

Land and Water Forum Engagement Meeting

Rotorua 22 November 2010

Venue: Millennium Hotel, Corner Eruera and Hinemaru Streets, Rotorua.

Small Group Members: Alastair Bisley (Chair, Land and Water Forum); Alastair Smaill (MAF); Roku Mihinui (Te Arawa Lakes Trust); Hugh Canard (Whitewater New Zealand); Lachlan McKenzie (Federated Farmers); Dean Stebbing (Tuwharetoa Māori Trust Board); Chris Keenan (Horticulture New Zealand); Julian Williams (Waikato-Tainui); Guy Salmon (Ecologic); Peter Whitehouse (Water New Zealand); Kevin Hackwell (Forest and Bird); Tony Petch (Environment Waikato); Peter Weir (NZ Forest Owners Association).

Officials: Suzanne Doig (MfE); Josie Beruldsen (MfE); Kerry King (LWF); Natasha Tomic (MAF)

Facilitator: Glen Lauder

Attendance: Approximately 74 people (excluding Forum members and officials)

Break-out group led by Julian Williams and Hugh Canard

Responses and issues from round-table session

Interest in water	Comment
Dairy Farmer; Scientist; Trustee for Rotorua Lakes	Water quality is an issue – we need to work hard on it. Collaboration is already happening in the upper Waikato. Allocation – pricing / selling is not a good idea. Value does not drive efficiency. National Water Commission with no statutory base is not a good idea.
Local government	Interested in water quality of lakes and land use effects – will the report help improve this? We have opportunities to reduce water wastage such as the reduction of leakage from urban infrastructure.
Environmentalism; tradesman	Effective riparian management is important. If the topography makes it so difficult to allow for fencing then such landscapes should only be used for forestry. We need more regulations (e.g. withhold consents if water users do not perform). Without regulations it is like driving drunk.
Local government; planner	Collaboration stands out in the report. It is important to provide incentives for different people to work on a solution together. Not sure what will happen beyond the Forum's report – that is where the rubber hits the road in planning. If it is intended that industry takes responsibility for using water in a sustainable way, it will need strong rules to underpin it. Without strong rules and good audited self management – it is unlikely to work. There are too many incentives to cheat.
Forest and Bird	Biggest concern is that the big picture is not being looked at. Cumulative effects are a real concern. Recognises that recommendation 47 attempts to cover the 'big picture' but is may not be strong enough.
Student –	Collaboration is good but it is difficult to get hydro companies and recreational

environmental engineering; kayaker	groups to come to an agreement.
Lawyer – works with dairy farmers; Iwi Trust (Waikato River)	Engagement with Iwi Leaders at a National level is behind what the LWF has done. Concern that policies for allocation to Iwi may come too late (i.e. all water will be fully allocated before policy decisions are made). Need clarity on this issue.
Member of Public	Water quality is a real issue - we need incentives for people to change their behaviour. What are these incentives?
Dairy farmer; vet	Did not hear a word about land-use change. There needs to be more emphasis on this. There are lots of opportunities to be innovative in order to use water more efficiently and improve land use effects.
Engineer; kayaker; environmentalist	Rotorua is a classic example of where collaboration is a real challenge. There are a number of conflicting interests and uses for the lakes and rivers in Rotorua. Water management is hard in this region. We need incentives for better land management e.g. users should have to pay for environmental degradation. This would make it an economic decision to manage land and meet environmental goals. Metering water take is a good idea.
Economist	The report contains nothing amazingly new. There is a lack of central government stepping up to the plate and providing direction with National Policy Statements (NPS) and National Environmental Standards (NES). Rotorua has a sense of urgency in water management – it is a resource in conflict and some feel that something should have been done 20 years ago. Does this sense of urgency to do something now cloud a collaborative approach? Does Environment Bay of Plenty feel they can effectively undertake collaboration when there is an urgency to do something?

General discussion / responses to points raised

- Central government leadership: there is a need for central government to provide leadership and implement the report.
- Charging for water: if people have to pay for water – how will it work? How do you charge and set prices?
- The NPS: a lot of initiatives have been put on hold because of the Land and Water Forum proceedings. A clear steer on the NPS is badly needed.
- Collaboration: it works – one individual was closely involved in a consent process on lake levels. Front end was initially adversarial, in the end received 132 submissions where only 14 opposed. That’s a result of collaboration. Education early is essential – we can learn a lot from each other’s position. Another in the group considered collaboration too hard in the region – too polarised.
- What are we prepared to sacrifice? Clearly there are trade-offs and that is why collaboration is important.

Break-out group led by Dean Stebbing and Tony Petch

Responses and issues from round-table session

Interest in water	Comment
Farmer	Concerned about impact on the economy. Rule 11 provides no certainty which results in a drop in investment - need long term certainty for investment. We need a fresh approach which is not just about regulation.
Iwi	Iwi and hapū are concerned about looking after the lakes.
Scientist	Concerned about water quality in lakes and rivers. Particularly concerned about the high nutrient levels caused by runoff going into the sea.
Farmer	Has some anxiety over what changes could mean for the future.
Fish and Game	Supportive of collaborative processes. Need to know who, what, when, why? Leadership, results and certainty are needed.
Federated Farmers	Regional councils need to consider the four pillars – there is too much focus on environmental well-being. Profitable farming is needed for the economy. Farming is respondent to movements in the dollar. Farmers will spend more on environmental improvements if it will make them more profitable.
Regional council staff	Legal tension between parties over the allocation and reallocation of water for the same resource. Need to address water harvesting and lost potential.
Fertiliser	Farming with natural systems can be a counter to intensification. Concerned about nitrogen leaching.
Department of Conservation	Concerned about a decrease in quality and its effect on indigenous invertebrates and fish. Need to ensure resources are available for recreational use.
Consultant	The uncertainty around water is only going to get worse. Ecosystem services provide economic, social and cultural benefits. There are other options other than intensifying land use.
Forest and Bird/ Rotorua Land Care Group.	Leadership is important, as is community support and buy in. Concerned about soil health and the loss of soil scientists. Riparian planting is important and needs to be extended in New Zealand. We need better science.
Forestry consultant	Need limits for allocation and quality to provide certainty.

General discussion / responses to points raised

- Farmers are sick of being identified as the main cause; it's unfair as they are paying as well and want that to be understood and recognised. Rate increases hit rural farming harder. They are scared that they will have to walk away from land.
- Need to ensure land use is sustainable and appropriate. The cumulative effect of unsustainable land use is a concern for some.
- Lifestyle farmers often have higher levels of erosion due to poor fencing/farming methods.

- There is a role for companies in improving water. The regional councils should step up and help them out.
- Need to educate farmers so more are using good management practices.
- Concern that the Government will not act on the recommendations in the report.

Break-out group led by Alastair Smail and Peter Weir

Responses and issues from round-table session

Interest in water	Comment
Local government	Pleased to see that the recommendations in the report are about how to improve governance, and that some recommendations acknowledge the need for more expertise available to councils.
Water engineer and kiwi fruit grower	Concern that the LWF report doesn't fully recognise the diversity of water users in the community and region. The needs of individual water users have to be taken into account.
Planner	Key issue is uncertainty e.g. existing ANZECC, consent applications. Central government needs to make standards.
Fish and Game	Considers the key issues to be water quality and quantity for trout habitat; poor performance of regional councils nation-wide; providing consistency to water management; how will a National Policy Statement and National Environmental Standards affect regional councils' performance? Disappointed that the recommendations do not address approach to land and water management under the Resource Management Act.
Ex local councillor	Noted that iconic waterways have to be treated differently and protected. There is a need for national leadership. Sees regional councils doing their water plans without national leadership as repetitive and a waste of money.
Economic modeller	Modelling catchments for Landcare. At the public meeting to learn more (new to country).
Sheep and beef farmer	Local and central government should treat citizens with integrity. His concern is with the cost of change and who bears the cost. Why should farmers bare all the cost of land use change? The pressure is coming from the society so all of the society should bear the cost, same as with building a roadway through an urban area and the government compensating house owners for sacrificing their houses for wider public benefit. Capping of nitrogen should take the past and the future into account.
Dairy NZ	In applying community values, community needs to be informed of what the costs are. It requires a proper weighing of cost and implications to all.
Lawyer	Interested in water allocation and would like to hear how water is prioritised among areas of high use. Water for non-consumptive use is returned back to a water body and should get priority.
Scientist - water quality	Has done research on nitrogen leaching from gorse and it has almost the same effects as a dairy farm. Disappointed that leaching of nitrogen from gorse is not accounted for in the National Inventory. He noted that his research on biological

	farming systems show that this alternative farming system reduces nitrogen leaching which improves water quality, soil and pasture quality.
Dairy farmer, Iwi, electricity generation interest, small forestry block owner.	<p>There are two tensions to be recognised:</p> <ul style="list-style-type: none"> • Public appetite for pristine conditions of water bodies • Use of water for economic growth by industry <p>Tension need to be resolved at catchment level.</p> <p>There is a need for a stronger stand than non-statutory national body [Land and Water Commission]. He would like to see a multi-stakeholder body, not all to be left with central government.</p> <p>Water will be worth more than oil.</p>

General discussion / responses from the group

- Making hard decisions can be political suicide, so people are not willing to make those decisions.
- Right people in positions of governance – mandate from community to do that.
- Using science and information is important.
- Predominance of planners (staff making decisions) over field staff in regional councils. More field staff are needed; planners do not understand biological systems; planners want to put everything in little boxes. Need for a linking and collaboration between planners and field staff.
- A high intensity farm can have a lesser impact on the environment than some farms with lower input, depending on farm system.
- Need for more engagement and collaboration; if it is done upfront it minimises uncertainty; current system have good parts.
- Non-regulatory tools should support the regulatory regime; happy that the LWF report recommends mix of both.
- It is difficult when regional councils are regulators and policemen; industry should take a role of policeman.
- Need to balance top down and bottom up to achieve the right outcome; would not wish for too much top down; information sharing and collaboration need to continue; top end needs to facilitate the process not to police.
- Need for methodology for measurement of water value for allocation and use; we need a proper model that would determine who gets the water based on best value from water, and who has the priority e.g. hydro infrastructure has paid for itself so should get priority.
- Investment into water infrastructure needs to be taken into account.

Break-out group led by Lachlan McKenzie and Guy Salmon

Responses and issues from round-table session

Interest in water	Comment
NZ Avocado Growers	Issues of interest are the use of artesian water in Whangarei and having experienced random charging of water at unreasonable rates. Noted that in many places growers may not have strong issues. Sees that water systems going forward must be fair, reasonable and equitable.
Lake Water Quality Society	Interested in how the National Policy Statement on water will express the different values of the two catchments in this region. How will it allow for the

	different dynamics of these catchments?
Mixed Horticultural and Agricultural Farmer	Interested in how the National Policy Statement will be progressed. Found the report valuable and is encouraged by the use of and recommendations for collaboration. Concerned around how to devolve these recommendations to regional levels.
Farm Consultant	Professionally interested in lowering nitrogen and phosphorous through good practice.
Member of Public	Thinks the report is 'the way to go' but sees that while it may be easy to agree at a philosophical level it may become harder to agree at a more detailed level.
Local government	Interested in what ways the Forum's report will influence regional council operations particularly through the National Policy Statement. Encouraged in the direction of the report and acknowledged how difficult collaboration can be.
Landcare Trust	Considers that they work with the community in ways similar to the collaborative processes the Land and Water Forum has been through and is very encouraged to see the Forum practising this. The essence of collaboration is to share knowledge and views and take time with this. Interested in how to engage communities in the next local level of developing water management.
Local government	Considers the situation in many smaller streams of the area is like 'a dog in a manger' i.e. it is cornered because the water is becoming scarce and unreliable across seasons as different users need water in different seasons. Thus is interested in the recommendations related to storage as a way to solve accessing water when it is needed. Considers consents should be granted for up to 50 or 100 years (rather than 35 years).
Crown Research Institute	Interested in decision-making processes between communities and groups. Concerned with 'Government will provide' types of statements and how local areas can come to sort out their own issues.
Local Government	Sees a big issue in the conversions of forestry to dairy and the resulting nutrient flow changes. Feels they 'have not yet seen' how the recommendations in the Report will specifically fix Resource Management Act problems.
Guy Salmon Land and Water Forum	On the back of a round of some positive feedback and encouragement asked if there was anything people felt overtly uncomfortable about in the report.
Member of Public	Thought it was conspicuous that that there were no people who were specifically from the public at large. All of those on the Forum were from organisations.
Member of Public	<p>Response from LWF: offered that one way to look at the makeup of the Land and Water Forum was that each group was representative of different interests and together the combination could allow for coming to decisions that had everybody's interests in it.</p> <p>In response - still saw that there is a difference between large organisations and the interests of individuals from the community.</p> <p>Response from LWF: Shared how he saw his position on the Land and Water Forum as there to 'speak for' farming interests but was not there to strictly 'represent' farmers because he did not have the ability to go out and get a voted mandate to have that legitimacy. If he saw one omission or interest not present enough it would be from water services.</p>
Landcare Trust	Taking from what the Forum said in the plenary part of the meeting about making collaboration work in our own area they wondered what this could look like for

	the Bay of Plenty. There could possibly be a Bay of Plenty Land and Water Forum where this group could report back to the National Land and Water Commission.
Community Organisation	<p>Shared that while the approach of collaboration may be nice, what would happen if it didn't reach agreement or didn't reach sorting out water issues?</p> <p>Response from LWF: Recalled that MP Nick Smith said in a recent speech that collaboration is not actually the same as consensus. Meaning that it is not all about reaching agreement but listening to and understanding each other. A part of this there are still national and local authorities that need to make decisions. If a process were wholly of consensus then each party involved would have a power of veto over decisions.</p>
Mixed Horticultural and Agricultural Farmer	Concerned about the recommendations going back to the Government and raised the question of how the report will actually flow through to the level of councils and what will actually make it through.
Member of Public	Saw in Guy Salmon's description of good collaborative process (see below) that knowing that any consensus would actually be put into action would be a significant motivator.
Local government	Sees that collaboration is important in order to have all parties hear each other's views. He doesn't see that the Government has abdicated any responsibility in having the Land and Water Forum.
Mixed Horticultural and Agricultural Farmer	Sees that it would probably take a crisis to really make people come together to solve a serious issue. Does not see how it would happen otherwise.
NZ Avocado Growers	Used to work in Biosecurity where they have also used collaborative processes to bring stakeholders together. Sees that while it is true that crisis has a motivating effect, the biosecurity process has had to bring participants in 'kicking and screaming' and very reluctant to join the process but they still managed to make it happen.
Mixed Horticultural and Agricultural Farmer	One thing that works against local collaboration is that councils have the statutory obligation to consult so there is no reason why groups would work together independently when they would be talked to separately anyway.
Local government	If we step back from the current resource management then we can see that the government has the capacity to fundamentally redesign the system. This way we can discuss how it could be done not limited by the constraints of the current way. For instance, if the government required collaboration in all regional water plans then there would be no other way about it.
NZ Avocado Growers	Has not seen a good definition of collaboration within the Land and Water Forum report. This could have legal consequences if we do not do this down the track.
Local government	Speculates that one way to motivate collaboration would be to emphasise the crisis to 'make it clear'.
Landcare Trust	In response to question by Lachlan on how to do good collaboration: Considers that the best motivation is passion and expertise. Acknowledges that the default way in the current system is adversarial but when given the opportunity to build talking together, listening and respect, then groups find ways forward together. Giving the common public the chance to be involved is important so everyone has an opportunity. Key factors are also to give everyone good notice, have meetings at accessible times and the discussion must be relevant economically and personally.

Community Organisation	<p>The issue not yet resolved is what would be the key objectives within a National Policy Statement on water.</p> <p>Response from LWF: highlighted the recommendation for a Land and Water Commission to be set up to advise the Government from a national overview and identify gaps. From this perspective the Commission would be able to identify further the direction of travel needed.</p>
Local government	<p>How could issues be resolved that presently seem unresolvable. Views between staff members are different let alone between different groups in the community.</p> <p>Response from LWF: When we see the National Policy Statement, it will be seen that some groups will have more impetus to engage collaboratively with others to resolve issues.</p> <p>Response from LWF: Commented that Landcare Trust's model of collaboration as described earlier is bottom up where communities approach them for information and assistance.</p>

General discussion / responses to points raised

- In response to a question on how to make collaboration work Guy Salmon offered three principles he has found from his own research: i) If an authority states that they will go ahead and make decisions if consensus is not reached by a collaborative group then that helps motivate such a group to work together well. ii) If an authority states that they will not act unless there is a consistent consensus over time as this encourages a collaborative working group to pursue a process for the long-term and not flip-flop on agreements. iii) Being invited to a collaborative group was seen as a privilege overseas and some who were deliberately not constructive were left out as a result.

Break-out group led by Roku Mihinui and Chris Keenan

Responses and issues from round-table session

Interest in water	Comment
Planner; Conservation Authority	Land and Water is in the name, but the report did not get to grips with integrated management. Need to look at impacts of land use, transition to other land uses, water quality objectives and take a catchment based approach.
Iwi	Best use of water applies to land use. We need more efficient use of land.
Farmer	Audited self management – ISO 14001 standards approach management is not the best application to pastoral farming. There is a lack of transition for an approach. How do you get pastoral industry involved?
Botanist; local resident	More money, less work, negative reinforcement (penalties).
Iwi	More farming area into new catchments is a land use change. A change in land use could potentially be more environmentally friendly. Farm by water – you pay the penalty.
Forest ecologist	Overarching set of principles/goals, then different (regional) ways of doing it. Commitment to overarching principles.

Planner	Need goals to achieve (baseline) the set limit is important.
Iwi	Regional councils want certainty - not interested in voluntary schemes in Taupo.
Planner	Pushing efficiency management is highly important.
Iwi	Regulation decreases capital value of land in the Taupo catchment. Farmers also opt to get out of farming.
Outdoor educator	Keeping access to rivers and freshwater for the community - recreational use and access is important to the community.
Community Organisation	The report says limits are important. Will limits be voluntary or will regulation be put in place? Change is hard and people don't want to sign up for voluntary action. Will regulation underpin the need for change?
Farmer	Hard to change land use in the case of core catchments. Need public money to make change happen.
Community Organisation	Alter zoning in plan. Flexibility to change in land use in plan.
Planner	Existing use rights are an impediment to land use change.
Farmer	How do you engage with people on land use change?
Planner	There must be a period of transition for land use change. Stepped change is important. Clear timeframes and targets.
Planner	Will there be inequity if you can buy water (e.g. wealthy aggregate water rights)?
Famer	Will it be equitable and be able to make a difference? Willingness of ratepayers / tax payers to find change?

Break-out group led by Peter Whitehouse and Kevin Hackwell

Responses and issues from round-table session

Interest in water	Comment
Crown Research Institute; Community Organisation	Heard iwi got a big stick but they want the same as everyone else. Need sustainability at the centre – lakes should be clear (scientific, health, Māori perspectives). How do you get into rules? Who pays for a clean lake? In the European Union, this is done in Brussels because internal politics prevent decisions made locally. In New Zealand, central government needs to set firm rules, too politicised locally. Needs to happen fast, we've been in meetings for years.
Local government	Setting limits provides certainty to applicants. Once there is certainty, can use economic mechanisms to trade – likes how the report sets this out. Concern as to whether limit setting is feasible and will happen. Regional councils are trying now but finding it really hard to do. Tried with the National Policy Statement/National Environmental Standards and had lots of debate. Industry needs to get behind regulations to make it work. Setting regulations is one thing but getting people to comply is another.
Crown Research Institute	Likes the Forum's report - no burning issues; reinforce wanting to see how it is implemented. Some recommendations are a bit soft. Appetite for a step change. Could do with a timeline for change as it could take years to implement. Questioned the role of the Environmental Protection Authority in implementing functions.
Māori Trustee	Instream flows and levels are crucial – do we rectify existing impacts? Many flows already lowered so we're not making decisions on basis of natural flows. Water use and management approach needs a rethink – Christchurch earthquake

	shows vulnerability of extensive infrastructure, could do with more localised infrastructure. There are currently no incentives for local supplies/ reliability.
Water Supplier	Report does not identify the most important use of water – good drinking water, not the environment or economy. Volumetric charging does not work without the right price.
Rotorua Lakes Community; Community Organisation	Report is a good document. There are lots of high-level documents around on water – when does the rubber hit the road? Someone somewhere needs to make decisions. We know what’s needed in Rotorua – land out of production. We need to start implementing. Where does LWF fit in the hierarchy of National Policy Statements, Regional Policy Statements, Plans?
Community Organisation	Concerned that National Policy Statements, Regional Policy Statements, plans - central government down to regional council down to district plans - may not be in synch. Seeing lack of line-up locally and out of sequence. The diffuse pollution in catchments means we need land retirement in the catchment which will have huge economic impacts. Not all of New Zealand needs to be treated like a lake catchment – but we need a tougher line on sensitive lake catchments. Rotorua Wall has had a massive effect on water clarity. Knew about the Forum but have not really been engaged in it – not sure about public advertising.
Member of the public	Allocation – what is meant by pricing mechanisms? What does Wairua mean in practice?
Health sector Fish and Game	Clarification needed on allocation and water quality limits. Discussions are all about the economic benefit – health benefits are missing. Water is a priority for health. Would like to see health issues come through from a higher level. Public health driver – reduction in inequalities, pricing could work against this.
RMA consultant; land owner	Concerned about limits and targets and the speed at which they might be achievable – difficult in the current regime. Targets need to be clear and enforceable and help landowners achieve them. Government appointees to regional councils – not sure would be effective. Also not sure about how effective the Land and Water Commission would be. Need ability to require change, not just suggest change. Councils need to improve on achieving the plans they set – enforcement is patchy and resource intensive.
Public	Overall the report will get lots of support because it is high level and represents a consensus. But consensus will not get us the demanding outcomes because consensus always pulls back to middle ground or status quo. Consensus is overrated – sometimes leadership is required. Need to look to national processes to get to more rigorous targets and limits with regional discussion on <u>how</u> to achieve them. National Policy Statement/National Environmental Standards force uptake – need to feed back to the Minister that he already has the tools.

General discussion / responses to points raised

- Questions about whether flows should always be maintained at all costs – needs common sense e.g. switching from surface to groundwater, looking for solutions.
- Consistent message around New Zealand is that there is time for leadership and not more meetings.

Final report back to the wider group

- Local and central government should treat citizens with integrity and honesty
- What is meant by collaboration and how to engage at local and regional level is not defined
- Addressing equity issues – helping land users as well as putting rules around activities
- How and when the recommendations will be implemented
- Splitting catchments into hydrological units
- How to incentivise collaboration and how to make it work when it breaks down
- Central government needs to lead
- Concern over equity – who pays; need to support the farmers during change
- Who, how and when?