

The Canterbury Water Management Strategy and the regulatory framework

A presentation to the Living Lake, Changing Catchment
symposium 16 November 2011

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Outline

- CWMS vision, values, targets
- The planning & regulatory framework for freshwater
 - The existing framework
 - The framework going forward
 - CWMS and the RMA
- CMWS committees
 - Role and membership
- WCOs
- Te Waihora co-governance agreement



CWMS VISION: *To enable present and future generations to gain the greatest social, economic, recreational and cultural benefits from our water resources within an environmentally sustainable framework*



The value the community places on water – primary



The value the community places on water – secondary



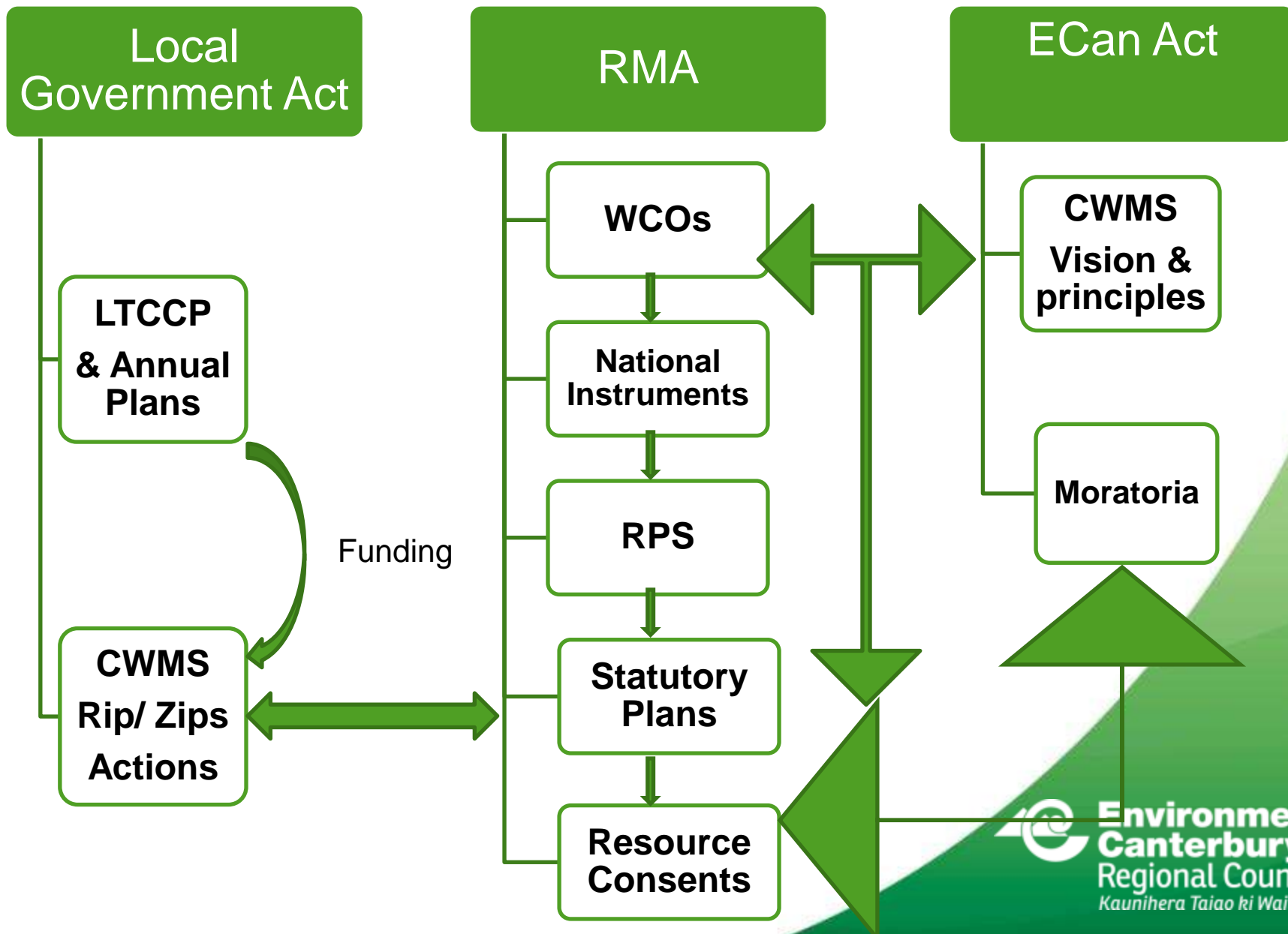


TARGETS

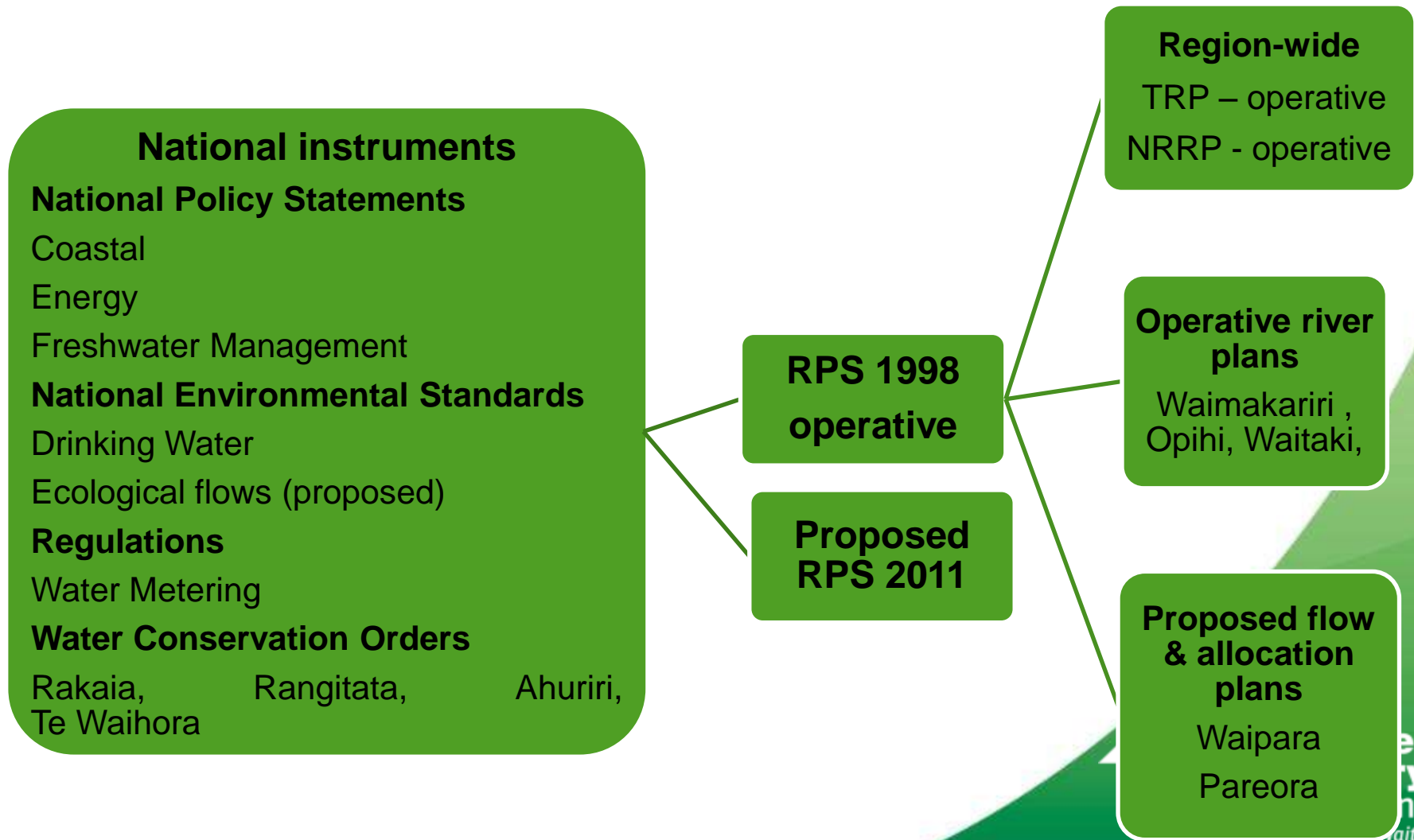
cover all
values

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

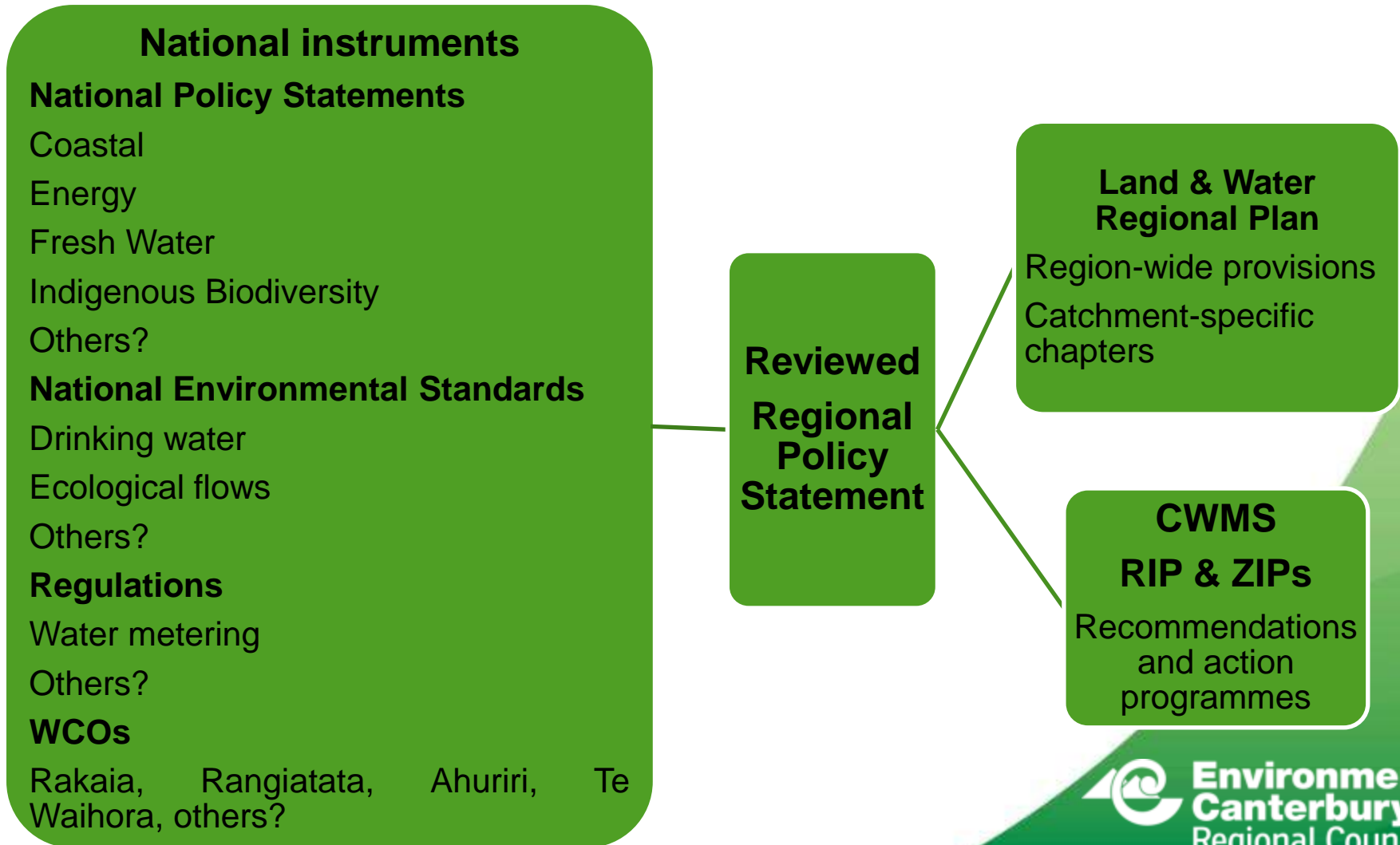
Statutory planning framework - water



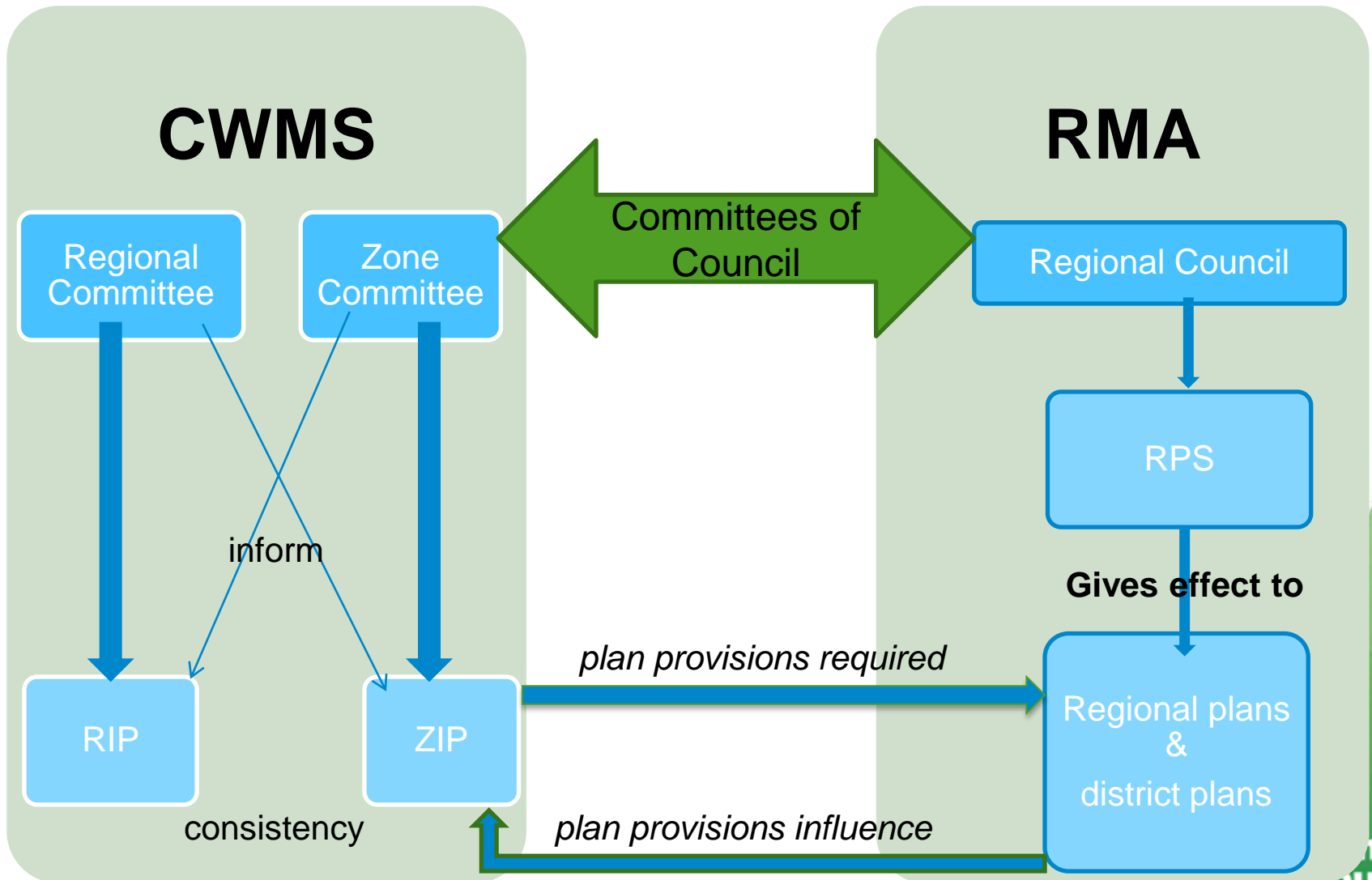
Existing planning framework for Canterbury



Future planning framework for Canterbury



Relationship: CWMS & RMA Plans



CWMS versus RMA: *What happens if they differ?*

- **RPS and regional and district plans:**
 - Must achieve purpose of the RMA; and
 - Comply with other statutory requirements, eg s32.

- **If action in RIP/ZIP cannot be done under RMA:**
 - Use a non-statutory method; and
 - Be aware that statutory plans may allow a different outcome.

The role of CWMS committees in the RMA planning process

Scoping plan- what will it cover

- Committee very involved

Developing plan & community engagement

- Committee decides level of involvement

Plan notified & statutory process

- Committee not involved.
- *Members may make submissions as individuals.*

Water management committees

- The Regional Committee is an Environment Canterbury committee
- Zone Committees are joint committees (EC and district councils)
- There is no hierarchy – different but complementary roles
- Committees provide recommendations to councils (ZIPs and RIP)

Committees' terms of reference

- To facilitate community engagement in water management programmes
- To give effect to the Canterbury Water Management Strategy, while;
- Taking into account work of other committees, and to;
- Monitor Environment Canterbury's progress in implementing the programme

Committees and RMA applications

- The CWMS committees are committees of Council, therefore:
 - They can only act within delegated authority
 - They must not comment on the merits of applications in the statutory planning process
- Why is this?
- Council is the decision-maker on these applications. The applicant and all submitters need to be assured the decision-maker is open-minded and not influenced by matters outside the statutory process.
- CWMS committees can influence this decision-making through participating in the development of the plans which applications are considered against.

Water Conservation Orders

- WCOs are national instruments under the RMA
- For Canterbury special rules under the ECan Act 2010
- For the amendment to the Ellesmere (Te Waihora) order:
 - To give particular regard to the vision and principles of the Canterbury Water Management Strategy
 - To recognise outstanding features of the lake
 - To allow for opening of the lake (April – June) in addition to three existing permissions (under the 1990 order)

Te Waihora agreement

- Ngai Tahu, Te Waihora Management Board and Environment Canterbury
- Long-term commitment / interim co-governance agreement
- To restore and rejuvenate the mauri and ecosystem health of Te Waihora
- Zone committees and community also involved



*We're bringing to life a shared vision for
managing water*