

## Notes re RWC session on Equity – 21 Nov 2016

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### 1. Introduction

At a meeting of the Ruamāhanga Whaitua Committee (RWC) on 21 November, the author presented a summary of the short report “Equity Considerations in Freshwater Management”. The report identified equity dimensions of freshwater management issues that might warrant consideration by the Committee as it develops its Whaitua implementation plan.

RWC members were asked to identify an equity issue that they would like the Committee to address in its recommendations, and to suggest a “should” statement of principle to guide decisions on that issue. There were asked to also identify qualifiers or conditions to that principle that would accommodate other concerns, including competing equity principles. An example was given: “No one should be allowed to water their lawns/gardens unless they are growing vegetables.” See Figure 1. Finally, RWC members were asked to identify some questions that the Committee could use to assess how well the equity principle is met by any given policy scenario under consideration.

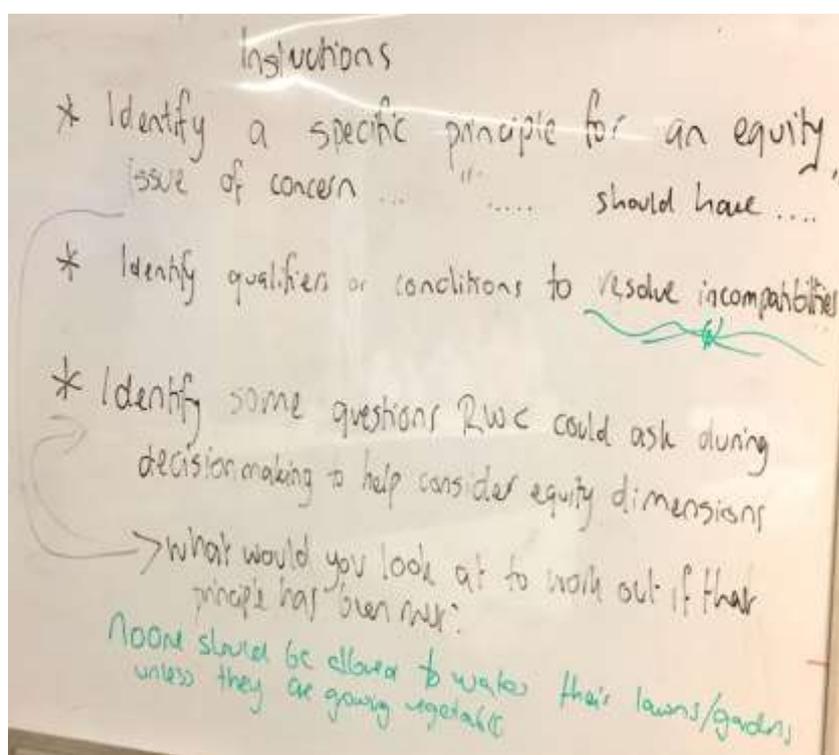


Figure 1. Instructions to RWC for exercise on equity principles

Members offered four draft principles, and then broke into groups to refine these further. Following is a brief discussion of each of the four suggested principles. Comments on each were added by the author of this report when the workshop notes were written up.

Three of the four principles that were suggested are reasonably specific compared to more general principles such as ‘everyone should have equal access to water’. As these more specific principles are refined, clarified and qualified, the resulting statements may be quite close to policy conclusions that the RWC could adopt. This serves to highlight that virtually all policy decisions will have an equity dimension, and equity effects will be an important consideration in deciding how objectives should be achieved.

## 2. Equity principles suggested by the RWC

### 1. Managing hill country erosion

#### **Statement starting point**

“To meet soil conservation objectives, hill country farmers should keep their soil on the land”

#### **Discussion points from the group**

- The responsibility for sediment mitigation lies with the landowner
- Compensation
- Vulnerable soils / high risk land; community shares the sediment mitigation cost burden of high risk land

#### **Measure**

Rate at which sediment practices are adopted on high risk land

#### **Comment**

There are multiple dimensions of equity in play here:

- People generating sediment vs in-stream interests
- Hill country farmers vs other sources of sediment
- Ratepayers vs people generating sediment

The suggested principle identifies hill country farmers as a source of sediment, and that they should reduce their impacts on in-stream interests. What about other sources: forestry operators, subdivision developers, lowland farmers (e.g. deer and dairy)? Should these people also be responsible for mitigating sediment from their land?

The initial statement implies that the responsibility (and therefore cost) of mitigation rests with the landowner but, in the discussion, there was some support for financial assistance from the community. If assistance is offered, is it available to all sources of sediment? If not, on what basis would you discriminate?

The suggested measure (“Rate at which sediment practices are adopted on high risk land”) is appropriate for ex post assessment of the effectiveness of sediment management policies, but not ex ante assessment of whether the policy itself is consistent with the equity criterion.

#### **For further consideration**

A revised principle could be along the following lines:

“To meet soil conservation objectives, all land owners (rural and urban) should be required to implement and maintain good management practices to minimise sediment loss, with financial assistance made available.” To implement such a principle, a policy would need to identify who would be eligible for assistance and what other criteria would apply.

A measure of whether this principle is satisfied might be simply the presence of rules requiring good management practices to minimise sediment loss and a programme of financial assistance with criteria that are considered fair and equitable by the RWC.

## 2. District council wastewater discharges

### ***Statement starting point***

“In cleaning up water quality issues, councils should be given time to move to land disposal”

### ***Discussion points from the group***

- A time frame that is affordable
- Council provides a service, is a not for profit.
- Process needs to be equitable between the dairy farmer; municipal authorities; sheep and beef and DOC (both creating sediment issues); trade waste;
- We need to see treated waste water as a resource.
- FMUs

No assessment measure was suggested.

### ***Comment***

The dimensions of equity in play are similar to the first topic:

- People generating pollution vs in-stream interests
- Council sources vs other sources of pollution

The principle suggests that in-stream interests should be patient and allow time for councils (and their ratepayers) to move to land disposal. One discussion point suggests that councils should be treated differently than commercial, for-profit enterprises, while another suggests the opposite. The RWC will need to consider which stance it prefers and why.

The comment that ‘we need to see treated waste water as a resource’ does not have clear equity content, but could be seen as an argument for requiring councils to comply sooner rather than later—if wastewater is a resource, then it might have financial value that shouldn’t be wasted and might even help to offset the cost of moving to land disposal.

The intent of the reference to freshwater management units (FMUs) is unclear.

### ***For further consideration***

If councils are required to move to land disposal of wastewater, the RWC will need to consider how much time councils are allowed for compliance and how this compares with requirements placed on others discharging into the environment. Should the principle be amended to refer to other dischargers? Which ones and why? Are there any conditions that should be imposed on whether or how much time a discharger is given to comply?

A measure of whether this is satisfied would be how well the final principle is reflected in any rules.

### 3. Drinking water

#### **Statement starting point**

“Everyone should have access to drinking water.”

#### **Discussion points from the group**

- The handing out of rights to abstract water and discharge contaminants should not be at the expense of an individual’s access water for their personal needs (WHO, USEPA)
- Principle – that personal needs are guaranteed in policy
- All humans have a right to access water for individual needs (personal)
  - access to drinking water
  - volume required for drinking / washing etc
  - access to ‘clean’ water
  - cost of treatment
  - onsite domestic compared with municipal treatment
  - cost of development
  - institutional arrangements in the way water has been allocated
  - right to pollute (institute)

No assessment measure was suggested.

#### **Comment**

The dimensions of equity are not entirely clear from the principle itself—whose interests are causing some people to have less than adequate access to drinking water? However, the first discussion point implies that abstractions and discharges are affecting drinking water and that this is seen as inequitable. Are there some groups that have less access than other groups? Are the groups without adequate access to water disadvantaged socially or economically and thus more vulnerable than others?

While the principle was initially framed around drinking water, the discussion highlighted that the need goes beyond this. The World Health Organisation (WHO) and the United States Environmental Protection Agency (USEPA) have guidelines for how much water a person needs per day for domestic purposes. This includes drinking water, water for cooking, bathing and personal hygiene, laundry, etc.

Some of the other discussion points are quite short and difficult to interpret. “Onsite domestic compared with municipal treatment” could mean that municipally treated supplies should be seen as an adequate substitute for people having onsite access to clean water. Conversely, “cost of treatment” could imply that onsite access to clean water is preferable because (or where?) treatment costs are too high.

#### **For further consideration**

As drafted, this principle is a higher level statement than the first two topics. As such, it is less directly translatable into a policy recommendation but no less valid as a principle to guide policy. Here, the criteria by which one would measure consistency with the principle become more important, and require more specificity of what is currently limiting people’s access to adequate water for domestic needs. The measure would then be whether there are provisions in RWC’s recommendations that address these issues sufficiently to ensure people have adequate access.

#### 4. Access to water for irrigation or business

##### ***Statement starting point***

“No one should be hindered in accessing water for irrigation or business due to privileged access for others.”

##### ***Discussion points from the group***

- Each catchment needs to be mapped
- Existing water users need to be given time to get a return on existing investment: consent holders will be aware that there is no right in perpetuity to their allocation

No assessment measure was suggested.

##### ***Comment***

The equity dimension in the suggested principle concerns the allocation of water to different business enterprises, i.e. the ‘haves’ vs the ‘have nots’. Other possible dimensions are business users vs domestic users, and all abstractors vs in-stream interests. For example, if all irrigation and business users were “not hindered”, depending on the interpretation and how this were done, it could reduce the availability of water for domestic purposes or impact on the quantity and quality of water for in-stream uses.

Is this principle primarily aiming to ensure that no one has privileged access to the disadvantage of others, or is it aiming to provide more equal access to all potential users. The former can be achieved by defining and preventing privileged access, but further steps would be required to achieve more equal access.

##### ***For further consideration***

To operationalise this principle, the Committee would need to first agree what is meant by ‘privileged access’. Anyone with a consent to take water is in some respect privileged unless everyone has equal access. Can ‘privilege’ be defined more narrowly?

Secondly, how would equity concerns of other users be accommodated? One possibility is to prioritise uses, e.g. how would the RWC rank domestic needs (based on x litres/day), ecological needs (perhaps based on a defined degree of protection for a specific species or composite indicator), commercial users and in-stream users?

### 3. Next steps

RWC members are encouraged to reflect on the above comments and consider how they might refine one or more of the principles to provide greater direction for policy, while taking into account other groups that might be affected.

The social impact assessment will help the RWC to identify groups that are relatively disadvantaged socially or economically and how these groups would be affected by different policy scenarios. Some aspects of disadvantage may be related to water policy, while the RWC may have little scope to address other aspects of inequality. The social impact assessment might stimulate RWC members to identify other equity issues and principles that could be used to guide policy recommendations.

With additional workshop time, these and other principles can be developed further by the RWC, with the aim of reaching agreement on some principles. Alternatively, equity principles can be developed and used by individual RWC members as rationale for positions taken when the committee comes to debate what to recommend in its Whaitua Implementation Plan.

In the process of discussion, debate and compromise, the RWC will arrive at some equity principles with qualifications to accommodate the equity concerns of other groups.