

**BEFORE THE INDEPENDENT COMMISSIONERS**

**UNDER** the Resource Management Act  
1991

**AND**

**IN THE MATTER** of the proposed Canterbury  
Land and Water Plan

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**SUPPLEMENTARY EVIDENCE OF LYNDA WEASTELL MURCHISON  
ON BEHALF OF NGĀ RŪNANGA OF CANTERBURY, TE RŪNANGA O NGĀI  
TAHU AND NGĀI TAHU PROPERTY LIMITED**

**4 April 2013**

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## 1. INTRODUCTION

- 1.1 My name is Lynda Marion Weastell Murchison.
- 1.2 I hold the position, qualifications and experience outlined in paragraphs 1.2 to 1.6 of my evidence in chief.
- 1.3 I have prepared this supplementary evidence in response to questions asked by the Hearing Commissioners arising from my evidence in chief that was presented as part of Ngāi Tahu's case in Hearing Group 1.
- 1.4 I am familiar with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note (2011) and have complied with it in preparing this supplementary evidence.
- 1.5 I have been asked three questions by the Hearing Commissioners:
  - a. What provisions in the Canterbury Regional Policy Statement (**CRPS**) support a position of no direct discharges of contaminants to water;
  - b. Where in the proposed Land and Water Regional Plan (**pLWRP**) does it say that the sub-regional sections may have their own polices and rules, and whether the Ngāi Tahu submissions included a list of matters to be included in a sub-regional sections; and
  - c. How many sub-regional sections of the pLWRP do not follow catchment boundaries?

## 2. CANTERBURY REGIONAL POLICY STATEMENT

- 2.1 Objective 7.2.1 (page 55) of the CRPS seeks that the fresh water resources of the region are sustainably managed, enabling people and communities to provide for their economic and social well-being, provided that certain specified outcomes are achieved including: that the mauri of the fresh water is safe-guarded; and that any actual or reasonably foreseeable requirements for customary uses are provided for. Objective 7.2.4 (page 56) seeks that fresh water is sustainably managed in an integrated way considering a variety of matters including kaitiakitanga.

- 2.2 I agree there is no explicit policy in the CRPS to avoid the direct discharges of contaminants to water in the CRPS. From my understanding of Ngāi Tahu values in relation to fresh water, a direct discharge of effluent to water without land or wetland treatment does not safeguard the mauri of the fresh water body nor will it provide for customary uses. It is also my understanding that the discharge of contaminants directly to water will not allow for the exercise of kaitiakitanga, particularly where there are other options available.
- 2.3 I readily accept that there may be situations where an alternative to a direct discharge to water is not feasible and I am aware of current difficulties for Christchurch City Council in terms of options for Akaroa's wastewater. I am also aware of the slightly more difficult situation where alternatives to direct discharges to water may be technically feasible but also come with considerable costs. It is my understanding that part of achieving the purpose of the RMA would be considering all these factors in making a broad overall judgment on the merits of a particular proposal. I do not believe that exercise forecloses the option of sending a strong policy direction in the pLWRP as to the preferred methods for discharging contaminants.

### 3. **CONTENT OF SUB-REGIONAL SECTIONS**

- 3.1 Section 2.4 (page 2-2) of the pLWRP explains the relationship between the regional and sub-regionals sections of the plan. The second paragraph states:

“The policies and rules in the sub-regional sections apply instead of, or in addition to, policies and rules in the region-wide section. They implement the region-wide objectives in the Plan in the most appropriate way for the specific catchment or catchments covered by that section.”

- 3.2 Te Rūnanga's submission at point 1 – Plan Structure (page 1-2 of the submission as lodged) asks that the provisions of the plan which can be varied catchment by catchment are specified in the plan and limited to allocation regimes and limits for water quality or quantity. In her evidence in chief, Ms McIntyre (at para 3.6) suggests how Section 2.4 of

the pLWRP could be amended to address this issue and includes a list of plan provisions that she believes should be catchment-specific. This list includes the allocation limits for water quality and quantity requested in Te Rūnanga's submission along with a couple of additional matters.

#### 4. **BOUNDARIES OF SUB-REGIONAL SECTIONS**

- 4.1 Te Rūnanga's submission point 2 – sub-regional sections (page 2 of the submission as lodged) opposes the layout of the sub-regional sections of the pLWRP where they do not follow catchment boundaries. The example of the Waimakariri River catchment being split between four sub-regional sections and sub-regional section 12, which incorporates the upper catchment and main stems of three alpine rivers (Waimakariri, Rakaia and Rangitata) into one section, were cited as two examples. Hearing Commissioner Ellison asked if there were other examples in the pLWRP.
- 4.2 The format of the sub-regional sections creates three challenges to the management of fresh water on a whole-catchment basis:
- a. Separating the upper catchments and main stems of the Waimakariri, Rakaia and Rangitata rivers from their lowland catchments and their groundwater recharge areas;
  - b. Separating the lower catchments and groundwater recharge areas of these rivers on the north and south sides of the main stems into separate zones, and in some areas including those lower catchment areas with the other catchments or leaving them as separate zones, depending on Canterbury Water Management Strategy Zone Committee boundaries. For example, the north side of the lower Waimakariri catchment is in its own catchment (in a Waimakariri sub-regional section along with the Rakahiri/Ashley catchment) but for the lower catchment of the south side of the Waimakariri River, part of its recharge area is include in the Selwyn-Te Waihora catchment along with groundwater recharge area on the northern side of the Rakaia catchment. However, the Christchurch-West Melton groundwater area, which is also recharge water from the

Waimakariri River on the south side, is managed in a separate sub-regional section.

- c. The surface water catchments of some foothills rivers are separated from their groundwater recharge areas, for example Hakatere/Ashburton, while the Orari River has some highly connected groundwater recharge included in its surface water catchment and the situation for the South Canterbury streams is unclear.

4.3 This last situation in para 4.2(c) above may arise from the historic separation of surface water catchments from groundwater allocation zones in the operative Natural Resources Regional Plan (**NRRP**). The groundwater allocation zones from the NRRP (where they exist) have been included in the relevant sub-regional sections but their location and extent are not shown on the catchment maps in the sub-regional sections.



**Lynda Weastell Murchison**

**4 April 2013**