

640 - Pourakino Catchment Group  
810 - Three Rivers Catchment Group  
5 September 2017

## Pourakino and Three River Catchment Groups - Summary of Evidence Luke McSoriley

### Sub-catchments and Freshwater Management Units

1. Both catchment groups have questioned the use of only five Freshwater Management Units as the appropriate scale for setting objectives and limits for freshwater accounting and management purposes. The 42A report recommends the addition the following sentence at the end of Policy 46: *"Where circumstances show that the freshwater objectives and water quality and quantity limits would be better served by establishing sub-catchments this will be undertaken"*. I support the recommended changes to Policy 47 which will enable the identification of freshwater values and objectives at a sub-catchment level. I note that the development and use of sub-catchments for resource management purposes may assist in the improvement of integrated management of freshwater in whole catchments (Objective C1 and Policy C1 of the NPS for Freshwater 2014).

### Collaboration

2. The catchment groups submitted that the pSWLP should recognize and incentivise collaboration between Council and local communities through Catchment Groups. They sought inclusion of a policy to recognize and encourage this as a non-regulatory approach. In my opinion collaboration can enable efficient and effective environmental management. Catchment groups can be a positive force for change 'on the ground' particularly at sub-catchment level where a defined community of interest may exist. In my opinion the suggested policy would be a useful addition to the pSWLP and reflective of a large amount of the non-regulatory work the Council already does in this area through the Land Sustainability team and other programmes.

### New Policy - Social and Economic Benefits

3. The catchment groups have sought recognition at a policy level of the social and economic benefits of farming activity in Southland. The catchment groups noted in their submissions that there is no recognition in the region wide policies of the pSWLP recognising and providing for rural land use activities.
4. Policy RURAL.1 of the PSRPS recognises that use and development of rural land resources through land-based activities such as farming provides for the wellbeing of people and communities within Southland. Under Section 67 (3) (c) of the RMA a regional plan must give effect to any regional policy statement and this provides weight to the inclusion of the suggested policy in the pSWLP. and will assist in terms of the pSWLP giving effect to the PSRPS.
5. The pSWLP has a strong focus on addressing the adverse effects of farming activities within its policies and rules. Inclusion of the policy promoted by the catchment groups would in my opinion provide some balance at a policy level by highlighting positive economic and social effects that farming and rural land use activities have in Southland

### **New Policy – Capital Investment**

6. The Catchment Group submissions noted that on-farm infrastructure represents a significant monetary investment and they sought the addition of new policy recognizing this in the pSWLP. I acknowledge that a consent authority must have regard to the value of the investment of the existing consent holder under Section 104 (2A) of the Act when applications for replacement consents are sought. I also note that the wording of Section 104 (2A) through the phrase 'must have regard' uses stronger wording than the suggested policy.
7. However, I don't think Section 104 (2A) precludes inclusion of the suggested policy for two reasons. Firstly, applications relating to existing dairy farms will be made in situations where replacement permits are not proposed and Section 124 does not apply. This could include s127 change of condition applications relating to ~~changes in cow numbers or~~ changes to FDE discharge areas and other farming activities requiring resource consent under the Plan. The second reason is that the policy suggested by the submitter would recognize wider social and economic benefits that arise from this infrastructure and is not restricted to value to the consent holder. This is an important distinction as farming activity in Southland has social and economic benefits at local, regional and national levels.
8. In my opinion consideration of the investment in on-farm infrastructure is appropriate in the pSWLP at a policy level and would be consistent with pSWLP Objective 2 and Objective 9 (b). Inclusion of the policy would not over ride or trump any of the other policies of the Plan. It would however, provide for balanced consideration of social and economic values along with environmental and cultural when existing dairy farms apply for replacement resource consents or other types of resource consent.

### **Wetlands**

9. In my opinion wetland modification may be appropriate where a wetland is not significant and /or adverse effects can be avoided, remedied or mitigated. Constructed wetland modification should also be enabled where it is for the purposes of achieving improvements in water quality or quantity. Suggested amendments to Rule 74 were outlined in Appendix 1 of my evidence.

### **Rule 13**

10. Rule 13 of the pSWLP as notified permits the discharge of land drainage water to water from an on-farm subsurface drainage system. Part of that same rule may regulate the maintenance of those drains in certain situations. As the Chair has noted in an earlier hearing on the pSWLP under Section 70 of the RMA, Council must be satisfied that certain environmental effects are not likely to arise before allowing a rule in a regional plan relating to discharges. As such maintenance activities associated with cleaning of tile drains (if permitted) would need to comply with Section 70 of the Act. As such I, have changed the suggested amendment to Rule 13 as stated in my evidence to reflect the requirements of Section 70 as detailed below:

- (a) *The discharge of land drainage water to water from an on-farm subsurface drainage system, and maintenance of those subsurface farm drains is a permitted activity, provided:*
- (i) *there is no conspicuous change to the colour and/or clarity of the receiving waters at a distance of 20 metres from the point of discharge;.....*

The distance of 20m is consistent with other rules in the pSWLP.

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