

Submission to the Chief Executive, Waikato Regional Council

Submission by: Waikato Environment Centre (WEC), 242 Peachgrove Road, Hamilton

Declaration: Waikato Environment Centre could not gain an advantage in trade competition through this submission.

Request to be heard: Waikato Environment Centre does wish to speak at the hearing to support its submission; if others make a similar submission, we will consider making a joint case at the hearing.

The Waikato Environment Centre (WEC) strongly supports the creation of a Healthy Rivers Plan to urgently address the poor quality of Waikato's freshwater bodies.

We support the vision for the Waikato River to be swimmable and suitable for food gathering along its full length, and we would support targets for all freshwater to be swimmable.

We support the commitment to ongoing reductions in discharge levels over the next 80 years.

We support and encourage the commitment to educating and supporting diffuse and point source dischargers to improve their practices, diversify land use, and reduce their negative impacts on water quality.

The Waikato Environment Centre's main concerns with the proposed PC1 relate to three broad areas:

- The 80 year timeframe
- Monitoring, and non-compliance
- Standards, including reference point setting

Timeframes

- Overall we believe that greater urgency needs to be given to making the proposed changes, to have any hope of achieving the vision of the Plan and our community for healthier freshwater.
- WEC disagrees with the assumption / justification that staging changes over 80 years will, or is the only way to minimise social disruption. The PC1 appears to imply that the economic cost of complying with new standards will create social disruption.
 - a) there will be economic costs and 'social disruption' associated with not making greater discharge reductions, and sooner, as water quality is likely to get worse before it gets better due to the lag time from historical discharges and the fact that the proposal allows for continuing current discharge levels for decades to come. These costs are likely to include for example: increasing health costs associated with existing poor and deteriorating water, costs of treating water for municipal use (for local authorities and passed on to ratepayers), reduced social and recreational use of fresh water due to pollution (including potential reduction in tourist numbers and activity).

- b) No reference has been made to, or accounting made for, the potential income opportunities and economic benefits associated with measures to improve water quality and swimmable, food-gatherable freshwater. For example, alternative income-producing use of riparian margins such as selective planting and apiculture (diversifying income also allows farmers to reduce risk); increased tourism associated with 'clean green' reputation and swimmable rivers; reduced water treatment costs.
- c) We ask that the Plan recognise the potential off-sets to the costs of change, and the potential economic benefits, and that acknowledge that these will assist with limiting any social disruption.
- Given the lag in nitrogen load still to be seen from historic land use, we ask that discharge levels and targets be reduced more urgently in order to have any chance of achieving the community's and the Plan's vision.
- We ask that the timeframe to have a certified Farm Environment Plan in place, and for stock to be excluded from waterways, be reduced.
- WEC believes too much reliance is placed on future innovation and technology to achieve the water quality attribute targets, and that this should not be used as an excuse for delaying stronger targets – the means are already available to make necessary improvements – such as those anticipated to achieve Stage 1 targets, and for example, stock levels, alternative land uses, and use of more sustainable farming methods which are already being used by some successfully (economically successful as well as environmentally).

Monitoring & Compliance

- We ask that PC1 includes an implementation and monitoring plan which sets:
 - 1) a transparent approach to developing monitoring, compliance, and implementation systems
 - 2) steps to ensure that effective and cost-efficient monitoring, compliance, and implementation capacity is in place at the time the regime is introduced
 - 3) monitoring and reporting on, and reviewing of the implementation of the policy
 - 4) transparent public information for freshwater discharges and takes
 - 5) a council report every two years on progress towards meeting objectives, limits and targets
 - 6) steps the council will take if the combined interventions are not sufficient
- We ask that monitoring of compliance be undertaken by a truly independent party, preferably Waikato Regional Council. The proposed appointment of 'farm industry professionals' as able to certify and audit performance against Farm Environment Plans and required standards is susceptible to issues of conflict of interest, for example, the Healthy Rivers documents suggest fertiliser company representatives could become said professionals.
- We ask that Farm Environment Plans be a controlled activity.

- We ask that provisions be included setting out clear consequences for non-compliance, and that sufficient resources and commitment be provided for prosecution and enforcement.
- We suggest a polluter-pays mechanism, such as a pollution tax, similar to the carbon tax in that revenue from this tax should be used to both clean up the water bodies, e.g. restoration costs, and to incentivise good land management practises.

Standards, including reference points

- We ask that water quality targets in PC1 reflect the Ministry of Health's definition of swimmable and safe for food gathering (for example, the 2096 target for e-coli levels is currently set at more than double the level the Ministry for Health considers safe).
- We ask that the PC1 include
 1. The following freshwater attributes: Te Hauora o te Taiao; natural character; dissolved oxygen (DO); deposited and suspended sediment; Freshwater Macroinvertebrate Health (Macroinvertebrate Community Index); periphyton; cyanobacteria; benthic cyanobacteria; Dissolved Inorganic Nitrogen (DIN) & total nitrogen in the tributaries / sub catchments; total phosphorous in the tributaries / sub catchments; temperature; pH; toxic heavy metals; barriers to fish migrations, and; water flows and levels.
 2. Instream limits (and associated targets) for loads (N and P), sediment loads, e-coli, toxic contaminant loads (e.g. metals, organic compounds), micro-organisms and temperature.
 3. Load thresholds in sub catchments and catchments coming under resource use pressure.
 4. Load allocation approaches that are equitable, promote efficient resource use, future proofed and promote sustainable management. Allocation approaches should not reward current or historic poor practice (a.k.a. 'grand parenting').
 5. The Land Use Capability (LUC) classification system. Load allocations (e.g. nitrogen) should be based on the LUC and land suitability.
 6. Rules to prevent over-fertilising, over-stocking, over-grazing, over-watering and over-draining.

Submitted by:

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