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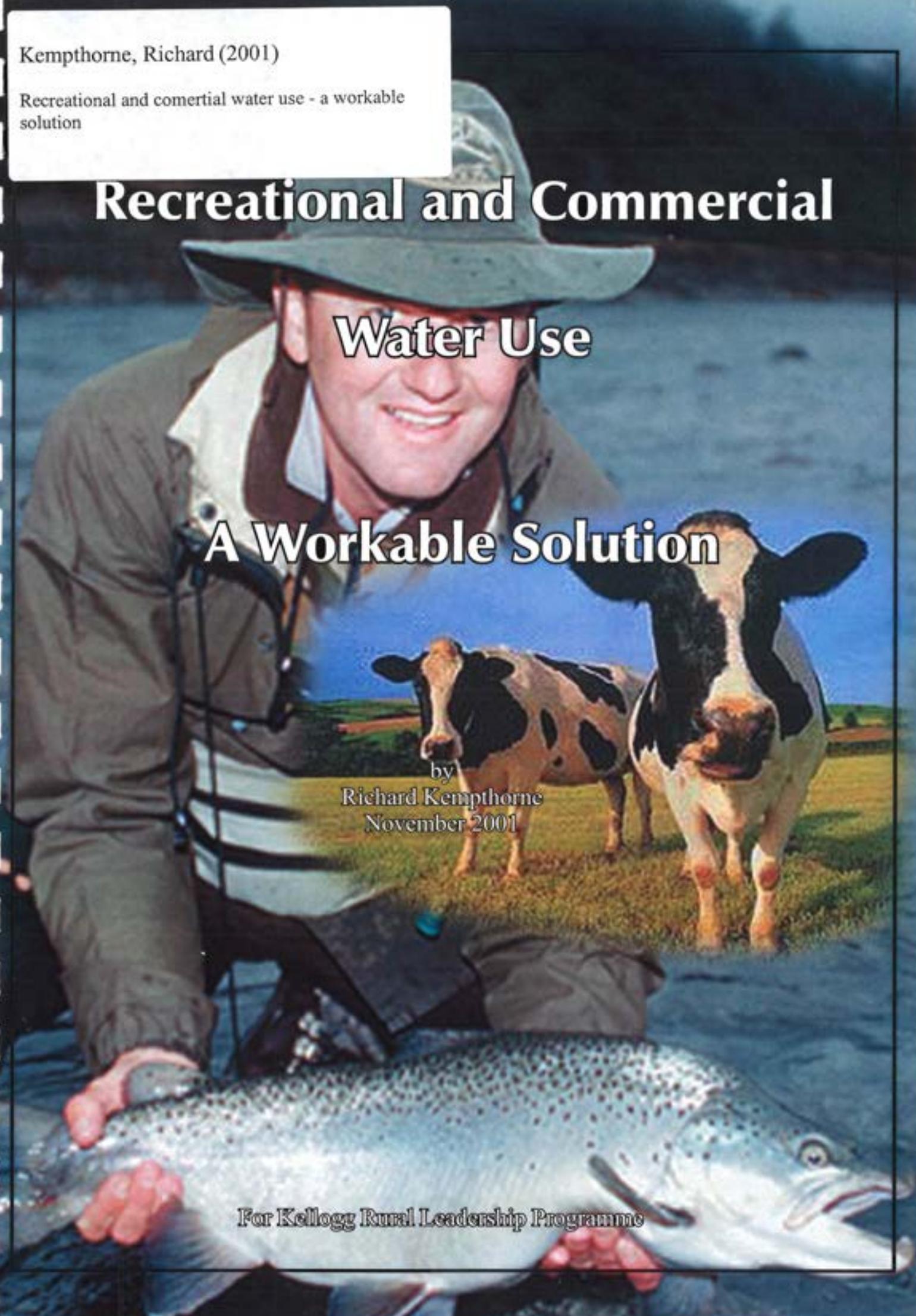
Recreational and commercial water use - a workable solution

# Recreational and Commercial Water Use

## A Workable Solution

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## TABLE OF CONTENTS

	Page No
Introduction	
1.1 Context: Setting the Scene.....	5
1.2 Conflicts in Water Management.....	6
1.3 Objectives .....	7
1.4 Method.....	7
1.5 Summary: Solutions for Recreational and Commercial Water Use..	8
1.6 Scope of this Report .....	8
1.7 Report Structure .....	9
1.8 Limitations of This Report .....	9
Current Situation.....	11
2.1 Irrigators.....	11
2.2 Fish & Game .....	11
2.3 Iwi .....	13
2.4 Urban Water Supplies .....	13
2.5 Resource Management Act.....	13
2.6 Regional Councils .....	15
2.7 Regional Water Plans .....	15
2.8 Summary of Planning Processes.....	16
2.8.1 Tasman .....	16
2.8.2 Canterbury.....	17
Discussion of Current Processes .....	18
Proposed Solutions .....	19
3.1 Regional Water Plan .....	19
3.2 Consultation .....	21
3.2.1 Levels of Engagement .....	21
3.2.2 Management Styles for Effective Consultation .....	22
3.2.3 Key Parameters for Consensus Planning .....	23
3.3 National Water Policy Statement .....	23
3.4 Best Practice Guidelines for Planning .....	23
3.5 Water Conservation Orders .....	24
3.6 Individual Water Consents .....	24

Conclusions .....	26
Recommendations.....	26
References .....	28
Appendices .....	28

## Executive Summary

"This report examines the problem of conflicting water use. There is a finite resource of water and an increasing number of bodies wanting to abstract it from the water bodies and use it for various uses; irrigation, power generation, urban supply to name a few.

At the same time recreation water users and conservationists are becoming increasingly concerned as they see this precious resource being used out of river and becoming increasingly degraded.

Drawing on in-depth interviews with some of the key players in resource planning, Fish & Game and Federated Farmers, it examines the current situation, looking at the issues raised and attempting to identify a solution which resolves the conflict and adequately manages the water resource.

It then considers the merits of the Resource management Act. It examines the purpose and principals of the Act and looks briefly at perceived problems with the process for developing statutory water plans in order to manage these emotionally charged conflicts.

The report concluded that statutory water management plans are critical for the management of this issue

It looks in more detail at the consultation (community involvement) aspect of the planning process. It discusses some solutions for maximizing community involvement in order to achieve a planning process and developing water management plans which are going to effectively resolve the conflicts over water and manage the water resource issues competently.

This information is discussed and the following conclusions drawn

- Statutory water management plans are the preferred option for resolving conflicts in water management.
- Engaging the community (consultation) is a fundamental key to developing an effective water management plan that has community support
- Consensus planning is a preferred method of planning in order to effectively engage the community
- Facilitation and management style of the planning process are critical aspects for engaging the community
- The preparation of both National water policy guidelines and best planning practice guidelines would be a national benefit.

The report recommends that

- Statutory water management plans are developed as a top priority in any region where water is a critical issue
- Community engagement is addressed as a top priority in the planning approach
- Consensus planning is the aim
- Management style of the environmental manager within regional councils is critical to successfully adopt a consensus planning approach
- Employing a facilitator of the process with facilitation skills to suit the community involved
- Prepare National Water Policy Statement
- Prepare best practice guidelines for planning processes
- Clearly communicate planning Timelines
- Establish best practice guidelines for planning processes

## **Introduction**

### **1.1 Context: Setting the Scene.**

New Zealand is a country rich in a wide diversity of natural resources and geographical variety. This rich natural heritage of New Zealand and the values associated with these geophysical attributes are regarded highly by New Zealand residents. They also make it a sought after tourist destination with a very wide national and international perception of being “clean and green” with clear rivers and lakes brimming with life.

This “clean green” image is also a selling point for our export products, of which in excess of 60% are from land based industries e.g. dairy, meat, wool, fruit and timber.

Environmentally sustainable land management practices are a fundamental ingredient to the maintenance of New Zealand’s “clean green” image. There is also a continuous strong public demand requiring that land practices be managed in order to preserve New Zealand’s unique biodiversity for future generations.

The competent management of New Zealand’s waterways is of fundamental importance in order to insure the continuation of the high environmental values that are attributed to this country.

New Zealand has a finite amount of water available in its waterways. This finite amount is not static or constant. There is a huge natural variation of flows in rivers attributed to climatic conditions along a waterway or in its tributaries i.e. heavy or light rain or snowfall. There is a natural seasonal effect. Rivers tend to run with a greater flow in the winter than in the summer.

Many activities have an effect on both the quality and quantity of New Zealand’s waterways. Land based activities including water abstraction, effluent discharge, recreational use, industrial practices, competing water users and urban requirements all take their toll on this finite resource.

Currently, there are:

- Some major planning issues with respect to water. The Tasman region has some catchment areas e.g. the Waimea basin, which have fully allocated water resources and in the summer of 2001, irrigators experienced major water shortages.
- Major conflicts over the use management of water bodies. The Fish & Game Council is seeking water conservation order in the Rangitata River and the Motueka River. In addition, recreational water users, usually represented by Fish & Game, and irrigators, have some serious disagreements over the use of water. This is very pronounced in the Canterbury region, however this disagreement is merely symbolic of the dispute that is arising up and down the country.
- Major conflicts between competing groups of abstractors, all vying for the use of the same source of water.

The RMA will be discussed later in the report, however it is clear that Regional Councils have the responsibility of ensuring that the water resources in their region are managed properly.

## **1.2 Conflicts in Water Management**

There are many different groups of people who wish to use this water resource. At times these groups have quite conflicting ideas about the ways in which a water body could or should be used. The waterways, i.e. rivers and underground streams, have requirements such as;

- Sources of irrigation water;
- Sources of water for human consumption;
- Stock drinking water;
- Iwi have particular cultural values, which are not always the same as Pakeha values and
- Recreational water users have another set of values, needs and desires.

At times this can be simplistically summarised that recreational users want to maintain a certain minimum flow of water in the river to uphold their interests, and

commercial water abstractors want security of supply of water that they can rely on e.g. for irrigation. In times of drought, recreational users want abstractors to cease taking water in order to secure the flow they desire; water abstractors want security of supply and will resist a request to cease taking.

In these situations, there is a direct conflict over use of a particular waterway.

### 1.3 Objectives

This report sets out to

- 1.3.1 Identify the values of water held by different groups.  
This report will not attempt to make an exhaustive list of values, but rather give enough detail of the values of specific groups to demonstrate the wide divergence of various groups needs and wishes.
- 1.3.2 Discuss a process, which can be used to bring an acceptable solution regarding water use. **This is they key objective of this report.** The RMA planning process will be discussed and it will be demonstrated that this process, if applied correctly, has the potential to achieve the most beneficial result. As part of this discussion, key attributes of planning processes will be discussed, which are fundamental to achieving a successful outcome.
- 1.3.3 Compare specific approaches. There will be a discussion as to whether the RMA is appropriate for obtaining successful outcomes of water management in New Zealand. Statutory water management plans, non-statutory plans, the use of resource consent to take water and the use of Water Conservation Orders will all be discussed in the management of waterways.

### 1.4 Method

Fifteen people from six organisations have been interviewed. Most of the interviews have been recorded in the appendix of this report. During the series of relatively open ended interviews, I sought to ascertain the interviewee's opinion of water management in their region from their perspective. The range of questions I sought answers to was:

- I. What is the water plan process in your area?
- II. A comparison of using **regional water plans** compared to **water conservation orders** to manage water use.
- III. Validity of water harvesting.
- IV. Consultation processes used and their effectiveness – satisfaction of working with other groups.

### **1.5 Summary: Solutions for Recreational and Commercial Water Use**

This report suggests that well-defined and clear planning processes using the Resource Management Act as the statutory framework, have the best potential of dealing with water management on a regional and national basis.

Water Management Plans should be developed for whole catchment areas i.e. a river and its tributaries. These water catchment plans, once completed, should be added to a water chapter for a region. This chapter should be part of the resource management plan for a region.

Clear consultation processes are critical for this process to succeed. All the various stakeholder groups associated with respective water bodies, must have representation and be engaged in the process of developing water management plans. Competent facilitators need to lead the engagement process of local stakeholder groups.

Timelines in the planning process need to be clearly presented. These should not be rigidly adhered to, as hurried or forced consultation may mean the development of a plan that does not have community support and is therefore doomed to failure. This should not be confused, however, with a lack of commitment to timely outcomes.

National guidelines should be developed for the preparation of water management plans.

### **1.6 Scope of this Report**

This report seeks to outline the situation of conflicts in water management in the Canterbury and Tasman regions. It sets out to outline key groups in this conflict and to set out clearly but briefly the nature of the conflict as they see it and outcomes they

would like to achieve. The report aims to clearly set out the process of development of water management plans using the Resource Management Act. The report highlights key areas in the planning process, critical to making this process work.

### **1.7 Report Structure**

The structure of this report sets out the current situation in water conflicts in Canterbury and Tasman. It highlights in particular the issues of the two main opposing groups i.e. irrigators and recreational users (and in particular (Fish & Game New Zealand). It also covers urban supply.

It discusses the values of the various stakeholder groups associated with using water, from now on referred to as the instream values.

The report then looks at the process for developing solutions to these conflicts.

### **1.8 Limitations of This Report**

This report looks at only two regions in New Zealand, Canterbury and Tasman, and examines the relative content or discontent with the planning process and the ability of that region to **be seen to be effectively managing water**.

This Report has concentrated on the perception of support for each regional council's management of water issues, rather than the detail of the water management plans. It has tried to identify successful components to water management that can then be applied to any other region.

This report has not tried to re-write the RMA or answer every deficiency of the Act. It has, however, sought to highlight whether the Resource Management Act is appropriate legislation to successful water management regionally and nationally,

## **Current Situation**

### **2.9 Irrigators**

Currently, there is a rapid expansion of the dairy industry in Canterbury. Many farming properties are being converted from other forms of farming to dairy units. As with many other industries, there is a trend to significantly increase herd size. This rapid expansion has meant a corresponding increase in the demand for irrigation water. Dairy production relies on a constant supply of high quality grass growth. In the summer months, this requires a constant supply of irrigation water.

Previous farming patterns also relied on reliable supplies of irrigation water, however demand was more cyclical and less constant, resulting in a lower overall abstraction of water from rivers or groundwater supplies.

In various catchment areas, there is an increase in competition for limited water resources, with growing conflicts between competing abstractors. An example is the Rangitata River, where the Rangitata Diversion Race Company Ltd had a current consent to take 31 cumecs (cubic meters of water per second). This was acceptable to Fish & Game. Recently, Ruapuna Irrigation Ltd have applied for 8 cumecs and Rangitata South Irrigation Ltd have applied to take 6 cumecs. The water is now being fought over.

In some areas, land use potential is limited by lack of available water for irrigation.

Fruit and vegetable crops are also grown in both Canterbury and Tasman. In Tasman, the proportion of water abstracted for horticultural crops is much greater than in Canterbury.

#### **Irrigation – In Stream Values.**

In-stream values of water for irrigators are very simple

1. Reliability of Supply. This means, knowing that there is a very high degree of certainty that when the irrigator need water in the dry summer months, it will be available. As stated earlier, there will never be absolute guarantee on water

supply, however there are some manageable factors, which hinder a reliability of supply.

- Allowing too much water abstraction from a water body, thereby reducing the security of supply to all users of that water body.
- Placing a high minimum flow in a river in a regional water plan. The higher the minimum flow required in a river inevitably results in a reduction in water abstraction from that river, and any of its tributaries. Good water quality.

2. Water Quality. The quality of water is generally very important to irrigators for the following reasons.

- Many food safety programmes have water quality built into them as key conditions of supply. This is a parameter that is starting to be audited.
- Water used for food crops needs to be free from effluent and other pollution factors. This is very important for New Zealand's clean green image.

### **2.10 Fish & Game.**

Fish & Game also have a requirement of maintaining certain river flows. This may include the maintenance of minimum flows, however it can also include the desire to maintain natural river flows and protect water bodies in their natural state.

#### **Fish & Game In Stream Values**

There are many instream values that Fish & Game seek to maintain, or in the cases where a water body has become degraded, may seek to enhance, existing river flow rates. Some of the values Fish & Game seek to uphold and protect are:

- **Ecological Values**
  - Wildlife
  - Wetland community and vegetation
  - Trout fish spawning
  - Salmon spawning
  - Marine fish spawning
  - Whitebait spawning
  - Braided River wildlife
  - Estuarine wildlife

- Native fish
- Upland game
- **Recreational Values**
  - Estuarine fishery
  - Salmon fishery
  - Trout fishery
  - Whitebaiting
  - Hunting

Trout and Salmon need high quality water. Generally it is considered that rivers need water flows of approximately 1000 litres per hour. Anything below this flow begins to adversely effect populations of trout and salmon in the waterways. Water temperatures need to be low. As temperatures climb, especially during summer months and lower flows, trout and salmon populations and health, decline.

Water quality is very important for healthy trout populations. With increasing cow herd numbers often adjacent to the edge of streams, cow effluent can enter streams. This form of pollution of waterways causes deterioration in the health and numbers of the fish population.

On occasions, land practices e.g. forestry felling or planting, or farming hillside cultivation, can result in hillside degradation and silt entering waterways. Silty or muddy water is very bad for fish health. In the Motueka River, silting of the waterway has in recent years resulted in the most significant decline in trout fish numbers.

Fish & Game feel that the consent process in Canterbury does not adequately allow for the cumulative effects of the processing and approval of all the individual consents on a river. With the advent of the growth of the dairy industry in Canterbury, rivers without an operative Water Plan have not had adequate constraints to enable sustainable development.

It should be noted that the instream values listed of concern to Fish & Game, do not have an equal weighting and that the weighting given to each of these values will

depend on the water body concerned. In fact it is unlikely that each instream value is relevant to each water body. It is therefore important that when a water plan is developed for a water body, the specific values and issues that relate to that water body need to be carefully identified. This is allowed for in the planning process, identified in the Resource Management Act.

Maintenance, or in some instances enhancement, of river flows, is one of the biggest areas of dispute between irrigators and Fish & Game. It is important to remember that irrigators want the minimum flow to be related to their security of supply while Fish & Game want to ensure a maintenance of river flow in order to uphold the recreational values relevant to that particular water body.

It is quite possible that both irrigators, and Fish & Game, have an understanding of the opposing party's requirements. They will naturally, however, be wishing to maintain their own interests.

### 2.3 Iwi

Iwi have their own values associated with water bodies.

The Resource Management Act states, *all persons exercising powers and functions under the Act shall recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga – and shall have particular regard to kaitiakitanga*. Kaitiakitanga means the exercise of guardianship; and in relationship to a resource, includes the ethic of stewardship based on the nature of the resource itself.

Section 8 states that *all persons exercising powers or functions under the Act shall take into account the principals of the Treaty of Waitangi*.

Land ownership is a key value for the Tangata Whenua, or stewards or owners of the land. Ownership and management of land by a Maori tribe or family, is extremely important to that group.

The water that flows over and under the land owned by the Maori group is considered to be associated with that land. Issues associated with water management are therefore considered to be of high interest to any Iwi associated with land ownership. Land managers under the Act are instructed to have particular regard to kaitiakitanga, or Maori guardianship.

It is therefore, essential to consult with any Iwi whose land and water is affected by planning processes.

## **2.4 Urban Water Supplies**

Regional councils have to give priority to urban supplies of water for domestic use.

## **2.5 Resource Management Act**

Part II of the Resource Management Act states that *the purpose of the Act is*

- *To promote the “sustainable management” of natural and physical resources.*
- *In this Act, “sustainable management” means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enable people and communities to provide for their social, economic, and cultural well-being and for their health and safety while-*
  - (a) Sustaining the potential for natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
  - (b) Safeguarding the life-supporting capacity of the air, water, soil and ecosystems; and*
  - (c) Avoiding, remedying or mitigating any adverse effects of activities on the environment.*

Paraphrased principals of the Act;

All persons with roles or functions shall

### **Recognise and provide for:**

- Natural character of coast

- Outstanding natural features and landscapes
- Significant indigenous **flora/fauna**
- Public access to **rivers, coasts, lakes**
- Relationship of Maori with their ancestral lands, **water** ----

This report would suggest that the purpose and principals of the Act are fundamentally sound. The definition of sustainable management in the Act fundamentally meets the need for effective management of New Zealand's waterbodies.

## **2.6 Regional Councils**

This report looks at the functions of regional councils as specified by the Act. It is important to remember that these are statutory obligations, in which regional councils have a choice in.

The following extracts from the Act state that

*S. 30. Functions of regional councils under this Act-*

*(1) Every regional council shall have the following functions for the purpose of giving effect to this Act in its region*

*(c) The control of the use of land for the purpose of*

*(ii) The maintenance and enhancement of the quality of water in water bodies and coastal water:*

*(iii) The maintenance of the quantity of water in water bodies and coastal water:*

*.....(e) The control of the taking, use, damming, and diversion of water, and the control of the quantity, level, and flow of water in any water body, including –*

*(i) the setting of any maximum or minimum levels or flows of water:*

*(ii) the control of the range, or rate of change, of levels or flows of water:*

It is clear from the immediately preceding text, that in order to fulfill their obligations under the Act, regional councils are the lead agency for management of

water bodies. They have no choice in the matter. Neither does any party resisting rules in plans developed by regional councils. Regional councils have a statutory obligation to fulfill in managing water bodies and the relevant issues.

## **2.7 Regional Water Plans**

*63. The purpose of regional plans*

*1) The purpose of the preparation, implementation, and administration of regional plans is to assist a regional council to carry out any of its functions in order to achieve the purpose of this Act.*

*65. Preparation and change of other regional plans –*

*(3) Without limiting the power of a regional council to prepare a regional plan at any time, a regional council shall consider the desirability of preparing a regional plan whenever any of the following circumstances or conditions arise or are likely to arise:*

*(a) Any significant conflict between the use, development, or protection of natural and physical resources or the avoidance or mitigation of such conflict.*

*(b) Any significant need or demand for the protection of natural or physical resources or of any site, feature place, or area of regional significance:*

*(c) Any foreseeable demand for or on natural or physical resources:*

It is equally clear that The Resource Management Act provides the legislative framework for dealing with conflicts over water use. It is very clear from the above quotation from the Act, that the Resource Management Act provides for the development of regional plans in order to resolve conflicting resource use; in this case, water.

## **2.8 Summary of Planning Processes**

Rather than looking in detail at the processes employed by Tasman District Council and Environment Canterbury, this report seeks to make a more general comment regarding the perception the respective communities have concerning the adequacy of the respective water management plans and planning processes. In both regions, statutory water management plans are at various stages of completion.

### **2.7.1 Tasman**

The Tasman District has a relatively cohesive planning process. The plans for various rivers have been developed for some ten to twenty years. The Waimea catchment area, i.e. the Waimea River and its tributaries, has a longer standing known water shortage. There exists a well developed regional water plan that is progressing through the statutory planning process toward a formal plan under the RMA. There is a well developed network of stakeholder groups with representatives who have established liaison with Council technical and planning staff.

There exists a culture of relative trust and workability between the various groups. There are competing water abstractors and there are issues requiring negotiation with Fish & Game, however these issues appear to be being dealt with satisfactorily.

### **2.7.2 Canterbury**

There appears to be a well documented and frequently commented on sense of frustration at the lack of progress in establishing a regional water plan in Canterbury. Both irrigators and Fish & Game have a similar sense of frustration. These comments make frequent media coverage and are also expressed in some appendices to this report.

It is also important to point out the genuine commitment and intention expressed by both councillors and staff of Environment Canterbury, to meet their obligations and effectively manage Canterbury's water resource. This included statutory plans, non statutory plans and the Natural Resources Regional Plan.

It is also important to note the difference in the size of the two regions. There are many more water bodies in Canterbury and the main water bodies are considerably larger, than is the case in Tasman. There is a matrix of activity involved in the planning process in both regions.

### **Discussion of Current Processes**

The report has so far shown importance of water to various community groups. Some regions in New Zealand have water resources that are being used up too, and some would say beyond, their sustainable potential. In rural areas with land based activities such as dairying, and horticulture, which are reliant on heavy water use, there are conflicting uses of water. This report has highlighted the conflict between the use of water for irrigation and its use for recreation and in particular trout and salmon fisheries.

The comments, recorded as appendices, from individuals within Fish & Game and Federated Farmers, have demonstrated that there is considerable dissatisfaction and frustration at the inability of some of the current water plans, to adequately manage some water bodies. These sentiments are equally expressed towards the planning processes. This is despite considerable effort by planners and councillors to achieve positive results.

The Resource Management Act has been discussed and this report has concluded that the purposes of the Act are perfectly adequate for the effective management of water bodies. The Act specifies regional councils as those who establish, implement and review policies to deal with control of relevant land and water management under the Act. Again, this report finds no fault with regional councils as management agencies.

From information gathered in the preparation of this report, the development of water management plans should most successfully identify relevant values and issues and provide for the development of policies to deal with them.

One does therefore have to look at the processes employed to develop water management plans (or, for that matter, any other resource management plan).

## Proposed Solutions

### 3.1 Regional Water Plans

Interviews and discussions held in the preparation of this report, draws a conclusion that if the

- writers of plans,
- those providing technical and scientific information and
- **the relevant community involved,**

are combined in the planning process and work together in the plans development, a successful process should be achieved. None of these components can be left out if the planning process is to be successful.

Engaging the community is a critical component of the planning process.

In fact, in her work *Progress in planning* (Jackson, 2001), concludes that a consensus planning process should be the aim of water (and other resource) planning processes.

Drawing from this previous report, it is essential for the community associated with and reliant on a water body, to be involved in the development of its plan. Only when they are actively involved in its development will they take ownership of the developed plan to make it work.

Figure 1 shows a diagrammatic representation of the various components of planning processes and is designed to show the interrelationship of the various components of the planning process.

The diagram aims to demonstrate that consultation can be either maximized or minimised in the planning process. This report strongly suggests that when engagement of the community is maximized, the likely outcome is a community who take ownership of the plan. The process of engaging the community is a crucial component of the plan's development.

When community engagement is minimised, the other components of the plan can be carried out in great detail and accuracy, but without obtaining community ownership.

The community can feel this as a top down approach, and give little support to its implementation.



Figure 1

Highlighting community involvement, in no way minimizes the other components in the planning process. Definition of values and issues, interpretation and monitoring data, policy development, implementation and review, are all activities which need to be competently and professionally carried out in order to achieve satisfactory community involvement.

## 3.2 Consultation

In order to achieve the successful development of plans, all stakeholders need to be represented in the planning process.

### 3.2.1 Levels of Engagement

In order to effectively engage groups or individuals from the community in consultation, it is important to engage them at an appropriate level relevant to the level of understanding of various individuals in the process.

In her paper “Contemporary public involvement; Toward a strategic approach”, Jackson, 2001, has created the following table which demonstrates different levels of engaging the community (public involvement). The planning process should be suitably flexible to allow for whichever levels are relevant. Education regarding the issues and training in the process involved need to be built into the planning process.

### *Contemporary Public Involvement*

Objective	Stakeholder analysis	When to use	Not appropriate for
To inform	<ul style="list-style-type: none"> <li>‘general public’ or</li> <li>Specific stakeholder group which is unaware of the issue or project</li> </ul>	<ul style="list-style-type: none"> <li>Introducing a new idea, initiative or project</li> <li>As a first stage in further public involvement</li> <li>Keeping the wider public informed of progress</li> </ul>	<ul style="list-style-type: none"> <li>An already informed group which believes their input is deserved, or necessary for success</li> </ul>
Public education	<ul style="list-style-type: none"> <li>General public or stakeholder group is aware of the issue or initiative, but requires background information in order to create an informed opinion or make an informed choice</li> </ul>	<ul style="list-style-type: none"> <li>To raise level of awareness of an issue</li> <li>To provide background information</li> <li>To prepare a stakeholder group for a higher level of involvement</li> </ul>	<ul style="list-style-type: none"> <li>(Nearly always appropriate on an ongoing basis, and when combined with higher level processes)</li> </ul>
Test reactions	<ul style="list-style-type: none"> <li>Must already be aware of the issue</li> <li>Must have some background knowledge</li> <li>Should be representative of some wider group</li> </ul>	<ul style="list-style-type: none"> <li>When the organisation has options to evaluate</li> <li>When input is sought on existing ideas</li> <li>‘Trial balloon’ to test public reaction to an idea</li> </ul>	<ul style="list-style-type: none"> <li>Stakeholders lacking knowledge or misinformed about the initiative or issue-return to public education stage</li> </ul>
Seek ideas or alternative solutions	<ul style="list-style-type: none"> <li>An ‘expert panel’</li> <li>Stakeholders should be well informed and have</li> </ul>	<ul style="list-style-type: none"> <li>When the organisation desires creative solutions</li> </ul>	<ul style="list-style-type: none"> <li>Stakeholders lacking knowledge or misinformed about the initiative or issue –</li> </ul>

	expertise or special knowledge	• When local or specialised knowledge can supplement in-house 'experts' options	return to public education stage
• Shared decision making	<ul style="list-style-type: none"> <li>• Should have the commitment for this level of involvement</li> <li>• Well informed and knowledgeable</li> <li>• High level of commitment</li> <li>• Belief in the process</li> <li>• Willingness to share information</li> <li>• Trust in the organisation and other stakeholders (or willing to build)</li> </ul>	<ul style="list-style-type: none"> <li>• When the organisation desires or needs consensus of stakeholders</li> <li>• Where ongoing conflict prevents implementation of organisation-driven solutions</li> </ul>	<ul style="list-style-type: none"> <li>• Stakeholders who are unwilling to take responsibility for decisions</li> <li>• Those who lack commitment to work within such a process</li> <li>• Organisations which are unwilling to implement decisions of the group</li> <li>• Organisations which lack commitment to supplying necessary time and resources</li> </ul>

Figure 2. Stages of Public Involvement

### 3.2.2 Management Styles for effective Consultation

It has become clear in the preparation for this report, that management style in the planning process is as crucial as community involvement. Managers of planning process need to be able to philosophically embrace the concept of consensus planning. Some naturally do this. Others have been trained in the belief that “the manager must manage the process”. The latter approach can lead to a inflexible style which can stifle community involvement and expression.

Successful managers in consensus planning “*must possess these traits; a belief in the value of public involvement; a high degree of self esteem; the ability to set aside own biases; the ability to provide strong direction, but not be dictatorial; honesty and openness; a willingness to listen and superior active listening skills; flexibility; creativity; willingness to take risks*”.(Jackson 2001).

This report would suggest that even if the planning process chosen did not shift as far as purist consensus planning, management training in these areas is essential.

### 3.2.3 Key Parameters for Consensus Planning

There are many keys for successful consensus planning. Jackson, 2001, noted the following factors were commonly noted. Those boldfaced are in the top quartile of importance.

<b>Integrity of process</b>	Neutral chair/process manager
Commitment of participants	Interpersonal dynamic
Openness	<b>Explicit objectives</b>
Explicit objectives	Relationships
Early stakeholder identification	Representative of constituency
<b>Strategic Communication</b>	Funding
<b>Facilitator</b>	<b>Commitment of Participants</b>
<b>Solid information</b>	Local participants
Clear policy guidelines	Meeting facility
Prescreening participants	Plain language
<b>Training</b>	Size of group
<b>Government support</b>	

### 3.3 National Water Policy Statement

There is certainly room for the development of a National Policy Statement for the allocation of water. A National Policy Statement needs to be permissive rather than prescriptive, and give clarity to regional councils regarding key elements of successful plan development.

The National Policy Statement should give a national framework for the key issues. It should be enabling for regional Councils rather than prescriptive.

The development of a national policy statement must come from a culture of

- central government assisting local government from a position of global overview and
- it **must** be received by regional councils who are prepared to improve policy development processes.

### **3.4 Best Practice Guidelines For Planning Process**

There is also room for **best practice guidelines for the development of regional and catchment water plans**. At present there are many different planning processes underway. Some are remarkably successful and some are remarkably unsuccessful. There is a need for an institution that is able to operate at arms length from regional councils, to take an overview of the practices being employed and make some recognition and recommendation of key performance indicators for good policy development.

Two organisations that appear suited to this approach are the Ministry for the Environment (MfE) and MAF Policy. The two could take complimentary roles, as there are individuals within each organisation who are skilled regarding water issues.

The “top down” approach regarding the development of best practices or the development of a national policy statement should be avoided. The complexity of the issues and unresolved problems associated with poorly developed plans or low stakeholder acceptance of plans, demands a consultative approach.

### **3.4 Statutory Water Conservation Orders**

Statutory water conservation orders are a process that can be used to secure minimum flows and features of water bodies that have outstanding values. They are, however, inflexible. They do not have the statutory review capability which is built into the statutory plan processes, and once put in place do not make it easy to allow for changing circumstances or a change in values. Statutory water conservation orders are a backstop method which can be used when the statutory planning process is not delivering a plan which give sufficient protection to the outstanding values.

### **3.5 Individual Water Consents**

Water consents should be required on any water body when water is abstracted or discharged, to protect the minimum flow and water quality. Where a Plan or a Statutory water conservation order is in place on a water body, the consent will ensure any activity is consistent with the plan.

## **Conclusions**

Competent management of New Zealand's waterbodies is of fundamental importance. This is for the commercial reasons of maximizing the income that can be earned from this particular limiting resource and also to preserve the natural heritage of New Zealand.

There are some major conflicts over the use of water in New Zealand. These conflicts need to be resolved.

The Resource Management Act is set to achieve the management required. Its purpose and intent is completely sound, but its implementation and planning process are at times lacking. There is a very significant compliance cost associated with the administration of the Act.

This report concludes that the conflicts surrounding the management of water could be significantly resolved by addressing the process of developing water management plans.

Important factors are;

- Engaging the local community in a
- Consensus planning process where the community helps shape the solution while
- Engaging members of the community at an appropriate level with
- Facilitators who can facilitate the process and
- Management of the process accepting a consensus approach.

These key points assume all other aspects of the planning process are handled in a thorough and professional manner. These suggestions do not try to remove the current planners and technical personnel from the process, but rather seeks to significantly lift the effective consultation of communities involved.

## **Recommendations**

- Establish Statutory Regional and Catchment Water Management Plans. Top priority should be given to the development of water management plans for catchments and regions. Catchments are areas small and confined enough for local communities to relate too and become involved with. Each catchment (river and its tributaries) plan can be added to the regional plan, as it is completed.
- Move towards consensus planning  
Consensus planning, which combines planning professionals, technical consultants and the community, will give a resultant plan that the whole community takes ownership of and helps implement. This is an enormous challenge and is fundamental for the success of the planning process.
- Clearly identified consultation Process which engages the community at the appropriate level.

Engaging the community at an appropriate level. Allow time for those at lower levels to be brought up to the level of other participants. Use training and education in the process as required.

- Employ competent regionally based facilitators of consultation.  
Employ a facilitator who has the trust and acceptance of all stakeholders in the planning process, trained in facilitation skills. They need to be firm, in control, and manage the process, displaying outstanding listening skills and capable of drawing out the views of participants. They need to have sufficient knowledge about the issue to have the trust of the participants. (Jackson, L.S, 2001. *Process in planning*)
  
- Prepare National Water Policy Statement  
Prepare a national water policy statement which can be an evaluation of issues regarding water management that can empower regional councils with policy information that can be used as a basis for catchment and regional water management plans
  
- Clearly communicate planning Timelines
  
- Establish best practice guidelines for planning processes  
A summary of planning processes being used successfully both within New Zealand but also drawing from the successes of other countries. Also highlighting those planning processes which may be unsuccessful in order that repeat mistakes are minimised.
  
- Water Conservation Orders.  
Not a preferred option. This can be used if other planning processes have failed and an outstanding waterway needs protecting. This can give a relatively restrictive means of controlling water bodies.

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## Appendix

### Interview with:

- Alison Unforf Lay; Policy Analyst, New Zealand Federated Farmers.
- Pam Richardson; President, North Canterbury Federated Farmers.
  
- Don Hunt; Design Engineer, Irrigation Pumping & Services Ltd
  
- Jay Graybill; Central South Cnatherbury Fish & Game
  
- John Talbott & John Glennie, Environment Canterbury
  
- Neil Deans, Nelson Marlborough Fish & Game
  
- Lewis Metcalf; Policy Analyst, Top of South NZ Federated Farmers
  
- Mark Oldfield; Water Portfolio Chair, Environment Canterbury
  
- Martin Clements; Canterbury
  
- Neil Deans; Nelson Marlborough Fish & Game
  
- Richard Johnson; Chairman, Environment Canterbury
  
- Ross Millichamp; North Canterbury Fish & Game