

Perspectives on the Canterbury Water Management Strategy

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A summary of the key points from a report produced in May 2010 by Lincoln Ventures Ltd.

Introduction

The *Canterbury Water Management Strategy: Strategic Framework*, released in November 2009 by Canterbury Water¹, is an innovative planning initiative based on a collaborative governance model. The CWMS is a framework to manage Canterbury's water resources sustainably by articulating a series of agreed principles and targets relating to allocation of water for competing uses and also for water quality. It proposes novel nested governance arrangements to undertake these functions on a management zone and regional basis, with linkages to national level arrangements (Canterbury Water, 2009).

As part of a longer term longitudinal study of institutional arrangements for sustainable water management in Canterbury, a number of key informants who have been closely involved in the development of the CWMS were interviewed. They were questioned on the process of developing the strategy, the policies it contains, and the anticipated challenges and opportunities of implementation. In total, 21 key informants, reflecting a broad cross section of the organisations and interests represented during the development of the strategy, were interviewed in 14 separate semi-structured interviews in late 2009 and early 2010.

The questions were divided into three broad sections: Part A, the process of developing the CWMS as a non-statutory deliberative exercise; Part B, the substantive policies in the CWMS to allocate and manage water; and Part C, implementation of the CWMS. The questions were worded in a very open way to give respondents room to raise issues and concerns they saw as important. All interviews were analysed to tabulate responses and comments and areas of commonality and divergence were collated.

1 Canterbury Water is the domain name established by Environment Canterbury to retain material relevant to the Canterbury Water Management Strategy.

Overview of the CWMS

Following the impacts of a severe drought and frustrated by a perception of ad hoc water allocation decision making, the decision to embark on a strategic water study in 1998 was the initiative of two relatively influential individuals from key central government agencies (Ministry of Agriculture and Forestry and Ministry for the Environment). An Environment Canterbury (ECan) employee also participated as an interested observer and information facilitator (Whitehouse et al., 2008, p. 2). Table 1 describes the key steps in the strategic water study.

Feedback from Stage 3 made it clear that "Water storage is only one of the things that need to be considered in a water strategy for Canterbury. Other issues that need to be considered include land use intensification, water quality, cultural values, tangata whenua objectives, and recreation uses." (Whitehouse et al., 2008, p. 4). In response to this, the focus in Stage 4 was broadened to address such issues. A draft Canterbury Water Management Strategy was released for comment in September 2009 and the final strategy, following feedback on the draft, was released in November 2009.

Key elements of the CWMS

The CWMS, which is in a number of respects a work in progress, is three pronged:

- Based on an informed assessment of the water supply and demand situation in Canterbury and possible opportunities for enhanced irrigation, it articulates an agreed-upon vision based on desired outcomes and fundamental principles. Considerable collective effort has gone into crafting these vision statements and some interview respondents who took part in this process accorded strong weight to these statements as signifying emergent group consensus amongst environmental and development stakeholders and Māori.
- Based on the above, the CWMS lists a series of (draft)

Table 1. Steps leading to the CWMS

Stage	Date	Outputs
Canterbury Strategic Water Study (Stage 1)	1998- 2002	Sub-regional water balance; evaluation of current and likely future water supply and demand
Canterbury Strategic Water Study (Stage 2)	2004 - 2008	Identified potential water storage projects in Canterbury and their hydrological feasibility
Canterbury Strategic Water Study (Stage 3)	2006 - 2008	Evaluation by regional and local multi-stakeholder reference groups and some interest groups of the environmental, social, cultural, and economic impacts of the water storage options identified in the Canterbury Strategic Water Study Stage 2
Canterbury Water Management Strategy (Stage 4)	2008 -2009	A collaborative long term strategy for the management of freshwater in the region based on measurable targets

targets relating to: ecosystem health/biodiversity; natural character of braided rivers; kaitiakitanga; drinking water; recreational and amenity opportunities; water-use efficiency; irrigated land area; energy security and efficiency; and regional and national economies.

- Finally, it makes recommendations for new nested and devolved water governance institutional arrangements for Canterbury to implement the CWMS, which will include a regional water management committee and ten zonal committees to be managed by a new semi-autonomous Water Executive. They will develop zone and regional implementation programmes; they will not be regulators, but will act as facilitators and contribute to Resource Management Act 1991 (RMA) plan and policy making. In addition, the CWMS proposes a tripartite forum, made up of relevant Cabinet ministers, Ngāi Tahu and the Canterbury regional and district councils, which will address issues that cannot be resolved by zonal and regional committees. Ngāi Tahu have not endorsed this section, as their Treaty partnership is with the Crown only. Their position is that local government can only engage as an agent of the Crown with whatever role is delegated to them by the Crown. The establishment of a Water Infrastructure and Services Entity is also planned to take on designing, building, financing and operating the larger elements of the regional water storage and distribution system. This entity is still under investigation but is likely to involve public (local authority) and private investment.

The implementation of the CWMS will be initiated under the RMA and Local Government Act 2002 (LGA), with the RMA setting environmental limits, efficiency requirements, guiding resource consent decisions and review/transfers of existing permits. The LGA instruments will set funding and priorities of committees. The current review of the regional council's Regional Policy Statement will provide an opportunity to incorporate the fundamental principles of the CWMS into statutory documents. Legislative changes may be required to ensure the implementation programmes produced by the regional and zonal committees are given appropriate legal status under the RMA and LGA. These changes could also provide better linkage between the two Acts, with the aim of providing long-term planning stability.

Key findings from interviews

Regarding the specific attributes of the CWMS development process, the clear points that emerge are that the breadth of participation, the use of research, and the collaborative nature of the process were regarded very positively. Some of the practical aspects, such as design of the workshops and the way participants were handpicked for some stages, were also important. Respondents also mentioned the increased understanding among stakeholders of other positions as a positive factor. Criticisms of the process related to concerns about a pre-determined agenda, the time taken, the need for more science/research, and the lack of public engagement despite the measures taken to consult. The lack of timely detail around aspects such as the targets and the zone committees were also identified as a weakness.

In comparison to the strong consensus on the merits of the

process of developing the strategy, there is relatively less consensus apparent on how respondents felt about the strengths and weaknesses of substantive policy proposals in the CWMS and the way forward. For example, regarding implementation opportunities and challenges, a variety of opportunities were identified but a far greater number of challenges were raised. Key challenges include the development of statutory backing and a range of concerns about the composition and terms of reference for the committees to be formed under the strategy. The CWMS Strategic Framework document focuses on high level outcomes but, as some respondents reminded us, the devil lies in the detail which is still to be worked out. The preparation of implementation programmes by zonal and regional committees will require a significant amount of effort and support.

Discussion

The strategy crafting process has been most successful in having laid a broad strategic foundation for the purpose of reaching agreement on contentious water issues in the Canterbury region. It is evident from the interviews that the exercise of developing the CWMS is perceived by all informants as a major step forward in terms of resolving current water conflicts and, from a longer term perspective, as an exercise in social learning. This is a significant, albeit fragile, achievement in Canterbury's hitherto fractured socio-political setting.

The process of crafting the CWMS has been a valuable trust building exercise for the participants to address water issues which they agreed need addressing – although different sectors framed the problem differently. Environmental groups saw it as too much about water abstraction while irrigators saw it as problems of water availability and reliability. Parties have attempted to find a mutually acceptable solution, having all acknowledged that there is a problem. There has been a shift in the level of understanding and willingness to work collaboratively, even though it may be limited for the moment to the specific individuals who participated in preparing the strategy.

However, the future of the CWMS is not without its challenges. In particular, the study identified deep seated unresolved tensions embedded within the CWMS which could potentially derail consensus if not addressed satisfactorily prior to embarking on the RMA statutory process to implement the provisions within it. Such tensions relate to the following big picture questions.

Firstly, the CWMS is based on a fundamental but unstated assumption that there is a considerable amount of land in Canterbury which could be irrigated and farmed more intensively by building water storage facilities fed by the large Alpine rivers, and that this potential should be fully harnessed provided significant adverse environmental impacts can be remedied or mitigated. In other words, the CWMS recognises that the key water challenge in Canterbury is not lack of water for irrigation but lack of sufficient water *in the right place at the right time*. The target is 850,000 ha irrigated land in Canterbury by 2040 (Canterbury Water, 2009, p. 108) and most discussion during the CWMS development process focused on how technically feasible this is, rather than whether it is desirable or sustainable. There is a lack of detail, particularly around how the behaviour of existing farm users can be changed, which will be required if targets are to be met.

Secondly, it is debatable as to what extent the exercise of developing the CWMS, and the involvement of the Canterbury Mayoral Forum, has resolved the long standing history of distrust between the local territorial authorities and the regional council in Canterbury over governance matters. For example, there is no secret about the long standing drive on the part of Canterbury territorial local authorities to advocate for increased water storage infrastructure for farm irrigation, and the CWMS as an avenue for achieving this objective. More importantly, notwithstanding progress in developing the strategy collaboratively, the deeply embedded territorial local authority distrust of ECan was demonstrated by an orchestrated move to pressure the Local Government and Environment Ministers for a review of ECan. The subsequent central government investigations have precipitated a highly contentious decision to sack the elected regional council and replace it with appointed commissioners who are only accountable to central government. The extent to which this decision by central government will impact on the goodwill of the Canterbury environmental and Māori stakeholders and their continuing collaboration with the territorial local authorities in implementing the CWMS remains to be seen.

Thirdly, it is unclear whether the CWMS's parallel development goals are in conflict with the current government's own short term national macro-economic objectives. In a Statement to Parliament (9/2/10), Prime Minister John Key stated: "Overall, the Government is committed to ensuring that water storage and irrigation projects which meet environmental standards, and which are good economic propositions, can happen in a decent time frame."

Further detail was provided in the first National Infrastructure Plan released in March 2010: "The Government wants to ensure that appropriate schemes can be built. Tensions between competing uses for water will never be eliminated but the Government believes that wasted effort and uncertain outcomes can be reduced" (New Zealand Government, 2010, pp. 19-20).

Concluding comments

At present (May 2010), the fate of the CWMS lies at a crossroads. The current water governance institutional landscape in Canterbury has become fluid as a result of intervention by central government to temporarily replace electoral democracy with a form of command-and-control governance. Arguably, while the Commissioners are accountable to the Cabinet, they will exercise discretion in terms of how they choose to interpret their three year water governance mandate. At this point in time the biggest challenge to building on the accomplishments of the CWMS as a pathway towards sustainability appears to be the maintenance of trust and informed engagement as new people are brought into the nested processes and implementation issues are tackled.

A final point worth making relates to how the provisions of the CWMS are to be woven into the RMA regional and territorial local authority planning instruments in order to be given effect. This could prove to be a contested and costly process, as has become manifest in the implementation of the *Greater Christ-*

*church Urban Development Strategy*². If that were to happen, it could bring into question the merits of adopting a collaborative approach to resolve such water conflicts. Collaborative approaches are widely advocated in the current international literature on water governance, but successful implementation is highly dependent on the people and politics in a particular situation.

The full report is available from the Lincoln Ventures Ltd website: <http://www.lvl.co.nz/images/CWMS%20Appraisal%20Report%2020%20May%202010.pdf>

- 2 The Greater Christchurch Urban Development Strategy provides strategic direction for the Greater Christchurch area and was created through a three year consultation and development process initiated in 2004. The partners are ECan, the Christchurch City Council, Selwyn and Waimakariri District Councils, and the New Zealand Transport Agency.

References

- Canterbury Water (2009). Canterbury Water Management Strategy: Strategic Framework November 2009. Retrieved November 5, 2009, from <http://www.canterburywater.org.nz/downloads/cwms-strategic-framework-november-2009.pdf>
- Key, J. (2010). Statement to Parliament, 9 February, 2010. Retrieved March 9, 2010, from <http://www.beehive.govt.nz/speech/statement+parliament+0>
- New Zealand Government (2010) National Infrastructure plan. Retrieved March 9, 2010, from <http://www.infrastructure.govt.nz/plan/mar2010/nip-mar10.pdf>
- Whitehouse, I., Pearce, A. & McFadden, G. (2008) Canterbury Strategic Water Study (CSWS) Stage 3: Multi-stakeholder evaluation of water storage options. Retrieved March 6, 2010, from <http://www.canterburywater.org.nz/downloads/Stage-3-report.pdf>

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