

**SPEAKING NOTES**  
**for**  
**THE WATER RIGHTS TRUST**

**Before the Commissioners hearing evidence on 13 June 2008:**

IN THE MATTER OF the Resource Management Act 1991

And

IN THE MATTER OF the Central Plains Water Trust (CPWT) and The Ashburton  
Community Water Trust (ACWT)

**I began with the statement that I was presenting in the place of Murray Lane. The commissioners and others extended their best wishes for Murray's recovery.**

Our approach in Canterbury to managing our waters so far is based on the assumption that we can have our cake and eat it too. That is, we can maximize our use of water and land to produce food and fibre, while protecting the health of rivers, streams and lakes and groundwaters.

The Water Rights Trust (WRT) is not opposed to managing water for irrigation, providing such management is sustainable in the taking, storing, distribution and use of the water. By sustainable, we mean that our rivers streams and lakes are ecologically healthy and fit for recreational contact, and our ground waters are fit for human consumption.

The evidence thus far is that we are doing well in maximizing production from intensive land-use, but we are degrading our rivers, streams and lakes and risk contaminating our drinking water. This is happening under the umbrella of the stated good intentions of the Resource Management Act (RMA), Environment Canterbury (ECan), the Ministry for the Environment, the Ministry for Agriculture and Forestry and many, but not all, in the rural sector. Mitigation measures so far being applied are not doing what is required. The degradation is already happening in the central plains, without the additional impact of a scheme of the scale of Central Plains Water (CPW). The evidence clearly points to the need for more stringent controls over how we use our natural capital for economic purposes, if our natural capital is to be preserved for the benefit of the people who will follow us.

The submissions made concerning CPW indicate that the science describing the actual and potential degradation of our waters is uncertain. The economic outcomes from the scheme are uncertain. The legislation and enforcement practices derived from that legislation are inadequate, pending the completion of the National Policy Statement and National Environmental Standards from the government's Sustainable Water Programme of Action and ECans Natural Resources Regional Plan.

The existing ‘first come, first served’ requirement under the RMA is driving development of intensive farming forward at a pace that is at odds with the development of science based legislation and regulations that would help ensure environmentally sustainable practices. ECan’s intention towards implementing integrated catchment management has the potential to lead the region to achieving the best use of our land and water in an environmentally sustainable way – to achieve the “*one best way*” that will maximize production within sustainability limits. To achieve this will require a fully co-operative rural sector, that is able to commit to a greater extent than is evident now when it comes to working within environmental constraints. Perhaps this *one best way* does not include large storage schemes as the means to irrigate all the remaining drylands across the plains just yet - because the rural sector has still to acknowledge the extent to which they must adapt.

Much has been made by the applicant over the use of a sustainability protocol and adaptive management techniques to adjust farming practices to emerging science. But how far can such adaptive measures be taken if the economics of the scheme are marginal? The risks of locking the region into long term unsustainable use of our water are very real and very substantial. Particularly when there is already a huge job to be done in reversing and remedying existing damage.

If the worst happens, and the regions drinking water becomes increasingly contaminated, what then? How do you distinguish the impacts from farming practices of farmers within the scheme and those outside the scheme? Particularly when impacts on drinking water can take decades to materialize? Could such an occurrence require a forced change in farming practices such that farmers can no longer run economically viable units? I doubt that would happen. At the end of the day, with a scheme of this magnitude, economic imperatives would prevail over environmental ones. That is why it is so important to have much greater certainty on both the economics and environmental impacts of this scheme before deciding to implement it. In the view of the Water Rights Trust, where expert opinion is divided, such disagreement needs to be resolved – both among the scientists and among the economists acting for the various parties.

A common catchcry from the rural sector leadership is that ‘we are doing our best’ when it comes to environmentally sustainable farming practices. But clearly, their efforts are falling short of what is required. The only difference between ‘doing our best’ and ‘doing our worst’, or ‘nothing at all’ when it comes to looking after our pure water resources is the time it takes to contaminate them. A mountaineer knows full well the futility of carrying inadequate gear. Much better to leave it at home, and make do without it. Maybe that’s what we should do with our water. Forget about trying to manage it sustainably, and get on with the job of producing all that we can. It may save our country many tens of millions of dollars in fruitless expenditure. At present, we are seriously at risk in getting the worst of both worlds, behind a highly public façade of earnest endeavour. There are many reports that point out the losing battle we seem to be fighting towards achieving sustainable outcomes, produced by various institutions such as ECan, NIWA, MfE, and others.

Maybe we should face the reality of our existing situation more directly and put the choice before the wider public of the region, in clear, simple terms: That is, would we prefer less growth and retain our clean water and healthy rivers, streams and lakes, or do we want to keep the foot hard down on the growth accelerator, and accept environmental impacts as part of the cost of doing business? If given the opportunity, the Canterbury Strategic Water Study may help determine the wider community's answer to this question.

We need to understand more clearly what is the opportunity cost for the region in ensuring our rivers, streams and lakes are fit for contact recreation, and our groundwaters are fit to drink, compared with allowing or risking their ongoing degradation. What value does the community place on maintaining its clean water and healthy rivers, streams and lakes? How important is this to our global image, and our tourism industry? These considerations must be offset against whatever economic benefits are finally agreed may be generated by the scheme - if there is no absolute guarantee that the health of our waters can be maintained to an acceptable level.

The CPW hearings process will go a long way towards clarifying the potential impacts and where the areas of uncertainty lie for the CPW scheme. The WRT maintains that the decision as to whether the scheme should proceed or not should be deferred until the economic, social and environmental impacts are clearly understood, legislation and management frameworks are in place, and the community has been given the opportunity to decide whether the region should commit to such a path in the first place. Such deferral should also extend to all other applications to take water for irrigation so that the accumulation of multiple smaller takes don't close out the prospect of larger schemes in the meantime.

We acknowledge that such a step would require government intervention and is beyond the mandate of this panel. But we would be grateful if the commissioners saw fit to include such a recommendation in their conclusion. If such a comprehensive pause is not practicable, then it is the view of the WRT that the application should be declined.

Murray Rodgers  
Chairman  
Water Rights Trust