



**THE PACIFIC INSTITUTE OF RESOURCE MANAGEMENT,
Publishers of Pacific Ecologist**

PO Box 12-125, Wellington, New Zealand.

Phone: +64 4 9394553 E-mail: pirmeditor@paradise.net.nz

www.pacificecologist.org ; www.pirm.org.nz

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To: The Ministry for the Environment

SUBMISSION ON “FRESHWATER REFORMS 2013 AND BEYOND”

Submitter: Pacific Institute of Resource Management

Contact: Dr Cliff Mason
21 Voelas Road
LYTTELTON 8082
Telephone (03) 328 8538
e-mail: cliff.mason@hotmail.com

The Pacific Institute of Resource Management (PIRM) welcomes the opportunity to comment on this Discussion Document. PIRM is a long-established organisation dedicated to promoting the sustainable use of the earth's resources. It publishes the journal "Pacific Ecologist" We have made frequent submissions to government on environmental and social issues including submissions on the Resource Management Act (Simplifying and Streamlining) Amendment Bill 2009 and on the proposed Environmental Reporting Bill of 2011. These and other submissions are available on our website.

The Institute is generally supportive of work to improve management of freshwater in New Zealand. There is unequivocal evidence of a widespread deterioration in the quality of ground water and water bodies across the country with an obvious threat that this will continue and possibly accelerate as the result of deleterious influences of agriculture and industry and the effects of a growing, more urbanised and affluent society. Recognising that the Freshwater Reforms are part of wider resource management reform, we refer you to our recent Submission on "Improving the RMA" and the relevant opinions expressed therein.

The attitude of PIRM toward the proposed Freshwater reforms is one of reservation. This is because of significant uncertainty of the rationale for and implications of the present set of proposals, especially as these are identified as an early stage in a wider reform programme. Identifying these points of reservation in turn:

- 1) The Discussion Document lacks any substantial reference to the role of freshwater in manifesting and supporting the intrinsic value of the environment. Almost universally, the frame of reference is purely one of the human utility or amenity value of freshwater. The concern is that, lacking recognition of intrinsic values of ecosystems and the freshwater component of these systems, allowance for the freshwater requirements of natural systems will be underemphasised and, particularly in places where there is an existing large allocation of water to commercial purposes, that an insufficient buffer reserve will be allowed for natural systems to ensure their continued functioning under conditions of water shortage.
- 2) The bias toward commercial exploitation of freshwater resources, while relatively subtle, is evident in this document as it is more overtly in the RMA Discussion Document. The economic imperative, that the water 'resource' should be allocated to the 'highest value' (in money terms) use is one major expression of this bias.
- 3) There is an underlying assumption that there will always be a "win-win" outcome that can be found by clever management. This "have your cake and eat it" approach minimises or obscures the presence of real physical limits in the quantity and quality of freshwater. This assumption is out of touch with the reality of operation within physical constraints when there can be no better than a zero-sum outcome in any allocation of a resource between competing uses.
- 4) There is also an underlying assumption that certainty can be achieved by better management. Again, this is an unrealistic notion when dealing with natural real-world systems. Freshwater availability in a situation of climate change is particularly uncertain and this uncertainty cannot be ameliorated by any available technology or administrative approach.
- 5) There is no justification given for the plan to develop a new management structure in the form of the National Objectives Framework (NOF). It is not made clear why there is any need for a new structure when the RMA provides National Policy Statements and National Environmental Standards as powerful tools for implementation of the Act's purpose. The Document acknowledges deficiencies in the present NPS for Freshwater and the need for changes in this Statement but gives no reason for the NOF as a mechanism. There does not appear to be any reason why the matters intended for inclusion in the NOF cannot be addressed under the existing structures. Change from established methods is fraught with possibilities for unforeseen complications and waste of administrative resources. PIRM suggests that the aims of the Framework should be met by using the existing and proven structures.
- 6) While a new collaborative process for developing freshwater management on a regional basis has much to recommend it, again PIRM has reservations about the need for a new system rather than an adaptation of the existing one and notes the risk that the devolution of decision making that the collaborative system proposes runs the risk that powerful local interests contrary to the interests of the environment may prevail.
- 7) The immediate actions are heavily weighted toward measurement and accounting; an area full of technical difficulties. There seems a risk that the time required to develop robust accounting systems may seriously delay urgently needed action to arrest ongoing damage to regional hydrology as a consequence of present activities. Some matters need to be addressed immediately, even with inadequate or incomplete data.

The Pacific Institute of Resource Management appreciates the opportunity to make this submission and wishes to appear at any Select Committee or other public hearing to expand upon and clarify the matters outlined above.

Yours sincerely,
Cliff Mason
21 Voelas Road
Lyttelton 8082
'phone (03) 3288538