

Next steps for fresh water submission

Fresh water and our environment

Key Proposals

Amend the NPS-FM to improve direction on:

- exceptions to national bottom lines for catchments with significant infrastructure
- using the Macroinvertebrate Community Index as a mandatory monitoring method
- applying water quality attributes to intermittently closing and opening lakes and lagoons
- what it means to 'maintain or improve overall water quality'.
- Exclude stock from water bodies through regulation.

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

The Hauraki District Council (HDC) supports the amendment of the NPS-FM to clarify the scale at which the overall quality of fresh water should be maintained or improved, and aligning this responsibility to within the area of an FMU rather than across a region. HDC agrees that this is better done within FMUs because this is the scale at which communities will set freshwater objectives and limits, and monitor water quality.

HDC also recommends that environmental aspirations are determined for the Region overall.

How should the attributes be applied, or the values protected, in giving effect to the requirement to maintain or improve overall water quality?

Hauraki District Council believes that there is a need for consideration of a prioritised response to improving water quality. The HDC receives external pressure from recreation organisations to further improve quality regardless of current performance and contribution to current discharge quality. There are particular sites such as Ngatea where improvements would be so subtle that the costs of improving the total discharge contaminants by a minor amount of 1% would outweigh the benefits of making those improvements. HDC is of the view that in some cases the improvement costs would be better benefited to areas with higher discharge contaminants.

Some consideration also needs to be given to the affordability of compliance. Small communities cannot afford advanced treatment systems. Ponds in these communities do not drop nitrogen, phosphorus etc to National Objectives Framework levels, and yet may be a minimal percentage of contribution FMU contaminant.

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?

The HDC tentatively supports included measures of macroinvertebrates in the proposed National Policy Statement. The HDC believes these measures should be monitored by a single authority, which will help to address consistency and cost efficiency. In addition there needs to be equity amongst users and/or consent holders within the FMU. The HDC is of the view that this can logically be achieved by the monitoring being the responsibility of the regional authority.

The HDC is currently carrying out monitoring in particular catchments for single consents which are then drawn on by other users, including the regional authority, with no cost implications for those parties.

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?

No response.

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

No response.

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?

No response.

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

The HDC agrees with excluding livestock from water bodies, however would like to see the timeframe for 'other' stock types, e.g. beef, deer, dairy support brought forward from proposed timetables to as soon as can be practically applied. The HDC continues to see livestock with free access to waterways, which is contributing to significant nutrification which we consider unacceptable.

HDC supports the stated maximum slope measurements as outlined on table 2 within the consultation document of plains being classified as 0-3° and lowland/rolling hills classified as 4-15°. Additionally, HDC supports the comment within the consultation document that stock will only be nationally required to be excluded from water bodies on flat land and lowlands and rolling hills of less than 15° slope due to the practicality of fencing on steep country and the high costs relative to the environmental benefits.

Economic use of fresh water

Key Proposals

Require more efficient use of fresh water and good management practice.

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

The HDC supports standards being developed for good management practices for diffuse nitrogen discharges. In developing the standards the HDC supports collaboration between the rural sector, regional and local government to ensure a wide view. The HDC agrees that this will avoid the duplication of councils each developing their own standards. The HDC is of the view that the standards should be applied within a reasonable timeframe from limit-setting.

Do you support easier transfer of consents to more efficient, higher value ones? Do you think the changes outlined in Proposal 2.4 would better enable transfers? What other changes would better enable transfers?

No response.

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)?

The HDC supports specific recognition of the need to secure water use by population, rather than first in first served basis, and provision for growth. This is especially important considering the expansion of Auckland to provinces; for example, the use of the Waikato River for Auckland supply is increasing, while the population of the Waikato is increasing due to population spread from Auckland.

Prioritisation should be given to domestic and municipal use to support the population, and a specific allocation needs to be made for economic use.

The HDC supports guidance material to be provided by the government rather than set rules, as guidance can be applied more equitably over the country, taking into account the needs of different communities.

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.

No response.

Iwi rights and interests in fresh water

Key Proposals

Strengthen Te Mana o te Wai as the underpinning platform for community discussions on fresh water.

Improve iwi/hapū participation in freshwater governance and management.

Better integrate water conservation orders (WCOs) with regional water planning and allow for increased iwi participation and decision-making on WCOs.

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

Council supports further clarity of the concept of Te mana o te Wai in the National Policy Statement for Freshwater Management (NPF-FM) and also supports Iwi participation in governance and decision-making on freshwater matters.

The current Treaty negotiation process between the Crown and the Hauraki Collective (of Iwi) envisages the establishment of a Statutory Authority that will be responsible to develop a Plan/s for the waterways within catchments within the Rohe of the various Hauraki Iwi and the constituent Councils. The Statutory Authority will have equal representation from Iwi and

Councils. The Plan will be incorporated into the Regional Policy Statements and then into the Regional and District Plans. There will also be provision for the appointment of Iwi Commissioners.

It would seem likely that sub-committees will be formed under the Statutory Authority to focus on the separate catchments within the Hauraki Rohe as part of the Plan/s development process. It is also expected that these Plan/s will address issues of importance to Iwi including Te Mana o te Wai.

HDC supports the formation of the proposed Statutory Authority and expects that it will have a focus on key freshwater matters including the concept of Te Mana o te Wai and that the Plan/s developed will recognise and provide for the recognition of Iwi and hapu values.

The Council views the proposed formation of the Statutory Authority as a key step addressing Te mana o te Wai within its District and across the wider Hauraki rohe.

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

The Council is of the view that current developments with Treaty Settlements, Regional Policy Statements, Regional and District Plans and Memoranda of Understanding with Iwi are already leading to better identification and recording of iwi/hapū relationships with freshwater bodies.

With the establishment of the Statutory Authority as detailed above, the Council expects that there will be focus on the identification of Iwi relationships with freshwater and the further addressing of Iwi participation in governance and decision-making on freshwater matters.

The Council has five Iwi with Mana Whenua status within the District and, at times, there are differing views held by Iwi on matters such as freshwater management etc and it is entirely possible that the Statutory Authority will not achieve unanimous views of all constituent Iwi or Councils on freshwater matters.

The Council has a Committee on Water and Waste on which the various Iwi in the District have a right to membership. This has assisted the Council and Iwi to develop policy frameworks and implementation strategies in relation to water and wastewater within each Iwi's rohe. It has also ensured Iwi are involved at the early stages of policy and consenting matters. The continuation of this Committee will allow the differing views of Iwi to be taken into account within their individual rohe.

Council believes that these models will result in better identification and recording of iwi/hapū relationships with freshwater bodies and that no legislative change is required at this time.

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

It can be difficult for the HDC to make contact with iwi/hapū regarding freshwater bodies particularly as the Iwi within the District have overlapping boundaries and Iwi bodies have differing priorities and structures. At present, with the Treaty Settlement process underway but not yet at the stage of a draft Deed of Settlement, the Council is often having to deal with more than one governance body for each Iwi. A number of the Iwi bodies find that they do not have the resources to engage in consultation or have other immediate priorities. As a result Council can find engagement with individual Iwi difficult at times.

This matter will probably be addressed over time however, the development of resource material on freshwater matters including the NPS-FM by MfE or other relevant national body that could be referenced by Iwi and Councils would be helpful and provide a relevant background to engagement.

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?

The formation of the Hauraki Statutory Authority (which includes Hauraki, Thames Coromandel, Matamata Piako and South Waikato District Council's and the Waikato Regional Council) will enable the development appropriate bodies and processes to address natural resource planning.

The Council believes that a base model could be developed from the various Treaty Settlements (completed or underway) that could be applied within each Region and catchment that will ensure that Councils and Iwi are actively involved in working together on natural resource management.

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?

No response.

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?

The Council believes this a public health issue rather than an NPS-FM issue.

Where a public water supply is available to marae/papakāinga they are connected and the Council has in some cases extended public water supplies to allow this to happen.

Freshwater funding

Key Proposal

Set up the 'Next Steps for Freshwater Improvement Fund'.

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

No response.