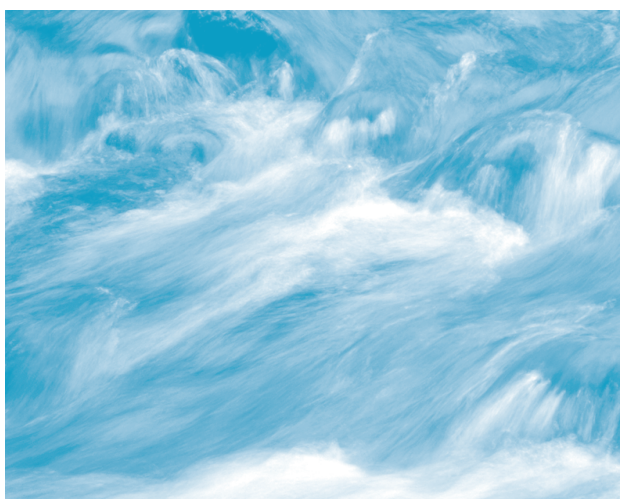


Finding the Balance: Managing Fresh Water in New Zealand



Shaping the future for fresh water in New Zealand

A National Policy Statement for Freshwater Management is proposed, to help improve freshwater quality and manage increasing demand.

You will have an opportunity to have input and help shape the future of freshwater management in New Zealand.

A Natural Treasure Under Pressure

Fresh water is essential to life in New Zealand in countless ways – environmental, economic, cultural and social.

We are used to an abundance of clean fresh water, but things are changing. Intensifying land use, competing demands for fresh water and climate change mean we cannot take this natural asset for granted.

There is an urgent need to better understand how much water we can use, how it should be allocated, and how to effectively manage the impact of land use on the quality and availability of water.

The **proposed National Policy Statement for Freshwater Management** will provide guidance to local government, which is responsible for fresh water management. As a tool implemented through

the Resource Management Act 1991 (RMA), its aim is to help local government find the balance between competing benefits and costs, needs and objectives, so that New Zealand's freshwater resources are sustainably managed.



National Policy Statements

National policy statements are tools available under the RMA to help achieve the purpose of that Act. They provide objectives, policies and targets to help guide and direct how we manage matters of national significance – such as fresh water.

Developing national policy statements is a four-stage process: scoping, drafting, consultation and implementation. Significant work has already occurred in scoping and drafting the proposed National Policy Statement. It is now in phase three – consultation.

Get Involved

The quality and use of New Zealand's fresh water is something that affects us all. You will have an opportunity to have your say on its future management by making a submission on the proposed National Policy Statement.

Information on the consultation process will be available at: www.mfe.govt.nz/rma/central/nps/freshwater-management.html.

The Proposed National Policy Statement for Freshwater Management

The proposed National Policy Statement for Freshwater Management aims to inform longer-term thinking and planning as well as day-to-day management, both nationally and regionally.

Why Develop a National Policy Statement for Water?

The development of the proposed National Policy Statement is part of the Government's response to increasing pressures on the quantity and quality of New Zealand's freshwater resources. The Government's intent is by 2035 the quality of these resources meets the aspirations of all New Zealanders, including swimmability. The decline in fresh water quality needs to be addressed through improvements in land-use development planning and management, particularly for urban development and intensive farming practices. There is also a need to:

- better protect outstanding freshwater resources and ecosystems
- improve efficiencies in the use of water
- increase resilience against future effects of a changing climate
- enhance the involvement of tangata whenua in RMA decision-making
- rectify the present underinvestment in infrastructure for supplying, storing and distributing fresh water.





The Proposal, in Brief

The proposed National Policy Statement says the following matters need to be recognised as being of national significance:

- enabling the well-being of people and communities
- ensuring integrated management of effects on fresh water
- improving the quality of fresh water, including ensuring appropriate freshwater resources can reach or exceed a swimmable standard
- recognising and protecting life supporting capacity and ecological values
- addressing freshwater degradation
- managing demand for fresh water
- efficient use of fresh water
- iwi and hapū roles, and tangata whenua values and interests
- ensuring effective monitoring and reporting.

Policies within the proposed National Policy Statement provide detail on when and how these objectives will be translated into regional policy statements and plans and district plans.

Tangata whenua and fresh water

Fresh water is central to Māori cultural and personal identity and well-being. Rivers and lakes carry ancestral connections, identity and wairua (spirit).

The Treaty of Waitangi (Te Tiriti o Waitangi) is the underlying foundation of the Crown-Māori relationship with regard to freshwater resources. The proposed National Policy Statement is intended to represent one step toward addressing tangata whenua values and interests, not only through its outcomes, but also during the process of reaching those outcomes, particularly iwi and hapū involvement in decision-making.

It is not the whole answer. Other parts of the Sustainable Water Programme of Action are investigating how to enhance tangata whenua involvement in water management. There are also other processes, such as the historical Treaty claim settlements process, which provide avenues to address tangata whenua interests.

How Will it Work?

The RMA is pivotal to how fresh water is managed in New Zealand, at both local, regional and central government levels.

The proposed National Policy Statement is a statutory document under the RMA. It provides guidance for decision-making under the Act. It recognises that water quality and managing demands for water are matters of national significance.

Regional councils and unitary authorities will remain responsible for setting local rules and standards for managing fresh water, which will involve public consultation with and involvement of their local communities.

The proposed National Policy Statement, once approved, will highlight that freshwater management is a matter of national significance under the RMA.

The proposed National Policy Statement will not set rules or standards for managing fresh water. Instead, it will provide objectives and policies to guide councils on how to manage fresh water within their regional and district plans, and through their resource consent decisions. Councils will remain responsible for setting rules and standards, guided by the National Policy Statement.



How Will the National Policy Statement Affect You?

Once formally adopted, the National Policy Statement for Freshwater Management will have an immediate impact on decisions local and regional councils make about resource consent applications involving fresh water (under the RMA).

Over time, as councils incorporate the National Policy Statement into their regional policy statements and plans and district plans, it will help improve freshwater management at a local level. By guiding councils, it will also lead to a more consistent national approach to freshwater management under the RMA.

Developing the Proposed National Policy Statement

Consultation on the proposed National Policy Statement is independent of government. A four-member Board of Inquiry, chaired by former Environment Judge David Sheppard, has been appointed to consider the proposal. As part of its work, the Board will establish a process for receiving public submissions, both written and oral. The process, including the time and place of hearings, will be notified through public notices in national and local newspapers. The Board may also commission reports. How long the hearings take will depend on the number and nature of submissions.

Once New Zealanders' views have been heard, the Board will provide its independent report to the Minister for the Environment, who will consider the reports evaluating the benefits and costs of the proposals. The Minister has the ability to then make any final changes to the proposed National Policy Statement. The final step is the approval of the National Policy Statement by the Governor-General, and its Gazettal.

Developing any national policy statement means following the six-step process shown. This provides two opportunities for stakeholders to have input – in Step 3, and now, as part of the Board of Inquiry process, in Step 5.



Developing a National Policy Statement

Phase 1: Scope

Step 1: Identify need

Define the problem and issues.
Identify existing policy.
Confirm these are RMA matters.

Step 2: Begin formal process

Cabinet considers whether a national policy statement could be necessary.

Step 3: Test the need

Engage with iwi authorities and relevant stakeholders.
Set up reference/technical group.
Cabinet considers feedback and decides if a national policy statement is the most appropriate tool.

Phase 2: Draft

Step 4: Draft the national policy

Draft proposed national policy statement.
Draft a regulatory impact statement.
Prepare a Section 32 analysis.

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Phase 3: Consult

Step 5: Board of Inquiry

Government forms independent Board of Inquiry.
Public submissions and hearings held.
Board reports to Minister for the Environment.

Phase 4: Implement

Step 6: National policy statement finalised

Minister considers recommendations, Section 32 analysis and regulatory impact statement.
Any final changes are made.
National policy statement is approved by the Governor-General and Gazetted.
National policy statement is notified and put into effect by local and regional government.

How the Proposed National Policy Statement fits with the Sustainable Water Programme of Action

In 2003, the Government approved a programme of action to improve freshwater management under the Resource Management Act 1991. Known as the **Sustainable Water Programme of Action**, this work is co-ordinated by the Ministry for the Environment and the Ministry of Agriculture and Forestry.

The Sustainable Water Programme of Action aims to respond to competing and growing pressures on fresh water, and help preserve it for future generations, by providing adaptable, nationally consistent guidance and tools for councils and communities to apply in their local areas.

It is doing this by strengthening partnerships, managing the effects of land use on water, ensuring the efficient use of water and managing increasing demand.

The proposed National Policy Statement and four national environmental standards aim to help achieve the Sustainable Water Programme of Action.

You can read more about the Sustainable Water Programme of Action on the Ministry for the Environment and Ministry of Agriculture and Forestry websites: www.mfe.govt.nz/issues/water/prog-action/ and www.maf.govt.nz/mafnet/rural-nz/sustainable-resource-use/water-programme-of-action/index.htm

National environmental standards

Four national environmental standards will complement the proposed National Policy Statement. They are the:

National Environmental Standard for Measurement of Water Takes

This proposed standard will help ensure the amount of water taken from rivers, lakes and aquifers is measured accurately.

National Environmental Standard on Ecological Flows and Water Levels

This proposed standard will help ensure greater consistency in decisions about the amount of water that can be taken from water bodies while maintaining the ecosystems (freshwater plants and animals, including insects and algae) that are vital for the health of those water bodies.

National Environmental Standard for Sources of Human Drinking Water

This standard came into effect in June 2008. The purpose of the standard is to reduce the risk of contamination to drinking water sources. It complements the Health (Drinking Water) Amendment Act to provide a 'multi-barrier' approach to reducing the risk of disease occurring from New Zealand's drinking water.

National Environmental Standard for On-Site Wastewater Systems

This proposed standard aims to improve the management and environmental performance of septic tanks and other on-site systems used to treat domestic wastewater. The standard would authorise regional councils to require property owners with an on-site wastewater system to hold a current warrant of fitness for their system. A discussion document is out for public comment until 26 September 2008.

The processes for developing each of the national environmental standards are separate to the national policy statement process. More information on national environmental standards can be found at: www.mfe.govt.nz/laws/standards/

National environmental standards are regulations under the RMA, which must be enforced by councils – in this case regional councils and unitary authorities.

Working together

The success of the Sustainable Water Programme of Action, including the proposed National Policy Statement, depends on strong relationships between central and local government, Māori, industry groups, environmental and recreational groups, and other New Zealanders.

For more information:
www.mfe.govt.nz/issues/water

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