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Water quality in stakeholder consultation II: facilitated review of policies and rules for a regional plan

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Water quality in stakeholder consultation II: facilitated review of policies and rules for a regional plan

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Summary and Keywords

This paper describes further progress in a new approach to stakeholder consultation for policies about agricultural land uses and water quality in rural waterways; a process that was begun early in 2012. The initial consultation events provided the basis for a future draft of Greater Wellington Regional Council's regional plan. As the next step in the consultation process, a workshop was held in late 2012 to which a range of stakeholders were invited. At the workshop, stakeholders considered ways to resolve possible conflicts in the possible policies and rules, and they suggested ways that the policies could be improved. In general, the participants supported the overall direction of the policies and rules and they had ideas about how they could be made more practical for landowners. Participants encouraged Greater Wellington Regional Council to work with primary industry organisations to encourage the use of preferred management practices through voluntary methods. Consistency and fairness was very important to the workshop participants and they did not want the policies to make exceptions for particular groups of landowners. The more exceptions to the general rules that were suggested the more that other participants wanted greater monitoring and enforcement by the Regional Council so that environmental bottom lines were still going to be protected.

Key Words: rural, landuse, policy, rules, regional council, regional plan

Introduction

Greater Wellington Regional Council (GWRC) has initiated a public and stakeholder engagement process to support the review and preparation of the region's management plan for natural resources (New Zealand Government, 1991, section 79). The engagement process began in 2010 with identification of regional natural resource issues and then the establishment in 2011 of general policy directions. In 2012, more specific policy directions were discussed with selected stakeholders including those related to water quality in rural areas. A paper describing the consultation process and its results was presented in 2012 (Parminter and Greenberg 2012). Later in 2012 regional council staff met again with stakeholders to further develop policies and rules related to specific sources of waterway degradation in rural catchments.

[1] This paper does not represent policies of Greater Wellington Regional Council and should not be used to indicate provisions in the future regional plan

Workshop methods

A workshop was held in Carterton in October 2012, with participants invited from stakeholder organisations associated with primary industries, environmental organisations and community organisations. Over 20 people participated in the workshop and were organised into four small groups based on their answers to the following questions:

> *"How much do you agree that in order for GWRC to protect water quality, it needs to have greater control over rural landuse?" Answer on a 1-5 scale.*
>
> *"How much do you agree that water quality limits need to be set at a national rather than local scale?" Answer on a 1-5 scale.*

The answers to these two questions were used to break the workshop into four groups, each group consisting of people with similar scores. Each small group had two workshop stages to complete on a prepared workshop template. In stage 1, participants in the small groups were asked to consider possible policies and rules about effluent; sediment and pathogens; and nutrients. Using post-it notes®, the participants were asked in stage 1 for their ideas on:

> Group 1. How to accommodate new information about water quality in regional catchments and about how water quality may be being affected by rural landuse?
>
> Group 2. Differences that might be needed in water quality policies for different landuses?
>
> Group 3. Provision of opportunities in the policies for primary sectors to innovate and increase production while avoiding or reducing their impact on water quality?
>
> Group 4. Differences that might be needed in water quality policies for existing landusers, landuse change, new landusers and the relative scale of capital investments each of these might require?

From the post-it notes each group then developed a general policy provision to address agricultural land uses and water quality.

In stage 2 of the workshop, the small groups each swapped their material with one other group. Without altering the other group's existing material, they used different coloured post-it notes to identify the strengths and weaknesses of the approaches identified by the previous group.

At the end of the workshop, a person from each subgroup provided the rest of the participants with a summary of their material.

Results

The following results are a consolidated summary of the material collected on post-it notes and written directly on subgroup templates.

1. *How to accommodate new information about water quality in regional catchments and about how water quality may be being affected by rural landuse?*

People in stage 1 of this group highlighted that each waterway needed defined targets and a strategic management plan with a timeline on how these were to be achieved, including regional plan provisions and industry initiatives. Participants considered that all the technical information required to enable change was already known. They suggested that having policies that used permitted activities for preferred practices, along with water quality measurements to follow progress in water quality, would support adaptive management in a strategic approach to implementation of the regional plan.

The second group reviewing the first group's material gave the set of policies a score of five out of a possible score of ten. They considered its strengths to be that it was output and effects based. They liked that it was time bound, relying on information sharing with a requirement for landowners to apply good practice.

The reviewing group criticised the policies for not including economic and social impacts. They thought that being so focussed on an existing selection of good practices would constrain innovation and so might slow progress towards achieving catchment outcomes.

The review group recommended that the policies include economic and social outcomes as well as environmental outcomes. They wanted more opportunities for innovative solutions to be developed by regional council staff working with industries and landowners.

2. *Differences that might be needed in water quality policies for different landuses?*

People in the first stage considering this question wanted effects-based policies that did not differentiate between landuses. They wanted a focus on best management practices and non-regulatory methods. The Regional Council needed to empower landowners to make good decisions by providing feedback about the effects of their decisions (e.g. Overseer©) and by catchment monitoring.

The people in the first stage wanted policies that were outcome based at a catchment scale, addressing the cumulative effects of all the landuses within a catchment. They wanted regional council staff to provide information and education and work with landowners to select best management practices that would be the most practical and economic in each situation. They proposed that each industry would have a set of best management practices to select from and local knowledge would be important too. Scientific studies were needed to assist landowners by providing information about the environmental processes leading to waterway degradation.

The review group liked the emphasis in the policies proposed by the first group for good management practices as a way of encouraging greater participation by landowners. However, they considered that there was a lack of consideration of cumulative effects of landuse practices on catchment water quality. The review

group were concerned that changes in landuse could undermine the possible gains made by the use of good management practices. They recommended that the policies should be matched to the state of water quality in different catchments. They thought that more time was needed in the policies for people to change their practices, and that some rules would be needed for people that would not move towards the use of good practices in the time given.

3. *Provision of opportunities in the policies for primary sectors to innovate and increase production while avoiding or reducing their impact on water quality?*

The first group said that encouraging innovation and flexibility to achieve catchment objectives would require policies in the regional plan that built and strengthened the relationships between GWRC and primary industry organisations. These strengthened relationships should not have to wait until the Whaitua[2] provisions were ready.

Total catchment loads would be the result of locally discrete effects accumulating throughout the length of catchments. They considered that efficiently and effectively addressing these effects in policies at a catchment scale required primary industries working supportively with GWRC. They said that GWRC should be working with primary industries and landowner organisations to build a common understanding of the state of the waterways in the region along with the variations between and within years. The science should be brought together by GWRC so that there could be a greater understanding by all parties of catchment processes.

This group said that addressing environmental and production goals would require an understanding of the economics of agricultural systems and how to select and encourage those practices that would have the least cost and greatest effectiveness for landowners to implement. GWRC land management officers (LMOs) were considered to have excellent relationships with landowners and their work could be extended to address total catchment objectives.

The review group gave the results of the first group a score of seven and a half out of ten. They considered that involving primary industries was the key to effective policies for water quality and that this was addressed by the first group's proposals. The review group were concerned that the first group had not addressed the introduction of rules after their non-regulatory methods had been given sufficient time. The review group recommended including clearer catchment objectives and ensuring that GWRC had sufficient resources available to provide the level of information expected.

4. *Differences that might be needed in water quality policies for existing landusers, landuse change, new landusers and the relative scale of capital investments each of these might require?*

This group said that the policies should largely consist of permitted activities with conditions. All landusers should be expected to work towards the same level of management of effects on water quality. Any policies affecting existing landusers and those that expected landowners to make large capital investments should give

[2] Whaitua are localised catchment committees, each preparing their own chapter of policy provisions for the regional plan. The chapters are expected to be completed after the rest of the regional plan has become operable.

them enough transition time to make any necessary changes. "Grandparenting" of nutrient allowances was considered to be unfair for many people by this group, and allowances based on landuse capacity were more acceptable. They said that guidelines were needed to support landowner decision making, from sound science results.

The review group gave these policies an average score of two and a half. They considered the strength of the proposal was its science-based approach. The weaknesses of the policies were that they didn't address water quality issues adequately. They said that the first group did not have enough restrictions on landuse change and were generally too permissive. The review group recommended that new landuses and changes in landuse should be controlled activities. They wanted education to be used to encourage the adoption of industry codes of practice. The review group considered that catchment based limits could form the basis of trading in allowances between landowners.

Discussion

The consultation workshop was intended to provide stakeholders with an opportunity to influence the content of policies and rules in the regional plan by negotiating these amongst themselves and with GWRC staff. The workshop format with the facilitated discussion turned out to be effective at enabling participants to express their ideas about policy provisions without them first adopting adversarial positions. This result occurred despite some participants contributing ideas that initially may have conflicted or been mutually exclusive. Having each group's results reviewed by a second group provided each group and GWRC with objective feedback about participants' ideas on policies and conditions. There was a lot of animated and informed discussion at the workshop and the beginnings of possible consensuses. In the time available it was not possible to develop these possible consensuses further. The results of the workshop have now been used to assist in the preparation of a working document of the regional plan before more consultation to develop a draft of the regional plan in early 2014.

Having an objective process to encourage self-critical reflection and conflict resolution has been shown in this example to assist community and industry participants to negotiate the detail of possible policy provisions and conditions.

References

New Zealand Government 1991. Resource Management Act No 69, Wellington, New Zealand.

Parminter TG and Greenberg ES, 2012. The use of policy scenarios for water quality in stakeholder consultation. Proceedings of 2012 annual conference of the New Zealand Agricultural and Resource Economics Society.

Acknowledgements

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Appendix A. Proposed regional plan conferencing on rural landuse provisions for water quality (nutrients, sediment, pathogens)

Workshop II – Development of policy approach

16th October 2012

The consultation workshop is to draw on the experience of stakeholder organisations for further development of proposed approaches to regional plan addressing freshwater in catchments throughout the region. These are for Stage 1 of the regional plan including default provisions.

Agenda (1.00am – 3.30pm)

1.00pm

- Called to order and Welcome
- Emergency procedures and Ground rules
- Participant introductions – name and:

1.15pm

Score 1-5. "How much do you agree that in order for GWRC to protect water quality, it needs to have greater control over rural landuse" and "How much do you agree that water quality limits need to be set at a national rather than local scale".

- Summary of the previous workshop report and how it fits in to the regional plan review including its fit with proposed provisions for urban and infra-structure and water allocation
- Questionnaire results and purpose of this workshop
- The relationship between provisions in the regional plan and those developed by Whaitua committees

2.00pm

- Session 1. In groups, consider the following contexts for methods and rules in the regional plan. Each group restricts themselves to their context. What approach to regional plan methods for water quality should be taken:
    1. How should the approach in the regional plan for managing non-point discharges of nutrients, sediments and pathogens be made adaptable to accommodate new information about water quality in regional catchments and how it is being affected by rural landuse?
    2. How should the approach in the regional plan for managing non-point discharges of nutrients, sediments and pathogens differ for different landuses? As examples forestry, commercial horticulture, vegetable growing, cropping, free-range chickens, free-range pigs, sheep & beef breeding, beef finishing, deer, dairying, lifestyle blocks, fibre goats?
    3. How should the approach in the regional plan for managing non-point discharges of nutrients, sediments and pathogens provide opportunities for sectors to innovate, increase production and avoid or reduce their impact on water quality?

4. How should the approach in the regional plan for managing non-point discharges of nutrients, sediments and pathogens differ for existing landusers, landuse change, new landusers and the relative scale of capital investments required?

- *Begin with post-it notes (green) from every individual and then consolidate these into a list of plan provisions. Include notes on how these address each group's particular perspective.*

At the end of the session, people can move on to new groups, only the facilitator stays behind.

2.30pm

- Session 2. In groups, each Session-2-group considers the results of the previous group (Session 1):
    - (blue) individual post-it notes identifying the strengths of the proposed approach
    - (pink) individual post-it notes identifying the weaknesses of the proposed approach
    - Collective recommendations for improvements

3.00pm Group report-back by facilitators

- Significant questions to be addressed following the workshop
- Summary with description of next steps (next meeting, distribution of record, plan progression)
- Close of meeting with thank you

3.30pm

Workshop ground rules

- We agree to take turns speaking and not interrupt each other.
- We agree to listen respectfully and sincerely try to understand each other.
- We recognise that, even if we do not agree, each of us is entitled to our perspective.
- We will point out if we feel the meeting organisers are not being impartial.
- We agree to follow the stakeholder consultation process as led by the meeting convenor.
- We don't discuss specifics about what occurred in the meeting, outside of the meeting (Who said what stays in this room). The official record will be circulated as a workshop summary.
- This workshop is not intended to restrict anybody's access to the RMA Schedule 1 process later on in the process.