

29.

17 December 2008



The Chairperson  
Judge David Sheppard  
Board of Inquiry – Water  
Freeport Board of Inquiry – Water  
c/o PO Box 10362  
Wellington  
6143

Dear Judge Sheppard,

**RE: Wellington City Council's submission on the Proposed National Policy Statement for Freshwater Management**

I am writing to you on behalf of the Council regarding the Board of Inquiry's request for submissions to the Proposed National Policy Statement for Freshwater Management.

Please find attached two copies of the Council's submission. The Council does wish to appear before the Board to speak to our submission.

Thank you for the opportunity to comment of the Proposed National Policy Statement for Freshwater Management.

Yours sincerely

A handwritten signature in black ink, appearing to read "Kerry".

**Kerry Prendergast**  
**MAYOR**

## **Wellington City Council: submission**

To: The Board of Inquiry-Water

Submission on: Proposed National Policy for Freshwater Management  
Section 49 of the Resource Management Act 1991

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### **INTRODUCTION**

Wellington City Council welcomes the opportunity to provide input to the Proposed National Policy Statement for Freshwater Management (NPS). This is an important document that establishes a national framework for the management of freshwater at national, regional and local levels.

The Council collaborates with other councils in the region to contribute to the continued enhancement of the quality of freshwater resources. For example, as part of its Stream Protection Programme Wellington City Council is working with Greater Wellington Regional Council and Porirua City Council to develop an ecological restoration plan for the Porirua Stream catchment. The main focus will be on public land, but within a framework of integrated catchment management.

In general, the Council supports the proposed policy statement and in particular the focus for an integrated approach for freshwater resource management. Provisions for robust consideration of freshwater issues through plan preparation and resource consent processes are also generally supported.

However, there are a number of areas where it is considered that the interests of Wellingtonians may be adversely affected by the proposed provisions and these are specifically detailed in the submission below.

### **OBJECTIVES**

#### **Objectives 1 and 2**

Supported.

#### **Objective 3**

##### ***Improving the quality of fresh water***

*To ensure the progressive enhancement of the overall quality of Freshwater Resources, including actions to ensure appropriate Freshwater Resources can reach or exceed a swimmable standard.*

Council supports the progressive enhancement of the overall quality of freshwater resources. However, clarification is required regarding what is considered to be "appropriate" in the meeting of contact recreational guidelines. Must all swimmable freshwater bodies meet this standard?

#### Action sought

*Clarify which freshwater resources are considered as "appropriate".*

#### **Objective 4**

##### ***Recognising and protecting life supporting capacity and ecological values***

*To ensure the life supporting capacity and ecological values of Freshwater Resources are recognised and protected from inappropriate –*

- a. taking, use, damming or diverting of fresh water; and*
- b. Land-use Development; and*
- c. discharges of contaminants.*

Not supported. The wording is too vague and lacks certainty.

##### Action sought

*Clarify terms of "life supporting capacity", "ecological value" and "inappropriate" (activities).*

#### **Objectives 5, 6, 7 and 8**

Supported.

#### **Objective 9**

##### ***Ensuring effective monitoring and reporting***

*To ensure that regional councils and territorial authorities undertake effective monitoring and reporting of the matters specified in Objectives 1–8.*

Wellington City Council has concerns with objective 9. The Council is required to undertake effective monitoring and reporting of freshwater management issues. However, there is a need for national consistency on what is to be monitored, and for appropriate guidance on how to achieve this.

##### Action sought

*Appropriate guidance to be provided on monitoring to ensure national consistency.*

## **POLICIES**

### **Policy 1 (a – g)**

Council supports the provision of agreed freshwater quality standards.

### **Policy 1 (h)**

*Guide and direct regional and district plans (including considerations for the determination of resource consent applications and notices of requirement) to effectively manage Land-use Development and discharges of contaminants to control the adverse effects of the discharge of contaminants into fresh water or onto or into land in circumstances where contaminants may enter fresh water; and*

Supported in part. Sustainable solutions and engineering requirements, such as low impact design should be included as expected processes in the mitigation of land use development effects.

Action sought

*Include a requirement for sustainable solutions and engineering requirements, such as low impact design, to be considered where topography and soil type allows.*

**Policy 1 (i – j)**

Supported.

**Policy 2 (a – c)**

No comment.

**Policy 3**

*By no later than 40 working days following the date a regional policy statement or change notified pursuant to Policy 1 is made operative, every territorial authority must notify a proposed district plan, change or variation in order that as soon as practicable thereafter every district plan –*

- a. Gives effect to the regional policy statement; and*
- b. Includes rules to require that all relevant land-use and subdivision consents granted after the commencement of this National Policy Statement include conditions for –*
  - i. Protection against degradation of the quality of fresh water of Freshwater Resources (including through the management of activities giving rise to stormwater discharges); and*
  - ii. Sustainable management of demands on fresh water in a manner which has regard to available supply of fresh water and adverse effects, both individual and cumulative; and*
  - iii. Integrated management of the effects of Land-use Development and discharges of contaminants on the quality and available quantity of Freshwater Resources; and*

*to be achieved, as a minimum, by the use of industry good practice; and*
- c. Includes rules to require that all relevant land-use and subdivision consents granted after the commencement of this National Policy Statement include conditions to require monitoring and reporting on matters relating to paragraph (b).*

Council support the intent of Policy 3, but seek the following clarification and amendments:

Under Policy 3 the Council will have 40 working days to initiate a District Plan change to give effect to any newly adopted Regional Council provisions. This timeframe is too short, given the work required to prepare a District Plan change. It also does not acknowledge situations where a statutory review of the District Plan may be imminent (but further than 40 days away). There should be flexibility with regard to implementation of the NPS and continuity with other national policy statements.

Policy 3 (c) requires that all relevant land-use and subdivision consents include conditions to require monitoring and reporting on matters relating to degradation, demands on fresh water and the effects of land-use development on the quality and quantity of freshwater resources. These requirements for monitoring are uncertain and muddled.

It is also noted that there is no recognition of the role of ephemeral streams under the NPS.

Action sought

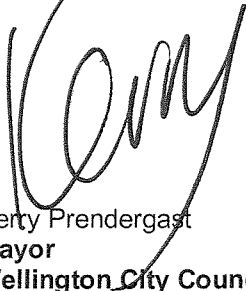
*Allow for District Plan changes to give effect to newly adopted Regional Council provisions to be completed efficiently and effectively and in accordance with agreed time frames.*

*Provide appropriate guidance and monitoring in order to achieve a national perspective on the state of freshwater management in New Zealand.*

ORAL PRESENTATION

Wellington City Council wishes to be heard in support of its submission.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kerry', written over a large, faint circular watermark or stamp.

Kerry Prendergast

**Mayor**

**Wellington City Council**

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