

# *National Environmental Standards for Sources of Human Drinking Water*

Managing catchment risk

19 September 2017 / Tim Sharp

# Managing catchment risk

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## New Zealand regulatory framework

- Resource Management Act
- National Policy Statement for Freshwater Management
- Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations
  - ~ Drinking Water NES

# National Environmental Standards

## Current and proposed NESs

- Air Quality
- Sources of Human Drinking Water
- Telecommunication Facilities
- Electricity Transmission Activities
- Contaminants in Soil to Protect Human Health
- Ecological Flows and Water Levels (proposed)
- Plantation Forestry (proposed)
- Marine Aquaculture (proposed)
- Outdoor Storage of Tyres (proposed)

/ **National Environmental Standards for Sources of Human Drinking Water**

# National Environmental Standards

## What do NESs do?

- Provide national consistency
- Can prescribe technical and non-technical standards, methods or other requirements
- Apply to land use and subdivision, use of the coastal marine area and beds of lakes and rivers, water take and use, discharges, noise
- Have the force of regulations and are binding on local authorities – take effect immediately

# Before the Drinking Water NES

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## Drinking water supply concerns

- Water suppliers had little control over activities in the catchment they sourced water
- Thus limited control over the quality of the source water they received and had to treat
- Suppliers were unlikely to be informed of a change of activities in a catchment that could lead to a decrease in source water quality

# Drinking Water NES

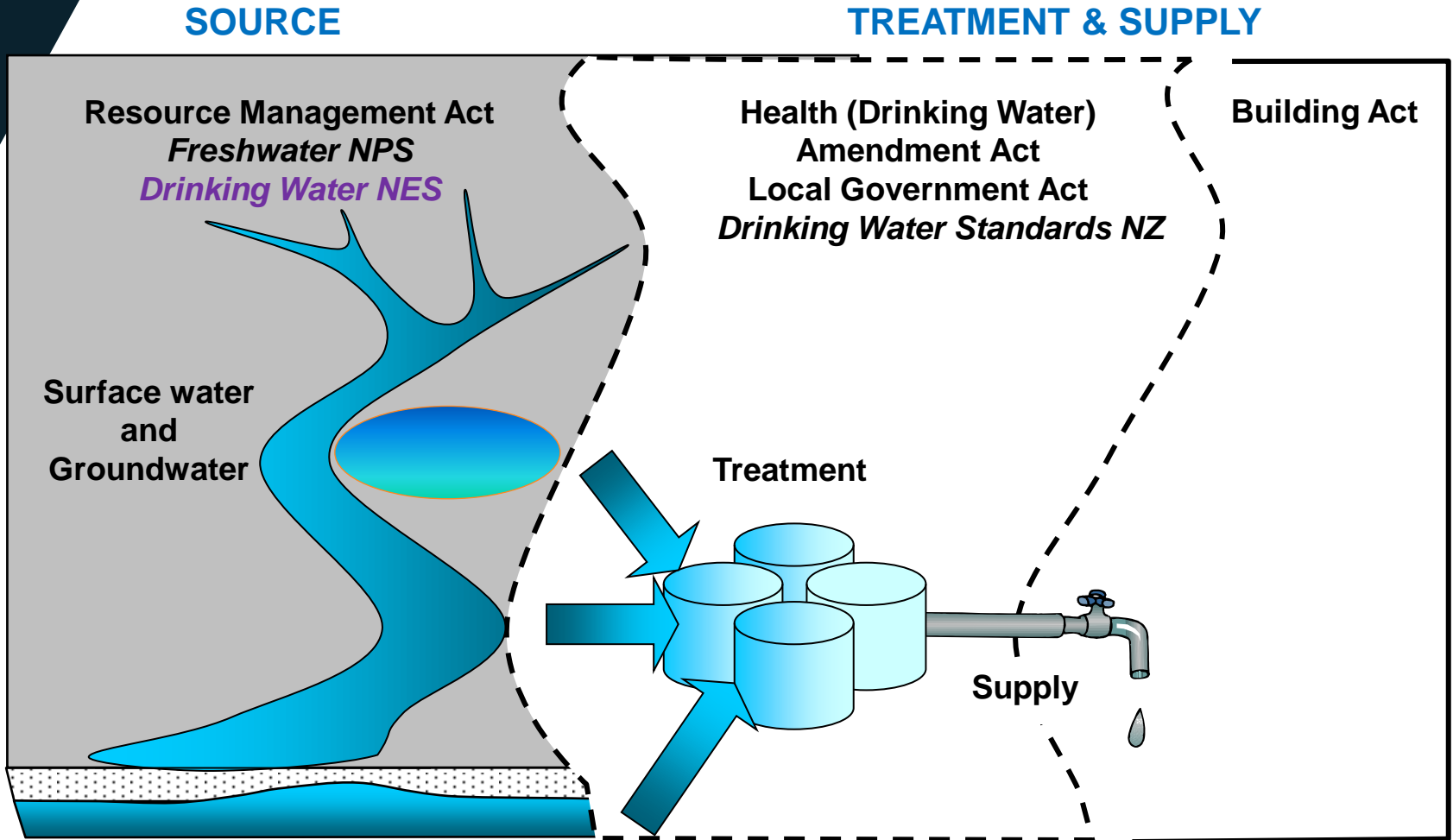
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## DW NES Policy Objectives

- Reduce the risk of contamination of source water
- Contribute to a multi-barrier protection approach
- Ensure catchments are included in drinking water management

# Multiple barriers

# Regulatory framework



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# Drinking Water NES

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What does the  
NES apply to?

- All regulations in the NES apply to:  
**the concentration of determinands at the abstraction point of a water treatment plant used for a registered drinking water supply**



# Drinking Water NES

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What does the  
NES apply to?

- **Resource Consents** – Regulations 6,7,8
- **Permitted Activity Rules** – Regulations 9,10
- **Emergency Notification Conditions** for relevant consents – Regulations 11,12

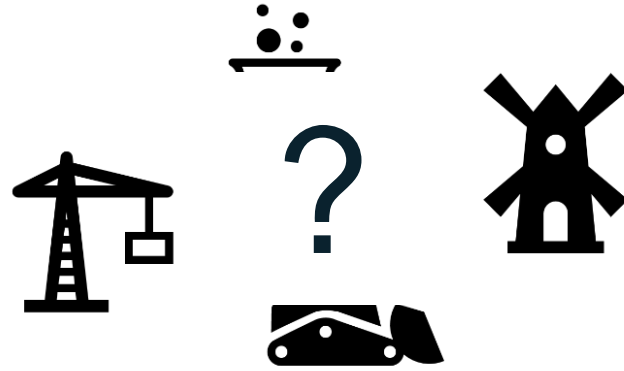
# Resource Consents

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## Water permits and discharge permits

- Applies only to water permits and discharge permits
- Where the activity may affect a registered drinking water supply supplying >500 people for 60 or more calendar days each year
- Consent must be declined if the activity will result in determinand(s) exceeding MAV (Maximum Acceptable Value) after existing treatment

# Resource Consents



>500; > 59 days

# Rule of thumb

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- Any new activity must not deteriorate receiving water quality in a drinking water source to the extent that existing treatment processes cannot make that water safe for people to drink

# Regional Plans

## Permitted activity rules

- Same criteria (>500 for 60 or more days a year) and effects (on MAVs) as for resource consents
- Applies to all activities regulated by regional councils
- Must not include a rule in regional plan that allows a permitted activity upstream of an abstraction point if that activity is likely to result in the drinking water becoming unsuitable for human consumption, as specified by the health quality criteria

# Rule of thumb

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- Regional plan must not include a permitted activity rule likely to result in drinking water becoming unsuitable for human consumption

# Emergency notification conditions

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Applies to ALL relevant consents

- Consent condition – notification of a drinking water supplier if an “adverse event” occurs that could contaminate a drinking water supply
- E.g., spill of chemicals
- Or as consequence of an event, e.g., heavy rainfall
- Where the event may affect a registered drinking water supply supplying **≥25 people** for 60 or more calendar days each year
- Applies to activities regulated by **both district and regional councils**

# NES Review

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## Issues raised during Havelock North Inquiry

- Failure to embrace the NES
- Upstream / upgradient – sufficient?
- Definitions – e.g., abstraction point
- Location of supplies
- Difficulty in assessing / predicting effects
- Scope of activities covered
- Permitted activity rules unchanged
- Populations supplied vary
- Awareness of Regulations 11,12 by district councils

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# Questions

