

Title: Ruamāhanga Whaitua Committee approach to managing discharges

Purpose: To pull together the Ruamāhanga Whaitua Committee's approach to managing discharges to test with the community and stakeholders

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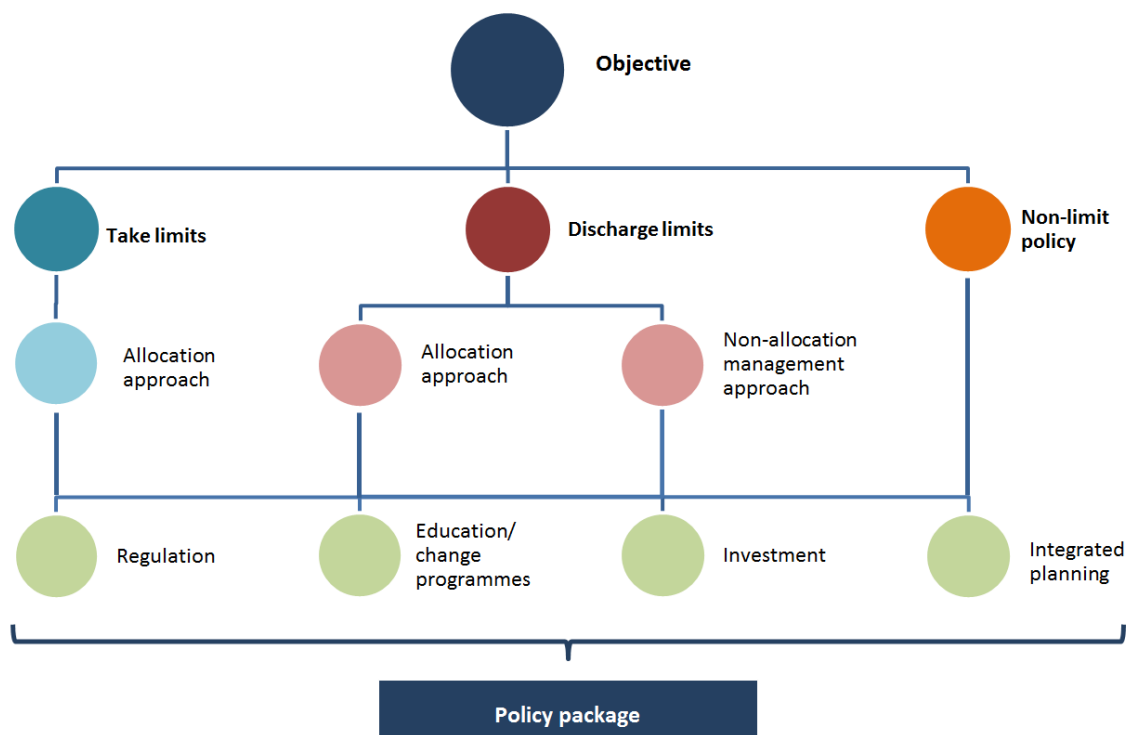
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1. Introduction

The Ruamāhanga Whaitua Committee (the Committee) has developed an approach to managing discharges in the Ruamāhanga whaitua to address water quality challenges in the catchment. The approach includes policies to manage nitrogen, phosphorus, sediment and pathogens from rural land uses and from urban discharges, and identifies a range of implementation tools the Committee is considering for inclusion in the Ruamāhanga Whaitua Implementation Programme (WIP), to be written later in 2017.

The Committee is developing policy within the conceptual framework shown in the diagram below. The framework shows the parts of the policy package (limits and methods) that can be put together in order to achieve an objective.



The package developed to date addresses discharge limits and the management approaches and tools to manage within these limits. It also identifies some places for further conversation. It does not address the amount of water quality improvement the Committee would like to see in different waterbodies and consequently to what extent the tools would be implemented. This will be informed by results from modelling work currently underway as part of the Collaborative Modelling Project.

Ahead of the modelling being complete, putting this material together now allows the Committee to test the approach with the community and stakeholders in order to inform recommendations in the WIP. This approach to managing discharges will continue to be developed as part of the Committee’s overall approach to improving water quality, and will be informed by input from the community and stakeholders.

2. Managing contaminants from rural land uses

2.1 Key points

- Sub-catchment scale limits will be set for nitrogen, sediment, phosphorus and pathogens. The limits will be set as rules in the regional plan.
- Enabling the formation of catchment groups to achieve freshwater objectives and to live within sub-catchment limits is a priority. Promoting farm planning but generally not requiring farm plans by regulation (resource consent) is also a priority.
- Farm plans could be compulsory in areas with high contaminant loads OR could be incentivised and only made compulsory if goals aren't met.

2.2 Summary of approach

A priority for achieving freshwater objectives and living within sub-catchment limits would be enabling the formation of catchment groups with local leadership. These could be based on geographical river catchments or 'social catchments'. Catchment groups would have a practical implementation focus and could be funded through regional rates, targeted rates or be self-funded depending on the work of the group. Catchment groups would support informal information sharing between individuals and groups, and work together within the group to achieve environmental outcomes.

Mana whenua emphasise the importance of relationships in all matters pertaining to people and the environment. Recognition and support for the connections between land and water, people and place, town and country is fundamental to the concept of kaitiakitanga. Managing nutrients through locally led catchment groups working to sub-catchment limits expresses the concept of kaitiakitanga in a practical manner consistent with mataūranga Māori and the guidance of Wairarapa kaitiaki.

The catchment group approach also places emphasis on the identity and importance of all individual water bodies within sub-catchments and their connection with the Ruamāhanga system mai uta ki tai (from the mountains to the sea). Mana whenua greatly value these smaller entities in recognition of their importance as mahinga kai (species valued for customary harvest) habitat. Improvement in water quality and increased protection of riparian values through good management practice in rural and urban streams will greatly benefit mahinga kai and opportunities for Māori customary use and the mauri (life force) of Te Awa Tapu o Ruamāhanga (the revered Ruamāhanga).

The Committee supports a holistic approach to farm planning that seeks continuous improvement in environmental performance at a property scale. Farm plans are considered an important method for doing this. Farm plans should emphasise good management practice and industry guidance, could address a range of contaminants and other environmental issues and they should not take a one size fits all approach. They should allow room for innovation.

The Committee would like to test two different options with the community about how farm plans are used:

- Farm plans would be compulsory in areas where there are high contaminant concentration loads (areas yet to be identified), or
- Incentivise farm plan uptake, but if goals are not being met then they could be regulated to be compulsory.

The cost and administrative burden of regulating, administering and enforcing compulsory farm plans on all or some groups of farmers, and how to make sure that having a farm plan leads to better environmental outcomes, were key considerations.

3. Managing diffuse nitrogen discharges

3.1 Key points

- Limits on nitrogen set at a sub-catchment scale (by Freshwater Management Unit). The limits will be set as rules in the regional plan.
- Non-allocation management approach is taken to managing within the nitrogen limit. The land users in a catchment have to collectively stay within the limit. Non-regulatory methods are largely used at a property scale.
- Nitrogen allocation to a property-scale could be considered in the future if limits are not being met, tools to administer an allocation regime are adequate at that time and alternative management methods have been rejected.
- Grandparenting should not be considered an approach to allocating nitrogen in the future.

3.2 Summary of approach

Limits would be set at a sub-catchment scale for nitrogen. These limits would become regulations (rules in a regional plan) and would 'cap' the maximum amount of contaminant that can be discharged in a sub-catchment in a given period of time.

To meet the nitrogen limit, an allocation regime for nitrogen discharges was considered by the Committee but was rejected as not being appropriate at present. An allocation gives a person a well-defined property right. This right needs to be able to be transferred or traded to achieve the efficiency an allocation regime would provide. For this to be successful allocation needs to be defined with a high level of accuracy and a suitable transfer mechanism established. Nitrogen can be allocated and is in other parts of the country. However, the lack of widespread and robust farm-scale nitrogen discharge data available in the Ruamāhanga whaitua means this is very difficult at present.

The Committee has identified that the regional council should consider nitrogen allocation in the future in the following circumstances:

- Limits are not being met in a freshwater management unit and/or freshwater objectives were not being achieved, and
- Tools to administer an allocation regime (e.g. for measuring or estimating leaching at a property scale) are adequate and trusted, and
- Other alternative management methods have been considered and rejected.

The regional council should signal now the allocation approaches that might be appropriate in the future in order to provide certainty and reduce ‘gaming’ in the short term. Future nitrogen allocation regimes should be either an equal allocation regime or allocation based on soil type and/or leaching risk. The Committee has been clear that grandparenting should not be considered an appropriate nitrogen allocation approach in the future.

There is a need to consider monitoring of farm nitrogen discharges with a view to better understanding the range of discharges and accounting for nitrogen discharges within the limit.

The non-allocation management approach currently preferred will require regulation to ensure land users stay within their sub-catchment nitrogen limit. Further consideration will be needed by the Committee on how a non-allocation approach would work in practice. There are a range of options, from all land use change being regulated, to only high risk land use change being regulated.

Regulating all land use change would mean a resource consent would be required for all changes in a farm system to a more intensive land use. In this approach, a proposed land use change that is unable to stay within the sub-catchment limit would not be consented. This approach would ensure a robust sub-catchment nitrogen limit, but risks reducing flexibility by restricting land use change and could be seen to disadvantage those who already have low leaching rates. It is effectively grandparenting land use which the Committee does not support.

Managing only high risk land use change would lead to a less robust limit but would allow more flexibility. Decisions would need to be made on what constituted ‘high risk’ land use change, and on what basis any resource consent application was assessed.

A preferred non-allocation approach will continue to be developed alongside mana whenua partners, stakeholders and the community.

4. Managing urban contaminants

4.1 Key points

- Sub-catchment scale limits will be set for nitrogen, sediment, phosphorus and pathogens.
- Point source discharges could be allocated for nitrogen, sediment, phosphorus and pathogens.
- Other contaminants such as copper and zinc will not have limits set.

4.2 Summary of approach

Urban discharges, including wastewater plant and network discharges and stormwater discharges, would be managed by sub-catchment limits for nitrogen, phosphorus, sediment and pathogens.

With contaminant loads from point sources being much easier to monitor or estimate than those from diffuse discharges, allocation of all these contaminants from point source discharges is being considered.

The Committee is supportive of good management practice (GMP) generally and will consider its role in managing urban contaminants further.

Other urban contaminants such as copper and zinc would not have specific limits set for them, but would be addressed through the management of other contaminants.

5. Management tools

Management tools and implementation decision making is being considered by the Committee in four broad areas – regulation, education, investment and integrated planning which would operate at a variety of scales.

Different mixes of tools would be used depending on the level of water quality improvements needed. The Committee's preferred approach is to emphasise the use of integrated planning tools but to consider these tools alongside more regulation in high risk areas.

The tools being considered are:

Regulation	Education/change programmes	Investment	Integrated planning and implementation
Point source discharges	Required for all programmes	Infrastructure	Sub-catchment planning and implementation
Stock exclusion	Industry Good Practice guidance and programmes	Incentives/programmes: <ul style="list-style-type: none"> • riparian • erosion control • nutrient management 	Farm or property scale planning and implementation
Dairy effluent	Farm advisory services	Community programmes	
Earthworks	Banking advice	Re-plumbing Lake Wairarapa and in-lake mitigations	
Land use controls	<i>Option: Promote farm plan uptake but regulate if goals not met</i>	Integrated catchment mitigations and solutions	
<i>Option: Require farm plans in high risk areas</i>		Other incentives e.g. rates breaks	
Input controls		Research and development	
Off-setting provisions			
Regulatory breaks			

Some tools have been considered in detail, while others will need to be further defined.

6. Next steps

The next step is to talk with mana whenua partners, the community and stakeholders to get their feedback on the approach to managing discharges.

A survey to collect feedback has been developed:

<http://haveyoursay.gw.govt.nz/ruamahanga-whaitua>.

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