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Please find attached submission on Variation 1. from Malvern Hills Protection society.

Regards

Rosalie Snoyink

To Environment Canterbury

Submission on Proposed Variation 1 to the Proposed Canterbury Land and Water Regional Plan

From: Malvern Hills Protection Society (the Society)

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Contact: Rosalie Snoyink

The Malvern Hills Protection Society (the Society) was formed in 2001. Its members mainly reside in the Malvern Hills valleys and the foothills townships of Coalgate, Glentunnel and Whitecliffs. People from the wider community are also members of the Society.

The aims of the Society are to support, protect and enhance the environmental, social and historical values of the Malvern Hills region. The Society believes that the unique, historically significant and ecological values of the Malvern Hills need to be preserved for the enjoyment and wellbeing of current residents and future generations.

The Society is also interested in the wider environmental, health and social issues relating to the Selwyn/Te Waihora Zone.

The Society welcomes the opportunity to submit on Variation 1.

General concerns

One of the major concerns currently facing Selwyn communities is the rapid decline in water quality for drinking and recreation. The Plan does attempt to address these problems through a 'package of actions' but the Society is disappointed that these actions will **not achieve the catchment vision** of improving water quality.

Delaying action on achieving better outcomes for freshwater in the Zone will place public health at an even higher risk, and further adversely affect lake, stream and river health.

The Plan appears to give greater priority to the economic viability of consent holders rather than to environmental improvements. The staged timeframes for improvement on farms is planned till 2037. We understand this is 7 years longer than what is required in the CLWRP to meet key outcomes. The Society seeks to have the Plan timeframe consistent with the CLWRP timeframe.

The proposed timeframes for minimum flow improvements in rivers and streams is delayed till 2025. The Society is worried that within that time frame, the continued pollution of waterways will result in further decline which will be impossible to reverse.

The Society welcomes the focus on the setting of nitrogen limits but the Plan appears inadequate when addressing phosphorous limits. The Society supports the system of Farm Environmental Plans to monitor farm inputs and outputs.

If the Plan is to be effective regular monitoring is necessary. The high cost of monitoring progress, of reviewing consents and enforcing limits is another concern. Who will pay for this process and will breaches of consent conditions be penalised? This cost should be carried by consent holders and not fall on the general public. **The polluters should pay.**

It is of concern to the Society that Variation 1 does not calculate the true cost of environmental degradation, nor does it include an assessment of externalities. Good business practises should include ALL external costs and these costs should be built into the consents holder's cost benefit analysis – not picked up by the hapless ratepayer.

The Society supports the strong focus on Ngai Tahu cultural values in relation to water quality/quantity in Te Waihora/Lake Ellesmere but there should be a similar focus on main rivers and tributaries in the upper catchment, especially the Waikirikiri /Selwyn, Hawkins, Wairiri, Hororata and Kowai Rivers.

No assessment has been made of features of historical significance within the zone, nor of any landscape significance, and in particular the heritage landscape of the Malvern Hills. Landscape values are important and need to be protected for future generations.

The Society broadly supports the sections of the Plan which will maintain and improve environmental protection. We oppose the sections which provide lengthy timeframes to allow consent holders to continue polluting.

If the predicted rates of nitrogen, phosphorous, sediment and microbial contamination do not decrease fast enough (as envisioned in the plan) then there must be a provision to place priority of environmental wellbeing ahead of economic development.

Policies

Managing Land Use to improve water quality

11.4.1 Support in part

There is an urgent need to improve water quality in Te Waihora and in other water bodies. Public health, recreational and amenity values as well as cultural values need to be addressed in the Plan.

Seek: Include the Waikirikiri/Selwyn and tributaries, and Kowai River.

11.4.12 Support

Additional requirements are necessary to reduce outputs from farming activities including the exclusion of stock from drains.

Seek: Accept Policy

11.4.13 Support

Farm Environment Plans are required to better manage nutrient loss from properties.

Seek: Accept Policy with clearer guidance on how this process will work effectively.

11.4.14 Support

The new nitrogen discharge limit of 15kgs will help in reducing nitrogen loss.

Seek: Accept

11.4.16 Oppose

80kgs of nitrogen by 2037 will not provide incentive to reduce inputs in the short term.

Seek: A reduction from 80kgs to 50kgs or less, and an earlier timeframe.

Sustainable use of water and improved flows

11.4.22 Support

Water transfers should not be permitted in red zones. Water not used should be used to replenish depleted aquifers, springs, rivers and streams.

Seek: Accept Policy

11.4. 27 Support

Adaptive management of groundwater should continue.

Seek: Accept

11.4.28 Support

The ecological health of the Waikirikiri/Selwyn is degraded, from the foothills to the mouth. The current low flow minimum is too low and this limit needs to be adjusted to better protect river health.

Seek: An increased low flow minimum and new takes prohibited.

11.4.32 Part support

The Society is not convinced that large scale water storage from the Waimakariri and Rakaia Rivers, especially if that water is to be used to increase intensive farming in the zone, will deliver the anticipated environmental benefits.

Seek: Include this Policy's environmental protection clauses (d), (e), (f), (g), (h).

Rules

Nutrient Management, Sediment and Microbial Contaminants

11.5.6 – 11.5.12 Support

These rules should begin to reduce the nitrogen loss as a result of farming activities in the Zone.

Seek: Accept

11.5.13 Part support

This rule should reflect our requested Policy change as set out in Policy 11.4.16.

Seek: A reduction from 80kgs to 50kgs or less, and an earlier timeframe.

Irrigation Schemes

11.5.14 and 11.5.15 Support

Irrigations schemes should not exceed scheme nitrogen loads or consented discharge limits. What is the mechanism to deal with farmers who breach the scheme rules?

Seek: Include rules

Stock Exclusion

11.5.18 Support

Stock should be excluded from artificial watercourses.

Seek: Include

Taking and Use Surface Water and Take and Use Groundwater

11.5.32 Support

The Society requests the following be added to this rule.

Seek: Include trout and salmon in section 5, matters of discretion.

Transfer of Water Permits

11.5.37 Support

The Society requests that water transfers be prohibited in over allocated zones. Any unused parts of consents should be used to replenish aquifers, rivers, springs and streams.

Seek: Include this rule in the Plan but extend to include the whole of the Selwyn/Te Waihora zone.

Dams and Damming

11.5.42 Support with amendments.

The Waikirikiri/Selwyn River is important to our members because of its instream ecology, landscape, recreation and amenity values. The Selwyn and its tributaries in the upper reaches has special significance as an important habitat for the nationally endangered Canterbury mudfish (*Neochanna burrowsius*).

The Society supports the prohibiting of dams and damming on the mainstems of both the Waikirikiri /Selwyn and Waianiwaniwa rivers. In addition we seek that damming be a prohibited activity on the Selwyn and **its tributaries** in order to restore and protect the integrity of the whole river system.

Seek: The wording in Rule 11.5.42 is changed to reflect the above.