

## Queenstown Lakes Proposed District Plan, Te Pūtahi Ladies Mile Plan Variation

### Summary of Evidence of Michael Bathgate (on behalf of Kāi Tahu)

1. Kāi Tahu are broadly supportive of the Te Pūtahi Ladies Mile Plan Variation as part of a wider spatial plan and master plan process. The Kāi Tahu submission sought a number of amendments to better integrate Kāi Tahu values and improve outcomes for the natural environment (te taiao), many of which have been supported by the Section 42A author. My evidence focuses on the key matters raised by the Kāi Tahu submission, in particular the integration of Kāi Tahu values, blue-green networks and the approach to stormwater management.
2. My evidence examines the statutory and planning framework, particularly in relation to the relationship of mana whenua to te taiao and also the approach toward wai māori. I consider that the following aspects were under-emphasised or omitted in the section 32 and section 42A evaluations:
  - The expression of Treaty of Waitangi principles at a regional level;
  - The need to recognise and provide for the relationship between mana whenua and wai māori, including the effects on Kāi Tahu well-being where resources and values are degraded;
  - The need to have particular regard to the ability for Kāi Tahu to exercise kaitiakitaka;
  - The need to protect and restore the mauri of water, including the NPS-FM policy emphasis on improvement to water bodies and freshwater ecosystems;
  - The policy imperatives in higher order documents relating to stormwater management;
  - The mapping of the south-west margins of Waiwhakaata Lake Hayes, towards which the Te Pūtahi Variation area naturally drains, as a regionally significant wetland;
  - A ki uta ki tai or broader approach toward integrated management of all natural resources, noting also that the PORPS21 has articulated a (proposed) vision for the Clutha Mata-au freshwater management unit.
3. The cultural evidence of Jana Davis has articulated some core Kāi Tahu values, including mauri, kaitiakitaka and ki uta ki tai – particularly as they relate to the Waiwhakaata Lake Hayes catchment. Speaking as a Kai Tahu kaitiaki, Mr Davis discusses how the mauri of Waiwhakaata has been diminished and how a ki uta ki tai approach toward the catchment is required.
4. Enhancing and protecting blue-green networks is a Spatial Plan strategy that aligns with Kāi Tahu values relating to mauri, wai māori, kaitiakitaka and ki uta ki tai management. The Kāi Tahu submission sought relief to expand the concept of blue-green networks to reinforce:
  - that these should function as ecological corridors as well as providing open space;
  - the contribution that water-sensitive stormwater management solutions can make to the wider blue-green network;
  - the opportunities for incorporating indigenous biodiversity in urban design.
5. Most of the relief sought by Kāi Tahu in relation to blue-green networks has been accepted by the Section 42A author, with some apparent omissions as set out at para 51 of my evidence.

6. In relation to stormwater, the Kāi Tahu submission sought changes to emphasise the need for an integrated approach toward stormwater management and to give effect to the NPS-FM and Te Mana o te Wai. In broad terms, Kāi Tahu seeks:
- the protection of mauri and improvement to degraded water bodies;
  - the management of Te Pūtahi stormwater as part of a far wider catchment that includes upstream areas as well as Waiwhakaata/Lake Hayes and eventually the Mata-au/Clutha;
  - the use of natural or water-sensitive methods to attenuate and treat stormwater; and
  - stormwater management that provides ecological benefits within a blue-green network.
7. Much of the relief sought has been accepted by the Section 42A author, Mr Brown, helping to embed integrated stormwater management into Chapter 49 and 27 provisions. The Section 42A author has also inserted a related matter of discretion into subdivision rules, added a new information requirement and incorporated the Guiding Principles for stormwater management (from the master plan) into assessment matters.
8. Kāi Tahu relief relating to stormwater not accepted by Mr Brown is set out at para 68 of my evidence. The main relief not accepted was the inclusion of an integrated stormwater management network directly into the Te Pūtahi structure plan. An alternative approach proposed in my evidence was a non-complying activity status for subdivision not part of an integrated stormwater solution.
9. As highlighted in Mr Brown's rebuttal evidence,<sup>1</sup> all expert planners have agreed via conferencing on the need for an integrated stormwater system and broadly agree with the Section 42A amendments, with some further amendments to reflect the results of stormwater experts' conferencing. As an alternative to a non-complying subdivision activity status, the planners' JWS also supports the inclusion of provisions for consultation with affected upstream/downstream landowners and Kāi Tahu as affected parties in relation to stormwater management and the potential for limited notification of these parties.
10. Expert agreement on the requirement for an integrated system intended to soak all stormwater up to and including a 1% AEP event is encouraging and I support the amendments in Mr Brown's rebuttal evidence. However, I note that Kāi Tahu retain concerns that a piecemeal and fragmented approach toward development of Te Pūtahi could threaten delivery of an integrated system. To that end, the suggestion from stormwater expert conferencing of more detailed assessment and design material in the form of a Stormwater Management Guideline<sup>2</sup> is supported although it is unclear how this will be integrated into Plan Variation provisions.
11. The cultural evidence of Mr Davis challenges all parties involved in developing Te Pūtahi to collaborate in protecting and improving the mauri of all water bodies in the wider Waiwhakaata catchment. This challenge is an expression of Kāi Tahu kaitiakitaka. As my evidence demonstrates, the need to protect and restore the mauri of water as part of development is also required by higher order planning documents.

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<sup>1</sup> Rebuttal evidence of Jeffery Brown, 10 November 2023, paras 23-25

<sup>2</sup> Rebuttal evidence of John Gardiner, 10 November 2023, para 20