

22 October 2018

s 9(2)(a)

University of Auckland

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Dear s 9(2)(a)

I am writing in response to your 25 September request under the Official Information Act 1982 for:

"The regulations different regions in New Zealand have in place to monitor and maintain water quality in waterbodies used as a source of drinking water supply."

The supply of drinking water in New Zealand is regulated by provisions in the Health Act 1956, Local Government Act 2002, Building Act 2004, and Resource Management Act 1991 (RMA).

The Ministry for the Environment administers the RMA, therefore our response addresses the aspects of drinking water supply that are regulated under the RMA.

Under the RMA responsibility for regulating the management of waterbodies used as a source of drinking water supply is delegated to regional councils.

There are however, two national regulations that regional councils must observe in regional planning and consenting decisions that address waterbodies used as a source of drinking water supply:

- The Resource Management (National Environmental Standard for Sources of Human Drinking Water) Regulations 2007; and
- The National Policy Statement for Freshwater Management 2014 (amended 2017).

The Resource Management (National Environmental Standard for Sources of Human Drinking Water) Regulations 2007 requires regional councils and territorial authorities to consider risks to drinking water sources in certain RMA planning and consenting decisions.

Specifically, it require regional councils to:

- Decline discharge or water permits that are likely to result in drinking water supplies becoming unsafe or unwholesome for human consumption following existing treatment; and
- Be satisfied that permitted activities in regional plans will not result in drinking water supplies being unsafe or unwholesome for human consumption following existing treatment.

Note: These regulations apply to activities occurring upstream or up-gradient of drinking water supplies serving 500 or more people for at least 60 calendar days per year.

It also requires regional councils and territorial authorities to:

- Place conditions on relevant resource consents that require notification of drinking water suppliers if significant unintended events occur, for example, chemical spills, that may adversely affect the safety of drinking water supplies.



Note: These regulations apply to activities occurring upstream or up-gradient drinking water supplies serving 25 or more people for at least 60 calendar days per year.

The National Policy Statement for Freshwater Management 2014 (amended 2017) requires regional councils, among others, to:

- Identify waterbodies used for drinking water supply, and establish freshwater objectives for the applicable freshwater management units that will ensure water quality is 'safe for drinking with, or in some cases without, treatment'; and
- Develop a monitoring plan that establishes methods for monitoring progress towards freshwater objectives and the extent to which freshwater values are being provided for in each freshwater management unit.

Note: Freshwater objectives and monitoring plans must be specified in operative regional plans by 31 December 2025 or 31 December 2030 if Policy E1(ba) applies.

Further information on both of these national regulations is publicly available at www.mfe.govt.nz.

The Ministry for the Environment does not routinely collect or hold the information you have requested regarding the regulations that different regions have in place to monitor and maintain water quality in waterbodies used as a source of drinking water supply. You can find this information in regional planning documents published by regional councils, which can be accessed at each councils' website.

I am therefore refusing your request under section 18(d) of the Act, as the information you have requested is publicly available.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to refuse this request. The contact details for the Ombudsman can be located at www.ombudsman.parliament.nz.

If you would like to discuss aspects of the relevant regulations for a particular region, please contact the applicable regional council.

I wish you best of luck with your research.

Sincerely

Lucy Bolton
Manager, Freshwater Policy - Urban