



Waitaki Water Allocation Regional Plan

ARCHIVED MATERIAL

MEETING INFORMATION

Minutes of the Waitaki Catchment Water Allocation Board

Minutes of the Board meetings as adopted by the Board are posted here.

Minutes of the Waitaki Catchment Water Allocation Board 30 September 2004

Minutes of the inaugural meeting of the Waitaki Catchment Water Allocation Board, held on Thursday 30 September 2004 in the committee room MFE Southern Office, Level 4, Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 11.30am

Present:

Judge D. Sheppard (Chairperson), Ms S. Watson (Deputy Chairperson), Dr N. Brown, Mr E. Ellison, and Ms C. Mulcock

In attendance:

Catchment Waitaki staff, Kevin Currie (Project Manager), Christina Robb (Special Adviser), Viv Smith (Special Adviser) and El Brussovs (Board Secretary)
For part meeting Sue Powell General Manager WWLG, MFE, and Cameron Law Senior Solicitor, MFE

1. Apologies

Nil

Matters for Board Decision

No matters to consider



Matters for Board information

3.1 Welcome and Introduction

Judge Sheppard welcomed Board and staff members to the inaugural meeting and noted that the size of the task seemed lessened by the calibre of the members appointed and the staff support team. Each of the Board members introduced themselves and outlined their backgrounds. Staff also introduced themselves supplementing biographical information circulated with the agenda.

3.2 Message from Sue Powell, General Manager Working with Local Government-Ministry for the Environment.

Sue Powell congratulated the Board on its appointment on behalf of the Minister and the Ministry and observed that this meeting was a major milestone for the project which started in August 2003. The background and reasons, such as a lack of a regional plan and increasing demand pressure on the water resource, leading to Governments need to intervene in the Catchment pre, during and post Project Aqua were noted. She referred to the meeting as a formal handover from the Ministry to the Board and wished it well in its endeavours.

3.3 Briefing on the Legislation -Cameron Law

Cameron Law MFE Senior Solicitor gave a verbal overview of the Resource Management (Waitaki Catchment) Amendment Act. Copies of the Act plus an annotated version of the RMA showing those regional plan preparation provisions which did or did not apply to the Boards work, were circulated. Cameron drew attention to key provisions in the Amendment Act and responded to questions about scope intent and interpretations of a number of aspects in the legislation.

3.4 Briefing on the Waitaki Catchment-Kevin Currie

Kevin Currie introduced the Board to features and some issues relating to water allocation and management in the Catchment.

3.5 Housekeeping matters.

Kevin Currie spoke to his report covering Board meetings, contacts, MFE staff, remuneration and expenses (copies of tax forms, expense claims and background information were circulated) travel and accommodation arrangements and Board/Ministry identity. Board members to provide preferred contact and other information relating to payments.

The Board agreed to note the information

3.6 Introduction to matters to be addressed more fully at next meeting(s)



Board procedures

The Board noted that the legislation allowed it to set its own procedures.

It was agreed that Board meetings (other than hearings or other public forums) would not be open to the public. However the Board did not wish to be secretive in the way it operated.

It was agreed that the Board should generally have a directing rather than a hands on role with MFE staff (or consultants) undertaking drafting, though there may be times when Board member expertise might be utilised. Workshops and working parties could be mechanisms by which collaborative writing might occur.

The Board would strive for decision making by consensus as far as possible.

It was agreed that the Board adopt a consensus style of decision making, working jointly.

The scope and nature of a Water Allocation Plan

The Board noted that the Regional Plan covered water allocation but that some boundaries of allocation would need Board consideration (eg wetland management). The Board also needed to consider the construct and nature of the Plan as well as the use of objectives policies rules etc. The Board could draw on other regional, district plans provisions and also the MFE's QPP process.

It was agreed that staff provide advice and examples of water allocation planning practice.

Review of information available and that being collated

It was noted that staff had carried out an information needs /gaps assessment and that work was in hand to assemble initial information. In many cases it was a collation exercise since considerable information existed about the Waitaki catchment. A paper summarising these and useful pre existing reports would be provided at the next meeting.

Statutory consultation processes

There was some discussion about the Board's active role in consultation processes.

It was noted that the Board was required to consult with specified agencies (First Schedule RMA) .Options were discussed for the Board consulting directly, or for this to be delegated to staff. Different types of consultation may require different approaches

It was agreed that this matter be held over pending a staff report to allow further consideration.



Seeking other stakeholder input prior to the preparation of the draft plan.

The notion of inviting parties to provide information to the Board prior to preparing the draft plan was considered worthwhile. It would need to be an open invitation focussed on providing relevant information and within a prescribed timeframe.

It was agreed that staff provide a paper to scope and develop this mechanism.

Section 32 Analysis

It was noted that this was a requirement of the Act and should be a parallel process to the plan preparation. It was also agreed that to gain a measure of transparency and separation that a consultant should be used to prepare this.

Forward timetable and work programme

It was noted that a forward timetable and programme should be prepared that included statutory processes and sufficient further detail to define the extent and nature of the work required. It was suggested that time be allowed for contingencies to ensure that the Board met its statutory timeframe.

It was agreed that staff provide a suggested timetable and work programme to the next meeting.

3.7 Familiarisation tour

The Board discussed the merit and timing of a familiarisation visit. It was considered that two days were required and the use of a mini bus together with a flight or boat trip for particularly the upper catchment was favoured. It was noted that further inspections may be appropriate during the process. A mountains to the sea perspective was thought valuable.

It was agreed that staff investigate details for a tour scheduled for 18/19 October.

4. Other business

Nil

5. Next meeting/s

The Board agreed to set meetings for 28 October and 11 November subject to confirmation of the availability of the Deputy Chairperson.

The meeting closed at 3:40 pm

Adopted
Chairperson
Date



Minutes of the Waitaki Catchment Water Allocation Board 28 October 2004

Minutes of the second meeting of the Waitaki Catchment Water Allocation Board, held on Thursday 28 October 2004 in the Awa room MFE Christchurch Office, Level 4, Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 9.00am

Present:

Judge D Sheppard (Chairperson), Ms S Watson (Deputy Chairperson), Dr N Brown (till 3-10pm), Mr E Ellison, and Ms C Mulcock.

In attendance:

Catchment Waitaki Staff, Kevin Currie (Project Manager), Christina Robb (Special Adviser), Viv Smith (Special Adviser) and El Brussovs (Board Secretary).

1. Apologies

Nil.

2. Minutes - Adoption

The minutes of the previous meeting held on 30 September 2004, as circulated, were taken as read and adopted as a true and correct record.

3. Matters arising

Edward Ellison advised that as he was no longer the Otakou Runanga representative on Te Runanga O Ngai Tahu that this potential source of conflict no longer existed. The Project Manager advised that the Minister would be informed.

The Board expressed its appreciation to the staff for the content and quality of the agenda reports.



4. Matters for Board decision

4.1 Board Procedures

Board paper BP 002 which scoped Board operations through the topics of meetings, receipt of and availability of reports, committees and delegations, MFE servicing, roles in plan preparation, public dealings and member conflict of interest. A summary of legislative provisions was also appended and noted.

The following amendments to the report were agreed following discussion;

- In paragraph 19 reference to " subcommittees" to read "committees".
- In Paragraph 21 the word 'as' to be inserted between first' Board" and word 'the' in the 4th line.
- In paragraph 22 the word 'generally' to be inserted between the word 'will' and 'attend' in the first line.(Note the Board would indicate if and when it might wish to meet without staff present)

Staff would update the document and circulate it.

It was agreed that the Board adopt, as amended, BP 002 Board Procedures.

4.2 Forward Timetable and Work Programme

The Board noted the report (BP 003) and attached Gantt chart which scoped the work programme and timetable to achieve plan preparation and adoption within the prescribed legislative timeframe. The Board noted the two distinct phases of activity and that decisions on matters such as the style of consultation, and the extent of submitters wishing to be heard could alter assumptions.

The estimate of members workloads throughout the phases was also noted.

It was agreed that the Board:

1. Adopt BP003 as a provisional outline work programme.
2. Review and update the work programme and timetable regularly
3. Request the Project Manager to provide the Board with a report on progress on the work programme and timetable at monthly intervals.

4.3 Scope of a water allocation plan

- Christina Robb introduced the report BP 004 and appendices.
- A work shop was suggested as a method to progress scope and content issues.

The following points were made in discussion:

There was some consideration to the plan scope as outlined in Section 13 of the Waitaki Act as contrasted to other matters closely related to water allocation. Examples included wetlands and land uses which could affect water yield such as forestry.



It was suggested that a strategic overview of the natural and physical resources was required before the scope question could be fully addressed.

It was agreed that the situation in relation to existing consents and Sections 20 A and 128 of RMA needed to be clarified.

It was agreed that the Board (in relation to BP 004)

1. Note the questions surrounding the scope of the water allocation plan for the Waitaki catchment
2. Request staff to prepare a brief report for the next meeting incorporating the factors outlined and the general direction given by the Board.

4.4 Information needs

Christina Robb introduced BP 005 - Information gaps - which referred to nine MFE consultancy contracts and three other contracts.

It was noted that Project 3 Tangata Whenua values had not been able to proceed along planned lines. An information collation exercise will now be undertaken that can inform the consultation process.

The Minister for the Environment's request that the Board be provided with information on the 1969 OIC allocation to irrigation was clarified. While that contract will address a single allocation, there is no suggestion that the Board pays any additional weight to that allocation over any other it may consider.

There was discussion around the need to understand significance of values and uses and sensitivity to change. The reports to date have not addressed significance other than when there is a formal ranking system such as the Department of Conservation's threatened species classification systems.

The Board identified the following information needs and action points to address them.

- The possibility of addressing option and existence values is to be explored. MfE staff will progress with Nick Brown.
- A need for an understanding of how the New Zealand electricity system operates including what the operational requirements are, how the markets work and reliability of supply issues. It was agreed that the Concept Consulting report be made available to the Board. Once it has seen the content the Board will discuss the need and possibility of obtaining neutral advice on the electricity system and the influence it has on the operation of the Waitaki hydro-electricity system.
- Information on geomorphology, geology, and land tenure was also suggested. Staff advised that this information was available in reports held in the Catchment Waitaki library. A copy of the library database will be sent to Board members.

It was agreed that the Board (in respect to BP 005)



1. Note the types of reports held in the Catchment Waitaki library.
2. Note the work commissioned by the Catchment Waitaki office and others.
3. Request that the further information needs identified by the Board be further explored. These relate to option and existence values, understanding the electricity system, information collation on tangata whenua values and geomorphology, geology and land tenure information.

4.5 Consultation

Viv Smith introduced her paper (BP 006) which traversed the requirements for consultation, what consultation was, relevant case law and sources for best practice guidance. The parties that would be consulted were noted as well as who would carry out consultation and when. The need to tailor the consultation process to the Boards tight timeframe as compared to a typical regional council consultation programme was noted.

In reviewing statutory agencies at Paragraph 20 Edward Ellison declared that he had an interest in this group in his capacity as member of the NZ Conservation Authority and did not take part in the discussion about this section of the paper.

The Board discussed who to consult in relation to the statutory obligations set out in clause 3 of the First Schedule of the RMA. The parties to be consulted as set out in paragraphs 13 to 23 and in Table 3 of BP 006 were confirmed, except consultation with the Central Otago District Council was not considered to be necessary. While Central Otago District Council is an adjoining council the Board considered that there was lesser connection in communities of interest between the catchment and this district.

Points made in discussion included

- That the purpose of consultation was to assist the Board to produce the best quality plan, and consultation decisions should be informed on that. In meeting the overarching purpose consultation will assist in getting relevant information and giving stakeholders confidence in the Board's process.
- With the recognition of the need for consultation is the need for good communication about the Board's processes so that false expectations about how the Board can consult are avoided.
- The public meeting should be facilitated to ensure an orderly progression of speakers. Pre-registration of an interest to speak could be used to ensure an efficient and effective use of the time available. Overall it would be emphasised that information could also be provided to the Board in writing at or after the meeting with a form available at the meeting for this purpose.
- Requests by other non statutory parties for meetings with the Board would be responded to on a case by case basis.



- It was agreed that the period of response to the advertisement seeking information should be to the end of November. It was agreed that Claire Mulcock review the draft advertisement.
- The Board discussed details of the Tangata Whenua consultation and agreed that a hui be sought for the first week in December. This would involve the 3 Papatipu Rūnanga in the Catchment and Te Rūnanga o Ngāi Tahu (TRONT). It was agreed that the Hui be a whole of Board function at a venue of the Papatipu Rūnanga's nomination. Edward Ellison would review the draft letters to the Papatipu Rūnanga and TRONT.
- The question of developing a consultation committee was discussed and it was agreed that as many as were available but no less than 2 members represent the Board at consultation meetings and Hui. This reflects the reality of member availability and also to maintain flexibility so that timelines can be met. The desirability of the Chairperson or Deputy Chairperson being at each Board consultation meeting was acknowledged.
- The Chairperson would sign all consultation invitation letters to Ministers, Councils and Iwi.

The Board then considered the recommendations in BP 006 including the 5 sections of Recommendation 1 and agreed as follows;

It was Agreed that the Board (in respect to BP 006)

1. Agree to the approach to consultation set out in BP 006 as amended including

- The purpose of consultation.
 - a. to assist the Board to produce the best quality plan by getting information and giving stakeholders confidence in the Board's process
- Who was to be consulted.
 - a. consultation with the Central Otago District Council was not considered to be necessary
 - b. agreed to seek a hui involving the 3 Papatipu Rūnanga in the Catchment and Te Rūnanga o Ngāi Tahu (TRONT)
 - c. Requests by other non statutory parties for meetings with the Board would be responded to on a case by case basis
 - d. Otherwise consultation would be with the parties as identified in BP 006 paper.
- When the Board would consult.
 - a. the period of response to the advertisement seeking information should be to the end of November
 - b. a hui be sought for the first week in December
 - c. public meetings by the second week of December
- Who undertakes the consultation.
 - a. that all available Board members participate in consultation meetings and Hui but if a quorum of members could not be established a committee of two Board members be established for consultation purposes.
- The methods used for consultation.
 - a. the methods described in paper BP 006 were generally agreed



b. public meetings should be facilitated to ensure an orderly progression of speakers. Pre-registration of an interest to

speak could be used to ensure an efficient and effective use of the time available. Information could also be provided to the Board in writing at or after the meeting with a form available at the meeting for this purpose.

c. the board would not ask regional councillors or staff to undertake consultation with the Board as suggested in Table 2

2. Agree that all available Board members participate in consultation meetings and Hui but if a quorum of members could not be established a committee of two Board members be established for consultation purposes.

3. Agree to write to (and meet if they request it) Environment Canterbury and the Otago Regional Council.

4. Agree to an advertisement being placed on Saturday 6 November 2004 in the Press, Otago Daily Times, Timaru Herald and Oamaru Mail newspapers inviting information that could usefully inform the Board in drafting a regional plan for water allocation in the Waitaki Catchment (with a closing date of towards the end of November 2004).

5. Agree to a preparation of a communications plan, (prepared at an outline level) to support the consultation process.

5. Matters for board information

Nil

6. Other business

The Board considered what items might be suitable for public information from the meeting. It identified;

- Addressing the scope and nature of it's task, and the way it intends to proceed.
- The Board's intention to seek public input to assist it to prepare the draft plan.
- Key dates of the provisional forward programme.

Board members would be approached by the secretary for lists of commitments between now and the scheduled draft plan release in February 2005, in order that a schedule of meetings could be compiled.

The initial schedule of items for the 11 November meeting was scoped and noted as follows;

- Scope/Content of Water allocation plan
 - Section 32 paper
- Interim agreement with Ecan for information and services
- Regulatory contract report

- Board Hearing procedures (may not be ready for this meeting)



7. Closure and next meeting

The meeting was declared closed at 4:30pm with the next meeting scheduled for Thursday 11 November 2004.

Adopted
Chairperson
Date

Minutes of the Waitaki Catchment Water Allocation Board 11 November 2004

Minutes of the third meeting of the Waitaki Catchment Water Allocation Board, held on Thursday 11 November 2004 in the Awa room, Ministry for the Environment, Christchurch Office, Level 4, Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 9.00am

Present:

Judge D Sheppard (Chairperson); Ms S Watson (Deputy Chairperson); Dr N Brown; Mr E Ellison; and Ms C Mulcock.

In attendance:

Catchment Waitaki Staff - Kevin Currie (Project Manager); Christina Robb (Special Adviser); Viv Smith (Special Adviser) and El Brussovs (Board Secretary).

1. Apologies

Nil.

2. Minutes - Adoption

The minutes of the previous meeting held on 28 October 2004, as circulated, were taken as read and adopted as a true and correct record.

3. Matters arising

It was noted that the Concept Consulting report had been circulated to members as agreed under Item 4.4 of the last meeting.

Nick Brown advised that he had been in contact with staff in respect to option and existence values as agreed under Item 4.4 of the previous meeting.



Staff advised that the information sought on geomorphology and geology in the Item 4.4 resolution was included in available reports. Other information sought in this same resolution was dealt with in papers on today's agenda.

It was noted that representative samples of letters sent to parties seeking information input were available for Board member information in a file at the meeting together with between meeting press clippings. Members requested copies of the letters.

4. Matters for Board decision

4.1 Scope of a water allocation plan-(BP 007 refers)

Christina Robb introduced the paper which developed the Board's agreed direction from its previous meeting (Item 4.3 of 28 October refers). The report focussed on an overview of issues and also the scope of the regional plan. It included summary information on the catchment's resources.

The following points arose from extensive discussion

- It was agreed that median flow (not just average flow) information should also be provided.
- Under the plan scope principles, namely(b) it was agreed that the words "not provide directly" be replaced by the words "not contain methods" and in the second to last sentence change "other planning documents" to "Resource Management Act national and regional planning documents" and by inserting the words "and Acts of Parliament" after the word documents.
- It was noted that the Board is not in the same position as a council who has resources available to support a number of non-regulatory methods that can be used on an ongoing basis to address environmental issues. The Board will therefore have little scope to include methods that commit the Canterbury and Otago Regional Council to ongoing expenditure or staff resources within the catchment. Rules will be the main focus for methods to address issues.
- In consideration of Table 1 (Values by area and water resource type), it was agreed that this was a useful synopsis that should be built on to provide a wider strategic framework which would assist focus and provide a structure for considering the matters to be addressed in the draft plan. This could be achieved by utilising the hierarchy under the RM Act. An inventory of natural and physical resources relevant to water allocation was seen as a good start point. Identifying values in respect of water then followed. The process (in NRRP) of providing an 'explanation and principal reasons' under the policy suite was thought a useful approach.
- Implications of instruments such as Conservation Orders, management under the National Parks Act and statutory acknowledgements under the Ngai Tahu Claims Settlement Act were noted. It was noted that a Waitaki description is included in the statutory acknowledgements.
- The plan's relationship with other regional and district planning documents was also considered. Under the RMA, district plans must not be inconsistent with regional plans. The Waitaki plan was on the same "level" as other



regional plans in this RMA hierarchy. It would be the district council's responsibility to make sure that their plans

were not inconsistent with the new regional plan. Some issues such as wetland protection would be achieved through provisions in a number of plans that deal with the different aspects that adversely effect wetlands.

- The Board recognised that the Waitaki Act did not fetter its discretion in respect to how to define the activities to which water was allocated.
- Initial community reaction to what the Act required the Board to do included an expectation that the plan would address water quality.

It was agreed (in respect to BP 007 as amended), that the Board adopt an initial position on the scope of the water allocation plan as outlined below;

a. The plan will provide for the matters set out in section 13 of the Waitaki Act by:

- Identifying the principal and relevant natural and physical resources of the Waitaki catchment.
- Identifying the values in respect of water in the catchment.
- Determining the amenity and intrinsic values to be sustained and establishing environmental flow regimes to sustain those values.
- Identifying the need for water for activities including those under section 14(3) b and c of the Resource Management Act.
- Deciding on the types and divisions of activities to which water should be allocated.
- Deciding how to address the water requirements for an activity.
- Deciding on the basis for sharing water during water short times.
- Deciding on the use of s 136 of the Resource Management Act relating to the transfer of water permits.

b. The Plan will not provide directly for the matters listed below but where effects on these matters are a direct consequence of allocation, the allocation decision will have regard to those effects.

- Landscape
- Water quality associated with intensification of agriculture.
- Soil and bank erosion.
- Forestation in flow -sensitive catchments.
- Operational management of beds and rivers.

c. The plan will not directly provide for the matters listed below but will adjust decisions in the plan in light of how these matters are addressed in other national, regional planning documents and Acts of Parliament:

- Landscape.
- Water quality.
- Soil and Bank erosion.
- Forestation in flow sensitive catchments.
- Wetland-fencing and siltation.



- Operational management of beds and rivers.

d. The plan will not address management of floods

It was agreed that the Board review this initial position after consultation

4.2 Evaluation of policies, rules and other methods

Viv Smith introduced the paper (BP 012) suggesting an approach to meeting the Board's statutory obligations in respect to Section 19 of the Waitaki Act. This section requires the Board to undertake a section 32 Resource Management Act evaluation of provisions that are included in the draft regional plan. This was recommended to be a parallel process with clear separation from the Ministry staff policy advice function. The 11 step process included in the Ministry for the Environment's Quality Planning website guidance note was discussed as the appropriate method to undertake the evaluation. The following points emerged from subsequent discussion

- The Board noted there were two subsections of section 32 which applied to the Boards process namely section 32(3)(a) and (b) and section 32(4).
- It was agreed that the retention of a consultant would provide transparency and also permit a parallel process to occur.
- The confusion between a financial analysis and economic analysis in some of the guidance material was noted.

It was agreed that a nominated Board member should oversee the consultant appointment and project.

It was agreed (in relation to BP 012 as amended), that the Board;

1. Adopt the 11 step "Section 32 Evaluation Process" as set out in the Quality Planning Guidance note "Section 32- Methods of Implementation" as the process that the Board will in general follow for the evaluation of policies, rules and other methods under Section 19 of the Waitaki Act.
2. Agree that the Ministry engage a suitably qualified and experienced consultant to undertake the evaluation as the draft regional plan is prepared and prepare a written record of the process.
3. Requests that Dr Brown oversee the consultant's process and be the first point of contact between the Board and the consultant, and provide input to consultant selection.
4. Agree that the evaluation process be applied during the preparation of any report making recommendations on submissions received on the draft plan when deliberations occur after hearings before final decisions are made on the regional plan.
5. Request the Project Manager to provide the Board with an update after the consultant is appointed, including the details of how the consultant proposes to undertake the evaluation process.

4.3. Information on the operation of New Zealand's electricity system



The Board noted the report (BP 008 refers) and also that it had received some public information on the Waitaki hydro system and also the Concept Consulting report dealing with economics.

It was agreed (in relation to BP 008) that the Board seek further information on the operation of the NZ electricity system by seeking a presentation from an independent expert in the electricity sector.

4.4. Board Member availability

Kevin Currie spoke to the report (BP010 refers) and the supplementary notes which had been emailed to members. (Copies tabled). The Board noted the implications of the calendar of member commitments and also the implications on the plan development programme from the current meeting arrangements. A list of options was noted.

It was agreed (in relation to BP 010.and supplementary information)

- a. That the Board note the availability of members and the impact on the conduct of the Board's business
- b. That members consider whether they can alter other commitments to improve their availability for Board business
- c. That the Board establish the following forward meeting schedule:
 - 22/23 November -Board meeting 30 November to 10 December consultation meetings and Hui. (Consultation to concentrate on week of 30 November to 4 December.
 - 13/14 December- Board meeting.
 - 20/21 December-Board meeting.
 - 17/18 January 2005- Board meeting.*
 - 24/25 January 2005- Board meeting.*

*Board members to keep the fortnight of 17 to 28 January 2005 as free as possible.

5. Matters for Board Information

5.1. Board procedures

The Board noted that these now incorporated the changes agreed to at the last meeting.

It was agreed (in relation to BP 009) that the Board receive the adopted procedures.



5.2 Waitaki Catchment- Summary of Resource Management Planning Documents

Viv Smith introduced the report Summary of Resource Management Planning Documents (BP 013). It has been prepared by Consensus Environmental Consulting as a reference document for the Board. The three categories of documents:

- those that the Board must consider under the Waitaki Act
- those that set up the existing resource management framework within the catchment
- additional documents that the Board should be aware of that are summarised in the report were noted. It was also noted that the summaries of the documents had been checked by the organisation responsible for the document to ensure it was an accurate reflection of the document.

The Board noted the high quality and usefulness of the report.

It was agreed in relation to (BP 013) that;

1. The Board receive the report- Summary of Resource Management Planning Documents.
2. The Ministry write to the consultants who prepared the report to pass on the Board's appreciation of the high quality report.

5.3. Interim arrangements with Environment Canterbury for information and assistance.

The Board noted the paper (BP 011 and memo refers) and its powers to seek information and assistance particularly under section 21 of the Waitaki Act. It also noted the interim arrangement previously agreed between the Ministry for the Environment and Environment Canterbury. The good working relationship with Environment Canterbury staff was noted.

It was agreed (in relation to BP 011) that the Board note the interim relationship agreed with Environment Canterbury.

6. Other business

6.1. Meeting items identified for public information

The following items were agreed;

- Item 4.1 Scope of water allocation plan;
- Item 4.2 Section 32 procedures.
- Item 4.4 Agreed meetings/consultations (not dates).
- Item 5.1 Board procedures.
- Item 5.5 Report on summary of resource management planning documents.



7. Closure and next meeting

The Chairperson declared the meeting closed at 1:40 pm. The next meeting was scheduled for 23/24 November 2004.

Adopted
Chairperson
Date

Minutes of the Waitaki Catchment Water Allocation Board 23 - 24 November 2004

Minutes of the fourth meeting of the Waitaki Catchment Water Allocation Board held on Tuesday 23 and Wednesday 24 November 2004 in the Awa room, Ministry for the Environment, Christchurch office, Level 4 Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 9.00am (on both days).

Present (on both days)

Judge D Sheppard (Chairperson); Ms S Watson (Deputy Chairperson); Dr N Brown; Mr E Ellison; and Ms C Mulcock.

In attendance: (on both days)

Catchment Waitaki Staff - Kevin Currie (Project Manager); Christina Robb (Special Adviser); Viv Smith (Special Adviser) and El Brussovs (Board Secretary).

1. Apologies

Nil.

2. Minutes - Adoption

The minutes of the previous meeting held on 11 November 2004, as circulated, were taken as read and adopted as a true and correct record with the following amendments:

Item 4.1, Page 2- remove bracket after word "BP 007" in the first line of the resolution and insert bracket after words "as amended". Secondly replace word 'principle' with word 'principal' in the first bullet point of part (a) of the resolution.

Item 4.2, Page 4- remove bracket after word "BP 012" in the first line of the resolution and insert bracket after the words "as amended". Secondly insert words "in general" between the words 'will' and 'follow' in the third line of part 1 of the resolution.

Item 4.4, Page 4- that the number "13" be substituted by the number "30" in the second bullet point of part (c) of the resolution.



3. Matters arising

3.1 Update on consultation

Viv Smith circulated a schedule of meetings confirmed, and indicative arrangements for those yet to be finalised. It was recognised that arrangements would be further advanced during the course of the meeting. It was agreed that the form and function of the meetings and Hui protocol should be discussed later in the meeting. Viv was thanked for her work in scheduling these meetings.

The Board considered an invitation from the Waitaki River Users Group to meet with that Group and to view the river by jet boat. The Board noted other such invitations could also be expected, and that its work programme did not allow time for such meetings or inspections in the near future. The question of fairness was also noted. It was agreed to review these opportunities when its work programme allowed, in 2005.

See Other Business section for subsequent updates during the meeting correspondence received, and outline of board planning for the consultation meetings.

4. Project Manager's report

The Board received Kevin Currie's report (BP 014 refers) covering project status, correspondence and issues. Supplementary information received since the agenda was posted included advice of two responses to the Boards request for information. It was noted that that Meridian Energy had withdrawn resource consent applications for Project Aqua and that there would be an announcement in respect to the Lower Waitaki on Friday next.

During discussion on progress of various consultancy projects it was agreed that the Board members be provided with copies of the Ngai Tahu statutory acknowledgement schedules.

It was agreed that the Board (in relation to BP014):

- i. receive the report
- ii. confirmed that it preferred to receive media clippings

5. Matters for Board decision

5.1 Preliminary plan outline for discussion

Christina Robb introduced the report (BP 015) and the draft plan outline which was a further development of considerations at the last two Board meetings that included



input from Sheila Watson. Christina Robb was commended for her work on the draft outline. The Board agreed to the overall approach, but recognised

that the challenge was to keep descriptive material concise and focussed, while giving the required background. This was not an inventory of resources, but an overview with cross references to other source documents. The Board considered that it should aim for a 20 page document, with a substantial portion devoted to issues, decisions and reasons. It was agreed that board consideration follow the order of the basic outline. The following points arose from extensive discussions:

There were no comments or changes with the legal framework

The following changes were agreed in 3 Water requirements

- The heading Water Requirements was discussed, options being "needs", "use" and "demands". Agreed that the heading be Water Use Requirements
- Section 3 needs to incorporate both primary needs for basic sustenance, and what is desired for the uses to flourish. In this context, it needs to be clear that uses includes in-stream uses and values.

The following points emerged from discussion on Section 4 Issue Identification

- This was recognised as a summary of the main issues.
- It was thought that there was a need for a whole catchment box in keeping with the holistic approach sought.
- It was noted that the issues were underpinned by a lot of information which provided the detail to support decision making. Consultation would largely provide input at the topic level.

In respect to Section 5 Decisions needed, points made were;

Overall it was recognised that this section would require quite a bit of further development. It was agreed that the question of future demands for water depended on population forecasts and it was agreed that these should cover the usual review period of a plan i.e. 10 years. It was noted that the minimum non-review period for the Board's plan of two years was more specific than for other regional plans. The plan would be reviewed in 10 years, though its provisions could persist well beyond this.

The Board was still to receive legal advice in relation to the plans effect on existing consents (Section 20A).

It was suggested that provisions in the NRRP should be adapted for use if they proved to be intra vires and effective, in order to provide consistency where this was appropriate with the Waitaki plan. Members discussed the prospect of an unallocated block of water for future allocation, and also the tradability within blocks.

Other points were:



- The contrast between national and regional perspectives needed to be addressed in allocating water. Economics provide only part of the answer.
- The notion of equity was a difficult concept, it was better to look at alternatives and opportunity costs.
- It was agreed that it was important to avoid general approaches which might simply be followed in other planning situations and settings. The Waitaki catchment was a unique situation in many respects.
- In respect to Section 32 processes Sheila Watson expressed interest in being involved.

The Board agreed that by and large members had gone about as far as they could go on Section 5 pending fleshing out of preceding sections. In particular a need was seen to link the gap between issues and recognising competition and conflicts and the techniques and processes to address them. It was agreed that the Chairperson prepare a paper (in consultation with board members) on the approach to these matters and the decision making methods the Board would use. This would be prepared for the next meeting and be subject to legal scrutiny.

Discussion continued focussing on an example of one of the 10 areas outlined in Table 4 to consider how these issues might be addressed. Each area summarised in the table would be supported by four or five pages of detailed information.

It was agreed (in relation to BP 015 as amended) that staff should proceed with developing the five outline sections of the draft plan in the manner indicated. Secondly that the Chairperson prepare a paper, in consultation with board members, on the approach to Section 5, and the decision making methods to be used.

6 Matters for Board information

6.1 Presentation on Tangata Whenua values of water

This item was withdrawn from the agenda.

6.2 Presentation on Freshwater ecological values

Dr Greg Burrell of Kingett Mitchell provided a power point presentation of the report which was circulated to the Board. The presentation outlined the ecological values and existence and location of flora and fauna in the catchment through a number of GIS layers. Species under threat were outlined. Examples based on Board member questions were used to show how the layers could be used to address any ecological information needs. Greg was thanked for the presentation.

It was agreed that the Board receive the Kingett Mitchell report on freshwater ecological values.



6.3 Presentation on New Zealand Electricity system operation and market.

Jim Truesdale gave a power point presentation to the Board covering the operation of the New Zealand electricity system as a whole, the role of hydro generation in the system and in particular the contribution of the Waitaki scheme to the hydro section and overall generation system. The nature and role of the market in electricity generation and pricing was also outlined. Jim was thanked for the presentation.

It was agreed that the information provided in the presentation on the New Zealand electricity generation system and market be received.

6.4 Davie Lovell Smith reports on submission analysis

The Board was given the following two reports prepared by Davie Lovell-Smith:

- Numerical Analysis of submissions on the Project Aqua and Waitaki Called-in applications
- Project Aqua Submissions - an analysis of information relevant to a Waitaki Water Allocation Regional Plan

It was agreed that the Board members be provided with copies of submissions (made to the Project Aqua consent applications) which were referenced in second report.

It was agreed that the Davie Lovell-Smith reports on submission analysis be received and further reviewed at the next meeting.

7 Other Business

7.1 Meeting Items identified for public information

The following items were agreed for inclusion in the meeting bulletin;

Reports received from Kingett Mitchell on freshwater ecological values and receipt of Davie Lovell Smith reports on submission analysis

7.2 Letter from Timaru District

A copy of the letter received from the Mayor of Timaru District requesting a meeting with the Board was circulated. The Board discussed the request in the context of other meetings and possible future requests

It was agreed that Timaru District be given the opportunity to meet for no more than an hour around the meeting with and in the Waimate District on 2 or 3 December.

7.3 Consultation meeting and Hui planning



The Board discussed the processes and approaches to the meetings with the Councils, and the communities. Edward Ellison outlined the protocols for the Hui.

Outlines of travel plans over the week of meetings from 30 November to 4 December were noted.

8. Closure and next meeting

The Chairperson declared the meeting closed at 4:30 pm. The next meeting was scheduled for 13-14 December 2004.

Adopted
Chairperson
Date

Minutes of the Waitaki Catchment Water Allocation Board 13 - 14 December 2004

Minutes of the fifth meeting of the Waitaki Catchment Water Allocation Board held on Monday 13 and Tuesday 14 December 2004 in the Awa room, Ministry for the Environment, Christchurch office, Level 4 Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 9.00am (both days).

Present (on both days)

Judge D Sheppard (Chairperson); Dr N Brown; Mr E Ellison; and Ms C Mulcock.

In attendance (on both days)

Catchment Waitaki Staff - Kevin Currie (Project Manager); Christina Robb (Special Adviser); Viv Smith (Special Adviser) Jeff Page (Response Planning), and El Brussovs (Board Secretary). And for part meeting Mr Peter Clough (for Item 7.3), Jane Whyte and Sean Elvines. (for Item 7.1)

1. Apologies

An apology was received and sustained from Sheila Watson for both days.

2. Minutes - Adoption

The minutes of the previous meeting held on 23 and 24 November 2004, as circulated, were taken as read and adopted as a true and correct record with the following amendments:

Ref Item 5.1 Page 4 fourth paragraph second line insert word "intra" between words "be" and "vires" and substitute word "to" with word "with" at the end of the line.



3. Matters arising

Nick Brown advised that since a former business partner had sought to be engaged as a Section 32 consultant that he had withdrawn from the selection process. Given the appointment made he no longer had a conflict and could re-engage.

4. Project Manager's report

The project manager's report covering project status, correspondence and attendances at the consultation round of meetings and Hui was noted.

It was agreed (in relation to BP 018) that the Board receive the project manager's report.

5. Debrief on consultation meetings and hui, 30 November to 4 December 2004

The Board noted that the meetings and Hui had been very useful. Viv Smith was thanked for her work in organising the series of meetings. There was some discussion about possible follow up of the Hui and a meeting with Tront. It was thought appropriate to thank the Hui organisers and also the host council's and Mayors who chaired the public meetings

It was agreed that letters of appreciation be sent to Waiho Marae, host councils and Mayors who chaired public meetings

6 Matters for Board decision

6.1 Approach to Plan Preparation and decision making

NB This item was considered following Item 6.2 and substantially influenced by matters addressed in that report.

The Board considered the outline and noted some changes which would follow from consideration of Item 6.2.

It was agreed (in relation to BP 020) that the Board receive the report and that staff make changes as discussed, and for the approach to be further considered at the next meeting

6.2 Working drafts of introductory plan sections

NB this item was considered prior to Item 6.1



The Board reviewed the preliminary draft of the Table of Contents, and sections on Resources of the catchment Physical resources , social economic and cultural characteristics, Overview of requirements for water, Tangata Whenua, Towns and communities ,recreation hydro electricity, agriculture and commercial and industrial. Further matters relating to Issue identification and Decisions needed were also discussed.

It was agreed (in relation to BP 019)that the Board having reviewed the documents consider them further at the next meeting.

Staff were requested to provide a draft table of contents, and some examples for the next meeting.

6.3 Board Hearing Procedures

Due to the lack of time available and relative priorities it was agreed that this item be held over to the 20-21 December meeting

7 Matters for Board information

7.1 Section 32(Introduction of consultant and team)

Jeff Page of Response Planning was present at the meeting and introduced himself and his consultancy team, Jane Whyte and Sean Elvines. Jeff spoke to a circulated paper which outlined the approach his group would be taking in respect to preparing the section 32 report

It was agreed that the information be received.

It was agreed that the section 32 analysis include consideration of objectives along with related polices and methods.

7.2 Reports prepared for the Board

The Board noted the summary of reports to be received at this and future meetings.

Copies of the Submission Analysis, Regional Economic Analysis and Recreation and Tourism Activities were circulated.

It was agreed (in relation to BP 017) that the reports on Waitaki Catchment Called In Submissions, Regional Economic Analysis and Recreation and Tourism Activities be received.

That the reports to be provided at future meetings were noted.

7.3 Presentation on Regional Economic Assessment



Peter Clough of NZIER provided a presentation on the regional economic assessment report. Peter Clough was thanked for his presentation

It was agreed that the presentation information be received (NB Report received by Board under Item 7.2)

7.4 Legal advice re High Court decision and Sections 20 A and 128.

This item was held over due to the legal advice not being available.

8. Other matters

8.1 Meeting items identified for public information

The Board agreed that its receipt of three reports could put in the Bulletin.

8.2 Correspondence

The Board was circulated with an emailed letter just received from Ngai Tahu Development, in respect to consultation between the two parties. It proposed a workshop and process for providing input to the water allocation regional plan. The Board noted that staff representation from Tront had been present at the hui with the three papatipu runanga at Waiho marae on 4 December.

Staff noted that under clause 3, first schedule RMA, the Board was obliged to consult with the Iwi authority (TRONT) as well as the tribal runanga.

The Board agreed that the Chairperson should prepare a draft reply for consideration at the next meeting (20-21 December).

9 Next meeting and closure

It was agreed that items for the next meeting include;

- Letter to Ngai Tahu Development
- Legal advice re High court decision, Sections 20A and 128
- Further development of plan approach, structure and
- Hearing procedures
- Further reports

The next meeting scheduled for 20-21 December from 9.00am

The meeting was declared closed at 4:30pm

Adopted
Chairperson
Date



Minutes of the Waitaki Catchment Water Allocation Board 20 - 21 December 2004

Minutes of the sixth meeting of the Waitaki Catchment Water Allocation Board held on Monday 20 and Tuesday 21 December 2004 in the Awa room, Ministry for the Environment, Christchurch office, Level 4 Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 9.00am (both days).

Present: (on both days)

Judge D Sheppard (Chairperson); Dr N Brown; Mr E Ellison; and Ms C Mulcock.

In attendance: (on both days)

Catchment Waitaki Staff - Kevin Currie (Project Manager); Christina Robb (Special Adviser); Viv Smith (Special Adviser) Jeff Page (Response Planning), and El Brussovs (Board Secretary)

1. Apologies

An apology was received and sustained from Sheila Watson for both days.

2. Minutes - Adoption

The minutes of the previous meeting held on 13 and 14 December 2004, as circulated, were taken as read and adopted as a true and correct record.

3. Matters arising

Nil

4. Matters for Board decision

4.1 Legal advice re High Court decision, Sections 20 A and 128 of RMA and RMA amendments.

The Board reviewed the Crown law case note on the High Court decision (CIV 2003 476 000733), MFE Legal section's opinion on Sections 20A and 128 of the RMA and the extracts of the Resource Management and Electricity Legislation Amendment Bill. The Project Manager also outlined the reason for recommending that the Board should consider engaging independent counsel if it needed further advice. The Chairperson and Project Manager had compiled a list of likely candidates to be considered should the Board decide to retain counsel. It was agreed to retain an independent legal adviser. Mr S Berry was the preferred candidate.

The Board agreed (in relation to BP 022) to;



- a) Receive the legal information.
- b) Request that Mr Simon Berry be engaged as independent legal counsel to advise the Board as required during the period until the plan was notified, and
- c) (In reference to Item 4.2), Seek legal opinion on Section 68(7) (b) of the RMA, with the Chairperson and Project manager to develop the question to be addressed.

4.2 Plan Structure

The Board considered the draft structure of the water allocation plan and also draft objectives and policies for the WAP. The draft structure included table of contents headings of legal framework, resources of the Waitaki catchment, overview of the needs for water flow, issue identification, objectives, policies, methods and environmental results anticipated. The separate draft of proposed objectives and policies had been modified as a result of discussions at the 13 /14 December meeting.

The Board indicated where changes to documents were desired and gave direction on matters relating to preparation of the draft plan.

It was agreed that (in relation to BP 023 and attachments) that the report be received and that changes indicated to the approach be addressed in preparation of a draft plan, for consideration at the next meeting.

4.3. Response to Ngai Tahu Development Letter.

As agreed at the last meeting a draft letter was circulated and discussed by the Board. It was agreed that the request for involvement in plan preparation was not appropriate and that a workshop with Board members could not be accommodated A staff level meeting could however be supported.

The Board agreed that a reply be prepared by the Board Chairperson to reflect the matters discussed and offer a staff to staff meeting with Tront. This would be confined to the provision of information on Ngai Tahu values and clarification of that material.

4.4. Board Hearing Procedures

The Board report was noted and draft procedures reviewed. Comments from the deputy Chairperson, who was absent from the meeting, were also considered. The Chairperson who had provided input to the draft explained the reasons for some provisions. The following changes were agreed:

- Page 28 Objectives and Principles Paragraph 3 Bullet point 2 replace words "every person" with word "everyone"
- Page 31 Media participation Paragraph 26 replace second sentence with "Interviews will not be permitted in the Hearing Room."
- The period to apply for an order under Section 42 be changed from 5 to 10 days(paragraph 14)



Other points agreed were;

- That a protocol for requests for extension of submission presentation time was required.
- Clarification of the presentation of submissions, evidence and representations.
- Media kits covering background information such as the Amendment Act, Process and Board member profiles would be available.
- The procedures would be available on the website at the time the Draft plan was notified.
- A two week sitting one week lay period approach to hearings was agreed, with the hearing being conducted in normal business hours as far as is practicable, and allowances included for travel to and from the venue.(ref Paragraphs 10 and 11)

It was agreed (in relation to BP 016) that the Board Hearing procedures be updated as agreed and submitted for adoption at the next meeting.

5 Matters for Board information

5.1 Consultation Overview and reports received.

El Brussovs introduced the report which included a summary of points made to the Board at consultation meetings and hui with councils, communities and tangata whenua between 29 November and 13 December 2004.

Copies of the reports Waitaki Catchment Groundwater Information and Compilation of Additional information relevant to a Waitaki Catchment Water Allocation Regional Plan were circulated. Copies of information provided at Board request, and received since the last circulation (Items 31 to 41) were also provided to the Board.

There was some discussion about the status of the summary in terms of accessibility. The Board thanked the Board Secretary for his work in compiling the summary.

It was agreed (in relation to BP 021) that the Board;

- a) Receive the reports "Waitaki Catchment Groundwater Information" and "Compilation of Additional Information relevant to a Waitaki Catchment Water Allocation Regional Plan"
- b) Note that the full set of information provided in response to the Boards request is available for inspection, and copies will be provided on request.
- c) Receive the overview of information given orally and provided at consultation meetings.



5 Other Business

5.2 Meeting items identified for public information

The Board agreed that the two reports received in Item 5.1 could be included in the Bulletin.

5.3 Economic adviser to Section 32 process

Note-That having signalled his past business relationship with the proposed economic adviser to the Section 32 process Dr Brown took no part in the consideration of Item 5.3.

The Project Manager advised the circumstances whereby the preferred adviser Mr M Copeland had worked for Meridian Energy on one project and was currently advising a consent applicant in the Catchment. Advice staff had taken indicated that these professional engagements in an expert capacity did not constitute a conflict of interest that disqualified Mr Copeland from providing professional services to the Board. The Board concurred with that view.

Next meeting and closure

The next meeting was scheduled for 17-18 January 2004

The Chairperson thanked the Board and staff and wished everyone the compliments of the season.

The meeting was declared closed at 3-00pm

Adopted
Chairperson
Date

Minutes of the Waitaki Catchment Water Allocation Board 17 - 18 January 2005

Minutes of the seventh meeting of the Waitaki Catchment Water Allocation Board held on Monday 17 and Tuesday 18 January 2005 in the Awa room, Ministry for the Environment, Christchurch office, Level 4 Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 9.00am (both days).

Present (on both days);

Judge D Sheppard (Chairperson) (till 4-30pm on 18 January); Ms Sheila Watson (Deputy Chairperson) Acting Chairperson from 4-30pm on 18 January; Dr N Brown; Mr E Ellison (17 January only); and Ms C Mulcock.



In attendance (on both days)

Catchment Waitaki Staff - Kevin Currie (Project Manager); Christina Robb (Special Adviser); Viv Smith (Special Adviser) Jeff Page (Response Planning), and El Brussovs (Board Secretary)

1. Apologies

An apology was received and sustained from Edward Ellison for 18 January (Family bereavement)

2. Minutes - Adoption

The minutes of the previous meeting held on 20 and 21 December 2004, as circulated, were taken as read and adopted as a true and correct record with the following additional note; That having signalled his past business relationship with the proposed economic adviser to the Section 32 process, Dr Brown took no part in the consideration of Item 5.3.

3. Matters arising

Nil

4. Project Manager report

Kevin Currie spoke to his report which covered project status and work programme, correspondence, meetings, and whole of government submission (on the draft water allocation plan). The forward work programme signalled a one week delay to notification of the draft plan from 12 to 19 February 2005.

It was agreed (in relation to BP 027)

- a) That the Project Manager's report be received.
- b) That the Board adopt 19 February 2005 as its target date for notification of the draft water allocation regional plan.

5 Matters for Board decision

5.1 Draft Plan-draft objectives and policies.

Christina Robb introduced the report and the attached draft plan content. The Board reviewed the overall "scheme" of the objectives policies and rules and then each of the elements in turn.

It was agreed (in relation to BP 028)

- a) That the draft objectives policies and rules, as amended be the basis for further development of the draft plan.

b) Note that members would be consulted on specific aspects of plan development between meetings.



5.2. Section 32

Jeff Page introduced his report on Section 32 evaluation and also the proposed outline, structure and contents of the Section 32 report. The level of detail and analysis required by the Board was a primary question.

The Board agreed that the structure, contents, level of analysis and detail of the proposed Section 32 report was appropriate.

5.3. Board Hearing procedures

It was agreed that this matter be held over for consideration at the next meeting.

5.4. Legal Advice

The Board deferred consideration of the legal advice.

6 Matters for Board information

6.1 Reports received

The report indicated that two reports would be provided at the meeting however only one was available. The report on other demands entitled "Potential Demands for Waitaki Catchment Water (non hydro, irrigation and stock)" prepared by Tyler McMillan and Grant Lovell of Tonkin and Taylor, was circulated.

The Board agreed (in relation to BP 026) that the report "Potential Demands for Waitaki Catchment Water (non hydro, irrigation and stock)" be received.

6.2 Notification of draft plan

Viv Smith introduced the covering report noting that a communications strategy was also being prepared for the Board's consideration at the next meeting. Patricia Harte of Davie Lovell Smith who had prepared the draft notification procedures and documentation was introduced.

Patricia Harte outlined the proposed approaches and highlighted areas requiring the Boards decision and preference. An updated submission form was circulated. The Chairperson circulated a paper for an alternative process for consideration of submissions.

The Board reviewed the draft public notices (including contents of plan description) and submission forms as well as details such as notification dates, reports (notice of those received), email and website submissions, and submission closure time.



Key directions included;

- Adding the Dominion Post, Auckland Herald and Southland Times to the list of newspapers the notification would appear in.
- That the plan be described as "draft".
- That there is no email or website submissions facility.
- That the guide to submitters include a "what happens next" statement and also the hearing procedures to be adopted by the Board. (The guide to be considered at next meeting)
- The closing date for receipt of submissions be 12 noon on 20 April 2005
- It was agreed that references to Councils should be their legal rather than their promotional name.

The Board agreed (in relation to BP 025) to;

- a) Approve, as amended the public notice, submission form and processes and procedures relating to plan notification.
- b) Note that the guide to submitters and communications strategy will be considered at the next meeting.

7 Other Business

7.1 Meeting items identified for public information

The Board agreed that the report received in Item 6.1 could be included in the Bulletin.

Next meeting and closure

The next meeting had been scheduled on 24-25 January 2005 but was reviewed under subsequent meetings below.

Subsequent meetings

The Board reviewed the number type and timing of meetings leading to sign off of the draft plan. Meetings were agreed as follows;

- Thursday 27 and Friday 28 January 2005 (commencing at 2-00pm on 27th.)
- Thursday 3 and Friday 4 February 2005 (commencing at 9-00am both days)
- Meetings (and mode of) as may be necessary in the week ending 11 February would be considered at the next meeting.

The meeting was declared closed at 5:00pm

Adopted
Chairperson
Date



Minutes of the Waitaki Catchment

Water Allocation Board 27 - 28 January 2005

Minutes of the eighth meeting of the Waitaki Catchment Water Allocation Board held on Thursday 27 and Friday 28 January 2005 in the Awa room, Ministry for the Environment, Christchurch Office, Level 4 Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 2:00pm on 27 January and 9:00am on 28 January.

Present (on both days);

Judge D Sheppard (Chairperson); Ms Sheila Watson (Deputy Chairperson); Dr N Brown; Mr E Ellison; and Ms C Mulcock.

In attendance (on both days)

Catchment Waitaki Staff - Kevin Currie (Project Manager); Christina Robb (Special Adviser); Viv Smith (Special Adviser) Jeff Page (Response Planning), El Brussovs (Board Secretary) and Annette Oldfield for part meeting (Item 4.3).

1. Apologies

Nil

2. Minutes - Adoption

The minutes of the previous meeting held on, 17 and 18 January 2005 as circulated, were taken as read and adopted as a true and correct record with the following deletion: Item 6.2 Page 4 delete "Nelson Evening Mail".

3. Matters arising

Nil

4 Matters for Board decision

4.1 Draft Plan

Christina Robb introduced the report and the appended objectives, policies updated as a result of Board direction from the previous meeting and also the legal framework rules and anticipated environmental results. The four background papers (developed from the Section 4 Issues table) to show defined examples of discrete areas were noted. During the review of the documents the following supplementary material was tabled at the appropriate times;

- A further draft rules section with additional material included.
- An overview on environmental flow regimes (developed in collaboration with Claire Mulcock)



- Allocation to Activities- a suggested approach.
- A revised page 22 of the Policies Section covering Policies 43 to 45 inclusive.

The Board comprehensively reviewed the draft plan and indicated the changes to be made. The Board addressed the specific environmental level and flow regime to be incorporated in the rules, and the allocations to activities. These were agreed by consensus except in respect of a minimum flow for the Tekapo river. After discussion it was moved by Dr Brown and seconded by Ms Mulcock that the minimum flow be 3 m³/s. The motion was put and carried

Resolved

That the minimum flow for the Tekapo river be 3m³/s.

Brown/Mulcock

It was also agreed (in relation to BP 030) that draft objectives, policies, rules, anticipated environmental results, and legal framework, as amended be the basis of the draft plan development.

4.2. Notification of Draft Plan

Viv Smith introduced the report and the attached guide to submitters, list of directly affected persons, and the list of reports received by the Board and the cover design and layout of the Draft plan. The Board made a number of changes in review of the documents.

It was agreed (in relation to BP 031) that the Board approve as amended

- Guide for Submitters.
- List of directly affected persons.
- List of reports that the Board has received relevant to plan development, and inspection locations.
- Cover design of the draft plan.

4.3. Communications Strategy (Plan)

Annette Oldfield outlined the communications approach and list of activities in relation to draft plan notification. It was agreed that the activities scheduled beyond notification be reviewed at a later meeting. The Board also considered that much of the activity in the strategy while of note was not of a governance nature and the strategy should accordingly be received rather than approved. Specific details would be followed up with the Chairperson as required.

It was agreed (in relation to BP 034) that the Communications Plan covering activities up to the Draft plan notification be received.



4.4 Board Hearing procedures

The Board considered the procedures deferred from the previous meeting.

Amendments made as a result of the initial consideration on 20-21 December 2004 had been incorporated as well as subsequent adjustments.

It was agreed (in relation to BP 029) that the Board adopt the hearing procedures, make them available on the website immediately and provide them to submitters when acknowledging submissions, and on request.

4.5. Legal Advice

The Board had deferred this item at its last meeting.

It was agreed (in relation to Mr S Berry's memorandum) that the legal advice be received.

5 Matters for Board information

5.1 Reports received

The report Option and Existence values for the Waitaki Catchment prepared by Basil Sharp Auckland University and Geoff Kerr Lincoln University had been circulated with the agenda.

The Board agreed (in relation to BP 032) that the report "Options and Existence Values for the Waitaki Catchment" be received.

6 Other Business

6.1 Meeting items identified for public information

The Board agreed that the report received in Item 5.1 and Item 4.4 (Hearing procedures) would be included in the Bulletin.

Next meeting and closure

The next meeting was scheduled for 3-4 February 2005. Further meetings after the plan notification were expected to occur towards the end of the submission period, on a date to be determined by the Chairperson.

Subsequent meetings and decision making

The Board discussed the possible needs for meetings after 3-4 February up to the absolute deadline date of 11 February for plan and section 32 print copy. It was noted that involvement of Board members, emails and teleconferences were mechanisms that could be utilised in addition to actual meetings

After notification Board meetings would be on an as required basis until the need to plan hearings became necessary.



The meeting was declared closed at 4:45pm

Adopted
Chairperson
Date

Minutes of the Waitaki Catchment Water Allocation Board 3 - 4 February 2005

Minutes of the ninth meeting of the Waitaki Catchment Water Allocation Board held on Thursday 3 and Friday 4 February 2005 in the Awa room, Ministry for the Environment, Christchurch office, Level 4 Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 9:00am on 3 February and 12 noon on 4 February 2005.

Present (on both days):

Judge D Sheppard (Chairperson); Ms Sheila Watson (Deputy Chairperson); Dr N Brown; Mr E Ellison (From 10-00 on 3 February); and Ms C Mulcock.

In attendance (on both days)

Kevin Currie (Project Manager) (4 February only); Christina Robb (Special Adviser); Viv Smith (Special Adviser); El Brussovs (Board Secretary) and for part meeting Jeff Page (Response Planning) till 1-00pm on 3 February and till 12-45pm on 4 February,

1. Apologies

An apology for lateness was received from Edward Ellison (delayed flight)

NB the Project Manager Kevin Currie was unable to attend the meeting on 3 February due to the closure of Wellington airport.

2. Minutes - Adoption

The minutes of the previous meeting held on, 27 and 28 January 2005 as circulated, were taken as read and adopted as a true and correct record with the following amendment Item 4.1 Draft plan fourth line first paragraph the word "extracted" to read 'developed'.

3. Matters arising

Nil



4. Matters for Board decision

4.1. Section 32 Report

Jeff Page spoke to the covering note and draft Section 32 Report. The Board agreed to review the document firstly on an overall basis to satisfy itself that it met statutory requirements and then on a detailed review to ensure that evaluations accurately reflected policy decision making. During the detailed review Jeff Page indicated areas where changes were recommended that had arisen since the agenda was circulated.

Once the review was completed and changes noted, Jeff retired from the meeting to update the document and present those changes plus any other new work to the Board on 4 February 2005.

On reconvening changes covering nine areas (including input from Edward Ellison and Nick Brown) were circulated to the Board for review. Copies of Mike Copeland's background working papers that provided economic input to the Section 32 Report were also circulated and noted by the Board. The Board reviewed and further amended the updated provisions in the Section 32 Report.

It was noted that the final draft should be available for the Board by Monday 7 February. The draft would then be sent to Board members for comment prior to final adoption. (Note -The method of adoption would be considered later in the meeting following review of the draft Plan Item 4.2).

The Board expressed it's appreciation of the standard of the Section 32 Report.

It was agreed by the Board that the Section 32 Report would be updated and circulated to the Board to be considered for adoption.

4.2. Draft Plan

Christina Robb introduced the draft Plan containing all sections except the "Principal Reasons for Adopting Plan Provisions". The Board reviewed the draft plan document on an overall and then on a detailed basis with amendments indicated. Having completed the review on 3 February the Board agreed that such amendments and updates that staff (in collaboration with Board members as appropriate) could complete, be reviewed on 4 February.

The Board reconvened and considered tabled updated papers including a revised Identification of Issues table and a "Principal Reasons for Adopting" section. The papers were reviewed.

Excerpts of "Section 6 Water Quantity and Section 12 Rules", of the Otago Regional Water Plan had been circulated with the agenda.

Under cover of BP 033 the working notes for developing environmental flow regimes and allocation to activities had also been circulated. The working notes which had been prepared in collaboration with Claire Mulcock and Nick Brown respectively, were noted.



The Board also received the last (Lower Waitaki Main stem) of the ten background examples developed from the Section 4 Issues table. The consolidated list of background issue papers was noted as follows;

- Tributaries of Glacial Lakes
- Large Upper Catchment Rivers -Tekapo, Pukaki and Ohau
- Lakes Tekapo, Pukaki and Ohau
- Upper Catchment Tributaries
- Ahuriri Catchment
- Mid Catchment Tributaries
- Lakes Benmore, Aviemore, Waitaki and Ruataniwha
- Hakataramea Catchment
- Tributaries to the Lower Waitaki River
- Lower Waitaki main-stem.

The Board expressed its continued appreciation of the standard of plan policy development and the content of papers.

It was agreed by the Board (in relation to BP 036) that the draft plan would be updated and circulated to the Board to be considered for adoption.

5. Matters for Board information

5.1. Reports received

The reports 'Economic, Social & Environmental Impacts of Irrigation in the Mackenzie Basin' (1969 OIC) prepared by Ian Brown and Simon Harris, and "Hydrology Report" prepared by David Leong of Tonkin and Taylor were circulated as preformatted drafts. It was noted that the Lower Waitaki River visitor survey by Geoff Kearsley had not yet been received from the author. This report will not be included in the list of reports that the Board has received relevant to the development of the draft Plan but it could be added to the list after notification and before the hearing once the report has been received.

The Board agreed (in relation to BP 035) that the reports "Economic, Social & Environmental Impacts of Irrigation" and "Hydrology Report" be received.

6. Other business

6.1. Meeting items identified for public information

The Board agreed that the reports received in Item 5.1 be included in the bulletin.

7. Next meeting and closure

Next meeting/decision making (Week ending 11 February 2005)



The Board considered how it should formally sign off the draft plan and Section 32 Report. It was agreed that the final drafts should be referred to the

Board for individual comment at which time the need for a teleconference could be ascertained. Once the documents had been agreed the Board members would be circulated with formal resolutions to sign. It was further agreed that staff would arrange for final formatting that would be approved by the Chairperson.

Subsequent Board meetings

As agreed at an earlier meeting there may not be a need for the Board to reconvene until toward the end of the submission period. Friday 8 April 2005 was identified as a tentative date. This did not preclude meetings before hand if needed. It was agreed that an item for discussion at the 8 April meeting should be the need for visits to particular parts of the Catchment. Suggestions were the Hakataramea Valley, North Bank of the Lower Waitaki, the river Mouth and a trip on the river.

Board acknowledgement

The Chairperson expressed on the Boards behalf its appreciation of the Catchment Waitaki staff skills, commitment and devotion to plan preparation and associated tasks. The Board considered that this had made their task much easier. The Project Manager responded noting the cooperative relationship between the Board and staff and the clear direction which assisted staff to perform.

Adopted
Chairperson
Date

Minutes of the Waitaki Catchment Water Allocation Board 8 April 2005

Minutes of the tenth meeting of the Waitaki Catchment Water Allocation Board held on Friday 8 April 2005 in the Awa room, Ministry for the Environment, Christchurch office, Level 4 Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 9:00am.

Present:

Judge D Sheppard (Chairperson); Ms Sheila Watson (Deputy Chairperson); Dr N Brown; Mr E Ellison and Ms C Mulcock.

In Attendance:

Kevin Currie (Project Manager); Christina Robb (Special Adviser); Viv Smith (Special Adviser) and El Brussovs (Board Secretary)



1. Apologies

Nil

2. Minutes - Adoption

The minutes of the previous meeting held on, 3-4 February 2005 as circulated, were taken as read and adopted as a true and correct record subject to changing "received by the author" to "received from the author" in the fifth line of item 5.1.

3. Matters arising

The Board meeting of 3-4 February 2005 had agreed under Item (4.2) that the draft plan and under Item (4.1) the section 32 report, should be updated by staff and the consultant, as directed and referred to the Board for adoption. The updated draft plan and section 32 report were submitted to the Board with motions to either adopt the draft plan and section 32 report or to have further discussions prior to adoption. The resolutions were signed and returned by four members, each agreeing to adopt the draft plan and section 32 report. (Note the fifth Board member Dr Brown was absent on leave overseas). The draft plan and section 32 report were therefore adopted without the need for a further teleconference on the matter.

4. Correspondence

4.1. Letter from Barry Carbon Chief Executive, Ministry for the Environment re informed public input.

The Board discussed the letter of 4 April from Barry Carbon (and his earlier letter of 21 February), suggesting an interactive process with submitters at the beginning of the hearings to explain the draft plan. The letters from Councils (In Item 5 Project Managers report), which sought further clarification of the plan were noted.

It was noted that the draft plan and section 32 report included reasons and explanations, and that the Board had made a large quantity of information it had used available. In many instances the provisions of the plan were derived by informed judgement, rather than by computation. It was agreed however that some steps could be taken to provide further information on the website to assist the community to better understand the draft plan. To this end it was agreed that the Board meeting minutes, the legal advice by Mr S Berry relating to the effect of the plan on existing consents, and the summary document by Keller and Pfluger on the natural and physical resources of the Catchment, should be put on the Board's website.

Providing the community liaison officer with briefing information to assist the community was also agreed.

It was moved by the Chairperson and seconded by Dr Brown;
That;



1) Having considered the letter from the Chief Executive of the Ministry for the Environment of 4 April, and correspondence from various local authorities, the Board agrees to publish on its website:

- The adopted minutes of the nine Board meetings from 30 September 2004 to 4 February 2005;
- The legal opinion it had received concerning the mechanism by which the allocation plan will apply to existing consents; and
- The publication "Working Papers about the Natural and Physical Resources of the Waitaki Catchment by locality" by Keller and Pfluger February 2005, in the hope that these documents will assist those people having difficulty understanding the basis of elements of the draft plan.

2) That the Catchment Waitaki team assist the community adviser engaged by the Ministry for the Environment to assist submitters in understanding of the legal opinion (as above), the contents of the Keller/ Pfluger report; and also the way in which the Board came to the judgements in the draft plan as described in the Section 32 report.

3) That the Board does not consider it would be appropriate to engage with submitters at the hearing in explaining or debating the contents of the draft plan.

Chair/Brown

The motion was put and agreed to.

4.2 Email from Roy Hemmingway, Chair Electricity Commission, and draft reply.

The Board noted the email and proposed response and in particular that the Commission was undertaking independent modelling. It was agreed that the Commission should not make private input to the Board but that a submission from the Commission would be welcome. The proposed reply was endorsed.

5. Project Manager's report

The Project Manager's report which covered the topics of: Status report; forward programme; inspections; hearing logistics; submissions; process for dealing with requests from parties; correspondence and meetings. Each of the topics was discussed in turn except the correspondence which had been dealt with in Item 4.1 above.

It was agreed (in relation to BP 038) that the Board;

- a) Note the progress report.
- b) Adopt the provisional outline work programme.



c) Agree to further Board meetings on 16 May and 1 June 2005, with a teleconference or email exchange if needed following the closing of submissions.

d) Agree the components and arrangements for the inspection trip in the Catchment on 18-19 April.

e) Adopt a provisional hearing programme of: Hearing commencing in the week of 20 June followed by one weeks break (and to retain option for an earlier start i.e. 13 June if possible). The hearing is to be primarily conducted in the Brydone Hotel Oamaru.

f) Agree that a mid-June commencement date for the hearing be made publicly available on the web with a caveat that this is provisional and subject to review.

g) Delegate to the Chairperson the function of determining the nature of recording/transcription specifications to be sought.

h) That a subcommittee of the Deputy Chairperson and Kevin Currie be delegated the function of approving the summary of submissions prior to publication.

i) Agree that the Summary of Submissions be notified in the Otago Daily Times, Press, Oamaru Mail and Timaru Herald.

j) Delegate to the Chairperson consideration of applications for waivers for lateness or incompleteness, including determining criteria for whether a submission would be considered invalid.

k) Delegate to the Chairperson the function of deciding requests for additional presentation time, leave to cross examine, keeping submission material confidential and similar matters.

6. Matters for Board Information

6.1 Provision of Information /Analysis from staff and experts

The paper sought direction from the Board in respect to the roles of staff and other experts prior to and during the hearing. The need for and nature of an officers' report was also discussed.

In respect to staff and expert roles, the Board concluded that it was not known what further advice it might need in the event of gaps in submission coverage of issues or as a result of the hearing. It was agreed that if information could be readily drawn out by staff then they should do it. The Board would be guided by what could be done by staff versus consultants. It was agreed that certain key consultants should be approached about their availability to give evidence at the hearing if it was required by the Board.

The Board had a wide ranging discussion about the options, advantages and disadvantages of officers' reports.



It was agreed (In relation to BP 037) that:

An officers' report providing general analysis of submissions on each objective, policy and rule, where such analysis can be based on existing information, be prepared. The officers' report will not recommend changes to the plan.

The Board would consider calling its own expert witnesses if necessary, but is not able to identify in at this time whether this will be necessary.

6.2. Pre-hearing, hearing and decision making process

The paper sought direction on pre-hearing meetings, hearing and decision writing processes. With regard to pre-hearing meetings the Board was of the view that while this was provided for in the Board's hearing procedures, the need for and nature of any pre-hearing meetings could not be identified now.

In respect to rebuttal evidence, the need for this was also questioned given that responses may be more in the nature of argument rather than rebuttal. It was noted that there was provision to cross examine on evidence of primary fact. Submitters would have seen other submissions in advance. Submitters can seek leave to call further evidence, but would need to show why they did not anticipate the issue.

The Environment Court's Practice Note on expert Witnesses was noted, but not adopted.

It was agreed (in relation to BP 040) that:

The provision for pre-hearing meetings be retained as per the Board's hearing procedures, to be considered as any need is identified.

That rebuttal of evidence is not preferred but submitters may seek leave to call further evidence.

Confirm that the order of appearance of submitters at the hearing will be based on a submitter presenting all their representations and evidence at the same time. Within this order of appearance endeavour to group submitters covering similar matters, with the more substantial submitters of each group appearing first. Some adjustments may be required for individual circumstances.

In respect to decision writing it was agreed that an interactive approach with the Board providing drafting direction to the staff was preferred depending on the scope and size of the task. The option to engage a consultant to update the Section 32 report should this prove extensive in light of any changes to the plan was also noted.

7 Matters for Board Information



7.1 Report received

A copy of the report prepared by Professor Geoff Kearsley entitled "Visitor Survey of the Lower Waitaki Valley" had been circulated with the agenda.

It was agreed (in relation to BP 039) that the Board;
Receive the report "Visitor Survey of the Lower Waitaki Valley".

8. Other business

8.1. Meeting items identified for public information

The Board agreed that the matters agreed for placing on the website in Item 4.1, the indicative time for the hearing to commence, and also the report received in Item 7.1, should be included in the bulletin.

9. Next meeting and closure

Next meeting

The Board had earlier agreed that the next meeting should be held on Monday 16 May at 9-00am.

The Chairperson declared the meeting closed at 2-40pm.

Adopted
Chairperson
Date

Minutes of the Waitaki Catchment Water Allocation Board 16 May 2005

Minutes of the eleventh meeting of the Waitaki Catchment Water Allocation Board held on Friday 16 May 2005 in the Awa room, Ministry for the Environment, Christchurch office, Level 4 Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 9:00am.

Present:

Judge D Sheppard (Chairperson); Ms Sheila Watson (Deputy Chairperson); Dr N Brown; Mr E Ellison and Ms C Mulcock.

In attendance:

Kevin Currie (Project Manager); Christina Robb (Special Adviser); Viv Smith (Special Adviser) and El Brussovs (Board Secretary)



1. Apologies

Nil.

2. Minutes - Adoption

The minutes of the previous meeting held on 8 April 2005, as circulated, were taken as read and adopted as a true and correct record subject the following amendments;

- Reference Item 3 Matters arising- in the fourth line of the first paragraph the word 'resolutions' to read "motions".

- Reference Item 4 Correspondence,- that the resolution be amended by removing the words "To resolve" in the second line and at the end of the resolution the closing clause read that the motion was put and "agreed" rather than "carried".

3. Matters arising

Nil

4. Correspondence

4.1. OIA request from Meridian Energy Ltd

The Board noted the official information request and progress by staff in collating the requested information prior to the final decision to release material being made. The Board Chair would approve material for release.

5. Project Manager's Report

The Project Manager's report which covered the topics of: Status report and Delegations exercised was noted. It was also noted by the Project Manager that the teams involved in getting submissions processed and onto the website had done a magnificent job. The Board recorded its considerable appreciation of the work done and asked that this be conveyed to the staff involved.

In reflecting on how Board members had approached their reading of submissions the question of how that material could be quickly accessed at the hearings was discussed. Board members will require daily folders of submissions and evidence. These could be compiled by staff together with the schedule of submitters to be heard for that day. A storage facility for reference sets of documents was also thought useful. The question of a laptop loaded with submissions being available would also be considered.

The Board noted the letter to submitters wishing to be heard and the return sheet which was due for return by 13 May. Staff were collating the information supplied and would update the Board by email. In terms of requests for extra hearing time it was noted that a number needed to be followed up where reasons had not been

provided. A hearing to consider larger requests was envisaged by the Board Chairperson.



In terms of late and other non conforming submissions it was noted that there were still waivers to be considered by the Board Chair.

It was agreed (in relation to BP 043)

- a) That the Board note the progress report.
- b) Staff note the preliminary arrangements for handling submission documents/evidence at the hearings.
- c) That the Board expresses its considerable appreciation of the efforts of the staff teams processing submissions and placing them on the website.

6. Other business

6.1 Officers' report and further advice on submissions

Christina Robb introduced the report which sought further direction on the scope contents and level of detail to be provided in the officers' report. The Board was asked to consider any further technical or legal advice it might require prior to the hearing.

As agreed at the previous meeting, the report would provide a. general analysis on each objective policy and rule on the basis of existing information. There would be no recommendations in respect to changes in the plan.

It was noted that the officers' report had a dual role. It is primarily providing advice to the Board and secondly information to submitters. The Board noted and agreed that the seven bullet point matters outlined on page 48 of the report would not be addressed in the officers' report. The Board endorsed the level of detail to be provided in the Officers' report as illustrated by the example report sections in Appendix 2.

The Board held a wide ranging discussion about further advice it may seek, methods to obtain advice and who could provide the advice. It was concluded that commissioning studies and further analyses could give rise to difficulties as the Board could be perceived as giving greater weight to its own witnesses, and that it might be perceived as rebuttal and/or predetermination of submitter's positions. The Board's preference was to receive evidence from submitters, and that the Board could subsequently decide to summon its own witnesses where the need became apparent. The necessary lead time for such a witness to produce evidence was noted.

It was agreed (in relation to BP 041) that the Board;

- 1) Agree that the Officers' report addresses the matters outlined in Appendix 1.
- 2) Agree that the Officers' report does not address the following matters:
 - The relationship between Objectives 1 and 2.
 - Recognition of the status of tangata whenua.
 - Legal interpretation.



- References to Mackenzie Irrigation Company/Meridian deal in the plan.
- Suggested changes to Sections 3 and 4 of the plan
- Suggested changes to the anticipated environmental results and reasons for adopting.
- Alterations to the section 32 report or to the style and level of explanation in the plan.

3) That at this stage while the Board is interested in what further scenario modelling the Electricity Commission intends to present it does not see a need at the moment for expert evidence to be called by the Board.

6.2 Hearing duration and management

Kevin Currie spoke to his report which updated the time needed for the hearings given the more than three fold increase in the submitters wishing to be heard. Since the timetable was limited in how much time could be taken by the hearings, options for accommodating the greater numbers of submitters wishing to be heard were outlined.

The following is a summary of agreements stemming from option review;

- That the start date for the hearings be Monday 20 June 2005.
- That the hearing would commence in Oamaru. The potential extra time taken if part of the hearing was held in Omarama was noted, but this issue was left for further consideration when there was more information available on the time required to hear the submitters. Three approaches seeking Timaru as a hearing venue were noted, however Timaru did not fit the Boards criteria.
- In respect to ways of gaining more hearing time;
 - to sit on the first two days of the first lay week, that is 27 and 28 June.
 - to sit on the first three days of the second lay week, that is 18, 19 and 20 July.
 - A further week commencing 15 August would be utilised if required
 - Longer sitting days were not favoured but opportunities to extend the start and finish times on some Mondays and Fridays respectively should be explored

It was agreed (in relation to BP 042)

That the options to gain more hearing time, as set out above be approved and an updated hearing programme be supplied to members.

7. Matters for Board Information

Nil



8. Other business

8.1. Meeting items identified for public information

The Board agreed that the matter of the hearing start date in Oamaru and indicative period of the hearing should be included in the bulletin to be placed on the website.

9. Next meeting and closure

Next meeting

The next meeting had been scheduled for Wednesday 1 June 2005.

The Chairperson declared the meeting closed at 12-20pm.

Adopted
Chairperson
Date

Minutes of the Waitaki Catchment Water Allocation Board 1 June 2005

Minutes of the twelfth meeting of the Waitaki Catchment Water Allocation Board held on Friday 1 June 2005 in the Awa room, Ministry for the Environment, Christchurch office, Level 4 Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 9:00am.

Present:

Judge D Sheppard (Chairperson); Ms Sheila Watson (Deputy Chairperson); Dr N Brown; Mr E Ellison and Ms C Mulcock.

In Attendance:

Kevin Currie (Project Manager); Christina Robb (Special Adviser) and El Brussovs (Board Secretary).

1. Apologies

Nil

Viv Smith's absence due to family bereavement was noted.

2. Minutes - Adoption

The minutes of the previous meeting held on 16 May 2005, as circulated, were taken as read and adopted as a true and correct record subject the following amendments;

- In Clause 4.1 Page 2 last line, the word "review" to read "approve".



- In Clause 6.2 Page 4 in the sixth line the words "to option" are removed.
- In Clause 6.2. Page 4 in the second bullet point the words "and seemed to lack a suitable venue" be removed from the last line.

3. Matters arising

Dr Brown asked if any information sought by Meridian Energy Ltd under the Official Information Act would be withheld. It had been noted that only personal details relating to Board members would not be provided.

4. Correspondence

Nil, (Note that items of correspondence were covered under Item 5 below)

5. Project Manager's report

The Project Manager introduced his report which covered the topics of Status report, Submitter numbers and hearing times, Hearing calendar, Venues and Delegations exercised, Correspondence and Hearing and Forward programme.

In the case of delegations exercised, supplementary schedules for extensions of time granted by the Chairperson dated 26 and 29 May, and a report and schedule of decisions relating to a hearing on significant time extensions, held on 31 May were circulated. A grant of waiver schedule for two submitters dated 30 May was also circulated.

The six schedules of delegations made by the Chairperson were received.

In terms of project status it was noted that the Summary of Submissions had been published, publicly notified and put on the web. A letter accompanying the "summary" to submitters wishing to be heard indicated the hearing start date, and included reminders about deadlines for receipt of evidence and other applications.

The Board noted and discussed the indicative submitter numbers to be heard, the spreadsheet of suggested hearing times and also a proposed order for hearing groups of submitters which was circulated. The Board agreed;

- That the Board would hold hearings in Omarama as well as Oamaru. The week commencing 4 July would be in Omarama. This hearing would be generally for those resident in the area.
- That the hearing calendar as amended be agreed.
- That the order and grouping of submitters be generally agreed and be used by staff to prepare a sequence of submitters to be heard...

In respect to correspondence it was agreed after discussion that the Meridian letter of 13 May be received.



The letter of 16 May from Barry Carbon and response by the Chairperson of 24 May were noted. It was agreed that the Chairperson follow up one aspect of the letter with Barry Carbon.

Also noted were the letters seeking Timaru as a hearing venue from Aoraki Water Trust (9 May) and reply of 18 May and email (9 May) from Glen Innes Mackenzie District and reply of 18 May.

The Board discussed how the hearing would be conducted, and the processes and protocols involved. Discussion included;

- Introduction processes, including Maori protocols.
- Scope and nature of cross examination.
- Question of clarification and explanation.
- Room layout and a dais for the Board.
- Daily session times.
- Management of documents.

The process of deliberations, approach to writing decisions and subsequent changes to the plan were discussed. The possibility of the task being more efficient by utilising subcommittees to consider issues and topics, drafting material and recommendations for the Boards agreement, was agreed in principle. Members were to consider the most appropriate way to order and separate issues and topics for subcommittees, and most appropriate members to sit on them.

It was agreed (in relation to BP 0 44) that;

a) The Project Manager's progress report be adopted.

b) The hearing calendar as per Annex B as amended be adopted and publicised, with hearing days as follows:

- "Normal" Mondays: 1.30pm to 5.00pm.
- Extended Mondays commencing at 9.00am(if required)
- Fridays 9.00am to 2.30pm
- Other days 9.00am to 5.00pm

c) To use Omarama as a venue for part of the hearing in the week of 4 July.

d) Receive Meridian Energy's letter of 13 May and note the other items of correspondence and the replies.

e) It was agreed that dates for deliberation meetings should be set now in order to fit in with member's personal commitments. The following hearing and deliberation dates were agreed:

- Next Meeting Special Board meeting (Hearings) on Monday 20 June to 24 June 2005 in Oamaru (and ongoing unless otherwise stated), 27 and 28 June, 4

to 7 July in Omarama, 11 to 15 July, 18 to 20 July, 25 to 29 July, and if required 1 to 5 August.

- 15 to 17 August- first deliberation meeting.
- 25 and 26 August - second deliberation meeting.
- 5 to 7 September- third deliberation meeting.
- 14 to 16 September- fourth deliberation meeting.
- 21 September- fifth deliberation meeting.
- 30 September- Whole of Board meeting to approve Plan.
- It was suggested that it would be useful to conduct a debrief on the Waitaki process after the approval of the plan.



6. Matters for Board decision

6.1 Provision of Officers' report

Agreed (In relation to BP 045)

That the officers' report be received with the Board's grateful thanks.

7. Matters for Board information

Nil

8. Other business

8.1. Meeting items identified for public information

The Board agreed that the matter of the hearing calendar, times and the general order in which groups of submitters would be heard, be placed on the website.

9. Next meeting and closure

Next meeting

The next meeting is scheduled as a Special meeting of the Board to hold hearings on the draft plan in Oamaru (Kingsgate Hotel Brydone) on Monday 20 June 2005 commencing at 1.30pm.

The Chairperson declared the meeting closed at 12-25 pm.

Adopted

Date

Chairperson

Minutes of the Waitaki Catchment Water Allocation Board 14 July 2005

Minutes of the thirteenth meeting of the Waitaki Catchment Water Allocation Board held on Thursday 14 July 2005 in the Brydone Hotel, Oamaru, commencing at 5.00pm.



Present:

Judge D Sheppard (Chairperson); Ms Sheila Watson (Deputy Chairperson); Dr N Brown; Mr E Ellison and Ms C Mulcock.

In attendance:

Kevin Currie (Project Manager); Christina Robb (Special Adviser) Viv Smith (Special Adviser) and El Brussovs (Board Secretary).

1. Apologies

Nil

2. Matters for Board decision

2. 1. Deliberation processes, and preparation of approved plan and associated documents. (BP 045 refers).

The Board considered a paper relating to the nature of outputs and an indicative consideration and publication programme to meet the legislative deadline of an approved plan by 30 September 2005.

The question of developing a revised section 32 report as part of the process of deliberations and final plan preparation was discussed. It was agreed that the board prepare a revised section 32 report, and that Response Planning be engaged to assist the Board.

In terms of publication time the Board considered matters affecting timing signing and dating of documents. Option c of the four alternatives was agreed.

Overall in relation to BP 045 it was agreed;

- That the Board confirm the general prescription of the three documents it will produce.
- Confirm that the Board will update the Section 32 report when adopting the final plan, and that Response Planning be engaged to assist the Board.
- That the Board agree to the general structure of the decision, and forward to staff additional matters identified for inclusion during the remaining course of the hearing, and immediately following the hearing,
- That the Board agree that the plan and decision be printed with the intended adoption date of 30 September, but be not signed prior to printing, and that reference copies of each be signed on the date of adoption.
- That the Board adopt the deliberation programme outlined.



In terms of deliberation meetings scheduled at the 1 June 2005 Board meeting it was agreed that the second deliberation meeting be held on 24 and 25 August, as opposed to 25 and 26 August.

3. Matters for Board information

Nil

4. Other business

4.1. Meeting items identified for public information

Nil

5. Next meeting and closure

Next meeting

The next (first deliberation) meeting is scheduled for 15 to 17 August 2005.

The Chairperson declared the meeting closed at 5.30pm .

Adopted

Date

Chairperson

Minutes of the Waitaki Catchment Water Allocation Board 3 August 2005

Minutes of the fourteenth meeting of the Waitaki Catchment Water Allocation Board held on Wednesday 3 August 2005 in the Brydone Hotel Oamaru from 9.15am.

Present:

Judge D Sheppard (Chairperson); Ms Sheila Watson (Deputy Chairperson); Dr N Brown; Mr E Ellison and Ms C Mulcock.

In attendance:

Kevin Currie (Project Manager); Christina Robb (Special Adviser); Viv Smith (Special Adviser); Jane Whyte (Response Planning) and El Brussovs (Board Secretary).

1. Apologies

Nil



2. Minutes

Consideration of the minutes of the previous meeting was deferred until the next meeting of the Board.

3 . Matters for Board decision

3.1 Approach to deliberations.

Having completed the hearing of submissions on 2 August 2005 the Board considered it's approach to its deliberations and decisions.

Jane Whyte, of Response Planning, was in attendance to observe in relation to updating of the section 32 report.

The Board identified topics for discussion at the next meeting and identified preparatory work that would assist those discussions.

4. Matters for Board information

Nil

5. Other business

Nil

6. Next meeting and closure

The next meeting is scheduled for 15 to 17 August 2005.

The meeting was declared closed at 11-45 am.

Adopted

Date

Chairperson

Minutes of the Waitaki Catchment Water Allocation Board 14 - 15 August 2005

Minutes of the fifteenth meeting of the Waitaki Catchment Water Allocation Board held on Monday 14 and Tuesday 15 August 2005 in the Awa room, Ministry for the Environment, Christchurch office, Level 4 Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 9.00am on both days.

Present:

Judge D Sheppard (Chairperson); Ms Sheila Watson (Deputy Chairperson); Dr N Brown; Mr E Ellison and Ms C Mulcock.



In attendance:

Kevin Currie (Project Manager);
Christina Robb (Special Adviser), Viv
Smith (Special Advisor), El Brussovs
(Board Secretary), Jeff Page (Response Planning on 15 August) and Jane Whyte
(Response Planning on 16 August).

1. Apologies

Nil

2. Minutes – Adoption

The minutes of the previous meetings held on 1 June, 14 July, and 3 August 2005 as circulated, were taken as read and adopted in turn as true and correct records.

3. Matters arising

The Chairperson advised that he had met with Barry Carbon (as agreed at the 1 June meeting) and discussed the processes and publicity that would occur following final plan release. It was agreed that publicising the plan was not the Board's responsibility.

Kevin Currie advised that a record of hearing as prescribed by the hearing procedures was being finalised for inclusion in the 24/25 August Board meeting agenda.

4. Correspondence

Copies of a letter from Meridian Energy Ltd dated 14 August 2005, received after the agenda was compiled, were circulated. The letter attached Mr P Barry's response to questions by the Board at the 2 August session of the draft plan hearing.

An email from the Electricity Commission dated 5 August 2005 outlining the role that the Commission might have in defining a national power shortage was circulated. This matter arose as a result of the Commission's submission to the draft plan hearing.

The Board agreed that the information be received, that the information is put on the website and the most directly affected submitters are advised accordingly.

5. Delegations exercised

The Board noted the three schedules of delegations exercised by the Chairperson since the 1 June meeting.

The Board agreed (in relation to BP 047) that the schedules of delegations exercised by the Chairperson be received.



6. Matters for Board decision

6.1 Deliberations on hearings to the draft plan.

Note: The Board agreed to suspend its usual formal meeting procedure for this item.

The Board having identified topics at the 3 August meeting held extensive discussions on the way forward for each of the topics and identified how each of the topics would be progressed.

7. Matters for Board information

Nil

8. Other business

8.1. Meeting items identified for public information

The Board agreed that the matter of receipt of the Meridian (P Barry's) response to Board questions and Electricity Commission's email would be placed on the website.

9. Next meeting and closure

Next meeting

The next meeting is scheduled for 24 and 25 August 2005, commencing at 9-00am.

The Chairperson declared the meeting closed at 4-15 pm.

Adopted
Chairperson
Date

Minutes of the Waitaki Catchment Water Allocation Board 24 - 25 August 2005

Minutes of the sixteenth meeting of the Waitaki Catchment Water Allocation Board held on Wednesday 24 and Thursday 25 August 2005 in the Awa room, Ministry for the Environment, Christchurch office, Level 4 Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 9.00am and 9.15am respectively.

Present (on both Days):

Judge D Sheppard (Chairperson); Ms Sheila Watson (Deputy Chairperson); Dr N Brown; Mr E Ellison and Ms C Mulcock.



In attendance (on both Days):
Kevin Currie (Project Manager);
Christina Robb (Special Adviser), Viv
Smith (Special Adviser), El Brussovs
(Board Secretary), and Jeff Page (Response Planning).

1. Apologies

Nil

2. Minutes – Adoption

The minutes of the previous meetings held on 15 to 16 August 2005 as circulated, were taken as read and adopted as a true and correct record.

3. Matters arising

Nil.

4. Correspondence

Nil.

5. Matters for Board decision

5.1 Deliberations on hearings to the draft plan.

Note: The Board agreed to suspend its usual formal meeting procedure for this item.

The Board held extensive discussions on the identified consideration topics and identified how each of the topics will be progressed.

6. Matters for Board information

Nil

7. Other business

7.1. Meeting items identified for public information

There were no matters identified for public disclosure

9. Next meeting and closure

Next meeting

The next meeting is scheduled for 5 to 7 September 2005, commencing at 9-00am.

The Chairperson declared the meeting closed at 4-30 pm.

Adopted
Chairperson
Date



Minutes of the Waitaki Catchment Water Allocation Board 5 - 6 September 2005

Minutes of the seventeenth meeting of the Waitaki Catchment Water Allocation Board held on Monday 5 and Tuesday 6 September 2005 in the Awa room, Ministry for the Environment, Christchurch office, Level 4 Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 9.00am on both days.

Present (on both days):

Judge D Sheppard (Chairperson); Ms Sheila Watson (Deputy Chairperson); Dr N Brown; Mr E Ellison and Ms C Mulcock.

In attendance (on both days):

Kevin Currie (Project Manager); Christina Robb (Special Adviser), Viv Smith (Special Adviser), El Brussovs (Board Secretary), and Jeff Page (Response Planning).

1. Apologies

Nil

2. Minutes – Adoption

The minutes of the previous meetings held on 24 to 25 August 2005 as circulated, were taken as read and adopted as a true and correct record.

3. Matters arising

Nil.

4. Correspondence

Nil.

5. Matters for Board decision

5.1 Record of hearing

The Board reviewed the record of hearing and raised a number of points of clarification and detail to be checked. It was agreed that the matters raised be addressed and the record be resubmitted to the next meeting for adoption.

Note The Board agreed to suspend its usual formal meeting procedure for the following items, 5.2, 5.3 and 5.4.



5.2 Plan preparation

The Board held extensive discussions on revisions to the Plan as progressed since the last meeting. The Board noted that the final draft of the plan would be considered at the next meeting.

5.3 Decision preparation

Discussion occurred about the content and format of this document, which would be produced as an annex to the Plan. A list of topics, responsibilities and timelines was developed to progress the document preparation. The Chairperson was delegated to review the contributed sections, and provide overall editorial oversight. A draft would be pre circulated for the next meeting.

5.4 Section 32 document

Jeff Page (Response Planning) outlined the approach and content proposed for the revised Section 32 document. The Board agreed with the outline and approach. Dr Brown was delegated as the Board contact to oversee work developing the section 32 document. The need to integrate the decision and Section 32 documents was noted as well as the timeline to meet publishing deadlines.

6. Matters for Board information

Nil

7. Other business

7.1. Meeting items identified for public information

There were no matters identified for public disclosure

9. Next meeting and closure

Next meeting

The next meeting is scheduled [It was agreed that the third day originally scheduled i.e. 14 September would not be needed.] for 15 to 16 September 2005, commencing at 9:00am.

The Chairperson declared the meeting closed at 4:40 pm.

Adopted
Chairperson
Date



Minutes of the Waitaki Catchment

Water Allocation Board 15 - 16 September 2005

Minutes of the eighteenth meeting of the Waitaki Catchment Water Allocation Board held on Thursday 15 and Friday 16 September 2005 in the Awa room, Ministry for the Environment, Christchurch office, Level 4 Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 9.00am and 10.30am respectively.

Present: (on both days)

Judge D Sheppard (Chairperson); Ms Sheila Watson (Deputy Chairperson); Dr N Brown; Mr E Ellison and Ms C Mulcock.

In attendance: (on both days)

Kevin Currie (Project Manager); Christina Robb (Special Adviser), Viv Smith (Special Adviser), Jeff Page (Response Planning). and El Brussovs (Board Secretary),

1. Apologies

Nil

2. Minutes - Adoption

The minutes of the previous meetings held on 5 to 6 September 2005 as circulated, were taken as read and adopted as a true and correct record., with the following amendment Clause 2 Minutes adoption "...held on 25 to 25 August 2005..." to read "...held on 24 to 25 August 2005..."

3. Matters arising

Nil.

4. Correspondence

Nil.

5. Matters for Board decision

5.1 Record of Hearing

The Board reviewed the record of hearing revised as a result of a number of points made at the previous meeting.

It was agreed (in relation to BP 048) that the Board adopt the record of hearing for the public meetings held between 20 June and 2 August 2005 inclusive, and that the record be made available on the website.



5.2 Plan preparation

The Board reviewed the circulated draft of the water allocation plan and indicated the additions and alterations required before submitting the document for formatting and printing.

It was agreed (unanimously) that the Board settles the final draft of the Waitaki Catchment Water Allocation Regional Plan, amended as discussed as ready for printing.

Item 5.2.1 Material incorporated by reference. (This item was considered on 16 September following Item 5.4)

The Board reviewed the material to be incorporated by reference and made some changes.

It was agreed that the Board settles the final draft of the "Material incorporated by reference", amended as discussed, as ready for printing.

5.3 Decision preparation

(note that consideration of this item followed Item 5.2.1, on 16 September)

The pre circulated draft was considered by the Board with additions deletions and alterations agreed.

It was agreed that the draft document "Decision and Principal Reasons for adopting the plan provisions", be settled for printing, subject to the Chairperson's review of the amended document.

5.4 Section 32 document

(this item was taken after Item 5.5 on 15 September)

The pre circulated draft was introduced by Jeff Page of Response Planning and then reviewed by the Board. Additions deletions and alterations were noted for incorporation in the draft.

It was agreed that the Board settles the draft Section 32 document amended as discussed as ready for printing.

Item 5.5 Plan approval, release and post release processes. (This item was considered following Item 5.2 on 15 September.)

Kevin Currie spoke to the report (BP 049) and recommendations dealing with the processes of plan approval, release and post release. The Board considered the options and resolved as follows

It was agreed (in relation to BP 049);



a) That the meeting to approve the plan be held on Friday 30 September 2005 in Christchurch commencing at 10 30am.

b) That the plan "handover" to the Minister or other representative be undertaken by the Chairperson.

c) That the Chairperson be delegated the function and power to

- Decide the stance the Board takes in the event of an appeal;
- Identify suitable counsel;
- Direct the ongoing conduct of the Board's case in response to any appeal.

Note

At this point (12 15pm) on 15 September the meeting was adjourned to enable Members to individually review documents for discussion and decision later in the meeting.

The meeting reconvened at 4:00pm on 15 September.

6. Matters for Board Information

Nil

7. Other business

7.1. Meeting items identified for public information

It was agreed that the record of hearing (Item 5.1) should be made publicly available on the Board's website.

9. Next meeting and closure

Next meeting

The next meeting is now scheduled for Friday 30 September 2005 at 10:30 am. The meeting originally scheduled for 21 September will not now take place.

The Chairperson declared the meeting closed at 2:30 pm.

Adopted
Chairperson
Date



Minutes of the Waitaki Catchment

Water Allocation Board 30 September 2005

Minutes of the nineteenth meeting of the Waitaki Catchment Water Allocation Board held on Friday 30 September 2005 in the Awa room, Ministry for the Environment, Christchurch office, Level 4 Price Waterhouse Centre, 119 Armagh Street, Christchurch, commencing at 10.30am.

Present:

Judge D Sheppard (Chairperson); Ms Sheila Watson (Deputy Chairperson); Dr N Brown; Mr E Ellison and Ms C Mulcock.

In attendance:

Kevin Currie (Project Manager); Christina Robb (Special Adviser), Viv Smith (Special Adviser), Jeff Page (Response Planning), and El Brussov (Board Secretary).

1. Apologies

Nil

2. Minutes – Adoption

The minutes of the previous meetings held on 15 to 16 September 2005 as circulated, were taken as read and adopted as a true and correct record, with the following typographical amendments:

On page 4 under the heading "Note" in the first line a space be inserted between the word "on" and the figure "15"; and secondly under the heading "Next meeting" in the first line insertion of a hyphen between the time figures "10" and "30".

3. Matters arising

The Chairperson spoke to his circulated fax outlining his exercise of the Board's delegation at the previous meeting (ref Clause 5.3) on the Decisions and Reasons document. The Board noted the action taken.

4. Correspondence

Nil.



5. Matters for Board decision

5.1 Adoption of the Section 32 Report and the statement of reasons, and approval of the Plan

The Board (with all members present as required by Section 26(1) of the RM (Waitaki Catchment) Amendment Act 2004) reviewed the Chairpersons pre-circulated notice of motion proposing eight recommendations to approve the final Waitaki Catchment Water Allocation Regional Plan and its associated documents. Each recommendation was considered in turn.

1) Moved by the Chairperson seconded by the Deputy Chairperson (in relation to adoption of the Section 32 Report).

That the Board, acting under section 19(1) of the Resource Management (Waitaki Catchment) Amendment Act 2004 and section 32 of the Resource Management Act 1991 (as amended by section 11 of the Resource Management Amendment Act 2003), adopts the Section 32 Report that it prepared summarising its evaluation under that section of the objectives, policies, rules and other methods of the Waitaki Catchment Water Allocation Regional Plan that it made before making its decisions under clause 10 of Schedule 1 of the Resource Management Act on submissions on the draft Plan.

The motion was put and carried by unanimous agreement

2) Moved by the Chairperson seconded by Dr Brown (in relation to the inclusion in the plan of reasons for adopting provisions).

That the Board, acting under sections 19(2) and 26(3)(a) of the Resource Management (Waitaki Catchment) Amendment Act 2004, section 67(1)(e) of the Resource Management Act 1991, and clause 10(2) of Part 1 of Schedule 1 of the Resource Management Act 1991, adopts and resolves to include in the Waitaki Catchment Water Allocation Regional Plan as part of Annex 1, before the Plan is approved, the statement of the Board's reasons for adopting in that plan the provisions (including policies, rules and other methods of implementation) of that plan, and its decisions on and arising out of submissions and the other relevant matters that it considered relating to matters raised in submissions on the draft Plan.

The motion was put and carried by unanimous agreement

3) Moved by the Chairperson seconded by Edward Ellison (in relation to inclusion in the plan the list of reports considered).

That the Board, acting under section 26(3)(b) of the Resource Management (Waitaki Catchment) Amendment Act 2004, adopts and resolves to include in the Waitaki Catchment Water Allocation Regional Plan as part of Annex 1, before the Plan is approved, the list of reports that the Board considered in developing the Plan.

The motion was put and carried by unanimous agreement



4) Moved by the Chairperson seconded by Claire Mulcock (in relation to inclusion in the plan of change to the Otago Regional Water Plan).

That the Board, acting under section 16(2) of the Resource Management (Waitaki Catchment) Amendment Act 2004, adopts and includes in the Waitaki Catchment Water Allocation Regional Plan the change to the Otago Regional Water Plan contained in the Water Allocation Plan.

The motion was put and carried by unanimous agreement

5) Moved by the Chairperson seconded by the Deputy Chairperson (in relation to approval of Waitaki Catchment Water Allocation Regional Plan).

That the Board, acting under and in accordance with sections 17 and 26 of the Resource Management (Waitaki Catchment) Amendment Act 2004 and clause 17(1) of Part 1 of Schedule 1 of the Resource Management Act 1991, at this meeting attended by all members of the Board, hereby adopts and approves the Waitaki Catchment Water Allocation Regional Plan

The Chairperson polled each Board member individually on the motion with results as follows.

Sheila Watson (in favour)

Dr Brown (in favour)

Edward Ellison (in favour),

Claire Mulcock (in favour)

Judge Sheppard (in favour)

The motion was thus put and carried by unanimous agreement.

6) Moved by the Chairperson seconded by Dr Brown (in relation to material incorporated in the plan by reference).

That the Board, acting under section 132(2) of the Resource Management Amendment Act 2005 and clause 30 of Part 3 of Schedule 1 of the Resource Management Act 1991 (as inserted by that Amendment Act), incorporates by reference in the Waitaki Catchment Water Allocation Regional Plan the following material:

1. The following provisions of the Proposed Canterbury Natural Resources Regional Plan (adopted by the Canterbury Regional Council on 28 March 2002 and publicly notified on 1 June 2002 for submissions, including variation 1 to that plan, adopted by the Canterbury Regional Council on 27 May 2004 and publicly notified on 3 July 2004 for submissions):



- i. Section 1.3.1 Cross boundary processes
 - ii. Objective WQL1 Water quality outcomes for rivers and lakes
 - iii. Objective WQL2 Water quality outcomes for groundwater and contaminated land
 - iv. Objective WQL3 Water quality outcomes for community drinking water sources
 - v. Section 5.7 Making resource consent applications and providing information
 - vi. Section 5.10 Financial contributions
 - vii. Section 5.12 Water quantity monitoring
 - viii. Table WQN26: Daily Stockwater requirements
 - ix. Table WQN27: Example of application of provisions for stockwater
 - x. Appendix WTL1: Wetland Assessment Methodology
2. Table A1 in "Schedule WQN9 Revision – Review of seasonal use approach included in proposed NRRP". Report U05/15, May 2005. Prepared for Environment Canterbury by Anthony Davoren and David Scott.

The motion was put and carried by unanimous agreement.

7) Moved by the Chairperson seconded by Edward Ellison (in relation to the certified copy of material incorporated by reference).

That the Board, acting under section 132(2) of the Resource Management Amendment Act 2005 and clause 32 of Part 3 of Schedule 1 of the Resource Management Act 1991 (as inserted by that Amendment Act), certifies that the material now produced to the Board is a correct copy of the material incorporated by reference in the Waitaki Catchment Water Allocation Regional Plan.

The motion was put and carried by unanimous agreement.

8) Moved by the Chairperson seconded by Claire Mulcock (in relation to notification and publication of decisions and approval of the plan).

That the Board, acting under clauses 10(3) and 11(1) of Part 1 of Schedule 1 and clause 35 of Part 3 of Schedule 1 (as inserted by the Resource Management Amendment Act 2005) of the Resource Management Act, resolves :

(a) to give public notice of the fact that it has made its decisions on and arising out of submissions on the Waitaki Catchment Water Allocation Regional Plan and other matters it considered relating to matters raised in submissions;



(b) to give public notice of the fact that material is incorporated in the Plan; that the material is available for inspection at Ministry for the Environment offices, regional and district council offices, and public libraries in and around the catchment; and to make copies available free of charge from the Christchurch Office of the Ministry for the Environment or on the Board webpage on the Ministry for the Environment website.

(c) at the same time to serve on every person who made a submission on a provision of the Waitaki Catchment Water Allocation Regional Plan a notice of the decision and a statement of the time within which an appeal may be lodged on that provision;

(d) at the same time to deposit for public inspection at Ministry for the Environment offices, regional and district council offices, and public libraries in and around the catchment, copies of the Waitaki Catchment Water Allocation Regional Plan and of the Section 32 Report.

The motion was put and carried by unanimous agreement.

5.2 Other matters

The Chairperson moved

That the Board resolve to place on record its appreciation of the outstanding quality of the skills, experience, devotion, and willing cooperation it has had from all members of the Catchment Waitaki team in supporting the development of the water allocation plan.

The motion was carried by acclamation

Kevin Currie responded on behalf of the Catchment Waitaki team congratulating the Board on achieving approval on time and for producing a high quality plan. He noted that the task had been a big challenge but the Board members' willingness to put in the necessary effort and the harmonious and professional relationships between the Board and staff had greatly contributed to the success of the project.

6. Matters for Board information

Nil

7. Other business

7.1. Meeting items identified for public information

It was agreed that the Approval of the Plan and other documents (Item 5.1) should be made publicly available on the Board's website.

**7.2 Adoption of the 30
September 2005 Meeting
Minutes.**



Since this was possibly the last meeting of the Board it was agreed that the Secretary circulate the draft minutes of this meeting for comment by all members and, once agreed to, that they be signed by the Chairperson.

8. Next meeting and closure

Next meeting

To be called by the Chairperson if required

The Chairperson declared the meeting closed at 10:45am

Adopted

Date

Chairperson