



Proposed amendments to the National Policy Statement for Freshwater Management 2011

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- Yes
 No

General

The Envirohub BOP formally known as the Tauranga Environment Centre is a Charitable Trust founded in 2001 with the core purpose of providing and promoting environmental education, advocacy and action that supports a sustainable future for the Bay of Plenty Region.

Why do we need to amend the NPS-FM?

1. Have we correctly identified the problems currently associated with implementing the NPS-FM?

- Yes
- No

2. If not, what problems, if any, you have faced with implementation?

Options for providing further national direction

3. Do you agree that amending the NPS-FM would solve the problems identified in section 2?

- Yes
- No

Comment

Envirohub BOP support the need to amend the NPS-FM to address issues raised.

4. If not, would additional guidance be sufficient to solve the problems identified?

- Yes
- No

Comment

We consider amendments to the NPS-FM in conjunction with guidance would be beneficial to the general public.

5. Is there another solution to the problems? Why would that be preferable?

- Yes
- No

Comment

As above

Proposed amendments to the NPS-FM: accounting

6. Do you agree with requiring councils to account for all water takes?

- Yes
- No

Comment

It's important when managing a water resource that there is a clear understanding of that resource of resources values, volumes and quality. We are supportive of this.

7. Do you agree with requiring councils to account for all sources of contaminants?

- Yes
 No

Comment

8. Do you think that the requirements in policies CC1 and CC2 of the proposed NPS-FM amendments have the right balance between national prescription and regional flexibility?

- Yes
 No

Comment

We support the minimum annual accounting systems for freshwater quantity, however we consider a 5 year period for testing freshwater quality to be too short particularly for polluted freshwater bodies. A proposed alternative could be a graded system depending on the health of the freshwater body, so for a water body of poor health should be measured more frequently e.g. annually. The maximum period should be 5 years.

9. Do you think the time period allowed for councils to develop accounting systems is appropriate?

- Yes
 No

Comment

We understand the two year period before which accounting requirements take effect and that even then individual councils will only be required to establish and operate accounting systems when they begin setting or reviewing freshwater objectives and limits. We recommend that a five year maximum limit is put on councils to establish and operate accounting system.

Proposed amendments to the NPS-FM: NOF values

10. Should there be a national set of values as outlined in appendix 1 of the proposed NPS FM?

- Yes
 No

Comment

Envirohub BOP are strongly supporting of setting national values.

11. Are there any additional values that should be included? Why are these values nationally significant/important (recognizing that councils can use other values if they wish)?

- Yes
 No

Comment

Introduce Macro invertebrates (small water-borne creatures).

12. Are there any values that should be deleted from appendix 1 of the proposed NPS-FM and why?

- Yes
 No

Comment

13. Do you agree with the descriptions of the national values in appendix 1 of the proposed NPS FM?

- Yes
 No

Comment

Proposed amendments to the NPS-FM: NOF attributes

14. Do you agree with the attributes associated with the values in appendix 2 of the proposed NPS FM?

- Yes
 No

Comment

Instead of setting bottom lines we consider it beneficial to set a National aspirational/target level. The aspirational level should be the target Councils are trying to achieve instead of focusing on reaching the minimum level. We recommend that this is set at the middle to high range. Further there should be penalties for poor performance and lack of improvement. The regulations won't allow D rating on any attribute to persist.

15. Do you agree with the numeric attribute states in appendix 2 of the proposed NPS FM?

- Yes
 No

Comment

NA this is not our area of expertise.

16. Do you agree with the narrative attribute states in appendix 2 of the proposed NPS FM?

- Yes
- No

Comment

Proposed amendments to the NPS-FM: Timing of putting NOF in place

17. Do you agree with putting a NOF in the NPS-FM now, including only the attributes for which there is adequate evidence, and updating it as the scientific basis for further attributes and states become available?

- Yes
- No

Comment

The sooner the better.

18. Or should the Government delay putting the NOF into place until a more comprehensive set of attributes has been developed?

- Yes
- No

Proposed amendments to the NPS-FM: Processes for freshwater objective setting

19. Do you agree with having the process requirements to link values and freshwater objectives directed in policy CA1 in the proposed amendments? If not, why not?

- Yes
- No

However, we see amendment to Policy CA1.d the assigned attribute state should be set at the target state not the minimum acceptable state. As discussed previously Councils should be aspiring to improving freshwater management units not just to reach the minimum. We seek you amend this policy accordingly.

20. Do you think the process outlined will work? If not, why not?

- Yes
- No

Comment

Objectives will become quite standardized across the country being based on compulsory values.

21. Do you agree with the proposed matters in policy CA1(e) that must be considered when establishing freshwater objectives? If not, why not?

- Yes
- No

Comment

CA1 is not clear and could lead to different interpretations, for example the policy does not state that these are the matters that must be considered in formulating freshwater objectives. We seek Policy CA1 to be reworded to this effect.

'Policy CA1

Every regional council must consider the following when establishing freshwater objectives for all freshwater management units:

a. Considering...'

Similarly it is not clear what Policy CA1(e) is trying to state. It is that Councils should use the numbers in Appendix 2 and if it's not listed in Appendix 2 describe the attribute using numbers if possible while also noting that if two attributes apply the most stringent level should be adopted. We seek that this language is made clearer.

Policy CA1(e) In formulating freshwater objectives use:

- i. The most applicable numeric attribute state specified in Appendix 2 and state it in the objective; or*
- ii. Where there is no applicable attribute listed in Appendix 2 describe it in numeric terms if possible or narratively; and*
- iii. Where more than one attribute applies the most stringent shall be adopted.*

We also note that attributes should not just be measured numerically but descriptively as well.

22. Is it clear that setting freshwater objectives is an iterative process which involves consideration of the impacts of the limits, management methods, and timeframes required to meet a potential freshwater objective?

- Yes
- No

Comment

We strongly support the collaborative process to establish freshwater objectives and Envirohub BOP want to be involved in the establishment of regional objectives.

We want to ensure community views have 'weight' in council's decision making process and are not just consideration.

23. Do you agree that regions should have discretion to determine timeframes for meeting freshwater objectives?

- Yes

No

Comment

However there should be a maximum or default period, we suggest 10 years.

24. Are there any aspects of the process that are not clear?

Yes

No

Proposed amendments to the NPS-FM: Compulsory values

25. Do you agree that ecosystem health should be a compulsory value?

Yes

No

Comment

As mentioned above the area covered should be extended to Regional Council Coastal Boundaries.

26. Do you agree that human health for secondary contact recreation (such as boating and wading) should be a compulsory value?

Yes

No

27. Do you think there should be more compulsory values? If so, what should they be, and why? What attributes should be associated with them?

Yes

No

Proposed amendments to the NPS-FM: National bottom line

28. Should there be numeric bottom lines for attributes of the compulsory values?

Yes

No

Comment

Refer to previous comments, instead of (or as well as) a numeric bottom line there should be target level set in the middle to high range where Council's should aspire to achieve instead of focusing on making the minimum.

29. Do you agree with the proposed level at which bottom lines would be set for each attribute of ecosystem health? If not, at what level should they be set?

- Yes
- No

No comment not our area of expertise.

30. Do you agree with the proposed level at which bottom lines would be set for each attribute of human health for secondary contact recreation? If not, at what level should they be set?

- Yes
- No

Comment

No comment not our area of expertise.

31. Do you agree that transitional arrangements should be provided to allow councils and communities to set objectives below a national bottom line for a short time?

- Yes
- No

Comment

If objectives are set below the national bottom line then they need to be prioritized and improved as soon as possible. It may just take a while to achieve but the bar should certainly not be lowered.

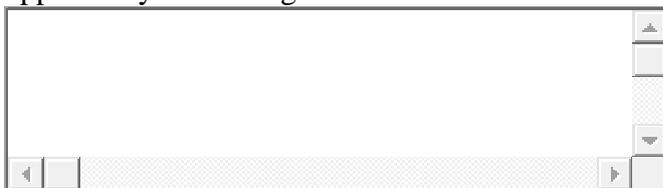
Proposed amendments to the NPS-FM: Exceptions to bottom lines

32. Do you agree that there could be exceptions where the natural state of the freshwater management unit breaches bottom lines? Where in your region do you think this type of exception might apply?

- Yes
- No

Comment

Given the process to develop each exception will involve public consultation there is another opportunity to investigate this further.



33. Do you agree that there could be exceptions where historical activities have created impacts on water quality and the reversal of those impacts is not reasonably practicable, either physically or ecologically, even in the long term?

Where in your region do you think this type of exception might apply?

- Yes
- No

Comment

While there may be exceptions we still believe that some action needs to occur to improve the water body in the long term.

34. Do you agree that there could be exceptions for significant existing infrastructure (e.g., dams), where a choice is made to manage a freshwater management unit below bottom lines? Where in your region do you think this type of exception might apply?

- Yes
- No

Comment

However, as stated above if a freshwater management unit is currently below bottom lines then work needs to be undertaken to improving no matter what the circumstance. We understand the need to priorities resources and that may be the reason for the freshwater management unit being below the bottom line but is not sufficient to continue to leave it like that in the long term. Surely the aim should be to leave the environment in a better state for the next generations.

35. Do you agree that freshwater management units eligible under the first two exceptions above should be decided by regional councils?

- Yes
- No

36. Do you agree that freshwater management units eligible for an exception due to the effects of significant existing infrastructure should be decided at a national level and included in appendix 3 of the NPS-FM?

- Yes
- No

37. What should the criteria be for allowing exceptions based on significant existing infrastructure?

- Yes
- No

Comment

If there are going to be exceptions for significant infrastructure there they should have criteria to which the public should be allowed to comment.

Proposed amendments to the NPS-FM: Tāngata whenua values

38. Do you think the proposed NPS-FM adequately provides for Te Mana o te Wai?

- Yes
 No

39. Do you agree with the way tāngata whenua values are described in proposed appendix 1 of the NPS-FM?

- Yes
 No

40. Do you support adding Te Mana o te Wai to objective A1 of the amended NPS FM as a matter that must be safeguarded? What would be the implications of adding this to objective A1 in the NPS-FM?

- Yes
 No

Proposed amendments to the NPS-FM: Monitoring

41. Do you agree with the new section in the NPS-FM requiring monitoring plans? If not, why not?

- Yes
 No

Comment

Monitoring is an essential part of the accounting process in order to establish progress and improvements required.

Other comments

42. Is there anything else you would like to tell us about the issues and proposals in this document?

We support the use of 'freshwater management units' as this enables a water body to be examined holistically, recognizing that the freshwater management unit is not likely to stop at jurisdictional boundaries and that greater collaboration and coordination amongst regional councils will be required to manage the entire water body.

Further estuaries for an important part of freshwater areas, particularly for food gathering and food production the flows in and out of these areas extend into coastal areas which we understand may not be typically covered by the NP-FM (given the RMA definition) however it is important to look at the system holistically. Similarly the impact of freshwater discharge points into salt water need to be considered. We recommend that the scope of the NP-FM be extended out to the ocean to match Regional Council coastal boundaries.

