

BEFORE INDEPENDENT HEARING COMMISSIONERS

AT HAMILTON

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on Proposed Plan
Change 1 to the Waikato Regional Plan

**STATEMENT OF REBUTTAL EVIDENCE OF
GERARD MATTHEW WILLIS
FOR FONTERRA CO-OPERATIVE GROUP LTD (74057)**

BLOCK 1 HEARINGS

26 FEBRUARY 2019

RICHMOND
CHAMBERS

Counsel Instructed
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Richmond Chambers
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1. INTRODUCTION

- 1.1 My full name is Gerard Matthew Willis. A full description of my qualifications and experience is contained in my statement of evidence dated 15 February 2019.
- 1.2 This statement of evidence in rebuttal contains my response to the planning evidence filed by Helen Marr for the Auckland/Waikato & Eastern Region Fish and Game Councils (**Fish & Game**).
- 1.3 In this evidence I respond to just one matter addressed by Ms Marr. I do so on behalf of Fonterra's Co-operative Group's manufacturing interests. Within Ms Marr's evidence there are several matters I do not agree with. Failure to respond, in this statement, to any particular point in Ms Marr's evidence should not be seen as me agreeing with that point.

2. EVIDENCE OF HELEN MARR

- 2.1 At paragraph 122 of her evidence, Ms Marr anticipates consents being granted for 20 or 30 years and suggests that 20 year numeric goals (attributes states) be included in Table 3.11-1, and that Objective 3 include the following additional clause:

Actions put in place and implemented by 2036 to reduce diffuse and point source discharges of contaminants, are sufficient to achieve the medium-term water quality attribute states in Table 3.11-1 by 2040 (for contaminants other than nitrogen) or 2045 (for nitrogen).

- 2.2 I do not support the proposed wording because I consider that wording adds unnecessary complexity with regard to point source discharges. Point source discharges are managed in accordance the concept of Best Practicable Option (**BPO**) in accordance with Policy 11, and with a list of specific additional considerations in Policy 12. I would anticipate that, under Policies 11 and 12 point source discharges will need to make reductions based on, first and foremost, the well-established principles of BPO and also with respect to those additional matters which include aspects such as the relative contribution of that point source discharge; past technology upgrades within the previous consent term; the ability stage future mitigations and the diminishing return on investment in

treatment when treatment plants are already achieving a high level of contaminant reduction.

2.3 The change to Objective 3 creates uncertainty as to the primary criteria that will apply and whether set reductions in contaminants discharge levels would be required commensurate with the reductions required in the receiving environment over the life of the consent. If that is required, it is unclear how the levels of reduction in contaminant discharge would be determined and how such reductions would relate to the point source discharger's obligations with respect to BPO and with respect to those specific additional considerations in Policy 12. I note Ms Marr does not propose changes to either Policy 11 or 12 in her evidence so the relationship of those provisions with Ms Marr's redraft of Objective 3 is unclear.

2.4 This concern is compounded by the fact that no economic evaluation appears to have been undertaken on the effectiveness and efficiency of the proposed 20 year targets on point source dischargers taking into account costs and benefits as required under section 32 of the Act.

2.5 For those reasons, I do not support any medium term targets applying to point source discharges and prefer instead that reduction over the life of the consent are made taking into account the long term goal and the principles of BPO, and with specific regard to those additional considerations in Policy 12.



Gerard Matthew Willis

26 February 2019