



Cabinet Economic Growth and Infrastructure Committee

EGI Min (10) 8/5

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Minute of Decision

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Measurement and Reporting of Water Takes: Proposed Regulations

Portfolios: Environment / Agriculture

On 28 April 2010, the Cabinet Economic Growth and Infrastructure Committee (EGI), having been authorised by Cabinet to have Power to Act [CAB Min (10) 14/13]:

Background

- 1 **noted** that in February 2008, the previous government approved the policy for a national environmental standard for the measurement of water takes, to be prepared under section 43 of the Resource Management Act 1991 (RMA) [POL Min (08) 2/2];
- 2 **noted** that the policy objectives of the proposed national environment standard referred to above are to:
 - 2.1 ensure consistent measuring and reporting of actual water taken at national, regional and catchment levels;
 - 2.2 enable water users and regulators to easily determine compliance with water take consents;
 - 2.3 provide accurate information about actual (consented) water taken in any catchment (including the catchments of groundwater resources);
 - 2.4 improve allocative efficiency through accurate measurement of water abstracted for consumptive uses;
 - 2.5 ensure the comprehensive uptake of water measuring in a cost effective and timely way;
- 3 **noted** that in September 2009, EGI agreed to the *New Start for Fresh Water* policy work programme comprising ten projects, one of which relates to environmental flows and water measuring [EGI Min (09) 20/6];
- 4 **noted** that consistent, accurate and complete water take information underpins the policy objectives of the *New Start for Fresh Water* programme, including objectives on setting appropriate environmental limits, improving freshwater allocation mechanisms, and addressing over-allocation issues;

Proposed regulations

- 5 **noted** that regulations made under section 360(1)(d) of the RMA can better achieve the same policy objectives and minimum requirements that were approved by the previous government for a national environmental standard, and will result in a simpler regulatory framework across the country;
- 6 **agreed** that regulations be made under section 360(1)(d) of the RMA, in place of regulations made under section 43 (a national environmental standard), to ensure consistent, accurate and complete measuring of the water takes across New Zealand;
- 7 **agreed** that the proposed regulations will require the holders of all water take consents (and deemed permits) for the taking of five litres per second or more to collect and report records which meet the following minimum requirements:
- 7.1 they are continuous records of the amount of water taken;
 - 7.2 the continuous records must record daily volumes (or weekly volumes for some takes) in cubic metres, in an auditable format;
 - 7.3 the records must be collected by water measurement/monitoring devices and systems which are:
 - 7.3.1 capable of recording daily volume in cubic metres to an in situ accuracy standard of +/- 5 percent for piped takes, and +/- 10 percent for open channel takes;
 - 7.3.2 capable of providing output in a form suitable for electronic data storage;
 - 7.3.3 appropriate to the qualities of the water being measured (including temperature and sediment content);
 - 7.3.4 sealed and as tamper proof as practicable;
 - 7.3.5 installed to comply with the manufacturers' instructions;
 - 7.3.6 installed in a location that measures all water taken (eg they are installed before the first outlet point downstream of the point of take);
 - 7.3.7 independently verified for accuracy every five years, or more frequently if recommended by the manufacturer/installer;
 - 7.4 they are in the form of either manual or electronic records, as elected by the regional council;
- 8 **agreed** that the regulations provide that the responsibility for recording and transferring data to the regional council rests with the consent holder, and that data is transferred to the regional council on at least an annual basis;
- 9 **agreed** that the regulations include the ability for a regulatory authority to apply more stringent requirements on consent holders, including, but not limited to:
- 9.1 the ability to require measurement of water takes below five litres per second;