

25 July 2025

Email: ndprogramme@mfe.govt.nz

Timaru District Council Submission on Package 3 – Freshwater

Introduction

Timaru District Council welcomes the opportunity to submit on the governments National Direction proposals. Council is supportive of the intent of many of the changes and recognise the necessity of a better developed and more comprehensive national direction package.

We address the key issues for Timaru District Council below, which focuses on the general policy intent of the instruments as proposed. Additionally, the attached Appendix 1 respond to the key questions contained within Package 3 discussion document.

Key Issues

Timaru District Council has a strong interest in matters relating to both urban development and rural land uses. Council has been consistent in making submissions to both national and regional processes, around the importance of enabling mid-sized Council's such as Timaru, the ability to be proactive and responsive to change and economic opportunities that enable us to be a district of choice and opportunity.

Clear direction that relates to Council's role in managing effects associated with freshwater is therefore an important matter for Timaru District Council. Council fully supports the notion that New Zealand's economy has been built on our natural environment and that the primary sector is a key part of our economy, society and heritage. We address our key issues in relation to this matter below with a focus on the general policy intent of the instruments proposed for change.

We ask that the Government be cognisant of these issues when making decisions on all national direction instruments. A key failure of previous instruments has been their inability to work together in an effective manner to achieve better outcomes for communities.

Key Issue 1: Scale and pace of change creates risk of unintended outcomes or significant implementation challenges.

While many of the proposals are commendable, the immediate costs of implementing the requirements they impose may be disproportionate to the intended gains. Timaru

District Council is nearing the end of a lengthy review process of its current district plan, and we are concerned that additional Schedule 1 process will be required in the near future.

We support the approach that as far as possible, requirement to consider or have regard to additional policy direction is clearly outlined, and that the national direction has clear implementation and timelines, with any 'plan making processes' deferred until the new system is in place or occurs concurrently with the transition.

Council supports clear direction around the implementation of this direction in consenting processes until such time as the new system is fully implemented.

Key Issue 2: Ensuring unresolved policy gaps and interactions across the package are resolved. If the instruments only 'talk to each other' and do not provide a hierarchy, there is an assumption that all objectives can be balanced.

The proposal responds to specific government priorities. While we recognise the need for, and indeed support, greater government direction on a range of issues, we are concerned that there will still be challenges associated with balancing and prioritising issues.

Planning as a profession, and in regulatory practice tends to fall into the trap of being 'everything to everyone'. The current national direction system has examples that cut through this tendency, by giving decision makers clear things that they must achieve, for example, the NPS-UD.

As proposed, the national direction packages as a whole risk returning the profession to the 'everything to everyone' mentality. For example, the proposed NPS's for Natural Hazards, and Infrastructure, alongside existing direction such as the NPS for Highly Productive Land create a situation where councils are expected to enable development, while also:

- Not enabling activities which may affect infrastructure development (e.g. by resulting in reverse sensitivity effects); and
- Ensuring we do not reduce the availability of Highly Productive Land; and
- Managing or preventing activities at significant risk from natural hazards; and
- Addressing a range of worthy technical matters, for example contaminated land.

Addressing each of these matters adds cost, complexity, and time to decision making, and ultimately can restrict development.

The instruments (current and proposed) need to do more than simply 'talk to each other'. There needs to be a clear hierarchy of what objectives are more important than others and in what situations. Ideally, this results in clear prioritisation as to when one objective falls away and is not considered, and what costs are acceptable to impose through planning provisions.

If the instruments only ‘talk to each other’ and do not provide a hierarchy, there is an assumption that all objectives can be balanced. In a situation where relevant instruments are not balanced, Council as a regulator, will be in the position of introducing more and more provisions to attempt to satisfy the requirement of each individual piece of national direction.

Key Issue 3: National Direction Instruments can have unintended consequences for smaller Council’s impacting on their ability to compete with bigger centres.

A ‘one size fits all’ approach inevitably does not work for all local authorities. Timaru’s experience is that this type of approach will result in unintended consequences, which often disproportionately effect councils outside of larger urban centres. This creates a greater divide between rural and provincial centres versus large urban areas.

Timaru District Council has concerns that the proposals will continue to result in an inability for smaller Council’s to be responsive to growth demand. The NPS-HPL has been a restrictive instrument in allowing communities within the Timaru District to grow due to requirements around demonstrating high levels of growth. Whilst removing LUC 3 classifications will create more opportunities areas of LUC 2 land will still adjoining urban boundaries creating barriers to achieving aspirational growth.

Key Issue 4: Finding a balance between managing the environment and providing for use of a key resource for the betterment of communities and economic growth.

Freshwater is a key environmental resource that drives economic and community growth. Freshwater is also a precious resource that needs to be managed to maintain New Zealand’s clean green image, and the overall state of our environments. Maintaining a balance to allow both aspects to be achieved is critical. This is of high importance for a district like Timaru which has a strong agricultural economy, as well as some key industry within urban areas that support agricultural production. Timaru’s environment and its location as a gateway to some outstanding environments is also important to this council, therefore, the overall outcome of this consultation is of high importance.

Key Issue 5: Ensuring councils can provide municipal services in a cost-effective and efficient manner.

Timaru District Council takes its responsibilities around managing its municipal services seriously. Required standards have become higher over time and this has resulted in additional investment. Council has experienced long time periods associated with obtaining necessary global stormwater consents, which has delayed upgrades and implementation. Clearer national direction around the requirements for councils in providing critical services is supported where they clearly articulate requirements that are achievable and do not compete with other elements.

Key Issue 6: Whilst not explicit in this consultation package, previous suggestion of commercialisation of water rights is concerning.

Council holds concerns that the current consultation package does not provide any further direction around commercialisation of water rights. Providing clearer direction around enabling primary production will be compromised if water resources are commercialised in a manner that restricts access to those industries that require them.

Key Issue 7: Enabling ground up solutions should be further supported.

Council supports any national direction that further enables ground up solutions. Council's experience is that some of the best outcomes are being achieved by community led initiatives not those that are regulated from the top down.

Key Issue 8: There are always hidden costs in enabling strategies.

Council is cognisant of hidden costs associated with implementing new strategy. Examples include the retirement of land and changing farm practices to protect areas and provide mitigation measures. New direction must be cognisant of this when seeking to balance existing competing interests.

Conclusion

Timaru District Council is grateful for the opportunity to provide feedback and welcome the opportunity to be further involved in discussing any matters raised in our submission.

If you have any questions regarding the content of this submission, please contact Paul Cooper by email at paul.cooper@timdc.govt.nz.

Yours sincerely



Paul Cooper

Group Manager Environmental Services

e. paul.cooper@timdc.govt.nz

p. 03 687 7281

Appendix 1 – Freshwater Questions and Responses

Options for Changing National Direction for Freshwater	
Question	Response
What resource management changes should be made in the current system under the RMA (to have immediate impact now) or in the future system (to have impact longer term)? From the topics in this discussion document, which elements should lead to changes in the current system or the future system, and why?	No comments.

Rebalancing Freshwater Management Through Multiple Objectives	
Question	Response
Would a rebalanced objective on freshwater management give councils more flexibility to provide for various outcomes that are important to the community? How can the NPS-FM ensure freshwater management objectives match community aspirations?	Yes, however, there will always be competing interests, and some elements are necessary for communities to function i.e. municipal services. There should be no impediments to councils being able to provide necessary infrastructure for their communities.
What do you think would be useful in clarifying the timeframes for achieving freshwater outcomes?	Support the sentiment that changes that result in improvements take time (many of which will be long). A clear mechanism that integrates the costs of this within council funding processes would be beneficial.
Should there be more emphasis on considering the costs involved, when determining what freshwater outcomes councils and communities want to set? Do you have any examples of costs associated with achieving community aspirations for freshwater?	Yes, there should be a means in which benefits are considered at different geographical levels to help understand the overall costs to a community.
What will a change in NPS-FM objectives mean for your region and regional plan process?	It would give the opportunity for a discussion to be had as part of the wider Canterbury. This should occur as part of the new system and recognise the difference between rural and urban areas.

Do you think that Te Mana o te Wai should sit within the NPS-FM's objectives, separate from the NPS-FM's objectives, or outside the NPS-FM altogether – and why?	Council has no preference, however, notes that the direction needs to be clear, and would hold concerns that if this concept was removed it would end up being re-litigated through separate plan making processes.
How will the proposed rebalancing of Te Mana o te Wai affect the variability with which it has been interpreted to date? Will it ensure consistent implementation?	The concept has been a key driver in plan making processes and resource consent decisions. Any rebalancing should ensure there is no variability especially when it comes to the impact on key services and activities.
Which values, if any, should be compulsory? Why?	(Drinking) water supply is an essential value.
What would be the practical effect of removing compulsory national values? Do you think this will make regional processes easier or harder?	Harder – this may result in re-litigation of issues when plan making processes occur and each community having to go through lengthy processes to balance competing interests.
Which attributes, if any, should be compulsory to manage? Which should be optional to manage?	The four major contaminants that are known to adversely affect freshwater (i.e., nitrogen, phosphorous, sediment and E.coli) should remain compulsory.
Which attributes, if any, should have national bottom lines? Why?	Agree that nationally defined thresholds (including bottom lines) may not always be appropriate in a specific catchment and that in certain circumstances it may be appropriate for Councils to deviate from those thresholds. However, the circumstances where nationally defined thresholds are not appropriate is likely to be limited and does not negate the importance of clear national direction. Compulsory attributes should therefore have national bottom lines.
To what extent should action plans be relied upon, including to achieve targets for attributes?	This will depend on the weighting given to these plans, which should then be regulated if they are to be relied upon.
Should councils have flexibility to deviate from the default national thresholds (including bottom lines) and methods?	Agree that nationally defined thresholds (including bottom lines) may not always be appropriate in a specific catchment and that in certain circumstances it may

Are there any other purposes which should be included?	be appropriate for Councils to deviate from those thresholds. The reasons for deviation however should be limited and should be subject to a Schedule 1 Process.
What are the pros and cons of making commercial vegetable production a permitted activity?	<p>Pros – Enables food production and the rotation of crops without the need to obtain a resource consent, reduces cost and administrative burden for landowners and commercial growers.</p> <p>Cons – If not effectively managed food production and the rotation of crops has the potential to have adverse effects on freshwater through the discharge of sediment and nutrients to the environment.</p>
How do you think policies and/or rules should be designed to provide for crop rotation? Do you think these should be considered within sub-catchments only?	There needs to be a link to on-site farm operations and how these are designed within a whole farm management plan.
For the proposal to develop nationally set standards, what conditions should be included?	No comments.
Should rules for water security and water storage be set nationally or regionally?	There needs to be an integrated framework that supports the ability of communities to provide for water security. This framework should have consistent bottom lines to ensure this overall targets. In environments where higher bottom lines could be achieved this could be provided for a local level.
Are there any other options we should consider? What are they, and why should we consider them?	No comments.
What are your views on the draft standards for off-stream water storage set out in Appendix 2: Draft standards for off-stream water storage? Should other standards be included? Should some standards be excluded?	ONLs, ONFs, VALs, SNAs likely need to be considered, but in-doing so the scale of these areas need to be clearly articulated at a national level.

Should both small-scale and large-scale water storage be enabled through new standards?	Yes and promoted to ensure resilience within farming systems and communities.
What else is needed to support farmers and others to do things that benefit the environment or improve water quality?	No comments.
What should a farming activities pathway include? Is a farming activities pathway likely to be more efficient and/or effective at enabling activities in and around wetlands?	Consideration should be given to farm management plans and how these can be utilised.
What will be the impact of removing the requirement to map wetlands by 2030?	No comments.
Could the current permitted activity conditions in the NES-F be made clearer or more workable?	No comments.
What information requirements are necessary for fish passage? What would the difference in cost be, relative to current information requirements?	No comments.
How can regulations for temporary and permanent culverts in the NES-F be made simpler?	No comments.
Temporary culverts are currently treated the same as permanent ones. If temporary culverts were to be treated differently (eg, had fewer conditions), would it be better to do so through a permitted activity pathway in the NES-F (culverts only), or by allowing councils to be less stringent than the permitted activity conditions for culverts and weirs?	To avoid inconsistency throughout New Zealand and potential litigation it would be beneficial to have a clear permitted activity pathway in the NES-F.
Have you encountered similar issues with any other policy or regulation within the NPS-FM or NES-F (eg, rules or gateway tests about river reclamation)?	The Council has not had any issues with any other policy or regulation within the NPS-FM or NES-F.
To what extent will it be more efficient to require dairy farmers to report on fertiliser use at the same time of year they report on other matters?	Agree that it would be more efficient to align the reporting date in the NES-F with the farming calendar.

Has the requirement for dairy farms to report their use of fertiliser already served its purpose, in terms of having signalled a level of unacceptable use that should be avoided – no more than 190 kilograms per hectare per year – and if so, is this requirement still necessary?	For monitoring and enforcement purposes it would be beneficial for dairy farmers to provide receipts and information on fertiliser use once per year (or another specified timeframe). This information should be readily available and is not overlay onerous.
Do you think that requiring regional councils to map SWRMAs for applicable drinking water supplies in their regions will improve drinking water safety? Should councils be required to publish SWRMAs?	Yes, and Yes.
Do you think that three zones should be required for each SWRMA, or is one zone sufficient?	The different zones will depend on the corresponding objectives, policies and rules and whether a different approach is needed to manage activities in each zone. The different zones may also depend on the unique circumstances of the SWRMA. It is therefore recommended that Councils must have at least one zone but has flexibility to include other zones if necessary/required.
What do you think the population threshold should be to require regional councils to map SWRMAs (eg, 100-person, 500-person, or some other threshold)?	Council generally supports lowering the threshold to a 100-person threshold as this would improve the protection for drinking water sources.