

Next steps for fresh water

SUBMISSION FORM

The Government is seeking views on the way fresh water is managed in New Zealand.

For more information about the Government's proposals read our [Next steps for fresh water consultation document](#).

Submissions close at 5.00pm on Friday 22 April 2016.

Making a submission

You can provide feedback in three ways:

1. Use the online submission form available at www.mfe.govt.nz/consultation/next-steps-fresh-water. This is our preferred way to receive submissions.
2. Complete this submission form and send to us by email or post.
3. Write your own submission and send to us by email or post.

Publishing and releasing submissions

All or part of any written submission (including names of submitters) may be published on the Ministry for the Environment's website www.mfe.govt.nz. Unless you clearly specify otherwise in your submission, we will consider that you have consented to website posting of both your submission and your name.

Contents of submissions may be released to the public under the Official Information Act 1982 following requests to the Ministry for the Environment (including via email). Please advise if you have any objection to the release of any information contained in a submission and, in particular, which part(s) you consider should be withheld, together with the reason(s) for withholding the information. We will take into account all such objections when responding to requests for copies of, and information on, submissions to this consultation under the Official Information Act.

The Privacy Act 1993 applies certain principles about the collection, use and disclosure of information about individuals by various agencies, including the Ministry for the Environment. It governs access by individuals to information about themselves held by agencies. Any personal information you supply to the Ministry in the course of making a submission will be used by the Ministry only in relation to the matters covered by this consultation. Please clearly indicate in your submission if you do not wish your name to be included in any summary of submissions that the Ministry may publish.

Submission form

The questions below are a guide only and all comments are welcome. You do not have to answer all the questions. To ensure your point of view is clearly understood, please explain your rationale and provide supporting evidence where appropriate.

Contact information

Name*	Dr Alistair Humphrey														
Organisation (if applicable)	Canterbury District Health Board														
Address	████████████████████														
Telephone	██████████														
Email*	████████████████████														
Submitter type*	<table><tr><td>Individual</td><td><input type="checkbox"/></td></tr><tr><td>NGO</td><td><input type="checkbox"/></td></tr><tr><td>Business / Industry</td><td><input type="checkbox"/></td></tr><tr><td>Local government</td><td><input type="checkbox"/></td></tr><tr><td>Central government</td><td><input type="checkbox"/></td></tr><tr><td>Iwi</td><td><input type="checkbox"/></td></tr><tr><td>Other (please specify)</td><td><input checked="" type="checkbox"/> Canterbury District Health Board. (CDHB) Submission has been developed by Community and Public Health (a Division of CDHB providing public health services to Canterbury, South Canterbury and the West Coast)</td></tr></table>	Individual	<input type="checkbox"/>	NGO	<input type="checkbox"/>	Business / Industry	<input type="checkbox"/>	Local government	<input type="checkbox"/>	Central government	<input type="checkbox"/>	Iwi	<input type="checkbox"/>	Other (please specify)	<input checked="" type="checkbox"/> Canterbury District Health Board. (CDHB) Submission has been developed by Community and Public Health (a Division of CDHB providing public health services to Canterbury, South Canterbury and the West Coast)
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* Questions marked with an asterisk are mandatory.

Fresh water and our environment

1. Do you agree that overall water quality should be maintained or improved within a freshwater management unit rather than within a region? Why or why not?

Yes

No

CDHB supports the Mayoral Forum's comments regarding support for proposals 1.1 and 1.2 and agree that objectives and limits are set at a local level by amending Objective A2 to apply to a freshwater management unit. CDHB also agree with the recommendation to require local authorities to monitor and report on overall water quality within an attribute band but also on any trends, positive and negative within the band.

Overview

Canterbury District Health Board (CDHB) wish to submit on the consultation document Next Steps for Fresh Water which outlines amendments to the National Policy Statement for Fresh Water Management (NPS-FM), economic use of fresh water, Iwi rights and interests in fresh water and fresh water funding.

CDHB collaborated with Canterbury Regional Council, Waimakariri District Council, Selwyn District Council and Christchurch City Council to participate in the development of a joint submission on the consultation document. The result of that collaboration is the submission to the Ministry for the Environment from the Canterbury Mayoral Forum. CDHB support this submission in its entirety.

Recommendation 1:

CDHB specifically supports ten of the eleven recommendations of the Canterbury Mayoral Forum (Mayoral Forum) submission on the Fresh Water Consultation 2016 which pertain to health, as listed below:

- (i) Objective A2 of the NPS-FM is amended to require local authorities to monitor and report both on the overall water quality measures of a FMU within an attribute band and on any trends, positive or negative, within the band.
- (ii) A collaborative working group is established comprising representatives of local government to work with the Ministry for the Environment and the Ministry for Primary Industries to develop practical detailed guidance for local authorities for how to meet the requirements of Objective A2 of the NPS-FM.
- (iii) Proposal 1.4 is amended to provide for local government participation, and specifically for the involvement of at least one South Island regional council, in the work on the potential inclusion of a macroinvertebrate measure as an attribute in the NPS-FM National Objectives Framework.
- (iv) Proposal 1.5 is amended to provide for local government participation in a collaborative process for the development of direction for exclusion of significant infrastructure via Appendix 3 of the NPS-FM.
- (v) Proposal 1.7 is amended to provide that the review period for transitional objectives under Appendix 4 of the NPS-FM is specific to each water body.
- (vi) A collaborative working group is established comprising representatives of local government to work with the Ministry for the Environment and the Ministry for Primary Industries and agricultural sector representatives to develop national regulation for stock exclusion from water bodies.
- (vii) A collaborative working group is established comprising representatives of local government to work with the Ministry for the Environment and the Ministry for Primary Industries, iwi and hapū and the relevant business sectors [and also District Health Boards] to develop the proposed measures to enable transfers of allocated water and discharge allowances to higher valued uses, including:

- a) determining the full range of higher valued uses including non-monetary values and benefits
- b) determining where the responsibility would lie for decisions as to what is deemed higher valued uses, and the criteria upon which those decisions are to be made

(viii) Proposal 3.3 is amended to allow for culturally appropriate measures to be agreed with the relevant iwi and hapū for water bodies and sites of highly sensitive historical, cultural or spiritual significance.

(ix) A collaborative working group is established comprising representatives of local government to work with the Ministry for the Environment and the Ministry for Primary Industries and the Iwi Leaders Forum to develop appropriate measures for agreements between iwi and hapū and local government for natural resource management and freshwater management in particular.

(xi) Proposal 3.8 is extended to include consideration of the needs for water infrastructure of other small remote communities.

2. How should the attributes be applied, or the values protected, in giving effect to the requirement to maintain or improve overall water quality? As stated above CDHB agree with the recommendation to require local authorities to monitor and report on overall water quality within an attribute band but also on any trends, positive and negative within the band.
3. What is an appropriate way to include measures of macroinvertebrates in the National Policy Statement for Freshwater Management? What alternative measures could be used for monitoring ecosystem health?

CDHB supports the Mayoral Forum 's recommendation on local government participation in relation to work on the potential inclusion of a macroinvertebrate measure.

4. What information should be required in a request to include significant infrastructure in Appendix 3 of the National Policy Statement for Freshwater Management, and why would this information be important?

Proposal 1.5 and the narrative to support this proposal states Government needs information to determine where exceptions should be considered in relation to falling below national bottom lines. CDHB is concerned that if water quality is compromised around water supply intakes, this may make treatment processes ineffective. It is essential that the location of drinking water supply intakes are taken into account in relation to any decisions concerning infrastructure which may result in a deterioration of water quality when that water is used as a source for human drinking water.

Recommendation 2:

Include in the information needed by Government on page 15, identification of drinking water supply intakes.

The Canterbury Water Management Strategy (CWMS) has drinking water targets which state the following: "For those communities that currently have access to untreated and safe drinking water, implement actions to ensure the source water quality remains high enough to meet the current Drinking Water Standards for New Zealand without treatment". Additionally, "Prevent further decline in source water quality for those communities that currently have to treat drinking water, such that this requires increased level of treatment or monitoring requirements". CDHB believe national bottom lines should never be permitted to be breached where it impacts on a source of human drinking water.

Recommendation 3:

Include an additional proposal as follows:

"Proposal 1.5A: Breaching of national bottom lines will not be permitted where water quality will be compromised to the extent that treatment at drinking water supply treatment plants, will not be able to effectively treat water to comply with Drinking Water Standards, at all times. Additionally if water already complies with the Drinking Water Standards (some ground water) infrastructure cannot be permitted where it may allow a decline in water quality."

5. Do you agree with applying lake attributes and national bottom lines to intermittently closing or opening lakes or lagoons? Why or why not?

Yes

No

CDHB have no comment on this question.

6. What information should be required in a request to list a water body in Appendix 4 of the National Policy Statement for Freshwater Management, and why would this information be important?

CDHB believe water bodies which are used as sources of human drinking water, and key recreational sites should not be included in Appendix 4. It is therefore important that any information provided includes comment on whether there are drinking water supply takes from the water body or whether the water body is used for recreation.

7. Do you agree with the proposed requirements and deadlines for excluding livestock from water bodies? Why or why not?

Yes

No

CDHB support in principle the establishment of national regulation for stock exclusion from water bodies. The Mayoral Forum has raised a number of areas where clarification is sought and CDHB agree with the need for further clarification. CDHB support the Mayoral Forum's recommendation that a collaborative working group is established comprising representatives of local government to work with the Ministry for the Environment, Ministry of Primary Industries and agricultural sector, to develop national regulation for stock exclusion from water bodies.

Economic use of fresh water

New Zealand Government

8. Should standards for efficient water use be developed? Should standards for good management practices for diffuse nitrogen discharges be developed? Who should be involved in their development? When should they be applied to consents (eg, on consent expiry and/or on limit setting and/or permanent transfer)?

Proposal 2.2 and 2.3 require the application of good management practice standards for discharge allowances in catchments that are at, or approaching full allocation. In addition councils are to apply these standards at defined times such as at initial limit setting, on consent expiry and/or on application to permanently transfer consent for water or discharge allowances. CDHB do not agree with the rationale behind the requirement for these standards to apply only in catchments that are at or approaching full allocation, allowing those not approaching full allocation to potentially contaminate water catchments. Good management practices should apply to all catchments at all times.

Recommendation 4:

Amend proposal 2.2 to read "Where Councils have elected to allocate discharge allowances, require them to apply good management practice standards in catchments at all times."

Recommendation 5:

Amend proposal 2.3 to require councils to apply these standards at all times.

9. Do you support easier transfer of consents? Do you think the changes outlined in Proposal 2.4 would better enable transfers? What other changes would better enable transfers?

Proposal 2.4 investigates options to allow for transfers between users so allowances can move to higher valued uses. The definition of higher value use means a use where the economic returns are higher per unit of water used or nitrogen discharged.

CDHB agrees with the Canterbury Mayoral Forum that community use, for example drinking water, should be recognised as the highest value of fresh water. In this respect CDHB propose that the definition of Higher Value Use is amended.

The CWMS recognises the competing uses for fresh water within our region. The strategy has prioritised the uses of fresh water to ensure the fundamental principles of the strategy are met. These state that "First Order Priorities" are: environment, customary use, community supplies and stock water. These uses must be prioritised over other uses such as irrigation, renewable electricity generation, recreation and amenity. CDHB recommend the definition of "higher value use" mirrors that as outlined in the CWMS identified as the first order priorities.

Recommendation 6:

Amend the definition of higher value use with the following: ..means any use of water which prioritises: environment, customary use, community supplies and stock water.

CDHB agree with the Mayoral Forum's recommendation that a process of collaboration and dialogue is needed to determine appropriate measures for trading water and discharge rights. CDHB recommend District Health Boards are included in this dialogue along with both Ministries, local government, iwi, hapu and relevant businesses.

Recommendation 7:

As recommended by the Mayoral Forum, that a collaborative working group is established comprising representatives of local government, and District Health Boards, to work with the Ministry for the Environment and the Ministry of Primary Industries, iwi, hapu and relevant

businesses to develop the proposed measures to enable transfers of allocated water and discharge allowances to higher valued uses. Also as recommended by the Forum, that this includes determining the full range of higher valued uses if the definition suggested above is not used as a replacement. Any amended definition of higher value use should include non monetary values and benefits. The collaborative working group should also determine where the responsibility would lie for decisions as to what is deemed higher valued uses, and how those decisions would be made.

10. How should the Government help councils and communities address over-allocation for water quality and water quantity? Should it provide guidance, rules or something else (please specify)?

CDHB agree with the development of guidance material for councils on possible measures to address over allocation of water quality and quantity.

11. Should councils have greater flexibility in how they meet the costs of improving freshwater management? For example, by recovering costs from water users and those who discharge to water? Please provide examples.

CDHB have no comment on this question.

Iwi rights and interests in fresh water

12. How can the Government help councils and communities to better interpret and apply Te Mana o te Wai in their region?

CDHB support proposal 3.1 that a purpose statement in the NPS-FM which provides context about the meaning of Te Mana o te Wai and its status as the underpinning platform for community discussions on freshwater values, objectives and limits. The explanation for Te Mana o te Wai, given on page 28, shows a clear link between the well being of water bodies and land with the wellbeing of communities.

13. Should councils be required to identify and record iwi/hapū relationships with freshwater bodies, and how should they do it?

CDHB supports both proposals 3.3 and 3.4 which ensures the engagement of all iwi and hapū when identifying values and setting objectives for particular freshwater management units. Although not explicitly mentioned, the particular freshwater bodies should include all water bodies identified in the preamble to the NPS-FM, and therefore also include aquifers, not just surface features.

14. What would support councils and iwi/hapū to engage about their values for freshwater bodies?

CDHB are supportive of the current constructive working relationships within our region between councils and Ngāi Tahu, in particular, the regional council's Tuia partnership agreement with Te Rūnanga o Ngāi Tahu which includes the CDHB. I also refer to recommendation 1 (viii) above in this submission allowing for culturally appropriate measures to be agreed with the relevant iwi and hapū for water bodies and sites of highly sensitive historical, cultural or spiritual significance.

15. What are your views on the proposal for a new rohe-based agreement between iwi and councils for natural resource management? What type of support would be helpful for councils and iwi to implement these to enable better iwi/hapū engagement in natural resource planning and decision-making?

CDHB encourage the consultative and engagement process provided by the opportunity to submit on the Resource Legislation Amendment Bill which allows organisations to comment on proposed amendments to legislation.

16. What are your views of the proposed amendments to water conservation orders? Outline any issues you see with the process and protection afforded by water conservation orders?

As stated above, CDHB support the opportunity provided to comment on changes to legislation through the consultative process.

17. If you are involved with a marae or live in a papakāinga, does it have access to clean, safe drinking water? What would improve access to clean, safe drinking water for your marae or papakāinga?

CDHB supports additional funding for the development or improvement to water infrastructure at marae and papakāinga. Water quality which is potable, is a key public health requirement for all.

Freshwater funding

18. Do you agree with the proposed criteria for the Freshwater Improvement Fund? Why or why not?

CDHB have no comment on this question.

Other comments

19. Do you have any further comments you wish to make about the Government's proposals?

It is appropriate that the NPS for Freshwater Management is reviewed at this time to determine if improvements can be made.

In the National Policy Statement for Freshwater Management 2014 (NPS-FM) fresh water includes ground water. On page 6 of the current consultation document the Government's long term vision for freshwater is that our lakes, rivers, wetlands and aquifers are suitable for the local and national values and aspirations of all New Zealanders, including tangata whenua.

The consultation document recognises that our fresh water is affected by natural and human pressures, that water quality has been declining and is over-allocated in some places.

What is disappointing is that the opportunity has not been taken to include proposals which impact directly on measuring the health and mauri of ground water, particularly in relation to the attribute tables. Consideration should be given to addressing this omission especially in relation to E. coli and nitrate.

These attributes should be set in conjunction with representatives from local and regional councils, District Health Boards, the Ministry of Health, and the Ministry for the Environment.

Recommendation 8:

Add attribute tables that measure the health and mauri of ground water into Appendix 2 of the NPS-FM.

Releasing submissions

Your submission may be released under the Official Information Act 1982 and may be published on the Ministry's website. Unless you clearly specify otherwise in your submission, we will consider that you have consented to website posting of both your submission and your name.

Please check this box if you would like your name, address, and any personal details withheld.

Note that the name, email, and submitter type fields are mandatory for you to make your submission.

When your submission is complete

If you are emailing your submission, send it to watersubmissions@mfe.govt.nz as a:

- PDF
- Microsoft Word document (2003 or later version).

If you are posting your submission, send it to Freshwater Consultation 2016, Ministry for the Environment, PO Box 10362, Wellington 6143.

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