



**SUBMISSION ON VON AH CONTRACTING LIMITED
CONSENT APPLICATIONS
RC-2025-0136 (01)-(03)**

14 November 2025

To: West Coast Regional Council
PO Box 66,
Greymouth 7840

Submission lodged by email – info@wcrc.govt.nz

Name of party making submission:

Te Rūnanga o Ngāti Waewae
PO Box 37
Hokitika

Applicant:

von Ah Contracting Limited (referred to in this submission as 'von Ah Contracting' or 'The Applicant')

Location:

1047 Kaniere-Kowhitirangi Road, Kokatahi RD 1, Hokitika 7881

Submission statements:

1. This submission is **neutral** (neither support nor oppose) to the following applications to the West Coast Regional Council (WCRC) by von Ah Contracting Limited:
 - RC-2024-0136-01 - Discharge to Land - To discharge contaminants to land associated with the composting operation.
 - RC-2024-0136-02 - Discharge to Land - To discharge compost leachate to land where contaminants may enter water.
 - RC-2024-0136-03 - Discharge to Air - To discharge contaminants (including dust and odour) to air from the composting facility.

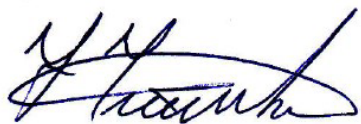
NB: The consent applications which form the focus of this submission relate to RC-2024-0136 (01) and (02).

2. Te Rūnanga o Ngāti Waewae **could not** gain an advantage in trade competition through this submission.

3. Te Rūnanga o Ngāti Waewae **wish** to be heard in support of their submission in opposition.
4. Te Rūnanga o Ngāti Waewae **would** consider making a joint case with another party at any hearing.
5. Te Rūnanga o Ngāti Waewae **are** happy to receive electronic copies of the S.42A Officer's Report and a copy of the Decision once it is released.
6. Te Rūnanga o Ngāti Waewae **have** served via email a copy of their submission on the Applicant (nicky@vonahcontracting.co.nz)
7. A copy of the submission is attached as Appendix 1.

Signed for and on behalf of Te Rūnanga o Ngāti Waewae

Nāku noa



Nā Francois Tumahai
Chairperson
Te Rūnanga o Ngāti Waewae
021425 229
Francois.Tumahai@ngaitahu.iwi.nz

Address for service:

Philippa Lynch
General Manager
Poutini Environmental
0212422715
Philippa.lynch@ngaitahu.iwi.nz

APPENDIX 1: Submission of Te Rūnanga o Ngāti Waewae on the von Ah Contracting Limited Applications (RC-2024-0136)

Introduction

1. This submission is made on behalf of Te Rūnanga o Ngāti Waewae.
2. The Te Rūnanga o Ngāi Tahu Act 1996 and the Ngāi Tahu Claims Settlement Act 1998 give recognition to the status of Papatipu Rūnanga as mana whenua and kaitiaki/guardians of the natural resources within their takiwā/territory boundaries. The Applicant's site lies solely within the takiwā of Ngāti Waewae.
3. Te Rūnanga o Ngāti Waewae is supportive of development within its takiwā, provided activities are undertaken in a way that respects the environment where the activity is to be undertaken and does not adversely affect the cultural values, rights and interests of Ngāti Waewae with their ancestral land and waters.
4. Kokatahi River, Duck Creek and its tributaries and the wider catchment area are valued and significant waterways to Ngāti Waewae. Wai/water is a taonga/treasure of the utmost importance to Ngāti Waewae who have a kaitiaki responsibility to manage, enhance (if they are degraded) and protect these waterways and areas for present and future generations.
5. Ngāti Waewae wishes to thank the Applicant for clarifying some of the details around the application with their Poutini Environmental staff who have reviewed the application for them.
6. Ngāti Waewae wish to acknowledge the Applicant's approach to utilising organic waste streams to produce compost, which offers a more regenerative waste treatment method for a waste stream which might otherwise require landfilling.
7. At this stage Te Rūnanga o Ngāti Waewae are currently **neutral** (neither support nor oppose) in their position on the consent applications. Ngāti Waewae would like to be able to support the proposal but currently consider the Applicant needs to provide more technical data to support the conclusions within their application that the proposed discharges will not result in adverse impacts to land or the surrounding waterways. The reasons for the Ngāti Waewae submission are detailed in the following section.

Submission

8. Ngāti Waewae understands that the Applicant is seeking consent for a composting operation which will involve discharging contaminants including compost leachate to land which may enter water. Ngāti Waewae are concerned about the potential for contaminants in the discharges to impact the instream ecology/water quality of nearby waterways. Ngāti Waewae is seeking that an assessment from a suitably qualified and experienced expert to support the Applicant's conclusions that the proposal will not result in adverse impacts to land or to the surrounding waterways is undertaken.
9. Ngāti Waewae is also seeking to ensure that appropriate mitigation measures and controls are in place to protect their values associated with land and nearby waterways through the development of a comprehensive and enforceable set of consent conditions.

10. Te Rūnanga o Ngāti Waewae wishes to advise the Applicant that they may reconsider their position and move to a support position if the information they are requesting is provided for them to consider.
11. Ngāti Waewae has outlined below more details around the information they are seeking which they hope will assist the Applicant.

A description of waterbodies and instream ecology/water quality

12. The Applicant has applied for consent to discharge leachate to land in circumstances where it may enter water. The application, however, includes little detail on the waterbodies on or near the property/site. In addition, the application provides no details on the instream ecology and water quality of these nearby waterbodies. The Assessment of Environmental Effects (AEE) however concludes that the application has demonstrated that potential impacts have been identified and mitigation controls developed to ensure that the proposed activity will not result in adverse impacts to land or water.
13. Ngāti Waewae is aware that the site contains tributaries to Duck Creek. Ngāti Waewae is seeking that information is provided on the ecological values of the waterbodies, the aquatic species they contain and their current water quality by an appropriately qualified technical expert to ensure there is a good understanding of the receiving environment and to allow for a robust assessment of effects on waterbodies to be undertaken for the proposal given the discharge permits being applied for may result in contaminants entering water. The Council may have a monitoring site on Duck Creek that has data that could be considered by a technical expert. Ngāti Waewae considers that this technical assessment needs to form part of the information required to demonstrate that the proposal can avoid adverse impacts on water quality and aquatic values within the waterways.

Details on the quality and volume of the discharge

14. Ngāti Waewae is seeking further information on the likely contaminant levels within the discharge leaving the leachate pond. The application did not contain details of the proposed contaminant levels within leachate or the discharge quality. Ngāti Waewae is seeking any available details on the predicted leachate contaminant levels from previous sampling or any available data from similar composting operations, so the Applicant can demonstrate the typical contaminant levels that could/would be contained within the leachate. In addition, Ngāti Waewae is seeking any available data from similar operations on the potential volumes of leachate that will likely be generated for this proposal.

Details on the leachate management system and the 'clearwater' discharge

15. Ngāti Waewae is seeking further information on the leachate management system particularly during heavy rainfall events when it is proposed that the discharge/runoff from the composting pad will bypass the proposed leachate pond and be diverted to discharge into a 'clearwater' diversion drain. Ngāti Waewae understands that the drain will be vegetated and eventually exits into a tributary of Duck Creek.
16. Ngāti Waewae seeks technical evidence provided by a suitably qualified and experienced expert to support the Applicant's determination that the proposed 'clearwater' discharge will not contain any contaminants that might impact freshwater values. This information should contain the predicted contaminants levels within the clearwater diversion discharge.

17. Ngāti Waewae understands that the Applicant intends to rely on a permitted stormwater rule in the regional plan. To do this, Ngāti Waewae considers that technical data needs to be provided to demonstrate that the 'clearwater' diversion discharge meets the required standards/limits within the relevant permitted stormwater rule in the regional plan.
18. Ngāti Waewae considers the above information is needed to provide assurance that the leachate management and stormwater management system for the composting pad area will be designed and operated to ensure any discharge diverted into the clearwater drain can meet the limits needed to prevent any adverse effects on surface waterways should any flows enter the tributary of Duck Creek.
19. Ngāti Waewae is supportive of the Applicant and/or Council developing sampling conditions that ensure any discharge to the drain meets certain contaminant limits prior to the discharge to the drain and does not result in adverse downstream impacts on Duck Creek and its tributaries.

Alternative contingencies or options during heavy rainfall

20. Ngāti Waewae acknowledges and supports the premise that the Applicant will adopt alternative contingencies or options during heavy rainfall to reduce leachate generation (and volumes) from their composting operation. Ngāti Waewae is aware that the Applicant has outlined in their request for further information response to the Council that *'there is potential to install windrow covers in high rainfall events to prevent leaching. This will be reviewed when the management plan is reviewed, and a decision will be made if this becomes a requirement of the operation'*.
21. Ngāti Waewae would support the adoption of alternative methods such as covering the composting windrows, or any other alternatives such as investing in a covered/closed system like a bladder for leachate/stormwater storage.
22. Ngāti Waewae seeks further details on the methods and systems the Applicant will adopt to avoid irrigating to any land when soils are saturated to ensure there is no overland flow of leachate into local waterways. Also measures to avoid any spray drift of irrigated leachate to waterways.
23. Ngāti Waewae notes that the Applicant has provided a list of additional land parcels which they own, lease or manage within 20 km radius, that can be used for irrigating leachate. Ngāti Waewae seek clarification on whether these land areas form part of the application and whether they contain any waterbodies that might be impacted by the discharge of leachate to land and what setback distances to the waterbodies are proposed.

Comments on draft consent conditions

24. Ngāti Waewae appreciates that the Applicant has supplied draft consent conditions and considers they are a starting point and that further development is required to ensure they achieve the desired outcomes.
25. For example 1: Condition 11 outlines: *The clearwater diversion drain must be inspected following each diversion event to ensure no contaminants are discharged to land or water.* What is meant when it outlines no contaminants are discharged to land and water? How will this be determined and enforced?
26. For example 2: Draft condition 10, which relates to irrigation of leachate to land, does not include the Applicant's proposed 20 metre setback distance from waterways.

We seek the following decision from the Local Authority:

27. Ngāti Waewae seek the ability to input and contribute to the drafting of consent conditions that will be prepared to address their matters of concerns raised above.
28. Ngāti Waewae considers that based on the information provided to date in the application that the conditions should include but not be limited to more comprehensive monitoring and stricter controls on how the leachate management system and diversion discharge will operate, along with controls to ensure irrigation does not occur on saturated soil to reduce the risk of overland flow into waterways.
29. As stated above, Ngāti Waewae wishes to advise the Applicant that they may consider changing their position and withdrawing their right to be heard for the proposed consents, if their concerns outlined in the submission are addressed by the provision of more information and if the mitigation measures, they are seeking as consent conditions, are adopted by the Applicant. Please note that Ngāti Waewae may need to seek further mitigation measures depending on the details contained within the additional information requested, if this information was to highlight any other matters that need to be addressed to protect their values.