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Rural Women New Zealand Submission on 'Next steps for freshwater'

Introduction

About Rural Women New Zealand

1. Rural Women New Zealand ('RWNZ') is a charitable member based organisation that reaches into all rural communities and advocates on issues that impact on those communities. We welcome the opportunity to comment on the Ministry for the Environment's (MfE) discussion paper on 'Next steps for freshwater'. The freshwater management regime is of critical importance to our members and we agree that there is a need for further government direction following the work of the Land and Water Forum (LAWF).

Overview of our submission

2. On the whole, RWNZ supports the initiatives put forward in this paper. The underlying goal of improving water quality is of critical importance to our members. Our members want to protect the rivers, lakes and other waterways which dominate and are a special feature of the natural landscape in rural communities. Our members also recognise the economic significance of access to clean freshwater and its importance to the key industries supporting rural economies. At the same time, our members are also realistic about the costs and complexities involved in meeting government aspirations for water quality.

Many of these costs impact directly on rural communities. With this in mind, we make the following points in this submission:

While, we support the proposed rules relating to stock exclusion from waterways, we do not agree that councils should be able to set more stringent regional standards. We think the rules around the types of terrains and water bodies subject to the regulation must be consistent nationwide. Allowing

regional councils scope to deviate from these RWNZ Submission on Next Steps for freshwater 2 standards, will only serve to create further compliance uncertainty and potential costs for farmers.

RWNZ strongly support broadening the scope of Freshwater Improvement fund to include investment in irrigation schemes. We think proactive government investment in innovative solutions to improve the efficiency of water, rather than a focus on penalising and controlling existing water use, are the most important 'next steps' for achieving measurable gains in water quality.

RWNZ position on proposed national stock exclusion rules

3. The introduction of national regulations to exclude stock from waterways will have very real impacts for many of our members. While we do not oppose the proposed rules, we think it is worth noting the significant progress already made by the dairy industry in voluntarily excluding stock from 90% of waterways.

The sustainable dairy: water accord is, in our view, an example of where industry-led arrangements that involve communities (including farmers) can challenge the assumption in favour of regulation.

4. That said, RWNZ consider the substance of the proposed stock exclusion regulations are fair and practical. Consistent with the LAWF's recommendations, the government has taken a realistic approach to balancing environmental imperatives with the costs and impracticalities of excluding stock from waterways in different farming contexts. In particular we are pleased that the paper excludes hill country and difficult farming terrains from the regulations. The cost of putting up fencing in these terrains is likely to be prohibitive and impractical relative to any achievable environmental benefit.

5. We think the proposed time-frames for compliance are also appropriate and fair. We agree that Beef and Deer farming operations, which have less of an environmental impact on waterways, should be given more time to comply. In a similar vein we think it is appropriate for farmers in more difficult lowland terrains, where the impracticality and costs of exclusion are likely to be greater, to also be allowed more time to comply. Stock exclusion rules must be nationally consistent

6. RWNZ does not support regional councils having the discretion to enforce more stringent regional standards for stock exclusion. On page 19 the paper states that national stock exclusion

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"would not override more stringent council rules and councils will still have the ability to apply stock exclusion rules more widely where they see this as necessary or desirable"

7. We think the rules around the types of terrains and water bodies subject to the regulation must be consistent nationwide. Allowing regional councils scope to deviate from these standards, will only serve to create further compliance uncertainty and potential costs for farmers. This approach also leaves the door open for the standards to be enforced in difficult farming terrains (like hill country) which, as discussed the above, the government intends to specifically leave out of the scheme. It is absolutely essential to farmers that they have a measure of certainty today about their likely future compliance obligations.

8. On the other hand, we think regional councils should have express powers to grant exemptions from national standards. As consistent with the recommendations of LAWF, this discretion could be exercised in very limited situations "where it can be demonstrated that exclusion of stock would be

impractical and/or result in large costs relative to the expected environmental benefit". The Freshwater Improvement fund should be broadened to include irrigation schemes.

9. RWNZ strongly support the government's intention to increase investment in the Freshwater Improvement Fund and the proposal to broaden its focus towards improving efficiency of water use. We believe that there is significant potential for government investment in infrastructure like irrigation schemes to not only increase agricultural output, but also to help farmers meet environmental water limits quicker.

10. We think this type of proactive government investment in innovative solutions to improve the efficiency of water, rather than a focus on penalising and controlling existing water use, is the way forward for achieving measurable gains in water quality. Additional comments

11. We support the proposal to amend Objective A2 of the National Policy Statement so that it applies to freshwater management units, rather than across a region. However, we note that the proposed amendment does not address the legal uncertainty around the appropriate interpretation of the word "overall" as highlighted in Ngāti Kahungunu Iwi Inc v Hawke's Bay Regional Council [2015].

Objective A2

RWNZ Submission on Next Steps for freshwater 4 should be further amended to clarify that "overall" cannot be interpreted by councils as allowing them to take an 'under and overs' approach to national bottom lines.

12. We think there needs to be more detail and direction around the proposal to increase the ability of councils to recover costs from water users for freshwater management. This is necessary to ensure there is transparency around the circumstances in which councils would be permitted to recover costs in this way.

We would be pleased to speak/discuss this submission with you.

Yours sincerely

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