

Submission on Proposed Plan Change 7 (Water Permits) to the Regional Plan Water for Otago

Submitter:

Wise Response Society Inc.,
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Declarations:

- We wish to be heard in support of our submission
- We will consider presenting a joint case with other submitters
- We could not gain an advantage in trade competition from this submission

Submission:

We intend to submit formally when the Environmental Protection Agency issue their Notice of Direction on this plan change and call for submissions.

Meanwhile, we wish the EPA to take into account the oral presentation (appended below) which was delivered to a public meeting held by the Council to canvas initial community views on the 7 January 2020.

Yours sincerely

Alan Mark, PhD, ΦBK (Duke), Hon DSc (Otago), FRSNZ, KNZM
4 May 2020

Proposed Water Permits Plan Change Oral presentation to ORC Public Forum by Wise Response Society Inc

Wise Response Society was set up to encourage all levels of government, as well as all New Zealand citizens to ensure that our way of life and priorities are not putting at risk our childrens' future.

We recognise that this Plan Change is specifically to address the consent processing requirements between the 2021 and 2025. The following 4 key concepts may assist framing the water allocation planning regime.

1. The backdrop to this plan change is a sorry tale of planning failure in key areas of water allocation and water quality in Otago.

Plan Change 6A allowed 6 years from 2014 for the agreed water quality discharge standards to be implemented. Now there is proposed Plan Change 6AA to postpone the compliance date by a further 6 years.

The Regional Policy Statement (RPS) review, notified in 2015, is still only partially operative, broader questions of its legality are outstanding and the Minister is now requiring a new RPS.

Now this Water Permit Plan Change (WPPC) is proposed as a way to address a failure to transfer them into Consents, when 20 years was allowed for this process.

The message is that we can have all the plans we like, but if there is not the will and capacity to implement and enforce them, goals will fail. We can no longer afford this endless cycle of planning to plan and kicking the can down the road while the environment degrades. Council loses credibility when it does not follow through on its plans. We are therefore supportive of the Ministers insistence that the 2021 deadline be upheld.

2. The Water Permit Plan Change be based on the understanding that the ORC's primary responsibility is to ensure that natural and physical resources are managed sustainably for the wider community.

For this Plan Change Peter Constantine (21 Nov 2019, Section 13) recommends potential impacts on existing water abstractors, and existing priorities in deemed permits be given consideration, but there is no suggestion similar consideration be given for instream, life-supporting and amenity values.

Yet it is becoming increasingly obvious that healthy functioning ecosystems and associated ecosystems services underpin all economic activity, so they need to be restored and protected without further delay.

In general terms, the minimum flow in a river sets the quantity of the habitat, the flushing flows (or variability) the quality, and flood flows the form of the river.

Accordingly, before any new consents are granted, we consider this Plan Change requires an environmental flow regime to be established for each river. This should be based on the best available hydrological and ecological information or modelling which will be reviewed once the other Statements and Plans are operative.

3. In a plan change specifically for deemed permits, there is a risk of rolling over the status quo without adequate assessment against the broader sustainability frame.

The murky yellow haze that enveloped us all a few days ago, courtesy of Australia, is just one of the more graphic reminders that we in the West must all profoundly change our way of life if we want to avoid an environmental disaster.

The current preoccupation with maximising value from land to the individual, needs to shift to a more genuinely integrated approach that maximises collective resilience at catchment scale. This requires a systems review. So the consenting process under this Plan Change must do nothing to frustrate this need once the new RPS, and Land and Water Plans are operational.

Moreover, Fresh Water Management Units (FMU) currently under establishment, have terrific potential as a vehicle to explore what land management changes are needed to achieve more community-wide resilience.

4. We must build into the allocation process the fact that catchment yields are changing and can be changed with strategic management.

The most direct physical impact of climate change is on hydrology (eg, average rainfall and intensity, frequency, ET rates, groundwater recharge etc). This is already affecting seasonal water availability.

Less commonly recognised is the impact of soil (mainly OM levels) and cover management (e.g. on soil permeability) on the capacity of the land to capture, infiltrate, recharge and release water to rivers in a way that better sustains flows into summers.

That means that working together, (ideally with the assistance of the ORC) land-managers in a given catchment can improve the yield, reliability and seasonal distribution of water in their catchment which can benefit all downstream users, including amenity. Moreover, the choice of agricultural enterprise and application methods significantly impact irrigation water demand.

So allocations should not be based simply on past use (as proposed by Peter Constantine) but on demonstrating that the landuse system is genuinely sustainable, including under the "sinking lid" Net Zero Carbon emission policy by 2050. Wise Response believes that rules and incentives are needed to ensure that such broader optimisation issues are considered before water allocation parameters are finalised.

Sir Alan Mark and Dugald MacTavish
7 Jan 2020