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Committee Council
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GWRC submission on “Next steps for freshwater” consultation document

1. Purpose

To seek the Council’s approval of a GWRC submission on the Government’s “Next steps for freshwater” consultation document.

2. Background

The Government is seeking feedback on a number of proposals “to improve the management of freshwater in New Zealand.” This is part of a reform programme begun in 2009 which has included the establishment of the Land and Water Forum, the National Policy Statement for Freshwater Management (NPS-FM), and changes to the Resource Management Act – including through the Resource Legislation Amendment Bill currently before Select Committee.

The Government’s stated long term vision for freshwater is:

- Our lakes, rivers, wetlands and aquifers are suitable for the local and national values and aspirations of all New Zealanders, including tangata whenua
- Freshwater is used efficiently and productively
- Freshwater quality is maintained or improved
- Te Mana o te Wai is respected and provided for with healthy freshwater resources supporting our long-term well-being and prosperity
- Our freshwater bodies are healthy places for aquatic plants and animals
- Our use of freshwater respects iwi/hapu values and honours the Treaty of Waitangi
- Outstanding lakes, rivers and wetlands are protected

- New Zealanders take responsibility for their impact on freshwater and our environments.

2.1 Current proposals

The current round of consultation is on a set of 23 proposals, and related 18 questions (**Attachment 1**). The key proposals are summarised as follows (by the consultation document):

Fresh water and our environment

Amend the NPS-FM to improve direction on:

- exceptions to national bottom lines for catchments with significant infrastructure
- using the Macroinvertebrate Community Index as a mandatory monitoring method
- applying water quality attributes to intermittently closing and opening lakes and lagoons
- what it means to 'maintain or improve overall water quality'.

Exclude stock from water bodies through regulation.

Economic use of fresh water

Require more efficient use of fresh water and good management practice.

Iwi rights and interests in fresh water

Strengthen Te Mana o te Wai as the underpinning platform for community discussions on fresh water.

Improve iwi/hapū participation in freshwater governance and management.

Better integrate water conservation orders (WCOs) with regional water planning and allow for increased iwi participation and decision-making on WCOs.

Freshwater funding

Set up the 'Next Steps for Freshwater Improvement Fund'.

Submissions on the "Next steps for freshwater" consultation document are due with the Ministry for the Environment (MFE) by Friday 22 April.

3. Comment

The proposals in the consultation document are generally considered by officers to be quite acceptable – without more detailed information as to how they might be implemented we generally agree with them being part of the freshwater reform package.

However, behind the consultation document and the seemingly simple questions there is a lot of technical information and existing frameworks to consider. Responses to each question have been drafted by a team of officers from across GWRC (**Attachment 2**). These answers draw on our expertise, and in some cases direct experience from working with MFE officials and in cross-government working groups on the freshwater reforms.

The draft submission contains extensive comments on the proposals regarding iwi rights and interests in freshwater. GWRC has strong experience in this area given our approach to developing the Proposed Natural Resources Plan and the expertise in Te Hunga Whiriwhiri. Our responses are therefore quite detailed, and highlight a number of issues with the proposals.

What is most noteworthy about the proposals in the consultation document is *what is missing*. To address this, an opening statement has been drafted that strongly encourages the government to implement the recommendations from the Land and Water Forum.

3.1 Consideration of draft submission

The Environment Committee considered a draft submission at its workshop on 30 March. Te Upoko Taiao – Natural Resource Management Committee members have also been invited to comment on the draft submission.

4. Communication

The approved submission will be sent to the MFE.

5. The decision-making process and significance

Officers recognise that the matters referenced in this report have a high degree of importance to affected or interested parties.

The matters requiring decision in this report have been considered by officers against the requirements of Part 6 of the Local Government Act 2002 (the Act). Part 6 sets out the obligations of local authorities in relation to the making of decisions.

5.1 Significance of the decision

Part 6 requires Council to consider the significance of the decision. The term ‘significance’ has a statutory definition set out in the Act.

Officers have considered the significance of the matter, taking the Council's significance and engagement policy and decision-making guidelines into account. Officers recommend that the matter be considered to have low significance, and that a formal record outlining consideration of the decision-making process is not required in this instance.

5.2 Engagement

Engagement on the matters contained in this report aligns with the level of significance assessed. In accordance with the significance and engagement policy, no engagement on the matters for decision is required.

6. Recommendations

That the Council:

- 1. Receives the report.*
- 2. Notes the content of the report.*

3. **Approves** the submission on *Next steps for freshwater*.
4. **Delegates** to the Chair the ability to make minor editorial amendments to the submission.

Report prepared by:

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Attachment 1: Proposals and questions in *Next steps for freshwater*

Attachment 2: Draft submission