



Submission to the Action for Healthy Waterways

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WIC is happy for all of its submission to be published on the MfE web site.

Waitaki Irrigators Collective Ltd (WIC)

WIC is a not-for-profit entity made up of shareholders comprising six irrigation schemes and a society of individual irrigators, which take water from Lake Waitaki, the Waitaki River, or its tributaries and connected groundwater and use that water to irrigate land downstream of the Waitaki Dam. The company represents an irrigated area of around 85,000 hectares across North Otago and South Canterbury.

WIC's mission is:

To act as the collective social conscience of the WIC membership to encourage, promote, facilitate and communicate those actions that will benefit the members, the River and the community so that the uniqueness of what the River is and means to the Waitaki district is understood and maintained.

The shareholders are:

- the Kurow-Duntroon Irrigation Company Limited
- the North Otago Irrigation Company Limited
- the Morven, Glenavy, Ikawai Irrigation Company Limited
- the Maerewhenua District Water Resource Company Limited
- the Lower Waitaki Irrigation Company Limited
- the Waitaki Independent Irrigators Incorporated Society (which includes Haka Valley Irrigation Limited).

A unique aspect represented by WIC is that although its membership sits across two regions (Canterbury and Otago) they have elected to voluntarily take a Catchment approach to its activities as WIC has long had the value of the Waitaki River being the lifeblood of our area.

WIC supports the submissions made by its membership and that of Irrigation New Zealand and will not repeat the points raised by those entities here. WIC's submission will focus on the ways in which the WIC approach has positively impacted in our area by the use of case studies, and how the proposals under the Action for Healthy Waterways will threaten or derogate from what WIC has managed, and further plans to achieve.

SUBMISSION DETAILS Sections 4, 8 and 9

SECTION 4 – POLICY DIRECTION

Proposal	RMA Direction	What will be different
Introduce a new freshwater planning process that will require Councils to have new plans in place no later than 2025	RMA amendment bill	Better, faster, more nationally consistent freshwater management plans and implementation

WIC Submission

WIC was formed in 2010 to formalize a previously ad-hoc arrangement arising from the hearing of consents to take water from the Lower Waitaki River and Lake Waitaki and to provide a more focused, professional structure. WIC was set up as a dedicated legal entity to provide professional policy management and strategic advice for the group and to allow for long-term planning and proactive work on irrigation-related issues alongside the community. The key points being **long-term, proactive and community**.

Overall, this constant tinkering with the National Policy Statement for Freshwater, and the resultant processes required to implement the changes into Council policy documents, make it very difficult to focus on the actions required. Promulgating those changes are also expensive and time consuming for both community and councils.

Below we have a case study to reflect the feelings of just one of our independent irrigators who have participated in the myriad of planning instruments already faced over the last 15 years, and the impacts that has had on their lives.

Case Study: Wainui Station Ltd and Viewfield Farms Ltd, Cameron Family

“The Cameron’s have provided submissions and evidence to the development of the Canterbury Natural Resource Plan, the abandoned Project Aqua, the Waitaki Amendment Bill and the Waitaki Catchment Water Allocation Regional Plan. As applicants seeking to renew existing consents we were caught up in the ministerial “call in” of Waitaki applications in 2004 and the Lower Waitaki Hearings in 2008. We were an effected party (providing evidence) to the North Bank Tunnel Project an application by Meridian Energy Ltd to take up to 260 cumecs of water from the Waitaki River for the purpose of hydro generation and a 3.5-kilometre corridor of land through our productive flats to convey the water by open canal. Totally hijacking our lives, it was abandoned in 2013. We have submitted to and provided evidence to the Canterbury Land and Water Regional Plan and the various Plan changes that have followed, more recently Plan Change 5 and associated nutrient management. There have now been 7 Plan Changes in a period of 2 years.

We no sooner finish submitting to one Plan and another is introduced – in most instances before the former has even become law.”

Councils are being given until 2025 to have new plans in place, and the government wishes to see immediate improvements and water quality improving within five years but we question how that could possibly occur when Councils and the community have spent the last several years, since the NPS 2011, then 2014, putting together implementation plans that may now be relitigated through additional plan change processes.

WIC strongly submits that we do not want to see what the regions of Otago and Canterbury have achieved through the various plan changes arising out of the last NPS be thrown out due to this latest iteration. The time ahead needs to be used for action and great momentum has already been achieved that will be stymied by a complex, resource-consuming process of yet more planning.

Proposal	RMA Direction	What will be different
Give effect to Te Mana o te Wai	NPS-FM	The health and well-being of water will be put first in decision making; provision for essential human needs will be second, and all others follow

WIC Submission

The Waitaki River is the lifeblood (core) of our area. Its impact is felt widely as it reaches into the surrounding catchments of the wider Waitaki area and their many tributaries. It has been considered the most significant catchment in New Zealand for irrigation values. It is the largest of the East Coast braided rivers, and also supports a number of other values. These include recreation (particularly sports angling and boating); cultural (the meltwaters of Aoraki are considered to be sacred, and the river is home to a number of significant sites for kaitiaki Rūnanga, supports a range of mahinga kai, and was an important travel route to inland areas); indigenous biodiversity; and, the largest hydroelectricity system in the country. WIC recognises the importance of the River and it is central to all that the Collective and its members do.

WIC represents a membership that utilizes water for multiple needs: food production, fibre production, beverage production, stock water, shed water, town water supply, rural fire fighting and emergency needs, industrial use, and recreational use. In debates about the future of our waterways we need to have all parties involved sharing their values and knowledge. We anticipate tangata whenua values will be common for many New Zealanders. The richness of all experiences and ancestry builds a strong foundation for balanced decisions.

The concept of Te Mana o te Wai is supported; however, we do not know practically how it is expected to be measured or delivered. However, we do not agree that the wellbeing of the waterway always sits above the well-being of people. Human and stock drinking supplies, firefighting and emergency needs are vital to all New Zealanders.

SECTION 8 – IMPROVE ECOSYSTEM HEALTH BY IMPROVING FARM PRACTICES

Proposal	RMA Direction	What will be different
Ensure all farmers and growers have a plan to address risks to freshwater	Freshwater NES	There is less pollution. All farmers and growers have a plan by 2025

WIC Submission

The implementation of environmental farm plans and the associated processes required to give effect to their use is a fully endorsed concept already utilized by WIC membership. All schemes represented have farm plans in place and have had so for quite some time as presented in the case study below.

Case Study: North Otago Irrigation Company

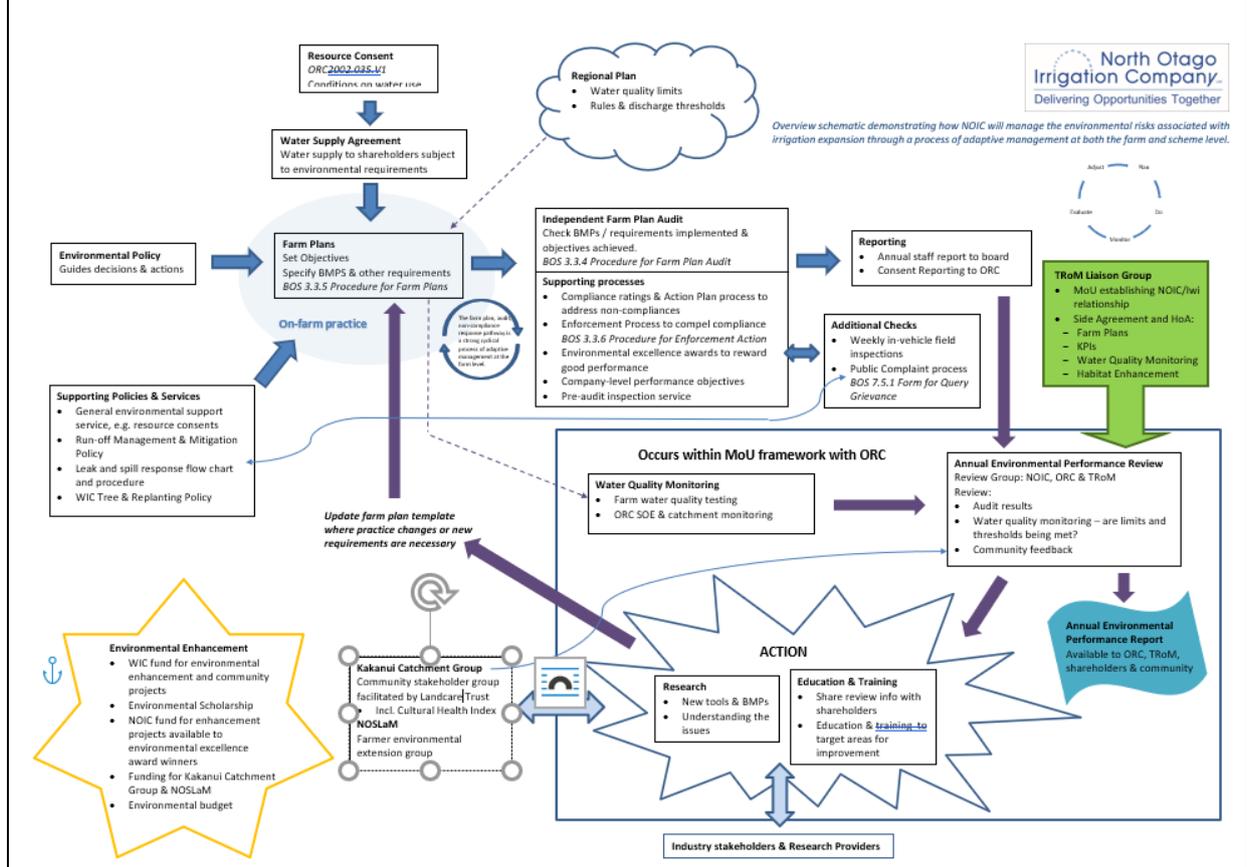
The North Otago Irrigation Company has utilized farm plans from its inception in 2006 and was the recipient of an Innovation Award from Irrigation NZ in 2012 for its Audited Self-Management System.

A key aspect of what NOIC has achieved however lies in the formulation of the contents of the farm plans that sits not in a prescriptive and regulated way, but with the involvement of the community as represented by the local council and iwi alongside the company.

In order to engender continuous improvement from the ground level up, the results of the farm plan audits are analysed each year and the efficacy of the water management practices and bottom lines built into the farm plans are critically considered.

Iwi, council and irrigation company then work together to adjust the requirements to the specific needs of the environment to more fully effect the results required.

This is continuous improvement in practice – Plan, Do, Check, Act and so – and it is envisaged in the below diagram that this can be driven from both a farm and a scheme level.



At the WIC level, the processes used at the scheme level are shared and discussed so that what works and what doesn't work in actual practice is discussed in a non-threatening and useful way. Although WIC does not have an operational role per se, the principles and values that are developed at a catchment level are then being embedded in the water supply agreements and operational rules implemented at the scheme / farm level.

For example, all schemes have bottom line requirements around key aspects that could impact on the environment e.g. winter grazing and irrigation scheduling. All schemes already have water measurement in place through appropriate use of meters and telemetry.

WIC strongly endorses the use of farm plans as a continuous improvement tool but further submits that the use of prescriptive requirements such as setting practices at a consenting level be avoided as this is counter-productive to including the community in the linkage of actions to objectives and does not drive continuous improvement.

The unintended consequences of linking farm practices within the farm plan to consent conditions will be a focus on 'ticking the boxes' and avoidance of compliance costs while the real aim should be the creation of an environment where appropriate data can be collected and analysed, a story told, feedback obtained from the community, and adjustments made to drive improvement.

Case Study: WIC in Action, an Alternative Approach to Prescriptive and Mandatory Farm Plan Content

An example of how WIC is delivering on driving better practice through a collaborative and voluntary approach is a series of workshops they have organised recently around water quality monitoring in the Lower Waitaki Catchment.

All up, the WIC schemes had been carrying out over 3,300 tests annually at 47 sites, over 9 scheme areas, testing 17 parameters and spending \$90,000 per annum. Only one of the schemes has water quality tests as a condition of their consent.

The questions arose however, are those tests truly an accurate record of what is occurring in the catchment, and what are we then doing with the results obtained. To answer these questions WIC invited representatives from all schemes, the community and the local and regional councils to participate in a series of workshops within which all participants agreed on the following principles:

- 1. The WIC Schemes want to ensure that they carry out water quality monitoring in the most effective, efficient, consistent and correct way, and that the results obtained are reliable and valuable,*
- 2. All participants wish to ensure that by planning and communicating from here on, data being collected in the catchment is fit for purpose and meaningful, and*
- 3. A draft programme (in principle) to align on-going work programmes that results in co-ordination of processes and data to be able to tell a Catchment story at different levels should be pursued.*

Actions arising from this collaborative process have included the creation of a standard operating procedure (SOP) for water quality testing of surface water sites to give confidence in the collection of water quality data, and the creation of a cross-regional governance group to further the achievement of the third goal – telling the Catchment story.

WIC and the Councils have now linked up with Irrigation NZ and will be using the Waitaki Catchment as the subject of an MPI sponsored project called Building Trust. This project will develop a catchment-scale secure data management and analysis system, with an engaging, easy-to-understand visual interface that is publicly available. It will comprise an interactive portal that users can use to view and understand data, information, and farming stories relating to water in the lower Waitaki catchment.

In conclusion, WIC supports the mandatory use of farm plans; however, submits that what has been proposed within Action for Healthy Waterways around controlling management practices may or may not actually have any effect on water quality and waterway health and therefore should not be built into a minimum level of GMP in mandatory farm plans. Regulations relating to FEP's must account for the significant variation that exists between and within catchments and be appropriate to the scale of the risk presented by the farming operations.

Accounting for variations can be achieved through a coordinated, community driven approach reflecting a set of agreed principles, rather than a top-down prescriptive approach. Further, the community driven approach should allow for Catchment and specific adjustments based on continuous improvement principles, coupled with good data analysis and an ability to tell the Catchment story; and therefore, more will be achieved than a high level of paper work, recording, compliance of plans, maps etc. which are not proof of effect.

Proposal	RMA Direction	What will be different
Tightly restrict further intensification of land use through interim measures until all regions have operative freshwater management plans	Freshwater NES	From June 2020, changes such as new irrigation or intensification to dairying will only happen when there is clear evidence it will not increase pollution

WIC Submission

WIC membership represents a plethora of land uses as a result of the ability to access reliable water from the Waitaki River. This includes food production (eggs, milk, meat, grains), beverage production (Waitaki is now a recognised wine growing region), fibre production (wool, seeds, lucerne) etc.

Significant investment has been made by the population of Waitaki in the building of modern efficient irrigation infrastructure; in the range of hundreds of millions of dollars in the last fifteen years. Some of that infrastructure was built with an overbuild component in recognition that opportunities would emerge in future years that would only be able to be realised with the availability of water and assets should be maximised to the most optimal point when first constructed (efficient use of capital).

Practically what this means is that there is spare infrastructure in the valley that is currently being financed by the existing owners of the schemes in anticipation that it would be taken up in the future.

Entering into irrigation is a decision that farming families have not taken lightly as it requires decisions around such complex matters as succession planning and exiting land to allow others more open to changing from a dryland to an irrigated production program take ownership. Some of these decisions have only been made recently and the optimisation of these decisions is still in the process of emergence. For example, diversification strategies are being developed (deer farming on a traditional dairy property, growing of fruits etc.), alternative irrigation methods are being tested (border dykes to pivots, k-lines to fixed grid), water efficiencies are being measured and optimised (deficit irrigation, partial conversion of properties to irrigation, spreading of water).

Significant investment has also been expended in the creation of the environmental management structures surrounding the use of the water. From employment of Environmental Managers, to creation of MOU's with iwi and councils, to creation of farm plan policies and procedures.

Utilisation of such a blunt instrument as a moratorium on further irrigation and land-use change will create serious impacts in a variety of ways that could be avoided by investing in alternative and existing methods and tools.

Case Study: North Otago Irrigation Company

NOIC holds a consent to take 8.2 cumecs from the Waitaki River. At present, the company has sold shares equivalent to 90% of that 8.2 cumecs. Shareholders have invested \$170 million to build an irrigation scheme capable of distributing 8.2 cumecs. If strictly interpreted, the interim measures could have the effect of precluding NOIC from selling the balance of shares, thus condemning the existing shareholders, who had the foresight and courage to build a scheme larger than was initially required, to bear an unfair burden of the fixed operating costs, and arguably “stranding” an asset.

(Refer to Irrigation NZ submission for more details and changes sought to address these kinds of issues)

The costs will be financial for those that will end up carrying the expense of under-utilised infrastructure and for those that are in the midst of a diversification or optimisation program. Opportunities will be lost as the moratorium will create a barrier to innovation of the testing of alternatives. The work that individuals and schemes have done in creating processes and systems to drive improvement and push users into good management practices will be lost as we lock in poor performance and restrict the ability to innovate.

Comment on effective implementation of farm plan options:

WIC supports the use of certified auditors but does not feel that there needs to be a certification requirement for those developing farm plans as what is most important when developing specific FEPs is local catchment knowledge, knowledge of community expectations, and the collaboration and coordination skills of being able to help drive continuous improvement. Much of this cannot be learned and certified at ‘school’, but already exists inherently at a local level.

WIC strongly opposes the proposed restrictions on intensification and land-use change and instead urges the use of the existing tools, rules and regimes which have been or are in the process of being implemented in Otago and Canterbury regions with the input of the community that already have a focus on restricting further degradation of waterway health and improving water quality in the coming years.

Proposal	RMA Direction	What will be different
Reduce nitrogen loss in catchments with high nitrate/nitrogen levels through interim measures until all regions have operative freshwater management plans.	Freshwater NES and/or farm plans	In catchments with high nitrate/nitrogen levels there will be a reduction in nitrogen loss within five years

WIC supports option 3 – farm plan-based reductions

WIC supports Option 3 because it allows for responses to reduce nitrate losses to be tailored to the farm and its soil types, irrigation system, environmental factors etc. The use of farm plans for this purpose is appropriate, forward-looking and will encourage improvements to continue in perpetuity,

rather than resulting in one-off reductions so long as the principles of continuous improvement are built into the FEP process.

SECTION 9 – SUPPORT FOR IMPROVEMENT IN CATCHMENTS AND ON FARMS

Comment on Exemplar Catchments:

WIC applauds the intention expressed in Section 9 to identify ‘exemplar’ catchments and learn from what is being done in those catchments to accelerate community-led action; however, we would submit that more work in this area up-front would have been a better use of resources and would have assisted in creating a more informed set of proposals for consultation.

It is disappointing that Central Government has only so far identified one catchment to be used as an exemplar, and although we wholeheartedly applaud the Kaipara catchment for their work, there is a lot more that could have been identified if the focus had been more on building on what is being done than on rewriting the rules, yet again.

There are many great examples that you will no doubt hear about in the submissions you receive of voluntary initiatives that are truly making a change throughout New Zealand. These changes have been achieved within the existing regulatory framework because farmers have taken ownership and invested in an environmental improvement pathway. One such example is presented in the case study below on a WIC initiative called Waitaki Water.

Case Study: Water Stewardship in Practice – Waitaki Water

‘Waitaki Water’ has grown out of the pursuit of the aims of water stewardship principles across the Waitaki Catchment. Waitaki Water focuses on removing barriers and improving communications so that ideas can successfully move into active projects that when delivered can have a positive outcome of benefit to the community surrounding the Waitaki River and catchments.

Waitaki Water invites an entity or individual who has an idea that they believe will have a common, positive outcome to approach them with a project outline. Waitaki Water then utilises its knowledge of all projects underway or planned in the area; its database of possible funding streams and contacts; and, its relationships with regional stakeholders to facilitate a successful project application phase. Once underway, Waitaki Water will support and prompt the successful grantee to ensure that milestone boxes are ticked, and administrative tasks are delivered appropriately. WIC believes that there are many good ideas out there but that there is currently no central, knowledgeable and connected group to assist from concept to delivery.

Ultimately, if we are successful, then we will contribute to the Kaitiaki of the Waitaki and its surrounding catchments.

An example of where truly innovative and game-changing decisions that have been made without Central Government input. A great example is the successful implementation of Plan Changes 2 and 3 under the Canterbury Water Management Strategy – Waitaki Catchment Water Allocation Regional Plan. Specifically, the following was achieved:

1. Under Plan Change 2 the irrigators of the Maerewhenua River gave up allocation on the river and transferred users to the main stem Waitaki - at great cost to the user.
2. Under Plan Change 3 provision has been made for an allocation of water for projects that will enhance mahinga kai and therefore enhance the values held by Nga Runanga, both within and

beyond the Waitaki Catchment. Existing irrigators and other water users on the Waitaki gave up some of their entitlements to accommodate the needs of iwi and 10 cumecs below the Waitaki Dam is now available for iwi use.

3. A new flow sharing regime was agreed out of Plan Change 3 that collectively considers the health of the waterway along with the needs of the users of the water in a practical and sensible way. Structures have been set up so that water management processes could be improved such as planning for seasonal flow requirements with Environment Canterbury and Meridian Energy; and planning for potential low-flow scenarios, through scheme water management policies – both within schemes (i.e. managing restrictions amongst farmers) and across schemes (i.e. managing how water can be spread across WIC for the benefit of all).

In summary, more focus on what is actually happening in New Zealand as demonstrated by what WIC has achieved would be a better use of taxpayer and rates-payer's money than another iteration and litigation of heavy-handed rules. We urge Central Government to find and support more of these exemplar initiatives and set in place ways to leverage and share the knowledge gained with priority.

Comment on Practical Advice and Support for Farmers:

The current capacity and capability issues associated with the implementation of a mandatory FEP policy will mean there could be a large shortage of certified advisors, given that an auditor should not be able to audit a plan they prepared. This will lead to a supply and demand imbalance and the opportunity to extract additional payments from the landowner. WIC does not support the assistance packages aimed at supporting farm advisors to then on-sell their knowledge in perpetuity at the expense of the party needing advice. WIC believes the assistance should more appropriately go directly to the farmers and growers in the form of, for example, a one-off subsidy for FEP development.

Comment on Workload for Struggling Councils:

We note that in these proposed changes Central Government is asking for regional councils to perform a huge amount of additional work:

- Map all wetlands
- Map all areas of current intensification so they can tell what changed.
- Measure fencing on creeks
- Consents to farm if don't meet many permitted activities
- Farm plans
- Overseer budget reviews
- New water quality limits and parameters

All of these changes, plus the ongoing changes to Plans the Councils are meant to be doing as well, will put enormous pressure on already struggling council resources. WIC's view is that Councils should not be loaded up with additional non-value-add work but rather be supported to promptly complete the work they have already started under the existing NPFM.

Please avoid additional and unnecessary confusion, stress and financial strain to all parties involved.