



Submission to the Local Government and Environment Committee

The Resource Management (Simplifying and Streamlining) Amendment Bill

April 2009

Introduction

A not for profit incorporated society, Water New Zealand promotes and enables the sustainable management and development of the water environment. With 1500 members Water New Zealand's membership is large and diverse, including Territorial Local Authorities, Council Controlled Organisations, water and wastes services providers, the major consultancies involved in providing engineering, planning and research services to the industry, Crown and other research institutes involved in the water and wastes environment, academia, members of the legal fraternity and training providers.

Water New Zealand believes that water can be managed far more efficiently and economically than at present. We support the nine objectives of the Bill and welcome the amendments it proposes. We would like to offer specific comment on two of those objectives and recommend an expansion of their scope

Projects of National Significance

The Bill proposes that decisions, "on most significant roads, transmission infrastructure and other large scale infrastructure projects", be eligible to apply for call-in status to a new agency, the Environmental Protection Authority (EPA). We discuss the form and function of the proposed agency below but note that in the absence of a definition of "national significance" consideration needs to be given to a mechanism that allows a project to qualify for the centralised, timely and efficient approval process that is intended.

There are a number of projects that, while considered local or regional, can on closer examination be shown to have considerable national benefit. Examples could include:

- a large Canterbury water storage and irrigation process, incorporating electricity generation, that would substantively boost productivity and export returns;
- a major urban wastewater treatment facility, incorporating energy recovery and greenhouse gas mitigation technologies, with an associated state-of-the-art ocean outfall that removes a potential contamination threat to a large coastal wetland system and enhances New Zealand's "clean green" image; or
- a widespread upgrade of Auckland's stormwater disposal system that ends the placement of warning signs on Auckland and North Shore beaches and removes the threat of negative impacts on the tourist industry.

Projects such as these are currently subject to lengthy, litigious and expensive processes.

Water New Zealand recommends that the word “national” be replaced by “major” and a mechanism be introduced that enables the promoters of a project of significance to make a case before the EPA that the project be called in and rapidly processed.

The Environmental Protection Authority

Water New Zealand sees merit in a centralised body that will facilitate project approval. We understand the Bill currently under consideration establishes the new agency as a transitional measure, with its roles, functions and powers yet to be fully defined.

We would offer to the Committee for consideration the following comment on the scope of the proposed new agency.

Water availability, quality and land-use are becoming increasingly important issues but the current management regimes around them are found wanting. The current system of 73 water utilities and 12 water regulators managing a nationally significant resource is no longer appropriate. The intensification of agriculture in many parts of the country is a critical factor in New Zealand’s pathway to economic and social well-being, but the fragmented management framework is failing to properly make the decisions that will deliver growth whilst also ensuring social equity and robust environmental management.

We note the RMA was designed to protect against pollution. Freshwater has become more polluted since this statute was implemented.

To rectify this situation a set of high level national objectives need to be determined that cover not just the environmental area but also economic, social and cultural matters. Natural resources, notably water, will contribute significantly to achieving those objectives and we would submit that the proposed new agency be the body to oversee and support the efficient, effective, and equitable management of those resources.

This would include developing a long-term strategic plan detailing priority projects, funding requirements and a timetable for their implementation. Such a plan is in recognition of the long-term nature of climatic variability, water availability, and quality and quantity issues.

The agency’s functions would also include ensuring all proposals for water allocation are assessed in line with a National Water Allocation Plan. The plan would identify volumetric supply available for water related activities including power, potable supply and agriculture in each catchment system in New Zealand. During the development of the plan water bodies having zero capacity for water allocation in recognition of their pristine character and value to iwi, the environment, recreation and tourism interests would also be identified.

Other matters such as flood risk management would be a regional/catchment responsibility but the agency would play an active role in approving and identifying funding streams for mitigation projects and ensuring the appropriate ongoing knowledge base is available.

As noted, the agency's role and mandate needs to be broader than just environmental management and monitoring and Water New Zealand submits the proposed name, Environmental Protection Authority, be changed to "Natural Resources and Growth Authority" to recognise this role in facilitating sustainable development, rather than simply environmental protection.

Conclusion

Water New Zealand submits:

- the amendments outlined in the Bill be supported;
- a broader definition of projects of significance be employed in identifying projects requiring expedited approval; and
- the role of the new agency be expanded to provide strategic oversight and leadership in supporting economic growth and environmental, social and cultural well-being.

Water New Zealand wishes to appear before the Committee in support of this submission.