

FORM 3:

Submission on Proposal for National Policy Statement for Freshwater Management

Section 49 of the Resource Management Act 1991.

To: the Chairperson
Board of Inquiry

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 my submission relates to are:

1. The effects this NPS may have on existing land-uses within the South Waikato District and how this NPS may affect future intensification of dairy farming in the district, especially in the upper catchments.
2. The additional costs to Council associated with ensuring that effective monitoring and reporting of objectives 1 to 8 are undertaken.
3. The unrealistic timeframe of implementation of 40 working days for Territorial Authorities to give effect to changes made to the Regional Policy Statement or Regional Plan.
4. The NPS does not define “swimmability” or “industry good practice”
5. Overall the lack of funding available for freshwater management from central government should be addressed to enable communities to address localised freshwater management issues.
6. The cumulative effects issue in the context of permitted activities and where there are a series of non-point discharges and water takes.
7. Additional costs to Council associated with upgrading community infrastructure to meet new water quality standards.
8. Additional cost to Council identified in the section 32 evaluation
9. Additional on-going costs to Council through consultation with iwi particularly at a hapu level

My submission is:

Refer to the attached submission

I seek the following changes to the proposal:

I wish ~~do~~ wish to be heard in support of my submission.

.....

Signature of submitter

.....
Date

Address for service of submitter;

Telephone:

Fax/email:

Contact person:

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5 January 2009

Board of Inquiry-Water
c/o Ministry for the Environment
PO Box 10362
Wellington 6143

Dear Sir/Madam

SUBMISSION TO THE BOARD OF ENQUIRY FOR THE PROPOSED NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT

The South Waikato District Council appreciates the opportunity to submit on the proposed National Policy Statement (NPS) for Freshwater Management. While it is difficult to argue against the community good of improving fresh water quality to the wider community, consideration should be given to the methods used in this proposed NPS to manage the economic, environmental, social and cultural benefits freshwater provides to different sectors of our community. In providing, this community good should not be at the expense of future economic development opportunities in the form of agriculture or other industries that exist in the South Waikato District.

The focus of Council's submission is around ensuring that through using these policy methods to improve freshwater management; **should not** be at the expense of increased costs (either **directly** or **indirectly**) to Council or the ratepayers of the South Waikato District. This submission outlines the South Waikato District Council's overall support for the NPS, however further work should be undertaken on the areas outlined below:

1. The effects this NPS may have on existing land-uses within the South Waikato District and how this NPS may affect future intensification of dairy farming in the district, especially in the upper catchments.
2. The additional costs to Council associated with ensuring that effective monitoring and reporting of objectives 1 to 8 are undertaken.
3. The unrealistic timeframe of implementation of 40 working days for Territorial Authorities to give effect to changes made to the Regional Policy Statement or Regional Plan.
4. The NPS does not define "swimmability" or "industry good practice"
5. Overall the lack of funding available for freshwater management from central government should be addressed to enable communities to address localised freshwater management issues.
6. The cumulative effects issue in the context of permitted activities and where there are a series of non-point discharges and water takes.

7. Additional costs to Council associated with upgrading community infrastructure to meet new water quality standards.
8. Additional cost to Council identified in the section 32 evaluation
9. Additional on-going costs to Council through consultation with iwi particularly at a hapu level

Future land-use development opportunities

Forestry to farm conversion done in a sustainable manner is estimated to provide \$19 million per annum to the South Waikato District over the next 30 years. The proposed NPS through Policy 1 currently provides the Regional Council a mandate to set Freshwater Quality Standards and Environmental Flows and Levels for all Freshwater resources of the region; by allowing this the NPS should ensure that future economic growth in agriculture in the district is not capped at current levels. The proposed NPS should not restrict future land-use change if it is being done in a sustainable manner that is providing for the economic good of the community.

Water Quality

Any additional capital and ongoing running costs faced by Council that are associated with the upgrading of wastewater plants to meet new water quality standards needs to be programmed in a logical manner. The community should not be forced to pay for improved water quality through ongoing higher running costs of wastewater treatment. Central government and industry groups collectively should assist with the ongoing funding of improved water treatment, not the wider community who freely utilise this resource. If Councils are required to upgrade existing wastewater plant as part of improving water quality, then the NPS should provide for lead in times which match the social and economic position of the community.

While the proposed NPS sets out the direction for Regional Councils to set Freshwater Quality Standards through Policy 1 and requires Regional Councils to consider the value of swimmability it does not provide a definition of swimmability or a timeframe for achieving this standard. Objective 4 recognises the need for the protection of life supporting capacity/ecological values in waterways however, this proposed NPS should include timeframes with this goal. In meeting both these objectives, this proposed NPS should ensure that the community who freely utilise this resource should not be disadvantaged economically through the methods Councils may have to implement to achieve these standards. These costs may include a requirement for additional staff to undertake any monitoring associated with regulating land-use activities and as raised previously the additional capital and running costs, coupled to the upgrading of wastewater treatment plants.

Definitions

The proposed NPS should define "*Industry Good Practice*", and how this is to be applied to specific industries or specific land-uses as part of a District Plan. The wide ranging effects of industry and land-uses on water differs across the country and a consistent approach amongst Territorial Authorities and industry groups should be provided for. Central Government should provide an alternative approach where "*industry good practice*" is not an effective mechanism for change or the capacity for change does not exist within that industry group.

In the proposed NPS the definition of "Land use development" addresses changes in land-use rather than existing land-uses. How are the likely effects of this on the community planned to be addressed, especially where existing land-uses currently provide for the wider economic good of the community?

Cumulative effects

The proposed NPS does not address the cumulative effects associated with permitted activities, where there are a series of non-point discharges occurring in an urban or rural catchment. With agriculture being a key land-use in the South Waikato District, the NPS should address how the cumulative effects of numerous non-point discharges from agricultural land-uses within a single catchment are to be managed. This proposed NPS does not provide any clear direction to Local Authorities to refuse resource consent applications where the potential cumulative effects of an activity might compromise the minimum water quality standards of a catchment. The NPS should not restrict economic growth in the South Waikato or

New Zealand generally through trying to achieve minimum water quality standards in selective catchments, nor should it force Councils to upgrade wastewater treatment plants in the view of meeting these standards.

Implementation

The proposed NPS currently provides an unrealistic timeframe of 40 working days for Territorial Authorities to give effect to Regional Policy Statement or Regional Plan changes in their District Plan. The NPS should allow for flexibility for smaller Territorial Authorities that have limited staff resources available to draft and implement the planning and policy changes required under this NPS.

Monitoring and reporting

An attempt should be made to incorporate any additional monitoring and reporting required under this proposed NPS into existing monitoring and reporting activities Council currently undertakes as part of its State of the Environment Monitoring and reporting. If Council is required to undertake any additional monitoring as part of Objective 9 then a cost effective meaningful method should be developed by Central Government to limit the costs associated with this task and to standardise monitoring between Territorial Authorities.

Funding implementation

To assist communities in achieving/maintaining water quality standards, Central Government should provide contestable funds, where money can be used for projects that assist communities improving water quality at a local level. If inspirational targets for water quality set by Regional Council's require additional cost, then this cost should not be shifted to ratepayers in our community. Costs should be borne at a national level as the entire country benefits from higher quality freshwater not just ratepayers in the South Waikato.

Central Government should assist business, industry and households in making informed choices when selecting products that enable everyday activities to contribute towards achieving the objectives of this proposed NPS. If improved water efficiency and quality can be gained through minimal cost to the community then the wider society benefits in the longer term through superior product selection.

Costs identified in the Section 32 evaluation

Appendix A of the Section 32 evaluation outlines the expected costs that Local Authorities may have to absorb as a result of this proposed NPS. Policies 1 to 3 and policy 8 indicate that this will load additional ongoing costs the South Waikato District Council of \$20,000 per year with one off cost estimated at \$425,000 (present day value)

Recent comments from the new Minister for Local Government do contradict the likely outcomes that this Proposed NPS may have on Local Government. *"Central government needs to face up to the cost of the obligations it has foisted on local government over the past decade"*. The minister goes on further to say that *"Ratepayers are rightly sensitive to increases in what they are required to pay out to councils at regional and territorial level. Too many people on fixed incomes are finding rate demands difficult to meet"*. Rodney Hide: *Why wasteful councils have every reason to be running scared Dec 02, 2008. NZ Herald*

On-going costs of involving iwi and hapu

Iwi and hapu have been identified in the proposed NPS, as having a role under policy 8 to ensure that their values and interests are identified and reflected in the management of freshwater resources. The South Waikato District Council has concerns in consulting with iwi at a hapu level and the additional costs associated with this. Consultation at a hapu level is one level lower than what is provided for in the in the Waikato Tainui River Treaty Settlement and is estimated to impose an additional cost to Council of \$20,000 per year.

Overall, the South Waikato District Council does support the proposed NPS for Freshwater Management in principle, for the simple reason that improving freshwater quality provides for the wider community good. However, the South Waikato District Council would like the issues raised in this submission appropriately

addressed, so that there are **no additional costs** imposed either **directly** or **indirectly** on the ratepayers of the South Waikato District. This NPS should suitably balance the environmental benefits with the economic effects while providing this community good to the communities of the South Waikato District.

The South Waikato District Council would welcome the opportunity to be heard in support of this submission.

Yours faithfully



Neil A Sinclair MNZM JP BDS

MAYOR

D Hall

CHIEF EXECUTIVE