

8. PROPOSED NATIONAL ENVIRONMENTAL STANDARD FOR WATER MEASURING DEVICES



General Manager responsible:	General Manager City Environment Group , DDI 941-8656
Officer responsible:	City Water and Waste Manager
Author:	Diane Shelander, Senior Resource Planner

PURPOSE OF REPORT

1. The purpose of this report is to solicit Council endorsement of a submission on the Ministry for the Environment's proposal for a national environmental standard for water measuring devices.

EXECUTIVE SUMMARY

2. The Ministry for the Environment (the Ministry) is proposing a national environmental standard (NES) for water measuring devices, under the Resource Management Act 1991 (see Attachment A). The Ministry has published a discussion document that outlines an approach that is proposed for the standard.
3. The standard seeks to establish a uniform set of requirements for measuring water takes.
4. It is anticipated that the Council will be significantly affected by the proposed NES as a holder of multiple resource consents to take surface and groundwater.
5. The Ministry is seeking comments on its proposed NES. Submissions close 16 February 2007. A draft submission is included as Attachment B.

FINANCIAL AND LEGAL CONSIDERATIONS

6. As outlined in the Ministry's discussion document, significant costs may be incurred by the Council in order to comply with the standard. These costs are expected to include:
 - Purchases and installation of new water measuring devices where none are currently installed as well as replacement of existing non-conforming devices;
 - Data gathering from, and data reporting of, each water measuring device; and
 - Calibration and maintenance requirements for each water measuring device.

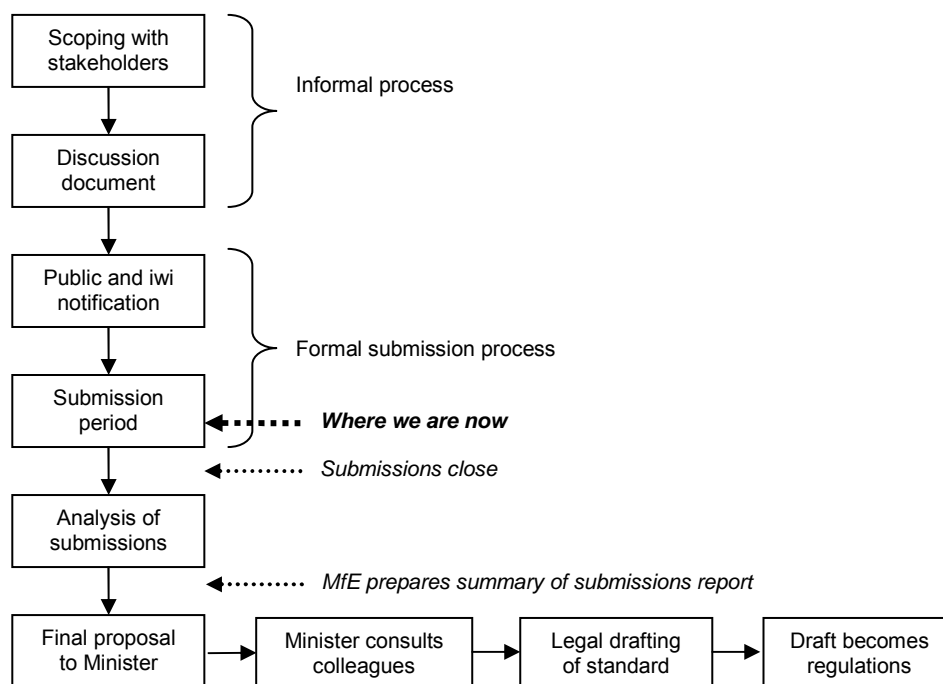
STAFF RECOMMENDATIONS

It is recommended that the Council endorse Attachment B as the submission to the Ministry for the Environment on the proposed national environmental standard for water measuring devices.

BACKGROUND

7. The Ministry for the Environment is proposing a national environmental standard for water measuring devices as part of the Government's Sustainable Water Programme of Action. The Ministry published a discussion document (Attachment A) which outlines the issues and approaches that the Ministry proposes for the standard. The standards development process is illustrated in Figure 1.

Figure 1. National Environmental Standards Development Process



PROPOSED NATIONAL ENVIRONMENTAL STANDARD

8. The proposed national environmental standard for water measuring devices is one part of the Government's Sustainable Water Programme of Action that has three key national outcomes:
- Improving quality and efficient use of fresh water.
 - Improving management of adverse effects of land use on water quality.
 - Providing for increased demands on water resources.
9. Implementation of the Sustainable Water Programme of Action requires an understanding of how much water is actually taken. To date, water measuring has been done on an inconsistent basis across the country through regional plans policies and rules across the 16 regional councils and unitary authorities. The proposed NES seeks to provide a consistent approach towards water measurement.
10. The objective of the proposed NES is to ensure that water takes are accurately and comprehensively measured in order to better manage the country's water resources.
11. As shown in Figure 1 above, the exact wording of the NES on water measuring devices will not be legally drafted until after the public consultation process has closed and the government has reached a decision on the contents of the NES. The Ministry summarises the essence of the proposed NES as follows:
- Setting minimum performance and accuracy requirements for water-measuring devices;
 - Defining when water measuring devices are mandatory;
 - Establishing installation and maintenance requirements
 - Setting minimum requirements for data recording and data submission

12. The discussion document includes a very brief overview of costs. A robust cost-benefit analysis will not be conducted by the Ministry until after the public submission process has been completed. It is anticipated that the Council will incur costs from the implementation and administration of the proposed NES, including:
 - Purchases and installation of new water measuring devices where none are currently installed as well as replacement of existing non-conforming devices;
 - Data gathering from, and data reporting of, each water measuring device; and
 - Calibration and maintenance requirements for each water measuring device.
13. The Ministry for the Environment is seeking comments on a proposed approach to a national environmental standard (NES) for human drinking water sources. The deadline for submissions on the proposed approach for the NES is 16 February 2007.

SUMMARY

14. The Ministry for the Environment is seeking comment on approaches to a national environmental standard for human drinking water sources. The report prepared by staff (Attachment B) makes the following recommendations to the Ministry for the Environment:
 - that the Ministry reconsider the manner in which a national environmental standard for water measuring devices is structured, and opt instead for a simpler approach to encourage participation and adoption.
 - that the NES take into account the LTCCP budget and planning cycle and allow sufficient time for local councils to add any new requirements that may arise from the NES into future LTCCPs.
 - that the NES include a phased timetable for implementation, so that those who account for the greatest proportion of water takes are required to comply first.
 - that the Ministry consider exemptions where existing infrastructure would prohibit the installation of water measuring devices and where other data are available to document or estimate water take volumes.
 - that the Ministry reconsider the manner in which the accuracy of water measuring devices is determined, and whether a ± 5 percent accuracy is reasonable or achievable.
 - that the Ministry alter its proposed approach to maintenance and calibration of water measuring devices. In its present form, maintenance and calibration requirements are confusing and are likely to impose a significant financial burden on consent holders.
 - that alternative methods for measuring flow and logging data are allowed in the NES.
 - that the Ministry reconsider the daily data recording requirement and instead require monthly, rather than daily, data recording.
 - that the Ministry conduct a robust cost benefit analysis that includes the costs to consent holders for bringing existing water takes into compliance, including not only the costs to purchase measuring devices and data loggers but also costs associated with installation of compliance devices, replacement of water take infrastructure (where required), ongoing maintenance of compliant water measuring devices and data management.
 - that the Ministry consider costs to consent holders with smaller takes relative to the margin benefits likely to be realised.
 - the Ministry consider the Long-Term Council Community Plan budget and planning process, recognising the capital and operational costs to comply with the NES as proposed are likely absent from local authorities' LTCCPs.
 - that as a minimum the NES should require that Regional Councils establish an annual reporting regime for all water sources from which water is taken and measured.