

# **Planning and Regulatory Committee**

**Tuesday, 10 February 2009  
Commencing at 9.30 am**

**Item 10: Submission on Proposed  
National Policy Statement on  
Freshwater Management 2008**

**SUPPLEMENT TO A MEETING OF THE PLANNING AND REGULATORY COMMITTEE TO BE HELD IN THE COUNCIL CHAMBER, CIVIC BUILDING, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE, ON TUESDAY, 10 FEBRUARY 2009, COMMENCING AT 9.30 AM**

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**10 WAITAKERE CITY COUNCIL SUBMISSION ON THE PROPOSED NATIONAL POLICY STATEMENT ON FRESHWATER MANAGEMENT  
GLOSSARY**

Planning and Regulatory Committee	(the Committee)
Proposed National Policy Statement on Freshwater Management 2008	(NPS:FWM)
Resource Management Act 1991	(RMA)
Minister for the Environment	(the Minister)
Ministry for the Environment	(MfE)

**EXECUTIVE SUMMARY**

S1-S35

The purpose of this report is to inform the Planning and Regulatory Committee (the Committee) of the submission to the proposed National Policy Statement on Freshwater Management 2009 (NPS:FWM). A copy of the submission is attached at pages S1 to S25 and a copy of the proposed NPS:FWM is attached at pages S26 to S35.

The NPS:FWM sets out policies relating to the management of freshwater resources to achieve the purpose of the Resource Management Act 1991 (RMA). The Ministry for the Environment (MfE) has prepared the document and appointed a Board of Inquiry to oversee and report on the proposed NPS:FWM. The submission closed on 23 January 2009.

**RECOMMENDATIONS**

It is recommended that the Planning and Regulatory Committee resolve to:

1. **Receive** the Waitakere City Council submission on the Proposed National Policy Statement on Freshwater Management 2008 report.
2. **Approve** retrospectively the Waitakere City Council submission to the Minister for the Environment on the Proposed National Policy Statement on Freshwater Management 2008.

**BACKGROUND**

1. The proposed NPS:FWM sets out policies to achieve the purpose of the RMA in relation to management of freshwater resources.
2. The development of the NPS:FWM has been identified by the Minister for the Environment (the Minister) as a key initiative to recognise the management of fresh water as matter of national significance.
3. The Board of Inquiry process will oversee public submissions in accordance with s.47-52 of the RMA and subsequently make recommendations to the Minister. Changes to the NPS:FWM may be made prior to gazetting.
4. There are a number of objectives and policies contained within the proposed NPS:FWM which may have implications for the Council and these are subject to the following comments and submissions.

## DECISION MAKING

5. In summary, the submission supports the proposed NPS:FWM but seeks the following improvements:
  - clear and directive policies and objectives which would limit the variability and uncertainty resulting from various territorial authorities' interpretations.
  - overall there is a focus on new land-use rather than existing. The application of the proposed policies on existing land-uses requires clarification. Damage to water resources are not always from new land-use activities.
  - there should be an equal focus on the urban situation as there is on rural. In cities, the issue is more about demand-management and managing potable water efficiently.
  - some concerns exist overall in terms of timeframes and delays with implementation or giving effect to the policies. Further, the issue of monitoring and providing data to MfE is one which requires some clarification.
  - clear statements on specific issues such as rainwater tanks, sewer overflows, ongoing infiltrations, grey water recycling, low-flow devices and new directions in terms of community-scale treatment plants etc would be helpful and provide useful guidelines for territorial authorities and applicants.
  - issue of cost is important particularly for the Council. Who will pay for certain initiatives requires some thought and clarification. Waitakere has approximately 790 kilometres of stream network to consider, for example. Other territorial authorities have a fraction of this.
6. Due to a combination of the holiday period and timing of the Committee's meeting and agenda reporting requirements, this submission was unable to be approved by the Committee prior to lodgement and therefore seeks retrospective approval. A memo was circulated to all Councillors for their information and review/comment on 25 November 2008. The memo also contained the draft submission along with the proposed NPS:FWM.

## STRATEGIC CONTEXT

7. The sustainable management of Waitakere as outlined in the operative District Plan, and the achievement of the four wellbeings in the manner outlined in the Long Term Council Community Plan has the potential to be affected by the passing of the proposed NPS:FWM as outlined above.
8. The proposed NPS:FWM will impact on all Community Outcomes. In particular there will be an impact on Green Network due to the need to consider impacts on freshwater resources. Further, the Iwi outcomes (Waiora, Whaiora and Te Mahi Tahī) may also be affected. The proposed NPS:FWM will also impact the Sustainable Environment area due to consideration of management of water supply. The Urban and Rural Villages outcome will be affected due to the subdivision and development provisions.

## CONSULTATION

9. Consultation has been undertaken with the Resource Management Section of Regulatory and Community Services Unit (who are responsible for implementing Council policy via the District Plan), the Resource Consents team of City Services Unit (who are responsible for implementing the District Plan) and EcoWater.

10. External consultation has been undertaken with iwi groups (meetings held with Ngati Whatua o Orakei and a copy of the proposed submission has been forwarded to Te Kawerau a Maki).

### RESOURCES

11. No resources are required other than staff time.

### IMPLEMENTATION ISSUES

12. Staff will present submissions to the Board of Inquiry when hearings have been set down.
13. Depending on the outcome of the Board of Inquiry, other implications for Council may include monitoring and changes to the District Plan.

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