

Submission on Freshwater National Policy Statement 2017

From Public Issues Network, Methodist Church

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Introduction

Public Issues of the Methodist Church has a strong interest in governance and standards dimensions of Freshwater in New Zealand. Members throughout New Zealand have identified water as a priority issue, and expressed dismay at the condition of waterways, streams, wetlands and estuaries. These are matters of concern in communities throughout the country, as clearly expressed in Methodist church initiated and supported 'Seven Rivers Seven Walks' in Canterbury

The overall priority of Public Issues representing the views of members, is that Waterways are understood to be a Public Good for the benefit of all New Zealanders, and that the overarching goal for Freshwater law and policy should be to ensure the health of waterways and their associated ecosystems. Policy settings need an integrated approach so that economic interests and policy are aligned with this goal of supporting, restoring and enhancing the health of water ecosystems. This entails land management that is consistent with and integrated with these goals for waterways.

Public Issues is cognizant of the overall economic goal of doubling agricultural exports by 2020 and the policy settings and incentives which support this economic direction. For example the irrigation acceleration fund provides an incentive to invest in irrigation infrastructure with a corresponding pressure on water abstraction. This provision can be seen as contradictory to the Freshwater Improvement Fund, which offers support for environmental restoration initiatives. There needs to be coherence and integration across government policies for environment and agriculture.

There are several layers of governance and advice relevant to Freshwater. Legislative provision and responsibility can be identified in multiple areas: through the RMA, the National Freshwater Policy Statement, the National Objectives Framework, the Land and Water Forum, and the Regional Councils. There has been failure to implement the advice of the Land and Water Forum as a whole, and research shows that declining water quality is due to failure of implementation at the Regional Council level (Environmental Defense Society 2016). Land use intensification, largely in favour of dairying, is also attributable in some respects to Regional Councils, so that the balance can be tipped away from the health

of waterways in favour of intensified dairy and land use which is detrimental to water health.

This underscores a view that the RMA is generally good legislation that may only need strengthening in some areas, and that needs stronger implementation.

The National Policy Statement

Nitrogen toxicity is an inadequate standard since this does not adequately address affects of nitrogen on macro-invertebrate communities , algal growth and detrimental effects on fish. Government must set limits on Nitrogen and Phosphorous concentrations at a level that ensures the life-supporting capacity of the waterway, and supports ecosystem health.

The Resource Management Act should be amended so that consents to take, use and discharge contaminants to water , or discharges on land that will filter into waterways, will be restricted to the level that will be consistent with standards for ecosystem health

Over allocation for the taking of water was identified as a major issue to be addressed at the beginning of the Land and Water Forum. The problems associated with over-allocation and the First in First served system has not yet been resolved. There needs to be a complete review of the water allocation system, including an account of Māori access to water resources

This review needs to have regard for equity and the historic and ongoing exclusion of Māori from the benefits of water allocation provisions. This submission does not attempt to review the situation of the alienation of Māori from their water resources and the traditional relationships with waterways. This was clearly identified as occurring throughout the country in the evidence presented to the Waitangi Tribunal Freshwater Claim. The National Policy on Freshwater needs to address restitution for Māori interests in freshwater, along with the public good interests and ecosystem health priority. We commend the paper on a proposal for Freshwater governance by Judge Sir Taihakurei Durie.

Te Mana o Te Wai

Include the follow purpose Statement of Te Mana o Te Wai within the Purpose Statement of the NPS:

For the purposes of the NPS-FM, Te Mana o te Wai represents the innate relationship between te hauora o te wai (the health and mauri of water) and te hauora o te taiao (the health and mauri of the environment), and their ability to support each other, while sustaining te hauora o te tāngata (the health and mauri of the people).

We support the inherent values of integrated and holistic health of waterways outlined in Te Mana o te Wai. Concepts of Mauri (life force and vitality) and health (hauora o te wai) are articulated by Māori, and they also represent values for the health of water and people for all of New Zealand.

Provision needs to be made for greater attention to the relationship of Iwi and Hapū with their waterways, (as provided for in the NPS) and for this to be fully provided for in policy (see Waitangi Tribunal Freshwater Claim and forthcoming Waitangi Tribunal Report)

Water allocation

NPS 2014 2.4 conduct research on systems of water allocation to address land banking and the perverse incentives to acquire consents for more water than the company has capacity or interest in using – thus embedding the system of water banking. Do research on transfers between users so that allocated water can move to higher valued uses. Areas to consider include:

- New conditions on consents with requirements for the ecological health of water
- An account of over-allocation and how to address unused water to address over-allocation
- How transfers between users should be managed
- Developing a system of payment for pollution
- Managing within limits needs to refer to the standard of ecosystem health

Swimmable Standard

Although ‘swimmable’ is a better aspiration than ‘wadeable’ it is still not as high a standard as drinkable. The definition of swimmable needs to be set with attribute states for pathogens such as e-coli that makes water safe for people and fish and aquatic life.

Maintain or Improve Water Quality

The requirement to ‘maintain or Improve overall water quality within a region is not an acceptable standard as it allows for high wuality water in one part to be offset by low quality in another. Objective A2 should be changed to remove ‘overall’ and to require councils to keep all waters within a freshwater management unit to be within a band of an improved standard. Movement from one tropic state to a degraded state should not be allowed, as is currently the case across the band levels.

Ensuring Life supporting capacity of the waterways should be the standard for all waterways. Where this is currently not the standard, a plan for transition to achieve this state should be required. Waterways should be managed for their habitat, water quality and quantity of flow as a means to set standards for the health of water ecosystems.

Measures for Ecosystem Health Macroinvertebrate Index

Use of the Macroinvertebrate Community Index (MCI) as a means of monitoring and measuring ecosystem health should be added to the National Policy Statement.

MCI is regarded by scientists as a measure of fresh water ecology and should be included in the NOF and as an attribute.

The Macro-invertebrate Index does not measure habitat health, so we support the inclusion of two further measures in the NPS

Further Measures and Indicators

- Measures and limits on deposited sediment limits. This is major contributor to the pollution of waterways which is not included in the NPS-FM.

- A Habitat Quality Index, to ensure that freshwater management includes dimensions of ecological health and relationship with waterways and their environments that may not fall within measurable and isolated components, such as the character and beauty of natural rivers.

Coastal Lakes and Lagoons

In the interests of a 'mountains to the sea' whole of catchment approach, and in order to include coastal lakes and lagoons within water quality standards, coastal lakes and lagoons should be brought within the parameters of the National Policy Statement.

Implementation by Regional Councils

We support a requirement for regional councils to meet specific water quality targets within realistic timeframes; this means councils must have a plan and begin implementation of waterway protection and improvement across their region by 2020 with specific and genuinely ambitious programme of targets for improvement in the next 5, 10 and 20 years. (Ref. Choose Clean Water submission)

Stock exclusion from water bodies

We wish to make a statement of support of stock exclusion from waterways. We leave scientific data to those with the expertise to comment on detail such as *Forest and Bird*.

Conclusion

Thank you for the opportunity for making this submission.

Methodist Public Issues would be pleased to be involved in further opportunities to engage with Freshwater.



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