

**BEFORE THE HORIZONS REGIONAL COUNCIL**

IN THE MATTER OF The Resource Management Act 1991

AND

IN THE MATTER OF Hearing on Submissions Concerning  
the Proposed Horizons Regional  
Council One Plan for the Manawatu  
Wanganui region.

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**STATEMENT OF EVIDENCE OF NEIL ALASTAIR DEANS ON  
BEHALF OF WELLINGTON FISH AND GAME COUNCIL**

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Wednesday, February 17, 2010

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## **Qualifications and Experience**

1. My name is Neil Alastair DEANS. I am the Manager of the Nelson Marlborough Fish and Game Council. This role includes oversight of the management of that region and its staff and reporting to its Council, including giving technical advice in the form of recommendations to the Council and giving effect to the Council's decisions.
2. For the last five years I have also held the part time position of Resource Management Coordinator for Fish and Game New Zealand at a national level, predominantly to assist with national issues in the resource management area. In this role I liaise on resource management issues with each of the 12 regional Fish and Game Councils, including Wellington Fish and Game Council; organize annual meetings of resource management staff; receive and advise on applications for large scale funding for resource management actions which are funded from a national pool; and assist with provision of advice on national resource management issues from a regional perspective. I also have a minor role to assist in coordination of national Fish and Game research.
3. I am a member of the Royal Society of NZ, New Zealand Ecological Society, and am the immediate Past President of the New Zealand Freshwater Sciences Society (formerly New Zealand Limnological Society).
4. I completed a Bachelor of Science with Honours in Zoology from the University of Canterbury in 1982 and a Diploma of Parks and Recreation Management with Distinction from Lincoln College in 1985. I worked for the New Zealand Wildlife Service, New Zealand Forest Service, Lands and Survey Department and Department of Conservation in a variety of roles in the recreation, conservation and environmental impact assessment fields, in a variety of locations throughout the country during the 1980s. I was based in Hamilton from 1986 to 1990. I moved to Nelson in 1990 to take up a position with the Department of Conservation as their Senior Conservation Officer for Freshwater and Ecological Survey for the Nelson Marlborough Conservancy, which I held until taking up my present position in 1994.

5. I have undertaken environmental impact assessment and ecological surveys in locations from Northland to Stewart Island and have organised and contributed to recreational and user surveys in a number of locations. I am very familiar with freshwater resources, particularly the fisheries and wildlife of the Nelson and Marlborough regions, but have also lived and worked in Taranaki, the Waikato, Canterbury, Otago and Southland. I have written or co-authored a number of reports and papers on general or specific aspects of freshwater management, including most recently one on Sports Fishery Management in New Zealand, and the Chapters on Freshwater in the Forest and Bird Handbook of Environmental Law.
6. I have been asked to make keynote addresses on behalf of environmental interests at a variety of freshwater conferences, including, for example, two by the Environmental Defence Society over the last two years, and that of Water New Zealand last year, and at the recent conference organized by Conferenz on Freshwater in Wellington in February 2010. I am a member of and have reported to the Land and Water Forum, advised the New Zealand Business Council for Sustainable Development in developing its proposals for water management and have attended some Turnbull Group meetings.
7. I have frequently appeared at local authority resource consent and planning hearings as an expert witness or on behalf of Fish and Game and other bodies, for development proposals or for government agencies. I coordinated initially the Department of Conservation and later Fish and Game contributions and negotiations on the Buller and Motueka Water Conservation Orders, including the drafting of the conditions now attached to those water conservation orders. I have provided advice to other Fish and Game Councils prior to their applying for Water Conservation Orders. I was also a principal witness in the hearings for the Motueka and Buller Water Conservation Orders, including before the then Planning Tribunal. I have been intimately involved in planning processes including detailed evaluation of regional plans in Tasman, Nelson, Marlborough, and to a lesser or more specific extent in Canterbury, West Coast, Waikato and Taranaki.

8. I have also been asked to assist in providing expert policy advice on freshwater matters on a variety of occasions, including during the then government's National Agenda on Sustainable Water Management in the mid-late 1990s; the previous Government's Freshwater Programme since 2004, especially last year in advising the Ministry for the Environment on its development of the draft National Environmental Standard on Ecological Flows and Levels (including making presentations at the Roadshow at all twelve locations around the country including Palmerston North) and most recently later in 2009 with the scoping of a National Environmental Standard for Forestry activities. I am providing an oversight and expert role as part of a current Envirolink-funded programme developing a standard approach towards the evaluation of uses and values of rivers nationally and have trialled these methods for trout fisheries in Tasman and Marlborough Districts and for natural character in Marlborough.
  
9. My knowledge of the Horizons Regional Council freshwater environment is limited to visits to a number of its rivers and wetlands at various times, but not of detailed survey or evaluation of any of these, nor, until preparing this evidence, any detailed evaluation of the resource management plans. I was consulted, however, by the Audit Office at the time of their assessment of the management of freshwater resources in 2005, which happened to focus upon Horizons and Otago Regional Councils. The issues in that review were generic, however, prior to the review being undertaken, rather than specific to Horizons in particular.

### **Scope of Evidence**

10. In preparing this evidence, I have reviewed:
  - o The reports and statements of evidence of other experts giving evidence relevant to my area of expertise, including the briefs of:
    - i. Ms Jordan and other witnesses for Fish and Game NZ, and Mr Carlyon for Horizons Regional Council.
    - ii. Recent national documents, including the report back of the Board of Inquiry into the proposed National Policy Statement; the Review

Group report investigating the performance of Environment Canterbury; and the latest snap-shot review of the Dairying and Clean Streams Accord.

- iii. The provisions of the RMA, especially in respect of water management.
- iv. The One Plan, particularly Chapter 6 and parts of Chapter 5, 13, 15 and 16 as recommended in staff reports.

11. I have read the Code of Conduct for Expert Witnesses (Rule 330A, High Court Rules and Environment Court Practice Note) and I agree to comply with it. I have complied with it in the preparation of this statement of evidence.

### **Introduction**

12. I have been asked to consider the proposed One Plan in a national context. As I am unfamiliar with many details of water resource management in the Manawatu-Wanganui Region, in the event of any conflict of detail between my evidence and that of other experts for Fish and Game, I defer to that evidence.

13. This evidence considers the proposed One Plan against the national context of freshwater management including comparison with some other regional plans with which I am familiar. It then considers the positive aspects of the proposed One Plan and reasons why the structure of this plan lends itself both towards promoting sustainable management and addressing the freshwater resource management issues in the Horizons Region in a holistic and integrated fashion. I finish by making some specific comments on provisions of the proposed Plan.

### **The National Context**

14. I first look at the national context of water resource management and then use this analysis to look at the contribution the Proposed One Plan makes towards addressing water issues in your region in this national context.

## National Policy Statement on Freshwater

15. The Minister for the Environment has just released the Board of Inquiry report into the proposed National Policy Statement for Freshwater. The Board received submissions on the proposed National Policy Statement and has reported their assessment and recommendations to the Minister on what changes are appropriate to make to the NPS.

16. In this, the Board noted at paragraph 36 that:

*“Improvements in fresh water by phasing out over-allocation and contamination require that fresh water is used for enabling economic wellbeing only while, and to the extent that, the life-supporting capacity of water and its associated ecosystems is fully safeguarded, and the potential to meet reasonably foreseeable needs of future generations is fully sustained. In this way the requests for setting national priorities for the most important issues would be met.”*

*[42] The national issues that the Board has identified are:*

- 1. over-allocation of fresh water;*
- 2. contamination of fresh water;*
- 3. loss of wetlands;*
- 4. incompletely integrated management.*

*[43] The Board recommends these goals to address those issues so that the national values of fresh water are safeguarded:*

- 1. to phase out over-allocation of fresh water;*
- 2. to phase out contamination;*
- 3. to protect wetlands;*
- 4. to improve the integration of management of fresh water.”*

17. In achieving these national objectives the Board recommends at paragraph 81 to the Minister that:

*“Existing regional instruments, let alone strategic initiatives, are expected to be altered if necessary, so that it is apparent that they conform to, and give effect to, a national policy statement.”*

18. I suggest that any regional instrument, such as the proposed One Plan, which is already addressing most of these stated national objectives, is unlikely to require much if any alteration, unlike many other such planning documents which may need substantial alteration at considerable cost. In this, I suggest the proposed

One Plan demonstrates that it is seeking to address these issues in the region and can be seen as leading the country in integrated management.

19. At paragraph 148:

*“the Board considers that fresh water should be managed so that the enabling elements do not prevail over, but are constrained by, the sustaining, safeguarding and effects-based elements of sustainable management. In that way the intrinsic values of fresh water should not be sacrificed to its values for well-being and amenity of people and communities.”*

20. In this, I suggest the Board provides useful commentary on interpretation of the key word, while, in section 5 of the Act in the promotion of sustainable management, at least in respect of freshwater management.

21. At paragraphs 199 to 202 and 204, the Board:

*“considers that a change in attitude to, and management of, contamination of fresh water is needed. Fresh water should only be used for cleaning, diluting and disposing of waste if there is a positive assurance that the life-supporting capacity of the water and associated ecosystems, and the potential of the water to meet reasonably foreseeable needs, will not be diminished, and will, where practicable and necessary, be enhanced.*

*The RMA entrusts to regional councils a function of making rules to allocate the capacity of water to assimilate a discharge of a contaminant. The concept of assimilative capacity assumes that it is possible to calculate the capability of fresh water to receive contaminated discharges without resulting in adverse effects on the quality of the water, or on ecosystems that it supports.*

*However, in many parts of the country, cumulative effects of contaminants discharged into water bodies have resulted in fresh water having unacceptably degraded conditions. That leaves doubt about the soundness of assumptions about assimilative capacity.*

*The Board considers that a national policy should not recognise any right to contaminate fresh water, nor to use its supposed assimilative capacity. Nor does it support the concept of ‘polluter pays’ if it implies that a polluter is free to buy or trade off contaminating fresh water in order to gain consent. Compensation for a truly unavoidable effect may be acceptable, but only where there is a causal link between the compensation and the unavoidable effect.*

*The Board also considers that no allowance should be offered by the NPS to either councils or resource users by explicitly allowing temporary or short-term degradation, as this would not be consistent with the national goal of phasing out contamination of fresh water.” [My emphasis]*

22. The Board also refers to the issue of diffuse sources of pollution at paragraphs 206 – 208 as follows:

*“The objective is that life-supporting capacity, ecosystems processes and indigenous species and their associated ecosystems will be sustained. The Board accepts that this cannot be achieved without accounting fully for all sources of contaminant from natural sources and human activity, including diffuse long-term leaching from deposits on land.*

*The Board recommends a general objective of restoring and enhancing the intrinsic values of fresh water; and objectives of protecting, enhancing and maintaining fresh water and of safeguarding its life-supporting capacity. It also recommends policies that include controlling use of land so as to avoid cumulative effects, setting water quality standards, avoiding future contamination, and consent conditions requiring adoption of best practicable options to protect against contamination.*

*Although these objectives and policies are not specifically limited to diffuse source discharges of contaminants, they are intended to apply to contamination of fresh water from diffuse sources, including application of pesticides and fertilisers and grazing by livestock. They are also intended to include contamination from discharges to, and deposits onto or into, land, and leaching to groundwater or surface water.” [My emphasis]*

23. The issue of freshwater quality standards is traversed at paragraphs 210 – 211 as follows:

*“Consistent with the discussion at paragraphs [160] and [162], freshwater quality standards should be set for all water bodies in a region, and for the full range of intrinsic values, rather than just notable values. Where early implementation is not practicable, this work could be carried out progressively as part of a staged programme of implementation.*

*There were also requests by submitters for a transitional regime for managing fresh water until quality standards are established. The Board agrees that this would be appropriate. To that end, the Board recommends a transitional policy be included in the NPS for direct insertion into regional plans. The policy would require that any change or increase in the intensity of a land use or activity involving a discharge of contaminants would require resource consent. It would also set assessment criteria for deciding consent applications.” [My emphasis]*

24. It seems that the proposed One Plan is ahead of the Board’s recommendations in recognising and addressing the effects of land use intensification. The Board recognises the necessity of requiring consents for land use intensification where water quality is adversely affected by land uses and intensification is likely to exacerbate this.



25. The Board in paragraphs 217 – 222 considers integrated management and recommends:

*“the following policy to give effect to this objective:*

*By every regional council managing fresh water and freshwater ecosystems, and controlling activities and use of land, in whole catchments, so as to avoid adverse cumulative effects anywhere in the catchment.*

26. Once again the proposed One Plan framework is seeking to fulfil this policy.

27. The Board then recommends a revised NPS in its Appendix C for consideration by the Minister. Please note that the Minister has not approved the NPS, but will no doubt consider the recommendations of the Board, as required under due process. It is likely that the Land and Water Forum will also consider the NPS as recommended to the Minister and make their views known to him on how he might respond to it.

### **Investigation of the Performance of Environment Canterbury**

28. The Minister for the Environment has also just released a report of an investigation into Environment Canterbury and specifically its management of water. This report by a specially convened review group is highly critical of Environment Canterbury and recommends removal of its water management functions to a Commissioner and/or separate Water Management Authority. The report has several aspects relevant to other regional councils.

29. In particular, in its summary, the report notes the following of relevance to the Horizons Region:

- *“The water resource is under demand from competing interests.*
- *Unresolved water quality issues persist...*
- *There are significant issues in relation to the Crown’s Treaty obligations. Ngai Tahu express[es] a very strong interest in the management of water as a Treaty partner.*

- *Resolving water resource issues is complex and involves controversial and difficult judgements to achieve the appropriate balance between the environmental, economic, social and cultural considerations that must be taken into account.... Environment Canterbury has not managed these competing demands and interests effectively.... The outcome has been undue delays rather than progress and frustration levels on all sides are high.*
- *The absence of an over-arching planning a policy framework for the Region has resulted in a piecemeal, fragmented and inefficient approach to the management of freshwater.*
- *The review group has therefore come to the conclusion that an entirely new institutional approach is needed for the management of freshwater in the Region. This will involve a fundamental reform of the structure of decision-making within the Region for all freshwater-related matters.*

30. The obvious difference between the freshwater situation in Canterbury and that in the Horizons Region is not whether the issues are complex and requiring difficult judgements, but in the institutional arrangements. Horizons has proposed a comprehensive and integrated resource management plan which links land and water management together. In other words Horizons is undertaking integrated resource management to promote sustainable management in a way which was envisaged in Section 5 of the RMA when passed in 1991 but which has been seldom, if at all, realised elsewhere. For this the Horizons Regional Council deserves credit.

### **The Dairying and Clean Streams Accord**

31. The Dairying and Clean Streams Accord was developed by Fonterra, MAF, and regional councils in response to widespread concerns about the effects of dairy farming and specifically dairy intensification and expansion, which had become known as 'dirty dairying'. The general thrust of the Accord has been beneficial towards the environment as intended and reduced the incidence of many activities which had unacceptable effects on the environment.

32. The Accord has some weaknesses, however, which were summarised in a review which I undertook in October 2008, jointly with Kevin Hackwell of Forest & Bird<sup>1</sup>. While the release of this report received some negative comment, dialogue between environmental interests and the dairy sector has improved and, on occasion, joint statements have been made to reflect joint environmental aspirations<sup>2</sup>. Most dairy farmers are aware of the issues and measures required in the Accord to address those issues. There can be no doubt that the Accord has changed thinking and behaviour of most dairy farmers with the middle ground shifting positively on environmental matters. Dairy cattle entering water bodies is now universally considered unacceptable, for example. Though few Councils actually prevent stock access.
33. The objective of the Accord to *“reduce the impacts of dairying on the quality of New Zealand’s streams, rivers, lakes, ground water and wetlands”* is supported by environmental, government and industry groups. Regrettably, as cited in our investigation, detailed investigations into 5 small ‘best practice’ dairy catchments across the country have shown the impacts of dairying on water quality have not reduced to a level which meets water quality objectives. The general and specific trends are of continuing water quality decline in most intensively farmed areas. The activities covered by the Accord are necessary, but not sufficient. Limits must be set and adhered to through regional plans. The proposed One Plan sets out to do this.
34. The Accord has a number of deficiencies which need to be remedied, such as that it was not drawn up with environmental stakeholder agreement; it does not consider small streams, which are more vulnerable to contamination and stock access than larger rivers; its targets are on activities by farmers or other parties, not environmental effects; and its voluntary nature has failed to address the underlying legal requirement to maintain water quality from those emitting discharges who have not met its targets. Regional Councils, including Horizons, have been more active in the enforcement area in the last 18 months or so where this is relevant; recognizing that sticks as well as carrots are required to make improvements in this area. It is likely the Accord will be reviewed, with

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<sup>1</sup> Deans, NA and K Hackwell (2008) **Dairying and Declining Water Quality - Why has the *Dairying and Clean Streams Accord* not delivered cleaner streams?** Fish and Game New Zealand and Royal Forest & Bird Protection Society (Inc)

<sup>2</sup> [http://www.fishandgame.org.nz/Site/Features/Features\\_Media261108.aspx](http://www.fishandgame.org.nz/Site/Features/Features_Media261108.aspx)

environmental interests such as Fish and Game and Forest and Bird keen to be involved in addressing its deficiencies and, if appropriate, signing up to it.

35. Two areas need improvement. Management of effluent has been the subject of considerable industry and regional council effort; yet the latest Dairying and Clean Streams Accord snap-shot report just about-to-be released shows rates of compliance with consents have declined marginally across the country. Furthermore, in most regions including Horizons, freshwater quality has continued to decline as a result of contamination from diffuse sources from land uses. This is a major challenge for both the dairy industry and for regional councils.
36. The 'elephant in the room', however, is the effect of non-point source, or diffuse, discharges, on water quality. This is a problem in many areas throughout the country including, and especially, in parts of the Horizons Region. The consequence can be deteriorating water quality which has been increasing both as a consequence of some historical legacies in some circumstances and, more importantly, increasing land use intensification. Such intensification is only possible by increasing inputs to farming, such as fertilizer. The application of this fertilizer requires discharge to land, and also sometimes directly or indirectly to water. Much of the subsequent contamination is a result of the increase in stock numbers increasing contamination of groundwater from urine, faecal coliforms or sediment from intensive land uses. This is the reason the reported back NPS sets out measures to address land use intensification and recommends that such intensification is assessed by way of discretionary resource consents.
37. Another increasingly used input for agriculture enabling intensification is water. The Proposed One Plan Chapter 6 on water notes an increase in water use for irrigation in the seven years from 1997 to 2004 being over 300%. In this respect recently publicized calls not to resort to regulation in the management of freshwater resources are quite inconsistent. Use of water for irrigation and most other purposes except reasonable<sup>3</sup> use of water for stock, domestic supply and firefighting is only available through regulatory processes such as resource consents or regional plan provisions. Those alleging that regulation in freshwater

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<sup>3</sup> In other words use of water which does not cause adverse effects, including on a cumulative basis.

management is inappropriate should contemplate whether they really would prefer not to have access to use water through that same regulation (ie the Resource Management Act).

38. Regulation underpins all freshwater management and all regional councils are obliged, under statute, to manage water according to that legislation. As water uses and discharges are not possible without consents or plan provisions, any regional plan is actually enabling. Regional plans thus have the potential to reduce regulatory burdens on those who would otherwise require consent for many activities, some of which have historically been undertaken without considering their adverse effects. The regulator cannot overlook inconvenient adverse effects, however, and allow activities with effects on water quality or quantity which are cumulatively more than minor.
39. Furthermore, cumulative adverse effects both of water allocation and of diffuse source water quality degradation can only be addressed by setting quantitative limits in regional plans. If the legacy of water quality degradation is to be addressed, all methods including regulation will be required. Voluntary approaches, for example, have not yet proved sufficient in the case of the Clean Streams Accord and must be underpinned by regulation; preferably both from industry as well as regulatory bodies. Otherwise the good efforts of many farmers particularly will not be incentivised and the laggards will remain the defining characteristic of intensive agriculture such as dairy farming. This is not a tenable or desirable position and is certainly not promoting sustainable management. All parties must ensure that they have a role in moving towards environmentally sustainable agriculture. The issue is too important to leave to chance; regional plans must address themselves to these difficult issues and a lack of regulation of discharges of contaminants to freshwater; particularly the setting of limits which cannot be exceeded, is not an option.
40. From the perspective of non-consumptive instream interests such as that of Fish & Game NZ, or other environmental or recreational interests, regional plans such as the proposed One Plan are the only mechanism, except for Water Conservation Orders, to provide for and protect those instream resources. Put another way, it is not possible for instream interests to apply for and be granted a resource consent for a 'non-use' of water. Instream interests therefore rely upon

regional plans to set and uphold limits on how much water of what quality is to be retained instream, and what activities are acceptable in and on the beds of water bodies in order to provide for those values. The proposed One Plan sets clear standards but must ensure that these standards are enforceable, and are constructed in such a way that they cannot be exceeded by activities which may be permitted such as permitted water takes, or which are unable to be controlled, especially those having incremental or cumulative effects.

41. A further issue confronting regional councils is that access to and use of water is presently without any cost, except a transaction cost, to the user of that resource. It confers considerable value as can be seen from land values of dry land holding water permits as compared to those which do not hold water permits. Such land values in Tasman, Marlborough, Wellington, Hawke's Bay and Canterbury can be two or more times the adjacent land without water. Yet as water becomes scarcer and of more value and its administration becomes more complex, the benefits and costs of water are applied unevenly within the community. Some of these underlying equity issues are seldom addressed through plans but need to be contemplated and addressed by regional councils as water managers. It would be more equitable, for example, to apply administrative charges of water management through charges in proportion to water allocated or used, rather than those costs falling to the general ratepayer, taxpayer, or, in Fish and Game's case, the licence-holder. In due course it may be more economically efficient to levy resource rentals to ensure water is put to its highest value use and provide funds to address legacy issues where water does not meet required community standards.

### **The Proposed One Plan (One Plan)**

42. The following aspects of the One Plan can be regarded as ground-breaking and addressing some of the significant resource management issues in the region.
43. The focus of the plan on the 'big four' issues in the region is appropriate. These are all significant issues and are closely aligned to those national issues which are also identified by the Board of Inquiry into the Freshwater NPS (see above).

44. The One Plan is comprehensive, incorporating all Council planning documents (including the RPS) in one location. It provides the proverbial 'one stop shop'. Having one plan streamlines process. I note that in its review of its regional policy statement, Marlborough District Council (a unitary council having district and regional functions) is following the Horizons' lead in developing the RPS as a single set of objectives and policies and then making their plan simply a set of regional and district rules without further duplication of policies. The notion of one consent, as notified, for all activities on a property basis is novel and further reduces administrative cost for both the council and the consent holder. It is also worth remembering that such consents confer property rights, at least for their term, so add real value to those who hold such consents. They also come with obligations, in the form of conditions of consent or attached to plan rules.
45. The plan acknowledges the Regional Council responsibility for water management on the public's behalf; this plan must avoid, remedy or mitigate any adverse effects of activities on water quality and quantity. This is discussed further below.
46. The One Plan is effects based; focused on outcomes not inputs with relatively specific objectives, policies and rules.
47. The One Plan is underpinned by the best available technical advice. I note, in this respect, that there has been considerable concern about the use of the Overseer software to calculate likely runoff from different land use activities. While Overseer was not developed to, as it were, 'run backwards' in this way, the alternative proposition is to use software developed in other countries and apply this to the NZ context. I understand this would be an even less acceptable proposition and less suited to New Zealand conditions. As far as I am aware, Overseer is the only mechanism available here which can estimate run-off rates into water bodies for such land and water use planning.
48. The One Plan uses a combination and variety of methods, neither avoiding, nor limited to, regulation. There are many aspects of the plan and the Council's operations, as I understand it, which rely on working with landowners as much as possible. On the other hand, the plan is not prescriptive as to how to achieve the

necessary standards, but is firm on what those standards should be. This provides certainty for all parties.

49. The One Plan is integrated and holistic, particularly oriented around appropriately scaled catchments and sub-catchments with specific issues related to both identification of the values of each water body, the key management requirements, a technical evaluation of any issues arising and the setting of standards and limits to achieve the desired outcomes. While other plans achieve aspects of this, no other plans of which I am aware do so in such a comprehensive fashion.
50. The One Plan requires adequate monitoring of the environment to determine standards, and whether plan provisions meet stated standards and objectives. This essential aspect of 'effects based' legislation such as the RMA is often overlooked and inadequately addressed by regional councils. There is also an equity issue involved here, in that the general ratepayer funds state of the environment monitoring and assessing the effects of permitted activities. Where activities involving the use of publicly managed resources such as water require monitoring, the costs of that monitoring should be borne in proportion to the use of or effects on that resource. This would properly provide for the 'polluter pays' principle.
51. The Plan recognises that land use intensification has effects on diffuse sources of contamination which may impact waterways which the Council is obliged to address.
52. The proposed One Plan is not perfect and there are a number of aspects which I have concerns about, do not understand or do not agree with. I have left most matters of detail to my colleagues and other witnesses called by Fish and Game, however, who are both better acquainted with the proposed plan and the context within which it operates.

### **Specific Comments on Plan Provisions**

53. Specific aspects of the plan on which I comment include the following:



54. The proposed One Plan has considered many issues relating to water quality and sought to address these in a holistic fashion. In particular, I support the implementation of Policy 6.7. I note that, where nutrient management plans are to be prepared for intensive farmed areas, these should also be implemented and monitored as to effectiveness.
55. I am concerned that the officer's report is recommending changes to the plan text which removes specific recognition of some of the issues the plan seeks to address. For example, the last sentence of the fourth paragraph under section 6.1.4 is recommended to be modified as follows:
- ~~"However, the results of These voluntary approaches are not being seen are one mechanism to assist with the as lowering of nutrient or faecal levels in the water bodies\* rivers and further improvements are needed."~~*
56. In particular, the modified text does not recognise that current methods are not themselves sufficient and that further improvements are needed. I recommend that these changes are not incorporated.
57. The statement of overall freshwater quality in the region at the end of this section (6.1.4) of the proposed plan is sobering. To its credit, the Council's proposed One plan seeks to address these issues and provides methods to do so.
58. It does so first by building an excellent technical basis, firstly of the state of the environment and secondly of the technical methods available to address issues where water quality is not fit for purpose. In this respect, it is my view that the science which underpins the measures in the proposed One Plan is amongst the best I have seen for similar regional plans from other parts of the country.
59. I note the objectives in Chapter 6 do not refer specifically to the protection of wetlands. While I recognise that wetlands are a water body and are covered by reference to water bodies where appropriate, I consider that the state of wetlands is such that specific reference to their protection and enhancement is warranted as an objective.
60. In respect of Policy 6.4 which refers to water quality in zones which presently do not meet the standard, I recommend that the policy includes timeframes within

which the standards must be met. Given the plan's 10-year timeframe, most such timeframes will be less than this; typically in the order of five years.

### **Conclusion**

61. The proposed One Plan addresses itself to the major issues in the Manawatu-Wanganui Region in an integrated and comprehensive fashion. It attempts to address some major problems with water quality and quantity issues which are discussed in proposed national and other policy instruments. I support the approach and much of the detail of the plan and look forward to its adoption by the Regional Council to respond to serious concerns about freshwater quality and quantity and to recognise and provide for key freshwater resources in the Region.

Neil Alastair Deans

Wednesday, February 17, 2010