

**PROPOSED LAND AND WATER REGIONAL PLAN
EVIDENCE OF JEANINE GESINE KELLER PRESENTED ON BEHALF OF THE
CHRISTCHURCH CITY COUNCIL**

Stage 3 - Sections 6 -15 of the PLWRP

1.0 INTRODUCTION

1.1 My name is Jeanine Gesine Keller. I have over 18 years experience in Resource Management. I am a self-employed Environmental Planner. I hold an Honours Degree in Animal and Plant Ecology from Victoria University and a Master Degree in Resource Management from Canterbury University. I worked for the Christchurch City Council (CCC) as a planner for three years before working as a Policy Analyst for the Norwegian Ministry for the Environment and the World Wildlife Fund (Arctic Programme). I worked for seven years as senior planner for the Christchurch Office of URS New Zealand Limited, before starting my own planning business six years ago.

1.2 I am here giving planning evidence on the submissions by the CCC on the proposed Land and Water Regional Plan (pLWRP). I confirm that I have read and agreed to comply with the Code of Conduct for expert witnesses. This evidence is within my area of expertise, except where I state that I am relying on facts or information provided by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

1.3 This evidence is presented on behalf of CCC and comprises evidence on the Sub-regional Sections of the pLWRP.

1.4 The CCC made 3 submissions on the Sub-regional Section: Section 9 - Christchurch - West Melton. (106.5 and 106.90), and section 10 - Banks Peninsula (106.6).

2.0 GENERAL COMMENT ON SUB-REGIONAL SECTION BOUNDARIES

2.1 It has come to the submitter's notice since the lodgement of its submissions that there is an inconsistency between the boundary in the Section 9 - Christchurch - West Melton sub-regional area and the Canterbury Water Management Strategy (CWMS)

zone boundaries. This relates to a portion of the Christchurch-West Melton sub-regional area in Section 9 of the pLWRP that is not within the Christchurch-West Melton CWMS Zone.

2.2 It is noted in the officer's report (OR) page 7, para 3. states that. *"the sub-regional sections have been chosen, in the majority, because they match general administrative boundaries"*. I do not consider that this is adequate explanation of for the inconsistency in the boundaries between the Section 9 sub-regional area and the Christchurch-West Melton CWMS Zone.

2.3 It is my opinion that the inconsistency between the boundary of the Section 9 sub-regional area and the Christchurch-West Melton CWMS Zone will create confusion with respect to implementation of the Zone Implementation Plans (ZIPs) for the Christchurch-West Melton and Selwyn-Waihora CWMS Zones, and giving effect to Section 9 of Land and Water Regional Plan. This confusion can be avoided by aligning the Section 9 sub-regional area with the boundaries of the Christchurch-West Melton and Selwyn-Waihora CWMS Zones.

2.4 I recommend that the Section 9 sub-region and the Christchurch-West Melton CWMS Zone share the same boundaries. This can be accomplished by either:

- altering the draft Section 9 sub-regional area to conform to the same boundaries as the current Christchurch-West Melton CWMS Zone; or
- altering the Christchurch-West Melton CWMS Zone so that it has the same boundaries as the current boundaries of the draft Section 9 sub-regional area.

3.0 SUBMISSION (106.5, 106.6 AND 160.90).

3.1 The above submissions focus on the CCC's consideration that it is premature to include the recommendations of the Zone Committees prior to all the ZIPs being completed and approved by the CWMS Regional Committee.

3.2 Two ZIPs which include part of CCC's administrative area, the Christchurch-West-Melton and the Banks Peninsula Zone, had not been completed prior to the development and release of the pLWRP, and therefore there has been no opportunity

to incorporate these documents into the pLWRP. However, there are both policies and rules in the proposed sub-regional sections of Christchurch-West Melton and Banks Peninsula. ZIPs for the other CWMS Zones were incorporated into the relevant sub-regional sections of the pLWRP.

3.3 The CCC's concern that inconsistencies may occur between the policies and rules in the sub-regional Sections 9 and 10 and Sections 4 and 5. In addition, there may be inconsistencies between the policies and rules presently within the proposed sub-regional Sections 9 and 10 and those policies and rules which will be developed for the completed Christchurch-West Melton and Banks Peninsula ZIPs.

3.4 It is therefore considered premature to include policies and rules within proposed Subsections 9 and 10. CCC recommends that the existing policies and rules in Sections 9 and 10 are deleted and the rules, if required, are included in the proposed region-wide section. At a minimum the policies included in the sub-regional sections for Christchurch-West Melton and Banks Peninsula should be deleted. They are less specific than those within the region-wide Section 4, and there is no explanation about how they were developed. The rules within Sections 9 and 10 at least have an origin from the Natural Resources Regional Plan (NRRP).

3.5 As evidence for this recommendation I will use an example of the policies within Section 9 Christchurch West-Melton.

3.6 Confusion with regard to which policies and rules should be used (either those in the regional-wide sections or those in the sub-regional section) is not aided by the introduction to the sub-regional sections on page vii and 2.4 in Section 2 of the proposed plan where it states:

“ the sub-regional sections contain policies and rules which are specific to the catchment covered by each section. 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 most appropriate way for the specific catchment or sub-catchments covered by that section.”
(underlining is the author's).

- 3.7 The Officer's Report for Stage 3 recognises the conflict and has recommended the following amendment (page 7. recommendation RN59)

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

The CCC supports this amendment as it removes much of the confusion relating to the rules. It does however mean that policies in both the region-wide Section 4 and the sub-regional sections may be needed to be considered together. It is my opinion the policies in the sub-regional sections must be specific and provide clear direction at least to the same level as the region-wide policies otherwise they will weaken the strong regional policies. In addition, it is my opinion that if the policies in the sub-regional sections differ considerably from those in the region-wide Section 4, then a clear explanation is required to explain how they have been derived. This has not been provided with regard to the sub-regional policies.

- 3.8 The proposed Section 9 Christchurch-West Melton chapter includes both policies and rules. Within the Section 9.4 Policies it is stated that

“the following policies apply in the Christchurch -West Melton as well as those set out in Section 5 of the plan.” (Section 5 is in fact the rule section not the policy section and I am assuming that this is an editorial mistake and the Plan author's meant Section 4). However, excluding this error the statement makes it clear that both sets of policies need to be considered together.

- 3.9 Section 9 has a Policy 9.4.1 (b) which relates to stormwater within the Christchurch West Melton area and it states:

“ Adopting best practicable options for the treatment and disposal of stormwater, contaminants containing hazardous substances, and other contaminants which are discharges onto land where it may enter groundwater;”

It follows therefore that this policy relating to stormwater treatment and disposal must be considered at the same time as those contained within the region-wide Section 4 stormwater policies (4.9 - 4.14). However, the policies within Section 4 relating to stormwater management are more detailed, provide much clearer direction and do not discuss use of the best practicable option.

- 3.10 It is my opinion that the policy in Section 9 related to stormwater is “weaker” and less “helpful” than the policies in Section 4, and the policies in Section 4 are preferred by the CCC.
- 3.11 In addition, it is unclear where the policies in Section 9 have arisen. They are not the policies developed from the NRRP, or policies developed as a result of the Christchurch-West Melton ZIP.
- 3.12 It is therefore my recommendation that these policies should be deleted, and policies derived from the Christchurch-West Melton and Banks Peninsula ZIPs should be included as a plan variation in the future to Sections 9 and 10.

4.0 SUMMARY

- 4.1 That Section 9 sub-region and the Christchurch-West Melton CWMS Zone share the same boundaries by either:
- altering the draft Section 9 sub-regional area to conform to the same boundaries as the current Christchurch-West Melton CWMS Zone; or
 - altering the Christchurch-West Melton CWMS Zone so that it has the same boundaries as the current boundaries of the draft Section 9 sub-regional area.
- 4.2 That these policies should be deleted, and policies derived from the Christchurch-West Melton and Banks Peninsula ZIPs should be included as a plan variation in the future to Sections 9 and 10.