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Progress Towards a Paradigm Shift in Canterbury Water Management

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Progress towards a Paradigm Shift in Canterbury water management

NZARES 2011 Workshop 26 August 2011

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Waterways Centre: University of Canterbury and Lincoln University

PRESENTATION COVERAGE

- Paradigm shift needed as sustainability limits reached
- Shift towards Ostrom's self managed community model
- Shortcomings that shift was designed to address
- Differences in approach that have occurred
- Prospects for sustainable management

RESOURCE MANAGEMENT ISSUES

- Rapid increase in demand for water
 - expansion of dairying
- Water Availability
 - run-of-river takes on restriction
 - groundwater zones at allocation limits
- Cumulative Effects of Water Use
 - water quality impacts from intensification
 - ecological health effects from diminished flows

REGULATORY APPROACH ISSUES

- Legalistic, adversarial, high cost, time consuming decision process
- Permissive not precautionary decisions from legal interpretation of the RMA
- Applicant-driven approach to water resource development leading to sub-optimal outcomes
- Setting limits led to “gold rush” for consents

LIMITATIONS OF THE RMA

- Management of diffuse sources
- First-come first-served allocation
- Management of sustainability limits and cumulative effects
- Absence of precautionary approach
- Adversarial style of decision making
- Reactive role for regulator
- Effects-based not outcomes-based

POSITIVE EXPERIENCE WITH COLLABORATIVE APPROACHES

- Subcatchment
 - Living Streams: land use and waterways
 - Water User groups: takes tied to same environmental flow monitoring point
 - Cluster groups: groundwater subzones for consent reviews
- Catchments
 - Catchment Plan: to address specific issues
 - Community Trust: programme coordination

SELF MANAGED COMMUNITIES

- Alternative to “government direction” and “privatisation” options
- Relevant to multiple users of scarce renewable resource where use affects others
- Cooperative strategy worked out with users
- Mutual monitoring of resource and its use
- Commitment to rules
- Agreed enforcement and conflict resolution approaches
- For larger systems, multiple layers of nested enterprises

SHIFT FROM CSWS TO CWMS

- Evolved from technical investigations:
 - Water availability based on future supply and demand (stage 1)
 - Potential for increased storage (stage 2)
- To Multi-stakeholder evaluation of storage options (stage 3) which concluded:
 - Need for comprehensive strategy
 - Concerns about land use intensification and mainstem storage
 - Need for stakeholder/community engagement

CWMS STAGE 4: MAIN ELEMENTS

- Stakeholder and Community engagement on option development and fundamental principles
- Steering Group development of strategic options
- Community consultation on option preferences
- Strategic investigations of likely outcomes
- Sustainability appraisal of options
- Overall strategic approach

DIFFERENT TOOLS AND METHODS

- Identification of values and principles of stakeholders (use of OpenStrategy)
- Option development with stakeholders (use of Strategic Choice)
- Sustainability appraisal of resource management options (rather than effects assessment of projects)
- Strategic assessments to achieve targets (rather than mitigation modifications)
- Integrated strategies to achieve outcomes (rather than applicant proposals)

FUNDAMENTAL PRINCIPLES

- Primary principles
 - sustainable management, regional approach, tangata whenua
- Supporting principles
 - natural character, indigenous biodiversity, access, quality drinking water, recreational opportunities, and community and commercial use

SHIFT IN STRATEGIC OPTIONS

- Initial debate between major storage and moratoria
 - Shift to improved water use efficiency and land use practices for *existing* and new development
- Mainstem storage seen as unsustainable
 - Shift to tributary storage; groundwater storage; off-river storage; integrated storage
- Applicant initiated projects
 - Shift to alignment with CWMS

DIFFERENT STYLE OF DEBATE

- Once trust is established potential for creative and compromise solutions
- Compared to adversarial debates around entrenched positions
- People who have to live with decisions more likely to find innovative solutions
- Representatives feel compelled to defend positions

COLLABORATIVE / REGULATORY

Involving community at geographical scale appropriate to issues

Making decisions on a collaborative basis

Providing information on issues and outcomes

Seeking agreement on actions to achieve outcomes and giving them statutory backing

Involving communities as affected parties or submitters on proposals

Making decisions in a legal (adversarial) process

Using information as evidence in an interrogative process

Relying on legal judgement for decisions and actions

DIFFERENCE IN IMPLEMENTATION

- Parallel development of proactive implementation programmes to achieve multiple targets
 - regional implementation programme including environmental restoration, storage and distribution, iwi management plans, consent reconfiguration through brokerage
 - zone implementation programmes including environmental restoration, water use efficiency, land use practice improvement, customary use
- Contrast with RMA style
 - applicant-driven development within constraints set by plans and consents

DIFFERENT ORGANISATION DESIGN

- Shift from process design to outcomes design
- Formation of Strategy and Programmes Group
- Formation of Water Executive
- Change in planning framework from regulatory process to statutory backing of RIP and ZIPs
- Resource Management Group to integrate collaborative and regulatory functions
- Alignment of investigations to strategies
- Organisation development programme on service delivery

KEY IMPLEMENTATION DEVELOPMENTS

- Establishment of Zone and Region Committees
- ECan Act provides statutory backing for Vision and Principles of CWMS, Moratoria, no Environment Court appeals
- Refinement of Targets to be achieved
- Release of draft Regional Policy Statement
- Release of draft Land and Water Plan
- Preliminary Strategic Assessments of infrastructure contributions to targets
- Immediate Steps Biodiversity programme
- Development of audited self management for aggregated consents

CHANGING ROLE OF NGAI TAHU

- Development of new assessment tools: State of Takiwa reporting, Cultural Health Index
- Engagement in restoration projects
- Seeking co-governance and co-management role
- Interest in being long term investor in water infrastructure

HURUNUI WAIAU ZIP

- Agreement on Shared Values
- Vision of economic development and environmental management
- Ongoing collaboration and Kaitiakitanga
- CWMS targets for environmental flows and nutrient caps

CWMS IS WORK-IN-PROGRESS

- Paradigm shift to collaborative approach aligned to CWMS
- Constructive dialogue on issue resolution in ZCs and RC
- Major project applicants involved and sharing information
- Innovative thinking and new approaches being developed
- Next crucial steps: ability to deliver targets; funding; implementation programmes; statutory backing