

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

**SUMMARY OF EVIDENCE OF
CRAIG AARON PAULING FOR CHRISTCHURCH CITY COUNCIL
Dated 14 November 2018**

CHRISTCHURCH CITY COUNCIL
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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 am providing evidence for the Christchurch City Council (**Council** or **CCC**) in relation to:
 - the engagement process with Papatipu Rūnanga as part of the Comprehensive Stormwater Network Discharge Consent application; and
 - the concerns regarding tangata whenua values information gaps raised by Environment Canterbury officers in the s42A report.
2. Details of my qualifications and experience are provided in the evidence in chief.
3. 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.

BACKGROUND

4. My involvement with the Application began in late 2014 when I was approached by the Council to assist in discussions with Mahaanui Kura Taiao Ltd on how best to engage with Papatipu Rūnanga in relation to the Application.
5. This led to a multi-party approach involving:
 - Mahaanui (managing the overall process via a Rūnanga Working Party);
 - Boffa Miskell (with myself providing key technical advice and analysis to the working party); and
 - The development of Cultural Impact Assessments (**CIAs**) required for specific catchment SMPs undertaken by Rūnanga approved CIA writers.

PRE-LODGEMENT ENGAGEMENT PROCESS (June 2015 Application)

6. My role involved assisting Mahaanui and Council to organise and run hui with Papatipu Rūnanga representatives to introduce, explain and gain feedback on the application.

7. In total, three separate hui were held prior to the lodging of the June 2015 Application, including:
 - An initial hui in March 2015;
 - A site-visit of key facilities in May 2015; and
 - A follow up meeting in June 2015.
8. Following the hui, Mahaanui provided a summary of feedback to Council in June 2015 (attached as **Appendix A** to my evidence in chief).
9. This outlined a number of concerns relating to duration; the ongoing effects of direct discharges; monitoring; wāhi tapu/wāhi taonga (culturally significant sites); as well as the desire for ongoing involvement of Papatipu Rūnanga in stormwater management. It also suggested specific wording changes to the application.

CONSENT APPLICATION ADVICE AND INPUT (June 2015 Application)

10. As part of my role, 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.
11. 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).
12. My work on the June 2015 Application also involved providing advice on the consent conditions and the environmental monitoring programme, including consideration for 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.
13. I support the recommendation that a Mahaanui representation be on the WIM Committee, as referred to in Ms Beaumont's evidence.
14. 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.

15. 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 included an approach for ongoing involvement and partnership with Papatipu Rūnanga.

CULTURAL IMPACT ASSESSMENTS (CIAs)

16. My role also involved assisting Council in liaising with the Rūnanga approved CIA writer (K4 Cultural Landscape Consultants) for the Ōtakaro/Avon, Pūharakekenui/Styx and Huritini/Halswell catchment SMPs.
- The CIA for the Ōtakaro SMP was completed just after the original Application was lodged, and was subsequently provided to Environment Canterbury.
 - The CIAs for the Pūharakekenui and Huritini SMPs were completed in August 2015 and December 2016 respectively.
 - A further CIA was undertaken for the Ōpāwaho/Heathcote SMP by Tipa and Associates and completed in October 2016.
17. 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, including reducing the consent duration; ongoing involvement; cultural monitoring; stormwater treatment design and development and public education.
18. These issues have been worked through by Council and Papatipu Rūnanga through ongoing engagement, and most recently through an agreement reached in relation to the Application. Further details of the engagement process, and the recent agreement were provided in the evidence of Graham Harrington and David Adamson, and also outlined in parts 34-38 and 39-44 of my evidence in chief , and further below.

S92 FURTHER INFORMATION REQUEST & SUBMISSIONS BY TRONT AND PAPTIPU RŪNANGA (June 2015 Application)

19. I assisted Council with the section 92 further information request from Environment Canterbury, as well as the submission in opposition to the June 2015 Application filed by Te Rūnanga o Ngāi Tahu, and Papatipu Rūnanga.
20. As a result, Council included a commitment to continuing to work with Papatipu Rūnanga on these issues in their response (dated November 2015) and set about

undertaking a series of further hui, which eventually led to an agreement in relation to the Application mentioned previously.

ONGOING RŪNANGA-COUNCIL ENGAGEMENT AND COLLABORATION

21. The commitment of Council to continuing to work with Papatipu Rūnanga on the Application was fulfilled through a series of meetings that began in November 2016 and have continued to the present.
22. I attended the early meetings held in November 2016 and February, March and June 2017 which saw Council and Rūnanga work through outstanding issues around the consent and attempting to understand each other's key values and responsibilities, as well as trying to agree on a way forward.
23. 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.

AGREEMENT BETWEEN RŪNANGA, MAHAANUI AND COUNCIL

24. As noted previously, ongoing engagement and collaboration 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.
25. 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 have also been provided in the evidence of David Adamson.
26. I have read the agreement, 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.
27. 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.
28. 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.

29. 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.
30. 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.
31. Specifically, the agreement provides for:
 - 31.1 The ongoing involvement of Papatipu Rūnanga in stormwater management with Council in a structured way, with agreed resourcing and support;
 - 31.2 An agreed reduction in the duration of the consent from 35 to 25 years;
 - 31.3 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;
 - 31.4 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.
32. 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:

- 32.1 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
- 32.2 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).
33. 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

14 November 2018