

BEFORE THE HEARINGS PANEL

IN THE MATTER of hearings on
submissions concerning
the Proposed One Plan
notified by the
Manawatu-Wanganui
Regional Council

**SECTION 42A REPORT OF MR BARRY WILLIAM GILLILAND
ON BEHALF OF HORIZONS REGIONAL COUNCIL
ON RESOURCE MANAGEMENT (NATIONAL ENVIRONMENTAL STANDARDS
FOR SOURCES OF HUMAN DRINKING WATER) REGULATIONS 2007**

1. INTRODUCTION

Qualifications and experience

1. My name is Barry William Gilliland. I am employed as a Policy Advisor within the Policy team at Horizons Regional Council.
2. I hold a Bachelor of Technology (Biotechnology) Hons (1975).
3. I have 34 years experience working for Horizons Regional Council and its predecessor authorities in the area of resource management:
 - i. 2003 to now – Member of the Policy Team contributing to Horizons’ regional and corporate planning and providing water quality assistance to the Science Team. One of my responsibilities in this role is to manage Horizons’ “swimming spot” programme.
 - ii. 1990 to 2003 – Manager at Horizons overseeing the laboratory, consents, compliance and science teams at Horizons and its predecessor authorities.
 - iii. 1975 to 1990 – Experience at Horizons and its former authorities as the organisation’s lead advisor on water quality matters including: planning, field work, sample analysis, data analysis, reporting and consent conditions. Worked as Team Leader of compliance monitoring team.
4. I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Notes. I agree that the overriding duty to the Environment Court expressed in paragraph 5.2.1 of that code of conduct will be treated as a duty to the Hearing Panel.

Scope of evidence

5. The purpose of my evidence is to provide the Hearing Panel with information on the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 (NES) and their relationship with the provisions of the Proposed One Plan.

2. EXECUTIVE SUMMARY OF EVIDENCE

6. I have evaluated the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 (NES) and their relationship with the Proposed One Plan.

7. The purpose of the NES is to reduce the risk of contamination of drinking-water sources by requiring Regional Councils to consider the effects of certain activities on drinking-water sources when:
 - i. Granting water permits or discharge permits (*Regulations 7 and 8*); and
 - ii. Including or amending Permitted Activity rules in a Regional Plan (*Regulation 10*).
8. In my opinion, the NES has no immediate impact on the Proposed One Plan because the regulations are implemented through resource consent application processes or, in the case of Permitted Activity rules, the Proposed One Plan is exempted from immediate compliance by the transitional provisions of the NES.
9. In my evidence, I conclude that the water management approach taken in Chapter 6 of the Proposed One Plan provides for management of water sources of public water supplies in a manner that supports and complements requirements in the NES regarding resource consent applications upstream of drinking water sources (*Regulations 7, 8 and 12*).
10. I also that Permitted Activity conditions, standards and terms provide a similar level of protection of human drinking water sources as that sought through Regulation 10 of the NES and that it is unlikely any significant changes would be required to comply with the requirements of the NES in the event of any future review.

Background

11. The Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 (NES) were made into regulations on 20 December 2007 and came into force (ie. commenced) on 20 June 2008. A copy of the NES is attached for the Panel's information.
12. The purpose of the NES is to reduce the risk of contamination of drinking-water sources by requiring Regional Councils to consider the effects of certain activities on drinking-water sources when –
 - i. Granting water permits or discharge permits (*Regulations 7 and 8*); and
 - ii. Including or amending Permitted Activity rules in a Regional Plan (*Regulation 10*).
13. Regulations 7 and 8 apply only to water permits and discharge permits that have the potential to affect registered drinking water supplies that provide 501 or more people with drinking water for 60 or more days per year. Regulation 10 applies to all activities

regulated by Regional Councils (sections 9,13, 14 & 15 of the RMA) that have the potential to affect registered drinking water supplies that provide 501 or more people with drinking water for 60 or more days per year

14. The NES also requires Regional Councils and Territorial Authorities to impose a notification requirement on certain resource consents in circumstances where an event occurs that may have a significant adverse effect on a drinking water source (Regulation 12). This regulation applies to activities that have the potential to affect registered drinking water supplies that provide 25 or more people with drinking water for 60 or more days per year.
15. The NES applies to drinking water sourced from rivers, streams, lakes or groundwater.

Registered water supplies of Horizons' Region

16. Registered water supplies of Horizons' Region as at 22 July 2009 are summarised in Table 1.

Table 1. Registered Drinking Water Supplies in Horizons' Region

| District | Registered Drinking Water Suppliers | | | |
|-----------------------|-------------------------------------|-------------|---------------------|---|
| | Total | < 25 people | >25 to < 500 people | >500 people |
| Waitomo | 1 | 0 | 1 | 0 |
| Ruapehu | 29 | 5 | 19 | 5 Taumarunui, Whakapapa Ski field, Ohakune, Raetihi, Waiouru |
| Stratford | 1 | 0 | 1 | 0 |
| Wanganui | 30 | 7 | 21 | 2 Wanganui, Kaitoke |
| Rangitikei | 17 | 4 | 10 | 3 Taihape, Marton, Bulls |
| Manawatu | 40 | 4 | 33 | 3 Ohakea, Feilding Rongotea |
| Tararua | 26 | 1 | 21 | 4 Dannevirke, Woodville, Pahiatua, Eketahuna |
| Palmerston North City | 9 | 0 | 4 | 5 Ashhurst, Palmerston North City, Massey, Fonterra Research Centre, Linton |
| Horowhenua | 18 | 2 | 11 | 5 Tokomaru, Shannon, Levin, Foxton, Foxton Beach |
| TOTAL | 171 | 23 | 121 | 27 |

Source: Water Information NZ database (www.drinkingwater.co.nz)

17. A total of 148 water supplies in the Region serve 25 people or more and therefore trigger an evaluation under Regulation 12 of the NES. The source of 50 of these water supplies is “roof,” 54 are from surface water sources (or springs) and 46 are from groundwater sources.
18. Twenty-seven of these water supplies are large enough (ie. serve 501 people or more) to also trigger an evaluation under Regulations 7, 8 and 10. Sixteen of these relate to surface water catchments and 13 to groundwater catchments (note that water sources for Palmerston North and Feilding include both surface and groundwater).

Implementation

19. The NES has the full force of law once the regulations have commenced. Regulations 7, 8 and 12 commenced on 20 June 2008. Regulations 7 and 8 are implemented during resource consent processes for water and discharge permits issued by Regional Councils. Regulation 12 is implemented during resource consent processes for activities regulated by both Regional Councils and Territorial Authorities. These regulations are provided for in section 104(3)(c)(iii) of the RMA, which states that “*a consent authority must not grant a resource consent contrary to any regulations*” and are currently being implemented as appropriate. I therefore consider there is neither a requirement nor a need to incorporate these regulations into the Proposed One Plan. However, despite this, I note that the Proposed One Plan does provide for management of surface water sources of public water supplies in Chapter 6. This is discussed later in my evidence.
20. Regulation 10 is implemented through rules in a Regional Plan and its implications for Part 2 of the Proposed One Plan need to be assessed. I note that the NES contains transitional provisions (Regulations 14 and 15) and these are relevant to whether Regulation 10 has any immediate implications for the Proposed One Plan.
21. Regulation 15 states that:
 - “(1) *A regional council is not required to amend a rule in a proposed plan that does not comply with regulation 10 if the closing date for submissions on the plan has passed before the commencement of these regulations.*
 - (2) *This regulation applies whether the proposed plan is a new plan or an amendment to an existing plan.*
 - (3) *In this regulation, **closing date** means the date referred to in clause 7(1) of Schedule 1 of the Act.”*

22. According to clause 7(1) of Schedule 1 of the Act, closing date means “*the date on which further submissions close*”.
23. According to Regulation 2 of the NES, regulations come into force (commence) six months after the date of their notification in the *Gazette*. The NES was notified in the *Gazette* on 20 December 2007 and therefore commenced on 20 June 2008.
24. The Proposed One Plan was notified on 31 May 2007 and the closing date for further submissions was 19 December 2007. That means there is no immediate action required from the Regional Council to implement Regulation 10.

Proposed One Plan and Sources of Human Drinking Water

25. Although I believe the NES does not have any immediate effect on the Proposed One Plan, the Plan does have provisions related to management of drinking water source quality that in my view is consistent with the NES regulations. I discuss these in the following paragraphs.

Water Management Sub-Zones (as related to Regulations 7, 8 & 12)

26. The approach taken to water quality in the Proposed One Plan is to manage rivers and lakes in a way that recognises and provides for the values identified for each water management sub-zone developed for the Region. These water management sub-zones are essentially parts of catchments with similar characteristics and values that provide the basis for integrated resource management in the Region.
27. “Water Supply” is one of 22 individual Water Management Values identified in the Proposed One Plan. The purpose of this Value is “the water body is suitable as a raw drinking water source for human consumption”.
28. Water quality standards have been developed for each Water Management Sub-zone in a way that provides for all Water Management Values identified for that zone. Using this approach, Horizons will manage water quality so it is suitable as a source of human drinking water in those Water Management Sub-Zones where “Water Supply” is an identified Water Management Value.
29. The Ministry for the Environment (MfE) has supplied a database of registered drinking water supply locations in the Region to Horizons. This is used as a layer in Horizons’

GIS mapping system. This ensures sources of human drinking water are identified when they lie within a Water Management Sub-Zone and will be highlighted in the normal process of assessing a resource consent application that may affect them.

Permitted Activities (as related to Regulation 10)

30. As noted earlier in my evidence, there is no immediate action required from Horizons to implement Regulation 10; however, it may be helpful to briefly review Permitted Activities in the Proposed One Plan and their relationship with the NES.
31. I am not aware of any examples in the Region where a Permitted Activity rule in an operative Plan has been directly responsible for poor human drinking water quality. To my knowledge, no amendments were made to Permitted Activity rules in the Proposed One Plan to specifically provide for human drinking water sources.
32. There are about 30 Permitted Activity rules in Part II of the Proposed One Plan (as notified) that may need to be reviewed in response to Regulation 10 of the NES in the future. These rules cover activities such as small-scale land disturbance, minor water takes, activities in the beds of rivers, discharge of stormwater, discharge of on-site domestic wastewater, discharge of some wastewater onto land, and discharge of agrichemicals.
33. Permitted Activities by definition are those that either are unlikely to have more than minor adverse effects on the environment, or may have more than minor adverse effects but these are effects are acceptable and do not require any site-specific regulation by way of resource consents (Proposed One Plan, Policy 11-1, pp 11-10).
34. Each Permitted Activity rule in the Proposed One Plan is subject to a number of conditions, standards and terms that ensure the adverse effects are acceptable, in accordance with the definition set out in Policy 11-1. I note that these include, as appropriate:
 - i. Erosion and sediment controls.
 - ii. Nutrient load restrictions.
 - iii. No discharges to waterways.
 - iv. Run-off control.
 - v. Separation distances to surface water and ground water.
 - vi. Separation distances from sensitive locations such as mārae and schools.
 - vii. Discharge quality requirements and standards.

viii. Water take restrictions.

35. I consider that these conditions, standards and terms will provide a similar level of protection of human drinking water sources as that sought through Regulation 10 of the NES, and that it is unlikely any significant changes would be required to comply with the requirements of the NES at the time of any future review. To that extent, I consider the Permitted Activity rules in the Proposed One Plan are consistent with the intent of the NES.

Barry Gilliland

August 2009



Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007

Anand Satyanand, Governor-General

Order in Council

At Wellington this 17th day of December 2007

Present:

His Excellency the Governor-General in Council

Pursuant to section 43 of the Resource Management Act 1991, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council (given on the recommendation of the Minister for the Environment after consultation in accordance with section 44 of that Act), makes the following regulations.

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Regulations

- 1 **Title**
These regulations are the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007.
- 2 **Commencement**
These regulations come into force 6 months after the date of their notification in the *Gazette*.
- 3 **Interpretation**
 - (1) In these regulations, unless the context requires another meaning,—
- 2

abstraction point means a place at which water in the environment is abstracted for use in a registered drinking-water supply (for example, the place at which water is abstracted from a river, stream, or lake or from a groundwater source)

Act means the Resource Management Act 1991

activity includes a proposed activity

aesthetic determinand means an aesthetic determinand described in Table A2.1 in Appendix 2 of the Drinking-water Standard

determinand means a determinand described in Table 2.1, 2.2, 2.3, or 2.4 of the Drinking-water Standard

distribution system means the trunk main and the storage and other components of a registered drinking-water supply that relate to its distribution

does not meet the health quality criteria, in relation to drinking water, has the meaning set out in regulation 5

drinking water—

- (a) means water intended to be used for human consumption; and
- (b) includes water intended to be used for food preparation, utensil washing, and oral or other personal hygiene

Drinking-water Standard means *Drinking-water Standards for New Zealand 2005*, Wellington, Ministry of Health, August 2005

existing treatment means the treatment process in respect of a registered drinking-water supply at the time an application for resource consent is made or a proposal to include or amend a rule in a regional plan is notified, as the case may be

guideline value, in relation to an aesthetic determinand, means the value for the determinand stated in the column headed GV in Table A2.1 in Appendix 2 of the Drinking-water Standard (being the value for the aesthetic determinand that, if exceeded, may render the drinking water concerned unattractive to a consumer)

maximum acceptable value, in relation to a determinand, means the concentration of the determinand stated in the column headed MAV in Table 2.1, 2.2, 2.3, or 2.4, as the case

may be, of the Drinking-water Standard (being the concentration below which the presence of the determinand concerned does not result in any significant risk to a consumer over a lifetime of consumption)

meets the health quality criteria, in relation to drinking water, has the meaning set out in regulation 4

registered drinking-water supply means a drinking-water supply that is recorded in the drinking-water register maintained by the chief executive of the Ministry of Health (the Director-General) under section 69J of the Health Act 1956

treatment process—

- (a) means a chemical, biological, or physical process carried out after water is abstracted from an abstraction point to enhance its quality before it enters the distribution system concerned; and
- (b) includes merely abstracting water from the abstraction point without further chemical, biological, or physical processing before it enters the distribution system, if the water does not contain or exhibit 1 or more determinands exceeding their maximum acceptable values for more than the allowable number of times as set out in Table A1.3 in Appendix 1 of the Drinking-water Standard

upstream, in relation to an abstraction point, means—

- (a) in the case of surface water (other than a lake), upstream of the abstraction point;
 - (b) in the case of groundwater, up-gradient of the abstraction point;
 - (c) in the case of a lake,—
 - (i) anywhere within the lake that could affect the water quality at the abstraction point (in the lake);
 - (ii) upstream of any river that could affect the water quality at the abstraction point (in the lake);
 - (iii) up-gradient of any groundwater that could affect the water quality at the abstraction point (in the lake).
- (2) Unless the context requires another meaning, any term used but not defined in these regulations, but defined in the Act, has the same meaning as in the Act.

4 Meaning of meets the health quality criteria

- (1) In these regulations, in relation to drinking water, **meets the health quality criteria** means drinking water that—
- (a) is tested for determinands—
 - (i) at the point where the drinking water leaves the treatment process concerned but has not yet entered the distribution system concerned; or
 - (ii) at some point in the distribution system, if any particular determinand is not tested at the point referred to in subparagraph (i); and
 - (b) is tested in accordance with the compliance monitoring requirements in the Drinking-water Standard; and
 - (c) when analysed, does not contain or exhibit 1 or more determinands exceeding their maximum acceptable values for more than the allowable number of times as set out in Table A1.3 in Appendix 1 of the Drinking-water Standard.
- (2) For the purposes of subclause (1)(c), the most recent complete annual results for the drinking water contained in the Water Information New Zealand database maintained on behalf of the Ministry of Health must be used.

5 Meaning of does not meet the health quality criteria

- (1) In these regulations, in relation to drinking water, **does not meet the health quality criteria** means drinking water that—
- (a) is tested for determinands—
 - (i) at the point where the drinking water leaves the treatment process concerned but has not yet entered the distribution system concerned; or
 - (ii) at some point in the distribution system, if any particular determinand is not tested at the point referred to in subparagraph (i); and
 - (b) is tested in accordance with the compliance monitoring requirements in the Drinking-water Standard; and
 - (c) when analysed, contains or exhibits 1 or more determinands exceeding their maximum acceptable values for more than the allowable number of times as set out in Table A1.3 in Appendix 1 of the Drinking-water Standard.

- (2) For the purposes of subclause (1)(c), the most recent complete annual results for the drinking water contained in the Water Information New Zealand database maintained on behalf of the Ministry of Health must be used.

Water and discharge permits in respect of activities with potential to affect certain drinking-water supplies

- 6 Type of activity to which regulations 7 and 8 apply**
Regulations 7 and 8 only apply to an activity that has the potential to affect a registered drinking-water supply that provides no fewer than 501 people with drinking water for not less than 60 days each calendar year.
- 7 Granting of water permit or discharge permit upstream of abstraction point where drinking water meets health quality criteria**
A regional council must not grant a water permit or discharge permit for an activity that will occur upstream of an abstraction point where the drinking water concerned meets the health quality criteria if the activity is likely to—
- (a) introduce or increase the concentration of any determinands in the drinking water, so that, after existing treatment, it no longer meets the health quality criteria; or
 - (b) introduce or increase the concentration of any aesthetic determinands in the drinking water so that, after existing treatment, it contains aesthetic determinands at values exceeding the guideline values.
- 8 Granting of water permit or discharge permit upstream of abstraction point where drinking water not tested or does not meet health quality criteria**
- (1) A regional council must not grant a water permit or discharge permit for an activity that will occur upstream of an abstraction point where the drinking water concerned is not tested in accordance with the compliance monitoring procedures in the Drinking-water Standard if the activity is likely to—
- (a) increase the concentration of any determinands in the water at the abstraction point by more than a minor amount; or

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- (b) introduce or increase the concentration of any aesthetic determinands in the drinking water so that, after existing treatment, it contains aesthetic determinands at values exceeding the guideline values.
- (2) A regional council must not grant a water permit or discharge permit for an activity that will occur upstream of an abstraction point where the drinking water concerned does not meet the health quality criteria if the activity is likely to—
- (a) increase, by more than a minor amount, the concentration of any determinands in the water at the abstraction point that in the drinking water already exceed the maximum acceptable values for more than the allowable number of times as set out in Table A1.3 in Appendix 1 of the Drinking-water Standard; or
 - (b) increase the concentration of any determinands in the water at the abstraction point that in the drinking water do not exceed the maximum acceptable values for more than the allowable number of times as set out in Table A1.3 in Appendix 1 of the Drinking-water Standard to the extent that the drinking water, after existing treatment, exceeds the maximum acceptable values for more than the allowable number of times as set out in the Table in relation to those determinands; or
 - (c) introduce or increase the concentration of any aesthetic determinands in the drinking water so that, after existing treatment, it contains aesthetic determinands at values exceeding the guideline values.

Permitted activity rules in respect of activities with potential to affect certain drinking-water supplies

9 Type of activity to which regulation 10 applies

Regulation 10 only applies to an activity that has the potential to affect a registered drinking-water supply that provides no fewer than 501 people with drinking water for not less than 60 days each calendar year.

10 Limitations on permitted activity rules for activities upstream of abstraction points

- (1) A regional council must not include a rule or amend a rule in its regional plan to allow a permitted activity, under section 9,

- 13, 14, or 15 of the Act, upstream of an abstraction point where the drinking water concerned meets the health quality criteria unless satisfied that the activity is not likely to—
- (a) introduce or increase the concentration of any determinands in the drinking water so that, after existing treatment, it no longer meets the health quality criteria; or
 - (b) introduce or increase the concentration of any aesthetic determinands in the drinking water so that, after existing treatment, it contains aesthetic determinands at values exceeding the guideline values.
- (2) A regional council must not include a rule or amend a rule in its regional plan to allow a permitted activity, under section 9, 13, 14, or 15 of the Act, upstream of an abstraction point where the drinking water concerned is not tested in accordance with the compliance monitoring procedures in the Drinking-water Standard unless satisfied that the activity is not likely to—
- (a) increase the concentration of any determinands in the water at the abstraction point by more than a minor amount; or
 - (b) introduce or increase the concentration of any aesthetic determinands in the drinking water, so that, after existing treatment, it contains aesthetic determinands at values exceeding the guideline values.
- (3) A regional council must not include a rule or amend a rule in its regional plan to allow a permitted activity, under section 9, 13, 14, or 15 of the Act, upstream of an abstraction point where the drinking water concerned does not meet the health quality criteria unless satisfied that the activity is not likely to—
- (a) increase, by more than a minor amount, the concentration of any determinands in the water at the abstraction point that in the drinking water already exceed the maximum acceptable values for more than the allowable number of times as set out in Table A1.3 in Appendix 1 of the Drinking-water Standard; or
 - (b) increase the concentration of any determinands in the water at the abstraction point that in the drinking water do not exceed the maximum acceptable values for more than the allowable number of times as set out in Table

- A1.3 in Appendix 1 of the Drinking-water Standard to the extent that the drinking water, after existing treatment, exceeds the maximum acceptable values for more than the allowable number of times as set out in the Table in relation to those determinands; or
- (c) introduce or increase the concentration of any aesthetic determinands in the drinking water so that, after existing treatment, it contains aesthetic determinands at values exceeding the guideline values.

Resource consents in respect of activities with potential to affect certain drinking-water supplies

11 Type of activity to which regulation 12 applies

Regulation 12 only applies to an activity that has the potential to affect a registered drinking-water supply that provides no fewer than 25 people with drinking water for not less than 60 days each calendar year.

12 Condition on resource consent if activity may significantly adversely affect registered drinking-water supply

- (1) When considering a resource consent application, a consent authority must consider whether the activity to which the application relates may—
- (a) itself lead to an event occurring (for example, the spillage of chemicals) that may have a significant adverse effect on the quality of the water at any abstraction point; or
- (b) as a consequence of an event (for example, an unusually heavy rainfall) have a significant adverse effect on the quality of the water at any abstraction point.
- (2) If the consent authority considers that the circumstances in subclause (1) apply, and it grants the application, it must impose a condition on the consent.
- (3) The condition must require the consent holder to notify, as soon as reasonably practicable, the registered drinking-water supply operators concerned and the consent authority, if an event of the type described in subclause (1) occurs that may

have a significant adverse effect on the quality of the water at the abstraction point.

Consent authority requirements may be more stringent than regulation requirements

13 Consent authority may impose requirements more stringent than requirements in these regulations

A consent authority may do either or both of the following:

- (a) make or amend rules in a regional plan that are more stringent than the requirements of these regulations;
- (b) impose conditions on resource consents that are more stringent than the requirements of these regulations.

Transitional provisions

14 Regional council not required to immediately amend rules in plan

A regional council is not required to amend an existing rule in a plan that does not comply with regulation 10 until the earlier of the following:

- (a) a scheduled review of the plan; or
- (b) a plan change or variation that relates to the existing rule is introduced.

15 Proposed plan not affected by these regulations if submissions already closed

- (1) A regional council is not required to amend a rule in a proposed plan that does not comply with regulation 10 if the closing date for submissions on the plan has passed before the commencement of these regulations.
- (2) This regulation applies whether the proposed plan is a new plan or an amendment to an existing plan.
- (3) In this regulation, **closing date** means the date referred to in clause 7(1) of Schedule 1 of the Act.

Rebecca Kitteridge,
for Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations are the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007. The regulations are made under the Resource Management Act 1991 and come into force 6 months after the date of their notification in the *Gazette*.

The purpose of the regulations is to reduce the risk of contamination of drinking-water sources by requiring regional councils to consider the effects of certain activities on drinking-water sources when—

- granting water permits or discharge permits (*regulations 7 and 8*); and
- including or amending rules in a regional plan in relation to permitted activities (*regulation 10*).

The regulations also require regional councils and territorial authorities to impose a notification requirement on certain resource consents in the circumstances where an event occurs that may have a significant adverse effect on a drinking-water source (*regulation 12*).

Under the regulations, different criteria apply for granting resource consents or writing permitted activity rules depending on whether the drinking water concerned currently meets the health quality criteria or does not meet the health quality criteria. These terms are defined in *regulations 4 and 5* with reference to the *Drinking-water Standards for New Zealand 2005*, a Ministry of Health publication, and the Water Information New Zealand database maintained on behalf of the Ministry of Health (currently by ESR (Environmental Science and Research)).

The circumstances in which the regulations apply also vary depending on—

- the number of people that are supplied with drinking water; and
- the number of days in each calendar year that the people are supplied with the drinking water.

Regulation 13 authorises a consent authority to impose requirements in relation to rules in a plan or resource consents that are more stringent than the requirements in the regulations.

Regulations 14 and 15 are transitional provisions and set out when a regional council must comply with *regulation 10* (which relates to rules for permitted activities).

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 20 December 2007.
These regulations are administered by the Ministry for the Environment.
