

Before the Independent Hearings Panel

In the Matter of the Resource Management Act 1991

And

In the Matter of the Canterbury Earthquake (Christchurch Replacement
District Plan) Order 2014

And

In the Matter of the Proposed Christchurch Replacement Plan (**Chapter 8:
Subdivision (Part)**)

Supplementary Brief of Evidence of Tanya Jane Stevens for Te Rūnanga o Ngāi Tahu and Ngā Rūnanga [1145/1448]

Dated: 24 June 2015

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INTRODUCTION

Qualifications and experience

1. My full name is Tanya Jane Stevens. I am employed by Te Rūnanga o Ngāi Tahu as a Senior Environmental Advisor and I have the qualifications and experience set out in my evidence for the Commercial and Industrial Proposals dated 24 April 2015.
2. I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note (updated 1 December 2014) and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE

3. This supplementary evidence is provided as an update to my evidence in chief of 8 June 2015 to set out the areas that are outstanding between Te Rūnanga and the Council following the filing of the Council's latest proposal on 22 June (**22 June Proposal**).

MATTERS WHICH HAVE NOT BEEN INCLUDED IN 22 JUNE PROPOSAL

4. Having reviewed the 22 June Proposal in further detail I set out in **Attachment 1** those points which have been agreed with Mr Long either through mediation or in evidence, but which do not appear in the 22 June Proposal. In my view, as these matters have already been agreed, these should be included in the Proposal.

THE REMAINING OUTSTANDING ISSUE

5. If these already agreed amendments are included in the final Proposal, the only outstanding issue for Te Rūnanga and ngā rūnanga is Policy 8.1.3.4 and the use of the phrase 'using natural processes'. I am concerned that this phrase encourages developers to use natural waterways as part of initial stormwater treatment, which would be at odds with Ngāi Tahu values. I provide two sets of relief as a solution:

Policy 8.1.3.4

First relief:

8.1.3.4 Policy – Stormwater disposal

- a. Avoid any increase in sediment and contaminants entering water bodies as a result of stormwater disposal.
- b. Encourage stormwater treatment and disposal through low-impact or water-sensitive designs that use imitate natural processes to manage and mitigate the adverse effects of stormwater discharges.
- c. Ensure stormwater is disposed of in stormwater management areas so as to avoid inundation within the subdivision or on adjoining land.
- d. Ensure that any necessary stormwater control and disposal systems and the upgrading of existing infrastructure are sufficient for the amount and rate of anticipated runoff.
- e. Ensure stormwater disposal in a manner which maintains or enhances the quality of surface water and groundwater.
- f. Where feasible, utilise stormwater management areas for multiple uses and ensure they have a high quality interface with residential or commercial activities.
- g. Ensure that stormwater is disposed of in a manner which is consistent with maintaining public health.
- h. Incorporate and plant indigenous vegetation that is appropriate to the specific site.
- i. Ensure that realignment of any watercourse occurs in a manner that improves stormwater drainage and enhances ecological, mahinga kai and landscape values.
- j. Ensure that stormwater management measures do not increase the potential for bird strike to aircraft in proximity to the airport.
- k. Encourage on-site rain-water collection for non-potable use.
- l. Ensure there is sufficient capacity to meet the required level of service in the infrastructure design standard or if sufficient capacity is not available, ensure that the effects of development are mitigated on-site.

Second relief:

8.1.3.4 Policy – Stormwater disposal

- a. Avoid any increase in sediment and contaminants entering water bodies as a result of stormwater disposal.
- b. Encourage stormwater treatment and disposal through low-impact or water-sensitive designs that use natural processes to manage and mitigate the adverse effects of stormwater discharges.
- c. Ensure stormwater is disposed of in stormwater management areas so as to avoid inundation within the subdivision or on adjoining land.
- d. Ensure that any necessary stormwater control and disposal systems and the upgrading of existing infrastructure are sufficient for the amount and rate of anticipated runoff.
- e. Ensure stormwater disposal in a manner which maintains or enhances the quality of surface water and groundwater.
- f. Where feasible, utilise stormwater management areas for multiple uses and ensure they have a high quality interface with residential or commercial activities.
- g. Ensure that stormwater is disposed of in a manner which is consistent with maintaining public health.
- h. Incorporate and plant indigenous vegetation that is appropriate to the specific site.
- i. Ensure that realignment of any watercourse occurs in a manner that improves stormwater drainage and enhances ecological, mahinga kai and landscape values.
- j. Ensure that stormwater management measures do not increase the potential for bird strike to aircraft in proximity to the airport.
- k. Encourage on-site rain-water collection for non-potable use.
- l. Ensure there is sufficient capacity to meet the required level of service in the infrastructure design standard or if sufficient capacity is not available, ensure that the effects of development are mitigated on-site.



Tanya Jane Stevens

24 June 2015

TJS ATTACHMENT 1

22 June version provisions	Te Rūnanga and Ngā Rūnanga Amended Relief shown in bold underlined The amendments below are to the provisions of the 22 June version of Proposal 8	Evidence Reference (paragraphs)	Comment 23 June 2015
Explanation	<p>Customary Access</p> <p>Access to both sites and resources is essential to enable Manawhenua to fulfil their role as kaitiaki, and also ensure that traditional practices are able to continue. Customary access may include access to sites and resources for a number of purposes, such as:</p> <p>(a) Access to areas for Mahinga Kai – which can be sources of food, fibre, medicinal plants, and other resources for customary uses.</p> <p>(b) Access to areas or sites of cultural significance such as wāhi tapu,</p> <p>(c) Traditional trails, landmarks and settlements.</p>	12-18	To be considered in further detail in the evidence of Ms Lynda Murchison as part of the Introduction Hearing.
8.1.1.4 Policy – Access to waterways / Mana whakahaere	a. Provide for appropriate public access and customary access to and along the margins of rivers, lakes, waterways and the coastline, including through esplanade reserves and strips, except in respect of Lyttelton Port of Christchurch where it is necessary to ensure public safety and the security of adjoining cargo and adjoining activities.	12-18	Agreed in mediation with Mr Long subject to the inclusion of an explanation or definition in the plan. This amendment is not carried through to 22 June version.
8.1.2.7 Policy – Open Space	a. Subdivision will ensure that, where appropriate, a public open space network is provided which: [...] vii. strengthens the relationship that Ngai Tahu and the community have with the land and water, including by protecting or enhancing natural features, access to sites and taonga, historic heritage, cultural landscapes identified in the plan , and mahinga kai.	19-27	Included in June 22 version.
8.1.3.4	<i>First relief:</i> a. Avoid any increase in sediment and contaminants entering	41-45	Discussed in rebuttal

<p>Policy – Stormwater disposal</p>	<p>water bodies as a result of stormwater disposal.</p> <p>b. Encourage stormwater treatment and disposal through low-impact or water-sensitive designs that use imitate natural processes to manage and mitigate the adverse effects of stormwater discharges.</p> <p>c. Ensure stormwater is disposed of in stormwater management areas so as to avoid inundation within the subdivision or on adjoining land.</p> <p>d. Ensure that any necessary stormwater control and disposal systems and the upgrading of existing infrastructure are sufficient for the amount and rate of anticipated runoff.</p> <p>e. Ensure stormwater disposal in a manner which maintains or enhances the quality of surface water and groundwater.</p> <p>f. Where feasible, utilise stormwater management areas for multiple uses and ensure they have a high quality interface with residential or commercial activities.</p> <p>g. Ensure that stormwater is disposed of in a manner which is consistent with maintaining public health.</p> <p>h. Incorporate and plant indigenous vegetation that is appropriate to the specific site.</p> <p>i. Ensure that realignment of any watercourse occurs in a manner that improves stormwater drainage and enhances ecological, mahinga kai and landscape values.</p> <p>j. Ensure that stormwater management measures do not increase the potential for bird strike to aircraft in proximity to the airport.</p> <p>k. Encourage on-site rain-water collection for non-potable use.</p> <p>l. Ensure there is sufficient capacity to meet the required level of service in the infrastructure design standard or if sufficient capacity is not available, ensure that the effects of development are mitigated on-site.</p> <p><i>Second relief:</i></p> <p>8.1.3.4 Policy – Stormwater disposal</p> <p>a. Avoid any increase in sediment and contaminants entering water bodies as a result of stormwater disposal.</p> <p>b. Encourage stormwater treatment and disposal through low-impact or water-sensitive designs that use natural processes to manage and mitigate the adverse effects of stormwater discharges.</p> <p>c. Ensure stormwater is disposed of in stormwater management areas so as to avoid inundation within the subdivision or on adjoining land.</p> <p>d. Ensure that any necessary stormwater control and disposal systems and the upgrading of existing infrastructure are sufficient for the amount and rate of anticipated runoff.</p> <p>e. Ensure stormwater disposal in a manner which maintains or enhances the quality of surface water and groundwater.</p> <p>f. Where feasible, utilise stormwater management areas for multiple uses and ensure they have a high quality interface with residential or commercial activities.</p> <p>g. Ensure that stormwater is disposed of in a manner which is consistent with maintaining public health.</p> <p>h. Incorporate and plant indigenous vegetation that is appropriate to the specific site.</p>		<p>evidence of Mr Long and accepted by Te Rūnanga and ngā rūnanga, with the exception of the phrase ‘use natural proceses’ as this may be seen to encourage the use of natural waterways in initial stormwater treatment, which is at odds with Ngāi Tahu values.</p> <p>The first relief substitutes ‘use’ with ‘imitates’, and the second deletes the phrase.</p>
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	<p>i. Ensure that realignment of any watercourse occurs in a manner that improves stormwater drainage and enhances ecological, mahinga kai and landscape values.</p> <p>j. Ensure that stormwater management measures do not increase the potential for bird strike to aircraft in proximity to the airport.</p> <p>k. Encourage on-site rain-water collection for non-potable use.</p> <p>l. Ensure there is sufficient capacity to meet the required level of service in the infrastructure design standard or if sufficient capacity is not available, ensure that the effects of development are mitigated on-site.</p>		
8.2.4.2	<p>7. Esplanade reserves, strips or additional land</p> <p>b. The provision and / or width of an esplanade reserve of esplanade strip, having regard to:</p> <p>i. The existing or anticipated development, water quality, habitats, ecological or natural values, conservation values, wāhi waahi¹ tapu, customary access, mahinga kai and other taonga, topography and landscape;</p> <p>[...]</p>	12-18	Agreed in mediation to include reference to customary access in Matter of Discretion 8.3.3.8. Esplanade Reserves, strips and additional land. This has now been moved to 8.2.4.2. Matters for discretion 7. Esplanade reserves, strips or additional land (b) and does not appear in the 22 June version.
8.2.4.2	<p>8. Provision of land for open space and recreation</p> <p>[...]</p> <p>c. Any impact of subdivision works on sites or areas of significance to tangata whenua, or on waterways, springs, any cultural landscape identified in the plan, indigenous biodiversity, mahinga kai and the coastline.</p> <p>e. d. The need for land to be set aside and vested in the Council as a reserve for open space and/or recreation where it will provide for one or more of the following:</p> <p>[...]</p> <p>vii. recognition of Ngāi Tahu culturecultural values, history historic and contemporary and identity associated with specific places sites of Ngāi Tahu cultural significance and any cultural landscapes identified in the plan where appropriate;</p>	46-49	<p>Agreed in rebuttal evidence of Mr Long to include amendments to 8.3.5.3 Matters for discretion: Provision of land for open space and recreation, matters 5 and 8 (g) but does not appear in the 22 June version.</p> <p>To reinsert former matter 5 (new matter c) the numbering needs to be amended.</p>
n/a	<p>8.3.7.1</p> <p>Restricted discretionary standards</p> <p>RD 3</p> <p>Subdivision of land where springs are known to exist.</p>	36, 37	Deferred

¹ Minor correction of spelling as per evidence.

	<p>Include the following standard:</p> <p>Any spring on any new allotment shall be protected from drainage, contamination, and a consent notice to this effect shall be registered against the Certificate of Title. This consent notice shall require the preservation of the springs in their current state or an enhanced state on the allotment.</p>		
<p>8.3.7.3</p> <p>Matters for discretion: Heritage and natural environment</p>	<p>2. Trees</p> <p>[...]</p> <p>g. The value of retaining and protecting significant trees, and indigenous biodiversity, including to the identify of the site and context.</p>	28-32	Deferred
<p>8.2.4.2</p> <p>14 All residential zones</p>	<p>8. Whether appropriate provision is made for onsite stormwater treatment or connection to a catchment based treatment network.</p>	41-45	<p>Numbered 8.5.3.1</p> <p>Assessment matters – All residential zones in the 21 May version, this has not been supported in the evidence of Mr Long. This is not pursued by Te Rūnanga and ngā rūnanga as the assessment matter as drafted provides for Te Rūnanga and ngā rūnanga concerns. This amendment was sought to assist the Council in ensuring that the subdivision chapter is consistent with approach taken in other chapters heard already.</p>