

Thanks to NRC for arranging this hearing

**Ross Scobie** presenting on behalf of myself and **Norma Scobie**. We own and are residents of 109 McCathie Road Ruakaka.

**My Background** Analytical Chemist, educator and for last 10 yrs before retirement and independent evaluator (not in the environmental field)

**Acknowledge** that parts of my submission are outside the scope of this hearing, but we have serious concerns about some aspects related to **landscape/ noise/ vibration/ dust and visual effects** that fall outside this hearings scope. And raise this so Meridian are aware of our concerns. – so restrict comments here to **Flooding and Ecology**

**Appalled by District Council process** – only knew when we made enquiries after notification of NRC process.

### CONTEXT

Where we live **MAP** – red area 109 McCathie Road



Peaceful rural lifestyle with open impressive distant views for the last 22 years

The east side of our property is designated as flood prone although has only had water laying on it for a few (4) hours once in the last 22 yrs

We have had development on our northern boundary before (retention pond) and experience with this has informed our submission

## FLOODING

[FLOOD Map]



We note that the Whangarei District Council's consent deals with flooding by requiring

*A Stormwater Management Plan prepared by a suitably qualified engineer that specifically addresses on-site attenuation of peak flows discharged from the Sites 1 – 3 such that the 100 year, 5 year and 2 year ARI rainfall event post-development peak flows (with climate change) do not exceed 80% of the pre-development peak flowrate (with climate change), to be submitted to the Councils Development Engineer*

This is **inadequate** as it deals with the **process not the outcome**.

Processed based conditions are really just a cop-out for example we heard yesterday how a constructed wetland was impacted by nearby development and couldn't be changed

### **A plan is no good unless it works**

While process conditions are useful and usually relatively easily complied with, they **do not guarantee an outcome.....so what happens if it goes wrong or conditions change**

**At a minimum** the requirement should be outcome based and read that:

the 100 year and 5 year and 2-year ARI rainfall post event peak flows (with climate change) do not exceed 80% of predevelopment peak flow.

**AND that this actively and transparently monitored against robust relevant baselines**

**AND if exceeded timely remediation work is required or compensation to effected parties**

**[NOTE on baseline data** Before such a condition can be implemented baselines **MUST** be established. There is inadequate baseline data related to ground water levels in our land, Site 3 and Site 2. The Ruakaka Bore data is only relevant to site 1 as acknowledged in appendix 8 of the applicant submission. At the hearing yesterday we heard that data collection had been started on Site 3 very recently. And further that it would take 12 months to get a baseline. We believe 12-month time frame is inadequate and will only lead to further argument about whats "Normal" if the data does not support the applicant's purpose.]

**ONE way to reduce peak flow** is to retain the water and let it go gradually. This could be done by increasing flooding on our property. **This would not be acceptable.**

If flow was measured at the entrance of the drain into the Ruakaka river. NB flood gate installed where drain enters the river to reduce reverse tidal flow – not effective when we are most vulnerable as water flows over the road – McCathie road usually blocked at least 3-4 times a year

CONSEQUENTLY a **outcome based condition related to reduced flood levels** is required SEE my submission AND a **significant bond** is required (to protect against non-performance).....given our experience of poor enforcement and compliance with “Plans”.

We are open to suggestions of other measures that would be useful in regard to flooding.

FURTHER ..... current planning for reduction of peak flows relies on creation of the wetland adjacent to McCathie road this needs to be created **BEFORE construction of the solar installation** takes place to alleviate potential for flooding during construction

ADDITIONALLY evidence has been presented about the inadequacy of the environmental offset of the proposed wetland in site 3. The development of this wetland is integral to the proposed flooding mitigation. If development of this wetland was not to go ahead the whole issue of water flow and flooding would need to be revisited and may have a significant impact on us. This would be a SIGNIFICANT CHANGE and we would **expect to have input on any proposed variation**

Applicants report says in section 5.12 Natural Hazards, Site 3 “negligible effect on flooding “while this could be true on a catchment basis the same might not be true at an individual level and care needs to be taken to ensure we are not impacted give the flood sensitive nature of our land as identified by the WDC

ECOLOGICAL Effects

**Logically** Any wetland established to offset wetland destruction should be completed BEFORE destruction of the existing wetland takes place. OTHERWISE, there is (temporarily) a loss of wetland.

**Consequently** a condition that the proposed wetland is constructed and established before any wetland is destroyed.

Ongoing **Effectiveness and maintenance and pest control** of a created wetland needs to be addressed .... hence the need for a BOND

**WHY a Bond** placed by Meridian and a simple process to seek redress –

- We have had problems with the NRC ensuring development happens “as planned” and lack of process to address it
  - Planned planting of bund to the north of us discussed and agreed to be natives- nothing happened
  - Installation of piezometer in our place to monitor ground water levels – never happened
  - Internet access to weather monitoring station – never happened
  - Meridian landscape architect visit but never got back to us as promised.
- Transpower pilon fall over shows the difficulty of small business/ individuals dealing with large Companies. AND lack of will to do what is right when it will cost them.

A bond only useful if there is **TRANSPARENT ACTIVE MONITORING during and after development** and an simple effective process to raise issues

Concept NEEDs to be a condition

## CLOSING COMMENTS

We are in our 70s and for 22 years have enjoyed a quiet rural lifestyle on our property. It's getting to the time where we will need to sell up but uncertainty with this development and its impact on us has implications for this.

We are not opposed to having a solar installation next to us as long as IT DOES NOT NEGATIVELY IMPACT us during development or operation AND does not negatively impact our land and enjoyment of it

THIS IS POSSIBLE IF ADEQUATE ENFORCEABLE SAFEGUARDS are in place

This requires

- Clear OUTCOMES based conditions
- ACTIVE, TRANSPARENT MONITORING of impacts against ROBUST RELEVANT BASELINES
- SIMPLE EQUITABLE PROCESSES IN PLACE TO ENSURE CONDITION ARE MET and/or GET REDRESS when conditions requirements and shared expectations are not met

REFLECTION on what I heard yesterday

Form my experience as a scientist and an evaluator:

We heard yesterday that there is uncertainty in science and perhaps more in Ecology than other disciplines. This is where recognized experts in a field are important. When experts agree we can have a reasonable level of certainty. However, when experts disagree, we have uncertainty and doubt.

This is what we have in this situation where experts disagree on the size of the wetland and the validity of the offset proposal.

**As residents that are directly impacted by this proposal there is doubt that the wetland destruction has been appropriately quantified and that the offset will be adequate. This doubt cannot be mitigated by compromise or a middle ground. Only more knowledge can remove doubt.**

**If the application is approved the risk created by uncertainty can be to some extent reduced by strong enforceable safeguards – see requirements for outcomes-based condition/monitoring/redress**