



MINUTES
OF THE ORDINARY MEETING OF THE
WATER RACE SUB-COMMITTEE
EXECUTIVE MEETING ROOM
ON MONDAY 9 OCTOBER 2017 – 1.30pm

Committee Members in Attendance

1. Nigel Barnett (Chairman)
2. Cr Pat McEvedy
3. Cr Craig Watson (Selwyn Central)
4. Mike Chaffey (Ellesmere)
5. Harry Schat (Ellesmere)
6. John Clarkson (Malvern)
7. John Shanks (Paparua)
8. Martin Le Comte (Paparua Water Race Irrigation User Group)
9. Tim Morris (Paparua)
10. Clayton Fairbairn
11. Mike Mora (Christchurch City Council - representing Waimairi and Wigram Wards)
12. Kerry Pauling (Malvern Community Board representative)

In attendance

13. Murray England, Strategic Manager Water Services
14. Daniel Meehan, Surface Water Operations Engineer
15. Maree Pycroft, Secretary
16. Mark Odlin (Buddle Findlay)
17. Rennae Hopkins (Buddle Findlay)

1. APOLOGIES

Craig Watson
Creagh Robinson, Accountant
Kerry Pauling

Moved – Pat McEvedy / Seconded – Mike Chaffey

“That the apologies be noted.”

CARRIED

2. PUBLIC FORUM

Mrs Sue Hawkins, on behalf of Thorndale Farm, Coxs Road, Springfield)

Key points:

- 191 ha
- Thorndale Farm is a member of Central Plains Water Scheme
- There is a Storage Pond on the corner of the farm

- There is a 20ha block with house, garden and yard who do not wish to close one paddock that is leased and they do not need the water.
- Water race would be fully fenced to reduce environment impact.
- Maintenance would be at owners cost but ask if Council would consider a rates rebate
- End of race would flow into/near the Hawkins River

Thorndale Farm wish to install centre pivots to irrigate and supply trough water. Three options have been outlined to the neighbours and Selwyn District Council.

1. An option is to close off the water race and for neighbours to join the CPW stock water scheme. CPW confirm it is possible with the most likely supply from an air valve being installed where the pipe crosses Fergusons Rd.
2. Extend the Councils rural water supply to the neighbours
3. The preferred option is to relocate the water races to run the irrigators and to realign the paddocks. This would involve putting the water race down the boundary to meet up with the existing race.

Time is of the essence for Thorndale Farm to use the contractors already working on the farm to install the pipes and be ready to irrigate when needed during the dry season.

Alan Cullen on behalf of Settlor of the Torlesse View Trust and Auditing Director of Field View Farms Ltd.

1. Torlesse View Trust does not own CPW shares and Field View Farms hold a small parcel of dry shares.
2. Malvern Hills stock water scheme – no previous involvement and it was confirmed there is no capacity for further supply
3. No issue with water race being moved within the Hawkins property boundary. Mr Cullen expressed they would have issues relocating on the south side of the tree planting on the Thorndale property running the full property length.

Peter Williams, owner of a 4ha block on the corner of Ferguson Rd can obtain water the CPW valve and it would be up to Council how it is funded. Mr Williams has flood concerns and advised channels come down Coxs Rd. The race would need to remain open to take flood water.

The Chairman expressed the Water Race Sub Committee is conscious of exploring all options thoroughly and would deliberate with the Committee at the end of the meeting.

3. CONFIRMATION OF MINUTES

Moved – Mike Mora / Seconded – Pat McEvedy

“That the Selwyn District Council Water Race Sub-Committee confirm the minutes of the Ordinary Meeting held on Monday, 14 August 2017 as a true and accurate record.”

CARRIED

4. CORRESPONDENCE

4.1 Letter from William Stuart Lemon, 2 High Street, Southbridge

Fish Salvage Requirements Water Race Closure Application Valuation No.2411016200

The Sub Committee discussed fish salvage issues for the Water Race closure application.

The length of closure is approx. 3 kms involving 2 farms.
Need to understand if it was an assessment from DOC.
Consider option of student involvement for research and training.

Moved Clayton Fairbairn / Seconded John Clarkson

“That Daniel Meehan, Surface Water Engineer discuss further with DOC to understand their requirements and respond to Mr Lemon advising the matter was discussed at this meeting and determined it was necessary to have ongoing discussions due to the importance and what is deemed as necessary.”

CARRIED

4.2 Letter from Stu Blakely, Kivers Road

Moved Mike Mora / Seconded Harry Schat

“That the matter be dealt with under Item 7.2 of the Agenda - Proposed Water Race Closures to Proceed to Public Consultation.”

CARRIED

5. MATTERS ARISING

5.1 Water Race Rating Structure Workshop

- The workshop debated a broader rating approach including a district public good / environmental rate.
- There was a discussion on the possibility of ECAN taking over this asset in the future. This is due to the purpose of the asset moving towards Environmental benefit
- Funding of around \$80k per year from CCC will need to increase. The same logic applied to SDC ratepayers in terms of public good needs to be applied to CCC properties within the Paparua water race area and on charged to CCC.
- It was agreed that the Water Race Sub Committee needs to agree the strategy before approaching CCC. Part of the Paparua Scheme is within the CCC boundary and it is important that Council consult with the CCC and property owners (where appropriate).

6. FINANCIAL

6.1 Finance Report to 31 August 2017

Future rating is the main focus. This is the focus of the next Water Race Workshop.

Moved – Pat McEvedy / Seconded – Mike Mora

“That the financial report to 31 August 2017 be received for information”

CARRIED

Pat McEvedy declared a Conflict of Interest.

Daniel Meehan to review with Gareth Morgan if the clearing of self-seeded willows should have been part of the cleaning contract lump sum.

6.2 Items of Unplanned Expenditure over \$5,000
(Daniel Meehan, Surface Water Operations Engineer)

Moved – Mike Mora / Seconded – Clayton Fairbairn

'That the Water Race Sub-Committee receives the Unplanned Expenditure Report'

CARRIED

7. WATER SERVICES REPORT

7.1 Stock Water Race Fish Screens Update

Project is progressing well at Skurrs Waimak site and Lower Rakaia Sites nearly complete with onsite work will be finished in next couple of weeks. Waimak site has had ecological assessment completed of the bypass channel as request by ECAN, staff are waiting for the final report.

Glentunnel Site was damaged during rain event, major damage to the river bank at intake this will be repaired with river rock and anchor tree protection when water levels recede. Have discussed proposed redesign with the golf course and included some of their concerns / requests in design. Waiting price from contractor before committing and proceeding.

7.2 Proposed Water Race Closures to Proceed to Public Consultation
(Daniel Meehan, Report from Surface Water Operations Engineer)

Moved Mike Mora / Seconded Harry Schat

That the Sub-Committee:

- a) Agree to proceed to public consultation for the proposed closure of 6 lengths of water race totalling approximately 10.9km in the Malvern water race scheme and 6.6km in the Ellesmere water race scheme.*
- b) Advise the Council that the proposed closures are considered to be of low significance not impacting the intended level of service provision for the water races.*
- c) Consider any submissions to the proposed closures raised during public consultation, and provide an opportunity to those persons wishing to be heard.*
- d) Recommend race closures to Council following the consultative process.*

Hamish Maginness – Heslerton / Tramway Road

These closures are not related to CPW. There has been a series of service requests in response to having no service. 100% supported from neighbouring properties.

Approved to proceed to consultation.

Tom Groundwater – Leeston Dunsandel Road

100% Support from properties, This race adjacent to race with high ecological values. Likely to have high values.

Approved to proceed to consultation

Peter Schnell, Horndon St, Darfield

100% Support from properties, Low ecological value.

Approved to proceed to consultation

Potential to close race further upstream

Closing at Bolton Rd intersection approved subject to receiving 100% agreement

Lindsay Hewitt, Pitts Road

100% Support Received

1 property affected

Race causes operator issues with flooding, closing will help operations with this.

Approved to proceed to consultation

Stuart Blakely, Kivers Rd

Mr Blakely's letter tabled under Item 4 – Correspondence refers.

The race regularly overflows and floods a section of his property

Land owner downstream is affected

Approved to proceed to consultation subject to receiving 100% agreement

Ian Syme, Boultons Road

100% Agreed for closure downstream of applicant

Approved to proceed to consultation

1 more signature required to close from Tramway Rd Off take

Approved to proceed to consultation subject to receiving 100% agreement

The cumulative impact of closures and reduction in rates was noted. It was also noted many of the closures have minimal impact on operational costs.

CARRIED

7.3 Proposed Water Race Closures Approval – Post Public Consultation

(Daniel Meehan, Report from Surface Water Operations Engineer)

Moved Pat McEvedy / Seconded Mike Mora

That the Sub Committee

Recommend to Council the closure of 5 lengths of water race totalling approximately 7.4km in the Malvern scheme.

CARRIED

7.4 Water Race Bylaw 2008 Review

(Murray England, Water Strategic Manager)

Sub Committee Members discussed the Water Race Bylaw noting:

- The Bylaw sets out the rules that apply to the water race network.
- Mark Odlin, Buddle Findlay provided the legal view.
- Consultation with Ngai Tahu is required prior to By Law going to Council.
- Council does not approve new connections to the water races for domestic use.
- Council is transitioning out of the position of the primary purpose of using the water for domestic use. The proposed bylaw balances Council's liability and people who use it.
- No obligation in bylaw to issue consent for domestic use - Council can impose a number of conditions and obligations to carry out all necessary treatment requirements etc.

The Water Race Sub Committee supported the Bylaw to go to Council

Moved Pat McEvedy / Seconded Harry Schat

“That the Bylaw is still the most appropriate way to deal with water races as per Section 155(1) of the LGA.

“That the Bylaw is still the most appropriate form to deal with water races as per Section 155(2)(a) of the LGA but requires review to ensure it is still current.”

CARRIED

7.5 2018-28 Long Term Plan

Committee members are encouraged to consider and discuss the key issues and opportunities which should be consulted on as part of the 2018-28 Long Term Plan.

7.6 Workshop

The Asset Manager Water Services proposed that a second workshop be run to further refine the proposal for a new Water Race rating structure. The 30th October 2017 is proposed. Notes from the last workshop along with an Agenda for the new workshop will be provided by 24th October.

Martin le Comte expressed his concern that the agenda for 30th is not as broad as he hoped in terms of ECAN and DOC involvement in the future.

The importance of resolving the Council rating structure first was agreed. This is the focus of the next meeting. The other matters will be progressed.

8. HEALTH & SAFETY REPORT

No Incidents to report.

Priority One site improvements progressing with most structures being manufactured, site works and footing is scheduled for October and November.

Safety Concerns raised for Kowai Air Shaft by Sicon – Waiting pricing and solution for repair.

9. GENERAL BUSINESS

9.1 Response to Public Forum

- Conditions in the Sheffield agreement require CPW to provide stock water where required to no-shareholders within the scheme boundary.
- The simplest short term solution would be for the Hawkins to divert the water race to allow the operation of the centre pivots while providing water to the downstream property owners.
- Council will discuss with CPW options to connect downstream properties to the CPW network while ensuring that costs are reasonable and affordable.
- Council will facilitate an outcome that is acceptable by all parties, this may be a staged approach.
- Daniel Meehan to communicate the course of action to all parties as quickly as possible.

9.2 Yaldhurst Road Sub Division - CCC

Mike Mora raised concerns about the stormwater discharge consent for this subdivision which overflows into the water race. Murray England to investigate further with Mike Mora and Jo Carlton.

10. PUBLIC EXCLUDED

Moved Cr Barnett / Seconded Cr McEvedy

“That the public be excluded from discussions under Section 48(1) of the Local Government Official Information and Meetings Act 1987 due to contractual sensitivity.”

CARRIED

Moved Pat McEvedy / Clayton Fairbairn

“That the meeting move back into public forum”

CARRIED

11. Central Plains Water Direct Deed – Sheffield Water Co-operation Agreement

Council signed an arrangement with CPW to integrate water abstracted from the Kowai River through the stock water race intake with CPW Sheffield irrigation scheme. CPW would use that water for shareholders and Council water race users (where required).

CPWL's lenders have requested that Council sign a direct deed in relation to the Sheffield Water Co-operation Agreement as part of the security arrangements that support CPWLs financing.

Buddle Findlay have negotiated the form of the deed with CPWL and its lenders and tabled the deed for approval to move to Council to sign.

Mark Odlin, Buddle Findlay outlined the key points of the Deed of Grant explaining the deed consents to CPWL granting security over all of CPWL's rights under the Agreement in favour of the Security Trustee.

Moved Mike Mora / Mike Chaffey

“That the Water Race Sub Committee approve that the Central Plains Water Project – Sheffield Direct Deed be tabled at a Council meeting with a summary from Buddle Findlay outlining the purpose of the deed and recommending Council accept the Deed.”

CARRIED

Next Meeting

The next Water Race Sub Committee meeting is on 11 December 2017 commencing 1.30pm.

The meeting closed at 4.05pm