

CENTRAL OTAGO ENVIRONMENTAL SOCIETY INC.

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Submission re ORC Proposed Plan Change 6A (Water Quality)

The purpose of the Central Otago Environmental Society (COES) is to protect and preserve the natural environment, landscape and heritage of Central Otago by raising public awareness of issues and encouraging statutory authorities to make decisions which preserve and enhance Central Otago's special character for the benefit of future generations.

Introduction

The Society believes that water is part of the 'commons' owned by all New Zealanders; it follows that public rights and interests such as access to clean water, maintenance of a sustainable water supply and the protection of the ecological and aesthetic values of our rivers and lakes, must be balanced equally against any use or activity likely to impact adversely on those rights. When doubt exists regarding potentially adverse effects on water catchments, COES considers that policies, rules and regulations must observe the precautionary principle of "do no harm" and deny any activity likely to put water quality at risk.

COES supports the ORC's adoption of an effects-based strategy, noting that emerging evidence continues to indicate the continuing deterioration of water quality in some parts of Otago, due largely it seems to non-compliance with current water quality regulations. However the Society is concerned that the notion of leaving the management of water quality in the hands of land managers alone, is unrealistic. Moreover, the proposed plan change appears to deliberately ignore other important issues which have a direct bearing on water quality, namely water availability and the potential intensification of land use throughout Otago.

Consequently this submission focuses on what it perceives to be anomalies and contradictions in the strategy which, if not addressed by the Plan Change, are likely to prove fatal flaws.

Water Quality v. Land Use

If there were no agriculture, horticulture, forestry, construction and infrastructure (road construction etc.) then it's most likely that our water ways would be of the highest possible quality. However the necessary existence of those activities and their potential to degrade water quality by way of erosion, sedimentation and the discharge of waste and contaminants is, in fact, a threat to the continuance of those public rights and expectations outlined at the beginning of this submission.

It follows then that a balance must be struck between what is acceptable by way of a less than perfect water standard and that which is not acceptable by way of pollution. The Society considers that such a balance, clearly enunciated, should be the Otago-wide starting point, reference and measure for all consequent regulations. Specific catchment considerations may

subsequently recognise a necessary departure from that reference point for reasons of geography, climate or river behaviour, by way of considered variations.

Recommendation

Enhance Schedule 15, Table 15.1 Characteristics of good quality water, by adding clear, unequivocal statements identifying the base standards for quality water from the perspectives of health, recreation, and ecological values.

Intensification of Land Use

The plan change is silent with regard to parallel initiatives presently being pursued in Central Otago and perhaps elsewhere, to secure and if possible increase the supply of water for irrigation. Whilst not necessarily opposed to such proposals, COES is very concerned by the likelihood that any increase in the quantity of available water is likely to encourage intensified land use and a consequential heightening of the risk to water quality.

For the Society, an effects based water quality strategy which fails to consider proposed changes in land use is tantamount to providing an invitation for the horse to bolt. While land managers would necessarily weigh the benefits and risks of intensifying their production, including the risk to local water quality, land use intensification heightens the level of risk and increases exponentially the environmental and financial costs should something go wrong. Prudence and good stewardship both suggest that in the future, land use must be subject to controls which observe a precautionary approach by prohibiting activities likely to put the water resource at risk.

Recommendation:

Include as an issue; the intensification of land use increases the potential of adverse effects on waterways and therefore requires strict control, management and monitoring;

Targets and Transition Times

There is much evidence to suggest that in the absence of immediate pressure, human beings are likely to procrastinate – certainly that has been the case in Otago with regard to initiatives designed to encourage land users to adopt various water conservation and quality measures. Whilst recognising the practical difficulties inherent in changing land management practices overnight, the Society none-the-less considers the extended target and transition times to be a potential excuse for some land managers to sit on their hands.

Water pollution is increasingly a matter of wide public concern so it is essential that having implemented change, the ORC be seen to moving quickly achieve its water quality objectives. Even if the time frames proposed in Table 15.2 are actually fair, COES considers that it is essential to establish intermediate compliance objectives by which the ORC and the public might measure progress towards the desired end result.

Recommendation

Re Table 15.2 Timeframes to meet specified measures – add intermediate compliance objectives.

Catchment Classifications

The Society is concerned that the blanket classification of catchments (Schedule 15, Table 15.2 - Areas 1 – 5) overlooks the often considerable differences between the quality of the water in upper and lower reaches. For example, including the Dunstan Creek in the Manuherikea R. catchment ignores the pristine nature of the Creek's upper reaches by permitting inappropriate nutrient levels, thereby risking the unintended degradation of those higher reaches.

Recommendation:

Further define catchments, taking account of variations in water quality between lower and upper reaches and the possibility that higher standards may be required for as yet unpolluted catchments.

Monitoring

An effects- based strategy necessarily relies on a stringent monitoring and compliance programme capable of identifying problems in the making and quickly remedying breaches of the standards. The Society is concerned that the Plan provides little detail with regard to either monitoring or compliance.

The costs of implementing any monitoring regime are of concern to landowners, the ORC and ratepayers alike. However the Council's plan appears to overlook the potential roles that might be assumed by interested citizens. Equipped with some training, simple instructions and test kits there is every reason to expect that those with a vested interest in the quality of their local water i.e. communities and individuals, will prove willing to participate in maintaining a comprehensive and regular monitoring of their local catchments.

To maintain public support for the plan, COES considers that considerable effort should be made to keep the public informed about the results being achieved and when problems occur, be told what is being done by way of remedy.

Recommendations

1. *Add a section or schedule indicating how discharges will be monitored and what actions will follow from proven non-compliance;*
2. *Provide for the active involvement of interested individuals and groups in the regular monitoring of their local streams and rivers;*
3. *Include a provision for robust and regular reporting on the condition of Otago's streams, rivers and lakes;*

Conclusion

COES is aware that other environmentally oriented organisations such as Fish & Game and Forest & Bird are likely to offer recommendations regarding detailed provisions of the plan change and therefore wishes to reserve a right to further submit on such matters in addition to those covered by our submission, before the ORC finalises this plan change