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Board of Inquiry - Water
c/-Ministry for the Environment
PO Box 10 362
WELLINGTON 6143

**PROPOSED NATIONAL POLICY STATEMENT ON FRESHWATER
MANAGEMENT**

Please find attached a formal submission from the Kaikoura District Council on the Proposed New Zealand Policy Statement on Freshwater Management.

If you have any questions, or wish to clarify any issues, please contact me as follows:

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Sincerely

Rachel Vaughan
DISTRICT PLANNER



Submission on the Proposed New Zealand National Policy Statement for Freshwater Management

Kaikoura District Council

1. Kaikoura District Council **support in part** the Proposed New Zealand National Policy Statement for Freshwater Management. Support is given for all parts of the Proposed New Zealand National Policy Statement for Freshwater Management unless specified in the text below.

The reasons for making the submission are:

2. No clear guidance on Freshwater Management is provided by the proposed NPS.
3. The current wording of the proposed NPS provides no new tools for freshwater management by Territorial Local Authorities.
4. The current wording of the proposed NPS proposes a new obligations and work streams for Territorial Local Authorities through required amendment of plans and monitoring.
5. The current wording of the proposed NPS requires duplication of functions between Territorial Local Authorities and Regional Councils.
6. The cost of implementation of the proposed NPS as is currently worded would be unfeasible for smaller Territorial Local Authorities.
7. Water catchment boundaries rarely follow district council boundaries and therefore it is unfeasible to manage at Territorial Local Authority level.
8. Water is critical to New Zealand's economic performance and underpins the social fabric of every region. The importance of water to New Zealand demands a comprehensive management system, which provides for equitable water allocation, protects the environment and caters for complex social needs.
9. Wording of the Proposed New Zealand National Policy Statement for Freshwater Management is confusing in that in some instances district and regional Councils are referred to, in other instances, the wording refers to territorial and local authorities.

The specific parts of the Proposed New Zealand National Policy Statement for Freshwater Management that Kaikoura District Council's submission relate to is the Policy Statement in entirety.

The Kaikoura District Council submission is:

Objectives

10. Objective 1 is consistent with the Resource Management Act.
11. Objective 2 is unclear in implementation. Support is given for Objective 2, but clear lines of implementation need to be outlined. The Objective supports the implementation of Catchment Based Management Plan, but Policies are not clear in this regard. In addition the time frames suggested by Policy 1 for implementation are unrealistic and costs may be prohibitive for investigation into all catchments. To achieve the outcome sought it may be more appropriate to split the Objective into the following:
 - (a) Seek prioritizing of all Freshwater resources as to local, regional or national importance for all values associated with each freshwater resource.
 - (b) Seek integrated management of the resource associated with land use development as outlined by the Objective.
12. Objective 3 is supported, but clear lines of implementation are not covered.
13. Objective 4 is supported, but links directly to Objective 2 in terms of implementation. Objective 4 as it is currently worded does not allow for changes to the life supporting capacity and ecological values of the Freshwater Resource associated with taking, use, damming or diverting of freshwater. Nor does it refer to natural character and changes associated with infrastructure investment associated with the freshwater resource.
14. Objective 5 is supported, but implementation is already a Regional Council function and cannot see the value added to previous objectives by this objective. There are several effects on fresh water from land use development and it is unclear why this one was highlighted.

15. Objective 6 is supported, but reuse and recycling and rainwater harvesting with onsite storage should be included as a demand management option.
16. Objective 7 is supported, but reuse and recycling and rainwater harvesting with onsite storage should be included as a tool to facilitate efficient use of fresh water.
17. Objective 8 is supported.
18. Objective 9 is supported in part. The cost of requiring Territorial Local Authorities to undertake monitoring is a concern.

Policy

19. Policy 1 is supported in part. The timeframes proposed by the first paragraph are unfeasible for many freshwater catchments. Many freshwater catchments are remote and require a high level of investigation to achieve the Policy.
20. Due to the high cost of implementation in a short timeframe it is suggested that development of a precautionary approach to water takes to protect freshwater resources would be prudent.
21. In addition to developing a precautionary approach, development of a priority system for implementing protection of Freshwater Resources would be more realistic. To achieve the outcome sought it may be more appropriate to reword the Policy to give effect to Objective 1 as follows:
 - (a) Prioritizing of all Freshwater resources as to local, regional or national importance for all values associated with each freshwater resource.
 - (b) Giving effect to integrated management of the resource associated with land use development as outlined by the current wording of Policy 1 (a) –(c).
22. Policy 1(d) is supported in part but requires rewording. The Act already provides for tangata whenua involvement, it is not clear how this item adds value. Also consistency in terms is required. There is some concern that hapu may not be equipped to deal with this requirement and may need to delegate to iwi, who have the resources.

23. Policy 1(e) is supported in part but requires rewording. The act already provides for tangata whenua involvement, it is not clear how this item adds value. Also consistency in terms is required.
24. Policy 1(f)-(j) are opposed. These policies do not add value in terms of what is already stated in the Act.
25. Policy 2 supported in part. The Policy provides no new tools for dealing with freshwater resources.
26. Policy 3 opposed. The proposed policy provides a duplication of functions between the district and regional council functions. While it is expedient to hear all development matters at one time, this is already provided for under the Resource Management Act and no new tools are introduced by this policy. In addition, this policy imposes a burden of expense onto district councils with no clear benefit. To be effective Policy 3 needs to provide more guidance to district councils and avoid duplication with regional council functions. Policy 3 would be more effective if it was reworded. Suggested rewording:

...(b)

- (i) Mechanisms that are used to protect the quality of freshwater resources from point and non-point discharge associated with the land use or subdivision development.
 - (ii) Water saving mechanisms that will be implemented to ensure sustainable management of demands on fresh water in a manner...
 - (iii) Recycling and reuse initiatives that will be employed to ensure the integrated management of the freshwater resource and the land use or subdivision development including cumulative effects on the quality and available quantity of freshwater resources...
- (c) ...include conditions to require future management and upgrades of any initiatives relating to paragraph (b).

27. Policy 4 is supported. This policy provides guidance to support Policies 1 and 2; however concern was raised on the timeframe and implementation of Policies 1 and 2.
28. The intention of Policy 5 is supported in part, however Policy 5 requires rewording to be consistent with changes to proposed Policy 3. Suggested rewording:
 - (a) the importance of ensuring Landuse and subdivision development proceeds in a way and at a rate that protects the quality and quantity of freshwater resources.
 - (b) ... planning and implementation of Landuse Development applies protection, reuse and recycling mechanisms in order to -
29. Policy 6 is supported.
30. Policy 7 is supported in part.
31. Policy 8 is supported in part, the term local authorities should be reworded to be consistent with the rest of the Proposed National Policy Statement.

Kaikoura District Council does wish to be heard in support of this submission.

If others make a similar submission, Kaikoura District Council would present a joint case with them at a hearing.

