



NEW ZEALAND ECOLOGICAL SOCIETY

8 April 2013

Water Comments
Water Reform Directorate
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Comments on the discussion document: 'Freshwater reform 2013 and beyond'

The New Zealand Ecological Society (NZES) was formed in 1951 to promote the study of ecology and the application of ecological knowledge in all its aspects. The NZES is the leading professional society for pure and applied ecology and publishes the New Zealand Journal of Ecology, which is the primary peer-reviewed publication for ecological science and research in the country. The NZES currently has a membership of 590, many of whom have provided expert evidence during plan and resource consent hearings. A number of members are accredited independent commissioners under the 'Making Good Decisions' programme. The NZES and its members regularly make submissions on matters of public interest that have important ecological dimensions. The NZES maintained an active involvement and submitted during the development and passage of the Resource Management Act.

Through its activities, the NZES aims to, among other things, "promote sound ecological planning and management of the natural and human environment".

The NZES has close relationships with the New Zealand Freshwater Sciences Society (NZFSS), the key professional society for practitioners in freshwater science and management in New Zealand. A number of practitioners are members of both societies. The NZES endorses the comments made by the NZFSS on the freshwater reforms and also makes brief comments below on ecological matters of particular relevance to the Society's objectives. Strong environmental policy and robust planning frameworks go hand-in-glove with ecological outcomes, and where the two are indivisible we have provided comments.

With regard to the public discussion on RMA reforms running in parallel to this discussion, the NZES has submitted separately on the former discussion document.

Summary of feedback and general comments

1. The NZES supports much of the proposed reform package where it enables more integrated, targeted and sustainable management of New Zealand's freshwater resources. The proposals generally build on the good work and sound collaborative processes of the Land and Water Forum (LAWF) to result in a generally well thought-through package that has the potential to improve current processes relating to freshwater management.

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2. The NZES has no objections to the proposed amendments to the RMA required to support the freshwater package. These amendments stand in contrast to other proposed reforms of the RMA (discussed in a separate discussion document) which the NZES has opposed in several fundamental respects.
3. The proposed reform is heavily reliant on a package of guidance and support required from central government. The NZES is concerned about the availability of resources and expertise that will be required to develop and implement this guidance.
4. The NZES is concerned that key aspects of the proposed freshwater reforms would be significantly undermined by the reform of Part II of the RMA currently proposed.

Specific feedback on discussion document

Today's challenges

5. The NZES strongly believes that the discussion document (p13) understates declining water quality in New Zealand and the significance of water quality for environmental quality including biodiversity conservation.
6. New Zealand's unique indigenous biodiversity, including freshwater biodiversity, is greatly reduced² and continues to decline, as does water quality¹. Wetland habitat has been reduced to 10% nationally². Like New Zealand's terrestrial fauna, indigenous freshwater and estuarine fish are in a state of decline (67% of species are Threatened with or At Risk of extinction³). Aquatic habitat is increasingly being compromised or lost due to the impacts of intensification of agriculture, industrial discharge and urban development.
7. A number of statements (e.g. p20, p33) refer to 'overall' water quality. These statements need to be further defined. The NZES opposes methods that allow for 'sacrificial waterways' or trade-offs between the health of one waterbody for another. Such an approach does not meet the requirements of sustainable management, nor the ecological needs of healthily functioning waterbodies.
8. As well as scientific reporting and monitoring of declining water quality and native biodiversity, NZES notes that water pollution and water-related issues are rated by New Zealanders as the most important environmental issues facing New Zealand. The general state of freshwater is thought to be good but respondents cite issues at regional and local levels with streams and sometimes with lakes⁴. On specific pollution sources, a high percentage of respondents thought that the management of farm effluent and runoff was 'bad' or 'very bad'.

¹Walker S, Price R, Rutledge D, Stephens RTT, Lee W 2006. Recent loss of indigenous cover in New Zealand. *New Zealand Journal of Ecology* 30(2): 169-177.

¹ <http://freshwater.science.org.nz/index.php/news/media-statement-nzfs-key-closing-messages/>

²Ausseil AG, Gerbeaux P, Chadderton WD, Stephens T, Brown D, & Leathwick J. 2008. Wetland ecosystems of national importance for biodiversity criteria, method and candidate list of nationally important wetlands. Landcare Research Report No. LC0708/158. Wellington.

Myers S.C., et al., Wetland management in New Zealand: Are current approaches and policies sustaining wetland ecosystems in agricultural landscapes? *Ecol. Eng.* (2013), <http://dx.doi.org/10.1016/j.ecoleng.2012.12.097>

³ Allibone R, David B, Hitchmough R, Jellyman, Ling N, Ravenscroft P, Waters J 2009. Conservation Status of New Zealand's freshwater fish. *Journal of Marine and Freshwater Research* 44(4):271-287.

⁴Hughey, Kenneth F. D., Kerr, Geoffrey N., Cullen, Ross 2010. Public perceptions of New Zealand's environment. *EOS Ecology*, Christchurch. vi+115 pp. ISSN 2230-4967

Planning as a community

9. The NZES notes the success of the Land and Water Forum in building consensus and applying scientific understanding to complex resource management issues. It supports the concept of a collaborative planning process for freshwater-related regional plans and policy statements (reform 1) but notes that this process must have prior commitment from all stakeholders, otherwise it is very wasteful of time and resources.
10. The NZES also notes the need for support in developing collaborative processes by central government. Indeed as a general comment, it is noted that many of the proposals in the reform package overall are heavily reliant on a package of guidance and support required from central government. Examples of support and guidance needed include:
 - a. supporting implementation of the collaborative process (p25)
 - b. direction around the approach, methods and processes to be used under the National Policy Statement for Freshwater management (p 28)
 - c. establishment of the regulated National Objectives Framework to support regions to set freshwater objectives and limits (p29 and 31)
 - d. guidance and regulation on compliance and enforcement (p38).

The NZES is concerned about the availability of central government resources and expertise that will be required to develop and implement this guidance. It notes that under recent re-structuring of the Department of Conservation, it will be extremely difficult to provide any additional guidance and support from that department. The Ministries for the Environment and Primary Industries are also operating on very tight budgets and have some critical shortages of scientific expertise. It will also be a challenging task for councils and communities to implement the proposed changes and support from central government needs to form part of the package.

National Objectives Framework

11. The NZES strongly supports the work supporting the National Objectives Framework, specifically the immediate and next step reforms discussed under Reforms 3 and 4. The work shown in the table of river values and related attributes (pp 30-31) is well supported ecologically. It is noted, however, that the “values and related attributes” (pg30) should also address protection of ecosystem values and types (e.g. representative riverine ecosystems such as braided rivers) as well as ecosystem health and protection of species.
12. The NZES supports the proposed requirement for water bodies to meet minimum standards for ecosystem (and human) health but notes that will require significant additional work to specify ‘environmental bottom lines’ for water bodies.
13. The national objectives framework (and any other limit setting at the national or regional levels) needs to provide for aquatic ecosystems to be maintained and enhanced. Managing only for ‘overall’ water quality, while allowing continued degradation within a ‘band’ will not promote the sustainable management of freshwater resources. Similarly, although the NZES supports the development of guidance and direction for ‘outstanding freshwater bodies and significant values of wetlands to be identified and protected’ (p33), such work must not allow the risk of second-class or poor management or loss of ‘non-outstanding’ water bodies. For example, the extent of wetland loss in New Zealand is such that protection of wetlands requires more than just identifying outstanding wetlands but maintaining and restoring the full range of wetland ecosystems throughout a region or district (often small remnant systems).

14. The NZES supports the comments of the NZFSS in regard to peer review of the national objectives framework process, and specifically its offer to assist with this review role.
15. The NZES is very concerned that key aspects of the proposed reforms, in particular the effective implementation of a National Objectives Framework, would be significantly undermined by the reform of Part II of the RMA currently proposed. In particular, the proposed deletion of Section 7(d) [intrinsic value of ecosystems], Section 7(f) [maintenance and enhancement of the environment], and Section 7(g) [any finite characteristics of natural and physical resources] would be a barrier to the successful implementation of a National Objectives Framework because these sections contribute strongly to the maintenance of the life-supporting capacity of aquatic ecosystems. The proposed downgrading of the protection of wetlands (section 6a) from a matter of national importance to merely one of many principles that should be given regard to, and the introduction of non-environmental considerations into section 6 will not serve freshwater management well.
16. The NZES does not support aspects of Reform 5 regarding Water Conservation Orders (WCO) (p 33). The NZES notes that WCO generally provide the highest level of waterbody protection available in New Zealand and that water bodies protected by WCO are in some respects equivalent to national parks.
17. Because of the conservation significance of WCO, applications for them should continue to be heard at a national rather than a regional level. It is important that the high status of WCO is maintained and applications for new WCO should be heard in a timely manner.

Managing within quantity and quality limits

18. The NZES supports the concept of industry Good Management Practices (GMP), which can be an efficient means of maintaining water quality. However, to be effective GMPs must be well supported by central government in their development (as noted by the Land and Water Forum), and underpinned by compliance monitoring and regulatory measures⁵.
19. The NZES supports the comments of the NZFSS in regard to peer review of science, research, knowledge and information needs for managing within quantity and quality limits, and specifically in regard to the proposed review of the Water Research Strategy.
20. The NZES accepts that because of the time lag between changes in land and water use and management practices, and results reflected in waterbody parameters, it will be many years before improvements are seen in water quality in some catchments. Because of this time lag, water quality parameters will also continue to decline in many catchments and this will need to be taken account of in developing policies.



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⁵Binning C 2000. Conserving biodiversity – institutions, policies and incentives. NZ Treasury Working Paper 00/26.