

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of **PROPOSED PLAN CHANGE 1** to the Waikato Regional Plan – hearing of **BLOCK 1** topics

**AND**

**IN THE MATTER** of the hearing of the further submission by **WAIKATO REGION TERRITORIAL LOCAL AUTHORITIES COMPRISING THE WARTA GROUP** in relation to **BLOCK 1** topics

**SUPPLEMENTARY STATEMENT OF EVIDENCE OF ANTHONY HANS PETER KIRK**

**1. INTRODUCTION**

- 1.1 My name is Anthony Hans Peter Kirk. I have outlined my qualifications, experience and commitment to comply with the Environment Court Expert Witness Code of Conduct in my evidence in chief.
- 1.2 I have read the statement of evidence of Mr Paul Ryan for Hamilton City Council and discussed issues with him. In paragraph 5.7 of my evidence in chief, I expressed concerns in relation to Objective 3; in particular that by describing the short term water quality criteria as targets, and adopting the terminology of NPS-FM, it suggests that achievement of the water quality criteria is time bound.

**2. THE RELIEF PREVIOUSLY SOUGHT**

- 2.1 Accordingly, I recommended the following amendment to Objective 3:

*"Actions put in place and implemented by 2026 to reduce diffuse and point source discharges of nitrogen, phosphorus, sediment and microbial pathogens, are sufficient to achieve the short term water quality goals in Table 3.11-1."*

- 2.2 Since submitting my evidence, I have discussed this proposed amendment with Mr Ryan and have identified a shortcoming in the relief originally recommended in my evidence in chief.
- 2.3 In that regard, the wording that I recommended fails to recognise that the discharges from point sources are intended to be managed under the consenting process and so the potential to reduce the discharge of contaminants will be source specific.
- 2.4 In addition, it implies that discharges from each point source should be reduced by 2026, as opposed to taking into consideration the term of existing resource consents.
- 2.5 Further, I consider that the amendment recommended by Mr Ryan provides greater clarity around the timeframes for achieving the short term water quality criteria.

### **3. THE RELIEF NOW RECOMMENDED**

- 3.1 Having considered the issues with Objective 3 further, I recommend the wording be reconsidered in a manner which still recognises my earlier evidence, on the need to specify the short term criteria as something other than 'targets', and also better reflects the issue of point source discharges.
- 3.2 Accordingly, I support the proposed amendment to Objective 3 recommended in the supplementary statement of evidence by Mary O'Callahan.

**Anthony Kirk**  
**15 March 2019**