

Before the Freshwater Hearings Panel convened by the Chief Freshwater Commissioner

In the matter of Freshwater parts of the Proposed Otago Regional Policy Statement 2021

Summary of Evidence of Nigel John Paragreen on behalf of Otago and Central South Island Fish and Game Councils

30 August 2023

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Introduction

- 1 My full name is Nigel John Paragreen. I prepared a statement of evidence on the Freshwater Parts of the Proposed Otago Regional Policy Statement 2021 (**pORPS**) dated 28 June 2023 (**EiC**). My qualifications and experience are set out in my EiC.

Executive summary

- 2 Fish and Game is seeking the inclusion of a framework that is needed to give effect to National Policy Statement for Freshwater Management (**NPS-FM**) Policies 9 and 10; NPS-FM section 3.26 (fish passage) and assist with addressing species interaction. The sought relief for that framework are split between the Freshwater Planning Instrument (**FPI**) and non-FPI planning instrument. Fish and Game's relief in the FPI process mirrors its position in the non-FPI process.
- 3 There is broad agreement on the sought framework from the parties with statutory responsibility to manage the freshwater species. At paragraph 15 and 16 of my FPI EiC, I have detailed the remaining places of contention as I understand them.
- 4 At paragraphs 19 – 33 of my FPI EiC I discuss the importance of location and circumstance in the relationship between habitat, fish passage and species interaction. Fish and Game's sought framework brings these threads together in a way that allows holistic management. Ms Coughlan's evidence provides an insight into the locations with high, medium and low risk of species interactions in Otago.
- 5 In places where there is a low risk of detrimental population impacts for indigenous species due to interactions with sports fish, the protection of trout and salmon habitat is likely to aid in achieving ecosystem health by improving habitat for all species in the river reach and reducing the impact of species interaction. Using the risk assessment of native species and associated Otago map provided by Ms Coughlan in Table 3 and Figure 2 of her FPI EiC, I would expect the majority of river reaches in Otago to fall into this category. At the non-FPI hearing, we discussed ecosystem health definitions and how trout and salmon can form part of a healthy ecosystem.
- 6 My appended non-FPI EiC discusses links between the natural environment, recreation, human health and well-being, at paragraphs 91 – 118. The link between these factors is a key to the central government's approach to mental health and addressing obesity, and reporting in the Living Standards Framework for the wellbeing budget. This link is supported by international and local evidence.

- 7 I should note that the links I am referring to here are greater than the question of whether a person will become sick from coming into contact with water, or eating food harvested from the water. Although, I view both of these as obviously part of human health needs.
- 8 This perspective is critical to interpreting key FPI provisions, such as LF-WAI-P1 and LF-FW-O1A, as they clearly link the health of the environment to the health of people. This approach is consistent with Te Mana o te Wai, as set out in the NPS-FM. Fish and Game is supporting the parts of FPI provisions referencing human health, as they are already inclusive of a nature-human health link. Fish and Game is also seeking relief in other provisions regarding people's connections to water, food gathering and recreation, which supports human health.
- 9 In its submission, Fish and Game sought vision timeframes that did not extend past 2040. After hearing further comments on vision timeframes during this hearing, I would like to offer the following comments:
- (a) The Essential Freshwater Package, in which the NPS-FM 2020 was released, aimed among other things to *“reverse past damage to bring our waterways and ecosystems to a healthy state within a generation”*.¹ As this is the clear intention of the package, it would be consistent to ensure that no vision date exceeds a 30 year timeframe.
 - (b) Vision dates would be aided by a requirement for periodic milestones, for example every 5 years, so that there is no option to kick the can down the road as happened with deemed permits.
 - (c) Where there are lag times between action and observing environmental improvements, such that they would threaten the achievement of the vision by the specified date, those elements of vision statements could be expressed as relating to implementing the required behavioral change by a specific date.
- 10 Finally, I should correct two mistakes in my FPI EIC and rebuttal evidence:
- (a) At paragraphs 21, and 30 – 32 of my FPI EIC I used the phrase ‘risk of/from species interaction’ when referring to the interactions between native species and salmonids. This is inaccurate as there will always be interactions, but they will have varying degrees of impact and may

¹ <https://environment.govt.nz/assets/Publications/Files/essential-freshwater-overview-factsheet.pdf>

be positive or negative. The phrase I should have used is 'risk of detrimental population impacts for native species'.

- (b) At paragraphs 5 and 22 of my FPI rebuttal evidence, I have accidentally stated that "...*hydroelectricity generation should get a 'free ride'...*", when I mean to write that the activity should not receive a free ride. It is helpful for a consenting pathway to be available for hydroelectric generation, provided it is supported by strong direction that steers projects away from inappropriate locations and scales.

30 August 2023

Nigel Paragreen