POLICY IMPLEMENTATION

- AN UPDATE FROM ENVIRONMENT CANTERBURY

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Introduction

The Land & Water Regional Plan is a new planning framework for Canterbury. It aims to provide clear direction on how land and water are to be managed and help deliver community aspirations for water quality in both urban and rural areas. Delivering these aspirations means addressing all sources of nutrients entering or with the potential to enter water, including those originating from land.

Environment Canterbury has a unique governance structure with government-appointed Commissioners and its own legislation[1] which incorporates reference to the Canterbury Water Management Strategy. This Strategy was developed as a collaborative process between all of Canterbury's councils under the leadership of the Canterbury Mayoral Forum and puts in place local representative Zone Committees to represent the community's views on a range of target areas.

Approach

Regional Approach

The new planning framework takes a region-wide "hold the line" approach with provision for zone by zone variations if needed to better meet community aspirations. The region-wide approach takes a coarse-grained approach by colour-coding the region according to whether water quality meets, doesn't meet or is at risk of not meeting community expectations as set out in current planning documents. Additional colours are used for catchments where available data is inadequate to determine the appropriate category, or to denote catchments of sensitive (generally small and shallow) lakes that are highly vulnerable to any further degradation (Figure 1).

The rules framework reflects the colour-coding, with no increase in nitrogen loss in the catchments of sensitive lakes, no increase in nitrogen loss in areas where water quality is not currently met, with the exception of properties whose current losses are very low; and small increases allowed in other zones as a permitted activity.

[1] Environment Canterbury (Temporary Commissioners and Improved Water Management) Act 2010

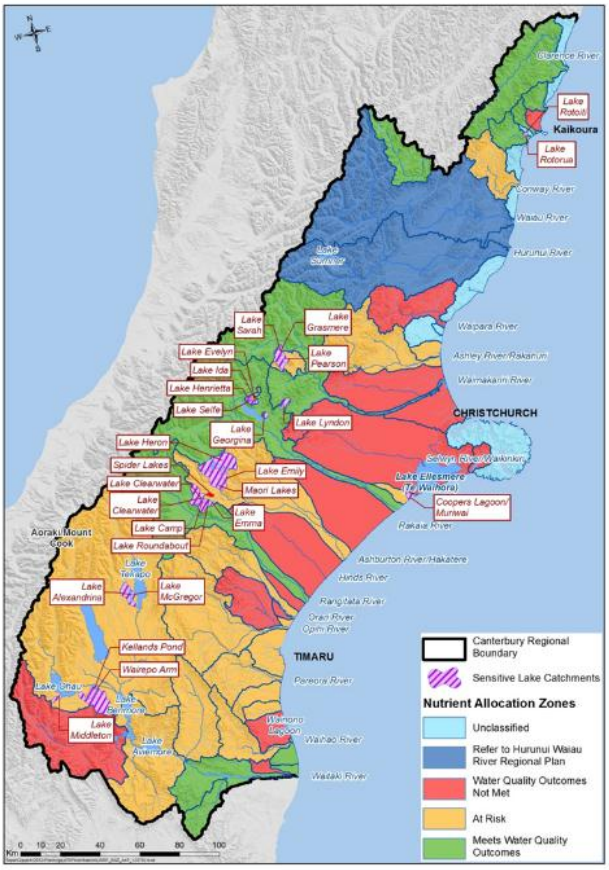

Figure 1: Nutrient Allocation Zones in the Land and Water Regional Plan

The region-wide approach relies heavily on OVERSEER® and effectively requires every land-owner above an area threshold to estimate nitrogen losses that occurred over a historic four-year period 2009-13. Land-owners are also required to estimate nitrogen losses over a rolling four-year period looking forwards and this estimate is compared with the historic estimate to determine whether nitrogen losses are increasing or decreasing and whether rules are being complied with.

The Land and Water Regional Plan has been appealed and is expected to become operative sometime in April 2015.

Sub-Regional Approach

At the time of preparing this paper we have an Operative Plan for the Hurunui and Waiau River Catchments and two notified plans, one for Selwyn-Te Waihora and the other for the Hinds River Catchment. Decisions for Selwyn-Te Waihora are expected to be released in April 2015 and the hearing for Hinds is expected to start in June 2015.

This year we expect to notify two further sub-regional plans – South Canterbury Coastal Streams and the Waitaki.

Community Reaction

Community reaction to the new framework has been mixed, though there is broad acceptance of the need to do something about the ongoing degradation of water quality. In my experience farmers take their role as land stewards seriously and have yet to meet one who doesn't genuinely care about the quality of their favourite fishing spot or swimming hole or the quality of water available to their stock. Likewise I have yet to meet a farmer who doesn't care about the cost of nutrients they're losing off the farm or don't want to leave the farm to the next generation in better shape than when they took it over.

The challenge often lies at a level below these areas of broad agreement, such as reasons and responsibilities as well as the tools used to manage ongoing degradation. While there is no appetite for following the overseas and particularly European approach of managing increase in diffusely-sourced nutrients via control of farm inputs, support for managing outputs can be very variable given the challenges posed by the use of OVERSEER®.

Despite being a world-class model with no equal anywhere else, OVERSEER® has and continues to be challenging, with concerns around its predictive accuracy, the number of new versions with sometimes significant changes in estimates, consistent use amongst practitioners and the capacity of rural professionals to deliver the many thousands of nutrient budgets needed in Canterbury. None of these are fatal but do highlight the need to ensure the model is used appropriately or, as one well-known and knowledgeable practitioner has said, ensure the policy fits the model, not the other way round.

Environment Canterbury has set up an industry working group to advise and where appropriate, make decisions to ensure blockages to the successful use of OVERSEER® are removed.

Fairness

Another area of challenge is the need for the management of nutrients and allocation of available load to be absolutely fair, both between rural and urban sources and amongst land owners at different stages of development and varying levels of historic nutrient loss.

While in many ways this is sounds familiar to those who have worked with water allocation in the past and heard extensive criticism of the 'first in first served' approach, there is an important difference between water allocation and nutrient allocation. With water there is a widespread recognition that the resource is limited and while there may be arguments about how much should be left in rivers or in the ground, there is an acceptance that once it is all allocated there is no more left. On the other hand with nutrients there is no such general acceptance as there is an expectation that farmers should be able to farm land in a manner that suits their aspirations while recognising and accepting natural constraints, not those artificially imposed.

There are no simple solutions, but there are some promising approaches which my colleague Ian Lyttle has written about in another paper in these proceedings.

Conclusion

Finally, in the heat of debating all the above, it is easy to lose sight of the bigger picture and the challenge of keeping ones eye on the ball, focusing on our broad acceptance that something needs to be done about ongoing degradation of water quality. Sometimes it helps to look at the alternatives of either doing nothing or taking the approach followed in other countries to spur us on to becoming solution focused. We also need to look at integrating our efforts with other incentives such as ensuring we can persuade our markets they should pay a premium for the food we grow, given it's not just grown safely but also within sustainable limits.