

BEFORE THE MANAWATU-WANGANUI REGIONAL COUNCIL

UNDER Resource Management Act 1991

IN THE MATTER of submissions on the Manawatu-Wanganui Consolidated Regional Policy Statement, Regional Plan, and Regional Coastal Plan for the Horowhenua, Manawatu, Rangitikei, Ruapehu, Tararua, and Wanganui District Councils

AND

IN THE MATTER of hearings by the Manawatu-Wanganui Regional Council regarding the Manawatu-Wanganui Consolidated Regional Policy Statement, Regional Plan, and Regional Coastal Plan – Water

EVIDENCE OF BRENDAN DUFFY

BROOKFIELDS

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INTRODUCTION

1. My name is Brendan Duffy and I am the Mayor of Horowhenua District.

Role of Territorial Authorities

2. The collective of Territorial Authorities ("the TAs") support the overall objective of the Proposed One Plan, being the management of water bodies such that their life supporting capacity is recognised and provided for.
3. However, the purpose of local government must be recalled.

Purpose of local government

The purpose of local government is—

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
 - (b) to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future.
4. It is the role of territorial authorities to give effect to this purpose. There are 4 well-beings to recognise and promote. These are also reflected in the enabling provisions of section 5 of the Resource Management Act 1991 ("the RMA"). In my view, the Proposed One Plan must promote sustainable social, economic and cultural outcomes in the course of managing the Region's natural resources.

Community Wellbeing

5. It is particularly important to recognise that, in the context of community wellbeing (and public health), the continued provision and maintenance of water related infrastructure is an issue of regional significance.
6. The TAs also have various duties under the Local Government Act 2002 ("LGA'02") and the Health Act 1956 in respect of water services.
7. These duties, and the significance of community infrastructure, need to be appropriately provided for in the Proposed One Plan.

Economic Wellbeing

8. Complying with their duties to provide water services to their districts gives rise to considerable economic challenges for local authorities. These services are funded by our ratepayers.
9. I am concerned to ensure that the costs incurred by my district will deliver equivalent benefits. A failure to do so will create funding/rating controversy and an unacceptable level of division within the community.
10. Accordingly, when significant infrastructural works are undertaken outcomes achieved must reflect the investment made and be perceived as socially and economically equitable.
11. From my perspective, as a mayor of a district, for any investment to be capable of justification, the outcomes must satisfy the provisions of section 101(3) of the LGA'02.
12. My council must take into account the community outcomes to which the activity primarily contributes (ie what is the community of interest); how the benefits are to be distributed in that community of interest, or any part thereof; the period of time over which those benefits will accrue; the extent to which any action contemplated or inaction of others may influence the decision to be made and the costs and benefits (having regard to the need for transparency and accountability) which will accrue from the investment being made in that activity, as opposed to any other priority or activity which must also be considered.
13. Lastly the Council is required to consider the overall impact of any expenditure on the current and future social, economic, environmental, and cultural wellbeing of the community.
14. This is the comprehensive framework in which investment decisions must be made by a district council. These are statutory considerations and the factors identified in section 101(3) of the LGA'02 are cumulative, not alternatives or options. This section is a "critical filter" by which funding sources in respect of any activity must be considered and determined.

15. The significance of this framework, and the nature of local authorities, requires that there be an acknowledgement of priorities, a certainty of benefit, and time for adjustment with mechanisms to allow for that to occur. This is reflected in the 2035 deadline set in the draft National Policy Statement on Freshwater Management, which emphasises that time is required to achieve the desired improvements, in combination with long term/adaptive consents.

Democratic Decision-making

16. Lastly, what distinguishes local authorities from other applicants is the decision making process required before investment decisions can be taken. The significant expenditure required to provide and maintain water services is sourced, generally, through rate increases, which must be identified in our LTCCPs and Funding Impact Statements and subject to consultation. We must, therefore, be satisfied that these significant investments will confer commensurate benefits and will otherwise comply with the provisions of the LGA'02.

SHANNON EXAMPLE

17. When preparing its resource consent application for the Shannon wastewater discharge the Horowhenua District Council engaged Dr Ganesh Nana to prepare a funding impact study to assist with decision making.
18. I **attach** a copy of that funding impact assessment to this evidence by way of example only, of the sort of considerations relevant to a local authority when undertaking this type of investment. Dr Nana properly enabled a comparative exercise to be undertaken of the benefits to be conferred by the work proposed in the context of the investment required in all the circumstances.

CONCLUSION

19. A considerable challenge that confronts us in this process is to reconcile the desire on one hand for environmental improvement while on the other, ensuring that that occurs within the required overall statutory framework.

Brendan Duffy
19 October 2009