

## Submission on Draft Land and Water Regional Plan

Presented by Dr Bruce Allan following a brief intro by Sven Johnston ,

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The Orari River Protection Group (*Incorporated*) has over a hundred members, made up of a cross-section of the local community , including:

Trades-folk, business professionals, farmers, teachers, scientists, recreationists... So we are a diverse and well informed group.

For example – I was born and raised in the area and have over 30 years experience as a research scientist focusing on high country and NZ Eastcoast dryland farming. My doctorate is in grazing management of tussock grasslands.

The Group was established in 2003, by concerned members of the community, to provide long-term protection of the environmental, recreational, and aesthetic values of the Orari River and its catchment.

We would like to reiterate that our group has been part of the Canterbury Water Management Strategy from the beginning, and before that was instrumental in initiating the Orari River Integrated Catchment Management process in 2004. Because of our involvement in these processes, (*in addition to **active involvement in the catchment, such as ongoing weed and predator control projects and bird surveys***) and the fact that many of us are long-term residents of this catchment, we are very informed and aware of the rapid and significant changes with regard to both water **quality** and **quantity** as a result of land-use in this region.

We are generally in support of this Land and Water Regional Plan, its objectives and its direction, as we understand them. The document has flagged a number of regional issues that need urgent redress. CRC indicates that it is aware of many of the issues of water degradation and over-allocation and that it justly seeks to address these.

This presentation focuses on 3 aspects:

- 1      *General comments*
- 2      *Specific comment on Region-wide rules (Section 5)*
- and 3      *Comment specific to the Orari (Section 14)*

### 1 General...

Firstly, with regard to the physical document, we are disappointed that hard copies were not available to community groups without considerable outlay on

their behalf. The document was very difficult to assess, and work off, in a digital format, and we are concerned that we have missed issues that we may well have wanted to comment on. This is an example of a significant barrier to public engagement.

### **Concerns about the CWMS so-called ‘collaborative approach’**

As a community group we stand to gain nothing financially by being part of the CWMS, unlike the majority of appointed Zone representatives. We are making a huge commitment which costs us in terms of sacrificed earnings, time and travel costs. We are weary from many years of sacrificing our time and effort, flagging issues and seeking action from CRC (which is in effect CRC’s job), whilst the degradation of our natural resources continues at an unprecedented rate. Many groups like ours feel an increasing level of disenfranchisement and we worry that the so-called collaborative approach will, in future, involve only those who stand to gain financially short-term, rather than those with more intergenerational vision. The wider community should be able to trust the planners and regulators to prevent the disgraceful destruction and degradation that is taking place to our natural resources in this region.

The Canterbury plains have been successfully farmed according to natural land and climatic resources for over 150 years. **The recently developed and very convenient term “water short” is promoted for short-term profit maximisation, not sustainable farming.**

Although we agree with the intent of the CWMS, the reality is that it’s very much skewed towards infrastructure ‘development’, however inappropriate, rather than the actual agreed principles and targets of the CWMS. When we bought into the CWMS ‘new water’ was sold to us as ‘drought protection’. In reality more water will only be used to feed a water-hungry industry in a ‘water short’ (CWMS words, not ours) region.

There are no elected CRC representatives and all members of the Zone committees are appointed so the process is inherently undemocratic. We agreed to be part of this simply because there was no other alternative.

### **Water quality**

Our group participated in the development of the Flow and Allocation Plan for the Orari River Catchment (Section 14). Over-allocation in terms of **water quantity** is not being effectively addressed in spite of people and groups such as ours repeatedly raising the alarm. *(Rule 14.4.6 for example does **not** address over-allocation of water in the Orari catchment, as claimed).*

However, we need to point out that we were disappointed that **water quality was not permitted to be included within the scope of the Flow and Allocation Plan. We believe the two are inextricably linked.**

We would like to refer you to the first 3 words in the Section 42A Vol 3 report underpinning the wonderful photo of the braided upper Rakaia : “*everything is connected*”. We question CRC’s sincerity in using these words to front the report.

Over-allocation in terms of quality (rivers and domestic wells) needs to be dealt with effectively and **needs to be dealt with now**. A compromise approach, leaving water quality to be dealt with separately won’t work. Consents should not be granted for more intensive farming operations in areas zoned red for water quality simply because the money on the infrastructure has already been spent. If we continue to intensify, in spite of continuing degradation of water quality the problem will continue to get worse , with a progressively bigger and bigger mess to clean up.

**As such the flow and allocation for each section should not be the default level as advised in Section 5, 5.2. There must be a provision whereby minimum water quality overrides the quantity allocations under the proposed Section plans.**

That said, (with view to **5.2 of general rules Section 5**) in order to effect real protection for our natural resources as implied by the vast majority of Objectives in Section 3. It is imperative that clear, quantitative and qualitative **over-all minimum standards** are set in the LWRP to guide the ‘collaborative’ catchment groups and Zone committees. These standards must then be enforced with rigour.

### **Enforcement**

There is much talk about the ‘carrot and stick’ in Zone Committee meetings, on the basis that encouragement works better than enforcement. This does not work in the rest of society so why should it work with regard to CRC infringements. Clear rules and minimum standards must be enforced with rigour. If CRC really wants to see improvements there must be little room for ambiguity.

## **2 Comments on the specifics of LWRP**

We have submitted comment - many in support - for many of the region-wide rules, and I have checked the “*Summary of Decisions requested doc*”. to ensure they have been included. I will only refer to the ones where we have additional comment and/or concerns....

**5.2 Sub-regional rules should not prevail over region-wide rules,** particularly when there continues to be water quality issues. Over-allocation has a compounding and detrimental effect on water quality; and the increased nutrient run-off that comes with greater intensification will require larger quantities of water to provide a dilution effect. **Water quality was not factored into the flow and allocation sub-regional plans.**

### **Farming.**

ORPG strongly supports the intent of the, long over-due, rules regarding farming practices and nutrient management. However, we have also concerns about the potential build-up of toxic substances in the soil (cadmium for example). This may not be an issue for this region at present, but continuation of present intensive farming inputs will lead to serious issues in the future. This must be considered before it is too late as the build-up of many such toxins in the soil is irreversible.

**5.81** The use of land, including the bed of a lake or river, for the installation, maintenance and use of a bore for hydrocarbon exploration or production (fracking) should be a **prohibited** activity until such time as risks are assessed by an independent review. (eg Parliamentary Commission for the Environment)

### **Flow Sensitive Catchments**

**5.109** Plantation Forestry should be a prohibited activity in areas of High Naturalness. Plantation forestry is known to seriously deplete available water. There is also considerable risk of the proliferation of wilding trees, which will exacerbate water depletion.

The protection and restoration of indigenous tussock land in the water-generating headwaters of catchments should be an urgent priority. Tussock is well documented for its ability to hold water and even generate water from mist. Given these qualities its protection should be paramount.

### **Gravel extraction, river maintenance work and braided river birds**

**5.125** The plan needs to recognize the critical time for braided river bird breeding and so activities should be prohibited (or discretionary incase of emergency) between end of August and beginning of February. Further to this all gravel extraction should be prohibited (excepting in emergency situations) in the vicinity of nesting colonies, as determined by a suitably experienced and qualified ornithologist. **CRC has a poor track record in relation to river works in the Orari.**

## Wetlands

**5.135** only recognizes visual effects, should also include increased nutrient run-off. This may not be visible at point but may well a significant down-stream effect.

### **5.150 etc (Vegetation clearance)**

**Significant Indigenous** vegetation needs special recognition. The clearance/burning of any indigenous vegetation should be a restricted activity and publicly notified in all areas.

Indigenous vegetation clearance/burning should be a prohibited activity in areas of High Naturalness.

## **3 Section 14 - Orari-Opihi-Pareora sub-regional section**

### **Orari mouth**

ORPG would like to see some protection afforded the Lagoon at the mouth of the Orari and its environs. This is an area rich in bird life and is also habit for the threatened Katipo spider.

### **Orari tributaries**

The introduction to Section 14 contains the statement “Given the lack of hydrological data and scientific understanding with the upper section of Coopers Creek and the Upstream Ohapi, mainstem minimum flow will apply to users in this catchment”. If in fact there *is* a lack of hydrological data and scientific understanding *and* there continues to be clear evidence of the further deterioration of Coopers Creek in terms of water quality and quantity, then CRC should be erring on the side of caution and a more appropriate monitoring site, specific to that tributary, should be required, rather than the possibly unrelated main-stem. Coopers Creek should be the same as Rhodes Stream where due to lack of hydrological data “the minimum flow and allocation regime is proposed to remain unchanged until a more complete hydrological understanding is obtained. Therefore the status quo is to remain in place in this Plan with the addition of a conjunctive use zone”.

**14.7** The Orari, above the mouth of the gorge, should be included as a Flow Sensitive Catchment **as well as the already recognised catchment of ‘High Naturalness’ (NRRP)** (*point out correction required in the “Summary of decisions requested doc” section: 14806*). The catchment requires the ultimate level of protection in order preserve both water quality and to optimize available

water quantity available to downstream users. The natural character of the upper catchment and predominance of indigenous tussock grassland also does much to regulate flow variability, soaking up water in times of flood and releasing it slowly in times of drought so benefiting all down-stream ecology and water users. Any compromise of this vegetation **will** impact on available water. As upper catchment properties go through the Tenure Review process this area of indigenous vegetation is already being compromised.

**14.8** ORPG agrees with the bullet points under Outstanding and Significant Characteristics, but would further like to include a third bullet point recognizing **the considerable area of indigenous tussock cover**, as this is the key element that ensures the high water quality and consistent flow from the gorge.

*Note that in the Section 42A report vol 3 that this submission is incorrectly attributed to the 'Orari water society inc.' rather than the ORPG.*

We strongly disagree with the Section 42A justification for rejection of our submission on the grounds that:

***...“It is noted Section 48 only refers to waterbodies and therefore, reference to tussock cover is not considered appropriate”...***

**We ask CRC to define ‘waterbodies’ in relation to their statement (above).**

We suggest that the outstanding quality of the Orari waterbody above the gorge is directly a result of the predominantly indigenous vegetation and the associated extensive landuse that still exists throughout the catchment. This was the basis of our (ORPG) successful submission to CRC’s NRRP to have this upper catchment granted ‘high naturalness’ status.

This is another example of processes over-ruling common sense.

We refer you again to the Section 42A introductory words:

*“everything is connected”...*