

BEFORE THE

Canterbury Regional Council

IN THE MATTER OF:

The Resource Management Act 1991

AND

IN THE MATTER OF:

The Proposed Canterbury Land and
Water Regional Plan

**Response to Hearing Group 1 Fish and Game questions of clarification
to Environment Canterbury**

Responses to questions 1-3 by Matthew McCallum-Clark.

Responses to questions 4-6 by Adrian Meredith.

Question 1 - The question of clarification is, what is the difference between the role of Table 1 (a – c) in the pCLWRP and Table WQL5 in the NRRP?

Response: Table 1(a-c) and Table WQL5 sit within quite different objective and policy frameworks. Table WQL5 is referenced primarily through the key water quality objectives in the NRRP, and is also referenced in a small number of policies. Table 1(a-c) is referenced at a policy level in the pLWRP, and is supported by a range of other objectives and policies. The “purposes of management” referred to in the preamble to the question have been covered, to the extent that was considered appropriate, in other objectives and policies and, in Table 1a, additional criteria applying to all rivers. However, it is noted that the “purposes of management” concept does not exist in the pLWRP.

Question 2 - The question of clarification is, were any additional technical reports relied upon to set water quality objectives and standards in the pCLWRP other than what was prepared for the NRRP?

Response: Any additional information and reports relied on are listed on pages 219-220 of the Section 32 Report, or are included as Appendix 1 of the Section 32 Report. A further report utilised

was Beech (2012) to reinforce the debate and issues over the threshold of sediment size to be taken into account (<2mm rather than <0.0625mm) in the fine sediment criteria.

Question 3 - The question of clarification is, which water quality related provisions are assessed by previous section 32 assessments and which provisions are assessed by the section 32 report prepared for the pCLWRP? Which section 32 reports are specifically relevant to which provisions in the pCLWRP?

Response: The Section 32 Report for the pLWRP is complete, in that it assesses all provisions of the pLWRP. The provisions are typically grouped into topic areas, rather than being dealt with individually. Under each topic area the relevant objectives, policies and rules are listed, and the policies and rules are then considered as a group with respect to efficiency and effectiveness and the required overall assessment. The NRRP Section 32 Reports contain important information that has formed the basis of some of the policy positioning. In this regard, the Variation 1 reports on Chapters 4 to 8 of the NRRP, dated July 2004, are particularly relevant.

Question 4 - The question of clarification is, if ECan is to measure cumulative effects of non point source discharges against a target or objective for that river, don't those types of parameters need to be in Table 1a rather than just in Schedule 5? Is there any other provision in the plan that includes these parameters for the measuring of cumulative effects of non point source discharges? If not, how could plan achievement in respect of these cumulative effects be measured?

Response: The question appears to assume that the Schedule 5 guidelines only apply to “point source discharges”. The three references cited in the pLWRP are to point source situations, but they can equally apply to non-point source discharges such as between upstream and downstream portions of a property boundary, and/or in cumulative situations down a river. Any point source or non-point source discharge will be assessed against not only its contribution of contaminants, but also the background (cumulative) degree of contamination. Because they can be used in this way does not necessitate them being in Table 1(a-c). Table 1(a-c) are high level outcomes against which the LWRP will be monitored and are observable and can be readily discussed and understood by stakeholders and the public.

Question 5 - If algal biomass and cover are outcomes in Table 1a, how will these outcomes be met if there isn't associated nutrient limits set to meet these outcomes?

Response: Tables 1(a-c) are high level outcomes sought by the LWRP. It is the range of rules, including Schedule 5, which will give rise to the controls and interventions that will enable the outcomes to be achieved by the LWRP.

Question 6 - The question of clarification is, can you clarify whether you support changing the QMCI indicator in Table 1 to a single figure?

Response: The observation is correct that there is an apparent contradiction in my advice. I do believe that the 'ranges' in the QMCI values are not helpful because it is uncertain how a range is to be interpreted and used. I do advise that a single number is more appropriate and that this will be a recommended change to the table to be addressed as a part of the Council Reply.