

20 April 2016

Freshwater Consultation 2016  
Ministry for the Environment  
PO Box 10362  
WELLINGTON 6143

Dear Sir or Madam

RE: CHRISTCHURCH CITY COUNCIL'S SUBMISSION ON FRESHWATER CONSULTATION 2016

1.0 Introduction

1.1 Christchurch City Council (the Council) thanks the Ministry for the Environment and the Ministry for Primary Industries for the opportunity to provide feedback on the Government's proposal for freshwater management, *Next Steps for Fresh Water*.

1.2 This submission has been approved by the Council's Submissions Panel on behalf of the Council.

1.3 There are six key areas on which the Council is commenting:

- The lack of groundwater attributes;
- The manner in which water quality maintenance or improvement is assessed;
- Use of the Macroinvertebrate Community Index;
- Inclusion of "intermittently closing and opening lakes and lagoons";
- Stock exclusion for water bodies; and
- Iwi rights and interests.

2.0 General comments

2.1 The Council acknowledges the joint Canterbury response to the Government's proposals. Council staff participated in discussions with Environment Canterbury and other territorial authorities in advance of the preparation of their submission.

- The Council supports in principle the submission made by the Canterbury Mayoral Forum.

2.2 In its submission on the proposed 2013 amendments to the National Policy Statement on Freshwater Management (NPS-FM) the Council had noted the absence of any attribute or national bottom line for groundwater and had strongly recommended that the Government give further consideration to provision of groundwater-related attributes in the NPS-FM. We note that the focus of the 2016 consultation remains on surface water bodies.

Groundwater is the source of Christchurch's drinking water for more than 98 percent of residents on our reticulated public water supplies. This high quality drinking water is untreated as delivered, something that our residents greatly value. Degradation of the quality of this drinking water source could lead to the need to treat the water, which would come at a significant cost to ratepayers.

- Given the importance of groundwater resources particularly within the Canterbury region as well as nationally, the Council strongly recommends that the Government initiate a programme of work with urgency to expand the NPS-FM to include groundwater-related

attributes. We suggest that at least one water quality attribute is developed to for human health, such as a nitrate attribute linked to public health standards.

### 3.0 Specific comments

#### *Freshwater management units versus a whole region*

3.1 It is proposed in Proposal 1.1 that the requirement to “maintain or improve water quality” is applied to freshwater management units within a region rather than to the region as a whole. The Council considers that this is a rational approach. Given the size, number and complexity of the Canterbury Region, for example, it is not meaningful to apply the requirement to the whole of the region as if it were one catchment. Focusing on water quality at a freshwater management unit level will enable greater transparency around water quality within the specific catchment and/or bodies of water within each freshwater management unit.

- The Council supports the proposal to apply the requirement to “maintain or improve water quality” to each freshwater management unit.

#### *Maintaining or improving water quality*

3.2 Proposal 1.2 suggests that “councils have flexibility to maintain water quality by ensuring water quality stays within an attribute band”. In principle this seems to be a reasonable approach, with the caveat that there should not be downward trend over time towards the next lower band. There needs to be robust guidance on how this proposal is implemented, which needs to be developed with the active participation of local government.

- The Council supports Proposal 1.2 as long as there are provisions to prevent long-term downward trending towards the next lower band.

#### *Macroinvertebrate Community Index as a measure of water quality*

3.3 The use of Macroinvertebrate Community Index (MCI) is suggested in Proposal 1.3. The discussion document suggests on the one hand that the MCI could be used as a measure of ecosystem health, but elsewhere suggests that it could be used as a measure of water quality. We consider that macroinvertebrates are an appropriate measure of ecosystem health.

3.4 The Council uses the Macroinvertebrate Community Index developed by Stark and Maxted in our surface water monitoring programme. We consider that that it would be most appropriate to measure the change in the Stark and Maxted quality classes (e.g., excellent, good, fair and poor) rather than a change in absolute MCI values. These classes are more easily understood than absolute numbers and allow for some natural variation across years or potential sampling bias.

3.5 We recognise that macroinvertebrates vary widely across ecosystems and further that a low MCI may not always be indicative of a poor ecosystem. With that in mind we consider that robust guidance is needed to assist councils in implementing the MCI in the event that this is incorporated into the NPS-FM.

- The Council supports the use of the Macroinvertebrate Community Index as a measure of ecosystem health.

3.6 With respect to the proposal to “work with the Land and Water Forum on ... a macroinvertebrate measure” (Proposal 1.4) we consider that it is critical that local council representatives are included in the development of a macroinvertebrate measure in addition to the Land and Water Forum.

- The Council recommends that local council representatives are included in the development of a macroinvertebrate measure and further suggest that Environment Canterbury and Christchurch City Council are among them.

*Intermittently opening and closing lakes and lagoons*

- 3.7 The inclusion of “intermittently closing and opening lakes and lagoons” in the same band thresholds and national bottom lines is proposed in the discussion document (Proposal 1.6). There are two water bodies within Christchurch’s district boundaries that are “intermittently closing and opening lakes and lagoons”: Te Waihora/Lake Ellesmere and Wairewa/Lake Forsyth.
- 3.8 The Council considers that water quality is as important in these water bodies as with other water bodies, and that it is appropriate for water quality attributes and national bottom lines to be set for them.
- The Council supports Proposal 1.6.

*Stock exclusion*

- 3.9 The discussion document proposes exclusion of stock from water bodies over a period between 2017 and 2025 (Proposal 1.8).
- 3.10 The Council supports the need for stock exclusion and the intent behind the proposed amendment, but we do not agree with the lengthy timeframes for stock other than “dairy cattle on milking platforms”. We also suggest that sheep and goats are included in stock exclusion requirements as they can also have an effect on waterways.
- 3.11 The proposal seeks to limit fencing to land with slopes no greater than 15 degrees. We note that many of our highly valued waterways, such as those within Sites of Ecological Significance on Banks Peninsula as well as those which are sources of public drinking water supplies (e.g., Takamatua and Balquerie Streams in the Akaroa Harbour area), have gradients greater than 15 degrees. These steep waterways often have erosion and stability issues, which can be compounded by stock intrusion onto banks and into channels. As such we suggest that the slope limit for which stock exclusion would be required is increased to 45 degrees, for at least waterbodies that are the sources of community drinking such as several small streams in Banks Peninsula.
- 3.12 We also suggest adding trigger thresholds in relation to stocking rates and/or nitrogen budgets to the stock exclusion requirements.
- 3.13 The proposal also seeks to limit the stock exclusion requirements to permanently flowing waterways. We consider that intermittent and ephemeral waterways can be significantly affected by stock intrusion, and have their own values as well as values to the catchment in which they are found.
- The Council supports the addition of stock exclusion requirements, subject to the following conditions:
    - that the dates for compliance are simplified, to reduce or eliminate the multiple timeframes shown in Table 2 of the proposal;
    - that sheep and goats are included to Table 2 of the proposal;
    - that slope limits are increased to 45 degrees where there are at-risk waterbodies that are sources of community drinking water supplies such as several small streams on Banks Peninsula;
    - inclusion of trigger thresholds for stocking rates and nitrate budgets;

- that intermittent and ephemeral waterways are considered for inclusion.

*Iwi rights and interests*

- 3.14 The discussion document proposes greater Iwi/Māori participation in decision-making on water matters (e.g. Proposals 3.3, 3.4, 3.5 and 3.7).
- 3.15 The Council notes that we already have a process in place to actively partner with Iwi/Māori. For example the Council works with Mahaanui Kurataiao Ltd (MKT), an advisory company owned by the six Rūnanga whose takiwā cover the administrative territory of Christchurch City Council: Ngāi Tūāhuriri, Te Hapū o Ngāti Wheke, Te Rūnanga o Koukourārata, Ōnuku, Wairewa and Te Taumutu. The Council is also working with MKT to set up a three-waters working party that will be focussed specifically on water-related issues.
- 3.16 The Council also notes that Iwi/Māori participation is embedded in the Canterbury Water Management Strategy and the water management zone committees and Regional Water Management Committee that have been established to implement the Strategy.
- 3.17 Water management zone committees are joint committees of Environment Canterbury and the district councils within their respective zones, established in accordance with the Local Government Act 2002.
- 3.18 Three water management zone committees include portions of the Christchurch district: Christchurch-West Melton, Banks Peninsula and Selwyn-Waihora. Each of these committees includes representatives from the Rūnanga in these zones, who actively participate in the work of these committees.
- 3.19 The three water management zone committees work closely with both the elected members of the Council and Council staff on a variety of water issues.
- The Council supports proposals for greater Iwi/Māori participation in freshwater management.
- 4.0 Concluding Remarks
- 4.1 In summary the key points of the Council submission are that the Council:
- supports in principle the submission made by the Canterbury Mayoral Forum;
  - strongly recommends that the Government initiate a programme of work to expand the NPS-FM to include groundwater-related attributes;
  - supports the proposal to apply the requirement to ‘maintain or improve water quality’ to each freshwater management unit;
  - supports Proposal 1.2 as long as there are provisions to prevent long-term downward trending towards the next lower band;
  - supports the use of the Macroinvertebrate Community Index as a measure of ecosystem health;
  - recommends that local council representatives in the development of a macroinvertebrate measure and further suggest that these include Environment Canterbury and Christchurch City Council;
  - supports inclusion of “intermittently closing and opening lakes and lagoons” in the same thresholds and national bottom lines;

- supports the addition of stock exclusion requirements, subject to the following conditions:
  - that the dates for compliance are simplified, to reduce or eliminate the multiple timeframes shown in Table 2 of the proposal;
  - that sheep and goats are included to Table 2 of the proposal;
  - that slope limits are increased to 45 degrees where there are at-risk waterbodies that are sources of community drinking water supplies such as several small streams on Banks Peninsula;
  - inclusion of trigger thresholds for stocking rates and nitrate budgets;
  - that intermittent and ephemeral waterways are considered for inclusion
- supports proposals for greater Iwi/Māori participation in freshwater management.

4.2 The Council again thanks the Ministries for the Environment and Primary Industries for the opportunity to make a submission on proposed freshwater management reforms.

4.3 Please direct any queries to:

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Yours sincerely



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