

Central Plains Water Trust

Additional Submissions

In response to the Mayoral Forum's document:

Draft Canterbury Water Management Strategy

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Submissions:

Introduction

The Central Plains Water trust ('the Trust') supports and endorses the submission made jointly by Central Plains Water Limited ('CPWL') and the Trust, but wishes to make and emphasise the following additional submissions.

Section 3: Achieving the vision

The Trust supports Option D as outlined in Section 3 of the draft CWMS, but also supports many of the other initiatives outlined in the other options. The Trust's objects require, and the Trust's fundamental position is that any infrastructure development must provide for an appropriate balance of environmental, recreational and economic benefits for the Central Plains community in which it is operating, and that any adverse impact on the environment must be adequately mitigated or offset. Without storage and other supporting infrastructure for the Central Plains the Trust does not consider that its other objects, or sustainable water management for the whole region, will be effectively achievable.

At page 37 of the draft strategy it is noted there was "strong support" for Option D during the public consultation undertaken. Accordingly, advancing water storage infrastructure is a key part of achieving the vision. The Trust therefore commends the Mayoral Forum statement "...the Mayoral Forum sees these targets as commitments, not simply aspirations¹", but is concerned that there is no short-term action identified in the programme on page 38 of the draft strategy to support Option D and the development of water storage infrastructure.

Because RMA decision makers are not obliged to consider the CWMS, there is no assurance that water storage will happen without the support of the wider Canterbury community. It is therefore important that the Mayoral Forum commits to reviewing statutory planning documents to appropriately provide for water storage and the other CWMS objectives in some manner, this will provide a useful catalyst for progressing the important elements contained within Option D of the strategy.

Section 4: Coordination and delivery framework

1. The draft strategy does not specify how the governance roles in the implementation of the CWMS will be funded. The concept with CPW is that the Trust would be funded principally by CPWL, so that the Trust can carry out its monitoring and audit functions of CPWL's water supply activities in accordance with both the applicable conditions of the resource consents (held by the Trust) and the trust's own requirements, especially as they relate to the document recently released jointly by CPW, The Ritso Society, and the Sustainable Farming Fund and entitled 'An Environmental Management System for Irrigation Schemes in New Zealand'. The Trust also envisages that the two territorial local authorities for the CPW area will agree to ongoing funding to support the Trust's general governance and administration requirements and the costs involved in community liaison and education functions. The Trust recommends that appropriate cost sharing in this sort of way will be appropriate for the Zone Water management Committee for the Central Plains, and in fact that the Trust could take over that role for the Waihora-Ellesmere Zone. It would be un-necessary, inefficient and difficult if a separate Zone Committee was to be established in this zone, as it would seek to duplicate the work being carried out and to be carried out by the Trust there.

2. Based on its experience to date the Trust submits that the 'Water Infrastructure and Services Entity' as a 50 / 50 JV between local government and private investors may not would work adequately, and that the mayoral Forum should keep its options open at this stage. One concern is that there will always be a degree of competition and conflict between the regulatory and other roles of the councils. The Trust was established to allow its two settlor councils to stand at arms-length from the consultation and consent application process and also from the operational monitoring processes of the Trust and CPWL. This effectively prevents political pressures becoming a direct problem in these processes, especially around election campaign times. It also allows the two councils maintain their own separate and independent views and to pursue their own interests without perceived conflicts of interest, and without compromising their other governance responsibilities generally. Most particularly, it means that the commercial interests with whom both CPWL and the Trust must work, can have confidence in the contractual relationships they will have with both the Trust and CPWL, without the actual or potential complication which the political nature of councils might entail. Similar considerations might apply to the proposed Entity. The Trust therefore recommends that this issue be reconsidered, and that other types of entities be further explored.

As one possibility an Entity established as a crown enterprise by a special Act, could be considered. This does not need to entail either government funding or direct government involvement. Its directors (or some of them) could be appointed by Canterbury local authorities who should have at least these two fundamental rights:

- 1) To approve the entity's constitution and an annual statement of intent.
- 2) To have the power to ensure that no more than a fair rate of return is achieved, with accompanying auditing and transparency provisions.

The entity should otherwise be free to raise capital by way of debt or equity as it considers appropriate. This would ensure a robust commercial approach but would still ensure the achievement of community outcomes through effective and appropriate local government involvement.

3. The Trust's principal concern is the delineation of the Water Management Allocation Zones illustrated on Figure 7 of the document. The reasons for these particular boundaries are not described, and there was no consultation in relation to them as

they were not included in the earlier strategy material. It appears, these zones have been extracted from Environment Canterbury's Long Term Council Community Plan 2009-19 (LTCCP). The zones in the LTCCP were included for water management cost recovery purposes and have not been formulated for water governance purposes. They are clearly not suitable. There is also no indication of how "cross-zone" issues will be handled. For example a storage option may be located in one zone, but have the capacity to serve areas outside that zone. There is no obvious mechanism for ensuring zones do not simply look after the interests of their own area.

The Trust recommends that the proposed Waihora-Ellesmere Zone be redrawn to be exactly the same as the Selwyn District Council boundary except only for the part of it between its boundary and the new Christchurch City boundary. The reasons are:

- 1) It would be a much better fit for governance purposes. Both the Trust, and no doubt also the Selwyn District Council ('SDC'), and also any new zone committee, would find it confusing inefficient and excessively complex if they had to deal with the division of their areas of responsibility in the way that the proposed boundaries would mean.
- 2) The proposed boundaries clearly do not represent any genuine community of interest. The SDC boundary does represent a clear community of interest and was established as such by the Local Government Commission. The document says at page 41 *"the zone areas are also small enough to avoid becoming remote from local catchment issues or allowing people from outside to the relevant area to have a say in matters that are not directly related to their interests"*. The proposed area does not fit this description because it is not *"small enough"* but is in fact too small and would subdivide communities of people within the *"relevant area"*.
- 3) If the SDC is going to have a role with rates sourced funding for the Trust and for any other role in the Strategy, it will need strong ratepayer support across the whole of its district and not just a part of it.
- 4) The Trust's area of responsibility includes the whole of the SDC district.
- 5) There is a very close and highly inter-active relationship between the sources of water for the Central Plains (including Lake Coleridge), the need for surface water irrigation for the upper Central Plains, the groundwater issues relevant to the lower Central plains, and Lake Waihora at the end of the Central Plains water system. It is essential that the whole system be managed as one integrated area. This means that the alpine water sources of the upper Waimakariri River catchment (boundaries as for the SDC district) and also the alpine water sources of that part of the upper Rakaia River which are within the SDC boundary, must be included in the new zone boundary. Similarly the southern boundary must be the centre-line of the Rakaia River, and the northern boundary must be the centre-line of the Waimakariri River, both co-inciding with the SDC boundary.
- 6) The document at page 41 speaks of the proposed ten water management zones *"that are sufficiently large to enable the management of abstraction from surface and groundwater systems to be integrated with the management of the irrigated areas where the water is used."* The proposed Waihora-Ellesmere Zone does not fit this description. It is too small, and as stated above, it would not allow the integrated management of the alpine water sources for the Central Plains, the ground-water deficient upper Central Plains, the wetter lower Central Plains, and lake Waihora, all of which are inextricably inter-related, in an integrated and efficient manner.
- 7) Reservoir storage from an alpine source can be easily pressurised giving a double credit for energy. The integration of electricity generation opportunities also needs to be integrated into the whole Central Plains management area.

- 8) It is also recommended that the Waihora-Ellesmere Zone be renamed to reflect the matters set out above. It is suggested that the existing name 'Central Plains' is appropriate, as it is actually the name which is used and will continue to be used for the whole area from the Main Divide to the sea (not just the Lake).

Section 5: Implementation blueprint

Like CPWL, the Trust is concerned about the implication that "groundwater storage" is the only solution for the Central Plains, as it is the only short-listed project identified for the Central Plains area on page 50 of the document.

It is unrealistic to suggest that groundwater storage can solve all of the water issues within the Central Plains. This has not been suggested for any of the other zones and is not in itself a significant solution for getting adequate reliable water onto the Central Plains.

Groundwater storage in the Central Plains area would not provide a significant amount of storage, and must not be considered as a substitute for a large scale surface water storage. The Trust's expectation is that groundwater storage would only slightly enhance the reliability of supply in the lower parts of the Central Plains area, but its main contribution would be to supplement groundwater supplies in the lower parts of the Central Plains. Therefore the Trust repeats and emphasises that surface water storage within or to serve the Central Plains needs to be included in the "short-listed" projects on page 50 of the document.

The Central Plains area has unreliable ground water at higher elevations (above 200 asl). Inland of Darfield and west of Hororata numerous unsuccessful attempts to find ground water have been made. The Upper Plains contains about one third of the CPW Scheme shareholders who will have no access to ground water (because the sub-strata is sandstone and clay etc, and the water will not travel through it laterally.). Consequently this prevents them having any reliable groundwater supply even in the event of an amended CPW scheme being consented. This group need storage for reliability, and storage requires access to alpine water. The source, storage, and areas of application of it on the upper Central Plains must be managed together.

The next one third of shareholders will be prevented from accessing the supposed ground water recharge from the above mentioned area. This band of land coming down the Plains (200asl to approx 150asl) is on alluvial gravels but pumping from deep wells, some of which are below sea level. The opportunity to switch to a surface supply and lower the energy costs of lifting water to the surface has been a driver in the support of the CPW Scheme.

Any rise of ground water will not give underground storage to all of the area, and may only save 5 - 10% of the cost of lifting the water which on many farms is \$500 - \$1000 per hectare. While irrigation may raise the static water level the benefits will be felt below SH 1 and will not relieve the red zone in CPW area.

Farmers above SH1 support closing down existing ground water extraction. This saves energy, prevents mining of this resource, and has a positive effect on lowland streams. Irrigating from the surface supply enables a pressurised delivery also. So ground water storage has merit in the lower Plains but has less merit inland of SH1, and no merit on the upper Plains.

While Ecan have notified to change the WRRP, the change will take time and may not proceed. Also the CPW hearing is still in progress and until the hearing is exhausted, the current application, including Waianiwaniwa storage, should not be discounted.

Annex J: Infrastructure options

1. As discussed previously in this submission, groundwater storage in the CPW area would not provide a significant amount of storage, and should not even remotely be considered as a substitute for a large communal reservoir within the Central Plains. The Trust's expectation is that it might slightly enhance the reliability of supply in the lower parts of the CPW area, but its main contribution would be to supplement groundwater supplies in the lower parts of the plains below the CPW boundary. This needs to be acknowledged within Annex J of the document.
2. The Trust also strongly emphasises the importance of the Mayoral Forum understanding the implications of the likes of Proposed Plan Change 1 to the WRRP as well as the implications of other existing statutory planning documents. The WRRP example illustrates that the statutory planning regime can be working against the viability of storage proposals, which therefore places a significant obstacle in the way of achieving the goals of the adopted CWMS. The Trust therefore reinforces the submission already made on behalf of both CPWL and the Trust that as a part of the CWMS, the Mayoral Forum must encourage Environment Canterbury in particular to recognise and encourage the fulfilment of its own aims in the CWMS by adopting a regime for takes from the Waimakariri River (as proposed by CPWL) which will facilitate both a sustainable water take for the Central Plains Scheme while still preserving bottom line river environmental and recreational values.

Annex G: Kaitiakitanga:

Because the Central Plains Scheme proposal is to extract run of river water from the Rakaia and Waimakariri systems and disperse it across the Central Plains area, it will substitute for some existing ground water extraction and augment the ground swell from the ingress of the rivers mainstems. In this manner some of the flows of the lowland streams would be revitalised. As a result, in the interests of appropriate and sensible management, it is reasonable to expect the Waihora /Ellesmere Zone to follow the existing Selwyn District Council boundaries. This would be consistent with Te Runanga o Ngai Tahu Iwi policy of Ki Uta Ki Tai (from the Mountains to the Sea) and would enable integration of the sustainable farm management protocol across the entire District /Zone. Of major importance in this process is to sustainably manage ground and surface water flows to limit any existing and /or potential adverse effects on the mana whenua property of Te Waihora, and lake Te Wairewa and their feeder systems. These waters are already in a sad state and the Trust in partnership with Tangata Whenua wishes to manage its interests to not add to this burden and via ground water augmentation attempt to improve the overall water quantity and quality of the zone.

The Central Plains Scheme proposal for ground water augmentation is to filter the glacial water through vegetated wetlands to firstly remove solid contaminants, then to allow the wetland flora and soils to infuse the water with local 'scent' before filtering into surface water bodies. This is important in a cultural sense, but also has value in not causing misdirection of migrating fish species into inappropriate areas. Affected species would be mainly; galaxids (whitebait), eels both species, and salmonoids.

The Amuri / Pahau example quoted in the CWMS demonstrates the benefit to be gained by the tighter controls from modern irrigation methods. That coupled with the Central Plains Scheme's sustainability protocol will minimise nutrient contamination. The subsoil monitoring proposed in the CWMS proposal will identify at an early phase any non compliance enabling early intervention and limiting any effects to localised areas.

The CWMS proposal (pg 110) identifies a number of matters of importance to Ngai Tahu regarding matters of interest to them and has a series of time frames for implementation. It does however behave the question as to why wait so long?

Ngai Tahu has an operative Freshwater Policy, and Te Taumutu Runanga has a Natural Resources Plan. ECans Natural Resources Regional Plan has policies and protocols with regard to water and matters of significance to the Tangata Whenua.

Therefore it is possible to implement a 'bottom up' management philosophy using Central Plains Scheme and the other water users in the Waihora / Ellesmere Zone to act as a model and pilot for the rest of the region. Early intervention is the key to correcting the mistakes of the past and the longer this situation is allowed to procrastinate the greater the damage. Planning is essential development in the Region, however for the Waihora / Ellesmere Zone sufficient planning exists and it is time for active management facilitated through consultation with affected parties and property owners.

The lakes Te Waihora and Wairewa have already suffered significantly through inappropriate management, particularly of land based discharges. This estate, while the property of the tangata whenua, is unique in its nature and a taonga for the entire community. It is well over due for the upland management in the catchment to be consistent with the protection of that resource.

End.