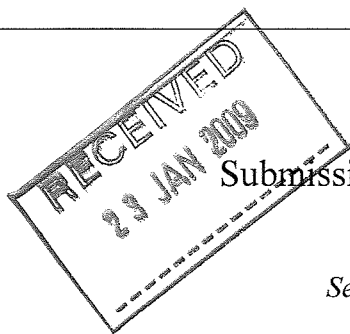


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Form 3

Submission on proposal for national policy statement or
New Zealand coastal policy statement

Sections 49 and 57, Resource Management Act 1991

To The Chairperson
Board of Inquiry

This is a submission on the proposed National Policy Statement for Freshwater Management that was publicly notified on 20 September 2008.

North Shore City Council thank you for the opportunity to comment on this proposed National Policy Statement (NPS). Council supports the provision of a National Policy Statement in principle, subject to the specific matters detailed elsewhere in the submission.

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

1. Demand Management and Water Conservation
2. Time Frames and Implementation
3. Roles and Responsibilities
4. Receiving Environments
5. Priority Setting

The management of urban stormwater is a significant issue for North Shore City Council and this is a recurring theme in the provisions above.

Council submission is:

Water is critical for life and the country's freshwater resources must be managed wisely. The supply of water to communities is essential and must remain in public ownership.

North Shore City Council is in general agreement with the submission from Local Government New Zealand (LGNZ) that cover issues from a regional council and a territorial authority perspective. However, there are particular issues of concern to North Shore City Council as a territorial authority and these are covered below.

1. Water Conservation and Demand Management

North Shore City Council purchases water from Watercare and then distributes this to the consumers within the Council area. The Council has an ongoing programme of water conservation and demand management that are designed to meet environmental constraints for the efficient use of water while also maintaining social equity issues.

Relief Sought

Council seeks objectives and policies that promote water conservation and appropriate demand management which recognize social equity issues, such as Policy 14 within the LGNZ submission.

2. Time Frames and Implementation

Council submits that the timeframe of 40 days from the Freshwater Management NPS being made operative for the notification of changes to a District Plan is unreasonable and unrealistic. Council agrees fully with Section 15 of the LGNZ submission and stresses the need to recognise the hierarchy of planning instruments. The District Plan needs to give effect to the Regional Policy Statement. The Regional Policy Statement will likely expand and clarify the intentions of the National Policy Statement. To draft changes to a District Plan whilst there is considerable uncertainty for the Regional Policy is not an efficient process.

Relief Sought

Council seeks that the hierarchy of planning instruments is acknowledged and that a revised policy is drafted, such as Policy 2 within the LGNZ submission.

3. Roles and Responsibilities

Council is concerned that the existing overlap of responsibilities between regional councils and territorial authorities for urban stormwater will not be clarified by the proposed National Policy Statement. Within the proposed NPS there is an overlap of jurisdictions for policies 2 and 3. The LGNZ submission covers this topic in sections 3.14 to 3.16.

The runoff of stormwater from land can give rise to issues of water quality and quantity. These are generally managed by discharge consents by the regional council. However, a key management parameter for urban stormwater is land use. Land use is predominately regulated through the District Plan. This Council is of the opinion that urban stormwater is best managed by the territorial authority utilising the District Plan to impose conditions on land use and subdivision consents or the use of the Structure planning process.

Relief Sought

Council seeks that the roles and responsibilities for urban stormwater, in particular, be clarified. The Policy 2(c) within the LGNZ submission requires that the regional council is to set out the roles and responsibilities within the regional policy statement. Council suggests this be reworded to

Regional policy statements will set out the roles and responsibilities of regional councils and territorial authorities with respect to the management of urban stormwater by discharge consents or by land use and subdivision consent or the use of the structure planning process.

4. Receiving Environments

The effect of contaminants on receiving environments is a significant issue in the management of urban stormwater. Contaminants are transported by freshwater from the land and ultimately settle in freshwater and coastal receiving environments. North Shore City Council is currently trying to determine the best way of managing contaminants and in particular the effects that these are having, particularly within the low energy environment of the inner Waitemata Harbour. The NPS appears to be limited to considering the effects on Freshwater Resources within Objective 5.

Relief Sought

Council seeks that the effects of contaminants within freshwater need to be managed in a broader context and some acknowledgement of this broader context, particularly the interaction between freshwater and coastal receiving environments, needs consideration within the NPS.

5. Priority Setting

North Shore City Council is currently undertaking a programme to develop catchment management plans for each of the 46 stormwater catchments in the North Shore. These plans will set out parameters for the management of streams and will assist in the prioritisation of funding for works programmes associated with the streams. The proposed NPS under Policy 1(b) requires that Outstanding and Degraded Freshwater Resources be identified. This is useful, but does not assist in the setting of priorities with timeframes and therefore the funding requirements to meet the Objectives of the NPS. Some agreed process needs to be put in place to identify priorities. Should a freshwater resource with Outstanding value be maintained in preference to a resource with a Degraded value?

Relief Sought

Council seeks that a methodology be established to assist with setting timeframes and priorities for works within catchments that may have competing values. The policy 9 suggested by LGNZ for “at risk” catchments is useful. However, this policy is suggesting that it is only Regional Councils who should be identifying and setting the policy for “at risk” catchments. Council suggests that this be changed so as to recognise that some territorial authorities may wish to have input into managing urban stormwater catchments.

Council also seeks that Policy 13(b) of LGNZ be adopted as this will considerably assist with the provision of infrastructure to minimise the adverse effects on water quality and quantity.

North Shore City Council wish to be heard in support of its submission.

If others make a similar submission, Council will consider presenting a joint case with them at a hearing.

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Geoff Mason, General Manager Infrastructure Services.

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Date

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