

**BEFORE THE COMMISSIONERS APPOINTED BY
THE DUNEDIN CITY COUNCIL**

IN THE MATTER of LUC-2020-293 20 Bay Road, Warrington

BETWEEN **NEW ZEALAND MOTOR CARAVAN
ASSOCIATION**
Applicant

**CULTURAL EVIDENCE OF BRENDAN FLACK
ON BEHALF OF
KĀTI HUIRAPA RŪNAKA KI PUKETERAKI**

INTRODUCTION

Tēna koutou katoa

Ko Hikaroroa te mauka

Ko Waikouaiti te awa

Ko Puketeraki te Marae

Ko Kāi Te Ruahikihiki te Hapū

Ko Kāi Tahu, ratou ko Kāti Mamoe, ko Waitaha kā iwi

Nō Puketeraki ahau.

EXPERIENCE

1. My name is Brendan Flack. I am presenting this evidence, on behalf of myself and Kāti Huirapa Rūnaka ki Puketeraki, on the New Zealand Motor Caravan Association's application to establish and operate a member only motor caravan park at 20 Bay Road in Warrington Dunedin.
2. I will describe the work that the East Otago Taiapure Committee has done in the area and why this application is of concern to us regarding how wastewater is managed and treated in Warrington. However, first let me tell you a little bit about myself and my whānau.
3. Both my wife Suzi Flack and I are Takata Tiaki for Puketeraki Marae.
4. I am chair of the East Otago Taiāpure Management Committee. I am also chair of the Hauteruruku ki Puketeraki Ngā Waka Club. I also sit on the Puketeraki Rūnaka executive working groups for environmental matters and strategic thinking on behalf of the Rūnaka; Puketeraki Komiti Kaupapa Taiao and Puketeraki Komiti Rapu Ara Hau.
5. I am also a contractor for the Ngāi Tahu Undaria Control Programme and a researcher on the He Pātaka Waiora Project.

WHĀNAU

6. My wife and I have two daughters and two mokopuna. One of our daughters is a gazetted member of the East Otago Taiāpure Management Committee, while our other daughter is busy raising her two boys.
7. We are descended from the very first people that set foot on Te Wai Pounamu.
8. As a whānau, we are actively involved in habitat restoration and fisheries recovery within the Āraiteuru coastline and its catchment. We lead many projects that deliver on the principles of kaitiakitaka and ki uta ki tai (ecosystems-based management).

THE EAST OTAGO TAIĀPURE MANAGEMENT COMMITTEE

9. The East Otago Taiāpure local fishery reserve was established in 1999 and is home to a rich and diverse range of species and habitats, which has long been valued by both Māori and non-Māori fishers.
10. The management committee was formally established in 2001 and as stated above, I am the current chair of the committee. The other committee members include other representatives from the Rūnaka, a representative from the University of Otago and representatives from the community.
11. The objective of a taiāpure is to ensure better provision for the recognition of rakatirataka and of the right secured in relation to fisheries by Article II of Te Tiriti o Waitangi.
12. Our committee's vision is to ensure a sustainable, healthy, abundant and accessible fishery inside the taiāpure that provides for the community's customary, recreational and commercial needs.
13. Under section 185 of the Fisheries Act, the committee may recommend to the Minister of Primary Industries the making of regulations for the conservation and management of fish, aquatic life, or seaweed within the taiāpure local fishery.
14. Regulations that the East Otago Taiāpure Committee have recommended, and which have been gazetted in the Blueskin Bay are:

- a reduction in the recreational take of shellfish, particularly tuaki (cockles), reducing it from 150 to 50 per person per day;
- a combined shellfish limit of 50 which includes oysters, pipis and tuaki
- a rāhui (closure) on the taking of paua;
- a rāhui on the cutting of living kelp.

WASTEWATER TREATMENT PLANT CAPACITY

15. We have been in many conversations with the Dunedin City Council regarding their consent for the wastewater treatment plant (WWTP) in Warrington.
16. The WWTP in Warrington is on a sandspit between the estuary and the ocean. Wastewater is pumped to an oxidation pond and from there the effluent is sprayed directly onto the sandspit, which eventually flows into the surrounding ocean and waters where we collect our kaimoana.
17. Its efficiency has been called into question on a number of occasions for exceeding their consented nutrient limits.
18. The plant sits very close to the water table and given climate change and predicted sea level rise, it is our view that it is no longer fit for purpose as it perhaps was in the 1960s. If the current predictions for sea level rise are proven true, the oxidation pond will be inundated by the ocean in the near future.
19. We have made these concerns known to the DCC and have indicated that we will require them to shift the system before their consent comes up for renewal again.
20. The WWTP is overstressed as it is, and in light of the significant potential impacts and our connection to the Blueskin Bay estuary, the surrounding waters and the landscape, it would be completely inappropriate for the applicant to add to that stress, potentially contaminating our kaimoana and degrading the values we hold for our ancestral landscape and waterways.

MITIGATION MEASURES PROPOSED

21. I understand that the applicant has proposed mitigation measures and offered scenarios which will supposedly prevent further undue pressure on the Warrington WWTP.
22. The proposed condition to encourage their members to empty their waste tanks at another station and avoid the Warrington Domain dump station, is not one which we have faith in. Under no circumstances do we want any added pressure to the WWTP, and such a measure is not enforceable and almost impossible to monitor and deliver on.
23. The reliance on the survey which suggests the domain will continue to receive a significant reduction in visitors due to COVID 19 induced border restrictions, is operating on a grand assumption. There are no guarantees. COVID 19 has been with us for 18 months and the borders will not remain closed forever. With the uncertainty that COVID 19 brings, there is also no telling what our domestic tourism will look like in the coming years. While the survey offers a prediction into the next couple of years, we look beyond that, seeking to protect against damaging cumulative impacts not just a few years later but centuries into the future.
24. I also understand that the applicant has stated that their members make up a proportion of the number of people who currently camp at the Warrington Domain, suggesting that the wastewater going to the WWTP will not increase in any significance. While that may be so, as above, there are no guarantees. We also do not agree with the entire wastewater system serving Warrington.
25. We do not agree with the dump station at the Warrington Domain or the location of the WWTP. Therefore, we cannot support a proposal, which could potentially increase the number of people using the dump station at the domain and subsequently, adding pressure to the WWTP and potentially compromising water quality. Putting additional, or any effluent for that matter into Tangaroa and around our kaimoana does not fit with our tikaka.
26. We also note that while the applicant is currently not proposing to establish a new dump station on the property, they have flagged the possibility of constructing one in the future. Just as we are concerned and do not agree with the use of the dump station at the Domain, we are vehemently opposed to the construction of a new dump station as this

will have the same impact on the capacity of the WWTP and the associated impacts on the surrounding water quality and kaimoana.

27. It is our responsibility as takata tiaki to maintain a healthy local fishery.

28. We had made it known to the applicant during the site visit that we would be supportive of having an above ground holding tank and the wastewater being taken for treatment at a tertiary level wastewater treatment plant. Relying on upgrades to the Warrington WWTP that has no guaranteed timeframe is also not acceptable.

CONCLUSION

29. I have described the work that the East Otago Taiāpure Committee carry out in the Blueskin Bay area and why it is crucial that the Warrington wastewater treatment plant is spared any further strain.

30. As Suzi explained before me, we have a deep ancestral relationship with this area. It is a connection which transcends generations and one which will continue for eternity. We are kaitiaki and exercise our duties as kaitiaki in this area to this day. As the application stands, the potential damaging impacts are clear, and the applicant provides no solutions that convince us otherwise.

Tēnā koutou

Brendan Flack