



MINUTES OF A MEETING OF THE ENVIRONMENT AND INTEGRATED CATCHMENTS COMMITTEE

Date: Wednesday 23 June 2021

Time: 9.00am

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

Present: Cr H Ormsby – Chair
Cr R Barker
Cr W Foley
Cr C Foss
Cr N Kirton
Cr C Lambert
P Paku
Cr J van Beek (*until 1.40pm*)
Cr M Williams

In Attendance: J Palmer – Chief Executive
C Dolley – Group Manager Asset Management
J Ellerm – Group Manager Corporate Services
I Maxwell – Group Manager Integrated Catchment Management
P Munro – Te Pou Whakarae Māori Partnerships
D Coupe – QEII National Trust
T Duncan – QEII National Trust
R Engelke – Team Leader Open Spaces
M Groves – Manager Regional Assets
TK Hawaikirangi – Napier Port
G Mentzer – Hawke's Bay Airport
S Murphy – Hawke's Bay Airport
A Roets – Governance Advisor

1. Welcome/Karakia /Apologies/Notices

The Chair, Cr Hinewai Ormsby welcomed everyone, as we celebrate the Māori New Year, Matariki.

Te Pou Whakarae, Pieri Munro led the group in offering a karakia to open the meeting.

Resolution

EICC78/21 That the apology for absence from Dr Roger Maaka be accepted.

**Williams/van Beek
CARRIED**

2. Conflict of Interest Declarations

There were no conflicts of interest declared.

3. Confirmation of Minutes of the Environment and Integrated Catchments Committee meeting held on 12 May 2021

EICC79/21 **Resolution**

Minutes of the Environment and Integrated Catchments Committee meeting held on Wednesday, 12 May 2021, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**van Beek/Foss
CARRIED**

4. Follow-ups from previous Environment and Integrated Catchments Committee meetings

The item was taken as read.

A question arising from the Napier Open Waterways Water Quality item, asked for an update on engagement with Napier City Council in relation to mitigation undertaken since the November 2020 rainfall event, to address stormwater issues in Napier. Responses noted:

- An independent review of the response to the November 2020 Napier rainfall event is due to be released next week and will be tabled at the August HB CDEM Group Joint Committee meeting. Alongside that review report, an independent review of the Emergency Management response across all agencies commissioned by Fire & Emergency NZ (FENZ) will also be presented to the August HB CDEM Group Joint Committee meeting
- Napier City Council will give CDEM a 'hot debrief' of the 18-21 June 2021 event, however no particular issues were reported except for one planned power outage which is being followed up. Staff in discussions with Unison to identify and register critical sites as part of the 'lifelines' in emergency events.
- The CDEM review and report (of the 2020 event) will inform future investment by Napier City in stormwater network upgrades and funding has been earmarked in the NCC LTP
- Certain Infrastructure assets are shared with TLAs – some controlled and operated by HBRC and some by the TLA (e.g. NCC, HDC). The existing arrangements between NCC, HDC and HBRC have been in place since 1989 and a 'terms of reference' for reviewing those arrangements is currently being peer reviewed by NCC. There is a need to clarify exactly who operates which parts of the stormwater network and the associated issues through the review in order to determine solutions for the best operating model.

EICC80/21 **Resolution**

That the Environment and Integrated Catchments Committee receives and notes the "Follow-up Items from Previous Meetings".

**Ormsby/Foley
CARRIED**

5. Call for Minor Items not on the Agenda

Recommendations

That the Environment and Integrated Catchments Committee accepts the following “Minor Items Not on the Agenda” for discussion as Item 13:

Topic	Raised by
Wastewater incident down Kennedy Road yesterday, 22 June 2021	Cr Neil Kirton
Pollution response	Cr Will Foley
Upper Tukituki gravel extraction – update to be given as part of Item 11	Cr Martin Williams

6. Coastal Hazards Funding Model

Cr van Beek, Chair of the Clifton to Tangoio Coastal Hazards Committee, introduced the item by providing an overview of the history of the Strategy’s development including:

- Several workshops over the last 2 years failed to achieve agreement between the Partner Councils on their respective roles for funding and implementing the Strategy so Raynor Asher QC (retired judge) was engaged to carry out a Funding Review. The main purpose of the review was to clarify who should lead and fund the implementation of the strategy and execution of the planned response using the “adaptive pathways” developed collaboratively with the community. The key recommendation from the independent review is that HBRC takes charge of all aspects of the coastal hazards activities within the scope of the Strategy.

Chris Dolley highlighted:

- The decision sought today is Gateway 1 “Agreement in Principle” to the Raynor Asher and Joint Committee recommendation that HBRC leads and funds the implementation of coastal hazard mitigation projects under the Strategy – required, to enable the Technical Advisory Group (TAG) to progress to the next phase.
- Next phase (Gateway 2) is preparation of a draft Memorandum of Understanding (August-September 2021) to set out the detail of how the councils will work together in practice under the new operational regime proposed by the Funding Review.
- Further future Council decision gateways will be based on detailed technical work and financials.
- Significant pre-consultation with tangata whenua and key stakeholders (to test ideas and concepts) and public engagement (LTP amendment) processes will further inform decision gateways still to come.
- Some examples of potential rates and financials (for lower cost options) provided for context only for today’s discussions, will need to be further developed and more detailed financials will be presented to the Council for future decision gateways.
- The financial impacts of the potential transfer of existing coastal hazards mitigation assets held by NCC and HDC have yet to be assessed and will be included in the more detailed financial information to be provided to the Council for future decision gateways.
- Council needs to keep sight of Central Government’s (CG) proposed Climate Change Adaptation Act (CCAA) and new legislation replacing the Resource Management Act (RMA) however the Joint Committee has recommended the region forges its own path forward without waiting for CG direction, which is several years away at best. Also there is no guarantee that future CG direction will provide the clarity Council is looking for. To date CG has referred to HB as the leading example of a framework for assessing coastal hazards risks and identifying options for the management of those risks.

- If timelines outlined are not met, the next opportunity to move the Strategy forward doesn't arise until July 2023, so this is a 'circuit breaker' decision point.

Queries and discussions covered:

- Whether an operating model similar to CDEM Group (or a CCO) could work for Coastal Hazards physical works programme.
- The adaptive pathways have been developed through the Technical Advisory Group working extensively with the community 'panels' and are supported by the TAG and the Joint Committee as well as having previously been adopted by the partner councils.
- Huge amount of preparatory work required in terms of monitoring and collecting data on environmental impacts through the consenting processes (for pathways) which will include their own consultation processes. The pathways were subjected to a "consentability" review to test their viability, the result of which was that some pathways did not proceed to inclusion in the Strategy.
- The Strategy provides the rationale and methodology that is now able to be expanded to the north and south to the remainder of the coast, with the CHB and Wairoa councils when they are ready to engage.
- Potential liabilities and consequences for Council will be developed through the work programme. Empowering provisions in legislation do not 'guarantee' full protection, instead Councils agree to levels of service (e.g. level of protection) to be provided.
- The pathways in the Strategy do not guarantee any particular protection in any place – they are adaptive.
- The Regional Coastal Environment Plan is due for review, which will be carried out as part of the Kotahi Plan Change.
- If the timeframes slip by one month, they slip by one year. The urgency to move forward relates to the fact that the Strategy and the adaptive pathways were adopted some time ago (2018) by the partner councils, and there has been no action to implement the Strategy and execute solutions to address the issues because the partner councils have not been able to agree how the interventions will be funded.
- The Draft Memorandum of *Transition* needs to include options for operational models for Council to consider.
- Concerns raised about "prevention" of coastal hazards were resolved through subsequent discussions and agreement that staff will note those concerns for consideration when Council is making decisions about how or whether particular mitigation projects are progressed in accordance with Central Government legislation (e.g. Coastal National Policy Statement) and Council's planning provisions (currently RCEP, future Kotahi)
- Endorse HBRC being lead agency, however concerned the 'global exemplar' that the Strategy represents, will be stymied by politicians conflating the Council's consenting authority responsibilities. View that CCO type model required – to take mitigation projects resulting from years of work with the Community through consent application processes without political interference, where they will succeed or fail based on merit.

EICC81/21

Resolutions

1. That the Environment and Integrated Catchments Committee receives and considers the "*Coastal Hazards Funding Model*" staff report and the "*Review and Recommendations for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee*" by Mr Raynor Asher QC.
2. The Environment and Integrated Catchments Committee recommends that Hawke's Bay Regional Council:
 - 2.1. Agrees in principle to the outcomes of the Funding Review and recommendations of the Clifton to Tangoio Coastal Hazards Strategy Joint Committee; being:

- 2.1.1 Endorses the findings of the review undertaken by Mr Raynor Asher QC titled “Review and Recommendations for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee”, including the following key recommendations, for the purposes of commencing consultation under s.16 of the Local Government Act 2002:
- 2.1.1.1 That the Hawke’s Bay Regional Council takes charge of all aspects of the prevention and mitigation of coastal hazards on the Clifton to Tangoio coast
- 2.1.1.2 That the Napier City Council, Hastings District Council and Hawke’s Bay Regional Council enter into a memorandum of understanding setting out agreed positions on this arrangement
- 2.1.1.3. That an advisory committee is formed by elected representatives from Napier City Council, Maungaharuru-Tangitu Trust, Hastings District Council, Mana Ahuriri, Hawke’s Bay Regional Council and Heretaunga Tamatea Settlement Trust to support forward work
- 2.1.1.4. That a Transition Plan is prepared to set out the timing and orderly process of transitioning functions to the Hawke’s Bay Regional Council in accordance with the terms set out in the memorandum of understanding.
- 2.2. Directs staff to prepare a draft Memorandum of Transition between the Hawke’s Bay Regional Council, Napier City Council and Hastings District Council that details the proposed operational regime for implementing coastal hazards mitigation projects under the Clifton to Tangoio Coastal Hazards Strategy.

Kirton/van Beek
Against: Williams, Foss
CARRIED

7. Tangaroa Tohu Mana Tangaroa Tohu Mauri – Marine Cultural Health Programme

Pieri Munro, Te Pou Whakarae welcomed Te Kaha Hawaikirangi, who delivered a presentation on the Marine Cultural Health programme, a partnership between Ahuriri mana whenua hapū and Napier Port to monitor the health of the marine environment in and around the Ahuriri/Napier area. Discussions traversed:

- The cultural monitoring framework has been developed, to provide protection for Te Pania, spear-headed by the Mana Whenua Steering Komiti to monitor, record and assess the cultural health and state of the marine environment using traditional Māori knowledge.
- The framework is made up of two pou - Mana Moana and Mana Tangata. Each pou has a number of Tohu Matua and associated Tohu Whaiti, which are weighted based on their significance. Each score of each Patai Inenga informs the Tohu Whaiti health and in turn the Tohu Matua and ultimately each pou.
- The Health Spectrum provides a simple traffic light range of colours which is used to display the current state of health (or indication of mauri) for each the pou – Tohu Matua, Tohu Whaiti and Patai Inenga
- The first report on the health of the marine environment from the Programme was prepared for the public launch event and will be maintained and updated as a living document so that it can be confidently used to support future public engagement
- The report is available on the Tangaroa Tohu Mana Tangaroa Tohu Mauri – Marine Cultural Health Programme website
- The Regional Council can support the programme through engagement and partnership with the Steering Komiti, by considering how we can foster growing the kaupapa to

encompass more of Hawke Bay, by integrating the framework into the Kotahi plan alongside western science, and using the findings to affect change.

EICC82/21 Resolution

That the Environment and Integrated Catchments Committee receives and notes the *“Tangaroa Tohu Mana Tangaroa Tohu Mauri – Marine Cultural Health Programme”* verbal report and presentation.

**Ormsby/Foley
CARRIED**

The meeting adjourned at 11.08am and reconvened at 11.27am.

8. Hawke’s Bay Airport Wildlife Management

Stephanie Murphy and Gareth Mentzer made a presentation focused on the wildlife environment around the Hawke’s Bay Airport and planning work being undertaken with Napier City Council in relation to the development of Ahuriri Regional Park, particularly around bird strike concerns.

EICC83/21 Resolution

That the Environment and Integrated Catchments Committee receives and notes the *“Hawke’s Bay Airport Wildlife Management”* presentation.

**Foley/van Beek
CARRIED**

9. Te Mata Park Trust Presentation

Mike Devonshire and Emma Buttle made a presentation outlining the challenges and status of projects currently under way, the Trust’s objectives, recent achievements, and the Ngā Tipuna (Masterplan) for the Park. Discussions traversed:

- Growth challenges include safety on the road, infrastructure pressures, balancing recreational aspirations with environmental goals, security, heavy reliance on ageing volunteers, keeping on top of maintenance and meeting park user expectations.
- The Vision is “the Trust will sustain, enhance, protect and maintain Te Mata Park's outstanding natural features and open spaces.
- Heavy reliance on donations and charitable trusts, and with growing visitor numbers, increasing park user expectations and track pressure, the costs are escalating
- Te Mata Park Ngā Tipuna sets the high level vision and key prioritized activities (road map) for the ongoing management and development of the Park, given effect through a suite of related management plans, and sets the guiding principles that reflect the underlying values of Te Mata Park.
- The input from mana whenua, providing guidance for the future of the Park, is pivotal to the success of Te Mata Park.

EICC84/21 Resolution

That the Environment and Integrated Catchments Committee receives and notes the *“Te Mata Park Trust Presentation”*.

**Foss/van Beek
CARRIED**

10. Te Karamū Project update

Chris Dolley introduced Russel Engelke and Martina Groves who presented progress made on enhancement works undertaken as part of the Te Karamu Enhancement Review and Management Strategy 2016-25 and the forward programme of work for the remaining years. Discussions traversed:

- A review of the Strategy was undertaken to determine how enhancement works are progressing against what was planned
- Progress has been made across all seven zones as per the Strategy, and of the 9.4ha priority areas identified, 77% has been delivered
- For 2021 winter planting, an additional 2.19ha of native planting will be achieved
- Last 12 months focussed on coordinating, supporting and enabling the community and partners' involvement
- Consideration to be given to the future of the Karamu Strategy beyond the 10-year timeframe and incorporating new regulations and TANK Plan provisions
- Catchment Coordinator to start in 2021 will build on the work done to date and external relationships
- Analysis has been undertaken to target where planting will best meet all of the objectives, and planting zones mapped
- Will be working to improve the environmental outcomes for the catchment.

EICC85/21

Resolution

1. That the Environment and Integrated Catchments Committee receives and notes the *"Te Karamū Project Update"* staff report.
2. The Environment and Integrated Catchments Committee recommends that Hawke's Bay Regional Council reviews and updates the Te Karamū Enhancement Review and Management Strategy 2016-25 (the Strategy) to encompass all aspects of the health of Te Karamu, including but not limited to, water quality, pollution, public access and the role of the Te Karamu liaison position.

Foss/van Beek
CARRIED unanimously

12.

QEII National Trust Presentation

Troy Duncan and Dan Coupe presented on who QEII National Trust is, their work and partnership with HBRC in Hawke's Bay. Discussion traversed:

- The Queen Elizabeth National Trust (QEII) was established in 1977 by an Act of Parliament and founded by farmers for farmers as a solution to a growing desire to protect and preserve NZ's natural and cultural heritage for future generations
- QEII Trust works with landowners to protect privately managed land through creating a binding covenant (agreement) that protects the land forever
- >4,700 covenants in 40 years, protecting more than 180,000 ha across NZ
- Future of QEII includes increasing the area of high-value land under robust protection, enhancing the values within protected areas, playing a larger part on a 'landscape-scale' and inspiring people to connect with QEII-protected places where appropriate.
- In Hawke's Bay QEII includes 258 covenants with 196 landowners covering 11,700 ha
- Challenges include conservative views on environment and conservation, historic misunderstanding of what a covenant means, exotic afforestation and carbon market, and weeds and pests
- QEII has been working collaboratively with HBRC since 1995, and an MOU formalising the partnership was agreed in 2020
- Three major objectives of the partnership are 1. to promote and support the legal protection of areas with biodiversity values on private land, 2. to protect and restore representative examples of original indigenous ecosystem types of high value, and 3. to advise, assist and incentivise private landowners to restore, manage and protect natural areas on their properties.
- Current QEII - HBRC projects include \$600,000 +, of fencing costs split between HBRC, QEII, landowners and other funders - protected in perpetuity through covenants.

EICC86/21 Resolution

That the Environment and Integrated Catchments Committee receives and notes the “QEII National Trust presentation” staff report.

**van Beek/Foley
CARRIED**

The meeting adjourned at 1.41pm and reconvened at 2.03pm with Cr Jerf van Beek absent.

11. Verbal Gravel Extraction update

Chris Dolley provided an update and background on the global resource consent being sought by the Asset Management Group for gravel extraction from the Ngararuro, Tukituki Catchment and Tutaekuri rivers. Discussions traversed:

- Gravel extraction is purely to maintain Council’s flood protection scheme and its flood management objectives, and under the various Acts and Legislation, Council does not profit from this activity but collects rates solely for scheme maintenance
- Gravel extraction is currently authorised by short-term (typically 12 months) consents. If the resource consent is granted, the future operating regime will see commercial extractors granted ‘authorisations’ to operate under the AMG’s resource consent to remove gravel from locations where gravel surplus is greater and allows more effective management.
- Rivers are surveyed on a 3-yearly basis to determine the amount of gravel available for extraction to meet flood control objectives. HBRC Engineering staff are currently undertaking a modelling assessment of the five rivers to prioritise key areas for extraction. Gravel below the grade line of the river is not removed.
- Gravel is essentially depleted in the Ngararuro river and HBRC has advised the industry that allocation in this location will be reduced.
- The average allocation in the past five years is around 560,000m³ however records show only ¼ to ½ of the allocation is actually being extracted
- HBRC has engaged with the industry throughout the consenting process
- The Upper Tukituki (UTT) Gravel Extraction project will seek opportunities to subsidise gravel extraction with a focus on competitive tendering and supporting the local economy. HBRC’s fallback position is to move away from a commercial model and instead remove, store and sell the gravel ourselves.
- The committee will be kept updated as appropriate.

EICC87/21 Resolution

That the Environment and Integrated Catchments Committee receives and notes the “Gravel Extraction Update” verbal report and presentation.

**Williams/Kirton
CARRIED**

13. Discussion of Minor Items not on the Agenda

Topic	Raised by
<p>Wastewater incident down Kennedy Road on 22 June.</p> <ul style="list-style-type: none">• A total discharge of 7 m³ into the stormwater network may have reached the Ahuriri estuary as the result of a blocked pipe during a rainfall event• One incident reported to NCC, and suction trucks were on site within 1 hour• HBRC’s monitoring role with respect to the operation of stormwater and wastewater infrastructure is to monitor whether the consent conditions are being met and the Consent Holder is required to advise/report any incidents of non-compliance, including asset condition.	<p>Cr Neil Kirton</p>

<ul style="list-style-type: none"> • Further information on 'asset condition' consent conditions and how those are monitored for compliance to be provided to councillors. 	
<p>Pollution response</p> <ul style="list-style-type: none"> • Query whether Council staff have permission to enter a private property • Staff, including the Pollution Response team, are warranted under the Resource Management Act (RMA) to enter property to investigate potential incidents or breaches of the rules in the Regional Resource Management Plan. • There are Health & Safety protocols to follow when arriving at and entering private property, including showing the warrant to someone on the property • The Pollution Response team will follow up with Councillor Foley about the particular incident off-line. 	Cr Will Foley

Pieri Munro closed the meeting with a karakia.

Closure:

There being no further business the Chairman declared the meeting closed at 2.31pm on Wednesday, 23 June 2021.

Signed as a true and correct record.

DATE:

CHAIRMAN: