

Kia Ora Koutou

Nga Mihi kia Koutou - each & every one of you, for taking time out of your busy lives to be here today (presumably unpaid) as I am, or maybe you have been also on Tuesday or yesterday also, as I have seen a few familiar faces over the last 3 days. I am guessing you are here for the same reasons as myself, because you drink water, care for this Aupsuri Aquifer that feeds us daily, and will continue to into the future with clean, unpolluted water for our whole community.

I live in Ngataki & I have a degree in common sense. Firstly I would like to ask these patai, question. Why are we back here AGAIN? Is this actually legal?

In March 2018, 2½ years ago, all of you, except Stephanie Kane, some of you from the community including myself, sat here listening to 17 applications asking for 2½ MILLION m<sup>3</sup><sup>ish</sup> of our Aquifers water for mainly Avocado orchards. At that time, both Mr Burgoynes & myself questioned who the owner of the Largest take (& 4th largest) take was, Mr Murray Fong, owner of both Mapua Orchard (Motutangi) & Largus (Waiharara).

A decision was made, by you the Commissioners, to 'go ahead', suck it and see, basically agreeing with both Jon Williamson, Martell Letica, the Water Experts & also NRC's mentality, "The effects will be no more than minor".

D.O.C appealed the decision, and rightly so. Environment Court in Whangarei, December 2018. Judge Smiths decision as I understand it: Give them a quarter of the water asked for in the first year, next quarter in the 2nd year & so on ~~for~~ the four years with strict monitoring over

(2)

conditions, making very sure along the way that everything would be OK, that the solid, scientific data collected along the way would make sure of this, over the next 5 years, making a total of 9 years all up, which would be 2027 by my maths.

So why then, 2 months later, 24 more applications come into NRC and are this time asking collectively for triple the amount of water, over 6 million m<sup>3</sup>.

But wait, I think someone did the math wrong, because it then changed to 4½ ish million m<sup>3</sup>, good news for the aquifer <sup>I guess</sup>, but confusing anyhow. I also note here that lots of applicants are on BOTH lists... Mr Forlong <sup>again</sup> being one of them, I believe.

Apparently he is a local, part of our community, is he here today?

On October 3rd 2019 more than 4000 letters were sent out to people from NRC, telling them of these applications, the 24.

They, NRC, said that if you did not live between Ahipara and Ngataki, if you did not have a bore, then you could not have a say and you would not be considered to be an effected person. I say if you drink water, you should be able to have a say.

NRC also decided that this amount of water being asked for would have a 'no more than minor' effect on people + the aquifer in the future is not only unknown, but inaccurate and ignorant.

Prove it first I say. The effects are simply unknown Brydon Hughes, on behalf of NRC, who I believe is their hydrologist, was asked by myself at the hearing here in March 2018 - is the Aupouri Aquifer a coastal aquifer - he said No.

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I find that hard to believe.

Many in our community are unhappy, frustrated, angry, sad & worried (and rightly so) that huge amounts of water are being given away to commercial use, big business, monoculture. We don't want our bores compromised (some are already experiencing this as we have heard over the last 3 days, that they may have to go through the expensive process of re-boring and can't afford it, applying for consent, salt water intrusion, all because our regional council, these corporate industrial businesses, some in central government positions and some of the applicants and their hired experts seem hell bent on focusing on economic development, job creation, import/export, all of which put our communities wellbeing and environment at risk).

The NRC's decision to claim who is or isn't an effected person is disputable, controversial and debateable.

At the original hearing for 2.5 million m<sup>3</sup> (March 2018) you, the commissioners wrote:

As the Aquifer is the sole source of groundwater for the local community, submitters expressed a reasonable concern that the safety and security of supply of that source of potable (drinkable) water be safeguarded. You went on to say that you agreed with us, the submitters, that our concerns in this matter were properly raised, are fundamental to your decision and it is a matter on which you must be satisfied. Plainly, you the commissioners did not take the narrow view adopted and maintained by NRC as to who is an effected person.

In saying all that, you basically gave permission to carry on - 'suck it and see what happens'. No other option but appeal to the Environment Court

(4) again I ask - Why are we here again today.

Aquifer protection with Robust monitoring conditions, independant and conclusive science as well as identifying risks associated with the volumes of water sought both now and into the future, risks to the waterways, wetlands, harbours, beaches and us, the community.

Protection of our unique, coastal aquifer should be first and foremost.

Effects on the environment, us all as the people, biodiversity, bees + frogs and many more species that are imperative to the ecosystems must be firmly protected.

Is it normal business practice to spend millions of dollars on development, plant and then ask for water Consent permission - NO!

I am also <sup>very</sup> concerned that some sub regions are very close to being fully allocated, so to you as the decision makers <sup>you</sup> need to be fully aware and clear about what is at stake here.

Using a mentality of 'first come first serve' is in my opinion a recipe for disaster.

I strongly urge you, the commissioners to listen to us, the people this time and decline these Consent applications, be patient and wait for the research + monitoring data set out by the Environment Court, and proceed with caution for both now, and the future.

The Lincoln Reports independant study of this Aupouri Aquifer in 2015 needs to be recognised and listened to by you so called experts instead of taking out specific bits and leaving relevant information out.

Speaking of that, I read Mr Williamson's Supplementary review I think it was.

He refers to this map - figure 5, a map showing

(5)

estimated position of the saline interface in the deep aquifer and says' this is evidence that the freshwater lens may extend for some distance offshore under existing pumping conditions.

From what I can see it is not offshore, but clearly onland - not that I'm an expert.

He also in ~~his~~ Full Allocation Assessment says that:

To date, there have been no recorded occurrences of seawater intrusion in the Aupouri Aquifer.

I am pretty sure on day 1 (Tuesday) of the hearing he spoken many instances of salt water intrusion - again, I am not an expert.

Actually, speaking of Day 1 of this hearing, I am frankly insulted that from the opening of this hearing, the applicants lawyer through Mr Williamson & Miss Letica I believe, asked the commissioners that myself, along with I believe from my notes, 21 other submitters should be struck out and not be allowed to speak here.

Thankfully this time, you the commissioners did not accept this and rejected their request.

I believe it was on the grounds that we were including chemical poison spray concerns, limited notification, monoculture avocado business and am not quite sure what else.

Lucky common sense was used in this instance by you commissioners.

I would also like to ask you, as I did at the March 2012 hearing, have you been up north to the actual orchards to see for yourself, with your own eyes, as we locals see everytime we come down to Kaitaia, what the huge orchards that are well developed now, actually look like.

At that time you hadn't, but did after I brought it to your attention, so I guess that is OK? Not in my book.

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I have continually asked for who will be accountable to our community if the risks/effects turn out to be more than minor.

The community, us, have brought up time and time again concerns about obstructive processes, limited notification, short time frames, late notice changes to dates, bombarding submitters with 1000's of pages to read and take in, presuming, guessing, doubt.

We need to be able to trust and have faith that our public <sup>Paid by us</sup> servants are looking after us and this environment which we all depend upon.

Last Summers drought is no doubt still in our minds even though rain and flooding is here now. FNDC who were trying to race around sorting out water, or lack of it, for the community, decided water restrictions would be put on us.

How rude in my opinion to tell Nannys & whanau that you can't water your Kai gardens or fruit trees while the orchards carried on pumping - even through 'covid' they were deemed essential - unbelievable.

I suggested that FNDC & NRC need to get together and kōrero and work through the issues of water solutions for everybody. I also asked our mayor to join them.

That was at least a year ago.

Has this happened? Not that I know.

FNDC sent someone here yesterday for 10 minutes-ish to speak on their neutral submission, saying only that they wanted to secure water for Kaitawa and something about Houhora/Pukerua village used 100 m<sup>3</sup> of water a day all up. → I can't exactly refer to her paperwork as they didn't provide a written submission, although

7. I did ask if there was one. Maybe I'm confused.

I have heard pretty regularly over the last year or so how iwi, Te Rarawa, Te Make Farms & Te Aupouri are on the latest list as the biggest 'takers'.

I sincerely hope their intentions for future development will 'change the game' and lead the way to provide sustainable, good practice, mahi for locals that won't involve chemical poison spray and in turn provide more real, local <sup>mahi</sup> work, and produce good, nutritional kai (food) that will be able to feed not only Aotearoa, but command top dollar overseas for a feel good product that is good for you.

I question the Karero from yesterday from Miss Letica regarding the said iwi consultation and would like clarity as to whether the hapu were actually consulted and the mandate has come from the people.

Solutions going forward to protect the Aupouri aquifer as brought up by previous submitters by desalination, harnessing rainwater through dams or recycling waste water for these trees. In some other countries law makers are making sure water is secure first for the people, second for the environment and animals and lastly for commercial. Why can't we adopt a similar approach.

In conclusion I ask that the Environment Court Decision of 2018 Dec be upheld and adhered to.

That all consents on the table be denied

The question of accountability I guess, has to sit with you commissioners.

I note your quote from May 2018 hearing

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Commissioner Hall when you cut into one of the submitters who said:

The aquifer knows no boundaries. NRC deleted a lot of submissions by limiting the area of notification. Smells like corruption to us.

As far as we can see the buck stops with NRC. Commissioners are here to advise but the decision is the NRC's as we understand.

To which you replied: (after stopping him) Quote...  
Let me just correct you on that one, the decision is to be made by us.

The NRC simply will implement our Decision.  
Be very clear about that.

Makes me feel a bit more comfortable that at least ~~you~~, as commissioners, are putting your hand up, and will be accountable, if a decision is made that turns out that the effects of this proposed water take for the Aupouri Aquifer Water Users Group, APWUG as well as the 2018 MWUG turns out the risks <sup>will be</sup> ~~here~~ more than minor.

Environmental health & wellbeing is not a hippy thing - It is a survival thing.

Common Law states

You are free to do whatever you choose as long as you don't infringe on the rights, life, property or freedom of another.

Basically + simply this is respect.

We need to be leaders in walking the talk of Environmental Protection, recycling, planning for the future and caring for people. He tangata, he tangata, he tangata.

I stress once again that good clean water be

9  
accessible to the whole community BEFORE \$\$\$ and the profit of a select few.

Maumahara (remember) that we can't eat or drink \$\$\$, that Avocados (or any kai for that matter) is not a Superfood if it has been chemically poisoned.

I do not tolerate chemical spray on me or my land under any circumstance.

Water is Life!

Kia Ora Koutou.