

1. Giving effect to the National Policy Statement for Freshwater Management – Report on feedback from the first round of community engagement.

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N100-001-04-01

Purpose of report

1. To provide details of the feedback received from the first round of community engagement relating to the implementation of the National Policy Statement for Freshwater Management (NPSFM) 2020.

Executive Summary

2. The Essential Freshwater package, introduced by central government in 2020, creates additional requirements for the Council in respect of freshwater management and protecting freshwater ecosystem health. This includes substantial changes to the NPSFM that the Council is required to give effect to through the Proposed Marlborough Environment Plan (PMEP).
3. Council has undertaken the first round of community engagement which focused on freshwater management unit boundaries and finding out the community's visions and values for the region's freshwater. This occurred between December 2022 and June 2023 and received over 200 individual submissions each with multiple submission points.
4. Council proposed six draft Freshwater Management Units (FMUs) which correspond to Marlborough's main river catchments or groups of similarly characterised catchments. Most feedback agreed with using the hydrological catchments. Amendments suggested included incorporating the 'northern island' area of the East Coast Complex into the Awatere FMU, which Council staff support.
5. Other feedback noted the large scale of the FMUs and suggested further division. Council staff recognise that there is a requirement for management to occur across a variety of scales. A more agile and flexible option is proposed which would enable the additional use of management at the scale of smaller catchments and aquifer units. It is proposed that Catchment Care Units and Aquifer Management Units might be appropriate names for these smaller scale units which will sit within the large FMUs.
6. It must be highlighted that these feedback responses are those of Council staff and are without formal feedback from tangata whenua, for both these reasons the FMU boundaries are therefore still proposed.
7. It should also be kept in mind that as the Council, tangata whenua and communities move together through the National Objectives Framework (NOF) process and/or gain further understanding of the freshwater environment for the region it may be necessary to amend and/or further subdivided the FMU boundaries and update values and visions.
8. Community freshwater visions / aspirations themes are presented for the whole region and for each FMU, similarly community values and activities are also summarised.
9. Responses are provided which were given by the community when asked about concerns or positives they had regarding current freshwater management.
10. Note that these are summaries of community feedback and do not at this stage include any tangata whenua visions or values.
11. From the feedback received in this first round of engagement, staff will prepare proposed visions for each FMU and environmental outcomes for each value identified. How these values will be monitored, known as attributes will be identified.
12. The proposed visions and environmental outcomes will be presented to the community in a second round of engagement set to run from the beginning to November to the 15th of December 2023.

13. During this second engagement round there will also be another opportunity to check in with the values that have already been identified, add additional values and find out further information relating to the FMUs.
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RECOMMENDATIONS

14. That report on the first round of engagement be received.

Background/Context

15. The Government's 2020 Essential Freshwater package created additional requirements for all Councils in respect of freshwater management and protecting freshwater ecosystem health. This includes substantial changes to the NPSFM that the Council is required to give effect to through the Proposed Marlborough Environment Plan (PMEP).
16. The NPSFM Policies require that freshwater is managed in a way that gives effect to Te Mana o te Wai and upholds the hierarchy of obligations which prioritises the health and well-being of water bodies and freshwater ecosystems first, before the health needs of people (such as drinking water) and lastly the ability for people and communities to provide for their social, economic, and cultural wellbeing, now and in the future.
17. The legislative timeframe requires Councils to notify a variation/plan change by 31 December 2024 to give effect to the NPSFM. Councils are required to follow the National Objectives Framework (NOF) which provides a step-by-step process to implement the NPSFM including engaging with communities and tangata whenua at each step. Three rounds of community engagement have been scheduled to be undertaken between late 2022 through to late 2024 to complete these NOF steps.
18. In tandem, engagement with tangata whenua is also ongoing with the aim of understanding and establishing tangata whenua values including, but not limited to, Te Mana o te Wai (the fundamental health of water), ki uta ki tai (from mountains to sea, integrated management) and mahinga kai in a local Marlborough context. This is being undertaken through working groups with two tangata whenua groups.
 - Te Tau Ihu Iwi where Council is involved in an initiative with Tasman District Council and Nelson District Council in a Top of South working group known as Te Puna Kōrero ki Te Taihu (TPK).
 - Council has a separate working relationship with Ngāti Kuri and Ngāi Tahu.
19. The first round of community engagement took place between December 2022 and February 2023, but was extended to June 2023 to provide the public further time to engage.
20. This engagement round sort feedback on the division of the region into freshwater management units (FMUs) and to find out what the community valued about the region's freshwater as well as their aspirations/visions for it.
21. The community was provided multiple ways to engage including online surveys, community meetings across the region, online webinars with both the wider public and individual groups, provisions of hard copies of surveys, primary school webinar and library displays, and was advertised through the local papers, Facebook, Antenno and flyers.
22. In total over two hundred submissions were made across the various formats, each with multiple submission points (Table 1).

Engagement feedback / submissions	No. of individual submitters	Totals
Youth Engagement <ul style="list-style-type: none"> - Library activity - Earth day activity - Primary school hui 	16 15 2	33
Teen Engagement	17	17
Individual / Organisation (Long form survey & email submissions)	37	37
GIS map-base short survey (included Garden Marlborough surveys)	98	98
Events <ul style="list-style-type: none"> - Earth Day - Winer field days 	25 36	61
Feedback from face-to face meetings	17	17
Total Submissions = 226		

Table 1 – Number and format of submissions for Engagement 1.

Freshwater Management Units (FMUs)

23. Council proposed six draft FMUs which correspond to Marlborough's main river catchments or groups of similarly characterised catchments. These are Marlborough Sounds Complex, Te Hoiere/Pelorus, Wairau, Awatere, East Coast Complex and Waiau toa/Clarence (Figure 1).

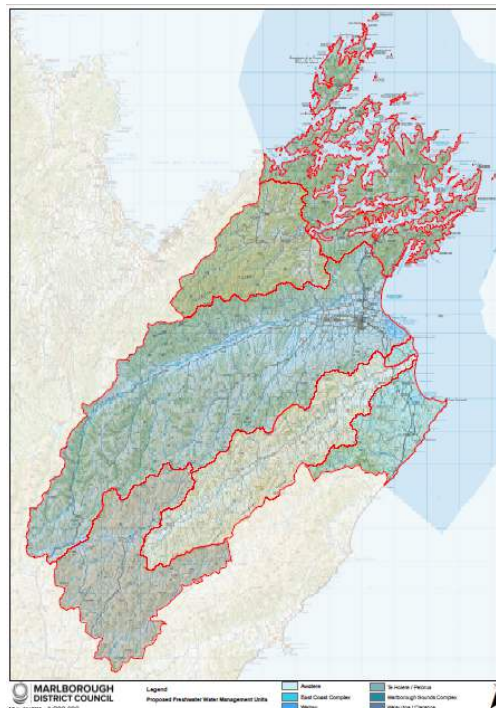


Figure 1 - Map of the proposed draft six Freshwater Management Units for Marlborough

24. Most of the submissions supported these FMUs boundaries, though there was clear feedback that the 'northern island' area of the East Coast Complex should be included in the Awatere FMU, which Council staff support.
25. Other feedback agreed that the hydrological catchments were a good starting point but noted that these resulted in large units and that there needed to be scope to identify and manage sub-areas with appropriate rules and restrictions that take into account the different characteristics of those sub-areas.
26. While these large-scale units support the ki uta ki tai / mountains to sea integrated catchment approach required by the NPSFM, Council staff recognise that there is a requirement for management to occur across a variety of scales. A more agile and flexible option is proposed which would enable the additional use of management at the scale of smaller catchments and aquifer units, and potentially even down to individual waterbodies within the context of the larger FMUs. This will enable finer scale management to be applied when necessary to protect values and / or address issues that have limited spatial scope.
27. This is seen to be in alignment with the recently enacted Freshwater Farm Plan Regulations 2023 requirement for catchment context, challenges and values that relate to the farm scale.
28. It is proposed that Catchment Care Units and Aquifer Management Units might be appropriate names for these smaller scale units which will sit within the large FMUs.
29. These feedback responses are those of Council staff and are without formal feedback from tangata whenua, for both these reasons the FMU boundaries are therefore still proposed. It should also be kept in mind that as the Council, tanagta whenua and communities move together through the NOF process and/or gain further understanding of the freshwater environment for the region it may be necessary to amend and/or further subdivided the FMU boundaries.

Community Visions and Aspirations

30. Under NPSFM Clause 3.3 every regional council must develop long-term visions for freshwater in its region and include those long-term visions as objectives in its regional policy statement. These are goals with timeframes that are ambitious but reasonable (that is, difficult to achieve but not impossible).
31. The first step in this process is asking community what the future visions / aspirations / goals they have for the region's freshwater.
32. There were over two hundred feedback comments that had visionary, aspirational or future based comments. Table 2 provides a summary of this feedback which has been divided into region wide and specific FMU themes. Note that the vision / aspiration themes that have been identified across the region may not necessarily be repeated for each FMU, but where specific feedback has identified an FMU this has been captured.
33. Many submitters put immediate / short timescales to achieve their aspirations including as soon as possible, today, immediately, next year, next year or two, within 3-5 years. Others felt an immediate start should be made but wanted to ensure that there was continuous, long term / indefinite improvements and sustainability. Between these extremes submitters mentioned time scales of 5, 10, 15, and 20 years or provided dates such as from 2030 onwards. Several submitters said within in a generation, taken to mean a period of 20-30 years.
34. There was also feedback that related specifically to the NPSFM process, Te mana o te Wai and freshwater management more generally, these have been collated separately, as have responses relating to factors which were seen as important when considering climate change have been reported together. (Table 3 and Figure 2 respectively). Note that these do not include tangata whenua visions.

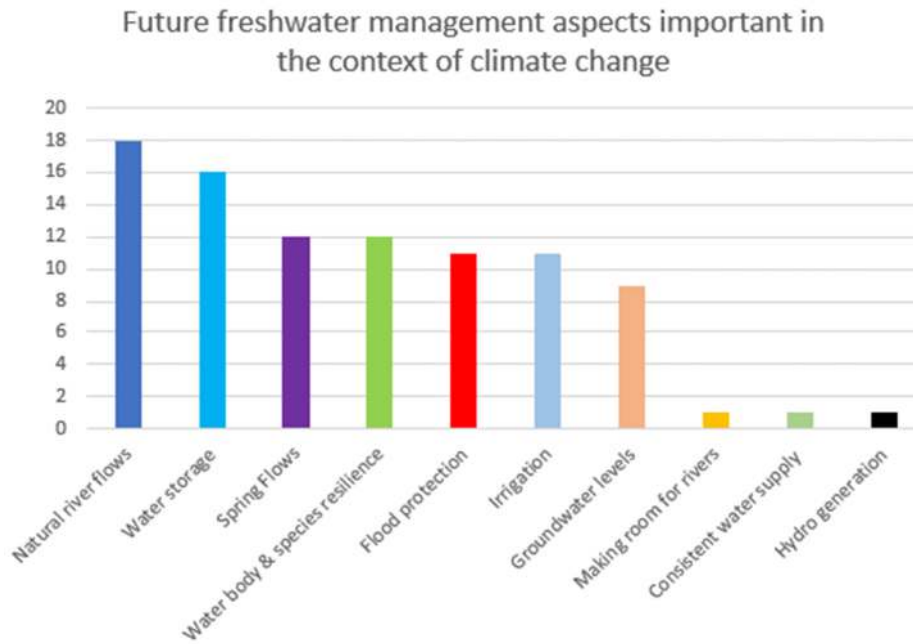


Figure 2 - Factors that were considered important for future freshwater management in the context of climate change.

Vision Themes	Region Wide	Marlborough Sounds Complex	Te Hoiere / Pelorus	Wairau	Awatere	East Coast Complex	Waiau-toa / Clarence
Clean, clear, pure, and safe, healthy, pollution free	Y	Y	Y	Y	Y	Y	Y
Safe water for drinking, swimming, fishing, and gathering food	Y	Y	Y	Y	Y	Y	Y
Maintain current state, no deterioration, and improve	Y	Y	Y	Y	Y	Y	Y
Protect upper reaches of the region's major waterways, restore lower reaches	Y	Y	Y	Y			Y
Access to freshwater bodies for all, particularly for recreation	Y	Y	Y	Y		Y	Y
Removal of pest species and weeds (Including wilding pines)	Y	Y		Y	Y	Y	Y
Increase native biodiversity, riparian habitats and species protection, diversity and populations	Y	Y	Y	Y	Y	Y	Y
Enable natural flows and behaviour	Y	Y	Y	Y			Y

Vision Themes (continued)	Region Wide	Marlborough Sounds Complex	Te Hoiere / Pelorus	Wairau	Awatere	East Coast Complex	Waiau-toa / Clarence
Traditional Māori tikanga acknowledgement and realisation	Y	Y	Y	Y			Y
Uphold Te mana o te Wai locally	Y		Y	Y			Y
Available for irrigation use.	Y			Y	Y	Y	
Tighter allocation controls				Y			
Water Storage				Y	Y	Y	
Food production valued in the region	Y						
Investigate large-scale hydro-electric generation, encourage small scale and domestic hydro	Y		Y	Y			Y
More stringent controls of forestry activities		Y	Y				
Diversity of land use and no over intensification of industries			Y				
Cohesive community/ stakeholder approach to restoration				Y	Y	Y	Y
Sustainable gravel management				Y	Y	Y	
Flood protection				Y			
Nature based solutions to climate change effects	Y		Y	Y			
Domestic water supply		Y			Y	Y	
Return to pre-European freshwater quality							Y

Table 2 – Visions / aspirations themes split into region wide and per FMU.

Future freshwater management
Given the highest priority, integrated approach, and be based on naturally occurring processes.
Application of the precautionary principle.
Users that cause degradation paying for this through levies, rather than the clean-up being paid by future generations.
Achieve a clear and informed balance amongst water takes, flows and volumes.
Complete overhaul not required focus on maintaining the current water quality within the region, while continuing to focus on / target certain 'hotspot' areas.
Tension between economic development and environmental values managed to favour environmental values with council enforcing the conditions of permitted water uses.
Sound, long sited management, not compromised by demands from water users motivated by shorter term economic perspectives.
When restriction levels are reached, a framework that permits graduated reductions in waters that provided for the survival of rural activities and businesses and their associated communities.
Support for ongoing development of adequate information on water volumes, flows and takes to improve knowledge with the aim of maximising the health of the rivers and aquifers.

Table 3 – Future freshwater management themes

Community Values and Activities

35. As part of the NOF (Clause 3.7) under Clause 3.9 values must be identified for each FMU. The policy statement provides four compulsory values at Appendix 1A which must be applied to all FMUs. These are Ecosystem Health, Human Contact, Threatened Species and Mahinga kai. Other values can also be considered, this includes nine values identified in Appendix 1B which councils must consider whether they apply to each FMU. Other values can be identified by either community and / or tangata whenua.
36. A total of 382 feedback points related specifically to values the community has relating to freshwater and freshwater ecosystems. These were divided into comments that were region wide and those that related to specific FMUs, some comments covered both region wide and specific FMUs or applied to multiple FMUs.

Area / FMUs	No of value related comments	% of total
Region Wide	75	19.63%
Marlborough Sounds Complex	50	13.09%
Te Hoiere / Pelorus	29	7.59%
Wairau	157	41.10%
Awatere	33	8.64%
East Coast Complex	31	8.12%
Waiau-toa / Clarence	7	1.83%

Table 4 - Number of Submissions per area/FMU

37. Previously identified and existing values and visions for freshwater in Marlborough are still considered to be relevant and as such have been included in the value identification process. These have been identified through other processes such as the PMEP and Rangitahi/Molesworth Reserve

Management Plan review or active restoration projects within the region such as the Te Hoiere Restoration Project and the Lake Moawhitu Restoration Project which were also highlighted by some submitters to be specifically taken into account.

38. Table 5 provides a summary of the compulsory and other values that must be considered divided into region wide values and those identified specifically for each FMU. Similarly, Table 6 provides details of other values that community have identified. Note that these do not include tangata whenua values.

Compulsory and Other must consider Values	Region Wide	Marlborough Sounds Complex	Te Hoiere / Pelorus	Wairau	Awatere	East Coast Complex	Waiau-toa / Clarence
Ecosystem Health	Y	Y	Y	Y	Y	Y	Y
Human Contact	Y	Y	Y	Y	Y	Y	Y
Threatened Species	Y	Y	Y	Y	Y	Y	Y
Mahinga Kai	Y	Y	Y	Y	Y	Y	Y
Natural Form and Character	Y	Y	Y	Y	Y	Y	Y
Drinking Water	Y	Y	Y	Y	Y	Y	
Wai Tapu	Y	Y	Y	Y		Y	Y
Transport & Tauranga Waka	Y	Y		Y			
Fishing	Y	Y	Y	Y	Y	Y	Y
Hydroelectric power generation				Y			
Animal drinking water	Y	Y	Y	Y	Y	Y	Y
Irrigation/ Cultivation / Production of Food and Beverages	Y	Y	Y	Y	Y	Y	Y
Commercial and Industrial Use	Y	Y	Y	Y	Y	Y	

Table 5 – Summary of compulsory values and other values that must be considered across the region and per FMU.

Other Values	Region Wide	Marlborough Sounds Complex	Te Hoiere / Pelorus	Wairau	Awatere	East Coast Complex	Waiau-toa / Clarence
Associated recreational activities	Y	Y	Y	Y	Y	Y	Y
Associated recreational activities (Incl.4WD)	Y			Y	Y	Y	Y
Spirituality + Mental Health	Y	Y	Y	Y			
Groundwater	Y	Y	Y	Y			
Amenity		Y	Y	Y			
Access	Y	Y	Y				
Education		Y					
Firefighting purposes	Y			Y			
Flood management and protection				Y			
Water Storage					Y		
Gravel Abstraction					Y		
Farming and rural activities	Y						
Production of medicinal plants/Rongoa/extracts and other products	Y						
Rivers for moving floodwaters from the land						Y	
Fossil hunting & geology					Y	Y	
Canadian Goose Hunting							Y

Table 6 – Summary of other values across the region and per FMU.

Community concerns and positives

39. The community were also asked to identify concerns / issues they had with the current freshwater management, and the positives.
40. Concerns centred around six main topics: river management, discharges and water quality degradation, water supply, access, general NPSFM process and resource management and equity / balance.
- a) River management – two key areas of flood management primarily relating to keeping river fairways clear which included weed management, flood debris removal and gravel abstraction, and secondly riparian management again including weed management and lack of enhancement work.
 - b) Discharges and water quality degradation - discharges and leaching of contaminants from land use activities (primarily forestry and farming mentioned) including nitrogen, other contaminants, and sediment and general waste management across local industries.
 - c) Water supply - maintaining the long-term integrity of domestic and irrigation supply, particularly in the southern drier FMUs and source water protection and risk assessment and management.
 - d) Access - Levels of public accessibility to water bodies and its relationship to efficient and safe land management by private landowners.

- e) NPSFM Process / Resource management – hierarchy within the compulsory values, lack of past holistic and / or balanced approach to water management, recognition of the paradigm shift in water resource management, implementation with an understanding of the local context and local history.
- f) Equity / Balance - relating to the use of and payment for the water resource, equity in the planning process through consideration of different community sectors' values and subsequent application of regulatory controls, through to the more general concepts and challenges on environmental versus economic balancing in resource management.
- g) Other comments - Lack of adequate information requiring application of a precautionary approach to resource management including holistic considerations, integrating management and the associated recognition of how waters are interconnected.

41. Positive feedback included;

- a) The Marlborough region had used water allocation for a “very long time” as compared to other regions and this process was felt to be well managed.
- b) The region still contained rivers and lakes with healthy freshwater ecology and freshwater for drinking.
- c) Positive advances towards improving water quality being made through the Te Hoiere Restoration Project.

What's Next

- 42. From the feedback received in this first round of engagement Council staff will draft proposed visions and environmental outcomes for each FMU (NPSFM CI 3.3 and NOF step 3 under CI 3.7(2)(c)).
- 43. Also, for each value, attributes, how we will measure if a value is being met, must be identified (NPSFM NOF Step 4 CI 3.7(2)(d) and CI 3.10). This includes using all relevant attributes identified in NPSFM Appendix 2A and 2B for the compulsory values listed and where practicable, attributes for all other applicable values.
- 44. Work to identify the baseline states of each value attribute is also being undertaken by the Council's science team, which will be used to inform target attributes states, environmental flows and levels, set limits and prepare action plans to achieve the environmental outcomes which will be the subject of the third round of community engagement.
- 45. The proposed visions and environmental outcomes will be presented to the community in the second round of engagement beginning at the start of November 2023. Community will be asked whether these proposed visions and environmental outcomes reflect the communities' aspirations for the region's freshwater. If they don't agree they will be asked to provide further details and suggestions.
- 46. During this second engagement there will also be another opportunity to check in with the values that have already been identified and add additional values.
- 47. Further information on the FMU's is also being collated and will be available through the Council's website freshwater management pages, aiming to provide further context and current state information on freshwater in region.
- 48. The second round of community engagement will be undertaken in a similar way to the first utilising the Council's website to provide information and links to an online survey which will also be available in hard copy. Community and industry meetings will also occur but will be more of a drop in format where people can view information including the proposed visions and outcomes and provide feedback rather than just a presentation being given.
- 49. It is proposed that this second round of engagement will run for six weeks, finishing on the 15th of December. Council staff will then collate this feedback in January which will be reported back to the committee and be used to inform the next stage of the process.

Option assessment

The NPSFM sets out prescriptive steps Councils must take to implement the legislation. These are detailed within the National Objectives Framework and require engagement with communities and tangata whenua at every stage. No other options have therefore been assessed.

Attachments

Attachment 1 – Giving effect to the national policy statement for Freshwater management 2020 – Report on community Engagement Round 1 – Proposed Freshwater Management Units, Visions and Values.

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