



# CLUTHA DISTRICT COUNCIL

Address all correspondence to:  
The Chief Executive

Our Reference

*C/O - UF*



SP15/1

22 January 2009

Board of Inquiry - Water  
Freepost Board of Inquiry - Water  
C/O PO Box 10362  
Wellington 6143

Dear Sir/Madam

## **SUBMISSION ON PROPOSED NATIONAL POLICY STATEMENT ON FRESHWATER MANAGEMENT**

Enclosed please find the submission of the Clutha District Council on the Proposed National Policy Statement for Freshwater Management. If you have any queries, please contact me directly.

Yours sincerely

Murray Brass  
**PLANNING AND ENVIRONMENT MANAGER**

Form 3  
Submission on proposal for national policy statement for freshwater management

*Sections 49 and 57, Resource Management Act 1991*

To the Chairperson  
Board of Inquiry

This is a submission on the following proposed national policy statement

Proposed National Policy Statement for Freshwater Management (notified 20  
September 2008).

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

The entire proposal.

My submission is:

It should be noted that the Clutha District Council generally supports the submission made by Local Government New Zealand. However, there are a number of matters of particular concern that Council wishes to submit on itself, and these are addressed below.

#### **Status of Proposed NPS**

Since the Proposed NPS was released there has been a change of Government, and the National Party has made it clear that changes to the Resource Management Act will be made soon. Those changes will affect the context and implementation of the Freshwater NPS, so we consider it appropriate that the Proposed NPS be put on hold until the changes to the Act have been made.

#### **Effect on Council water takes**

Council operates a large number of township and rural water supply schemes, providing water for domestic, commercial, industrial, and stock purposes. These schemes are vital to our communities, and to the overall functioning of the District. As such, they must have priority over other competing potential uses of water, and there must be provision for future growth.

We support the provisions in Policy 1(i) to give certainty and priority to such water supplies. However, this needs to also provide for the commercial, industrial and stock components of water schemes, as these are just as important to the existence of the communities as the provision of drinking water (indeed, for rural communities the provision of stock water is more important). Further work is also required to ensure that the various other requirements of the Proposed NPS do not undermine Policy 1(i), which would occur if consent processes and conditions for community water supply schemes become more onerous as a result of those other policies.

#### **Approach to 'Integrated Management'**

The Proposed NPS has a number of provisions relating to 'integrated management'. While this is a worthwhile ideal it is difficult to achieve in practice, and the Proposed NPS will do little to assist this.

It is especially concerning to see that the Proposed NPS is based very much on the previous Government's 'top down' approach to local government functions. Thus the proposal is for a hierarchical structure, where central government imposes requirements on regional authorities, which then in turn impose requirements on territorial authorities. This creates significant overlap and inefficiencies, an over-emphasis on process rather than action, and a lack of clarity over roles. Even though the Act gives regional authorities the function of controlling land for the purpose of the maintenance of the quality and quantity of water, the hierarchical approach of the Proposed NPS could 'cascade' this function down to territorial authorities. We have particular concern that this could be used to devolve water-related responsibilities to territorial authorities such as ourselves, when the relevant expertise and capability are with the regional authorities.

The Proposed NPS needs to provide much more clarity on the relative roles of regional and territorial authorities, and avoid the current hierarchical approach.

#### **Effect on other Council activities and rating**

The Proposed NPS would impose significant burdens on our council. This would be due to both the requirement to update our District Plan within unrealistic timeframes (which will create significant duplication of costs and effort, as we are already undertaking the 10-year review of the Plan), and the extra costs imposed on operation of our water supply schemes. This will lead to increases in rates, and diversion of staff effort. Inevitably, new mandatory requirements such as this will displace discretionary activities (road sealing extensions, recreational facilities, streetscape enhancements etc), without the community having any ability to decide whether this would actually be its priority.

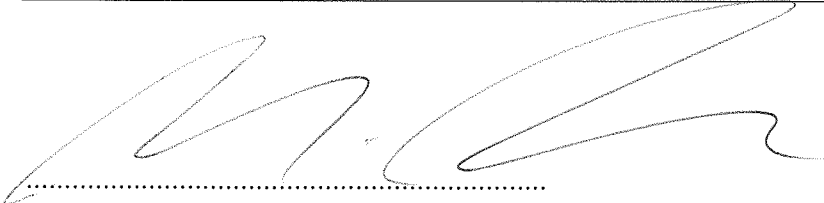
These effects must be minimised, and we consider that the Proposed Policy Statement needs substantial changes to address this.

I seek the following changes to the proposal:

The Proposed NPS requires a considerable amount of work to improve it. Given the pending changes to the RMA we consider that the appropriate approach is to put the Proposed NPS on hold until the RMA changes are in place, then completely revisit the Proposed NPS in consultation with the local government sector, and then restart the formal process.

I 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.



Signature of submitter  
(or person authorised to sign  
on behalf of submitter)

22/11/09

Date

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