

**BEFORE A HEARING PANEL
CONSTITUTED BY NELSON CITY COUNCIL**

IN THE MATTER

of an application by **CCKV Maitahi Development Co LP** and **Bayview Nelson Limited** for a change to the Nelson Resource Management Plan (Plan Change 28)

IN THE MATTER

of Part 5 and Schedule 1 of the Resource Management Act 1991

**VERBAL SUMMARY STATEMENT OF JOSH MARKHAM
(FRESHWATER ECOLOGY)**

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Verbal Summary Statement

- [1] My name is Josh Markham. I am an Ecologist with over 10 years' experience undertaking and contributing to many ecological investigations within freshwater and terrestrial environments across New Zealand. In this time, I have worked in design and construction teams on multi-disciplinary projects, regional council technical reviewer for resource consent and have undertaken technical compliance for large earthwork and streamwork projects.
- [2] I prepared a statement of evidence and rebuttal evidence relating to the potential effects of Proposed Plan Change 28 (PC28) in terms of Freshwater Ecology. These included matters in terms of the current ecological value, the riparian margin and proposed realignment of the lower Kākā Stream.
- [3] I do not require any corrections or additions to be made to my submitted statements.
- [4] I was involved in pre-hearing informal discussions and conferencing on ecology matters with Tanya Blakely (ecologist engaged by Nelson City Council (NCC)) and Roger Young (ecologist engaged by Save the Maitai Inc. The conferencing resulted in the Terrestrial and Freshwater Ecology Joint Witness Statement ("Ecology JWS") dated 13 May 2022. I have read their statements of evidence in relation to freshwater ecology matters.
- [5] The pre-hearing informal discussions and conferencing has been positive and lead to an iterative process reflected in the illustrative masterplan and the Kākā Stream cross section being developed and present by technical experts Hugh Nicholson (Urban) and Tony Milne (Landscape). The PPC28 proposal and now updated PPC28 proposal is the result of collaboration of a multi-disciplinary and integrated design.
- [6] Furthermore, a framework of rules /provisions as set out in the updated Schedule X.9 reflects best practice and will guide future subdivision consents resulting in what has been envisaged through this process.

- [7] As reflected in my evidence and rebuttal evidence and based on the existing environment, I still retain the opinion that proposed updated PPC28 application will result in positive ecological and biodiversity outcomes for the Kākā Stream and Maitahi/Mahitahi River.
- [8] From my perspective, I believe comments within Ms. Tanya Blakely's addendum evidence have been addressed and that any matters of disagreement are very close to being resolved if not resolved already.
- [9] I believe, the only outstanding matter that hasn't been resolved is the incorporation of a minimal riparian width in which no impervious surfaces or other structures should be built within. At this stage of the process and without detail design been undertaken I believe that such a restriction could result in unintentional consequences resulting in poor design (landscape, urban, water sensitive design) or ecological outcomes (terrestrial and freshwater). Provisions in the updated Schedule X.9 reflect best practice in terms of design principles and should be relied on rather than a set width in which structures are not able to be built within.
- [10] In summary, the information contained in the updated PPC28 proposal, in evidence and rebuttal evidence of other experts combined with the framework of rules / provisions set out in the updated Schedule X.9 provides sufficient information for the proposed plan change and will result in positive ecological and biodiversity outcomes.
- [11] I am pleased to answer any questions about my Evidence.