

# Lakes **WATER** QUALITY Society

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29 April 2009

The Chief Executive  
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## **SUBMISSION TO THE DRAFT TEN YEAR PLAN 2009-2019**

### **Introduction**

The LakesWater Quality Society would like to congratulate Environment Bay of Plenty for all that it has achieved under the Rotorua Lakes Restoration Programmes and particularly for the success of the Ohau Channel Diversion wall. The water in the main body of Lake Rotoiti has been the clearest it has been for many years. However, the occurrence of a full blue-green algal bloom throughout Lake Rotorua and down the Ohau Channel, Okere Arm and the Kaituna River in April this year is a stark reminder that we have a long way to go before Lake Rotorua health is restored. The onus is on us all to ensure that we make the right decisions over the next ten years to improve the water quality of our lakes and have environmentally sustainable land use.

#### **(1) Rotorua Lakes (page 8 – 10)**

Given that the 10 Year Plan is a high level document we would prefer to see the opening remarks on the Rotorua Lakes focusing on the national significance of the Lakes' region and the huge challenges to restore and protect their water quality.

- **The need for land use change**
- **The need for “polluter pays” principles in recovering a significant part of the costs of restoration and protection**
- **The need to embrace sciences and “best management” practices for land use in the Lakes' catchments**
- **Working with Rotorua lakes community to look for initiatives for land-use change, and insert “to establishing a process for land use change in the Rotorua catchment and making significant progress within 10 years”.**
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**In other words the Council needs to signal to its stakeholders the environmental standards and policy framework it is going to put in place over the time of the Plan.**

#### **(2) The Monster**

At our LakesWater Quality Symposium held on 12 – 13 August 2008, the Chief Executive of EBOP, Bill Bayfield, gave a very significant and revealing presentation on the Rotorua Lakes. In short, Lake Rotorua was the “monster” which would take over eighty years to

restore to its former health. The other eleven lakes would be restored and/or protected within a ten year time frame.

**We strongly suggest that the Council's position on the future management of the Lakes should be based on this: to take enough action to lead to restoration of eleven lakes within ten years, and take major steps on land use for Rotorua to supplement the effect of sewerage and nutrient precipitation. Such work be designed to improve Lake Rotorua significantly within this generation.**

**(3) How we propose to fund this programme (page 9)**

We acknowledge the funding ratios proposed for targeted and general rates. Our concern has always been to ensure the necessary lakes restoration costs are fairly borne by all stakeholders. We argue that the "legacy" costs associated with past pollution should be borne 100% by the Central Government. Further, the "exacerbator" or "polluter" pays principal for cost recovery is also the appropriate mechanism to bring about the necessary "market" behaviour.

**We totally support the principle of targeting rates paid to nutrients leached from each property.**

We note that the N load into Lake Rotorua from pastoral farming is 71.9% of the total N load inputs to the Lake. (Rotorua & Rotoiti Action Plan, page 50) with dairy being 52.2%. The current charging proposal only recovers 24% of the total restoration rate from pastoral farming. This needs to be increased threefold to achieve the "principle" above. We can only encourage Council to move as quickly as possible to implement the changed policy. At present non-pastoral farming ratepayers are being unfairly discriminated against and farmers are being incentivised to pollute the environment.

In Summary:

- **Farmers should be paying the majority of the Rotorua Lakes Restoration rate as they are the major polluters**
- **We are disappointed the percentage attributable to other rural land uses has not yet been apportioned appropriately to pastoral farming and forestry**
- **Council should develop a nutrient footprint based rate as soon as possible**
- **We are pleased the residential rate is unchanged but we are deeply concerned that residential is "subsidising" rural land uses with high nutrient footprint**
- **We are concerned with the increasing residential rate going forward. We want to see the rates charged on a nutrient footprint basis**

**(4) Strategic Policy (pages 118 – 127)**

We are concerned with the issue identified on page 12 being the alignment between the Regional Policy Statement, regional plans, district plans and non-statutory policy.

We note that the second generation Regional Policy Statement is due to be completed in 1009/10. The Rotorua District Council District Plan is also due for completion in this calendar year. We expect the new RPS on water quality issues to be significantly revised to accommodate the significant knowledge of understanding of the water quality issues since the existing RPS was adopted. We all know that the solutions for the Rotorua Lakes will require significant land use change to reduce nutrient inflows to the Lakes. It will be the district plan which will be the catalyst for this change.

**We request that EBOP expedite the Regional Policy Statement on Freshwater, and in the meantime make submissions to the RDC planning process for EBOP's views to be taken into account. We cannot afford to have the cart (District Plan) before the horse (RPS)!**

**(5) What we are going to do (page 125)**

The Rotorua Lakes TLI update 2008 report to the Lakes Strategy Group highlighted that ten of the twelve lakes now exceed the TLI (trophic level index) set in the Regional Water and Land Plan.

**These excesses have triggered Method 35, stage 3 of the Plan and call for immediate Action Plans to be implemented.**

We note that the 10 Year Plan calls for these plans to be implemented as follows;

2009/10	2
2010/11	2
2011/12	2
2012/13 – 2018/19	Remaining

The Plan is silent on which plans are for which lakes and when. Whilst it is not appropriate to go into the detail of lakes plans in this submission, we would like to express our concern and frustration with the existing planning process.

By way of example, LWQS, along with many other community groups, participated in the Rotorua and Rotoiti Action Plan process for over three years culminating with a draft in June 2007. This document has yet to be finalised and given official status for EBOP and RDC to action. We suspect the major delays are due to intense lobbying by Federated Farmers and the farming sector generally. Pastoral farming contributes N inputs to Lake Rotorua to the extent of at least 563 tonnes per annum, being 72% of the total N inputs.

The land use aspects of the Lake Okareka Plan have been stuck now for years.

**We would like to see a statement at page 125 under “What we are going to do” as follows –**

- ***Convert the discussions with the farming community into action so as to deliver the N and P nutrient reduction targets as required by the respective Rotorua Lakes Action Plans.***

The knowledge being brought to bear on the Rotorua Lakes’ issues is now at an unprecedented level. Our Society has organised six Symposia progressively addressing key issues about lakes using experts from around the world. These have been strong forums for progressing knowledge and understanding of the issues. EBOP initiated the Lakes Management and Restoration Chair at Waikato University, introducing Professor David Hamilton and staff as a valuable scientific resource to the equation. We congratulate EBOP for this vision and commitment. The knowledge is clear and well understood on how to fix lakes. The initiatives already taken by farmers at Lakes Okaro and Rerewhakaaitu show that changes are possible. It would be irresponsible for EBOP to allow Lake Rotorua to continue to deteriorate because of the lobbying of just a score of farmers who are reluctant to use the techniques already available.

The *Report of the Minister for the Environment’s Technical Advisory Group – February 2009* quotes Section 7.3, page 55 -

*“despite some improvements, and some regional variations, overall environmental conditions have deteriorated nationally since 1989 (when Regional Councils were established) ... Councils collectively appear to be unable to manage the difficult and important environmental challenges, such as non-point agricultural discharges that have arisen from agricultural intensification, so that the environment is worse than when they took responsibility.” (McNeil, 2008 op cit pp i & 248)*

**It is impossible to clean out a bath when the tap continues to pour in ever increasingly dirty water.**

Policies must target the IN-FLOWS to lakes. This 10 Year Plan addresses “in-lake” and “in-stream” actions which are very positive. It is largely silent on what has to happen on the land, which is where most of the problems lie.

In Summary:

- **We are deeply concerned that Council’s land use programmes are languishing in terms of farmers reducing their nutrient footprint to meet the targets set in the respective Lake Action Plans**
- **Council must impose a tough regulatory regime to bring about farmer action and compliance to achieve nutrient reduction targets**

**(6) Sustainable Land Management (page 141 – 148)**

- (a) The riparian margin focus of Council has been well supported around the Rotorua Lakes together with the need to fence off streams in the catchments. Council’s programme has been effective. We encourage Council to move as quickly as possible to achieve a 100% outcome.
- (b) Science tells us that animal urine is a principal source of nitrogen leaching into the soils. The volume of leaching increases with the increase in the number of animals on a per hectare basis. The largely volcanic soils in the Rotorua Lakes district are very porous and prone to higher levels of leaching.

These and many other issues lead us to the conclusion that farming practices in the Rotorua Lakes’ catchments will continue to be the major source of nutrients into our Lakes. This raises the question of the definition of sustainability.

**Does it mean that farming practices in lake catchments are only sustainable provided the lakes remain clean or to a national standard for fresh water?**

**Page 141 – “Sustainable Land-use” does not address “leaching” as a source of nitrogen pollution to the waterways.**

We know that the human equivalent of the number of dairy cows in the Lake Rotorua catchment alone is over 97,000 people - 1.5 times the population of Rotorua! We have sewage policies for humans but not for cows or other farm animals. Council needs to address the issue of diffuse pollution from farming in the Rotorua Lakes’ catchments.

**We would like to see Council’s definition of “sustainable” to include leaching of N and P from the farm into the waterways.**

**(7) Sustainable water Management (page 149 – 159)  
What we have achieved (page 150 – 151)**

Our society has worked closely with EBOP over the last eight years. The buildup of knowledge and the actions taken by Council has been based on a sound model of research, public engagement, trials and action. We support Council in its endeavours to achieve clean and healthy lakes.

The Rotoiti diversion wall on the face of it, has been an outstanding success. This year Lake Rotorua has had a significant blue-green algal bloom which was contained in Lake Rotoiti behind the diversion wall and did not affect the remaining lake.

We support the planned actions which are largely either “in-lake” or “in-stream” activities. The planned sewerage schemes at Lakes Rotorua, Rotoiti and Okareka will be effective if the Okawa Bay sewerage scheme is the example of what can be done.

**We would like the 10 Year Plan to progress the following:**

- (1) Lake Action Plans completed and adopted by 2010/11 for all twelve lakes which are dynamic working documents which the community can use as its benchmark and guidance for Council action**
  - (2) Provide indicative funding for work needed for ALL lakes to be done within the 10 Year Plan**
  - (3) Lake Tarawera sewerage scheme to be commenced and completed within the next five years**
  - (4) All farming of livestock over ten hectares to be deemed a “consented” activity under the RMA and required to use “Overseer” as the basis for managing their nutrient loads in the catchment**
  - (5) A policy on “wintering off” animals in all lakes’ catchments. (Up to 50% of leaching occurs in the winter months when grass is not up taking nitrogen)**
  - (6) Develop a policy of rewarding farmers where they have reduced their nutrient footprint and adopted and achieved “best practice” farming principles**
- (8) Where we want to be (page 155)**
- (a) Because of the apparent inability of Council, for whatever reasons, to gain land owner support to action targeted nutrient reductions, we believe many of the Rotorua Lakes will further deteriorate before improving. The levels of service tables for lakes Rotorua, Rotoiti, Okareka and Rotoehu, if achieved, will be remarkable given the lack of progress with nutrient reductions with their land owners.
  - (b) The targets for Lakes Okataina, Rerewhakaaitu, Rotokakahi, Rotoma, Rotomahana, Tarawera and Tikitapu should, within the ten year timeframe of this plan, all be at the TLI target in the Regional Water and Land Plan. At present this is not the case for four lakes – Okataina, Rotokakahi, Rotoma and Tarawera.

**Council should carry out the necessary planning and actions in their 10 Year Plan to achieve the TLI targets for all the other lakes that are not included in the current funding arrangements under the Memorandum of Understanding.**

- (9) The question asked on page 10 “Do you accept the focus Council and its partners on the four priority lakes or do you want more work undertaken on the other eight lakes?”**
- **All twelve lakes should have an Action Plan completed by June 2010/11 which has been adopted by Council and the community**
  - **Actions should be defined and costed on a priority basis**
  - **The reader of this Plan, including all stake holders at the national, regional and district level, should be left with a clear understanding that this Council, together with its partners, are totally committed to a “tough” policy stance of restoring and maintaining all twelve lakes in the District**

**(10) Weed control**

We are pleased to see Council has taken weed harvesting on board. The reality is that if we are successful in cleaning up lake water quality then the likelihood of increased weed growth is high. Harvesting has the benefit of removing nutrients out of the catchment and therefore LWQS prefers harvesting over spraying. However there are areas in lakes where

harvesting is not practical and spraying to a “knock-back” level, i.e. not full kill, is a realistic alternative.

**We encourage Council to prepare a weed control action plan for consultation with the community.**

**(11) Okere Gates and Ohau Channel Weir Consent**

We understand the resource consents for the Okere Gates and Ohau Channel weir are up for review by mid 2010. These structures are very important to the long term stability of Lake Rotoiti and Lake Rotorua. LWQS would like to be kept informed by Council on the progress of this review and we intend to fully participate in the public consultation process.

**(12) Hearing**

We wish to have the opportunity to speak to this submission and would like to request that the Hearing be set at the EBOP offices in Rotorua.

John Green  
**CHAIRMAN**