

To: Otago Regional Council, Private Bag 1954, Dunedin 9054

Name: Public Health South

Address Private Bag 1921, DUNEDIN 9054

(Note: different address for service below)

1. This is a further submission in support of, or in opposition to, submissions on the Otago Regional Council Omnibus Plan Change (Water Plan Change 8).
2. Public Health South is a party with an interest in the proposal that is greater than the interest of the general public. Southern District Health Board (Southern DHB) presents this submission through its public health service, Public Health South. Southern DHB delivers health services to a population of 335,900 and has responsibility under the New Zealand Public Health and Disability Act 2000 to improve, promote and protect the health of people and communities. It seeks to promote equity and to reduce adverse social and environmental effects on the wellbeing of people and communities. They aim to create or advocate for healthy social, physical and cultural environments. Public Health South's original submission on the Otago Regional Council Omnibus Plan Change (Water Plan Change 8) sets out the reasons for their position on these proposed plan changes.
3. The original submissions that Public Health South either supports or opposes are described, and the reasons for Public Health South's support or opposition are detailed in the table attached as Annexure A to this further submission.
4. Public Health South seeks that the relief set out in Annexure A, in terms of allowing or disallowing original submissions, be granted.
5. Public Health South does wish to be heard in support of this further submission. If others make a similar submission, Public Health South will not consider presenting a joint case with them at a hearing.

1 October 2020



Tom Scott, Public Health South
Address for Service: Public Health South
Private Bag 1921
Dunedin 9054

Note to person making further submission

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority.

Provision	Submitter	The Particular Parts of the Submission that PHS Supports or Opposes	Relief Sought by Submitter	Public Health South's Position and Reasons	Relief Sought
Part A: Policy 7.C.6	Dunedin City Council	Reducing the environmental effects from existing stormwater reticulation systems	Support	<p>The Dunedin City Council raise a number of questions requiring clarification about how Policy 7.C.6 will be delivered.</p> <p>It is suggested ORC and DCC be directed to work on clarifying questions that have been raised.</p>	Retain as notified
Part A: Policy 7.C.12	Dunedin City Council	Reducing the adverse effects of discharges of human sewage from reticulated wastewater systems	Support	<p>The Dunedin City Council raise a number of questions requesting clarification about how Policy 7.C.12 will be delivered.</p> <p>It is suggested ORC and DCC be directed to work on clarifying questions that have been raised.</p>	Retain as notified
Part A: Policy 7.C.5	Ravensdown Ltd	Minimising the adverse environmental effects of discharges from any new stormwater reticulation system or any extension to an existing reticulation system...	Support	Support these provisions as the to separate human sewage systems from stormwater systems thereby reducing public health risk.	Retain as notified.
Part A: Policy 7.C.6	Ravensdown Ltd	Reducing the environmental effects from existing stormwater reticulation systems	Support	Support these provisions as the intent is to separate human sewage systems from stormwater systems thereby reducing public health risk.	Retain as notified
Part B: Policy 7.D.7	Ravensdown Ltd	Ensuring the appropriate management and operation of animal waste management systems	Support	Effective systems for the management of animal waste will serve to reduce public health risks associated with the contamination of animal waste in water that may be used for community drinking water supplies or contact recreation.	Retain as notified

Part B: Policy 7.D.7(b)(ii)	Otago Regional Council	Amend as shown: <u>Include contingency measures to prevent discharges of effluent to a water body, an artificial watercourse, or the coastal marine area, either directly or indirectly to water</u> in the case of equipment or system failure;	Support	Clarification of wording to make intent clearer.	Support
Part B: Policy 7.D.7(b)(ii)	Otago Regional Council	Correction to a numbering error: Policy 7.D.7(b)(ii) (ii) (iii). <u>Are operated</u>	Support	Clarification to correct a numbering error.	Support
Part B: Policy 7.D.7(c)	Otago Regional Council	Amend as shown: <u>Avoiding the discharge of animal waste to:</u> <u>(i) water bodies, artificial watercourses, bores and soak holes, the coastal marine area; and</u> <u>(ii) saturated land in a manner that results in ponding or overland flow to water, including to frozen land; and</u> <u>(iii) land when the soil moisture exceeds field capacity; and ...</u>	Support	Clarification to strengthen the provision of the requirements where animal waste cannot be discharged including environments where water can be used for community drinking water supply or contact recreation.	Support
Part A: Policy 7.C.5	The Director General of Conservation	Minimising the adverse environmental effects of discharges from any new stormwater reticulation system or any extension to an existing reticulation system...	Support	Support these provisions as the intent is to separate human sewage systems from stormwater systems thereby reducing public health risk.	Retain as notified.
Part A: Policy 7.C.6	The Director General of Conservation	Reducing the environmental effects from existing stormwater reticulation systems	Support	Amend Policy 7.C.6(b) as shown: To promote <u>Promoting Requiring</u> the progressive upgrading of the quality of water discharged from existing stormwater reticulation systems, including through: <u>(i) The separation of sewage and stormwater; and (ii) Measures to prevent contamination of the receiving environment by industrial</u>	Support suggested changes

				<p>or trade waste; and (iii) <u>The use of techniques to trap debris, sediments and nutrients present in runoff.</u> and (iv) <u>Reducing contaminant and sediment loadings at source through contaminant treatment and by controls on land use activities;</u> and</p> <p>(v) <u>Requiring integrated management of catchments and stormwater networks;</u> and</p> <p>vi) <u>Promoting design options that reduce flows into stormwater reticulation systems at source.</u></p>	
Part B: Policy 7.D.7	The Director General of Conservation	Ensuring the appropriate management and operation of animal waste management systems	Support	Effective systems for the management of animal waste will serve to reduce public health risks associated with the contamination of animal waste in water that may be used for community drinking water supplies or contact recreation.	Retain as notified
Part B: Policy 7.D.8	The Director General of Conservation	Providing for the upgrading of existing animal waste systems that do not meet the standards...	Support	Effective systems for the management of animal waste will serve to reduce public health risks associated with the contamination of animal waste in water that may be used for community drinking water supplies or contact recreation.	Retain as notified
Part A: Policy 7.C.5	Aukaha Limited	Minimising the adverse environmental effects of discharges from any new stormwater reticulation system or any extension to an existing reticulation system...	Support	Support these provisions as the intent is to separate human sewage systems from stormwater systems thereby reducing public health risk.	Retain as notified
Part A: Policy 7.C.6	Aukaha Limited	Reducing the environmental effects from existing stormwater reticulation	Support	Support these provisions as the intent is to separate human sewage systems	Support and strengthen

		systems		from stormwater systems thereby reducing public health risk.	changes to this provision as advocated by the Director General of Conservation
Part A: Policy 7.C.12	Aukaha Limited	Reducing the adverse effects of discharges of human sewage from reticulated wastewater systems	Support in Part	Amend as shown: <u>Reduce the adverse effects of discharges of human sewage from reticulated wastewater systems by: ... (d) Having particular regard to any adverse effects on cultural values-Kāi Tahu cultural and spiritual beliefs, values and uses.</u>	Support Suggested Changes
Part B: Policy 7.D.7	Aukaha Limited	Ensuring the appropriate management and operation of animal waste management systems	Support	Effective systems for the management of animal waste will serve to reduce public health risks associated with the contamination of animal waste in water that may be used for community drinking water supplies or contact recreation.	Retain as Notified
Part B: Policy 7.D.8	Aukaha Limited	Providing for the upgrading of existing animal waste systems that do not meet the standards....	Support	Effective systems for the management of animal waste will serve to reduce public health risks associated with the contamination of animal waste in water that may be used for community drinking water supplies or contact recreation.	Retain as notified
Part A: Policy 7.D.6	Balance Agri-Nutrients Ltd	Reducing the environmental effects from existing stormwater reticulation systems	Support and Ammend	Amend as shown: <u>(a) Restrict the duration of resource consents to a term of no more than 10 years i. 35 years where the discharge will meet the water quality standard required to support that value for the duration of the resource consent;</u>	Reject this suggested amendment

				<p><u>ii. 15 years where the discharge does not meet the water quality standard required to support that value but will progressively meet that standard within the duration of the resource consent;</u> and <u>iii. 5 years where the discharge does not meet the water quality standard required to support that value</u></p> <p>We believe a graduated approach is not appropriate given that environmental and public health thresholds can change considerably in 35 years.</p>	
Part A: Policy 7.C.6	Ngāi Tahu Ki Murihiku	Reducing the environmental effects from existing stormwater reticulation systems	Support with Amendments	<p>Amend to give effect to Te Mana o te Wai, such as the following: <u>Reduce the adverse environmental effects from existing stormwater reticulation systems by:</u> <u>(a) Requiring the progressive upgrade of stormwater reticulation systems to minimise the volume of avoid sewage entering the system and the frequency and volume of sewage overflows; and</u> <u>(b) To promote Promoting the progressive upgrading of the quality of water discharged from existing stormwater reticulation systems to protect the mauri of waterbodies, including through:</u> <u>(i) The separation of sewage and stormwater; and</u> <u>(ii) Measures to prevent contamination of the receiving environment by</u></p>	Support in principle

				<p>industrial or trade waste; and <u>(iii) The use of techniques to trap debris, sediments and nutrients present in runoff; and</u> <u>(d) The use of discharge to land options as a preference wherever practicable.</u></p> <p>We believe this brings the plan into line with the NPS 2020 and reflects the unique relationship Māori have with freshwater. This relationship is consistent with public health values for freshwater.</p>	
Part A: Policy 7.C.12	Ngāi Tahu Ki Murihiku	Reducing the adverse effects on public health of discharges of human sewage from reticulated wastewater systems	Support with Amendments	<p>Amend to give effect to Te Mana o te Wai, such as the following: <u>Reduce the adverse effects of discharges of human sewage from reticulated wastewater systems by:</u> <u>(a) Promoting the progressive upgrading of reticulated wastewater systems to protect the mauri of waterbodies, including through:</u> <u>(i) preferring discharges to land over discharges to water, unless adverse effects associated with a discharge to land are greater than a discharge to water; and</u> <u>(ii) recognising and providing for the relationship of Kāi Tahu with Statutory Acknowledgement Areas and cultural values associated with waterbodies;</u> <u>and</u> <u>(iii) reducing the frequency and volume of overflows as an interim measure; and</u></p>	Support

				<p>(a) Requiring reticulated wastewater systems to be designed, operated, maintained and monitored in accordance with recognised industry standards; and</p> <p>(b) Requiring the implementation of measures to:</p> <p>(i) Progressively reduce the frequency and volume of wet weather overflows; and</p> <p>(ii) Minimise the likelihood of dry weather overflows occurring; and</p> <p>(c) Preferring discharges to land over discharges to water, unless adverse effects associated with a discharge to land are greater than a discharge to water; and</p> <p>(d) Having particular regard to any adverse effects on cultural values.</p> <p>We believe this brings the plan into line with the NPS 2020 and reflects the unique relationship Māori have with freshwater. This relationship is consistent with public health values for freshwater.</p>	
Part B: Policy 7.D.7	Ngāi Tahu Ki Murihiku	Ensuring the appropriate management and operation of animal waste management systems	Support	Effective systems for the management of animal waste will serve to reduce public health risks associated with the contamination of animal waste in water that may be used for community drinking water supplies or contact recreation.	Retain as Notified
Part B: Policy	Ngāi Tahu Ki	Providing for the upgrading of existing	Support	Effective systems for the management	Retain as

7.D.8	Murihiku	animal waste systems that do not meet the standards....		of animal waste will serve to reduce public health risks associated with the contamination of animal waste in water that may be used for community drinking water supplies or contact recreation.	notified
Part A: Policy 7.C.6	Otago Fish and Game Council and the Central South Island Fish and Game Council	Reducing the adverse effects of discharges of human sewage from reticulated wastewater systems	Support with Amendments	<p>Amend as follows: <u>7.C.6 Reduce the adverse environmental effects from existing stormwater reticulation systems by:</u> ... <u>(b) To promote Promoting Require</u> the progressive upgrading of the quality of water discharged from existing stormwater reticulation systems, <u>including through:</u> <u>(i)...</u> <u>(ii)...</u> <u>(iii)...</u> <u>(iv) Measures to filter, attenuate or prevent runoff being discharged during rain events.</u></p> <p>We recognise the biggest public health risks to freshwater used for contact recreation occur after heavy rainfall events.</p>	Support suggested amendments
Part A: Policy 7.C.6	Otago Fish and Game Council and the Central South Island Fish and Game Council	Reducing the adverse effects of discharges of human sewage from reticulated wastewater systems	Support with Amendments	<p>Amend "Principal reasons for adopting" as follows: This policy is adopted to reduce <u>the level of contaminants present in adverse effects arising from existing stormwater discharges.</u> This is intended to mitigate the impact</p>	Support suggested amendments

				<p><u>on the water quality of receiving water bodies in urbanised areas or other areas served by a stormwater reticulation system.</u></p> <p>The policy serves to improve fresh water quality thereby reducing public health risk.</p>	
Plan change 8	Beef + Lamb New Zealand	Plan Change 8 that amends existing water plan to include better systems for managing sewage and stormwater, disposal of effluent, good farming practices, sediment loss associated with residential development and provision for nationally and regionally significant infrastructure in wetlands	Support	<p>Withdraw Plan Change 8 in its current form.</p> <p>We see Plan Change 8 as incorporating provisions relating to freshwater that are reflecting the current regulatory context.</p>	Reject submission point
Part A: Policy 7.D.5(b)	Beef + Lamb New Zealand	When considering any discharge of human sewage regard must be had to the physical characteristics and any particular sensitivities of the land and any receiving water	Oppose	<p>Amend to provide clarity on "priority" of values, so that areas with low values are not required to make reductions where not needed; and</p> <p>Amend by removing word "any":</p> <p>The physical characteristics <u>and any particular sensitivity</u> of the land <u>and any receiving water</u>; and</p> <p>This serves to restrict policy too much.</p>	Reject submission
Part A: Policy 7.D.5(d)(ii)	Beef + Lamb New Zealand	When considering any discharge of human sewage regard must be had to the ongoing reduction of environmental effects of the discharge	Oppose	<p>Amend by removing word "ongoing":</p> <p>The <u>ongoing</u> reduction of adverse environmental effects of the discharge, where the permitted activity rules and Schedule 16 discharge thresholds cannot be met; and</p>	Reject submission

				The point made in the proposed plan change seeks to manage contamination that is continuous and adding to environmental contamination.	
Part A: Policy 7.D.6	Beef and Lamb New Zealand	When considering applications for Resource Consent for discharges of Nitrogen in situations where there is a need to discharge contaminants to water or to land that may result in contaminants entering water regard must be had to:	Oppose	<p>Delete the policy, or replace with Nutrient Principles as per the submission.</p> <p>There is an increasing recognition of Nitrogen as a contaminant of ground and surface waters. This contaminant has potential public health implications.</p>	Reject submission
Part B: Policy 7.D.8(a)	DairyNZ Limited	Provisions for upgrading animal waste systems that meet the standard	Support (in Part)	<p>Amend as follows: <u>Granting resource consents only where consent applications contain a timebound action plan for upgrading the existing animal waste system so that it meets the standards of Rule 14.7.1.1 or equivalent outcomes as soon as possible; and</u></p> <p>We do not support variable standards as they can lead to being difficult to enforce.</p>	Reject submission
Plan change 8	Federated Farmers of New Zealand - Otago and North Otago Provinces	Plan Change 8 that amends existing water plan to include better systems for managing sewage and stormwater, disposal of effluent, good farming practices, sediment loss associated with residential development and provision for nationally and regionally significant infrastructure in wetlands	Oppose	<p>Oppose Section 32 report as it is not adequate in terms of alternative options available, and that consultation has not been adequate.</p> <p>Our reading of the provisions of proposed plan change 8 is that they are consistent with that of other Regional Councils and as such have had adequate</p>	Reject submission

				exposure to community consultation.	
Plan change 8	Federated Farmers of New Zealand - Otago and North Otago Provinces	Plan Change 8 that amends existing water plan to include better systems for managing sewage and stormwater, disposal of effluent, good farming practices, sediment loss associated with residential development and provision for nationally and regionally significant infrastructure in wetlands	Oppose	Oppose Plan Change 8 on grounds that targeted consultation with community and stakeholders has not been undertaken. Our reading of the provisions of proposed plan change 8 is that they are consistent with that of other Regional Councils and as such have had adequate exposure to community consultation.	Reject submission
Part A: Policy 7.C.5	Federated Farmers of New Zealand - Otago and North Otago Provinces	Minimising the adverse environmental effects of discharges from any new stormwater reticulation system or any extension to an existing reticulation system...	Support	Support these provisions as the intent is to separate human sewage systems from stormwater systems thereby reducing public health risk.	Retain as notified.
Part A: Policy 7.C.6	Federated Farmers of New Zealand - Otago and North Otago Provinces	Reducing the environmental effects from existing stormwater reticulation systems	Support	Support these provisions as the intent is to separate human sewage systems from stormwater systems thereby reducing public health risk.	Retain as notified
Part A: Policy 7.C.12	Federated Farmers of New Zealand - Otago and North Otago Provinces	Reducing the adverse effects on public health of discharges of human sewage from reticulated wastewater systems	Support with suggested amendments	Amend policy as follows: <u>Reduce the adverse effects of discharges of human sewage from reticulated wastewater systems by:</u> <u>(a) Requiring Ensuring reticulated wastewater systems are to be designed, operated, maintained and monitored in accordance with recognised industry standards; and</u> <u>(b) Requiring the implementation of reasonable measures to:</u> <u>(i) Progressively reduce the frequency and volume of wet weather overflows; and</u>	Retain as notified

				<p><u>(ii) Minimise the likelihood of dry weather overflows occurring; and</u></p> <p>[adopt (c) and (d) as proposed]</p> <p>Public Health is neutral as to these suggested amendments.</p>	
Part B: Policy 7.D.7	Federated Farmers of New Zealand - Otago and North Otago Provinces	Ensuring the appropriate management and operation of animal waste management systems	Oppose in Part	<p>Reword policy to focus on dairy effluent; Support change from "animal waste systems" to "dairy farm effluent systems"; Amend to include appropriate transitioning timeframes.</p> <p>While intensive dairying has had an adverse effect on the environment that in turn has given rise to public health risks, this policy cannot single out the dairy industry as there may well be other non-dairying intensive farming issues with similar risks.</p>	Reject submission
Part B: Policy 7.D.8	Federated Farmers of New Zealand - Otago and North Otago Provinces	Providing for the upgrading of existing animal waste systems that do not meet the standards....	Oppose in Part	<p>Amend as follows: <u>Provide for the upgrading of existing animal waste systems that do not meet the standards of Rule 14.7.1.1 by:</u> <u>(a) Granting resource consents only where consent applications contain a timebound action plan for upgrading the existing animal waste system so that it meets the standards of Rule 14.7.1.1 or equivalent within reasonable and achievable timeframes as soon as possible; and</u></p>	Reject submission

				<p><u>(b) Staging implementation of performance standards based on actual risk.</u></p> <p>It is our view that this proposed wording will bring in a degree of ambiguity into the policy that could compromise its enforceability.</p>	
Part B: Policy 7.D.7	Fonterra Co-Operative Group Ltd.	Ensuring the appropriate management and operation of animal waste management systems	Support in Part	<p>Amend Policy 7.D.7 to read:</p> <p><u>Ensure the appropriate management and operation of animal waste systems by:</u></p> <p><u>(a) Requiring animal waste systems to be designed, constructed and located appropriately and in accordance with best practice Good Management Practices (GMP), and any necessary additional regionally appropriate standards; and</u></p> <p><u>(b) Ensuring that all animal waste systems:</u></p> <p><u>(i) Have sufficient storage capacity to avoid the need to dispose of effluent when soil moisture or weather conditions may result in run-off entering water; and</u></p> <p><u>(ii) Include contingency measures to prevent discharges to water in the case of equipment or system failure; and</u></p> <p><u>(iii)(iii) Are operated in accordance with an operational management plan for the system that is based on best practice Good Management Practice guidelines and industry standards and</u></p>	Reject submission

				<p><u>inspected regularly; and</u> <u>(c) Avoiding the discharge of animal waste to water bodies, artificial watercourses, the coastal marine area and to saturated land; and</u> <u>(d) Requiring low-rate effluent application for any new discharge of animal waste to land and encouraging the transition to low-rate effluent application for existing discharges of animal waste to land.</u></p> <p>We are neutral as to much of this proposed wording but are concerned that “regionally appropriate standards” may not be appropriate when we are trying to lift performance standards.</p>	
Part A: Policy 7.D.6(a)	Landpro Limited	When considering applications for Resource Consent for discharges of Nitrogen in situations where there is a need to discharge contaminants to water or to land that may result in contaminants entering water regard must be had to restricting the duration of these consents for a term of no more than 10 years	Support	<p>Remove 10-year restriction.</p> <p>Given that this would render 7D6a) meaningless, and in doing so is inconsistent with the provisions of the NPS 2020, we think this submission should be in opposition.</p>	Reject submission
Part A: Policy 7.D.6(b)(iv)	Landpro Limited	When considering applications for Resource Consent for discharges of Nitrogen in situations where there is a need to discharge contaminants to water or to land that may result in contaminants entering water regard must be had to the expected reduction in nitrogen discharged over	Support	<p>Delete Policy 7.D.6(b)(iv) or amend to take into account costs and efforts involved with preparing consent applications, and costs of shorter consent durations to align with other consents for administrative benefits.</p> <p>Given that this would render 7D6a)</p>	Reject submission

		the term of the consent and in particular from changes to land use practices.		meaningless, and in doing so is inconsistent with the provisions of the NPS 2020, we think this submission should be in opposition.	
Part B: Policy 7.D.7(a)	Landpro Limited	Ensuring the appropriate management and operation of animal waste management systems by requiring them to be designed, constructed and located appropriately and in accordance with best practice	Support	<p>Amend as follows: <u>(a) Where possible, animal waste systems should be designed, constructed and located appropriately and in accordance with best practice; and...</u></p> <p>This is introducing a degree of ambiguity that will compromise the ability to enforce this policy.</p>	Reject submission
Part B: Policy 7.D.7(d)	Landpro Limited	Ensuring the appropriate management and operation of animal waste management systems by requiring low rate application for any new discharges of animal waste to land and encouraging the transition of existing system towards a lo-rate application	Support	<p>Amend as follows: <u>Where possible, ensuring low-rate effluent application for any new discharge of animal waste to land and encouraging the transition to low-rate effluent application for existing discharges of animal waste to land.</u></p> <p>This is again introducing a level of ambiguity that could compromise enforceability.</p>	Reject submission

