

**BEFORE THE SOUTHLAND REGIONAL COUNCIL**

**IN THE MATTER OF** the Resource Management Act 1991

**AND**

**IN THE MATTER OF** Hearings on submissions concerning the  
Proposed Southland Water and Land  
Plan

**AND** Southland Fish & Game Council  
(submitter)

Submitter No: 752

Submitter Name: STAND F2G

Date Received: 26/9 /17

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**SUMMARY SUBMISSION OF ZANE MOSS ON BEHALF OF  
SOUTHLAND FISH & GAME COUNCIL**

**Date: Wednesday, 27 September 2017**

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**Southland Fish & Game Council**  
17 Eye Street, West Invercargill, Invercargill  
PO Box 159, Invercargill 9840  
Telephone (03) 215 9117  
Facsimile (03) 215 9118

Contact: Zane Moss

**May it please the Hearing Panel:**

1. First, I wish to commend Environment Southland for recognising regulation that effectively requires the adoption of good management is necessary to halt and reverse the decline in our freshwater ecosystems.
2. I'm sure by now you appreciate that summarising 50 pages of evidence in 10 minutes is something of a challenge, so I'll try and touch on a few key points, provide some pictorial evidence and I'm obviously happy to answer any questions you may have.

Sedimentation- deposited sediment standard (1 slide)

3. Deposited fine sediment is a critical component of ecosystem health, which should be measured for State of Environment reporting and to measure Plan efficacy.
4. Science supports 20% as a threshold for invertebrates, ecosystem health and trout spawning. However, I need to highlight that no deposited fine sediment is optimal.
5. Recommend a standard of < 20% cover of deposited fine sediment be adopted.

Visual clarity (1 slide)

6. Water clarity standards in Appendix E are far too low, so that even compliance with current standards does not necessarily represent an appropriate **State** for ecosystem health and that is true for a number of standards in Appendix E.

No conspicuous change in colour or visual clarity

7. Requires a numeric definition to ensure it is easily communicated and understood, objectively measurable and repeatable.
8. I submit that a 20% change is the appropriate level, as most people can detect this.

Macroinvertebrate community health (1 slide)

9. Important to make the point that the reason we monitor pollutants such as nitrogen, and phosphorus is because of the effect they have on our values, such as the life supporting capacity of ecosystems, which is better reflected by macroinvertebrate community health.
10. I suggest that rather than focus on trends or indeterminate results in singular pollutants, it is recognised that the **State** of ecosystem health, as reflected by MCI data, is severely degraded.
11. MCI standards are currently too low, at a level that reflects 'moderate to severe' pollution<sup>1</sup> in lowland sites. However, despite that, standards aren't achieved at 20% of sites.
12. Additionally 26% of sites have strongly significant decreasing trends.

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<sup>1</sup> <http://www.mfe.govt.nz/publications/about-us/user-guide-macroinvertebrate-community-index-part-1-background-biotic-indices#table2>

13. No sites showed improving trends.

#### Rule 13 Discharges from Tile Drains (2 slides)

14. Simply repeating the requirements of s 70 of the RMA is not sufficient.
15. Tile drain discharges should be required to comply with standards for receiving surface water 20m downstream.

#### Rule 22 New or Expanding Dairy Farming of Cows

16. Support s 42A hearing report recommendation that it's non-complying in Old Matura & Peat Wetland Physiographics
17. There is strong scientific justification for the activity to be treated as non-complying across zones with similar risks of water quality degradation and therefore to also include Oxidising, Central Plains & Riverine Zones.

#### Rule 23 Intensive Winter Grazing (20 slides)

18. Similarly, using the same effects-based scientific approach I support the non-complying status for Intensive Winter Grazing in excess of 50ha on Old Matura and Peat Wetlands, being extended to include Oxidising, Central Plains & Riverine Zones.
19. I support the need for a farm management plan as a condition of the permitted activity status of Rule 23. **However, I suggest that attention needs to be drawn to avoiding cultivation of critical source areas for the purposes of establishing winter crop.**
20. Submit a further condition is added "**Stock are excluded from critical source areas**". It is not simply enough to identify their location on a management plan map.

#### Vegetated Buffer Strips (6 slides)

21. Variable width setbacks specified in Rule 23 (b)(vii) are absolutely necessary.

#### Rule 49 Abstraction, diversion and use of surface water

22. Heartened to see from supplementary evidence that Mr Hughes now recognises the need to flow share. PG 55 para 8.158
23. I submit 1:1 flow sharing as flows recede toward minimum flows (as currently provided for in the Operative Plan) should be provided for in the Proposed Plan.

### Fish Screening

24. Fish & Game sought inclusion of an Appendix setting out fish screening standards, but author of s 42A hearing report, while recognised the benefits, questioned whether or not the suggested fish screening standards are appropriate for Southland.
25. In short – Yes. By and large same species of fish in Southland as in Canterbury with similar screening requirements.

### Rule 60- Dams and Weirs (1 slide)

26. Having been involved in surveying and establishing wetlands for almost 20 years, I am not aware of any structural failures of any dams built in accordance with the permitted activity conditions of Rule 29 of the Water Plan.
27. Submit that requiring “the design and construction of a dam or weir between 2 – 4m high must be certified by a suitably qualified and experienced engineer” is financially prohibitive, especially given;
  - the absence of any dam failures in Southland,
  - conditions requiring location of the dam to ensure any potential damage from a possible failure is avoided
  - an adequate spillway for flood flows,
  - a reasonable restriction on size of catchment
  - the environmental benefits of creating wetlands

### Proposed prohibition on dams or weirs in tributaries of the Maitava or Waikaia Rivers.

28. Fish passage already a requirement for permitted activity.
29. Protection of salmonid spawning only other requirement of Maitava WCO.
30. There is very little potential trout spawning in tributaries with a catchment less than 500 hectares and most catchments utilised are far smaller.
31. Protection of salmonid spawning could be added as a specific condition, as outlined in our legal submission.

### Rule 70 Stock exclusion

32. Because of Southland’s frequently saturated soil conditions and occurrence of high intensity rainfall events, guidance is required to ensure appropriate vegetative buffers.

### Rule 78 Weed and sediment removal (6 slides)

33. Sediment removed should contain less than 5% gravel, linked to Wentworth scale.
34. Streams subject to mechanical cleaning regimes seldom have eroding headwater supplies of gravel therefore any removal is unsustainable.
35. Gravel is such a significant component of an ecosystems’ life supporting capacity discretionary status is appropriate to ensure these values are protected, and effects are avoided, remedied or mitigated.

New rule related to maimai in the bed of lakes and rivers

36. The **use**, erection, maintenance, etc of any maimai (irrespective of size) in the bed of any river or lake is a restricted discretionary activity.
37. The Regional Coastal Plan provides for the construction of small maimai by way of a permitted activity in the coastal marine area.
38. Southland has approximately 6000 adult gamebird hunters and there are literally hundreds of maimai used on public land. To require a restricted discretionary consent to continue to **use** these structures is not warranted.



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