

BEFORE THE CANTERBURY REGIONAL COUNCIL

IN THE MATTER of a proposed plan
change under Schedule
1 to the Resource
Management Act 1991

AND

IN THE MATTER of submissions by **TE
NGĀI TŪĀHURIRI
RŪNANGA** and **TE
RŪNANGA O
AROWHENUA AND TE
RŪNANGA O NGĀI
TAHU** and **TE
RŪNANGA O NGĀI
TAHU, TE RŪNANGA
O KAIKŌURA, TE
HAPŪ O NGĀTI
WHEKE, TE
RŪNANGA O
KOUKOURĀRATA,
ŌNUKU RŪNANGA,
WAIREWA RŪNANGA,
TE TAUMUTU
RŪNANGA,
TE RŪNANGA O
AROWHENUA, TE
RŪNANGA O WAIHAO
AND TE RŪNANGA O
MOERAKI (collectively
NGĀ RŪNANGA) on
**PROPOSED PLAN
CHANGE 7 ON THE
CANTERBURY LAND
AND WATER
REGIONAL PLAN****

**RESPONSES OF TREENA LEE DAVIDSON TO HEARING PANEL QUESTIONS ON
BEHALF OF NGĀ RŪNANGA**

3 December 2020



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INTRODUCTION

1. On 30 November 2020, the Hearings Panel requested written responses to two questions, related to my evidence in chief, dated 22 July 2020.
2. I understand that the Panel has requested the following:
 - (a) Referring to paragraph [148] of my evidence in chief, I am to supply a table of other provisions where critical habitats are referred to (**Question One**).
 - (b) Referring to paragraph [152] of my evidence in chief, I am to address the scope for seeking setbacks from electricity generation assets (**Question Two**).

QUESTION ONE

3. At paragraph [148] of my evidence in chief I suggested that the policies could be reviewed to provide greater protection to life supporting capacity, ecosystem processes, and indigenous species and their associated freshwater ecosystems.
4. At paragraph [150], I provide suggested changes to the new water abstraction policy, Policy 4.61A.
5. The additional policies I recommend could have similar amendments [shown in bold, strikethrough or underlined] are:

Policy 4.31

Damage to the bed or banks of water bodies, sedimentation and disturbance of the water body, direct discharge of contaminants, and degradation of aquatic ecosystems and inanga and salmon spawning habitat **and Indigenous Freshwater Species Habitats ~~Critical Habitat of Threatened Indigenous Freshwater Species~~** is avoided by:

- a. excluding intensively farmed stock from lakes, rivers and wetlands; and excluding stock from within freshwater bathing sites listed in Schedule 6, salmon spawning sites listed in Schedule 17, Community

- Drinking-water Protection Zones for surface water takes as set out in Schedule 1, other sensitive water body areas; and the water body bed and banks closely adjacent to and upstream of these areas; and
- ba. excluding stock from inanga spawning habitat; and
 - bb. excluding stock from any **Indigenous Freshwater Species Habitats** ~~**Critical Habitat of Threatened Indigenous Freshwater Species**~~ ;
and
 - c. limiting access to wetlands, and the banks or beds of lakes and rivers to stock species that prefer to avoid water and at stocking rates that avoid evident damage.

Policy 4.101

Avoid the damage or loss of **Indigenous Freshwater Species Habitats** ~~**Critical Habitat of Threatened Indigenous Freshwater Species**~~ caused by sediment discharges, vegetation clearance, excavation and deposition of material, or other disturbance in, or on the bed, banks or riparian margins of, a surface water body.

QUESTION TWO

- 6. At paragraph [152] of my evidence in chief, I suggested that the 40 metre setback may not be applicable in all instances and that an approach that is more aware of the works required and their likely effects on the habitat are considered. The concern being that these effects would remove the indigenous freshwater species habitat protections that PC7 would afford.
- 7. I am not aware of the sites in question or if, for example, they are areas where, in order to maintain the site, regular earthworks take place. This means it is difficult to offer more specific relief (e.g. more specific alterations to maps for the habitats).
- 8. The Panel has asked about scope for more specific relief. In response to that, I note that the Ngā Rūnanga submission supported the approach to provide for increased protection of indigenous species.

9. The Ngā Rūnanga further submission on Topic A [page 4] also expressly opposed the relief sought by Meridian, Trustpower and Genesis to remove the Indigenous freshwater species adjacent to identified areas of their structures.
10. I consider the relief (at paragraph [152] of my evidence in chief) is within scope as it sits between retention of the areas as mapped with PC7 as notified, and the relief sought by Transpower, Meridian and Genesis seeking areas are removed from the maps.
11. However, if the Panel considers the recommendation I have made at paragraph [152] to be outside of scope, the preference of Ngā Rūnanga is to retain the areas as notified. It is likely the Plan would trigger a consent application and this process would then address the matters I raise.

Treena Davidson
3 December 2020