

Before the Independent Hearings Panel at  
Christchurch

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*under:* the Resource Management Act 1991

*in the matter of:* Submissions and further submissions on the Housing and  
Business Choice Plan Change (PC14) to the Christchurch  
District Plan

*and:* Qualifying Matter: Water Body Setback

*and:* **Holly Lea Village Limited**

*Submitter #49 and Further Submitter #2091*

Statement of Evidence of Ryan Brosnahan (Planning)

Dated: 31 August 2023

## STATEMENT OF EVIDENCE OF RYAN BROSNAHAN

### INTRODUCTION

- 1 My full name is Ryan Brosnahan, and I am a Consultant Planner at Resource Management Group Limited (RMG), a planning consultancy based in Christchurch.
- 2 I hold a Bachelor of Arts from the University of Canterbury, and a Master of Environmental Policy from Lincoln University. I am an intermediate member of the New Zealand Planning Institute and have over 8 years' experience working as a Resource Consents Planner at the Christchurch City Council and more recently as a Consultant Planner at RMG.
- 3 I have been engaged by Holly Lea Village Limited to provide expert planning evidence pertaining to the Water Body Setback Qualifying Matter as part of the Housing and Business Choice Plan Change (PC14) to the Christchurch District Plan.
- 4 I am familiar with the original submission and further submission made by Holly Lea Village (#49 and #2091) on 27 April 2023 and 1 July 2023 and the planning issues discussed in those submissions. I have been authorised by Holly Lea Village Limited to provide evidence on its behalf in respect of its original submission.

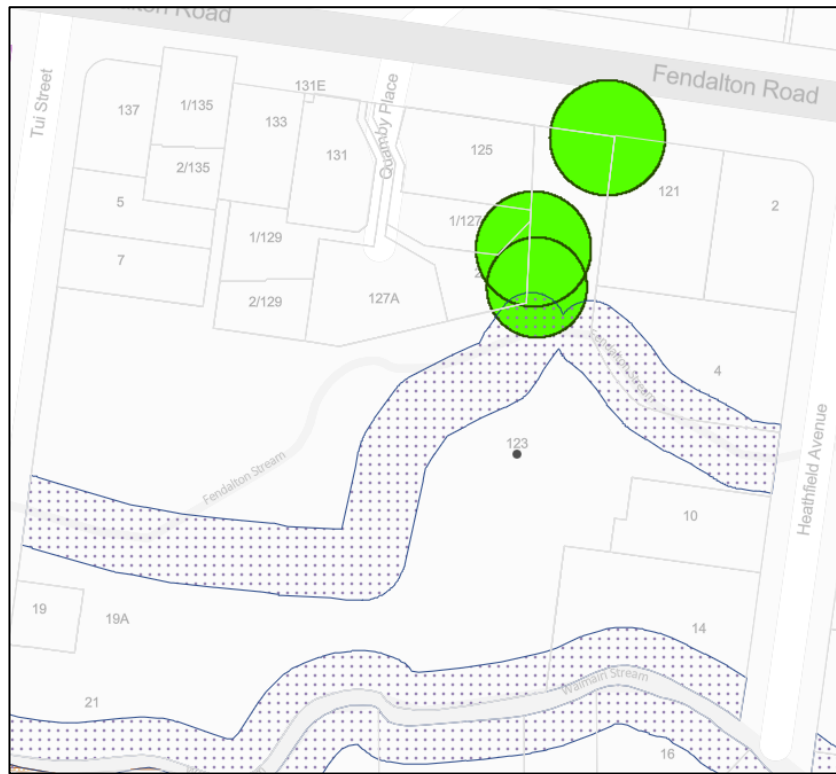
### CODE OF CONDUCT

- 5 Although this is not an Environment Court hearing, I note that in preparing my evidence I have reviewed the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. I have complied with it in preparing my evidence on technical matters. I confirm that the technical matters on which I give evidence are within my area of expertise, except where relying on the opinion or evidence of other witnesses. I have not omitted to consider material facts known to me that might alter or detract from my opinions expressed.

### SUBMISSIONS ON PLANNING MAPS

- 6 Holly Lea Village Limited made a submission (#49.1) seeking that the Planning Maps be amended to ensure that the Water Body Setback Qualifying Matter that intersects its site accurately reflects the current alignment of Fendalton Stream on the Planning Maps.
- 7 Part of Fendalton Stream underwent a realignment at 123 Fendalton Road, as authorised by resource consent (RMA/2020/2605). That realignment resulted in some areas of the stream remaining open and some piped, and a section of the stream being shifted slightly north-west.

The current alignment is accurately recorded on Council's Advanced Three Waters Asset Network Map<sup>1</sup> and is also shown (in light grey) on the Planning Maps for PC14 but is not reflective of the proposed qualifying matter (see the blue dotted area shown on Figure 1 below).



**Figure 1:** Discrepancy in planning maps between qualifying matter and alignment of Fendalton Stream (Source: PC14 Planning Maps)

## STATEMENT OF EVIDENCE

- 8 I have read the Council Officer's Section 42A Report (s42A Report) prepared by Ms Anita Hansbury which addresses the Water Body Setback Qualifying Matter and recommends that Holly Lea Village Limited's submission be accepted in part.
- 9 Ms Hansbury has recognised generally in her s42A Report that not all waterways are accurately mapped and considers that setbacks are therefore more appropriately managed by the existing operative plan provisions which allow for ground-truthing of the waterway and banks position in situ, than through a qualifying matter with a defined extent. On this basis, Ms Hansbury has recommended that the Water Body Setback Qualifying Matter be removed.<sup>2</sup>
- 10 I am in general agreement with Ms Hansbury's report and recommendation but seek two

<sup>1</sup> <https://ccc.govt.nz/services/water-and-drainage/three-waters-advanced-asset-network-map>

<sup>2</sup> Council Officer's Section 42A Report, 6.19.4 - 6.19.5.

points of clarity.

- 11 Firstly, in her report, Ms Hansbury refers to a submission by *79.1 Andy Hall* seeking that the planning maps at 123 Fendalton Road are amended to ensure the Water Body Setback Qualifying Matter accurately reflects the current alignment of Fendalton Stream.<sup>3</sup>
- 12 It is evident that Ms Hansbury has incorrectly referred to another submitter in this case and her statement should refer to *49.1 Holly Lea Village Limited*. I have read the submission by *79.1 Andy Hall* which confirms my position. Therefore, Holly Lea Village Limited seeks that this statement is verified by Ms Hansbury at the hearing.
- 13 Secondly, in her section on ‘submissions with recommendations’ contained in Appendix Three of her s42A Report, Ms Hansbury accurately refers to the correct submission of Holly Lea Village Limited, but her recommendation is to ‘accept in part’. It is unclear as to what ‘in part’ means in this case as she has not discussed this in her report.
- 14 While Holly Lea Village Limited recognises that Ms Hansbury’s recommendation to remove the Water Body Setback Qualifying Matter would address its submission, it seeks to clarify that its submission only sought an amendment to the alignment of the Qualifying Matter in the Planning Maps, it did not seek the removal of the Qualifying Matter in its entirety from the site at 123 Fendalton Road.
- 15 Therefore, Holly Lea Village Limited seeks that Ms Hansbury’s recommendation is clarified to ensure it accurately responds to the relief sought in its original submission, in the event that Ms Hansbury’s broader recommendation to remove the Water Body Setback Qualifying Matter is not accepted.

## CONCLUSION

- 16 In conclusion, Holly Lea Village Limited seeks clarity on the two matters above and seeks the relief that the Planning Maps be amended to ensure that the Water Body Setback Qualifying Matter accurately reflects the current alignment of Fendalton Stream at 123 Fendalton Road.
- 17 For the reasons outlined above, I consider that the relief sought should be accepted by the Panel.

Dated: 31 August 2023

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<sup>3</sup> Council Officer’s Section 42A Report, 6.18.2: Table 2; 6.19.12.

*Ryan Brosnahan*

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Ryan Brosnahan