2021.

I appreciate that this Memo Additional Comments (No 2) may seem excessive. However since 21 January 2021:

- at 1739 Friday 29 January KDC sent out a suite of further information from the Applicant noting:
 - The Council's supplementary legal submissions addressing a range of matters requested by the Panel for the Council to respond to; and
 - Summary Statements of the Council's experts which includes references to the supplementary evidence from the Applicant (and will be presented at the hearing after the Applicant has presented its supplementary evidence)
- I quickly reviewed the information and at 1848 Friday 29 January sent a reply Email noting:
 - There is a reference in the "Summary Statement" by the KDC Planners of a "Second Statement of Supplementary Evidence of Jon Williamson (Water Supply) dated 28 January 2021". As far as I am aware this has not been circulated. Please do so as a matter of urgency as it addresses a subject I referred to in my original submission, a supplementary submission, talked to at the Hearing and also discussed in "Additional Comments I sent mid-Late January 2021.
 - **I take this opportunity to formally note (again) that since the Hearing (and I understand the last opportunity for submitters to comment) that there is new "evidence" being produced that would reasonably be subject to formal comment by submitters. As an example I refer specifically to information that the Applicant has received consents to extract water from watercourses in the area. Please pass on my comments to the Hearing Panel.**
- On Saturday 30 October at 1041 I received an Email from KDC with following advice "Please see attached Second Supplementary Statement of Jon Williamson." which was attached.

The Statement (which presumably the Commissioners have) is brief and copies the consents granted 08 January for surface water takes from two unnamed streams that run through the "Mangawhai Central" land at specified grid co-ordinates.
- Through the long weekend of 30 October to 01 February:
 - I tried unsuccessfully to determine the exact locations on a map, and as the time of writing this I have made an email request to NRC to identify the locations on a map. (The grid coordinates do not link to any commonly used mapping programme such as Google Earth, and not easily (by me) found on NRC on-line maps and in the area of interest do not seem to be entered into their Resource Consent locations).
 - There was local Facebook interest in this matter of surface water extraction, and it did include a map of where an individual believed the extract locations to be located. These locations would be "logical" in terms of being towards downstream sites of "creeks" as they flow from the Mangawhai Central land.
 - I considered the implications of these extractions and had discussions with two current landowners within the catchments of those creeks.