

Minutes: Hikurangi Flood Scheme LTP Meeting held at the Cafler Suite Forum North Monday 8th March 2021

Facilitator	Simon Charles
Scribe	Trisha Ryan
Purpose	Forum to discuss the Hikurangi Flood Management Scheme LTP
Present	Simon Charles, Rob Forlong, Simon Weston, Trisha Ryan, Delyse Henwood, Alison, Puchaux – WDC Open meeting for Hikurangi Farmers, Hapu, HydroTech, - 31+ attended

Simon Charles addressed the floor, opened the meeting welcoming members and staff representatives from the Whangarei District Council.

Item	Description	Action	Decision
Welcome	Aperahama Edwards – opened the meeting with a karakea (blessing) Rob Forlong – CEO WDC – welcomed everyone and apologised to the Hapu for the incident that resulted in the killing of eels late February 2021 Also acknowledged the passing of Allan Halliday		
Actions	Actions Discussed in table below		
Pump Operations Update	<p>Andrew Carvell gave a presentation on Pump Operation and deaths of eels.</p> <ul style="list-style-type: none"> • Points to Note <ul style="list-style-type: none"> - Wairua river Flow records go back to 1960 - Tuna Migrate over summer and early autumn - An analysis of flow records indicates that since 1960 there were 42 flooding events over that 60-year period that occurred between 1 January to 30 April (A flooding event was determined to have occurred when flow in the Wairua was greater than 100 cubic metres per second) • Key Issues <ul style="list-style-type: none"> - If the river level is higher than the water level behind the pump-station, there is no pathway for tuna to move through the station - Because water is trying to flow from the river into the pockets making a fish passage is extremely difficult. - The pumps move huge amounts of water. Screens around the inlet to filter out the tuna would quickly block. - If tuna get sucked into the pumps they will most likely get killed. Less lethal pumps are expensive. - If water sits on the pasture for more than 2-3 days in summer, it can kill it. Reseeding is expensive and takes time. - In addition to being killed by the pumps, some tuna are killed or harmed during mechanical drain clearing activities. • Options – Short term 		

	<ul style="list-style-type: none"> - There are no apparent short-term options to prevent tuna mortality during the migrating period if the pumps operate. - To avoid tuna mortality pump operation to be minimised. • Recommendations - The default operating position between 1 January and 30 April should be off. - If the pumps are to be run in smaller events, they should not be turned on until the water level downstream of the station is higher than in the pocket. This will allow the gravity gate to open, releasing the tuna. - Improvements to level monitoring and gravity gate control should be made. - In large events (greater than 5 days) pasture damage can occur regardless of pump option. This should be taken into account when considering turning the pumps on. - The decision to turn on the pumps should be WDC management decision, taking into account <ul style="list-style-type: none"> a) Input from Hapu on the risk to tuna b) Input from landowners on the benefit of running the pumps (risk to the pasture) c) Relevant legislation and compliance matters. • Short Term Pump-Station Improvements - The ability to catch tuna upstream of the station safely either prior to, or during events should be investigated with the Hapu to mitigate the risk of tuna mortality. - Water levels sensors should be installed up and downstream of the pump-stations to measure when flow is passing through the station. This should be telemetered and monitored on SCADA. Otonga, Ngararatunua, Te Mata and Okarika stations should be prioritised. - Remote pump monitoring should be installed. Manual readings are insufficient to determine pump run times. Real time current data would assist assessing pump efficiency (blockages). - The gravity gates should be modified (or existing system verified) so they are open when water levels up and downstream are equal. The ability for the gates to be manually opened by winch needs to be minimised. Opening the gates during a flood causes damage to the winches and flooding in the pockets. <p>Chantez Connor-Kingi representing Nga Kaitiaki o Nga Wai Maori (NKONWM)</p> <p>Response</p> <ul style="list-style-type: none"> - Had a working group on 7th March to discuss how to rectify the issue of tuna(eels) being killed. - Here for a positive outcome not here to lay blame. - More about the management of the scheme. - Over the last 7 years there has been good collaboration with the farmers - Acknowledged that the action that they took with the last event of tuna being killed was a bit 		
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	<p>evasive (sic) – this was only done out of pure frustration</p> <ul style="list-style-type: none"> - Here to be the voice for the tuna and to stress how important they are to the hapu along with other species in the waterways. - Here to help/work with WDC, NRC and farmers to work out a solution - As hapu we work with other neighbouring hapu here to do their job and get reprimanded if work is not carried out. Therefore, there is a need for both the hapu and the Councils to work together to ensure that the work is done. <p>Nicki Wakefield - representing NKONWM and all Hapu of the Hikurangi Repo addressed the meeting voicing their concerns about the large number of tuna being killed.</p> <p>She gave an overview of how NKONWM was formed and what they stand for – working towards the vision “whakahokia te mauri o te wai maori” to continue the many hundreds of years of intergenerational connections with this place and for future generations. Shared and independent hapu mahi of NKONWM includes;</p> <ul style="list-style-type: none"> - Planting and restoration of riparian and wetland areas. - Long-term high-resolution monitoring programme for the tuna population of the Wairua River in partnership with NIWA. - Tuna transfer and elver transfer programme delivery and ongoing monitoring. - School and kura engagement and educational delivery - Participate in the Living Waters, Waima Waitai Waiora partnership and any other collaborative opportunity to restore the mauri of the whole catchment. <p>Due to the recent killing of tuna Nicki referred to the following;</p> <ul style="list-style-type: none"> - 2017 – drainage scheme meeting attendees’ agreement to stand down pumps for 12 hours from the flood heights reaching spillway height following large tuna killing events - 2018-19 – no floods and no use of the pumps scheme due to drought - 2020 - 12+ hour delay used in 1 June floods and minimal tuna deaths - 12 Feb 2021 – Ngati Kahu o Torongare kaitiaki net and transfer downstream 400 large migrating Tuna at the Ngaratunua Pump - 14 Feb 2021 – Pumps are turned on after 18mm rain, resulting in 1000’s dead tuna. Noted there was high levels of debris in the waterways due to delays in starting to clear the drains. - 25 Feb 2021 – hapu kaitiaki observe 1000’s of dead tuna at 6 pump stations. Hapu kaitiaki observe contractors clearing sediment and 100’s dead tuna in sediment piles near river banks. 40kms of waterways had already been cleared. 	<p>Seeking a full review of the resource consent for the Drainage Scheme. To be immediately resourced to oversee and monitor the adverse effects of the Drainage Scheme</p> <p>Request that the WDC revises its former annual reports to include each recorded tuna mortality event as an ‘adverse effect’</p> <p>That the NRC acts on consent condition #27 parts a, b and c and serves notice on the</p>	
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	<p>NKONWM and local hapu of the Hikurangi repo are unified in the view that it is inexcusable and intolerable to continue with heavy impact on taonga species – tuna.</p> <ul style="list-style-type: none"> • Overview of the failures to the repo and tuna <ul style="list-style-type: none"> - Consent conditions are out of date - Management plan is out of date - Fish management plan is out of date - None of these plans have been designed by hapu as Te Tiriti partners or enable hapu to give effect to their tino rangatiratanga over their taonga - Loss of trust and good faith between hapu and ‘stakeholders’ of the Hikurangi Drainage Scheme and the Councils • Immediate Actions <p>Full review of the Resource Consent to address, and immediate action is required. Remedies may be applied right away without variations to resource consents including</p> <ul style="list-style-type: none"> - Starting a manual transfer programme for migrating tuna both upstream all year round and downstream during the whakaheke months at each pump station. - Methodology development and studies to capture accurate data on tuna population and habitat upstream of the drainage scheme - Fish rescue on any drain clearance (caught in sediment) - Adaptive monitoring for tuna whakaheke presence and absence from 1 Feb to 1 June to inform pump use decisions. - Investigating upstream fish migration structures through the weirs and installing any which are available in the short term - Oversight of annual operations plans to ensure consent conditions and current best practice is used as much as practicable including infrastructure maintenance schedule checks and discussions regarding earthworks with contractor and NRC on earthworks management plans i.e. That pump doors are fixed so that they can remain open. <ul style="list-style-type: none"> • Proposal <p>That hapu have training, capability and expertise to co-design, and manage the drainage scheme, monitoring programme across its activities, and in doing so start to regrow the good faith which has been lost with both Councils.</p> <p>NKONWM has freshwater fish expertise in monitoring and access to researchers to review methodology and its application.</p> <p>Any methodology would include cultural health monitoring based on matauranga maori along with western science methods to inform the future of the drainage scheme as well as start to give effect to the consent conditions.</p> <p>The consent conditions have not been met and point to note that the 2017 agreement trial of 12+ hours delay to</p>	<p>consent holder of its intention to review condition of these consents with 10 days of this Hui</p> <p>Immediate actions Full review of the Resource Consent</p> <p>Nga Kaitiaki o Nga Wai Maori propose to prepare a fee estimate to deliver this work for 2021 and 2022 seasons for consideration in the next 10 days.</p> <p>WDC/NCR to consider this proposal from the hapu</p>	
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	<p>starting the pumps has shown initial success in June 2020. Stressed that this work is urgent and needs to be in place during this autumn.</p> <p>Concern raised by Geoff Crawford a farmer about totally uncontrolled fishing in the area. He observed someone fishing during flooding when migration is occurring Spoke to another fisherman that had come all the way from Huntly to fish in our waterways.</p> <p>Andrew Kirk representing DOC responded to this query Long finned eel at high risk levels and declining; they are deemed as a threatened species and classification to be reviewed shortly. Eel fishery is managed by the Ministry of Primary Industries on a quota system developed in Wellington and is split up throughout the country so there are quite wide regions for eel fishing. This is something that would possibly need to be looked at. Chantez is looking into the Huntly fisherman Keen to assist with the scheme and work with the WDC, NRC, farmers, hapu to come up with some collaborative solutions.</p> <p>Suggestion made by a farmer that hapu and farmers form a partnership so that they could manage the fishing themselves – Having a hapu member as an eel fisherman in our area to develop a management scheme for fishing.</p> <p>Andrew responded that the Kaitiaki have been very good and putting in a lot of correspondence to several different ministers. Other regions have put a stop to eel fishing or manage them in a different way.</p> <p>Te Raa Nehua from Ngati Whakapara upper end of the catchment addressed the meeting advising they are working on “returning the state of the rivers to a state of wellness” – that when the rivers are well, then they, the hapu, are well – when the river is unwell, they are unwell. The killing of the tuna has been an ongoing issue since the beginning of the scheme and one of the issues is that there are a few management regimes that come with the waterways – NCR, WDC, farmers with nothing in place for hapu at their disposal but they are looking at mechanism’s to be able to work out what they (hapu) need to do on our catchment which is the biggest freshwater catchment in the north. This catchment catches the total allowable commercial catch (TACC) the most in the country along with Waikato. TACCs don’t allow for commercial catch so we need to be addressing the issue of commercial fishermen coming into the area. Need to better manage what system we have in place a lot of room for improvement.</p> <p>Clarification on the tuna quota system.</p>	<p>Enquiries to be made regarding the fishing boundaries for each region</p> <p>Would like to see a plan formulated with Chantez re the control of fishing in the area</p> <p>Improve management of eels Group to put together to come up with a plan</p> <p>Protection of the eels for farmers and hapu to work together to work out how to manage this.</p>	
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	<p>The tuna quota system comes under the office of the Treaty of settlements and managed by Tuaranga a iwi a ngapuhi, so they are the ones who give out licenses for commercial fishing.</p> <p>There was a meeting with Hapu from Taitokerau and MPI – they were asked about tuna and what they wanted to do around tuna licensing and there was a clear statement from that whole hui that they wanted to stop the commercial take of tuna in Taitokerau. So that is the hapu position has always been MPI audit.</p> <p>Crichton Christie addressed the meeting Long family history of been in the area for over 130 years He started work at the catchment commission and his first job was the Hikurangi Swamp Scheme for 10 years he surveyed 100% of it supervised 80% of the construction and 100% for looking after it over the next ten years. Although it is old it is still a very good scheme the pumps are quite unique and quite efficient. When he first started there were millions and millions of eels but at the same time thousands of tonnes were fished by eel fishermen which depleted the eel population quite considerably at that time. His view is that with the Te Mata and Ngararatuna Pump Stations they have no big holding loop behind them like the others and therefore the draw in the water is quite rapid and it pulls the eels in quite fiercely. Trying to judge when to turn the pumps off and on to protect the farms is nearly impossible. The number of eels that he would suggest been taken out by nets (fisherman) is 50 times more than the eels getting killed by the pumps. More research needs to be done to see what type of eels are going through – i.e. are they adults? How many are been caught by nets and through the pumps. Cleaning of the streams – digger taking out eels in this process – most if not all make their way back into the waterways</p> <p>Rob stated that WDC take responsibility for the killing of the eels on the 15 February 2021. Chantaz accepted this. Rob advised that the WDC response was the presentation presented at this meeting. We will come back with a response to the letter from NKONWM circulated at meeting in the next ten days but that they will not be able to give approval to any resources in the next 10 days. That needs to go through the LTP process – to request funding to pay for additional resources on the scheme..</p>	<p>More research to see what type of eels and how many are going through the pumps and what numbers are been netted</p> <p>Investigation of Tuna been killed – report needs to be addressed within next 10 days</p>	
<p>3 Waters</p>	<p>Simon Weston presented an overview/update on the 3 Waters Reform</p> <ul style="list-style-type: none"> • Government Reform Objectives <ol style="list-style-type: none"> a) Significantly improving safety and quality of drinking water services, and the environmental performance of wastewater and stormwater systems 	<p>Roadshow to be held March-October</p>	

	<p>b) Ensuring all New Zealand have equitable access to affordable 3 waters services.</p> <p>c) Improving resource coordination and unlocking strategic opportunities to consider national infrastructure needs at a larger scale</p> <p>d) Increasing resilience of 3 waters service provision to both short and long-term risks and events, particularly climate change and natural hazards</p> <p>e) Moving 3 waters services to a more financially sustainable footing, and addressing the affordability and capability challenges faced by small suppliers and councils</p> <p>f) Improving transparency and accountability in cost and delivery of 3 waters service, including the ability to benchmark performance of service providers.</p> <p>• Reform Design Features</p> <p>a) Water service delivery entities that are</p> <ul style="list-style-type: none"> - Of significant scale (most likely multi-regional) to enable benefits from aggregation to be achieved over the medium – to long term; - Asset-owning entities with balance sheet separation, to support improved access to capital, alternative funding instruments and improved balance sheet strength; and - Structured as statutory entities with appropriate and relevant commercial disciplines and competency-based boards. <p>b) Delivery of drinking water and wastewater services as a priority, with the ability to extend to stormwater service provision only where effective and efficient to do so</p> <p>c) Publicly owned entities, with a preference for collective council ownership</p> <p>d) Mechanisms for enabling iwi/Maori and communities to provide input in relation to new entities.</p> <p>The HNI recommended moving to a system of aggregated, dedicated water providers. Two options;</p> <ol style="list-style-type: none"> 1) Regional, publicly-owned water providers 2) A small number of cross-regional, publicly-owned water providers. <p>• Regulation Changes Taumata Arowai, new drinking water regulator, with a focus on compliance, monitoring and enforcement of new drinking water regime (will also have responsibility of wastewater). Will take over from MoH in 2021. Likely to be similar to H&S legislation. Water Services Bill to give effect to Cabinet decisions to significantly strengthen the regulatory framework. Consultation to soon commence. Potential economic regulation to;</p> <ul style="list-style-type: none"> - Improve transparency about infrastructure and investment - Protect interests of customers - Support efficiency <p>• Key Milestone and Deliverables</p> <ul style="list-style-type: none"> - Further engagement with Local Government and Iwi/Maori in March 2021 	<p>Meeting to be organised with group around the Roadshows to discuss issues</p> <p>Mana Whenua to have more involvement</p>	
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	<ul style="list-style-type: none"> - Northland Workshop 30 March 2021 - Substantive Policy Decisions in April/May 2021 - National Public Information and education campaign 2021 - Councils asked to make a decision late 2021 - Transition entity establishment enacted mid-2022 - Transfer Council Water Infrastructure in 2023 <p>Simon advised that the scheme is unlikely to be transferred to a new entity and that it will remain in local government. The funding that has come through primary spend will be targeted towards drinking water and wastewater. Stormwater will not be included in this spend at this stage</p>		
<p>Financial & Long-Term Strategy</p>	<p>Delyse – Finance manager and Alison – Revenue Manager from WDC came and gave an overview of the budget/actuals for the Hikurangi Swamp Scheme LTP</p> <ul style="list-style-type: none"> - Last meeting - Gather Submission points related to Scheme Finance for the Long-Term Plan submission - Presented a slide show showing three years actuals The Council-owned properties used by the flood protection scheme are non rateable since 1/7/2019 when we stopped charging license fees. The adjustments have now been made (\$272,000 for 2019-2021. The Hikurangi Swamp account for \$200,000 of the rates.//By taking the rates out and refunding them this will be around \$272k including GST for the two years, about \$200k is Hikurangi Swamp rates. There are three types of rates; <ul style="list-style-type: none"> • General rates • NRC rates • Targeted rated including the Hikurangi Swamp Rates – this is made up of around 85% to fund the swamp scheme and net gain is around 20% - Delyse explained how the Rates are set for the scheme Costing by Council to fund this activity – Hikurangi Swamp Scheme – What revenue and what costs are involved. Over the last several years there has been a debt that's been repaid so the rates have been set at a level to cover the ongoing operating costs as well as repaying the debt. The debt is nearly paid and is expected to be paid off this year LTP budget is starting with a small credit reserve – so building up a fund to have there to fund future capex programmes The reserve balance earns interest – journal entries done to increase the reserve as it builds to pay interest The plan has got an inflation increase over the ten years, there will be a reserve of approx. \$3.5m at the end of year ten – This is based on the figures built into the budget for the ten years 	<p>Submission to include a request to hold or decrease rate</p>	

	<p>If rates go up and costs remain consistent the reserve will build up faster– if not will end up back in the debt position.</p> <ul style="list-style-type: none"> - Big ticket items – pump renewals/replacements - Farmers have said that over the course of their life time they have repaid the debt for paying off these improvements once, twice or even three times already and questioned if there was another way this could be funded in future to defer costs over a longer period so that the current farmers are not burdened with those costs right now - Suggestion was a longer-term loan – 30-year loan to pay it forward to future owners to pay it off Delyse replied that it could be a possibility but would need to go through as a submission for the LTP if this was something to be looked at. WDC has a revenue and financing policy which is reviewed every three years with the LTP, this policy is part of the supporting documentation required. This goes through every activity that WDC does and identify who benefits from that activity and how it should be funded. It comes up with a public good user pays ratio which helps determine how much should be funded through general rates and how much should be funded by the end user or the people who would be benefitting from it (in this case the ratepayer to contribute to the scheme via targeted rates). - Currently the Hikurangi Swamp Scheme is funded by the targeted rate that is set for those rate payers – so it could mean quite a significant change to that policy but that is not to say that this is something that could not be considered. Paying debt off over a longer period would result in increased interest being charged to the scheme. - Submission to include a request to hold rates or decrease rates – when the last lot of debt built up to \$2.5ml the rates went up 8% - submission went in during COVID to reduce the rates to 2.5%. There is always an option to have rates slightly increased to build up the reserve a little bit more. - WDC supports that they go ahead with the model but unable to give a timeframe as-yet. Questioned as to how other land drainage schemes are funded to manage their replacement costs. Andrew Carvell advised that there had been a tour of the Waikato scheme – they include in their annual charge a renewals component, so they build up a capital reserve. - This scheme has never adopted the process of funding for depreciation – other schemes have however it was decided by the farmers at the outset that they would pay as they go 	<p>Find funding resources to fund resource consent</p> <p>Long term loan over 30 years to pay it forward to future owners.</p> <p>Submission to be put forward as part of a fact-finding exercise from this meeting</p> <p>Timeframe to be advised</p> <p>Consent dependant on report</p>	
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	<ul style="list-style-type: none"> - NKONWM Maori and all Hapu of the Hikurangi Repo support fill review of the resource consent - Review ties in with an operative plan - Suggestion made that a meeting is held with the group comes first to come to an agreement on what needs to be changed – modelling to be agreed upon. - To come back with a new/modified condition WDC, Farmers and Hapu to work together to come up with collective improvement/solutions to the scheme - Reports out of date to be reviewed. - This will all come at a cost – People in the group with different connections to resource different funding options. - Find the right resources to show that we are benefiting the wider community 		
Hydrotech Contract	<ul style="list-style-type: none"> - Queries regarding drain clearing and the timeliness of spraying - Timelines – Spraying and impacts of the drains been cleaned out which appears to be an increasing cost - Penalties if deliverables not being meet. Hydrotech advised that they received notification from the WDC in November and they commenced the work in December - Work plan from WDC due – work should be carried out in November - Some confusion/miscommunication between farmers and contractors as to what drains need to be cleaned out. - Some farmers are wanting to maintain and clear out their own drains. Questioned what impact this would have to their rates re; rate reductions Need an organised plan in place, there is no dispute with the contractor – just need an organised plan of when they are coming Farmers fill in a form advising drains don't need cleaning out but contractor still turning up to do the work. - Ownership/responsibility lies with the Rep communicating with Hydrotech and the WDC - Hydrotech needs to attend the quarterly Hikurangi Swamp work group meetings. - Hydrotech advised that there has been a suspension put in place on drain cleaning until they can have a discussion with WDC, Hydrotech, Contractor, Farmers and Hapu going forward to address issues. Health & Safety of hapu working alongside heavy machinery needs to be addressed. - Ngararatuna Pump needs to be investigated to cleaning the drains and the amount of dirt being cleared out of the drains and been stock banked is this classed as modification to the drains? - NRC resourcing – WDC has taken a key role in managing the scheme. Needs to be a discussion within the LTP process whether the scheme wants to fund addition resources to have additional person who has 	<p>Process to be reviewed and timeframes revisited</p> <p>Need better communication between WDC and Contractors</p> <p>Process for the cleaning out of drains needs to be reviewed</p> <p>Meeting between WDC, Hydrotech, Contractor, Farmers & Hapu to discuss the whole process and best practices for Drain Cleaning going forward</p> <p>Work together to come up with collective</p>	

	direct involvement with what is happening. One designated person to manage the scheme - Work together with a united front – learn by mistakes	improvements to scheme.	
	George Kingi closed the meeting with a karakea (prayer)		

Meeting closed at 11.30 am