

Josephine Laing

From: Shelander, Diane <Diane.Shelander@ccc.govt.nz>
Sent: Friday, 18 September 2020 5:20 PM
To: Plan Hearings
Cc: Pizzey, Brent
Subject: Christchurch City Council PC7 rebuttal evidence
Attachments: LWRP CCC Geoff Butcher Rebuttal 2020-09-18.pdf; LWRP Carter Rebuttal 2020-09-18.pdf; LWRP CCC Bridget OBrien rebuttal 2020-09-18.pdf; LWRP CCC Mike Thorley rebuttal 2020-09-18.pdf

Follow Up Flag: Follow up
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Kia ora,

Please find attached the Christchurch City Council's rebuttal evidence for Plan Change 7 of the Land and Water Regional Plan.

Attached is the rebuttal evidence of:
Geoff Butcher
Janice Carter
Bridget O'Brien
Mike Thorley

We will be filing Dr. Belinda Margett's rebuttal evidence soon.

Ngā mihi,

Diane Shelander MPH MEIANZ
Senior Policy Analyst/Environmental Scientist
Strategy & Transformation Group

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☎ 03 941 8304 027 225 0703
✉ Diane.Shelander@ccc.govt.nz
📍 Te Hononga Civic Offices, 53 Hereford Street, Christchurch
📦 PO Box 73012, Christchurch 8154
🌐 ccc.govt.nz

Christchurch
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Christchurch City Council

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**BEFORE THE CANTERBURY REGIONAL COUNCIL
HEARING COMMISSIONERS**

IN THE MATTER of the Environment Canterbury (Transitional
Governance Arrangements) Act 2016

AND

IN THE MATTER of submissions on Proposed Plan Change 7 to the
Land and Water Regional Plan and Proposed Plan
Change 2 to the Waimakariri River Regional Plan

**REBUTTAL EVIDENCE OF JANICE CARTER FOR THE CHRISTCHURCH CITY
COUNCIL**

18 September 2020

INTRODUCTION

1. My full name is Janice Carter. I am providing rebuttal evidence for the Christchurch City Council in relation to the evidence of other experts in respect to Plan Change 7 (PC7).
2. My qualifications and experience are set out in my evidence in chief (**EIC**) dated 17 July 2020.
3. Whilst this is not an Environment Court hearing, I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014. I have complied with the Code in preparing this evidence and I agree to comply with it in presenting evidence at this hearing. The evidence I give is within my area of expertise, except where I state that my evidence is given in reliance on another person's evidence. I have considered all material facts that are known to me that might alter or detract from the opinions that I express in this evidence.

SCOPE OF EVIDENCE

4. I have read the planning EIC of the planning experts and limit my comments to those that directly relate to concerns raised in my own EIC and the Christchurch City Council's (**the Council**) submission. My rebuttal evidence, therefore, is provided in response to the EIC filed by the following parties on 17 July 2020:
 - 4.1. Ms Bianca Sullivan for Waimakariri Irrigation Limited (submitter #349);
 - 4.2. Ms Jane Whyte for Meridian Energy (submitter #346).

MS BIANCA SULLIVAN

5. Ms Sullivan in her EIC at paragraphs 39-42 discusses the policy framework proposed for nutrient management in PC7. I agree with Ms Sullivan that there is limited policy focus on the water quality limits and targets. As expressed in my EIC at paragraph 77 there is poor connection between the policies and rules and Tables 8.5 to 8.9.

6. I therefore agree that a nutrient management policy that more appropriately references the limits and targets in Tables 8-5 to 8-8 is required in PC7. To that end, I support a hybrid version of Ms Sullivan's proposed new policy and amendment to policy 8.4.25 outlined in paragraph 41 and 42 of her EIC. The hybrid version I propose requires amendment to Policy 8.4.25 as contained in the s42A Report revised provisions and is as follows (clean version):

POLICY 8.4.25

Improve water quality in the Waimakariri Sub-region and manage risks of degraded water quality in waterbodies outside the Waimakariri Sub-region by:

- a. managing nitrate levels to achieve the targets and limits in Tables 8-5, 8-6, 8-7 and 8-8;
 - b. requiring, within the Nitrate Priority Area, reductions in nitrogen loss from farming activities (including farming activities managed by an irrigation scheme or principal water supplier) in accordance with Table 8-9, provided that any stage of reduction required is greater than 3 kg of nitrogen per hectare per year for dairy, or 1 kg of nitrogen per hectare per year for all other farming activities.
7. I include a full tracked changed version of Policy 8.4.25, as provided in the s42A report revised provisions, in Appendix 1 attached to this evidence.
 8. For clarity, my comments in respect to referencing Tables 8-5 to 8-9 in Policy 8.4.25 enable a more robust policy framework and support the Council's request to include targets for Christchurch groundwater quality in these tables, including limits for the Waimakariri River in Table 8.5 (0.1mg/L) and the Christchurch aquifers in Table 8.7 (1mg/L) as per my EIC at paragraph 42 and in the EIC of Mr Thorley.

MS JANE WHYTE – MERIDIAN ENERGY

9. At paragraphs 69-77 of her EIC Ms Whyte discusses the need for clear expression of the relationship between Schedule 8 and Sections 6 to 15 of the Canterbury Land and Water Regional Plan (**CLWRP**). I discuss this at paragraph 76 of my EIC and provide my interpretation of the relationship between Schedule 8 and Section 8 – Waimakariri when discussing the implications for the Christchurch deep aquifers (which lie outside the Waimakariri Sub-region in any case). I note other planning experts discuss the relationship in their EIC and point to similar lack of clarity (Mr Brass, Mr Feierabend). I agree with Ms Whyte that it would be appropriate to add an explanation to Schedule 8 to make it clearer that the Region-wide Water Quality Limits provided in the schedule only apply where sub-regional water quality limits or targets have not been established.
10. While I support including clarification on the relationship between Schedule 8 and Sections 6-15 of the CLWRP as intended, it also means it is important to include appropriate limits for Christchurch groundwater as requested in the Council's submission and as discussed in paragraph 76 of my EIC. It is preferable that these limits be included in Tables 8-5, 8-7 and 8-8 as requested, noting that the Council's submission also states that Schedule 8 limits should be lowered in line with up to date research on the effects of water quality on human health as discussed in paragraph 94 of my EIC and in the EIC of Dr Chambers.
11. I note that the s42A Report authors have consistently stated that inclusion of limits for the Christchurch aquifers in Tables 8-5 to 8-8 is outside the scope of PC7, as it relates to the Waimakariri Sub-region, while at the same time requiring land use regulation (to reduce nitrate losses) by farmers in the Nitrate Priority Area through Table 8-9 in PC7 to protect the Christchurch groundwater drinking water source. A limit for Christchurch deep aquifers has been used to calculate Table 8-9's

required nitrate loss reductions in Sub-area A (3.8mg/L, as per page 61 Kreleger and Etheridge, 2019¹).

Dated at Christchurch this 18th day of September 2020



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Janice Carter

¹ Waimakariri Land and Water Solutions Programme Options and Solutions Assessment – Nitrate Management, Report No R19/68, A Kreleger and Z Etheridge, May 2019.

APPENDIX 1: PROPOSED CHANGES TO POLICY 8.4.25

Black **bold and underlined** – my additions

Red ~~strikethrough~~ – my deletions

Policy 8.4.25

Improve water quality in ~~Nitrate-nitrogen-limits-for~~ the Waimakariri Sub-region ~~are-achieved,~~ and **manage** risks of degraded water quality in waterbodies outside the Waimakariri Sub-region ~~are-managed~~ by:

- a.** **managing nitrate levels to achieve the targets and limits in Tables 8-5, 8-6, 8-7 and 8-8;**
- b.** requiring, within the Nitrate Priority Area, reductions in nitrogen loss from farming activities (including farming activities managed by an irrigation scheme or principal water supplier) in accordance with Table 8-9, provided that any stage of reduction required is greater than 3 kg of nitrogen per hectare per year for dairy, or 1 kg of nitrogen per hectare per year for all other farming activities.