

Submission on Proposal for National Policy Statement for Freshwater Management

Section 49 of the Resource Management Act 1991.

To: the Chairperson
Board of Inquiry - Water

freshwaternps@mfe.govt



This is a submission on the following proposed national policy statement (the proposal):

Proposed national policy statement for freshwater management.

The specific provisions of the proposal that our submission relates to are:

Management of freshwater at local level

Our submission is:

This is the submission of the Auckland Conservation Board ("The Board"), which is a statutory board appointed by the Minister of Conservation under the provisions of the Conservation Act 1987. Conservation Boards provide community advice on conservation areas, policy and activities of the Department of Conservation, as well as having a role to advocate for conservation generally. The interests of the Board are founded by the Conservation Act 1987. This is an Act to promote the conservation of New Zealand's natural and historic resources.

DISCUSSION

1. The Board acknowledges and commends the intent of the proposed National Policy Statement for Freshwater Management, and notes that its entirety is focussed on impositions regarding use etc of freshwater by means of bureaucratic processes and through District Plans at local government level, and the Resource Management Act at both local and national levels. The Board ponders how the proposed "fast tracking" provisions of an amended RMA will line up with the complexities of the proposed National Policy Statement for Freshwater Management.

2. Nevertheless, the Board wishes to put forward a view re management of freshwater at local level, involving the community and small and medium sized commercial/industrial enterprises, and local and regional councils, because it is our belief that all have a role to play in managing the use of freshwater, the maintaining of freshwater quality and the availability of freshwater into the future.

3. The Board wishes first to draw attention to its submission on the proposed National Environment Standard for Freshwater which was submitted on 29 August 2008, which is attached as an Appendix to this submission. The matters touched on in that submission are relevant to this proposed National Policy Statement for Freshwater Management. Indeed it is the Board's strongly held view that the points made in that submission should form part of the National Policy Statement rather than be made only in a separate National Environmental Statement.

4. It is the Board's view that much can be done at local government and community levels, and by involving small and medium commercial/industrial enterprises, to reduce use of freshwater, to re-use and recycle as further ways of reducing total usage, and to protect, restore and rehabilitate waterways.

4.1 Education re Water Usage: this is extremely affective in (a) reducing water consumption and (b) improving the quality of grey water and waste water and (c) encouraging re-use and recycling of water:

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5. Councils such as Waitakere City Council and Government agencies such as the Ministry for the Environment provide such education through their publications, through campaigns, and by giving financial and other support to community groups and trusts such as Ecomatters Environment Trust (Waitakere) who provide services to homes and to small and medium sized businesses advising them re reduction of water usage, re-use and recycling etc. All Councils should be encouraged, even required, to do similarly:
 - 5.1 Simple solutions such as lowering water pressure in taps/showers, etc , fitting dual flush toilets, taking shorter showers, not running taps when brushing teeth, and so on, are still new concepts to many people.
 - 5.2 Use of water-saving devices:
 - (a) A displacement device fitted to a cistern without dual flush can reduce the amount of water used in flushing. Communities such as "Earthsong" in Waitakere use recycled water in their cisterns as well as dual flush or displacement device
 - (b) Flow regulators in showerheads.
 - (c) Aerators on taps
 - 5.3 Re-use and recycling of grey water from shower and laundry for flushing toilets, watering gardens, washing driveways, etc.
 - 5.4 Collection of rainwater for gardens, washing cars, etc in the home, and for flushing toilets, washing forecourts and vehicles and so on in the commercial/industrial situation e.g Lynn Mall in Waitakere has made massive savings on water use in this way.
 - 5.5 Also washing cars etc on lawn or other permeable surface improves the quality of the run-off grey water produced.
6. At both community and commercial/industrial level and in institutions such as hospitals and schools, run-off from roofs not used for water collection and from driveways and carparks should run off through "rain gardens" and/or wetlands, natural or manmade, before running into streams, ponds or sea, to improve water quality by removing contaminants. A good example of this can be seen at Waitakere Hospital. Also larger buildings can fit 'green roofs' to serve a similar purpose, as seen at the Waitakere City Centre.
7. Financial incentives and assistance to individuals and organisations should be provided by local and / or central government to encourage the above. Further financial incentives to reduce water usage should be supported, for example free or very cheap water up to a certain usage level, with sharp increases in price, perhaps in steps, for successive and excessive use. As treatment of grey water or waste water for recycling is best done by individuals or small collectives at local level, financial assistance for this is also suggested.
8. The Board submits that much can be done to improve freshwater quality by restoring or rehabilitating waterways, including streams. By removing concrete walls and pipes from waterways, removing debris and rubbish from streams and banks, planting suitable plants along their banks, the quality of the water is improved and healthy environments for wildlife are re-established.
9. "Incentives to save water and protect water quality should also be offered to rural residents via District and Regional Councils and supported by the Ministry for the Environment:
 - 9.1 Old and inefficient septic tanks pollute small waterways, ultimately leading to pollution of larger streams, rivers, lakes, lagoons and beaches.
 - 9.2 Councils and/or the Ministry for the Environment should facilitate the installing of newer septic systems, including local community based micro treatment plants such as that in use at Glinks Gully in Dargaville, those where treated water runs off through a field including raingardens and wetlands as in the urban setting, and also the newer evaporator systems.

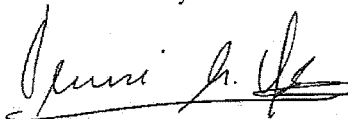
- 9.3 Interest-free, low interest loans or grants to rural landowners would encourage proper attention being given to protecting water quality.
 - 9.4 Run-off from milking sheds, shearing sheds, etc pollute waterways in similar fashion, and usually on a greater scale. A combination of incentives, perhaps via Rates Relief for "good" farming practices and penalties along the "polluter pays" principle should be encouraged by both central government and local government.
 - 9.5 Further, responsible use of fertilisers, herbicides and insecticides should be addressed in this manner.
 - 9.6 Saving rainwater in small dams and reservoirs during the wet season would mean less water needing be taken from rivers, water-bodies and aquifers during the dry season, and should be similarly encouraged by councils.
 - 9.7 Horticulture and agriculture are also subject to a similar combination of factors and a combination of incentives and penalties should also apply to these rural activities.
 - 9.8 The Board submits that in this way both Urban and Rural populations would contribute to the sustainability of freshwater supply in New Zealand.
10. Central Government, through Ministry for the Environment, for example, should provide money for paid co-ordinators and to pay for equipment and the trees and plants required, and to encourage community groups to give voluntary hours for the project. This system works well in Waitakere as "Project Twin Streams" and the improved freshwater quality and the attractive environment is a matter of pride to community participants. There may of course be opportunities for community groups to earn funding for other community projects, or for Public/Private Partnerships to finance these projects.

CONCLUSION

It is the Board's belief that freshwater quality and the ongoing availability of freshwater should not just be a requirement under District Plans, the Resource Management Act and other legal processes, but something to which all New Zealanders should contribute to managing and take responsibility for as part of their daily life.

The Board wishes to be party to any future consultation and information, and wishes to be heard in support of our submission at future hearings on this matter. If others make a similar submission, we will consider presenting a joint case with them at a hearing. The Board wish to thank the Ministry for giving us this opportunity to comment on the proposed National Policy Statement for Freshwater Management.

Yours sincerely



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Board Chairperson

Date: 20 January 2009

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AUCKLAND CONSERVATION BOARD

Te Runanga Papa Atawhai o Tamaki Makaurau

29 August 2008

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Re: Proposed National Environmental Standard on Ecological Flows and Water Levels

INTRODUCTION

This is the submission of the Auckland Conservation Board ("The Board"), which is a statutory board appointed by the Minister of Conservation under the provisions of the Conservation Act 1987. Conservation Boards provide community advice on conservation areas, policy and activities of the Department of Conservation, as well as having a role to advocate for conservation generally. The interests of the Board are founded by the Conservation Act 1987. This is an Act to promote the conservation of New Zealand's natural and historic resources.

DISCUSSION

1. The Board welcomes the proposed National Environmental Standard as it will provide an environmental bottom line which we believe is essential for sustainable management of New Zealand's freshwater ecosystems. The Board will not answer the questions set out on the discussion paper but will make a number of comments which we hope will be useful to the development of the environmental standards.
2. The board acknowledges that fresh water is essential to support human life, and it is a basic human right for each person to have access to enough water to sustain life. Water is also essential to support all life, not least the life of those species, both flora and fauna, which depend on water for their basic habitat and whose survival depends on there being sufficient water of good quality, temperature, depth and flow.
3. Depth and flow to maintain that habitat may not be the same for all waterways nor in all seasons, so there will be a need to manage that depth and flow where water is being taken from a waterway for economic or consumptive purposes. The Board acknowledges that in modern times the nation's economy depends on the removal and use of water for human consumption in the context of drinking water for town and city, for industrial purposes, for the generation of electricity, for irrigation, stock drinking, fire-fighting, etc.
4. It is the Board's view that a balance must be reached between the conflicting demands for water, but that the balance should err on the side of maintaining good healthy ecological conditions for the environment. Where there is competition between yield and protection of the environment, protection must, in the Board's view, prevail.

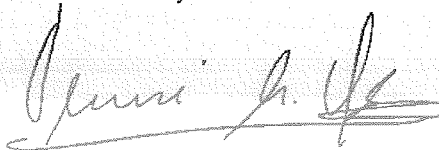
5. Methods of removal or use of water for economic purposes should in every instance avoid, remedy or mitigate adverse effects on the environment, and at all times provide water levels and flows sufficient to protect aquatic habitats and the ecosystems of streams, rivers, lakes, wetlands and aquifers. ("Ecological flows.")
6. A major concern of the Board is that each waterway to be accessed will have its own particular conditions that must be addressed when providing ecological flows. There will be seasonal requirements according to the species inhabiting the waterway or water body. The Board questions whether there is sufficient understanding of the needs of all of the native species which inhabit our waterways, and certainly doubt that the conditions that suit exotic farmed species such as salmon will necessarily suit natives.
7. The Board's view is that as a general guiding principle, a precautionary approach should be taken and that at no time should the permitted water level fall below the level known to be needed by native species, be that lower in the dry season, higher in the wet season, and allowing for flooding and flushing flows at appropriate times. It is the Board's view that the amount of water needed to provide these flows should be calculated first before the amount available for economic and consumptive purposes is decided.
8. Provision needs to be made for wetlands and dune lakes in particular to be enhanced rather than depleted. Many wetlands have already been lost due to ill considered drainage schemes on the past. It is the board's view that dune lakes should only be drawn on for limited domestic use, as already provided for in the Resource Management Act.
9. As noted in the discussion paper (page 10) it is important to note that in some cases the in-stream values will be very high and the community may wish to see a higher level of protection for a particular water body, and it may be appropriate that there be no, or very little consumptive use with the majority of the flow protected in its natural state.
10. The Board believes there is a very strong argument to be made for certain waters to be left completely in their natural state, including wild and scenic rivers. Furthermore the Board believes where a water body is contained within or passes through public conservation land or covenanted private land that the same level of protection that applies to the land be provided to the body of water.
11. Where levels have been set for appropriate ecological flows, it is important to maintain those levels into the future unless properly conducted scientific studies show them to be incorrect. There must be no opportunity for applicants to be granted "just a little bit more" opportunity to remove water. The "salami cut" effect of this approach is well-known, and it is the Board's view that it must be absolutely prohibited.
12. As well as taking ecological flows into account, it is the Board's view that cultural values, including tangata whenua values, recreational values and amenity or aesthetic values must also be taken into account when setting ecological flow levels both above and below dams, removal points, etc. There are numerous examples where water levels have been left so low or from time to time become so low that the remaining body of water is unsuitable or unusable for any other purpose, including recreation, and/or is aesthetically unattractive.

13. The spiritual value of water to tangata whenua should be acknowledged and iwi involved in early consultation before any agreement is reached for use of waterways and water bodies for economic or consumptive purposes. There may also be situations where traditional fishing practices and/or food gathering should be taken into account, or waahi tapu protected.
14. It is the Board's view that as well as ensuring adequate and suitable ecological flow levels are maintained, it will almost always be necessary to require other mitigation of damage to the habitat of native species in the form of planting of riparian margins to provide shade and cooling of the water for breeding and other life purposes, provision of fish ladders and the like to allow fish to go up and downstream as part of their life-cycle requirements, past man-made structures, and education of both users of the resource and the public at large, and ongoing monitoring of the health of streams, lakes, wetlands, and aquifers.
15. Furthermore the Board wishes to emphasise that water quality is in our view as important as depth and flow. Reference to and consideration of the effects of pollution of waterways and water bodies by poor farming methods which result in animal waste, excess fertiliser, topsoil and chemical waste being allowed to enter those waterways and water bodies must, we believe, form part of any National Environmental Standard. Similarly pollution of waterways and water bodies by other industries operating adjacent to the waterways is relevant. Neither flora nor fauna can survive if water quality is compromised.
16. It is important that any standards set within any National Environmental Standard relating to freshwater recognise the vast differences between each type of freshwater body, for example the different ecology of a fast – flowing deep stream or river and a shallower braided river. Also the difference between a mountain lake and a dune lake, and so on. For this reason the Board considers that a general standard applicable across all water bodies would not be adequate or appropriate.
17. The Board notes that there is no mention in the proposed National Environmental Standard of the possible effects of climate change or of processes to monitor these or to review standards in light of these effects should they occur. It is our view that some provision should be made for this.

CONCLUSION

The Board wishes to be party to any future consultation and information, and wishes to be heard in support of our submission at future hearings on this matter. We wish to thank the Ministry for giving us this opportunity to comment on the National Environmental Standard.

Yours sincerely



Denise Yates
Board Chairperson