

STATEMENT OF EVIDENCE

In the matter of the Resource Management Act 1991

And a submission and further submissions on Proposed Waikato Regional Plan Change 1 – Waikato and Waipā River Catchments (PPC1)

Submitter's Name: Hamilton City Council (HCC)

Submission Number: 74051

Hearing Topic: **Part B – Outcomes: Objectives**

Type of Evidence: Supplementary

Witness: Paul Stanley Ryan

Date: 12 March 2019

Summary statement

1. This evidence changes the relief I seek in relation to Objective 3.

Personal statements

2. My full name is Paul Stanley Ryan. Please refer to my Rebuttal Evidence on “Part B – Outcomes: Overall direction and whole plan submissions” for my:
 - (1) Qualifications and experience;
 - (2) Endorsement of the content of HCC’s submissions and further submissions, except where stated otherwise in my evidence;
 - (3) Agreement to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014; and
 - (4) Reserved position with respect to the relief my Block 1 evidence seeks.

Abbreviations

3. Abbreviations and terms used in my evidence are explained in **Attachment A**.

Scope of evidence

4. My evidence changes the relief I seek in relation to Objective 3.

The relief I sought previously

5. In my primary¹ and rebuttal² evidence on “Part B – Outcomes – Objectives”, I sought the following relief, which is shown as further amendments to the version of Objective 3 recommended in the s.42A Report:

Actions ~~put in place and implemented~~ taken by 2026 to reduce diffuse and unconsented point source discharges of nitrogen, phosphorus, sediment and

¹ Paragraphs 37, 38, 40 and 41

² Paragraphs 10 and 11

microbial pathogens, are sufficient to achieve the short-term water quality attribute states in Table 3.11-1, while recognising that, because there is a lag between taking the actions and the receiving water quality improving, the short-term water quality attribute states in Table 3.11-1 may not necessarily be achieved by 2026.

6. A clean version of this is:

Actions taken by 2026 to reduce diffuse and unconsented point source discharges of nitrogen, phosphorus, sediment and microbial pathogens are sufficient to achieve the short-term water quality attribute states in Table 3.11-1, while recognising that, because there is a lag between taking the actions and the receiving water quality improving, the short-term water quality attribute states in Table 3.11-1 may not necessarily be achieved by 2026.

7. Since submitting my rebuttal evidence, I have discussed the above relief with Mr Chris Scrafton (representing Watercare Services Limited) and identified a deficiency with the above relief.
8. The deficiency relates to including reference to “unconsented point source discharges” in the objective³. This is inappropriate and unclear as there should be no “unconsented point source discharges”, other than those that might meet permitted activity standards, if any.
9. Accordingly, I seek the following alternative relief and that it replaces the relief that I seek at paragraphs 37, 38, 40 and 41 of my primary evidence and paragraphs 10 and 11 of my rebuttal evidence on “Part B – Outcomes: Objectives”:

Actions ~~put in place and implemented taken~~ by 2026 to reduce ~~diffuse and point source~~ discharges of nitrogen, phosphorus, sediment and microbial pathogens are sufficient to achieve the short-term water quality attribute states in Table 3.11-1. This objective applies to point source discharges consented or re-consented after 22 October 2016 and diffuse discharges. It is recognised that, because there may be a lag between taking the actions and the receiving water quality improving, the short-term water quality attribute states in Table 3.11-1 may not necessarily be achieved by 2026.

10. A clean version of this is:

Actions taken by 2026 to reduce discharges of nitrogen, phosphorus, sediment and microbial pathogens are sufficient to achieve the short-term water quality attribute states in Table 3.11-1. This objective applies to point source discharges consented or re-consented after 22 October 2016 and diffuse discharges. It is recognised that, because there may be a lag between taking the actions and the receiving water quality improving, the short-term water quality attribute states in Table 3.11-1 may not necessarily be achieved by 2026.

11. I note that the evidence of Ms Mary O’Callahan for Waikato Region Territorial Authorities (WARTA), seeks inclusion in Objective 3 of reference to where achievement of short term water quality attribute states (or goals) in Table 3.11-1

³ Paragraphs 37, 38, 40 and 41 of my primary evidence and paragraphs 10 and 11 of my rebuttal evidence on “Part B – Outcomes: Objectives”

should be measured, namely: “as measured at the identified state of the environment monitoring sites”⁴.

12. I am not opposed to Objective 3 being amended to identify that achievement of the objective will be measured at the state of the environment monitoring sites, provided that these sites are sufficiently downstream of any consented point source discharge to allow for reasonable mixing.

Paul S Ryan

HCC reference: D-2915127

Attachments

Attachment A: Abbreviations and Glossary

Attachment B: References

Attachment C: Relief Sought

⁴ Paragraph 7.23 of Ms O’Callahan’s Block 1 evidence

Attachment A**Abbreviations and Glossary**

HCC	Hamilton City Council
PPC1	<i>Proposed Waikato Regional Plan Change 1 – Waikato and Waipā River Catchments</i>
s.42A Report	<i>Section 42A Report: Proposed Waikato Regional Plan Change 1 - Waikato and Waipā River Catchments: Part A: Overview and Context. Part B: Overall Direction, Values and Uses, Science and Economics, Objectives, Limits and Targets.</i> Prepared for Waikato Regional Council by Matthew McCallum-Clark, Angela Fenemore, Adele Dawson (Incite) and Naomi Crawford and Alana Mako (Waikato Regional Council). (21 December 2018). Document # 13383130.
WARTA	Waikato Region Territorial Authorities

Attachment B**References**

- Hamilton City Council. (2 March 2017). Submission by Hamilton City Council on Proposed Waikato Regional Plan Change 1 – Waikato and Waipā Catchments.⁵
- O’Callahan, Mary Elizabeth. (22 February 2019). Statement of Evidence for Proposed Plan Change 1 to the Waikato Regional Plan – hearing of Block 1 topics.
- Ryan, Paul Stanley. (15 February 2019). Primary Evidence on PPC1 - Part B – Outcomes: Objectives.⁶
- Ryan, Paul Stanley. (26 February 2019). Rebuttal Evidence on PPC1 - Part B – Outcomes: Objectives.⁷
- Waikato Regional Council. (21 December 2018). *Section 42A Report: Proposed Waikato Regional Plan Change 1 - Waikato and Waipā River Catchments: Part A: Overview and Context. Part B: Overall Direction, Values and Uses, Science and Economics, Objectives, Limits and Targets*. Prepared for Waikato Regional Council by Matthew McCallum-Clark, Angela Fenemore, Adele Dawson (Incite) and Naomi Crawford and Alana Mako. Document # 13383130⁸.
- Waikato Regional Council. (2016). *Proposed Waikato Regional Plan Change 1 – Waikato and Waipā River Catchments*.

⁵ HCC reference: D-2361677

⁶ HCC reference: D-2884199

⁷ HCC reference: D-2901599

⁸ HCC reference: D-2862685

Attachment C

Relief Sought

13. Amendments to 3.11.2 Objectives:

Objective 3

Actions ~~put in place and implemented taken~~ by 2026 to reduce ~~diffuse and point source~~ discharges of nitrogen, phosphorus, sediment and microbial pathogens are sufficient to achieve the short-term water quality attribute states in Table 3.11-1. This objective applies to point source discharges consented or re-consented after 22 October 2016 and diffuse discharges. It is recognised that, because there may be a lag between taking the actions and the receiving water quality improving, the short-term water quality attribute states in Table 3.11-1 may not necessarily be achieved by 2026.

14. A clean version of this is:

Objective 3

Actions taken by 2026 to reduce discharges of nitrogen, phosphorus, sediment and microbial pathogens are sufficient to achieve the short-term water quality attribute states in Table 3.11-1. This objective applies to point source discharges consented or re-consented after 22 October 2016 and diffuse discharges. It is recognised that, because there may be a lag between taking the actions and the receiving water quality improving, the short-term water quality attribute states in Table 3.11-1 may not necessarily be achieved by 2026.