

Submission relating to Proposed Plan Change 1 to the Natural Resources Plan for the Wellington Region (Plan Change 1)

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Declaration: I/we do not stand to gain commercial advantage from my/our submission. I/we wish to be heard in support of my/our submission.

We would like to state that we are very much in favour of ensuring high water quality and protecting our waterways from sediment discharge. We do however feel that the GWRC has gone about an important step in a very poorly informed manner with very little data, no intention to capture better data into the future, and no public consultation.

1.) Consultation Process

We and our neighbours are very concerned about the complete lack of consultation GWRC has engaged in before introducing an incredibly onerous set of requirements upon impacted rural land owners.

A true process of consultation is iterative, working with those communities impacted to find common ground and a consensus on plan changes. This proposed plan change has been presented and it has had no consultation that we are aware of.

2.) Classification and definition of "Rivers".

In the recent Environment Court cases – GWRC v Adams & Others together with GWRC v UHCC the presiding judge found against the GRWC contention against the UHCC that a roadside drainage ditch constituted a natural waterway. Evidence presented to the court demonstrated conclusively that the feature was totally man made and the case against UHCC failed.

It appears that the GWRC are attempting to introduce rules and methods within PC1 to classify all streams, drains, ditches and ephemeral flows as rivers. It would appear that this move is trying to work around the Court ruling and ignoring the judge's findings.

3.) Contravention of the NZ Bill of Rights and erosion of property rights.

PC1 is proposing a regime of sanctions against property owners in respect of factors over which they have no control. This concept is totally alien to the NZ accepted concept of fairness, the rule of law and is a clear erosion of property rights of land owners.

Within any given catchment there will be upstream and downstream properties and very few indicative monitoring sites.

The Mangaroa water catchment is a complex network of waterways stretching some 20 km from the headwaters to the single Te Marua monitoring point. The same configuration applies to the Akatarawa Valley. All properties in the catchment will be assessed, based on the downstream results from this single monitoring point and penalised accordingly.

4.) Reduction in sediment discharges from farming activities

The document sets about this concept by requiring an impossible to quantify position. Within both the Mangaroa catchment and the Akatarawa catchment no data on water quality is gathered. The only monitoring points are 1. At the confluence of the Mangaroa river and the Hutt river and 2. At the confluence of the Akatarawa river and the Hutt river. In both cases the headwaters of the catchments are some 20km from the monitoring points.

At the Zoom Q&A session the question was asked regarding where sediment was originating. The response was that it was from upstream of the monitoring points – in other words GWRC have no idea. Not only do they not know where it originates, they are simply guessing that it comes from farming activity.

GWRC is assuming that all sediment in rivers is the result of human activity. There is a strong probability that human activity can contribute to the sediment load but it is important to consider that a proportion arises from natural erosion processes. It is vital that GWRC has a complete picture of all factors within the catchments, both natural and man-made rather than simply assuming all sediment is a result of human activity.

I/we am/are seeking the following relief

1.) Consultation process

GWRC need to withdraw this plan change and then engage with representative groups and wider public engagement.

2.) Classification and definition of “Rivers”.

GWRC does not appear to be adhering to the Court decision. A clear definition of what constitutes a natural waterway such as a creek, a stream and a river, as against a drainage ditch, culvert and overflow channel needs to be confirmed before PC1 is approved.

3.) Contravention of the NZ Bill of Rights and erosion of property rights.

We are very much in favour of measuring and protecting water quality and minimising sediment discharge. But until we have good data on water quality and multiple points along the catchment, any identification of discharge is simply guess work. Remove all such clauses where GWRC has failed to establish an adequate network of monitoring sites.

4.) Reduction in sediment discharges from farming activities

Within each of the Mangaroa and Akatarawa catchments GWRC should establish at least 3 monitoring points and accrue a significant data base to be able to identify the source of any quality reduction. Until these testing sites are established and a reliable data set is available upon which to base factual decisions, work on PC1 should be paused.

Yours Sincerely.

John Diggins & Jacqui Diggins