9. NEW ZEALAND

9.1 Water Resources Management Policies and Actions

In 2003, the Sustainable Water Programme of Action was established by the Government to ensure that the country's freshwater resources are managed to best support New Zealand's future sustainable development.[117] In November 2004, the Government approved the release of the Sustainable Water Programme of Action's public discussion document named "Freshwater for a Sustainable Future: Issues and options", which formed the basis of comprehensive national consultation. With reference to those feedbacks collected during the consultation process, six broad goals were confirmed for the Sustainable Water Programme of Action:[118]

- achieve greater strategic planning for water at national and regional levels
- provide clearer direction and guidance from central government
- ensure greater consistency in the way increasing demands on water resources are managed across the country
- develop a better framework for deciding between conflicting demands for water
- enable increased effectiveness of Māori participation in water management
- provide for more effective management of the impacts of diffuse or unintended discharges on water quality

A preferred package of actions has been developed for the purposes of consultation to address these issues. The package aims to enhance the current system. It confirms that local government will retain the management and decision-making for freshwater, but with greater support and direction from central government. The preferred package comprises thirteen proposed actions as follows:[119]

- **Develop National Policy Statements** that specify national priorities for freshwater, stipulate requirements of regional plans, and require catchment-based targets for water quality to be set.
- **Develop National Environmental Standards** to specify methods or procedures for setting environmental bottom lines and allocation limits, and to address the management of diffuse discharges.
- **Address nationally important values** by identifying water bodies with such values and making this information widely available, and by prioritising for action water bodies with nationally important values that are under threat.
- **Increase central government participation in regional planning** by providing information and guidance, and lodging submissions by individual departments or through the whole of government process being developed under the Resource Management Act (RMA) Review.

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[117] Extracted from the web site of the Ministry for the Environment, http://www.mfe.govt.nz/issues/water/prog-action/faqs.html#1

[118] Extracted from the "Freshwater for the Future: A supporting document", http://www.maf.govt.nz/mafnet/rural-nz/sustainable-resource-use/water-programme-of-action/fresh-water-for-the-future/freshwater-for-the-future-supporting-document.pdf, page 2

[119] Extracted from the web site of the Ministry for the Environment, http://www.mfe.govt.nz/issues/water/prog-action/cab-paper-consultation/index.html

- **Increase central government support for local government** by capacity building or disseminating good practice for: strategic planning processes for freshwater; setting environmental bottom lines and allocation limits; engaging effectively with Māori (consistent with the RMA review); and transfer of water permits; and enhancing efficiency of water use.
- **Develop special mechanisms for regional councils**, including powers to progressively constrain existing consents to take water or discharge contaminants where water is over-allocated or water quality is declining.
- **Enhance the transfer of allocated water between users.** Mechanisms could include developing a pilot registry system which regional councils could choose to record water transfers, and working with local government to encourage greater consideration of transfer of water.
- **Develop market mechanisms to manage discharges**, including mechanisms to trade permissions to discharge particular contaminants.
- **Set requirements for regional freshwater plans to address key issues and challenges** in areas where water resources are under pressure, and promote the implementation of regional plans. Key issues may include water allocation and quality, addressing the national interest in water and exploring the development of infrastructure.
- **Enhance Māori participation** by strengthening involvement of Māori in national and regional strategic planning and providing central government support for better engagement consistent with the RMA review.
- **Enable regional councils to allocate water** to priority uses by allowing applications for resource consents to be heard on a comparative basis, allowing regional councils to identify priority uses for water and develop criteria to guide decision making on the allocation of abstracted water, and allowing regional councils to use market tools (e.g. tendering, auctioning) as one of the ways of allocating water within the comparative framework.
- **Raise awareness of freshwater problems and pressures**, and promote solutions for managing the impacts of land use on water quality, over-allocation and inefficient water use. This could include communication and education programmes, and development of voluntary agreements.
- **Work with local government, scientists and key stakeholders** on pilot projects to demonstrate and test new water management initiatives. This could include multi-disciplinary scientific programmes that take an integrated approach to water management issues, from on-farm to catchment level.

Other actions or programmes related to water resources management

Water Efficiency Labelling Scheme (WELS), previously referred as Water Efficiency Labelling Standards, provides water efficiency and consumption information to consumers for a range of water using products. One purpose of the scheme is to influence consumer decision making at the time purchase.[120] More information on this Scheme can be found in Section 9.5.

[120] Extracted from the website of the Ministry for the Environment, http://www.mfe.govt.nz/issues/water/wels-scheme.html

9.2 Environmental Evaluation/SEA in New Zealand

In New Zealand, SEA is not formally instituted as a separate, dedicated procedure. Rather, its characteristics are reflected in a number of laws and policies. The Resource Management Act (RMA), 1991, is the major environmental statute and emphasizes an integrated approach to policy planning and assessment of issues concerning the use of land and resources.[121]

In 2004, the Government announced a review of the RMA, focusing on ways to improve the quality of decisions and processes whilst not compromising good environmental outcomes or public participation. In August 2005, the Resource Management Amendment Act 2005 was passed, concluding the Government's review of the RMA.

The amendments has improved the operation of the RMA by addressing problems with delays, costs, inconsistencies, uncertainty and national leadership regarding the RMA's processes and in decision making. The amendments focus on five key areas:

- Improving national leadership
- Improving decision making
- Improving local policy and plan making
- Improving certainty for consultation and resource planning
- Improving natural resource allocation[122]

The RMA has been interpreted as a SEA-equivalent statutory instrument for two reasons: (i) the Act requires the preparation of national environmental standards and national and regional policy statements, which give strategic direction to regional and district-level planning; (ii) also, section 32 of the Act requires the consideration of alternatives and analysis of benefits and costs as part of policy or plan-making. While the term "SEA" is not mentioned in the RMA, there is a provision made for the Assessment of Environmental Effects (AEE) in section 88 and the Fourth Schedule of the Act.[123]

The RMA provides for an environmentally-focused, effects-based approach while

- sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations;
- safeguarding the life supporting capacity of air, water, soil and ecosystems; and
- avoiding, remedying or mitigating any adverse effects of activities on the environment.[124]

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[121] More information of the Act can be found at this link, http://rangi.knowledge-basket.co.nz/gpacts/public/text/1991/an/069.html

[122] Referenced to the summary of the Resources Management Amendment Act 2005, http://www.mfe.govt.nz/publications/rma/rmaa2005-factsheets-aug05/summary/summary.html

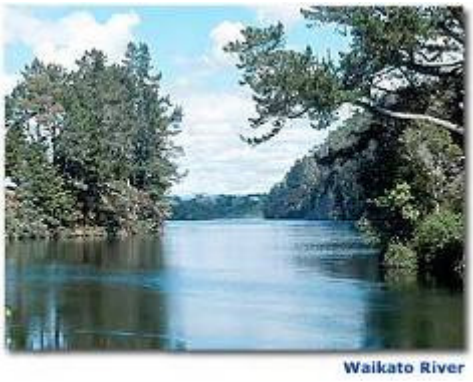
[123] Strategic Environmental Assessment: A sourcebook and reference guide to international experience, Barry Dalal-Clayton and Barry Sadler, 2004, http://www.iied.org/Gov/spa/documents/SEAbook/Chapter3_Oct04.pdf, section 3.3.9

[124] Refer section 5 of the Act, http://rangi.knowledge-basket.co.nz/gpacts/public/text/1991/se/069se5.html

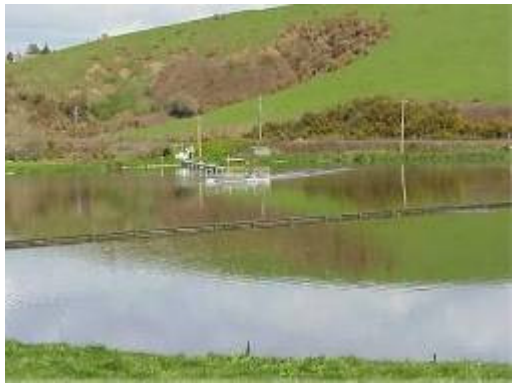
An assessment of effects on the environment should include

- a description of the proposal;
- where it is likely that an activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity;
- an assessment of the actual or potential effect on the environment of the proposed activity;
- a description of the mitigation measures to be undertaken to help prevent or reduce the actual or potential effect;
- identification of the persons affected by the proposal, the consultation undertaken, if any response to the views of any person consulted;
- where the scale or significance of the activity's effect are such that monitoring is required, a description of how, once the proposal is approved, effects will be monitored and by whom.[125]

To conclude, RMA is considered having the same intent and scope of SEA processes which anticipate and address adverse and positive effects on the environment and integrate into the formulation of policy, plan and programme.



Waikato River[126]



Wastewater[127]

[125] Refer Schedule 4 of the Act, http://rangi.knowledge-basket.co.nz/gpacts/public/text/1991/sc/069sc32.html
[126] Extracted from http://www.wairc.govt.nz/enviroinfo/water/healthyrivers/waikato/
[127] Extracted form www.otodc.govt.nz/Infrastructure/WasteWater.htm

9.3 Environmental Evaluation/SEA on Water Resources Management in New Zealand

Managing water is a regional council responsibility under the RMA 1991. In 2005, the Resource Management Amendment Act was passed. The amendments, and the work programmes subsequently initiated, focused on improving the quality of decisions and processes. The package of actions proposed for water in the "Sustainable Water Programme of Action", mentioned in Section 9.1, is consistent with and builds upon these amendments.[128]

For any policies, plans and programmes related to water resources management, they shall follows the RMA requirement to conduct an assessment of effects on the environment.

All details can be referred to the Section 9.2.

A summary table for the water resources management policies and actions and SEA status in New Zealand is presented in **Exhibit NZ-1**.

Exhibit NZ-1 Summary of Water Resources Management (WRM) Policies and Actions and SEA Status in New Zealand	
(a) WRM Policies and Actions	
WRM Policies and Actions	Policies: ● Sustainable Water Programme of Action Actions: ● Water Efficiency Labelling Scheme (WELS)
Guidance/Legislations for WRM	N/A
(b) Environmental Evaluations / SEA Status in WRM Policies and Actions	
Type of Assessment	Strategic Environmental Assessment
Requirement Mechanisms	Statutory
Legislation for Environmental Evaluation / SEA	Resource Management Act
Applications	Policies, Plans and Programmes

[128] Extracted from http://www.maf.govt.nz/mafnet/rural-nz/sustainable-resource-use/water-programme-of-action/fresh-water-for-the-future/freshwater-for-the-future-supporting-document.pdf, page 7

9.4 Analysis and Conclusions

WRM Policies

In New Zealand, the current WRM policy is set out by the document "Freshwater for a Sustainable Future: Issues and options". It sets out goals, including providing a clear direction and guidance to regional governments from central government, enhance the transfer of allocated water between users, raise public awareness on freshwater pollution problem and protection, and so on. One example would be the "Water Efficiency Labelling Scheme" by the government. This programme helps to provide water efficiency and consumption information of the water using products to the consumers.

Compared to New Zealand, Hong Kong's two main sources of water are from rainfall from natural catchment and supply from Guangdong. It is Water Supplies Department's (WSD) scope of work to cover the whole process from the collection of natural yield from rainfall, the reception of raw water from Guangdong to the provision of a supply with a quality of accepted international standards to the users' taps. WSD also supplies sea water for flushing purposes to over 80% of the population. For protection against flooding, sewage collection, treatment and disposal, it is under Drainage Services Department's (DSD) jurisdiction.

For the sustainable development of Hong Kong, WSD has initiated a ***Total Water Management programme*** comprising key elements of new water resources, water reclamation, water conservation and water resources protection and management was initiated for better utilization of the different water resources.

More programmes like Water Efficiency Labelling Scheme can be considered in Hong Kong. This would help residents knowing how much of water the appliances consume.

EE/SEA

Regarding SEA/EE requirements in Australia, it is a statutory requirement under Part 10 section 146 of the Environment Protection and Biodiversity Conservation Act (EPBC Act, 1999) that an SEA-type process, called "Strategic Assessment", is required for PPP which are WRM related.

For the SEA/EE requirement in New Zealand, it is a statutory requirement under the Resource Management Act (RMA) to undertake SEA-type processes that is to conduct environmental assessment for all regional and district policies, plans, and programmes related to water resources management. In view that sustainable development is one of the focuses in the SEA requirement under the RMA in New Zealand, such concept is similar to the Hong Kong administrative SEA with regard to (i) all policy bureaus should carry out Sustainability Impact Assessment for major policy proposals as mentioned in the 1999 Policy Address; and (ii) "Sustainability Assessment" and "Sustainability Implications" should be adopted for major proposals since April 2002.

Hong Kong's SEA/EE is under Environmental Protection Department's (EPD)

jurisdiction. At present, there are both statutory and administrative systems for PPP projects. While the statutory requirements govern primarily large scale development projects (i.e. over 20 ha of area or population over 100,000), the administrative counterpart has been applied to land use planning, transportation and sectoral PPP. It may be a logical next step to consider:

- Combining the administrative requirements into the statutory system; and
- Providing further specific SEA requirements under the category of water resources management

9.5 Examples of Water Resources Management Policies / Actions or their Environmental Evaluation/SEA

Example NZ-1	**Water Efficiency Labelling Scheme (WELS)[129]**
Description of the Scheme	Water efficiency labelling acts as an "information" tool to consumers to help guide their purchases. The Ministry of Consumer Affairs has issued this paper outlining proposals for mandatory water efficiency labelling for six specific products – washing machines, dishwashers, taps, toilets, showerheads and urinals. The labelling will give consumers information on expected water consumption when in use of the above mentioned products, as well as a comparative 'star rating'. To determine the water consumption and star rating of an appliance or fixture, the manufacturer or importer will need to have the item tested by an accredited laboratory, which is either a laboratory accredited for the relevant test by International Accreditation New Zealand (IANZ) or an equivalent overseas laboratory recognised by IANZ under a mutual recognition agreement. The laboratory will issue the manufacturer with a test certificate of a unique test report number, and a unique water efficiency labelling code provided by the Ministry for the Environment. After testing, the lab will fill in the label particulars (including water consumption, star rating, test report number, etc), for which the label shall follow the template given by the Ministry of the Environment. Then an electronic version of the label shall be sent to the manufacturer or importer for their printing.
Benefits of the Scheme	There are two types of benefit to be derived from reducing water consumption: water saved and energy saved. ● The value of water savings is made up of savings in variable costs – such as energy costs for pumping and for chemicals for water treatment – and capital costs – largely the cost of the deferral of capital works to expand capacity, or a reduction in the additional capacity required. ● Energy savings result from improvements in the water efficiency of products that use hot water – washing machines, dishwashers, showerheads and taps. There are also capital cost savings in relation to the deferral of capital works to electricity generation. Energy savings are estimated to be in the order of 47.7TJ by 2020. These energy savings will also reduce CO_2 emissions by 7.1 kT over the same period.

[129] A proposed implementation document can be found at http://www.consumeraffairs.govt.nz/policylawresearch/water-eff-label/discussion-document/dp-wel.pdf, page 1, 2, 3, 5, 6, 17