

**Before Hearing Panel – Proposed Natural Resources Plan for the Wellington Region**

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Under                      The Resource Management Act 1991 (the Act)

In the matter of        Proposed Natural Resources Plan for the Wellington Region – Plan Framework, Associated Objectives and Policies

Between                   Greater Wellington Regional Council

*Local Authority*

And                        Masterton District Council

*Submitter S367 and Further Submitter FS30*

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**Statement of David Richard Hopman**

Dated 4 May 2017

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## Qualifications and Experience

- 1 My full name is David Richard Hopman.
- 2 I am the Manager of Assets and Operations at the Masterton District Council (MDC). I hold an honours degree in engineering and over the last 25 years have been involved in designing, project managing and commissioning of a range of infrastructure projects, including wastewater treatment plants, both here and in the UK.
- 3 I joined Masterton District Council in 2008 and manage the provision of technical operations and the ongoing planning for services delivered by major infrastructure assets of the Council. The role also involves providing policy advice and analysis for technical and operational matters.
- 4 My statement is given in support of Masterton District Council's ("**MDC**") submission on the Proposed Natural Resources Plan for the Wellington Region ("**PNRP**").

## Areas of Interest and Key Issues of Concern with the PNRP

- 5 Within the context of the wider Wellington region the Wairarapa is a predominantly rural based community and, as such, is highly reliant on its available natural and physical resources. This is reflected in the significant contribution the area makes to the regional economy, supporting extensive agricultural, timber and forestry industries and a growing viticulture industry; it also plays a significant role at both a regional/national level as a recreation and tourism destination.
- 6 In light of this MDC has a number of concerns regarding the impact that the PNRP could have on those activities that support the Wairarapa's productive base, as well as on the Council's own operations. In our view the provisions in the plan as currently drafted are likely to impose significant compliance costs on the communities we represent, including substantial investment of public funds to modify infrastructure or alter existing operations to meet the new requirements – this is particularly relevant given the additional demands this places on those communities

with a relatively small rating base already under financial pressure.

- 7 I would counter this concern regarding the affordability of the PNRP on Wairarapa's community by saying the Council is not opposed to environmental improvements, rather that predominantly rural based nature of the Wairarapa is taken into account and reflected in the policy and rural framework.
- 8 From an infrastructural perspective the primary issues of concern to MDC are as follows. I note these matters will be addressed in greater depth in the subsequent hearings. The purpose of raising them today is to highlight the broader issues MDC has with the direction and overall theme of the plan from a Council and asset manager prescriptive.

#### ***Complexity of the Plan***

- 8.1 The complexity of the rule framework in the number of rules, and interpretive ambiguity relating to some of the rules and terms uses (for example what constitutes a "new discharge" in context of waste water, use of the term "Maori Customary Use") is likely to impose financial and time costs on Council infrastructure operations.

#### ***Regulatory Focus/Scope***

- 8.2 The increase in the nature and extent of regulatory controls in the PNRP has wide ranging operational, cost and timing implications for MDC in terms of compliance (e.g. 10-year timeframe to achieve the environmental expectations anticipated, requirement for resource consent for all Council stormwater systems, requirement that drains be cleared one side at a time with a 3 month interval).
- 8.3 The highly prescriptive and regulated requirements relating to the discharge of treated effluent to land will limit the effectiveness of the intended policy direction in the PNRP (i.e. transfer of treated wastewater from water to land) and render it unaffordable to the Council and Wairarapa community. In this respect MDC seeks a permitted activity standard for discharge of treated wastewater to land subject to standards. Associated with this are the uncertainties associated with what constitutes a new wastewater system and how

growth in existing systems is accommodated.

- 8.4 I wish to note that MDC is not opposed to the directive for wastewater discharge to land rather than freshwater, rather it seeks appropriate timing for this to occur given the timing and level of expenditure required to meet the requirement is uncertain at present.
- 8.5 The prescription of work programmes and operational matters typically the responsibility of territorial authorities in the PNRP appears to extend beyond the legislative remit of the plan.
- 8.6 As the scope of the PNRP is not limited to principally managing 'end of pipe' effects, this imposes undue additional regulatory requirements on MDC's infrastructural operations (e.g. stormwater management, water efficiency, treated water effluent to land).

#### ***Cultural and environmental expectations***

- 8.7 While the need to provide for cultural values is acknowledged, the proposed cultural and environmental effects framework has the potential to create interpretive and operational uncertainty as tangata whenua requirements are not defined in the plan.

#### ***Whaitua Process***

- 8.8 The uncertainty surrounding the outcomes and subsequent plan change/s arising from the Whaitua process has implications for the Council in terms of associated implementation timeframes and compliance costs.

### **Statutory Context**

- 9 In terms of the responsibilities of territorial authorities regarding the operation and maintenance of key infrastructural assets, section 101B of the LGA is of particular relevance.
- 10 Under this section MDC is required, as part of its long-term plan, to prepare and adopt an infrastructure strategy for a period of at least 30 consecutive financial years (s.101B(1)).
- 11 In addition to outlining how the Council intends to manage its infrastructural

assets, the strategy also needs to set out the most likely scenario to manage Council assets over its lifetime, including (s.101B(4)):

- a) showing indicative estimates of the projected capital and operating expenditure associated with the management of those assets –
  - i. in each of the first 10 years covered by the strategy; and
  - ii. in each subsequent period of 5 years covered by the strategy;  
and
- b) identifying –
  - i. the significant decisions about capital expenditure the local authority expects it will be required to make; and
  - ii. when the local authority expects those decisions will be required; and
  - iii. for each decision, the principal options the local authority expects to have to consider; and
  - iv. the approximate scale or extent of the costs associated with each decision; and
- c) including the following assumptions on which the scenario is based:
  - i. the assumptions of the local authority about the life cycle of significant infrastructure assets:
  - ii. the assumptions of the local authority about growth or decline in the demand for relevant services:
  - iii. the assumptions of the local authority about increases or decreases in relevant levels of service; and
- d) if assumptions referred to in paragraph (c) involve a high level of uncertainty –
  - i. identify the nature of that uncertainty; and
  - ii. include an outline of the potential effects of that uncertainty.

- 12 Aside from the more operationally focused considerations under the LGA, the effects of infrastructure on the environment and communities is also an important matter of consideration under the RMA. However, this is an area outside the scope of my professional expertise and is addressed in the evidence prepared and presented by the Council's consultant planner, Ms Pauline Whitney.
- 13 Regardless, I would draw attention to the fact that under section 101B(3)(d) of the LGA the Council is required, in its infrastructure strategy, to outline how infrastructural assets are to be managed taking into account the maintenance or improvement of public health and environmental outcomes or the mitigation of adverse effects on them. This strategy is being under reviewed as part of the Council's Long Term Plan (LTP) process, but the current strategy has identified project costs of \$48.5m over the next 18 years to address the PNRP requirements in the water supply and wastewater treatment infrastructure areas.

### **MDC Infrastructural Overview**

- 14 MDC recognizes that infrastructure is a foundational element for all communities, including those in the Wairarapa, as it provides essential services to cater for daily life and economic activity and acts as a critical lifeline in the case of emergencies.
- 15 The Council acknowledges that the development and operation of infrastructural services, including the 3 waters, can negatively impact on environmental and cultural values. However, it considers that such impacts need to be appropriately weighed against the necessity of infrastructure and benefits to businesses and the community that this infrastructure affords e.g. the provision of trade waste services, commercial water supply and the maintenance of sport grounds and parks.
- 16 While the PNRP recognises the essential role of infrastructure in an overall sense, it imposes unreasonable constraints or expectations and costs on their operation through specific provisions relating to such matters as stormwater management, roading, water efficiency and transfer of treated water effluent to land.

- 17 Additionally, the anticipated timeframes and cost to implement the requirements in the PNRP have substantial implications for the Wairarapa community. These include the prospect of infrastructural upgrades and/or introduction of alternative water supply and methods of wastewater disposal, both of which are unlikely to be affordable in the short term. Increased cost will also be incurred due to the additional time/ resource required to monitor an expanded range of environmental conditions.
- 18 MDC acknowledges that some aspects of the PNRP have merit in principle, such as catchment management planning for stormwater. However, in saying this the Council considers that the proposed plan needs to recognize that the measures it is seeking to introduce are not always practical in all circumstances, particularly in the context of small rural communities. This is particularly relevant for matters such as stormwater and clearing of waterways.

### **Matters specific to this hearing**

- 19 Specific to the plan provisions specific to this first hearing, I concur with evidence provided by Mrs Whitney and the amended provisions outlined in her evidence.

### **Concluding remarks**

- 20 I appreciate the opportunity to speak before you today and voice the concerns of MDC with the PNRP as notified. MDC are willing and keen to take part in any further pre hearing meetings to discuss the proposed plan and provide constructive alternative provisions.