

Open letter to politicians and the public on New Zealand's freshwater policies

The state and management of New Zealand's lakes and rivers has been the subject of much recent debate: from Dr Mike Joy challenging our clean green image, to the National Policy Statement for freshwater, to recent political party policy statements. This discussion reflects the importance of freshwater issues to the lives and livelihoods of New Zealanders. Concerns around the future of our country's freshwater prompted a recent 'Freshwater Geographies' workshop, held at the University of Auckland's School of Environment. The workshop, attended by over thirty environmental researchers and practitioners from across New Zealand, highlighted four key concerns. We ask that the political parties and the public give careful consideration to the following questions in the run-up to the November election.

1. Visions for freshwater

New Zealand requires clear visions for freshwater to guide management and governance. Currently, economic visions dominate the freshwater discourse – freshwater is viewed as a resource (e.g. irrigation) or a constraint on the development of other resources (e.g. dairying). National's 2011 policy statement reinforces this image of an economic resource: "Water is our most plentiful natural resource. It gives us a competitive advantage over our trading partners, particularly in our primary and tourism industries." Labour and the Green Party provide vision statements for freshwater that emphasise the need to protect water quality for drinking, recreational, spiritual and biological reasons. We believe New Zealand needs holistic visions for freshwater that go beyond an emphasis on water quality and water uses. Such visions must encompass the multiple dimensions of freshwater systems and the associated values these systems provide for local and national communities. This will require the integration of visions for freshwater with those for social and economic change.

- **To what extent do party policy statements articulate a vision for freshwater systems and communities? What are the motivations that underpin these visions? Are these visions achievable, meaningful and relevant to local and national interests?**

National

Water is our most plentiful natural resource. It gives us a competitive advantage over our trading partners, particularly in our primary and tourism industries. National's vision is for clean waterways where every New Zealander can make the most out of our great kiwi lifestyle – be it fishing, swimming, kayaking or the cultural significance to Maori.

National is very proud of its record on improving New Zealand's fresh water management. We've increased funding to clean up our rivers and lakes to \$265 million, established the Land and Water Forum, have introduced a National Policy Statement on Fresh Water Management, and doubled fines for farmers who don't comply with consents which is delivering greater compliance.

National will advance our Fresh Start for Fresh Water programme. We will clean up nationally significant lakes, rivers, and aquifers, working with stakeholders and local authorities. We will advance the Land and Water Forum work to set limits on water quality and minimum flows.

Labour

Environment Minister Dr Nick Smith often attempts to trumpet the cooperative approach taken by the Land and Water Forum in solving our water quality issues, but what he forgets to mention is that the Forum's version of the National Policy Statement on Freshwater Management was gutted by the Cabinet.

The 19 changes were mostly focused on allowing continued agri-business expansion at the environment's expense. If he had been genuine about seeing improvements in water quality, he needed to add some teeth to the statement with national guidelines.

Labour will urgently strengthen the NPS on Freshwater Management 2011 in line with the draft NPS proposed by the board of inquiry. We will rigorously uphold the key principle of the draft freshwater management NPS that economic activity cannot proceed if it comes at the continued cost of the quality of ground and surface water quality.

We will adopt and implement national water quality standards, with targets for them to be met by. And we will support regional councils in setting clear and enforceable limits on nutrient limits and minimum flow regimes on major waterways.

Our water policy is available online at : <http://www.ownourfuture.co.nz/media/files/Water-policy.pdf>

The Green Party

The Green Party envisions an approach to our freshwater in which natural biodiversity is maintained and enhanced, the recreational and spiritual values of water are provided for, and communities have adequate supplies of safe, clean water to use. We would like our grandchildren to be able to enjoy healthy waterways, to fulfil recreational, spiritual and health needs. We would support communities to ensure these values are protected through the use of standards, setting a fair price on the use of water to encourage efficient use, and a by providing support to both rural and urban communities to invest in the future health of our freshwater. The details of these policies are outlined here:

<http://www.greens.org.nz/cleanrivers>

In contrast to this, the National Party has an outdated, 'resource extraction' approach to freshwater.

While we emphasise the biological, recreational and spiritual values of water, we are acutely aware that there is an economic imperative in protecting and cleaning up our freshwater systems. Our rivers contribute to the perception of New Zealand as a clean, green country and underpin our 100% Pure New Zealand brand. This brand is worth a lot to this country, in particular to our primary production and tourism industries.

2. Investment in freshwater

Freshwater management has been portrayed as representing a trade-off between economic growth and environmental quality. This has implications for the nature of investments in freshwater. The National Party address this balance by focusing on economic growth while setting aside money to 'clean up' freshwater bodies. By investing in irrigation, National intends to increase land productivity while promoting efficient use of freshwater resources. Labour and the Green Party highlight the importance of a high quality environment for maintaining New Zealand's international reputation and therefore a

strong economy. This will be achieved through environmental bottom-lines, including minimum standards and controls on industry impacts. Both parties intend to implement resource use charges to fund investment in infrastructure and restoration (Labour) and sustainable land management practices (Greens). While these approaches focus on environmental health, they continue to tie investment in freshwater to economic outcomes – e.g. “The health of our waterways is at the heart of how we promote ourselves to the world and earn a premium for our exports” (Labour). They therefore do not challenge the assumption that we should continue to invest in degrading activities, or address the implications for investment in other values associated with freshwater systems.

- **To what extent do these approaches challenge the notion that economic growth must result in environmental degradation, and do they provide opportunities for investment in wider freshwater values?**

National

Water is New Zealand’s most valuable natural resource. National’s Fresh Start for Fresh Water package strikes the balance between protecting our waterways and developing projects to grow the economy and create jobs.

National wants to turn around our deteriorating waterways. By improving the way we manage our rivers, lakes, and aquifers, water will help us build the stronger economy we’re striving for. It’ll also make sure we can continue to enjoy the great Kiwi lifestyle of swimming, boating, and fishing.

National recognises the importance of turning around deteriorating water quality. We are committing \$265 million to help clean up lakes, rivers, and aquifers. This includes a \$15 million contestable fund for communities with historic water pollution problems. Our National Policy Statement on Freshwater Management took effect in July and gives clearer direction to local councils to protect our most valuable natural resource.

We’re investing \$35 million over five years for the Irrigation Acceleration Fund, to help get irrigation projects to the ‘investment ready’ prospectus stage and are proposing investment of up to \$400 million by government to take an equity stake in regional-scale irrigation projects.

Labour

There is growing concern over the declining quality of water because of agricultural intensification, notably dairying, and the increased run-off of effluent, nitrate and phosphate.

Labour believes the economy is part of the environment. Both will benefit hugely from improved water quality and more efficient water use. National’s agenda is for rapid economic growth ahead of new standards to protect water quality from being degraded. Labour rejects this self-defeating approach.

Labour will rigorously uphold the key principle of the draft freshwater management NPS that economic activity cannot proceed if it comes at the continued cost of the quality of ground and surface water quality.

The Green Party

As outlined above, the Greens reject the notion that we need to achieve a ‘balance’ between our environmental responsibilities and economic objectives. And while we believe there are compelling

*economic as well as environmental arguments for protecting our water, this does not equate to an acceptance of the notion that we must accept some degradation as the price of economic growth. We know that the environment **is** the economy, and that our competitive advantage lies in our safeguarding our natural resources.*

*We are coming up against the ecological limits of our planet. We clearly cannot keep following the same economic model. But economic development **can** protect and enhance our environment, while creating the jobs we need. We would diversify our primary sector and our economy generally to take advantage of the global demand for clean, green technology. A key solution is our Green Jobs initiative, outlined here: <http://www.greens.org.nz/greenjobs>. In the primary sector, the Greens would incentivise sustainable farming, the transition to organic production and value added products, and the planting of riparian and high erosion land for carbon storage and biodiversity.*

We also challenge the notion that growth in GDP is the best way to measure of the success of our economy. It counts as a positive growth in 'bads' like pollution and waste, but does not measure at all the depletion of our resources, or the sustainability of our economy. We will draw on various international models, such as the Genuine Progress Index, to measure our economic success better.

3. Improving the state of freshwater in New Zealand

Environment Minister Nick Smith has responded to recent public debate around New Zealand's '100% Pure' label by highlighting New Zealand's high ranking on an international index and suggesting that consistent national monitoring will help to solve this problem. This focus on measurement and the use of minimum flow and water quality standards is reflected in all three main parties' policy statements, with National also proposing the national ranking of rivers. However, such national scale measures and rules fail to take into account the natural diversity and variability in freshwater systems, and the different problems, potential for improvement and values associated with different freshwater systems throughout the country. Just as water quality is not the dominant issue in all rivers, neither is 'swimmability' the priority for all freshwater communities. Standardised measurement and ranking tools treat all rivers the same, ignoring the spatial variability in ecosystems and community values. Moving beyond the current focus on freshwater quality and quantity will allow recognition of the multiple and spatially contingent elements that contribute to ecosystem function. Despite this, the Greens are the only party to highlight "the ecological, hydrological and geomorphological functioning of the ecosystem", or the need for integrated catchment management to improve the state of freshwater.

- **Are you happy with the state and trend of freshwater systems in New Zealand, and standardised approaches to their management? What is your plan beyond measurement?**

National

National will clean-up nationally significant lakes, rivers, and aquifers, working with stakeholders and local authorities. This is part of our Budget 2011 Fresh Start for Fresh Water programme to assist councils with historic pollution problems. We've reprioritised funding of \$15 million over two years and already allocated \$6.1 million to Te Waihora/Lake Ellesmere. Total funding for water clean-ups will be \$265 million.

We will advance the Land & Water Forum work to set limits on water quality and minimum flows. The National-led Government has asked the Land & Water Forum to report back to Government by May 2012 on methods, tools, and governance arrangements for setting limits for water quality and quantity.

National will strengthen monitoring and compliance of resource consents by regional councils to ensure greater consistency in performance. Regional councils are doing better with their consent performance. But there needs to be more consistency to ensure breaches in consent conditions are dealt with properly and fairly.

We will also pass a new Environment Reporting Bill. Under this new legislation, the Parliamentary Commissioner for the Environment will independently report every five years on areas like water quality. We will also rank rivers and lakes from cleanest to dirtiest in a national database against national standards, using scientific data. Currently, data and records vary throughout, and between, regions. There is no way to tell which rivers are the most polluted. Ranking will enable government, councils, and communities to identify the most polluted rivers and prioritise resources for clean-ups.

Labour

The Government's just-announced Environment and Climate Change Policy will do nothing to help clean up our rivers and lakes.

There is no requirement for regional councils to adopt tougher standards until 2030, and meanwhile, taxpayers will pay to fast-track \$400m worth of irrigation without any constraints on what the resulting expanded dairy herds will do to further degrade our rivers.

Labour believes a fair price, in the form of a resource rental, should be charged to major users of water. This would be both an economic and environmental tool that would encourage wise use of water. Revenue from the resource rental could go towards funding water management and delivery while also assisting with projects such as the restoration of degraded waterways.

Under Labour, water management will be underpinned by strong environmental standards and a strengthened National Policy Statement on Freshwater Management. Regional councils will set clear and enforceable limits on nutrient levels. Those who fail to manage their land use to meet required environmental outcomes cannot expect on-going access to this precious resource

The Green Party

The Green Party is deeply concerned about the state of our freshwater systems, and sees it as a top priority. Current management has clearly failed to serve freshwater biological systems, and the human communities that use them. Our approach is twofold. Firstly, we do need better monitoring and reporting on the health of our rivers and we support this function being given to the independent Parliamentary Commissioner for the Environment. We agree that monitoring and reporting needs to taken into account the diversity of freshwater systems. Secondly, we want to overhaul the way we manage our freshwater systems. A Green Government would set clear standards for water quality, introduce a fair charge for the commercial use of freshwater, and clean up our degraded waterways.

Setting national standards for water quality and minimum flows doesn't mean that natural variability is not accounted for. For example, minimum flows would vary between rivers, but a national standard means that councils would have consistent rules about how to set them. Clear guidance from central

government in the form of a stronger National Policy Statement on Freshwater Management, such as the draft version recommended by the Board of Inquiry, would give councils a tool box from which to work from rather than relying upon the ad hoc approach we have seen across the country in the past.

We take a 'whole of catchment' approach. We would ensure regional councils and unitary authorities implement integrated catchment management plans which sustain the ecological, hydrological and geomorphological functions of the ecosystem. We would also promote and incentivise the adoption of sustainable land use practices across the catchment, such as the planting of catchment headwaters. Another way to look at the health of freshwater systems is through the lens of conservation policy. The Greens would ensure the Department of Conservation develops and implements recovery plans for threatened freshwater species and ecosystems, and that all threatened native fish (e.g. giant kokopu and short jawed kokopu) are legally protected. We would increase funding for DoC to 1% of GDP, to ensure they are adequately resourced to carry out their conservation functions.

4. Participation in freshwater governance and decision making

Equitable, locally meaningful governance of catchments and freshwater bodies necessitates the incorporation of local perspectives, knowledge and values. This requires that we move beyond 'representation' of community values, as advocated by Labour, which "wants communities to decide which schemes are appropriate via the processes of democratically-elected regional councils." Relying on processes of representation does not provide for meaningful community and stakeholder participation in decision making. Community-based freshwater initiatives provide an opportunity for participatory, integrative freshwater management, and require government support. The collaborative structures advocated by the Greens provide mechanisms for these forms of local governance. We note that participation does not feature in National's environmental policy statement.

- **Are contemporary approaches to public participation in environmental decision-making in New Zealand inclusive and effective?**

National

National established the Land & Water Forum as a new way forward for New Zealand's freshwater. The forum brings together farmers, environmentalists, industry and iwi to develop an agreed way forward. We've welcomed their comprehensive report and are currently considering those 53 recommendations.

National's policy includes advancing the Land & Water Forum work to set limits on water quality and minimum flows. We asked the Land & Water Forum to report back to Government by May 2012 on methods, tools, and governance arrangements for setting limits for water quality and quantity.

Labour

Each major water storage project must attract broad consensus from across the wider community, even if the major beneficiaries (and financial contributors) are local farmers and electricity generators. Regional councils should be empowered and required to hear major water consent applications and land use consents concurrently.

Labour will empower communities to decide via regional council processes which water storage and irrigation schemes are appropriate. We will ensure that major water consent applications and land use

consents can be heard concurrently. Access to stored water must be accompanied by strict environmental standards.

The Green Party

The RMA was designed to allow for public participation in environmental decision-making, but this principle has been significantly undermined by the National Government, first through the weakening of public participation provisions in their 2009 RMA amendments, then the sacking of the democratically elected ECAN councillors over water management issues in Canterbury. It is the view of the Green Party that public participation in water management needs strengthening, not weakening.

However, it is clear that the 'first in, first serve' approach embodied in the resource consent process hasn't worked to protect our rivers from pollution and over-allocation. We need a more strategic approach. Strategic tools contained in the RMA – the ability to set standards for water quality through National Policy Statements and National Environmental Standards, have been woefully underutilised by successive Governments. As outlined above, the Greens would use these tools to better regulate intensive agriculture.

In catchments that have become over-allocated, or where nutrients are nutrient load limits are already being exceeded, we would encourage councils to adopt a collaborative approach, to get existing and future water users to work together to find acceptable solutions. The agreed upon solutions, such as adoption of industry best management practice, and fencing and planting stream edges, could then become resource consent conditions, or conditions for permitted or controlled activities in regional plans.

The damming of wild rivers for hydroelectricity is one area where environmental decision-making is particularly ineffective. Currently our wild rivers are being picked off one by one by electricity companies, and it is up to local community groups and NGOs to mount expensive legal challenges to save them. The Green Party would protect our remaining wild rivers, by making it easier to obtain water conservation orders, and elevating the status of water conservation orders to that of National Parks.

These four points synthesise the concerns raised by more than thirty New Zealand freshwater experts. Improvement of the state and management of New Zealand's freshwater requires strong leadership from central government. We therefore invite political parties to respond to the questions in this letter, and ask that the New Zealand public think carefully about each party's position on freshwater in the upcoming election.

Sincerely,

Participants of the Freshwater Geographies workshop.