

June 2020

Levin Landfill

Social Impact report



Image credit: National Library of New Zealand

Prepared for the Landfill Project Management Group and the
Horowhenua District Council by Bronwyn Kerr

Executive Summary

This report examines the social impact of early closure of the Levin landfill, concluding that early closure and thorough remediation will be of benefit to affected groups. Closure will also be a catalyst for productive working relationships which could enable other persistent environmental issues in the district to be dealt with productively.

This report is one of two reports written by Bronwyn Kerr for the Horowhenua District Council, resulting from her restorative justice work commissioned by the council. This report focusses on the specific issue of the landfill closure date, while its sister report 'Te Pito Mata: Untapped Community Potential' considers the wider impacts of council actions around the environment, and the impact of these on community relationships and wellbeing.

The current Horowhenua District Council has inherited a region with a highly degraded environment and toxically high levels of community mistrust in the council. Particularly affected sectors of the community include the Hōkio community, Ngāti Pareraukawa, hapū of Muaūpoko, and environmental groups. The main sources of this conflict are; the wider history of colonisation and how it has played out in the Horowhenua, recent council actions of intimidation and dishonesty, and a council culture of interacting divisively with Māori communities. The historic apathy of the Manawatū-Whanganui Regional Council (Horizons) has also played a significant role.

The Levin Landfill is a key environmental issue in the region, which particularly affects the physical and social health of residents of the Hōkio community. The landfill has also taken on a symbolic significance, representing wider community dissatisfaction with the state of the environment, council communication, and community relationships. Early closure of the Levin Landfill will be positive for the Hōkio community and hapū Māori, will be a significant contribution to re-building social trust, and will release community energy and potential for more productive, community-enhancing projects.

The community now sees the Landfill as a 'make or break' issue; where early closure will start the process of healing broken relationships, release community potential, and ease the burden of a litigious atmosphere. Delaying closure will likely entrench toxic patterns, and make it even harder for the council and community to work productively together for the Levin area.

He mihi

He mihi nui ki ngā mana whenua o te rohe, nā koutou ngā take taiao i hāpai, mai rā anō,
He mihi maiohi ki te mahi māia a Heka mā,
He mihi ki Kaunihera e arataki ana i te rohe.

Ko wai au?

Nō Koterangi, nō Ingarangi hoki ngā tūpuna
Kei Taitoko i tipu ake ai au, e tata ana ki a Waipunahau.
Ko Ross rāua ko Sally Kerr ōku mātua,
Kei Taitoko tōku whānau e noho tonu ana, engari Te Whanganui a Tara ahau e noho ana.
Ko Bronwyn Kerr tōku ingoa.

My name is Bronwyn Kerr, I grew up in Levin but now live in Wellington. I am a frequent visitor back to Levin, as my family, including my three gorgeous irāmutu, live here.

I hold a Master's Degree in Applied Social Work, a Postgraduate Diploma in Economics, a Postgraduate Diploma in Kaitiakitanga (bicultural community development), as well as postgraduate study in Mandarin and te Reo Māori.

I currently undertake a variety of contract work, including youth work, restorative justice, community mediation, and Te Tiriti o Waitangi workshops and supervision.

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Report Process

1. Context

I was engaged by the Horowhenua District Council mid-2019 to undertake a restorative justice project with regards to the environment and community relationships. This had a holistic focus on the local environment and community groups and was not restricted to the landfill issue. However, given the work of the Hōkio Landfill Project management Group (PMG), the Landfill became a key aspect of my conversations with the community. This process has given me the luxury of spending time with people, hearing how various issues intersect.

I have been honoured by the willingness of people, both in the council and community, to meet and talk. The generosity of people on all sides who are willing to keep trying is impressive.

I was then commissioned by the PMG (landfill Project Management Group) to write this social impact report in February 2020. I met again with several people to clarify issues specific to the Landfill, that had previously been discussed in more general terms. Everything in this report has been corroborated by different people, some of whom also offered proof such as newspaper articles, reports and letters. Some instances do not reach an evidential level of proof. However, I have included them because they are a measure of the depth of community feeling and mistrust. I met people in their homes and workplaces, some people took me to look at sites of particular concern to them.

The report covers the negative social impacts of the Landfill itself and of both council's (in)action in relation to the landfill. However, I hope that the impression readers are left with is of the potential for community cohesion and energy, following an early landfill closure.

This report stands alongside the cultural reports of Ngāti Pareraukawa and Muaūpoko. In any community, effects on hapū are also effects to the wider public.

2. Methodology

The interviews which elicited the content of this report were conducted within a restorative justice framework. Restorative justice is a process which aims to look at harms which have happened, acknowledge them, and bring people together to consider how to 'restore' after the harm. Given that sometimes full restoration is impossible, restorative justice holds space for the acknowledgement of ongoing harm and hurt, before considering possible solutions.

Restorative justice may, or may not, sit alongside formal court processes. Court processes consider the details of law, whereas restorative justice looks at the human side of relationships and wellbeing. Thus, restorative justice values listening, openness, and acknowledgement of the full impact of events, rather than the details of legality.

The Landfill agreement was attempt to move away from expensive and divisive processes of litigation, and to move towards productive working relationships. Restorative justice is a natural adjunct to this move, hopefully assisting the community to honestly the consider the impact of the past and address it, enabling a shift away from destructive patterns of action and communication. Engaging in restorative justice requires courage from all involved, to listen to hear, and not to find flaws in the other person's thoughts.

Participants were recruited for restorative justice by an initial invitation sent out to people involved with the landfill agreement process. Further participants were recruited through 'snow-ball technique', a social science process whereby current participants recommend other participants who may wish to be involved, or have further information to add. Initial interviews were semi-structured qualitative interviews conducted according to restorative justice principles. Interviews covered; what harm has happened, what is needed the way of reconciliation and restoration, and what blocks and opportunities there are to positive working relationships. Each interviewee was also asked to comment on the general themes of previous interviews. When this report was commissioned, some participants were re-interviewed, for clarity, or if their specific views on the landfill had not been in focus during the previous interview.

This process took much longer than expected, with many participants only being willing to talk with me after someone they trusted encouraged them to. In some cases, people shared information they are not confident to talk about openly, citing fear of reprisal and lack of trust in the possibility of positive outcomes. This is a symptom of the depth of community hurt and mistrust. If legal level evidence is required before the reader will engage with the themes covered in this report, that is a block to engaging with the interconnected issues in the Horowhenua community.

This report, and the sister report 'Te Pito Mata', are restorative justice-style reports. The focus of this report is the holistic impact of the Levin landfill and the benefits of closure. The reader is asked to consider to read it in that light, looking for how the information contained here could support decision-making which leads to greater community wellbeing and cohesion.

3. Limitations

There are two main limitations to this report; its restorative justice style may be unfamiliar to those more used to legal-style reports, and it is not an overview of the feelings of the entire Levin community. Interviews with people connected to the landfill yielded rich information about the impacts on those closely connected to the issue. However, these views cannot not necessarily be generalised across the Levin community.

The Landfill in Context

Introduction

Repeatedly, community members emphasise that the various environmental issues of pollution in lakes and streams, the landfill, and the waste water disposal at 'the Pot' are all interconnected. They are linked by waterways, served by the same council, and together impact the same hapū, communities and environmental groups.

The landfill is both a pivotal example of the environmental degradation and relationship issues in the region, and is an important issue in its own right. Early closure of the landfill will help mitigate its social impacts, and will be an important step in wider environmental and community healing. This is the reason the two reports 'Levin Landfill: Social Impact Report' and 'Te Pito Mata: Trapped Community Potential' supplement each other.

1. Environment

The state of the environment in the Horowhenua has a negative impact on the reputation of Levin. Prominent articles discussing the state of the lake, wider environment, and rancorous relationships have featured in the Listener, Stuff and New Zealand Herald. A separate report details the environmental impacts of the landfill, it is enough to note here that those environmental impacts have a social impact on the community, affecting the reputation of the region, and particularly the Hōkio community.

2. Council Communication and Community Relationships

There is an ongoing sense of hopelessness and burnout regarding the Horowhenua environment, including the landfill. Several people who have previously been involved in community work were willing to talk to me, but said they would not be involved in any public processes, as there is not enough trust. One couple said 'we would love to be involved with the environment, but everyone that does, gets hurt'. Another said, 'I pulled back, it's soul-destroying'.

Hōkio residents feel they have been made out to be the 'crazies' down at the beach. A new member of local environmental groups was speaking to a councillor (who didn't know her connections). He said 'we don't listen to that bunch of nutters'. Ngāti Pareraukawa feel that the 'council has stonewalled us for decades'.

Evidence given to the environment court spelled out instances of the council not being completely honest with the community about the Landfill. Some examples of this are;

- Previously assuring Pareraukawa that there would be no leachate contamination into the Hōkio stream from the dump site
- Refusing to convene NLG meetings for nearly four years (these are required to be organised by the HDC at least once a year);

- The council publicly blaming the NLG for the cost of hearings about tip non-compliance; *and*
- Assuring the Kapiti Coast District Council that the tip was fully compliant with its RMA conditions, when it was not.

Community members also discussed other events they feel were dishonest;

- A council-initiated newspaper article stating that the council recycling project was going well, when in reality the waste was just being stockpiled; *and*
- A newspaper article stating there were only ‘two verified’ odour reports, when there was an opaque, changing complaints system, effectively making it impossible for residents to submit odour reports. Combined records state that there were over 400 complaints at between 2013-2018. To date, the reporting process remains confusing and untrustworthy to many.

Processes aimed at monitoring the landfill have been experienced as dishonest and disempowering. In his sworn evidence to the Environment Court one community member spelt out the changing nature of the odour reporting policy. Other community members have discussed feeling shamed or talked down to when trying to report odours. One said she was ‘yelled at’ by a Horizons staff member when he visited her property. I acknowledge that this is an issue shared between Horizons and HDC. Currently there is a huge degree of cynicism about council information and processes to do with the landfill specifically, and the environment more generally. Looking at this history, this suspicion is understandable. Current councillors inherit the reputational legacy of the past.

3. Impact on Māori

The community has experienced council interactions with Māori as intentionally divisive. This builds on an acknowledged history of the crown using these behaviours in the Horowhenua (Waitangi tribunal, Horowhenua: The Muaūpoko Priority Report). There is also a belief that money is used as a pay-off to sub-sections of the community, to silence dissent rather than solve issues. This has a range of negative impacts; those that receive money for any projects working alongside council in the environmental and cultural spaces feel vulnerable, and others feel excluded. Distrust breeds resentment, and makes future collaboration more challenging.

Under previous councils, this may have been a deliberate strategy. It has now become a habit of mind and behaviour that is hard to shift. Officials are able to pick and choose who to consult with, based on who might give the desired answer. I have observed this in my engagement with this project; there is a reluctance to consult openly and in a timely manner with Māori groups, and a myopic desire to manage consultation to achieve pre-determined outcomes. Māori groups are then blamed for ‘being hard to communicate with’. This has been evident in processes connected to the landfill, as well as in wider environmental discussions.

4. Impacts on Hōkio

One community member described the Hōkio community as 'clearly broken' as a result of divisive council actions, communication, in particular the council 'forcing things through'. The confidentiality (gagging) clause on the Grange family is seen as an example of this, breeding rumours and mistrust. Without a chance for proper consultation, issues continue to simmer. There is a widespread sense that Hōkio is 'the dumping ground of the community'. Hōkio residents feel cut off from Levin by the tip, and feel that Levin people 'don't care about us out here'. Along with the pollution to the Hōkio stream, the dilapidated Boys' Home, the Pot, the Landfill makes residents feel they live in a second-class area.

Within the small, interconnected Hōkio community, impacts on hapū are also felt by the whole community. In particular, past actions which have caused division within hapū now make overall community functioning difficult.

5. Trapped Community potential

This is the origin of a current situation where both council and the community are spending thousands of dollars on legal fees and experts, fighting each other. The landfill agreement process is an opportunity for this dynamic to shift.

The impacts on council staff are obvious, it is very hard, and potentially unsafe, for frontline workers to do their jobs. They are walking into decades of mistrust. There is also a community perception that 'good staff' that care about them are moved on. I note that there have been 5 different council representatives in the Neighbourhood Liaison Group (NLG) in 6 years. NB: The NLG is a mandated group to allow community and council to work together on environmental issues.

My experiences doing the background work for this report have highlighted for me the destructive impact of past communication styles on the community. It has taken a long time to find out about the relevant court cases, people and dynamics. Most people were only willing to talk with me because I'm from Levin, and after someone else they trusted had first talked to me. My being paid by the council was a significant barrier for some.

All of this has created a situation where it is very hard to bring in outside expertise, which becomes a cycle in itself. Several people have talked about 'people that come in, think they understand the situation, and leave making everything worse'. Some people think that national government and departments avoid the Horowhenua because of this exact dynamic, it's 'too hard'. We collectively need to work on community healing, to be able to access the development and support our community is entitled to.

A quick survey of key members of Ngāti Pareraukawa and HEKA (Hōkio Environment and Kaitiaki Alliance) showed that thousands of hours of unpaid labour have gone into hearings and actions about the Landfill. Both the community and the council have also put significant money into legal actions around the landfill. In the words of one Hōkio resident, 'they use

my money to fight me'. This is money, energy and goodwill that could be used more productively.

In particular, the Levin community has been made poorer by the mass exodus of Ngāti Pareraukawa members as result of the Landfill (and earlier the Hōkio Stream degradation and nearby piggery). Pareraukawa people would be unlikely to say this (Kāore te kumara e kōrero ana mō tōna reka- The kumara does not boast of its own sweetness) but they include an intimidating number of nationally and internationally renowned political, environmental and community development experts. By degrading their land and environment, the community forces them to use their energy resisting and cleaning up, rather than by engaging in community development and growth.

6. Health consequences

Community members, especially close neighbours to the tip, spoke of long-term health consequences. This includes respiratory and skin issues. One person stated that she broke into a strong skin rash, immediately after moving to the area.

The Grange family was particularly affected. A confidentiality clause has dissuaded them from speaking publicly about this. It is fair to say that other members of the community feel aggrieved on their behalf, and that the Grange family's situation was only dealt with 'when we forced the council to'.

Benefits of Early Closure

Benefits to early closure and full remediation of the landfill site include; mitigation of the negative consequences of the landfill outlined above, mitigation of harm to hapū, reducing the social and financial costs of litigation, improving the self-image of the Hōkio community, and taking a positive step towards improving council-community relations.

The ongoing health, social and environmental impacts of the landfill have been discussed above. Early closure would put an end-date on those ongoing impacts, and allow the community to rebuild.

In particular, the Hōkio community faces a number of environmental issues. Aside from the landfill, there are the impacts of the pot, the Boys' Home, the pollution in the Hōkio stream, and the impacts the re-routing of the Hōkio stream, known as 'the cut'. Closing the landfill would remove a psychological obstacle between Hōkio and the wider Levin community, lessen the feeling of being a 'dumping ground', and give the community hope that the other issues in the area might be positively addressed.

The current landfill agreement process has been an exercise in community and council working together, which has brought a sense of hope and a willingness to lean into positive relationships. However, there have also been delays and gaps in communication that have also led to ongoing suspicion and mistrust. If the process ends in early closure, people will feel that taking the risk of leaning into trust and relationship was worth it. If not, people will feel more betrayed, and the cycle of mistrust will continue.

The dump being closed and fully remediated would be a significant positive step, reassuring the community the positive change is possible, and beginning the process of restoring functional relationships.

Conclusion

The Levin Landfill has had significant negative effects on the Hōkio community, tāngata whenua, and environmental groups. These include; health impacts; and erosion of trust in the HDC, Horizons and other institutions. The landfill has been a drain on community time, money and energy.

An early closure date for the landfill, and genuine efforts to remediate the site, will restore community faith in the democratic process, begin to ameliorate the environmental and health impacts, and is a necessary precursor to further reconciliation work.

Within a restorative justice framework, we need to look back to look forward.

Acknowledging the reality of 'how we got here' is needed to avoid a cycle of mistrust and repeated harms. In the Horowhenua, current decision-makers inherit the legacy of over a century of deceit, harm and dysfunction. They are in no way responsible for the entirety of this, but face a choice between defensiveness and entrenchment, or leaning into listening, relationship, and positive change. The landfill agreement and the restorative justice process both offer a chance for the later. Early closure of the landfill is one very significant step.