

## **Third Report of the Land and Water Forum "A Significant Change"**

On 15 November a major report was issued by the Land and Water Forum ("the Forum"). This is its third report ("the Report") with recommendations to the Government for fresh water management in New Zealand and will be highly relevant to all with an interest in freshwater management in New Zealand.

The Forum is the first time a disparate group of stakeholders has come together to explore different paths for the management of fresh water. Stakeholders include Fish and Game New Zealand, Federated Farmers, iwi, councils, Meridian Energy, the Environmental Defence Society along with numerous others.

The Report contains 67 recommendations that along with the first two reports form a comprehensive package of proposed reforms for Central Government to consider. The recommendations are presented as a total package, rather than individual recommendations that can be actioned in a piecemeal fashion. The Forum promotes its proposed regime as involving "a significant change in culture and behaviours in the way we use and manage water in New Zealand".<sup>1</sup>

The overarching recommendation 1 sets the scene:

Central Government and regional council frameworks for allocating water and managing discharges of contaminants need to be accountable, efficient and fair. They should ensure that:

- freshwater objectives are achieved and limits are met over the time period established by the regional planning process
- water, land and related resource use is efficient, dynamic and maximises long-term economic welfare
- social equity is considered in decision-making

At a national level the Report recommends a raft of measures requiring guidance, assistance and oversight from central government of regional councils.

At a regional level the Report contains a series of detailed recommendations on prioritising, processes, setting of limits, interim regimes, monitoring and other management methods and issues. It recommends that regional councils make plans with collaborative processes preferred at a catchment level, in an integrated way.

While many of these recommendations are not inconsistent with the RMA, and could be undertaken under the current regulatory regime, if implementation is to be undertaken as a comprehensive package and enforced as such, then the use of national policy statements, national environmental standards and/or the reform of the RMA may be required.

The role of the Environment Court, in the context of collaborative policy and plan making is still a hotly contested item in the Forum. Some in the Forum hold the view that in order to incentivise good faith participation in collaboration processes and to give them the best chance of success access to the Environment Court should be restricted. Other stakeholders see a continued role for the Environment Court in the planning process. These stakeholders' concerns revolve around the ability of some parties to participate, the quality of outcomes and the equity of the planning process.<sup>2</sup>

The Forum has agreed to meet again in July 2013 to assess any Central Government response to the Report. The Forum also intends at that time to consider if it can play a future role in relation to land and water management.

The Minister for the Environment Amy Adams has indicated the recommendations will be carefully considered in the context of the freshwater reform programme.

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<sup>1</sup> Third Report of the Land and Water Forum, October 2012, page ix

<sup>2</sup> Pages 73 and 74

Contact us if you have any queries about the implications of the report, which can be accessed [here](#).

## Contact Us



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