

Background Paper: National Policy Statement on Fresh Water Management

This paper outlines the process for developing a national policy statement and should be read in conjunction with the accompanying letter seeking your views for a proposed National Policy Statement on Fresh Water Management.

The Minister for the Environment, the Minister of Agriculture and of Forestry, and Cabinet directed officials in April 2006 to confirm the need for and likely content of a National Policy Statement on managing increasing demands on water, and to explore the potential and options for a National Policy Statement on nutrients and microbial contaminants, and sediment. In November 2006 the Minister for the Environment, the Minister of Agriculture and of Forestry, and Cabinet directed officials to combine the two possible National Policy Statements and prepare one draft National Policy Statement on the management of fresh water to assist in meeting both the water demands and water quality objectives of the Sustainable Water Programme of Action.

Cabinet's decision formally started the process to develop a national policy statement. A national policy statement can only address nationally significant matters relevant to achieving the Resource Management Act 1991's (RMA) purpose and can only cover matters set out in the RMA. The process to develop a national policy statement is outlined in the RMA and a diagram of the process is provided overleaf. There are **two** opportunities for you to provide comment on this National Policy Statement.

The **first** opportunity is now. The Minister must seek and consider the views of relevant iwi authorities and stakeholders before preparing the proposed National Policy Statement. We are now seeking your views for the Ministers and Cabinet to consider. Your views will be used in drafting the proposed National Policy Statement.

The **second** opportunity will be when formal submissions are sought and heard on the proposed national policy statement by a Board of Inquiry, which is the consultative process that has been decided on by the Minister for the Environment. Formal submissions are likely to be sought in May/June 2008 and the process is likely to include a number of hearings throughout the country.

The benefits and costs of a national policy statement must be analysed before the proposed national policy statement is notified. The evaluation must examine:

- a. the extent to which each objective is the most appropriate way to achieve the RMA's purpose; and
- b. whether, having regard to their efficiency and effectiveness, the policies are the most appropriate for achieving the objectives.

This evaluation and a regulatory impact statement must be made again by the Minister before issuing a national policy statement.

National policy statement (NPS) process

Step 1

RMA process

NPS is considered desirable



Step 2

Section 46

Seek comments from relevant iwi authorities and stakeholders

MfE collates and summarises the comments

Minister & Government considers the comments received

Minister & Government agrees on the scope of the NPS and directs MfE to draft a proposed NPS



Step 3

Draft proposed NPS

MfE drafts a proposed NPS in keeping with Government decisions above

MfE examines the costs and benefits and effectiveness of the proposed NPS

MfE reports to Minister & Government on the proposed NPS



Step 4

Consider & consult on NPS

Board of Inquiry to seek and hear submissions on the proposed NPS



Step 4

Finalise NPS

Board makes recommendations to the Minister on the proposed NPS

Government considers recommendations, the costs and benefits, regulatory impact statement to finalise the NPS

Publish NPS in Gazette