

Proposed amendments to the National Policy Statement for Freshwater Management 2011



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Personal details

If you are making this submission as a representative for an organisation, the name of that organisation will be used in any reports on the submissions, but your name will be withheld. If you are making this submission as an individual, your name will be used in any reports on the submissions unless you request otherwise.

First name [withheld]

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Email

Organisation Environment River Patrol - Aotearoa (ERP-A)

Telephone [withheld]

Address [withheld]

I give permission to publish my details Yes

Why do we need to amend the NPS-FM?

1. Have we correctly identified the problems currently associated with implementing the NPS-FM? No

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

- Fencing - Our agricultural problems - ie dairy, beef and lamb hardly gets a mention (page 26) The NOOF skirts around this major problem. This document should include a lot more along guide lines - including NZ Dairy Sustainable Dairying Water Accord 2013 (SDWA) This accord is still essentially a "voluntary accord", when it should be compulsory. It has no "independent assessor/audit of iwi/hapu input for inspection of compliance on farms. It is a self assessed regime that has little accountability to others, other than itself. Environment River Patrol-Aotearoa has ample evidence of non- compliance to fencing obligations on waterways riparian here in the North, and the Northland Regional Council has not responded to ERP-A evidenced reports of "severe detrimental effects" of unfenced dairy cattle, or beef cattle owned by dairy farmers. Beef are not part of the 2013 accord - This is a major problem here in the North where beef are increasing on our river and stream banks and the Northland Regional Council will not take any action as per their duty to kaitiaki the environment. * So fenced beef and dairy are still a major issue here in the North - and this "bull in the china shop" should be addressed in the NOF.
- Watertake consents - In the lead up the Freshwater Reform 2013 and beyond, and in particular since, here in the North there has been a marked increase in securing water-take consents that were in the 5/10 year terms to be now approved at 35 year takes. We have seen (as example) the third application for water from Poroti Springs get renewed for the third time in 12 years and yet the bottling company has yet to take a drop but now has the consent for 35 years and with an increase of more than 100% in their allocation. Despite RMA law allowing NRC to change consents during their period, it is most unlikely that they will pressure to surrender or reduce takes as litigation would put a lid on that avenue. *So the 2030 period is way too far out and applicants for water are taking advantage of this opportunity. *Iwi and hapu concerns are ignored.
- Hapu resources – Our hapu Environmental Resource Management Unit has never received any financial assistance to peruse, assess and comment on consent applications to do with water in our rohe. This has been a major drain on our finances and human resources. Consequently many issues cannot be addressed and others do not get the service that we would prefer to give. We have high value springs in our rohe but do not get one cent of income yet we are in continual struggle to fund and resource submissions to defend our kaitiaki stance for our puna/awa. * There is no consideration in the NOF for reasonable remuneration for hapu to participate in the consent application process in regards water related consents.

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Options for providing further national direction

3. Do you agree that amending the NPS-FM would solve the problems identified in section 2? No

Comment

No, and certainly not in my lifetime - 2030 is way too far out, particularly when most of the reform can be achieved in steps - and a much shorter time frame.

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

Comment

Rather than all the Regional Councils preparing a lot of their own processes and documentation, would it not be better for them to work together to get more uniform documentation, standards etc. I fully acknowledge that there are ample site specific discrepancies, but these could also be included in a more standard platform. One needs only look on the the various council web sites to see the difference in interpretation of RMA and bylaws provided to see that there is little cohesion towards National Standards. Some are easily to interpret by a layperson where as others are hard to comprehend and decipher the information. There is a complete lack of unison on presentation of graphs for water quality, usage etc. - this makes an obvious hard task for Government to disseminate information and the public are at much greater disadvantage to compare and gain knowledge of water quality usage etc.

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

Comment

Our country has now have arrived at a time of pending crisis and if we keep having "more hui and no doey" we will get there quicker than we want to be. Get the whiteboard out and rework what can be done now and stage the priorities into a much shorter time frame.

Proposed amendments to the NPS-FM: accounting

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

Comment

Our hapu Environmental Resource Management Unit has just put in some 8hrs input to reply to a watertake application here in Whangaraei. The NRC had not considered that there was no meter on previous (same)consents and it was only when we noticed that this will now be a requirement. The applicant gives water to neighbors but this also is not metered. * yes, all water takes should be metered - at BP, a bottle of water cost double what a litre of diesel costs and they meter theirs.

* What about water that is exported - where is our priority around that ?

* What about the foreign ownership of our water - is there any consideration to ensure our sole supply ?

* Water has already exceed the value of oil on many world markets - we need to manage our resources much better than we are currently doing.

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

Comment

Currently our Northland Regional Council will not respond to GPS photo evidence and assessment reports of cattle contaminating our waterways here in the North - sent by Environment River Patrol -Aotearoa. So this is form of direct contaminat of our waterways and this needs to be accounted for as a "detrimental effect". * So yes

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accounting for contamination is a must.

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? No

Comment

Give Regional Councils much more clear direction - as declared in the NOF, they are struggling to interpret the FM reform. If left to their own devices, there will most likely be a "mish mash" of different local laws and policy - that is not in sync with other regions and their interpretations will vary.

9. Do you think the time period allowed for councils to develop accounting systems is appropriate? No

Comment

* Cut the chase - the world is focusing on us and we are not up to speed with environmental reform -

1 - Instruct them to develop a culture to adopt the spirit and intent of this reform - as of now.

2 - Must have all documentation, by laws, site/region specific issues in place within five years time.

3 - In ten years time - full implementation must be completed

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

Comment Yes

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

Comment

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

Comment

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

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?

Comment

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

Comment

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

Comment

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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?

Comment

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

Comment

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?

Comment

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

Comment

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

Comment

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?

Comment

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

Comment Shorten up the time frame for all regions - set their time frame.

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

Comment Its not easy to comprehend over all on the NOF - complicated to decipher.

Proposed amendments to the NPS-FM: Compulsory values

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

Comment

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

Comment

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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

Comment

Proposed amendments to the NPS-FM: National bottom line

28. Should there be numeric bottom lines for attributes of the compulsory values? No

Comment Same level for all waterways - swimmable

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?

Comment Same level for all waterways - swimmable

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?

Comment Same level for all waterways - swimmable

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

Comment Same level for all waterways - swimmable

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? No

Comment Same level for all waterways - swimmable

Where in your region do you think this type of exception might apply? No

Comment Same level for all waterways - swimmable

34. Do you agree that there could be exceptions for significant existing infrastructure (eg, 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? No

Comment Fit fish ladders and set same level for all waterways - swimmable

35. Do you agree that freshwater management units eligible under the first two exceptions above should be decided by regional councils? No

Comment

No - the system is vulnerable to "conflict of interest" and voting influence for board members with an agricultural leaning - Regional councils should not be the sole deciders.

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?

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Comment

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

Comment

Proposed amendments to the NPS-FM: T?ngata whenua values

38. Do you think the proposed NPS-FM adequately provides for Te Mana o te Wai? No

Comment

No - maori generally cannot participate due to lack of remuneration to participate and perform kaitiaki and Te Mana o te Wai

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

Comment

Yes I think it is reflected in the values, but for example how can maori participate in say a multi million dollar irrigation application by a conglomerate of shareholders - when often the hapu has no income other than koha and fundraising. * So how are maori able to participate to maintain and utilize those values.

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

Comment

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

Comment

Yes, but there is a need for "independent assessment" to give balance to water take consents and other water issues.

Other comments

42. Is there anything else you would like to tell us about the issues and proposals in this document?
There are many issues but time and finances does not allow our/my hapu to fully participate as we would prefer. I will say that reform to clean up our water ways is way too slow and we need to speed up the process. The Government need to take heed of the Parliamentary Commissioners Jan Wright Report 2012 - this is a valuable study and although it has had some detractors, there is sound research to back up the conclusions.
Thank you for allowing participation in this process.