

**BEFORE THE CANTERBURY REGIONAL COUNCIL**

**UNDER THE** Resource Management Act 1991

**AND**

**IN THE MATTER** of application Environment  
Canterbury 190445 by the  
Christchurch City Council for a  
comprehensive resource consent  
to discharge stormwater from  
within the Christchurch City area  
and Banks Peninsula settlements  
on or into land, into water and into  
coastal environments

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**STATEMENT OF EVIDENCE OF  
DAVID PAGE ADAMSON FOR CHRISTCHURCH CITY COUNCIL  
Dated 15 October 2018**

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## **Introduction**

1. My full name is David Page Adamson. I am giving evidence on behalf of the Christchurch City Council (**Council**) on its application for a comprehensive stormwater network discharge consent (**Application**).
2. I hold the qualifications of Bachelor of Engineering (Canterbury). I am a Fellow of Engineering New Zealand and a Chartered Professional Engineer.
3. I am employed as General Manager City Services with CCC. I have worked in the role for the past two years.
4. I have been employed by the Christchurch City Council for four years, in the role of Facilities and Infrastructure Rebuild Director for two years followed by my current role as General Manager City Services. I have had a career in local government that has spanned in excess of 35 years predominantly in infrastructural engineering and senior management. The local authorities I have worked for include New Plymouth City Council, Taupo County Council, Rotorua District Council and Southland District Council.
5. As part of my current role I have responsibility for the land drainage and stormwater functions of Council including the operations, maintenance, planning and capital aspects of these services.

## **Summary of Evidence**

6. The purpose of this evidence is to explain generally how the Council provides land drainage and stormwater services so the people of Christchurch can undertake their normal lives in an environment where flood risk is managed appropriately, where flood risk is proactively reduced, and where stormwater is managed so that water quality within the natural waterways within the city is improved over time.
7. My evidence explains why the Council is seeking resource consent for the stormwater management activity at the level described in this Application.

8. I will also describe the Council's position on several crucial matters arising from the process of this Application, submissions, or the s42A report. Particular points are:
  - 8.1 I do not agree with the concept of a Technical Advisory Panel (TAP) determining the content of the Council's SMPs;
  - 8.2 Resource implications and cost/benefit assessments make the Council's proposed standards for water quality and quantity matters far preferable to the alternatives; and
  - 8.3 A consent duration of less than 25 years has a significantly adverse impact on the long term outcomes possible under this consent especially when balanced against the significant investment committed by Council on behalf of its ratepayers.
  
9. This evidence covers:
  - 9.1 The current situation for stormwater management by Council;
  - 9.2 Council's Future View for Stormwater and Waterways;
  - 9.3 Key high-level outcomes, objectives and deliverables that Council wants to achieve with this consent;
  - 9.4 Key components of the Council's Application;
  - 9.5 Balancing desired outcomes with resources and funding;
  - 9.6 Council's collaborative approach to the preparation of SMPs and associated documents;
  - 9.7 Collaboration and engagement with Canterbury Regional Council (Environment Canterbury);
  - 9.8 Consultation and engagement with Ngāi Tahu;
  - 9.9 Concerns regarding TAP involvement in Council activity under the proposed consent;

9.10 Duration of consent.

10. I have read and refer to amongst other documents, the following in preparing this evidence:

10.1 Christchurch City Council's Long Term Plan (LTP) 2018-2028, including the proposed strategic framework;

10.2 Christchurch City Council's infrastructure strategy 2018-2048;

10.3 Christchurch City Council's application for its comprehensive stormwater consent;

10.4 the evidence of other witnesses appearing on behalf of Christchurch City Council;

10.5 parts of the section 42A report prepared by Environment Canterbury;

10.6 Christchurch City Council Stormwater Drainage and Flood Protection and Coastal Structures Service Plans 2018 to 2028;

10.7 Christchurch City Council's Surface Water Quality Monitoring Report January to December 2017;

10.8 Relevant parts of the Environmental Canterbury Land and Water Regional Plan (LWRP).

### **Overview of the Application**

11. This Application covers issues that are some of the most challenging facing the Christchurch and Banks Peninsula community. The responsibilities for delivering the collective outcome of high quality waterways within these areas are spread over a number of organisations, industries, commercial identities, the general public and all those that use the public realm.

12. This consent is core for Council and will set the platform for the future as Council continues to develop its stormwater and land drainage programme. Conditions of approval of this Application will feed into future annual and long-term plans, infrastructure strategies and asset/activity management plans.

13. The proposed consent is constructed in such a way that it gives certainty regarding the continuation of and commitment to the journey which Council commenced many years ago, towards improved stormwater discharge quality and reduced flood risk. It also demonstrates commitment to the objectives and policies of the Land and Water Regional Plan while enabling adaptive management to ensure Council delivers maximum value to the environment and the people of Christchurch and Banks Peninsula.
14. The commitment which Council is making to providing stormwater infrastructural measures to improve both the quality and quantity treatment of stormwater is embedded in the consent. This is illustrated in the percentage reductions in contaminant load for the combination of treatment facilities and devices which are budgeted for in the current LTP. This provides an achievable but challenging rate of reduction in contaminants for the funding amount invested. The Council funding commitment to stormwater and land drainage management is \$1,097 million over the next 10 years.
15. In addition, Council sees the need to implement multi-faceted non-infrastructural measures including source control of contaminants, alongside the infrastructural measures, to effectively make ongoing improvements to stormwater discharge quality. Accordingly, Council is committed within the proposed consent to implementing a range of non-infrastructural measures.
16. This Application builds on good practice both nationally and internationally and reflects the need for partnerships so that the outcomes desired by all are aligned across the multitude of responsible agencies.
17. The consent provides a monitoring and reporting regime that enables all interested parties to track progress in an open and transparent way. Ongoing feedback and contributions from key stakeholders will ensure the adaptive regime can incorporate future best practice both in infrastructure and in non-infrastructural, innovative programs of delivery.
18. I strongly recommend this consent to the Hearings Panel in its entirety as it provides a way forward that is a “state-of-the-art” enabler supporting the aspirations of our community.

## Current Situation for Stormwater Management by Council

19. The current situation regarding stormwater management has resulted in large part from over 150 years of urbanisation since the onset of European settlement which at times in the more distant past had a stronger priority towards the control of quantity of stormwater rather than the quality as it passed through and was discharged from the network.
20. All of these factors and changes have formed the context within which Council currently must operate to meet its statutory obligations and community aspirations for the management of stormwater and the provision of services relating to it.
21. In addition to the legacy matters identified above, the current situation is also framed by the following factors:
  - Key environmental “state of health” and wellbeing indicators including those relating to science-based values and cultural values such as Mana Whenua/state of takiwa;
  - Adoption of a holistic approach to catchment management including the move under this Application to an integrated approach across city being applied to many management practices as opposed to individual catchment practices. Ongoing organisational engagement with Ngāi Tahu parties through multiple channels including the formalised arrangement via Deed<sup>1</sup> between nga runanga and CCC, with involvement from Environment Canterbury, including establishment of two key roles to be funded by CCC with support from Environment Canterbury and managed by Mahaanui Kurataiao Ltd.
22. Council recognises that the community wants improved waterways and that management of stormwater discharges is one of the key parts of enabling the recovery of waterway health and improvement.
23. These services contribute to fundamental community outcomes such as safe and healthy communities, healthy waterways, sustainable use of resources, valuing of

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<sup>1</sup> Refer to the Deed relating to the CCC application for the CSNDC, attached as Appendix 1

indigenous biodiversity providing a modern and robust city infrastructure networks, as well as making the city a great place for people, business and investment.

24. Council, through the conditions proposed under this consent, is committing to building on the legacy of the environmentally positive and proactive approaches to improving the quality - and quantity - management of stormwater discharges, which have been developed and implemented over the past 10 years or more.
25. As a result of the legacy issues within the current stormwater network, the receiving environment, the outcomes from the historical evolution of the infrastructure and development of the city's stormwater management regime as outlined above, the current situation with which the Council must plan to provide future stormwater management and services to the community is complex and very challenging.
26. Improved water quality is a cornerstone within Council's strategic directions and desired community outcomes (as described in the evidence of Ms Beaumont), which in turn are embedded in the LTP (capital programme, Infrastructure Strategy, Asset Management Plans, service plans, etc)<sup>2</sup> and these feed into appropriate Council staff members' own personal organisational development goals.
27. The stormwater management infrastructure programme is an extended and accelerated continuation of the strategy started over 10 years ago. This earlier phase of the programme, delivered in large part under the South-west and Styx SMPs, has already resulted in general reductions in a number of stormwater contaminant loads, as discussed in Mr Harrington's evidence on "contaminant loads".
28. The Council's current (2018-2028) LTP budgets \$39,775,000 of operational expenditure to deliver the stormwater service for the 2018/19 financial year. On top of this is a capital budget of \$35,159,000 for the same period<sup>3</sup>.

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<sup>2</sup> LTP Documents

<https://ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/plans/long-term-plan-and-annual-plans/ltp/>

<sup>3</sup> This information can be found in section 2 of Council's LTP which are notes to the financial overview. Further elaboration can be found in the detail of the LTP under the headings Flood Protection and Control Works and Stormwater Drainage.



29. Currently, very large stormwater quality improvement and flood management projects are being constructed on two of the poorer quality streams in Christchurch, Haytons Stream and Curletts Stream. These projects will provide dual stormwater quality and quantity management improvements, the latter resulting in a number of individual dwellings downstream in the Heathcote catchment having above floor flood risk removed in the design event.
30. There are also major projects underway to reduce sediment loads into Cashmere Stream and the Ōpāwaho / Heathcote River. Also within the LTP, funding is committed to major projects to improve water quality in two other city streams with high contaminant levels, Addington Brook and Riccarton Main Drain<sup>4</sup>. These projects are driven by Council, in addition to those facilities required by Council of developers as part of the management of water quality and flood effects from city growth developments, at very significant cost but with enormous multi-value benefits to the community.

### **Council's Future View for Stormwater and Waterways**

31. Underpinning Council's LTP are Council's strategic directions that are Council's focus for improvement over the next three years and beyond<sup>5</sup>. These strategic directions are embedded in the Council's planning documents within the LTP, such as Service Plans and the 30-year Infrastructure Strategy. These fundamental strategic directions are important in the context of land drainage and stormwater and to ensure that we have a vibrant and sustainable central city, a prosperous and innovative 21<sup>st</sup>-century Christchurch, to be a leader in regard to climate change, be informed in our proactive approaches to natural hazard risks and also to provide safe and healthy waterways.
32. Another foundation of Council's strategic direction in relation to land drainage and stormwater is its commitments to meeting its legislative requirements including those in the Resource Management Act (RMA). This is again documented within the Council's Stormwater Drainage Service Plan. This Application I believe firmly

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<sup>4</sup> Details of these can be found in the detailed Christchurch City Council's capital programme for 2018 to 28 which underpins a summary contained within Council's LTP.

<sup>5</sup>This is clearly stated within Council's Stormwater Drainage Service Plan that was confirmed by Council in March 2018.

demonstrates our commitment to meeting the requirements of both the RMA and the LWRP. This Application incorporates a number of specific strategies and approaches raised within the LWRP.

33. Over the next 10 years the LTP has stormwater management and land drainage budget allowances of \$316 million for operations and maintenance and a further \$678 million for capital improvements<sup>6</sup>. Over the 25 year period applied for in this Application Council is forecasting, within its infrastructure strategy, a capital expenditure of approximately \$2 billion. This is followed by another \$500 million in the five years following this consent term<sup>7</sup>.
34. To improve the overall status of our waterways from where we are at, to where we want to be, requires significant effort with a range of actions. These need to be applied to selectively-targeted areas and aspects where issues exist, through the coordinated efforts of a number of parties who have a level of control over achieving the final outcome. Examples include central government looking at legislation to restrict the importation and use of certain materials, and looking at potential changes to the Building Act, with regard to these materials. This is covered in detail in the evidence of Mr Norton, in his discussion on source control.
35. Without this vital linked-up approach, the improvement in the overall management of our waterways achieved to date simply would not have happened, and the improvement required into the future will not occur. A good historical example of this approach which is often quoted is removal of lead from petrol which helped remove this contaminant from the environment although the environmental recovery process is taking time to respond.
36. Within the evidence presented by Mr Thomas Parsons and Mr Eric van Nieuwkerk scenarios have been described and costed. This evidence will show that the proposed scenario contained within Council's application is optimised at a programme level and provides a plausible, realistic and deliverable best Practice Infrastructure Solution.

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<sup>6</sup>These figures can be found in volume 1 of Council's LTP under section 2 which are the notes to the financial overview.

<sup>7</sup> These latter two figures can be derived from Council Infrastructure Strategy 2018-48.

**Key high level stormwater outcomes, objectives and deliverables that Council wants to achieve with this consent**

37. The first major objective of this Application is consolidation into one omnibus consent all of Council's stormwater discharges across the city and in the settlements of Banks Peninsula. The discharges into Council's stormwater system and the discharges from the Council system are all managed under common systems, management and contractual arrangements, and therefore consolidation and consistency across all of the city and Banks Peninsula is important and vital to this Application.
38. The control of quantity and quality with regard to stormwater often need to go hand in hand to achieve optimal benefit and value.
39. This Application underpins one of Council's key performance standards for its stormwater network: to ensure that Council's stormwater management protects and enhances the natural environment - including ecosystems, natural and cultural landscapes, and freshwater - while managing natural hazards and promoting sustainability. This is captured within Council's Stormwater Drainage Service Plan.
40. A large number of the community aspirations around water quality are not solely under the control of Council. Although the Council has a significant role, there are other important stakeholders who will add to the overall delivery of these important values such as the Crown, industry and the general public. In this context, Council under this consent wishes the consent to provide a clear understanding of the role that Council plays in contributing to improving our waterways by clearly indicating what is possible for Council to control.
41. With regard to those matters that are under the Council's sole control, such as stormwater infrastructure construction and defined stormwater management regimes like street-sump cleaning, street sweeping and educational campaigns, the Council's objectives are clear (and are clearly stated in the Application). The outcomes expected are reflected in the Council's Stormwater Drainage Service Plan and are mirrored in this Application.

42. Parts of conditions 37 and 38 also illustrate where Council shows its strong commitment to improving the overall health of the City's waterway through actions which fall under the scope of this stormwater discharge consent. An example would be the commitment to investigate and if feasible to instigate a programme to quantify expected responses in the receiving environment to changes in network contaminant loads.

### **Key Components of Council's Application**

43. The structure of this consent includes both infrastructural solutions and non-infrastructural solutions and these are outlined below. Both infrastructural and non- infrastructural solutions are needed to achieve optimal control, mitigation and improvement of both stormwater quality and quantity. This optimisation is very important to the people of Christchurch as reflected in the significant number of submissions on the Council's LTP.
44. The infrastructural solutions are outlined in Council's application and are listed in detail in Council's Infrastructure Strategy and other LTP supporting documents. These solutions are very expensive. They also have no effect upstream of the structure where the stormwater network could include both piped and un-piped sections. However it must be noted that such solutions provide certainty of stormwater improvement and multi value outcomes, with most of the facilities serving a dual purpose of stormwater quality management and quantity management (flood management). Council has included firm targets for improvement of discharges in accord with best practice infrastructure measures, for the management of stormwater discharges as identified in condition 16 and Table 2 of the draft conditions.
45. The non-infrastructural solutions are identified in conditions 35 to 41 of the draft conditions. These solutions include monitoring and modelling, source control through education, street sweeping, auditing, cooperation and requests to other agencies including central government. This will ensure inter-related linked-up projects will fall where they are best managed. Examples include the control of both copper and zinc, where Council, Environment Canterbury and the Crown all have a role to play.

46. The control of stormwater volume and stormwater pollutants is best done at source. This has been known for a number of years and has been the subject of a number of papers including those produced by NIWA supporting a number of applications for the management of stormwater pollution across the country.
47. This consent incorporates this philosophy. The achievement of source control benefits over a sustained period of time can be challenging as they are dependent on the actions of third parties on a day-to-day basis whom Council has no direct control over nor the ability to continuously monitor. The effect on outcomes can contain uncertainties for example outcomes can vary depending on the extent of community uptake of an educational or behaviour change programme. This uncertainty, however, in no way denigrates the importance of these proposed non-infrastructure solutions, but does highlight the need for infrastructure measures as well as the non-infrastructure measures – they are complimentary, with the infrastructure measures providing overall greater controllability and certainty but at higher cost, and the non-infrastructure providing less controllability and certainty but less cost and potentially the greater improvement in stormwater quality, but with neither providing the whole solution. .
48. This Application incorporates what is considered the most cost-effective treatment options. Council believes additional capital expenditure would add significant absolute costs but would generate a low return in terms of contaminants removed per dollar spent. This will be further elaborated in Mr Harris's evidence. The Application has been developed considering a number of scenarios, with that scenario which is contained within this Application being considered the best from an infrastructure and multi-hazard investigation approach. This will be further explained in the evidence of Mr Parsons. Contaminant load modelling is a key component to this application and through this modelling we have been able to develop the strategies contained within this application showing that they will give the best value to the ratepayer. This modelling will be further outlined in the evidence of Mr van Nieuwkerk.
49. The necessary long term duration (I discuss this further later in my evidence) leads to the need for an adaptive management approach so that programs and approaches that are working well can be enhanced and those that are not can be

either modified or dropped. I understand that this approach is similar to that taken both nationally and internationally and is discussed further in the evidence of Mr Cantrell. This adaptive management approach, along with a long term of consent, is pivotal to the success of this consent.

50. I consider that by proposed condition 16 setting appropriate, firm modelled contaminant load reduction targets against a timeline, the Council has underscored its commitment to strive towards achieving the LWRP targets and community objectives.
51. A crucial tool for achieving the Council's aims with this consent is Council's management, as owner and operator of the stormwater network under the Local Government Act (LGA), of discharges from sites that flow into its network. Council already has a stormwater bylaw (referred to in the evidence of Mr Tipper). This bylaw can be used, and the Council can seek to change it if necessary through that LGA process, so as to deal with issues at the source rather than at the destination.
52. The consent aligns with the direction in the LWRP Policy 4.16A whereby operators of reticulated stormwater systems are responsible for the quality and quantity of all stormwater discharged from 1 January 2025. Council is currently proactively working with an extensive number of private landowners to ensure best management and infrastructure practice is utilised on all sites across the city. Ms Valigore's evidence provides further detail on this.
53. I recognise the need to plan for the inclusion under this consent of a number of currently excluded discharges to the stormwater network. At the hearing, the Council will be seeking amended proposed conditions to achieve the processes and standards needed to manage these discharges accordingly. Further, Council will be engaging with Environment Canterbury to effectively and efficiently manage the transition of these discharges from the Environment Canterbury consents to the Council's consent.

## **Balancing Desired Outcomes with Resources and Funding**

54. Council's application of resources and funding to individual activities such as stormwater management is not unlimited, by virtue of its mandate to prudently balance its allocation of overall available resources and funding to meet the full range of its obligations to the community and ratepayers as per section 14 of the Local Government Act 2002.
55. The setting of Council obligations, such as levels of service, and the associated funding allocations are influenced by ratepayer input, either through public consultation and submission processes such as for the LTP and Annual Plan or via elected member representation.
56. These significant funding allocations are therefore an important indicator of the community's strong desire to commit to the management of stormwater alongside its other activities.
57. I believe that the regime of investment in stormwater infrastructure that will be required by the proposed conditions of this consent achieves the sustainable management purpose of the RMA, the objectives and policies of the LWRP, and achieves the right balance between desired outcomes, practicability and affordability, and provides our ratepayers with the best return in terms of water quantity and quality management for dollars spent. This is supported by Mr Harris' evidence which shows that the currently planned stormwater infrastructure programme which is embodied in the current LTP provides the most cost-effective treatment options and any additional treatment beyond this would add significantly to the absolute costs and have low returns in terms of contaminants removed per dollar spent.
58. The development and maintenance of SMPs needs to similarly reflect this reasonable balancing of resources and funding with the desired actions and outcomes.
59. I acknowledge the need to update the three existing SMPs. This updating must be timed so as to dovetail-in with the effective use of Council specialists for the development of the remaining new SMPs. It is important that this be timed without

placing unreasonable demand on resources nor in a manner that would be to the detriment of other important activities, related to waterway health and other activities implementing this consent. I consider it imperative that the scheduling of the tasks associated with SMP development and any updates or reviews, results in a sustainable workload in this specialised area within our Planning team. This must avoid “peaks and troughs” in workload, and instead aim to provide a consistent level of deployment over time of the specialised staff involved.

60. The scheduling of SMP work must also interface with the Council input to the development of the Sub-Regional Plan, which will progress through to 2022. The Sub-Regional Plan process and outcome will most likely reference matters to which the SMPs relate. Council staff deployed on SMP work will therefore also be involved in the Sub-Regional Plan submissions and other related tasks. I expect that the Plan development process should be able to provide valuable information to the SMP development process, from stakeholder submissions in particular.
61. It is also important that the existing SMPs are updated in order of priority based on greatest stormwater management need. Priority must be given to those catchments where development is already occurring or imminent.
62. For these reasons the applicant is proposing change to the review dates for the existing SMPs proposed in condition 4 so as to enable incorporation of updates to the Southwest SMP in 2021, the Styx in 2023 and the Avon in 2025.
63. I do not agree with a recommendation in the S42A report that the SMPs be reviewed at 5 year intervals rather than the 10 year intervals proposed in the application, for the following reasons.
64. The 10 year review period is a maximum and does not preclude the incorporation of technological advancements, feedback from the adaptive management process employed under this consent and the like to the SMP at any time, with the due certification processes being applied (I note here that I agree with amending the proposed conditions to provide for certification of draft new SMPs by Environment Canterbury).



65. A 10 year interval is also consistent with the objective mentioned above, of maintaining a consistent level and composition of specialist resourcing in the Council which is dedicated to SMP tasks, whether these tasks be focused on development, update or review and amendment.
66. A further consideration which in my opinion supports the 10 year review interval is that improvements in stormwater quality via SMP implementation will be gradual. A 10 year interval will enable measurement and assessment of results, identification of trends and definition of reliable feedback into the next SMP review. Such assessment and feedback will also benefit from data obtained from SMP implementation over several cycles of the Implementation Plan which is to be provided at three-yearly intervals. This aligns with Council's adaptive management approach.

### **Council's Collaborative Approach to the Preparation of SMPs and Associated Documents**

67. SMPs are the basis of Council's stormwater management approach, because they are now catchment based which allows for the balancing of effects and mitigations on a broader scale. SMP development to date has been successfully based on the involvement of Council's highly competent and experienced specialists, supported by external experts where necessary. They also rely on highly regarded and industry-leading planning and design references and tools such as the Infrastructure Design Standard and the Waterways and Wetlands Design Guide.
68. The review process for SMPs proposed in the conditions includes engagement with all key stakeholders by staff and/or consultants early in the process, and consideration of all feedback. Picking up on some requests from submitters, I propose a change to the proposed condition 7 to require early engagement with the Zone Committee and Community Boards, to inform them of the particular SMP and the planned approach to developing or updating it..
69. I do not support the recommendation in the s42A report (as per sections 203 to 207) that there be a TAP that either determines the content of SMPs, determines

the content of Implementation Plans, or audits Council activity under conditions 37-38. The reason that I do not agree with that approach is that I consider the approach that Council has deployed in the past, utilising an appropriate mix of specialist staff and consultants, has produced excellent SMPs in an affordable manner. However, in order to address the thrust of the concern inherent in those recommendations, I suggest that it would be appropriate for there to be an addition to the proposed consent conditions that requires that Council implement a technical peer review of each draft SMP, and of each substantive change to an SMP. This peer review would then be attached to and responded to within a draft SMP, or within a substantive SMP change, when either is delivered to Environment Canterbury for certification.

70. The proposed requirement for submission of the draft SMP to Environment Canterbury for certification is an appropriate means of verifying that the SMP achieves the set requirements. This has been deployed successfully on both the South-west and Styx consents.
71. The WIM Group provides a means under the Protocol<sup>8</sup> by which senior managers from both Environment Canterbury and Council can provide guidance and where necessary “course correction” to stormwater management activity which is being undertaken. This has been and will continue to be an effective avenue for identifying and resolving stormwater matters of concern.
72. For these reasons, I am very supportive of the SMP review, certification (of both new SMPs and reviews of SMPs) and overview framework which is proposed in the Application, as it employs tried and proven methods which are proposed to be suitably reinforced through increased early community engagement.
73. I therefore consider that adequate assurance of suitable SMP outcomes exists within the framework proposed by Council, without the addition of a separate Technical Advisory Panel (TAP) which could add significant constraint, delays and cost to the progress of SMP development for questionable benefit.
74. I similarly consider that the framework for interaction of the community at large with the development and review of SMPs also already exists via the Water Zone

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<sup>8</sup> Refer to Appendix 3 of Ms Beaumont's evidence.

Committees and Community Boards. It is very appropriate and consistent that the same entity which will be facilitating the development of the Sub-Regional Plan – that being the Zone Committee – also facilitates such interaction with the development and review of SMPs. Mr Harrington's evidence discusses this on more detail.

### **Collaboration and Engagement with Environment Canterbury**

75. .A high degree of engagement and collaboration already exists between Environment Canterbury and Council at Governance level (Mayoral Forum, Councillors Forum, Zone Committees), strategic/senior management level (WIM, Operations Group, Engineers Group) and operational level (Stormwater Alliance Team and specific working groups). I strongly support this interaction and in fact see it as an essential part of achieving the best possible outcomes for stormwater management in the city and to most effectively meeting the outcomes sought under this consent.
76. Council will need to maintain close coordination with Environment Canterbury in the delivery of several processes which are required to support this consent. These include the transfer of sites currently covered by Environment Canterbury consent to this consent and addressing erosion and sediment control on construction sites. I believe the frameworks which exist for communication and collaboration between the two councils are ideal to facilitate this coordination.
77. It is my expectation that in order to achieve the desired outcome from the transfer of responsibility for some high risk sites which Council is committing to under this consent, Environment Canterbury will need to be actively managing the site-specific consents which they currently administer for these sites, in full accord with the conditions of those consents. It is in my opinion crucially important that Environment Canterbury ensures that at time of transfer those sites will be compliant with the requirements of their site- specific consent.
78. I agree with a recommendation in the s42A report (at paragraph 305) that Environment Canterbury needs to the retain an ability to become directly involved with individual sites in addressing non-compliance matters which remain after

Council has met its obligations under this consent and made reasonable endeavours to address these matters. The reason is that the enforcement powers available to Council under the Bylaw are limited, whereas the enforcement powers available to Environment Canterbury under the RMA may be more effective in this regard. This is a further area requiring ongoing close coordination between councils, further extending the collaboration and joint practices on construction site erosion and sediment which have been initiated over recent times (e.g jointly arranged training for staff from both organisations, as recently as October 2018 – referred to in the evidence of Mr Tipper).

79. Council is taking a proactive role in establishing a dialogue with Environment Canterbury on this matter, having raised it at a WIM meeting and proposed the establishment of a joint working party.
80. Areas in future where the two Councils could collaborate include community information and education relating to dog litter, feeding birds near waterways and the like.

#### **Consultation and Engagement with Ngāi Tahu**

81. Ngāi Tahu have a strong connection with the waterways of Christchurch. Consequently, Council has developed this consent in partnership with Ngāi Tahu by organising hui to explore the areas of commonality and the areas where alignment could be improved.
82. The application that Council has submitted, which Ngāi Tahu is not opposing, aligns the aspirations of Council in a manner that will deliver steady progress towards collective agreed outcomes while monitoring progress and taking a pragmatic approach as we move forward.
83. The alignment is embodied in the letter from Mahaanui to the Environment Canterbury and in the Deed which has been agreed between the parties and which is attached to this statement of evidence as **Appendix A**.

## Duration of Consent

84. One of the large items of deliberation in consultation with the Ngāi Tahu parties to the 2015 application by the Council was the duration of the consent. The Council had applied for the maximum term of 35 years. The Ngāi Tahu parties opposed the application and sought a much shorter term if consent was to be granted. Taking a partnership approach, and having regard to the other undertakings of the Council in the Deed, the Ngāi Tahu parties agreed that they would not oppose this application for a compromise shorter term consent of 25 years. Due to Council's large commitment of investment into this consent and the potential long reaction times to water quality improvement I consider that no term less than 25 years is appropriate under the RMA. From Council's perspective a shorter duration would not be appropriate as this consent commits Council to infrastructure and adaptive programmes of delivery investment that could not be justified over any shorter period.
85. When considering the appropriate duration of the consent there are a number of complex factors that need to be considered. They are:
- 85.1 the significant investment already made by the people of Christchurch and Banks Peninsula into the stormwater and land drainage network;
  - 85.2 the large Implementation and ongoing investment cost that this consent will impose on the people of Christchurch and Banks Peninsula requiring all concerned to ensure the investment generates value and provides for an adequate return;
  - 85.3 The opportunities for review under section 128 of the RMA throughout the life of the proposed consent and the specific review conditions which provide a 10 yearly review by Papatipu and six monthly reviews by Environment Canterbury for any adverse effect on the environment;
  - 85.4 the proposed conditions requiring the development of stormwater management plans, with regular review periods and a requirement to update to capture new technologies and developments;

- 85.5 the requirement to undertake extensive environmental monitoring, modelling and reporting;
- 85.6 the requirement to implement a program that investigates and implements methods to improve the management of stormwater quality and reduce stormwater effects on the receiving environment; and
- 85.7 the requirement to adopt the best practical option in relation to mitigation of effects on certain matters such as the effects of stormwater on water quality.
86. I consider that for this consent, with the adaptive management practices embodied within it, very large financial investment involved, long-term nature of the implementation a 35 year term would have been appropriate to obtain maximum possible benefit from the approach taken within the consent.
87. Such a term is not inconsistent with those applied to the recent Southwest and Styx consents, both of which were 35 years. A term any less than 25 years would be an impediment to managing these three important consents in an integrated manner.
88. However, I do acknowledge the reservations held by Ngāi Tahu regarding a 35 year duration. The agreement reached with the Ngāi Tahu parties to not oppose a 25 year term is well-founded on meeting the respective objectives of each party in a balanced way.
89. In closing, therefore I have no hesitation in reiterating my endorsement of the Christchurch City Council's application in its entirety as being an excellent way forward for both the communities and waterways of Christchurch and Banks Peninsula.

**DAVID PAGE ADAMSON**

**15 October 2018**

## Appendix A

### Mahaanui Letter and Deed



**Mahaanui  
Kurataiao Ltd**

Manawhenua Environmental Services

17 Allen Street, Central Christchurch, Telephone: +64 3 377 4374

Website: [www.mkt.co.nz](http://www.mkt.co.nz)

19<sup>th</sup> of September 2018

Bill Bayfield  
CEO Environment Canterbury  
200 Tuam Street  
P O Box 345  
Christchurch 8140

Tēnā koe e tē rangatira Bill,

Mahaanui Kurataiao Limited is a resource and environmental management advisory company established in 2007 by the six local Rūnanga to assist and improve the recognition and protection of mana whenua values in their takiwā.

Mahaanui Kurataiao Ltd has a general mandate to represent the interests of these Papatipu Rūnanga who hold manawhenua rights and interests over the lands and waters within their respective takiwā (from the Hurunui River in the north, to the Hakatere/Ashburton River in the south, and inland to Kā Tiritiri o Te Moana (the Southern Alps).

Mahaanui Kurataiao Ltd also provides commercial planning and environmental services to private clients and the general public.

I am Kaihautū/CEO and have been in this role for 3.5 years. My whakapapa links me to all six Rūnanga that Mahaanui Kurataiao works on behalf of. My role is to lead the organisation and to ensure that all aspects of Mahaanui Kurataiao are aligned with our Ngāi Tahu values.

In 2015 both Te Rūnanga o Ngāi Tahu (TRONT) and the six Papatipu Rūnanga submitted in opposition to the 2015 application for a global stormwater consent. In the intervening three years Christchurch City Council has engaged with the six Rūnanga through Mahaanui and has listened to and responded to concerns raised. Through a combination of changes to proposed consent conditions, change to the duration of consent sought, and funding of some independent water quality and mahinga kai expertise at Mahaanui, the Council has addressed the concerns initially raised by us to the extent that TRONT and Ngā Rūnanga do not oppose the amended application.

There are some gaps in the application and the Environmental Monitoring Programme about cultural targets and monitoring for them. I am satisfied that the proposed conditions of consent provide for those gaps to be filled appropriately when the newly funded position starts at Mahaanui next year.

This process has been a good example of how organisations such as Council can work with manawhenua to find a solution that works for both parties.

Heoi ano

Tania Wati  
Kaihautū/CEO  
Mahaanui Kurataiao



# **Deed relating to CCC application for Comprehensive Stormwater Network Discharge Consent**

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Christchurch City Council

Te Rūnanga o Ngāi Tahu

Te Ngāi Tūāhuriri Rūnanga, Te Hapū o Ngāti Wheke (Rāpaki), Te Rūnanga o Koukourārata, Ōnuku Rūnanga, Wairewa Rūnanga and Te Taumutu Rūnanga

Mahaanui Kurataiao Limited

Date: 21<sup>st</sup> September 2018

## **PARTIES**

Christchurch City Council (*Council*)

Te Rūnanga o Ngāi Tahu (*TRONT*)

Te Ngāi Tūāhuriri Rūnanga, Te Hapū o Ngāti Wheke (Rāpaki), Te Rūnanga o Koukourārata, Ōnuku Rūnanga, Wairewa Rūnanga and Te Taumutu Rūnanga (*Ngā Rūnanga*)

Mahaanui Kurataiao Limited (*Mahaanui Kurataiao*)

## **BACKGROUND**

- A TRONT is the iwi authority and the representative body of Ngāi Tahu Whānui.
- B Te Ngāi Tūāhuriri Rūnanga, Te Hapū o Ngāti Wheke (Rāpaki), Te Rūnanga o Koukourārata, Ōnuku Rūnanga, Wairewa Rūnanga and Te Taumutu Rūnanga (*Ngā Rūnanga*) are the papatipu rūnanga within Christchurch City.
- C Mahaanui Kurataiao is a resource and environmental management company established by Ngā Rūnanga with a general mandate to represent the interests of Ngā Rūnanga to assist and improve the recognition and protection of their mana whenua rights and interests in their takiwā.
- D The Council has applied to Environment Canterbury for a resource consent to discharge stormwater and contaminants in stormwater to land and water, including coastal water from the existing and future reticulated stormwater network within the area administered by Christchurch City Council (CRC 160056 now replaced by CRC 190445) (*Consent Application*).
- E TRONT and Ngā Rūnanga submitted in opposition to the Consent Application in February 2016.
- F The parties have been engaging on the Consent Application and related issues and wish to set out the agreement reached between the parties in this deed.

## **OPERATIVE PART**

### **1 Non-opposition**

- 1.1 In consideration for the Council complying with its obligations under clauses 2 to 5 of this deed, TRONT, Ngā Rūnanga and Mahaanui Kurataiao:
  - (a) have agreed to not oppose the Consent Application;
  - (b) will, if requested by the Council, provide evidence of this deed, or of not opposing the Consent Application, or of matters relating to the Consent Application at any hearing for the Consent Application; and
  - (c) will take no action under the Resource Management Act 1991 or any other legislation or regulation to oppose the Consent Application or any consent application in substitution for the Consent Application and nor will TRONT, Ngā

Rūnanga and Mahaanui Kurataiao procure any such action by any third party (including any local authority or governance body).

## 2 Term of consent

- 2.1 The Council has reduced the proposed term of the resource consent from 35 years to 25 years (*Term*).

## 3 Funding

- 3.1 If the Consent Application is granted for 25 years, the Council (with a contribution from Environment Canterbury) will provide annual funding to Mahaanui Kurataiao (or such other entity as TRONT and Ngā Rūnanga direct from time to time) during the Term for the following:
- (a) a full time employee to be engaged as an independent water quality specialist/monitor (*WQS*); and
  - (b) a part time employee to be engaged as a mahinga kai specialist (*MKS*),  
generally on the terms attached to this deed as Schedules 1 and 2 respectively.
- 3.2 Funding for the WQS will commence from 1 July 2019.
- 3.3 Funding for the MKS will commence from 8 October 2018.
- 3.4 The two employees provided for in 3.1 will be employed by Mahaanui Kurataiao (or such other entity as TRONT and Ngā Rūnanga direct from time to time), will be based at Mahaanui Kurataiao, and will be independent of the Council other than as set out in 6.1 and Schedules 1 and 2.
- 3.5 The initial funding amount for the WQS will be agreed on between the parties (and with Environment Canterbury) as soon as possible following this deed being signed and key details will be reviewed in accordance with clause 6.1.

## 4 Reporting

- 4.1 If the Consent Application is granted for 25 years, during the Term:
- (a) the Council will provide quarterly reports to Mahaanui Kurataiao (or such other entity as TRONT and Ngā Rūnanga direct from time to time) on the stormwater developments, projects and monitoring occurring under resource consent CRC 190445; and
  - (b) Mahaanui Kurataiao will provide quarterly reports to the Council on water related matters for which the funding in 3.1 is provided including but not limited to:
    - (i) projects/assignments undertaken;
    - (ii) achievements;
    - (iii) issues or constraints;
    - (iv) opportunities;

- (v) proposed future work; and
  - (vi) decisions required.
- (c) Templates for these reports will be agreed between Mahaanui Kurataiao and the Council.

## 5 Ongoing engagement

- 5.1 The Council will engage with Mahaanui Kurataiao (or such other entity as TRONT and Ngā Rūnanga direct from time to time) in relation to the Christchurch stormwater network and, in particular, the parties will meet annually to discuss upcoming works and the likely input required from Ngā Rūnanga over the next 12 month period.

## 6 Reviews

- 6.1 The parties agree that the following details will be reviewed one year after commencement of the funding provided under this deed and thereafter every three years for the duration of the Term:
- (a) the defined roles of WQS and MKS;
  - (b) the position description of those roles;
  - (c) the level of funding; and
  - (d) whether the parties' agreed objectives are being met.

## 7 Warranting regarding execution

- 7.1 Each party warrants that the signatory or signatories has or have the full authority of that party to bind that party to this deed.
- 7.2 Mahaanui Kurataiao also warrants that its signatory has the full authority to bind Ngā Rūnanga to this deed.

## 8 Variations

- 8.1 Any variation to this deed must be in writing and signed by all the parties to this deed.

**EXECUTION**

**Signed** on behalf of **Christchurch City Council** by two authorised signatories:

*[Handwritten Signature]*  
.....  
Signature

*Sara Louise Templeton*  
.....  
Print full name  
Councillor



*[Handwritten Signature]*  
.....  
Signature

*Michael John Davidson*  
.....  
Print full name  
Councillor

**Signed** on behalf of **Te Rūnanga o Ngāi Tahu** in the presence of:

*[Handwritten Signature]*  
.....  
Arihia Bennett  
Chief Executive Officer

*[Handwritten Signature]*  
.....  
Witness signature

*Katie McEwan*  
.....  
Full name (please print)

*Chief operating officer*  
.....  
Occupation (please print)

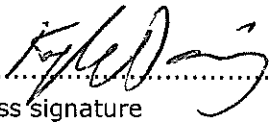


pp

*4 Fieldstone Ln*  
.....  
Address (please print)

**Signed** on behalf of **Mahaanui Kurataiao Limited** and **Ngā Rūnanga** in the presence of:



Tania Wati  
Chief Executive Officer

  
.....  
Witness signature  
.....  
Full name (please print)  
.....  
Occupation (please print)  
.....  
Address (please print)

**SCHEDULE 1 – INDEPENDENT WATER QUALITY SPECIALIST/MONITOR****Initial Funding Amount**

To be determined

**Appointment**

- (a) Position outline and advertisement to be based on the position description and be jointly developed and agreed between Mahaanui Kurataiao, Environment Canterbury and Council;
- (b) Appointment to be made by Mahaanui Kurataiao with Council representative on interview panel.

**Position Description**

*The position description is to be jointly developed and agreed between Mahaanui Kurataiao, Environment Canterbury and Council and is to include (but not be limited to) the following elements:*

- (a) Explore possible exchange of staff between organisations to promote better operational understanding;
- (b) Provide support to Council on the implementation of water-related consent conditions as may be requested by Council;
- (c) Review and comment on proposed Council programmes and projects for consistency with cultural values and consent compliance, such as the Comprehensive Stormwater Network Discharge Consent;
- (d) Develop and carry out programmes in coordination with CCC for mana whenua/cultural monitoring including for state of takiwa and for the monitoring and assessment of water related issues generally, and report on outcomes to CCC quarterly;
- (e) Contribute to Cultural Impact Assessments;
- (f) Contribute to development of Council programmes and projects;
- (g) Report to Council in accordance with agreed requirements;
- (h) Arrange meetings to agreed timetable and in accord with consent requirements;
- (i) Ensure delivery of outputs in timely manner and to agreed/stipulated timeframes;
- (j) Reporting on the activity of the Mahinga Kai specialist.

**Deliverables/Outputs**

- (a) Routine reports including quarterly reports;
- (b) Review reports/memos;

- (c) Monitoring reports.

**Qualifications**

- (a) Tertiary level qualification in science or a related field.

**Level of Experience**

- (a) Has a minimum of 10 years' experience in monitoring and /or management and reporting of state of takiwa monitoring and water-related matters;
- (b) Has established excellent networks and working relationships with Mahaanui Kurataiao, Ngā Rūnanga and Council.



**SCHEDULE 2 – MAHINGA KAI SPECIALIST****Initial Funding Amount**

\$25,000.00 per annum

**Appointment**

- (a) Position outline to be based on the position description and be jointly developed and agreed between Mahaanui Kurataiao and Council
- (b) Appointment to be made by Mahaanui Kurataiao with Council representative on interview panel[(if interviews required)] [unless otherwise agreed by Mahaanui Kurataiao and Council]

**Position Description**

*Position description to be jointly developed and agreed between Mahaanui Kurataiao and Council and is to include (but not be limited to) the following elements:*

- (a) Implement the interaction of staff between organisations to promote better operational understanding;
- (b) Provide support to Council on the implementation of water-related consent conditions as may be requested by Council. Review and comment on proposed Council programmes and projects for consistency with cultural values and consent compliance, such as the Comprehensive Stormwater Network Discharge Consent;
- (c) Develop programmes in coordination with Council to monitor and assess mahinga kai and related water issues, and report on outcomes to Council quarterly;
- (d) Contribute to Cultural Impact Assessments;
- (e) Contribute to development of Council programmes and projects;
- (f) Liaising with the WQS;
- (g) Reporting to the Chief Executive of Mahaanui Kurataiao;
- (h) Ensuring delivery of outputs in timely manner and to agreed/stipulated timeframes.

**Deliverables/Outputs**

- (a) Routine reports including quarterly reports;
- (b) Monitoring reports.

**Qualifications**

- (a) Community endorsed level of cultural knowledge and track record as Mahinga Kai practitioner.

**Level of Experience:** Minimum of 20 years' experience in the practice of Mahinga Kai.