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Committee Council
Author Murray McLea, Senior Policy Advisor

Revised programme of implementation for the National Policy Statement for Freshwater Management

1. Purpose

To seek adoption by Council of a revised staged implementation programme for the National Policy Statement for Freshwater Management 2014 (NPS-FM).

2. Background

The NPS-FM includes a requirement that its provisions must be implemented by December 2025 [Policy E1(b)]. The same NPS-FM policy requires the Council to formally adopt a staged programme of implementation [Policy E1(d)]. The Council adopted such a programme in October 2012 (Report 12.531). The Council is also required to report each year on progress [Policy E1(e)]. A progress report was posted on the Council's website in February 2014.

The NPS implementation programme, adopted by the Council, has three key elements. The first is the Proposed Natural Resources Plan (PNRP) that will give effect, in part, to the NPS-FM. The second key element is the whitua process. Much of the NPS-FM will be implemented through the work of whitua committees. The whitua committees are catchment-based and will use collaborative processes to develop catchment-specific approaches across the region. Five whitua (areas) have been identified based around the geographic areas of the Wairarapa Coast, Ruamahanga River, Wellington Harbour and Hutt Valley, Te Awarua-o-Porirua, and the Kapiti Coast. Whitua committees will make recommendations to the Council on PNRP changes/variations to give effect to the NPS-FW in full. The final key element in the NPS-FM implementation programme is non-regulatory proposals (including recommendations from whitua committees) that will be considered for inclusion in the Council's Long Term Plan.

The NPS-FM implementation programme adopted by the Council in October 2012 does not include any details of the roles of whitua committees. At the time no whitua committees were established and their terms of reference had not been finalised. Two whitua committees – the Ruamahanga Whitua

Committee and Te Awarua-o Porirua Whaitua Committee are now up and running. Their roles, including making recommendations through Whaitua Implementation Programmes (WIPs) and terms of reference have been approved by the Council (Report 13.660) for the Ruamahanga Whaitua Committee and for the Te Awarua-o-Porirua Whaitua Committee (Report 14.404).

In August 2014 amendments to the NPS-FM were gazetted. Several changes were introduced that included:

- Part CA – National Objectives Framework
- Part CB – Monitoring Plans
- Part CB – Accounting for freshwater takes and contaminants.

This report does not consider material relating to the 2014 amendments. The 2014 amendments to the NPS-FM provided for implementation programmes to be revised by December 2015 (or in the case of Part CB – accounting for freshwater takes and contaminants – ‘reasonable steps are taken to ensure information gathered is publicly available by August 2016’). Greater Wellington Regional Council officers will report again later this year if further revisions are needed to the NPS-FM implementation programme to ensure the 2014 amendments are addressed in full.

3. The role of whaitua committees

An important matter not included in the current NPS-FM implementation programme is information on the role of whaitua committees. At its meeting on 30 June 2015, Council will consider notifying the PNRP on 31 July 2015. Once notified, people will be able to submit on the PNRP. When preparing submissions it will be helpful for information to be available in the NPS implementation programme on the role that whaitua committees have in the ongoing process for the PNRP. It is appropriate to provide such information by adding material to the NPS implementation programme on the role of whaitua committees, including links to information on whaitua web pages. Doing so will assist understanding of how the Council is giving effect to the NPS-FM.

A revised NPS programme of information is in **Attachment 1** to this report. It includes an update on implementation programme progress since the last update was posted in January 2014. Most importantly, it provides information on the role of whaitua committees, including their terms of reference and matters that will be considered when whaitua committees develop their WIPs. This material being added to the NPS-FM implementation programme has all been approved by the Council previously (see report references above).

The revised NPS-FM implementation programme also includes clarification that the Council will develop and notify any necessary changes to the PNRP as required by the NPS-FM that are not fulfilled by the WIP, and which the whaitua committee is unable to make recommendations on. The WIP completion date for the Te Awarua-o Porirua Whaitua Committee has been extended to 2017 to reflect a two year period following their first meeting in

January 2015. In relation to the NPS-FM amendments in 2014, the new requirements to develop freshwater accounting systems by 1 August 2016 and to develop and implement a monitoring plan are acknowledged and will be brought to Council for approval at a later date.

4. Communication

The role of whitua committees has already been widely communicated as part of the ongoing process for establishment and ongoing operation of the existing whitua committees. Their role has also been communicated as part of ongoing discussions with stakeholders during preparation of the PNRP. Established whitua committees already have web-pages with information on their responsibilities, what they are doing, and how people can be involved. The revised NPS programme of implementation will be posted on the Council's web-page with links to whitua committee web-pages.

5. The decision-making process and significance

The matter requiring a decision in this report has been considered by officers against the requirements of Part 6 of the Local Government Act 2002 (LGA). Part 6 sets out the obligations of local authorities in relation to the making of decisions.

5.1 Significance of the decision

Part 6 of the LGA requires the Council to consider the significance of the decision. The term 'significance' has a statutory definition set out in the Act.

Officers have considered the significance of the matter, taking the Council's significance and engagement policy and decision-making guidelines into account. Officers recommend that the matters be considered to have low significance.

Officers do not consider that a formal record outlining consideration of the decision-making process is required in this instance.

6. Engagement

The engagement approach being followed for this matter is set out in this report.

7. Recommendations

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Adopts the revised programme of time-limited stages in **Attachment 1** for implementation of the National Policy Statement for Freshwater Management 2014.*

Report prepared by:

Murray McLea
Senior Policy Advisor,
Environmental Policy
Department

Report approved by:

Jonathan Streat
Manager, Environmental
Policy Department

Report approved by:

Nigel Corry
General Manager,
Environmental Management
Department

Attachment 1: Programme of time-limited stages for implementation of the National Policy Statement for Freshwater Management 2014 (NPS-FM) and progress to July 2015

Programme of time-limited stages for implementation of the National Policy Statement for Freshwater Management 2014 (NPS-FM) and progress to July 2015

Pursuant to Policy E1 of the National Policy Statement for Freshwater Management 2014, the Wellington Regional Council gives public notice of the following staged programme for implementation and the extent to which the programme has been implemented.

	Regional Plan and LTP	Collaborative process for developing catchment specific management approaches	Implementation progress to July 2015
2013	Release a Working Document for Discussion for comment and discussion.	Identify five whitua for the region.	<p>A Working Document for Discussion was publicly released in August 2013.</p> <p>The five whitua for the region were identified in June 2013. The purpose, role, membership, and timing of whitua committees were also reported to the Council at the same time (Report 13.660).</p>
2014	Release a draft Natural Resources Plan for comment and discussion.	Establish the process for collaboration with communities in two whitua in the region.	<p>Following consultation with stakeholders on a Working Document for Discussion, a draft Natural Resources Plan for the Wellington Region was released in September 2014.</p> <p>The process for establishing the Ruamāhanga Whitua Committee was reported to the Council in June 2013 (Report 13.660). Members of the Committee were appointed in December 2013 and first met in February 2014.</p> <p>The process for establishing the Te Awarua-o-Porirua Whitua Committee was reported to the Council in July 2014 (Report 13.660). Members of the Committee were</p>

	Regional Plan and LTP	Collaborative process for developing catchment specific management approaches	Implementation progress to July 2015
			appointed in December 2014.
2015	Notify Proposed Natural Resources Regional Plan for the Wellington Region.		The Te Awarua-o-Porirua Whaitua Committee first met in February 2015. The Proposed Natural Resources Plan for the Wellington Region is to be publicly notified on 31 July 2015, subject to Council approval on 30 June 2015.
2016		Whaitua Implementation Programme (WIP) completed for the Ruamāhanga Whaitua	Not applicable
2017	Notify Regional Plan changes/variations in response to WIP completed in 2016 for the Ruamāhanga Whaitua. LTP provides funding for implementation of non-regulatory methods in response to the WIP completed in 2016 for the Ruamāhanga Whaitua.	WIP completed for Te Awarua-o-Porirua Whaitua. Establish process for collaboration with communities in two further whaitua.	Not applicable
2019		WIPs completed for two further whaitua.	Not applicable
2020	Notify Regional Plan changes/variations in response to WIPs completed in 2019 for the two further whaitua. LTP provides funding for implementation of non-regulatory methods in response to the implementation plans completed in 2019 for the	Establish process for collaboration with communities in the remaining whaitua.	

	Regional Plan and LTP	Collaborative process for developing catchment specific management approaches	Implementation progress to July 2015
	two further whitua.		
2022		WIP complete for the remaining whitua.	Not applicable
2023	<p>Notify Regional Plan changes/variations in response to the WIP completed in 2022 for the remaining whitua.</p> <p>LTP provides funding for implementation of non-regulatory methods in response to the WIP completed for the remaining whitua.</p>		Not applicable

Role of the Whitua Committees

The Whitua Committees are advisory bodies established by the Wellington Regional Council. They will develop Whitua Implementation Programmes (WIPs) in an open, communicative and collaborative manner – inclusive of community, partners and stakeholders.

WIPs will contain strategies and actions which will form a programme of work to implement the NPS-FM within the whitua. They may include recommendations for both statutory and non-statutory actions/methods.

The following details on the intent and content of the WIP are from the standard Terms of Reference for whitua committees:

Development of the WIP will include, as relevant to each whitua:

- (a) An assessment of region wide objectives contained in the proposed or operative regional plan, as they relate to the whitua,*
- (b) Specific whitua objectives and targets for water quality and quantity outcomes, including setting timeframes and priorities for achieving whitua or catchment objectives and targets,*
- (c) Water quality and/or discharge limits, including for sediment, nutrients and other contaminants if appropriate, including setting timeframes and priorities, and management methods, to achieve freshwater and coastal objectives,*

- (d) Identification of mana whenua values and interests in fresh water, and how these might be reflected in the regional plan,*
- (e) An assessment of, and recommendations to alter, existing water allocation limits, to achieve identified objectives for the whitua,*
- (f) Programmes or activities that will support or contribute to the achievement of the established objectives for water quality and quantity outcomes, including such tools as environmental accords and post-settlement arrangements and,*
- (g) Opportunities for the active integration of existing programmes and plans to achieve the objectives and targets for water quality and quantity outcomes.*

In developing WIPs, the following matters will also be considered, as appropriate, in each whitua:

- (a) Identification of the land and water issues, challenges, and opportunities for the whitua,*
- (b) Identification of a vision of the future of land and water management for the whitua,*
- (c) The management of rivers for flood hazard mitigation,*
- (d) The management of stormwater and wastewater infrastructure,*
- (e) Priority water allocation and secondary allocation,*
- (f) Demand supply management for all uses and their implications,*
- (g) The management of sediment inputs into the harbour,*
- (h) Interactions between groundwater and surface water, fresh water, land use and coastal environments, and*
- (i) Significant water use projects, such as irrigation and electricity generation.*

The full Terms of Reference for the current whitua processes can be found here [<http://www.gw.govt.nz/assets/Ruamahanga-Whaitua/TermsofReferenceRuamahangaWhaituaCommittee.pdf>] for the Ruamāhanga whitua and here [<http://www.gw.govt.nz/assets/Whaitua/Te-Awarua-o-Porirua/TermsofReferenceTeAwaruaPoriruaWhaituaCommittee.pdf>] for Te Awarua-o-Porirua whitua.

Adoption of WIP recommendations by the Wellington Regional Council

On receiving each WIP, the Wellington Regional Council will:

- Undertake a plan change of (or variation to) the Proposed Natural Resources Plan (PNRP) in order to incorporate regulatory recommendations of the WIP. The PNRP contains chapters for each whaitua in anticipation of whaitua-specific plan changes. Upon any such plan change, both the relevant region-wide provisions of the PNRP and the adopted whaitua-specific provisions apply to activities undertaken within the whaitua.
- Implement non-regulatory recommendations of the WIP, including seeking funding through the next Long Term Plan process.
- For any requirements of the NPS-FM that the WIP does not fulfil, and which the Whaitua Committee is unable to produce recommendations on, develop and notify any necessary changes to the PNRP.

Other actions to implement the NPS-FM

As well as the requirements to implement policy CA2 and set freshwater objectives for all fresh water in the Wellington Region, the NPS-FM contains other directions for which the Wellington Regional Council will develop work programmes in order to implement. These are to:

- Develop a freshwater accounting system for water quantity and water quality by 1 August 2016, in accordance with NPS-FM Policy CC1, and
- Develop and implement a monitoring plan to monitor progress towards any freshwater objectives set for the Wellington Region, in accordance with NPS-FM Policy CB1.