



Ministry for the
Environment
Manatū Mō Te Taiao

Ministry for Primary Industries
Manatū Ahu Matua



To: Hon David Carter, Minister for Primary Industries
Hon Amy Adams, Minister for the Environment

Water reform: Draft Cabinet papers for Ministers' review

Other Dept Tracking Number:	Sub12-042	MfE Tracking Number:	12-B-01864
Date Submitted:	16 November 2012	MfE Priority:	Urgent
Security Level:	IN CONFIDENCE	Number of Attachments:	7
Action Sought:	Advice/Direction	Response/Signature Needed by:	21 November 2012

Water Directorate Contacts

Position	Name	Telephone		1st Contact
		(cell)	(work)	
Principal author	<i>withheld under section 9(a)(a)</i>			
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Executive Summary

1. We have provided you with five draft Cabinet papers for your review (anticipating that you will eventually provide Cabinet with either *three* or *four* papers), and are seeking your feedback. The papers cover governance, objective and limit setting and managing within water quantity and quality limits.
2. There is a single paper which combines the discussion of quantity and quality issues. We have also provided two papers that discuss quantity and quality separately. We are seeking Ministers' guidance on which approach is preferred.
3. You will receive final drafts of the papers on 22 November, for lodging on 29 November, consideration at Cabinet Environment and Infrastructure Committee (EGI) on 5 December and consideration at Cabinet on 10 December.

Situation Analysis

4. Please find attached five draft Cabinet papers. These are early drafts for your initial review and comment, which still need a significant amount of work. The draft papers are:
 - a. *out of scope*
 - b. Water reform paper 2: Objective and limit setting, and regulatory impact statement
 - c. Water reform paper 3: Managing within water quantity and quality limits
 - d. Water reform paper 3: Managing within water quality limits
 - e. Water reform paper 4: Managing within water quantity limits.

Advice

5. We are seeking high level comments on the attached papers, particularly if you identify any substantial gaps or if you have any concerns about specific content.
6. Minister Adams has asked for three papers, with managing within water quality and quantity limits being addressed as a single paper, but indicated that she understood that drafting this paper may prove problematic.
7. A draft of this single version is attached, which is very long. We consider that the differences between quantity and quality (both the problems and potential solutions) make it difficult to tell a single (combined) coherent story. We have therefore also attached two papers that address quantity and quality separately. Note that the combined version contains content that was updated in the separate papers.
8. If possible, we would like to receive your feedback early next week (week beginning 19 November 2012). Further drafts will be provided to you on 22 November, with an opportunity for any further comments before the papers are lodged at Cabinet Office on 29 November.

Risks and Mitigations

9. There is a risk that Ministers will not have the opportunity to discuss their comments on the papers with each other. We are working with Ministers offices to enable communication to occur while Minister Carter is travelling.

Next steps

10. The timeframes for the Cabinet papers are:
 - a. final drafts to Ministers on Thursday 22 November 2012
 - b. papers to be lodged with Cabinet Office by Thursday 29 November 2012
 - c. consideration by EGI on 5 December 2012
 - d. consideration by Cabinet on 10 December 2012.
11. These dates are a week later than previously advised, but the later date means that both portfolio Ministers will be present at the EGI meeting on 5 December.

Recommended Action

We recommend that you:

a) **Note** the attached Cabinet papers are early drafts

Yes / No

b) **Review** the attached draft Cabinet papers

Yes / No

c) **Advise** officials if you have any feedback on the draft papers by 21 November 2012

Yes / No

d) **Either** direct officials to provide a single Cabinet paper on managing within water quantity and quality limits

Yes / No

e) **Or** direct officials to provide separate papers on managing within water quantity and water quality limits



Kay Harrison
Director, Water Reform

Date

16/11/12

Hon David Carter
Minister for Primary Industries

Date

Hon Amy Adams
Minister for the Environment

Date

Minister's feedback on quality of briefing note:	1	2	3	4	5
1 = Was not satisfactory		2 = Fell short of my expectations in some respects		3 = Met my expectations	
4 = Met and sometimes exceeded my expectations		5 = Greatly exceeded my expectations			

Appendix 1: list of attachments

All Appendices withheld under
Section 9(2)(F)(iv)
of the OIA