# Report to the Collaborative Stakeholder Group – for Agreement and Approval

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| **File No:** | 23 10 05CS |
| **Date:** | 20 May 2015 |
| **To:** | Collaborative Stakeholder Group |
| **From:** | CSG Chairperson – Bill Wasley |
| **Subject:** | Finalising the Policy Selection Criteria |
| **Section:** | **Agreement and Approval** |

# 1 Purpose

The purpose of this report is to confirm and agree upon the Collaborative Stakeholder Group's (CSG) Policy Selection Criteria

**Recommendations:**

1. That the report "Finalising the Policy Selection Criteria" (Doc 3406456 dated 20 May 2015) be received for information.
2. That the Collaborative Stakeholder Group's Policy Selection Criteria be approved and recommended to the Healthy Rivers Wai Ora committee for confirmation

# 2 Background

The CSG's Policy Selection Criteria (PSC - #3183705) are the filters the group will use to choose between different policy options. The PSC were initially developed by the CSG in September 2014 (v2 – dated October 2014). They were then refined using feedback from stakeholders following public consultation at a large workshop held in October 2014 (v3 dated 31 October 2014).

At CSG11 (23/24 April 2015) time was spent editing the policy selection criteria (v4 – dated 24 April 2014) in response to feedback from River Iwi and others. At this meeting the Sheep and Beef sector member requested they be able to check in with their sector before confirming a criterion that was particularly relevant to their sector. This request was granted and the criterion in question was confirmed the following week. The final version of the PSC (v5 – dated 24 April 2014) is attached as Attachment 1, a list of the edits made to the PSC at CSG11 is shown in Attachment 2 and feedback from River Iwi is shown in Attachment 3.

# 3 Sign off process

Once approved by the group, the CSG's PSC will be presented to the Healthy Rivers Wai Ora committee for confirmation and recommended to Council. As per the Healthy Rivers Wai Ora committee terms of reference, should Council wish to make any changes to the PSC this will have to be brought back to the Healthy Rivers Wai Ora committee to be agreed upon.

# 4 Applying the CSG's PSC in different phases of policy development

At CSG11 there was some discussion regarding ordering or prioritising the PSC. It was suggested that dividing the criteria into three stages may be an appropriate split for the policy development process. The CSG10 report titled 'Template for Waikato Regional Plan Change No. 1 - Waikato and Waipa River Catchments' (#3248906) contains details of where the CSG's PSC could fit into the three stages of policy design. In this report, the criteria were split into those that assisted in setting limits and targets, selecting the policy instrument(s) and those that were about sharing the cost (see attachment 2).

There are other ways of splitting up the CSG criteria, depending on how they are being utilised. The TLG work on flow on the implications[1] of the plan change split the criteria into: outcomes, guiding principles or processes that could be used to test the impacts of policy, and indicators to assess the impact of scenarios. The criteria which have been included in the new draft integrated assessment framework are the criteria which align with the first phase of policy development (setting limits and targets).

In addition to the CSG's Policy Selection Criteria there will be other considerations and information that inform the development of the plan change content. The section 32 will have additional statutory requirements for evaluating provisions[2].

# 5 Summary

The CSG's PSC has been through a series of iterations since it was first created following feedback from stakeholders, River Iwi and others. At CSG11 time was spent editing the PSC and the group reached a position it was comfortable with after thorough consideration of all feedback. One outstanding criterion at CSG11 prevented approval of the PSC at that meeting; however the criterion in question was received soon afterwards.

In order to 'sign off' the PSC, final approval of the PSC is now required by the group, followed by a recommendation to the Healthy Rivers Wai Ora committee for confirmation.

*Report prepared by:*

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*Reviewed by:*

**Bill Wasley**
Chairperson, Collaborative Stakeholder Group

**List of Attachments:**

**Attachment 1**: The CSG's Draft Policy Selection Criteria
**Attachment 2**: Policy development division of the CSG's PSC
**Attachment 3**: List of changes made to the draft policy selection criteria
**Attachment 4**: Feedback from river iwi staff received by CSG at CSG 11 (23/24 April 2015)

[1] New Integrated Assessment, prepared for CSG11 23/24 April 2015 by Liz Wedderburn on behalf of the TLG
[2] See s32 evaluation report template #3306075 which was presented at CSG11

**Attachment 1: The CSG's Draft Policy Selection Criteria**

# The Collaborative Stakeholder Group's Draft Policy Selection Criteria

24 APRIL 2015

**Gives effect to the Vision and Strategy**

Does the policy give effect to the Vision and Strategy for the health and wellbeing of the Waikato and Waipa rivers?

**RMA (including the NPS Freshwater Management)**

Does the policy:

- comply with the RMA (including the purpose of the Act)?
- take account of existing policy frameworks?

**Provides for Māori aspirations**

Does the policy:

- provide for Māori to retain and use their taonga in accordance with their tikanga and kawa?
- give effect to Māori environmental, economIc, cultural and social relationships with land and water?

**Gives positive social and community benefits**

Does the policy:

- minimise social disruption and provide social benefit?
- enhance people's use of the river?
- take account of unique features and benefits?
- result in outcomes people can identify with, own and feel proud of?
- achieve the range of values identified?

**Acceptable to the wider community**

Does the policy:

- achieve sound principles for allocation?
- recognise efforts already made?
- exhibit proportionality (those contributing to the problem to contribute to the solution)?

**Optimises environmental, social and economic outcomes**

Does the policy:

- aim for cost-effective solutions?
- provide confidence and clarity for current and future investment?
- provide realistic timeframes for change?

**Achieves the restoration and protection of native habitats and biodiversity**

Does the policy:

- support resilient freshwater ecosystems?
- support interconnectedness and connectivity between land and water?
- support healthy populations of indigenous plants and animals?

**Realistic to implement, monitor and enforce**

Is the policy:

- able to be measured, monitored and reported?
- implementable and technically feasible?
- administratively efficient?

**Allows for flexibility and intergenerational land use**

Does the policy:

- foster innovation?
- encourage positive actions being taken?
- allow for change and review as new information and issues arise?
- provide flexibility of future land use (including Treaty settlements land and multiple Māori owned land)?
- take account of complexity and difference between farming systems and farm enterprises?

**Supported by clear evidence**

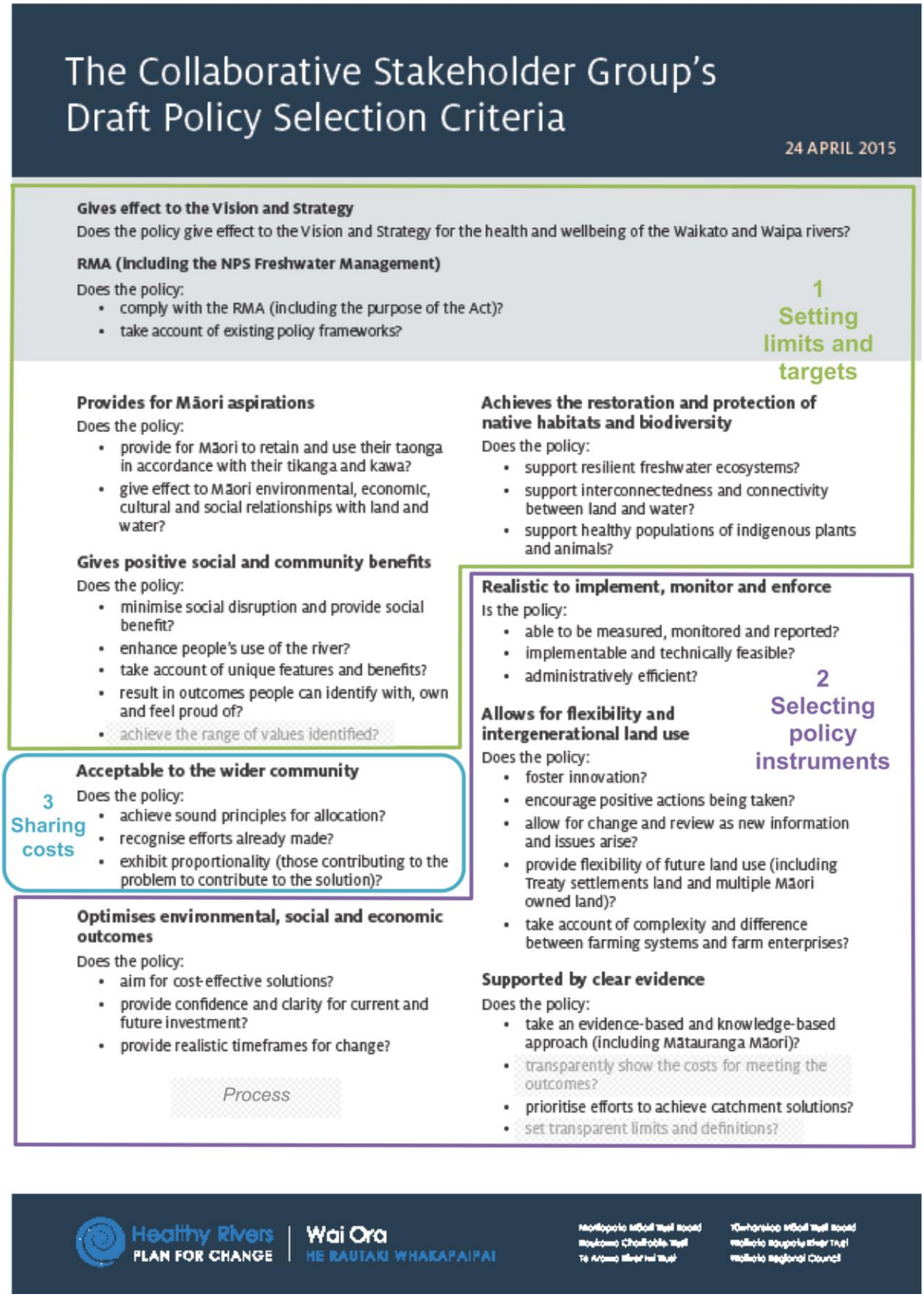
Does the policy:

- take an evidence-based and knowledge-based approach (including Mātauranga Māori)?
- transparently show the costs for meeting the outcomes?
- prioritise efforts to achieve catchment solutions?
- set transparent limits and definitions?

Healthy Rivers PLAN FOR CHANGE | Wai Ora HE RAUTAKI WHAKAPAIPAI

Maniapoto Māori Trust Board
Raukawa Charitable Trust
Te Arawa River Iwi Trust
Tūwharetoa Māori Trust Board
Waikato Raupatu River Trust
Waikato Regional Council

**Attachment 2: Policy development division of the CSG's PSC**



**Attachment 3: Summary list of changes made to the Policy Selection Criteria**

At the Collaborative Stakeholder Group's (CSG) meeting on 23/24 April 2015, the group received feedback on the draft policy selection criteria (PSC) from River Iwi. In response to this feedback the CSG made some changes to the PSC[3]. All changes refer to edits that were made on v3 of the PSC (#3183705). See #3406906 for the track changed version of the PSC that was agreed upon at CSG11.

The PSC are the filters the CSG will use to select between different policy options, when coming up with recommendations. Another way of thinking about them is as a list of factors that the CSG agree need to be considered when making their decisions. It is recognised that it is unlikely that any policy (or group of policies) will be able to fulfil all of the criteria. However, testing potential policies against these criteria will identify areas that are not being adequately addressed and will highlight a need to identify alternative solutions or additional policies to address these areas.

Below are the changes that were made to the PSC. They are set out by 'criteria group'.

**Criteria group – 'Achieves the outcomes of the Vision and Strategy and the RMA (including the NPS FM)'**

a. Removed the words 'Achieves the outcomes of' in the title and replaced with 'Gives effect to'
b. Separated the Vision and Strategy and the RMA into two separate divisions, with the Vision and Strategy on top. Bullet point 1 was placed under the Vision and Strategy division. Bullet points 2 and 4 were placed under the RMA division.
c. Bullet point 3 was deleted and bullet point 5 was moved to the 'Gives positive social and community benefits' criteria group

**Criteria group – 'Provides for Māori cultural aspirations'**

a. Removed the word 'cultural' from the title
b. Added 'in accordance with their tikanga and kawa' at the end of bullet point 1
c. Removed bullet point 2 and replaced with 'gives effect to Māori environmental, economic, cultural and social relationships with land and water'

**Criteria group – 'Gives positive social and community benefits'**

a. Added in bullet point 5 from criteria group 'Achieves the outcomes of the Vision and Strategy and the RMA (including the NPS FM)'

**Criteria group – 'Acceptable to the wider community' -** No changes

**Criteria group – 'Optimises environmental, social and economic outcomes'**

a. Removed 'least cost solutions' from bullet point 1 and replaced with 'cost effective solutions'

**Criteria group – 'Achieves the restoration and protection of native habitats and biodiversity'**

a. separated the second half of bullet point 1 – 'healthy populations of indigenous plants and animals' – into its own bullet point (bullet point 3)
b. added a new bullet point (bullet point 2) – 'support interconnectedness and connectivity between land and water'

**Criteria group – 'Realistic to implement, monitor and enforce' -** No changes

[3] The CSG has previously made changes to the policy selection criteria, most notably at their seventh meeting (CSG7) on 30/31 October 2014. This was in response to feedback from a large stakeholder forum that was held on 25 October 2014. See version 1 of #3183705 for the original version and version 3 for the version following CSG7.

**Criteria group – 'Allows for intergenerational flexibility'**

a. Amended the title so it now reads 'Allows for flexibility and intergenerational land use'
b. Deleted bullet point 5 but added in the words 'and review' into bullet point 3 after the word 'change'
c. Deleted the words 'the return of' from bullet point 4 and added in 'and multiple Māori owned land'
d. Added in a new criterion 'take account of complexity and difference between farming systems and farm enterprises'[4]

**Criteria group – 'Supported by clear evidence'**

a. Added the words '(including Mātauranga Māori)' in bullet point 1

[4] Note that this criterion was added in after CSG11. At CSG11 the sheep and beef sector rep asked to be able to go away and develop this criterion wording with their sector. The CSG agreed to this and a place holder criterion *'add point regarding flexibility of drystock farming systems her once received'* was included until the new criterion was received shortly after CSG11, following a sheep and beef sector meeting.

**Attachment 4: Feedback from river iwi staff received by CSG at CSG 11 (23/24 April)**
(doc#3394073 & doc#3394072)

**River iwi staff Feedback**
River iwi values are not debatable, we are providing guidance on worldviews that will be reflected by iwi governors at the decision making table.
River iwi would like to be clear about our role and how we are providing information to CSG. We are not part of the debates on policy and recommendations. Our advice is technical and is not intended to drive particular policies or recommendations.

**Process feedback**
We're keen to have a role in whether or not the policy meets the criteria or have some form of review and testing what CSG are coming up with. We think this is an iterative conversation.

How are HRWO committee going to make the hard decisions? We expect that they will have to prioritise some criteria over others. We acknowledge the need for caution around adding weightings; CSG may need to debate changes

River iwi have always been clear it's a longer term process, we are mindful that halting decline is first step, restoration is next step

**Specifics feedback**
V&S are primary criteria. Any weighting should have V&S more heavily weighted
Refer CSG to particular objectives in V&S that should take particular priority i.e. No further degradation, Precautionary approach

Should the bottom three points come out of grey box and sit somewhere else?
- set out clear and balanced objectives?
- take account of existing policy frameworks?
- achieve the range of values identified?

From the white box:
- Gives positive social and community benefits – add provides for resilience and prosperity – prosperous communities?
- Administratively efficient and least cost? – will that lead to lowest common denominator?
- Provision of flexibility of future land use – Māori multiply owned land included?
- Provide for Maori cultural aspirations – acknowledging te ao Māori, and recognising traditional and contemporary relationships incl. co-governance – not just cultural. Achieves constructive outcomes, Māori world view and systems
- Take account of existing frameworks – some of which have failed
- Achieve the range of values – do more ticks trump stronger but few ticks?

**Questions**
How are these criteria going to help?
What does 'take account of existing policy frameworks' mean?
What are key objectives of the V&S?
Should the white box ordered or weighted?

**Attachment 4 continued: Policy Selection Criteria table for River Iwi feedback**

Raukawa

- We are missing a prosperous/resilient communities criteria which is critical
- Concerned about who and how realistic timeframes are set – everything delayed costs more in the future and therefore we are just loading the next generations with more cost potentially. Intergenerational equity needs to be carefully thought thru, we can't pay for everything now, but nor should we not shoulder some true cost and ensure good investment to leave a sound state for future generations.
- This is the NEW ERA OF COMANAGEMENT REQUIRING CHANGE – its in the DEEDS. Are we sure these criteria won't lead to business as usual? I would like to discuss with CSG and HRW

Tuwharetoa

- How will the CSG determine whether the policy 'provides for beneficial cultural outcomes'? Would anything that achieves some form of cleaning up of the river get a tick in that box, and if so how helpful is that?
- V&S needs pre-eminence - the first bullet in the grey box could stand on its own as a critical test. The next 3 bullets seem a bit out of place and could be under a new heading in the white box 'Meets legislative requirements' or 'Represents sound policy making' or words to that effect

| Policy Selection Criteria | Maniapoto Māori Trust Board | Raukawa Charitable Trust | Te Arawa River Iwi Trust | Tūwharetoa Māori Trust Board | Waikato Raupatu River Trust |
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| **Achieves the outcomes of the Vision and Strategy and the RMA (including the NPS Freshwater Management)** | This is the primary driver of the whole project. All policy must give effect to this. Therefore, Maniapoto expect that the V&S will be weighted above all other considerations. | The first 2 criteria under this should be in and the last 3 should come out and be dropped down.. That way the V & S and RMA are very clear as top priorities.<br><br>Additionally I don't think the word 'balanced' as in the current 3rd objective is helpful as the V& S is very clear about objectives. A smart brain needs to work out how you balance out the RMA 'balance' with the very clear V & S direction. | | | Healthy Rivers Project is about improving water quality, not just maintaining the status quo. This is the cornerstone principal of the V&S. Where there is doubt or an dispute use the overarching purpose of restoring and protecting the river for future generations as the tie breaker. |
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| **Provides for Maori cultural aspirations** | Provide for all 4 well-beings, environmental, social, cultural and economic.<br><br>Use of taonga has an economic aspect and social aspect to it. | Gives effect to Maori economic, cultural and social relationships (same as wording in the V &S)<br>Does the policy:<br>Assist in giving effect to Maori relationships (culture and traditions), with ancestral lands, water, sites waahi tapu and other taonga; | | | Provides for Maori cultural, environmental, social, economic, aspirations |
| **Gives Positive social and community benefits** | Benefits must be balanced against costs. If the positive social and community benefits are outweighed by environmental or economic damage, then the policy should not be considered effective | These ones raise questions about time – Need to think about where it is better to do this quickly or slowly?<br><br>This is the one missing a communities resilient & prosperous communities criteria | | | Protection of public health should be highlighted as a priority. Algal blooms have the ability to seriously harm the public. |
| **Acceptable to the wider community** | There are going to be winners and losers in this process and some may not agree with the process or the co-management/co-governance was it was created.<br><br>The outcome is about the community having confidence that what is being done has a robust foundation and the flexibility to change direction as situations change | Very unsure about this one. The change required and the newness of the fact that resources are limited does require a new era.<br><br>Perhaps a new wording of<br>"Reflect sound principles to the community"? (we will never get everyone agreeing but trying to reflect the sound/robust criteria which are there as bullet points are key. I don't think 'acceptable' is a good word | | | |

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| **Optimises environmental, social and economic outcomes** | Least cost solutions are not capturing the approach needed. Agree, we need to achieve the outcomes with the lowest cost possible; the least cost solution may not achieve that.<br><br>Timeframes will be dictated by the requirements of the V&S. no further degradation means some activities will have to change very quickly, other objectives in the V&S will take more time to implement. I would like to see something more proactive e.g. ambitious timeframes, aim high! | Optimisation is great word and good aspiration. However what has happened in the past is that economics always wins out and the environment comes last.<br><br>Bullet Point one: Aim for most effective solutions which are cost efficient?<br>Agree with 2 other bullet points. But who defines realistic? | | | Include cultural. |
| **Achieves the restoration and protection of native habitats and biodiversity** | We need to recognise the interconnectedness of ecosystems. Whole of catchment ecosystem should be restored and protected | Need to insert a new criteria, which supports connectivity within the landscape where possible. (Not a key function of the 4 contaminants, but is an important concept to maintain integrity of) | | | Include water quality? Or is this just stating the obvious |
| **Realistic to implement, monitor and enforce** | Need to make sure we are focussed on outcomes. Being realistic may need to be tempered with being ambitious. This project is a step-change in managing the 4 contaminants | Concerns about administratively efficient. This often leads to the lowest cost option to admininster. We want prudency, but how about " Results effective and administratively cost effective". | | | |
| **Allow for intergenerational flexibility** | | Only insert here would be to "enhances the relationship of Maori with traditional maori multiple owned land". This is very different from returning settlement lands but key to those of us who didn't get land back and have complex MMOL issues.<br><br>Really like the other ones in this criteria | | | We see the use of new technology playing a key role in the restoration of the river. |
| **Supported by clear evidence** | This must provide for the intuitive knowledge represented by Matauranga Maori, which does not require explanation or justification | What about transparently showing the costs if you don't meet the outcomes? Always seems to be a blind spot for policy makers!<br><br>Really like these ones, they are sound. | | | |