



Waitaki
DISTRICT COUNCIL
TE KAUNIHERA Ā ROHE O WAITAKI



*Everything is connected
Promoting quality of life through
balanced resource management.*



**Notice is given of a Upper Waitaki Zone Water Management Committee Meeting
to be held on:**

Date: Friday, 16 August 2019

Time: 9.30am

Location: Mackenzie Country Inn Twizel

AGENDA

Upper Waitaki Zone Water Management Committee Meeting

16 August 2019

**Charlotte Borrell
Community Services Officer**

Upper Waitaki Zone Water Management Committee Membership:

Simon Cameron (Chair)
Lisa Anderson
Matthew Bayliss
Sandra Hampstead-Tipene
Richard Subtil
John Sunckell
John Wilkie
Craig Dawson
Stuart Barwood
Joy Paterson
Kieran Whyte

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)

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- 1 OPENING**
- 2 APOLOGIES**
- 3 DECLARATIONS OF INTEREST**
- 4 VISITORS**

5 REPORTS

5.1 UPPER WAITAKI ZONE COMMITTEE MEETING TIMETABLE

File Reference: NA

Author: Gisela Craig, Governance Advisor (Temp)

Authoriser: Paul Numan, General Manager Corporate Services

Attachments: Nil

Upper Waitaki Zone Committee Meeting Friday 16 August 2019 9.30am Mackenzie Country Inn, Twizel			
9.00am	Item	Arrive/cup of tea	Lead
9.30am		Standing Items Apologies, Minutes, Correspondence, Action List, Matters arising	
9.45am	1	Ahuriri Arm Lake trophic limits and implications for farming consents - update	Marty Mortiaux, Environment Canterbury
10.20am	2	Lake Benmore Ahuriri Arm Trophic Level Index Consent Response Options	Bianca Sullivan, Envier and Zella Smith, Environment Canterbury
10.50 – 11.10		Morning tea	
11.10am	3	Mackenzie Basin Agency Alignment Programme	Karina Morrow Programme Manager - Mackenzie Basin Agency Alignment Programme
11.40am	4	Mackenzie Dryland Park	Jeremey Severinsen, Department of Conservation
12.15pm	5	Zone Facilitator's report	Tami Woods, Environment Canterbury
12.20pm	6	General Discussion	All
12.30pm		Close and lunch	

CHARLOTTE BORRELL

COMMUNITY SERVICES OFFICER

5.2 MINUTES OF UPPER WAITAKI ZONE WATER MANAGEMENT COMMITTEE MEETING - 19 JULY 2019**File Reference:** NA**Author:** Gisela Craig, Governance Advisor (Temp)**Authoriser:** Paul Numan, General Manager Corporate Services**Attachments:** 1. Minutes of Upper Waitaki Zone Water Management Committee Meeting - 19 July 2019**RECOMMENDATION**

That the Minutes of the Upper Waitaki Zone Water Management Committee Meeting held on Friday 19 July 2019 be received and the recommendations therein be adopted.



UNCONFIRMED MINUTES

Upper Waitaki Zone Water Management Committee Meeting

19 July 2019

**MINUTES OF MACKENZIE DISTRICT COUNCIL
UPPER WAITAKI ZONE WATER MANAGEMENT COMMITTEE MEETING
HELD AT THE MACKENZIE COUNTRY INN, TWIZEL
ON FRIDAY, 19 JULY 2019 AT 9.30AM**

PRESENT: Simon Cameron (Chair), Lisa Anderson, Matthew Bayliss, Richard Subtil, Craig Dawson, , Joy Paterson, Kieran Whyte

IN ATTENDANCE: Ian Whitehouse (Facilitator), Connie Giquel (Acting Executive Advisor), and 15 members for the public and media

1 OPENING

The chair opened the meeting.

2 APOLOGIES

Apologies were accepted from John Wilkie, John Sunckell, Sandra Hampstead-Tipene, Cr Stuart Barwood

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 VISITORS

There were no visitors.

5 REPORTS

5.1 UPPER WAITAKI ZONE COMMITTEE MEETING TIMETABLE

5.2 MINUTES OF UPPER WAITAKI ZONE WATER MANAGEMENT COMMITTEE MEETING - 17 MAY 2019

COMMITTEE RESOLUTION UPP/2019/28

Moved: Craig Dawson

Seconded: Richard Subtil

That the Minutes of the Upper Waitaki Zone Water Management Committee Meeting held on Friday 17 May 2019 be received and the recommendations therein be adopted.

CARRIED

5.3 UPPER WAITAKI ZONE COMMITTEE - 2019 ACTION LIST**PURPOSE OF REPORT**

This report is from Ian Whitehouse, Zone Facilitator, Environment Canterbury.

The purpose of this report is to update the committee on progress on items identified at previous zone committee meetings in 2019.

STAFF RECOMMENDATIONS

The report was received.

5.4 REGIONAL COMMITTEE UPDATE**STAFF RECOMMENDATIONS**

The report was received.

5.5 LAKE BENMORE AHURIRI ARM TROPHIC LEVEL INDEX

PURPOSE OF REPORT

This report is from Graeme Clarke and Marty Mortiaux, Environment Canterbury (ECan).

The purpose of the Report is to provide information on the Trophic Level Index (TLI) for Upper Waitaki Lakes, including Lake Benmore at Ahuriri Arm and the impact on Ahuriri catchment consent holders.

ECAN provided a quick overview of the general health of the lakes. The trophic levels in many of the lakes have stayed the same with a few exceptions including the Ahuriri Arm of Lake Benmore.

Discussion took place around ECan processes that measure TLI levels, including monitoring frequency. Monitoring is done by helicopter between the months of December and April only, with no testing in winter due to health & safety reasons. A higher TLI levels means poorer quality water and a greener lake. Concerns were raised about ECan's measurements to accurately reflect TLI levels if monitoring is only over 6 months of a year.

Discussion also took place around the variation in the conditions relating to TLI limits between consent holders. ECan said that the TLI levels were set in consultation with the community and the TLI trigger was part of the consent conditions which consent holders agreed to during the application process.

10 consents are affected by the TLI trigger level of 2.75. Concerns were raised that the 10 consent holders will bear the brunt of the costs to investigate the trigger including the cost of a 2-person expert panel. In addition, there was concern that some land owners who needed consents had not yet done so.

Concerns were raised about the negative media focus on farmers as a result of ECAN publicising the results before the reasons for the levels are known.

A consent holder commissioned scientific study option (in addition to the 2-man expert panel) was discussed, however the general sentiment was that it could potentially results in tens of thousands of dollars additional costs to farmers. It was noted that it may be worth waiting to see if the TLI remains elevated for a second year to determine if there is a trend.

The meeting agreed that all 10 consent holders should look to reducing their nutrient losses, rather than wait for the 2-person expert panel to consider whether their properties have contributed to the TLI increase.

ECAN pointed out that the next steps are only an investigation, that may result in enforcement action – not immediate enforcement action, should consent holders be found to be the reason for the TLI levels vs a natural event instead.

COMMITTEE RESOLUTION UPP/2019/29

Moved: Richard Subtil

Seconded: Joy Paterson

The Upper Waitaki Water Zone Committee:

1. Recommends that ECAN reports to next Zone committee meeting (16 August 2019) on the consent review process to achieve equality of consent conditions in relation to TLI as soon as possible;

2. The Zone Committee asks Environment Canterbury to help resource the expert review panel required by the consents with a 2.75 TLI trigger level;
3. The Zone Committee asks Environment Canterbury to prioritise actions to ensure land owners in the Ahuriri Arms catchment who need farming land use consents have these by October 2019.

CARRIED

5.6 ELECTION OF REGIONAL COMMITTEE REPRESENTATIVE

Committee agreed that Sandra is to be acknowledged for her work on the Zone committee and commitment on the Regional committee.

Discussion took place around the value of having one person as a committee representative on the Regional Committee due to the time and cost involved. Various options were floated as an alternative. One was a proposal by the Chair to the Regional Committee, that the meeting location rotates between Timaru and Christchurch. Another option explored was the viability for Upper Waitaki Zone to work together with Lower Waitaki Zone Water Management Committee to have a combined member on the Regional Committee.

The Committee agreed that all members will in the interim rotate on the Regional Committee, depending who is in Christchurch when the meeting is taking place.

Action - Te Manahuna Manahuni Aoraki to be invite to this group.

COMMITTEE RESOLUTION UPP/2019/30

Moved: Joy Paterson
Seconded: Lisa Anderson

That the Upper Waitaki Water Zone Committee Chair will write to the Regional Committee Chair and request meeting be held in Timaru, and obtain future meetings dates and circulate to the group.

CARRIED

5.7 AHURIRI ARM CATCHMENT GROUP AND FARMER LAND USE CONSENT CAMPAIGN PROGRESS

PURPOSE OF REPORT

This Report is from Hughes-Games, Land Management Advisor, Environment Canterbury (ECan)

The purpose of the Report is to:

1. Inform the committee of the proposal to create and support an Ahuriri Arm catchment group to complement the Omarama Stream Group and to seek input from the Committee on how it wants to be involved.
2. Provide information on Farming Land Use Consent progress.

ECan aim to have the group up and running by mid-August.

Discussion ensued about the type of activities such a group would engage in. If agreed, the group's first meeting would brainstorm what they want to achieve and share ideas about what best management practice is. Other activities could include guest speakers from industry leaders, irrigation sessions and training or sessions on bio-diversity.

Concerns were raised over funding for such a group. There are existing successful catchment groups, facilitated by ECAN. ECAN would supply an initial facilitator and then evaluate at intervals however, ideally the catchment group will be community run as it becomes more mature. ECAN advises that other catchment groups are also supported by other industries, not solely by ECAN.

COMMITTEE RESOLUTION UPP/0001/31

Moved: Richard Subtil

Seconded: Lisa Anderson

That the Zone Committee:

1. Formally endorse, at this meeting, the Committee's support for the Ahuriri Arm catchment group.
2. Consider involvement in:
 - (a) The launch of the catchment group; and/or
 - (b) Field trips and other events and meeting with the catchment group, from time to time, to hear about progress and challenges.
3. Note progress of farming land use consents in the zone and Ahuriri catchment.
4. That the Upper Waitaki Water Zone Committee approach Otago Community Trust, Ross McRobie for support.
5. The Zone Committee strongly supports a collaborative approach by everyone in the catchment of the Ahuriri Arm to manage the water quality in the lake and actions and investigations relating to this.

CARRIED

5.8 IMMEDIATE STEPS BIODIVERSITY FUNDING DECISIONS

PURPOSE OF REPORT

This report has been prepared by Robert Carson-Iles (Biodiversity Officer, Environment Canterbury).

The purpose of this agenda paper is to allocate Immediate Steps (IMS) funding for the 2019/2020 financial year. \$105,000 of funding is available to be allocated.

Questions were raised at the meeting about costs being estimates, and what would happen in the event of a blow out of costs. It was accepted that although estimates, the costs would never be more. If both projects are approved, the total budget used for the current financial year will be \$81,000 (out of the \$105,000 allocated).

The meeting agreed that as these are good news projects, there is a need to consider how the their outcomes are communicated wider. Imagery before and after will be useful.

Discussion also took place about potential conflict of interest if one of committee members applied for IMS funding. It was agreed that there would not be a conflict if a committee member wanted to apply, however the affected member would have to stand aside during decision making processes affecting that particular project.

COMMITTEE RESOLUTION UPP/2019/32

Moved: Craig Dawson

Seconded: Richard Subtil

1. That the zone committee formally approve the following Immediate Steps Projects:
 - a) Otematata Wetlands Walkway Stage 3 (estimated funding from Immediate Steps of \$4,500 in 2019/20).

CARRIED

COMMITTEE RESOLUTION UPP/2019/33

Moved: Matthew Bayliss

Seconded: Richard Subtil

- b) Upper Ohau weed control (estimated funding from Immediate Steps of \$45,000 in 2019/20, \$11,000 in 2020/21 and \$17,000 in 2021/22).

CARRIED

5.9 ZONE DELIVERY WORK PROGRAMME UPDATE

STAFF RECOMMENDATIONS

The information was noted.

5.10 ZONE FACILITATORS REPORT**PURPOSE OF REPORT**

This report is from Ian Whitehouse, Zone Facilitator, Environment Canterbury.

This report provides information that may be of interest to the zone committee that is not covered elsewhere in the agenda.

STAFF RECOMMENDATIONS

The report was received.

The Meeting closed at 1.15pm.

The minutes of this meeting were confirmed at the Upper Waitaki Zone Water Management Committee Meeting held on 16 August 2019.

.....
CHAIRPERSON

5.3 UPPER WAITAKI ZONE COMMITTEE - 2019 ACTION LIST**File Reference:** NA**Author:** Gisela Craig, Governance Advisor (Temp)**Authoriser:** Paul Numan, General Manager Corporate Services**Attachments:** Nil**PURPOSE OF REPORT**

This report is from Tami Woods, Zone Facilitator, Environment Canterbury.

The purpose of this report is to update the committee on progress on items identified at previous zone committee meetings in 2019.

STAFF RECOMMENDATIONS

That the report be received.

Upper Waitaki Zone Committee – 2019 Action list (updated for 16 August 2019 meeting)

Date of meeting	Action	Who	Status
19 July 2019	Environment Canterbury reports to the 16 August Zone Committee meeting on the consent review process to achieve equality of consent conditions in relation to TLI as soon as possible.	Environment Canterbury	Item 2 on this agenda
19 July 2019	The Zone Committee asks Environment Canterbury to help resource the expert review panel required by the consents with a 2.75 TLI trigger level	Environment Canterbury	Item 1 on this agenda
19 July 2019	The Zone Committee asks Environment Canterbury to prioritise actions to ensure land owners in the Ahuriri Arms catchment who need farming land use consents have these by October 2019.	Environment Canterbury	Item 1 on this agenda
19 July 2019	Chair to write to Regional Committee asking for some Committee meetings to be held in Timaru.	Committee Chair	Work in progress

17 May 2019	Clay Cliffs – analyse (for P) a sample of the sediment being eroded from below Clay Cliffs.	Graeme Clarke	Work in progress Sample collected. Analysis being done. Zone cmtee discussion postponed to September
17 May 2019	Changes to Ahuriri delta – find out whether there is new LIDAR or other data that provides new information on build-up of the delta and sedimentation of the lake. If new data available, then advise committee and indicate whether this can be analysed and brought to the committee.	Graeme Clarke	Work in progress To be addressed by Graeme at September meeting.
17 May	Refresh the committee’s “Posters” at the five locations across the zone (considering feedback on draft poster shown to the committee at 17 May meeting)	Kate Doran	Work in progress
15 February	Kellands Pond/Wairepo Arm – will a hydraulic study be done on how these two waterbodies connect be done? Previously agreed that a study was needed.	Chris to follow up with ECan Science	Work in progress – Chris to provide update at a future meeting
15 February	Develop a visual one-page summary to report progress against the Zone Delivery Work Programme	Chris	Work in progress

Tami Woods, Zone Facilitator
Environment Canterbury

CHARLOTTE BORRELL
COMMUNITY SERVICES OFFICER

5.4 AHURIRI ARM LAKE TROPHIC LIMITS AND IMPLICATIONS FOR FARMING CONSENTS - UPDATE

File Reference: na

Author: Gisela Craig, Governance Advisor (Temp)

Authoriser: Paul Numan, General Manager Corporate Services

Attachments: Nil

PURPOSE OF REPORT

This report is from Marty Mortiaux, Environment Canterbury.

This report provides an update to the paper on Lake trophic limits and implications for farming consents discussed at the last meeting.

STAFF RECOMMENDATIONS

1. That the report be received.
2. That the committee notes progress and provides feedback on proposed next steps.

BACKGROUND

1. A number of consent holders with water permits for irrigation and/or farming land use consents in the Ahuriri Catchment have conditions on their consents that require certain actions when the TLI trigger levels are exceeded. At 2.9 the early warning trigger level on water permits has been exceeded, but the farming land use trigger has not been exceeded.
2. Water permit consent holders with the TLI triggers of 2.75 must make reductions to their nutrient discharge allowances and prepare a report into the cause of the breach unless a two-person expert scientist panel (with one an expert nominated by the Canterbury Regional Council) determines the cause of the breach was unlikely, or not unlikely, to have been caused in whole or in part by nutrient losses associated with the irrigation authorised by the water permits.
3. Environment Canterbury has contacted all consent holders impacted. A meeting was also held with consent holders on Tuesday 23 July.
4. The issue for Lake Benmore within Ahuriri Arm is however a collective issue. Environment Canterbury therefore proposed at the last meeting to undertake other actions alongside the process with water permit consent holders in the Ahuriri catchment. These included:
 - Compliance follow-up with farms identified as a high priority due to their compliance history;

- Work one-on-one with farms that require farming land use consents to ensure these are being obtained; and
 - Establishment of a new catchment group to progress implementation of good management practices across all farms.
5. At its 19 July meeting the Committee made the following additional recommendations to Environment Canterbury.
- The Zone Committee recommends that Environment Canterbury reports to the next Zone Committee [16 August] on the consent review process to achieve equality of consent conditions in relation to TLI as soon as possible;
 - The Zone Committee asks Environment Canterbury to help resource the expert review panel required by the consents with a 2.75 TLI trigger level;
 - The Zone Committee asks Environment Canterbury to prioritise actions to ensure land owners in the Ahuriri Arms catchment who need farming land use consents have these by October 2019.
6. This paper provides an update from the meeting with consent holders on 23rd July, the recommendations from the Committee and next steps for the establishment of a catchment group and discussion around a catchment assessment arising from the consent holder meeting.

Consent holder meeting on 23 July

7. At the meeting of consent holder's clarification was provided around the role of the two-person Panel. Importantly, it was clarified that the Panel was not required, if consent holders made the reductions to their nutrient discharge allowances and submitted a report into the 'cause' of the exceedance.
8. The group identified concerns that the two-person panel would only assess the contribution from those with the TLI 2.75 trigger and not look at the wider reasons for the exceedance.
9. Most consent holders indicated they may look to make the reductions to their nutrient discharge allowances and submit a report into the cause, instead of the two-person panel. They needed to however, understand the reductions that would be required working with their nutrient management advisor.
10. The idea of a wider catchment assessment that looked at the contribution of everyone in the catchment, by an independent scientist was also discussed.
11. The meeting discussion also reinforced the issue of inequity between water permits compared with the farming land use consents now being granted under Plan Change 5 to the Land and Water Regional Plan.

Report to the next Zone Committee on the consent review process to achieve equality of consent conditions

12. Item 2 on this agenda responds to this recommendation from the Committee.

Resourcing of expert for Two-person Panel

13. The need for resourcing an expert on a two-person panel may now be unnecessary. At the time of writing this report staff were still confirming the pathway consent holders would take, but our indications were that it was not likely to be required.

14. If the two-person panel is not required, then at this meeting the Council will provide the Committee with a short Report into the 'cause' of the breach to the TLI trigger.

15. This report can then be used by consent holders, should they choose to make the reductions to their nutrient discharge allowances without progressing the two-person panel. The Report can also form the basis for any wider catchment assessment that farms in the Ahuriri Catchment may want to progress.

Prioritise actions to ensure land owners in the Ahuriri Arm catchment who need farming land use consents have these by October 2019

16. Environment Canterbury Land Management staff have had an active program in place to contact all farms that require farming land use consents in the Ahuriri catchment.

17. The priority actions for farms in the Ahuriri catchment that have not lodged a required farming land use consent are proposed to include:

- August: Follow-up phone calls to farms which will include highlighting that compliance action will follow if consents have not been lodged consent by October 2019;
- September: Formal letter seeking confirmation when an application will be lodged;
- October: Formal warning letter where required; then
- Follow-up by compliance staff.

Catchment Group

18. Environment Canterbury proposes to initiate the catchment group in August. A date is yet to be confirmed but it is expected to be in place by the time of this meeting.

Independent Catchment Assessment

19. As noted above, at the consent holders meeting on 23 July, the idea of an independent catchment assessment was discussed by consent holders. The purpose of this assessment can be described as creating a robust picture of what's happening in the catchment that farms own - which in turn can inform discussions around individual and collective actions in the catchment. It was agreed that this should be led by the Zone Committee.

20. Much of the initial information for such an assessment was carried out through the sub-regional limit setting process for the catchment in 2015. Environment Canterbury therefore proposes that some of the initial information could be brought back to the Committee to

inform the robust picture of what is happening in the catchment, which could be further discussed through the Catchment Group to inform a decision around independent support for the catchment group and further exploring causes, risks and actions.

Marty Mortiaux

Environment Canterbury

CHARLOTTE BORRELL

COMMUNITY SERVICES OFFICER

5.5 LAKE BENMORE AHURIRI ARM TROPHIC LEVEL INDEX CONSENT RESPONSE OPTIONS**File Reference:** NA**Author:** Gisela Craig, Governance Advisor (Temp)**Authoriser:** Paul Numan, General Manager Corporate Services**Attachments:** 1. Report: Lake Benmore Ahuriri Arm Trophic Level Index Consent Response Options**PURPOSE OF REPORT**

This report is from Bianca Sullivan, Enviser Limited, and Zella Smith, Environment Canterbury.

The purpose of the report is to outline how a consent review process may be undertaken to address the trophic level index exceedance in the Ahuriri Arm of Lake Benmore, and how this compares to other options.

STAFF RECOMMENDATIONS

1. That the report be received.
2. That the Committee notes:
 - (a) That resource consents differ in the TLI trigger levels and the management responses when the trigger levels are exceeded; and
 - (b) The options that are available to Environment Canterbury and consent holders.

BACKGROUND

Please refer to attached report by Bianca Sullivan, Enviser Limited, and Zella Smith, Environment Canterbury

CHARLOTTE BORRELL

COMMUNITY SERVICES OFFICER

Lake Benmore Ahuriri Arm Trophic Level Index Consent Response Options**PURPOSE OF REPORT**

This report is from Bianca Sullivan, Enviser Limited, and Zella Smith, Environment Canterbury.

The purpose of the report is to outline how a consent review process may be undertaken to address the trophic level index exceedance in the Ahuriri Arm of Lake Benmore, and how this compares to other options.

STAFF RECOMMENDATION

That the Committee notes:

- a. That resource consents differ in the TLI trigger levels and the management responses when the trigger levels are exceeded; and
- b. The options that are available to Environment Canterbury and consent holders.

Background

1. A number of consent holders with water permits for irrigation and/or farming land use consents in the Ahuriri Catchment have conditions on their consents that require certain actions when trophic level index (TLI) trigger levels are exceeded. Environment Canterbury has recently calculated the TLI for the Ahuriri Arm of Lake Benmore at 2.9. Ten active¹ water permits have an early warning trigger level of 2.75 and a higher level of 3.0, while farming land use permits have a limit of 2.9. The limit in the Land and Water Regional Plan is also 2.9.
2. For the 10 affected water permits, consent holders they must make reductions to their nutrient discharge allowances and prepare a report into the cause of the breach unless a two-person expert scientist panel (with one an expert nominated by the Canterbury Regional Council) determines the cause of the breach was unlikely, or not unlikely, to have been caused in whole or in part by nutrient losses associated with the irrigation authorised by the water permits.
3. Should the TLI increase further and exceed the trigger level of 2.9 for farming land use consents, the response required by those consents differs slightly from that on the water permits. Similar to the water permits, the farming land use consents require a report to be prepared and reviewed by suitably qualified persons. If the report concludes that the exceedance is likely to have been caused in whole or in part by the nutrient losses associated with the farming practice, a Remedial Action Plan is to be prepared. This will identify immediate and longer-term actions to reduce nutrient losses and the consent conditions require these to be implemented. There is no reduction formula specified on farming land use consents.
4. The Upper Waitaki Zone Committee has previously expressed concern about the different TLI responses requirements for farmers. At its meeting on 19 July, the Committee expressed concern that 10 consent holders now must bear the cost of actions to respond to the TLI trigger level exceeding 2.75. The Committee requested *“that Environment Canterbury reports to the*

¹ There are 10 consents that have been exercised. There are additional water permits with similar conditions that are yet to be exercised.

next Zone Committee on the consent review process to achieve equality of consent conditions in relation to TLI as soon as possible”.

What are the options?

5. Consent reviews are one of three options identified. The other two options are to encourage consent holders to change the conditions of their consent, or to do nothing and progress with the consents as they are currently. These three options are discussed in turn below and **Table 1** presents a summary of options.

Option 1: consent reviews

6. Environment Canterbury could initiate a consent review process to align consent conditions to address the inequity identified by the Committee. There are two options for undertaking consent reviews under the Resource Management Act 1991 (RMA) that are available here.
 - A review (under section 128(1)(a)(i) of the RMA) to deal with adverse effects on the environment which may arise from the exercise of the consent. A review of this type could apply the early warning TLI trigger of 2.75 to the farming land use permits, as a precautionary step to ensure the 2.9 TLI limit is maintained.
 - A review (under section 128(1)(b) of the RMA) to implement a limit that has been set by an operative plan. A review of this type could apply the Land and Water Regional Plan limit of 2.9, set by Plan Change 5, to the ten water permits.
7. To undertake a review under (a) above, Environment Canterbury would need to demonstrate that there are adverse effects resulting from the TLI limit of 2.9 that would be addressed by imposing an early warning TLI trigger of 2.75. This would likely be difficult to demonstrate and take considerable time, meaning that such a review would be open to legal challenge. The cost of reviews under section 128(1)(a)(i) of the RMA can be recovered from consent holders once the notice of review is issued.
8. A review under (b) above would likely involve removing the 2.75 and 3.0 TLI limits and replacing them with the LWRP limit of 2.9. It could be difficult to justify removing the 2.75 early warning trigger from the ten water permits, as it is arguably consistent with achieving the LWRP limit. This would potentially leave it open to legal challenge. Reducing the upper TLI limit from 3.0 to 2.9 would be consistent with implementing the LWRP.
9. Note that there is no ability to recover costs from consent holders for consent reviews initiated under section 128(1)(b) of the RMA, so all costs would need to be covered by Environment Canterbury. If such a review could not be included within existing, budgeted work programmes, it would need to be included in the next Long-Term Plan process. This could lead to considerable delays.
10. If a consent review were to be undertaken, it would be logical to align the response conditions in addition to the TLI trigger. This way, if a common TLI limit were breached, all consent holders would have identical requirements and timeframes investigate the cause of the exceedance and reduce nutrient losses if necessary. This would also apply to the change of conditions option discussed below.

Option 2: change of conditions

11. The 10 water permit holders may choose to apply to Environment Canterbury to change the conditions of their resource consents to align them with those of the farming land use consents. We would encourage consent holders to propose amendments to both the TLI limits and response conditions to ensure consistency with farming land use consents.
12. Such an application would cost each consent holder \$2,150.00 and the application would also need to be accompanied by:
 - a. Written approval from Meridian Energy;
 - b. Information on consultation carried out with Rūnanga; and
 - c. An assessment of environmental effects, including an assessment of the change on environmental, cultural and recreational values.
13. There would likely be adverse effects associated with removing the early warning TLI trigger of 2.75, however these effects may be countered by reducing the upper TLI limit from 3.0 to 2.9. We would encourage early engagement with Meridian Energy and Rūnanga if such an option were to be progressed.
14. Another option is for the five existing farming land use consent holders to voluntarily add the early warning trigger of 2.75 to align with those of the water permits. This is a good option but may be difficult to achieve because:
 - Farming land use consent holders may be reluctant to offer the early warning trigger; and
 - There would still be an inequity between the between the 2.9 and 3.0 limits. Changing the limit from 2.9 to 3.0 would not likely be acceptable, as it is above the LWRP limit.
15. Environment Canterbury would have discretion to add the early warning trigger to future land use consents. Therefore, any future inequity could be addressed if the five consent holders were to agree to change the conditions of their consents to include the early warning trigger.

Option 3: do nothing

16. Another option is for both the water permits and farming land use consents to remain unchanged. The 10 affected water permits expire in 2025, at which time they would likely be brought in line with the LWRP TLI limit of 2.9. In addition, the TLI tends to fluctuate and it is uncertain whether it will remain elevated next season. If it increases further, the trigger levels on both water permits and farming land use consents would be breached, and investigation and management responses would occur for all consent holders.
17. With this option, consent holders could collectively and voluntarily manage reductions with support from Environment Canterbury. This would remove the focus from inequity of the consent conditions and allow consent holders to collectively focus on reducing nutrient losses. This will be explored further with the Committee at its meeting on 16 August.

Table 1: Summary of options

	Consent review: adverse effects	Consent review: implement LWRP limit	Change of conditions: replace 2.75/3 with 2.9	Change of conditions: add 2.75 to FLU consents	Do nothing / voluntary reductions
How would inequity be addressed?	FLU consents would get 2.75 early warning trigger.	Water permits would get LWRP limit of 2.9, rather than 2.75/3.0	Water permits would get LWRP limit of 2.9, rather than 2.75/3.0	FLU consents would get 2.75 early warning trigger	Inequity would continue but not be a focus.
Who would pay?	ECan until notice of review, then consent holders	ECan	Consent holders	Consent holders	Costs would depend on response
What is the legal risk?	High, as would likely be difficult to demonstrate effects of not having early warning trigger	High, as removal of 2.75 would be challengeable	High, as removal of 2.75 would be challengeable	Low	Low, assuming that action is being taken to reduce nutrient losses
Potential issues	Would still have inequity of 2.9/3.0	No consents would have an early warning trigger	No consents would have an early warning trigger	Would still have inequity of 2.9/3.0	Would rely on consent holder support
Overall benefits	Minimal benefits to the environment	Minimal benefits to the environment	Minimal benefits to the environment	Early warning trigger could result in benefits to the environment	Potential benefits to the environment
Overall risks	Potentially high, as it would be difficult to demonstrate adverse effects	Potentially high	Potentially high	Consent holders may not accept this	Low, as consent holders would continue to comply with consents

5.6 MACKENZIE BASIN AGENCY ALIGNMENT PROGRAMME**File Reference:** NA**Author:** Gisela Craig, Governance Advisor (Temp)**Authoriser:** Paul Numan, General Manager Corporate Services**Attachments:**
1. Report: Mackenzie Basin Agency Alignment Programme
2. Attachment 1 to item 3. Mackenzie Basin Alignment**PURPOSE OF REPORT**

1. This report is from Karina Morrow, Programme Manager – Mackenzie Basin Agency Alignment Programme.
2. The purpose of the Report is to provide information on the Mackenzie Basin Agency Alignment Programme (MBAAP) and to seek feedback on one of the Programmes specific projects: Farmers as Partners.

STAFF RECOMMENDATIONS

1. That the report be received.
2. That the Committee notes:
 - a. The context of the Mackenzie Basin Agency Alignment Programme;
 - b. The progress made through the Mackenzie Basin Agency Alignment Programme to date;
 - c. Suggestions for working with farmers and landholders.

BACKGROUND

Refer to the report by Karina Morrow, Programme Manager – Mackenzie Basin Agency Alignment Programme.

CHARLOTTE BORRELL

COMMUNITY SERVICES OFFICER

UPPER WAITAKI ZONE COMMITTEE PAPER: MACKENZIE BASIN AGENCY ALIGNMENT PROGRAMME**BACKGROUND**

1. The information outlined below is contained in the presentation attached as Appendix One to this report.
2. In 2017 the five government agencies with statutory environmental responsibilities in the Mackenzie Basin (ECan, DOC, LINZ, Waitaki DC and Mackenzie DC) formed an alliance acknowledging their individual and collective roles to protect the iconic landscapes, water quality and biodiversity of the Mackenzie Basin.
3. The five agencies acknowledged that the Mackenzie Basin landscapes, water quality and biodiversity, and the communities living within it, had come under increasing pressure from the large influx of tourists, the demands of land-use intensification, and the spread of introduced plant and animal pests threatening indigenous flora and fauna.
4. As a first step, the five agencies commissioned the *Mackenzie Basin – Opportunities for Agency Alignment* report, by Dr Hugh Logan and John Hutchings (26 January 2018).
5. The report said that better agency alignment was needed to protect the values in the Mackenzie Basin. The report suggested 25 recommendations and outlined that success would include:
 - best public sector alignment
 - Ngāi Tahu involvement and partnership
 - farmers as partners and solution seekers
 - community engaged and a shared commitment to a common future
 - good tools and processes
6. The key outcome from the report was the continued commitment by the 5 agencies to work together to deliver to improved environmental and community outcomes alongside best practice public service delivery in the Mackenzie Basin. Thus, the Mackenzie Basin Agency Alignment Programme was formed.
7. The Mackenzie Basin Agency Alignment Programme (MBAAP) is unique in that it this is the first time in New Zealand that a cross-agency programme of this scale has been undertaken that focuses on improving **how agencies work together** to achieve the outcomes desired by the community in one of New Zealand's most iconic landscapes.
8. The purpose of the MBAAP is to make a transformational shift in the way that agencies join together to undertake their statutory functions, leading to improved environmental and social outcomes through the delivery of core work. The goal is to show that Mackenzie Basin Agency Alignment leads to better environmental and community outcomes, effective service delivery and is seen as an exemplar of collaboration and partnership.

WHAT HAS HAPPENED SINCE

9. The MBAAP has been operating for about a year and the work to date has primarily focussed on the internal changes needed for the five agencies to work better together.
10. The initiatives achieved to date include:
 - Establishment of management and oversight groups - Chief Executive Forum and Steering Committee;
 - Commenced officer sharing group between five agencies staff to improve regular communication and support information sharing, consenting and regulatory decision-making.
 - Sharing technical experts, where appropriate, during consent processing to ensure consistency of information and to reduce costs for applicants;
 - Established joint hearings/consent processes to improve decision making;
 - Developed plan guidelines for agency and public use, which are a set of easy-to-read user guides that clarify legislative requirements and planning rules;
 - Developed a new Mackenzie Basin website to provide a one-stop-shop for information to keep everyone connected to the cross-agency work occurring in the Mackenzie and provide information about each agency and their processes;
 - Allocated key staff and additional resources to support delivery of the Alignment Programme. For example, the Programme Manager who works across the five agencies to drive collaboration of key pieces of work.
 - Produced the RMA Gap Analysis report which compared the planning rules across the Waitaki District Plan, Mackenzie District Plan and Canterbury Regional Policy Statement to identify areas of alignment (consistency of rules) and gaps (where further work may be required).

PRIORITIES FOR 2019/2020

11. The Mackenzie Basin Alignment Steering Committee (MBASC) have identified the following objectives for 2019-2020:
 - Deepen our relationship and Treaty partnership with Papatipu Rūnanga - this is about engaging with the three Mackenzie Basin Rūnanga to identify how they would like to be involved in the Alignment Programme going forward. This has been progressing well and the agencies are currently meeting regularly with the rūnanga to progress this work;
 - Work with farmers and landholders as stewards of the landscape and sustainable farming practices, tackling pests and biosecurity risks - this is about working more closely with landholders and the community to manage the working landscape;
 - Develop a single source of truth of information about the Mackenzie Basin and alignment work (website, maps and datasets) - this is about making information consistent through a common set of maps and data sets;
 - Engage with the community about the Drylands Heritage Area and other projects;
 - Support Te Manahuna Aoraki and continue effective pest control together;

- Improve alignment between RMA plans and decision-making – This started with an assessment of the effectiveness of RMA plans in the Basin to determine how well the RMA plans work together, identify gaps and provide a high-level analysis of significant areas that need addressing. The Councils are also conferring over changes to the Waitaki District Plan and Mackenzie District Plan and how the five agencies can support these reviews.
- Support a coordinated approach to tourism and prioritise input into the Tourism Strategy being led by Mackenzie District Council - this is about how we can manage tourism pressure in the Mackenzie Basin in a planned and sustainable way.

WORK WITH FARMERS AND LANDHOLDERS

12. Work to date by the MBAAP has focussed on the five agencies working together better, however the focus for 2019, as outlined in the objectives above is more about how we work with other entities (Rūnanga, Landholders, community groups etc.)
13. As outlined in Objective Two, one of the priorities identified by the Steering Committee is to work with farmers/landholders in the Mackenzie Basin.
14. The Mackenzie Basin Agency Alignment Steering Committee recognises that farmers/landholders are the guardians of the landscapes, water quality and biodiversity of the Mackenzie Basin.
15. The Steering Committee would like to seek the Zone Committees feedback on how they consider we are best to engage with farmers and landholders. In particular, the Zone Committee are asked to consider the following:
 - What role does the Zone Committee consider they could play in supporting five agency engagement with farmers?
 - Does the Zone Committee have a view on what they consider farmers would like to see/hear from the five agencies?
 - Would the Zone Committee consider hosting/jointly hosting an engagement event between the five agencies and farmers?
 - What issues/topics/developments related to the five agencies work are most important to farmers (Drylands Heritage Area/Tourism Strategy/Tenure Review etc.)
 - Anything else the Steering Committee should consider with regards to working with farmers and landholders?

NEXT STEPS

16. Any feedback from the Zone Committee will be presented to the Mackenzie Basin Agency Alignment Steering Committee who will make decisions around the next steps for the working with farmers and landholders project.

APPENDIX ONE – MBAAP BACKGROUND



Mackenzie Basin
Agency Alignment Programme
mackenziebasin.govt.nz

The Mackenzie Basin Agency Steering Committee



Nadeine Domisse (Chair), Chief Operating Officer - Environment Canterbury

Ann Rodgers, Group Manager Regulations - Mackenzie District Council



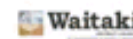
Hamish Barrell, Heritage & Planning Manager - Waitaki District Council



Kay Booth, Deputy Director General - Department of Conservation



Jerome Sheppard, Deputy Chief Executive Crown Property
- Land Information New Zealand



Mackenzie Basin
Agency Alignment Programme
mackenziebasin.govt.nz

Our aim

Mackenzie Basin agency alignment leads to better environmental and community outcomes, effective service delivery and is seen as an exemplar of collaboration and partnership.

Our purpose

To make a transformational shift in the way that agencies join together to undertake their statutory functions, leading to improved environmental and social outcomes through the delivery of core work.



Mackenzie Basin
Agency Alignment Programme
mackenziebasin.govt.nz

The Mackenzie Basin – Opportunities for Agency Alignment report, by Dr Hugh Logan and John Hutchings

The report said that better agency alignment is needed to protect the values in the Mackenzie Basin.

Success will include:

- best public sector alignment
- Ngāi Tahu involvement and partnership
- farmers as partners and solution seekers
- community engaged and a shared commitment to a common future
- good tools and processes



Mackenzie Basin
Agency Alignment Programme
mackenziebasin.govt.nz

What's happened since...

- CE Forum, Steering Committee
- Officer sharing Group
- Joint hearings/consent processes
- Plan guidelines
- Key staff employed and additional resources allocated
- Website development; www.mackenziebasin.govt.nz
- RMA Gap Analysis Report



Mackenzie Basin
Agency Alignment Programme
mackenziebasin.govt.nz



Mackenzie Basin
Agency Alignment Programme
mackenziebasin.govt.nz

What we want to achieve in 2019

1. Deepen our relationship and Treaty partnership with Papatipu Rōnanga.
2. Work with farmers and landholders as stewards of the landscape and sustainable farming practices, tackling pests and biosecurity risks.
3. Develop a single source of truth of information about the Mackenzie Basin and alignment work (website, maps and datasets).
4. Engage with the community about the Drylands Heritage Area and other projects.
5. Support Te Manahuna Aoraki and continue effective pest control together.
6. Improve alignment between RMA plans and decision-making.
7. Support a coordinated approach to tourism and prioritise input into the Tourism Strategy.



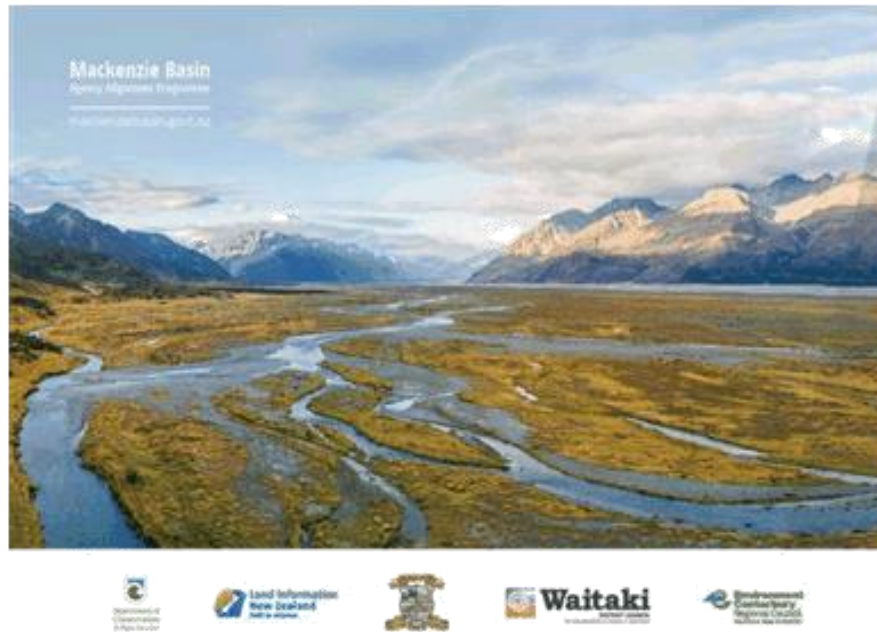
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We'd like to hear from you

Contact form on www.mackenziebasin.govt.nz

Email: info@mackenziebasin.govt.nz





5.7 MACKENZIE DRYLAND PARK

File Reference: NA

Author: Gisela Craig, Governance Advisor (Temp)

Authoriser: Paul Numan, General Manager Corporate Services

Attachments: Nil

STAFF RECOMMENDATIONS

That the information be noted.

BACKGROUND

Jeremey Severinsen, Department of Conservation to present.

CHARLOTTE BORRELL

COMMUNITY SERVICES OFFICER

5.8 ZONE FACILITATOR'S REPORT**File Reference:** NA**Author:** Gisela Craig, Governance Advisor (Temp)**Authoriser:** Paul Numan, General Manager Corporate Services**Attachments:** 1. Attachment 1 to item 5. Facilitators Update**PURPOSE OF REPORT**

This report is from Tami Woods, Zone Facilitator, Environment Canterbury.

This report provides information that may be of interest to the Zone Committee that is not covered elsewhere in the agenda.

STAFF RECOMMENDATIONS

1. That the report be received.

Zone Committee 2019 Work Programme

There are changes to the content of this meeting to that in the 2019 Work Programme.

This meeting includes items on the Lake Benmore Ahuriri Arm TLI implications for farming consents, the Mackenzie Basin Agency Alignment Programme and the Mackenzie Dryland Park. The first was considered high priority for the committee following on from the Committee's recommendations at the last meeting. The second and third relates to a short briefing by Jeremy Severinsen at the joint meeting on 19 June at Waihao marae.

The inclusion of these three items means that the discussion on Lake Middleton and Clay Cliffs continues to be postponed until September.

Plan Change 7 to Land and Water Regional Plan

Environment Canterbury publicly notified proposed Plan Change 7 to the Land and Water Regional Plan on 20 July 2019 for public submissions. The Plan Change has three parts. Part A is an 'Omnibus' plan change that proposes amendments to region-wide provisions in the LWRP and makes minor changes to a number of subregion sections. Parts B and C relate to the Orari-Temuka-Opihi-Pareora (OTOP) and Waimakariri sub-region sections of the Plan respectively.

Further information can be found at <https://ecan.govt.nz/get-involved/news-and-events/2019/region-wide-orari-temuka-opihi-pareora-and-waimakariri-plan-changes-notified>

CWMS Zone Committees 2018 Annual Reports

The combined 2018 Annual Reports for all the regional Zone Committee's is now available on Environment Canterbury's website.

<https://ecan.govt.nz/data/document-library/?Search=annual%20report%20>

Consents in Process

Attached to this paper is a list of resource consents in process with Environment Canterbury. This has been included for the Committee's and community reference only. This information is also publicly available on Environment Canterbury's website.

Tami Woods, Zone Facilitator
Environment Canterbury

CHARLOTTE BORRELL
COMMUNITY SERVICES OFFICER

Record No	Holder Name	Type	Description	Record Status
Multiple/Bundled Consents				
CRC195068	Killermont Station 2012 Limited	Water Permit (s14) - New Consent	to take, dam & store water for irrigation purposes	Application on Hold
CRC195069	Killermont Station 2012 Limited	Land Use Consent (s9) - New Consent	to use land for excavation	Application on Hold
CRC194819	Mt Cook Station Limited	Land Use Consent (s13) - New Consent	to disturb the bed of the Tasman & Jollie River	In process
CRC194820	Mt Cook Station Limited	Discharge Permit (s15) - New Consent	to discharge sediment associated with works in the bed of the Tasman & Jollie	In process
CRC194553	Tekapo Landco Limited	Land Use Consent (s9) - New Consent	to use land for earthworks	In process
CRC194554	Tekapo Landco Limited	Discharge Permit (s15) - New Consent	to discharge construction phase stormwater	In process
CRC194555	Tekapo Landco Limited	Discharge Permit (s15) - New Consent	to discharge operational phase stormwater	In process
CRC170897	The Cairn Station Limited	Land Use Consent (s9) - New Consent	to use land for a farming activity within the sensitive Lake Nutrient Allocation Zone	Application on Hold
CRC170898	The Cairn Station Limited	Water Permit (s14) - Change in Conditions	to change conditions of CRC921927A; to take water from the Ohau-Benmore Canal, above Ohau 'B' Power Station via the Tomahawk Lagoon, at or about map reference H38:795-524, for borderdyke	Application on Hold
CRC170899	The Cairn Station Limited	Water Permit (s14) - Change in Conditions	to change conditions of CRC921927B; to take water from the Ohau-Benmore Canal, between Ohau "B" and "C" Power Stations, at or about map reference H38:832-501, for	Application on Hold
Water				
CRC200372	Ben Ohau Golf Club Incorporated	Water Permit (s14) - New Consent	To take and use groundwater	Returned under s88

CRC186077	Bendrose Farm 2014 Limited	Water Permit (s14) - Change in Conditions	to change conditions of CRC155442 - to take and use surface water	Application on Hold
CRC182951	Benmore Irrigation Company Limited	Water Permit (s14) - New Consent	to divert and/or to take water from the Ohau, for spray and border dyke irrigation To take and use groundwater at a combined maximum rate not exceeding 950 litres per second with a combined annual volume not exceeding 9,000,000 cubic metres, from proposed bores H38/0187, H39/0069, H39/0071, H39/0072 and H39/0073, all 300 millimetres diameter and 100 metres deep, at or about map references NZMS 260 H38:6812-5008, H39:6740-4986, H39:6677-4949, H39:6597-4909, H39:6650-4870 and H39:6303-4845, for spray irrigation of 1,500 hectares of crops and pasture for stock excluding dairy cows, adjoining Lake Ohau Road at Ohau Downs Station between Lake Ohau and the Twizel Omarama Road. The	In process
CRC061155	Five Rivers Limited	Water Permit (s14) - New Consent	To review CRC020364 - to take and use water -	Application on Hold
CRC020364.1	Messrs W H & A J Sutherland	Water Permit (s14) - Notice of Review	to take & use surface water	Application on Hold
CRC195159	New Zealand Defence Force	Water Permit (s14) - New Consent	to use surface water for irrigation, stock drinking water, dairy shed use, and domestic purposes with a maximum annual volume	In process
CRC168976	Tussock Dairy Grazing Limited	Water Permit (s14) - New Consent	To take and use groundwater	Application on Hold
CRC194496	University of Canterbury	Water Permit (s14) - New Consent	To divert water	In process
CRC194150	Waitaki District Council	Water Permit (s14) - New Consent		In process
Farming Land Use Consents				
CRC181378	Glenbrook Station Limited	Land Use Consent (s9) - New Consent	to use land for farming activity	In process

CRC172835	Kidd Partnership	Land Use Consent (s9) - New Consent	land use consent to farm	Application on Hold
CRC168850	McIntyre Williamson Partnership	Land Use Consent (s9) - New Consent	to use land for a farming activity within the sensitive Lake Nutrient Allocation Zone	Application on Hold
CRC176018	Mr D R McIntyre & Waitaki Trustees (Golden Acres) Limited	Land Use Consent (s9) - New Consent	to use land for a farming activity	Application on Hold
CRC168987	Mr W H & Mr A J Sutherland	Land Use Consent (s9) - New Consent	to use land for a farming activity within the sensitive Lake Nutrient Allocation Zone	In process
CRC171946	The Ohau Company Trust	Land Use Consent (s9) - New Consent	to use land for a farming activity within the sensitive Lake Nutrient Allocation Zone	In process

Land Use

CRC181776	Douglas Robert McIntyre	Land Use Consent (s13) - New Consent	to work in or on the beds of Lakes & rivers	In process
CRC194149	Waitaki District Council	Land Use Consent (s13) - New Consent	to use land for works in waterways to construct use and maintain an intake structure between map references NZMS	In process
CRC100143	Waitangi Station Limited	Land Use Consent (s13) - New Consent	260 I40:0034-1369 and I40:0031-1368 to facilitate the abstraction of water from Lake	Application on hold
CRC195399	McKeown Group Limited	Land Use Consent (s9) - New Consent	to use land to store a hazardous material	Awaiting deposit

Discharge Consents

CRC194505	Blue Lake Investment (NZ) Limited	Discharge Permit (s15) - New Consent	to discharge operational phase stormwater	In process
CRC194506	Blue Lake Investment (NZ) Limited	Discharge Permit (s15) - New Consent	To discharge onsite wastewater to land	In process
CRC195300	Earth and Sky GP Limited	Discharge Permit (s15) - New Consent	To discharge onsite wastewater to land	In process

CRC141897	Hutton Salmon Limited	Discharge Permit (s15) - Change in Conditions	to change conditions of CRC032103; to discharge contaminants and water to water and to discharge contaminants and water to	Application on Hold
CRC140758	Waitaki District Council	Discharge Permit (s15) - Change in Conditions	To discharge contaminants to land - Otematata Landfill	In process
CRC186252	Waitaki District Council	Discharge Permit (s15) - New Consent	To discharge contaminants to land and water - global stormwater	In process
CRC194151	Waitaki District Council	Discharge Permit (s15) - New Consent	To discharge sediment laden water to water	In process
CRC200183	Waitaki District Council	Discharge Permit (s15) - Change in Conditions	to change conditions of CRC082826 - to discharge contaminants into land	In process

