

Submission on Plan Change 7 to the Canterbury Land and Water Regional Plan*

By Te Kohaka o Tuhaitara Trust

Submitter Identification number: **PC7-566**

Wishes to be heard: **Yes**

Would consider making a joint submission at the hearing: **Yes**

Submitted on: **12/09/2019**

*This submission was received on Plan Change 2 to the Waimakariri River Regional Plan only, however, we deemed it would be a disadvantage to this submitter to treat this as a Plan Change 2 submission therefore we are treating it as a Plan Change 7 submission hereforth.

This submission was submitted via Environment Canterbury's online submission portal. The Submissions portal generates pdf files of submissions (as attached). However, some of the information that appears in the pdf files is not consistent with information the submitter entered into the portal, specifically, where submitters have ticked:

- "I wish to be heard in support of my submission" ; and
- "If others make a similar submission I will consider presenting a joint case with them at a hearing".

Additionally, the submissions portal has generated submitter and submission point numbers that are not consistent with the numbering applied in the Summary of Decisions Requested. Submission points in the Summary of Decisions Requested (SODR) are numbered using the following format:

PC7– Submitter ID#.Submission point #

The correct submitter identification number and submitter information is specified above. This will be the number referred to in the SODR.

Proposed Plan Change 2 to the Waimakariri River Regional Plan

Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To Environment Canterbury - Tavisha Fernando
Date received 12/09/2019 2:28:50 PM
Submission #7

Address for service:

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Wishes to be heard? No
Is willing to present a joint case? No

Proposed Plan Change 2 proposes to remove from the Waimakariri River Regional Plan provisions that relate to the area covered by Section 8 (Waimakariri sub-region) of the Canterbury Land and Water Regional Plan (CLWRP). The WRRP continues to apply to the main stem of the Waimakariri River, the upper catchment including its headwaters, and an area of land south of the Waimakariri River.

- Could you gain an advantage in trade competition in making this submission?
- No
- Are you directly affected by an effect of the subject matter of the submission that
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition
- Yes

Submission points

Point 7.1

Submission

Te Kohaka o Tuhaitara Trust manages the Tuhaitara Coastal Park located on the coastline between the Waimakariri and Ashley Rakahuri river mouths in North Canterbury.

Te Kohaka o Tuhaitara Trust was established as an outcome of the settlement between Te Runanga o Ngai Tahu and The Crown under Section 10 of the Ngai Tahu (Tutaepatu Lagoon Vesting) Act 1998.

The Settlor partners of the Trust are Te Runanga o Ngai Tahu and Waimakariri District Council

The Ngai Tahu (Tutaepatu Lagoon Vesting) Act 1998 allowed for the establishment of the Tuhaitara Coastal Reserve.

Tutaepatu Lagoon and its surrounds have significance in the following categories;

- Land of National Significance
- Wetland of Representative Importance
- Canterbury Regional Wetland
- Site of special wildlife significance

Section 12 of the Ngai Tahu (Tutaepatu Lagoon Vesting) Act 1998 required that a Reserve Management Plan be completed.

The Tuhaitara Coastal Reserve and Waikuku Reserve Management Plan was formally approved by the Minister of Conservation in 2005.

In October 2006, the Minister of Conservation declared that Te Kohaka o Tuhaitara Trust, pursuant to the Ngai Tahu (Tutaepatu Lagoon Vesting) Act 1998, is a Local Authority for the purposes of the Reserves Act 1977, under section 2 of the Reserves Act 1977, to enable the Trust to exercise the powers and functions of a Local Authority under the Act, for the reserves vested to it.

Section 5.1 of the Tuhaitara Coastal Reserves and Waikuku Reserves Management Plan relates to the policies on Mahinga Kai;

Mahinga kai is the customary gathering of and natural materials and the places where those resources are gathered. It includes all the natural resources of kai ika (fish) kai moana (food from the sea) kai awa (food from the waterways, rivers and streams) kai

manu (birds) kai roto (food from lakes and wetlands) kai rakau (food from the land).

The policies in this section include a requirement 'To recognise that the purification of water through wetlands and riparian margins enhances the physical quality, and mauri of Tuhaitara Coastal Reserve, and in particular Tutaepatu Lagoon and its resources.

Section 6.6 of the Tuhaitara Coastal Reserves and Waikuku Reserves Management Plan relates to the policies on Advocacy and inter-agency co-operation.

Management of the water environment for the purposes of enhancing and rehabilitating wetlands and water bodies within the Reserve relies upon water that has travelled from the inland plains. Factors influencing water sources within the catchment will therefore also affect the groundwater in the coastal environment. It is important that Te Kohaka o Tuhaitara Trust advocates for the sustained quality and quantity of this water resource

Section 6.6 of the Tuhaitara Coastal Reserves and Waikuku Reserves Management Plan requires Te Kohaka o Tuhaitara Trust *To actively advocate the values of Tuhaitara Coastal Reserve*, specifically;

The policies within this section require the Trust "To oppose the taking of groundwater that could reduce groundwater levels in wetlands and water bodies within Tuhaitara Coastal Reserve" and "To advocate integrated water catchment management".

Section 7.2 of the Tuhaitara Coastal Reserves and Waikuku Reserves Management Plan relates to the policies on Hydrology.

The policies in this section require the Trust "To increase natural water flow throughout Tuhaitara Coastal Reserve and in particular into Tutaepatu Lagoon, to increase ground and surface water levels in wetland enhancement areas, including Tutaepatu Lagoon, by modifying, managing and monitoring the land drainage system and to support any actions that will improve the quality of the water entering Tuhaitara Coastal Reserve.

Canterbury Land and Water Regional Plan proposed changes 2 and 7.

The Trust wishes to acknowledge the work that has preceded the proposed Plan Changes 2 and 7 to the Canterbury Land and Water Regional Plan.

The Trusts submission relate to Parts A & C and are as follows

Part A omnibus

The Trust supports the rule changes which add protection of native fish habitat, the recognition of Ngai Tahu values especially waipuna and the establishment of a new nutrient framework for commercial vegetable growing operations.

In regard to the MAR, Managed Aquifer Recharge, we understand that initial project feedback is looking positive, although it does appear to be "Peter robbing Paul"

Part C Waimakariri Sub region

In general, the Trust supports the rule changes and again acknowledges the work carried out to get to this stage.

However, as we are located across the 10.5 kilometre coastal frontage of the Waimakariri District, anything that can happen to freshwater, both ground and surface water, has happened by the time it gets to us.

With this regard, the Trust's does not support that the proposed changes accept a higher level for nitrates per litre, over the next 50 years, than are currently within our deep aquifers i.e. from 0.6mg/l to 3.8mg/l.

While we recognise that the 3.8mg/l is lower than the 11.3mg/l maximum allowable standard for drinking water, it is significantly higher than the levels which impact upon the natural filtration Stygofauna ecology and our instream ecology as water crosses the Plains.

New Zealand's leading Groundwater ecosystem Scientist Dr Graham Fenwick suggests a trigger value for management of 0.4 – 0.5mg/l as a precautionary value to save ecosystem health. Dr Chris Hickey, New Zealand's leading ecotoxicologist recommends, where long lag times apply, a trigger value for management of 0.55 – 1.1mg/l as appropriate.

We also do not support the proposed timeframes for reducing nitrate run off from farms by 5 – 15% each decade over the next 40 - 50 years.

The Trust has watched a decline in water quality, marked by algal bloom and warning notices in the lower reaches of the Ashley Rakahuri, Pegasus Lake and last summer the Waimakariri.

We have statutory and kaitiakitanga obligations to protect and enhance mahinga kai and freshwater for the people of Aotearoa New Zealand. We do not see the proposed nitrate levels or timeframe to reduce nitrate run off from farms as supporting our mission.

Mo tatou, a, mo ka uri, a muri ake nei – *for us and our children after us.*

Relief sought

Te Kohaka o Tuhaitara Trust wish for Environment Canterbury to reduce the proposed future permissible nitrate level per litre trigger point from 3.8mg/l to 0.6mg/l as per the recommended upper level proposed by NZ's leading groundwater ecosystem scientist Dr Graham Fenwick.

Section: Chapter 6 Water Quality

Sub-section: 6.3 Methods