

Implications for Municipal Suppliers

A New Policy Framework for the Allocation of Water



SIMON BERRY
BARRISTER - ENVIRONMENTAL LAW

Presented By Simon Berry & Paula Hunter



MWH

BUILDING A BETTER WORLD

Water Resources in New Zealand

- Water is a scarce resource – not infinite. Must manage competing demands while maintaining health of habitat
- Lack of strategic long term planning and information re how much water used
- RMA requires regional councils to control water take and use
- Until now- ‘First-come first-served’ basis, but need more sophisticated approach

Water Resources in New Zealand

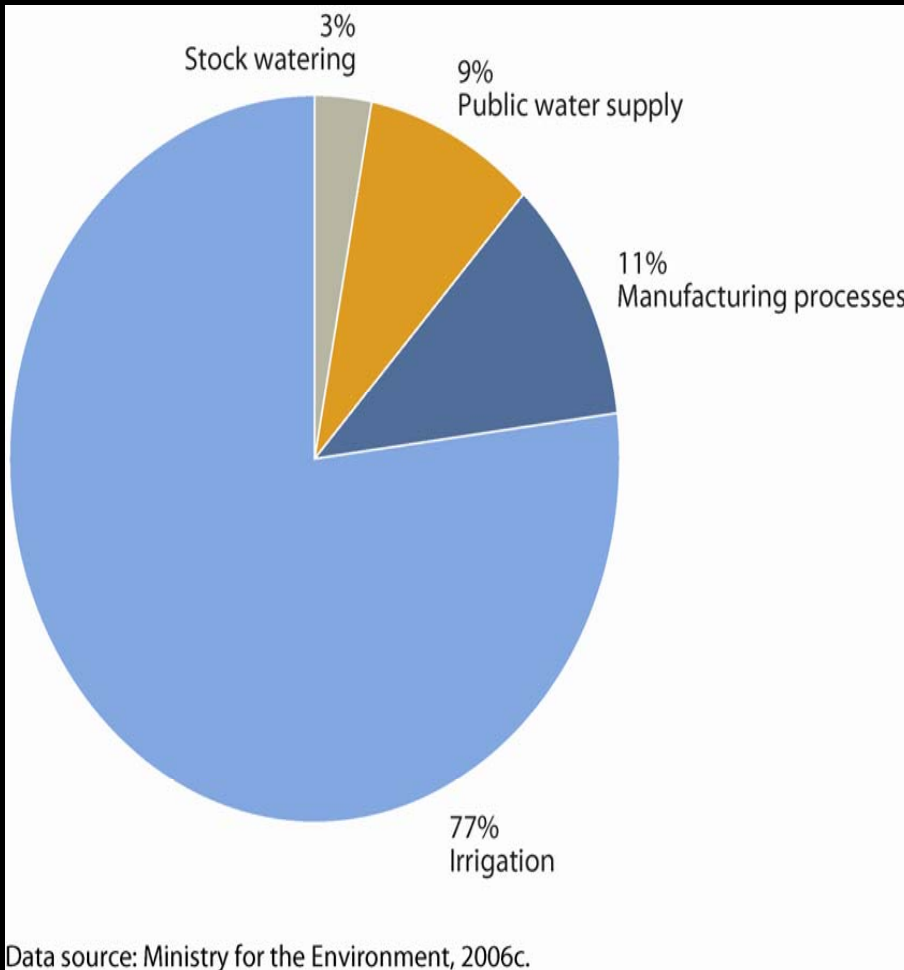


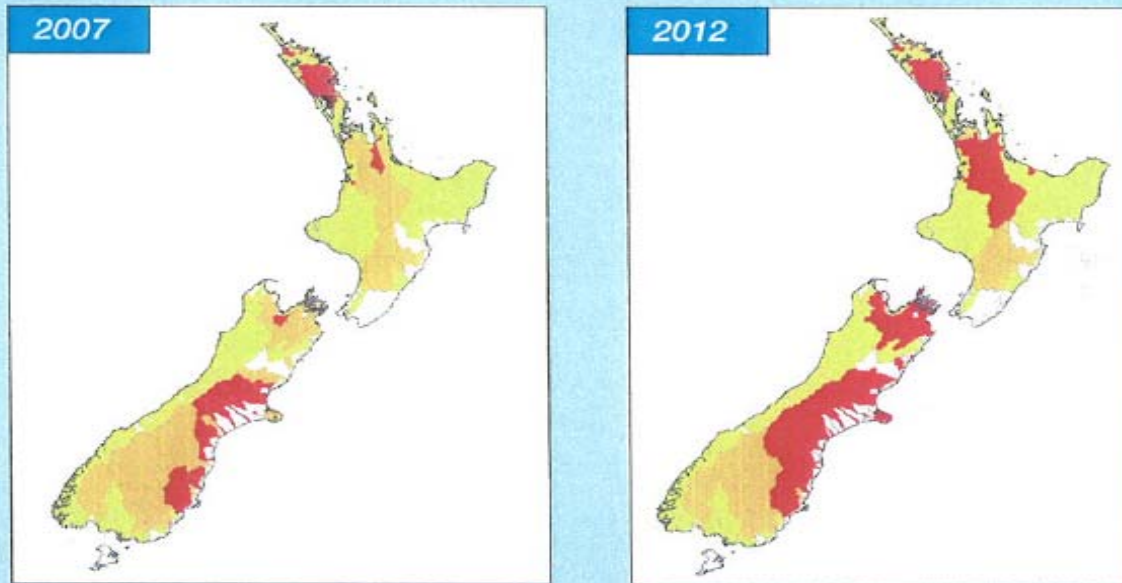
Figure 1 – Use of Allocated Water in New Zealand

Challenges Facing Environment Waikato

- Waikato Region pressures-increase demand for community, industry, stock water, primary production and irrigation.
- MAF and MFE projected 202% increase in demand for water for irrigation in the region by 2010
- Water bodies reaching/exceeding allocation limits, lack of direction
- “First-come, first-served” inequitable; no direction re priority in drought

Surface Water Allocation

Surface water allocations 2007 - 2012 by major catchment boundaries, percentage of surface water allocated



- Most regions have at least one river (surface water) or aquifer (groundwater) that is either fully or over allocated, or likely to become so in the next one to five years.
- Over a significant proportion of New Zealand and particularly in our highly

populated and main agricultural areas, the known available water resource is expected to be fully allocated by 2012.

- Major economic and environmental gains are possible from allocation improvement.

KEY

- Fully or over allocated
- Greater than 75%, less than 100%
- Less than 75% allocated
- Unknown (or groundwater zone)

Proposed Waikato Regional Plan Variation (RPV6)

- RPV6- new planning regime for the allocation and use of water
- Key aspect- priority for domestic and municipal use to ensure availability of water to undertake municipal functions
- But must demonstrate
 - a need for water
 - efficient use
 - operating according to best practice



Water Conservation and Demand Management Plans (WCDMP)



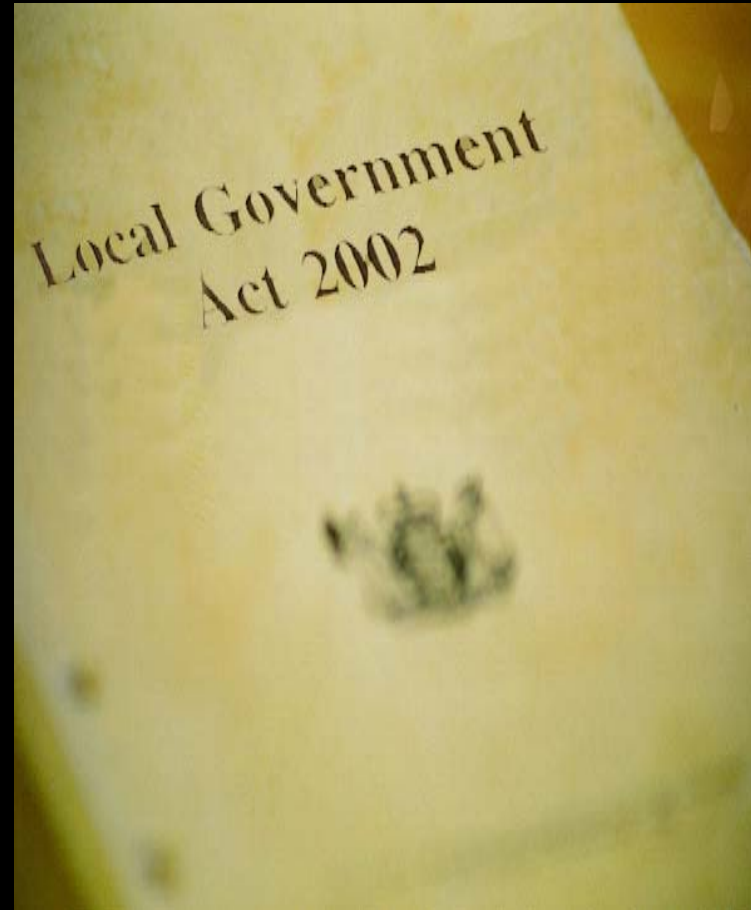
- WCDMP to be filed with resource consent applications for municipal takes
- Key purposes of WCDMP
 - To achieve efficient and effective operation of water supply networks
 - Demand management to ensure efficient use

Water Conservation and Demand Management Plans (WCDMP)

- Vary between local authorities- size of area, volume of take, knowledge of network etc
- Evolving documents subject to ongoing review
 - “First Generation” WCDMPs -‘road maps’ for future
 - “Second Generation” WCDMPs - sophisticated, identify initiatives, implementation and effectiveness
- Should also include Drought Management Plans

Regulatory Context

- Resource Management Act 1991
 - require efficient use of resources (s7(b))
 - have regard to the effects of climate change (s7(i))
 - sustainable management of resources (s5)
- Local Government Act 2002
 - prudent stewardship, efficient and effective use of a regions resources by the local authority(s14)
 - requires local government to develop LTCCPs and Annual Plans

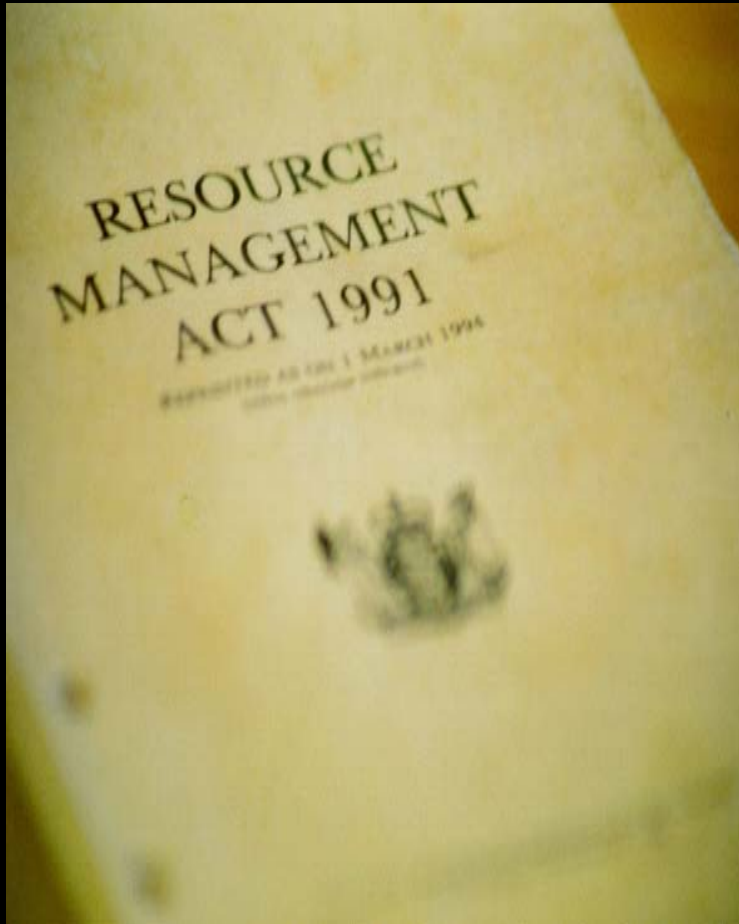


Regulatory Context



- Central Government Sustainable Water Programme - Planning Instruments
 - Freshwater Management NPS
 - objectives relating to water allocation and efficient use
 - prioritises domestic supply
 - Ecological Flows and Water Levels NES
 - requires the setting of min and max limits
 - Water Measuring Devices NES
 - Human Drinking Water Sources NES

Legal Issues



- Can demands be prioritised – ‘first-come first-served’ principle, argued in *Fleetwing*
- *Fleetwing* approach not sacrosanct
- Case did not preclude possibility of prioritising

Implications for Municipal Water Suppliers

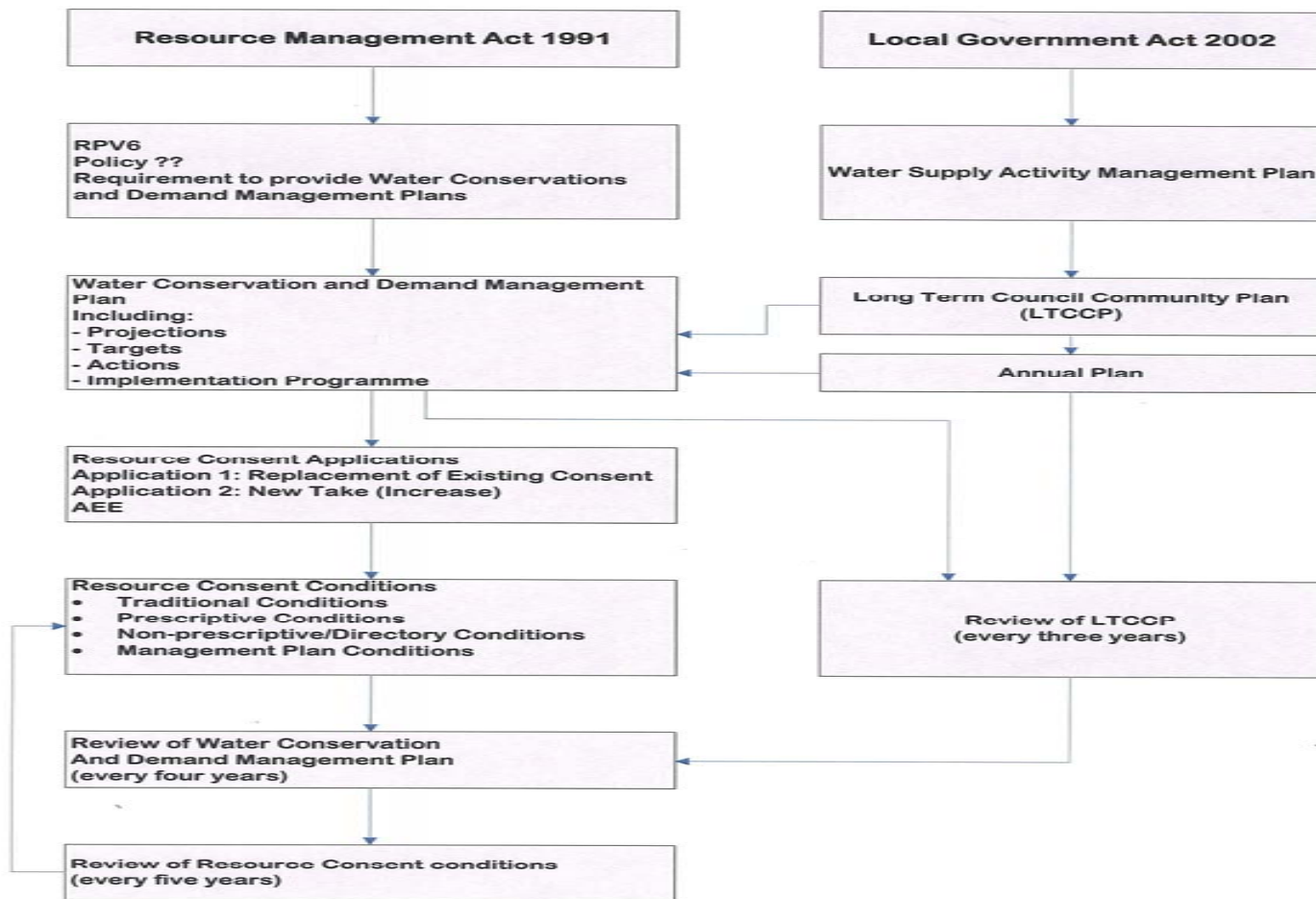
- Similar approaches may be adopted by other regions
- Councils' will need to:
 - understand network operations
 - assess existing and future demand
 - establish pricing procedures
 - minimise water losses
 - maximise water use efficiency; reduce use
 - measure water takes
 - set water saving targets and KPIs
 - auditing/ benchmarking
 - Water Conservation and Demand Management Plans and Drought Management Plans



Implications for Municipal Water Suppliers

- WCDMPs should link to LTCCP and Annual Plans (funding, community support)
- WCDMPs prepared prior to AEE- not a substitute, different functions
- Propose consent conditions to ensure conservation and efficiency
- Use of review consent conditions to ensure continuous improvement
- WCDMPs only required if want priority

Water Conservation and Demand Management Plan and Water Permits Resource Consent Process



Further Implications for Municipal Water Suppliers



- Low impact urban design
 - green infrastructure
 - living streets
 - landscape efficiency
 - permeable surfaces etc.
- Green technology options
 - water efficient devices
 - rainwater tanks, roof gardens etc.
- Integration of three urban waters
 - integrated catchment management
 - integrated systems management
 - reuse and recycling
- Climate change adaptation