

SUBMISSION FORM

VARIATION 1 TO PROPOSED WAIKATO REGIONAL PLAN CHANGE 1 WAIKATO AND WAIPĀ RIVER CATCHMENTS

IMPORTANT NOTE

Save this PDF to your computer before answering. If you edit the original form from this webpage, your changes will not save. Please check or update your software to allow for editing. We recommend Acrobat Reader.

We need to receive your submission by 5pm, 23 May, 2018

YOUR NAME, ADDRESS FOR SERVICE AND CONTACT DETAILS (MANDATORY INFORMATION)

Name of Submitter (individual/organisation)		
Contact Person (if applicable)		
Agent (if applicable)		
Email address for service		
Postal address		
Phone number/s	Home:	Business:
	Mobile:	Fax:

PLEASE INDICATE WHETHER YOU WISH TO SPEAK AT A HEARING

- Yes, I wish to speak at the hearing in support of my submission.
- No, I do not wish to speak at the hearing in support of my submission.

JOINT SUBMISSION

- If others make a similar submission, please tick this box if you would consider presenting a joint case with them at the hearing.

TRADE COMPETITION AND ADVERSE EFFECTS (SELECT APPROPRIATE)

- I could / could not gain an advantage in trade competition through this submission. *Refer to last page for further information*
- I am / am not directly affected by an effect of the subject matter of the submission that:
- adversely effects the environment, and
 - does not relate to the trade competition or the effects of trade competition.

IF YOU HAVE USED EXTRA SHEETS FOR THIS SUBMISSION PLEASE ATTACH THEM TO THIS FORM AND INDICATE BELOW

- Yes, I have attached _____ extra sheets. No, I have not attached extra sheets.

SIGNATURE - NOTE A SIGNATURE IS NOT REQUIRED IF YOU MAKE YOUR SUBMISSION BY ELECTRONIC MEANS

Signed _____ Date _____
Type name if submitting electronically

SUBMISSIONS CAN BE



Chief Executive, 401 Grey Street, Private Bag 3038, Waikato Mail Centre, Hamilton 3240



Waikato Regional Council, 401 Grey Street, Hamilton East, Hamilton



(07) 859 0998



healthyrivers@waikatoregion.govt.nz *Please note: Submissions received by email must contain full contact details.*

PLEASE CHECK that you have provided all of the information requested and if you are having trouble filling out this form, phone Waikato Regional Council on 0800 800 401 for help.

Personal information is used for administration and will be made public. All information collected will be held by Waikato Regional Council, with submitters having the right to access and correct personal information.

FORM 5 Clause 6 of First Schedule, Resource Management Act 1991

1. Trade competition

If you could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of part 1 of Schedule 1 of the Resource Management Act 1991 (RMA).

6 Making of submissions

- (4) A person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that –
- a) adversely affects the environment; and
 - b) does not relate to trade competition or the effects of trade competition.

2. Privacy information

The Waikato Regional Council will make all submissions and further submissions including name and contact details publicly available at public libraries in the region, Council Offices and on Council's website. Any further submission, under the RMA, supporting or opposing your submission is required to be forwarded to you as well as Council.

Personal information will also be used for administration relating to the subject matter of the submissions, including notifying submitters of hearings and decisions. All information will be held by the Waikato Regional Council with submitters having the right to access and correct personal information.

3. Submission Content Review

Please note that the RMA states that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

If you have questions about making a submission, please visit waikatoregion.govt.nz/healthyrivers to see our factsheet about Making a Submission.

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1

PROVISION (e.g. Objective 4 or Rule 3.11.5.1): _____

Do you support or oppose the provision?

Support

Support with amendments

Oppose

Oppose with amendments

DECISION SOUGHT

State clearly the decision and/or suggested changes you want council to make on the provision.

The decision I would like the council to make regarding this provision is:

SUBMISSION

State clearly the reasons for the decision you want council to make.

The reason for requesting this decision is:



Chief Executive
Waikato Regional Council
401 Grey Street
Hamilton East
HAMILTON

TO Waikato Regional Council

SUBMISSION ON: Variation 1 to Proposed Plan Change 1 to the Waikato Regional Plan

FROM: Watercare Services Limited ("**Watercare**")

ADDRESS FOR SERVICE: The address for service specified below

DATE: 22 May 2018

Watercare could not gain an advantage in trade competition through this submission.

1. INTRODUCTION

1.1 Watercare's purpose and mission

Watercare Services Limited ("**Watercare**") is New Zealand's largest provider of water and wastewater services. Watercare is a council-controlled organisation under the Local Government Act 2002 and is wholly owned by the Auckland Council.

Watercare is a company registered under the Companies Act 1993.

Watercare provides integrated water and wastewater services to approximately 1.4 million people in Auckland. Watercare collects, treats and distributes drinking water from 11 dams, 26 bores and springs, and four river sources. A total of 330 million litres of water is treated each day at 15 water treatment plants and distributed via 89 reservoirs and 90 pump stations to 450,000 households, hospitals, schools, commercial and industrial properties. Watercare's water distribution network includes more than 9,000 km of pipes. The wastewater network collects, treats and disposes of wastewater at 18 treatment plants and includes 7,900 km of sewers.

As a council-controlled organisation ("**CCO**") under the Local Government Act 2002, and a substantive council-controlled organisation under the Local Government (Auckland Council) Amendment Act 2009 ("**Auckland Act**"), Watercare has certain obligations. For example,

Watercare must achieve its shareholder's objectives as specified in the statement of intent, be a good employer and exhibit a sense of social and environmental responsibility.¹

As the CCO that provides water and/or wastewater services in Auckland,² Watercare is also required to manage its operations efficiently with a view to keeping overall costs of water supply and wastewater services to its customers (collectively) at minimum levels, consistent with effective conduct of the undertakings and maintenance of long-term integrity of the assets. Watercare must also not pay a dividend.³ Watercare must also give effect to relevant aspects of the Council's Long Term Plan, and act consistently with other plans of the Council.⁴

As a substantive CCO, Watercare has a number of statutory accountability mechanisms, including the requirement to prepare and maintain a statement of intent,⁵ undergo performance monitoring, provide an annual report, give effect to the Long Term Plan, and act consistently with other specified plans and strategies of the Council.

1.2 Watercare's Waikato interests

Watercare has special interests in the Waikato Region, which includes:

- a) Watercare currently has an existing allocation to take 150,000 m³/day from the Waikato River, and is applying to take another 200,000 m³/day. Auckland's population is forecast to grow by another one million people over the next 30 years. This is a significant increase on the 1.4 million people currently connected to Watercare's water and wastewater networks.
- b) The Pukekohe Wastewater Treatment Plant will be subjected to significant population growth as identified in the Auckland Plan 2012. This growth is from approximately 27,500 in 2015 through to 82,200 in 2051.
- c) Watercare and the Waikato District Council are parties to a Bulk Supply Agreement for the provision of water and wastewater services to the growing townships of Pokeno and Tuakau within the Waikato District. These services include: the provision of bulk treated drinking water; transmission and treatment of bulk wastewater; and maintenance services for local network reticulation.
- d) Watercare's two largest water supply dams in the Hunua Ranges (the Mangatawhiri and Mangatangi dams) are located in the Waikato Region.

¹ Local Government Act 2002, s 59.

² As defined in section 4 of the Local Government (Auckland Council) Act 2009.

³ Local Government (Auckland Council) Act 2009, s 57.

⁴ Local Government (Auckland Council) Act 2009, s 58.

⁵ This statement of intent covers a three year period, and requires Watercare to publicly declare its activities and intentions for the year, and how this will achieve its objectives: it provides an opportunity for shareholders to influence the organisational direction; and a basis for accountability for directors and shareholders. It also carefully considers section 58 of the Local Government Act 2009, which requires Watercare to give effect to relevant aspects of the Council's Long Term Plan, and each year, prior to the statement of intent review, Watercare receives a letter of expectation from the Mayor which significantly influences Watercare's direction and allows for alignment with the Council.

2. SUBMISSION

2.1 General

Watercare is pleased to have the opportunity to make a submission on Variation 1 to Proposed Plan Change 1 – Waikato and Waipa River Catchments (“**PPC 1**”) to the Waikato Regional Plan that was publicly notified on 10 April 2018. Watercare has lodged a submission on PPC 1. This submission on Variation 1 substantially reflects Watercare’s submission on PPC 1, but does address additional matters that generally relate to the spatial area covered by the Variation and that was withdrawn from PPC 1. It is this area that contains all of Watercare’s assets and operations that are located in the Waikato Region.

As with PPC 1, Watercare is in principle supportive of Variation 1. However, there are several aspects that in Watercare’s view do not necessarily meet the requirements of the Resource Management Act 1991 (“**RMA**”) or represent the most appropriate means of achieving the purpose of the Act or give effect to the National Policy Statement Freshwater Management (“**NPS-FM**”), the National Policy Statement on Urban Development Capacity (“**NPS-UDC**”) and Waikato Regional Policy Statement (“**RPS**”). It is our view that Variation 1 needs to be amended to address these concerns. In addition, a number of the provisions should be redrafted to assist with the overall workability of Variation 1, to remove ambiguities and avoid disputes over interpretation, and to improve clarity.

Watercare is also concerned about the adequacy of the Section 32 Assessment undertaken in respect of Variation 1 and whether it meets the requirements of the RMA.

More specifically, Watercare requests a number of amendments to Variation 1 as outlined in the remainder of our submission.

2.2 Policy 10: Provide for point source discharges of regional significance/Te Kaupapa Here 10: Te whakatau i ngā rukenga i ngā pū tuwha e noho tāpua ana ki te rohe

2.2.1 Watercare’s submission

Watercare is supportive of Policy 10 because its intention is to provide for point discharges to water associated with the operation of regionally significant infrastructure. However, the policy only provides for discharges for the “continued operation of regionally significant infrastructure” and does not recognise the need to provide for future growth. As set out in section 1 above, Watercare has responsibilities regarding the provision and operation of wastewater and water supply infrastructure for future growth. In addition, the requirements of the NPS-UDC regarding the planning and provision of infrastructure to service short, medium and long-term development capacity must be given effect to.

For reasons of clarity Watercare also considers that a definition of “regionally significant infrastructure” as contained in the RPS should be included in the Glossary of Terms in Variation 1.

2.2.2 Decision sought

Watercare seeks that Policy 10 be retained, but amended to include in addition to the continued operation of regionally significant infrastructure also its future development to service growth.

Watercare seeks the inclusion in the Glossary of Terms section of Variation 1 the definition of “regionally significant infrastructure” as defined in the RPS.

2.3 3.11.1 Values and uses for the Waikato and Waipa Rivers/Ngā Uara me ngā Whakamahinga o ngā Awa o Waikato me Waipā

2.3.1 Watercare’s submission

Watercare supports in principle section 3.11.1 Values and uses for the Waikato and Waipa Rivers/Ngā Uara me ngā Whakamahinga o ngā Awa o Waikato me Waipā of Variation 1, but seeks clarification regarding a number of matters that are set out below. Watercare also considers the provisions need amending for reasons of clarification and to better recognise Watercare’s requirements and responsibilities in terms of providing water and wastewater services for the health and social and economic wellbeing of communities and for their future growth.

Variation 1 states that the NPS-FM process followed in developing PPC 1 and as a consequence Variation 1 included identifying freshwater management units and the values for each. Map 3.11-1 shows the freshwater management units for the Waikato and Waipā River catchments. However, section 3.11.1 describes values and uses for the Waikato and Waipa Rivers and not the freshwater management units and states that these provide background to the objectives and limits.

There is a lack of clarity regarding how the process prescribed in the NPS-FM for developing freshwater objectives and values for freshwater management units relates to the process followed in developing PPC 1 and as a consequence Variation 1. It is unclear whether the objectives and values required under the NPS-FM to be developed by regional councils are those that are included in Variation 1.

Section 3.11.1 contains a series of tables relating to values. It is unclear as to the status of the tables in Variation 1, for example are they policies or methods. It is also unclear how the tables are to be applied, for example are they to be applied as assessment criteria when considering resource consent applications. Also the tables contain two columns with text in each column. The columns have no headings and therefore it is unclear as to what the text in each column relates to. The tables contain three headings which use inconsistent language. It is unclear what each heading relates to and why three headings are required.

Considered in the context of the above matters, Watercare is generally supportive of the water supply table and the commercial, municipal and industrial use table. However, in terms of the water supply table reference should be made to “domestic or municipal supply. This term is defined in the Waikato Regional Plan and therefore for reasons of clarity should be used in Variation 1. The table should also include reference to the need to have water available for domestic or municipal supply.

Watercare's two largest water supply dams being the Mangatawhiri and Mangatangi dams are located in the Waikato River Catchment and the area subject to Variation 1. These dams are specifically referenced in the definition of "regionally significant infrastructure" in the RPS. There is also a specific policy (Policy 6.7 Mangatawhiri and Mangatangi municipal water supply bodies) in the RPS relating to the protection of these water bodies. The implementation methods that apply to Policy 6.7 set out that the Regional Plan shall include provisions that give effect to Policy 6.7, through identification of the Mangatawhiri and Mangatangi water bodies as municipal supply water bodies.

Given the critical importance of these dams and their associated municipal supply water bodies for the Auckland Region's municipal water supply and that the Regional Plan (which includes PPC 1 and Variation 1) must give effect to the RPS, Watercare considers that the water supply table should make specific reference to the Mangatawhiri and Mangatangi water bodies in the Waikato River Catchment and the need to protect them as municipal supply water bodies. This is consistent with the approach of identifying specific activities in the electricity generation use table.

In terms of the commercial, municipal and industrial use table Watercare considers that wastewater disposal should be separated from the other discharges. It should be a standalone provision (table) which recognises that the importance of the rivers' assimilative capacity for wastewater discharges from municipal wastewater treatment plants because they are required for the health and social and economic wellbeing of communities and for their future growth.

2.3.3 Decisions sought

Watercare seeks clarification from the Waikato Regional Council regarding:

- a) how the process prescribed in the NPS-FM for developing freshwater objectives and values for freshwater management units relates to the process followed in developing PPC 1 and as a consequence Variation 1; and
- b) whether the objectives and values included in Variation 1 have been developed and designed to give effect to the requirements of the NPS-FM and particularly Policies CA1-CA4.

Watercare seeks that section 3.11.1 Values and uses for the Waikato and Waipa Rivers/Ngā Uara me ngā Whakamahinga o ngā Awa o Waikato me Waipā be amended to clarify:

- a) the status of the value tables i.e. are they objectives, policies or methods;
- b) how the value tables are to be applied when assessing resource consent application. For example are they to be applied as assessment criteria;
- c) the nature of the content contain two columns of each table; and
- d) the purpose of the three headings which apply to each table.

Watercare seeks that the water supply value table be amended to refer to:

- a) "domestic or municipal supply";
- b) the need for water to be available for existing and future domestic or municipal supply; and
- c) the location of Mangatawhiri and Mangatangi water bodies in the Waikato River Catchment and the need to protect them as municipal supply water bodies.

Watercare seeks that the inclusion of a new values table in section 3.11.1 that relates solely to municipal processes. The table should include provisions relating to the use of rivers for municipal processes and the importance of the rivers' assimilative capacity for discharges from municipal wastewater and water treatment plants and from other municipal activities. The table should also include provisions that recognise of the benefits of these activities in terms for the health, safety and social and economic wellbeing of communities and for enabling their future growth.

2.4 Water quality targets

2.4.1 Watercare's submission

Watercare is concerned that the water quality targets do not recognise the seasonality of nutrient effects on chlorophyll-a concentrations and visual clarity, and the subsequent differentiation of summer and winter periods inherent in many existing discharge consents to the Waikato River catchment.

If a seasonal approach is not adopted in respect of future resource consents, and requirements to meet more stringent Total Nitrogen and Total Phosphorus loads on an annual basis are imposed, this will have significant financial implications for Watercare and other municipal wastewater authorities. It will result in the need for additional treatment requirements and an increase in capital and operational costs.

The water quality targets for ammonia contained in Variation 1 are below the current detection limit of the analytical methods used by the Waikato Regional Council as given in the historical records, and Watercare is unclear of the evidential basis to support the setting of these targets which are considered to be very low in relation to the historical water quality records. It has been assumed these targets have been arrived at by the statistical method used to account for non-detect data. For example, the Waikato River water quality monitoring programme uses an analytical method for ammonia with a detection limit of 0.01 g/m³. A common statistical method to address non-detect data is to halve the detection limit, which in this case would be 0.005 g/m³. Some of the water quality targets are less than this value, for example the short and long term target for the Waikato River at Tuakau Bridge is 0.003 g/m³. Watercare considers that this will have implications for future discharge consent processes where ammonia is a contaminant of concern. The reason for this is because relatively small inputs of ammonia may adversely affect the ability to achieve the downstream water quality target.

The long-term water quality targets for Total Nitrogen, Total Phosphorus and chlorophyll-a are the same downstream of Hamilton as those in the Lower Waikato River. Watercare is concerned that the discharge of contaminants (including treated wastewater) in the Lower Waikato River will not be able to occur without adversely affecting the water quality target unless the concentrations of Total Nitrogen and Total Phosphorus are lower in the discharge than the river water quality target (i.e. a dilution effect). Whilst wastewater treatment technologies currently exist to reduce total phosphorus to these concentrations (i.e. the long-term water quality target) there are no such technologies available to reduce total nitrogen to the extent required. This will have significant implications for all wastewater discharges in the long-term.

The targets should recognise the gradual deterioration of water quality along the length of the Waikato River and Variation 1 should not put in place artificial boundaries that favour discharges in the upper catchments over those in the lower catchment be removed.

2.4.2 Decisions sought

Watercare seeks that Variation 1 recognises the seasonality of nutrient effects from point source discharges as is current practice with many existing point-source discharge resource consents to the Waikato River.

Watercare seeks clarification from the Waikato Regional Council regarding how historical data has been handled to derive water quality targets for ammonia and the implication for assessing effects of point source discharges.

Watercare seeks that the long term water quality targets for Total Nitrogen, Total Phosphorus and chlorophyll-a be amended to recognise the gradual deterioration of water quality along the length of the Waikato River and that the artificial boundaries that favour discharges in the upper catchments over those in the lower catchment be removed.

2.5 Drafting of objectives and policies

2.5.1 Watercare's submission

Watercare is concerned that many of the objectives and policies contained in Variation 1 are not well drafted and in many cases are not RMA statutory plan objectives and policies. A number (e.g. Objectives 1 and 3) are targets, or 'objectives' that one would expect to see in an implementation / action plan. Others are drafted as rules or standards and some are just statements (e.g. Objective 3). Many of the headings are very lengthy and it is not clear whether they are simply headings or actually form part of the objective or policy (e.g. Objectives 1 and 3).

A number of objectives and policies (e.g. Policy 7 requires information collection and research) appear to be focussed on providing direction for future Waikato Regional Council actions (including future plan change processes, sub catchment planning (e.g. Policy 9) as opposed to resource consent processes. If such objectives and policies are intended to be assessed as part of a resource consent process, it will be problematic to demonstrate how the application will achieve the requirement or outcome.

There are also a number of objectives and policies that appear to be focussed on the management of non-point source discharges but could however, be interpreted as applying to point source discharges (e.g. Objectives 3 and 4 and Policies 1, 5 and 9).

The combination of these issues will make it difficult for an applicant or a decision maker to determine if an application will achieve the objectives and policies or be contrary to them. This will make future consenting processes problematic with disputes over interpretation of provisions and problems in demonstrating how an application is consistent with the objectives and policies

2.5.2 Decisions sought

Watercare seeks that the Variation 1's objectives and policies are redrafted so that they are RMA statutory plan objectives and policies and that they reflect best practice RMA plan drafting.

Watercare seeks that the objectives and policies be amended to clearly identify the objectives and policies that apply to farming activities and those that apply to municipal discharges.

2.6 Policy 11: Application of Best Practicable Option and mitigation or offset of effects to point source discharges/Te Kaupapa Here 11: Te whakahāngai i te Kōwhiringa ka Tino Taea me ngā mahi whakangāwari pānga; te karo rānei i ngā pānga ki ngā rukenga i ngā pū tuwha

2.6.1 Watercare's submission

Watercare supports in principle the application of Best Practicable Option (BPO) and offsetting as proposed by Policy 11. However, Watercare has a number of concerns regarding the Policy's interpretation of BPO and its approach to offsetting.

The BPO approach proposed by Policy 11 is inconsistent with that of the RMA. The policy is requiring the BPO to avoid or mitigate adverse effects rather than as the RMA requires the consideration of options to determine the best practicable one to prevent or minimise adverse effects.

Policy 11 requires all adverse effects of point source discharges to be either avoided or mitigated and where this cannot be achieved any residue adverse effects need to be offset. This requirement is inconsistent with the RMA on a number of counts. Firstly, the RMA is not a "no effects statute," as the Act clearly contemplates that activities will have adverse effects. Secondly, while offsetting is a generally accepted practice it is applied where significant adverse effects cannot be avoided, remedied or mitigated. It should not be applied to address any residual effects unless the residue effects are significant. The RMA does not require all effects to be avoided, remedied, mitigated or offset.

Watercare also has concerns regarding the drafting of Policy 11. It is convoluted, imprecise and does not represent good RMA policy drafting.

2.6.2 Decisions sought

Watercare seeks that Policy 11 be retained, but that it be amended to be consistent with the RMA. The requirement to adopt BPO must relate to consideration of options to determine the best practicable one to prevent or minimise adverse effects and the requirement for offsetting should only relate to residual effects that are significant adverse effects.

Watercare also seeks that Policy 11 be redrafted to reflect best practice RMA policy drafting and simplified by splitting it into two policies, one relating to BPO and one relating to offsetting.

2.7 Policy 12: Additional considerations for point source discharges in relation to water quality targets/Te Kaupapa Here 12: He take anō hei whakaaro ake mō ngā rukenga i ngā pū tuwha e pā ana ki ngā whāinga ā-kounga wai

2.7.1 Watercare's submission

Watercare is generally supportive of Policy 12. This is because the matters set out in a) to d) are very relevant when assessing resource consent applications for point source discharges. Given the relevance and importance of these matters Watercare considers that the policy should be strengthened so that applicants and decision makers are required to "have particular regard to these matters" rather than simply "take into account".

Watercare also considers that b) has mixed up two the concepts of technology upgrades, and modelling and monitoring and should be amended to avoid confusion.

2.7.2 Decisions sought

Watercare seeks the retention of Policy 12, but that it be amended so that applicants and decision makers are required to "have particular regard to" matters a) to d) rather than simply "take into account".

Watercare also seeks that matter b) be split into two parts, with the first part relating to technology upgrades and the second part relating to modelling and monitoring.

2.8 Policy 13: Point sources consent duration/Te Kaupapa Here 13: Te roa o te tukanga tono whakaaetanga mō te pū tuwha

2.8.1 Watercare's submission

Watercare is generally supportive of Policy 13. This is because the matters set out in a) to c) are very relevant when determining the duration of resource consents for point source discharges. However, Watercare does have concerns regarding the drafting of Policy 13

Watercare considers that Policy 13 should be strengthened so that decisions makers and applicants must consider matters a) to c) when determining an appropriate duration for a resource consent for a point source discharge. In addition, matter a) should be amended to require applicants to demonstrate the extent to which Policies 11 and 12 will be met.

Watercare is also of the view that the need to provide infrastructure to meet the servicing requirements for long-term growth should be included as a relevant matter when determining consent duration. This is consistent with the NPS-UDC.

2.8.2 Decisions sought

Watercare seeks the retention of Policy 13, but that it be amended to:

- a) clarify that matters a) to c) must be considered when determining the duration of any resource consent;
- b) clarify that matter a) requires applicants to demonstrate the extent to which Policies 11 and 12 can be met; and
- c) include an additional matter regarding the need to provide infrastructure to meet the servicing requirements for long-term growth.

Watercare also seeks that Policy 11 be redrafted to reflect best practice RMA policy drafting.

2.9 Objective 2: Social, economic and cultural wellbeing is maintained in the long term/Te Whāinga 2: Ka whakaūngia te oranga ā-pāpori, ā-ōhanga, ā-ahurea hoki i ngā tauroa

2.9.1 Watercare's submission

Watercare is generally supportive of Objective 2. This is because it recognises that there are economic benefits to be derived for people and communities from the restoration and protection of water quality in the Waikato River catchment which in turn will enable them continue to provide for their social, economic and cultural wellbeing. The concern that Watercare has about Objective 2 is that it is not well drafted and that only relates to the people and communities of the Waikato and Waipa. Given the significance of the Waikato River and its catchment to the people and communities of the Auckland Region for municipal water supply and treated wastewater disposal Objective 2 should also reference the people and communities of Auckland.

2.9.2 Decisions sought

Watercare seeks the retention of Objective 2, but that it be amended to recognise the significance of the Waikato River and its catchment to the people and communities of the Auckland Region and be redrafted to reflect best practice RMA objective drafting.

2.10 Provisions relating to wetlands

2.10.1 Watercare's submission

Variation 1 introduces and number of amendments to provisions relating to wetlands. Watercare has no issue with these provisions. However, Watercare is concerned that the wetland provisions could be applied to constructed and engineered wetlands associated with water and wastewater infrastructure that are used in the management and treatment of discharges of contaminants associated with these activities. These are wetlands that have been developed and managed for this specific purpose and cannot and should not be considered as natural wetlands and subject to the wetland provisions in Variation 1.

Watercare considers that Variation 1 makes a clear distinction between natural wetlands and constructed and engineered wetlands and clarifies that the wetland provisions to not apply to constructed and engineered wetlands.

2.9.2 Decisions sought

Watercare seeks the inclusion of a definition of wetlands in Variation 1 and that the definition specifically excludes constructed and engineered wetlands for the management and treatment of contaminant discharges associated with regionally significant infrastructure such as stormwater and wastewater and water treatment plant discharges.

Watercare wishes to be heard in support of its submission.

If others make a similar submission, Watercare will consider presenting a joint case with them at a hearing.

Date: 22 May 2018



Steve Webster

**Chief Infrastructure Officer
Infrastructure Delivery Management
Watercare Services Limited**

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