

Implementing the National Policy Statement for Freshwater in Auckland

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Executive Summary

The National Policy Statement for Freshwater Management (2011) (NPSFM) provides for the adoption of a progressive-implementation programme where a local authority cannot fully implement the Statement's objectives and policies by 31 December 2014. Auckland Council cannot fully implement the NPSFM by 2014 given the amount of work required to develop freshwater objectives, policies and methods for all freshwater bodies in the region. However, the first iteration of the Auckland Unitary Plan can initiate the policy framework necessary for delivering on the NPSFM. The work programme discussed in this paper will develop the specific objectives, limits and targets required for each water body. It is anticipated this work will take 8-10 years and will be incorporated in the Auckland Unitary Plan by way of variation(s) or plan changes.

The NPSFM implementation programme of time-limited stages must be approved by Council by 12 November 2012 and publicly notified. The water management team is developing that programme of work with input from other teams across Council. This report outlines the scope of the work that will be part of the implementation programme.

Recommendations

- a) That the report be received.
- b) That the report be forwarded to the Independent Maori Statutory Board and local boards for their information.

Background

The Water Management Team, Environmental Strategy and Policy, reported to the Environment and Sustainability Forum in 2011 on the implications of the National Policy Statement Freshwater Management (NPSFM) for Auckland Council. Since then the current water management framework has been evaluated to ascertain what requirements of the NPSFM are already met in operative plans, what can be addressed in the Auckland Unitary Plan and what further work will be required. Senior management have endorsed that the first iteration of the Auckland Unitary Plan will establish region-wide or high level freshwater objectives and policies that are NPSFM compliant. For full implementation of the NPSFM a significant amount of work is required to enable the setting of specific freshwater objectives, water quality and quantity limits and to achieve integrated management.

The Auckland Council Regional Policy Statement and Auckland Council Regional Plan: Air, Land and Water (ACRP: ALW) provide the current framework for water management and integrated management in whole catchments in Auckland. Some elements of the current framework align with the NPSFM, for example for water allocation, but for water quality a shift will be required from the status quo. The NPSFM objectives for iwi and hapu involvement in freshwater management, together with the current direction from Central Government and the Land and Water Forum on collaborative process means that how Auckland Council develops freshwater policy will need to be re-evaluated and new ways developed. Integrated resource management in whole catchments will mean that in developing freshwater policy, land use, land development and the effects of catchment activities on coastal areas must be considered holistically.

Developing a Progressive Implementation Programme

A survey of regional councils and unitary authorities has identified that 11 out of 16 councils intend adopting a staged-implementation programme to implement the NPSFM. Those authorities that have determined they do not need to adopt an implementation programme anticipate that their proposed plans will be through the RMA First Schedule process before December 2014. The

Auckland Unitary Plan is expected to be notified in March 2013. The Water Management Team, Environmental Strategy and Policy, is working with the Unitary Plan Team to ensure that new water provisions are aligned with the NPSFM and that a framework is provided to enable new objectives, policies and methods to be incorporated seamlessly into the Plan by way of variation(s) or plan changes.

Whilst the first iteration of the Auckland Unitary Plan will provide region-wide or high level freshwater objectives and policies that are NPSFM compliant, it cannot contain all necessary provisions to fully meet the NPSFM. This is principally because the development of robust and effective freshwater management policy that will deliver good outcomes for Auckland must be developed collaboratively and must meet NPSFM objectives. The progressive implementation programme will enable Auckland Council to work across the region to establish specific freshwater values, objectives, limits and targets.

Regional councils and unitary authorities are working together at all levels; from the CE Forum to Resource Managers Group through to special interest groups. Workshops and meetings across councils provide opportunities to collaborate, evaluate the merits of alternative implementation models, and identify common research or policy development needs. Auckland does differ from other regions in its governance structure and the large number of iwi, many of whom have interests in the same parts of Auckland. Collectively this adds complexity to developing collaborative processes for freshwater management whilst ensuring that Auckland Council meets the requirements of the NPSFM within the legislative timeframe.

Developing a process for collaborative freshwater policy development is currently underway. This will be critical to the success of the NPSFM programme of work and the development of specific freshwater management provisions.

New freshwater objectives, policies and methods for water quality, iwi involvement, limit setting (both water quality and water quantity) and allocation of water resources will need to be developed. Addressing issues around water quality and water quantity is at the forefront of the NPSFM objectives and policies. The NPSFM signals that degrading water bodies (below a water quality limit) and over allocating water (above a water quantity limit) is not acceptable and targets and methods to address this must be set. Management of the effects of land use, land development, water use and discharges of contaminants must be integrated along with their downstream effects on marine receiving environments.

This NPSFM implementation programme is anticipated to take 8-10 years and a budget of \$1.7M has been allocated in the draft Auckland Long Term Plan. A report proposing the programme of work for adoption by Council will follow later this year.

Water Management Zones

The NPSFM requires that objectives, limits and methods are set for all freshwater bodies, including surface and groundwater for both water quality and water quantity purposes. Auckland hydrology is variable and the values and objectives for different freshwater bodies will also be variable. A generic or regional "one size fits all" set of objectives, policies and methods cannot be applied if Auckland is to meet the NPSFM objectives and policies. However, region-wide objectives and policies can be used on an interim basis in the first iteration of the Auckland Unitary Plan until such time as the more detailed work to develop specific provisions is completed.

Water management zones, based principally on hydrology, Local Board boundaries and iwi authority boundaries are considered to be a practical way of managing the local implementation workload. Work is being undertaken to identify the zones - about fourteen in total. The proposal is to establish collaborative processes within a number of water management zones at a time, in order to determine local values, objectives and limits for freshwater bodies and gain input to the development of local freshwater management. This approach enables the methodology to be refined as it is applied progressively across Auckland and for funding to spread over the next 8

years. The staged-implementation programme will set out to complete a number of zones each year. The sequencing of zones will not be prescribed in order to provide some flexibility to co-ordinate with other relevant Auckland Council programmes and respond to future catchment pressures.

Environment Monitoring and Research

Setting limits for freshwater can be numerical or narrative; either approach requires information about water quality, flows, discharges, contaminant loads, levels, etc. For groundwater the ACRP: ALW sets water quantity allocation limits for high use aquifers, which cover a large part of the usable groundwater resources. Similar limits are not currently set for surface water bodies, but will need to be. Numeric modelling using environmental monitoring data is one method that can be used to enable understanding of the implications of different land and water use scenarios and to understand the effects on downstream coastal environments. The Water Team is working with the Research, Investigation and Monitoring Unit, as well as collaborating with other regional councils and unitary authorities, and experts to develop cost effective and relevant research and tools to support freshwater policy development.

Collaboration and Engagement

Setting freshwater objectives requires an understanding of the values held for a water body. The NPSFM directs local authorities to provide for the involvement of iwi and to ensure that tangata whenua values and interests are identified and reflected on the management of freshwater. While the NPSFM does not prescribe that local authorities use a collaborative process to implement the NPSFM in their region, current work coming from the Land and Water Forum, and recently reported to Central Government, advocates for collaborative process in preference to consultative engagement models. Local Boards have an important role in helping to determine freshwater values within their areas and in contributing to the development of freshwater objectives and limits. Water users, stakeholders and local interest groups must also contribute to the development of freshwater objectives for their local water bodies.

Freshwater objectives must then be translated into freshwater limits, which will become part of a regulatory framework for managing local freshwater resources. Communities, together with Local Boards, can also determine which non-regulatory methods they may employ and where to enhance the values of local freshwater bodies.

Adopting a Staged NPSFM Implementation Programme

Auckland Council is required by November 2012 to formally adopt a programme of time-limited stages to implement the NPSFM. That programme of work, which will identify work required as outlined in this report, and time frames will be drafted by mid-2012.

Decision Making

This is not an item for decision.

Significance of Decision

The activities detailed in this report do not trigger the Significance Policy.

Maori Impact Statement

This information report does not have an impact on Maori. However, the water policy work will involve iwi and hapu in water management. Policy will reflect tangata whenua values and interests in the management of and decision making regarding freshwater and freshwater ecosystems in Auckland. This is a requirement of the NPSFM 2011.

Consultation

Implementation of the NPSFM has implications for many Auckland Council teams outside Environmental Strategy and Policy, including Stormwater (COO), Watercare Services (CCO), Natural Resource and Specialist Input (COO) and Regional and Local Planning (CPO). These teams will be consulted on the proposed programme of work.

Local Board Views

Local Boards will be consulted by the Water Team, initially on the proposed programme of work and later in the development and implementation of local policy development.

Financial and Resourcing Implications

The budget implications for implementing the NPSFM have been included in the draft Long Term Plan. The proposal is for \$1.7m funding for the development of water policy spread across 2012-2019.

Legal and Legislative Implications

There are no legal implications from this report. Auckland Council is legally bound to fully implement the NPSFM 2011 by 31 December 2030. To enable this, Council must formally adopt a staged-implementation programme by 12 November 2012 and report annually on progress.

Implementation Issues

There are no implementation issues arising from this report. However, there are potential implementation issues if the resourcing of NPSFM implementation projects over the next 10 years is not adequately budgeted.

Attachments

There are no attachments for this report.

Signatories

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