

IN THE ENVIRONMENT COURT AT WELLINGTON

IN THE MATTER of the Resource Management Act 1991
 (“**the Act**”)

AND

IN THE MATTER of clause 14 of the First Schedule of the
 Act

BETWEEN **FEDERATED FARMERS OF NEW ZEALAND**
 ENV-2010-WLG-000148

AND **MERIDIAN ENERGY LTD**
 ENV-2010-WLG-000149

AND **MINISTER OF CONSERVATION**
 ENV-2010-WLG-000150

AND **PROPERTY RIGHTS IN NEW ZEALAND**
 ENV-2010-WLG-000152

AND **HORTICULTURE NEW ZEALAND**
 ENV-2010-WLG-000155

AND **WELLINGTON FISH & GAME COUNCIL**
 ENV-2010-WLG-000157

Appellants

AND **MANAWATU-WANGANUI REGIONAL
 COUNCIL**

Respondent

**REBUTTAL EVIDENCE OF LINDSAY EUAN FUNG FOR HORTICULTURE NEW
 ZEALAND IN RELATION TO THE APPEALS ON THE PROPOSED ONE PLAN FOR
 MANAWATU WANGANUI REGIONAL COUNCIL ON SUSTAINABLE LAND
 USE/ACCELERATED EROSION**

2 APRIL 2012



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QUALIFICATIONS AND EXPERIENCE

1. My name is Lindsay Euan Fung and I prepared a statement of evidence dated 17 February 2012. In that statement of evidence I have set out my qualifications and experience and confirms that I will comply with The Code of Conduct for Expert Witnesses contained in the Environment Court's Consolidated Practice Note dated 1 November 2011. I reaffirm that that information and confirmation applies to this rebuttal evidence

SCOPE OF THIS REBUTTAL STATEMENT

2. In this statement of rebuttal I comment on the insertion of the deposited sediment standards in Schedule D of the One Plan and the relationship of this to the report from teh Cawthron Institute. I also comment on the contribution that Horticulture New Zealand members have made to best management practices.

DEPOSITED SEDIMENT STANDARDS

3. Associate Professor Russell Death¹ refers to the applicability of new deposited sediment standards to be used as an assessment of ecological health in the Horizons region.
4. Associate Professor Death refers² to (Clapcott et al., 2011b), a report produced by the Cawthron Institute as justification for the standards for deposited sediment inserted into Schedule D as proposed in his Appendix 1 to his Evidence in Chief.
5. I have read the report in question and quote the following text:

"Protocols do NOT address:

- *Suspended sediment (e.g., turbidity, clarity).*
- *Sediment quality (e.g., associated contaminants, dissolved oxygen concentration, decomposition potential).*
- *Non-wadeable waterways.*
- *Standing water bodies (have not been tested, but some protocols may be suitable for these systems)."*³

¹ Paragraphs 37-41 Evidence in Chief

² Ibid paragraphs 38 and 39

³ Clapcott *et al.*, 2011b Page 9

6. Associated Professor Death is suggesting these protocols are suitable for all water management zones and all watercourses within them in his proposed amendments to Schedule D. I do not support this as it appears to be inconsistent with the above comments made in the Clapcott et al., 2011b Cawthron report.
7. It is not within my expertise to comment on the applicability of these deposited standards in the Horizons – Manawatu region in waterbodies in general. However, I do note that different ecological health standards have been produced for different waterbodies depending on the geology, flow characteristics, and classification of the waterbodies throughout New Zealand. For example, it is acknowledged that ecological health indices of MCI and SQMCI vary between soft bottom stream ecosystems and stony bottom or hard bottom streams⁴.

GROWER LEVY CONTRIBUTIONS TO THE DEVELOPMENT OF GOOD MANAGEMENT PRACTICE

8. I refer to the Evidence in Chief of Stuart Ford regarding the economic costs of complying with consent conditions for cultivation and ancillary activities based on an assessment of the initial and ongoing consent - related costs. I also note the economics of sustainable land management have been discussed in caucusing on the land chapter.
9. I would like to note the grower contributions to development of good management practice and indicate the leverage those grower funds have attracted from central and regional government and other industry organisations.
10. Good management practice projects of relevance that have been enabled by grower levy contributions include, but are not limited to:
 - (a) HIT (Holding It Together) total funding of \$525,000, including grower levies of \$166,000;
 - (b) AFS (Advance Farming Systems) \$480,000 – grower levies \$22,500;

⁴ Stark, J. D.; Maxted, J. R. 2004. Macroinvertebrate community indices for Auckland's soft-bottomed streams and applications to SOE reporting. Prepared for the Auckland Regional Council by the Cawthron Institute, Cawthron Report No. 970. 66 pages.

- (c) Code of Practice for Commercial Vegetable Growing in the Horizons Region – grower levy funded, \$54,000;
 - (d) Development of good management practice has also included significant quantities of in-kind funding through grower participation and allocation of resources.
11. The reason for including this information is to illustrate that the industry is fully behind best management practice development and has contributed a considerable amount of resources to such development and will continue to do so.

Lindsay Euan Fung

2 April 2012