

MINUTES

**Orari-Temuka-Opihi-Pareora Water Zone
Committee Meeting**

Monday, 2 September 2019

**Minutes of the Orari-Temuka-Opihi-Pareora Water Zone Committee Meeting
Held in Meeting Room 1, Council Building, King George Place, Timaru
on Monday, 2 September 2019 at 2pm**

Present: Hamish McFarlane (Chairman), Phil Driver (until 4.20pm), Clr Richard Lyon, Lucy Millar, Clr Anne Munro (until 4.20pm), Lan Pham, Luke Reihana, Glen Smith, Herstatt Ulrich (until 3.40pm) and Mark Webb

In Attendance: Lyn Carmichael (ECan Facilitator), Clr Peter Scott (ECan)(until 3.40pm), Kate Doran (ECan Communications), Sandy Bowman (Zone Committee Support Coordinator), Brad Waldon-Gibbons (ECan Tangata Whenua Facilitator), John Benn (Department of Conservation), Tom Henderson, Andrew Mockford (Chief Executive Opuha Water Ltd), Brian Reeves (Zone Delivery Lead), Jason Grant (Federated Farmers), John de Witt

The Chairman welcomed everyone to the meeting and invited those in attendance in the public gallery to introduce themselves.

1 Apologies

Resolution 2019/9

Moved: Mr Mark Webb

Seconded: Mr Phil Driver

That apologies from David Anderson and John Henry be received and accepted.

Carried

2 Confirmation of Minutes

Clause 7.3 Education and Awareness – the meeting was advised that since the 5 August meeting further contact has been made with Josh Earnshaw and the pizza night is being planned. The Committee needs to be continually aware of how to involve youth in the zone activities eg supporting bat habitats. Contact is to continue through the Facilitator and the Youth Engagement Officers in order to keep the momentum going. The aquavan visit will also help with raising the profile.

Clr Scott and Luke Reihana are assisting with organisation for the pizza night.

Clause 7.4 – Issues and concerns raised at the meeting of Zone Committee Chairpersons and Deputy Chairpersons – it was agreed that the new incoming committee following the local government elections should take up the concerns raised at the Zone Committee Chairpersons and Deputy Chairpersons forum on 10 July, and ensure they are not overlooked.

Resolution 2019/10

Moved: Mr Glen Smith

Seconded: Clr Anne Munro

That the Minutes of the Orari-Temuka-Opihi-Pareora Water Zone Committee Meeting held on 5 August 2019 be confirmed as a true and correct record of that meeting.

Carried

3 Identification of Items of Urgent Business

3.1 Conflicts of Interest

The Committee agreed to receive the letter from Forest and Bird, dated 19 August 2019 regarding conflicts of interest on zone committees and the legal proceedings lodged by Forest and Bird, which has resulted in the Auditor General withdrawing the conflicts of interest exemption for zone committee members.

The Committee noted the workshop held prior to the zone committee meeting at which legal advice on the matter was received, informing committee members of the impact of the Auditor General's decision and the need for members to be continually aware of any potential conflicts in matters before the committee.

Phil Driver advised of his potential conflict of interest in that he has been asked to do some work for the Ohau Residents' Association on its water supply.

It was agreed that in light of the Forest and Bird letter and the Auditor General's decision, members review their conflicts of interests and advise of any changes, in order that the register is up to date. Any conflicts can be identified at each meeting, as is the current practice.

Resolution 2019/11

Moved: Mr Hamish McFarlane

Seconded: Clr Richard Lyon

That the letter from Forest and Bird regarding conflicts of interest be received.

Carried

3.2 Pest Management

The future threat of wallabies as a pest was identified, noting that there is reluctance in the community to undertake plantings as wallabies then destroy the new plants. This is holding back plans for both native and exotic plantings. Clr Scott advised that biosecurity and biodiversity groups are being established, with the first meeting to be held shortly. These groups will have a focus on pest management, and there will be liaison with a similar group south of the Waitaki.

The Committee agreed that pest management is to be an agenda item for the November zone committee meeting.

4 Community Forum

Conflict of Interest

Some members of the public gallery expressed their concerns at the conflict of interest decision from the Auditor General, noting that it may result in the exclusion of people who could contribute to robust debate. It could be argued that as the Zone Committee is not a governing body, only having an advisory role, the conflict of interest rules should not apply. It was explained that as the Zone Committee was established as a joint committee of local authorities, the Members Interest Act does apply.

5 Reports

5.1 Recognition for Members Standing in Local Body Elections

The Chairman raised the issue of recognition for members standing at the local authority elections in October. He thanked all members who are standing for the local authority elections, and wished them well.

5.2 Regional Committee Update

Regional Committee representative Phil Driver spoke to the update on the Regional Committee meeting held on 13 August 2019, prepared by Regional Committee Facilitator Lesley Woudberg.

A request was made for clarification on clause 5 of the report which refers to Collective Leadership and the need to make the contribution of district and city councils more transparent. It was agreed that the OTOP facilitator would follow up on this query and provide a response to the next meeting.

It was suggested that the zone committees could possibly utilise the regional committee more, however how to do that effectively may be difficult, with Phil driver reporting that the regional committee was still seeming to have some issues with settling on its purpose.

Phil Driver advised that he is unable to attend the next regional committee meeting on 10 September due to a prior commitment. Any other committee member who is able to take his place at the meeting is to contact him.

5.3 Plan Change 7

The Committee considered information on the submission period and engagement for Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan.

The Committee noted that there have been some meetings already that have discussed the Plan Change – meetings involving catchment groups, Federated Farmers, Chamber of Commerce, Opuha Water Ltd.

One query raised by the community is the absence of OEFrag in the plan change. The Facilitator explained that there may be a role for OEFrag in the consenting framework but it is not appropriate for an advisory group to have a decision making role in the planning framework. OEFrag members should be encouraged to make a submission on Plan Change 7, as should every interested party.

The discussion above involved mention of the Opuha Dam and during the brief discussion, Herstatt Ulrich declared an interest as a director of OWL and sat back from the meeting table.

Further clarification was sought on the OTOP area being in the red zone, rather than the orange zone. The Facilitator advised that this was a recommendation of the Committee in the ZIPA and has been carried through to the nutrient management framework in the plan. There was discussion that having just one nutrient allocation zone may be positive for some commercial vegetable growers.

Hamish McFarlane then declared at interest in this area of the discussion and stepped back as chairman and withdrew from the meeting table. Deputy Chairperson Herstatt Ulrich took the chair.

The Facilitator encouraged everyone to refer to the reports and Frequently Asked Questions on the website when seeking further clarification of points raised.

Hamish McFarlane rejoined the meeting table and resumed the chair.

Further questions on the plan change were raised including the combination process with the Waimakariri Plan Change 2, the assessment of limit settings for high run off areas, mataitai areas and the buffer provided and parameters on wells in the Orari area.

The Chairperson again declared a conflict of interest and withdrew from the table. The Deputy Chairperson took the chair.

The Facilitator clarified factors around flow and allocation, noting that the flow and allocation regimes recommended in the ZIPA for Temuka and Opihi catchments were included unchanged in the proposed plan and that there are no changes to the existing regimes for the Pareora or Orari. It was noted that there is a lot of discussion in the community around wells in the Orari area and the Facilitator suggested people look to the groundwater limit setting report for information, as this report highlights where the wells are.

Comment was made that the public do not necessarily understand the difference between the ZIPA and Plan Change 7 and it was agreed that it is important to distinguish the two, and that people understand the difference.

The Committee noted the information on Plan Change 7 and the dates for the Community Engagement on Plan Change 7 in OTOP.

5.4 Zone Facilitator's Report

The Committee considered the Facilitator's report which included information on consultation for the Proposed National Policy Statement for Highly Productive Land, Flow and Allocation for the Pareora River, upcoming events, and progress on issues raised in previous meetings, and recent media coverage.

Clarification was sought on how the national Policy Statement for Freshwater sits within planning and Plan Change 7.

It was proposed that rather than a formal meeting in October, a field trip to the Orari Gorge be organised, possibly including visiting some immediate steps projects, connecting with the Orari River Protection Group and linking with catchment groups.

The Committee supported the organisation of a field trip, as long as sufficient committee members were available to make it worthwhile for all concerned.

Herstall Ulrich retired from the meeting.

5.5 Zone Committee Priorities and Actions

The Committee considered the draft priorities for the ZC work programme through to June 2020, based on previous discussions. Once approved a programme will be formulated for presentation to the November meeting.

Some frustration was conveyed as to the length of time it is taking for the Committee's priorities and work programme to be confirmed. Phil Driver noted that the priority work streams need timeframes and measurable outcomes.

The Committee agreed that areas of biodiversity/mahinga kai, fostering youth engagement and supporting catchment groups are key workstreams. The meeting was reminded that community outcomes generated from the catchment groups and public meetings gave an indication of where people want the Committee to focus its role.

The funding of catchment groups was queried and it was explained that previous support from the Landcare Trust funded early catchment group establishment and now some ECan funding currently supports a Community Engagement Officer. Commitments from industry groups such as Opuha Water Ltd have also played a part. It was queried as to whether this type of involvement (from industry groups) could cause a problem from the changed conflict of interest point of view. The Facilitator will check on this.

An alternative option could be to use the Pareora Catchment Society as an avenue through which catchment groups could apply for funding, or use other such groups in funding applications. It is difficult for the committee to prioritise and plan ahead if there is no funding available for projects. As a joint committee of local authorities, there should be access to some funding in some way.

It was suggested that before the Committee sets its work programme in place it needs to align the priorities with the committee's purpose and principles and to be clear about the things it is planning so that it can then prioritise.

It was agreed that as a next step, Phil Driver will formulate a proposal to a workshop in November to reflect the discussion and the draft programme, setting out the values, principles and actions and including proposed timeframes for each priority.

6 Consideration of Further Urgent Business Item Proposal for Separate Funding Entity

The Chairman raised an urgent business item referring to the significant amount of central government funding granted to the Kaipara Harbour area for a range of activities to improve the area including stock exclusion, biodiversity etc. He suggested that there could be a similar avenue to source central govt funding for the OTOP area, although the Zone Committee cannot be the vehicle for application for such funding.

He suggested a feasibility study be undertaken to set up a legal entity representing those catchment wide groups across the whole zone – this group could apply for funding and manage the funding for catchment groups that do not want to become incorporated societies. A number of smaller projects throughout the zone could then be combined into a consolidated project and involve collaboration between catchment groups, tackling such projects as stock access, plantings, pest management etc. This would provide more support and facilitation to groups that currently do not have enough support, and would enable a focus on tangible outcomes.

Discussion followed on whether the Zone Committee could be the entity on a funding application. Alternatively the Pareora Catchment Society could apply on behalf of the wider catchment, although other catchment groups may not be happy with this option. A third option of an ECan targeted rate was suggested.

There was some debate as to whether the Committee should understand the projects and proposals it wants to tackle before a funding mechanism is explored versus establishing a funding mechanism first in order that the committee is ready to take on projects it has prioritised. Activities such as engagement and education could be undertaken in the meantime, with minimal funding required.

Clr Munro and Phil Driver retired from the meeting.

Canvassing the idea with catchment groups could indicate whether there is support for the proposal to establish a legal entity as a funding mechanism, or if there would be support for alternative avenues such as a targeted rate.

The Chairperson will do some further background investigation and report back to the Committee.

The Meeting closed at 4.35pm.

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Chairperson