

Treena Davison for Ngā Rūnanga, Ngāi Tahu Farming Limited and Ngāi Tahu (C16C/32679)
Summary of Evidence, 6 October 2016
Presented at hearing on Plan Change 5 to the Canterbury Land and Water Regional Plan

1. GOOD MANAGEMENT PRACTICE IN THE CLWRP

- 1.1** The Ngā Rūnanga submission sought the inclusion of an additional Objective and Target in Schedule 7 of Plan Change 5 addressing mahinga kai.
- 1.2** My evidence proposed wording that recognised that mahinga kai values are managed by achieving other objectives and targets in Schedule 7 also needed to include matters in relation to indigenous vegetation clearance, planting and pest management.
- 1.3** Environment Canterbury in its 12 August written response to further questions from the Hearing Commissioners on the Section 42A Report, has suggested that a specific target be added to Schedule 7 (Waterbody Management), that could read:
- Target:*
(4) Mahinga kai values are protected by implementing all other Farm Environment Plan Objectives and Targets, taking mahinga kai values into account.
- 1.4** This new target would go some way towards addressing mahinga kai but in my view limits the approach to addressing water quality only. Therefore it does not recognise that what happens on the land, affects what happens in the water.
- 1.5** The Ngā Rūnanga submission further sought that should mahinga kai be included in Schedule 7, that both the Accredited Farm Consultant and the Certified Farm Environmental Plan Auditor demonstrate a level of proficiency and understanding of Ngāi Tahu values and practices. I consider this is important as both will undertake components that implement and ensure the effectiveness of the Canterbury Water and Land Regional Plan.

2. STAGED NITROGEN REDUCTION – SINKING LID APPROACH

- 2.1** The submission of Ngā Rūnanga sought a staged reduction over time of nitrogen losses from farms. The section 42A report considered the approach by Ngā Rūnanga would result in a more permissive regime than the approach

proposed by the Plan Change 5. Reading the section 42A report it is not clear how Plan Change 5 leads to a continual reduction in nitrogen past 2020 equivalent to the 35% reduction sought in the Ngā Rūnanga submission by January 2035. To address Ngā Rūnanga concerns, additional policies are sought that seek continued improvement.

- 2.2** The concerns of Ngā Rūnanga would not be addressed if the 'sinking lid' was removed or applied only in certain circumstances. For this reason I do understand that there may be atypical circumstances, like drought, that unreasonably skew the previous four years Good Management Practice loss rates. I do not think however, that the risk of atypical circumstances should mean that the sinking lid approach is removed in its entirety.

3. ALTERNATIVE TO THE PORTAL

- 3.1** My preference is that all Farm Environment Plans are assessed through and entered into the Portal. I do however acknowledge that there are concerns regarding the reliability of the Portal to generate fair and reasonable Good Management Practice limits for all farming systems. I therefore accept that Plan Change 5 should provide an opportunity for any farmer that cannot meet the Portal generated Good Management Practice limit, to apply for a resource consent to test whether the limit accurately represents a farm operating at Good Management Practice. In order to be fair and equitable I consider that any alternative to the Portal must operate in the same way. So if the Portal applies an auditing system and a sinking lid approach the alternative should also do the same.

4. MAHINGA KAI ALLOCATION

- 4.1** The Ngā Rūnanga submission sought the ability to discharge nutrients, particularly nitrogen for mahinga kai enhancement undertaken in accordance with the allocation provided for in Plan Change 3 to the Waitaki Catchment Allocation Regional Plan. My concern is that given the cultural evidence presented, mahinga kai enhancement could easily be described as a farming activity and therefore fall under the permitted activity rules in PC5 for Waitaki. This is particularly if the use is for habitat enhancement. I therefore suggest an additional rule be included within the Canterbury Water and Land Regional Plan specifically related to the discharge of contaminants for the purposes of mahinga kai.

5. OTHER MATTERS

5.1 My evidence also seeks to clarify points in relation to:

- (a) Definition of nitrogen baseline – to recognise that there may be other farming activities which hold a resource consent other than dairying.
- (b) Definition of winter grazing – I agree with the wording proposed in the section 42A report.
- (c) Winter grazing rules – I do not support an increase in the area of land available for winter grazing as a permitted activity. I agree in part with the recommendation in the section 42A report that requires a setback from a water body of at least 5 metres, however would like to see this applied to the Green or Light Blue Nutrient Allocation Zone.
- (d) Waitaki Zone Rules Structure – the Ngā Rūnanga submission was largely supportive of the rules for the Waitaki Zone. The section 42A report proposed an approach which resulted in the loss of the prohibited activity status for Hakataramea River Zone, Hakataramea Hill Zone and the Greater Waikākahi Zone. I do not consider that removal of the prohibited status meets the expectations of Ngā Rūnanga. I therefore suggest the prohibited activity status remain.
- (e) Wāhi tapu and wāhi taonga – I suggest the relief sought by Ngā Rūnanga to the rules to allow wāhi tapu and wāhi taonga can be identified through means other than an iwi management plan, as not all sites are within iwi management plans in Canterbury.