

Lower Waitaki - South Coastal Canterbury Zone Committee

AGENDA

A **MEETING** of the LOWER WAITAKI - SOUTH COASTAL CANTERBURY
ZONE COMMITTEE will be held as follows:

Date: Wednesday 20 July 2016

Time: 1.00 pm

Venue: Waimate District Council Chamber
Waimate

Membership

Kate White (Chair)	Suzanne Eddington
Andrew Feierabend	Mark Giles (Deputy Chair)
Sandra Hampstead-Tipene	Andrew Hayes
Bill Kingan	Mark Kingsbury
Tom Lambie	Peter McIlraith
Bruce Murphy	Brent Packman
Elizabeth Rollinson	Moeraki Runanga (Vacant)

Lower Waitaki South Coastal Canterbury Zone Committee

**Waimate District Council Chamber, Queen Street
Waimate**

AGENDA 20 July 2016

1.00 pm – 4.30 pm

	Page No.
Karakia and welcome	
1. Apologies	
2. Minutes – 1 June 2016	3 - 6
3. Permanent Items	
a) Matters Arising	
b) Correspondence	
c) Regional Committee Update (Bruce Murphy)	
d) Declarations of Interest	
4. Regional Round-up	
Zone Summary – What is hot? (Michael Hide – verbal update)	
5. Waitaki Catchment Water Allocation Regional Plan	
Decision on Plan Change 3 (Report – Nick Regnault/Jason Holland)	7 - 10
6. Wainono Lagoon	
Augmentation Update (Stacey Scott)	
Future Monitoring update (Shirley Hayward)	
7. Regional Initiatives	
Recreation/Amenity and Biodiversity (Report - Ellie McNae)	11 - 14
8. Plan Change 5	
Officers' recommendations on the Nutrient Management and Waitaki Plan Change (Report – Jason Holland)	15 - 18
9. ZIP Implementation	
Work Programme Development update (Report – Michael Hide)	19

Time Table

1.00pm	Karakia and welcome
	Apologies, Minutes, Permanent Items
1.10pm	Regional Round Up
1.30pm	Waitaki Allocation Plan Change
2.10pm	Wainono Lagoon
2.40pm	Regional Initiatives
3.00pm	Afternoon Tea
3.15pm	Plan Change 5
4.00pm	ZIP Implementation
4.30pm	Karakia and meeting close

Lower Waitaki – South Coastal Canterbury Zone Committee

Minutes of the Committee meeting held in the Waitaki District Council Chambers, Oamaru on Wednesday 1 June 2016, at 1.00pm

Present	Kate White (Chair, Community rep), Suzanne Eddington (Waihao Runanga), Mark Giles (Deputy Chair, Community rep), Sandra Hampstead-Tipene (Arowhenua Runanga), Andrew Hayes (Community rep), Cr Bill Kingan (Waitaki District Council), Mark Kingsbury (Community rep), Commissioner Tom Lambie (ECan), Cr Peter McLraith (Waimate District Council), Bruce Murphy (Community rep), Brent Packman (Community rep), Liz Rollinson (Community rep)
Apologies	Andrew Feierabend (Meridian Energy) and Moeraki Rūnunga
In Attendance	Nic Newman (Zone Facilitator – ECan) Elly Finnerty (Committee Secretary) Peter Ramsden (Tangata Whenua Facilitator, CWMS)

At the invitation of the Chair, Peter Ramsden shared a karakia.

The Chair welcomed visitors and they introduced themselves.

1. Apologies

RESOLVED
LWSC16/15

L Rollinson/S Eddington
"That apologies are received from Andrew Feierabend and Moeraki Runanga for absence."

CARRIED

2. Confirmation of Minutes

RESOLVED
LWSC16/16

S Hampstead-Tipene/A Hayes
"That the minutes of the Committee meeting dated 20 April 2016 be confirmed."

CARRIED

3. Permanent Items

Matters Arising from the Minutes:
Nil

Correspondence
Nil

Regional Committee Update
No meeting held.

Declaration of Interest
No new declarations.

4. Regional Round Up

The committee members reported on topics from their areas.

Peter – reported that the economic environment has taken over from the physical environment at present. People are waiting the outcome from the Plan Change process.

Brent – there are concerns about the rising numbers of white geese in the Lagoon. There is a planting day planned at the Waitaki Bridge, well done to all involved in the project.

Mark Kingsbury – The plantings happening in the Zone are looking good, Duntroon Wetlands and the Waitaki Bridge. It is great to see schools being involved in conservation. He also commented on the changing rules relating to SI Eel Fisheries – in relation to the short and long fin eel. Nic Newman noted that the Upper Waitaki Zone have really pushed with the Ministry to get this to happen.

Mark G – The top of the Hakataramea are experiencing the worst year ever, with the dryer climate and no irrigation. There is a lot of work to do in this area.

Andy – commented that the Lower Hakataramea have experienced some water shortages.

Tom – the commissioners have meet with the Waimate and Waitaki District Councillors. He also updated on a presentation he attended regarding Braided Rivers following up on the presentation to the committee earlier this year, he noted that it is really important that the man made islands attract the right type of birds.

Liz – noted concerns about the build-up of drift wood against Weirs Bridge on the Waihao and asked if removal of the wood could be arranged.

RESOLVED

LWSC16/17

P McIlraith/S Eddington

"That Environment Canterbury and the Waimate District Council be encouraged to get a plan in place for the ongoing removal of drift wood against Weirs Bridge."

CARRIED

Bruce – congratulated Roger Small and the team on the arranging the Waihao Wainono field day, 60-80 people in attendance, it was very good. He also commented on the smell of effluent coming from the dairy factory, this is an ongoing issue that does not appear to have been addressed. He commented that it is hard to get engagement from the community to comply to consents and change practices, when there is a perception that business get away with it.

Sandra – advised that Hunter Downs Irrigation (HDI) were carrying out modelling of the Waihao River with a view to augment the Wainono Lagoon. There is further technical data required to enable accurate modelling.

Suzanne – the Augmentation Group for the Wainono meet at the Marae.

RESOLVED

LWSC16/18

L Rollinson/M Giles

"That the Round the Table updates be received".

CARRIED

Zone Team Update - Michael Hide

Michael advised that:

- Dairy monitoring winding up at this time year.
- Waihao Wainono Field Day – many thanks to Emily Anderson for her work with the group on this very successful event.
- Having ongoing discussion with Colin Hurst on his project.
- The water metering project is ongoing – 26 with no meters, 169 takes that do not have verification and these are being followed.
- Lots of work has been done on the database for monitoring.
- Alternative Justice opportunity – Kate White will be on the group for this.

5. Biodiversity

Kennedy Lange (ECan – Biodiversity Officer) gave an update on the immediate steps projects applications: 21 projects approved to date; 12 have been completed (project actions completed and funds spent); three are partially complete and four are yet to start. Staff continue to follow up with the grant recipients to encourage them to progress the work. Of the \$500,000 for Immediate Steps funding \$402,853 has been allocated, \$97,147 of the funds remain to be allocated.

The committee was asked to approve the following projects for funding under the Immediate Steps programme:

- Farm Stream springhead fencing, Hakataramea
- Hunter Ariki willow control, Hunter
- Kurow community trail, wetland willow control.

RESOLVED

LWZC16/19

S Hampstead-Tipene/B Murphy

"That the following applications for funding from the Immediate Steps programme be approved:

- 1 Farm Stream Spring Heads, Hakataramea Valley. \$12,000 to contribute to the protection of wetlands, namely fencing and planting.
- 2 Hunter Ariki, Waimate Hunter Road. \$3,500 to contribute to the protection of wetlands, namely willow control.
- 3 Kurow Community Wetland Restoration, Kurow. \$7,500 to contribute to the enhancement and protection of Wetlands and Lowland Streams, namely weed control."

CARRIED

There was further discussion on the Kurow Community Wetland Restoration project and the committee would like some signage alongside the Alps2Ocean cycle trail which runs by the wetland. This signage would inform cyclists and visitors about the wetlands project.

6. Monitoring and Enforcement

Michael Hide (ECan – Zone Manager), spoke to his item on page 30 of the agenda. The draft 'Consent Monitoring and Enforcement Guideline *Lower Waitaki Zone – 2016/2017*' had been circulated to the committee and Michael sought feedback from the committee on the content. The committee went through the document and made comments and suggestions.

7. Integrated Monitoring Framework Update

Helen Shaw (ECan) updated the committee on the gap analysis and potential interface for an Integrated Monitoring Framework for the Waitaki sub-region. A report on this was included on page 34 of the agenda. Helen will send out to the members a link to the on-line site and asked if they could test the site and send her some feedback. The results will show trends but the monitoring needs to take place for 5 to 10 years for a meaningful trend to show. The District Councils will be asked if they will share any information they hold on water monitoring.

The committee asked if they could have a discussion at the next meeting on the monitoring of Lake Wainono.

2.55pm meeting adjourned

3.17pm meeting reconvened

8. Wainono Lagoon

Nic Newman refreshed the committee on the background to the augmentation of Wainono Lagoon. The Zone Implementation Programme Addendum for South Coastal Canterbury aims to improve the trophic state of Wainono lagoon over time and increase the irrigated land area through consented irrigation schemes. During the sub regional planning process, the concept of augmenting Wainono lagoon was explored as part of the scenario process with the wider community. The combination of solutions most likely to meet the outcomes sought was a future including the augmentation of the lagoon using water from the Waitaki River.

Augmentation is likely the only way to improve the quality of water and keep the ability for diverse land use. Wainono is the second biggest Lagoon of this type in New Zealand and has significant cultural importance.

Stacey Scott a Director in Hunter Downs Irrigation Company (HDI) and Chair of the Implementation Committee attended the meeting and spoke to the members about the augmentation of the Lagoon via HDI.

Stacey advised that the augmentation, monitoring and how to look after the Lagoon post augmentation is a focus for the implementation committee. Stacey advised that Brendon Sheen is the new CEO of HDI and the work programme is very intense for the next six months. The group are modelling augmentation, and the alternative ways that this may be achieved. There needs to be monitoring to ensure that goals for the Lagoon are met. Results from the modelling will be presented to the HDI Board at their meeting in July. Stacey noted that the augmentation option does need to be affordable.

The Chair thanked Stacey for the update and noted that we would welcome a further update at the next committee meeting on 20 July.

9. Sub Regional Planning

Plan Change 5 Update

Nic spoke to the report on page 38 of the agenda, updating the committee on the timeline for hearing of submissions. There will be hearings in Christchurch, Oamaru and Omarama.

Plan Change 3 South Coastal Canterbury

Nic advised that this is ongoing.

Waitaki Catchment Water Allocation Regional Plan

Nic gave background to recommendations, noting that it has been going through a long and thorough process. The Hearing Commissioners are reporting to the ECan meeting on 16 June. There will be a full briefing to the committee at the next meeting – 20 July. There is opportunity for members to get a full briefing on 16 June when the decision is released.

10. Zone Committee Working Groups

The committee confirmed that six weekly meetings will continue and the dates for the next meetings will be: 20 July, 24 August, 5 October and 16 November.

Working groups have been working well in other zones, and Nic offered to send out a paragraph on what sub groups are about. The committee talked through some options and agreed that working groups were not required at the present time.

Peter Ramsden closed the meeting with a karakia.

The meeting closed at 4.30pm.

AGENDA ITEM NO:	SUBJECT MATTER: Decision on Plan Change 3 to the Waitaki Catchment Water Allocation Regional Plan
REPORT BY: Nick Regnault	
DATE OF MEETING: July 20 th 2016	

Purpose: To update the Committee on the Decision on Plan Change 3 to the Waitaki Catchment Water Allocation Regional Plan, the degree of alignment of the Decision with the ZIP Addendum, and the next steps to implement the changes.

Background: The Waitaki Catchment Water Allocation Regional Plan (the 'Plan') provides for the allocation of water in the Waitaki catchment. The river environment is highly modified by the Waitaki Dam (the 'Dam'). The Plan establishes a minimum flow, flushing flows, and allocation limit for the Lower Waitaki River (being from the Dam to the sea). The Plan also requires the operator of the Dam (i.e Meridian) to release additional flows into the Lower Waitaki River to meet the consented needs of activities downstream of the Waitaki Dam.

The Plan establishes a priority of reliability for activities below the Dam. Consents that pre-date the Plan ('pre-Plan consents') have greater reliability in recognition of historic infrastructure investments. Activities that were granted consent after the Plan was made operative in 2006 ('post-Plan consents') have lower reliability.

The Plan has never been fully implemented because Meridian's consent for the Waitaki Dam does not require additional flows to be made available. For the majority of the time, this does not cause any difficulties as sufficient flows are passed through the Dam to meet the consented needs of activities that take water from the Lower Waitaki River. However, should a low flow year occur (predicted to occur approximately once in every 15 years), Meridian is not obligated to release the additional flows needed for activities downstream of the Dam. Meridian's consent, which does not expire until 2025, cannot be reviewed by the Council as it would amount to derogation of consent to force release of flows for abstraction.

The second issue is the replacement of consents that pre-date the Plan. Some of these consents have minimum flow conditions as low as 80m³/s. As the Plan has only one minimum flow of 150m³/s for the Lower Waitaki River, all consents, on replacement, will have similar minimum flow conditions. The consequence of this is that all consents will have the same reliability, and this is inconsistent with the Plan's intention of having two different levels of reliability depending on when a consent was first granted.

Council's Decision on Plan Change 3

Council adopted recommendations of independent Hearing Commissioners as its Decision on 16 June 2016. The Decision consists of:

- The Report and Recommendations of the Hearing Commissioners (the 'narrative report').
- Recommended Decisions on submission points.

- Proposed Plan Change 3 provisions.

These are available on Councils website (<http://ecan.govt.nz/OUR-RESPONSIBILITIES/REGIONAL-PLANS/Pages/Decisions.aspx>). Key aspects of the Decision are discussed below.

Priority of Reliability for abstraction from the Lower Waitaki River

The Decision introduces cessation flows in place of minimum flow for the Lower Waitaki River. Cessation flows are imposed on consents to implement the order of reliability with earlier consents being the most reliable. These earlier consents are listed in the Plan Change.

Release of flows from the Waitaki Dam

The Decision amends the obligation on the Dam operator to release flows. The operator can now take into account catchment in-flows and reduce releases accordingly. The implication is that the operator of the Dam is not forced to release flows for abstraction that it has built up through storage for generation purposes.

Replacement of consents for hydro-electricity generation

The Decision includes a new rule for replacement consents for hydro-electricity generation that makes applications a controlled activity. It only applies to specified activities that are part of the Waitaki Power Scheme and the rule specifies that consent applications must be publicly notified.

If the application concerns the Pūkaki River, the Lower Ōhau River or the Tekapo River (above the confluence with Forks Stream), the Rule recognises that the Plan does not specify the flows that should be released from the dams on those rivers. For those rivers, the matters of control extend to considering what those flows should be. For all other rivers where the Plan has set out what the release flows should be, the application must comply with the Plan.

There are other matters of control such as the lapse period and duration of consent.

Minimum levels for Lake Pūkaki

The Decision introduces a new minimum lake level. It allows applications to be made for this lower level of 515m a.s.m. in specified emergency situations. An emergency situation is one where a security of supply alert has been issued in accordance with the Electricity Industry Act 2010.

Reservation of Water

The Plan allows 90m³/s for abstraction from the Lower Waitaki River. The Decision on Plan Change 3 reserves 10m³/s of that for enhancement of mahinga kai and associated tāngata whenua values, and 1m³/s for augmentation of flows into Wainono Lagoon.

Tāngata whenua values are those held by Te Rūnanga o Arowhenua, Te Rūnanga o Waihao, and Te Rūnanga o Moeraki. Applications for the reserved water must demonstrate evidence of consultation with the three rūnanga, and meet the purpose for which the water is reserved.

Applications for water reserved for Wainono Lagoon will not be subjected to a cessation flow and can be taken continuously. This recognises that the benefits to Wainono Lagoon outweigh the benefits of retaining 1m³/s in the Waitaki River at all flows.

Other amendments

The Decision amends a number of other parts of the Plan to streamline implementation. The key amendments are:

- increasing the annual allocation for agricultural and horticultural activities in Table 5 from 150million m³ to 200 million m³.
- Excluding water that is consented to be diverted from the calculation of allocation limit as the water is not permanently removed from the river.
- Including grid references for Black Point [in the Definitions section] as many Plan provisions refer to Black Point and it is necessary to have a specific point determined.
- Measuring flows in the Lower Waitaki River over a 24 hour period rather than a 1 hour rolling average.
- Including reasonable use tests for water. The test for irrigation is consistent with that in the Land and Water Regional Plan.

Consistency with Zone Committee Recommendations

The Lower Waitaki – South Coastal Canterbury Zone Committee identified problems with the Plan that created uncertainty for stakeholders. The Committee worked with stakeholders and the community to address the problems. Their recommendations were to change the Plan to:

- Provide clarity as to how the replacement or review of existing consents will be addressed.
- Keep the integrity of plan provisions that protect the in-stream values of the Lower Waitaki river.
- Ensure that the security of electricity supply is not reduced, particularly in the dry years.

The Decision on the Plan Change achieves all three outcomes. It provides clarity for replacement of consents, and maintains protection of in-stream values, through introducing cessation flows. It maintains security of electricity supply through providing for replacement consents as a controlled activity, and allowing for Lake Pūkaki to be lowered in emergency situations. In addition it provides for environmental enhancement of the Wainono Lagoon.

Next steps

Council notified its Decision on Plan Change 3 on 25 June. There is a 15 working day period for lodging appeals to the High Court on points of law. Should there be no appeals, Council will formally adopt the Plan Change and it will become part of the Plan.

The Zone Committee envisaged that once the Plan was amended, the next step would be to amend consents to give effect to the changes. Work has begun to consider how best to achieve consents that are consistent with the Plan Change and this will quickly progress should there be no appeals lodged against the Plan Change.

Regional Recreational and Amenity and Regional Biodiversity Initiatives

Date	15 July 2016
Report to	Lower Waitaki Zone Committee
From	Ellie McNae, Senior Strategy Advisor, Barbara Nicholas, Regional Committee Facilitator
Subject	Informing regional work programmes: recreational and amenity initiatives and regional biodiversity

Purpose

To inform the Zone Committee of work underway to

- address recreation and amenity information gaps, and
- develop a 5 year work programme in regional biodiversity

To request their support to identify

- potential recreation and amenity flagship projects in their zone
- opportunities for a regional work programme to support biodiversity in the zones

Recommendations:

That the Lower Waitaki Zone Committee;

1. **Note** the scope of the swimming research,
2. **Receive** the background reports on recreation and amenity topics,
3. **Agree** to discuss and identify at a workshop in August/September;
 - potential flagship recreation and amenity locations and projects, and
 - opportunities for step-change in biodiversity protection and enhancement

Background

The Regional Committee has agreed to advance two priority work programmes from 2016 – recreational and amenity opportunities, and regional biodiversity. The intent for both these work streams is to support and amplify initiatives at zone scale, and to identify and remedy any gaps across the region.

They have now asked Environment Canterbury staff to begin conversations with the zone committees to ensure their work aligns with and supports local initiatives. This is with a particular focus on recreation and amenity, and biodiversity.

Recreation and amenity opportunities

Since the inception of the CWMS a range of work has been underway to deliver the recreation and amenity targets. This includes a number of recommendations in Zone Implementation Plans, publication of research reports into kayaking and jet-boating values, and the establishment of joint work programmes and projects with partner organisations. Despite this

work, there is a general acknowledgement that insufficient progress has been made in delivering on the recreational and amenity targets. This includes the presence of significant information gaps, with a key one being around swimming in freshwater. To address this the CWMS Regional Committee has commissioned a piece of research into swimming values in Canterbury.

The Regional Committee has also reconvened the Recreation and Amenity Working Group (RAWG), who have now begun work towards developing a set of 5 year outcomes and a work programme. This includes a proposal to work with the Zone Committees to identify and establish Recreation and Amenity Flagship projects.

Scope of the Swimming Research

Ken Hughey (Lincoln University) has been contracted to deliver a research report that assesses the full range of values associated with freshwater swimming in the Canterbury region. This will include assessment of the following factors:

1. Locations where people swim, and the relative popularity/value of these sites at both a local and regional scale
2. Values that are key to a 'good' swimming spot, e.g. presence of amenities, flow rates/water depths, water quality, presence of a pool, scenic values
3. Barriers to people swimming in freshwater, e.g., accessibility, perceived water quality, knowledge of sites
4. Appropriateness of current locations for recreational water quality monitoring
5. Value of current indicators used for recreational water quality monitoring
6. Value of the current methods for reporting recreational water quality

The 'broad' approach to be used is to work with Environment Canterbury and other relevant organisations to establish an Expert Panel to guide and then moderate the data collection and analysis process. Environment Canterbury's Youth Engagement Team (and others as appropriate) will engage with schools and youth groups, electronically and face-to-face as appropriate, to gather raw data. Staff also plan to work with the various CWMS Zone Committees and their Rūnanga representatives.

Data will be collected and compiled from June – August, with an expert panel workshop to examine the results scheduled for September. The draft report will be delivered in early October, in time to inform the selection of monitoring sites at the pre-season recreation meeting. The final report is due in November.

Identifying Recreation and Amenity Flagship projects

The CWMS Recreation and Amenity Targets state the requirement that there be a positive trend in the availability or quality of recreational opportunities in each zone by 2020. By 2040 the targets state that at least one major recreational opportunity in each zone be restored that did not exist in 2010. To drive work towards this goal, the Regional Committee recommended in 2014 the establishment of at least one multi-party flagship project for recreation and amenity. In the spirit of the CWMS, the flagship projects could look to achieve outcomes for multiple targets, not just recreation and amenity.

The Recreation and Amenity Working Group (RAWG) discussed this proposal at their May 2016 meeting and determined that, rather than the Regional Committee selecting flagship projects, each Zone Committee should nominate their own potential flagship projects.

They acknowledged that current information gaps around the location and nature of some recreation opportunities may limit the Zone Committees ability to identify potential flagship projects. To remedy this, Environment Canterbury staff will be convening an information-gathering workshop with a wide range of recreational interest groups in the coming months. We then propose coming to each of the Zone Committees with that additional information in August/September, and working with the Zone Facilitators to identify some potential flagship projects in each of the zones.

In advance of that workshop, we wanted to present the proposal to Zone Committees, while also bringing their attention to the currently available information on recreation and amenity values. This includes the report into kayaking values, jetboating values and a range of maps showing access points and some recreational sites along Canterbury rivers. Copies of these will be provided at the meeting.

Regional biodiversity

The Regional Committee has agreed the need to expand and accelerate work to protect and enhance biodiversity across the region. Five years of the immediate steps funding has enabled zones and the regional committee to support a range of initiatives, but the risks to biodiversity remain.

In parallel with *zone* implementation programmes the regional committee is now advising and supporting a 5 year *regional* work programme in biodiversity. They have agreed ten priority outcomes:

1. The protection, maintenance and enhancement of Canterbury's braided rivers
2. The protection, maintenance and enhancement of wetlands is supported
3. Mahinga kai: longfin eel/tuna is managed in a sustainable way
4. Mahinga kai: improved fish passage is supported regionally
5. Management plans for ecologically significant habitats, key sites and corridors are in place
6. Support the protection, maintenance and restoration of local lagoons, river mouths and spring fed coastal streams
7. Support is provided to the management of invasive weeds and pests in areas of biodiversity value
8. Biodiversity management is co-ordinated and aligned through a joined up regional approach
9. Community-based organisation are supported to be more effective
10. Biodiversity is woven into the landscape with catchment group support, expertise, tools and farm environment plans

A stocktake is underway of biodiversity- related actions across the region (including review of zone committee implementation priority work programmes). This will inform an assessment of where there are 'gaps', and opportunities for synergies and partnerships with CWMS partners, and the subsequent development of the 5-year work programme.

The regional committee is mindful that zone committees know their local communities and environment and will be aware of the places of greatest need of protection, and where there are opportunities to make a difference if additional resources and/or expertise is available. The regional committee is also aware that there may be synergies between biodiversity, mahinga kai and recreational values.

Their suggestion is that the workshop in August/September not only identifies possible recreation and amenity flagship projects but also explores opportunities for a step-change in biodiversity protection and enhancement.

AGENDA ITEM NO:	SUBJECT MATTER: Officers' recommendations on the Nutrient Management and Waitaki Plan Change
REPORT BY: Jason Holland	
DATE OF MEETING: July 20 th 2016	

Purpose

This paper:

- provides a summary of the report outlining officers' recommendations on the Nutrient Management and Waitaki Plan Change (Plan Change 5 to the Land and Water Regional Plan)
- reminds Lower Waitaki Zone Committee members of upcoming key dates in the hearing process.

Action

For information only. Staff will speak to the report at the meeting.

Background

In the previous briefing on the Nutrient Management and Waitaki Plan Change, you received advice on:

- submissions lodged on the notified plan change
- direction from the Hearings Panel on the hearing process to be followed, including key dates for Council and submitters (Minute 1).¹

In accordance with Minute 1, Council officers have prepared and made available a report called the "Section 42A report" ("the report").² The report includes:

- discussion on matters raised in submissions (including further submissions)
- non-binding recommendations to the Hearings Panel (either to add to or amend the provisions, or it is to retain provisions without amendment)
- additional information prepared by Council officers in response to matters raised in submissions (referred to in the discussion and attached as appendices to the report).

¹ Minute 1 is available from the Environment Canterbury website at:
<http://ecan.govt.nz/publications/general/Hearing-Commissioners-Minute-1.pdf>

² The Section 42A report is available from the Environment Canterbury website at:
http://ecan.govt.nz/publications/general/Plan_Change_5_LWRP-S42a_Report.pdf

This is not the final set of recommendations from Council officers on this plan change. Following consideration of evidence presented at the hearing by submitters, Council officers will prepare a further report often known as the “reply report”. Based on that evidence it is possible that the reply report may provide different (and again non-binding) recommendations to the Hearing Panel.

How to read the report

The full report is lengthy at over 400 pages plus appendices. To assist the reader to navigate their way through the report, pages six and seven of the report describe its format and structure. In summary:

- Part A of the report relates to the region-wide provisions of this plan change (sections 4 – 10 of the report)
- Part B of the report relates to the Waitaki-specific provisions of this plan change (sections 11 – 24 of the report). Note that given the interconnected nature of the plan change, Part B often refers back to discussion in Part A to minimise duplication.

Some readers will begin with Appendix I, which demonstrates what the whole plan change would look like with the officers’ recommended amendments. However, it is important submitters understand the reasons behind the recommendations (including where the officer has recommended retaining the provisions without amendment). In addition to pages six and seven of the report, this briefing includes page references intended to help you locate discussion on specific topics. If all else fails, please contact Environment Canterbury and we can assist you to locate the information you are seeking.

Highlights of the report

The following is a selective summary of parts of the report, with personal judgement applied as to which matters may be of most interest to your Zone Committee. It is important that submitters read the report and do not rely on this summary to inform the preparation of their evidence.

Incorporating Good Management Practice (GMP) into the Plan (section 6, pages 30 – 63)

This section of the report addresses submissions on use of the Farm Portal and GMP Loss Rate requirements. While generally about the region-wide provisions, the discussion is very relevant to the Waitaki-specific provisions which use the same concepts to incorporate GMP into the Plan.

Recommendations are generally to retain the provisions that incorporate GMP into the Plan. Reasons include that:

- these aspects of the plan change are based on industry input into GMPs and the proxies
- submissions have not put forward an alternative option to the Farm Portal which provides for fair and equitable generation of loss rates
- an alternative consenting pathway (as sought by some submitters) would enable an increase in nitrogen loss in over-allocated catchments.

Submissions on Schedule 28, which sets out the modelling proxies used to translate GMPs into loss rate figures via the Farm Portal, are discussed on pp.44 – 46.

Also of potential interest, pp.61 - 63 clarifies Council's practice of including nitrogen loss limits in Farm Environment Plans.

Nutrient Allocation Zones (section 7, pp.64 – 122)

This section addresses submissions on region-wide nutrient management provisions, including consenting thresholds (e.g., 20 hectares of winter grazing). This section is relevant to the Waitaki because the same approach has been taken to matters such as consenting thresholds in both the region-wide and Waitaki provisions. Also, some of the region-wide rules are applied in the Waitaki.

No firm recommendations are made on the winter grazing and irrigation consenting thresholds. The officers' cite additional technical work (Appendix C) which models a range of possible consenting thresholds. Having considered this work, some support is expressed for a possible change to either of those thresholds in the plan change. However, the officers' are very conscious of statutory direction to maintain or improve water quality and have asked to hear evidence of submitters before making a recommendation.

Alternative Planning Frameworks (section 9, pp.179 – 185)

This section addresses submissions seeking a completely different planning framework for nutrient management.

Officers do not recommend amendments in response to these submissions. In respect of an alternative framework put forward in the Waitaki Irrigators Collective submission, officers are concerned that the alternative proposed is "unlikely to ensure that the freshwater outcomes are met", and would not therefore meet the statutory requirements for this plan change.

Tangata Whenua (section 16, pp.258 – 266)

This section addresses Waitaki-specific submissions on tangata whenua provisions, including on tangata whenua policies guiding decision-making on consents; conditions of some rules controlling land use activities relating to mahinga kai, wāhi tapu and wāhi taonga; and an addition to Schedule 7 relating to mahinga kai.

Officers' recommendations are generally to retain the notified provisions, but some minor wording changes are recommended to policies to better reflect statutory direction.

Irrigation Schemes (section 21, pp.291 – 299)

This section addresses submissions on provisions that apply to irrigation schemes in the Waitaki.

Officers' largely recommend retaining the notified provisions except for some amendments intended to improve clarity.

Freshwater Management Units (FMUs) (section 22, pp.299 – 407)

This section covers submissions on most of the Waitaki-specific provisions in this plan change, including policies and rules for each of the zones.

Regarding submissions not specific to a particular area in the Lower Waitaki:

- Alignment with the Lower Waitaki ZIP Addendum is discussed on p.300. Officers accept a typographical error was made to a date in the Greater Waikāhahi provisions, and note that a change could be made to correct that error if scope can be found within submissions.
- Controlled activity rules for water use consent holders whose consents include farm plan requirements, but do not include nitrogen limits, are discussed on pp.315 and 316. Officers do not recommend changes on the grounds that the existing provisions ensure cumulative loss rates are managed within limits, but they also invite submitters to provide evidence at the hearing to support an alternative approach.

Regarding submissions for specific FMUs and zones in the Lower Waitaki (pp.354 – 407):

- No amendments are proposed that would constitute a significant departure in intent from the notified version. The officers do note that consenting thresholds will need to be reviewed in the light of any final recommendations for the region-wide provisions.
- Officers do recommend a number of changes to reduce complexity and to improve ease of implementation. Most notably, officers recommend merging separate but virtually identical rules for different areas into a single rule covering both areas. This would significantly reduce the total number of rules in this part of the plan.
- Amendments are recommended relating to requirements to not exceed 90% of the GMP Loss Rate in the Greater Waikāhahi and Hakataramea River Zones. Officers are concerned there may be insufficient justification to prohibit an activity that exceeded that figure, and have accordingly recommended this requirement be a matter for consideration in consent decision-making.

Upcoming key dates in the hearing process

Dates set out below represent key events scheduled to occur before the next Lower Waitaki Zone Committee meeting on 24 August:

- | | |
|-----------|---|
| 22 July | Submitters to confirm their intention and availability to be heard at the hearing. This is also when all evidence is to be received by Council. |
| 5 August | All rebuttal evidence to be received by Council. |
| 22 August | Hearing starts at 9:30am in Christchurch at the Lincoln Events Centre. |

AGENDA ITEM NO:	SUBJECT MATTER: Work Programme Development
REPORT BY: Michael Hide, Zone Manager	
DATE OF MEETING: July 20 2016	

Purpose

To update the committee on progress against development of the work programme and how this is best reported to the Zone Committee.

Action Required

Receive the update.

Update

The development of the work programme for the zone needs to consider a range of factors:

- Zone Committees priority outcomes
- Zone Implementation Plan recommendations
- Compliance and enforcement guideline for the zone
- The level of internal and external resourcing available
- Councils statutory obligations.

This work is progressing well and has led to the amendment of existing work programmes and planning is underway for some new areas of work.

The development of the programme has focused on ensuring that all the activities are aligned to the Zone Committees priority outcomes, the actions specified in the Zone Implementation Plan and the Zip Addendum.

This approach is useful for the purposes of developing work programmes, however reporting against the various outcomes and projects specified in these documents is not an ideal way to show progress as many of the projects identified will deliver against multiple outcomes.

For this reason it is suggested that progress reporting is based on the achievement of project milestones across 4 key workstreams.

