



HURUNUI
District Council



Hurunui-Waiau Zone Committee

Agenda

3.00pm, Monday, 10 December 2018

2.30 – 2.55pm – Public Workshop, Te Reo Maori: places in the zone

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 – WAI AU ZONE COMMITTEE
WORKSHOP & MEETING
Monday, 10 December 2018
Council Chambers, Hurunui District Council, Amberley

2.30pm – 2.55pm Zone Committee public workshop

– Te Reo Maori: places in the zone

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 (updated) • Confirmation of minutes – 19 November 2018 • Matters arising • Correspondence: <ul style="list-style-type: none"> ○ Letter from Hurunui District Landcare Group ○ Reply to Hurunui District Landcare Group 	4 5-16 17 18
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	3.35pm	Public Contribution	
4	3.50pm	Update from organisations wishing to speak	
5	4.00pm	Progress update: off-setting N load to enable permitted dryland farming Lisa Jenkins, Environment Canterbury	19-21
	4.30pm	BREAK	
6	5.20pm	Identifying additional swimming sites for the Hurunui Splash Project Marco Cataloni, Environment Canterbury	22
7	5.40pm	Draft 2018 Zone Committee's Annual Report Ian Whitehouse, Environment Canterbury	23-27
8	6.10pm	Zone Facilitator's Report: <ul style="list-style-type: none"> • Renewed declaration from Office of Auditor General on conflicts of interest Ian Whitehouse, Environment Canterbury	28-30
	6.30pm	Meeting concludes	

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	<ul style="list-style-type: none"> • Cultural Land Management Advisor, Environment Canterbury • Tangata Kaitiaki • Ngāi Tūāhuriri Representative, Motanau Coastal Guardians • Member, Executive, Ngāi Tūāhuriri Runānga
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.
Nukuroa Tirikatene-Nash	<ul style="list-style-type: none"> • Tangata Kaitiaki • Trustee, Te Kōhaka o Tūhaitara Trust • Member, Ngāi Tahu Farms Mana Whenua Working Party • President, Gore Bay Board Riders • Iwi/environmental management consultant • Director, Hui Ngaru o te Wai Pounamu

HURUNUI DISTRICT COUNCIL MINUTES



Meeting	Hurunui-Waiau Zone Committee
Date and Time	19 November 2018, 3.00pm
Venue	Waiau Hall, Waiau
Agenda	http://www.hurunui.govt.nz/assets/Uploads/19-November-2018-HWZC-Agenda-web.pdf
Members Present	John Faulkner (Chair), Mayor Winton Dalley, Ben Ensor, Michele Hawke, Ken Hughey, James McCone, Cr Cynthia Roberts, Makarini Rupene, Cr Vince Daly and Nukuroa Tirikatene-Nash.
In Attendance	<p><i>Environment Canterbury (ECan)</i> – Ian Whitehouse (Zone Facilitator), Lisa Jenkins, Ned Norton, Andrew Arps, Angus McLeod</p> <p><i>Hurunui District Landcare Group (HDLG)</i> – Josh Brown</p> <p><i>Amuri Irrigation Company (AIC)</i> – Andrew Barton and David Croft</p> <p><i>Hurunui District Council</i> – Cr Nicky Anderson and Judith Batchelor</p> <p><i>Te Rūnanga o Ngāi Tahu (TRONT)</i> – Lisa Mackenzie and Matt Dale</p> <p><i>Public</i> – Mike Satterthwaite</p> <p><i>Milmore Downs</i> – Ian Henderson and Mrs Henderson</p> <p><i>Pyramid Valley Vineyards</i> – Steve Smith and Lynda Murchison</p> <p><i>Wildlife Management International</i> – Kailash Willis and Mike Bell</p> <p><i>Ngāi Tahu Farms</i> – Rhys Narbury</p> <p><i>Committee Secretary</i> – 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 Dan Shand. Ken Hughey for lateness due to a one hour conference call.</p> <p>THAT THE APOLOGIES BE ACCEPTED.</p> <p>Faulkner/Roberts CARRIED</p>
Conflict of Interest Declarations	Nil.
Urgent Business	Nil

Minutes

THAT THE MINUTES OF THE COMMITTEE MEETING HELD ON 15 OCTOBER 2018 ARE CONFIRMED, SUBJECT TO THE FOLLOWING AMENDMENTS:

- Page 7, bullet point 2, paragraph 2, change '10-50%' to '50-90%'.
- Page 8, bullet point 1, change State Highway 7 to State Highway 1.
- Page 9, Item 1, remove bullet point 2.

Faulkner/Dalley

CARRIED

Matters Arising:

Nil

**Proposed 2019
Meeting Schedule**

The Zone Committee considered the dates and venues for 2019.

The Zone Committee is happy with the dates and times but suggested that a visit to the Conway Flats be held in April instead of Cheviot and that the May meeting be shifted to Leithfield as the Balcairn Hall is too hard to hear in.

The times and dates for 2019 are as follows:

- 18 February Culverden
- 18 March Waikari Hall
- 15 April Conway Community Hall
- 20 May Leithfield Community Hall
- 17 June Amberley
- 15 July Omihi/Greta Valley
- 19 August Amberley
- 16 September Rotherham
- 21 October Hawarden
- 18 November Waiau
- 9 December Amberley

Ian Whitehouse asked the Zone Committee to outline where they would like to go for field trips based on the meeting schedule. The following was suggested:

- A site visit to the Hurunui River as part of the braided river project. Possibly in March when in Waikari.
 - Lakes/Hapua site visits.
 - Past Immediate Steps Projects.
 - Conway Flat, lower and upper.
 - Motunau.
 - Maybe a recreational spot. Like at the Hurunui River.
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Correspondence

The Hurunui District Landcare Group (HDLG) Coordinator, Joshua Brown, tabled a letter to the Zone Committee regarding their concerns about the tie between permitting dryland farming and the minimum flow diversion package.

(Full letter available by request of the secretary).

The HDLG are appreciative of the work that the Hurunui-Waiau Zone Committee has done to resolve the 10% rule issue. It has been a five-year negotiation and the dryland farming community is encouraged to see an end in sight. They are, however, concerned that the 10% rule fix could be derailed if the required nitrogen-load offset, 38 tonne, cannot be secured in time.

They are asking that the Hurunui-Waiau Zone Committee, AIC and ECan negotiate the unconditional release of 38 tonnes of nitrogen to permit dryland farming, and swiftly agree on the method of “gifting”.

Discussion was held and the following was noted:

- James Costello spoke to the letter as Josh Brown was unable to attend in time. He noted that the HDLG held a meeting and its members are very concerned about the possibility of the nutrient release not going ahead due to no finalised agreement on the amount or the method of giving it to the dryland farmers. He noted that the group is entertaining the idea of contacting the Hon. David Parker in a bid to expedite the solution.
 - Andrew Barton, AIC, noted that they are waiting on a meeting between ECan and AIC, but are more than happy to prioritise this meeting.
 - The question was asked if the HDLG feel the same as Fish and Game New Zealand that the collaborative process is not working. James Costello noted that the HDLG feel that this has not been a very collaborative process at all. There has been lots of discussion and no action.
 - The HDLG feel that 38 tonne is not a big percentage of the total nutrients and that there are two groups that appear to be holding the majority.
 - It was discussed that whilst AIC are making the offer to potentially surrender up to 38 tonne, they are not the only irrigators in the catchment. It was queried as to why only one group is offering to surrender nutrients so that dryland farmers can be permitted.
 - Andrew Barton, AIC, reminded the Zone Committee that AIC originally submitted to ECan that the consent applications should be adjusted to leave 10% behind, which was not done and now AIC is having to fix the issue of the full nutrient allocation having been given out.
 - Andrew noted that to surrender 38 tonnes, AIC would need an agreement on the way forward as a part of the Plan review and not separate from that process. He said that this means the ball is in ECan’s court.
 - It was discussed that only AIC seem to be willing to come to the table to help with the 10% issue with other irrigator companies not wanting to help. AIC is working hard to be both morally and legally responsible.
 - Andrew Barton wished to note that the statement from the letter “This is particularly worrisome given the required 38ton of nitrogen is only being volunteered by Amuri Irrigation Company (AIC) if the minimum flow diversion package is approved.” is not correct. AIC see the minimum flows as a separate issue.
 - Lisa Jenkins informed the Zone Committee that ECan have provided a draft legal document requesting that AIC undertake to surrender the 38 tonnes of nutrients. AIC are considering it, talking to their lawyers, and will report to next meeting. Lisa noted that the situation has changed a bit in the last month with AIC buying HWP’s shares. ECan is still looking to notify the plan change in February/March 2019 therefore having this resolved by end of January would be ideal.
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- It was noted that ECan has been dealing with AIC, HWP and Ngāi Tahu Farming Enterprises trying to get to a solution that works for all. HWP is no longer a part of the discussion and Ngāi Tahu Farming stated that they do not hold enough nutrients to relinquish any. Ngāi Tahu Farming have 50 tonnes (in-river load) plus 100 tonnes from a transfer.

THAT A LETTER BE DRAFTED AND SENT TO ECAN REQUESTING AIC AND OTHER PARTIES SIT DOWN AND COME UP WITH A SOLUTION FOR SURRENDERING 38 TONNES OF NITROGEN BY THE END OF JANUARY 2019.

Tirikatene-Nash/Faulkner

CARRIED

1. Update on Regional Committee

The summary of CWMS Regional Committee on 9 October 2018 was taken as read. No further discussion was held.

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

Zone Committee members provided the following updates on other meetings or activities attended since the last Zone Committee meeting:

- Ben Ensor attended the opening day of the Beef and Lamb New Zealand 'North Canterbury Future Farm'. The Future Farm, which is operated by the North Canterbury Future Farm Limited Partnership, lease Lanercost, a hill country sheep and beef property near Cheviot. They are working to showcase the best possible farm management practice. It was a great day and a farm like this is good to have in this district.
 - Cr Cynthia Roberts attended two field trips:
 - One was in the Ashburton Zone with Ashburton Forest and Bird. The field trip looked biodiversity issues in the Ashburton lakes area. There is a risk of removal of native vegetation with change of ownership of high country farms. There is the worry that some of the cleared vegetation might be the last remnants of some types of native vegetation in the area. Forest and Bird are looking to territorial authorities to be the protector of native vegetation in these area as it falls out of ECan's authority.
 - The second field trip was to the head waters of the Waimakariri River. ECan staff went up to remove the lupins that are infesting the River.
 - Michele Hawke participated in the Takahanga Marae visit. She reported that the oral history was amazing. They visited a small remnant forestry, and were made aware of the value that it has on mahinga kai and traditional medicines.
 - John Faulkner participated in the Waiau river bird survey with Wildlife Management International Limited. They walked 20kms of the river. He noted that it was exciting to hear and see the birds. John recommended getting involved.
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3. Requirements for nutrient monitoring in proposed changes to HWRRP – certified organic farms

Ian Henderson,
Milmore Downs

Ian Henderson, Milmore Downs, spoke to his report to the Zone Committee on the requirements for nutrient monitoring in proposed changes to HWRRP for certified organic farms.

They are contesting that certified organic units, even with irrigation, are in a similar category to dryland farms due to their low-level intensity.

They asked that the Zone Committee consider the information provided and requested that active communication with BioGro New Zealand be followed up to confirm the information in the report and to devise a strategy to ease the compliance load and cost on organic farming.

Discussion was held and the following was noted:

- Ian noted that whilst they have had their Overseer result, all it tells him is that it is a model that does not suit their farming practices. He noted that Overseer does not seem to work overly well for arable, as explained in his report.
- The irrigation volume of the farm is a quarter to a third of the annual application, and they have a stored take in winter. If they doubled the waterable area they would not increase the irrigation water used.
- To be a BioGro New Zealand Certified Organic farm, imported nitrogen must not be more than 112kg per year.
- It was suggested that a proper submission be made to the Plan review. Cr Cynthia Roberts asked if Ian would consider writing to the Hon. David Parker outlining the issue as it would help ECan.
- It was discussed that to be BioGrow Certified, a farm is extensively audited annually. It was suggested that this audit could be sent to ECan for them to sight and sign off. Ian noted that BioGrow has approached ECan but have not got any further. Cr Cynthia Roberts suggested submitting a letter to ECan with all the same points as in the report. Ian noted that they are groaning under the compliance load, which they perceive as useless to them, and noted that they are already managing to an acceptable level. The compliance work is expensive, and farmers are having to do away with the extra projects like planting trees.
- Lisa Jenkins suggested that another way around this could be setting up a collective for organic farms and set an EMS that reflects the BioGrow requirements thus meeting the requirements under the HWRRP. It was noted that this could be difficult when there are such low numbers of organic farms. Whilst the Hurunui is the only zone to have collectives, BioGrow could act as a collective despite not being in the zone.

Ken Hughey arrived 4.00pm

- Josh Brown, HDLG, noted that he is drafting a report to ECan for the end of November, and will be looking at how to amend the Cheviot Irrigators EMS. He suggested that he could include organic farms into the report. The Zone Committee offered their support for this report.
- The Zone Committee agreed that organics style farming is the way of the future and the 2022 Plan Change would be a timely chance to address this.

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- Ian noted that this style of farming would help ECan with the emissions issue and it is worthwhile thinking of ways to support organic farming. He commented that New Zealand's 'clean green' image is being tainted.
 - The inability of Overseer to pick up oddities such as organic farming, biodynamic farming or deep rooting farming is a problem that the Zone Committee feels needs to be addressed. It would be better if the actual losses could be looked at rather than an estimate based on normal farming practices.

The Zone Committee thanked the Henderson's for their presentation and asked if Milmore Downs would have the Zone Committee for a future field trip to their farm. Ian noted that they would be happy to host the Zone Committee.

The Zone Committee requested an update at a future meeting on the recent changes of Overseer by someone who is well versed in Overseer.

4. General Public Contribution

Nil

5. Update from AIC

Andrew Barton, AIC, spoke to a presentation on recent activity of AIC. The following was noted from the presentation:

Waiaireka Scheme

- The pipe upgrade is complete.
- The main race remains operational.
- They have allowed for the border dyke to progressively transition to spray by 2025 by using a buffer storage.
- The fish screen upgrade is complete.

Hurunui Scheme

- The initial high-level concept design shows a smaller more affordable scheme could be delivered with staging and water swaps.
- The final design and cost will depend on the uptake.
- More irrigated land between Hurunui and Hawarden is required to deliver a more affordable scheme.

Staging

- HWP result shows that there is no current appetite for a 21,000 ha scheme developed in one stage.
- A smaller stage 1 makes maximum use of run-of-river water and defers significant storage.
- Future integrated storage improves reliability for all irrigators and allows for stage 2.

Stage 1

- 8-10K ha within the Peaks, Medbury, Hawarden and Waikari area.
- Likely to involve a south bank intake and potentially a modest volume of south side storage.
- Integrated with AIC infrastructure to make effective use of run of river water via a water swap.

Water Swaps:

- Capacity in the Waiau main race conveys Waiau water to B1 pipeline and be pumped to supply Balmoral scheme.
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- Reduces Hurunui A water required north of the Hurunui River and frees up A water to go south.
 - Requires pumping and buffer storage within the AIC network.
 - Stored water on north bank can be used to supply reliability to the south bank with a water swap.
 - Order of supply preference to reduce energy costs:
 - I. Hurunui B
 - II. Unused Hurunui A
 - III. Water swap to access unused Waiau A/B which requires pumping

Stage 2

- Construct a single integrated on-plains storage by 2025 to improve reliability for all irrigators.
- Stage 2 can be delivered once integrated storage is built by connecting to either:
 - I. Overbuilt stage 1 pipelines; or
 - II. Storages at the end of the stage 1 network that are filled in winter and topped up when demand is low.

Mitigation Package

- Early increase in Waiau minimum flow still being considered.
- To be discussed with shareholders at AGM

The Zone Committee commented that it was good to see all of the information laid out. The mantra of the Zone Committee has been integration of water management and storage from the beginning of the Committee and it was noted that it is great to see this happening.

It was discussed as to the origin of the Waiareka schemes name. Andrew Barton was unsure.

6. Update from Organisations wishing to speak

Nil.

REPORTS, SPEAKERS AND PRESENTATIONS

7. Update from Zone Delivery Andrew Arps, ECan

Andrew Arps updated the Zone Committee on recent activity of the Zone Delivery Team.

Staffing updates

- Andrew informed the Zone Committee of recent staff changes. Michael Bennett has been seconded for 6 months to the Earthquake Recovery Project. Peter Taylor is working on a Canterbury-wide water data project. Keith Malbel as project manager for biodiversity on a 12 month contract.
 - It was asked if the Hurunui Zone is missing out on potential biodiversity projects by not having a dedicated biodiversity officer. It was noted that a biodiversity officer creates more interest in biodiversity opportunities from farmers/landowners by visiting with them and getting them excited about the options. Andrew noted that he is looking into staffing issues and is assigning projects to staff in a way to stretch out the work with less
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numbers of staff. He has identified the need for biodiversity officers but does not have the staff to fill the position at this stage.

- Hill Country Erosion fund (HCE) application – This project will be a four year project, with a cost of \$5.6 million over that time with catchment mapping at the core of that project. They will be targeting 305 farmers and looking to plant 320,000 natives and poplars. The application outcome will be known by mid-December. This is aimed to be a lead in project to the Billion Trees Project. This process will help them to frame up what the proposition will be for the Billion Trees Project but they need to wait until the government provides an official outline.
 - Hurunui Splash – They are focusing on two swimming holes this summer, Waiau and Balmoral. It is moving along well and they have been able to extend the Balmoral project to include around 10km (where needed) of weed control which ties it in with the Biodiversity Flagship project. The Balmoral project will start early to mid December.
 - Nukuroa Tirikatene-Nash requested the information on the potential plans for the waterholes to be sent to him. Andrew Arps to action.
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Break

The meeting adjourned for a break at 5.03pm and reconvened at 5.20pm.

8. Pyramid Valley Vineyards proposed development Steve Smith

Steve Smith and Lynda Murchison spoke to the Zone Committee on the proposed development of the Pyramid Valley Vineyard.

(For the full tabled paper please contact the secretary).

The company, Aoteroa New Zealand Fine Wine Estates, has purchased the Pyramid Valley Vineyard and are proposing to expand and further develop the site to provide for expansion of the vineyard, winery, visitor accommodation and wine tasting facilities.

This vineyard has always been biodynamic and they intend to continue this way of viticulture and farming. One of the requirements of biodynamic farming is that no synthetic nitrogen can be applied to the land.

They wished to bring to the Zone Committees attention, the development of this vineyard and outline its approach to water use and environmental management. They also wanted to provide the Zone Committee with a practical example of how the current planning regime for land and water in the zone is working in practice.

The vineyard, currently, is supported by a pond with an active resource consent to dam and store up to 10,000m³ of surface water from run-off and springs on the property for frost-protection purposes. They also receive 2.5 units per day from the Upper Waitohi Scheme for domestic and stock use.

In order to support the proposed development of the vines (8.95ha and potentially a further 12ha) additional water will be required for frost-protection, irrigation for the first 3-4 years to allow the vines to get established, to support indigenous planting, and to service the expanded winery, accommodation and wine tasting facilities.

Whilst there appears to be no unusual planning issues with obtaining water permits, the main challenge will be physically finding water.

The major issue that has arisen is the nutrient discharge. This is due to the current use of the property being currently dryland and will move to irrigation, and the lifestyle nature by which remaining property has been grazed with exceptionally low stock numbers.

These factors will likely contribute to a very low Nitrogen loss estimate in Overseer for the current land use, which means that planting and irrigating the proposed vineyards may result in a small estimated increase in Nitrogen loss in Overseer. Because the baseline estimate will be small, a 10% increase in Nitrogen loss is not much.

The issue is that under Rule 10.2 of the HWRRP a change in land use will require an application demonstrating compliance with the Rule 10.2, condition (b). This is an expensive process, which is a huge but disproportionate burden to place on individual landholders who might only increasing their loss from 5kg to 5.6kgs per year whilst other landowners in the same catchment can increase from 80 to 88kgs per year without triggering this requirement.

They believe that this approach creates a barrier to the examples of land use developments that are appropriate to enabling people and communities to provide for their economic and social wellbeing in North Canterbury.

Discussion was held and the following was noted:

- It was noted that this is a great example illustrating the issue of grand-parenting which hinders those who have not caused the problem in the first place. The land becomes trapped.
- The Committee noted that this is another example of the issue with Overseer values.
- Linda noted that she has a number of solutions that she would be able to present at a future Hurunui-Waiau Zone Committee meeting and agreed that this should not be included in the current plan change.
- Whilst it was suggested that small-scale operations like this will not make much, if any, impact on water quality. It was noted that if an exception was made in the Plan for properties under 10ha, it would be the accumulative affect that could negatively affect the water quality.
- Ian Whitehouse noted that there will always be properties that do not fit into the rules. The way rules are implemented make a difference.

The Zone Committee thanked Steve and Lynda for their presentation.

9. Southern black-backed gull control in Hurunui River

Kailash Willis and Mike Bell, Wildlife Management International

Kailash Wills spoke to the Zone Committee on the southern black-backed gull control in the Hurunui River.

The Hurunui Waiau Water Zone Committee has initiated three braided river flagship biodiversity projects on the Hurunui and Waiau Rivers. These projects are to be undertaken over a five-year period in collaboration with the Department of Conservation (DOC) and Environment Canterbury (ECan), and include:

- Annual bird surveys and monitoring;
 - Southern Black-backed gull control; and
 - Habitat enhancement: modification of islands and weed control.
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Works involve surveys to locate Southern Black-backed gull colonies and count the number of nests before commencing a control operation using the toxin Alpha-chloralose.

Alpha-chloralose is the only poison currently registered for the control of Southern Black-backed gulls - it is mixed with margarine, applied to bread bait and hand laid directly within their colonies.

Pre-feeding with bread and normal margarine occurs 2 to 4 days before the toxin operation to ensure the bait is readily taken up.

Following the toxin operation all Southern Black-backed gull carcasses and uneaten baits are removed for disposal.

The Southern Black-backed gull control has commenced on the Hurunui River with two toxin operations. The first operation targeted the largest colony with 1046 nests, and 1200 carcasses were collected. The second operation targeted another large colony with 608 nests, and 360 carcasses were collected.

A third operation will target a medium size colony of 371 nests. There was another planned operation at a colony, 769 nests, downstream of the State Highway 7 Bridge but due to the high number of chicks present, this cull will not go ahead.

In the first year of the project, monitoring Black-fronted tern colonies showed there was poor breeding success.

Habitat enhancement works and Southern Black-backed gull control operations have commenced in the second year of the project. The habitat enhancement works saw the creation of three islands in the Hurunui River and four islands in the Waiau River.

The results from this breeding season will be compared with last season to start assessing the success of management actions undertaken so far.

It was noted that the Southern Black-backed gull control was not undertaken in the first breeding season as the lead in time for this aspect of the project was not sufficient to get the necessary permits approved or undertake consultation with adjacent landowners. Instead a count of nests was undertaken at each colony to establish an accurate measure of colony size. This information will be used to plan for future Southern Black-backed gull control as well as providing a baseline measure of colony location and size. A total of 16 Southern Black-backed gull colonies were found across the two rivers (7 on the Hurunui River and 9 on the Waiau River). The size of colonies ranged from 10 to 935 nests. A total of 2,470 nests on the Hurunui River and 2,385 nests on the Waiau River were counted.

Discussion was held and the following was noted:

- It was discussed that the hold up with the permits from Department of Conservation to do the control work was not good. It was noted that the process has been held up two years in a row waiting for a permit. They submitted for the permit three months before the cull was scheduled.

The Zone Committee agreed to write a letter to Department of Conservation asking for an explanation as to the hold up.

- It was noted that the black-fronted terns and black-billed gulls like to nest in the open river banks and that weeds are a hindrance to that nesting.
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- Nukuroa Tirikatene-Nash noted that whilst the black-backed gulls are being classed as a pest and a predator, all species have value. He noted that addressing the source of the increase in birds is just as important.

The Zone Committee thanked Mike and Kailash for their presentation and noted that they are pleased with the result of the cull.

10. CWMS Fit for Future Project – Targets for 2025 and 2030: what needs to be done, by who, to achieve the targets

The Zone Committee broke up into pairs to give feedback on various topics of the CWMS Fit for Future Project.

11. Zone Facilitator's Report
Ilan Whitehouse

Annual report

Ilan Whitehouse asked the Zone Committee to consider the key achievements that it wishes to highlight. The following was suggested:

- The Southern Black-backed gull control success.
- Hurunui Splash – swimmable rivers.
- Chairs report and one from those Zone Committee members stepping down. Ilan Whitehouse to follow up.
- Zip Addendum
- Cultural land management advisor appointment.

BRIDGE Project Update

An extensive discussion was held around the BRIDGE project and it was suggested that a further workshop be held before the December meeting to go over some of the concerns that have been expressed. The following was noted from the discussion:

- Concern was expressed that not enough consideration has been given towards working through ideas with people in the study areas, like Spotswood, and what the project means in practical terms for people. It was also felt that conclusions around the options have been drawn after only two community consultations.

Ilan Whitehouse noted that the planning options for what the lines will mean in terms of land management and river protection are still being developed. Once the lines are drafted, further consultation with the community will be undertaken including an explanation of the options for what the lines might mean.

- It was noted that it is helpful for the BRIDGE project to get good feedback from Zone Committees and appreciate the Zone Committee getting in behind weed control on the river. There was comment that weed clearance with a bulldozer on the riverbed for the benefit of nesting river beds would not be able to happen under these new rules.

The Zone Committee is concerned that it is going to fall short in the doing part that falls out of the Plan. Ilan Whitehouse noted that it would be

beneficial if the Zone Committee could take a leadership approach in terms of weed and pest control on the rivers.

It was discussed that it would be good to have a contractor or river engineer on site to give an estimate of how much it would be to do the weed control works.

- There is a concern that the regional rules will not work in the Hurunui-Waiau zone and it would be better to be dealt with at a Zone Committee level. Ian Whitehouse noted that a local nuances approach has been discussed.
- It was reiterated that the Rūnanga are still not comfortable with the approach as all rivers values cannot be defined by only one stretch of a river.
- Ian Whitehouse noted that without lines on a map, it is hard to stop the further loss of braided river bed land. He noted that the BRIDGE Project is about trying to manage activities that constrain the ability of braided rivers to move across a wide area, as they have done in the past. The project is not about flows or water quality. It is about getting surety around lines for the benefit of those holding the land

Cr Cynthia Roberts and Ken Hughey left – 7.14pm

The committee asked that a workshop be organised before the December Hurunui-Waiau Zone Committee meeting in order to discuss concerns further.

Urgent Business

Nil

Meeting concluded

The meeting concluded at 7.15pm with a prayer from Nukuroa Tirikatene-Nash.

Next meeting

Monday, 10 December 2018.

14th November 2018

John Faulkner
Chairperson
Hurunui Waiau Zone Committee

Re: Concerns about tie between permitting dryland farming and minimum flow diversion package

Dear John,

The Hurunui District Landcare Group would like to thank the Hurunui Waiau zone committee for their efforts to resolve the “10%” issue. It has taken many hours of deliberation, negotiation and scientific review but after five years we, as dryland farmers are encouraged to see the end in sight to an inequitable and impractical rule.

However, while we can see the light at the end of the tunnel, we are concerned that the dryland farming resolution could be scuttled if the required nutrients cannot be secured in time. This is particularly worrisome given the required 38ton of nitrogen is only being volunteered by Amuri Irrigation Company (AIC) if the minimum flow diversion package is approved. It is noted that progress is being made in the approval of AICs environmental enhancement package, but this does not alleviate our concern. Over the past five years there have been several times when we have been “close” to resolving the 10% rule. There have been offers almost right from the beginning from the Irrigation Companies to “volunteer” the required nutrients to permit dryland farming. 38tons of nitrogen was agreed upon by the Hurunui science stakeholders 9 months ago and negotiations to secure it happened simultaneously. Yet after all this time we still do not have an agreed upon method for this nitrogen to be “gifted,” the agreement to volunteer is still only in principle and is conditional on a connected but irrelevant minimum flow diversion package.

Additionally, the limbo created by the HWRRP has turned dryland farming into a political football. It has been opportunistically leveraged in differing forms by other stakeholders to promote their own agendas. This is despite all stakeholders in principle have agreed that dryland farming should be permitted (with some caveats).

The research has shown, and everyone agrees dryland farmers are not out to degrade the environment with significant developments. They simply wish for the certainty to continue farming as low nutrient emitters, the same as they have done for the last 100years.

We therefore ask that HWZC, AIC and Environment Canterbury negotiate the unconditional release of 38tons of nitrogen to permit dryland farming, and swiftly agree on the method of “gifting”.

Again we thank the HWZC for their time and efforts in looking to remedy the inequity of the “10%” rule.

Regards

Joshua Brown
HDLG Coordinator



Hurunui Waiau Zone Committee

28 November 2018

Joshua Brown
Hurunui District Landcare Group
(via email)

Re Concerns about nitrogen load offset

Dear Josh

Thank you for your letter of 14 November. James Costello spoke to the letter at the 19 November zone committee meeting and the committee discussed the concerns raised.

The committee acknowledges and shares the concerns raised in your letter. To resolve the 10%-rule issue it is critical to offset the predicted worse-case increase in nitrogen load to the Hurunui River from permitting dryland farming.

The committee understands Lisa Jenkins, Environment Canterbury, has facilitated discussions with the main irrigators in the catchment – AIC, HWP and Ngai Tahu Farming – to find the offset and how this is to be achieved. At its 19 November meeting, the committee asked Environment Canterbury staff and irrigators to urgently pursue a resolution that will provide the nitrogen offset needed to enable a fix to the 10% rule.

The committee seeks the successful resolution, as soon as possible, of the negotiations on the offset. The committee wants to eliminate the risk that the proposed plan change could fail because the offset has not been agreed.

The Zone Committee hopes to be able to support an agreed offset process by late January 2019 which meets regulatory timeframes

Yours sincerely

John Faulkner
Chair
Hurunui Waiau Zone Committee

Copy to: Andrew Barton, AIC
Lisa Jenkins, Environment Canterbury

MEETING ITEM: 5	SUBJECT MATTER: Progress update: off-setting N load to enable permitted dryland farming
AUTHOR: Lisa Jenkins, Environment Canterbury	DATE OF MEETING: 10 December 2018

Action required

That the Zone Committee notes:

- AIC are investigating two pathways for providing an N offset, one pathway may be contingent on AIC being successful in procuring HWP's consents with the other option being able to be progressed should AIC not procure HWP's consents;
- To enable the plan change to progress in early 2018, a third pathway can be pursued whereby policy will be written into the Plan indicating over-allocation will be addressed via consent review;
- A decision by the Regional Council to notify the plan change will be sought in February 2019.

Background

The Hurunui Waiau Zone Committee has spent the last two years investigating options to "fix" the 10% rule. The Zone Committee has prioritised this issue as it is integral to mending social divide that has occurred as a result of the allocation of nutrient load, particularly in the Hurunui catchment.

The Advice Note, an interim "fix" that has been in place since 2014 and has had the effect of enabling dryland farmers to operate, has been subject to legal challenge. The legal challenge has been resolved and it is time to provide a longer term "fix" to the 10% rule issue in order to give dryland farmers certainty.

Throughout the investigation into a solution to the 10% rule issue, the Zone Committee has been aware of the need to maintain or improve water quality and has sought to achieve that by way of agreement with those parties who hold the consented nutrient load. Dryland farmers can be provided with long term certainty if irrigators agree to relinquish a portion of their consented nutrient load. If agreement with irrigators is not reached, or a permanent solution is not provided, dryland farmers can be enabled in the short term, but the social rift will likely continue until the Hurunui and Waiau River Regional Plan is reviewed in total and a new nutrient management framework is developed.

Meetings have been held with key irrigators in the Hurunui catchment to try and find a way to offset the N load that will be required to enable a fix to the 10% rule that will maintain water quality in the Hurunui River. The focus of the first 3-4 meetings was to reach a common

understanding of how the quantum of required offset had been developed¹ and to confirm the size of the offset needed to enable the plan change to progress. The outcome of those discussions was broad agreement that 38t of N at source, or 18t of N in the river, is needed to enable the plan change to progress. Fish and Game NZ indicated they do not agree with that quantum, or the methodology used, and have since stepped back from the process.

In October, irrigators met with Environment Canterbury staff again to discuss mechanisms by which N load could be provided. At that meeting the irrigators present (AIC, HWP and NTFE) agreed to look into an option of entering into an agreement (or legal undertaking) to continue to hold 38t N load, between them, in quarantine until a full plan review takes place.

At that meeting we also discussed a draft memo (prepared by Ned Norton) that set out the state of N allocation in the Hurunui and is particularly relevant if the offset is provided via load being relinquished from consents. That memo has since been run past the Science Stakeholder Group and finalised.

Directly following the October meeting with irrigators, AIC and HWP announced HWP had accepted a proposal from AIC to purchase their consents.

Following the November Zone Committee meeting, a further meeting was held to discuss how to advance provision of N load to satisfy the offset requirement (29 November 2018). Attendees at that meeting were the Zone Committee Chair and Deputy Chair, Andrew Barton (AIC), Rhys Narbey (Ngāi Tahu Farms), Robb Macbeth (Cheviot Irrigators), Josh Brown (HDLG), and Lisa Jenkins, Ned Norton and David Just (Environment Canterbury).

The outcome of that meeting was acknowledgement that the ability to provide a long-term solution that will give dryland farmers certainty and mend the current social divide, sits with irrigators.

Going forward

Environment Canterbury, dryland farmers or the Zone Committee are not in a position provide a long term solution outside of a planning process. To that end Andrew Barton agreed to investigate the concept of a legal undertaking that would provide two pathways for the 38t of N to be made available. Those pathways are:

1. If AIC are successful in the procurement of HWP consents, a portion of the HWP load will be relinquished; or
2. If AIC are not able to procure the HWP consents, they will hold 38t of N in quarantine until a plan review is complete.

It was made clear that we will need to know if AIC are willing and able to make this undertaking no later than the end of January 2019, so that a recommendation can be made to the Regional Council in February to notify the plan change.

¹ The technical work and process to identify the offset tonnage required is summarised in a memo by Ned Norton (dated 12 April 2018 and titled “*Summary of process to estimate the nitrogen load increase that would need to be offset in the Hurunui catchment as part of fixing the dryland farming “10% rule” issue*”) and involved working with all the participants of the Hurunui Science Stakeholder Group (SSG) over a number of months between March 2017 and April 2018.

Pros and cons of both options were discussed. The main advantage of the load being relinquished is that it permanently satisfies the nitrogen offset requirement, thus providing a stronger solution to accompany the proposed plan change and greater long term certainty that dryland farming can continue as a permitted activity. It was acknowledged that relinquishment of the load will be much easier for AIC if they are successful in the procurement of the HWP consents and that will not be confirmed until March 2019.

Quarantining the load (i.e. promising not to use the load until the Plan is reviewed) is a shorter-term solution that would be pursued if AIC are not successful in procuring the HWP consents. This will enable the plan change to progress but will an opportunity to explore, at a later time (i.e., at next plan review), whether load is relinquished from other parties such as all or some other irrigators rather than just from AIC, or by other methods (e.g. tributary pumping). This option will require a fresh look at nutrient management for dryland farmers (and irrigated farmers) when the Plan is reviewed and will require another decision on where the offset load comes from. The main risk with this option is that the existing social divide will continue as dryland farmers will basically be operating on “borrowed” N load and will need to make a case to retain that load at plan review time. It is also a weaker solution to accompany the proposed plan change due to it providing only a temporary offset.

Following the meeting, I was asked by the attending Zone Committee members to consider options to progress the plan change should AIC not be able to commit to relinquishing or quarantining load. In that instance, the plan change would need an additional policy written into it, to the effect that the over-allocation would be managed via consent reviews once the plan change is operative. This would mean all consents for farms in the Hurunui catchment above SH1 that include a nutrient discharge allowance would be reviewed and the consented allocation would be reduced by 38t across all consents (possibly on a pro-rata basis). There is a risk that this option would not be accepted by a hearing panel, particularly if the panel consider a consent review may not occur or that the Council would not be able to achieve the appropriate reductions through a contestable review process. However, we note that Environment Canterbury is currently pursuing consent reviews in Ashburton, so there will be a “track record” that the hearing panel may consider. If the panel does not accept this approach, it is unlikely the plan change would result in the desired outcome for dryland farmers.

In summary, there are three potential ways forward. The path that presents the least risk to the plan change outcome is if 38t of N is relinquished from a consented load, however it is acknowledged that this option is only likely to be progressed if AIC are successful in their procurement of the HWP consents. The quarantine option will provide a short-term solution but there is some risk that a Hearing Panel will find the unending offset too uncertain, and in addition there is certain to be further contest when the plan is reviewed. Writing consent review into the plan change will enable it to progress but there is risk the plan change will fail if the Panel do not consider that process to be certain enough.

Next steps

In order to notify the plan change early in 2019, the Regional Council will need to resolve to notify at their February 14 meeting. If AIC have not made an undertaking to relinquish or quarantine load by the end of January 2019, Council will be asked to notify a plan change predicated on over-allocation of nutrient load being addressed via consent reviews.

AGENDA ITEM NO: 6	SUBJECT MATTER: Identifying additional swimming sites for the Hurunui Splash Project
AUTHOR: Marco Cataloni, Environment Canterbury	DATE OF MEETING: 10 December 2018

Action required

1. Identify two additional swimming sites for the Hurunui Splash Project.

Background

Environment Canterbury Zone Delivery is currently working on the Hurunui Splash project. The project has selected to upgrade/create four swimming holes within the district. Part of this project is also dedicated to improving water quality and protecting/enhancing threatened native species found on braided rivers. To date, two sites have been confirmed (Balmoral campground and near Waiau township). These will be ready during the 2018/19 summer.

ECan now needs to think ahead about the other two locations. How will the other 2 sites be decided (community led, zone committee)? Ideally opportunities for ecological/water quality improvement also exist as per the other two sites, not just the swimming hole side of things.

AGENDA ITEM NO: 6	SUBJECT MATTER: Zone Committee's 2018 Annual Report
REPORT BY: Ian Whitehouse, Environment Canterbury	DATE OF MEETING: 10 December 2018

Action required

- Suggest changes to the draft Hurunui Waiau Zone Committee 2018 Annual Report.
- Delegate to the Chair the final sign-off of the 2018 Annual Report.
- Note that the 2018 Annual Report is expected to be presented to the Canterbury Regional Council on 14 February 2019 and it would be appreciated if committee members could support the Chair at this meeting.

Background

The primary audiences for the Annual Report are Hurunui District Council and Canterbury Regional Council. The Annual Report is presented by the Chair at meetings of these Councils in early 2019. We are looking to present the Annual Report to the Canterbury Regional Council meeting on Thursday 14 February. The Annual Report is also available on the Environment Canterbury web site.

The Annual Report reflects the work of the zone committee through its recommendations, influence, leadership and allocation of Immediate Steps Biodiversity Funds. The report includes contributions from John (as Chair) and Ben (as deputy chair and outgoing committee member – still to come).

At its November meeting the zone committee identified the 2018 key achievements and topics that it wished covered in the 2018 Annual Report.

The zone facilitator has drafted the 2018 Annual Report and asks the committee for feedback.

It is hoped to present the Annual Report to the Regional Council at its first meeting in 2019 (on 14 February). This meeting will be prior to the zone committee's first 2019 meeting and the committee is asked to delegate the sign-off of the final version of the Annual Report to the Chair. A near-final version would be emailed to all zone committee members for feedback in late January.

Attachment

DRAFT Hurunui Waiau Zone Committee 2018 Annual Report.

2018 Annual Report

Good progress being made to address local freshwater challenges



John Faulkner,
Hurunui Waiau Water Zone
Committee Chair

The Hurunui Waiau Water Zone Committee continues to progress a wide range of Canterbury Water Management Strategy (CWMS) targets. Notably, the implementation of the Hurunui Waiau River Regional Plan (HWRRP) is well underway and the need to set and attain environmental standards is widely accepted within the zone.

A solution to the unintended consequences of the HWRRP for dryland farms is also being progressed and the BRIDGE Project is addressing the changes made to managing river beds in the Land and Water Regional Plan.

Another key focus for the committee has been to improve nesting habitat for nationally declining rare bird species. This includes funding a flagship project to clear and build nesting sites on the Hurunui and Waiau Uwha rivers and

funding a predator control programme.

The predator control programme particularly targets black backed gulls which predate on young of endangered river birds. The gulls also contribute to the contamination of the Balmoral swimming site. It is anticipated that the Hurunui Splash project which aims to have swimmable community waterholes will benefit from the reduction of E. coli levels.

The CMWS has been in operation for almost ten years and a region-wide project is underway to review the progress being made and identify how to build on the momentum. A key theme that has developed within the Hurunui Waiau Zone is that more action needs to be taken to strengthen the commitment to mahinga kai and cultural values and we expect the project to address this.

Key achievements 2018

- Successful control of southern black-backed gulls, a key predator of threatened braided-river birds, at two large colonies on the Hurunui River as part of the committee's multi-year Immediate Steps funded Braided River Flagship Project.
- The committee recommended, through its Zone Implementation Programme (ZIP) Addendum, that the HWRRO be change to fix the "10%" issue that has frustrated dryland farmers since 2014. Environment Canterbury will notify the plan change in early 2019.
- The committee allocated \$36,000 of Immediate Steps funding to four new projects. All the projects are partnerships between QEII Trust and the farmer, ensuring long term protection. The projects are spread across the zone – Greta Valley, coastal Conway, Parnassus and Cheviot.

Many farmers are already farming in ways that provide mahinga kai. However there is little understanding of mahinga kai and Ngāi Tahu values and how farming practices impact them. A Cultural Land Management Advisor has been appointed to work in the zone and the committee joined farmers at a field day.



Delivering the community's vision for fresh water

The Canterbury Water Management Strategy (CWMS) puts finding solutions for freshwater management in the hands of the community, with support from councils and Ngāi Tahu. The strategy sets out freshwater goals and targets to deliver the community’s vision for freshwater.











“To gain the greatest cultural, economic, environmental, recreational and social benefits from our water resources within a sustainable framework both now and for future generations.”

Each of the ten community-led water zone committees work collaboratively to develop freshwater recommendations to ensure council plans give effect to these goals and targets.

Within each target area there are several specific time-bound targets to be achieved and these are monitored and reported on to ensure progress is being made.

The target areas are shown below – read some of the stories about what is being done in the zone to achieve deliver on these on the next page.

CWMS Targets

	Ecosystem health and biodiversity		Kaitiakitanga		Recreational and amenity opportunities		Irrigated land area		Regional and national economies
	Natural character of braided rivers		Drinking water		Water use efficiency		Energy security and efficiency		Environmental limits

Predator control helps protect rare braided river birds

The colonies of black-fronted terns, black-billed gulls and other threatened braided river-birds in the Hurunui and Waiau Uwha rivers are struggling.

Only 11 chicks are known to have successfully fledged in the 14 black-fronted tern colonies across both rivers. Predation is the main cause, followed by flooding. Southern black-backed gulls are believed to be a major predator.

Increasing the populations of the threatened birds that nest in the Hurunui and Waiau river is the goal of the committee’s \$310,000 Immediate Steps, 5-year, Braided River Flagship Project.

This year, seven islands were enhanced across both rivers, to improve river-bird habitat. Southern black-backed gull control was done at two of the largest colonies on the Hurunui River. Over 1,500 gulls were culled.

Weed control and island creation work has been undertaken in the zone to help protect rare braided river birds.





Understanding swimming water quality at Balmoral campground

The Hurunui River beside the Balmoral campground is a popular swimming spot. At times, E. coli levels breach the swimming standard.

The committee wanted to find out more about the source of this contamination and asked Environment Canterbury to investigate.

Weekly sampling at six sites in 2016/17 homed in on the source area. Monitoring and further investigations last summer narrowed the source to riverbed birds.

There are large colonies of southern black-backed gulls upstream of the swimming spot. Gull control, as part of the committee's Braided River Flagship Project, is expected to reduce E. coli levels and monitoring will continue at a site just below the largest gull colony.



Monitoring and gull control at a popular swimming site beside the Balmoral campground is underway.



Fixing the "10%-rule" issue for dryland farming

Some of the provisions for nutrient management in the Hurunui Waiau River Regional Plan (HWRRP), generally referred to as the "10% rule", had unintended consequences for dryland farmers. Resource consent, changes in the ratio of sheep to beef or changes in the area of fodder crops to address feed deficits can fall outside what is permitted and trigger a requirement for resource consent.

More than 300 farmers protested about the unfairness of the HWRRP "10% rule" at the September 2014 zone committee meeting. In 2015 Environment Canterbury, with the endorsement of the zone committee, issued an advice note setting out the approach that would be taken to compliance with the 10% rule.

While this provided some relief for dryland farmers uncertainty remains, so the zone committee recommended changes to the HWRRP to enable dryland farming to continue as a permitted activity.

Environment Canterbury endorsed the committee's recommendations and will notify a plan change in early 2019.



More than 300 farmers met to discuss the HWRRP 10% rule.

Future challenges

Integrated water management

In September Hurunui Water Project (HWP) completed its share offer with insufficient interest to advance the planned construction of an irrigation scheme on the south side of the Hurunui River.

Amuri Irrigation (AIC) has purchased the resource consents held by HWP and will seek to advance a piped irrigation scheme on the south bank of the Hurunui with an initial command area of 8,000 -10,000ha between the Hurunui River and Hawarden.

While the committee is disappointed at the failure of HWP, initiated over 15 years ago by farmers in the catchment, integrated water (irrigation) management of the Hurunui and Waiau Uwha rivers has now become easier. The committee looks forward to continuing to work closely with AIC on integrated management of water and nutrient management.

Implementing HWRRP minimum flows

The Hurunui Waiau River Regional Plan, which became operative in December 2013, contains the provision for minimum flows in both rivers

to be raised, from 15 to 20 m³/s for the Waiau Uwha and 12 to 15 m³/s for the Hurunui River.

The new minimum flows are put on new consents and on consents as they come up for renewal. AIC, one of the larger water users, has consents that will not come up for renewal for decades. The committee wants the minimum flows to be implemented "sooner rather than later".

A working party of the zone committee has worked with AIC to develop a proposal for staged implementation of the plan minimum flows from now until 2026 alongside an environmental enhancement package provided by AIC. A cultural impact assessment of this proposal and other options for implementing the minimum flows was completed in December. This will help inform the committee's discussion of the merits and content of AIC's proposed package. The zone committee hopes to make a recommendation to Environment Canterbury early in 2019 on implementing the minimum flows.



Each of the region's 10 zone committees includes four to seven community members and this membership is regularly refreshed to ensure a wide range of perspectives are reflected.

Outgoing deputy chair, Ben Ensor

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Hurunui Waiau Zone

The Hurunui Waiau Zone Committee was formed in 2010 to work with the community, rūnanga and councils to develop and implement water management recommendations that deliver the vision of the CWMS.

Our zone features Lake Sumner, the alpine Hurunui and Waiau rivers, the hill-fed Waipara and Tūtaeputaputa/Conway rivers and the north Pegasus Bay coastal wetlands and coastal hills.

Key Zone contacts

James Costello, Community Member	Nukuroa Tirikatene-Nash, Rūnanga Rep-Kaikōura
Ken Hughey, Community Member	Makarini Rupene, Rūnanga Rep-Tūāhuriri
James McCone, Community Member	Cynthia Roberts, Council-Environment Canterbury
Dan Shand, Community Member	Vincent Daly, Council-Hurunui District
John Faulkner, Community Member; Chair	Winton Dalley, Council-Hurunui District Mayor
Ben Ensor, Community Member; Deputy Chair	
Michele Hawke, Community Member; Regional Committee	

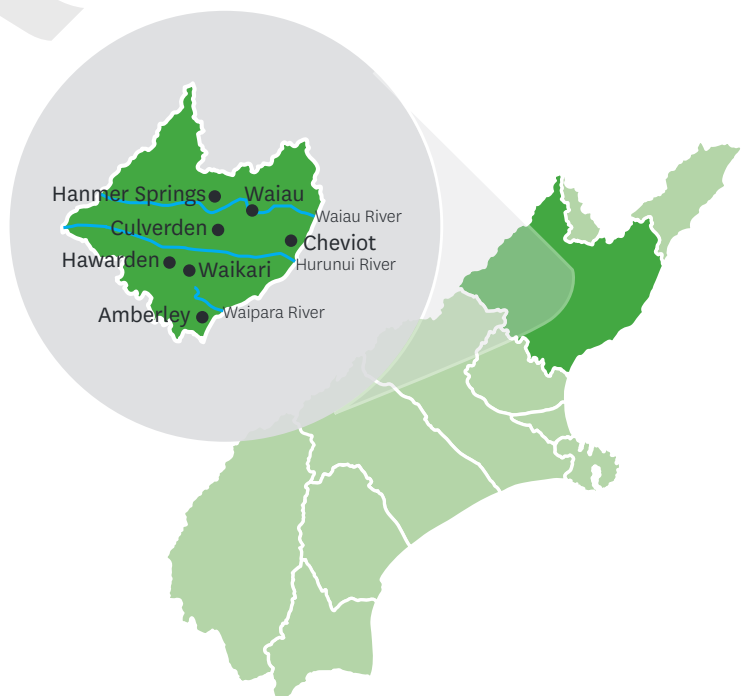
Hurunui Waiau Water Zone Committee Facilitator - Ian Whitehouse
email: Ian.Whitehouse@ecan.govt.nz | phone: 027 500 1833

Hurunui Waiau Zone Delivery Lead -Marco Cataloni
email: marco.cataloni@ecan.govt.nz | phone: 027 241 7951

The Hurunui Waiau Water Zone Committee is a community led committee supported by councils.

[fb.com/canterburywater](https://www.facebook.com/canterburywater)

R18/7137



AGENDA ITEM NO: 7	SUBJECT MATTER: Zone Facilitator's Report
REPORT BY: Ian Whitehouse, Environment Canterbury	DATE OF MEETING: 10 December, 2018

Action required:

1. Note the renewed declaration from the Office of the Auditor General regarding committee members' conflicts of interest.

1 Declaration from OAG on committee members' conflicts of interest

Zone Committee members are appointed because of their strong interests in water management in the zone. This means that there may be occasions when a committee member's interests could prevent them from taking part in the committee's deliberations because of the requirements of the Local Authorities (Members' Interest) Act.

Environment Canterbury sought, in 2011, a declaration from the Office of the Auditor General (OAG) that zone committee members be able to participate in all committee discussions. This was granted. The declaration was renewed in 2013 for five years. The OAG has renewed it for a further five years as attached.



13 November 2018

Steve Lowndes
Chair
Environment Canterbury Regional Council
By email: Governance@ecan.govt.nz

Dear Mr Lowndes

LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968 – APPLICATION FOR DECLARATION FOR REGIONAL AND ZONE MANAGEMENT COMMITTEES

I refer to your letter dated 23 October 2018.

In 2011 and 2013 the Auditor-General granted declarations in relation to the Canterbury Regional Water Management Committee and the ten Zone Water Management Committees. The declarations enabled all members of those committees to participate in all discussions and decisions relating to the development of implementation programmes to achieve the targets and goals set out in the Canterbury Water Management Strategy, despite any pecuniary interests that members may have in those matters.

Section 6(1) of the Local Authorities (Members' Interests) Act 1968 states that members of council committees must not participate in decisions in which they have a personal financial interest. Under section 6(4), we can declare that the rule in section 6(1) will not apply to a specified matter or class of matter if we are satisfied that its application would impede the transaction of business, or that it is in the interests of the electors or inhabitants of the area for it not to apply. We granted our previous declarations based on the knowledge that many committee members will have personal financial interests in a range of matters to be discussed by the committees. We concluded that, in the circumstances, both the tests for granting a declaration were met.

The 2013 declaration expired five years from 24 October 2013. You applied for a declaration covering another five years. In a letter dated 25 October 2018, I granted an interim declaration to allow time to consider your application for a five-year declaration.

In your letter, you advised that the committees continue to play an integral role in implementing the Canterbury Water Management Strategy. As foreshadowed in your 2013 correspondence, rolling memberships have been established to enable a third of each committee to be replaced or reappointed each year, and the terms of reference for the committees have been updated accordingly. You noted in your letter that the reasons for a declaration contained in your first application and our previous decisions still apply. These are:

- the Regional and Zone Committees have been deliberately appointed to allow for a balance of all main interest groups' views;
- the committee members represent a range of interest groups made up of conservation organisations, community, agricultural industry, councils, Ngāi Tahu and Rūnanga;
- the Regional and Zone Committees are working collaboratively towards a consensus to develop and implement work programmes to achieve the Canterbury Water Management Strategy and its targets and goals.

In view of the above, I am satisfied that the grounds for the 2013 declaration still apply, and grant the declaration requested. This declaration replaces my interim declaration dated 25 October 2018.

Declaration

I therefore make the following declaration (acting under delegated authority):

The Auditor-General declares, under section 6(4) of the Local Authorities (Members' Interests) Act 1968, that section 6(1) of the Act will not apply to prevent any members of the following committees from discussing or voting on matters related to the development of implementation programmes to achieve the targets and goals set out in the Canterbury Water Management Strategy:

- *Regional Water Management Committee;*
- *Kaikoura Zone Water Management Committee;*
- *Hurunui – Waiau Zone Water Management Committee;*
- *Waimakariri Zone Water Management Committee;*
- *Selwyn – Waihora Zone Water Management Committee;*
- *Christchurch – West Melton Zone Water Management Committee;*
- *Banks Peninsula Zone Water Management Committee;*
- *Ashburton Zone Water Management Committee;*
- *Orari – Opihi – Pareora Zone Water Management Committee;*
- *Lower Waitaki - South Coastal Canterbury Zone Water Management Committee; and*
- *Upper Waitaki Zone Water Management Committee.*

This declaration expires five years from the date of this letter.

I would be grateful if you could provide copies of this letter to relevant staff and to the members of the Committees.

Please do not hesitate to contact me if you need to discuss any aspect of this letter.

Yours sincerely



Melanie Webb
Assistant Auditor-General, Legal

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

