

**From:** [ian.mcilraith](#)  
**To:** [Mailroom Mailbox](#)  
**Subject:** Maybe a better proof  
**Date:** Monday, 25 May 2015 4:57:45 p.m.  
**Attachments:** [Signed copy V3.pdf](#)

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Re a signed page attachment.  
My second effort may be better this time

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Ian McIlraith  
Waimate

Tel. 03 6892643

**SUBMISSION ON PROPOSED VARIATION 3 TO THE PROPOSED  
CANTERBURY LAND AND WATER REGIONAL PLAN**

**Address for service of submitter**

Secretary  
Francis Whitlock  
Lower Waitaki River Management Society Inc  
RD6H  
Oamaru 9493  
Tel 431 3614

**Trade Competition**

The Society could not gain an advantage in trade competition through this submission.

**Affected Party**

The Society considers itself directly affected by an effect of the subject matter of the submission and wishes to be heard.

**Position**

The Society opposes the Variation and wishes to be heard.

Signature of person authorised to sign on behalf of the Society making the submission

Signature:  Date: 25 May 2015.

**From:** [ian.mcilraith](#)  
**To:** [Mailroom Mailbox](#)  
**Subject:** Submission re.LWP Variation 3. LWRMS  
**Date:** Monday, 25 May 2015 4:14:10 p.m.  
**Attachments:** [Submission to Variation 3 L and W Plan SC Chapter May 2015 Final.pdf](#)

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Good afternoon,  
Please accept the attached submission and acknowledge receipt by return.  
Regards Ian McI,  
for LWRMS

--  
Ian McIlraith  
Waimate

Tel. 03 6892643

SUBMISSION TO THE  
ENVIRONMENT CANTERBURY  
ON THE

PROPOSED VARIATION 3 TO THE PROPOSED  
CANTERBURY LAND AND WATER REGIONAL PLAN

By

**LOWER WAITAKI RIVER MANAGEMENT  
SOCIETY Inc**

**Final 25 May, 2015**

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **SUBMISSION ON PROPOSED VARIATION 3 TO THE PROPOSED CANTERBURY LAND AND WATER REGIONAL PLAN**

Detailed consideration of the variation has not been possible as the Society is heavily engaged in preparing for Hearings on Plan Change 3 to the Waitaki Catchment Water Allocation Plan. It is however the Society's intention to provide more specific alternatives to the provisions in the Variation for the hearing where this is practicable.

### **Submission**

The Society wishes to raise the following general concerns.

#### **Approach to setting targets and limits**

1. It appears the water quality targets are being set on the basis of what is considered achievable under preferred intensive landuse rather than on the basis of water quality limits and standards that are known to be necessary to achieve ecologically resilient river, estuary and lake systems.
2. This would be inappropriate as "environment" is identified as the first order priority consideration along with customary uses, community supplies and stock water in the CWMS.
3. In its decision on the Tukituki Plan Change 6 and Ruataniwha Dam the High Court confirmed the appropriateness of setting ecological limits rather than toxicity limits and that both nitrogen and phosphorus should be controlled to minimise the risk of periphyton growth.
4. So the practice of setting toxicity levels for individual water ways or parts thereof seems inconsistent with this approach and potentially fraught with management and enforcement difficulties.

#### **Existing water quality**

5. The water quality in some reaches of rivers is already too low and needs to be improved before additional catchment/sub-catchment nutrient loads are permissible.
6. For example, the CWMS principles includes "that restoration of natural character and biodiversity, is a priority for degraded waterways, particularly lowland streams and lowland catchments"

#### **Absolute level of targets and their application**

7. The targets themselves may not consistently achieve sustainable outcomes that maintain biodiversity, ecosystem services and the other priority outcomes sought in the CWMS and other planning instruments.
8. For example, a recreational objective of the CWMS is that "high quality water ensures contact recreation such as swimming, fishing, boating and other water sports are able to be enjoyed throughout Canterbury".
9. Safeguarding the life-supporting capacity of freshwater bodies remains a key objective of the National Policy Statement on Freshwater and we believe these targets will not achieve that.

#### **River and lake targets**

10. With such high exceedence percentages in rivers (e.g. 33% of the time for periphyton) what is the point of having the outcome targets and no instantaneous maximum target?

11. The Variation is seeking to bring the trophic level down by 0.5 TLI units. But an TLI of 6 is still hypertrophic. Even supertrophic (TLI 5 - 6) is typically saturated in phosphorus and nitrogen, usually poor water clarity with severe oxygen depletion, probably no macrophytes and may be dominated by bacteria. During calm sunny periods may have very high algae growth and algal blooms. What is the point of proposing to bring 1cume augmentation if the water body is remains in a eutrophic state?
12. Equally it seems as if the nitrate loads permitted in the Variation for tributaries to the Wainono will depend on substantial dilution and or denitrification if it is to meet the Total Nitrogen target allowed in the lake and the Lake SPI or dissolved oxygen targets.
13. It is clearly critical that the management model behind the Variation is supported by science and this seems doubtful.

### **Terminology, freshwater management units and indicators of ecosystem health**

14. It may be more appropriate to call some targets "limits" or "standards" to link more appropriately with relevant legislation.
15. The Land and Water Forum recommends the use of MCI is the best measure of ecosystem health. The Society wants to see faecal coliforms at levels suitable for contact recreation and not just wading.

### **Coastal impacts**

16. the targets do not appear to take into account sufficiently the cumulative effect of nutrient in our coastal marine environment or the effects of climate change
17. For example the CWMS has a principle "the interdependence of waterways and coastal ecosystems is recognised" and the connection is also recognised in the NPSFWM 2014 and the NZCPS 2010.

### **Short term fluctuation**

18. The targets do not appear to incorporate sufficient precaution and redundancy to accommodate shorter term variations in the likes of temperature and dissolved oxygen and therefore risk over-allocation and failing to safeguard the life supporting capacity.

### **Contaminant pathways**

19. With deficient understandings of the relationship between the nutrient load applied to land and the resultant baseflow water quality we can not be confident in the nutrient outcomes and whether they will meet the specified targets or limits.
20. The effect of augmentation on the proposed "flexibility cap" will also depend on the nature of the drainage pathways and demonstrating impacts.

### **Good management practice (GMP)**

21. We have yet to "quantify what GMP means in terms of typical nitrate nitrogen (N) and phosphorus (P) losses expected to occur from the range of farming systems, soils and climates across Canterbury when managed to agreed good management practices" (s32 report).
22. Yet the variation acknowledges heavy reliance on GMP practice as an intervention in mitigating nutrient and other contaminant effects.
23. For example the ZIP Addendum states that the solutions package aims to reduce the Trophic Level Index (TLI) score of the Wainono Lagoon from 6.5 to 6, and provide a

protection level of 90% for nitrate toxicity for the streams, while the irrigated land area increases by 27,000ha under GMP. Yet it also states "Good Management Practice for discharges to Wainono Lagoon is not enough to meet the water quality outcomes. Therefore significant interventions are required".

24. Likewise the Variation relies on the augmentation of the Wainono lagoon which is not yet confirmed. The Zone Implementation Programme states that "augmentation is critical"
25. Accordingly, should the Variation be implemented as proposed we risk infrastructural investment which anticipate land management with environmental impacts that may not meet targets and thereby fail to sustainably manage the use and development of land.
26. There is also no certainty that the overall quality of fresh water within the region will be maintained or improved (NPSFWM, Objective A2)

### **Infrastructure investment**

27. And because of the level of infrastructural investment it is not economically feasible to shift to a land management system that would achieve the targets.

### **Integrated management of catchments**

28. Policy C1 in the NPSFM states "By every regional council managing fresh water and land use and development in catchments in an integrated and sustainable way, so as to avoid, remedy or mitigate adverse effects, including cumulative effects".
29. The Society consider that the proposed Variation will fail to meet this Policy as it is not a fully integrated approach that addresses the issues at source.
30. The Society considers achieving this will require the Variation to include landuse planning at catchment scale with the emphasis on land management practices that better capture and harvest water where it falls (in preference to bulk water transfer) and capture and build carbon in the soil for multiple benefits, including farming systems which are more stable and resilient to climate change.
31. This approach will also meet NPSFWM, Policy B1 which requires every regional council to give effect to the reasonably foreseeable impacts of climate change.
32. And it will meet Policy 3 of the New Zealand Coastal Policy Statement 2010 which states "Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse".

### **In summary**

33. The Society considers there is a risk that this variation contains insufficient controls on landuse and discharge to be confident that national and regional freshwater objectives are going to be met - most notably in:
  - The NPSFW, 2014
  - NZ coastal policy Statement, 2010
  - Canterbury Water Management Strategy and Zone Implementation Strategy
  - Purpose and principles of the RMA
34. Because of the above uncertainties, and the poor record from Farm Environmental Plans to date, the Society considers that it needs to be demonstrated that meeting the



targets and limits are technically achievable before the development that this Variation anticipates is consented.

35. Overall, the Variation has too much near-term focus on facilitating immediate economic return from intensive industrial agricultural systems rather than focusing on achieving farming systems that are ecologically stable and robust because they are not heavily dependant on high inputs or polluting discharge.
36. This submission therefore questions the fundamental thrust of the Variation and ultimately its compliance with the purpose and principles in Part 2 of the Resource Management Act

We wish to appear before the Hearings panel to speak to our Submission. Appendix A shows the Mission, Objectives and Goals of the Society.

Ian McIlraith  
Chairman

#### APPENDIX A:

### **MISSION, OBJECTIVES AND GOALS OF THE LWRMS**

*Society Mission “To protect and enhance, in a sustainable way, the Lower Waitaki River System”*

#### **Goal 1**

**The community and Statutory Authorities work together to prepare, monitor, update and implement a management strategy for the Lower Waitaki River which integrates the environmental, social, economic and cultural values of the community.**

#### Objectives

1. Community spirit and involvement fostered by consultation and communication.
2. Secure resources and finances to implement strategy.
3. Foster recognition of historical and cultural values.
4. Build and maintain strong relationships with all stakeholders.
5. Advocate for the sustainable allocation of water for irrigation, stock, domestic and firefighting uses.
6. Ongoing monitoring and revision of strategy.
7. Advocate for statutory mechanisms to achieve strategy outcomes as necessary.
8. Collate scientific data, and initiate research as required to provide a sound scientific basis for the Society’s advocacy.
9. Develop and maintain a partnership with mana whenua.

#### **Goal 2**

**To protect and enhance the natural environment for the benefit of present and future generations.**

#### Objectives

10. Maintain the “wild river” values: big water, open space and isolation.
11. Advocate for variable flow regime that achieves a sustainable braided river system

and associated values.

12. Protect and enhance wildlife populations, diversity and habitats, especially of rare and

endangered species.

13. Protect and enhance indigenous vegetation, particularly where rare species are involved.

14. Maintain and protect aquatic habitat for both native and introduced fish.

15. Protect spring fed tributaries and wetlands in the river system.

16. Ensure river control works and weed control programmes are environmentally sensitive, and protect habitat, wildlife and recreation values.

17. Maintain water quality and habitat in the main stem, tributaries and hydraulically connected groundwater.

### **Goal 3**

#### **To provide for safe and balanced recreation.**

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Objectives

18. Negotiate pedestrian access to river for fishing/hunting with adjoining landowners at

appropriate points.

19. Negotiate vehicle access for recreational and boat launching sites with adjoining landowners that protects environmental and natural values, and human safety.

20. Recreational users to be informed of access, picnic sites, and conditions of access.

21. Facilitate the development of recreation and picnic areas with appropriate facilities.

22. Minimize impacts of recreation/tourism use on natural and environmental values.