A SUBMISSION FROM THE GORE DISTRICT COUNCIL

IN THE MATTER OF: ESSENTIAL FRESHWATER: ACTION FOR HEALTHY WATERWAYS

1.0 Introduction

1.1 The Gore District Council is supportive of the objective of improving freshwater quality in New Zealand. There can be no legitimate argument put forward to allow freshwater resources to degrade or deteriorate.

1.2 However the Gore District Council is strongly opposed to the divisive and punitive pathway to achieve this objective as set out in the Government’s “Essential Freshwater: Action for Healthy Waterways” discussion document. In the Council’s view the discussion document is unduly optimistic, blunt and brutal in its regulatory zeal and seriously out of balance with overall community wellbeing.

1.3 It seems that rural communities and the pastoral farming sector are being targeted for special treatment with little regard for the sacrifices that will have to be made by this sector for the benefit of the entire country. In the Council’s view if this objective of improving the health of the nation’s waterways is being accorded a higher priority – and that is not disputed – then the sacrifice and burden of meeting these lofty objectives must be borne equally.

1.4 This submission will highlight key components of the reform package which the Council believes are myopic or ill-advised, together with some provisions which we support. The Council is taking a high level view of the reform package and therefore focused on the principles which underpin and influence the design of the final law reform offering.

1.5 Detailed comments on the impact on the farming sector have not been included as no doubt there will be arguments advanced from interest groups representing that sector. That stated, the relative silence on the details of the National Environmental Standard for improving farm practices should not be taken as tacit acceptance.

1.6 With those introductory remarks to set the scene of the Council’s thinking, we outline some key points of concern about the reform package together with elements that are supported.

2.0 Pace of change

2.1 The Council strongly objects to the pace of the proposed reform package. From the congested timeframe for consultation during a busy time within the farming calendar, through to the ambitious goal of having freshwater regional plans and farm environmental plans all in place by 2025, the package appears to be conceived by a “rush of blood”.


2.2 Indeed, it seems the Government has not reflected on its KiwiBuild experience where ambitious targets were bandied about only to be exposed as completely unrealistic by informed industry sources. In this regard the Council is aware that regional councils in particular throughout New Zealand have warned the reforms as presented are unlikely to achieve the objectives identified and the timelines for completion of plans are unduly optimistic.

2.3 Further, the turbocharged nature of these reforms seem to have haunting parallels with the economic reforms of the Government in the latter half of the 1980s which caused widespread social upheaval within rural New Zealand.

2.4 The Government’s freshwater reform package appears to be predicated on the basis of the wish to administer stiff medicine and brook no argument, as opposed to working with key stakeholders to find an enduring solution.

2.5 The Council urges the Government to think carefully about the impact of these reforms and listen to the sage scientific and economic advice on offer that will no doubt flow through this consultation process. Put another way, we agree with the proposed destination it is just the route to get us there which is opposed due to the economic and social price to be paid.

3.0 Balancing wellbeing

3.1 The reform package has a pure environmental focus without any regard for social or economic costs that will be incurred. It is somewhat ironic that the Government has communicated effusively on the production of a wellbeing budget, yet has barely paid lip service to economic and social impacts when producing the freshwater law reform package.

3.2 There is a genuine and deep-seated concern within rural and provincial New Zealand about the impact these reforms will have on farming businesses and communities that serve those interests.

3.3 It has taken decades for rural and provincial New Zealand to recover from the trauma of the 1980s. With the reforms placing a high degree of uncertainty together with cost on farming businesses which in turn will flow into the viability of urban based businesses that service that sector, the reform package as proposed has the potential to cause considerable damage.

3.4 This damage is not just economic but will in all likelihood increase mental anxiety and disrupt social cohesion within communities. It is submitted that the Government needs to consider the aspirations and concerns of people in this issue rather than a singular focus on upgrading freshwater as fast as possible without pausing to reflect on damage sustained to other aspects of community life.

3.5 The impact on the rural community is not limited to farmers. Ratepayers will absorb considerable costs at both regional district council levels under the proposed reform
Regional councils will be required to increase monitoring and rewrite plans already in place to mitigate the effects of land use on water quality.

District councils will face significant upgrades in three waters infrastructure, as profiled in paragraph 4.2 below. The regional and district council cost increases create a double whammy for ratepayers.

### Funding and incentives

4.1 The reform package is heavy on obligation and expectation yet bereft of hope in regard to financial assistance and incentives. The fleeting thought at best about cost can be seen in the comment made on page 9 in the overview of the discussion document. Here the document merely acknowledges “while there will be costs in implementing this package, there are also costs from not acting”.

4.2 For a Council like the Gore District, these costs are gargantuan. For example, if the Council is forced to discharge its wastewater to a land based facility, the estimated cost for the Gore township alone is around $60 million.

4.3 The Council also has a stormwater separation programme in train which will see capital expenditure of $22.5 million being invested in this area over the next ten years. For the Gore township alone all of these costs have to be spread over only 4,200 rating units.

4.4 It is the Council’s view therefore that central government, in leading a national solution to improving freshwater quality, needs to provide financial assistance to ease the burden on communities that can ill afford such steep increases in expenditure. It is somewhat ironic that the Government is being extremely economical and opaque in its financial role in bringing about the national solution to freshwater quality improvement, yet recently announced a surplus of $7.5 billion.

4.5 Historically, until the 1980s, central government was a funding partner in the provision of three waters infrastructure. With the dramatic improvements in freshwater quality set out in the reform package and the consequential impact on infrastructure upgrades that will be necessary, funding assistance from central government is essential if it is to realise its ambitious objectives.

4.6 On a wider note, the Council believes that funding incentives for research and development should be available so that improvements sought can be influenced by innovation and scientific advances. Consistent with our theme of taking people on the journey rather than assaulting their senses with strident regulation, the Government in our view needs to incentivise and reward investment in research and development to bring about the step changes sought.

4.7 To put the matter in more simple terms, there needs to be more carrot, less stick. It is understood that governments in a number of European countries have subsidised farmers to ease the transition to downsizing farm intensity or changed land use.
5.0 **Te Mana o te Wai**

5.1 The Council appreciates and values the concept of Te Mana o te Wai provided in the reform proposal.

5.2 However the Council does question the notion put forward in the proposal that the health and wellbeing of the water should be first in decision making over that of essential human needs such as drinking water. The Council believes it is unnecessary and divisive to give Te Mana o te Wai supremacy over essential human needs.

5.3 The Council’s view is that Te Mana o te Wai and the need for healthy drinking water are not in competition and should not be ranked. A symbiotic relationship exists between the two attributes and the discussion document should be amended to reflect this reality.

5.4 Practical problems also emerge when Te Mana o te Wai is afforded supremacy over other factors. By way of illustration, the preference of Maori for disposal of wastewater to land may not be feasible in Southland in winter months due to soil saturation. Some practical application of scientific and engineering principles is needed.

6.0 **National straightjacket approach**

6.1 The Government is proposing general prescription on a one size fits all basis for the country when the factors is that influence water quality are very catchment-specific. The regional council sector’s science advisors are of the opinion that DIN and DRP attributes specified in the reform package many not be effective in improving ecosystem health in many – mostly soft bottom – rivers.

6.2 There are multiple factors that can influence ecosystem health (eg flow, temperature, sediment, nutriments, and habitat) through direct and indirect pathways. Achieving improved outcomes will usually require a variety of action as appropriate to the local context. We therefore consider that the proposal for nationally prescribed DIN and DRP limits is inconsistent with the principles of evidence based policy and does not enable tailored solutions applicable to local conditions.

6.3 In addition, the prescriptive nature of the reform proposals pay little heed to the efforts being made by regions in developing their own water and land plans. In this regard the Southland region land and water plan is currently wending its way through an Environment Court appeal process. A huge amount of investment has been made to develop the plan within a local context. It seems counterproductive and insensitive for these regional endeavours to be cast aside in favour of a national uniform approach.

7.0 **The value of farming**

7.1 With its pure environmental approach the discussion document fails to acknowledge the value of farming to both the nation’s economy and provision of food. Indeed, the
document is punctuated with restrictions and obligations with an absence of an acknowledgement of progress made by the rural community to improve water quality in the environment in recent years.

7.2 Farmers have been proactive and receptive to implementing better environmental practices. Catchment groups comprising urban, rural and recreational interests have sprung up over the Southland region. These groups have been successful and should be fostered and replicated elsewhere.

7.3 Once again, consistent with our call for a more unified approach, it would be far better for the Government to partner the farming community in achieving better environmental outcomes rather than “clubbing” the sector into submission via regulatory dictate.

8.0 Components of the package that we support

8.1 The Council supports the concept of excluding cattle, deer and pigs from waterways. Fencing of waterways to exclude stock along with riparian planting can have multiple environmental benefits. The only caveat the Council would place on the proposal is that farmers who have gone to the trouble of fencing off their land from waterways but are inside the five metre setback distance proposed in the reform package, should not be forced to relocate the fence. In our view such a requirement is inherently unfair and unnecessary.

8.2 The Council is supportive of the proposals to control land use adjacent to where drinking water is sourced. The Gore District Council in 2015 designated land surrounding the area in which it draws water to exclude stock within an inner zone and have grazing controls within an outer zone. This action was taken prior to the unfortunate Havelock North experience, but more significantly, was not without its controversy.

8.3 Sensitive environmental management in the area in which water is being drawn for drinking purposes, in our view is essential and any legal status that can empower councils to undertake these initiatives without protracted battles through the Environment Court, would and should be welcomed.

9.0 Request to be heard

9.1 The Council would appreciate the opportunity to present in person and expand on some of the matters in this submission.

10.0 Contact for further details