

11 ISSUES, OBJECTIVES: Water and the Surface of Water

11.1 OVERVIEW OF WATER AND SURFACE OF WATER

Introduction

The District's environment includes many water resources: major rivers such as the Manawatu and Ohau Rivers, streams, inland lakes such as Lakes Horowhenua and Papaitonga, wetlands, and groundwater aquifers. Water is essential to sustain the District's human communities and natural habitats and fauna.

The Act's specific responsibility for managing the quality and quantity of surface water and groundwater falls substantially to the Manawatu-Wanganui Regional Council. The District Council has an important role to play in the management of landuse activities and ensuring that such activities do not result in a loss of water availability and water quality.

"Maori was and still is one of the cultures that uses water for both physical and spiritual needs.

The Maori, waterways were living entities in the sense that they were revered and respected. They had their guardians (taniwha) and the appropriate karakia and rituals always preceded any undertaking that involved it.

A river, as the Waitangi Tribunal has ruled, is a taonga and it has life force. Therefore, the extraction of water or the introduction of waste into river streams is not just a matter of physical degradation or ecological compromise. It can be seen as an offence in the cultural sense."

Statutory Responsibilities

The Act provides for a variety of responsibilities to ensure the integrated management of resources such as water.

- Both the Regional Council (s.30(1)(a) and District Council (s.31(1)(9a)) have responsibility for the "establishment, implementation, and review of objectives, policies, and methods to achieve integrated management" of natural resources (which include land and water); and
- The Regional Council's functions specifically include:
 - Control over activities, structures, excavations, drilling, planting, drainage and reclamation of any lake or river bed (s.13); and
 - Control of the use of land for purposes including the maintenance and enhancement of the quality and quantity of water in water bodies (s.30(1)(c)); and
 - Control of the taking, use, damming, and diversion of water; and the quantity level, and flow of water in any water body (s. 14 and s. 30(1)(e)); and
 - Control of discharges of contaminants and water into or onto land or water; and discharges of water into water (s. 15 and s. 30(1)(f)); and
- The District Council's functions include:
 - Control of any actual or potential effects of the use, development, or protection of land (s. 9 and s. 31 (1)(b)); and
 - Control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes (s. 31 (1)(e)).

11 ISSUES, OBJECTIVES: Water and the Surface of Water

- Horowhenua Lake Domain Board functions include:
 - Control of the provisions dealing with ownership of Lake Horowhenua and the Hokio Stream, fishing and access (Section 18 Reserves and Other Land Disposal Act 1956).

Regional Policy Statement and Regional Plans

Many of the direct controls on water quality and/or quantity (e.g. discharges to land or water or abstraction of surface water or groundwater) fall within the specific jurisdiction of the Regional Council. The Regional Council has prepared a Regional Policy Statement (RPS) which seeks to integrate the use of water at a regional and local level through the application of policies relating to water quality and water quantity.

The Regional Council has prepared a Lake Horowhenua/Hokio Stream Management Strategy to address water quality in the Lake Horowhenua and Hokio Stream Catchment, and a Regional Plan for the beds of rivers and lakes.

District Plan

Section 75(2) of the Act requires that district plans must not be inconsistent with the policies and rules in regional policy statements and the regional plans. S74(b) (ii) of the Act states that the District Plan, must have regard to any relevant document recognised by an Iwi authority affected by the District Plan.

The District Plan sets out the water issues which are considered to be important to the community and environment of the Horowhenua District, and the District Council's policy response to those issues. It must be noted that, given the framework of the law, many of the methods that have been identified for dealing with water issues involve actions by the Regional Council, as set out in the RPS and regional plans, whose functions enable it to have more direct influence over activities involving water.

11.2 SIGNIFICANT RESOURCE MANAGEMENT ISSUES FOR WATER RESOURCES

Issue 25: Sustainable water management and particularly:

- Limited supplies of groundwater and surface water
- Competing demands for groundwater and surface water
- Maintaining suitable standards of quality in water supplies
- Inefficient use of water
- Problems caused by water shortage.

ISSUE 26: Water pollution and the problems caused by discharges of wastes or untreated stormwater to waterways and to land; and activities which give rise to land disturbance, soil erosion, and downstream siltation and adverse water quality effects.

ISSUE 27: The effects that activities on the surfaces of lakes and rivers can have on the intrinsic, ecological, natural habitat, landscape, spiritual, cultural and recreational values of lakes, rivers and their margins.

It should be noted that the above "water" issues are principally concerned with the land-use effects on the quality or quantity of water in water bodies and the surface of the water. It is acknowledged that the Regional Council is principally responsible for the quality and quantity of water. The District Plan

11 ISSUES, OBJECTIVES: Water and the Surface of Water

however controls the use of land which in turns has a direct impact on the quality and quantity of water in a given area.

- Issue 25: Sustainable water management and particularly:**
- **Limited supplies of groundwater and surface water**
 - **Competing demands for groundwater and surface water**
 - **Maintaining suitable standards of quality in water supplies**
 - **Inefficient use of water**
 - **Problems caused by water shortage.**

Wasteful use of surface water or groundwater by activities will adversely affect the overall sustainability of water supplies. The efficiency or inefficiency of water use are not matters over which the District Plan can seek control and are more within the ability of the Regional Council to control through resource management documents such as regional plans.

The Council does however have the ability to **control landuse patterns** to ensure that the land is sustainably managed for future generations by ensuring the adverse effects of activities are avoided, remedied or mitigated. The key issue for the District Council lies in the intensity of land use development permitted throughout the District and the demands placed on available water resources by more intensive development. It is important that all activities (residential, industrial, agricultural, horticultural, and others) are able to make provision for adequate quantities of water of suitable standard to meet foreseeable needs. Council proposes to work together with the Regional Council to monitor growth in demand for water and demand caused by new development activity.

There are other important methods of controlling the quality and usage of water which fall outside the jurisdiction of a district plan but which can form part of an overall collection of methods designed to promote water conservation and water quality enhancement. This can be achieved through promoting the use of alternative water sources, water re-cycling, and harvesting of rain water to supplement supplies from surface water and groundwater sources.

The District Council is the supplier of water, through its reticulated community supply schemes, to urban areas and some townships. In this capacity as utility supplier, Council has an interest in ensuring that the volumes used in those schemes are able to be sustained and are efficiently used.

- Issue 26: Water pollution and the problems caused by discharges of wastes or untreated stormwater to waterways and to land; and activities which give rise to land disturbance, soil erosion, and downstream siltation and adverse water quality effects.**

The District Council is not able to authorise or control the discharge component of any activity. In any event, it may be that not all discharges require consent from the Regional Council (e.g. stock grazing of farmland, with its effects of stock manure, is permitted). The District Council does, however, have to consider the land-use effects of activities. Factors which Council would have to consider include the cumulative effects of a series of "indirect" or "minor" effects, for example:

- The effects of clearing vegetation and exposing soil to the elements with flow-on effects of silt flowing into waterways;
- The risks of accidental spillages from activities taking place on the surface of water or immediately adjacent to waterways;

11 ISSUES, OBJECTIVES: Water and the Surface of Water

- The adverse effects that might be caused by certain activities adjacent to a water body on the spiritual and cultural importance of that water body to local tangata whenua.

These considerations may be important in assessing the effects of different land use activities.

OBJECTIVE 20:	The maintenance or enhancement of the quality of water in surface water and groundwater bodies.
POLICY 20.1:	Avoid, remedy, or mitigate any adverse effects of land use activities on water quality.
POLICY 20.2:	Promote sustainable land management and riparian management practices to improve water quality.

Explanation and Principal Reasons

Water quality is such an important issue for the community and environment of the District that a specific policy response is seen to be required of the District Council, working in conjunction with the Regional Council.

METHODS FOR ISSUE 25 & 26 and OBJECTIVE 20

Resource Consents

- Council will ensure that the Regional Council is advised of any resource consent applications which involve activities which are likely to require water-related consents from the Regional Council;
- Council will, in conjunction with the Regional Council, seek to provide for riparian buffers (that is, esplanade reserves or strips) adjacent to waterways, in appropriate circumstances, where it will avoid, remedy or mitigate any adverse environmental effects of adjacent land-use activities on the waterway.
- Council will require as part of any new subdivision consent in the Lake Horowhenua and Hokio Stream catchment, a land disturbance strategy to control the potential effects of land disturbance adjacent to the water bodies.

Liaison With Regional Council

- Council will endeavour to advise the Regional Council of any activities which are likely to require water-related consents from the Regional Council and which are brought to Council's attention through building consents or in the course of day-to-day inspections by Council staff and the community. Council will also refer applicants to the Regional Council where the need for additional resource consent is anticipated.
- Council will maintain liaison with the Regional Council in terms of identifying any problem water quality areas or proposals for water quality improvement.

11 ISSUES, OBJECTIVES: Water and the Surface of Water

As noted above, many of the direct powers relating to discharges and setting of standards for water quality lie with the Regional Council but the District is in a good position, through its day-to-day staff operations, to assist the Regional Council in enforcing or promoting any requirements.

Promotion and Information Initiatives

- Council will work co-operatively with land users and research organisations, the Regional Council and Tangata whenua, in promoting sustainable land management practices and good riparian management practices which avoid adverse effects on water quality.
- In areas where it is not possible to gain riparian buffers (that is, esplanade reserves or strips), the Council will promote the establishment of riparian buffers, alongside water bodies where vegetation can assist to filter and minimise any silts or wastes in surface water run-off to those water bodies.

It is considered that promoting voluntary change in the ways land users manage the land will be the most effective way of achieving long-term improvement in the condition of land and in water quality.

Other Council Initiatives

- Aim for full compliance with the Drinking Water Standards for New Zealand 1995.
- Council will consider imposing user charges and requiring metered supply where activities are supplied from the public reticulated supply and involve volumes of water in excess of usual consumption (as defined in any bylaws controlling water use).
- Council will discourage inefficient water use by imposing financial penalties on consumers who are supplied from the public reticulated system and who waste water.
- Maintain a programme of information for residents/consumers of the District which emphasises the importance of water conservation and efficient water use; and provide information to District residents/consumers on how to harvest rain water and improve the efficiency of their water use.
- Encourage the use of household systems and equipment in new developments and in considering building consents under the Building Act 1991.
- Consider incentives and other measures to introduce new water-efficient systems and practices to activities as technology and information comes to hand.
- Encourage re-cycling and harvesting of water to supplement existing supplies.

It is expected that a combined approach, of regulation with incentives and encouragement of water efficiency, will best alter water consumption patterns and practices and promote sustainable water management.

Issue 27: The effects that activities on the surfaces of rivers and lakes can have on the intrinsic, ecological, natural habitat, landscape, spiritual, cultural and recreational values of lakes, rivers, and their margins.

The District's rivers and lakes are valuable landscape and ecological resources. They are also valuable to Tangata whenua as natural resources, food sources, and taonga.

11 ISSUES, OBJECTIVES: Water and the Surface of Water

Rivers and lakes are also valued for recreation and have potential for commercial activities including tourism and recreation operations.

Some of the activities that could occur on the surfaces of rivers and lakes have few effects (e.g. occasional recreational boating or fishing or sailing). Other, more intensive, activities have the potential to generate adverse effects which could compromise important water values. For example, some activities involving motorised boats may cause noise and wave wash which has an adverse effect on the quiet amenities that are valued in, say, a reserve or picnic area. Some structures moored on the surface of water could have adverse effects on the landscape amenity of some water ways. Some activities may have potential for accidental spillage of hazardous chemicals and fuel to waterways which could adversely affect in-stream and habitat values. Other activities may have effects which offend the spiritual values of a waterway which are of particular importance to local tangata whenua.

Some of the District's water bodies are managed as public or private protected areas. For example, the surface water of Lake Horowhenua has been declared a public domain and is under the control of the Horowhenua Domain Board. Lake Papaitonga (also known as Lake Waiwiri) is managed by the Department of Conservation as part of the Papaitonga Scenic Reserve. Other small lakes are managed under Queen Elizabeth II Covenants and the Te Ture Whenua Act 1993 reserves. The control over activities on water surfaces is an additional and separate function vested in the District Council by the Act.

OBJECTIVE 21:	To recognise and protect the particular ecological, natural character, landscape, spiritual, cultural, and recreational values of lakes, rivers, and their margins from the adverse effects of activities occurring on the surfaces of those rivers and lakes;
POLICY 21.1:	To enable the appropriate use of the surfaces of rivers and lakes whilst ensuring that significant values of those waterways and their margins are recognised and provided for by avoiding, remedying or mitigating adverse effects.
POLICY 21.2:	Promote access where appropriate, to or along the banks of those rivers and lakes which are used for recreational purposes provided any adverse environmental effects of providing such access can be avoided, remedied or mitigated.
POLICY 21.3:	Minimise the potential for conflicts between the effects of different activities using the surfaces of rivers and lakes.

Explanation and Principal Reasons

Given the important values that rivers and lakes have as publicly-available resources, and their importance to Tangata whenua, it is necessary that activities on water surfaces are carefully managed. It is reasonable to permit activities to use the surfaces of waterways, and activities which promote public access to rivers and lakes will be encouraged provided the activities do not compromise those important values or give rise to conflicts between users.

11 ISSUES, OBJECTIVES: Water and the Surface of Water

METHODS FOR ISSUE 27 AND OBJECTIVE 21

District Plan

- Permit activities on the surfaces of rivers and lakes provided they have no more than minor effects; and require resource consents for any activities which would involve more significant effects - assessing these in terms of likely effects on important values and following consultation with parties having an interest in the waterway including tangata whenua.

It is reasonable for low-intensity activities like recreational boating and fishing to be permitted by the Plan. More intensive activities - and particularly commercial use of public water resources - should be individually assessed in terms of their environmental effects.

Other

- It may be appropriate to consider formally delegating the Section 31 control over activities on the surfaces of certain rivers and lakes to the Public Authorities who currently manage those rivers and lakes (in particular the Lower Manawatu River, Lake Horowhenua and Lake Papaitonga and those lakes included in Q.E.II covenants).
- Management Plans including Iwi Management Plans may be appropriate to assist in managing activities and potential conflicts between users on some sections of rivers or on some lakes.

Existing management arrangements for certain lakes would seem to operate quite effectively. Duplication of roles under the Act may be inappropriate.

11.3 ANTICIPATED ENVIRONMENTAL RESULTS

The outcomes for water resources which are anticipated to result from the combined implementation of the above policies and methods are as follows:

- Long-term sustainable use of water resources.
- Continued maintenance of high water quality.
- Few occasions of water shortage.
- Use of water surfaces for recreational and other low-intensity activities without compromising the water quality or natural and landscape values of these water bodies.