EMSSR-002 – Sensitive Receptors

Contents

1 Introduction 2
2 Purpose 2
3 Overall Approach 3
4 Sites of Cultural Significance 3
4.1 Background 3
4.2 Relationship to Other Mahinga Kai Protection Frameworks 3
4.3 Core Principles 4
4.4 Collaborative prioritisation Identification 4
4.5 Risk Assessment 4
4.6 Implementation 5
4.6.1 Minimum expectations 5
4.6.2 Collective Action 5
4.6.3 Individual Property 5
4.6.4 Variations in Land Use 5
4.7 Notification 5
5 Wetlands, Surface Water Bodies and Riparian Areas 6
6 Community Drinking Water Supplies 7
7 Relevant Documents 7
8 Document Management Control 7

1 Introduction

Some farming activities on MHV Water shareholder properties can particularly impact sensitive receptors and additional actions may be needed to avoid, remedy or mitigated these effects. Sensitive receptors are defined in resource consent CRC185857 as:

Areas of wetland, surface water bodies and riparian areas, sites of cultural significance (as may be further defined in consultation with Te Rūnanga o Arowhenua) and, in the case of any land located within a Community Drinking Water Protection Zone, the Community Drinking Water Supply.

This document details the steps MHV Water will undertake to identify sensitive receptors within shareholder properties and ensure effects from new and existing farming activities are avoided, remedied, or mitigated.

Effects on sensitive receptors from new or varied farming activities are also managed through the Farm Activity Variation Application Process, detailed in EMSNM-002.

2 Purpose

The purpose of this document is to ensure effects on sensitive receptors from farming activities located within the MHV Water audited self-management programme are avoided, remedied, or mitigated through the process of continuous improvement. Resource consent CRC185857 includes the following conditions which ensure sensitive receptors are adequately protected through the EMS:

Condition 12(d)

Have appropriate procedures in place (through the EMS and each Farm Environment Plan, Schedule 24a Plan or Certified Freshwater Farm Plans) to ensure the identification of effects on neighbouring sensitive receptors are appropriately avoided, remedied, or mitigated.

Condition 12(f)

Require that any Properties wanting to undertake a significant change will first need to obtain the approval of the consent holder, with the EMS providing details on how applications for significant change are to be assessed, including procedures to ensure applications for significant change are only approved where: …

ii. effects on local sensitive receptors are avoided, remedied, or mitigated.

Condition 13(a)

The EMS shall provide for or require:

a. effects on neighbouring sensitive receptors to be managed through further measures (in addition to Condition 12(b), including:

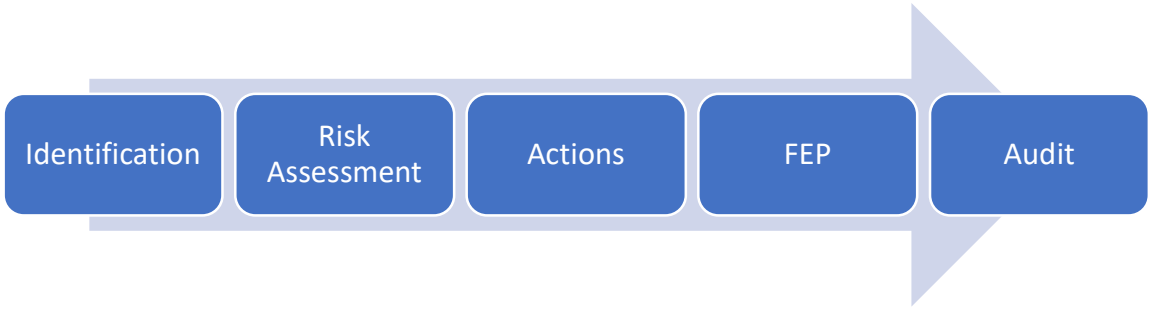
- *i. requiring that stock are excluded from waterbodies in accordance with Regional Council rules, any granted resource consent(s) and the Resource Management (Stock Exclusion) Regulations 2020; and*
- *ii. encouraging the establishment of vegetated riparian strips to minimise nutrient, sediment, and microbial pathogen loss to waterbodies.*

3 Overall Approach

MHV Water's overall approach to ensure effects on sensitive receptors by existing farming activities are avoided, remedied, or mitigated is to integrate solutions through the existing programme of continuous improvement.

Firstly, MHV Water will implement processes to identify the location of the sensitive receptor(s) and communicate these to affected shareholders. Secondly, a risk assessment is completed with the shareholder to understand potential effects of farming activities on the sensitive receptor(s) and the actions required to avoid, remedy or mitigate those effects. Finally, the agreed actions and timeframes will be included in the FEP and independently audited to ensure their implementation.

The overall process regularly reviews the information available to assess the sufficiency of actions taken to mitigate the effects on the sensitive receptor and promotes continual improvement.



4 Sites of Cultural Significance

4.1 Background

Sites of significance to Te Rūnanga o Arowhenua are reflective of their traditional migratory lifestyle designed to optimise collection of food and other resources when and where they were abundant within their rohe.

Through generations of exploration and observation of seasonal life cycles of terrestrial and aquatic food sources, the people of Te Rūnanga o Arowhenua knew where the best food sources were located and the time of year when they would be available and would travel along known routes to hunt, gather or harvest these food sources to bring back to the marae or to be traded. As these sites were regularly used traditionally, there is also a higher likelihood of artifacts of importance being found in these areas today.

Sites of cultural significance have been identified by Te Rūnanga o Arowhenua using historical records held by the Rūnanga and Ngāi Tahu. Some sites may have been lost or degraded due to urban and rural development. Gathering food and other resources is still an integral part of what it means to be Te Rūnanga o Arowhenua, and as kaitiaki, the enhancement of what remains today is a key priority.

4.2 Relationship to Other Mahinga Kai Protection Frameworks

Recognition of the importance of mahinga kai to Ngāi Tahu has been provided through the regional planning framework, with consideration of effects on mahinga kai values part of the Farm Environment Plan and auditing framework, which requires:

Mahinga kai values are protected as a result of measures taken to protect and enhance water quality and stream health.

The information included in this section of MHV Water's EMS has been developed in consultation with Te Rūnanga o Arowhenua to address effects on specific sites of cultural significance located on land within the MHV Water ASM programme, some of which will overlap with the requirements of the Farm Environment Plan. Should Environment Canterbury release guidance on the management of mahinga kai values within the MHV Water rohe, we will endeavour to integrate these guidelines where possible.

4.3 Core Principles

The core principles to embody management of sites of significance to Arowhenua are:

- Collaborative partnership
- Transparency and openness
- Building knowledge

4.4 Collaborative prioritisation Identification

Between 1879-81, approximately 1712 Ngāi Tahu mahinga kai sites across Canterbury and Otago were surveyed and presented to the Smith Nairn Commission as evidence of the Crown's abdications of their obligations of Te Tiriti of Waitangi.

The location of many of the sites of significance are not available publicly, as tikanga dictates this knowledge is held by few people to effectively manage the mahinga kai resource or protect the taonga. Within the MHV Water command area, sites of significance to Arowhenua have been identified on the MHV Water GIS mapping system. These sites have been identified and mapped in consultation with Te Rūnanga o Arowhenua in 2022. Variation in the number or extent of registered sites of significance identified on the MHV GIS mapping system are to follow the process described in EIPFEP – 002, FEP Risk Assessment.

Common sites of significance or taonga include:

- Popular harvest locations
- Wāhi tapu sites (e.g., urupa)
- Waterways and their margins
- Common travel routes and camping sites

4.5 Identified properties

The area of land considered as potential sites of cultural significance is shown in Appendix A.

The buffer to Hekeao Hinds River includes the area within 100 m of the River and any land within the River Terrace and the buffer to the Rakitata River includes the land within the River Terrace. The buffers exclude existing structures and residential dwellings, as the focus of this policy is disturbance of faming. Please note the Accidental Discovery Protocol applied to all MHV properties.

4.6 Risk Assessment

Where a site of significance has been identified, a risk assessment is to be undertaken which takes into consideration the following:

- Nature and history of site to Te Rūnanga o Arowhenua
- Site context today

- Activities on farm which can impact on core values of the site
- Actions required to mitigate the identified risks

The risk assessment process is specified in EIPFEP – 002. Appropriate actions defined in the procedure are to be implemented collectively or through the Farm Environment Plan and auditing framework.

Risk assessments are regularly reviewed when farm plans are updated to ensure actions remain applicable and appropriate.

4.7 Implementation

A key part of integrating protections of sites of significance through the Farm Environment Plan is to raise awareness and understanding of the importance of these sites with the landowners and managers.

4.7.1 Minimum expectations

As a minimum, any property with an identified site of significance shall adhere to the Accidental Discovery Protocol as detailed in EIPSR-001 in the event where artifacts of interest to Te Rūnanga o Arowhenua are found.

4.7.2 Collective Action

In some instances, collective action can improve outcomes more effectively than individual actions identified and implemented through the Farm Environment Plan alone.

Where a collective approach is more appropriate to avoid, remedy or mitigate effects on the site of significance, MHV Water may work collaboratively with the affected shareholders, Te Rūnanga o Arowhenua and/or other stakeholders to develop a suitable solution.

4.7.3 Individual Property

Where mitigations are identified through the risk assessment process detailed in EIPFEP – 002, the actions will be included in the Farm Environment Plan.

Actions identified as necessary through the risk assessment process are assessed through the Farm Environment Plan Audits.

4.7.4 Variations in Land Use

Any variation in farm system which could increase nitrogen loss in the long term or a significant change, as defined by the Authorised Land Use policy, on a property with a site of significance will require consultation with Te Rūnanga o Arowhenua to ensure any effects from the proposed change will adequately avoided, remedied, or mitigated.

4.8 Notification

Te Rūnanga o Arowhenua shall be notified for consultation in the following circumstances:

- An accidental incident which can negatively impact on a site of cultural significance
- The Accidental Discovery Protocol has been initiated
- Within 20 working days of when land is excluded from the MHV Water ASM programme
- When deteriorating trends[1] in water quality are identified
- Variation in risk assessments detailed in EIPFEP – 002, for instance as identified through the Farm Activity Variation Application process.

[1] As defined in Table CRC185857-2 of resource consent CRC185857.

5 Wetlands, Surface Water Bodies and Riparian Areas

Effects on wetlands[2], surface water bodies[3] and riparian areas[4] are addressed through a number of EMS protocols, which include:

- Waterbodies objective in the Farm Environment Plan and Audits
- Consideration of catchment contaminant concentration and loads through the Farm Activity Variation Application process for "High" Risk and "Significant" change decisions

Section 5E of Schedule CRC185857C of resource consent CRC185857 requires a Farm Environment Plan to include the following objective and targets:

Objective:

Wetlands, riparian areas and the margins of surface waterbodies are managed to avoid damage to the bed and margins of the water body, and to avoid the direct input of nutrients, sediment, and microbial pathogens.

Targets:

(1) Stock are excluded from waterbodies in accordance with regional council rules or any granted resource consent.
(2) Vegetated riparian margins of sufficient width are maintained to minimise nutrient, sediment, and microbial pathogen losses to waterbodies.
(3) Farm tracks, gateways, water troughs, self-feeding areas, stock camps wallows and other farming activities that are potential sources of sediment, nutrient and microbial loss are located so as to minimise the risks to surface water quality.
(4) Mahinga kai values are protected as a result of measures taken to protect and enhance water quality and stream health.

Therefore, properties with a wetland, surface water body or riparian area as identified through the Farm Environment Plan will need to undertake a risk assessment in accordance with applicable FEP Auditor Guidance prepared by Environment Canterbury and EIPFEP – 002 and complete actions as

[2] includes:
1. wetlands which are part of river, stream and lake beds;
2. natural ponds, swamps, marshes, fens, bogs, seeps, brackish areas, mountain wetlands, and other naturally wet areas that support an indigenous ecosystem of plants and animals specifically adapted to living in wet conditions, and provide a habitat for wildlife;
3. coastal wetlands above mean high water springs;
but excludes:
(a) wet pasture or where water temporarily ponds after rainfall
(b) artificial wetlands used for wastewater or stormwater treatment except where they are listed in Sections 6 to 15 of this Plan;
(c) artificial farm dams, drainage canals and detention dams; and
(d) reservoirs for firefighting, domestic or community water supply.

[3] means water above the ground surface and within a lake, river, artificial watercourse, or wetland, but does not include water in the sea, snow or rain or water vapour in the air. When a distance to a surface water body is being considered, it means the distance to the bed of a lake, river, artificial watercourse or to the boundary of a wetland (see wetland boundary definition).

[4] means the land within the following distances of the bed of any lake, river or wetland boundary:
1. In Hill and High Country land or land shown as High Soil Erosion Risk on the Planning Maps – within 10 m; and
2. In all other land not shown as High Soil Erosion Risk on the Planning Maps or defined as Hill and High Country – within 5 m.

required to avoid, remedy or mitigate effects on the waterway and to comply with condition 13(a) of resource consent CRC185857.

Changes in farming system which can impact waterways, wetlands or riparian areas are managed through EMSNM-002, Farm Activity Variation Application process.

6 Community Drinking Water Supplies

Effects of farming on Community Drinking Water Supplies are managed through condition 21 of resource consent CRC185857 and EMS document EMSSR-001, CDWPZ Risk Assessment.

7 Relevant Documents

Document
Resource Consent CRC185857
Authorised Land Use Policy
MHV Water Environmental Management Strategy
EMSSR – 001 CDWPZ Risk Assessment
EMSNM – 002 FAVA Process
EMSFEP – 001 FEP Process
EMSFEP – 002 FEP Audit Process
EIPFEP – FEP Risk Assessment
EIPSR – Accidental Discovery Protocol

8 Document Management Control

Version	Date Reviewed	Purpose / Amendments	Section Reviewed	Reviewer	Status
1.0	May 2022	Development of EMSSR - 002	All	Eva Harris	FINAL DRAFT
1.0	May 2022		All	Mel Brooks	Approved
2.0	June 2024	EMS review recommendations	All	Nicole Matheson and Mel Brooks	Approved

Appendix 1: Sites of Cultural Significance