



HURUNUI
District Council



Hurunui-Waiau Zone Committee

Agenda

3.00pm, Monday, 16 July 2018

1.45pm Biodiversity Working Group Workshop

2.35pm Public Workshop

Council Chambers, 66 Carters Road, Amberley

Committee Membership:

John Faulkner (Chairperson)
Mayor Winton Dalley (Hurunui District Council)
Cr Vince Daly (Hurunui District Council)
Cr Cynthia Roberts (Canterbury Regional Council)
James Costello
Ben Ensor (Deputy Chairperson)
Michele Hawke
Ken Hughey
James McCone
Makarini Rupene (Te Ngāi Tūāhuriri Rūnanga)
Dan Shand
Nukuroa Tirikatene-Nash (Te Rūnanga o Kaikōura)

Quorum:

The quorum of the meeting consists of:

- half of the members if the number of members (including vacancies) is even; or
- a majority of members if the number of members (including vacancies) is odd.

Committee Secretary – Michelle Stanley

The purpose of local government:

- (1) The purpose of local government is—
 - (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
 - (b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.
- (2) In this Act, **good-quality**, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are —
 - (a) efficient; and
 - (b) effective; and
 - (c) appropriate to present and anticipated future circumstances.

(Local Government Act 2002 – Amendment Act 2012)

HURUNUI – WAIAU ZONE COMMITTEE
WORKSHOP & MEETING
Monday, 16 July 2018
Council Chambers, Hurunui District Council, Amberley

1.45pm – 2.30pm Biodiversity Working Group workshop

2.35pm – 2.50pm Public workshop

– Te reo Maori pronunciation of local place names and discussion of Zone Committee karakia

AGENDA

	3.00pm	Zone Committee Meeting commences with karakia and formal order of business <ul style="list-style-type: none"> • Apologies • Announced urgent business • Interests register (changes or updates) • Confirmation of minutes – 18 June 2018 • Matters arising 	4 5-15
1	3.20pm	Update on Regional Committee Winton Dalley and Michele Hawke	
2	3.25pm	Update from Zone Committee members on activities and meetings attended that relate to the Committee's outcomes for the zone	
3	3.30pm	Public Contribution	
4	3.35pm	Update from organisations wishing to speak	
5	3.45pm	Recommendations for nutrient loss reporting and collective/ farm plan requirements for normal dryland farming Lisa Jenkins, Environment Canterbury	16-19
	5.00pm	BREAK	
6	5.30pm	Post-earthquake farming project update Michael Bennett, Environment Canterbury	20-21
	6.00pm	Meeting concludes (approximate)	

Register of Interests for the Hurunui-Waiau Zone Committee

Committee Member	Interests
James Costello	<ul style="list-style-type: none"> • Farm owner – sheep in the Hurunui Catchment • Water Resource Consent to take water from the Waitohi River • Shareholder in Hurunui Water Project • Possibly an affected landowner by infrastructure of Hurunui Water Project • Dryland Farmers Committee member
Ben Ensor	<ul style="list-style-type: none"> • Land owner in the coastal hills, Jed and lower Waiau catchments. • Managing director of Seaward Stock Company Ltd, comprising sheep, beef and cropping enterprises. • Consent holder to take water for irrigation from a stream hydraulically connected to the Waiau River. • Member of the Hurunui Waiau Landcare Group (Dryland Farmers Group).
John Faulkner	<ul style="list-style-type: none"> • Dairy farm owner in the Amuri Basin. • Irrigation water supplied by Amuri Irrigation Company Ltd (Shareholder). • Dairy Support block owner, consent to take water from a gallery. • Member of the independent irrigators Group.
Michele Hawke	Nil
Dan Shand	<ul style="list-style-type: none"> • Land owner Hurunui and Waiau catchments • Dry land farmer • Member of the Hurunui/Waiau Landcare Group
Mayor Winton Dalley	<ul style="list-style-type: none"> • Register of Interests lies with the CEO of the Hurunui District Council.
Ken Hughey	<ul style="list-style-type: none"> • Professor of Environmental Management, Lincoln University (2 days per week) • Chief Science Advisor, Department of Conservation, Wellington (3 days per week) • Board member Waihora Ellesmere Trust • Board member Hanmer Springs Conservation Trust • Member Royal Forest and Bird Protection Society. • Member Royal Society of NZ • Member NZ Geographical Society. • Occasional contract water-related research work including for Environment Canterbury.
Makarini Rupene	TBC
James McCone	<ul style="list-style-type: none"> • Dry Creek Dairy Ltd- AIC Balmoral scheme • Kinloch Dairy Ltd- AIC Waiau Scheme • Amuri Irrigation Company Director • Committee Member Upper Waiau Independent Irrigators • Informal interest in potential emu plains irrigation
Councillor Vince Daly	<ul style="list-style-type: none"> • Farm owner - mixed cropping and livestock farm • Water resource consent to take water from unnamed lake in Jed catchment
Cynthia Roberts	<ul style="list-style-type: none"> • Register of Interests is held by Environment Canterbury.

HURUNUI DISTRICT COUNCIL MINUTES



Meeting	Hurunui-Waiau Zone Committee
Date and Time	18 June 2018, 3.00pm
Venue	Balcairn Hall, Balcairn
Agenda	http://www.hurunui.govt.nz/assets/Uploads/18-June-2018-HWZC-Agenda.pdf
Members Present	John Faulkner (Chair), Mayor Winton Dalley, Cr Vince Daly, Michele Hawke, James McCone, Makarini Rupene, and Nukuroa Tirikatene-Nash.
In Attendance	<p>Environment Canterbury (ECan) – Ian Whitehouse (Zone Facilitator), Michael Bennett, Peter Taylor, Lisa Jenkins, Janine Topelen, Jess Hill, Ned Norton, Gaye Stanley, Andrew Arps, Angus McLeod and Nadeine Dommissie</p> <p>Hurunui District Landcare Group (HDLG) – Josh Brown</p> <p>Hurunui Water Project – Chris Pile and Christina Robb</p> <p>Amuri Irrigation Company (AIC) – Andrew Barton, David Croft and Bianca Sullivan</p> <p>Department of Conservation (DOC) – John Benn and Danny Kimber</p> <p>Te Rūnanga o Ngāi Tahu (TRONT) – Lisa Mackenzie</p> <p>Ngāi Tahu Farming – Rhys Narbey</p> <p>Federated Farmers New Zealand (FFNZ) – Lionel Hume</p> <p>Ballance – Rebecca Hyde</p> <p>Hurunui District Council – Cr Nicky Anderson</p> <p>Loch Katrine Association – David Kirkness</p> <p>Committee Secretary – Michelle Stanley</p>
Recording Device	A recording device was in use for the accuracy of the minutes.
Karakia	Nukuroa Tirikatene-Nash led the karakia.
Apologies	<p>Apologies were received from Ken Hughey, Cr Cynthia Roberts, James Costello, Dan Shand, and Ben Ensor.</p> <p>THAT THE APOLOGIES BE ACCEPTED.</p> <p>Faulkner/McCone CARRIED</p>
Conflict of Interest Declarations	Nukuroa Tirikatene-Nash to talk to Ian Whitehouse to provide his declarations to the Committee.
Urgent Business	Nil.
Health and Safety	The appropriate emergency evacuation plan was outlined out at the beginning of the meeting.

Minutes

THAT THE MINUTES OF THE COMMITTEE MEETING HELD ON 21 MAY 2018 ARE CONFIRMED, SUBJECT TO THE FOLLOWING AMENDMENTS:

- Page 5, Attendees, delete the double up of Rural Advisory Network entry.
- Page 5, Apologies, Change Faulkner in the resolution to Ensor.
- Page 8, Item 6, Bullet Point 3, Change to read: “Nukuroa Tirikatene-Nash noted that the policies and cultural review on mixing of waters was not included. Ngāti Kuri have questions and issues that need to be addressed. AIC were renewing their efforts to meet with Nukuroa Tirikatene-Nash and Lisa Mackenzie, Te Rūnanga o Ngāi Tahu (TRONT), to address these issues. It was highlighted that the cultural component of the package needed to be manawhenua led.

It was noted that the Rūnanga have their own approach to monitoring hāpua which could be a social benefit and be valuable to the working party.”

- Page 9, Item 6, bullet point 2, paragraph 3, replace “It was noted that AIC...” with “A Committee member noted that AIC...”
- Page 9, Item 7, bullet point 7, delete sentence “Lisa Jenkins agreed...between winter and summer grazing.” And replace with another bullet point “If using more than 10% of winter grazing entered into the portal would trigger consent requirements.”

Faulkner/McCone

CARRIED

Matters Arising:*Matters Arising – Correspondence (Page 6)*

David Just, Team Leader Consent Planning ECan, confirmed that the ECan has not processed any transfers from the upper to lower Waiau River since the Hurunui Waiau River Regional Plan (HWRRP) was made operative in 2013.

Item 6: Proposal for a staged implementation of HWRRP minimum flows (Page 8)

Clarification on the managed aquifer recharge trial mitigation project was sought. This project will be at the top end of the Lowry Drain and it was assured that the Waiau River would dilute any nitrate-rich water from the Lowry Drain.

Correspondence***AIC re Glenrae Storage Plan Change***

Taken as read.

Letter to Forest and Bird, and Fish and Game

Taken as read. It was reported that an emailed response to the Fish and Game New Zealand letter has been received from Scott Pearson and Trevor stating

“John,

I have discussed the 11 June 2018 letter with Trevor. We both feel the letter does not warrant a formal response from Fish and Game. With due respect we decline your offer to meet, having already made our position clear.

Regards

Scott and Trevor”

Nukuroa Tirikatene-Nash felt that the Letter to Fish and Game was not quite expressed the way he thought. He hoped there would be an invitation to meet with the Zone Committee to discuss matters but he appreciated that a start has been made.

Tabled memo from WynnWilliams Lawyers – Privacy of farm Portal data

Legal advice was sought by ECan from Lawyers WynnWilliams on the issue of privacy of Farm Portal data and if the data could potentially be released under the Local Government Official Information and Meetings Act 1987 (LGOIMA or the Act).

They stated that:

- “If a request is made under section 10 of the LGOIMA to make available information collected through the Farm Portal, the Council will need to consider that request on its merits and make a decision in accordance with the purposes of the Act and the principle that the information shall be made available unless there is good reason for withholding it.
 - [WynnWilliams Lawyers] consider that information collected through the Farm Portal could be withheld on a number of grounds, including:
 - a) The request is frivolous or vexatious (section 17(h));
 - b) The maintenance of the law (for example if the information requested is relevant to a compliance investigation and its release would prejudice that investigation) (section 6(a));
 - c) To protect the privacy of natural persons (section 7(2)(a));
 - d) To protect the commercial position of those who have provided the information or are the subject of the information (section 7(2)(b)(ii)); and
 - e) The information is subject to an obligation of confidence and its release would prejudice the supply of similar information or information from the same source and it is in the public interest that such information continue to be supplied (section 7(2)(c)(i)).
 - As a general observation, if the information requested would identify, or can be connected to, an individual we consider that the information could be withheld in order to protect the privacy of that individual. It is also considered that there are likely to be circumstances where there is a real risk that the commercial position of those entering information into the Farm Portal would be prejudice by the release of the information. Amendments to the terms and conditions of the Farm portal could also be made to ensure that the information is being provided in confidence. If that information was to be released, it is arguable that this would prejudice the future supply of farm practice information, which is in the public interest, as a breach of confidence is likely to discourage farmers from providing that information.
 - In order for Council to withhold information for the reasons set out [above], the Council would also need to be satisfied that
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withholding the information is not outweighed by the public interest in the release of the information.

- [WynnWilliams] consider that if these grounds are made out, withholding the information would not be outweighed by the public interest in the release of the information. This is because the public interest is most likely to lie with the purposes for which the information has been provided, for example for catchment accounting, plan development or RMA [Resource Management Act] compliance, not in the disclosure of information relating to individual properties.”

Andrew Barton, AIC, said they have notified ECan of an issue around water-take consents for dairy shed washdown. These takes are linked to the HWRRP minimum flow restrictions and the threshold for how much water can be taken as a permitted activity is lower in the Hurunui than in the rest of Canterbury. The Zone Committee noted this issue and requested that ECan find out more information on how these consents are being considered and what practical solution can be found. Lisa Jenkins to follow up on this.

1. Update on Regional Committee

Mayor Winton Dalley updated the Zone Committee on the recent Regional Committee meeting held on the 12 June 2018:

- Correspondence from Bill Bayford, ECan CEO, on powers of Zone Committees.
- An overview of the next 10 years of the Canterbury Water Management Strategy (CWMS). An update will be provided by the Zone Facilitator in his report.
- Updates were given from Ministry for Primary Industries, Ministry for the Environment and the Department of Conservation.
- The BRIDGE Project – Braided Rivers was discussed and an update will be provided by the Zone Facilitator in his report.
- A summary of the Regional Infrastructure Work Programme for 2017/18 was given.
- The Canterbury Southern Black-Backed Gull/Karoro strategy was discussed.
- The Chair, Andy Pearce, has resigned. A new Chair has not yet been appointed.

The Regional Committee agenda can be found at: <https://www.ecan.govt.nz/get-involved/council-and-committee-meetings?meeting-type=11>

2. Update from Zone Committee members on other activities and meetings attended that relate to the Committee's outcomes for the Zone.

Updates from the following members were received:

- Cr Vince Daly attended the LGNZ Water Summit 2018, which explored the key issues of drinking water regulation, infrastructure funding, freshwater management and allocation. Of note from this symposium was the discussion on co-regulation of the three waters infrastructure. The models supported a centralised governance of water.

3. General Public Contribution

- Chris Pile, HWP, noted that the HWP share offer closes on the 16 July 2018.

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- AIC informed the Zone Committee that they have put the Waipara Discharge Consent on the hold in order to further negotiate with rūnanga. They have begun piping the Waireka Scheme. The expected finish date is September.
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REPORTS, SPEAKERS AND PRESENTATIONS

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| <p>4. Verbal update from Zone Delivery
Andrew Arps, ECan.</p> | <p>Andrew Arps is the new North Canterbury Zone Delivery Manager, ECan. His role covers the Hurunui, Waimakariri and Kaikoura Districts. He is looking at appointing a Zone Delivery Manager who will be based in at the Amberley office.</p> <p>Andrew's key focus will be on building relationships and he emphasised that he is open to communication.</p> <p>Andrew to forward his contact details onto the Zone Committee members.</p> <p>Nadine Dommissie noted that this position structure is based on a model that is working in the more southern zones. The hope is that there will be a better opportunity to get on the ground projects moving and completed. She noted that the Zone Committee will have an opportunity to feedback on how they feel the model is working.</p> <p>John Faulkner, on behalf of the Zone Committee, welcomed Andrew Arps and noted that it is good to see the Zone Delivery team strengthened.</p> |
| <p>5. Update from Organisations wishing to speak</p> | <p>Nil.</p> |
| <p>6. Proposal for a staged implementation of HWRRP minimum flows alongside an environmental enhancement package
Hurunui-Waiau Zone Committee Working Party</p> | <p>John Faulkner spoke to the report and noted that not all of the Zone Committee members were present and felt it was important they all have their say.</p> <p>John outlined the choice facing members of the Zone Committee and other interested parties.</p> <p>John Faulkner outlined the concerns raised by Zone Committee and other parties:</p> <ul style="list-style-type: none"> • Nutrients saved by pumping in St Leonards used for further intensification expansion. • how to lock in the commitments made by AIC and the legality of any agreements. • Linking fixing the 10%-rule issue with the proposed plan change related to Glenrae water storage • Farming needs to operate within limits and adhere to Plan limits • Water limits quality set on the Waiau. • Minimum Flows implemented immediately. • Collaborative process broken and needs review and fixing. • A moratoria on consents in Waiau Catchment. <p>Some of these issues have been resolved and some are currently being looked into.</p> <p>Nukuroa Tirikatene-Nash spoke on the proposal. He agreed with John regarding the position the Zone Committee is in. The following was noted:</p> <ul style="list-style-type: none"> • Nukuroa Tirikatene-Nash recently visited a number of irrigated farms and AIC shareholders, and was highly impressed. He noted that the |
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willingness of farmers to adapt and consider a different point of view was commendable and he thanked AIC for hosting him. He noted that the level of this proposed package is impressive but still holds a number of issues that need to be resolved.

From a rūnanga point of view, there are still a number of environmental questions regarding the mauri (life force/ecosystem) of the river.

At his meeting with AIC, he outlined three scenarios for the river:

- Ideal – cohabitating of all the parties towards a healthy and flourishing river with all its mauri restored.
- Actual – the mauri of the river is reduced to 75% of what it should be. This is where all recreational activity on the water is reduced except irrigation, which is expanding.
- Compromise – a happy medium between the ideal and the actual.

Nukuroa Tirikatene-Nash appreciated that whilst the Rūnanga would like to fully restore the mauri of the rivers; stepping-stones need to be placed to ensure that process begins. AIC welcomed the discussion.

John Faulkner asked the Zone Committee if they wished to continue consideration of the package, and if they do, is the package sufficient to the members present. If not what is lacking and what is required to improve the package. Each present Zone Committee member stated their views as follows:

- Makarini Rupene has reviewed the proposed package and feels that there is not enough information in the proposal to enable the Zone Committee to give an acceptable answer. He agrees that the cultural and mauri values of the river and the tangata whenua connection to the river needs more scrutiny. He does not want to reject the proposal but feels more work needs to be done to bring it to a level that satisfies everyone.
 - Cr Vince Daly – commented that this is only a recommendation to the Environment Council and another panel will decide on the final package parameters. He felt that the staged implementation was better for the community in the long term.
 - Mayor Winton Dalley – felt that reversing the trend in the rivers has begun with ECan implementing the plan minimum flows on consents that are due for renewal and increasing farmers education. He noted that many factors need to come together to improve the state of the rivers. He reminded the Zone Committee that there are two different zones (in relation to water storage) on the river A and B: A is totally protected and B is heavily protected. He would feel more comfortable if he had assurance that the working party has given due consideration, under Section 3 of the Resource Management Act 1991, to the environmental, economic, social, and cultural effects that are expected from the implementation of the proposal including economic growth (increased or decreased) and employment (increased or decreased). Andrew Barton, AIC, assured Mayor Winton Dalley that these effects were considered and that Mark Everest had made a presentation on these to the Zone Committee early in the process.
 - James McCone – Noted his perceived conflict of interest due to being a AIC shareholder. James fully supports the work that the working party has been tasked with and understands that the working party was happy with where they got. With that being noted, from discussions held today
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he understands that another level of detail is needed and he supports this.

- Michele Hawke – would like further detail provided with an emphasis looking to the future. If more information is provided she will support the proposal.
- Andrew Barton (AIC) – noted that it would be helpful to have a clear recommendation on where the working party got to. He stated that this process has taken a lot of work from both parties and if the proposal is reconfigured then they request an opportunity to review it. He asked that a process is decided on by the Zone Committee so that the debate and decisions need only be done once. Andrew is looking for efficiency and stated that the working party went through a careful process of what was expected from AIC as business-as-usual and what was beyond this.
- John Faulkner – noted the limited timeframe and the logistics of going back to the working party and AIC to outline the issues that need to be resolved. Was not as straight forward as hoped it would be. He worries that the 10% issue could get derailed.

Debate continued on the issues surrounding the proposal and the following points were noted:

- Committee members would like some assurance that if the minimum flows are deferred again, as suggested in the proposal, that this will not be adversely critical to the health of the river in the short term. It was noted that Suzanne Gabbites and Jeanine Topelen gave a report on the 'Assessment of likely impact of climate change on the assessment of environmental values at risk if minimum-flow consent review is deferred' (20 November 2017 Hurunui-Waiau Zone Committee Agenda). In this report it outlined that there was a risk to salmon passage in the Waiau River and a risk to the Waiau Mouth. There were a number of other areas identified as risky but the risks were minor.
AIC noted that the package proposed will not solve every issue and these will not be the only things that AIC will do to improve the river over time.
- It was agreed that the committee did not want to strip away the proposal but would like to build on it. It was discussed that a more decisive direction from the working party might have helped the direction of the discussion.
- Nukuroa Tirikatene-Nash felt, on advice from his technical advisors, that there are other tools available to fix the 10% rule and will endeavour to report on those at a future meeting. It was reminded that some of the other tools to fix the 10% rule could open up the Plan and allow for unintended consequences.
- The Zone Committee was reminded that there are two options to consider on the table currently (as per the report);
 - Option A: Ask the Regional Council to call in consents on the Waiau and Hurunui and seek to have the minimum flows implemented now.
 - Option B: Negotiated staged increase in minimum flows complemented by the environmental enhancement package.

Both of these options will implement the HWRRP minimum flows but one is slower to fully implement the minimum flows. It was reminded that there is a third option, which is to do nothing and minimum flows will be

implemented in 2033 with AICs consent renewal but that this was not a proactive option.

- It was agreed that the best way forward is to organise a meeting between AIC and the Zone Committee rūnanga representatives to discuss these issues.
- The Zone Committee rūnanga representatives agreed that the mauri of the river needs to be assessed which they will organise.
- In response to a question on the long-term value of this package to the river, it was noted that in the short-term, building relationships and initiating on-ground actions is the pathway to progressing long-term action and goals. AIC noted that while this was never a 70 year long package, it is a start of a strong relationship for the future and AIC see there being a regular review of the package and outcomes.
- AIC noted that the discussions and debate between the working party and AIC on this proposal have been extensive and that the working party have done their due diligence. It was noted that at the start of the process there was no staging of the minimum flows.
- Ian Whitehouse will request more information from TRoNT advisors in terms of a comparison of options in relation to improving the mauri of the rivers. Nukuroa Tirikatene-Nash and Makarini Rupene to work with TRoNT on what this might look like and it was agreed that a meeting be set up with , Nukuroa Tirikatene-Nash, Makarini Rupene, Lisa Mackenzie, Matt Dale and Bianca Sullivan.

Break

The meeting adjourned for a break at 5.00pm and reconvened at 5.25pm.

7. Hurunui Waiau Zone Delivery Work Programme 2018/19

Ian Brown and
Andrew Arps, ECan

Andrew Arps, ECan, spoke to the report.

The purpose of this report was to present, for committee consideration and adoption, a revised set of five-year outcomes and milestones for the Hurunui-Waiau zone that will help in the delivery of zone priorities. These priorities build on what has already been achieved in the zone but also recognise that there is significant scope for more to be done.

It was clarified that this report was a work programme for the zone team to act upon. This work program is separate from the Zone Committee's work programme. The zone team will report to the Zone Committee on these outcomes in order to see the progress made.

Nadeine Dommissie welcomed any suggestions made by the Zone Committee and will endeavour to incorporate into the zone delivery outcomes.

Discussion was held and the following was noted:

- John Faulkner will follow up with Fish and Game and Forest and Bird in a bid to re-establish the relationship.
- It was noted that the Biodiversity Step Change explanation was insulting to the farmers as there is a lot that is happening in this area initiate by farmers themselves. Officers to look at rewording this paragraph.
- It was asked if landowners are receiving any information to help them to identify biodiversity values on their properties. It was noted that there is no education program to support this at the moment. Any education programme will need to be clear in stating what can and cannot be done to help with biodiversity.

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- It was suggested that the sentence under Outcome 7: Quality, affordable drinking water be reworded to include 'regulatory'.
 - Andrew Barton, AIC, queried where the previous outcome about integrated storage had gone. It was noted that this was something that the Zone Committee is interested in and therefore it would be part of the Zone Committee's work programme and not the zone team's work programme. AIC indicated they will bring the Glenrae storage discussion back to the Zone Committee in the future.

THAT THE HURUNUI-WAIAU ZONE COMMITTEE ADOPT THE REVISED FIVE-YEAR OUTCOMES AND MILESTONES WHICH WILL FORM THE BASIS OF THE ZONE DELIVERY WORK PROGRAMME.

Faulkner/McCone

CARRIED

8. Consultation on proposed approach to fix the 10% rule issue

Lisa Jenkins, ECan

Lisa Jenkins spoke to her report.

A Consultation document, as attached in the agenda, has been mailed to farmers in the Hurunui, Waiau and Jed catchments. An advert has been placed in all the local papers including the small publications. The Hurunui District Council have put it on their Facebook page and two community meetings are to be held in Waikari and Cheviot.

It was suggested that Federated Farmers and Beef and Lamb be asked to distribute these as well.

Discussion was held around the community meetings. It was asked that Zone Committee members attend. It was agreed that Mayor Winton Dalley and Dan Shand facilitate the respective meetings with ECan staff and experts to answer any technical questions. Who is going to lead those public meetings – Lisa Jenkins suggested that Ben Ensor and Mayor Winton Dalley led the conversation.

Cr Vince Daly said that the Zone Committee should go into these meetings with the position that they have not decided how they will fix the 10%-rule issue. It was noted, however, that the Committee has agreed that dryland farmers should not have to have a consent to farm and the consultation is about some of the details in how this is to be done. .

There will be a representative from the Hurunui District Landcare Group at both meetings.

The Zone Committee agreed that the consultation process is acceptable.

Nutrient Allocation in the Hurunui Catchment

A presentation from Lisa Jenkins, ECan, was tabled on the nutrient allocation in the Hurunui Catchment.

"Has an N load been provided for permitted activities?"

- The Hurunui in-river catchment N load limit was set to include the existing (baseline) load for all activities (taken from the six year average measured in river) and an additional 25% for irrigation development.
 - The 25% additional allowance was allocated to new irrigation (HWP and NTFE) as anticipated and intended – Plan decision is clear on this.
 - The Plan also allows permitted activities to increase losses by 10%, but does not indicate that this is provided for within the load limit.
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Has an N load been provided for permitted activities?

- Allocation decisions (consents) have not made provision for the 10% additional losses possible from permitted activities within the total load allowance – it was assumed by the Hearing Panel on the HWP consent application that there would be no increase in nutrients from non-irrigable land (HWP consent decision paragraph 11.74).

Why is it important?

- Going into hearing on the proposed plan change to fix the 10%-rule issue, we need to be clear on the allocation distribution and we don't currently have a succinct explanation of what the final result of all of the consent decisions (after appeals etc) has been.
- If all activities maximise their consented and permitted N or P losses, the river would exceed its limits – at some point (now or as a part of the 2022 review) this will need to be addressed.
- Reassurance: there have been questions and we want to reassure people that the baseline load has not been re-allocated to new irrigation or other users.
- ECan has contracted Peter Brown to prepare a memo consolidating the allocation decisions and explaining how nutrient allocation is currently distributed."

Discussion was held and the following was noted:

- It was noted that there is no room above State Highway 1 for any new consents but there is no limits below the State Highway. To set up limits on the lower part of the river would be an issue to look at in the 2022 Plan review.
- Further discussion of this will come at a future meeting.

Privacy of farm portal data.

Discussion was held on the legal opinion of the Portal privacy issue. Hamish Dobbie, Hurunui District Council CEO, provided (via email) his legal opinion on the issue. Lisa Jenkins has this email and will forward to the Zone Committee.

Nadeine Dommissie has a meeting with the ombudsman later this week to go over this matter. She has also discussed the issue with Hamish Dobbie, HDC CEO. To mitigate the risk of the ombudsman disagreeing with them and to explain everything clearly, they are meeting with them. Council can also rule to withhold the information. There is still a small risk but lawyers consider it to be very low.

Mayor Winton Dalley queried as to why they were using the ombudsman rather than the auditor general, who wields more power.

It was agreed that Nadeine, Mayor Winton Dalley and Hamish Dobbie will meet to formulate a clear statement to present to public at the community meetings.

9. Loch Katrine Water Quality

Tina Bayer, ECan

Tina Bayer, Surface Water Science, spoke to her report. The key messages outlined were:

1. Loch Katrine water quality was generally good – achieved the "TLI" (Trophic Level Index) objective in the Canterbury LWRP last 13 years except for in 2008/09.
 2. Aquatic plant condition is "moderate" due to wide-spread invasive weeds – but seems stable.
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3. Increases in nutrients between 2005-2010 may be related to regional climate? (also observed in nearby lakes).

Discussion was held and the following was noted:

- A member of the public noted that a few years ago the increase in the nutrient levels was from careless top dressing. It was noted that more education has been put out to contractors and farmers and the industry regulations are now very tight on fertilising near waterways. It was asked that if a farmer/contractor is seen to be top dressing near and into the lake, that the ECan compliance team is notified.
- The lake is tested four to five times per year in the summer months.

John Faulkner thanked Tina for her presentation.

10. Zone Facilitators Report

Ian Whitehouse,
ECan

Ian Whitehouse spoke to his report. The following was noted:

- It was noted that the CWMS Fit for Future project would not include workshops with the community as it was felt that there was a wide enough base of knowledge and community involvement through the task groups.
 - The BRIDGE project is continuing. The first discussions on the extent of the river bed in braided rivers has begun. This will be a long process and a difficult one.
 - It was also pointed out that a lot of work needs to happen on the river that does not relate to rules or regulations such as willow control.
 - Canterbury Black-Backed Gull/karoro strategy. Contact Ian Whitehouse if anyone would like to get involved in the process.
-

Urgent Business

Nil

Meeting concluded

The meeting concluded at 6.56 pm with a closing prayer from Nukuroa Tirikatene-Nash.

Next meeting

16 July 2018 – Amberley

MEETING ITEM: 5	SUBJECT MATTER: Recommendations for nutrient loss reporting and collective/ farm plan requirements for normal dryland farming.
AUTHOR: Lisa Jenkins, Environment Canterbury	DATE OF MEETING: 16 July 2018

Action required

1. The Zone Committee considers the summary of feedback received regarding options for catchment accounting and maintaining water quality through the use of farm management plans
2. The Zone Committee makes a recommendation in relation to catchment accounting and Farm Plan and collective requirements for permitted dryland farming.

The suggested recommendation is:

The Hurunui Waiau Zone Committee recommends that the Canterbury Regional Council pursues a targeted change to the Hurunui Waiau Rivers Regional Plan, to be notified in 2018. In addition to permitting dryland farming within previously specified limits¹, the plan change will address the current requirements for dryland farmers to be a part of a nutrient management collective and report nutrient losses by requiring that farmers undertaking a “normal dryland farming activity” to:

- a. Hold and implement a Farm Management Plan and provide that farm management plan to Environment Canterbury on request*
- b. Report the area of their farm used for winter grazing of cattle on root vegetable or brassica crop, either:*
 - i. through the Farm Portal; or*
 - ii. through a dryland farmers collective group that has the purpose of reporting the winter grazing area of their members in aggregate.*

Discussion: Collectives and catchment accounting

At the 21 May Zone Committee meeting, the Committee sought that the options for addressing the NPSFM requirements for water quality maintenance and catchment accounting, be made available for public feedback.

Information was sent out to over 500 people and public meetings were widely advertised. Public meetings were held in Waikari and Cheviot, and were well attended. It is estimated there were about 40 people at the Waikari meeting and 55 people in Cheviot.

At both meetings, the majority of attendees indicated general support for the options presented.

¹ See recommendations made by the Zone Committee on 19 March 2018

At the Cheviot meeting, the Rural Advocacy Network presented some alternative options, which are discussed below.

The main concern raised with the proposal was that there is a strong feeling that dryland farmers should not be regulated. However, there was equal acceptance that the proposed rules (requiring non-audited Farm Management Plans and reporting basic details such as the area of the farm used for winter grazing) would go a long way to helping the dryland industry demonstrate their stewardship and leadership values.

At both the Cheviot and Waikari meetings, people asked if the Beef and Lamb NZ farm plan template would meet the requirements of the proposal. The B+LNZ template specifically addresses the matters sought to be addressed as set out in the Land and Water Regional Plan and will meet the requirements of the proposed provision. The only additional requirement of the proposed plan rule is that a farm plan is provided to Environment Canterbury on request.

In addition to the meetings, I have received emails from two individuals (as at 6 July). One email expressed support for the proposal. The second email expressed some concern around inequity at dryland farmers being regulated due to the intensification of irrigated land uses and sought some clarification on the background to the Plan Change. Once the background to the proposal was fully explained, the feedback was that they can see why it would be useful for dryland farmers to record farm practices.

Federated Farmers feedback indicated general comfort with the proposed direction of the plan change. They support the concept of allowing up to 10% of a property to be used for winter grazing and also indicate support of the methodology behind determining a “plausible worst-case scenario” for the total amount of winter grazing that might eventuate across all dryland farms in the catchment under the proposed new rule for permitted dryland farming. That estimate has been used to identify the catchment nitrogen load that needs to be offset by others in the catchment to achieve a “zero sum game” in terms of meeting the existing Plan’s catchment nitrogen load limit. Federated Farmers support the requirement for Farm Management Plan so long as these can be shown to be an effective tool, and as long as duplication can be avoided through the use of industry farm plan templates such as the Beef and Lamb NZ template. Federated Farmers support the options for reporting the area of farms used for winter grazing, but has some reservation about the farm portal particularly around potential privacy issues. Federated farmers seek inclusion of some limited permitted irrigation and this is discussed below as an additional option.

At the time of writing, the Rural Advocacy Network and Beef and Lamb NZ have indicated they will provide feedback before the Zone Committee meeting on the 16th. I will cover off additional feedback in my presentation at the Zone Committee meeting.

Additional Options

There were several additional options suggested as a result of this consultation.

At the Waikari meeting there was some discussion around whether it could be possible for an individual farm to have more than 10% of its area in winter grazing if across a collective there is still less than 10% of the total area in winter grazing. This option would provide

additional flexibility to farmers and enable them to maximise the area capable of supporting winter grazing. To pursue this option, we would need to re-assess the plausible worst-case increase in winter grazing that could occur across all dryland farms in the catchment. It is possible that the plausible worst-case increase in winter grazing across the whole catchment would be significantly higher under this scenario. It is not likely we would be able to secure the additional off-set load needed to achieve a “zero-sum-game”, before October 2018, if this option is pursued.

The Rural Advocacy Network sought that Farm Management Plans be voluntary. Under this scenario Farm Management Plans would be agreed upon between a farmer and a trusted advisor and be reviewed annually. While the recommended plan provisions would not prevent this from happening (it would be possible for farmers to engage an advisor and review farm plans annually), it is my view that the voluntary aspect would not likely satisfy a hearing panel that farm management plans that address water quality effects would be implemented. If there is no requirement for a Farm Management Plan to be shown to an Environment Canterbury officer on request, a panel would be unlikely to accept that Environment Canterbury can reasonably enforce the plan, or have confidence or certainty that farm plans are designed to manage risks to water quality. Overall, this option is unlikely to be an effective way of satisfying the NPSFM requirement to maintain water quality.

The Rural Advocacy Network indicated that the voluntary approach to farm management plans has been a proven success in Taranaki. The Taranaki programme has been in place over a 20-year period and the Taranaki Regional Council are indicating that a regulatory approach will be taken from 2020. The Taranaki Regional Council have committed significant resources to the programme including eight Land Management Advisors (or the Taranaki equivalent) who visit 350 farms a year, supported with communications services. An equivalent programme in the Hurunui Zone would likely require a change in the structure and resourcing of the Zone Delivery Team and is not likely to be efficient.

The Rural Advocacy Network supported a remote monitoring option for meeting the catchment accounting requirements. The RAN stated that this option is more cost effective and requires less administration. Remote monitoring will likely cost between \$50 000 to \$100 000² per year, depending on the approach taken, and that would cover just the dryland farmers in the Hurunui, Waiau and Jed catchments. The cost of reporting through the Farm Portal is around 10 minutes per year per farm. The administration and costs of a collective will be determined by each collective, but the simplified structure proposed is likely to minimise that cost.

Federated Farmers seek some provision for a limited amount of irrigation as a permitted activity. In order to provide for this while maintaining water quality, there would need to be significant headroom created by the irrigation schemes. I do not consider irrigation can be accommodated at this stage.

² More accurate figures will be presented at the meeting

Reasons for the recommendation

The majority of farmers who attended the public meeting indicated support for the direction proposed. While it is clear there is some reluctance, within the dryland farmer community, to accept any proposal that includes a requirement to report any farm information (such as the area of farm in winter forage as is proposed) or demonstrate that losses would be managed, pursuing a plan change without these elements is a significant risk.

The risks are that a Hearing Panel would see a need to address the NPSFM requirements and impose either the existing plan provisions (Overseer requirements and collective requirements equal to irrigated farms) or provisions similar to what has been proposed. This would also carry a reputational risk to the Regional Council and the Zone Committee – if the Zone Committee seek to progress a plan change that does not include provisions for catchment accounting and managing nutrient losses, there will be an expectation that will be delivered and it will be viewed as a failure if it is not delivered.

It is my assessment that the provisions proposed are the most efficient and effective ways of achieving the NPSFM requirements, and are the options which will impose the least cost and compliance burden on dryland farmers. To that end, the proposal is also entirely consistent with the Zone Committee's stated nutrient management principles.

Timeline

A Zip addendum will be prepared on the basis of the recommendations made to date, and at 16 July the meeting. We will ask the Committee to confirm the ZIP addendum at the August meeting.

Landing a Zip addendum at the August meeting will allow us to prepare a plan change for 1st Schedule consultation in September, respond to that consultation and get the appropriate Regional Council resolutions to notify the Plan Change by 27 October.

July	August	September	October
• ZC finalise recommendations	• ZC confirm Zip Addendum	• 1st Schedule Consultation	• Plan Notification

AGENDA ITEM NO: 6	SUBJECT MATTER: Update – Post-earthquake Farming Project
REPORT BY: Michael Bennett, Environment Canterbury	DATE OF MEETING: 16 July, 2018

Summary

Post-quake Farming (PQF) project supports the recovery of farm land and businesses following the November 2016 earthquakes. It is essentially a locally (farmer) led recovery project. PQF is supported by Ministry for Primary Industries (MPI) earthquake recovery fund, Beef and Lamb NZ, and Environment Canterbury.

The project focusses on land restoration and future land use options in the earthquake affected areas. PQF will develop whole farm environment plans, target relevant research, and deliver extension through reports, community-based groups and field days.

The Project is held by Beef and Lamb NZ, with a governance group primarily made up of farmers within the project area. Environment Canterbury has supported the project with a cash contribution of \$200,000 and an in-kind contribution of 30% of my time.

Recent Progress

The Governance Group has directed the development of a core workplan around three key themes:

- Land Resource Mapping and Farm Planning (including but not limited to a farm environment plan).
- Evaluation of land use options supported by trial work, decision support tools, and coordinated approaches to other funds as appropriate.
- Well-being support and community resilience – required to support other project outcomes.

Support for decision making around future land use options will develop as farm planning work is undertaken and implications of the revised ETS/Afforestation Grant Scheme for hill country become clearer (update expected in August).

Better decision making around future land use will be a critical work area; with clear vision there is an opportunity to really lift social, economic, and environmental outcomes on hill and high-country land across the project area for at least the next generation.

Farmer-participants have also expressed interest in growing-degree days mapping, tourism, farm infrastructure, sustainable agriculture, farm forestry, and trial work relating to lower cost or enhanced establishment of native forest.

Billion Trees Initiative

Recently the PQF Governance Group directed that the project source funding to develop a business case under the Billion Trees Initiative. With resources and local/regional leadership in PQF there as a great opportunity to achieve an integrated recovery of more difficult to manage areas, with planting (or enabling the recovery of) exotic and native trees in appropriate locations, better farm systems, and enhanced outcomes for biodiversity, landscape and cultural elements.

Next Steps

PQF will continue to build up over the next few months.

A welfare programme will be initiated in early August and an EOI for Land Use Capability Mapping will have closed by July 13th. I will be on the road promoting the project through the month of July to discuss the project and start to case manage Land Use Capability mapping and whole farm plan preparation.

Hurunui Waiau Zone Water Management Committee

Terms of Reference

The area of the Hurunui Waiau Water Management Zone is shown on the attached map.

Establishment

The Committee is established under the auspices of the Local Government Act 2002 in accordance with the Canterbury Water Management Strategy 2009.

The Committee is a joint Committee of Environment Canterbury (the Regional Council) and Hurunui District Council (the Territorial Authority).

Purpose and Functions

The purpose and function of the Committee is to:

- Facilitate community involvement in the development, implementation, review and updating of a Zone Implementation Programme that gives effect to the Canterbury Water Management Strategy in the Hurunui Waiau area; and
- Monitor progress of the implementation of the Zone Implementation Programme.

Objectives

- 1) Develop a Zone Implementation Programme that seeks to advance the CWMS vision, principles, and targets in the Hurunui Waiau Zone.
- 2) Oversee the delivery of the Zone Implementation Programme.
- 3) Support other Zone Implementation Programmes and the Regional Implementation Programme to the extent they have common areas of interest or interface.
- 4) Ensure that the community of the Zone are informed, have opportunity for input, and are involved in the development and delivery of the Hurunui Waiau Implementation Programme.
- 5) Consult with other Zone Water Management Committees throughout the development and implementation of the Hurunui Waiau Implementation Programme on matters impacting on other zone areas.
- 6) Engage with relevant stakeholders throughout the development of the Hurunui Waiau Implementation Programme.
- 7) Recommend the Hurunui Waiau Implementation Programme to their respective Councils.
- 8) Review the Implementation Programme on a three yearly cycle and recommend any changes to the respective Councils.
- 9) Monitor the performance of Environment Canterbury, Hurunui District Council, and other agencies in relation to the implementation of the Hurunui Waiau Implementation Programme.
- 10) Provide Environment Canterbury and Hurunui District Council with updates on progress against the Zone Implementation Programme.

Limitation of Powers

The Committee does not have the authority to commit any Council to any path or expenditure and its recommendations do not compromise the Councils' freedom to deliberate and make decisions.

The Committee does not have the authority to submit on proposed Resource Management or Local Government Plans.

The Committee does not have the authority to submit on resource consent matters.

Committee Membership

The Zone Committee will comprise:

- 1) One elected member or Commissioner appointed by Environment Canterbury;
- 2) One elected member appointed by each Territorial Authority operating within the Zone Boundary;
- 3) One member from each of Tūāhuriri and Kaikōura Rūnanga;
- 4) Between 4-7 members appointed from the community and who come from a range of backgrounds and interests within the community;
- 5) Environment Canterbury and Hurunui District Council will appoint their own representatives on the Committee. Tūāhuriri and Kaikōura Rūnanga will nominate their representatives and the appointments will be confirmed by Environment Canterbury and Hurunui District Council.

Selection of Community Members

To be eligible for appointment to a Zone Committee the candidate must either live in or have a significant relationship with the zone. Recommendations on Community Members for the Hurunui Waiau Zone Committee will be made to Environment Canterbury and Hurunui District Council by a working group of representatives from Environment Canterbury, Hurunui District Council, Tūāhuriri and Kaikōura Rūnanga. The recommendations will take into account the balance of interests required for Hurunui Waiau, geographic spread of members and the ability of the applicants to work in a collaborative, consensus-seeking manner. Environment Canterbury and Hurunui District Council will receive the recommendations and make the appointments.

Quorum

The quorum at a meeting consists of:

- (i) Half of the members if the number of members (including vacancies) is even; or
- (ii) A majority of members if the number of members (including vacancies) is odd.

Chair and Deputy Chair

Each year, the Committee shall appoint the Chair and Deputy Chair from the membership by simple majority. There is no limit on how long a person can be in either of these positions.

Term of Appointment

Members of Committees are appointed for a term of three years. To coincide with Local Government Election processes terms shall commence from January each year, with each Committee requiring confirmation of membership by the incoming Council. The term for community members will be staggered so that one third of the community members is appointed (or reappointed) each year. There is no limit on the number of consecutive terms.

Financial Delegations

None

Operating Philosophy

The Committees will at all times operate in accordance with the requirements of the Local Government Official Information and Meetings Act 1987, and will observe the following principles:

- 1) Give effect to the Fundamental Principles, Targets and goals of the CWMS;
- 2) Be culturally sensitive observing tikanga Maori;
- 3) Apply a Ki uta ki tai (from the mountains to the sea) approach;
- 4) Work with the CWMS Regional Committee to support the implementation of the CWMS across the region as a whole;
- 5) Give consideration to and balance the interests of all water interests in the region in debate and decision-making;
- 6) Work in a collaborative and co-operative manner using best endeavours to reach solutions that take account of the interests of all sectors of the community;
- 7) Contribute their knowledge and perspective but not promote the views or positions of any particular interest or stakeholder group;
- 8) Promote a philosophy of integrated water management to achieve the multiple objectives of the range of interests in water;
- 9) Seek consensus in decision-making where at all possible. In the event that neither unanimous agreement is able to be reached nor a significant majority view formed, in the first instance seek assistance from an external facilitator to further Committee discussions and deliberations. Where the Committee encounters fundamental disagreements, despite having sought assistance and exhausted all avenues to resolve matters, recommend that the respective Councils disband them and appoint a new Committee.

Meeting and Remuneration Guidelines

- 1) The Committee will meet at least eight times per annum and with workshops and additional meetings as required. At times, the workload will be substantially higher. Proxies or alternates are not permitted.
- 2) Any Committee may co-opt such other expert or advisory members as it deems necessary to ensure it is able to achieve its purpose. Any such co-option will be on a non-voting basis.
- 3) Remuneration for members will be paid in the form of an honorarium currently set at the following levels:
 - a. Appointed members - \$4,000 pa
 - b. Deputy Chair - \$5,000 pa
 - c. Chair - \$6,000 pa.

Staff or elected members of Territorial Authorities or the Environment Canterbury shall not be eligible for remuneration.

Mileage will be reimbursed.

Committee Support

The Committee shall be supported staff from the Territorial Councils and Environment Canterbury, primarily through the Committee Secretary and the Zone Facilitator.

Map showing Hurunui Waiau Water Management

