

1st December 2021

This Submission, has been prepared by John Klaricich on behalf of the Te Kai Waha marae and Te Wahapu and Wai 250 and Wai 2003 interests. This is our response to the Public Notice of Northland Regional Council to Application of Far North District Council for Renewal of the Resource Consents for the continued operation of the Opononi Wastewater Treatment Plant, Baker Road Opononi, that serves the township of Opononi and Omapere Hokianga and the existing connections that are outside these townships.

1. As an introductory statement, it needs be said the continuing process of the Waitangi Tribunal Process, must be given regard, additional to any information for the four consents sought/required by the Applicant.
2. The above point needs to be taken into consideration so that the critical/ essential points raised in the Waitangi Tribunal Process are properly taken into account, with respect the commentary of, in particular the C.T.A provided by FNDC. We appreciate the effort to provide this assessment, however my submission is the information should not be used, or considered to be sufficiently strong enough by which to subsume evidence made by cultural submissions to the Waitangi Tribunal Hearings and Decision process and or this Hearings Process.
3. The Marae I represent has been party to the Hearings since 1983.
4. It was at that time our senior representative leaders of Te Wahapu met to discuss the proposal. It was a strong representative group. The discussion was led by the late Mr Wiri Te Whata, Rev. Piri Iraia, Taurau Tamihana were principal speakers. I, with the late Mr Bill Dunn and Mr Chris Diamond from Te Kaiwaha were present, thereby fulfilling our ancestral linkages to Kokohuia.
5. In historical sense, the area of concern to those elders was, the Kokohuia subdivision of ancestral land from the Fire Station to Waiarohia Stream which went through the M.L.C. Hearings in 1950, that the poorly drained shallow soils constantly under water concerned them.
6. The matter was summed up by Wiri Te Whata, who said in closing the discussions, " What use is our land, if we are unable to use it " The gathering left with the understanding, they would not oppose, neither would they support the proposal.
7. To we, the listeners, it seemed to us, despite the cultural concerns it came down to us arguing for the most effective and efficient operation of the system.
8. That is not to be construed as if our elders had stepped aside from the cultural understandings, neither were they captured in the social health needs of their beneficiaries and locked into the system to protect these anxieties.

9. When the Hearings took place in the Opononi Hall the only two local Maori submitters were the late Ben Morunga, whose concern was the defilement of the seafood resources and myself. Having regard to our elders statements I tried as best I could to promote my Uncles/leaders concerns.
10. The only contribution I made was to point out the outfall was far too short and too close to the south shore and the discharge unlikely to be caught by the weight of current further northwards out from the current boil where it now is.
11. Shortly after that, I became part of the Hokianga County Council.
12. I understood and appreciated the cultural concerns, we expressed at the last renewal, where we argued for greater acknowledgment to the physical wellbeing of the Waiarohia, which was allowed to lie dry of water for lengthy summer periods.
13. We agreed successfully for a by-pass of the storage dam, sufficient to keep the Waiarohia living downstream the dam. The bypass water source was never to my mind put in place. The Waiotemarama waters source relieves pressure on the Waiarohia
14. As a community we believe the safety and stability of the two Schools at Omapere/Opononi Area School and at Koutu (Te Kura Kaupapa o Hokianga) are our principle concerns and their safety, should be assured.
15. I considered at the time of Building Consent for the Koutu Kura was given, that insufficient attention was given to the Kura wastewater. I still hold this view, and consider it is a matter that must be kept monitored and improvements made to that system.
16. Why the concern ? A good question. What use the seeking of higher treatment standards for Opononi system, with the potential that upstream waters be allowed to negate the extra efforts for higher treatment at Waiarohia to be compromised.
17. The cultural community I represent, wish to maintain the health and safety of both Schools for the special elements of education each provides, we would much rather prefer to be pro-active, rather than simply close our eyes to the issue of maintaining and pro-actively supportive of the well being of the two places of learning and the future of young people of this area of Hokianga.
18. I have attached to this submission, a Paper I prepared and presented to Minister Andrew Little at a Settlement Discussion Forum held at Kerikeri. Though prepared in haste, it none the less captures the unenviable position we are placed, in by how the Settlement process can be compromised by Statutory Processes we must respond to

1st December 2021

yet keep our focus on the major Critical Issue of the Future Security and well being of our community for the benefit of our young people.

19. I need to explain why I have included that submission to this submission. I presented this Paper to our Minister of Treaty Settlement, Hon Minister Andrew Little, which is a copy of my Submission to the Waitangi Tribunal. Though hastily prepared it nonetheless explains how I/we perceive the unenviable position we are placed, having to advance our Claims issues whilst having to respond/ be involved in Statutory Processes.
20. Thus this involvement in this Application to renew resources consents for the Opononi Waste water Treatment Plant is an issue, we need deal with in a strong pragmatic fashion.
21. The last and unforgivable event that could happen is for some malfunction or unexpected health issues that may arise with the waste water discharge at Koutu Kura.
22. We consider the best practical solution is to bring the Kura and the intervening residential and the Pakanae Marae into the Opononi Treatment system. I refer to paragraph 3 submission Waitangi Tribunal attachment.
23. At previous Renewal of Consents Hearings we objected to the discharge into the Harbour, and its location, this objection remains.
24. We also sought and still do for U.V. Treatment prior to discharge with much closer attention to monitoring of the discharge.
25. The other concern we expressed was to where the discharged fluid has eventually been deposited. In pure layman's ignorance, we believe it cannot be made to disappear. The Term " mixing area " is difficult to understand. Our understanding is " salt and fresh water do not mix, rather they separate out.
26. We believe the objections we have for where the discharge eventually settles is a valid concern. It certainly cannot just disappear.
27. Should it happen, the repository place for the discharge be upon a mussel bed, what would the likely effects be to that seafood resource. And does the daily discharge amplify with time. What happens to the Discharge eventually, where does, can it end up. We would like hard evidence how/where the discharge eventually finishes up.
28. We ask the applicant to give more consideration;
 - to extending the discharge point off shore more, to where the weight of out going harbour waters are.
 - For higher U.V. Treatment at the point of prior the discharge

1st December 2021

- For more regular housekeeping better use made of it, when dealing with it.

29. The final and emphasised point this submission makes is this.

- a. We have strong cultural objections to the placement of the Plant and Discharge element in this culturally sensitive area.
- b. The discharge of Treated Wastewater despite the best of intentions is not only culturally but also socially a matter of objection to other people outside our cultural network.

30. Simply discharging to what I would describe to as receptive land is neither an answer, certainly not a solution.

31. We believe it is an National Issue N.Z, has many communities in the same situation as we are. Thus in our view, finding a better method to deal with community waste water is a National Issue, and not left to periodic regurgitation of the same issues, unresolved and society unacceptable, at the local level inter-generationally.

32. At this time in our Te Wahapu history, 200 years on from first contacts, we of Te Wahapu, through the Settlement Process are putting in place as sound as we are able to provide a sound, fair and equitable foundation for the next 200 year period for our descendants . Nothing more, Nothing less.

33. It is the intention of the writer to file this with the Waitangi Tribunal as an essential element of our Settlement Claim.

34. Thank you for the opportunity to file this response.

The final issue, I consider the 35 year period unacceptable. I would suggest the issues of concern we have raised deserve a better structure to report back, advise of outcomes to our concerns. Therefore we ask the 35 years be split into manageable time blocks of 4 periods, an initial 5 year period, then every 10 years period so to the 35yrs period sought.

Thank you for the opportunity to express these concerns and for you to consider them in making your decisions.

Signed *John Klaricich*