



Southland Federated Farmers

Submission on Notified Resource Consent Application for the periodic opening of Waituna Lagoon

3 September 2024



SUBMISSION TO ENVIRONMENT SOUTHLAND ON NOTIFIED RESOURCE CONSENT APPLICATION FOR THE PERIODIC OPENING OF WAITUNA LAGOON

To: The General Manager
Environment Southland
service@es.govt.nz

Submission on: Resource Consent Application to Open Lake Waituna
(Land Use Consent and Coastal Permit application APP-20242456)

Date: 3rd September August 2024

From: **Southland Federated Farmers**

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We wish to be heard in support of our submission

We wish to be involved in any pre-hearing meeting that may be held for this application

We are not a trade competitor of the applicant (for the purposes of Section 308B of the Resource Management Act 1991)

We have served a copy of our submission on the Applicant

SUBMISSION TO ENVIRONMENT SOUTHLAND ON THE NOTIFIED RESOURCE CONSENT APPLICATION TO OPEN WAITUNA

1. INTRODUCTION

- 1.1 On behalf of our members in the Waituna catchment, Southland Federated Farmers submits in opposition to the proposed resource consent application from the Awarua Rūnanga, Department of Conservation and Environment Southland.
- 1.2 Federated Farmers has worked to represent farmers' interests in the catchment over a number of years as part of a multi-agency response to help improve the state of the Waituna Lagoon.
- 1.3 We acknowledge the substantial amount of work undertaken in the catchment by many landowners and organisations to restore the health of the lagoon.
- 1.4 Improvement of the health of the lagoon is an important objective for the landowners. Landowners also recognise that long term environmental benefits from change can take some years to achieve – this has been noted by other projects¹.
- 1.5 Several landowners in the area have farmed there for many years and through their own multigenerational observation and records have noted impacts and changes on the lagoon.
- 1.6 Southland Federated Farmers considers any opening regime needs to safeguard the ecological/environmental requirements of the lagoon and the productive potential of adjacent farmland.
- 1.7 Southland Federated Farmers are concerned that:
 - 1.7.1 The proposed water level of 2.5m (for summer openings) will adversely impact surrounding farmland and other economic and social values to an extent not appropriately recognised in the assessment.
 - 1.7.2 There is insufficient justification for an opening level of 2.5m compared to an opening level of 2.2m, especially considering the potential negative economic and social effects of the 2.5m level.
 - 1.7.3 There is a risk, based on actual community observation and experience, that the opening levels proposed in the consent application of above 2.5m will have serious detrimental effects on the ecological health of the lagoon (and the associated Ramsar wetland).
 - 1.7.4 The proposed consent duration of 20 years does not allow sufficient flexibility to review and adapt the opening and closing regime based on actual observation and readjust as needed.

¹ [The Whatawhata Integrated Catchment Management Project | NIWA](#)

Decision Sought

- 1.8 Oppose the application of Awarua Rūnanaga, Department of Conservation and Environment Southland (APP-20242456) to open Waituna with the proposed consent conditions specified in the application.

2. REASONS FOR OPPOSITION

Impact of 2.5m water levels

- 2.1 The proposed threshold of 2.5m water level for opening the lagoon will have detrimental impacts on both the lagoon and local farm properties. As a waterbody fed by three primary creeks and enclosed by the beach, with no natural ability to drain, it is well understood that the Waituna Lagoon requires periodic opening to both protect the ecological integrity of the lagoon and prevent adjacent farmland from being flooded. However, the application proposes a threshold level of opening at 2.5m that we believe will have the opposite effect of the intentions of the consent.

Benefits of a Managed Opening regime (under 2.2m)

- 2.2 Federated Farmers supports an opening regime of under 2.2m for the lagoon. This level strikes an appropriate balance between ensuring the ecological integrity of the lagoon and its status as a Ramsar wetland, while also providing for the social and economic wellbeing of the local community. For the lagoon, the benefits of opening include, firstly, it reduces the water levels within the lagoon, preventing flooding and enabling better drainage of properties further up the catchment.
- 2.3 Secondly, it flushes nutrients and sediment washed down from the catchment. At high levels these create a risk of eutrophication, so flushing these out benefits the ecosystem within the lagoon.
- 2.4 There are also spill-over benefits from opening the lagoon, as it enables:
- the entry of brown trout from the sea into the lagoon
 - tuna, kana kana and īnanga to gain access to the lagoon. These species need to access inland waterways in order to carry out their migratory life cycles
 - a suitable habitat for wader birds when the lagoon level is reduced (the habitat for a range of wading birds was a key consideration when the neighbouring wetland was designated a Ramsar Wetland of International Importance in 1976)
 - anglers are attracted to the lagoon when it's open to the sea (October to April)
 - plants to thrive (i.e. there are some plants that need different water levels).

Impacts of Higher Water Level Trigger (2.5m)

- 2.5 Southland Federated Farmers believe that a 2.5m water level for opening, compared to a lower 2.2m level, will have social, economic, and science impacts that have not been sufficiently considered.

Social and Economic impacts

- 2.6 Setting an opening level of 2.5m will result in greater and more frequent inundation of farmland and roads making it impossible to farm the land, or even access it. Inundation also impacts public infrastructure including access roads and bridges. For example, the bridge put in for access to the Ramsar wetland viewing platform and walkway is set at a limit of 2.2m water level – which will be at risk of damage at the higher level. Funding and effort to repair the infrastructure will impede access to the Ramsar site, and impact access of tourists to an internationally significant wetland.
- 2.7 Even under the existing opening regime the access road is frequently closed due to damage from flooding, and exacerbated by heavy trucks causing severe road ruts, which results in a health and safety concerns for visitors attempting to use the road.
- 2.8 Local Federated Farmers members are concerned that the proposed conditions of 2.5m higher water level will have numerous negative ecological impacts on the lagoon, in particular, sediment loss from bank erosion due to slumping from higher water levels. There is also the risk of increased nutrient loading from the flooded vegetation, and impact on the sentinel ruppia due to shading from tannins in the water.
- 2.9 Other concerns landowners have included the hydraulic effect on all surrounding land on subsurface drains and soil profiles.
- 2.10 Federated Farmers members are also concerned about the increased water level will have on their actual ability to farm on the land that they and their families live and run their business. Increased inundation from higher water levels will flow onto the farm. Government regulations already limit the ability of farmers to drain or manage wetlands on farm. As property owners and neighbours of the lagoon and wetland, consideration needs to be given to the rights of the surrounding landowners, and as “good neighbours” what considerations need to be put to the impact of excess water on those properties.
- 2.11 It is critical that the ability to open the lagoon is retained at a practical level, as it is a key part of the strategy for improving water quality and land drainage. Without an opening regime to keep the Lagoon water level below 2.2m, impacted farming families in the lower end of the catchment will not be able to maintain financially viable businesses. Southland Federated Farmers would like to see regular groundwater and surface water monitoring on farmland impacted by potential flooding

- 2.12 The rural communities impacted by this consent live in this space – and they have generational knowledge and observation to help provide information and records to the ongoing process of improving the lagoon. We would like to see more active community involvement as part of this process going forward – as opposed to a stand-alone consultation process.
- 2.13 Landowners also have concerns that staff from entities involved come and meet with landowners and discuss the issues, but often move on quickly to other roles, and the community is left with no continuity of connection or understanding of the long-term issues. These relationships are important to understand that farmers also want to see an environmentally sustainable lagoon rather than simply being part of the problem.

Science Impacts

- 2.14 Southland Federated Farmers agree that there needs to be a plan in place for the lagoon, but a high-water level triggered regime will potentially allow the water to be increasingly contaminated and flood the sensitive shoreline biodiversity. Late last year the algal bloom and subsequent decision to open the lagoon (3 months later) showed the need for a robust regime that is reflective of the needs of the lagoon and the ability of the consent holders to react swiftly when the need is urgently required.
- 2.15 We understand the need to minimise openings for the ruppia growth over spring/summer for growth and reproduction of the sentinel species (for lagoon health), however the proposed increased water level of 2.5m may result in less openings (that is longer closure periods), and increase the risk of algae blooms, which was a consequence of the 2023/2024 Spring/Summer. It seems from the reports that the consent is asking for conditions that will potentially make the issue worse (that is, long closure periods).
- 2.16 Federated Farmers would like to see more information on the impacts of opening with a raised water level of 2.5m in terms of the large volume of water to disperse, and the impacts on the gravel opening, and the associated time frames to close with such a large volume of water.
- 2.17 One specific flow on effect of that is the increasing need for “emergency rules”, which can take time to initiate (as played out with the algae bloom in the Spring/Summer of 2023/2024) and the consequences are negative impacts on the ecological health of the lagoon.
- 2.18 What is proposed with the 2.5m trigger is a big change over a relatively short time frame. Southland Federated Farmers would like to see an initial phasing of 2.2m, with an annual winter opening to align with migratory fish passage, and more detailed information regards the benefits of 2.5m over 2.2m.

2.19 The consent process of 20 years for such a significant shift to 2.5m is too long. Federated Farmers would like to see a shorter consent time frame (10 years) with more active community engagement as part of the process. The ability to monitor, reassess, and adapt reinforces and justifies a shorter consent time frame.

Summary

2.20 An opening regime is critical for the ecological wellbeing of the lagoon and to enable farmers at the bottom end of the catchment to farm. The opening and closing regime needs to be balanced to ensure the ecological wellbeing of the lagoon and the needs of the community and environment. We do not believe the assessment of the consent application appropriately considers both the relative benefits and costs of an opening level of 2.5m compared to the existing 2.2m and does not achieve an appropriate balance.

2.21 A well-managed opening regime supports both environmental objectives and farming families who have lived in the catchment area for generations. Farming families are the cornerstone of our catchment communities. Approaches that see and recognise the environment, where a wide range of interrelated environmental, social, and economic services are provided and supported. These approaches need to consider, recognise and value the lives and well-being of the families who live in these communities.

2.22 As an outcome of this process, Federated Farmers would like to see:

- A shorter consent time frame (10 years) to allow for a review of the ecological wellbeing of the lagoon and a readjustment if needed,
- A limit of 2.2m water trigger level
- Annual winter opening for migratory fish passage.
- That the opening location is flexible to allow for access and dealing with specific issues (for example, algal bloom)
- Direct and ongoing local community engagement as part of the consent conditions, with key contact people for the community.
- Regular groundwater and surface water monitoring on farmland impacted by potential flooding
- Regular monitoring to determine if the change in management of the lagoon is having the desired outcome. The monitoring should also determine what negative effects are occurring to neighbouring landowners.

3. ABOUT FEDERATED FARMERS

- 3.1 Federated Farmers of New Zealand is a voluntary, member-based organisation that represents farming and other rural businesses. Federated Farmers has a long and proud history of representing the needs and interests of New Zealand farmers.
- 3.2 The Federation aims to add value to its members' farming businesses. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:
- Our members may operate their business in a fair and flexible commercial environment;
 - Our members' families and their staff have access to services essential to the needs of the rural community; and
 - Our members adopt responsible management and environmental practices.