



**SUBMISSION - PROPOSED NATIONAL POLICY STATEMENT FOR FRESHWATER
MANAGEMENT.**

Section 49 of the Resource Management Act 1991.

To: The Chairperson
Board of Inquiry
Proposed National Policy Statement for Freshwater Management.

This submission is made by : Hilton Furness on behalf of ;

THE NEW ZEALAND FERTILISER MANUFACTURERS' RESEARCH ASSOCIATION INC.

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I DO WISH TO BE HEARD IN SUPPORT OF MY SUBMISSION

If others make a similar submission I will consider presenting a joint case with them at a hearing.

Introduction

The New Zealand Fertiliser Manufacturers' Research Association Inc is a trade organisation representing the New Zealand manufacturers of superphosphate fertiliser. The Association also operates under the name Fert Research. The Association has two member companies – Ballance Agri-Nutrients Ltd and Ravensdown Fertiliser Co-operative Ltd. Both these companies are farmer co-operatives with some 45,000 farmer shareholders. Between them these companies supply over 90% of all fertiliser used in New Zealand.

The companies each employ about 60 field representatives whose function is to provide fertiliser advice and recommendations to farmer shareholders. Field staff are tertiary qualified and use a range of tools to assist them in making fertiliser recommendations and addressing production and environmental issues including ;

Nutrient Budget models (e.g. OVERSEER®),

The Code of Practice for Nutrient Management

The Code of Practice for the Placement of Fertiliser in New Zealand,.

In addition to making fertiliser recommendations, trained field representatives use OVERSEER® to prepare nutrient budgets and nutrient management plans.

All fertiliser field staff are obliged to undertake and successfully complete a nutrient management training program which includes attending and passing the intermediate and the advanced Sustainable Nutrient Management Courses at Massey University which, in recognition of the critical importance of meeting the correct balance between environmental and agricultural production goals, were initiated and funded by the fertiliser industry.

The fertiliser industry is proactively engaged in a number of industry and government initiatives to maintain and improve freshwater resources. The Fertiliser Manufacturers' Research Association Inc is a partner in Primary Sector Water Partnership (PSWP).

The goals of the PSWP are:

- Maintain and/or enhance water quality from primary production land, with demonstrable and accelerated progress on the resolution of water quality issues from agricultural land within five years; and
- Demonstrate improvements in water use efficiency by the primary sector within five years.

The partnership approach aims to achieve sustainability goals and to maintain dynamism and flexibility in the primary sector by:

- Developing Sustainable Water Management Strategies for each partner.
- Engaging land managers in environmental outcomes and self management of their impacts, with an initial focus on identifying priority catchments.
- Working in partnership with central and regional government.

Industry agreed targets within the PSWP include a comprehensive range of commitments for action on nutrient management, industry 'good practice' bench marks of water use, and sediment and microbial management.

The PSWP engages industry partners, regional and central government and other stakeholders and specific industry commitments are dedicated to achieving targets which will ensure freshwater resources are used and managed sustainably. These non-regulatory programs have been adopted to achieve many of the objectives of the Proposed National Freshwater Policy.

My submission is :

| Provision | Changes | Reason |
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| <p>General Comments</p> <p>The overall theme of this document is a directive to ensure New Zealand freshwater resources meet community expectations that they will remain swimmable into the future.</p> <p>For those freshwater resources that do not meet with contact recreational guidelines, the NPS provides a directive to demonstrate progress towards achieving that goal by 2035.</p> | <p>The National Freshwater Policy Statement must also provide a clear directive on how the balance is to be established between protecting recreational aspirations for all freshwater water resource and permitting the use and application of freshwater resources for social , economic and cultural benefit of New Zealand</p> | <p>The responsible utilisation of Land and Fresh water Resources is critical to meeting the continued growth and development of New Zealand's social , economic and cultural needs.</p> <p>This must be acknowledged in a National Policy Statement on Freshwater Management with clear direction how the correct balance between recreational , social, economic, and cultural well being should be assessed and achieved</p> |
| <p><i>Providing more certainty in respect of competing demands, and facilitate opportunities to increase benefits... provide flexibility ...encourage and empower innovation and local solutions.</i></p> | <p>If the National Policy Statement is to be retained, these objectives should be included not just in the preamble, but also be clearly addressed in the policies.</p> | <p>Directives on the processes and systems which will help achieve efficient and effective use of Freshwater Resources should be included in policies to provide for the correct balance between environmental protection and economic growth.</p> |
| | <p>The NPS should also include specific acknowledgment and on-going provision for improvements in freshwater quality from ; Non regulatory initiatives Collaborative partnerships</p> | <p>Improvements and changes in water quality are being achieved by current non-regulatory innovations in many locations, as supported by NIWA monitoring programs</p> <p>Improvements require time to demonstrate</p> |

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| | | <p>beneficial effects in terms of measurable outcomes, as demonstrate by 10 year programs by NIWA in detailed catchment studies</p> <p>Collaborative approaches utilising non – regulatory methods will foster innovative, flexible and efficient solutions.</p> <p>Blunt instruments and regulation can lead to perverse outcomes</p> |
| | <p>The NPS should also include specific guidance and direction on transferability of water rights and resource consents.</p> | <p>Water allocation and transferability of water rights and consents are going to be contentious and significant to the concept of 'most valued use'</p> |
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| Provision | Changes | Reason |
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| <p>Specific comments</p> <p>Preamble</p> | | |
| <p>Page 2 : third Bullet Point</p> <p>Support that :</p> <p>Local government provide more certainty in respect of competing demands on New Zealand's Freshwater Resources and facilitate opportunities to increase benefits from the use of Freshwater Resources.</p> | <p>Retain this approach but expand to include the concept of achieving highest value use.</p> <p>This can be achieved by adding ,</p> <p><i>' with the aim of achieving highest value use'</i></p> | <p>Certainty and clarity regarding the agreed balance between benefits for Economic , Social, Environmental and Cultural goals, provides business and communities with confidence for investment in the development, use and protection of Freshwater Resources. In some catchments there may be clear social, environmental economic and cultural benefits by identifying and managing for the highest value use.</p> |
| <p>Page 2 : sixth Bullet Point</p> <p>Comment on :</p> <p>Local government improve the integrated management¹ of Freshwater Resources by territorial authorities, regional councils, and others whose activities affect Freshwater Resources.</p> | <p>Include the concept if catchment.</p> <p>Insert :</p> <p>¹. on a catchment basis</p> <p>as indicated by superscript.</p> | <p>Consistent and integrated catchment management with consensus and support from all users will help to ensure an acceptable balance between Economic, Social, Environmental and Cultural goals for the development and use of freshwater resources. The catchment should be promoted as the management unit.</p> |
| <p>Final Paragraph</p> <p>Support that:</p> <p>local government should aim wherever possible to provide flexibility in how these goals are achieved, so as to encourage and empower innovation and local solutions</p> | <p>Support - no change</p> | <p>Local circumstances will give rise to varied and site specific requirements. Flexibility and innovation are essential for efficient and effective use of freshwater resources, such that Economic, Social, Environmental and Cultural goals are met.</p> |

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| <p>Objectives</p> <p>Objective 1 Comment that : <i>Freshwater Resources are managed in a way that enables the people and communities of New Zealand to provide for their social, economic and cultural well-being, and their health and safety</i></p> | <p>Include the concept of achieving / promoting highest value use.</p> | <p>Management is required to ensure there is appropriate balance when providing for social, economic and cultural well-being, and their health and safety. The approach of highest value use has to a certain extent already been applied – for example in the Lake Taupo catchment. This process should be formalised and inclusive of all potential uses.</p> |
| <p>Objective 2 Comment that : <i>Effective¹ integrated² management (including by the co-ordination and sequencing of Land-use Development with investment in infrastructure for supply, storage and distribution of fresh water) of the effects of Land-use Development and discharges of contaminants on the quality and available quantity of fresh water.</i></p> | <p>Expand this objective to emphasise ¹ consistent and ² catchment by including in Objective 2 as indicated by the superscript.</p> | <p>Effective integrated catchment management is required to ensure there is appropriate balance when providing for social, economic and cultural well-being, in a consistent way with the catchment as the basic unit of management</p> |
| <p>Objective 3 Oppose that : <i>progressive enhancement of the overall quality of Freshwater Resources, including actions to ensure appropriate Freshwater Resources can reach or exceed a swimmable standard.</i></p> | <p>“ In circumstances where site specific and catchment specific standards are not being met, there is progressive enhancement of the overall quality of Freshwater Resources, including actions to ensure appropriate Freshwater Resources can reach or exceed the</p> | <p>The ‘Objective 3’ wording as it currently stands , does not acknowledge that many of the country’s water resources meet acceptable standards for their intended use, and the need for ‘progressive enhancement’ is specific to certain localities and/ or catchments where this is not the case.</p> |

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| | <p>agreed standard “</p> | <p>In those locations the degree of progressive enhancement required is variable and site / catchment specific.</p> <p>Table 4 of the Section 32 analysis supports site specific regional management when it cites; “..overall enhancement does mean that not all existing low quality freshwater sources may be addressed”.</p> |
| <p>Objective 4 Partial support that: <i>..the life supporting capacity and ecological values of Freshwater Resources are recognised and protected from inappropriate –</i> <i>(a) taking, use, damming or diverting of fresh water; and</i> <i>(b) Land-use Development; and</i> <i>(c) discharges of contaminants.</i></p> | <p>Delete Objective 4 or include the wording: To ensure the most valued social, economic and / or cultural uses of Freshwater Resources are recognised and provided for and, <i>the life supporting capacity and ecological values of Freshwater Resources are also recognised and protected from inappropriate –</i> <i>(a) taking, use, damming or diverting of fresh water; and</i> <i>(b) Land-use Development; and</i> <i>(c) discharges of contaminants.</i></p> | <p>A balance is required, because without specific acknowledgement and allowance for the most valued use, or the agreed appropriate Water Resource uses and impacts, the nation’s social development and economic growth could be severely restricted.</p> <p>Objective 4 intention to protect life supporting and ecological values of Freshwater Resources is currently provided for under Section 5.2 of the RMA, and that the Proposed National Policy Statement for Freshwater Management provides nothing new.</p> |
| <p>Objective 5: Oppose that: <i>To control the effects of Land-use development and discharges of contaminants to avoid further degradation of Freshwater Resources.</i></p> | <p>Replace ‘control’ with ‘manage’</p> | <p>A blanket policy for controls on land use and discharges to avoid all further degradation of water resources does not allow for social and economic development and growth –even where there will be acceptable low level impacts on water resources.</p> |

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| | | <p>In addition 'control' implies a top down prescriptive approach requiring intensive policing. This could undermine catchment community involvement. In addition, it is doubtful if regional authorities have the resources to implement and enforce a 'control' approach.</p> <p>Directives to use blunt tools to control land use could result in perverse outcomes in relation to social, cultural and economic well being.</p> |
| <p>Objective 7 Support that: <i>allocated fresh water is used efficiently particularly in terms of the following:</i> <i>(a) avoiding wastage;</i> <i>(b) avoiding excessive contamination;</i> <i>(c) facilitating opportunities to increase benefits from the use of fresh water.</i></p> | <p>Include ; <i>(d) Achieving best value use.</i></p> | <p>Implicit in the objective is consideration and balance of the social, economic, cultural and environmental benefits to be gained from the water resource. This will be strengthened by incorporating 'best value use'</p> |
| <p>Objective 9 Ensuring Effective monitoring and reporting : Partial Support : <i>regional councils and territorial authorities undertake effective monitoring and reporting¹ of the matters specified in Objectives 1-8.</i></p> | <p>Include as indicated by the superscript ; ¹ <i>in a consistent way</i></p> | <p>Monitoring and reporting are currently a core function conducted by regional authorities.</p> <p>A consistent approach by regional authorities will facilitate data comparisons and evaluation of national trends / changes in response to management.</p> <p>There should be greater compulsion on the regional councils and territorial authorities to convey monitoring information objectively and in a truly balanced context.</p> |

| Provision | Changes | Reason |
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| <p>Policies as to Regional Policy Statement</p> <p>Policy 1 (a) ...when regional plans will set Freshwater Quality Standards...</p> | <p>Delete 'set' and replace with, 'determine appropriate'</p> | <p>The term 'set' implies a top down prescriptive approach, using blanket values as opposed to a local / site specific / catchment approach promoted by other parts of the NPS.</p> |
| <p>Policy 1 (g) Guide and direct regional plans (including considerations for the determination of resource consent applications) to ¹ restrict existing takes, uses and damming and ² diversion of fresh water in order to sustain ³ Notable Values and..</p> | <p>¹ Delete 'restrict' and replace with 'manage'; as indicated by the superscript.</p> <p>² Insert '.. using science and objective evaluations,' as indicated by the superscript.</p> <p>³ Insert 'most valued use,' as indicated by the superscript.</p> | <p>Scientific and objective 'effects' based management may not always require restriction of takes, uses, damming and diversion of freshwater, however sustaining most valued use, Notable Values and non-consumptive Tangata Whenua Values and interests in times of low flows is supported as an 'effects based' goal.</p> <p>Effects based management is provided for by the RMA.</p> |
| <p>Policy 1 (h) ...to control the adverse effects</p> | <p>Delete 'control' and replace with 'address'</p> | <p>'Control' implies a top down prescriptive approach requiring intensive policing. This could sideline catchment community involvement. It is doubtful if regional authorities have the resources to implement and enforce a 'control' approach.</p> <p>Directives to use blunt tools to control land use could result in perverse outcomes in relation to social, cultural and economic well being.</p> |

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| <p>Policy 1 (h) – (j)</p> | <p>Include provision for site specific, catchment based management.</p> | <p>Site specific case by case evaluation is required to ensure the correct balance between certainty for business development, security in domestic supply, transferability of consents, and resilience to climate change effects</p> <p>The principles and specific requirements are currently provided for under RMA</p> |
| <p>Policies as to Regional and District Plans</p> | | |
| <p>Policy 2 (a) ...to set Freshwater Quality Standards and Environmental Flows and Levels...</p> | <p>Delete 'set' and replace with 'determine appropriate'</p> | <p>The term 'set' implies a top down prescriptive approach, using blanket values as opposed to a local / site specific / catchment approach promoted by other parts of the NPS.</p> |
| <p>Policy 3</p> | <p>Change the requirement for territorial authorities to notify a proposed district plan, change or variation within 40 working days after the RPS becoming operative</p> | <p>The limit of 40 days is seen to be unrealistic in view of what will be required and the limited resources available to territorial authorities. This requirement could also add significant cost which will be passed on to the ratepayers.</p> |

| Policies as to Preparation of policy statements and plans | | | |
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| <p>Policies 5 (a) <i>The importance of controlling Land-Use...</i></p> | <p>Replace 'controlling' with 'management of'</p> <p>Include : (b) (iii) Identify the most valued use</p> | <p>Use of 'controlling' contradicts Policy 1(h). A blanket policy for controls on land use development will not allow for social and economic development and growth –even where there will be acceptable adverse effects on water resources. In addition 'control' implies a top down perspective approach requiring intensive policing. This could sideline catchment community involvement. It is doubtful if regional authorities have the resources to implement and enforce a 'control' approach. Inclusion of 5 (b) (iii) will add clarity and strength to the goals of managing land use development in relation to social, cultural and economic well being.</p> | |

Definition : ' most valued use ' : managing surface and grounds water resources with a mixed statutory / planning and market based system.

Additional comments:

Section 32 identifies the NPS will cost Government up to \$100 million over a 25 year period.

The Proposed National Policy Statement provides little in the way of change to the current processes and systems implemented under the RMA.

Signed : H.I.Furness
On behalf of NZFMRA.

Date : 23 January 2008

