

30 June 2024
Submitted online

SUBMISSION TO THE PRIMARY PRODUCTION COMMITTEE ON THE RESOURCE MANAGEMENT (FRESHWATER AND OTHER MATTERS) AMENDMENT BILL

Thank you for the opportunity to present this submission on proposed amendments to the Resource Management Act in relation to freshwater and other matters.

The Queenstown Lakes District Council (**QLDC**) supports in principle a more streamlined and efficient resource management system, however any changes must continue to ensure high quality environmental, social, economic, and cultural outcomes.

QLDC encourages the Primary Production Committee to ensure that local authorities are able to contribute their significant institutional knowledge and expertise to development of national direction, to maintain protection for freshwater, and ensure that short-term economic benefits are not gained at the expense of long-term environmental, social and cultural outcomes, for example by changing the consenting process for coal mining.

QLDC would not like to be heard at any hearings that result from this consultation process.

Thank you again for the opportunity to comment.

Yours sincerely,



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1.0 Context of the consultation topic in relation to QLDC

- 1.1 The Queenstown-Lakes District (**the district**) has an average daily population of 70,205 (visitors and residents) and a peak daily population of 99,220. The district is experiencing rapid growth, and by 2053 the population is forecast to increase to 150,082 and 217,462 respectively¹.
- 1.2 The district is one of Aotearoa New Zealand's premier visitor destinations, drawing people from all over the world to enjoy spectacular wilderness experiences, world renowned environments and alpine adventure opportunities. The majority of land within the district is classified as an Outstanding Natural Feature or Outstanding Natural Landscape, and these environmental qualities are a major drawcard for international and domestic visitors.
- 1.3 QLDC's main priority in making this submission is to ensure the Proposed District Plan's (**PDP**) strategic direction can continue to be efficiently and effectively implemented. Significant investment and effort has been applied by many stakeholders over a number of years to develop the PDP, which provides a careful balance between environmental stewardship and development capacity and capability.

2.0 The proposed approach to streamlining national direction processes is not supported, and should continue to include consultation with local authorities

- 2.1 In principle, streamlining national direction processes and making them more efficient makes sense, however there are a number of aspects of the Bill that raise concerns.
- 2.2 In extending the Minister's discretion to amend national direction outside of the standard process, QLDC does not support any amendments that would reduce the ability for local authorities to participate in the development of all types of national direction. Streamlining and improved efficiency should not come at the expense of local authorities having a strong role in setting and amending national direction. What is set nationally is implemented locally and changes to national direction have a significant impact on local authorities' capacity and capability to efficiently and effectively implement the objectives policies and methods contained within city, district and regional plans.
- 2.3 QLDC does not support the proposal to amend the notice provision in s46A(4)(b) that would mean the Minister decides on an appropriate submissions process. Consultation with local authorities is fundamental to ensure well-functioning resource management national direction. Local authorities have expert staff across a range of professions. These staff have on the ground experience implementing instruments of national direction through plan development and resource consent processing activities. Each piece of national direction needs to carefully consider this experience and where warranted, be amended to address local authority advice. The requirement to consult with local authorities should be clear and consistently applied. Such decisions should not be made by ministers on an ad hoc basis. Likewise, extensions of implementation timeframes for national direction should, in our view, go through the full notice and submission process.
- 2.4 The draft Bill exempts national direction proposals from the requirement to prepare and publish evaluation reports and does not require quantification of costs and benefits or an assessment of cultural effects. QLDC respectfully does not agree with this approach as it would put more onus on local authorities to undertake these assessments at the time of implementation. This is likely to result in a range of unintended adverse

¹ <https://www.qldc.govt.nz/community/population-and-demand>

effects and decrease the overall efficiency and effectiveness of plan making and resource consent processing.

- 2.5 QLDC also notes a procedural issue. Changes to national direction relate to the environment. Currently, standing orders place this as the role of the Environment Committee, not the Primary Production Committee. The first priority in national direction on resource management must be the environment, which is considered broader than the primary sector. It is recommended that in future, resource management issues are considered by the Environment Committee.

3.0 Proposed amendments to the National Policy Statement on Freshwater Management (NPS FM), including the removal of te Mana o te Wai obligations, may have a range of adverse social, economic, environmental and cultural effects

- 3.1 QLDC does not support excluding Te Mana o te Wai obligations in the NPS FM from resource consent applications and decision-making, or any other amendments that would result in reduced obligations with regard to the quality and quantity of Aotearoa New Zealand's freshwater resources. Waterways are of strategic importance to the district. They are a vital component of Aotearoa New Zealand's visitor offering and the nationally significant economic values generated by the tourism economy. The district's waterways are fundamental to the social, economic, environmental and cultural wellbeing of the district. Any change that could compromise the quality and quantity of the district's freshwater resources will impact on resident's quality of life and the nation's reputation as a world class visitor destination. The quality and quantity of freshwater is also important for regions downstream, as the district is the headwaters for many waterways on their journey from the mountains to the sea.

4.0 Consenting pathways for coal mining present risks that need to be carefully considered

- 4.1 The Bill aims to change the mineral extraction consenting pathway so that coal mining is treated the same as other mineral extraction. It also removes the restrictions on coal mining in wetlands. QLDC submits that any adverse effects on a Significant Natural Area (SNA) as a result of a mineral extraction activity, including coal mining or any other mining activity, should only be considered where there is a well evidenced significant national public benefit that could not otherwise be achieved using resources within New Zealand. This will ensure that significant indigenous biodiversity continues to be protected, including the important role it plays in the nation's highly valuable tourism offering.
- 4.2 The proposed changes to consenting for coal mining do not appear to be in line with the Government's obligations to achieve net zero greenhouse gas emissions by 2050. There needs to be an incentive to reduce reliance on coal and transition to clean energy. Increasing the availability of fossil fuels may create a future economic burden for the country and put it out of step with international progress on climate change. For this reason, QLDC does not support changing the consenting pathway for coal mining.

5.0 Amendments to requirements under the National Policy Statement for Indigenous Biodiversity (NPS IB) should be approached with caution to prevent adverse effects on indigenous environments, flora and fauna

- 5.1 The Bill suspends obligations in the NPS IB for local authorities to identify new SNAs and notify them through Resource Management Act 1991 (RMA) schedule 1 processes. QLDC notes that the Government intends to review the operation of SNAs as part of its staged reform of the RMA. QLDC considered the management framework for the district's SNAs as part of its recently completed district plan review. This included an assessment of these areas against the significance criteria in the PDP, which mirrors the criteria currently contained in the NPS IB. QLDC is concerned that if the criteria for identifying and protecting SNAs is amended, it could result in further loss of indigenous biodiversity. Less than 10% of indigenous vegetation

cover remains across much of the urban and surrounding areas in the district² and these remaining indigenous environments require protection from further adverse effects. The primary mechanism for protecting important indigenous biodiversity within the district is through listing and scheduling in the District Plan. QLDC advocates that any future reform of the RMA maintains the current criteria for protecting and managing SNAs.

- 5.2 It is also noted that an impact analysis does not appear to have been undertaken on the proposed suspension of requirements to identify new SNAs under the NPS IB as it was part of the Government's 100-day plan. This risks the full range of impacts of the change not being fully considered. Due to the importance of protecting and enhancing indigenous biodiversity, a precautionary approach should therefore be taken to the changes.

QLDC makes the following recommendations:

- R.1. Do not extend the Minister's discretion to amend national direction outside of the standard process.
- R.2. Do not extend the powers of the Minister to enable alteration of submissions processes.
- R.3. Require the quantification of costs and benefits and an assessment of cultural effects in evaluations of national direction proposals.
- R.4. Retain the requirement for Te Mana o te Wai obligations in the NPS FM to be included in resource consent applications and decision-making.
- R.5. Ensure that any adverse effects on an SNA as a result of a mineral extraction activity, including coal mining, should only be considered where there is a significant national public benefit that could not be achieved using resources within New Zealand.
- R.6. Retain the current consenting pathway for coal mining.
- R.7. Ensure future reforms of the RMA maintain the current criteria for protecting and managing SNAs.

² [QLDC Climate and Biodiversity plan 2022-2025](#)