

23<sup>rd</sup> January 2009.

Ministry for the Environment,  
PO Box 10362,  
Wellington.

Tena koe,

The Canterbury Aoraki Conservation Board welcomes the opportunity to comment on the Proposed National Policy Statement. The Board has submitted on many freshwater issues asking for the sustainable use of this precious resource.

Huge pressures are placed on New Zealand's freshwater resources particularly in the Canterbury Region. The present management of freshwater resources is not sustainable, and the use of water is often inefficient.

The Board considers that local authorities (and the Environment Court) have struggled with the complexities of integrated management and have failed to plan for the fluid and interconnected nature of our freshwater resources.

Too often freshwater has been allocated without a clear understanding of the ecological and cultural requirements of our freshwater systems. In particular, there has been a failure to take account of the interplay between surface water and groundwater, with the result that a number of nationally significant lowland streams, lakes and lagoons have become severely degraded.

The Board considers that local authorities have faced considerable difficulties developing a planning framework that is capable of managing the cumulative effects of a number of activities, especially the non-point source discharge of contaminants (such as the diffuse run-off of dairy effluent into rivers and streams).

Regional and district plans do not require consent applicants to assess the combined effects of development on the intricate workings of a waterbody. In many cases, this has resulted in waterways becoming significantly degraded (and in some cases eutrophic) and generally unfit for recreational purposes.

The Board is of the view that consent applicants and councils have, by and large, failed to adequately plan for and manage cumulative effects. The Proposed NPS provides a timely opportunity for central government to issue a policy based reminder to councils to proactively manage cumulative effects.

Another concern is the failure of councils to recognise the significant role that riparian margins play in the overall health of a waterbody. Ineffective management of the riparian zone and lack of recognition of the importance of this area as both a habitat for native plants, birds, fish, and other wildlife and as a buffer from the negative impacts of surrounding land use need to be addressed. All too often intensive land use activities extend right up to the margin of and in some cases into a waterway.

Despite the explicit references to integrated management in sections 30(1)(a) and 31(1)(a) of the RMA, the Board considers that the management of our freshwater resources has tended to be carried out in disconnected manner. Nowhere is this more apparent than in the unchecked impact that land use intensification has had on our freshwater resources and on the integrity of the coastal environment.

A very clear example of this is the failure of consent authorities to recognise the degree to which groundwater and surface water are hydraulically connected. As already mentioned, this failure has resulted in a steady and ongoing decline in the quality of many of our spring fed, lowland streams and lakes.

The Board acknowledges the principle of Ki Uta Ki Tai – from the mountains to the sea. The concept of freshwater flowing above and below ground from its source, whether alpine or spring fed to the point at which it enters the sea. Whilst still contained within an estuary or a lagoon, freshwater has not yet entered the sea. Therefore, for the purposes of the Proposed NPS, the definition of Freshwater Resources must include estuaries and lagoons.

The Board also seeks that the exclusion of “any ephemeral stream or artificial watercourse” be removed from the definition of “Freshwater Resource”. The exclusion of ephemeral streams would have grave consequences for the management of many significant freshwater environments.

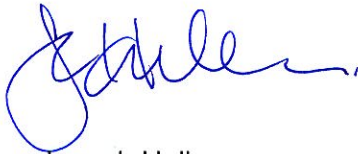
The Board is also concerned that the granting of consents for the abstraction of water and for the discharge of contaminants into water for anything longer than a period of 5 years is at odds with the purpose of Section 35(2a) of the RMA. Now more than ever with the emergence of climate change, it is necessary to adapt to changing conditions by issuing water and discharge consents for shorter durations and with a more accepted ability to review conditions.

While the Board recognises the Proposed NPS has the ability to assist in addressing the significant concerns about the present approach adopted in management of freshwater in New Zealand. The Board is of the view that, in order for it to maximise its effectiveness, the Proposed NPS requires significant refinement and modification.

There is a clear need for the Proposed NPS to provide unequivocal policy guidance to councils about the need to better manage these issues relating to freshwater resources;

1. Guide and direct regional and district plans as to the identification of sustainable limits of the use and development of Freshwater Resources (including the establishment of Freshwater Quality Standards and Environmental Flows and Levels) and the effective management of cumulative effects upon Freshwater Resources.
2. To ensure that Freshwater Resources are managed in a way, or at a rate, which:
  - (a) recognises that our knowledge of Freshwater Resources and the effects of activities upon them may be incomplete, uncertain, unknown or little understood and that, accordingly, it may be necessary to proceed with caution; and
  - (b) is responsive to increased knowledge about Freshwater Resources and the effects of activities upon them.

3. To ensure that the existing and future effects of Land-use Development and discharges of contaminants are managed so as to avoid the degradation of Freshwater Resources.
4. To ensure that existing and future demands (including social, economic and cultural demands) for fresh water are sustainably managed in a manner that has regard to the following:
  - (a) available supply of fresh water:
  - (b) the need to provide for resilience against the biophysical effects of climate change (such as through infrastructure for supply, storage and distribution of fresh water):
  - (c) the adverse effects that arise from those demands (including over-allocation of Freshwater Resources and degraded water quality).
5. To ensure that consent applicants and consenting authorities undertake, disseminate and share research, of both a qualitative and quantitative nature, that will contribute to the enhancement of our understanding of Freshwater Resources and the actual and potential effects (both individual and cumulative) of activities upon them.



Joseph Hullen.

Convenor, Water Committee.