

Background and Explanation

Co-management of the Waikato and Waipa Rivers

There are three River Acts that establish co-governance arrangements for the Waikato and Waipa Rivers and catchment. These are Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 and Nga Wai o Maniapoto (Waipa River) Act 2012.

Waikato Regional Council are partners with five River Iwi: Maniapoto, Raukawa, Ngāti Tūwharetoa, Te Arawa River Iwi and Waikato-Tainui. The co-governance partners jointly agreed to make recommendations to the Council on the management of the Waikato and Waipa Rivers.

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The three River Acts established the Vision and Strategy for the Waikato River/Te Ture Whaimana o Te Awa o Waikato as the primary direction setting document for the Waikato and Waipa Rivers. The Vision and Strategy prevails over any inconsistencies in a national policy statement or New Zealand coastal policy statement, and is deemed to be part of the Waikato Regional Policy Statement.

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The Vision and Strategy states that the Waikato and Waipa Rivers are degraded and require, amongst other things, restoration and protection. One objective² has been given particular focus for this chapter; The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length. The Vision and Strategy is being given effect to in Chapter 3.11 by:

- Reducing nitrogen, phosphorus, sediment and E.coli losses from land
- Ongoing management of discharges of nitrogen, phosphorus, sediment and E.coli
- Giving people and communities time to adapt and supporting changes while being clear that further reductions will be required in subsequent Plans
- Ensuring that Waikato Regional Council continues to facilitate ongoing research, monitoring and tracking of changes on the land and in the water to provide for the application of Mātauranga Māori and latest scientific methods, as they become available
- Preparing for future requirements on what can be undertaken on the land, with limits ensuring that the management of land use and activities is closely aligned with the biophysical capabilities of the land, the spatial location, and the likely effects of discharges on the lakes, rivers and wetlands in the catchment.

Collaborative approach

The co-governance partners agreed to adopt a collaborative approach to investigate, and develop fresh water management approaches that would be implemented in the Waikato and Waipa River Catchments.

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A key feature of the collaborative approach was the Collaborative Stakeholder Group, which represented stakeholders and the wider community in Healthy Rivers: Plan for Change/Wai Ora: He Rauaki Whakapaipai. The Collaborative Stakeholder Group was the central channel for stakeholder and broader community collaboration in the project. It intensively reviewed and deliberated on technical material from a group of external technical experts from a range of disciplines. The Collaborative Stakeholder Group also sought input from their sectors and from the community, and ultimately proposed the solutions in this plan change to decision makers.

¹ Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, schedule 2

² Te Ture Whaimana o te Awa o Waikato, Objective K

Water Quality and National Policy Statement for Freshwater Management

The National Policy Statement for Freshwater Management 2014 (NPS FM) requires Regional Councils to formulate freshwater objectives and set limits or targets (a target is a limit to be achieved within a specified timeframe). Regional Councils must ensure over-allocation of the water resource is avoided, or addressed where that has already occurred.

Current water quality monitoring results show that while there is variability across the Waikato and Waipa River catchments, there are adverse effects on water bodies associated with discharges of nitrogen, phosphorus, sediment and E.coli. The Collaborative Stakeholder Group concluded that from a water quality point of view, over-allocation has occurred. Water bodies in the river catchments are not able to assimilate further discharges of nitrogen, phosphorus, sediment and E.coli, without adversely affecting community-held values. Achieving the numeric, long-term freshwater objectives in the Plan will require reductions in diffuse and point source contaminants.

The NPS FM directs the Regional Councils to make or change its regional plan to implement actions designed to achieve the objectives of the NPS FM. It sets out how Waikato Regional Council should formulate freshwater objectives that describe the state that Waikato regional communities want for their fresh water in the future.

The NPS FM process steps followed in developing Chapter 3.11, include identifying freshwater management units (FMU) and the values for each, and then choosing relevant water quality attributes and attribute states that can be monitored over time. Freshwater objectives and limits or targets set out what is required to achieve the attribute states. Under the NPS FM, a limit is the maximum amount of resource use available, which allows a freshwater objective to be met.

The Collaborative Stakeholder Group identified resource use that affects the achievement of the long-term desired water quality, and has determined how much resource use can happen in the first stage of achieving the Vision and Strategy. Chapter 3.11 sets out policies and methods that restrict what can be done on the land and discharged to land or water.

Full achievement of the Vision and Strategy will be intergenerational

The Collaborative Stakeholder Group has chosen an 80 year timeframe to achieve the water quality aspects of the Vision and Strategy. The timeframe is intergenerational and more aspirational than the national bottom lines set out in the NPS FM because it seeks to meet the higher standard of safe to swim in and take food from the River's entire length of the Waikato and Waipa Rivers. Based on the information currently available, the Collaborative Stakeholder Group has concluded full achievement of the Vision and Strategy by 2096 is likely to be costly and difficult. The 80 year timeframe recognises the 'innovation gap' that means full achievement of water quality requires technologies or practices that are not yet available or economically feasible. In addition, the current understanding is that achieving water quality restoration requires a considerable amount of land to be changed from land uses with moderate and high intensity of discharges to land use with lower discharges (e.g. through reforestation).

Because of the extent of change required to restore and protect water quality in the 80 year timeframe, the Collaborative Stakeholder Group has adopted a staged approach. This approach breaks the required reductions down into a number of steps, the first of which is to put in place and implement the range of actions in a 10-year period that will be required to achieve 10% of the Vision and Strategy. The staged approach recognises that immediate large scale land use change may be socially disruptive, and there is considerable effort and cost for resource users, industry and Waikato Regional Council to set up the change process

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in the first stage. New implementation processes, expertise and engagement are needed to support the first stage. The staged approach also allows time for the innovation in technology and practices that will need to be developed to meet the targets and limits in subsequent Regional Plans to be developed.

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Because of the extent of change required to meet the 80-year limits, even achieving the first step toward the long-term freshwater objectives in this Plan is an ambitious target. This means the effects of actions and changes on the land may not be seen as water quality improvements in water bodies in the short term. This is partly due to the time required for the concentration of contaminants in the water to reduce, following mitigation actions being put in place and specifically, the time it takes for nitrogen to move through the soil profile to groundwater and then to surface water. This means that the effect of actions put in place to reduce nitrogen now will not be seen in the water for some time (the length of time lag varies across the catchment). It also means there is a nitrogen 'load to come' from historic land use that is yet to be seen in the water.

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The approach to reducing contaminant losses from pastoral farm land requires:

- stock exclusion as a priority mitigation action
- Farm Environment Plans (including those for commercial vegetable producers) that ensure industry-specific good management practice, and identify additional mitigation actions to reduce diffuse discharges by specified dates, which can then be monitored
- a property scale nitrogen reference point to be established by modelling current nutrient losses from each property, that will be held for each property and reduced for the higher emitters
- an accreditation system to be set up for people who will assist farmers prepare their farm environment plan, and to certify agricultural industry schemes
- WRC to develop approaches outside the rule framework that allow risk factors to be assessed at a sub-catchment level, and implement mitigations that look beyond individual farm boundaries to identify the most cost-effective solutions.

Point source discharges, from municipal and industrial sources will also be required to revise their discharges in light of the Vision and Strategy and the targets for reductions that have been set. This will happen as the current consent terms expire.

There is a range of provisions in the Waikato Regional Plan that deals with activities that relate to Forestry. Forestry activities will continue to be managed by these provisions, with the addition of requirements around preparing harvest plans and notifying Waikato Regional Council of harvest.

For the first, interim stage, land use change from tree cover to animals, or from dry stock to dairy will be constrained. Provision has been made for some flexibility of land use for Maori land that has not been able to develop due to historic and legal impediments. As these impediments have had an impact on the relationship between tangata whenua and their ancestral lands, with associated cultural and economic effects, Chapter 3.11 seeks to recognise and provide for these relationships. The constraints on land use change are interim, until a second stage is in place.

The second stage of change is envisaged through a future plan change, where further reductions will be made in discharges of sediment, nutrients and faecal microbes from point sources and activity on the land. This stage will focus on land suitability and how it impacts on the water, based on the type of land and the sensitivity of the receiving water (including the extent of improvement required to meet the targets for water quality in that sub-catchment). Methods in Chapter 3.11 include the research and information to be developed to support this.