



HURUNUI
District Council



Hurunui-Waiau Zone Committee

Agenda

3.00pm, Monday, 18 March 2019

***1pm – Public Workshop – scoping a review of the Zone Committees
Operation.***

Waikari Hall, Princess Street, Waikari

Community Partnership in Growth and Wellbeing

Committee Membership:

John Faulkner (Chairperson)
Mayor Winton Dalley (Hurunui District Council)
Cr Vince Daly (Hurunui District Council)
Cr Cynthia Roberts (Canterbury Regional Council)
Josh Dondertman
Michele Hawke
Ken Hughey
James McCone
Julia McLean
John Preece
Makarini Rupene (Te Ngāi Tūāhuriri Rūnanga)
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, 18 March 2019,
Waikari Hall, Waikari

1.00pm - Public Workshop – scoping a review of the zone committee’s operation – Pages 38-39

AGENDA

	3.00pm	Zone Committee Meeting commences with karakia and formal order of business <ul style="list-style-type: none"> • Te Reo Maori: places in the zone • Apologies • Announced urgent business • Interests register (updated) • Confirmation of minutes – 18 February 2019 • Matters arising • Correspondence: <ul style="list-style-type: none"> ○ Letter from Zone Committee to Environment Canterbury 	4 5-17 18
3	3.30pm	Public Contribution	
4	3.40pm	Update from Amuri Irrigation	
5	4.00pm	Progressing a Plan Change to HWRRP to address the 10%-rule issue Lisa Jenkins, Environment Canterbury	19
6	4.15pm	Information on a review of water-take consents David Just, Environment Canterbury	20-23
	4.40pm	BREAK	
7	5.00pm	Results of braided river bird monitoring and control of southern black-backed gulls Kailash, Wildlife Management International	
8	5.25pm	Election of officers	24
9	5.35pm	Developing the Zone Committee’s 2019 Work Programme – initial thoughts from Zone Committee	25-28
10	6.05pm	Update on Regional Committee Winton Dalley and Michele Hawke	29
11	6.10pm	Update from Zone Committee members on activities and meetings attended that relate to the Committee’s outcomes for the zone	
12	6.15pm	Zone Delivery update Marco Cataloni, Environment Canterbury	30-33
	6.30pm	Meeting concludes	

Register of Interests for the Hurunui-Waiau Zone Committee

Committee Member	Interests
Mayor Winton Dalley	<ul style="list-style-type: none"> Register of Interests lies with the CEO of the Hurunui District Council.
Cr 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
Josh Dondertman	<ul style="list-style-type: none"> Managing Director Pahau Flats Dairy/Caithness Dairy Ltd – Craigmore Farming Ltd
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
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.
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
Julia McLean	TBA
John Preece	<ul style="list-style-type: none"> Consultant wetland ecologist – including occasional contracts for Environment Canterbury Part owner of commercial flower garden at Conway Flat Coordinator Hutton's Shearwater Charitable Trust
Cr Cynthia Roberts	<ul style="list-style-type: none"> Register of Interests is held by 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
Nukuroa Tirikatene-Nash	<ul style="list-style-type: none"> Tangata Kaitiaki Trustee, Te Kōhaka ō Tūhaitara Trust Member, Ngāi Tahu Farms Mana Whenua Working Party President, Gore Bay Board Riders Iwi/environmental management consultant Director, Hui Ngaru ō te Wai Pounamu

HURUNUI DISTRICT COUNCIL MINUTES



Meeting	Hurunui-Waiau Zone Committee
Date and Time	18 February 2019, 3.07pm
Venue	Culverden Community Rooms, Amuri Area School
Agenda	http://www.hurunui.govt.nz/assets/Uploads/18-February-2019-HWZC-Agenda.pdf
Members Present	John Faulkner (Chair), Mayor Winton Dalley, Cr Vince Daly, Josh Dondertman, Michele Hawke, Ken Hughey, James McCone, Julia McLean, John Preece, Cr Cynthia Roberts, Makarini Rupene and Nukuroa Tirikatene-Nash.
In Attendance	<p>Environment Canterbury (ECan) – Ian Whitehouse (Zone Facilitator), Cr Claire McKay, Lisa Jenkins, Ned Norton, Sam Thompson, Andrew Arps, Michael Bennett, Angus McLeod, Nadeine Dommissie and Marco Cataloni.</p> <p>Hurunui District Landcare Group (HDLG) – Josh Brown, James Costello, Ben Ensor</p> <p>Amuri Irrigation Company (AIC) – Andrew Barton and David Croft</p> <p>Hurunui District Council – Hamish Dobbie (CEO), Cr Nicky Anderson</p> <p>Department of Conservation – John Benn, Sandy Yong</p> <p>Te Rūnanga o Ngāi Tahu (TRONT) – Lisa Mackenzie, Matt Dale</p> <p>Federated Farmers – Lionel Hume</p> <p>Dairy Farmer – Shaun Lissington, Norm Williamson</p> <p>Ngāi Tahu Farms – Rhys Narbury</p> <p>Community – Jane Demeter, Sara Black</p> <p>Committee Secretary – Michelle Stanley</p>
Recording Device	A recording device was in use for the accuracy of the minutes.
Karakia	John Faulkner opened the meeting with a karakia
Apologies	Nil
Conflict of Interest Declarations	<p>John Faulkner welcomed the new members, Julia McLean, John Preece and Josh Dondertman. Each new member introduced themselves and outlined their area of interest.</p> <p>The interest register has been updated to accommodate the new members interests and the retiring members have been removed.</p>
Urgent Business	Nil.

Minutes

THAT THE MINUTES OF THE HURUNUI-WAIAU ZONE COMMITTEE MEETING HELD ON 10 DECEMBER 2018 ARE CONFIRMED, SUBJECT TO THE FOLLOWING AMENDMENTS:

- Page 6, Matters Arising, Southern Black-Backed gull control, third paragraph, change final sentence to read “Ken apologised to the DOC staff concerned, for his initial comments.”
- Page 7, Matters Arising, BRIDGE Project, first bullet point, third paragraph, change final sentence to read “NIWA have not been contracted to do this on the Hurunui River.”
- Page 8, Matters Arising, sixth bullet point, add to the paragraph so that it reads “It was queried with regards to keeping weeds out of the braided rivers, if ECan are so concerned about the legal obligations...”
- Page 9, Matters Arising, Mitigation Package, second paragraph, last sentence, change ‘Waiau’ to ‘Waiau Uwha River’.
- Page 9, mitigation package, paragraph two, add to the end of the sentence “provided that the decision is made on the mitigation package at the 18 February 2019 Hurunui-Waiau Zone Committee meeting.” and delete paragraph three.
- Page 9, Matters Arising, Mitigation Package, sixth paragraph, last sentence, change the word ‘hoping’ to ‘hopes’.
- Page 10, Item 2, third bullet point, change to read “Cr Cynthia Roberts reported on the recent Tuia Meeting...”
- Page 10, Item 2, fifth bullet point, correct spelling, “Karinga” to “Coringa”.
- Page 11, Item 5, third paragraph, change ‘2018’ to ‘2019’
- Page 13, Item 6, First bullet point, Full name needed change to ‘Dave Lott’.
- Page 13, Item 6, second bullet point, change the word ‘Balmoral’ to ‘Waiau’.
- Page 13, Item 6, fifth bullet point, final sentence add word to read, “These sites are/**were** popular and well known by the community.”

Faulkner/McLean

CARRIED

Matters Arising:

Pyramid Valley Vineyards Proposed Development (page 9)

Discussion was held on the status of the proposed development.

Nadeine Dommissie reported that after the presentation from Pyramid Valley Vineyards to the Hurunui-Waiau Zone Committee, the nutrient load issues raised at the meeting no longer appear to be an issue as more technical information has become available through the consent application. They still have some issues related to the straddling two catchments as the Waipara catchment may not have unallocated water. ECan are receiving advice from Pyramid Valley’s advisors on this issue.

Matters Arising: BRIDGE Project Update (page 6)

John Faulkner read an email from Jamie McFadden outlining some comments on the main issue that the Rural Advocacy Network (RAN) is currently dealing with. Jamie was unable to attend the meeting. The following questions were raised by RAN:

- They asked “why ECan did not inform the BRIDGE Project and the Hurunui Waiau Zone Committee that they were pursuing a flood lines riverbed definition through the courts and that the court decision would impact the BRIDGE project outcomes.
- Why did ECan not continue with Ben Ensor’s riverbed definition suggestion from the first BRIDGE meeting that was strongly supported by other attendees and instead ECan came back with their own historic braid plain riverbed definition.
- Why are ECan pursuing historic braid plain riverbed definition through the BRIDGE process and yet pursuing a flood lines definition through the courts.
- The BRIDGE project started in May 2018. Two months earlier in March 2018 a NIWA report for ECan outlined a historic braid plain definition for riverbeds. Why did ECan not inform the HWZC or BRIDGE project committee about this report.
- There was no consultation with HWZC or affected landowners over wetlands mapping, riverbed lines and most recently the cropping mapping. ECan provided assurances that they learnt from the past about the need to consult. Why have ECan recently commissioned braid plain mapping, which includes huge areas of freehold land, once again with no consultation with the HWZC and affected landowners.
- The Rural Advocacy Network committee decided to participate in good faith in the BRIDGE project even though some of its members said it was a waste of time and were being used by ECan.
- The answer to the above rhetorical questions is that ECan have proven they cannot be trusted, they have lost all credibility and their so called collaborative water planning is a sham. In light of this how can we and you (the HWZC) have confidence that (1) the HWZC is receiving full and correct information from ECan and (2) that workable, collaborative planning outcomes can be achieved.”

Mayor Winton Dalley noted that all of the above questions outlined by Jamie were asked in the last meeting of the Zone Committee (10 December 2019). He noted that the inference that this is a flawed process goes back to the issue of understanding what is being protected. He reiterated that it seems that the process is only looking at the arbitrary line and not at protecting the values of the braided river.

Mayor Winton Dalley noted that a report shown to them at an original meeting in Spotswood outlined the 50 year flood line as being the arbitrary line to determine the values that would be used to protect the braided river. This was dismissed as being a sensible way to protect those values. The members of that meeting were not aware that the braid plan had already been mapped and this was not presented as an option.

He stated that the flaw is in the process of using a mechanism to define something that is not there to be protected and the potential of missing something that is there to be protected. Mayor Winton Dalley noted that this point has been made on numerous occasions and continues to be ignored. ECan are progressing an appeal to define the High Court's decision but not really identifying a good way to identify the values.

John Faulkner noted that the approach discussed in the 10 December 2018 meeting on identifying the values in the river seems to be the way forward.

Nadeine Dommissie noted, in response to the Mayors comments, that everyone wants the same thing. ECan is in agreement with the community that the protection of values is important.

The BRIDGE team decided after consultation with all of the Zone Committees, that they intended to be as open and transparent through the process as possible. They wanted to engage with all parties and ensure that the work they are doing has integrity. In order to help catalyse a conversation, the team began initiating pieces of work. The flood lines were then put in a report in an attempt to be open about what the work had shown. No decision had been made on the methodology for BRIDGE. Unfortunately, due to the publishing of this information, people assumed that the decision had been made.

Nadeine emphasised that no final decision has been made for the methodology for defining the braided rivers.

High Court Decision

Nadeine Dommissie provided an update to the Zone Committee on the recent High Court decision.

As a result of the High Court Decision, the definition of what is a braided river bed has been altered. ECan are now seeking, via an appeal, high-level clarity for both landowners and ECan on what that decision means. Part of that is ensuring that this is the right decision and will not change in a future case. Environment Canterbury believes the High Court decision does not reflect the dynamic nature of braided rivers and is concerned that it will, given the current Regional rules, allow further encroachment.

Environment Canterbury has had to appeal the decision even though this seems contrary to the collaborative BRIDGE Project.

The Zone Committee requested a presentation and paper outlining the change to the definition and the flow on effect this has on the BRIDGE Project.

Correspondence

Outgoing: Letter from Zone Committee to Amuri Irrigation

Taken as read.

John Faulkner stated that after reviewing the minutes of the 10 December 2018 meeting, he sincerely apologised to Andrew Barton and David Croft for misunderstanding AIC's intentions on the minimum flows and for the contents of the letter. The discussion held at the December meeting was confusing which led to a number of varied recollections of the outcome.

To help prevent future misunderstandings and to help clarify matters in future meetings it was requested that all important updates are given in a written paper or memo to the ECan Facilitator, Ian Whitehouse, prior to the agenda being prepared.

David Croft, AIC, thanked John Faulkner for the apology and accepted it. He feels that everyone has learnt from this misunderstanding.

Shaun Lissington noted that he came away from the meeting happy that the 1 cumec minimum flow rise on the Waiau River was to go ahead and they were waiting for the Cultural Impact Assessment. He noted that he was surprised with the nature of the letter and the wording. He felt it was antagonistic, inflammatory and counterproductive to the whole process. AIC are working hard to work with this and he felt clarification could have been easily sought.

James McCone noted that the letter in the agenda was a draft letter and not the final letter that was sent. He outlined that in the final letter sent there were some differences and in the final paragraph it stated that “it was a majority view of the Committee noting that James McCone withheld his support.” James explained that he was not comfortable with the content of the letter and emailed the Zone Committee and ECan outlining his reasons.

Ken Hughey stated that after external criticism and internal reflection a very high level of anxiety built-up within the Zone Committee over the latter half of 2018. The Zone Committee acknowledge the good work that AIC has been contributing to and the willingness to engage in the collaborative process. Ken felt that the Zone Committees frustration and anxiety was rising with the pressure of the fast approaching plan change notification this year, the delay in the raising of minimum flows and the 38 tonnes issues etc. He does not feel that the Chair should shoulder all of the blame.

Ken commented that the Zone Committee would like to continue working in the collaborative space but acknowledging that mistakes will be made. There needs to be awareness that whilst still in a positive space, progress still needs to be made on some complex issues on a tight timeframe.

Ken noted that it would still be in everyone’s best interest to progress with the mitigation package but alongside a backup plan.

Mayor Winton Dalley supported James McCone’s comments and noted that he had raised some questions himself. On receipt of answers to his questions, he gave conditional support to the letter, in hindsight this was wrong and a lesson learnt for the Committee. Mayor Winton Dalley agreed with Ken Hughey’s comments about the stress of the last half of the year highlighting the danger of setting aside proper process. He reminded the Zone Committee that decisions made around this table seriously affects people’s livelihoods in the district.

Incoming: Reply from Amuri Irrigation

Taken as read.

1. Update on Regional Committee

Michele Hawke will circulate the brief provided to her, via the Committee Secretary. The major topics covered was:

- Cr Peter Skelton outlined the Canterbury Regional Planning Story from May 2010 to December 2018 and beyond.
 - A CWMS Fit for Future update. Mayor Winton Dalley noted that there were some good initiatives in it but also some others that needed further work. Winton challenged the drinking water section, which he hopes will be reviewed. Good modified targets and reviewed timelines.
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2. Update from Zone Committee members on other activities and meetings attended that relate to the Committee's outcomes for the Zone.	<p>Zone Committee members provided the following updates on other meetings or activities attended since the last Zone Committee meeting:</p> <ul style="list-style-type: none"> • Cr Cynthia Roberts – The Regional Council has undergone consultation with members of pest liaison committees. The Council is looking at reducing the number of committees and creating pest liaison committees that are flexible, adaptable and receptive to change. The issues is that they do not want to lose the institutional knowledge of the some of those on the committees. <p>Cr Vince Daly noted that this concerns him, as there is a big risk of losing a large amount of knowledge from key people. It is a concern for the Zone Committee. Cr Roberts agreed and noted they are working on these issues.</p>
3. Public Contribution	John Benn, Department of Conservation, tabled information on the National Wilding Conifer control programme and its key messages from the Ministry for Primary Industries.
4. Update from Organisations wishing to speak	Nil.

REPORTS, SPEAKERS AND PRESENTATIONS

5. Progressing a Plan Change and continuing collaboration Lisa Jenkins, ECan	<p><i>How to achieve the minimum flows defined in the HWRP and the 38 tonnes of Nitrogen required to meet plan requirements and help resolve the 10% rule issue.</i></p> <p>Ken Hughey spoke to his report previously emailed to the Zone Committee. This was written after a meeting held by a number of members of the Zone Committee. It was noted that the Councillors and Mayor were not invited. There was uncertainty as to why this decision was made and clarification on this was sought.</p> <p>John Faulkner noted he has had quite a bit of push back from his decision to exclude the elected members by the HDC members, the reasons for this decision was that he was asked not to include the elected members. He noted that the Potential Consent Review issue is so crucially important to the community that if the Zone Committee are not up to speed as much as possible, especially with the new Zone Committee members, they would be at a disadvantage.</p> <p>The issue has been raised in regards to the appropriateness of making that meeting, which he accepts, however there is also an issue regarding the parent organisations ECan and HDC and its relationship with the Zone Committee and the Chairs independence. John noted that at times, at a governance level, he is somewhat confused on how this process is to run. He has numerous conversations with various parties within both organisations and at times they are very free and open conversations. He also has free and open conversations with other community stakeholders. There may be a requirement that the process that the Zone Committee operates under needs to be reviewed and some guidelines put in place for all parties, not just the chair but also the Zone Committee. Any new chair needs to be comfortable that they have guidelines to follow and if they do not, it is easy for pressure to be exerted from one corner or another. He thinks that this Zone Committee needs a review of its performance,</p>
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interaction with the HDC and ECan and stakeholders. He feels it is up to the two parent organisations to facilitate that.

Cr Cynthia Roberts reported that she did not have an issue with the meeting as she assumed it was the members of the Mitigation Package Working Group. After learning that the new members were invited she felt that it was a good idea and a chance to meet the ECan CEO. She is happy with the decision.

Ken Hughey spoke to the rest of his report on the meeting held in at ECan. Based on that meeting Lisa Jenkins formulated a report to bring to the Zone Committee for its consideration.

Nukuroa clarified that the Cultural Impact Assessment is of benefit to all involved not just the Rūnanga. The status of the Cultural Impact Assessment was queried. It was reported that it is thought to be with the Rūnanga and the process cannot be rushed or forced by ECan.

Progressing a Plan Change and continuing collaboration

Lisa Jenkins spoke to her report and asked the Committee to consider and discuss the presented draft recommendation. Outlined in the presentation was the timeframe for notification if the Zone Committee made a decision by the March or April meeting. The Zone Committee had an in-depth discussion and the following was noted:

- There was uncertainty around what a consent review process would do to water takes held by HDC for community water and stock water. The following points were made:
 - Lisa noted that the Plan does prioritise community drinking supply and even when the river is at, or below, its minimum flows, there is provision in the Plan for the community supply to continue to be taken at a rate of 250 litres per person per day. Stock water is also provided for when below the minimum flows.
 - Any consents granted before 2013 would need to be called in, as they would likely not comply with the new minimum flows.
 - Concern was expressed that those who are not contributing to the nutrient issue and are already abiding by the Plan might be affected by this option both in time and money. Mayor Winton Dalley noted that there will be a cost to Council and the ratepayers to defend its position and he would be opposed to having to put the ratepayers through that cost for no good reason.
 - It was noted that the purpose of reviewing the water take consents is not to do with nutrients, but it is to implement the minimum flows in the Plan.
 - There is a degree of uncertainty and concern of calling in the consents, for example the HDC consents, that may be detrimental to the community. It was noted that this is a good reason for not calling in the consents.
 - Lisa reminded that this is a parallel process and is an ongoing decision alongside the 38 tonnes conversation.
 - It was noted that there is a process to go through where everyone will get an opportunity to explain the hardship of minimum flows.
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- Nadeine commented that the driver behind this is the impending expiry of the ECan Act in October 2019. ECan staff are using this window of opportunity to help enable what the Zone Committee has been consulting with the Community on for some time. If it is missed, then it might be a number of years before this can be relooked at.
 - Nadeine felt that the Zone Committee is getting too far ahead of the process and that the important issue is getting a plan process in progress. There will be ample time for submissions, consultations and appeals through the Plan Change process. ECan are confident that a good solution will be found. She reminded the Committee that the consent review is solely a backup mechanism if agreement for the voluntary solution falls through. Nadeine emphasised that the Zone Committee will be involved throughout the whole process.
 - It was commented that ECan could do a comparison of surety of supply for the consents that are on the older minimum flows and what would be the change in surety of supply in the new minimum flows.
 - It was noted that calling in all of these consents would involve a huge amount of work looking at what is allocated for consents and what is sitting with the permitted activities at the moment. Lisa noted that a large amount of that information has already been completed by Ned Norton and would not be needed until the Plan Change is operative.
 - The option of leaving the Advice Note in place was discussed and it was noted that the Environment Court have declared that the Advice Note on the 10% rule is lawful except for two sentences. Forest and Bird New Zealand are appealing this decision and ECan has joined the appeal to the High Court to argue that the Environment Courts decision is correct.

It was asked if the Dryland Farmers were comfortable with the advice note. Ben Ensor spoke on behalf and noted that looking at the whole picture, the obvious best outcome is a consensus of the voluntary approach that has been worked on for the last four years. That is the best approach for the whole community. The Landcare Group have become incredibly frustrated and are sick of being a political football. A lot of time and effort has gone into this but they are still virtually at the same place as five years ago. The proposal to make dryland farming a permitted activity ticks some of the boxes needed but it still does not address the real issue of nutrient allocation in this catchment and does not deal with grand-parenting. If a voluntary approach cannot be reached, then Ben felt that the best thing to do would be to ask ECan to review the entire allocation plan as soon as possible.

Ben noted that they can live with the advice note until 2023 if ECan can.

Nadeine noted that the key issue is that the advice note is increasingly under scrutiny and contention by third parties like Forest and Bird. It seems that this is not a good place for the dryland farmers to be sitting. The Advice Note is a stopgap whilst a better option is sought. She was uncertain how the Court would react if given a recommendation by the Zone Committee that they wish to keep the Advice Note. The Environment Court were in favour of supporting it the first time due to

the indication that a solution was being sought. If this is changed, it is thought that ECan's position would be weakened.

- Cr Cynthia Roberts commented that she is in support of the recommendation. She feels that the conversation today has helped to clarify that the Zone Committees first priority is to continue the mitigation package with AIC but to immediately start looking at a plan that would address the other issue.
- Josh Brown, Landcare Group, commented that getting the 38 tonnes is not the end solution. It is still a Band-Aid like the advice note but it gives dryland farmers more legal standing, which is why they have been supporting it. Josh noted that it still does not give an equitable solution for dryland farmers. He commented on his surprise that AIC do not have the 38 tonne to relinquish. He stated that AIC have stated before that they had the nutrients to surrender, 50 tonnes five years ago, but seem to change their minds. It makes it hard to trust the process.

It was noted that it is clear that the differences between parties are still present.

Break

The meeting adjourned for a break at 5.17 pm and reconvened at 5.34pm.

**Continued:
Progressing a Plan
Change and
continuing
collaboration**
Lisa Jenkins, ECan

- Andrew Barton addressed Josh Browns comments noting that five years ago when AIC offered up 50 tonnes it was on a different open race scheme. Now that they are on a pipe-based scheme, they utilise more nitrogen. AIC originally offered 8 tonne on the new piping scheme. The 38 tonne was always in conjunction with two other parties HWP and NTF on an aggregate basis. AIC are working hard to achieve the 38 tonne via the takeover of HWP.
 - A draft policy will be put together, circulated to the Zone Committee and available at the next meeting. This will provide the Committee the chance to provide comment. AIC noted that they intend to be able to provide a written update to the Committee at the meeting.
 - If the Zone Committee decide that they do not agree with the implications of the proposed Plan Change then they need to note this in the March meeting. Noting that any alteration to the schedule would limit the chance for stakeholders to respond well due to the other Plan Changes happening.
 - Mayor Winton Dalley raised the issue of the speed of which this Plan Change decision is proceeding. Winton noted his hesitancy to support option three due to the implications in terms of the consents and the potential consequences. He queried the need for this to be done under the ECan Act with no appeals unless its points of law. Lisa clarified that that this Plan Change is purely for the 38 tonnes to fix the 10%-rule and is separate to the water take ones. This can be done under the ECan Act and is included in the budget this year but will not be again until the 2023 review.
 - Nadeine Dommissie acknowledged the Zone Committees hesitancy and agreed that this is an important issue and decision that cannot be rushed. She confirmed that the discussed recommendations below (1, 2 and 3) essentially give ECan permission to bring back information on what that
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Consent review would look like and allow the Zone Committee time to consider if it is an acceptable pathway.

- It was agreed, after discussion, to keep the 10% rule recommendations separate from the minimum flows recommendations to avoid confusion.

Recommendation

- 1. The Zone Committee continues to seek commitment to voluntary actions from Amuri Irrigation.**
- 2. The Zone Committee continues to ask Environment Canterbury to pursue a Plan Change to fix the 10% rule issue.**
- 3. The Zone Committee recognises that, given the current timetable, it is uncertain whether a voluntary offset of 38 tonnes of Nitrogen will be achieved in time for a Plan Change to be notified under the ECan Act. If a voluntary offset has not been achieved by March 2019 the Zone Committee will consider asking ECan to include in the Plan Change the necessary mechanisms to ensure a regulatory clawback of Nitrogen for non-dryland farm systems.**

The Hurunui Waiau Zone Committee unanimously agreed to the recommendation.

Minimum Flows and the mitigation package was discussed and the following was noted:

- Ken Hughey commented that the existing Plan states the requirement that over time minimum flows in the Waiau Uwha and Hurunui Rivers will rise. The Zone Committee have agreed previously that this should happen sooner rather than later, and a mitigation package has been created and negotiated in conjunction with AIC. In the fullness of time the Zone Committee still must have provisions in the mitigation package or plan review option that puts those minimum flows back into the river otherwise the Zone Committee will be held accountable by the community.
Ken Hughey felt that the Zone Committee should follow the two complementary pathways with the mitigation package being the preferred option and the review of consents as a backup.
 - It was requested that further information be sought by ECan staff to better inform the Zone Committee on the implications of calling in the consents and for HDC in terms of domestic water supply and stock water.
 - John Preece noted that in an environmental context, these takes are a quarter of the summer river flow which is quite significant. This has allowed land use intensification over a big area potentially causing significant environmental impacts. The current tools used to address the impacts, the Plan, resource consents, Farm Environment Plans or the Irrigation Scheme Management Plan, do regulate some adverse effects but, in John's research, no environmental compensation. He feels it is strange that a scheme of this magnitude does not have built in environmental compensation. He feels that a collaborative process should be undertaken to produce genuine world-class sustainable land and water management for the benefit of all parties. Whilst he does not know how this looks, he feels that it could be done.
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Recommendation:

- **Zone Committee has agreed in principle to voluntary staged implementation of HWRRP minimum flows alongside an environmental package from Amuri Irrigation. A Cultural Impact Assessment is underway.**
- **In the event that an agreement to implement minimum flows as a voluntary action is not reached, the Zone Committee would consider, at that time, recommending that ECan review resource consents to achieve implementation of minimum flows.**

The Hurunui Waiau Zone Committee agreed unanimously to the recommendation.

Jane Demeter tabled a document on the rationale of how the Hurunui Water Plan was developed and how the Commissioners made their decision. This will also be emailed to the Committee for its information. It is her view that it is time to enact the full minimum flows of the 2013 HWRRP and not defer another seven years until 2026.

6. Zone Delivery update and new Soil Conservation and Rehabilitation Project

Andrew Arps, ECan

Andrew Arps introduced himself and Marco Cataloni for the benefit of the new Zone Committee members. The Zone Delivery team will be providing bi-monthly updates to the Zone Committee. This will be at a milestone level unless there is a particular subject that needs further discussion.

Staffing

Sam Thompson is filling in as land manager for the Hurunui whilst Michael Bennett is on secondment.

Work Programme Progress update for Quarter 2 (Oct-Dec 2018/19)

A number of projects have been underway since the middle of 2018, with others set to commence early 2019. The following was noted:

- The swimming holes have been completed on the Hurunui and Waiau rivers with Hanmer and Waitohi Rivers to be completed at the end of the 2018/19 financial year.
- The black backed gull control was a success with up to 2000 gulls poisoned with minimal secondary poisoning occurring.
- A site has been allocated (Balmoral HDC land) for some wetland restoration/weed clearing. To be used for community youth for biodiversity and recreation.
- The next significant project will be focused on braided river natural habitat creation/restoration. Project development will take place over the next 2-3 months.

The SCAR Programme

Andrew Arps tabled a report on the Soil Conservation and Revegetation Programme (SCAR).

- ECan has been awarded \$1.3 million towards erosion control activities in the Kaikōura and Hurunui hill country. ECan and Landowners will also make further contributions to raise the fund to approximately \$2.5 million. The SCAR programme is funded for an initial four years, building long-term ECan and landowner erosion control capabilities. The key purpose of the SCAR programme is to reduce the risk of accelerated
-

erosion and the subsequent sediment that ends up in waterways. They will work closely with Michael Bennett and the Post Earthquake Recovery Project.

- Project Elements include farm mapping, poplar poles, reversion fencing and native planting to assist reversion.

As a part of the programme ECan intend to:

- Test the programme design with landowners as the programme is developed.
- Assess the case for a permanent ECan poplar pole nursery in Kaikōura
- Provide on-the-ground project support to landowners via Land Management Advisors.
- Provide four workshops per year for landowners to support the programme and provide advice on erosion control, biodiversity, mahinga kai etc.
- Provide \$100,000 over four years to the Hurunui District Landcare Group for support in delivering erosion control activities and advice.

The key principles for the programme are:

- We want this programme to be effective in delivering long-term environmental benefits.
- We want the opportunities presented by the programme to be open to as many eligible landholders across Hurunui/Kaikōura as possible.
- ECan want to learn from the programme and share lessons across Canterbury.

Andrew Arps asked that a working group be formed to discuss ideas. Any interested persons can email Andrew.

7. Update on Post Earthquake Recovery Project
Michael Bennett,
ECan

Michael Bennett spoke on his report. The following updates were noted:

- The Post Quake Farming Project is funded through the MPI Earthquake Recovery Fund with in-kind and cash contributions from Beef and Lamb New Zealand and ECan.
 - Project Area - Hill and high country farmland subject to land damage and business disruption following the November 2015 earthquakes.
 - Refreshed in October 2019 with a new set of Objectives. Set to run until June 2021.
 - Now in the final stages of revising contracts, with some project work already started.
 - The SCAR project will fund capital works on the farm. Which is different from what the Post Earthquake Recovery Project covers.
 - The main issue the project is facing is the capacity and time restraints for farmers to deal with all of this.
 - He welcomed any suggestions.
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8. Election of officers

It was agreed due to the meeting running over time that the election of officers be deferred until the March meeting.

9. Zone Facilitator's Report
Ian Whitehouse,
Ecan

Taken as read.

Presentation of Annual Report to Council.

	Shaun Lissington noted that a mistake had been made in the annual report presented to the Regional Council. It stated that AIC has purchased the resource consents held by HWP. It was noted that this was just an oversight and will be fixed. John Faulkner apologised for the mistake.
Urgent Business	Nil
Meeting concluded	The meeting concluded at 6.50pm with a whakamoemiti from Nukuroa Tirikatene-Nash.
Next meeting	Monday, 18 March 2019.

Bill Bayfield
Chief Executive
Environment Canterbury
Via email

25 February 2019

Update from Hurunui Waiau Zone Committee meeting – HWRRP plan change and implementing minimum flows

Dear Bill

At its 18 February meeting, the Zone Committee agreed that:

1. The Zone Committee continues to seek commitment to voluntary actions from Amuri Irrigation.
2. The Zone Committee continues to ask Environment Canterbury to pursue a Plan Change to fix the 10% rule issue.
3. The Zone Committee recognises that, given the current timetable, it is uncertain whether a voluntary offset of 38 tonnes of Nitrogen will be achieved in time for a Plan Change to be notified under the ECan Act, If a voluntary offset has not been achieved by March 2019 the Zone Committee will consider asking ECan to include in the Plan Change the necessary mechanisms to ensure a regulatory clawback of N for non-dryland farm systems.
4. The Zone Committee has agreed in principle to voluntary staged implementation of HWRRP minimum flows alongside an environmental package from Amuri Irrigation. A Cultural Impact Assessment is underway.
5. In the event that an agreement to implement minimum flows as a voluntary action is not reached, the Zone Committee would consider, at that time, recommending that ECan review resource consents to achieve implementation of minimum flows.

Amuri Irrigation indicated, at the Zone Committee meeting on 18 February 2019, that they expect to inform the committee at its 18 March meeting whether they have taken over Hurunui Water Project and so be able to confirm, or not, the required 38 tonne voluntary reduction in N load. Therefore, the committee anticipates making a recommendation at the 18 March meeting on the matter raised in 3 above.

Some of the committee raised concerns about the impact of a review of water take consents (item 5 above) on Hurunui District Council's community drinking water and stockwater schemes. The committee asks that Environment Canterbury provide more information on this matter at the 18 March meeting.

Yours sincerely

John Faulkner
Chair, Hurunui Waiau Zone Committee

MEETING ITEM: 5	SUBJECT MATTER: Progressing a Plan Change
AUTHOR: Lisa Jenkins, Environment Canterbury	DATE OF MEETING: 18 March 2019

Action required

That the Zone Committee notes:

1. At the February 2019 meeting, the Zone Committee recommended that Environment Canterbury pursue a plan change to fix the 10% rule.
2. AIC have indicated that if they are successful in the procurement of HWP they will provide an N offset of 38t to enable the plan change to progress. We will know if AIC have purchased prior to 18 March, but at the time of writing, it is not known.
3. Staff will recommend that the Canterbury Regional Council notify a plan change to fix the 10% rule in early May 2019.
4. If AIC can provide 38t of N, the plan change will consist of:
 - a. A policy acknowledging the comparatively small contribution of nutrients to water by low intensity dryland farms
 - b. A new rule permitting low intensity dryland farming
 - c. New definitions for low intensity dryland farming, dryland farmer collective agreement, the Farm portal and winter grazing
 - d. Two new schedules setting out requirements for low intensity dryland farmer collectives and for contents of farm management plans for low intensity dryland farmers
 - e. Consequential changes to existing provisions.
5. The Zone Committee has seen and provided comment on the draft plan change at workshops in 2018.

If AIC cannot provide an N offset, the Zone Committee considers making the following recommendation:

1. The Hurunui Waiau Zone Committee recommends that the Canterbury Regional Council pursues a Plan Change to fix the 10% rule while maintaining water quality. To achieve this, the plan change should include a mechanism to acknowledge and correct the over-allocation of the in-river N load limit set for the Hurunui river that will occur as a result of the plan change progressing without a voluntary reduction in N load by irrigators.

MEETING ITEM: 6	SUBJECT MATTER: Information item: reviewing water take consents
AUTHOR: David Just, Environment Canterbury	DATE OF MEETING: 18 March 2019

Purpose

To inform the Zone Committee of what a review of water take consents would look like, acknowledging the Committee is still considering options in relation to a voluntary staged implementation of minimum flows.

Background

At the February 2019 meeting of the Hurunui Waiau Zone Committee, committee members sought further clarity on what a review of water take consents would look like, particularly with regard to consents held by Hurunui District Council (HDC) for the purposes of Stock Drinking Water and Community Supply.

This paper has been prepared clarify what a consent review will entail and provide the Zone Committee opportunity to ask further questions.

This paper is intended to be informative and I acknowledge that the Zone Committee is still considering whether consent reviews are the preferred pathway for plan compliance within the Hurunui Waiau Zone.

The information provided pertains to minimum flow compliance of abstractions within or connected to the mainstem of the Hurunui and Waiau Rivers, not the tributaries thereof. This is because:

- the bulk of the allocation and abstraction is on the mainstem of the two rivers;
- tributary abstraction will eventually also need to be subject to mainstem minimum flows;
- tributary minimum flow reliability would need a considerably more detailed discussion.

Regulatory Context

Resource Management Act 1991 (RMA)

Reviews are provided for under s128 of the RMA. Section 128 allows a review of a consent when a regional rule has been made operative which sets rules relating to minimum flows or minimum standards of water quality, and it is the regional council's opinion that it is appropriate to review the conditions of the consent in order to enable these flows or standards to be met.

Hurunui Waiau River Regional Plan 2013 (HWRRP)

Under the HWRRP the relevant rules in the plan which set the minimum flows have been operative from December 2013. Under this plan all consents:

- to take surface water; and
- hydraulically connected groundwater (above the connection threshold in the plan),

are subject to minimum flow requirements.

Community supply and/or stock drinking water schemes are not required to comply with the minimum flow for the River if a Water Supply Asset Management Strategy has been developed and implemented.

What will it mean for community and stock water supply?

Community and stock water supply are first order priorities under the CWMS. The HWRRP recognises this, and (Policy 1.5) provides for these abstractions to occur below the minimum flows in the plan provided there is water supply asset management strategy in place.

Policy 1.5 To enable community and/or stock drinking water supplies to continue to abstract water when the minimum flow in the Environmental Flow and Allocation Regime shown in Table 1 is reached, where the community and/or stock drinking water supply has a Water Supply Asset Management Strategy in place.

The key provider of community and stock water scheme supplies is Hurunui District Council (HDC).

Hurunui District Council already hold some consents which are plan compliant, however the majority of these consents are not plan compliant, as they were granted before the HWRRP was even notified. The first of these is due to expire in 2033, and would need a water supply asset management strategy to be complied with in order to be HWRRP compliant.

The effect of this would be that when all other abstractors (e.g irrigation) must cease, the community and stock water supply takes are able to continue abstracting, however the takes would need to be limited to the volumes required as specified in the plan, i.e. subject to restrictions as set out in the water supply asset management strategy.

Table 1 shows the number of HDC consents on the mainstem of the Hurunui and Waiau Rivers that would be changed if the consents were reviewed against the HWRRP.

Table 1. HDC takes and HWRRP Compliance

HURUNUI RIVER MAINSTEM			WAI AU RIVER MAINSTEM		
HWRRP	Minimum flow	Number of consents	HWRRP	Minimum flow	Number of consents
Plan Compliant	HWRRP minimum flow	1	Plan Compliant	HWRRP minimum flow	1
Not Plan Compliant	Has a minimum flow but not HWRRP	1	Not Plan Compliant	Has a minimum flow but not HWRRP	0
	No min flow	3		No min flow	3

It is important to appreciate that community and stock drinking water supply takes are significantly smaller than irrigation takes within the HWRRP catchments. For example, HDC takes in Table 1 above are very small, combined they equate to approximately 120 L/s, in the context of the allocation blocks – particularly when compared with the catchment's largest consented abstractor as shown in Table 2.

Table 2. HDC and AIC takes in the Lower Waiau A block.

LOWER WAIU A ALLOCATION BLOCK		
A Block Size	17,830 L/s	% allocation block
Total HDC take(s)	60 L/s	0.34
Amuri Irrigation Company	11,450 L/s	64

If a water take consent review were to take place, what consents would be reviewed?

This information has been presented previously in the October 2017 meeting of the Zone Committee. At that time the following was presented:

For the Waiau River catchment:

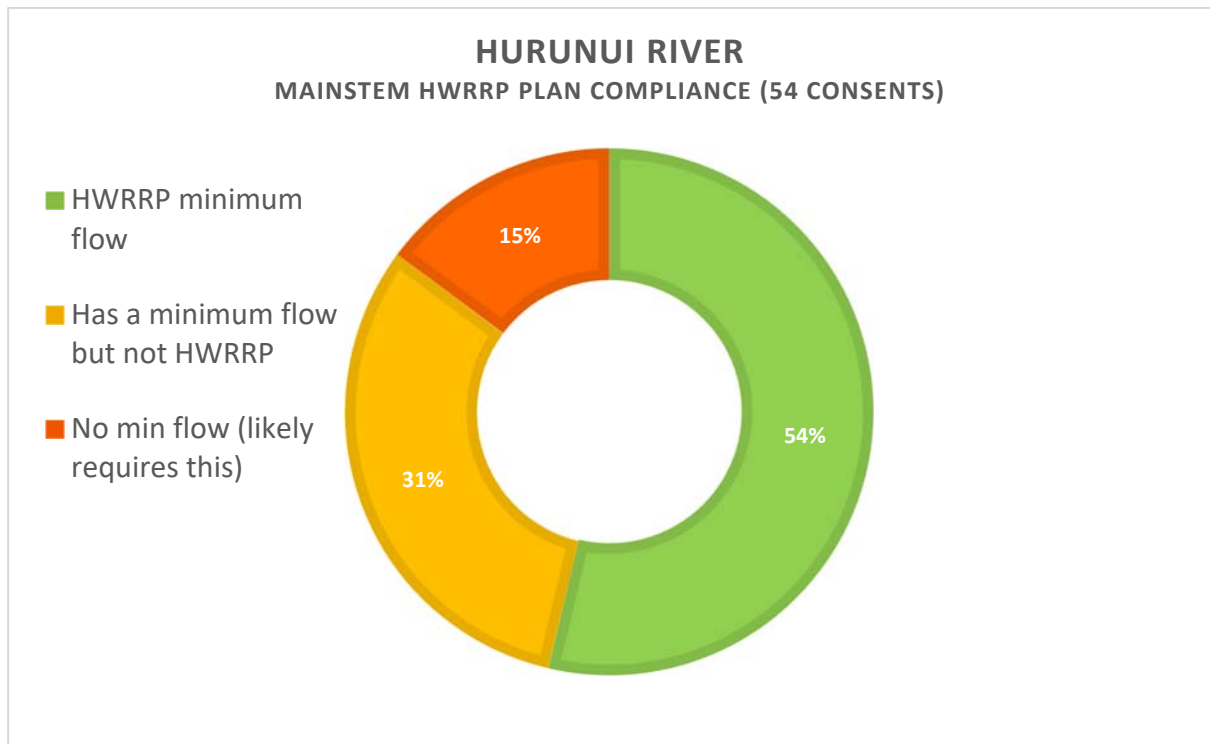
- Approximately 6 m³ /s of A Block allocation (29 consents) currently have conditions requiring the HWRRP minimum flows, out of approximately 17 m³ /s (66 consents) – Waiau River main stem A Allocation Block only.
- Of the 37 consents not yet attached to HWRRP minimum flows there are 22 consents that are due to expire by the end of 2020 and so will be given conditions requiring to meet HWRRP minimum flows if and when they are renewed.

For the Hurunui River catchment:

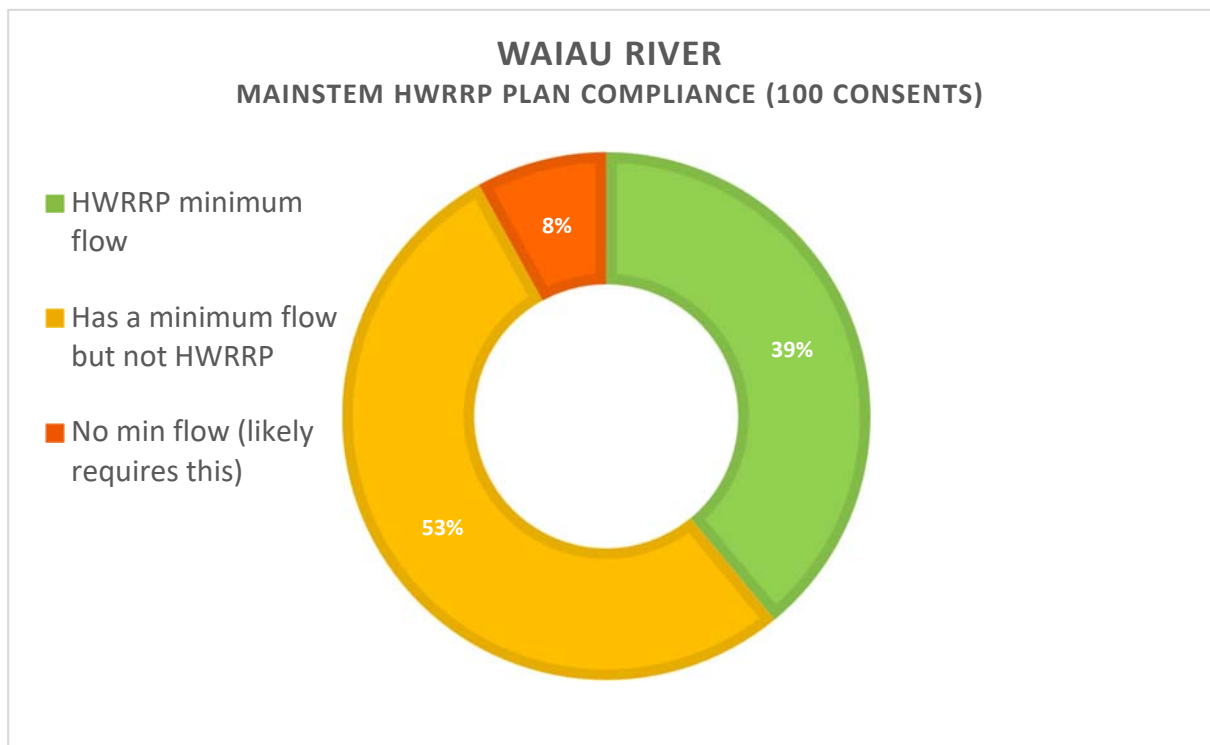
- Approximately 300 L/s of A Block allocation (5 consents) currently have conditions requiring the HWRRP minimum flows, out of a catchment total allocation of approximately 7.5 m³ /s (40 consents)- Hurunui River main stem A Allocation Block only.
- Of the 35 of consents not yet attached to HWRRP minimum flows there are 21 consents that are due to expire by the end of 2020 and so will be given conditions requiring to meet HWRRP minimum flows if and when they are renewed.

I will update the committee on this by way of a presentation, however an overview of the consents that take from, or are connected to surface water is shown for the Hurunui River Mainstem (Graph 1) and Waiau River Mainstem (Graph 2) on the following page:

Graph 1: Hurunui River Mainstem Consents (surface water and groundwater)



Graph 2: Waiau River Mainstem Consents (surface water and groundwater)



AGENDA ITEM NO: 8	SUBJECT MATTER: Election of officers
REPORT BY: Ian Whitehouse, Environment Canterbury	DATE OF MEETING: 18 March 2019

Action required

Zone Committee members elect the following officers for 2019:

- Chair
- Deputy Chair
- Hurunui Waiau Zone representative on Regional Committee.

Appointment of officers

Officers of the zone committee are elected by the committee for a 12-month term. It is time to appoint officers for the next 12 months.

The positions are:

- Chair (currently John Faulkner)
- Deputy Chair
- Representative on the Regional Water Management Committee (currently Michele Hawke).

At the meeting the committee will elect members to these three positions.

AGENDA ITEM NO: 9	SUBJECT MATTER: Zone Committee's 2019 Work Programme
REPORT BY: Ian Whitehouse, Environment Canterbury	DATE OF MEETING: 18 March 2019

Purpose

To prompt discussion by zone committee members on what they want to do in 2019 including meeting topics and field trips.

Staff Recommendation

The zone committee begins to identify and agree the key things to be included in the committee's 2019 Work Programme.

Background

The Committee's Terms of Reference describes the committee's purpose and functions as:

1. Facilitate community involvement in the development, implementation, review and updating of a ZIP that gives effect to the CWMS in the Hurunui Waiau Zone;
2. Monitor progress on the implementation of the ZIP.

The zone committee has been in operation for nearly ten years. A ZIP and a ZIP Addendum have been produced. A plan change to the Hurunui Waiau Rivers Regional Plan is expected to be notified soon to give effect to some of the ZIP Addendum recommendations.

In May 2017 the committee, following substantial engagement with stakeholders, agreed the issues that it wanted fixed or substantially progressed. An assessment on the progress on the nine issues is attached. Implementing the HWRRP minimum flows and braided river management remain a focus for the committee and is "work in progress."

It is timely, at the start of another year and with new committee members, for the committee to discuss and identify what it wants to do in 2019.

The committee operates mainly through meetings and field trips. Having a focus for each zone committee meeting or field trip would assist the facilitator and zone delivery team develop and deliver the committee's 2019 work programme.

The committee does not need to meet every month. The Terms of Reference require at least eight meetings per year. It could replace some meetings with field trips. It could choose not to get together, either for a meeting or field trip, in some months (it does not currently meet in January).

As a prompt for the committee's discussion, the following are suggested as possible topics/themes for zone committee meetings:

- i. Implementing HWRRP minimum flows – this is likely to continue to be a key topic for some months.
- ii. Results from *E. coli* monitoring at Balmoral swimming hole and above/below the black-backed gull colony
- iii. Results from 2018/19 water quality monitoring in Jed River
- iv. Update on state of water resources in the zone
- v. Drinking water.
- vi. Results of Amuri Irrigation's FEP (farm environment plan) audits.
- vii. Communication initiatives (such as a zone calendar).

There may be opportunities for field trips to help the committee understand some of the topics. What ideas do the committee have for field trips? For example, alongside the meeting in Conway Flat?

2019 Schedule for Hurunui Waiau Zone Committee meetings

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

Progress on the Hurunui Waiau Zone Committee's priority issues (at March 2019)

The zone committee engaged with a wide range of interests to develop their list of key issues they wished to be fixed or significantly progress. The committee agreed the priority issues in May 2017. Progress on these is noted below.

	Issue	Progress
1	"10%-rule" issue Ensure that normal dry land farming is not "illegal" under HWRRP	<ul style="list-style-type: none"> • HWZC ZIP Addendum (August 2018) recommended a targeted plan change to permit normal dryland farming. Normal dryland farming has no irrigation and area of winter forage is less than 10% of the property area. • Environment Canterbury will notify a plan change in mid-2019. • Voluntary reduction in nitrogen load from irrigated farming is required to ensure that permitting dryland farming does not breach the N load for the Hurunui River. Amuri Irrigation will know in March whether it is able to takeover HWP and be able to release 38t nitrogen allocation. ECan have said that if a voluntary reduction has not been achieved then the plan change should include provision for claw back of nitrogen allocation from irrigators.
2	Minimum flows in Hurunui and Waiau Rivers Considering whether deferring a review of water takes (to align them with the HWRRP minimum flows) could be used to lever further actions by irrigators to improve water quality	<ul style="list-style-type: none"> • HWZC Working Party's discussions with AIC has identified an opportunity for a significant environmental enhancement package with staged implementation of minimum flows. • Amuri Irrigation voluntarily increased minimum flows relating to their Waiau Uwha water take by 1 m³/s. • The committee is waiting for the cultural impact assessment of the options for implementing the HWRRP minimum flows.
3	Braided river bed management in Hurunui and Waiau Rivers a) Riverbed lines b) Improving protection of braided riverbed-nesting birds	<ul style="list-style-type: none"> • HWZC has allocated more than \$300,000 of Immediate Steps funding to a Braided River flagship project to control predators and weeds. Two islands in the Hurunui River have been enhanced to reduce predators and control of southern black-backed gulls was carried out at two large gull colonies on Hurunui River. • A reach of Waiau River is part of the region-wide BRIDGE project trying to provide certainty about the extent of the "river bed" in braided rivers.
4	All farms at GMP Get uptake of GMPs through consented audited FEPs (including AIC, Cheviot Irrigators Group & HWP) and through FEPs by Hurunui District Landcare Group	<ul style="list-style-type: none"> • AIC audited 110 farms in 2017/18. • All Cheviot Irrigators have FEPs and some have been audited. • Most of the 120 Hurunui District Landcare Group members have an FEP.

	Issue	Progress
5	Waipara catchment Is further development possible with HWP in Waipara catchment given current water quality (that reflects naturally high P levels and low flows in summer)	<ul style="list-style-type: none"> HWP's resource consent application was declined by an independent Hearing Panel. The application was under the Land and Water Regional Plan nutrient management rules for the nutrient losses associated with the proposed irrigation in the Waipara catchment.
6	Toxic cyanobacteria (<i>Phormidium</i>) Need better understanding of the critical factors for <i>Phormidium</i> and what can be done to reduce blooms	<ul style="list-style-type: none"> ECan has supported funding applications from research agencies for projects that include investigations in Hurunui River but the applications have not been successful.
7	Water quality limits for Waiau Uwha Consider the need for water quality limits for Waiau River that are as "strong" as those for Hurunui River and when these would be put into a plan	<ul style="list-style-type: none"> The committee has considered whether stronger water quality limits are needed and recommended, in the ZIP Addendum that new limits be part of the HWRRP review in 2022/23. An additional Chlorophyll a monitoring site has been installed in lower Waiau Uwha (so information will be available on whether the river meets NPS – FM bottom line for periphyton. Emu Plains have applied for a consent for irrigation development in Waiau Uwha. This is still being processed and no date has been set for a hearing.
8	Integrated water storage AIC, HWP and NTFE take a collaborative approach on water storage for integrated water infrastructure for Hurunui and Waiau catchments	<ul style="list-style-type: none"> 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. AIC is looking to takeover HWP and will seek to advance a piped irrigation scheme with an initial command area of 8,000 -10,000ha between the Hurunui River and Hawarden. AIC's takeover of HWP should make integrated water storage easier. AIC, prior to their takeover of HWP, identified Glenrae as the best option for tributary storage to complement on-plains storage. AIC commissioned technical reports for a plan change relating to Glenrae storage but discussion of them was postponed given the changes above.
9	P load limit methodology for Hurunui River Concern that current methodology for calculating P load limit over-emphasises years with high river flows and therefore does not reflect P losses that could be managed.	<ul style="list-style-type: none"> Concerns about P load methodology appear to have dissipated with the realisation that this will not be an issue for most farmers if dryland farming is permitted through a targeted plan change.

AGENDA ITEM NO: 10	SUBJECT MATTER: Update on Regional Committee
REPORT BY: Michele Hawke, Winton Dalley, Lesley Woudberg	DATE OF MEETING: 18 March 2019

Purpose

To provide a summary of the Regional Committee meeting of 12 February 2019

Report

1. The Canterbury Regional Planning Story from May 2010 to December 2018 and Beyond

Cr Peter Skelton talked about establishing the RMA framework of plans (Land and Water Regional Plan and sub-regional sections) to improve the management of water in Canterbury.

- They started with the highest risk/most problematic areas eg. Hurunui Waiau, Selwyn Waihora and the Hinds catchments.
- They used retired Environment Court judges to hear submissions – there have been few appeals on points of law to the High Court.
- A complete plan framework is almost in place, however, there will always be areas for improvement and planning process will continue but not necessarily at the same frantic pace.
- Things that still need doing include developing ways to deal with;
 - legacy issues
 - biodiversity
 - climate change

2. CWMS Fit for Future

- The Committee spent much of their time on the CWMS Fit for Future project.
- The Committee received feedback from Mayor Sam Broughton (Selwyn District).
 - General comments
 - comfortable with the way draft 2025 and 2030 targets are shaping up
 - recognise that the community has increasing expectations for timely delivery of outcomes
 - recognise the importance of telling the CWMS story using sound science and monitoring data.
- The Committee did one last “kick of the tyres” on the draft targets and developed some initial ideas on which to base advice on leadership and accountability.
- The Committee is looking forward to signing off on the Fit for Future project at its meeting in April and then focusing its attention on the things as a Committee it can do to help achieve the 2025 targets.

Hurunui Waiau - Work Programme Progress Update for Quarter 2 (Oct-Dec) FY2018/19

Hurunui Waiau Work Programme Summary:

A number of projects have been underway since the middle of 2018, with others set to commence early 2019. Hurunui and Waiau rivers have seen the completion of community swimming holes. Hanmer and Waitohi rivers to be completed by the end of the 18/19 financial year. The black backed gull control program was a success as up to 2000 were poisoned with very minimal secondary poisoning occurring.

A site has been allocated (Balmoral HDC land) for some wetland restoration/weed clearing. To be used for community youth for biodiversity and recreation.

The next significant project will be focused on braided river natural habitat creation/restoration. Project development will take place over the next 2-3 months.

HCE funding has been made available. Billion trees may also enter this space.

The Zone Delivery team has taken on a new staff member to fill the LMA role for the next year.

The second half of the FY will see more engagement with staff of both councils around reporting.

Resource consent monitoring will be carried out in a prioritised way, taking into account activities within sensitive areas.

HW-O-23 - Relationships, Respect and Communications

HW-M-72

Develop a strategic communications plan that accurately reflects the work programme, the on the ground actions, tells our story and makes use of relevant stories from other zones. This plan is to be a working document with the overall plan updated quarterly to reflect the work programme and goals.

On Schedule

Achievements:

This will be developed and implemented once the Waiau braided river project and hill country erosion funding shape up. Some comms work was successfully achieved around Hurunui Splash with articles on websites.

HW-M-73

Develop and implement a relationship management plan that targets and leverages the right relationships to progress the Big Rocks by Sept 1st 2018 . Work in with ECan Relationship programme.

On Schedule

Achievements:

Key Stakeholders are identified, and regular contact is underway with the majority, including three new committee members. Ecan officers to identify their key stakeholders and prioritise visits.

HW-O-24 - Farming GMP Showcase

HW-M-74 Landholder extension and support programmes agreed and implemented with each of the Hurunui-Waiau irrigation collectives - report quarterly, programmes updated annually	On Schedule	Achievements: Currently in a hand over period between Land Management Advisors to determine what work has been done. Catchment/irrigation supplier's based approach.
HW-M-75 All irrigated farms are either part of a collective or operating under an individual land use consent by May 2019.	On Schedule	Achievements: The larger irrigators are part of collectives. There are smaller irrigators such as organic farms which may not yet be part of a collective. This will be addressed by the land management advisor over the next couple of months.
HW-M-76 Extension and support programme agreed and implemented for dryland farmers to assist them achieve the goal of farming at GMP or better. Programme updated annually	On Schedule	Achievements: This is part of the hand over process for the land management advisor (LMA). Part of this will involve identifying which farms fit in this category and how many have already been approached. The LMA will then schedule into their work priorities.
HW-M-77 Post Quake Farming Project milestones met with pathway established to sustainable land use and land recovery across earthquake affected part of the zone.	On Schedule	Achievements: This is ongoing work in conjunction with MPI. In the process of working through funding from HCEF and Billion trees.
HW-O-25 - Hurunui Splash		
HW-M-78 Bathing site improvement plans developed and implemented for four priority sites throughout the Hurunui-Waiau zone	On Schedule	Achievements: Two out of four sites completed. Two other sites have been identified by ZC. To finalise the locations. Project is on track to be completed by end of this financial year.
HW-M-79 Recreational access improvement plans developed and implemented for four priority sites throughout the Hurunui-Waiau zone	On Hold	Achievements: This is to be worked through with ZC to get more clarity on scope of the project.
HW-M-78 Bathing site improvement plans developed and implemented for four priority sites throughout the Hurunui-Waiau zone	On Schedule	Achievements: Two out of four sites completed. Two other sites have been identified by ZC. To finalise the locations. Project is on track to be completed by end of this financial year.
HW-O-26 - Focus on wetlands, springfed streams and hapua.		

HW-M-80 Comprehensive programme for monitoring Hurunui and Waiau Rivers hapua water quality is in place.	On Schedule	Achievements: This will be administered by surface water science team. Monthly updates to be provided.
HW-M-81 Focus on wetlands programme developed and implemented to raise awareness of wetland values across the zone and protect and/or enhance two priority wetland sites	On Schedule	Achievements: Working closely with Regional Biodiversity team around identifying suitable wetland projects. Hanmer wetland has been identified as one of two locations. Wetland programme to be developed and implemented to assist in delivering this project.
HW-M-82 Springfed stream improvement plans developed and implemented for two priority sites throughout the Hurunui-Waiau zone	On Hold	Achievements: Assessing what has been carried out at Spotswood to date. A second location has yet to be decided.
HW-O-27 - Improved braided river bird habitat		
HW-M-83 Immediate Steps braided river bird programme milestones around habitat construction and predator protection are met.	On Schedule	Achievements: Seven bird habitat islands have been constructed on Hurunui and Waiau rivers. SBBG control programme completed for this season. Approx 2000 carcasses recovered between two main colonies. on the Hurunui river at SH7. To assess pest control success targeted by traps.
HW-M-84 Extension and support programme for landowners adjacent to project sites developed and implemented. Programme to ensure farm practices are sympathetic to braided river values.	On Schedule	Achievements: In the process of working with ZC to define what this will look like. A project is beginning to take shape which looks at natural enhancements using a section of the Waiau river as a starting point.
HW-O-28 - Mahinga kai awareness and action		
HW-M-85 Mahinga kai awareness, understanding, extension and support programme developed and implemented	On Schedule	Achievements: Raising awareness at ZC meetings. Discussions on the most effective way to deliver this at ground level.
HW-M-86 State of the Takiwa assessments of the Hurunui and Waiau catchments completed.	On Hold	Achievements: Awaiting staff resourcing to commence assessments.
HW-O-29 - Acceptable drinking Water		
HW-M-87 Programmes implemented that will help ensure all HDC community water supply will be protozoa compliant as below:	On Hold	Achievements: To be administered by HDC. Monthly reporting to be requested to assist in updates.

<p>* end of 2017/18: 33% protozoa compliant (deep well security status)</p> <p>* end of 2024/25: 52.4% protozoa compliant (all minor schemes)</p> <p>* end of 2025/26: 85.7% protozoa compliant (all small and rural agricultural supply schemes)</p> <p>* end of 2026/27: 100% protozoa compliant (all neighbourhood supply schemes)</p>		
HW-O-30 - Compliance		
<p>HW-M-88</p> <p>All incident response / daily alert matters are responded to in a timely way</p>	On Schedule	<p>Achievements:</p> <p>Incident response officers have agreed time frames to respond to customer queries. This can be managed/reported through Power Bi database.</p>
<p>HW-M-89</p> <p>Comprehensive monitoring programmes in place for all Regionally Significant Consents, water takes and fish screens - Programmes updated annually.</p>	On Schedule	<p>Achievements:</p> <p>Regionally significant consents to be finalised by a compliance officer based on risk/scale/activity and location. Other consents have also been prioritised as specific to the zone.</p>
<p>HW-M-90</p> <p>Annual programme of one-stop-shop consent monitoring in place. Focus on consents on properties, within 1km upstream of a bathing site, or, with a community drinking water supply, or adjacent to Inanga/Salmon spawning sites</p>	On Schedule	<p>Achievements:</p> <p>Working through identifying consents within the zone where consented activities may have an impact on sensitive areas such as discharge consents, water takes.</p>
<p>HW-M-91</p> <p>Integrated extension, communication, and monitoring for winter forage crop grazing developed and implemented. Reviewed and updated annually.</p>	On Schedule	<p>Achievements:</p> <p>Winter foraging component to be implemented into LMA work stream. May look at leveraging off industry for information packs.</p>
HW-O-32 - Integrated water infrastructure		
<p>HW-M-93</p> <p>Actions required to achieve an integrated water infrastructure solution for Hurunui, Waiau and Waipara catchments are identified by HWP, NTP and AIC with the ZC by September 2018.</p>	Withdrawn	<p>Achievements:</p> <p>Not relevant</p>

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.

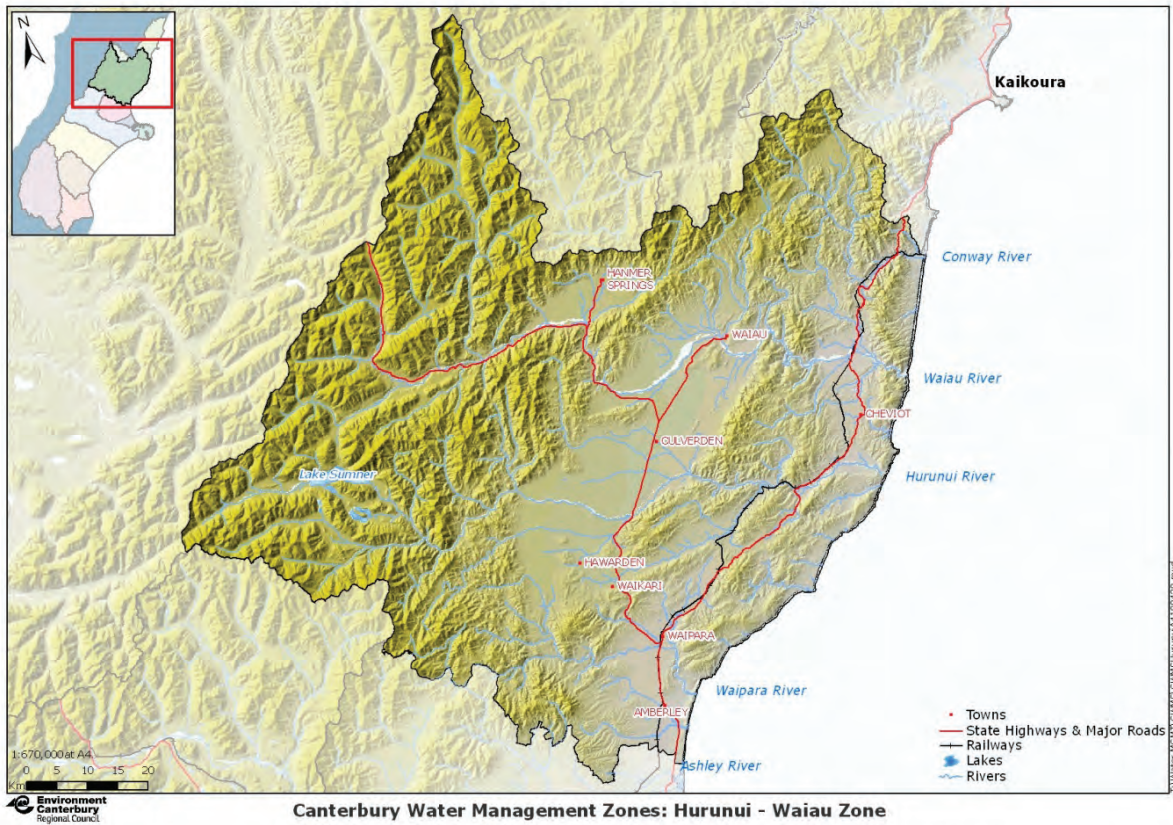
Staff or elected members of Territorial Authorities or the Environment Canterbury shall not be eligible for remuneration.

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



A hui to develop the Terms of Reference for a review of how the Hurunui Waiau Zone Committee operates

18 March 2019 Public Workshop

The Hurunui Waiau Zone committee is in a period of change with three new zone committee members, and three experienced members leaving

There have been frustrations, questions and criticism about how the committee operates including managing contributions from the floor, setting and managing meeting agenda, meetings with ECan and other parties, zone committee workshops and induction for new members.

The Canterbury Water Management Strategy was compiled a decade ago, circumstances and information available has progressed substantially.

A number of key paragraphs from the Canterbury Water Management Strategy document that have influenced my participation, philosophy and chairmanship of the collaborative process are included below I consider them still as relevant now.

Pg 17 “Monitoring progress against the strategy’s targets will be critical to ensuring that **the strategy is able to adapt to changing circumstances and new information**, while at the same time maintaining the confidence and trust of all the parties”.

Pg 32 “**Regulatory action** to deal with these problems in Canterbury has **proved ineffective** and is imposing high compliance costs on the public and the productive sector. The adverse effects are invariable more than “minor” and therefore under the Resource Management Act involve legal proceedings”.

Pg 46 “There needs to be **clarity about the extent to which engagement with the public** on implementation programmes **will substitute for formal public consultation processes** and statutory review under the Resource Management Act”.

Pg 55 “This **clear differentiation of roles** will enhance the ability of the water management committees to proactively influence the sector by resolving conflicts and negotiating compromises”.

Pg 58 “Overall there will be an increase in pre-planning activity (**informal processes**) and a **reduction in the need** for hearings and **other formal processes**. This should produce better outcomes with less compliance costs”.

It is timely to review how the zone committee operates to identify how we can do things better.

Thought needs to be given to what the Terms of Reference (TOR) would be for such a review:

1. What is the scope?
2. Who should do the review?

3. Who should inform the review?
4. When should the review be completed?

Ultimately, the committee needs to formally sign-off the TOR. This would be at the April zone committee meeting. Before this, there is value in the committee having a hui to talk about what should go in a draft TOR. The hui would not be the review.

A couple of hours will be put aside immediately before the March committee meeting for this hui.

The following might be an option for the TOR for the review:

- The review would be about how the committee operates (with specific questions identified in the hui);
- The review should consider the Committee's Terms of Reference and Code of Conduct and the Councils' Standing Orders and other relevant documents;
- The review would be done by a Working Party of the zone committee (of at least two long-serving members and one new member) so the committee would be sorting its own issues out;
- The review would seek input only from existing and immediately-retired committee member. Input to the review would be anonymous if participants wished;
- The review would be completed by the June zone committee meeting.
- The review would not be about the ZIP, ZIP Addendum or past decisions of the committee.

There is valid argument to include participation by those stake holders who have disengaged from the Hurunui Waiau Zone Committee, to utilise the review in a manner that helps rebuild broken relationships.

To this end I have extended an invitation to some of the parties that have disengaged to attend the workshop.

The review however should not be a cumbersome and time consuming exercise.