



MINUTES OF A MEETING OF THE ENVIRONMENT AND SERVICES COMMITTEE

Date: Wednesday 11 April 2018

Time: 9.00am

Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Present: T Belford - Chairman
P Bailey
R Barker
P Beaven
A J Dick
R Graham
N Kirton
F Wilson
B Gregory

In Attendance: J Palmer – Chief Executive
G Hansen – Group Manager Asset Management
L Lambert – Group Manager External Relations
A Roets – Governance Administration Assistant
W Wright – Manager Resource Use
J Townshend – Project Manager, Resource Management
A Hicks – Team Leader/Principal Scientist - Water Quality and Ecology
V Butterworth – Cycle Network Coordinator
S Swabey – Manager Science
O Wade – Scientist Coastal Quality

1. Welcome/Apologies/Notices

The Chairman welcomed everyone and invited Mr Brian Gregory to open the meeting with a Karakia.

It was noted that Cr Debbie Hewitt and Peter Paku extended their apologies for absence.

2. Conflict of Interest Declarations

There were no conflict of interest declarations.

3. Confirmation of Minutes of the Environment and Services Committee meeting held on 21 February 2018

ESC10/18 Resolution

Minutes of the Environment and Services Committee held on Wednesday, 21 February 2018, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Bailey/Beaven
CARRIED**

4. Call for Items of Business Not on the Agenda

Recommendations

The following "***Item of Business Not on the Agenda***" was discussed.

Item	Topic	Raised by
1.	<p>A substitute appointment for the Hearings Panel to hear the Regional Pest Management Plan is required, as Cr Wilson has excused himself due to potential conflict of interest.</p> <p>As Cr Bailey attended recent Biosecurity Act Hearings Panel training it is recommended that he replaces Cr Wilson on the Hearings panel.</p> <p>Note – this will be formalised at 24 April Regional Council meeting along with necessary delegations to the Hearing Panel.</p> <p>Belford/Beaven CARRIED</p>	Cr Belford

5. HBRC Enforcement Policy Adoption Recommendation To Council

Mrs Liz Lambert introduced the item, outlining the key changes made to the Policy in response to feedback provided at the 21 February Environment and Services Committee meeting. Discussions and queries traversed:

- *The Separation of Politics and Execution* on page 8 to be amended to read "*The roles of the elected Council and the execution of enforcement action by HBRC are very separate*".
- Cr Belford distributed a printout of comments made on a Baybuzz Facebook post regarding concrete dumping in the Clive River that reached over 45,000 views (*following*), as an indicator of how council enforcement efforts are regarded by public. Followed by discussions about citizens encouraged to bring concerns and evidence of any wrongdoing to Council for proper investigation.

Concrete Dumping Comments - BayBuzz FaceBook

Where is the council!!!

Well then why don't you fine people like this and use that money to pay for the river clean ups rather than hikeing up our rates as you, the council's are proposing!

The council are also dumping rubbish by rivers. A neighbour has videos of the landfill holes that were uncovered by flooding. Said neighbour was threatened by council when he showed them the footage...

If the council is doing dodgy stuff - and we all know they are- then we need to take action.

Regarding the council... purposely releasing raw sewage into Pandora pond and pretending it's a mystery. Council should lead by example in protecting our water

I wonder what the Council's "further action" will entail? Can we have a result posted please. If I dumped rubbish like that, which could have been identified back to me, I would expect more than a slap on the hand.

maybe hes dumping on behalf of the council, just saying

Interesting that editor himself sits on HBRC and yet said council continue to flout responsibility for the sh*t in our rivers and bully champions such as our nannies at Kohupātiki who are trying to do what the council refuses to & advocating for protective measures on our rivers through things like the Water Conservation Order.

Would love to know what the further action is? hey HB Regional Council can you keep us informed

We have great respect for the HBRC, dont we [name deleted], not.

Hawke's Bay Regional Council Just to let you know this dumping incident was also quickly reported to Hawkes Bay Regional Council's pollution response team who have spoken with the driver to stop this and will follow up with further action.

Ooooh....I bet that 'talk' scared the driver all the way to his next illegal dumping spot! No effective 'teeth' in your scary system

- The revised Enforcement Policy sets out how people can make complaints, as well as the process the Council follows to investigate and address any concerns, and is intended to encourage positive behaviour change and to ensure the highest levels of compliance.
- Important that people feel they have a pathway to bring matters to council's attention.
- The Enforcement Policy document will be published on the Council's website after its adoption by Council on 24 April.

ESC11/18 Resolutions

1. The Environment and Services Committee receives and notes the **"HBRC Enforcement Policy"** staff report.
2. The Environment and Services Committee recommends that Council:
 - 2.1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision.

2.2. Adopts the April 2018 HBRC Enforcement Policy as amended.

**Barker/Wilson
CARRIED**

As the usual Follow-ups Item was not included in the Agenda distributed, it was discussed as a separate item immediately following Item 5.

Follow-ups from Previous Environment & Services Committee Meetings

The item was tabled (following) and taken as read.

Follow-ups from Previous Environment & Services Committee Meetings

28 March 2018 Regional Council meeting

Agenda item	Follow-up item	Responsible	Status/Comment
1	Follow-ups from Previous Regional Council meetings	M Miller	Provided as part of April 2018 Operational Activities Update agenda item
2	Follow-ups from Previous Regional Council meetings	W Wright	All 74 were graded Low Risk non-compliance. I.e. compliance with most of the consent conditions, plan rules, regulations and national environmental standards. Non-compliance carries a low risk of adverse environmental effects or is technical in nature [e.g., failure to submit a monitoring report]

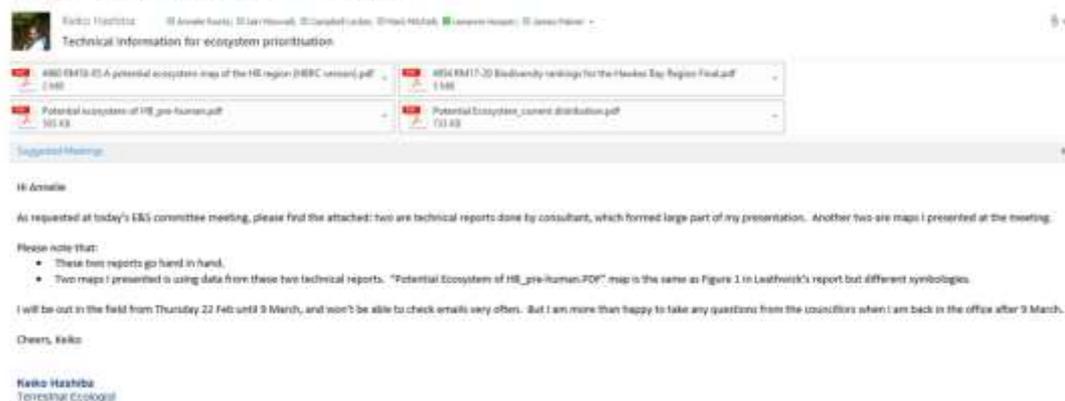
21 February 2018 Environment & Services Committee meeting

Agenda item	Follow-up item	Responsible	Status/Comment
3	Follow-ups from previous meetings	E Lambert	This can be undertaken as part of any review of their consent conditions or applications for new consents.

Agenda item	Follow-up item	Responsible	Status/Comment
4	Follow-ups from previous meetings	W Wright	Of the 80 dairy farms in our region that irrigate effluent to land, 73 have standalone effluent disposal systems, 7 x dairy farms use bore water and operate dual systems [irrigation and effluent dispersal] and all have backflow devices installed on their equipment. 2 of those farms have the installation of backflow as a consent condition and the others do it in accordance with best practise. All future dairy consents issued will have backflow as a condition and the outstanding 5 farms will have their consents modified to include that condition. Additionally, when compliance monitoring officers visit all farms, the effluent irrigation systems are checked to see if irrigators are connected to a ground water source and to ensure they have backflow installed. This is written in a check list that officers complete on every inspection. The relevant consent condition reads: 1. The consent holder shall: a) Ensure that an effective backflow prevention device is installed, maintained and operated to prevent the backflow of contaminants into groundwater (see Advice Note 5). b) Provide to the Council (Manager Resource Use) a statement from the backflow prevention device installer which states the specifications of the backflow device installed, confirms that the device has been installed in accordance with the manufacturer's specifications, and that it was tested and functioned correctly at the time of installation. c) Ensure that the backflow prevention device is maintained and tested in accordance with the manufacturer's and/or installer's specifications and at least annually. d) Provide the back flow prevention device maintenance records and test results to the Council (Manager Resource Use) upon request.
5	Hawke's Bay Biodiversity Strategy Implementation – Ecosystem Prioritisation	K Hashiba	Distributed via email (ref 6 following)

Agenda item	Follow-up item	Responsible	Status/Comment
6	Science Monitoring Network Review	G Hansen	Item on the agenda at 11 April E&S meeting.
7	Science Monitoring Network Review	W Wright	Link to the Register emailed
8	Te Mata Park Trust	G Hansen	Te Mata Park Trust have not supplied a funding application document at this time.
9	Feb 2018 Operational Activities Update	E Lambert	To be distributed to committee members at 11 April E&S meeting.

Hard copies of the reports/maps available upon request.



ESC12/18 Resolution

That the Environment and Services Committee receives and notes the report ***Follow-up Items from Previous Environment & Services Committee Meetings***.

**Bailey/Barker
CARRIED**

6. Process for Awarding HBRC Certificate of Appreciation

Mr James Palmer gave an quick overview and background on the matter, welcoming feedback from the committee.

- Differing views on how these should be presented and recognised were expressed, including envisaging a much less formal process
- Agreed that the process to be: 1. Council calls for nominations from councillors via email; 2. Nominees are collated into a single paper for councillors' consideration and discussion; 3. Agreed list of accepted nominees, including reasons for the nomination and award to be made, will then be presented to Council for formal adoption and awarding.
- Agreed the three categories for nominations will be titled in Māori and English.
- Agreed that informal recognition by the Chairman of community achievers and achievements should carry on.

ESC13/18 Resolutions

1. That the Environment and Services Committee receives and notes the ***“Process for Awarding HBRC Certificate of Appreciation”*** staff report.
2. The Environment and Services Committee recommends that Council:
 - 2.1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision.
 - 2.2. Creates three categories for nomination to recognise environmental stewardship, being:
 - 2.2.1. **Te Taiao me te Pakihi** - Environmental Leadership in Business: Recognises business or local authorities that demonstrate kaitiakitanga, innovation or efficiency, or an ongoing commitment to environmental best practice.
 - 2.2.2. **Environmental Leadership in Land Management:** Recognises land users who are committed to environmental stewardship and sustainability in their meat, fibre, forestry or other land use

operations.

2.2.3. **Environmental Action in the Community:** Recognises not-for-profit organisations or individuals that are taking action to protect or enhance the environment, or are increasing understanding of environmental issues.

2.3. Calls for nominations to the above categories from Councillors at the Environment and Services Committee meetings held in February and September each year with the Award being presented to the recipient at the April and November Regional Council meetings with a morning or afternoon tea event.

**Graham/Barker
CARRIED**

13. **Taine Randell – Forest and Carbon Presentation**

Taine Randell made a presentation to the Committee about Kahungunu Asset Holding Company (established in 2007) wholly owned by Ngati Kahungunu Iwi Inc, climate change, and the Kahutia (re-cloak) Accord. Discussions traversed:

- NZ committed to the Paris (Climate Change) Agreement, signed in 2015, and needs to meet agreed compulsory targets (30% less than 2005 levels) by 2030 by reducing carbon emissions (CO²) through reforestation, domestic emissions reduction and participation in international carbon markets.
- Ngati Kahungunu aims to plant 100,000 hectares of forestry (50% native, 25% harvestable crop, 25% long term carbon sequestration) through Kahutia Accord, and potential partnership with Council to plant a total of 250,000 hectares
- Leverage relationships with iwi, hapu, local government, central government, education providers (labour and technical), NGOs and landowners (crucial)
- Mr Palmer advised that Council instructed HBRIC to investigate opportunities for investment in commercial forestry, including due diligence for a business case (over the next couple of months) which will be put through Council decision making and public consultation process (late 2018), possibly combined with Council's current forestry and carbon portfolio into one integrated process
- The next step for NKII is to make a submission (application) to Government, and Ngati Kahungunu will continue with a submission with or without (if decision a couple months away) HBRC as a partner
- Central Government has received a number of proposals from various Regional Councils for the billion trees project and the Provincial Growth fund, and James Palmer is delegated on behalf of all the Regional Councils to lead interactions with the Ministry for Primary Industries with a meeting scheduled on 3 May 2018 to work through the details, issues and policy settings around how much funding is available, whether funds are for capital, requirements for bids and rigour expected for business cases
- Suggestion that staff produce a paper in relation to entering into a partnership with NKII for reforestation investment, to enable council to make an 'in principle' decision to allow a joint proposal to Central Government.

ESC14/18 **Resolution**

That the Environment and Services Committee:

1. receives the **"Forest and Carbon"** presentation and report
2. requests that staff prepare a paper for the first available meeting, to enable Council to make an in principle decision in relation to entering into a partnership with Ngati Kahungunu Iwi Incorporated on a tree planting programme.

**Barker/Kirton
CARRIED**

The meeting adjourned at 11.16am and reconvened at 11.35am

7. April 2018 Hot Spot/Freshwater Improvement Projects Update

Jolene Townsend provided a brief update on the Hotspots project, with the item taken as read. Queries and discussions traversed:

- consents for Whakaki and discussions with the community about the details of working together to achieve the outcomes
- work has begun on the integrated catchment management plan for Tutira
- Request for future reports to include desired outcomes for each project, the numbers of trees planted, and elaborate more on the Marine Hotspots as Council has invested a significant amount in these projects
- Suggestion that video clips of the hotspots projects be uploaded to the HBRC website to share the good stories with the public

ESC15/18 Resolution

That the Environment and Services Committee receives the **“April 2018 Hot Spot/Freshwater Improvement Projects Update”** staff report.

Dick/Beaven
CARRIED

8. Whitebait

Dr Andy Hicks gave a presentation about Whitebait, their habitat, risks and what management actions can be taken to protect these species. Discussions traversed:

- There has been a massive decline in whitebait over the last 10-20 years and 4 of the 5 species are “at risk and declining”
- issues like sediment are strong stressors on whitebait life cycles
- riparian habitat management and fish passages are tools used by HBRC to help with the survival of whitebait by protecting and enhancing the habitats including riparian spawning habitat, as well as identifying and removing barriers to fish migration
- last year’s significantly lower catch could correlate to early increased river temperatures or timing of flood events
- At an LTP consultation meeting, assertion made that “there is no scientific basis to Council’s proposed interventions in the LTP” and Dr Hicks was asked whether there is a scientific basis for Council’s proposals to increase riparian fencing, planting and erosion control. Dr Hicks responded that sediment is a major stressor (has the biggest and most pervasive impact on waterway systems) and whatever can be done to reduce sediment ending up in the waterways will improve the state of waterways including the numbers of fish
- ‘licences to occupy’ issued by HBRC to whitebaiters for whitebait stands
- Suggestion to introduce quota on the commercial takes would be enforced through the Fisheries Act
- the Request that the presentation from Dr Andy Hicks to be forwarded to members of the committee and report back on the status of How best to manage the Whitebait species at the next E&S meeting.

ESC16/18 Resolution

That the Environment and Services Committee receives and notes the **“Whitebait”** staff report.

Barker/Kirton
CARRIED

10. Cycle Way Update – Mad Mile

Graeme Hansen spoke to the item, providing background on a significant health and safety issue on an existing section of the Landscapes ride and an update on

progress in finding a solution, before Vicky Butterworth highlighted:

- Council working to provide a safe, off-road route for cyclists and has negotiated a replacement trail section with affected landowners, anticipated to be in place by late 2018.
- The new section of limestone cycleway will run adjacent to the road for about 2km between River Road and the Craggy Range Winery and has been discussed with local iwi and the Hastings District Council
- Funding for the track will come from HBRC, the Ministry of Business, Innovation and Employment, HDC and the Eastern and Central Community Trust.
- Councillor Graham indicated that tangata whenua had been consulted and were agreeable to the cycleway.

ESC17/18 **Resolution**

That the Environment and Services Committee receives and notes the **“Cycle Way Update – Mad Mile”** staff report.

**Beaven/Bailey
CARRIED**

The meeting adjourned at 12.40pm and reconvened at 1.10pm

9. **Giant Willow Aphid Update**

Graeme Hansen gave an update on the status of the Willow Aphid highlighting concerns about the unknown longer term effects and impact of the aphid. The Willow Aphid remains a problem and field staff will continue to monitor and record the extent of the affected areas.

ESC18/18 **Resolution**

That the Environment and Services Committee receives and notes the **“Giant Willow Aphid Update”** staff report.

**Wilson/Barker
CARRIED**

Cr Barker left the meeting at 1.25pm

11. **Mangapoike Landslide Update**

Dr Stephen Swabey introduced the item, highlighting the consequences, risks and identified actions proposed in the near future. Discussions covered:

- HBRC, Wairoa District Council and HB Civil Defence Group have collaborated with Gisborne District Council to undertake civil defence activities, to notify landowners downstream of the landslide dam and to undertake mitigation actions
- Possible future scenarios and risks, future actions and monitoring and associated costs are being managed and agreed between the parties involved.

ESC19/18 **Resolution**

That the Environmental and Services Committee receives the **“Mangapoike Landslide Update”** staff report.

**Wilson/Graham
CARRIED**

Cr Graham left the meeting at 1.56pm.

12. **Hawke's Bay Marine and Coastal Group Roadmap**

Dr Stephen Swabey introduced the item, highlighting the aspirations, priorities and expectations of the group in the three themes provided in the 'roadmap'.

- the key purpose of the research is to ensure the restoration and ongoing health of the HB Marine Environment for future generations
- Group's intention is to work (in particular with MPI as a key funding agency) with other partners in this exercise to secure funding for the research outlined in the

high level Roadmap to set the direction and form the basis for the detailed implementation plan

- Support for the appointment of a Councillor, to fill perceived governance gap, to be fully briefed on progress and informed of decisions in future, and proposed that the Chairman, Mr Palmer and Cr Kirton have a discussion and then make a recommendation to Council about how this might be achieved

Cr Barker re-joined the meeting at 2.17pm.

ESC20/18 **Resolution**

That the Environment and Services Committee receives and notes the **“Hawke’s Bay Marine and Coastal Group Roadmap”** staff report.

**Bailey/Kirton
CARRIED**

14. Zero Carbon

Mr James Palmer gave a quick briefing on the review and changes made to the National Climate Change Policy and consultation on the Zero Carbon Bill.

Discussions traversed:

- A formal Central Government consultation process will be coming up around end of May to July 2018
- staff will prepare a submission on a Zero Carbon Bill to bring back to this committee
- climate change mitigation and adaption, and carbon sequestration
- Noted that HBRC has indicated a zero net carbon goal at 2040 for Hawke’s Bay in draft LTP
- HBRC has taken first steps/actions in numerous initiatives to encourage the transition to low-emission land uses, technologies, infrastructure and activities including Council’s own Facilities Management
- references made to the 2017 commissioned report (HB Climate Resilience Report prepared by Ekos) that suggested potential Climate Change adaptation and mitigation content for HBRC’s Long Term Plan and suggestion that it’s well worth re-reading
- suggested a mini workshop be held before or after the next E&S meeting to discuss ideas and thoughts on the types of initiatives to lower carbon emissions councillors would like staff to investigate and/or implement, including in the Transport area.

ESC21/18 **Resolution**

That the Environment and Services Committee receives and notes the **“Zero Carbon”** staff report.

**Dick/Kirton
CARRIED**

15. Summary of Hawke's Bay Territorial Authorities' Key Long Term Plan Proposals

The item was taken as read.

ESC22/18 **Resolution**

That the Environment and Services Committee receives the **“Summary of Hawke’s Bay Territorial Authorities’ Key Long Term Plan Proposals”** staff report.

**Wilson/Beaven
CARRIED**

16. April 2018 Operational Activities Update

The item was taken as read, with discussions traversing:

- Poly-fluorinated Aalkyl substances [PFAs] are highly toxic chemicals used in the firefighting foam at airports, recently found to have contaminated groundwater in the area around RNZAF Ohakea airbase.
- Te Mata Mushrooms has not filed their resource consent with HDC in relation to site expansion, and are currently not compliant with their HBRC resource consent. HBRC to seek clarity from the judge whether he believed Te Mata Mushrooms can continue with capital works as required by the current resource consent in the interim. CE has prepared a letter inviting the community and residents to a public meeting at the Havelock North Community Centre in late April 2018. Representatives from DHB, HDC and HBRC will be present to answer any questions.
- HBRC is developing a multiyear work programme to bring the Waipatiki Holiday Park up to Local Authority, District Health Board and Health & Safety requirements in accordance with the Building assessments report completed by HDC. . The highest priority and most immediate issues have been dealt with and further work is being prioritised as part of annual plan and LTP processes. Other work agreed at the time of purchase such as joining the campground to the local water and waste water network is being undertaken by HDC. Income from lease arrangements is for funding the maintenance and repair works.
- 294 farm plans now completed, approximately 1000 still outstanding (May deadline is fast approaching) and CE has sought preliminary legal advice in relation to enforcement action plans. HBRC will be reminding people of their legal obligations over the next few months starting with warning letters, then infringement notices and prosecutions as necessary.
- The Chairman underscored the importance of this report in keeping Councillors fully informed regarding key operational issues of high public interest.

ESC23/18 Resolution

That the Environment & Services Committee receives the **“April 2018 Operational Activities Update”** staff report.

**Beaven/Bailey
CARRIED**

17. Discussion of Items Not on the Agenda

There were no items for discussion

Closure:

There being no further business the Chairman declared the meeting closed at 2.55pm on Wednesday, 11 April 2018.

Signed as a true and correct record.

DATE:

CHAIRMAN: