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Committee Regulatory Committee
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Comments on the National Policy Statement on Freshwater Management

1. Purpose

To inform the Committee of Greater Wellington's comments in response to a request from the Ministry for the Environment for views on what issues should be addressed in a National Policy Statement for Freshwater Management.

2. Background

The National Water Programme of Action (the programme) began in 2003. It signalled government's intention that the "national interest" should be more prominent in freshwater management. An underlying principle of the programme is that regional councils will continue to have primary responsibility for managing fresh water. The following elements of the programme were initiated in 2006:

- A national policy statement on managing increasing demands on fresh water and water quality
- A national standard for measurement of water takes
- A national standard for environmental flows
- A national standard for human drinking-water sources.

To date, Greater Wellington has made submissions on the proposed national environmental standard for human drinking-water sources and the proposed national environmental standard for measurement of water takes. The standard for human drinking-water sources was gazetted in December 2007 and the standard for measurement of water takes is in its final drafting stages. No opportunity has yet been provided to comment on the standard for environmental flows and, until now, there has been no opportunity to comment formally on the National Policy statement on Freshwater Management (the national policy statement).

The national policy statement is a particularly important document for us because our Regional Policy Statement and regional plan will be required to

“give effect to” it. Central governments invitation to make these comments is the first opportunity for regional councils to comment formally on the national policy statement. The Background Paper that we responded to is in **Attachment 1** to this report.

3. **Comment**

Greater Wellington’s comments are appended as **Attachment 2** to this report. We have also supported the comments from Local Government New Zealand as **Attachment 3**.

As Councillors will be aware, the Regional Policy Statement for the Wellington region is currently being reviewed, and a draft Regional Policy Statement has been approved for public release. Provisions in the draft Regional Policy Statement are the basis for many of our comments to the Ministry to the Environment.

Key points are that the national policy statement should:

- be enabling rather than prescriptive. A ‘one size fits all’ approach is not appropriate for water management, given the variability between regions;
- create no additional costs for regional councils;
- provide the opportunity to reduce costs by targeting areas of potential litigation;
- address the issue of poor ecosystem functioning in rivers, lakes and wetlands. We agree that increasing demands for water and water quality are appropriate issues for the national policy statement;
- support the approaches that regional councils are taking;
- where provisions are agreed with regional councils, consider “deeming” provisions in regional policy statements and plans. This will enable us to include the provisions in our plans without the need to go through separate statutory processes;
- be consistent with the New Zealand Coastal Policy Statement and other national policy statements currently being prepared;
- integrate land and water management; and
- direct city and district councils as well as regional councils.

4. **What happens next**

Central government will now prepare a proposed national policy statement. No timeline has been given for public notification.

Prior to publicly notifying the national policy statement, the Minister for the Environment must establish the process for considering it. Greater Wellington has suggested using a process that involves a Board of Inquiry. This would give people the opportunity to make submissions and be heard before the Board of Inquiry completes a report and makes recommendations to the Minister on the national policy statement.

5. Communication

Central government administers the process for preparing a national policy statement. There is not yet enough information available on the national policy statement for us to convey any specific and meaningful information to people, and no external communication is recommended at this stage.

6. Recommendations

That the Committee:

1. *Receives the report; and*
2. *Notes the contents.*

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Attachment 1: Background paper: National Policy Statement on Fresh Water Management

Attachment 2: Letter to Ministry for the Environment

Attachment 3: LGNZ Desired Contents of a National Policy Statement on Freshwater Management