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CC Toitū Te Whenua Land Information New Zealand
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SUBMISSION ON LU/0231/24 & LU/0232/24 - Toitū Te Whenua Land Information New Zealand (LINZ)

Te Nehenehenui thanks Waipa District Council for the comprehensive notification reports which have greatly assisted with the interpretation of these applications.

This submission relates to the applications by Toitū Te Whenua Land Information New Zealand (LINZ) as listed below, to remove underground infrastructure and remediate the 79 hectare former Tokanui Psychiatric Hospital site at 149 Te Mawhai Road, Tokanui:

- Undertake the below ground works for the remediation of the former Tokanui Hospital Site; and
- For the temporary opening, use and closing of a closed landfill to dispose of medium to low level contaminated soil under the Waipa District Plan; and
- Soil disturbance and change of use under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.

Role of Te Nehenehenui

Te Nehenehenui is the post-settlement governance entity under the Maniapoto Claims Settlement Act 2022, which represents and acts on behalf of Maniapoto (inclusive of all within Te Nehenehenui). Te Nehenehenui acknowledges its partnership with Waipa District Council under the Ngā Wai ō Maniapoto (Waipā River Act) 2012 and Maniapoto Claims Settlement Act 2022 Joint Management Agreement. Te Nehenehenui is responsible for ensuring that all resource consent applications within the rohe are consistent with the Maniapoto Environmental Management Plan.

Submission details

1. Te Nehenehenui **could not** gain an advantage in trade competition through this submission.
2. Te Nehenehenui **supports** LU/0231/24 and **opposes in part** LU/0232/24.
3. TNN **does not** wish to be heard in support of this submission.

Technical submission points

Te Nehenehenui (TNN) has reviewed the application, associated appendices and the further information provided, and wishes to submit on the following matters:

Cultural Impact Assessment

1. TNN wishes to acknowledge the extensive iwi consultation that has been undertaken over a number of years and the Cultural Impact Assessment prepared by mana whenua, which should help guide the way forward on this project.

Remediation Application LU/0231/24

2. TNN is supportive of the key elements of the site remediation works being:
 - Partial removal of horizontal infrastructure across the site, including underground services up to 800mm below ground level and manholes to a depth of 1,000mm below ground level, roads and paved areas (including coal tar roading materials).
 - Soil remediation which will ensure the majority of the site will meet the site specific rural residential standards.
 - Removal of the foundations of 84 buildings/structures.
 - Reinstatement of the site following earthworks, so that it is free of any debris and stabilised by grassing.

Ongoing monitoring (Maniapoto Settlement Claims Act 2022)

3. The AEE describes the works required under the Property Redress Schedule of the Deed which requires the Crown to demolish buildings and infrastructure and remediate soil contamination to agreed standards before offering the site back to TNN. In particular, the Deed requires the Crown to maintain valid land use resource consents and liability for existing closed disposal sites at all times and in perpetuity. While the Crown has no commitment to carry out remedial works on these sites, it must comply with resource consent conditions. For this reason, TNN requests that both Waipa District Council and WRC carefully consider the monitoring requirements associated with these sites to ensure that any legacy contamination issues associated with leachate, subsidence or similar, are quickly identified and addressed. We are supportive of the ability to undertake cultural monitoring of the site and for mana whenua to be present during critical phases of the project.

Landfill Upgrade Application LU/0232/24

4. LINZ is seeking a discrete package of works to the closed landfill on the eastern portion of the site, referred to as the landfill upgrade application. The applicant's preferred option is for the disposal of contaminated soil from the main hospital site is to utilise this existing landfill and undertake enhancement works to the landfill at the same time. However, LINZ also has the option of disposing of the contaminated soil at an approved

facility offsite, therefore the wider application does not rely on the landfill upgrade application.

5. Noting that long term monitoring data appears to show that boron is leaching from the landfill, this puts TNN in a rather untenable position. Agree the contaminated material can be disposed of onsite in the knowledge that the landfill will be remediated and managed in perpetuity. Disagree and rely on consent conditions and monitoring of an un-remediated legacy landfill. This is a zero-sum game. If the material is transported offsite, the environment could be adversely affected over the longer term by the effects of the legacy landfill. If the material remains on site, this is reasonably offensive to mana whenua's values but there are net gains for the environment. This is not an easy decision as the application appears to force a conflict between cultural integrity and environmental risk. No option is without harm, but the harms differ in kind.
6. Instead, TNN would like Waipa District to consider a negotiated, mitigated option:
 - The landfill upgrade application stands, and remediation is undertaken.
 - Agreed low-level contaminated waste can be disposed of onsite.
 - long-term monitoring is agreed.
 - Offsite disposal is used only for the most offensive material.

In respect of LU/0232/24, we do consider that a compromise can be achieved. The applicant has gathered a huge amount of background information which will be helpful for further discussions. Te Nehenehenui is willing to work with the applicant in advance of a hearing (should a hearing be required, noting we do not wish to be heard) and/or to provide input on draft conditions.

Nāku noa, nā



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