

## 2. CONSULTATION ON DRAFT REGIONAL POLICY STATEMENT CHAPTERS ON WATER

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### PURPOSE OF REPORT

1. The purpose of this report is to provide the Council with an overview of the issues arising in draft chapters of the Canterbury Regional Policy Statement (CRPS), currently being reviewed by Environment Canterbury (ECan), and to gain the Council's support on recommendations for feedback to ECan with regard to the draft chapter on Water.
2. This is a non-statutory process which allows for consultation at an early stage of the review. It replaces the ECan seminars and workshops previously held for Council. Instead, over the last couple of years, the Committee has provided comments on a number of draft CRPS chapters, through a Committee report and staff recommendations for feedback to ECan. The Council has recently provided comments on the draft chapters for "The Coastal Environment", "Ecosystems and Indigenous Biodiversity" and "Landscape" in November 2009. The formal (RMA) consultation process is proposed to take place in August 2010 when the entire draft CRPS is completed and notified as a proposed policy statement.
3. The Council is requested to confirm the comments (presented in the grey boxes in the draft chapter attached) on the proposed draft chapters.

### EXECUTIVE SUMMARY

4. The CRPS provides an overview of the resource management issues for the Canterbury region and is prepared to meet RMA 1991 requirements. The policies it contains affect the way the Council manages its District Plan as Council will have to give effect to the CRPS (as required under section 75 of the RMA). ECan is currently reviewing the CRPS and is seeking input from the Council as part of the review.
5. The draft chapter (see **Attachment 1**) discusses water issues in Canterbury. Staff comments and recommendations on the draft have been collated and are found within grey text-boxes throughout the chapter.
6. The "Water" Chapter is a rewrite of the current Chapter 9 Water. The preparation of the draft Water Chapter has followed a different process from the previously revised CRPS chapters, in that no Issues and Options paper was prepared before the existing chapter was revised. The initial Scoping Report on issues and approaches to the review of the entire CRPS which was completed in October 2006, noted that there were a number of initiatives at a national (Sustainable Water Programme of Action) and regional (including the Strategic Water Study, the forerunner of the Canterbury Water Management Strategy) level being undertaken to address the region's water issues. It concluded that there was little additional value in undertaking another review of water issues and that it would be more practical to "piggy-back" on these initiatives and make appropriate changes as conclusions emerged.
7. The proposed Chapter is primarily focussed on water as a resource supporting human activities. The Introduction provides little information on the different types or the status of waterbodies in Canterbury. It is also disjointed as some paragraphs and sentences do not follow each other logically. The Issues section does not clearly state what the actual issues are or discuss all issues. For example, although Issue 2 seems to be highlighting the effects of changing land-use on water supplies, the Explanation is heavily weighted towards the use of groundwater for irrigation and potential economic gain to be made by irrigators. As the issues are not clearly presented it is difficult to make links between the Objectives and Policies proposed. For example Objective 1 discusses the need to manage water sustainably, however sustainable management of water is not highlighted as an Issue. Policy 1 seeks the resolution of water management issues, however not all issues are presented in the Issues section.

Although Council is supportive of the need for a Chapter on Water, a more balanced approach, taking into consideration the needs of the natural environment, indigenous species and habitat, community supply, recreational, business and agricultural activities is needed in the preparation of this Chapter. Detailed comments on the draft Water Chapter are located throughout Attachment 1.

8. As detailed above, it is the view of Council staff that significant work is required to redraft the Water Chapter. Due to ECan's timeframes the opportunity to provide feedback is limited to a narrow window. It is considered that despite the current state of the document, the Council should take this opportunity to provide feedback while it exists.
9. In parallel to the review of the CRPS, ECan has also developed the Canterbury Water Management Strategy (CWMS). The CWMS provides a vision to achieve sustainable water management, but the detail of how the CWMS proposals will work on the ground is yet to be fully developed and tested. The draft Water Chapter refers to and repeats some sections of the CWMS in Policies and Methods, however the interaction between the two documents is not clearly explained.
10. ECan is also in the midst of preparing the Natural Resources Regional Plan (NRRP), of which parts of the Air Chapter are currently operative. Decisions on the remaining eight Chapters are expected later this year. The NRRP however must give effect to the RPS (which is proposed to be notified in August this year). The Council is concerned over the alignment between these two regional documents as they have been prepared in the wrong chronological order (with regards to their position in the planning hierarchy).

#### **FINANCIAL IMPLICATIONS**

11. The CRPS could result in additional resources being required to amend planning documents in order to give effect to the CRPS. Giving effect to the final CRPS will be achieved through a variety of mechanisms including the Christchurch City Plan and Banks Peninsula District Plan and the LTCCP. The extent of any resources required is unclear at this stage and will need to be considered in subsequent LTCCP or Annual Plan processes.
12. The cost of preparing and participating in the CRPS review is covered by existing unit budgets.

#### **LEGAL CONSIDERATIONS**

##### **Have you considered the legal implications of the issue under consideration?**

13. The RMA provides for the Regional Council (ECan) to prepare Regional Policy Statements and review them. Council is participating in the ECan consultation process in the preparation of the proposed Chapters. Council will also have the opportunity to influence and shape the proposed CRPS through the formal submission process which is scheduled for August 2010.

#### **ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

14. The chapter as drafted does not strongly support the LTCCP 2009-29 objectives that aim to ensure the City's water supply is clean, reliable, protected and managed for future generations. The proposed feedback to ECan seeks to improve this alignment.

#### **ALIGNMENT WITH STRATEGIES**

15. The recommendations support Council's Biodiversity Strategy 2008-2035 (2008), Water Supply Strategy 2009-2039 (2009), Surface Water Strategy 2009-2035 (2009) and the provisions relating to water in the Christchurch City Plan and the proposed Banks Peninsula District Plan.

#### **CONSULTATION FULFILMENT**

16. Not applicable.

**STAFF RECOMMENDATION**

It is recommended that the Council:

- (1) Provides feedback to Environment Canterbury on the draft chapter as set out in Attachment 1 and;
- (2) In particular requests that Environment Canterbury provide a more robust explanation of how the Canterbury Regional Policy Statement Water Chapter relates to the Canterbury Water Management Strategy.

**COMMITTEE RECOMMENDATION**

That the Council:

- (1) Provides feedback to Environment Canterbury on the draft chapter as set out in Attachment 1 and;
- (2) In particular requests that Environment Canterbury provide a more robust explanation of how the Canterbury Regional Policy Statement Water Chapter relates to the Canterbury Water Management Strategy.
- (3) And include the following additional comments in the draft chapter.

The document should:

- Place highest priority on drinking water and recognise the Christchurch-West Melton aquifer system as a regionally significant source of untreated drinking water
- Add a new Issue stating that water is a finite resource
- Amend Issue 2 so that it is stated in a more neutral manner e.g. "... additional water ~~needed~~ sought for the expansion of the area irrigated"
- Replace the reference to "the Intergovernmental Panel on Climate Change" with "the National Institute of Water and Atmospheric Research (NIWA)"
- Make it clear that "water banking" (i.e. accumulating consents to take surplus water for trading purposes) is to be avoided
- Amend the explanation for Methods (Policy 1) so that it clearly relates to resolving issues concerning the management of water resources

## BACKGROUND

17. The CRPS became operative in 1998 and is required to be reviewed within 10 years of it becoming operative. ECan is responsible for the review of the CRPS and is consulting with all Canterbury territorial authorities throughout the review process.
18. This review is a separate process to the preparation of Proposed Change No. 1 to the CRPS, which introduces a new Chapter 12A, (Development of Greater Christchurch). Chapter 12A sets out land use distribution, particularly for areas available for urban development, the household densities for various areas and other key components for consolidated and integrated urban development. It also identifies land which is to remain rural for resource protection and enhancement and other reasons.
19. ECan began discussions over the review of the CRPS with District Councils in late 2006. ECan has consulted with Territorial Authority (TA) Officers on the review process, Issues and Options papers and draft chapters of each CRPS chapter. Discussions have taken place (and will continue) at the officer level through workshops and meetings and at Councillor level through Council and Committee meetings.
20. The current CRPS consists of 14 Chapters which discuss various regional issues (eg water, soil and landscape) and provide objectives, policies and methods with regards to these issues. During the review process, it was decided that some issues would be better dealt with in new chapters (eg contaminated land which was previously dealt with in Chapter 7 Soils and Land Use) or better dealt with in conjunction with other issues (eg the proposed Settlement Chapter will also have transport provisions as well as deal with issues regarding versatile soils).
21. The following sections of the report summarises ECan's review of the current Chapter on Water.
22. The CRPS current water provisions are found in a number of chapters including Chapters 8 Landscape, Ecology and Heritage, 10 Beds of Rivers and Lakes and their Margins, 11 Coastal Environment, 12 Settlement and the Built Environment and 14 Energy.
23. The Scoping Report on issues and approaches to the review of the CRPS completed in October 2006 concluded that there was little value in revising CRPS provisions relating to water management while other similar initiatives were being undertaken. At the national level Central Government was preparing the Sustainable Water Programme of Action, while at the regional level several programmes including the Strategic Water Study, forerunner of the Canterbury Water Management Strategy (CWMS), were underway. It was decided that appropriate changes to the existing Chapter would take place as conclusions from these other initiatives emerged.
24. The CWMS acknowledges that Canterbury's water resources have been under pressure in recent years and that water management methods need to improve to ensure good environmental, social, cultural and economic outcomes. Challenges highlighted by the CWMS include pressures on river and aquifer systems from abstraction, where many are in zones that are already over-allocated, the cumulative effects on ecosystems (including land-use change) leading to biodiversity loss, degrading health of waterways, climate change impacts and infrastructure and efficiency issues.
25. The vision of the CWMS is to "To enable present and future generations to gain the greatest social, economic, recreational and cultural benefits from our water resources within an environmentally sustainable framework." To achieve the vision the CWMS has developed several principals (including setting priorities and primary and supporting principals) to ensure water is managed sustainably. These priorities form part of Objective 1 in the CRPS Chapter.

26. The CWMS provides some background to the issues facing Canterbury's water resources, however the CWMS focus seems to be primarily on how to best manage the resource to enable use of the resource while minimising effects on other values (such as biodiversity). In this way the CWMS is quite different to the existing Water Chapter which discusses competing demands placed on water, the land use effects on water quantity and effects of land uses and discharges to water quality.
27. Although sections of the CWMS are repeated in the draft Water Chapter, the Chapter does not provide a clear explanation of the relationship between the CRPS Water Chapter and the CWMS.