



SUBMISSION: Environment Canterbury (Transitional Governance Arrangements) Bill

Date: 18/11/15
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A handwritten signature in black ink, appearing to read "Andrew Curtis", with a long horizontal stroke extending to the right.

(Andrew Curtis, CEO IrrigationNZ)

IrrigationNZ wishes to present our submission to select committee.

OVERVIEW

1. IrrigationNZ (INZ) is a national body that promotes excellence in irrigation. INZ represents the interests of over 3,600 irrigators (irrigation schemes and individual irrigators – the majority of these being in Canterbury) totaling over 360,000ha of irrigation (over 50% of NZ's irrigated area). It also represents the interests of the majority of irrigation service providers (over 150 researchers, manufacturers, distributors, designers, installers and consultants).
2. A discussion on the Bill was held at INZ's quarterly 'Irrigator Forum' in early November. Over 35 representatives from Canterbury irrigation schemes and irrigator user groups were present. The following submission reflects the consensus from this meeting.

SUBMISSION SUMMARY

- A. Support the transitional 7:6 elected–appointed governance structure for Environment Canterbury**
- B. Amend the proposed electorates:**
 - **South Canterbury x1**
 - **mid-Canterbury x1**
 - **central-Canterbury x1**
 - **North Canterbury x1**
 - **Christchurch City x3**
- C. Give clarity, and thus provide certainty for submitters, on proposed plan changes currently in process, ensuring they can be successfully completed under the current Environment Canterbury Act 2010 provisions.**
- D. Remove potential confusion and inconsistencies created by the new interpretation of proposed plans or regional policy statements, by deleting ‘is consistent with the Canterbury Water Management Strategy’.**
- E. Provide weighting to the outcomes from the zone committee collaborative processes, the Zone Implementation Programmes and their Addendums.**

Specific Comments

1. Clause 8

INZ is supportive of 7 elected members and no fewer than 3 and no more than 6 appointed members as the transitional governance structure. In our opinion this is the most effective mechanism to enable a smooth transition back to full democracy in 2019.

2. Clause 10

INZ does not agree with the electoral constituencies proposed in the bill. The following provides a more logical split for the constituencies when population (current and future growth), land area and geographical spread are considered -

- 1. South Canterbury:
 - Mackenzie - 4,440 people, 7,140 km²
 - Timaru - 46,300 people, 2,733 km²
 - Waimate - 7,870 people, 3,554 km²
 - Waitaki (part) - 1,645 people (approx), 3,830 km²
- 2. The mid-Canterbury constituency should be re-defined:
 - Ashburton - 33,200 people, 6,163 km²

3. A Central Canterbury constituency should be created:
 - Selwyn District.- 52,700 people, 6,381 km²
4. North Canterbury:
 - Waimakariri - 56,400 people, 2,217 km²
 - Hurunui - 12,500 people 8,641 km²
 - Kaikoura - 3,650 people, 2,047 km²
5. Three members elected at large within the Christchurch City Council district:
 - Christchurch City 367,800 people, 1,415 km²

3. Clause 11

INZ agrees with the matters for appointing members. These are broad enough to allow gaps in the combined elected members skill sets to be identified and suitably addressed. However, it would be prudent for the 'organisational change' matter, contained in the Environment Canterbury Act 2010, to remain. Environment Canterbury is presently transitioning to a new 'implementation focused' structure. This is key to its future success. Governance expertise in this area would continue to be of value.

4. Clause 19

Within the interpretation section a new concept of 'consistent with the Canterbury Water Management Strategy' has been included in (b) (iii) and (c) (iii). INZ requests this be deleted as it does not add any meaning beyond that of (b) (ii) or (ii) 'is relevant to the management of freshwater within the Canterbury region'. It also has the potential to create unnecessary conflict with the current approach of 'having regard to' the vision and principles of the Canterbury Water Management Strategy.

5. Clause 23

INZ believes that a collaborative approach to community decision making is the most effective means of achieving enduring outcomes for freshwater. However, until greater weight is given to the collaborative agreement there is much risk. The current truncated hearings process can undermine this agreement and importantly the considerable social capital created through it. This has already occurred in the Hurunui and to a lesser extent the recent Selwyn-Waihora decision.

INZ strongly believes that giving effect to collaborative processes, as detailed in the Land and Water Forum second and third reports, is best resolved through the upcoming RMA reforms. However, if in addition to the Canterbury Water Management Strategy Vision and Principles, 'particular regard was given to the Zone

Committee's Zone Implementation Programmes (ZIPS') and their Addendums (ZIP Addendum)' this would give greater weight to the outcomes from the zone committee collaborative process, and allow hearings commissioners to better consider the collaborative agreement until such reforms are put in place.

This is best provided for by adding a point (2) (c) to clause 23 'means the text of the Zone Implementation Programmes (ZIPS') and the Zone Implementation Programme Addendums (ZIP Addendums)'.

6. Clause 33

There is uncertainty with regard to what happens to processes already underway prior to the transition date of October 2016. The proposed repeal of section 6 of the Environment Canterbury Act 2010 makes it ambiguous as to what status decisions made by Environment Canterbury under clause 10 of Schedule 1 of the RMA before the new transition date have, and whether decisions made before the transition day continue to be subject to the truncated appeal process under sections 64 to 69 of Act. This needs to be resolved.

INZ SUBMISSION ENDS