

NRP PC1 Speaking Notes for Hearing Stream Three

Wellington Fish and Game Council continues to support the objectives, policies and rules which were supported in the draft. Changes to these to extend the timeframes or make targets less stringent are not supported, as they are likely incompatible with the stated goal of achieving wai ora by 2100.

Rural land use activities

Method M44

Wellington Fish and Game remains in support of the proposed changes to this Method, specifically: adding in explicit mention of coastal waterbodies, working in partnership with the community, supporting the health of wetlands, retracting mention of plantation forestry, and investigating the contribution of small landholdings to water quality issues.

Policy P. P21

Wellington Fish and Game do not support the removal of mention of capping nitrogen discharge. A sinking cap on nitrogen discharge into water bodies which are above the baseline for N, or which have increasing levels of N is important to bring about reductions, rather than holding the status quo or allowing levels to increase with intensification or landuse change.

Clause c) (ii) now states nitrogen discharge risk does not increase over time – which suggests a holding pattern, not progress towards reducing nitrogen discharge where needed.

Clause D speaks to investigating the effect of pastoral or horticultural land use and apply methods to reduce any significant effects identified. This is curious, as consents generally as for conditions to reduce any effects deemed more than minor. Reducing only the impacts of significant effects could weaken consents into the future.

Policy P. P22 and Policy WH. P23

WFG support the changes to P. P22 and WH. P23 as follows: removing “on land with high risk of erosion” from chapeau, removing reference to high and highest

risk mapping – which extends to potential erosion risk land, requiring Farm Environment Plans for any erosion risk land, and requiring erosion risk treatment plans identify priority erosion treatment land and include actions to deliver appropriate treatment by 2040

The WH. P23 rebuttal also changes mention of visual clarity to suspended fine sediment throughout, which we support for ease and clarity.

Policy P. P23

Changed deadline from 30 June 2027 to 31 March 2029. While a delay is progressing these plans seems undesirable, it is understood that the extended deadline is likely necessary from the evidence of Mr Peryer.

Policy P. P25

Wellington Fish and Game support changes to this Policy made in the s42a report.

Policy WH. P21

Wellington Fish and Game supports the addition of managing diffuse discharges of sediment and requiring progressive treatment of priority erosion land. We do not support removing the mention of capping nitrogen, phosphorus, sediment and E.coli discharges (as discussed in Policy P. P21 above) or of excluding stock only from waterbodies over 1m wide.

Smaller waterbodies, including those under 1m wide, make up high percentage of most catchments, with high inputs when not fenced off from stock or protected from bank and hill erosion. Research states that while urban and mining streams are typically of lowest ecological health in New Zealand, a far greater total length of streams in pastoral agriculture land are moderately to severely impacted, due to sediment, pathogens, and nutrients draining from waters impacted by livestock both directly and via diffuse pathways. Now, gains in freshwater health risk being negated by increasing diffuse pollution from expansion and intensification of agriculture.

Policy WH. P22

In submission: Requesting a reduction in nitrogen discharge risk “to the extent reasonably practicable” (clause c) in waterbodies which have been degraded by nutrient inputs is unlikely to achieve any measure of improvement as required by national legislation such as the RMA 1991, the NPS-FM 2020, and Te Mana o te Wai. This policy should be strengthened, with time-bound and measurable actions which will return degraded waterways in a stepwise fashion to a state of health and wellbeing.

In response to further changes in s42a report and rebuttals:

Wellington Fish and Game do support removing mention of large rural properties, as smaller properties also contribute to accumulative impacts into freshwater. However, as per Policy P. P21 above, we would not support removing capping of nitrogen discharges, and the rephrasing to not increasing nitrogen discharge risk over time, rather than decreasing or minimising nitrogen discharge risk.

Policy WH. P24

Change of date from 30 June 2027 to 30 December 2029. Support as above for Policy P. P23

Policy WH. P25

Wellington Fish and Game support the change to this policy of removing ‘rural’ from chapeau, and addition of ‘primary production’.

Policy WH. P26

The changes in wording of this policy from ‘restricting’ livestock access to ‘reducing’ livestock access, and from any river in the Makara and Mangaroa catchments where the baseline state for the relevant part FMS is below the national bottom line for visual clarity to only those rivers greater than 1m in width is of concern.

The original WH. P26 policy (which Wellington Fish and Game supported) did not specify river width, which was important, as much sediment and pollutant input from livestock occurs in small order waterways. Excluding these from fencing, or

other relevant and effective method of stock exclusion, commits to maintaining pollution at a similar or increasing rate if stocking rates increase, or stock are more frequently located by these waterbodies (if, for example, other paddocks are planted etc).

In the wording change, restrict implies imposing limitations or conditions, whereas reduce suggests lowering or diminishment of something. It could be argued that 'restricting' livestock strategies could include prohibiting stock from accessing flowing waterbodies in these stream catchments where the waterbodies are below the national bottom line for visual clarity – which would improve water clarity (or at least prevent inputs from stock). 'Reducing' livestock access, however, would suggest a more lenient approach, one more open to confusion and interpretation, for examples allowing access from stock on fewer days, which would still allow for inputs into degraded waterbodies at potentially very similar levels as at present, with no clear pathway to achieve real life reduction of inputs.

Policy WH. P27

Support changes in s42a and rebuttal reports.

Forestry and Vegetation Clearance

Policy WH. P28

Fish and Game notes the suggestion of many changes through the rebuttal evidence of Mr Watson, some of which appear to weaken the original protective framework of the policy, and which we supported in our original submission.

We do not support the change from minimising discharges in sediment from commercial forestry to managing those discharges. Sediment inputs from commercial forestry can be a significant risk, and as such, need to be actively reduced.

We are also curious as to why identifying highest erosion risk land (plantation forestry) has been removed, when identification is vital to management and future planning?

In clause b) it is suggested that the risk of erosion from potential erosion risk land should be confirmed through forestry management plans. Fish and Game

suggest these risk areas should be identified by the regional council and integrated into management plans with mitigations as appropriate.

Clause c) states the need to avoid significant adverse effects and otherwise minimise adverse effects from discharges of sediment on water quality. While it is agreed that it is vital to avoid significant adverse effects, less significant effects can cause environmental harm, and thus it is potentially appropriate to employ the effects management hierarchy here for ease of future consenting and management needs.

Cause d) states that resource consent conditions should be set with regards to:

- i) the quality of the receiving environment, particularly in Part FMUs where suspended fine sediment TAS are not met or there is a downstream receiving environment that is sensitive to sediment accumulation.

Where this translates to more stringent conditions being set for both, this is supported by Fish and Game. It is important that conditions should be set to avoid, mitigate, and minimise sediment inputs from forestry at all stages into freshwater, regardless of receiving water quality state)

- ii) risks of sediment generation with particular regard to management of erosion and discharges of sediment on potential erosion risk land.

I am uncertain what this indicates for resource consent conditions.

- iii) management of the future effects of afforestation and replanting, and the suitability of afforestation or replanting on potential erosion risk land or where significant adverse effects on water quality were identified during any previous earthworks or harvesting activity.

Wellington Fish and Game supports discouraging commercial forestry on erosion prone land or land which has caused adverse effects on water quality due to plantation forestry of any stage. Incentivising native perpetual forest in these areas is strongly supported.

Clause e) Recognising emerging good management practice, such as codes of practice, practice guidance, standards, guidelines and environmental management plans, and other regulatory or forestry sector-based initiatives, and

incorporating them within the regulatory framework where practicable. This clause is supported by Fish and Game.

Clause d) Promoting and supporting indigenous forests and exotic-continuous cover forests, land management practices and alternative forestry strategies and practices and forest species that will reduce the impacts of sediment on water quality, particularly on potential erosion risk land. Fish and Game also strongly support this clause where these practices and strategies are based on scientifically robust solutions.

Earthworks

Policy WH. P29

In the rebuttal evidence for earthworks, this policy WH. P29 changes clause a) from requiring retention of uncontrolled soil to maximising the retention of disturbed soil. In our submission, Wellington Fish and Game were seeking stronger measures to prevent earthworks contributing sediment into waterbodies, changing requiring to maximising weakens those measures, and as such, we do not support that change in wording.

Clause e) discusses minimising works required during the close-down period (from 1st June to 30th September each year). Wellington Fish and Game support this clause.

Policy WH. P30

In our original submission, we had concerns that clause a) locks in the ability to keep pumping sediment into already sediment laden rivers. This will not allow for improvement in degraded waterways and is therefore not in alignment with Te Mana o te Wai, the RMA (1991), or the NPS-FM (2020). These concerns have not been alleviated, and instead it appears that these changes now allow further sediment pollution from earthworks into degraded coastal waterways as well, which also contradict current national frameworks.

The rebuttal evidence further clarifies that the discharges relate to sediment from earthworks over an area of more than 3000m² per property in any consecutive 12-month period. Will specifying the words 'per property' here exclude subdivisions, flood control works, and similar? Will this phrasing exclude

earthworks which do not fall under the 'one property' definition from management by this clause? If so, this change in phrasing is opposed by Wellington Fish and Game.

Policy WH. P31

Wellington Fish and Game continue to support the original policy as originally drafted.