

Gay Gibson

From: Scott Pearson <spearson@fishandgame.org.nz>
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Subject: TRIM: Fish and Game Further Submission Variation 1
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Please see enclosed.

Kind Regards,

Scott

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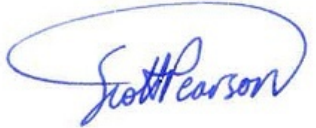


Environment Canterbury
PO Box 345
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FURTHER SUBMISSION ON PROPOSED VARIATION 1 OF THE CANTERBURY LAND AND WATER REGIONAL PLAN

**FURTHER SUBMISSION FROM : SUBMITTER 52310
NORTH CANTERBURY FISH AND GAME COUNCIL**

SUBMITTER:

Scott Pearson
Environmental Advisor North Canterbury Fish and Game PO Box 50, Woodend, 7641 email: spearson@fishandgame.org.nz

Signature:
Date: 08/06/14

Fish and Game represent a relevant aspect of the public interest; and have an interest in the proposal greater than the interest the general public has.

Fish and Game wish to be heard in support of our further submission, and are prepared to consider presenting a joint case with others making a similar submission at any hearing.

The following comments focus on (but are not limited to) addressing some of the key points raised by other submitters in relation to the interests of Fish and Game. Some subject matter is raised by more than one submitter so reference to a particular submitter may also apply to the same or similar relief requested by other submitters.



FISH AND GAME'S INTEREST IN THE PROPOSAL:

Fish & Game Councils are statutory bodies with functions to;

"manage, maintain and enhance the sports fish and game bird resource in the recreational interests of hunters and anglers"

In relation to planning;

"to represent the interests and aspirations of anglers and hunters in the statutory process.."

and

"to advocate the interests of the Council, including its interest in habitats..."

Section 26Q, Conservation Act, 1987.

Fish & Game has a defined responsibility relating to managing certain aspects of the natural environment. Fish & Game Councils are Crown Entities with specific functions, responsibilities and powers to manage sports fish and game birds nationally and regionally. Sections 26Q, 26R and 26S of the Conservation Act set these out in detail.

However, whilst Fish & Game has functions relating to managing species, it has no statutory functions in relation to managing habitat and can only advocate for habitat outcomes. As such, the decisions of other agencies directly impact on the ability of Fish & Game to fulfil its statutory functions.

GENERAL SUBMISSION

Fish and Game are interested in **all of the submissions** to the extent that they may affect or relate to the following matters of interest:

1. Provisions that deal with (or fail to adequately deal with) the protection of recreational fisheries and gamebird resources, including the protection of rivers, lakes, wetlands, and their margins;
2. Maintenance and enhancement of the quality of freshwater environments, including wetland environments, as habitats for sports fish and game birds;
3. The maintenance and enhancement of amenity values, and the intrinsic values of ecosystems;
4. The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;
5. The maintenance and enhancement of public access to and along the coastal marine area, lakes, rivers, and wetlands;
6. Provisions relating to land use and development which have the potential to impact on natural character, and freshwater values including wetlands;
7. The provisions of the plan that give effect to the Purpose and Principles of the Resource Management Act.

SPECIFIC SUBMISSION

(1) We support or oppose the submission of:	(2) The particular parts of the submission I support or oppose are:	(4) Support or oppose	(3) The reasons for my support or opposition are:
<i>Name and postal address of original submitter</i>	<i>Submission point reference number</i>	<i>Note support or oppose</i>	<i>Provide reason for support or opposition</i>

Dairy NZ Incorporated	V1pLWRP-1343	Oppose	<p>North Canterbury Fish and Game Council (F&G) do not agree that the maintenance of a viable agricultural sector will require the matching of any new regulatory impositions with the availability and variability of improved management practices. Variation 1 must achieve sustainable management and give effect to the NPS FW and the CRPS and the vision and principles of the Canterbury Water Management Strategy (CWMS), particularly first order priorities.</p> <p>If limits were intended to only follow developments in innovation, then that would be a disincentive to introduce such potential innovations.</p>
	V1pLWRP-1345	Oppose	<p>The Dairy NZ requested commitment to keep the load limit under review until the Good Management Practice (GMP) Nitrogen and Phosphorus loss rates have been confirmed is not supported. Nutrient limits should be set on the basis of maintaining or enhancing water quality, reducing nutrient over-allocation, and safeguarding the life supporting capacity and ecosystem function of all water bodies in the Catchment. F&G consider firm limits and targets should be set until at least 2020 where they can be reviewed under a Schedule 1 plan change. F&G believe the proposed Variation 1 plan change in 2016, should be limited to adoption of GMP's, and not extend to review of limits and targets before 2020.</p>
	V1pLWRP-1346	Oppose	<p>F&G do not support the Dairy NZ proposed amendments to 11.4.12(d) for stock exclusion from flowing drains greater than one metre in width and deeper than 30 cm. F&G suggest (d) should set a depth for all drains deeper than 100 millimetres (under median flow conditions) to be consistent with Rule 5.70 of the pCLWRP.</p>
	V1pLWRP-1350	Oppose	<p>F&G want the provisions in 11.4.13 to remain so as not to weaken the intent of Variation 1 to more effectively regulate higher dischargers against a discharge threshold, as opposed to a reliance on untested GMP measures to deliver this outcome.</p>
	V1pLWRP-1351	Oppose in Part (Part 1 of this submission point).	<p>F&G do not support the removal of 11.4.14 because it is essential to achieving the vision, targets and limits of Variation 1. F&G believe the limits set in Variation 1 should define the management response, rather than the management response (in this case GMP) defining the limits.</p>
	V1pLWRP-1353	Oppose	<p>F&G opposes both the proposed deletion or amendment. There is already sufficient flexibility in this policy such as <i>"the nature of any proposed steps"</i>.</p>
	V1pLWRP-1354	Oppose	<p>F&G do not support deletion of 11.4.17 as the policy provides quantifiable improvement targets.</p>

	V1pLWRP-1355	Oppose	This amendment would bring ambiguity into the Policy 11.4.22 and will not encourage the significant reductions required in this heavily over-allocated catchment.
	V1pLWRP-1357	Oppose	This proposed change to 11.4.28 relies on proposed augmentation being effective at enhancing flows. It is important these limits are introduced regardless of the potential benefits of augmentation which are unproven.
	V1pLWRP-1358	Oppose	F&G do not support these amendments to Table 11(c) for flows as they rely on proposed augmentation being effective at enhancing flows. It is important these limits are introduced regardless of the potential benefits of augmentation which are unproven.
	V1pLWRP-1362	Oppose	This change is not consistent with “matters to be provided for” under Section 6 of the RMA.
	V1pLWRP-1379	Oppose	F&G oppose the suggested changes to hill-fed lower river nitrate toxicity levels and also do not support most of the existing levels within this table given their inability to meet the requirements of the NPS FW.
	V1pLWRP-1381	Oppose	Table 11(m) limits for groundwater can be adjusted via the Schedule 1 plan change process and do not require a further method in Variation 1.
	V1pLWRP-1525	Oppose	Table 11(b) freshwater outcomes can be adjusted via the Schedule 1 plan change process and do not require a further method in Variation 1.
	V1pLWRP-1526	Oppose	Table 11(l) limits for lakes can be adjusted via the Schedule 1 plan change process and do not require a further method in Variation 1.
	V1pLWRP-1519,1520,1521	Support	F&G support these amendments given our interests in this catchment.
	V1pLWRP-1524	Oppose	F&G do not support this policy amendment nor the related amendments to rules 11.5.11 and 11.5.12.
Director General of Conservation	V1pLWRP-238	Support	F&G support the suggested amendment in the pCLWRP or Variation 1.
Fonterra Co-operative Group Ltd	V1pLWRP-1239	Oppose	Like Dairy NZ, Fonterra want to rely on GMP which has not been developed or tested. F&G want to see firm targets and with the 2022 timeframe this provides a reasonable time to achieve them. Policy 11.4.15 already goes some way to address non-performance and takes into account the catchment load target.
	V1pLWRP-1280	Oppose	F&G do not support the development of a separate Selwyn Waihora Nitrogen-Baseline and request that the pCLWRP definition for the Nitrogen Baseline in Section 2.1 apply. Averaging the baseline over four years is preferable to taking the maximum nitrogen loss

			in one year, particularly given the risks with grand-parenting existing land users.
Franco Luporini	V1pLWRP-699	Oppose	F&G would not support suggested amendment (b) as delaying new water permit transfer policies would create uncertainty for farm management decisions.
Horticulture NZ	V1pLWRP-1391	Oppose	Do not support reviewing targets and limits in Variation 1 before 2017. This could create confusion and encourage inaction. F&G consider 2020 is a more appropriate time to review targets and limits in relation to 2022, and the setting of subsequent waypoints (including limits and targets) to 2037.
	V1pLWRP-1403	Oppose	Any revisions to 11.4.14 should be introduced by plan change approximately every five years, so that all CWMS visions, principles and targets can be considered appropriately.
	V1pLWRP-1419	Oppose	GMP may not be enough so F&G do not support deletion of Schedule 7 bullet 3.
	V1pLWRP-1548	Oppose	It is important to retain the 2022 milestone targets in 11.4.14(b) rather than rely on much longer term targets, in order to achieve continuous improvement over time.
	V1pLWRP 1558-1572	Oppose	It is not appropriate to review these limits and targets based on the National Objectives Framework (NOF), as the NOF standards/limits may not be adopted or could be changed significantly.
Irrigation NZ	V1pLWRP-1057,1059,1060,1076	Oppose	Do not agree with INZ as restrictions of discretion 2.3.4 can be retained, as rule 11.5.9 doesn't apply until 1 January 2017. Also 11.4.13, 11.4.14 and 11.4.17 are dependent on a nitrogen threshold not GMP as is implied.
	V1pLWRP-1052	Oppose	F&G do not want bullet 2 changed as this implies a trade-off between various levels of impact, which may prolong over-allocation. We also note "cultural flows" have been deleted and do not support this deletion.
Nga Rūnanga and Te Rūnanga O Ngāi Tahu	V1pLWRP-365	Oppose	This proposed new objective may be unworkable due to the conflict between its two aims. <i>"To restore the Mauri of Te Waihora while maintaining the prosperous land-based economy and thriving communities"</i> , implies a trade-off may be required. "Prosperous" is also a subjective term, which can be challenged, both in terms of non-economic values affected by land use pollution and also the fact tax payers, Canterbury rate payers and existing/new land users will be contributing to the estimated \$200 million clean-up costs for past land use in this catchment, under the proposed Selwyn Waihora mitigation package.
North Canterbury Province of	V1pLWRP-847	Oppose	F&G do not support the amendment, including those parts of the catchment shown as hill and high country on planning Map X as it may not give effect to sustainable management, the NPS FW, the CRPS and the vision and principles of the CWMS. F&G is developing an

Federated Farmers Inc.			alternative to the region wide rule 5.68(c) and will present this amendment in evidence at the Variation 1 Plan Hearing.
	V1pLWRP-848	Oppose	F&G opposes this deletion and amendment, as it is the light and very light soils which are the most vulnerable to leaching nutrients and therefore should not be given a higher discharge tolerance threshold.
	V1pLWRP-862	Oppose	F&G oppose all the amendments, including the change to the nitrogen baseline as explained in V1pLWRP-1280 above and the use of a fair representation of potential land use on the property as at 1 January 2014.
	V1pLWRP-867	Oppose	Do not support amendment to 11.5.18 as per the reasoning in V1pLWRP-847 above.
Ravensdown Fertiliser Company	V1pLWRP-803	Oppose	F&G do not support the withdrawal of Variation 1 “until the Matrix of Good Management numbers are available” as requested by Ravensdown. This is not necessary because the nitrogen discharge threshold and other provisions like Schedule 7 and 24 provide appropriate management directions for land users in the interim.
Royal NZ Forest and Bird Protection Society	V1pLWRP-1251	Support	Support the provision of a new policy as suggested, which is consistent with F&G’s original submission paragraph 21.
	V1pLWRP-1261	Support	Support recognition and protection of important recreational, amenity and natural character values in the entire Selwyn Te Waihora Catchment as per F&G’s original submission.