

## **Comments in support of oral presentation given to Land and Water Plan Commissioners**

**Catherine and Ad Sintenie 24/5/13**

We are generally supportive of this document's aims and direction. Our overall impression of the document gives us *some* confidence. The document finally recognises that what happens on the land affects water. This is a significant step forward. The type and intensity of land-use, as well as land-use appropriateness to land type, directly relates to both the quantity and quality of surface water and groundwater.

Despite we have serious reservations. These are listed below.

### ***Catchment Group plans should not compromise baselines set in the Land and Water Plan***

Instead of being pre-occupied with whether or not Ecan might be liable for **not** granting consent, the Canterbury Regional Council (Ecan) must protect baseline water quality and quantity:

1. for the sustainable management of river and stream ecologies;
2. for the supply of groundwater for sufficient and safe drinking water; and
3. in order to have equitable sharing of water above those baselines.

The proposed plan still retains the situation where the biggest, and those with the deepest pockets, are permitted to gain at the expense of the community as a whole and the environment.

The rules and policies in this document need true rigour and must be followed up by stringent enforcement urgently if we want attempt to redress this appalling mess that is Canterbury's water management.

In order to achieve this, Canterbury Water Management Strategy (CWMS) Catchment groups cannot be allowed to override general rules to the detriment of bottom-line. This is a major failing in this document, and it has the potential of derailing all attempts of the document as a whole to address a seriously lamentable situation. General rules and bottom lines must apply to all.

Our experience has served to demonstrate vividly that if rules can be overridden by Catchment groups, the plan will not only fail to protect water quantity and quality of rivers and streams, but it will also fail to protect such basic needs as drinking water and may serve to exacerbate inequalities and lack of fairness in the present system. This is fully documented as evidence presented and tabled by Mr Ad Sintenie.

Our experience as members of one of the first of our zonal Sub-catchment Groups, is also that if the majority 'stakeholders' choose to ignore independent

scientific evidence that does not suit their economic needs then it is quite acceptable to do so, to the detriment of all else.

### ***The 'collaborative' process is inherently flawed***

Despite the original intent of the CWMS, our experience is that it offers little transparency or 'real collaboration'. We know we are not alone in feeling this frustration and we believe our experience is symptomatic of what's happening all over Canterbury. In May 2013, there was a meeting of NGO's (Including Forest and Bird and Fish and Game, approx. 50 people) sharing their frustrations with the so-called 'collaboration' and lack of democracy. Some have already pulled out of the process in frustration.

We feel that we have no choice than to be part of the process simply because the regulatory process is patently failing. The 'collaborative' process alone, without unambiguous, enforced, bottom lines for water quality and quantity set by the Plan, does nothing but absolve Ecan from culpability for any negligence in the management of rivers and drinking water. The quality of this water directly affects the health of the people who live here.

The CWMS 'collaborative' process offers no assurance for safeguarding human drinking water availability, or quality. The drinking water from our own domestic well is now borderline safe-drinking water in terms of World Health Organisation standards for nitrates. We are close to the hills, so wonder how safe is other, down-stream well water in Canterbury. How safe are rural bottle-fed babies?

The CWMS 'collaborative' process offers no assurance for safeguarding the vulnerable and often unique ecosystems of our braided rivers and spring-fed streams. Some of which exist no-where else on the planet.

The CWMS 'collaborative' process only allows for continual compromise. There is talk of balance, but the scales are well out of equilibrium. For our water quality and quantity, the balance needs to be redressed. We have already lost so much, and in a very few years.

Through this process of compromise, poor and inequitable decisions are being made again and again; at the expense of the environment; at the expense of the health of the general population; and at the expense of those who do not have the understanding, or funds, to stand up for their rights in a court of law. The process upholds no clear baselines for planners to rely on or enforce in making decisions. Given Ecan planners are more concerned with making decisions that are defensible against those with financial interest in appealing decisions, rather than for the benefit of the community as a whole, any outcome of the process will inevitably have no teeth.

We consider that farmers may well say that limitations on their farming practices will affect their viability, if that if the case they need to reconsider their practices.

After all this is no different than the argument used against the abolition of slavery. Any other industry (however vital) has to consider effects on the rest of the community. We cannot see the 'collaborative process' addressing such issues.

CWMS sells 'New Water' in a "water short" (Ecan's words) area as drought protection. We agree that drought protection is a laudable aim. However, in actual fact what we are seeing is that those previously using water for drought protection have lost their once reliable supply to water-hungry intensive dairying. We are, in fact, making ourselves less resilient to drought, not more, and in the process we're degrading and depleting any existing water, whether it be our rivers or drinking water supply. Over-allocation, in terms of quantity, is continuing in spite of repeatedly raising the alarm. Quality and quantity must be considered together. Quantity effects quality. Over-allocation in terms of quality (in rivers and domestic wells) needs to be dealt with effectively now. A compromise approach won't work. We should not be granting consents for more intensive farming operations in areas zoned red for water quality simply because the money on the infrastructure has already been spent, or because the majority of 'stakeholders' are in agreement that this is a good idea. If we continue to intensify, in spite of continuing degradation of water quality, the problem will continue to get worse, with a progressively bigger mess to clean up.

We appeal to you to see through the over-powering demands for yet more inappropriate and damaging intensification, and to strengthen Ecan's arm so that it can properly look after the water, rivers and health of the people into the future. At the moment it is failing miserably.

### ***Re Section 14 Orari, Opihi, Pareora Zone specifically***

#### **Orari upper catchment**

Protection of upper catchment from inappropriate development is paramount. It is well documented that good tussock cover is by far the best vegetative cover to promote optimum water yield and quality. As all water in the Orari Catchment comes from the upper catchment area above the gorge, protection of this increasingly vulnerable vegetation is particularly important. As the high country stations of the catchment move through the Tenure Review process, we are seeing a move away from more conservative farming methods to removal of tussock and more intensive farming.

Inappropriate, or inadequate management the upper catchment will compromise all available water in a 'water short' catchment. It is dangerous to assume land-owners won't eradicate precious water-conserving tussock with nutrient-dependant pasture, or plant water-hungry pine trees, which are well documented as depleting available water within a catchment.

## **Coopers Creek**

(See evidence presented by Ad Sintenie)

In order to sustainably manage Coopers Creek and to treat *all* water users fairly, *all* consents in the Coopers Creek Catchment need to be managed with a minimum flow baseline from Coopers Creek, not the Orari River. All the independent scientific evidence supports this.

As set out above, we have deep concern over the proposal that the 'collaborative' catchment groups are allowed to override region-wide rules generally. We are also particularly concerned about the effects the process will have on Coopers Creek.