

**ORARI-TEMUKA-OPIHI-PAREORA WATER ZONE
MANAGEMENT COMMITTEE**

on

Monday 13 June 2016

1pm

**Comfort Hotel Benvenue
16/22 Evans Street
Timaru**

ORARI-OPIHI-PAREORA WATER ZONE MANAGEMENT COMMITTEE

Notice is hereby given that an Orari-Temuka-Opihi-Pareora Water Zone Management Committee meeting will be held on Monday 13 June 2016 at 1pm in the conference room, Comfort Hotel Benvenue, 16/22 Evans Street, Timaru.

Committee Members:

John Talbot (Chairman), David Caygill, Kylee Galbraith, John Henry, Mandy Home, Ivon Hurst, Richard Lyon, Hamish McFarlane, James Pearse, Ad Sintenie, Mark Webb and Evan Williams

ORARI-TEMUKA-OPIHI-PAREORA WATER ZONE MANAGEMENT COMMITTEE

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**ORARI-TEMUKA-OPIHI-PAREORA WATER ZONE MANAGEMENT COMMITTEE
FOR THE MEETING OF 13 JUNE 2016**

Report for Agenda Item No 4

**Prepared by Joanne Brownie
Secretary**

Confirmation of Minutes – Committee Meeting 2 May 2016

Minutes of the May Committee meeting.

Recommendation

That the minutes of the Committee meeting held on 2 May 2016, be confirmed as a true and correct record.

ORARI-TEMUKA-OPIHI-PAREORA ZONE WATER MANAGEMENT COMMITTEE

MINUTES OF AN ORARI-TEMUKA-OPIHI-PAREORA ZONE WATER MANAGEMENT COMMITTEE MEETING HELD IN THE COUNCIL CHAMBER, TIMARU DISTRICT COUNCIL, 2 KING GEORGE PLACE, TIMARU ON MONDAY 2 MAY 2016 AT 1PM

PRESENT John Talbot (Chairperson), David Caygill, Kylee Galbraith, Ivon Hurst, Richard Lyon, Hamish McFarlane, James Pearse (from 1.25pm), Ad Sintenie, Mark Webb and Evan Williams (from 1.45pm)

APOLOGIES James Pearse – for lateness

IN ATTENDANCE Olivia Smith (OTOP facilitator), Dan Clark (Senior Hydrology Scientist and Technical Lead), Rhys Taylor (Community Engagement Coordinator), Lyn Carmichael (ECan Planner Community Lead), Nic Newman (ECan facilitator), Raymond Ford (Principal Planner), Richard Purdon (Principal Resource Management Advisor), Alice Spencer (ECan Planner), Michael Hide (Zone Implementation Team Manager), Robert Carson-Iles (ECan Biodiversity Officer), Shirley Hayward (Senior Water Quality Scientist), Kimberley Robinson (Ecology Scientist), Janet Gregory and Chanelle O’Sullivan (NZ Landcare Trust), Dermott O’Sullivan (Opuha Water Ltd), Keitha Laming (Opuha Water Ltd), Tara McAllister (University of Canterbury), Koren Allpress (Timaru Herald), Al Williams (Courier), Jan Finlayson (public), Tom Ward (public)

1 WELCOME

The Chairperson welcomed everyone to the meeting and in the absence of a karakia, he reminded the Committee to reflect on the reason for the meeting - to focus on water in our zone and to recognise the importance of water in all parts of the community, working towards a bright future.

2 REGISTER OF INTERESTS

There were no interests to declare.

3 CONFIRMATION OF MINUTES

Proposed Hamish McFarlane
Seconded Ivon Hurst

“That the minutes of the Committee meeting held on 4 April 2016 be confirmed as a true and correct record subject to minor changes agreed by the Committee.”

MOTION CARRIED

4 COMMUNITY FORUM

Jan Finlayson – Emerging Contaminants and Upper Catchments

Emerging Contaminants

Having raised emerging contaminants at previous meetings and acknowledging a response has been provided, Ms Finlayson asked if the Committee was

interested in following up on the raft of contaminants entering our waterways. If not she said she will follow the issue up elsewhere as it is important to address.

Nic Newman advised that he had been to an OECD conference overseas where emerging contaminants were discussed. Pharmaceuticals finding their way into drinking water supplies are definitely a concern, with hospitals being hotspots. Work is being done to identify the levels and type of contaminants that are being found.

Ms Finlayson replied that our New Zealand situation is different to that referred to, with our contamination likely to be from farms. Hamish McFarlane said that fertiliser companies are also doing work at a high level on contaminants, constantly reviewing how to reduce contaminant residue. Ms Finlayson would like to see baseline data collected and emerging contaminants included in the Zone Committee's workplan, or at least sow the seed at a regional or national level.

Upper Catchments

Ms Finlayson said we need to look at upper catchments - if we say we are a water short zone we need to be very conservative in the upper catchments. Upper catchments are a big area where there is a considerable amount of water sequestration and filtration, regulation for volume and quality and the sequestration that goes on where there is tussock cover, is over and above the rain that falls, as some tussock species will gather a significant percentage of water above the precipitation.

Fish can seek alternative habitats when their home streams run dry if there is a good network of healthy streams. Geraldine could come close to running out of water but this is less of a risk if the catchment is healthy.

5 ZONE TEAM UPDATE

Michael Hide gave an update on the zone team's recent work –

- dairy effluent monitoring is finishing, there are some compliance issues and these will be reported at a later date
- work is being carried out on the Taumatakahu Stream to improve the fish passage on this waterway
- the Waihi Catchment Group is launching a photo competition
- the latest water shortage direction for Lake Opuha expires 2 days before the end of May, the flow rate has been reduced, the lake level is still dropping but the reduction in flow rate will reduce the amount the lake level reduces
- Opuha Water Ltd is starting work on increasing the capacity of the downstream weir
- Orange zone – requirements are coming into force in July, farmers need to have Farm Environment Plans done and baseline data ready; Dairy NZ has done some good work for dairy farmers, Frequently Asked Questions have been put together for the OTOZ zone on the orange zone rules; it was suggested that catchment groups could be a good medium for circulating information on this; it was explained that these had been circulated and some simple messaging around the rules will be publicised in the coming months.

James Pearse joined the meeting.

6 IMS BIODIVERSITY PROJECTS

The Facilitator quickly recapped on the Immediate Steps programme, advising that the zone receives \$100,000 per year for restoration and biodiversity projects in the zone. The Zone Committee's role is to provide strategic direction for biodiversity in the zone and to consider supporting projects that come before the Committee for approval. Landowners submit applications to ECan where a biodiversity officer completes an ecological assessment prior to presenting the project to the Zone Committee for approval. Landowners often contribute 1/3 of the cost of the project. Once approved, ECan manages all the contracts associated with the project. Reporting back on the progress and success of projects will continue.

Ohapi Springs

Committee members sought clarification on aspects of this application including whether there would be opportunities to develop a corridor connecting other plantings along the waterway. The Committee was informed that this may be possible over time as there are a number of waterways on this property. Janet Gregory advised that a field day on riparian management was held on a property further down and there is a willingness for farmers to create a corridor in the area.

Concern was expressed that it seems the ratepayers are paying for restoration of a habitat that has been compromised by a developer, when it could be said that the owner should pay as part of the development and good management practice. However it was pointed out that the fund was set up for the purpose of restoration and biodiversity, and this application fits the criteria and scored highly on the ecological assessment. It is also a good way of encouraging farmers to do the right thing. It was suggested that the Zone Committee asks for planting to be built into consent conditions especially in important habitats, rather than it being 'a nice to have'.

Proposed Mark Webb
Seconded Richard Lyon

"That approval be granted for \$9,000 from the Immediate Steps fund towards restoring a spring head and tributary of the Ohapi Stream."

MOTION CARRIED

Evan Williams joined the meeting.

Clarke Flat Sycamore Control

The Committee noted that the amount requested represents a high proportion of the total cost of the project and it was suggested that the landowner be asked to make a greater contribution (consistent with one third of the project costs). The Committee supported the work being done as the threat of sycamore spread is a major threat to the area.

Proposed David Caygill
Seconded Hamish McFarlane

"That approval be granted for \$50,000 for sycamore control at Clarke Flat, on the basis that the owner contributes a total of \$25,000 (an additional \$5,000 to that outlined in the original project proposal)."

MOTION CARRIED

IMS Project Monitoring

The Committee queried the monitoring of approved projects, noting the Awarua wetland planting does not look to be very successful. Rob Carson-Iles assured the Committee that the projects are monitored and in this particular case it had been a challenging planting season this year but the project will be assisted by this years planting.

7 COMPLIANCE MONITORING REPORTS AND APPROACH FOR 2016/17

The Committee received a presentation from Richard Purdon from the Regional Compliance Team and Michael Hide, Zone Implementation Team Manager updating the Committee on the 2014/15 Compliance Monitoring Annual Report and proposals to improve the effectiveness of consent monitoring in the southern zones.

The presentation covered the regional compliance report and also the compliance monitoring report specific to the OTOP zone. The compliance process was explained - from risk assessment, monitoring frequency, monitoring methods (site visits/desktop visits), to enforcement methods for consent non compliance. The risk grading and monitoring frequency of a consent may change if the consent holder uses robust risk management methods and demonstrates regular compliance.

The Committee expressed concern at the number of significantly non-compliant water abstraction consents, relative to the low number of abatement notices issued. Officers advised that it is a challenge to deliver compliance in a consistent way in varied zones. The Committee was assured that staff are aware they need to prioritise water consents, be more vigilant and take action accordingly. Processes are in place to improve the situation in the coming year, with a shift in focus from dairy effluent monitoring to monitoring water use.

Comment was made that this has been the case for the last 3 years and it appears there has been no improvement. It was suggested that significantly non compliant consents should result in an instant fine or irrigation restrictions. However officers explained that there are sometimes extenuating circumstances and the issue can be complex eg a farmer may have installed a water meter but it may not be calibrated correctly. It also seems unfair to issue an infringement to a person who has put their meter in, when there are still a number of farmers who have not yet installed meters. To address this, a water metering project is currently underway and all consent holders without a water meter will be receiving a letter and phone call informing them that enforcement action will be undertaken if a meter is not installed in a specified timeframe.

The next steps in the compliance monitoring were outlined –

- Change the way dairy shed effluent disposal is monitored
- Increase the focus on water consents
- Develop enforcement guidelines for the OTOP zone
- Ensure water metering requirements are met on takes greater than 10/ps (ie making sure water meters are in place and are correctly calibrated)
- Develop robust systems for managing water usage data and enforcing compliance where required
- Work with industry.

These measures can be enacted straight away, some are already happening. There will be further discussion with the Committee to develop zone specific monitoring.

8 ZONE IMPLEMENTATION WORK PROGRAMME

A work programme is being developed to deliver the OTOP Implementation Outcomes – these represent the things the Committee seeks to achieve in the zone in the next 5 years. For each implementation outcome there are a number of milestones which represent actions required to help achieve the outcome. Mike Hide sought clarification from the Committee on three milestones –

- the use of the lower Orari area as a focus area for the implementation of Good Management Practice - the Ohapi Creek catchment may be a better place as a first priority area as it is a lowland stream that is spring fed, with some riparian plantings and it already has an active water user group. There is also a lot of background information available on the creek on how it was 10-15 years ago, which makes it easier to show the effects of changes in land use and the effect of implementing GMP in the catchment over time. A 3-5 year time frame has been talked about but this may be adjusted as the task proceeds, as more is learnt about the current state.

The Ohapi is a smaller area and a well-defined catchment and could be a better location than the lower Orari to show a success story in a shorter time frame. Concern was expressed that while it makes sense to use an area where information is already available, committing to the Ohapi for the next 5 years could be too narrow and it makes some sense to use more than one catchment and to widen the community buy-in.

The Committee generally supported the Ohapi Creek as a first priority area on the basis it would receive quarterly updates and could possibly include additional priority areas over time. The Committee was assured that there will be a comprehensive GMP programme for the wider area and work will be undertaken in parallel with the Ohapi work, which means work may still be conducted in the lower Orari as well. The team could put a realistic time frame around the actions in the programme to give the Committee some comfort. It was suggested that given the information already available and the other favourable aspects of the Ohapi Stream, a 2 year timeframe for the Ohapi project may be enough to bring good results.

- Prioritising development of Farm Environment Plans and high risk farming activities in sensitive areas – it was confirmed that ECan does not have the capacity to do the FEPs themselves but will be circulating information and supporting industry (eg dairy and irrigation) to undertake them.
- Developing a system for community based monitoring – the lower Orari has been suggested as a pilot area but through catchment group work it has become apparent that the Waihi Catchment Group is keen to be involved in this project and the local high school is also keen to be involved, therefore it is proposed to use the Waihi for the pilot.

However the Committee said that a number of the catchment groups are doing something along these lines already and using more than one catchment would widen the community buy in. It was pointed out that it is a pilot project at this stage and can be widened at a later time when the project has been tested and refined.

The Committee's feedback will be noted and the zone team will focus on developing a work programme to deliver each milestone and outcome. This will also involve putting some timeframes alongside milestones where appropriate. This will be discussed with the Committee at a future meeting.

9 UPDATE ON PHORMIDIUM RESEARCH

Tara McAllister and Shirley Hayward addressed the Committee on the current situation with phormidium in the OTOF zone, the research being undertaken and the initial findings. The Facilitator explained that understanding more about the drivers of phormidium is important as the Committee will need to consider these when setting water quality and quantity limits as part of its Healthy Catchments Project.

While phormidium is a naturally occurring algae common in New Zealand rivers, the production of toxins from the algae in rivers is more recent. Ms McAllister detailed the research she has been undertaking to assess what environmental factors are correlated with phormidium biomass - measuring nutrients, metals, temperature, river flow and physical characteristics at 8 rivers on a weekly basis for 6 months over the summer.

It was found that higher water temperature did not necessarily mean a proliferation of phormidium, toxin concentrations were highest when the nutrients were lower, the effect of river flow was different in different rivers and there was more phormidium when the nutrient was at a mid-level (not when high or low). Freshes are useful to rid the river of phormidium in some cases in some rivers.

The study conclusions to date are -

- phormidium cover is highly variable
- average DIN and DRP are correlated in phormidium biomass
- temperature is not a factor
- low DIN and DRP were correlated with higher toxin concentrations
- different relationships in different rivers.

Dermott O'Sullivan then advised the meeting of Opuha Water Ltd's monitoring of phormidium.

10 CATCHMENT GROUP UPDATES

The meeting considered a report by the Facilitator on recent catchment group meetings and events. James Pearse provided feedback on the Lower Opihi Catchment Group which has concerns at the base information being used in the modelling for the Healthy Catchments Project. This concern was raised as it is felt that in past planning processes the information has not always been sound. The group is also querying the role of catchment groups, feeling bypassed and unsure of their role in community engagement. The Facilitator explained that this feedback has been shared by other groups and conveyed to the Landcare Trust. Landcare's Janet Gregory is meeting with the ECan team to discuss the issue, then meeting with facilitators of catchment groups to further look at how to include the catchment groups feedback into the Health Catchments Project outcomes and work more collaboratively. Landcare will report back to the OTOF meeting in June.

The meeting was advised that the Pareora Catchment Group wishes to discuss shingle accumulation in rivers.

11 NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT 2014

The Committee considered a report by the Principal Planning Advisor on the National Policy Statement for Freshwater Management and how it aligns with the OTOP Healthy Catchments Project Community Outcomes. The key factors in the NPS are to manage freshwater in an integrated way, set water quality and quantity limits, and implement methods to achieve the freshwater objectives and limits. It was noted that the OTOP Outcomes have good alignment with the NPSF values.

Discussion took place on how many Freshwater Management Units are appropriate for the OTOP zone, noting that it is the current intention that the zone would be regarded as a single FMU. There was some support for having more than one unit for the zone, when considering such factors as the Pareora River being a different type of river, also the community's perception might be more favourable if there is more than one FMU for the zone. The Facilitator pointed out that defining the OTOP zone as a single FMU does not dictate the scale that limits are set within the zone, different limits can be set for different areas within the zone.

The Committee noted the update and will consider the NPSFM compulsory and national values when making any amendments to the Community Outcomes and Indicators.

12 COMMUNITY OUTCOMES FOR HEALTHY CATCHMENTS PROJECT

The Board considered a report by the Facilitator on the community outcomes as part of the Healthy Catchments Project. It was explained that amendments had been made to the draft outcomes, based on feedback from the last zone committee meeting. The Committee then considered feedback from the Opuha Catchment Group before finalising the outcomes.

The Committee discussed whether to include protecting vulnerable soils from degradation and erosion, especially in the upper catchments. At least three catchment groups have concerns regarding erosion. However it was pointed out that erosion should only be part of the OTOP responsibility where land use impacts on water.

- It was agreed that soil erosion affecting water quality may be the subject of a separate discussion around linking outcomes with key indicators. It was agreed that soil erosion is an issue, not an outcome, and that it is important we have indicators to assess this.
- The removal of the term 'braided' in outcome 2 was supported.
- Indicators relating to bird habitat are developed.
- Lake Opuha is to be added to outcome 2 ie 'Protect and enhance the natural character and function of the zone's rivers, Lake Opuha and waterways.....'

Proposed Ivon Hurst
Seconded Mark Webb

"That the community outcomes for the OTOP Healthy Catchments Project be approved as presented subject to Lake Opuha being included in outcome 2."

MOTION CARRIED

Community Engagement

A public meeting on the Healthy Catchments Project will be held in Timaru on 15 June, in Fairlie on 16 June and one in Geraldine the following week in the evening. It is proposed that the next OTOP Committee meeting will be short, to allow time to discuss in a workshop situation, what is to be covered in the public workshops.

13 REGIONAL UPDATE

A report will be circulated.

The meeting concluded at 5.10pm.

Chairperson

ORARI-TEMUKA-OPIHI-PAREORA WATER ZONE MANAGEMENT COMMITTEE
FOR THE MEETING OF 13 JUNE 2016

Report for Agenda Item No 5

Prepared by Michael Hide
Zone Manager

Catchment Group Update

Purpose

To update the committee on the development of work programmes for the catchment groups for the 2016/2017 year.

Action Required

Discussion and feedback on approach for the 2016/2017 year.

Update

In recent months it has become clear that the catchment groups require additional support and guidance in order for them to effectively contribute towards achieving the committee's outcomes.

Environment Canterbury has been working with Landcare Trust to plan how this will be achieved over the next 12 months. This work is being undertaken in two key areas:

1. **Refining the role of the catchment groups** - This has been undertaken in consultation with the catchment group facilitators and led to the production of two documents. The first is a revision of the document 'Roles for catchment groups within OTOP Zone' to better reflect the realities of how these groups work, and provide direction on the areas where they can operate.

The second document provides clarity to the facilitators on the role that the groups can plan in the healthy catchment project. This ensures that the groups are involved in the project in a way that can be effectively resourced by Environment Canterbury.

2. **Developing group specific work programmes** - These work programmes will focus on a range of activities with each group to promote the key good management practices that are relevant to that area. Landcare Trust is currently planning these activities with the groups and they include events, publications, media coverage and possibly the use of interactive online tools for farmers.

The second area the programmes will focus on are the specific actions that the group want to undertake in their zone. This will be decided by each of the groups and is intended to include actions that go beyond extension and deliver 'on the ground' action.

In addition to these changes, Landcare Trust has committed to providing additional support to the groups and the volunteer facilitators to ensure these actions are undertaken.

Attachments

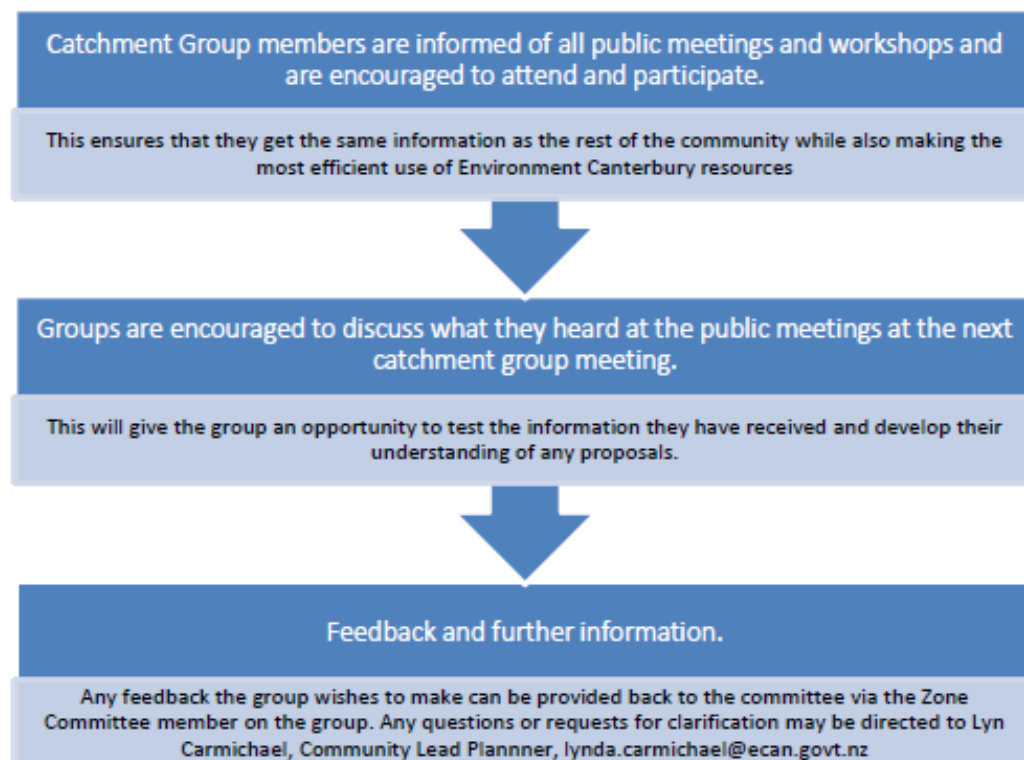
- Memo - Catchment Group input into the Healthy Catchments Project
- Roles for catchment groups within OTOP Zone, NZ Landcare Trust

Memo

Date	17 May 2016
To	Janet Gregory, Julia Crossman, Nicki Pridham, Sue Ruston, Martin O'Connor, Rhys Taylor, Caleb Strowger, Angela Darke,
CC	Lyn Carmichael, Olivia Smith, Katherine McCusker
From	Michael Hide

Catchment Group input into the Healthy Catchments Project

As you know there has been some debate within the Catchment Groups about the role that the groups play in the sub-regional plan development. This memo sets out the agreed approach to ensuring the group members remain engaged in the process, while remaining focused on their core role – taking action on the ground.



It should be noted that while Environment Canterbury will endeavour to respond to all queries and requests for further information, this may not always be possible depending on project requirements at the time.

Working for Opihi Water SFF Project

Roles for catchment groups within OTOP Zone

Ministry for Primary Industries
Manatū Ahu Matua



Sustainable
Farming Fund

NZ
LANDCARE
TRUST

Environment
Canterbury
Regional Council
Kaitiaki Takekai Whakahaere



Roles for catchment groups within OTOP Zone

(Re-visiting a Zone Committee statement first published as a chart in August 2014)

Second Draft at May 2016 based on 2015-2016 experience with the active groups.

The catchment groups aim to become self-organising with volunteer chairs and/or facilitators and volunteer note-takers, but will expect support from Landcare Trust-recruited facilitators and Environment Canterbury during their initial stages, at least to June 2017.

Each group could be:

1. A reference contact point for the Zone Committee to the topographically-varied and soil-varied farmland found in each river catchment, and their resident community of landowners and others. Locally-based knowledge and long-term observations are their particular strengths. (*Examples could be making statements of what is valued about particular local waterways and areas and future expectations*). These groups' interest and activity will complement open public participation in the OTOP Healthy Catchments Project (includes sub-regional plan process), and could also assist District Councils' storm-water plans, under way concurrently.
2. Information distributors to and from the community, on water quality, on the farming industry's agreed good management practices ([ECan page & industry publication](#)) and on topical issues, ranging from stages of ECan sub regional planning process to awareness of biosecurity incursions (*such as the Velvet Leaf, found recently in fodder beet seed*). Provide information to ECan on community priorities. Environment Canterbury website information sources in support of farmers include [this page](#). Water quality information is at [LAWA](#).
3. Promoters of action at farm level, e.g. on biodiversity, pollution reduction, water use efficiency and nutrient management. On good management practices, see this [Landcare Trust publication](#).
4. Social meeting points, providing a good context for community-based learning – helpful for outreach/extension on new techniques or applying the results of research. This role could include circulating written advice and inviting guest speakers to meetings, hosting and supporting field days and site visits (*such as promoting and attending Farm Environment Plan training events run by Beef + Lamb NZ, or topical events organised by Landcare Trust*)
5. Responding collaboratively to local need and opportunity. This might be in attracting public funds for biodiversity care projects along a particular stretch of river; inviting school students and residents to investigate or monitor water quality; or bringing neighbouring irrigators together as a formal Water Users Group. Meeting as a catchment group may encourage such collaborations, which can potentially include townspeople and those taking rural recreation, alongside farmers.
6. Become 'champions' or 'celebrators' of local catchments, and advocates for river health. (*For example, promoting and entering the 2016 photographic competition*)

Read examples of what other catchment groups in NZ have done here ([Landcare Trust publication](#)).

How would we know if it's working?

- Better mutual understanding of farmers and townspeople, and also of the roles/functions/limitations of regional government.
- Wider adoption of industry good management practices in local farming; examples to visit.
- More holdings covered by Farm Environment Plans (preferably ECan Schedule 7 approved), with some resulting actions each year and successful audits.
- Farms comply with environmental regulations and awareness of farm impacts on waterways grows.
- Recognition increases of good work and stewardship that farmers are doing to improve practices that impact on waterways and soils.
- Increased fenced and growing riparian plantings providing shade for stream health.
- Examples of funded collaborative projects across several farms and along streams, showcasing benefits of working together.
- Urban residents are more aware of storm water and sewerage impacts on rivers.
- Improving water quality/health: less sediment, lower P or N, fewer summer algal blooms, more insects, and fish and nesting birds.
- Urban residents are more aware of storm water and sewerage impacts on rivers.
- Improving water quality/health: less sediment, lower P or N, fewer summer algal blooms, more insects, fish and nesting birds

If you are reading this in South Canterbury and not already a catchment group member, you can connect with a local group's activity by contacting:

Rhys Taylor, Community Engagement Coordinator
Environment Canterbury: 03 6938726 or 021462260
rhys.taylor@ecan.govt.nz (Mons to Weds preferred, day or eve).

Note also the first web-link published above, which in full is:
http://ecan.govt.nz/get-involved/canterburywater/committees/orari-opihi-paeora/Pages/OTOP_Catchment_Group.aspx

Information about the Orari-Temuka-Opihi-Pareora Zone catchment groups is available [here](#). A meeting notes archive, newsletters and a map of catchment boundaries are available on 'Working for Opihi Water' webpage at [Landcare Trust](#).

ORARI-TEMUKA-OPIHI-PAREORA WATER ZONE MANAGEMENT COMMITTEE
FOR THE MEETING OF 13 JUNE 2016

Report for Agenda Item No 7

Prepared by Michael Hide
Zone Manager

Consent Monitoring and Enforcement Guideline

Purpose

To obtain feedback from the committee on the draft 'Consent Monitoring and Enforcement Guideline' for the 2016/2017 year.

Draft Guideline

The purpose of this document is to assist the zone team to focus resources and effort into the areas that the committee sees as a priority in the zone. It will also provide guidance on how the enforcement tools should be used in the zone to best effect.

This draft document has been developed based on previous conversations with the committee and our understanding of the committee's priorities. Feedback is sought on the priorities outlined in the document.

It should be noted that the Council has obligations that must be met under the RMA and that this guideline does not bind the Council to any particular action, but rather will inform our work programme and actions wherever it is appropriate to do so.

Attached

Draft Consent Monitoring and Enforcement Guideline – OTOP Zone 2016/2017

Recommendations

- 1 To review the draft guideline.**
- 2 To provide feedback on any changes that are required.**

Consent Monitoring and Enforcement Guideline

Orari, Temuka, Opihi, Pareora Zone – 2016/2017

PURPOSE AND SCOPE

The purpose of this document is for the Orari, Temuka, Opihi, Pareora (OTOP) Zone Committee to provide guidance to Environment Canterbury on how it undertakes consent monitoring and enforcement work in the zone. This guidance is provided in the form of:

Outcomes the committee would like to see achieved as a result of this work stream.

Activities in the zone that the committee identify as being highest priority for monitoring.

Committee expectations of how the enforcement tools will be used in the Zone.

This guidance will be used in combination with existing legal and risk management processes to establish the annual consent monitoring and enforcement programme within the zone.

It should be noted that this document is not legally binding on Environment Canterbury, the Zone Committee or any other organisation or individual. It does not exhaustively address all statutory limitations and considerations that may be relevant under the Resource Management Act 1991 (RMA), and nor does it confine, restrain or limit the discretion of Environment Canterbury to take any action.

DESIRED OUTCOME

The Councils RMA monitoring functions support the achievement of the Zone Committees priority outcomes, with particular focus on:

- The adoption of good management practices
- Widespread community ownership of the catchments health
- Understanding and compliance with the relevant planning requirements in the zone
- Optimisation of the water resource in the Zone.

The key approaches to achieving these outcomes will be through:

- The provision of education and guidance to encourage the adoption of good management practices.
- Focusing consent monitoring and enforcement action on resource users with the greatest need to change behaviour.
- Providing clarity to resource users where requirements are complex and/or unclear.
- Where possible, ensuring regulations are not a barrier to achieving positive outcomes.

- Appropriate use of the enforcement tools available where compliance is not achieved through alternative approaches, the impacts of an activity on the environment are significant and /or there is a strong need to provide a deterrent.

CONSENT MONITORING PRIORITIES

The Zone Committee has identified the following three priority activities for the 2016/2017 season:

- Surface water take and use in high priority catchments.
- Increased focus on high risk discharges of contaminants to land
- Achieving widespread compliance with the water metering regulations.

Priority will be given to monitoring these consents in accordance with:

- The existing risk ratings for individual consents
- Local officer knowledge of issues and areas that are likely to be under pressure
- The prevailing climatic conditions.

Consents relating to the taking and use of water will be monitored using the following methods:

- **Water data management:** Enforcing conditions relating to flow, volume and minimum flow compliance through analysis of water use data across all consents.
- **Site visits:** Conducting site visits for medium and high risk consents, particularly surface water takes in high risk catchments, to ensure that good management practices are being implemented.
- **Desktop:** Ensuring all environmental monitoring is undertaken in accordance with consent requirements and submitted to Environment Canterbury as required.
- **Support for community monitoring:** Where appropriate, Environment Canterbury will support the formation and operation of Water User Groups and monitoring collectives.

Consents for discharges to land will be monitored using the following methods:

- **Site visits:** Frequency of visits will be dependent on the risk rating for the property, but may be up to four times per year for high risk consents.
- **Desktop:** Ensuring all environmental monitoring is undertaken in accordance with consent requirements and submitted to Environment Canterbury as required.

ENFORCEMENT TOOLS

Environment Canterbury has a range of enforcement tools available, both punitive and directive. The directive tools include verbal warnings, written warnings, abatement notices, and enforcement orders, while the punitive options include infringement notices and prosecution.

The committee supports an approach which aims to change undesirable behavior with the least use of the enforcement tools. Where this is not possible the selection of the appropriate tool should consider the following matters:

- The nature and scale of the environmental impact
- The past and present conduct of the resource user
- The significance of the issue to the community

- The need to provide a deterrent to others

The committee supports the use of Alternate Environmental Justice where the case meets the relevant criteria and the process will result in an improved environmental outcome.

REVIEW

This guideline will be reviewed in June 2017.