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13 December 2010

Manager  
Environmental Regulation  
Wellington Regional Council  
PO Box 11646  
Manners Street  
Wellington 6140

Dear Sir/Madam

**SUBMISSION ON Application to reduce the minimum flow at the Kaitoke Weir  
(Consent condition: WGN000199 [30733])**

The Wellington Regional Council has applied for resource consent to reduce the minimum water flow at Kaitoke Weir from 600L/sec to 400L/sec over 3 years.

Transition Town Upper Hutt opposes the application.

Our three-page submission is attached. Many hours of effort and consultation have gone into preparing this submission. Please give it thoughtful consideration.

We seek that the application be declined. If it is not declined then we seek that the applied-for conditions be amended, and further conditions be set, as described in the attached submission.

We wish to be heard in support of our submission.

Yours faithfully



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Cc: Utilities and Services Group, Wellington Regional Council, C/- Tonkin and Taylor Limited,  
PO Box 2083, Wellington, 6140. Attention: Ed Breese

# Protecting our Hutt River

## Submission on Greater Wellington's application to reduce the Hutt River minimum flow to 400 litres/sec

This submission is from Transition Town Upper Hutt. It is in response to the application by the Wellington Regional Council (Greater Wellington, GW) for a resource consent variation to reduce the minimum flow of water in the Hutt River at Kaitoke from 600 litres/sec to 400 litres/sec for 3 years (while modifying the two Te Marua reservoirs). The application is at <http://www.gw.govt.nz/kaitoke-consent/>. Submissions must arrive at GW by 4:30pm Wednesday 15 December 2010.

### Introduction

The Hutt River is our river. It was a wonderful river. And still is.

It is the defining physical characteristic of Upper Hutt and Lower Hutt (along with the surrounding hills).

It provides life to our community – as drinking water, cool water to be near, swimming places to enjoy, building material, food (eg, trout and eels), and a pleasant environment.

It serves our community by taking away stormwaters and floodwaters, and taking away our pollutants.

It kills – swimmers have drowned in it, a kayaker has drowned in it, floodwaters have taken people's lives, a mother and daughter drowned when their car skidded into the river in a storm.

**The Hutt River deserves our fullest respect, care and protection. It is vulnerable and cannot protect itself as humans are too powerful. People have to protect it in the same way that a parent cares for vulnerable children.**

The river is under assault by incremental change. This proud river has been slowly "improved" by straightening out sections so the floodwaters can escape more quickly and so a highway can fit beside it. From 1955 it has had water taken from it for Wellington water supply. Now more water is intended to be taken – albeit for "only" three years. Discharges into the water are polluting it.

Greater Wellington has carried out active consultation on taking more water from the river with various agencies. Unfortunately the agencies do not represent the common people except for one body, Taranaki Whanau kite Upoko o Te Ika. So no active consultation has been carried out with the 100,000+ citizens of Upper and Lower Hutt. These are the MAIN STAKEHOLDER of the river, not the agencies. The only avenue available to the common people to influence the Application is this narrow and complex submission process. GW has shown it can put the effort into consulting – namely the multiple workshops held earlier this year to develop the Natural Resources Management Plan. Three of those workshops were held in the Hutt Valley. It would have been easy enough to do 3 workshops over this low flow Application.

The BIG PROBLEM is that our river is being treated as if its Purpose is to Serve Us. But it is a river that was there long before we came along. And when people came along they could fish and swim in it. Long-time residents of the Hutt valley can recall spending many happy days during summer swimming in the river – unimpacted by poisonous blue-green algae and low flows. Teenagers still go to the river, many times a week, but this is now a risk to them from poisoning from the blue-green algae.

It is time to wake up and for Greater Wellington to reverse the *assault by incremental change*, and care for our river. The first objective should be to minimise the poisoning of the river by the cyanobacteria algae blooms. The

application identifies that “*the major factors appearing to influence the development of blooms are increased water temperatures, stable low flows, the duration of the low flows and the lack of flushing flows during the low flow period.*” (The Ryder report in Appendix 1 additionally notes in chapter 3.2 that nutrient enrichment also contributes to the development of cyanobacteria blooms.)

## **Submission Points**

1. A teenager’s Teenage-hood lasts 6 years. For youth to be free to pop down to the river for a swim is a joy that should not be denied. This Application, if it proceeds, affects 3 of these intense, vital years.
2. Upper Hutt has some issues with youth misbehaviour. A non-poisoned river is one vent for youthful energies.
3. Families go to the river to picnic with younger children and play in the water. Dog-lovers take their dogs for walks alongside the river. They also will be affected by the low flows and poisoning of the river for the three years. A year in the life of a child is like a lifetime for an adult.
4. In the Executive Summary and chapter 5.14, the Application states that the impact of low flows on cyanobacterial blooms is “*Less than minor*”. This is inconsistent with the chapter 5.8 which says that the main cause of the blooms is stable low flows. By removing water above 400 L/sec this **increases** the occurrence of stable low flows. The impact is, in fact, “Major”.
5. Chapter 6 of the application states that “*The proposal will not result in any significant adverse effect on the environment as a result of the proposed reduction in the minimum flow.*” This is incorrect. There are TWO significant adverse effects:
  - a. There will be increases in blue-green algae and hence an increase in poisoning of the water from the toxins
  - b. Youth, families and dog-walkers will be further prevented from enjoying the use of the river
6. Chapter 6 includes an alternative of *Reducing water demand*. This alternative is being actively pursued by Greater Wellington. Yet the application is for a reduction of minimum water flow AS WELL. No explanation is given as to why this alternative is considered not sufficient by GW. IT IS SUFFICIENT if pursued with vigour and a willingness by the public to care about the state of our Hutt River.
7. Chapter 6 lists alternatives to the lowering of the minimum flow. There are TWO FURTHER ALTERNATIVES that are more attractive than lowering the minimum flow:
  - a. Promote (and possibly subsidise) the installation of rainwater collection systems in homes. A number of local authorities support or require rainwater collection systems in homes, eg, Kapiti District Council.
  - b. Greater Wellington is considering creating a third lake at Te Marua. The changes to the first two lakes could be delayed until the third lake is in use. This would no longer require the lowering of the minimum flow to 400L/sec.
8. Consultation has been poor. The Natural Resources Management Plan used a better consultation process which included 3 public workshops around the Hutt Valley (and more across the whole Greater Wellington area). This low flow change application is not a minor matter that affects just a single property and its nearby neighbours. This affects all youth and all families in the Hutt Valley – thousands upon thousands of people. These groups do not use the complex and arcane submission process. Their silence should not be interpreted as assent. THEY DO NOT ASSENT.
9. The consultation has ignored the principal stakeholder: the citizens of the Hutt Valley. Chapter 4 of the Application completely omits mention of this key stakeholder. It is not good enough to ignore this most key group just because it is difficult to engage with it. If you go down to the river on a hot summer’s day (when the river is not poisoned) you will find people to engage with.

**10. Because of the above key points, namely:**

- there are significant adverse effects that are not recognised
  - realistic alternatives were not considered
  - lack of active consultation with citizens of the Hutt Valley
- the Application should be DECLINED.**

11. If the Application is to be granted then the following submissions apply:

12. Condition 18 of the Application should be modified to require that the preparation of the Hutt River Low Flow Management Plan (HRLFMP) should involve consultation with the public.

13. Conditions 18, 19 and 20 of the Application should be modified to require that the monitoring plan, monitoring results, the HRLFMP, and the annual report on the HRLFMP all be published to the web for easy access by the public. This recognises that the main stakeholder for the Hutt River is the citizens of the Hutt Valley. GW already make their river level, river flow, and water quality monitoring available over the web and this is much appreciated.

14. Conditions 18, 19 and 20 of the Application should be undertaken by GW whether or not the Application is granted.

15. The draft HRLFMP does not monitor when the river is closed for swimming, walking dogs, and picnicking. These closures should be recorded and published in the annual report and on the web.

16. The HRLFMP should include developing a management plan to enable all-summer swimming in the river.

17. The HRLFMP should include extensive monitoring of river use by people which occur during summer low flows and other times.

18. Add a new condition: *Establish a People's Advocate for the Hutt River*. This person can represent the views of the people with respect to the natural enjoyment of the river particularly for youth to swim, and families to picnic. This person is invited to speak at all Greater Wellington discussions and decisions about the river.

19. Add a new condition: *Upon expiry of the 3 years the minimum flow will be set at 800 litres/sec*. The river needs to have irregular river flows so it can flush itself out to reduce the poisoning of the river.

20. If the setting of the minimum flow immediately to 800 L/sec is unpalatable then an alternative condition is: *Upon expiry of the 3 years the minimum flow will be initially set at 600 L/sec, and this minimum will increase at 20 L/sec per year up to 800 L/sec (after 10 years)*.

21. Add a new condition: *When the E-coli level exceeds 5 times the average for a water quality monitoring site, the cause is determined and published on the web*. (For instance on the 23 March 2010, the E-coli level at Pakuratahi River at Forks was 780 cfu/100ml which was 15 times the average; and the E-coli level at Hutt River at Birchville on 19 January 2010 was 2260 cfu/100ml which is 40 times the average !)

22. Add a new condition: *While the long-term citizens of the Hutt Valley are still alive, with their mental faculties, the recollections of the use of the river should be recorded*. GW should commission a report on the uses of the river in days gone by so there is a yardstick against which the current and future uses are measured. In particular their use of the river during low flows should be recorded. What is considered normal or acceptable river flows now is not what was normal in the past, according to anecdotes from long-term residents of the Hutt Valley.

23. In the Executive Summary and chapter 5.14, the Application expects "No discernible" effect on groundwater. This should be monitored.

24. The full application for resource consent was available on the GW web site at <http://www.gw.govt.nz/kaitoke-consent/>. Thank you. This was most helpful.

Pat van Berkel, Convenor, Transition Upper Hutt