

**BEFORE THE CANTERBURY REGIONAL COUNCIL**

**UNDER THE**

Resource Management Act 1991

**AND**

**IN THE MATTER**

of application CRC190445 by the Christchurch City Council for a comprehensive resource consent to discharge stormwater from within the Christchurch City area on or into land, into water and into coastal environments

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**STATEMENT OF EVIDENCE OF  
CRAIG AARON PAULING FOR CHRISTCHURCH CITY COUNCIL**

**Dated 15 October 2018**

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## INTRODUCTION

1. Ko Ōtūmatua te maunga, ko Huritini te awa, ko Te Waihora te hāpua, ko Tūrakautahi, ko Te Rakiwhakaputa, ko Te Ruahikihiki oku tīpuna, ko Craig Pauling taku ikoa. Nō reira, tēnā koutou. My full name is Craig Aaron Pauling. I am of Ngāi Tahu, Ngāti Mamoe and Waitaha descent, and I have been requested by the Christchurch City Council (**Council** or **CCC**) to give evidence in relation to the application for a Comprehensive Stormwater Network Discharge Consent (**Application**).
2. I hold a Bachelor of Resource Studies (Environmental Management) from Lincoln University. I also hold two post-graduate certificates in Social Science and Applied Science (Ecology), also from Lincoln University. I have over 15 years' experience in environmental planning, policy and research, with a particular focus on environmental management matters involving Ngāi Tahu.
3. I am a member of the Ngā Aho Incorporated, a national network of Māori design and planning professionals, and am also a member of both Te Taumutu Rūnanga, and Te Hapū o Ngāti Wheke Rūnanga.
4. I have been employed as Kaiarataki Te Hīhiri (Strategic Advisor Māori) at Boffa Miskell Ltd (**BML**), since October 2013. Boffa Miskell Ltd is a New Zealand environmental planning and design consultancy with offices in Auckland, Hamilton, Tauranga, Wellington, Christchurch and Queenstown.
5. Prior to my current position with BML, I was employed by Te Rūnanga o Ngāi Tahu (**TRoNT**) in a variety of roles from 1999-2013. My major role was as an Environmental Advisor. In my time with TRoNT, I lead the development of several tribal environmental policies, strategies and plans, as well as cultural monitoring frameworks and tools.
6. I have been engaged by the Council to provide advice on cultural values and engagement with Papatipu Rūnanga in relation to the Application.
7. I confirm that I have read and agree to comply with the Code of Conduct for expert witnesses contained in the Environment Court Practice Note (dated 1

December 2014). I confirm that the issues addressed in the statement of evidence are within my area of expertise. I have not knowingly omitted to consider facts or information that might alter or detract from the opinions expressed.

## **SUMMARY OF EVIDENCE**

8. The purpose of this evidence is to provide an overview of the engagement process with Papatipu Rūnanga I was involved in, and the advice and analysis I provided as part of the development of the original June 2015 Application, as well as my involvement in the engagement with Papatipu Rūnanga and Mahaanui Kurataiao Ltd (**Mahaanui**) following the lodgement of the original Application, and the outcomes of this engagement. I also comment on concerns regarding tangata whenua values information gaps raised by Environment Canterbury officers in the s42A report.

## **BACKGROUND**

9. My involvement with the Application began in late 2014 when I was approached by the Council to assist in discussions with Mahaanui on how best to engage with Papatipu Rūnanga in relation to the Application. This involved a number of meetings in late 2014 and early 2015 to discuss and agree on a process that included:
  - 9.1 The management of the overall process, including engagement with Papatipu Rūnanga by Mahaanui, through a Rūnanga Working Focus Group;
  - 9.2 The provision of technical advice and analysis to the working group and council by BML; and
  - 9.3 The development of Cultural Impact Assessments (**CIAs**) required for specific catchment SMPs undertaken by Rūnanga approved CIA writers.
10. The contract covering my work included the following tasks:

- 10.1 Become familiar with key Council documents including the Surface Water Strategy, Stormwater Management Plans (**SMPs**), Discharge Consents and the technical investigation documents for the Avon, South-West, Halswell and Styx River catchments.
- 10.2 Review draft catchment Vision and Values documents and SMPs, identifying potential cultural values, issues/impacts and advising on mitigation options.
- 10.3 Write the Cultural Values sections for the Application overview and for the AEE, and for the draft Environmental Monitoring Programme lodged as part of the Application.
- 10.4 Review and provide input into the Application's Proposed Conditions.
- 10.5 Liaise with Rūnanga appointed/approved contractors who will undertake and write a CIA report for each catchment SMP.
- 10.6 Based on CIAs, write a cultural impacts section for the Application AEE.
- 10.7 Liaise with Mahaanui in relation to hui and site visits with Papatipu Rūnanga to discuss the draft Application, as well as specific SMPs and Vision and Values documents.
- 10.8 Attend project management meetings and provide monthly progress updates.

#### **PRE-LODGEMENT ENGAGEMENT PROCESS – MARCH-JUNE 2015**

11. A key part of my role was to assist Council staff to work with Mahaanui to develop and implement a process for working in partnership with the six Ngāi Tahu Papatipu Rūnanga within the Council area, on the original Application prior to its lodgement in June 2015.
12. In total, three separate hui were organised by Mahaanui, and held with Papatipu Rūnanga representatives, prior to the lodging of the June 2015 Application, including:

- 12.1 An initial hui in March 2015 that provided an overview of the proposed consent, process, application and draft conditions;
  - 12.2 A site-visit of key stormwater treatment facilities in May 2015; and
  - 12.3 A follow up meeting in June 2015 to go over the draft consent and conditions.
13. I assisted with each hui, helping Mahaanui and Council staff to develop meeting agendas, and to facilitate discussion following key presentations. My role included ensuring relevant information was provided to Rūnanga representatives as well as summarising technical information of particular relevance to Papatipu Rūnanga.
  14. I also attended regular project team meetings with Council to help ensure feedback received from the hui with Papatipu Rūnanga was considered, and where possible, incorporated into the Application.
  15. Following the three hui held with Papatipu Rūnanga representatives, Mahaanui provided a summary of feedback to Council in June 2015 (attached as **Appendix A**), which included the following key points:
    - 15.1 The desire for ongoing Papatipu Rūnanga involvement;
    - 15.2 Issues with the global consent and duration;
    - 15.3 Effects of ongoing direct discharge vs proposed mitigation and requirements for treatment;
    - 15.4 Clarification of receiving environment objectives and the monitoring programme;
    - 15.5 The need to manage wāhi tapu / wāhi taonga (culturally significant sites);
    - 15.6 Issues arising from the relationship between wastewater and stormwater; and
    - 15.7 Suggested changes to specific wording in the draft consent application.

## CONSENT APPLICATION ADVICE AND INPUT

16. The other key part of my work involved advice and input into the June 2015 Application. This included assisting with the development of the cultural values overview (section 5), the analysis of Mahaanui Iwi Management Plan (IMP) policy (section 6.6), the summary of effects on cultural values (section 8.8) and the overview of Papatipu Rūnanga engagement and ongoing partnership (section 11.3).
17. I also assisted with reviewing and including Te Reo Māori throughout the application, including Māori/Ngāi Tahu place and species names, as well as references to Ngāi Tahu values, history and engagement in relevant sections.
18. The effects on cultural values section was informed by the feedback gained from the engagement with Papatipu Rūnanga, including the summary received from Mahaanui, but did not include information from any Cultural Impact Assessments, as these were not completed before the lodgement of the original Application.
19. As part of my role in this stage, I did however assist Council in liaising with the Rūnanga approved CIA writer (K4 Cultural Landscape Consultants) on the completion of the CIAs for the Ōtakaro/Avon, Pūharakekenui/Styx and Huritini/Halswell SMPs. This involved ensuring the consultant was invited to all hui, as well as receiving the information needed from Council to complete the CIAs.
20. My work on the June 2015 Application also involved providing advice on the consent conditions and the environmental monitoring programme. This included advising on the need to consider a reduced consent duration; Ngāi Tahu representation on the Water Issues Management (WIM) committee; and the ongoing involvement of Papatipu Rūnanga across all aspects of consent implementation, through a structured partnership approach. I support the recommendation that a Mahaanui representation be on the WIM Committee, as referred to in Ms Beaumont's evidence.
21. Advice on the environmental monitoring plan included providing information on the broad approach to cultural monitoring, utilising the State of the Takiwā tool,

as well as the need to finalise specific details through ongoing engagement and partnership.

22. Overall, I was satisfied that the June 2015 Application lodged by Council provided a fair reflection of the engagement process undertaken with Papatipu Rūnanga and the key values and issues arising from the Application, as well as including an approach for ongoing involvement and partnership with Papatipu Rūnanga to manage these issues.

### **CULTURAL IMPACT ASSESSMENTS (CIAs)**

23. As noted above, I assisted Council in liaising with the Rūnanga approved CIA writer (K4 Cultural Landscape Consultants) for the Ōtakaro/Avon, Pūharakekenui/Styx and Huritini/Halswell catchment SMP, which were to be completed prior to the lodgement of the original Application.
24. The CIA for the Ōtakaro SMP was however completed in June 2015 and endorsed by Te Ngāi Tūāhuriri Rūnanga in July 2015, just after the original Application was lodged, and was subsequently provided to Environment Canterbury.
25. The CIAs for the Pūharakekenui and Huritini SMPs were completed in August 2015 and December 2016 respectively.
26. A further CIA was undertaken for the Ōpāwaho/Heathcote SMP by Tipa and Associates and completed in October 2016.
27. I did not formally review the CIAs, but have read these since, and note that they align and reinforce the issues identified through the engagement with Papatipu Rūnanga that I was involved in and undertaken as part of the June 2015 Application, including:
  - 27.1 The need for the ongoing involvement of Papatipu Rūnanga with appropriate resourcing, such as through a partnership agreement;



- 27.2 Support for cultural monitoring to be undertaken by Papatipu Rūnanga which includes parameters for mahinga kai / food gathering, as well as specific targets over time that are agreed to by Papatipu Rūnanga;
- 27.3 Support for stormwater treatment initiatives and facilities, including riparian planting, raingardens and wetland development, with a specific focus on native plant species to reduce the impact of stormwater discharge on water quality and provide for cultural outcomes, including mahinga kai;
- 27.4 The involvement of Papatipu Rūnanga in the design and development of stormwater facilities, along with the adoption of accidental discovery protocols to protect wāhi taonga/tapu;
- 27.5 Support for increased education and public information about stormwater management; and
- 27.6 Reduction of the consent duration from 35 to 10 or 15 years, with 5 yearly reviews.
28. Most of the issues raised by the CIAs have been worked through by Council and Papatipu Rūnanga through ongoing engagement following the lodgement of the original Application, and most recently through an agreement reached in relation to the Application. Further details of the engagement process, and the recent agreement are provided in the evidence of Graham Harrington and David Adamson, and also outlined below in parts 34-38 and 39-44.

## **S92 FURTHER INFORMATION REQUEST**

29. Following the lodgement of the June 2015 Application, I was asked to assist Council with questions relating to cultural values and engagement outlined in the section 92 further information request from Environment Canterbury received in July 2015. This included seeking further information about the outstanding CIAs (for Pūharakekenui and Huritini) and the cultural monitoring approach.
30. I assisted Council in contacting the CIA consultant, as well as meeting with Council staff to review and provide advice on the S92 response. My advice

highlighted the need to continue to engage with Papatipu Rūnanga, and to work through key issues, including the cultural monitoring targets.

31. Council included a commitment to continuing to work with Papatipu Rūnanga in their section 92 response (dated November 2015) and set about undertaking a series of hui in relation to (see 34 – 38 below), which has led to an agreement in relation to the Application (see 39 – 44 below).

#### **SUBMISSIONS BY TRONT AND PAPTIPU RŪNANGA ON JUNE 2015 APPLICATION**

32. A submission in opposition to the June 2015 Application was filed by Te Rūnanga o Ngāi Tahu, and Papatipu Rūnanga on 29 February 2016 that highlighted the following:

- 32.1 Support for integrated management eg. Ecological assessments/monitoring, CIAs and SMPs etc;
- 32.2 Encouragement for commitment to ongoing engagement, but a lack of clarity around how this will happen and be resourced;
- 32.3 A lack of information and assessment to understand environmental effects across the whole district (beyond the Ōtākaro; Pūharakekenui and Huritini catchments already studied);
- 32.4 Opposition of the duration of consent (originally proposed to be 35 years);
- 32.5 Clarity as to whether the consent includes all rural areas and roads;
- 32.6 No information and data that is specific to Christchurch and the actual discharge quality;
- 32.7 A lack of information on known effects on the coastal environment;
- 32.8 Inclusion of conditions requiring implementation of SMPs rather than just preparation of SMPs;

32.9 Issues with SWIM and potentially pointing to a lack of Ngāi Tahu involvement in SWIM; and

32.10 Ngāi Tahu seeking the consent be declined and to grant an interim short-term consent to complete SMPs etc.

33. I was asked by Council to assist with following up on the submission, which involved attending and contributing to a series of meetings with Papatipu Rūnanga representatives arranged by Mahaanui and Council. As noted above, these meetings have recently resulted in an agreement between Papatipu Rūnanga, Mahaanui and Council in relation to the Application and the matters raised by the submission on the original Application, as well as the four CIAs completed to date (see 39-44 below, as well as the evidence of Graham Harrington and David Adamson).

#### **ONGOING RŪNANGA-COUNCIL ENGAGEMENT AND COLLABORATION**

34. The commitment of Council to continuing to work with Papatipu Rūnanga on the Application, as noted in both their s92 response to Environment Canterbury, and within the conditions of the original Application, was fulfilled through a series of meetings that began in November 2016 and have continued to the present.

35. I attended the early meetings held in November 2016 and February, March and June 2017. These meetings were organised by Council directly with Mahaanui and were well attended by Papatipu Rūnanga representatives. The meetings were generally positive in that both Council and Rūnanga were working through outstanding issues around the consent, attempting to understand each other's key values and responsibilities, as well as trying to agree on a way forward. These meetings were also helped by the support of two Council cultural advisors who were employed in late 2016.

36. The meetings and collaboration between Council and Rūnanga (and Mahaanui) has continued to take place since June 2017, although I was not directly involved since this time. I was however kept informed by Council with updates about key progress.

37. A significant part of the collaboration included a Water Forum being held between Christchurch City Council Councillors, Environment Canterbury Commissioners and Ngāi Tahu Governors in February 2018, and a series of further meetings between Council and Mahaanui staff and Rūnanga representatives to continue to work through issues around the Application.
38. This engagement and collaboration has most recently resulted in an agreement being made between Council, TRoNT, Rūnanga and Mahaanui to continue to work together throughout the implementation of the consent in a partnership approach. It also resulted in no submission in opposition from TRoNT and/or Papatipu Rūnanga to the revised Application lodged in July 2018. Further details of the agreement are given below and also provided in the evidence of David Adamson.

#### **AGREEMENT BETWEEN RŪNANGA, MAHAANUI AND COUNCIL**

39. I have read the agreement (the Deed attached to Mr Adamson's evidence) that has been reached between Ngā Rūnanga, TRoNT, Mahaanui and Council, which in my view is a positive outcome to the engagement and collaboration between the parties around both the June 2015 and July 2018 Applications. This is because the agreement provides for an ongoing relationship that is supported by funding and dedicated kaimahi (staff or advisors) where issues raised within CIAs and the engagement process, can be worked through together and over time. In particular, this includes working together to determine cultural targets and methods within the environmental monitoring programme.
40. The approach also provides for giving real effect to the conditions requiring engagement with Papatipu Rūnanga under the consent, including those around further CIAs, the design and development of treatment facilities and devices, environmental monitoring, reporting, reviews and implementation plans. Such engagement and partnership is in line with other similar examples I have been involved with, but actually goes beyond these, due to the dedicated funding and staffing commitment made by Council.

41. While the agreement does not necessarily deal with all the issues that Rūnanga have raised within CIAs and through the engagement process, including concerns around the uncertainty of effects on catchments where SMPs and CIAs have not yet been undertaken, it has dealt with the majority of these and demonstrates a pragmatic approach by Papatipu Rūnanga to finding solutions to concerns around cultural effects. To this end, it is important to note that no submission was filed by Te Rūnanga o Ngāi Tahu or Papatipu Rūnanga, on the 2018 Application.
  
42. In particular, the agreement satisfies a number of key matters raised in the Mahaanui summary on initial engagement; the recommendations of the four CIAs completed to date; and the submission of TRoNT and Papatipu Rūnanga on the original application; as well as matters noted in the section 42A report from Environment Canterbury. The agreement provides for:
  - 42.1 The ongoing involvement of Papatipu Rūnanga in stormwater management with Council in a structured way, with agreed resourcing and support;
  
  - 42.2 An agreed reduction in the duration of the consent from 35 to 25 years;
  
  - 42.3 Cultural / mana whenua values monitoring to be carried out by Mahaanui on behalf of Papatipu Rūnanga as part of the Environmental Monitoring Programme, including working with Council on establishing appropriate objectives and targets for cultural values;
  
  - 42.4 Cultural Impact Assessments to be developed as part of all catchment SMPs, as well as the involvement of Papatipu Rūnanga (via Mahaanui) in the implementation of SMPs, including the design and development of stormwater treatment devices and facilities.
  
43. Further to the above, I have reviewed the s42A report in light of the agreement and note that the agreement provides evidence that Rūnanga are satisfied with the:
  - 43.1 Mana Whenua Values Monitoring approach within the Application (as outlined in parts 584-588 & 644-645 of the s42A report) by agreeing to work through

targets and the finalised monitoring approach with Council via a specific resourced advisor. This also includes undertaking the monitoring; and

- 43.2 Ongoing collaboration specified in the proposed consent conditions including agreeing to this collaboration (part 588d); involvement in preparing and reviewing CIAs and determining cultural effects for all catchments over time (part 589); as well as a pragmatic approach to their Iwi Management Plan policies opposing global consents and direct discharges (part 590).
44. Most importantly, the agreement recognises the mana of Papatipu Rūnanga as a partner of Council in a resource management issue of critical importance to them. It provides for the potential of manawhenua to both inform and improve the future treatment and management of discharges, which from my involvement with the consent, was an overriding Rūnanga concern. It also provides for the outstanding detail around the environmental monitoring programme, including cultural monitoring targets to be worked through in a manner that is appropriate for manawhenua.

CA Pauling

15 October 2018

**Appendix A** Mahaanui summary of feedback

## **APPENDIX A**

Mahaanui summary of feedback

**Mike Davis – Project Manager**

**Christchurch City Council**

**23 June 2015**

## **Ngā Rūnanga Feedback to Council on the proposed Comprehensive Stormwater Network Discharge Consent (CSNDC)**

### **Background**

The Christchurch City Council (CCC) are seeking a comprehensive consent for stormwater discharge (CSNDC) across the CCC district including within key city catchments and peninsula settlements. As part of this, CCC have been working with Mahaanui Kurataiao Ltd to engage with Ngāi Tahu Papatipu Rūnanga in the development and assessment of the proposed consent, which is proposed to be lodged at the end of June 2015. This document provides a summary of the engagement so far and the key issues and recommendations for consideration by CCC ahead of lodging.

### **Engagement/Consultation to date**

As part of the CSNDC, Council staff have worked with Mahaanui Kurataiao Ltd to develop a process to work in partnership with the six Ngāi Tahu Papatipu Rūnanga within the CCC district on the consent. In total, 3 separate hui have been held with Papatipu Rūnanga representatives including:

- an initial hui in March 2015 that provided an overview of the proposed consent, process, application and draft conditions;
- a site-visit of key stormwater treatment facilities in May 2015; and
- a follow up meeting in June 2015.

CCC have indicated a commitment to an ongoing collaboration process with Ngāi Tahu Papatipu Rūnanga as part of the consent including involvement in cultural impact assessments for future Stormwater Management Plans (SMP), implementation, device design and capital works programmes, education and cultural monitoring as well as reporting mechanisms. Exact details are still to be confirmed but these could form part of a side agreement, pending approval from the parties.

### **Key Issues**

The draft CSNDC includes an analysis of relevant policies from the Mahaanui Iwi Management Plan as well as the Te Rūnanga o Ngāi Tahu Freshwater Policy. It also includes a summary of key cultural values associated with stormwater as well as an overview of mana whenua within the CCC district. The final CSNDC will also include a CIA for the Ōtākaro, Pūharakekenui and Huritini SMPs as well as a summary of cultural effects from this analysis, and feedback from rūnanga engagement.

The Mahaanui IMP policy analysis concludes that there is general alignment with the CSNDC, particularly in relation to the development and implementation of catchment SMPs and their proposed treatment devices and facilities, as well as the requirements for on-site treatment via new and re-developed residential and commercial sites. There are however a number of areas where Mahaanui IMP policies are in conflict with the CSNDC as well as other concerns about the uncertainty of proposed mitigation being implemented and a lack of information on catchments with no current SMPs.



The following section provides feedback and recommendations on potential improvements to the CSNDC to address key Papatipu Rūnanga issues and values.

## **Recommendations/Feedback to the proposed Discharge Consent**

### **1. Papatipu Rūnanga Involvement**

The involvement of Papatipu Rūnanga in the implementation of the consent is not clearly spelt out. This includes involvement in the process of development and adoption of future SMPs as well as the implementation of proposed mitigation outlined in SMPs. SMPs form a crucial part of the consent and its conditions and Papatipu Rūnanga want assurance that the mitigation they propose are implemented and that all opportunities to improve water quality and quantity issues are taken going forward. This involvement also applies to the monitoring and reporting and how results will be used to prioritise implementation and potentially review conditions of consent in the future. It is also important to clarify the roles of Papatipu Rūnanga and Te Rūnanga o Ngāi Tahu as well as Mahaanui Kurataiao going forward – Section 5.3 of the consent actually does this already so can be referred to.

Recommendations/Potential Improvements:

- **Side Agreement:** A side agreement could be developed to clarify how CCC and Papatipu Rūnanga will work together at each stage of the consent implementation.
- **Statement of Partnership:** A clear statement in the consent as well as a specific condition or advice note could also be included. Proposed wording for this is given below:
  - CCC is committed to working in partnership with Papatipu Rūnanga through the implementation of the CSNDC. This is aimed at achieving the goals of the consent and providing for the ongoing involvement of manawhenua as well as identifying and reflecting manawhenua values and interests in the management of stormwater. While the partnership approach needs to be confirmed with Papatipu Rūnanga it may involve the establishment and resourcing of a joint CCC/Papatipu Rūnanga Stormwater Working Party along with relevant technical support involving Mahaanui Kurataiao Ltd as well as Te Rūnanga o Ngāi Tahu. It is envisioned that the working party would meet on a regular basis and provide a forum for advising on CSNDC implementation, including:
    - SMP development and adoption/approval (including the development of CIAs for each SMP/catchment);
    - Monitoring results and response as well as reviewing/setting objectives (including the carrying out of cultural monitoring and an appropriate linkage to the SWiM committee);
    - Planning, design and prioritisation of mitigation/devices (including annual work programmes);
    - Education and linkages to other key CCC programmes (including the LDRP, Street/Road Renewals/Cycleways; Suburban centre and greenspace; and City Rebuild); and
    - Annual Reporting of activities

## 2. Global Consent and Duration:

In general, Papatipu Rūnanga are opposed to global consents (Mahaanui IMP Policy P6.6) as well as consent durations over 15 years (Mahaanui IMP policy WM8.14). This is due to the general lack of specific information as well as uncertainties on implementation and mitigation measures – particularly at a catchment level. This is true for the proposed CSNDC where implementation relies heavily on SMPs still to be developed and the robustness of which cannot be ascertained at the time of seeking consent. Papatipu Rūnanga opposition to long consent duration is due to the intergenerational nature of effects as well as the potential for changes that can arise from new technology over a 35 year timeframe, which may otherwise not be considered. It is important to note however that Papatipu Rūnanga do support (Mahaanui IMP Policy P6.5) integrated catchment management plans which the CSNDC is providing for via conditions and catchment SMPs. Provision for ongoing involvement and partnership is also important to note in relation to these concerns.

Recommendations/Potential Improvements:

- **Individual Consents:** Split the consent process by catchment and develop each SMP to be part of the conditions of that particular consent for each catchment.
- **Reduced Term:** Reducing the term (potentially to 15 years) could alleviate concerns around the global nature and uncertainty of the CSNDC
- **Review Clauses:** Include an additional review clause in the conditions of consent that ensures a time specified review (beyond the general ECan compliance condition. Eg. A condition that provides for a review of conditions of consent after 10 years - noting that SMP's are reviewed every 10 years – so condition reviews could line up with these).
- **Specific Objectives:** Include specific targets over specific time periods to show continuous improvement in the receiving environment. Eg. Interim water quality targets for years 1-10, 10-15, 15-20 etc, and/or more specific targets for each catchment/sub-catchment.

## 3. Ongoing Direct Discharge vs Mitigation and Requirements for Treatment:

Papatipu Rūnanga are opposed the direct discharge of untreated stormwater into natural waterways and the coastal environment (Mahaanui IMP Policies P6.2 and TAN2.2). Although the proposed consent and SMPs intend to mitigate the effects of stormwater discharge via retrofitting devices and requiring devices as part of new development and redevelopment, the exact implementation of devices and mitigation is uncertain and not guaranteed. This is particularly true where SMPs are not completed for certain catchments. Papatipu Rūnanga also have concerns about whether mitigation proposed will actually be sufficient to result in the adequate protection and enhancement of water quality as well as mahinga kai values.

As noted above, however, a number of policies in the Mahaanui IMP do support the intent of the proposed mitigation and the requirements provided for by the CSNDC (and SMPs) for stormwater treatment and attenuation devices. The policies specifically advocate for the use of raingardens, swales, basins and wetlands to treat stormwater and improve both water quality and mahinga kai outcomes. Papatipu Rūnanga aspirations do go a step further however in advocating for zero stormwater discharge as well as designing facilities to provide for multiple values, including education. Papatipu Rūnanga also strongly support the use of green roofs and the inclusion of roof area (regardless of roof material) in determining the requirements for on-site treatment and attenuation.

Therefore, there are a number of aspects of the CSNDC that are supported including:

- Taking all opportunities to install treatment and attenuation devices including via street/road renewals, cycleways, suburban centre upgrades, central city rebuild and the large concept designs utilising suburban green space, school closures and the residential red zone;
- Focusing on priorities for retrofitting treatment and attenuation via programmes in existing industrial areas, large shopping areas, heavily trafficked roads, old residential areas and headwater areas;
- Working with both CCC and CERA to ensure opportunities for stormwater treatment and flood attenuation within both the Central City (including via Anchor Projects) and the Residential Red Zone are considered and maximised.

#### Recommendations/Potential Improvements

- **Green Roofs:** A programme to incentivise green roofs for commercial developments and the inclusion of roof area (regardless of roof material) in determining the requirements for on-site treatment and attenuation;
- **Copper/Zinc Ban:** A potential ban on architectural copper and zinc products; and
- **Education Programmes:** A clearer commitment to specific education programmes, including developing a programme based on incentivising both residential and commercial roof painting/maintenance – potentially called ‘Roof to River’
- **Partnership:** Clarifying the ongoing involvement of Papatipu Rūnanga (as outlined above) is also important.

#### **4. Receiving Environment Objectives / Monitoring Programme**

Papatipu Rūnanga seek continual improvement in both freshwater and coastal water quality, particularly where current standards may not be being met, but also to support the ongoing and future practice of mahinga kai (food gathering). Table 3, 4 and 5 of the CSNDC set out water quality objectives for waterways, the coastal environment and groundwater which are in line with the current standards set out in the pLWRP. These also set out the benchmark against which the consent will be assessed via the CSNDC monitoring programme. While Papatipu Rūnanga acknowledge that these are the current standards agreed to for the region and considered achievable, they do not appear to demonstrate a commitment to an ongoing process of water quality improvement over the life of the proposed consent. The objectives also do not include an objective to ensure safe food gathering, which regional policy sets as a goal for all waterways. It is acknowledged however, that cultural monitoring is proposed which is supported. Another concern raised is in relation to the omission of Te Waihora (Lake Ellesmere) and Te Roto o Wairewa (Lake Forsyth) as receiving environments potentially affected by the consent.

Recommendations/Potential improvements:

- **Cultural Monitoring:** Cultural monitoring for each catchment on a 5-yearly basis is supported.
- **Monitoring Objectives:** include specific targets over specific time periods to show continuous improvement in the receiving environment. Eg. Standards for years 1-10, 10-15, 15-20 etc. And/or each catchment
- **Food Gathering Safety objective:** Include an objective for monitoring of human consumption of fish in receiving environments.

- **Te Waihora and Te Roto o Wairewa:** Include a statement about Te Waihora (Lake Ellesmere) and Te Roto o Wairewa (Lake Forsyth) as receiving environments potentially affected by the consent and how these are considered.

## 5. Wāhi Tapu/Taonga – Culturally Significant Sites

Papatipu Rūnanga note the existence of numerous culturally significant sites across the CCC district which may be effected by both discharge and mitigation activities. It is therefore important to note that procedures such as requirements for the use of accidental discovery protocols as well as undertaking archaeological assessments and gaining archaeological authorities should be included in an appropriate way under the consent. Furthermore, it is noted that SMPs include provision for identifying, restoring and protecting sites of high cultural significance, including springs and wetlands. This is supported and could form part of ongoing engagement and partnership. It is anticipated that each catchment CIA will spell out more detail on these particular areas and provide recommendations for potential sites for further work.

## 6. Relationship between Wastewater and Stormwater

Mahaanui IMP Policy (IH4.3) includes a requirement for councils to maintain separation between wastewater and stormwater networks at all times. This is due to cultural issues with untreated human wastewater entering natural waterways and mahinga kai areas. While this issue may be beyond the scope of the CSNDC, it is noted that at least in the Ōtākaro and Ōpāwaho catchments wastewater overflows are directed into the stormwater network or into natural ways. It is therefore important to consider how the design of the stormwater system could be modified to better deal with emergency overflows.

Recommendation/potential improvements:

- **Overflow Points:** Wastewater overflow points should be clearly identified and the rationale of these points relative to their receiving environment needs to be spelt out.
- **Joint Work Programme:** Develop a joint programme of action to address issues of wastewater overflows and impacts on the stormwater network and receiving environments.

### Specific feedback to the proposed CSNDC conditions:

- **Advice Note:** Consider adding a separate advice note to clarify the ongoing partnership with Papatipu Rūnanga (as well as Te Rūnanga o Ngāi Tahu and Mahaanui Kurataiao).
- **Definition of Ngāi Tahu:** Include a definition of Ngāi Tahu which explains the roles and relationships of Te Rūnanga o Ngāi Tahu, Papatipu Rūnanga and Mahaanui Kurataiao (this could be clarified earlier in the consent document however).
- **SMP Adoption/Review Process:** The procedure for adoption and review of SMPs should be more clearly spelt out. This relates specifically to condition 5 and 6j) and could note the involvement of Papatipu Rūnanga, CWMS Zone committees etc (and/or link to propose advice note above).
- **Mahaanui IMP:** Clause 6b) - Include a new point (iv) stating 'relevant policies in the Mahaanui Iwi Management Plan'

- **SMP Implementation:** Consider adding a clause as 6k) that includes provision for an appendix to SMPs outlining proposed work programmes and actions for implementing SMPs and installing devices.
- **Correct names:** Clause 10d) – Add Pūharakekenui/Styx, Ōtākaro/Avon, Ōpāwaho/Heathcote and Huritini/Halswell to correct the names.
- **CSNDC Implementation Plan:** Clause 20 - List Ngāi Tahu/Papatipu Rūnanga specifically (and/or link to propose advice note above).
- **ESCP:** Clause 22 – Add Ngāi Tahu/Papatipu Rūnanga (and/or link to propose advice note above).
- **Implementation Records:** Clauses 23/24 - Add Ngāi Tahu/Papatipu Rūnanga (and/or link to propose advice note above).
- **Monitoring:** Clause 26 - Add Ngāi Tahu/Papatipu Rūnanga (and/or link to propose advice note above).
- **Response:** Clause 27c) – Consistently use Ngāi Tahu/Papatipu Rūnanga (and/or link to propose advice note above).
- **Response:** Clause 27d) – Create a clear link between changes/actions and implementation plans/work programmes
- **Industrial Sites:** Clause 28 - Add Ngāi Tahu/Papatipu Rūnanga (and/or link to propose advice note above).
- **Reporting:** Clause 30 - Consistently use Ngāi Tahu/Papatipu Rūnanga (and/or link to propose advice note above).
- **Administrative:** Add an additional review clause for a time specified review
- **Tables 3 & 4:** Amend Measure for mana whenua values to state “Improve cultural health index and/or takiwā scores’
- **Tables 3 & 4:** Add an objective/target and explanation for reducing contaminants to ensure fish are not rendered unsuitable for human consumption (this could be developed and included at a later date as an update to the monitoring programme).