Launch of the Land and Water Forum’s

Fourth Report

Well, Ministers, am I glad to hand over this report! It’s the fourth report of the Land and Water Forum, written in the course of our third mandate from your government, and it’s been hard work.

The mandate you gave us is complex. You sought our views on maximising the economic benefit of fresh water while managing within the quality and quantity limits set under the NPS-FM - which you had put in place following our earlier recommendations. You asked us to think about transitional arrangements to take us into a regime based on limits. You asked us about regulatory requirements for stock exclusion from water ways. And you told us that the Crown was engaged with iwi on the issue of iwi/haapu rights and interests in fresh water, and asked us for any ideas we might have on tools and approaches.

Time was short. To reach consensus on all these tricky issues, we had in effect just 6 months, which - and I admit it with gratitude - you subsequently extended to 7. Now there are more than 60 members of the Land and Water Forum, and consensus doesn’t grow on trees. It comes of hard analysis, based on reliable scientific and economic advice, and serious and repeated conversation between consenting adults. It is an enormous tribute to the diligence and commitment of the members of the Forum, and their various advisors in the Secretariat, from the science and economic communities and from government Ministries - and a tribute to the trust and confidence in each other that they brought into this process - that we were able to succeed.

Unlike its predecessors, moreover, this is not a blue skies effort. It builds on, fills out and gives precision to what came before. And it was not written while the world waited to see what we would recommend. The NPSFM was in already in place. Councils were at work on limits-based regimes. Our members were engaged not only in the Land and Water Forum but also in collaborative and other limit-setting processes
all round the country. Industries were working with their sectors to change their practices to meet the requirements of the new regime.

Now you have not yet implemented all - or even most - of the 153 recommendations that we have already made and we say so in this report. Indeed our very first recommendation is that you do implement them, and do so as soon as possible. Unless our recommendations are substantially implemented, our consensus is unlikely to last. I am sure, however, that we were all delighted to hear your announcement of yesterday that provisions to give effect to our recommendations on regional collaborative processes have been put before the House of Parliament. That materially advances your response to our previously existing work.

But even without yesterday’s legislation on collaborative processes, you put in place in 2011 and 2014 - through the NPS-FM and the NOF which accompanied it (and I say this even though they vary in some respects from what we suggested) - you put in place the essential core of the system our reports have proposed and elaborated. You required Councils to set objectives and limits for water bodies. The requirement is out there. It is changing the way all of us think and operate already, and the consequences are running. They are reflected in intense work going on in a number of sectors to educate their members and change their practices. They have deepened our reflections on the work that we had already done, and so they flow into this report.

That is why, and in spite of the difficulties of the task - we are extremely grateful for the new opportunity that you have given us, and for your confidence that we could again deliver, even in a very short time. And we have done so. We have provided you with 60 further recommendations which, albeit somewhat technical, do a number of important things.

First up, I shall mention the proposals we have made to regulate stock exclusion from water ways. They build on the voluntary arrangements put in place through for example the Sustainable Dairy Water Accord. We recommend that they come to include not only dairy cattle, but also beef cattle, deer and pigs, and they come to cover a wide range of terrains. The types of water bodies from which stock would be excluded we think should also be extended. We also make a set of recommendations on a new riparian regime which will systematise current approaches and management strategies.
Second, this is a learning report.

- The system of land and water management that our reports have recommended is data and science hungry. Forum members have found from their experience in the limit-setting process the need to clarify requirements in advance, to avoid always reinventing the wheel - and to find opportunities to use multi-purpose data and models, so as to contain costs. So we recommend that the parties work on setting up an integrated freshwater management information framework.
- We have prioritised for government funding work on improving our understanding of local variations in the way in which contaminants are assimilated on the way to waterbodies where their effects are measured. That way, over time, we can match farming operations with the land on which they will cause fewest problems for waterbodies and the costs of mitigation are least.
- We have suggested that the government should set up an information sharing platform to promote the sharing between all the players of innovative approaches and best practice in managing within limits.

Third, we have sharpened up our recommendations on integrated catchment management. We believe that allocating responsibility for managing diffuse discharges to individual land holders or groups could be the way of the future. But not all discharges can be allocated; this solution will not be universal; and it can take time to put in place. We have therefore systematised our approach to the use and development of good management practice and the way it should be used with other tools, including the infrastructure, both hard and soft, identification of critical source areas of contaminants (and areas of critical ecological sensitivity), and contributions from urban as well as rural water users to meeting limits.

It has been the Forum’s consistent view that if we want a stable and durable system, iwi rights and interests must be resolved as well as general ones. To that end, we have responded to the government’s request for a range of possible tools and approaches which we thought could be helpful to them in their discussions with iwi leaders. In our view the responsibility for giving effect to any agreement lies firmly with the Crown, and we have repeated that existing rights in New Zealand’s freshwater resource should not be compromised, and costs relating to Crown-iwi resolutions should not be transferred on to other parties.
Maximising the economic benefit of fresh water was a central element of our mandate. Robust limits are a fundamental assumption of this report and we have sought to design a system to achieve them which will encourage and empower land and water users to increase their productivity. So you will not find a neat group of economic benefit recommendations distinct from the environmental ones - our concern to grow the economy at the same time as we maintain and improve the ecologies on which our economy depends pervades our approach.

- Systems based on allocation and transfer to incentivise creative solutions and allow resources to move to their highest valued use;
- the use of infrastructure, hard and soft, to provide more reliable water - and improve its quality;
- the use of science to identify the most efficient and effective outcomes;
- the drawing of iwi more fully into the water economy;
- the benefits of enhancing our clean green brand to our trades in goods and services.

Ministers, to my astonishment this Forum has now been running, off and on, for 7 years. We collaborate with one another, but as we have gone along, the way in which we interact with the government has also developed. Without two fundamental characteristics I do not think that the Forum would work. In the first place, it needs to be autonomous - determining its own processes and agendas. In the second, it needs to be nested - it needs to know that the government wants to hear from it, and will listen to what it says. We are grateful for your support and your confidence. We look forward to tackling the second part of our mandate, which deals with the NOF and the NPSFM, and is an essential complement to the work which we have just carried out. And we look forward in the next month or so to hearing initial reactions to our recommendations, and to the opportunity to discuss them.