

HURUNUI DISTRICT COUNCIL MINUTES



Meeting Hurunui-Waiiau Zone Committee

Date and Time 10 December 2018, 3.00pm

Venue Council Chambers, Amberley

Agenda <http://www.hurunui.govt.nz/assets/Uploads/10-December-2018-HWZC-Agenda-Web.pdf>

Members Present John Faulkner (Chair), Mayor Winton Dalley, James Costello, Ben Ensor, Michele Hawke, Ken Hughey, James McCone, Cr Cynthia Roberts, Cr Vince Daly (arrived 4.32pm), Dan Shand and Nukuroa Tirikatene-Nash.

In Attendance

Environment Canterbury (ECan) – Ian Whitehouse (Zone Facilitator), Lisa Jenkins, Ned Norton, and Marco Cataloni

Hurunui District Landcare Group (HDLG) – Josh Brown

Amuri Irrigation Company (AIC) – Andrew Barton and David Croft

Hurunui District Council – Judith Batchelor

Te Rūnanga o Ngāi Tahu (TRONT) – Lisa Mackenzie

Rural Advocacy Group – Jamie McFadden

Dairy Farmer – Shaun Lissington

Ngāi Tahu Farms – Rhys Narbury

Department of Conservation – John Benn

Public – Norm Williamson

Committee Secretary – Michelle Stanley

Recording Device A recording device was in use for the accuracy of the minutes.

Whakamoemiti Nukuroa Tirikatene-Nash led the Whakamoemiti.

Apologies Apologies were received from Makarini Rupene.

THAT THE APOLOGIES BE ACCEPTED.

Faulkner/Roberts

CARRIED

Conflict of Interest Declarations Nil.

Urgent Business Nil.

Minutes

THAT THE MINUTES OF THE HURUNUI-WAIAU ZONE COMMITTEE MEETING HELD ON 19 NOVEMBER 2018 ARE CONFIRMED, SUBJECT TO THE FOLLOWING AMENDMENTS:

- Page 7, first bullet point, change last sentence to read “He noted that **some of the committee** were entertaining the idea of ...”.
- Page 8, Item 2, second bullet point, add into sentence “The field trip looked **at** biodiversity issues in the Ashburton lakes area.
- Page 8, Item 2, third bullet point, last sentence, change to read “They visited a small remnant forestry and were made aware of the value that **land uses have** on mahinga kai and traditional medicines.”
- Page 9, Item 3, fourth bullet point, remove ‘**ed**’ from ‘**considered**’.
- Page 9, Item 3, fifth bullet point, add “Ian **Henderson** noted that they are groaning under...”
- Page 10, Item 3, last paragraph, “The Zone Committee requested an update at a future meeting **on a presentation clarifying the strengths and limitations of** Overseer...”
- Page 13, Item 8, third paragraph, addition of a word into: “... individual landholders who might only **be** increasing their loss from kg...”

Faulkner/Roberts

CARRIED

Matters Arising:

Item 9 Southern Black-backed gull control in Hurunui River (Page 14)

An update was provided on the letter to be written to Department of Conservation (DoC) regarding the hold up with permits for the Southern Black-backed Gull control work on the Hurunui River.

John Faulkner noted that he passed this recommendation over to Ken Hughey to action. He apologised that he should have provided more guidance to Ken Hughey on the issue and noted that the Zone Committee still seem to be no clearer on what the issues are that Mike Bell, Wildlife Management International, brought to the Zone Committee.

Ken Hughey reported that after some initial confusion on his behalf, and further investigation, he has received an explanation email from DoC. Ken apologised to DoC staff concerned, for his initial confusion.

The Zone Committee agreed that the final email received from Department of Conservation be forwarded on to the Zone Committee for its information. This email explained the issues regarding what slowed down the consenting process.

Item 11 BRIDGE Project Update (Page 15)

- John Faulkner informed the Zone Committee that he has been working on an idea for a collective vision for the rivers with a link into the BRIDGE project. There is still the feeling that the BRIDGE project has deficiencies and will fail to fully deliver on the values that the Zone Committee would like. This will be further discussed in the Zone Delivery agenda item.
 - Ian Whitehouse reported that he did not organise a BRIDGE Project discussion workshop prior to this meeting as there was no further information available. Workshops in February are being proposed which will be undertaken around the four river reaches. The Zone Committee will be sent invitations. Ian Whitehouse proposed that the Zone
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Committee could participate in these workshops or add an additional workshop to discuss the issues as a Zone Committee.

- Jamie McFadden asked for clarification on the mapping supposedly being undertaken on the Hurunui and Waiau Rivers. He expressed concern that this extended mapping had not been raised at a Zone Committee meeting or at the BRIDGE Project meetings. He noted that the original idea was to map only the limited reaches on the Waiau River. No consultation with landowners outside those reaches has been undertaken.

Jamie McFadden suggested that all of the mapping should be stopped until proper consultation with the Zone Committee and the various community groups be undertaken.

Ian Whitehouse provided assurance that NIWA has been contracted to complete a methodology to map the braid plain on the Waiau Uwha River and Ashley/Rakahuri River only. This was outlined in the BRIDGE Project meetings. A forward timetable had been suggested in the last Zone Committee meeting outlining the possibility of NIWA mapping the Hurunui River. NIWA have not been contracted to do this on the Hurunui River.

Ian Whitehouse noted that this mapping has been done by NIWA as an approach to defining braid plains. As noted in the report they have two different approaches. As a result of that mapping the data has shown some clear inaccuracies in terms of alignment between the lines that come from different historical maps and aerial photos. As an example, there are lines that extend up into a hillside that obviously should not be there. This would need to be corrected before any landowner consultation can be undertaken.

Concern was expressed from the Zone Committee that despite receiving a recommendation from the Zone Committee that the BRIDGE Project process is started and worked through before any mapping is undertaken, the BRIDGE Project has mapped lines. It was thought that it was agreed that a small section of the Waiau Uwha River was to be picked and a process and methodology developed and implemented to test for inaccuracies before mapping the entire braided river.

Ian Whitehouse noted that as a part of the BRIDGE Project, he is trying to ensure a commitment from ECan that consultation with landowners and the Zone Committee will occur before those lines are established. Ian noted that an understanding of what those lines will mean, in terms of rules and activities that they will apply to, is something that will still need to be worked on. Ian suggested that consultation should occur when information is available on the lay of the lines and what that might mean in terms of rules and activities.

It was suggested that a better process would be for ECan to outline the reason for mapping the lines in the first place. Explanations for the purpose of the mapping might help to ease some of the concerns held by the community. It was queried that if the data creating the mapping can be wrong within obvious places, such as up a hillside, then is there a chance that the lines on a flat area could also be incorrect.

Ian Whitehouse apologised that the BRIDGE Project has progressed in the wrong order and will take on board the concerns from the Zone Committee and the community groups.

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- Mayor Winton Dalley expressed concern that the minutes have now been confirmed and the ECan Facilitators response on page 16 of the minutes of the last meeting was unchallenged. At the last meeting, Mayor Winton Dalley challenged the report stating that there was no mention of the values to be protected, only about lines. He noted that the statement within those minutes has not been corrected:

“That the BRIDGE Project is about trying to manage activities that constrain the ability of braided rivers to move across a wide area as they have done in the past.”

He asked what has happened to the environmental values of the braided river that were to be protected and were supposed to be the main reason for this project. He noted that they have also now been informed that there will be some historic aerial photos that will prove where the river has and has not been. Mayor Winton Dalley stated that this feels like a predetermination of an outcome without going through a promised process.

It was agreed that this was not the intention of the Zone Committee as discussion around the values being the first measure was held at the meeting. For clarity purposes, the Zone Committee wished to note that values were being considered.

Cr Cynthia Roberts assured the meeting that there has not been a lot of discussion about the BRIDGE Project by the Regional Council. She noted that the concerns of this Zone Committee has been discussed and considered by the Regional Council. But there will be a lot more consultation and workshopping around the process. The Regional Council, in particular, want to address the definition of what a braided river is in order to add it to the omnibus plan change. Lines on maps are not an urgent issue for the Council as they are aware that this is long-term project. Cr Cynthia Roberts noted that legally ECan have a mandate to protect the rivers and that the current definition in the Resource Management Act is inadequate to protect the vegetation along the braided rivers.

It was queried with regards to keeping weeds out of the braided rivers, if ECan are so concerned about the legal obligations to protect the braided river system and its ability to braid, why are they not putting pressure on LINZ, being the ones that are currently having the biggest effect on the river not braiding. It was noted that ECan is one of the biggest organisations doing most to avoid braided rivers braiding.

Milmore Downs – Site visit (Page 10)

This site visit is still to be followed up.

Requirements for nutrient monitoring in proposed changes to HWRRP – Certified Organic Farms (Page 9)

Josh Brown noted that currently Cheviot Irrigators are reviewing their EMS and they would like to approach ECan to see if they can make some amendments to better allow for those low emitters.

Mitigation Package (Page 11)

An update from AIC was requested on how the Board and Shareholders voted on the proposition of raising the Waiau River minimum flows in the 2018-2019 summer whilst other decision making on the mitigation package continues.

Andrew Barton noted that this proposition was discussed with the Board and then with the AIC shareholders at its AGM. As a show of good faith AIC has agreed to the raising of the minimum flow for the Waiau Uwha River by one cumec provided that the decision is made on the mitigation package at the 18 February 2019 Hurunui Waiau Zone Committee meeting.

It was noted that if the decision was made at the February meeting it would be in the middle of the irrigation season for the Hurunui River which would make it difficult for AIC to change the Balmoral minimum flow. They propose to not implement the raise on the Balmoral until the Summer 2019/2020.

Ken Hughey thanked Andrew for the update and noted that with that new information there will need to be further consideration by both with the Zone Committee and the Working Group.

AIC see that the minimum flow change on the Waiau River would take effect on 1 February 2019. Andrew is hopes that is a reasonable timeframe.

It was asked that a final report/mitigation package be sent to the Rūnanga before being presented to the Zone Committee.

It was suggested that the Zone Committee be kept in loop with all correspondence between the working party and AIC to ensure the process moves along smoothly.

Pyramid Valley Vineyards Proposed Development (Page 13)

Mayor Winton Dalley expressed concern over the statement in the minutes “Ian Whitehouse noted that there will always be properties that do not fit into the rules. The way the rules are implemented make a difference.”

It was suggested that adopting this stance would hinder the growth of an area of farming that the Zone Committee would like to encourage.

Assurance is sought from ECan that they will continue to look for ways to help and accommodate these landowners through the planning process rather than dealing with another lot of unintended consequences.

Cr Cynthia Roberts to follow this up and report back to the Zone Committee.

Correspondence

Incoming: Hurunui District Landcare Group Letter.

Taken as read.

Outgoing: Hurunui-Waiiau Zone Committee Reply to Hurunui District Landcare Group.

Taken as read.

1. Update on Regional Committee

There is no update on the Regional Committee as the meeting is on the 11 December 2018.

The agenda can be found at: <https://www.ecan.govt.nz/get-involved/council-and-committee-meetings/> 11 December Regional Water Management Committee Agenda.

2. Update from Zone Committee members on other activities and meetings attended that relate to the Committee's outcomes for the Zone.

Zone Committee members provided the following updates on other meetings or activities attended since the last Zone Committee meeting:

- Ben Ensor and John Faulkner have been involved meetings with the irrigators to try and get the nitrogen offset needed to permit dryland farming.

They are still trying to have conversations with Forest and Bird New Zealand and Fish and Game New Zealand.

- John Faulkner had a meeting with Cr Cynthia Roberts, Cr Claire McKay, Rod Cullinane, and Andrew Parrish talking about building an association back again with Fish and Game New Zealand at a governance level. This will be happening early February. John would also like to start having governance level workshops with other organisations to get better information coming from parties and good honest conversations.

Governance meetings suggestions – discussion was held on the pros and cons of having these meetings. The pros would be that there would be better discussion held with these meetings. It is up to governance to establish strategic direction and up to management to follow it. If that conversation is not had unencumbered then it can be hard to set the strategic direction without that hindrance. The cons would be that transparency could be lost.

The Zone Committee agreed to progressing with this option. John Faulkner to action.

- Cr Cynthia Roberts reported on the recent Tuia Meeting that was held where a mahinga kai presentation. It is full of good material and has some good guidelines in terms of farm environment plans.
- Cr Cynthia Roberts noted that the 'billion trees' has been officially launched. Under this scheme landowners can receive \$4,000 per hectare by planting natives. High quality native plantings will also entail better carbon credits in the long term.
- Cr Cynthia Roberts noted that she visited the Coringa property as part of the QEII. This is situated out toward Motunau and has great biodiversity around the limestone bluff on the property. The issue was raised that this property is on the market and there is a huge risk that these native stands might be lost.

3. Public Contribution Nil

4. Update from Organisations wishing to speak

- Jamie McFadden informed the Zone Committee of the new biodiversity group based around Mt Cass and Motunau area. The group plan to eventually cover the wider Hurunui as well. Jamie likened it to the Banks Peninsula Trust but without the covenanting aspect. It is an educational resource and involves a large number of farmers and wine growers. The Kate Valley Landfill Community Trust has offered secretarial support. They are looking to launch the group by having a field day in the Autumn which will be looking at the Carbon Farming ETS.
 - Andrew Barton updated the Zone Committee on the HWP consents. After taking some legal advice it was realised that there were a few challenges with getting the necessary consents and transferring some of
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the consents into AIC's name. As AIC are not the owner/occupier of the land they would need to apply for duplicate consents, which is trickier than originally hoped. It has now been decided to make a takeover offer of HWP as an entity rather than buying the consents. One of the preconditions of that is a lapse-date extension to allow more time to proceed with the takeover. If they had proceeded with a duplicate consent, the lapse date would have been reset. The takeover needs 90% approval from HWP shareholders. AIC is working with landowners to assess their appetite for water to provide comfort to AIC and justify the takeover.

REPORTS, SPEAKERS AND PRESENTATIONS

5. Progress update: off-setting nitrogen load to enable permitted dryland farming

Lisa Jenkins, ECan

Lisa Jenkins spoke on her progress update on offsetting nitrogen load to enable permitted dryland farming.

Lisa noted that AIC are investigating two pathways for providing a nitrogen offset.

It was noted that in order to enable the plan change to progress in early 2019, a third pathway could be pursued whereby policy will be written into the Plan indicating over-allocation will be addressed via consent review.

A decision by the Regional Council to notify the Plan change will be sought in February 2019.

Discussion was held and the following was noted:

- Andrew Barton, AIC, reiterated to the Zone Committee that AIC have put in a takeover offer for HWP. A report has been commissioned outlining solutions for surrendering 38 tonne. This will include a scenario of an aggregate 38 tonne if the takeover of HWP is successful. Andrew is hopeful that this report will be available for the AIC Board meeting in December.

The idea would be that the 38 tonnes would be surrendered on an aggregate basis across both AIC and HWP consent holders rather than each consent surrendering a certain amount.

- It was discussed that whilst not a lot can be done about the independent farmers on the south side of the Hurunui River, Ngāi Tahu Farming will be surrendering a certain amount due to it being the biggest shareholder in HWP.
- It was commented that independent irrigators' nutrient load are held, in effect, within the HWP load.
- The Zone Committee discussed the backup plan where consent reviews would be written into the Plan if AICs takeover of HWP did not happen in time for the plan change timeframe. This would be for all irrigators' consents in the Hurunui Catchment, except below State Highway 1.

This option would be the fairest way forward but would be a higher risk option and a hearings panel would need to feel confident that those consent reviews would happen. This would be an unbudgeted cost.

It was suggested that if this were the option chosen then it would be worth looking at the level of losses before starting a pro rata approach in order to be fair.

Andrew Barton noted that if the takeover of HWP is successful, due to legalities, it will not be completed by the timeframe outlined.

Lisa Jenkins noted that ECan has budgeted for this plan change in this financial year and suggested that if Plan B is notified in time for the plan change this would provide some surety. If sometime between the notification and the hearing, a better option is provided then this option can be pursued.

There is a risk that this will continue to be drawn out. It was suggested that the advice note continue to hold through this time of uncertainty until the plan review. There is a risk that the plan change will be rushed and unintended consequences would arise from it.

- Lisa noted that they cannot go forward with a plan review without addressing the over allocation issue hence the need to write in a consent review option.
- It was suggested that the Regional Council considers rolling the budget to the next financial year.
- There is a fear that if HWP is liquidated then the consents could be brought up by another party. Andrew noted that it would be far more likely if that was to happen that AIC would buy the available consents. Water permits have limitations on who they can be transferred to.

4.32pm Cr Vince Daly arrived.

- The Zone Committee agreed that it would feel more comfortable waiting until the next plan change to ensure that there are no unintended consequences.
- Considering the concern held by the Zone Committee on pushing ahead without a firm option, it was decided that the Zone Committee would be delay any decision until hearing from AIC regarding an offset proposal at the 18 March Hurunui-Waiiau Zone Committee meeting. If this is not presented then the Zone Committee will consider other alternatives. Lisa Jenkins to present this recommendation to the Regional Council in February.
- It was confirmed that the minimum flow package and the offset nitrogen proposal be kept separate.
- It was discussed that at the time of the original Plan, the limit at State Highway 1 was set so if the limit there is met/or under, then the values should be met all the way out to the sea due to the carrying capacity of the river below State Highway 1. There is very little intensification below State Highway 1. It was suggested, based on a better level of data, that this might be relooked at in the next full plan change review.

Break

The meeting adjourned for a break at 4.45pm and reconvened at 5.15pm.

Farewell

A farewell to Dan Shand, Ben Ensor and James Costello was held. They were thanked for their immense contribution to the Hurunui-Waiau Zone Committee and their invaluable insight.

6. Identifying additional swimming sites for the Hurunui Splash Project

Marco Cataloni,
ECan

Marco Cataloni spoke to the report on identifying additional swimming sites for the Hurunui Splash Project.

ECan have committed to upgrading/creating four swimming holes within the Hurunui and have confirmed two of the four spots as Balmoral campground and near the Waiau township. These will be ready for the 2018/2019 summer.

Suggestion for two further sites are being asked for and consideration given to if these should be community led or Zone Committee led. Ideally, the chosen spots would also have ecological and water quality improvement opportunities.

The Zone Committee discussed possible different sites and noted the following:

- It was suggested that engineers discuss with Dave Lott from Waiau before going ahead and pulling out willow trees along the Waiau River. These have been planted to protect the township from flood risk.
- It was suggested that conversation with the Waiau campground owner would need to be had before commencing any works.
- The Hurunui River mouth was discussed as a possible option but it was noted that there is a large water quality issue there and it is not a direct run off the river therefore needing a channel to be created. The issue of cultural acceptance was discussed on alteration of the river.
- It was suggested that Marco also consider the work done by Ken Hughey to identify all of the different swimming holes within Canterbury.
- The Zone Committee agreed that the swimming spots to be investigated are the Hanmer River, the Buxton River (5mins walk from the beach) and the Waitohi River. These sites are/were popular and well known by the community.

Governance working group for biodiversity of the rivers

John Faulkner outlined an idea to create a project/case study to mitigate the concerns that the BRIDGE project is not going to achieve the appropriate level of biodiversity, cultural and recreational values and consultation with landowners. Rather than approaching it as a whole river project, the idea is that it be approached in segments. The consultation process is the key to gain buy-in and to create a vision of the direction forward.

Marco Cataloni talked about the Clean and Green Silverstream project undertaken in the Waimakariri District. This project was commissioned by the Waimakariri Zone Committee to fix the water quality in the Silverstream. They have created a document outlining the history of the stream, cultural values, water quality, habitat restoration and pest control.

John Faulkner noted that this is an idea to create a values-based vision for the River. Jamie McFadden has brought to the Zone Committee the idea of catchment plans, which had a visual representation of what was trying to be achieved. Each section of the rivers would be discussed, and plans made on how to revert it back to its original state. This would create a conceptual design of what the river would look like with all its biodiversity, recreational and mahinga kai values. A cost for the works would then be put together and will be the

starting point for investigating the options and ways forward. This concept would be the basis of conversation with all parties and the rules that are in place would then be subservient to the outcomes desired.

It is envisaged that a governance group, made up of all parties and organisations, be formed to progress this idea therefore ensuring a more outcome focus rather than a rule base focus.

Discussion was held by the Zone Committee and the following points were made:

- Compared to the administration costs it was suggested that this option might not be as expensive as suggested and outside funding might be available.
- There is a feeling that this idea will be well received by both Zone Committee members and the community groups, landowners and organisations.
- There will need to be clear parameters around the project.
- This would tie in with the Braided River Flagship Program.

John Faulkner will continue progressing this idea and report back to the Zone Committee.

7. Draft 2018 Zone Committee's Annual Report
Ian Whitehouse,
ECan

The Zone Committee suggested a number of alterations to the Annual report that were noted by Ian Whitehouse.

The Zone Committee agreed to give delegated authority to the Chair, John Faulkner, and Ken Hughey to sign and sign the final copy of the 2018 Zone Committee's Annual Report.

An email will be circulated to the Zone Committee before being signed.

8. Zone Facilitator's Report
Ian Whitehouse,
Ecan

Renewed Declaration from Office of Auditor General on conflicts of interest

Taken as read.

It was discussed that whilst the declaration from the office of the Auditor General has stated that conflicts of interests are waived, it is good governance to still state individuals interests.

Other Information

- Ian Whitehouse informed the Zone Committee that the monitoring site on the Waipara River hapua was vandalised. The fixing of this has been held up by the weather and river conditions but ECan hope to have this fixed this week. Ian Whitehouse is unsure if the data was retrieved.
 - The Hurunui Hapua – Richard Measures is finishing up his PhD on the Hapua and ECan are in discussions as to whether they are going to take over his monitoring site. His thesis has not yet been published. Ian Whitehouse is attempting to get Richard to present to the Zone Committee as well as a site visit.
 - ECan have had to shift the monitoring site installed 12 months ago on the Waiau Uwha hapua due to instability of the site chosen.
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- Michele Hawke commented that she emailed the Wildlife Management International offering her help with the black backed gull control operation. Unfortunately, she never heard back from them.
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Urgent Business

Nil

Meeting concluded

The meeting concluded at 6.30pm with a whakamoemiti from Nukuroa Tirikatene-Nash.

Next meeting

Monday, 18 February 2019.
