

sub#	Name	Organisation
10.1	Adele Whyte	Ngati Kahungunu Iwi Inc
12	Doreen Adams	
13	Brian Anderson	
17	Adam Baker	
19	Tanja Baker	
21	Dave Barnard	
26	Bernie Bowden	
27	Jeff Boyle	
30	Derek Burns	
31	Peter Butler	Central Hawke's Bay District Council
32	Annette Buxton	
33	Murray Cammock	
34	Brandon Campbell	
36	Denys Caves	
40	Fran Cole	
42	Leanne Cotter-Arlidge	
43	Marion Courtillé	
44	Garth Cowie	Port of Napier Ltd
45	Niki Cowie	
46	Leon Crellin	
49	Gillian Davies	
50	Murray Deakin	
51	Jan Dearing	
52	Clint Deckard	
53	Jeremy Dunningham	
56	Kim Easton	
59	Pauline Elliott	
60	Garth Eyles	
62	Andrew Fowler	
63	Peter Free	
64	John Freeman	
65	Sara Gerard	
66	Karen Gibbs	
67	Andrew Gifford	
69	Colin Goble	
70	Gary Gollobin	
73	Mary Gray	
74	Elaine Guthrie	
77	George Harper	
78	Mike Harris	
79	Kate Hartland	
80	Fiona Harty	
83	Gordon Hills	
84	Lynette Hills	
85	Stephen Holder	

sub#	Name	Organisation
86	Murray Howarth	
87	Jack Hughes	
88	Ross Imlay	
89	Skye Isaac	
90	Penny Isherwood	
91	Richard Jackman	
92	Anthony Johnson	
93	Nicole Johnston	
95	Audrey Jones	
96	Richard Karn	
97	Terry Kelly	
100	Allan Lange	
102	Matt LeQuesne	
103	Steve Liddle	
105	Michael Little	
106	L Lowe	
107	Roger Maaka	
108	Peter Maclean	
110	Pam & Richard Marshall	
111	Ian Martin	
113	Robyn Marriage	
114	Owen Mata	
115	Sara Mata	
117	Shonagh Matheson	
118	Karl Matthys	
121	Ian McIntosh	
123	Ross McLean	
124	Amelia McQueen	
125	Philipp Meier	
126	Hilda Meier	
127	Alyce Miller	
128	Rhys Miller	
129	Sarah Millington	
131	Murray Mills	
132	Keith Moretta	
134	Tony Murphy	
136	Steven Nichols	
138	Irene O'Connell	
141	Lee Pepping	
143	Richard Quigley	
144	Ann Rafealov	
145	Lesley Redgrave	
146	Ann Redstone	
150	Fred Robinson	
151	Robinson	

sub#	Name	Organisation
152	Susan Rogerson	
153	Megan Rose	
154	RA & JD Russell	
156	Delicia Sampero	
157	Keri Schwed	
158	Corey Scott	
159	Willow Sharp	
160	Andy Pearce	HBRIC Ltd
161	W E Shortt	
162	Lee & Dawn Simmonds	
163	Lance Simon	
165	Adrian Skelton	
166	Ian Skins	
167	Gary Speers	
168	Daniel Stabler	
169	Antony Steiner	
170	Karen Strother	
171	Jacqui Sun	
173	Val Thompson	
174	Phyllis Tichinin	
175	Stephane Tiedemann	
177	Marjoleine Turel	
178	Tessa Tylee	
181	U von Minden	
182	Angus Wall	
183	Fiona Ward	
185	MJ Wenley	
186	Dean Whaanga	
187	Kerry Whiley	
188	Wendy Wilks	
189	Clare Woodham	
191	Wayne Yule	
192	Sieglinde Ziegler	
193	John & Raewyn Owens	



12 May 2016

Long Term Plan

Hawke's Bay Regional Council
Private Bag 6006
Napier 4142

haveyoursay@hbrc.govt.nz

Hawke's Bay Regional Council 2015 - 25 Long Term Plan

Tena koe,

1. Ngāti Kahungunu Iwi Incorporated is an iwi authority, whose guiding 'mission' is "to enhance the mana and wellbeing of Ngāti Kahungunu whanau".
2. In regards to RWSS **Ngāti Kahungunu Iwi Authority supports option C.**
3. We do not believe that public money should be used to provide for any further 'Environmental Flows'. If the claimed level of environmental flows are or were necessary, then why wasn't this provided for, or at least discussed, during the Tukituki Catchment Proposal?

RWSS Business Case

4. HBRC conducted public consultation on a possible investment of up to \$80 million in the Ruataniwha Water Storage Scheme (RWSS). In its consultation document '*Investing in the Ruataniwha Water Storage Scheme – summary of statement of proposal May 2014*' council noted that the implementation of an Irrigation Environmental Plan (IEMP) is fully expected to fully offset the projected environmental impacts of the scheme. The document also noted that environmental benefits such as reduction in periphyton growth would occur and that accepting a less than commercial rate of return in the early years of the investment was justified on the basis of socio-economic and environmental benefits.
5. The Hawke's Bay Regional Investment Company's (HBRIC) business case '*Ruataniwha Water Storage Scheme Business Case Report to Council March 2014*' also states that at full uptake the scheme and land owners would be able to operate within the limits proposed by council in Plan Change 6 and reflected in the proposed RWSS conditions.
6. The Board of Inquiry (BOI) on the Tukituki Catchment Proposal (TCP) released a decision that significantly altered the original proposed plan, HBRIC and HBRC logically reviewed the

implications on the business case. Assuming that these reviews have not changed the assessment that the scheme can operate within the limits set out by the BOI final decision there does not appear to be a current need to commit to purchasing additional environmental flows.

7. The business case notes that irrigation return flow is likely to increase recharge of groundwater and have significant overall positive impact on flow. The business case notes that environmental benefits of the return of irrigation water on river flows have probably been underestimated. Given this observation and the points raised in 3.1 and 3.2 there does not appear to be a strong case for purchasing increased flows.
8. The higher flow minima set for the Tukituki through plan change 6 (PC6) as per table 5.9.3 will ensure sufficient flows for the environment and community values as they are substantially higher than existing flow minima.
9. Under HBRC preferred option ratepayers would effectively be subsidizing those irrigators who take water from the river, by paying for the augmentation to keep it above minimum flow. If not HBRIC would still need to augment if they wish to support continued irrigation and land use with in the Tukituki catchment plan.
10. DIN limits and targets in Table 5.9.1B require a pathway towards achievement by December 2030, that is a staged reduction in existing DIN exceedances, and subsequent mitigation of nitrate leaching for new irrigators, via Farm Environmental Management Plans (EMP's) which are required for all farms in the RWSS catchment. Consequential DIN reductions should ensure that algal growth does not become a nuisance and impact on community values. The higher flows from 2018 (at Ashcott Road, Tapairu Road and Red Bridge) should ensure reduced nutrient concentration.

Whatuma



11. Whatuma lacks adequate regard and provision of its cultural significance. The original plan change 6 proposal lacked standards, limits and targets for Whatuma and ignored NKII recommendations to better provide for the lakes cultural significance including an increase of the lakes water level.
12. Ngati Kahungunu Iwi Incorporated is disappointed that Whatuma is being used by a commercial entity to support and justify further waste of rate payer's money. There is no comprehensive plan outlining how water will be practically moved from the RWSS to Whatuma and the costs of this exercise over and above the water purchasing costs. There is also an assumption that resource consent will be granted for this transaction.

13. There is a lack of thorough assessment on all the options and it's difficult to determine whether the proposal represents the most cost effective approach. There are a number of cheaper alternatives that could provide significant community and environmental benefits to Whatuma and its surrounds. At a far cheaper cost, HBRC could purchase the lake bed and with arrangement return it to local tāngata whenua, to manage and care for. This combined with an adequate flood control gate at its outlet would provide for an improved long term solution in comparison to the idea currently proposed.

Option B

14. The business case forecasts a lower rate of demand uptake over the first 5 years of the project followed by a period on increased uptake until 100% uptake is achieved sometime between 2026 and 2040. It would therefore appear likely that RWSS will to spill water for operational reasons resulting in additional flows at no cost for at least 7 years regardless of which option council selects.

15. This operationally required water flow could presumably be used to trial larger releases as suggested in one of the example benefits in the proposal.

16. At full uptake the business case notes the 27% of available water will be used for environmental purposes already required by consents and 52% will be allocated to irrigators. Fifty-two million cubic metres (26%) of water will be available for other purposes. As noted some of this water may be retained to provide protection against inflow variability but some may simply be spilled from the dam.

17. Should 4 million cubes of the available 52 need to be purchased it would appear that HBRC will be in a strong position to negotiate a favourable price. The proposal appears to accept this position in noting that another suitable buyer for the water might not be found.

Management of potential conflict of interest

18. Councils potential decision to take a significant equity stake in the RWSS have created a potential or perceived conflict of interest between councils as a regulator and as an investor. Making a long term strategic commitment to purchase water from the scheme the potential for conflict would increase.

19. Should council decide to continue as both investor, customer and regulator for the scheme consideration will need to be given how conflicts can be managed. For example it might be useful for council to delegate its role as regulator for the RWSS Consents to the iwi authority.

20. Finally Ngāti Kahungunu Iwi Incorporated seeks to work in partnership with all Crown agencies in the spirit of the treaty of Waitangi.

Nāku noa, na,

A handwritten signature in black ink, appearing to read 'Adele Whyte', written in a cursive style.

Dr Adele Whyte
Kaiwhakahaere Matua/Chief Executive
Ngāti Kahungunu Iwi Incorporated

Ngāti Kahungunu Iwi Incorporated
304 Fitzroy Avenue
P O Box 2406
Hastings

Submission 12

Doreen Adams

Consultee Ms Doreen Adams (68532)

Email Address doandgary@gmail.com

Address
Havelock North 4130

Event Name HBRC Annual Plan 2016-17

Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

Option C as I do not believe we should be putting more cash into the dam project.

Submission 13

Brian Anderson

Consultee Mr Brian Anderson (68490)

Email Address briana@xtra.co.nz

Address
Havelock North 4130

Event Name HBRC Annual Plan 2016-17

Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

I have a strong objection to the Regional Council proposing to purchase additional water from the RWSS, at a significant cost to regional ratepayers. The proposition, as described in the proposal documents, is heavily biased towards the commitment to purchase water and avoids discussing the current and long term responsibility that the Regional Council already has, to manage the environment sustainably. The proposal assumes that any and all water that is stored by the RWSS scheme can only be sold. But the Tukituki river and the headwaters that the proposed dam will capture is already a resource that is effectively "owned" by the regional ratepayers. The Council has no mandate to deny ratepayers access to that water, and instead create a commercial operation that would profit from the sale of the water that is then denied to the ratepayers. In fact, it is quite incorrect to present Option C in the way that says "no provision of environmental flows. " The Regional Council has an obligation to ensure that environmental flows are not only possible, but that such environmental flows are used wisely in order to properly manage the environment. The Council cannot abdicate its responsibilities in this regard.

Please add any other comments you wish.

I am in agreement with your preferred options above in relation to the annual plan proposals. However, I do expect Council to review its overall operations on a regular basis and cut costs where possible so that rate increases are kept to the minimum consistent with providing a good level of service. I have felt at times that HBRIC staff have treated Council members with arrogance rather than as servants which is what they are and that should stop. I realise you want the RWSS to proceed as you and HBRIC have spent so much on it. However it is clearly not a good scheme and carries real risks of farmers walking away if they can get out of their agreements and/or bankruptcy if times turn tough which they may well. Nobody wants that. It is better to stop now than risk a much greater financial loss. The acid test is would councilors sign the water agreement if they were farming in the scheme area I wouldn't. I think HBRIC is being irresponsible in the risk it is imposing.

Submission 17

Submissions close at 4pm on Friday 13 May 2016.

ourplan@hbr.govt.nz

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER

ADAM BAKER

ADDRESS

10 TIRIMOHANA PLACE TE AWANGA HAWAIA

CONTACT DETAILS

[email]

adambaker@hbr.govt.nz

[daytime phone]

8750966

I do not wish to speak at the submission hearings.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

"Environmental flows" should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for "environmental flows".

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified landuse, including dairying, thereby adding an even greater pollution load on an already polluted river.

Submission 19

Submissions close at 4pm on Friday 15 May 2016.

ourplan@hbrc.govt.nz

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER Tanya Baker
ADDRESS 10 Tirimoana Pl, Te Awanga 4102
CONTACT DETAILS [email] tanyabaker@ihug.com [daytime phone] 06-8150966

I do not wish to speak at the submission hearings.

I submit that option C is the only one of the three options offered by the regional council which makes any sense. "Environmental flows" should not be paid for by the ratepayers. Decline the amendment to the Long Term Plan 2015-2025, and make no provision for "environmental flows".

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified landuse, including dairying, thereby adding an even greater pollution load on an already polluted river.

SUBMISSION 21

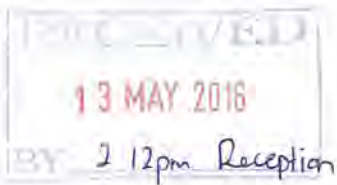
Dear sir/Madam,

I am strongly opposed to the dam project for environmental and economic reasons that have been well stated elsewhere.

I support "option C" as the only practical option to be proposed.

Regards,

Dave Barnard



My submission on the proposed amendments to the HBRC 2015-25 long term plan gives me some concern regarding the flushing flows that would be required to ensure the sustainability of the Tuki Tuki River and its biodiversity. I have pondered this problem with some trepidation as to how it will be possible to ensure this river's survival in the light of a Changing Climate. The proposed Ruataniwha dam will require vast volumes of water that would require the Tuki Tuki to be starved of the water resource to ensure its environmental survival especially at its estuaries (flows into Hawke Bay). To quote if I may from Hawkes Bay TODAY an article by Simon Cowan in Friday May 6th issue.

1 If you accept you cannot reduce the river flow below the level to keep the river environmentally healthy you cannot fill up the dam proposed. To fill the dam you have to assume Bola like storms occurring at the right time of the year for this to happen. Central HB does not have snow melts such as what happens in the South Island to fill the dam.

2 When you look at soil types, terrain and climate even with more water you cannot grow the increased production needed to financially justify the dam proposed. Dairying is the only land use that can bring significant increased production so high pollution management needs to be factored in plus on farm investment in infrastructure and operations.

These words express my concerned reservations on the proposed dam. With our warming climate having almost **certainly crossed the Rubicon** and destined to create ever increasing difficulties in ensuring our food supply, building a dam of such size bodes ill for the future continuous water supply to ensure the health of Tuki Tuki River. The recent weather that we have been experiencing of late, with or without the El-Neno phenomenon, does little to alleviate that thought. Surely it would be more advantageous to encourage our farming community to build smaller dams closer for

its use as is I believe practiced in many rural communities in Australia?

Expanding dairying can only exacerbate our environmental problems in a region of New Zealand that is not conducive to this kind of development, an ever drying climate in the wake of a changing climate. With the added proviso, that there will most certainly be limits to growth, even so called sustainable growth with a world bludgeoning population. In the wake of this scenario financial viability of the dam must surely be thrown into question?

To once again reiterate, on the proposed dam's flushing flows, would I fear do little to ensure the Tuki Tuki Rivers environmental survival. I therefore feel that Option C, is the lesser of the three evils as far as the Tuki Tuki Rivers environmental protection.

I would like to speak on my submission.

Bernie Bowden,
110 Park road south,
Hastings,
4122,
Phone 06 8769701.



Submissions close at 4pm on Friday 13 May 2016.

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER Jeff Boyle

ADDRESS 6 MAIN ST

CONTACT DETAILS [email] [daytime phone]

DATE 13-5-2016

I do / do not wish to speak at the submission hearings.

I am opposed to this scheme for the following reasons

.....

Option C - No provision is to be made for environmental flows, with no cost to HBRC.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

The cost of the dam has now escalated and should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows'.

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

RECEIVED
RECEPTION
TIME: 3.42 pm DATE: 13/5/16
SIGNATURE: *LEAS*

SUBMISSION 30

Hi Leeanne,

I have had no success in posting my feelings about the water position for the proposed.

I am a HBRC rate payer under our family trust with the right to vote. DJW and BJ Burns Family Trust.

My option is "C".

Please record this.

Thank you.

Derek Burns.

Submission to the Hawke's Bay Regional Council 2016 -17 Annual Plan

By Central Hawkes Bay District Council

PO Box 127 Waipawa Peter Butler peter.butler@chbdc.govt.nz

Amendment to the 2015 / 2025 Long Term Plan on the Proposal to Purchase Water from RWSS for Environmental Flows

Central Hawkes Bay District Council is in support the Option A Proposal to amend the Hawke's Bay Regional Council 2015-25 Long Term Plan:

1. Based on the predicted global warming and changes to weather patterns that we are expected to see across New Zealand, the reliance on and management of existing and new water sources will become more critical to a sustainable environment and growth of Hawke's Bay and New Zealand.
2. The Ruataniwha Water Storage Scheme will provide a long term secure water supply for irrigation and the economic growth of the Hawke's Bay region and New Zealand Inc. The other primary use of the RWSS stored water is the increase in summer flows and the provision for flushing flows to enhance the Waipawa and Tukituki rivers and Lake Hatuma ecological environments. HBRIC should cover the cost for these environmental flows as part of the operation of the RWSS.
3. Central Hawkes Bay District Council believe that the opportunity for Hawke's Bay Regional Council to take advantage of a portion of the RWSS stored water is very appropriate in their role as managers of our river networks; and that in signing up to a foundation user agreement will allow maximum environmental benefits of using this stored water.
4. The ability to use the "free water" for the first seven years is immensely valuable in enhancing the river systems environments as well as restoring Lake Hatuma to its natural state, these would be great achievements for Hawke's Bay and Central Hawke's Bay in particular with regard to Lake Hatuma.
5. The added advantage of Option A is that after the first seven years if the water contracted by HBRC is not needed for environmental projects, the HBRC would be able to sell excess water to new or existing scheme users, therefore a low risk proposition that is a "win win" for the environment and residents of Hawke's Bay alike.



Submission 32

Annette Buxton

Consultee Ms Annette Buxton (68181)
Email Address remember@paradise.net.nz
Address Te Awanga
4102
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

Option C. Information previously provided by HBRIC said that the Tukituki river would be enhanced by the scheme not degraded. If that information is correct we should not be using ratepayers money to buy our own water just to get this dam over the deadline.for sales targets.

4th May 2016



Submission to HBRC 2015-25 long term plan for change to its “water management” activity.

The RWSS consent along with Plan Change 6 was promoted as a means to significantly improve the minimum flows and environmental health of the river and in fact are required by law to do so. It is now suggested that there will be additional environmental benefits if larger amounts of water are released but no specific correlation between “X” amount of dollars spent and those suggested benefits is given as they are unknown.

Unfortunately the council has failed to present to us the most obvious and responsible option and that is that there will be surplus water in the early years of the scheme and that this could be used to evaluate what additional environmental gains could be expected from any given quantity of additional water and from there make an informed decision and possible purchase. Instead we are asked to blindly purchase 4 million cubic metres per year with no supporting data behind it and figure out how to use it after that.

The so called \$ 7.6 million environmental benefit that HBRIC is giving us is calculated by putting a commercial value on what effectively would be surplus unsold water that would be going down the river in the early years anyway and in the case of years 1 and 2 an excessive 8 and 6 million cubes respectively. Paying for something that you don’t need or more than you need is not a saving and to say that we can on sell it is an unnecessary risk and places the council in the role of being a water trader which it should not be.

The opportunity to enhance additional projects like Lake Hatuma are suggested but not quantified either and no mention that a lot of these out of stream projects may require considerable extra expense to deliver the water to them. Does the council have such deep pockets that it can look after other catchments and rate payer projects in such a generous way. The proposed benefits listed in this proposal are all to open and all too vague.

Section 1.5 notes the benefit to HBRIC’s financial position and section 2.3 states that it could be used to support and add to consented flows.

This proposal to purchase additional flows should not be seen as a way to either support or oppose the RWSS but as a separate issue to stand on its own merits but unfortunately due to the total lack of any logic and supporting information along with the initial failed attempt to push it through without consultation gives the appearance that this is nothing more than a thinly veiled excuse to enhance the dam company’s finances, thereby making it more attractive to outside investors and to use rate payer money to flush additional water down the river to dilute (but not reduce) the additional nutrient loading on the river in order to help the RWSS meet its environmental consent requirements.

I cannot support the councils preferred proposal “A” as it is not logical or fiscally responsible and so reluctantly support option “C”

I support option “C”

Murray Cammock

370 Porangahau road
RD 2
Waipukurau 4282
Phone 068584185

Submissions close at 4pm on Friday 13 May 2016.

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025
NAME OF SUBMITTER Brandon Campbell
ADDRESS 26 Harold Holt Ave, Onekama
CONTACT DETAILS [email] rugbyfod@gmail.com [daytime phone] 021 041 0341
DATE 2/5/16

I do do not wish to speak at the submission hearings.

Ruataniwha Dam: I am opposed to the Ruataniwha dam scheme.

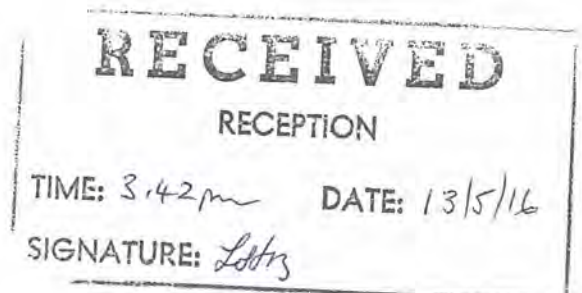
I submit that option C is the only one of the three very limiting options offered by the regional council which makes any sense. Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows'.

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

The cost of the dam has now escalated and should not be paid for by the ratepayers.

The \$36 million would be better spent on Parks + Pathways for kids + families
Better width + designated areas on roads +
sidewalks for cyclist + runners when out
w/ families + enjoying HB weather



Submission to HBRC ANNUAL PLAN 2016/2017 from 48 Kopu Rd, Wairoa & Judges Pde, Mahanga.

ANNUAL PLAN SUBMISSION

Date 2 May, 2016 for deliberation June 2016

Being both a Wairoa urban & Rural HBRC ratepayer I emphasise for your consideration several facts related to unacceptable HBRC practises that have neglected HBRC ratepayer shareholders by denying them OPEN, TRANSPARENT timely INFORMATION & CONSULTATION throughout this whole Ruataniwha Dam proposal process.

NO previous informative consultation has been conducted in a timely manner by HBRC related to the Ruataniwha Dam proposal by our sole Wairoa elected representative.

#The Mayor of Wairoa has been quoted as supporting the Ruataniwha Dam proposal however NO local Wairoa District Council consultation or survey has been conducted & the Mayor therefore has no mandate to state a District consensus view for Wairoa stakeholders.

HBRCIC directors have neglected to adhere to the accepted budget allocations & decision making timeframes .

Both HBRC & HBRCIC have neglected to uphold transparency around all the financial scenarios. It is only by constant challenging questioning some information has been disclosed to ratepayers.

Wairoa HBRC ratepayers gained their first opportunity to gather informative & inclusive consideration via a public meeting held in the Gaiety Theatre, hosted by a group of concerned HBRC elected reps from the Hastings/Napier area, where we were given an overview of the project with stated concerns, followed by the opportunity to have questions answered. Further reinforced at this gathering were the community views of very serious concerns around the lack of OPENNESS, TRANSPARENCY, REPRESENTATION, CONSULTATION & FINANCIAL REPORTING. The hosts were sincerely thanked for making the effort to inform & interact with Wairoa HBRC ratepayers & public.

Following this introductory informative meeting I have researched beyond the media statements & technological discussions by pro Dam supporters in an effort to gain a balanced view of process & direction but still I remain unconvinced of benefits speculated.

A general public perception prevails that it is morally wrong for regional Mayors to promote their own personal interpretation of their local areas perceived support for this project without EVIDENCE. That prerogative lies with the individual ratepayer & voter.

It is a fact the Ruataniwha Dam proposal has no positive proven outcomes identified that will benefit our district ..its all pure SPECULATION prevailing.

The Tuki Tuki river & the Dam are very remote from our locality, so are the perceived beneficiaries. Far from Court far from care is proven for Wairoa.

TRANSPARENCY, INFORMATION, OPENNESS & INCLUSIVENESS have been totally absent throughout this whole senarion & a group of Regional Councillors are hell bent on bulldozing through an aspiration that still has numerous UNPROVEN future benefits AND RISK FACTORS.

RECEIVED	
RECEPTION	
TIME: 8.00am	DATE: 2/5/16.
SIGNATURE: RAB / via Tina Killkelly.	

I strongly implore Councillors as the decision makers to LISTEN to this regions masses of ordinary ratepaying residents & absorb the facts around the socio-economic reality factors faced by those who are not involved in CHB farming ventures but who face unspecified rating costs in the future should this project proceed .

I SUPPORT THE ONLY OPTION related to my concerns above as there is no other option that addresses my personal choice but support for OPTION C.

Thank you for your serious digestion & consideration Denys Caves .



I wish to speak to my subm.

SUBMISSION 40

SUBMISSION to HBRC on Long Term Plan 2015-2025

I do not wish to speak at the submission hearings.

This scheme will require huge ongoing investment from all Hawkes Bay ratepayers for the life of the dam, yet the major beneficiaries will be a small number of farmers. The legacy that we will all have to live with will be reduced river flows, destruction of the riverine environment, loss of biodiversity and continued pollution of waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

I submit that option C is the only one of the three very limiting options offered by the regional council which makes any sense, namely:

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows' from the proposed Ruataniwha dam.

--

Fran Cole

SUBMISSION 42

NAME OF SUBMITTER **Leanne Cotter-Arlidge**

ADDRESS

CONTACT DETAILS l.cotter-arlidge@clear.net.nz

I do not wish to speak at the submission hearings.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

“Environmental flows” should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for “environmental flows”.

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke’s Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke’s Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified landuse, including dairying, thereby adding an even greater pollution load on an already polluted river

SUBMISSION 43

SUBMISSION to HBRC on Long Term Plan 2015-2025

NAME OF SUBMITTER.....Marion Courtille.....

ADDRESS.....

CONTACT DETAILS (email / phone).....mcourtille@gmail.com.....

DATE.....11/05/16.....

I do not wish to speak at the submission hearings.

Ruataniwha Dam: I am opposed to the Ruataniwha Dam scheme.

I submit that Option C is the only one of the three very limiting options offered by the regional council which makes any sense. Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows'.

Current pollution of the Tukituki River needs to be cleared up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

The cost of the dam has now escalated and should not be paid for by ratepayers.

--

Marion Courtillé

Créatrice matière/Designer

www.marioncourtille-cuir.com

www.marioncourtille.com

<http://marioncourtille.blogspot.com/>

SUBMISSION 44

PORT OF NAPIER LIMITED

**SUBMISSION ON HBRC'S ENVIRONMENTAL FLOWS
PROPOSAL**

The proposal for Council to contract 4 million cubic metres of water per year from the Ruataniwha Water Storage Scheme (RWSS) for environmental flows makes sound financial sense from the Port's perspective.

HBRIC will benefit from the Council signing a Foundation Water User Agreement, and as such from our understanding, HBRIC should receive a larger portion of the total distributions earlier than it would otherwise have done; and in this situation, could potentially reduce the dividend flows needed from the Port over that same period. Obviously dividends are not guaranteed income and depend on the circumstances at the time they are declared, but anything that can reduce the pressure on, and reliance on future special dividend flows from the Port should be considered seriously, particularly given future Port development options.

The Port does not need to be heard.

Submissions close at 4pm on Friday 13 May 2016.

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER Niki LOWIE

ADDRESS 22 SHAKESPEARE RD.
NAPIER

~~I do~~ I DO NOT wish to speak at the submission hearings.

CONTACT DETAILS [email] nik@sososteopaths.co.nz [daytime phone] /

DATE 5.5.2016



Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

I submit that **option C** is the only one of the three very limiting options offered by the regional council which makes any sense. Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows' from the proposed Ruataniwha dam.

RECEIVED
RECEPTION
TIME: 3.42pm DATE: 13/5/16
SIGNATURE: LHB

Submission 46

Leon Crellin

Consultee Leon Crellin (68488)
Email Address leonmrleon@gmail.com
Address Bay View 4102
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

The Ruataniwha damn is a flawed business model based upon selective data with very poor methodology. The comparisons between other water storage schemes in other districts and Hawkes Bay is inaccurate and misleading in their findings. The current downturn in the price of milk solids should be seen as an indication that New Zealand is not as competitive in the global market for dairy products as we once were. We are not a low cost producer of dairy, as much as we would like to think that we are there are other countries doing it better and cheaper. The potential economical benefits, which I consider to be overstated and based upon shoddy figures, do not outway the environmental impacts of the damn. HBRC should not be spending my rates on a scheme that is of negligible benefit to the wider rate paying public. There are few prties who stand to benefit from this venture and they do not deserve public funding for their personal gain.

SUBMISSION 49

SUBMISSION to HBRC on Long Term Plan 2015-2025

Dear Council and Chair of the HBRC,

I am making this submission in order to express my extreme dissatisfaction with the repeated attempts by the HBRC and its backers, to bulldoze through the RWSS despite wide public protest. I am unable to speak at the submission hearings but I urge you to take heed of the voice of the varied peoples you are supposed to represent and whose assets it is for you to steward, and whose environment you are charged with being responsible caretakers.

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

I submit that option C is the only one of the three very limiting options offered by the regional council which makes any sense, namely:

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows' from the proposed Ruataniwha dam. Furthermore it is time for the whole RWSS to be shelved and environmental investment to be the priority in the HBRC Plan.

Yours faithfully,

Gillian Davies QSM,

Submission 50

Murray Deakin

Consultee Mr Murray Deakin (68520)
Email Address deakinjones.wairoa@gmail.com
Address Wairoa 4195
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

HBRC's preferred option is A. Council believes that the ability to lock a strong environmental flow component into the Ruataniwha scheme, up front, will deliver the best long-term benefits to the Tukituki catchment and downstream communities.

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

I prefer option C due to lack of any evidence of benefit to environment from the other options. I feel that council has fallen victim of its own smoke and mirrors approach to this whole RWSS debacle. How can buying water that would normally run down the river in an attempt to increase the flow after you are the ones stopping it flowing in the first place be a viable scheme. You are buying water that nobody owns from yourself and robbing your ratepayers right across the region to fund it. If John Cleese had written this plot the BBC would have rejected it as too silly for them. I can only hope it bites the tight five at election time, perhaps enough of the voting public can stay awake long enough to make it so.

Submissions close at 4pm on Friday 13 May 2016.

Email to ourplan@hbrc.govt.nz

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER Jan Dearing

ADDRESS

CONTACT DETAILS [email] dearjan@clear.net.nz [daytime phone]

I do not wish to speak at the submission hearings.

I am opposed to this scheme for the following reasons:

- This will be 'the most expensive irrigation water in NZ and the least democratic' (very few benefit)
- How can we have faith in a business model that has continually shifted its own parameters of what is viable
- Why is an urban population paying for a rural scheme? Surely this is unprecedented
- This dam has already come at great expense in terms of the core business of the regional council having been neglected
- Communication with constituents has been non-existent or totally inadequate. A 40 page document in scientific language is not acceptable. People are poorly informed or totally ignorant of the dam of and its implications
- There appears to be 'the **dam at all costs attitude**' and this clearly puts the environmental and financial safety of this region at huge risk.

Option C - No provision is to be made for environmental flows, with no cost to HBRC.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

'Environmental flows' should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows'.

Submission on HBRC's proposed amendment to the 2015-2025 Long Term Plan and variations to the 2016-2017 Annual Plan

Submitted by Clint Deckard, 184 Tukituki Road, Ashley Clinton.
clint.deckard@frontiers.co.nz

Given the three options presented, I support option C.

Considering the lack of detail around how this particular quantity of water has been chosen to provide environmental benefits it is impossible to support committing future generations to foregoing dividends from the RWSS for the promise of unknown, unquantified environmental benefits.

Before this level of commitment is made, ratepayers deserve a much better idea of how the water will be used and the criteria and process for reaching this decision.

Committing ratepayers to the long-term take of water limits the ability of the HBRC to apply these dividends to other areas that may become a higher priority in the future or provide a better environmental outcome.

Committing ratepayers to taking water whether or not there is any need or any benefit to be gained is wasteful. In wet years when additional flows are not required it is also likely that there will be few if any buyers of water and the council will be left with costly water that has no value, financial or environmental.

Given the enormous financial commitment ratepayers are making by investing in the RWSS, any requirement for environmental flows should be made available at no cost or an agreed cost on a case by case basis.

Option A would mean that the HBRC would become a water trader. This compromises the ability of the HBRC to remain impartial where decisions may affect the cost or availability of water. HBRC ceases to be an 'umpire' and would become a 'player'.

Submissions close at 4pm on Friday 13 May 2016.

ourplan@hbrc.govt.nz

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTERJeremy Dunningham.....

ADDRESS

CONTACT DETAILS [email]jeremydunningham@yahoo.com.....[daytime phone]

I do not wish to speak at the submission hearings.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

“Environmental flows” should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for **“environmental flows”**.

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central **Hawke's Bay District**, which continues to allow their town sewage to discharge into the Tukituki River and those farmers **in Central Hawke's Bay who still** continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

Although I am not against storing water for dry periods in the Bay region, I am concerned that a number of red flags are thrown up over the current plan, when comparing it to the template produced by the International Commission on Large Dams, which has supervised the building of over 3000 large dams around the world. These red flags are related to the following:

- a) Take the community along with you from start to finish-this is clearly not the case with the scheme otherwise there would not be all the discomfort from the community evidenced at present.
- b) Cost overruns-one of the biggest red flags of all, evidence suggests that cost overruns are clear signs that a project is on the wrong track
- c) Project delays-again, evidence suggests that delayed projects have a dubious future
- d) Sunk costs-a failure to recognise that when a project has become unviable, decision makers realise the time has come to let go planning and other costs as down to experience. In this case, there is a **“full steam ahead and damn the torpedoes” approach which doesn't bode well for future ratepayers and residents of the region.**
- e) Transparency-there has been a clear lack of this from the beginning, with a view taken by those in favour that any scrutiny by sceptics is unwelcome, therefore the easiest way to deal with this is to keep concrete and vital information out of the public arena. Any worthwhile project should welcome the exposure to critique as a way of improving it, the danger being that it is human nature for a small committed group to convince themselves that a project is worthwhile-we all like to believe our own rhetoric!**-and to ignore or take as “sour grapes” any criticism. This way of thinking is well laid out in economist, Nobel laureate and thinker Daniel Kahnemann's epic book on decision making.**

SUBMISSION 56

Hello Leeanne,

thanks to you for your message. Yes the 'submit' button was not working, and I think someone might have fixed that now, but my submission about the council buying water to prop up the Dam project would be:

1. How is it possible the the increased costs of the Dam project are not reflected in the amount of water that needs to be sold (target) to reach "positive cashflow". As the costs have increased, this target has not. So there is some dodgy accounting going on somewhere that needs to be exposed (looked at by INDEPENDENT auditors - AKA not paid by HBRIC) before the HBRC should look at buying water from HBRIC
2. How come this project is so far over time and over budget and yet no one seems to be being publicly accountant for this? This project seems to being done AT ANY COST, and with NO DEADLINES. The HBRC should not be buying water from investment companies like HBRIC that operate like this. The HBRC needs to get an INDEPENDENT financial risk rating of HBRIC before dealing with them any further
3. Why has the target sales figure of 45 million cubic meters been swept under the carpet in April? With the same sales figure of 42 million that was presented in February (by HBRIC in their media statement) not being enough in February, why it is suddenly enough in April to be "cashflow positive" - What changed??? Why is 42 enough now - more accounting changes perhaps and shuffling of figures? Again HBRC should not be signing up to buy water from companies like HBRIC that operate like this until it's public as to what trickery is going on behind the scenes. HBRIC need to clean up their act.

Kim

Pauline Elliott

12 May 2016

Submission to Long Term Plan Amendment:

- I do not support HBRC committing to a Foundation Water User Agreement with its Investment Company (HBRIC)
 - I wish to speak to my submission
-

1. Until March 2016 HBRIC stated that the “concession deed” between HBRIC and signatories (not public; not understood; but often referred to) held a clause that provided HBRC to call on up to 4million m3 in any one year if needed for environmental flows at whatever current price of established water users.

At HBRC public meeting on 30 March 2016, a suggested alternative to this clause was presented by HBRIC asking that Regional Council consider replacing that clause with one that would require HBRC to sign up as a foundation water user and commit to buying water every year for the term of a 35 year consent, whether needed or not.

Just two weeks later, albeit over much confusion as to whether or not this decision deserved public consultation, HBRIC determined that the original option was no longer ‘on the table’. Hence we now have Option A; B; or C (no option)

Submission:

- There is no evidence that additional ‘environmental flows’ will be effective or critical to the health of the TukiTuki River,
- It has been stated that there will be excess, available water for the first 5-6 years of operation (‘free water’). This provides an opportunity to explore and determine, as far as possible, actual need. (suggested, I believe, by Cr Beaven). Committing council funding for a 35 year term without such information and without any knowledge of how it might be used, is irresponsible in the extreme.
- If it is determined at some future point that additional flows are necessary for the health of the Tuki Tuki River, why would HBRC (ratepayers) be asked to pay for such benefit? Remembering that the original premise of our \$80m investment was largely focused (and sold) on the health of this river?

- The idea that a commitment to a Water User Agreement might provide an 'asset' to HBRC is highly questionable. There is no evidence as to how such an 'asset' would be realised other than "it might be".
- There has been no comparable evidence presented as to what other environmental priorities will arise over coming years e.g. TANK; Heretaunga Plains; coastal.

**Until a full evidential case can be presented alongside other potentially comparable priorities, I
support Option C / decline amendment**

Pauline Elliott

12 MAR 2016

11pm Reception

Submission by G O Eyles to the Amendment to The Long Term Plan 2015 - 25.

It is with great reluctance that I am presenting this submission. I decided, at least two years ago, that come what may Council would build the dam and so any further submissions would be a waste of time. However, I believe that I have a democratic responsibility to express an opinion and so here is my submission.

My basic position is the Board of Enquiry's (BOI) requirement to maintain the overall quality of freshwater within a region and to improve the quality of fresh water in water bodies that have been degraded to the point of being over-allocated requires HBRC and therefore HBRIC to provide sufficient water to maintain and enhance the waters in the Tukituki river. Therefore, Option C is the only honest option that can be approved. Options A and B are simply window dressing to get additional water paid for by ratepayers.

The BOI was persuaded by HBRIC's submissions that the minimum flows, flushing regimes and water quality monitoring requirements were sufficient to achieve the requirements.

Now we are being told by Council this is not sufficient resulting in 34m³ additional water being required to enable the environment to be maintained and research conducted to ensure future water quality is maintained.

To me this means one of two things, either the facts in their presentations to the BOI were not correct or HBRIC is 'trying it on' under the cover of a massive propaganda campaign to get more water paid for.

As was offered in the Napier Mail 27 April, I asked and was provided with information additional to that in the newspaper. This submission uses both sets of information:

To me the financials are irrelevant as the Environment Court required Council to provide sufficient water to maintain water quality in the Tukituki river. If more water is now needed than originally required surely is a responsibility of HBRC to provide it - at no cost.

The reasons given for this proposal seemed to be designed to massage our environmental consciences, so that we will *of course* support anything that improves our river and its environment. Yet the proposal provides no factual information upon which a rational and considered opinion can be formed. It's the same old stuff of 'believe us we are right!'

For example:

Augmenting flows in small streams. The Napier Mail text states a benefit will be increased flows in small streams for fish habitat refuges – increased frequency of flushing flows in the Marakopa, Waipawa and Tukituki rivers etc. The background text uses term such as '*Generally speaking small streams benefit more from small flow increases than large rivers. Therefore, ... the Papanui or Mangatarata would probably make more difference...*

Augmenting from downstream is very different to natural augmentation from a small flood generated by rain over the catchment. It is difficult to see how this process of pushing water uphill into the side streams will be extensive or effective especially when staff are not sure themselves. It is more suggestive than real, touching the imagination of readers without any significant basis of fact.

Lake Hatuma. While having a through flow of water in Lake Hatuma will be a positive action it will not fix the problem. The problem is lack of water, not sedimentation, not water quality but the lake

being too shallow which has led to raupo and willow infestation (see the HBRC Management Plan for Lake Hatuma). The water level needs to be raised another 300mm from the current weir level. This is a low cost solution but was not actioned due to the resistance of adjacent farmers. I doubt the attitude has changed.

There are three options for the lake:

- The water supply to the lake remains as it is currently - from surrounding farmlands and from the Ngahape stream. Irrigation in the catchment will lead to increased pollution of the lake requiring flushing. Therefore, if the surrounding areas are to be irrigated, the supply of additional water for flushing to remove the increased nutrient loading should be the responsibility of HBRIC and not HBRC.
- The lake becomes a conduit for water to the Mangatarata stream, instead of a bypassing canal/pipe as part of the scheme. This would change the whole ecology of the lake. This option would need to be backed by research before being acceptable and be undertaken as part of the overall planning of the scheme. Thus the research and the water cost would be HBRIC's responsibility.
- The water is supplied directly from the river, which presumably is not polluted with irrigation nutrients. The only function of this supply is improving the health of the lake by raising the water level during the summer and, preferably, an additional 300mm overall.

As I understand it the catchment is within the irrigation scheme area and so will receive waters with increased nutrients. As such the clean up should be HBRIC's responsibility. I would hate to think the proposal to flush the lake is just a cover for the increased nutrient loadings that will occur in the lake as a result of irrigation.

Increased flushing flows for the mainstream rivers. It appears one use of these 34m³ of 'surplus water' could be to trial releases of larger magnitudes /durations to test their effectiveness. Alternatively, they could simply allow more flushing releases per year. The Consent requires the maintenance of the waterways therefore, additional ratepayer purchased water should not be needed for trials. We were assured that the flushing water allowed for in the Consent would be sufficient so why is more needed?

Temperature refugia. If extra flows are needed to provide a viable habitat for cold water spp surely this would have been part of the original Consent requirement and not now additional to that Consent.

Opening / enlarging of river mouths. Again, the original consent requires sufficient water be provided for river mouth openings. As Council is aware river mouth closures result from easterlies/ southerlies causing coastal gravels to pile up along the boulder bank resulting in the water levels in the river building up until pressure scours out the entrance. I would hope HBRIC would have identified the number of openings / enlargings required on average each year and added a safety margin in the planning. Surely this would have been the basis for the decision re number of openings required. So why do we now need more openings?

I will remind you that Prof. Gomar emphasised the need to protect the Tukituki river as it is the only river providing gravel to the coast. The dam cuts off 20% of the supply – to apparently be replaced by 200 truckloads of gravel dropped on the beach over a year - very different to a fan of gravel deposited out from the mouth during a storm. To say nothing of the impact of 200 trucks on the roads annually.

Option C has only one disadvantage. *“It would be a lost opportunity to access flows for environmental enhancement.”* It appears HBRIC doesn’t know what the environmental benefits are that might be achieved and which will be the most beneficial. So we are being asked to approve the allocation of additional water without HBRIC knowing what they want it for!

Summary

We are being asked to approve the additional spending of \$36m to allow HBRIC to experiment and research environmental enhancement options consequent on the irrigation scheme being approved. The examples listed in this submission are all things that either should have been worked through prior to the consents being approved. With a gold plated engineering project worth almost \$1billion, it should be assumed adequate environmental research would have already been done as part of this planning process. It appears we are now being asked to fund this research.

The original Consent covered all the requirements of flushing and water quality. Therefore, Option C is the only amendment that is acceptable.

Garth Eyles recommends Option C

Mary Anne Eyles recommends Option C

Garth Eyles wishes to present.

TO

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER Andrew Fowler

ADDRESS 16 Selwyn Road, Napier, 4110

CONTACT DETAILS [email] a.fowler@hadencustance.com [daytime phone] 021 470061

I do not wish to speak at the submission hearings.

I am opposed to this scheme for the following reasons:

- 1. The water flow in the Tukituki is owned by the people of Hawkes Bay already, interested parties presently need a consent to extract water, it is just the HBRC majority who want us to lose it so they can justify their dam.*
- 2. If without this extra water the dam causes environmental issues then why are we expected to pay for it (even if it comes from the dam earnings, sounds corrupt to me) and why build the dam for the benefit of less than 200 farmers, there are over 140,000 people in HB, invest in something else. Farmers in Central HB currently want to build private water storage on their farms but are being blocked by HBRC.*
- 3. You are lying to the people – “We want to ensure that residents and ratepayers are well informed and get to have their say” – but you were only doing this consultation because you were forced to by the Auditors Office.*
- 4. Why use marketing speak to sell this to HB - “take advantage of the opportunity to purchase water” – you are not building the dam to improve the environment, you are building it help a few farmers, even though environmental protection is your responsibility, so please don't try to sell it with the environmental angle, we are not that gullible.*

Option C - No provision is to be made for environmental flows, with no cost to HBRC.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

'Environmental flows' should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows'.

Submission 63

Peter Free

Consultee Mr Peter Free (68537)
Email Address free@actrix.gen.nz
Address Havelock North 4295
Event Name HBRC Annual Plan 2016-17
Consultation Point Option : Long Term Plan Amendment ([View](#))
Status Submitted
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? A. Accept this amendment to the Long Term Plan 2015-25, committing HBRC to purchase 4 million m3 per year for environmental flows at a preset price from 2026-27, acknowledging that the first ten years are free. The annual estimated cost to HBRC would be \$940,000 in 2016 dollars, with a total cost over 35 years of \$36.9 million.

What do you think - What option do you prefer?

My wife and I prefer option A for long term certainty and a low cost solution for the provision of environmental flows, we live near the Tukituki and would like to see increased summer flows in the river.

2016 -17 Annual Plan Submission to the Hawke's Bay Regional Council

I am in favour of the Option A amendment to the HBRC 2015 / 2025 Long Term Plan on the Proposal to Purchase Water from RWSS for Environmental Flows

1. I see Option A as a low risk option that is a “win win” for the environment, and residents/ratepayers, and growth to the economy of Hawke's Bay. I believe that the Hawke's Bay Regional Council need to enter into a foundation user agreement as a way of providing environmental benefits to our rivers using RWSS stored water, and see this as a critical part of their river management responsibilities.
2. Issues around water and the management of water worldwide is a problem we are also facing in New Zealand, the issues are now showing in areas not normally associated with drought conditions. We in Hawke's Bay are used to a cycle of droughts but the predicted dryer summers and wetter winters in the bay will need us to better manage existing and new water resources as they are critical to a sustainable environment. I see the RWSS as have three main roles in its use of stored water:
 - i) To provide water to increase summer flows and for flushing flows to the Waipawa and Tukituki rivers for the benefit of their ecological environments.
 - ii) Have additional water over and above the summer flows and river flushing volumes to allow an increased environmental river enhancements as well as providing the opportunity for other projects such as the restoration of Lake Hatuma.
 - iii) To provide a secure future water supply for irrigation and the economic growth of CHB and the Hawke's Bay region as a whole.
3. As I have stated earlier I see HBRC using RWSS water as per option A for additional environmental enhancement of our waterways as a “win win” outcome with the use of free water for the first seven years to give a boost to our river systems environments, as well as allowing HBRC to sell excess water to new or existing scheme users if not required at these early volumes in the future.



From

John Freeman

402 Porangahau Waipukurau 4282

Submission on Amendment to the Long Term Plan 2015-25.

163 Kawera Road
RD 9
Hastings

I wish to speak at the submission hearings.

I support Option C.

Reasons

1). Flushing Flows

- The Board of Inquiry required and allocated for flushing flows as part of its resource consent.
- Flushing flows should only be the responsibility of RWSS (not HBRC).
- There is already surplus water in the consented 4Mm³ available for “trial flushes”.
- Additional flushing flows would require a variation in the RWSS resource consent.
- The operation of the consented flushing flows, requiring the forecasting of ‘piggyback freshets’, will be challenging and flushing flow events will be contentious in drought; additional flows will only increase these issues.
- Flushing flow down 115 km in a braided river system may be ineffective. Instead the consented 4Mm³ volume could be more effective supplementing minimum flows in rivers and streams throughout the catchment during summer months
- I do not support HBRC, the regulator of RWSS, spending \$36.9million to further flush away the effects of land use intensification enabled by RWSS.

4 million m³ of water storage used for four flushing flows of up to 30m³/sec, releasing up to 1 million m³ for over a 9 hour duration, released from the dam from between December to 30 April annually. These flow 115km down the Makaroro, Waipawa, lower Tukituki River braided river system to the river mouth, with an intended flow strong enough to rumble river stones removing periphyton in the lower reaches and flush the algae out to sea (this is yet unproven).

Competing flows: The consented flushing flows and irrigation/water supply flows come out the same 1.5m dia dam outlet valve for 9 hour duration, (up to 12 hours when the reservoir is very low). During this time irrigation/water supply flows will be

reduced if not stopped and no RWSS water can be diverted downstream. Irrigation Zones A & M have no canal storage and therefore their flow rates will be directly affected. To increase frequency, durations, flows, and/or volumes of flushing flows could put some irrigators, town and other users in Zone A and M at risk.

For HBRC to pay for flushing flow 'trail releases' is totally unnecessary. RWSS will have water surpluses water available due to the 'piggyback fresh' operation, providing a reduction in in the 1million m3 volume released. These surplus volumes would be available for 'environmental flows' for streams and rivers used by the RWSS, and for any 'trail releases'; all of which should be the responsibility of RWSS, not HBRC.

From personal observation on the farm the effect of nitrogen fertiliser is immediate with bright green puddles occurring overnight. My concern is with land intensification with high nitrogen loading periphyton growth will promptly return, therefore requiring flushing flows every week if the community's expectations are to be met.

A mountain to the coastline approach to catchment management is required. The effects of additional (and consented) flushing flows, on the estuary and adjacent marine environment are unpredictable.

The consented 4Mm3 may could well end up better used in preventing excess periphyton by supplementing minimum flows in rivers and streams continually throughout the summer months rather than used to flush the problem away into another potentially more sensitive environment.

2) Supplementary minimum flows (Temperature Refugia)

RWSS's key function is to manage water storage volumes to supply both irrigation water and environmental flows for downstream river water quality for which rate payers have invested \$80 Million. In addition to the flushing flows consented environmental flows supplied free include:

- a residual flow for the Makaroro River and flows supplementing minimum flows for the Waipawa and lower Tukituki Rivers,
- Inherent to the scheme is an improvement in minimum flows from irrigation water conveyed in streams, reduction of ground water takes and increased drainage from irrigation increasing ground and surface water.

HBRIC have had the reservoir volume modelled for supply to be in excess of demand, meaning surplus water is available 19 out of 20 years. As the RWSS extensively uses rivers and streams across the Ruataniwha Catchment to convey irrigation water, in most year's surplus water can effectively be distributed to supplement their minimum flows.

I believe all relevant variation of RWSS resource consents should provide consent conditions to set required minimum flows in any river, stream, lake used by RWSS distribution network.

3). Lake Whatuma and Mangatarata Stream environmental flow proposals

This proposal I believe is null and void. This proposal is outside the consented RWSS designated. There is no plan, map or information how RWSS water is supplied and environmental benefits over and above what is proposed for irrigation conveyance.

The Tukituki River, Lake Whatuma and Mangatarata Stream supplementary minimum flows and any 'flushing' should be conditions in the proposed Zone N Mangatarata Catchment RWSS resource consent and be at RWSS responsibility and cost, not HBRC's.

4). HBRC is already paying

The RWSS distribution network extensively uses streams and rivers and these significantly reduce the RWSS land acquirement, operation and maintenance costs for the canals, pipes and associated infrastructure. HBRC manages the rivers (e.g. channelling, stopbanks, raking) carries out morphological sediment transportation modelling and carries out the regulatory monitoring; all costs that are not realised and reflected in the RWSS water charge. I believe these costs, where applicable, should be passed on to the commercial water user.

5). The RWSS water itself is an environmental risk to rivers and streams.

Anoxic water and methane gas is created by organic matter decomposing in the bottom of the reservoir. NIWA's reservoir water quality recommendation for a 405mRL dam outlet level and 25 m plantation buffer have been ignored by HBRIC. The up to 51m fluctuation and native debris washing down the catchment need also to be taken into account. NIWA recommended any change in the models parameters, the reservoir should be remodelled. Has HBRIC done this? I believe they should to protect the catchments "environmental flows".

6). The Lack of information made the public consultation process null and void

The public have not been informed of the major design changes both consented and proposed. I believe this information should have been supplementary information to 'Option A' and presented during the public consultation period.

The ZONE N, Lake Whatuma and Mangatarata Stream information I requested 2nd May at a public meeting and 10th and 11 May by email, however none was provided by HBRC.

The January 2016 non-notified RWSS resource consent variation and the updated RWSS zone boundaries showing the extent and boundary of Zone N are information that has been used by HBRIC, HBRIC consultants, HBRC and probably other potential foundation water users and investors and certain HBRC staff would have been privy to this information resource before recommending to Council the HBRIC Foundation Water User Agreement. I believe this information is important information and context to the Environmental Flows proposal, and I am concerned it was not included in the supporting information, published in the media or presented during the public consultation.

That a non-notified resource consent processed by HBRC is a major design change for a project, significantly extending out over a large portion of the catchment, with potential significant effect on hydrology, water quality, ecology, soils, (and the iconic landscape character) is extraordinary.

An important opportunity for HBRC to set improved minimum flows for effected stream and rivers in sub-catchments throughout the catchment was lost.

The Council had agreed to HBRIC's request that the public specifically not be notified when HBRC should be at pains to prove no conflict of interest or undue influence exists.

Rather than an isolated incident, agreement to process the consent as non-notified amid such high national public interest, this non-notification is part of a concerning pattern of events which includes HBRC staff recommending - and Councillors agreeing to this Foundation Water User Agreement while having no knowledge of the proposal, and without any public consultation, that it has been now been directed to undertake.

This systematic lack of transparency within the governance of such a complex project with constantly changing parameters does not give any confidence in the governance for the proposed construction and operation stages that lie ahead. Events such as earthquake induced landslides and slumps into the reservoir, a seiche wave, cyclone Alison events, dam and outlet damage, the Opuha dam breach during dam construction, distribution of toxic anoxic reservoir, farmer hardship with winter droughts, and the Waihi dam sediment disaster are all examples of what could occur. If any of these were to happen at the scale of what RWSS has become it would be disastrous for those investing and for the region.

'OPTION B' offers to pay for water pay as required; I don't believe is necessary if HBRC did their regulatory job well.

If the RWSS was to proceed I support OPTION C:

The RWSS concession deed should ensure environmental flows are a key function and that there is provision of supplementing minimum flows for the rivers, streams (and lakes) ensuring habitat and ecosystem protection and enhancement under the RWSS distribution area at no cost to HBRC.

The proposed RWSS Dividend could be used in HBRC continuing developing of sub-catchment management community groups throughout the Hawkes Bay working on:

- integrative catchment management
- reducing nutrients from entering the aquatic environments
- pollution prevention planning and on-site water treatment
- water and soil management ,
- advocacy in dry land farming and horticulture
- water efficiency and allocation reduction,
- support in changing land use practices,
- biodiversity enhancement
- afforestation, including continuous cover forestry
- wetland and stream protection and enhancement.
- investigation and development of aquifer replenishment.

Instead of RWSS I support a Ruataniwha Aquifer Replenishment Scheme

Thank you for this opportunity to submit,

Sara Gerard



Dates 12 May 2016

Submissions close at 4pm on Friday 13 May 2016.

Email to ourplan@hbrc.govt.nz

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTERKaren Gibbs.....

ADDRESS

CONTACT DETAILS [email] gibbs.family@xtra.co.nz [daytime phone]

I do not wish to speak at the submission hearings.

I am opposed to this scheme for the following reasons [state your reasons]

Option C - No provision is to be made for environmental flows, with no cost to HBRC.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

'Environmental flows' should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows'.

SUBMISSION 67

Submission on the Proposed Amendment to the 2015-2025 Long Term Plan

To: Hawkes Bay Regional Council
Private Bag
Napier 4142

Submitter: Andrew Gifford

Email: andy@thecar.co.nz

Date: 12 May, 2016

Submission

I submit that HBRC should proceed with Option C of the proposed amendment and **NOT** become a foundation water user in the RWSS. (Option A) and **NOT** purchase additional water from the RWSS on the spot market (Option B)

Reasons

1. HBRC is negligent in voting 'in principle' to become a foundation water user in the RWSS (Option A) without reviewing in public session any independent environmental or financial analysis to support the proposal;
2. Voting to proceed 'in principal' in this manner is not normal business practice and, I submit, leads one to conclude that the outcome of this vote was pre-determined;
3. Voting to proceed without public consultation, as was attempted by HBRC, indicates either negligence at best or collusion with HBRIC at worst;
4. The Board of Inquiry (BOI) reviewed the need for environmental flushing flows and has granted resource consents for this purpose. If more environmental water is necessary, why was Option A or Option B not presented to the BOI originally?
5. HBRC (HBRIC) have not presented any financial analysis to illustrate why Option A is a better financial proposition than either Option B or Option C;
6. HBRC (HBRIC) has not presented any scientific analysis to support the proposal that additional environmental water would provide any benefit to the Tukituki catchment waterways;

7. By voting 'in principal' to proceed with Option A, HBRC will become the largest water user in the RWSS. Thus, HBRC should be negotiating with HBRIC to enter a unique water user agreement to acknowledge this status;
8. This proposal has been presented by HBRIC to HBRC as a one-off opportunity to invest further funds in the RWSS for significant environment benefit. I submit that that this proposal has only been presented now to make the RWSS more attractive to project investors (ie. in the form of improved scheme cash flows);
9. I submit that the \$36.9m would be of greater environmental value when used to correct known issues. For example, fixing the CHBDC sewerage treatment facilities or assisting CHB land owners with riparian planting and fencing waterways (as prescribed by the BOI) or undertaking the proposed drilling program to better understand the Heretaunga aquifer;
10. Indeed one of the risks identified with Option A (section 5) suggests that the commitment to purchase water for environmental purposes would need to be made before the optimum levels of environmental flows had been identified;
11. Both the BOI and experts participating in the hearings agreed that more scientific work is required to understand the ecology of Lake Whatuma. I submit that the \$36.9m could be better used to do this work;
12. It is significant that Lake Whatuma was specifically excluded from Plan Change 6 , as presented to the BOI, and now HBRC (HBRIC) suddenly have a solution to resolve the issues inherent with that body of water without any scientific justification;
13. The BOI identified surplus underground water in the Ruataniwha aquifer. As an alternative to Option A or Option B, HBRC could grant itself a resource consent to use a tranche of this water for environmental purposes as required, once the effectiveness of the BOI consented flushing flows is determined;
14. I submit that in commercial terms the risk profile of the proposed options are:
 - Option A – high
 - Option B – moderate
 - Option C – nil

HBRC has no mandate to engage in high risk ventures and therefore must reject Options A and B;

15. Options A and B are very poorly presented and speculative in nature. For this reason alone they should be rejected;
16. There is a clear bias in the information provided in favour of Option A, with significantly less information supplied to support options B or C. For this reason Option A should **NOT** be progressed without further information provided to councillors to support options B and C;
17. The information supplied to support Option B suggests that HBRC could sell surplus water on the spot market. I submit that this is not the function of HBRC and that there is no mandate for councillors to even consider any such transaction;

Tuesday 3rd May 2016.

ourplan@hbrc.govt.nz

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER: Colin Goble

ADDRESS:

CONTACT DETAILS [email] cdgoble@hotmail.com [daytime phone]

I do not wish to speak at the submission hearings.

Current pollution of the Tukituki River needs to be addressed urgently. Clearly this is the Hawkes Bay Regional Councils responsibility to ensure this occurs. It is the polluters, in particular Central Hawke's Bay District Council and those land owners (generally a few farmers and others) whose properties are adjacent to waterways and continue to allow stock and other nutrients to infiltrate waterways. Regional Council needs to step up in its environmental responsibilities in the region.

It does not make sense to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river. (Also it is understood the lighter soil in the vicinity may be unsuitable for dairy farming and also returns from dairy is in a state of decline).

I am a keen angler and have fished rivers in the region for many years. Flushing of rivers currently occurs naturally. I am concerned that in long dry spells and with large water drawdown from a storage dam, there could be uncertainty for "Environmental flows" from the dam. Also any "environmental flows" should not be an added cost to ratepayers in the region. Will a 1.5m diameter outlet pipe actually provide a flow that mimics natural freshes?

I do support economic growth in the region. However, I am not convinced that the proposed dam is a viable and sustainable option for the residents of Hawkes Bay, or will provide environmental benefits to the region. I note in the recent Herald article: "*The Hawke's Bay Regional Council has agree to buy \$43 million worth of water over 35 years from its own dam so the water can be used for its flushing flows. But a freshwater ecologist at Massey University, Dr Mike Joy, said research showed flushing flows did not work.*" (Logical, understandable reason is provided)

HBRC Three Options:

Option A This option is not supported. This option appears flawed. The option suggests that the first 10 years of water for environmental enhancements is free, however it appears that this will be an actual cost of \$36.9m to HBRC (ratepayers). It is of concern that until the dam is built (in 4 years), there will be no allowance for 'environmental flows'. I am not convinced that dividends from the Napier Port and Ruataniwha dam will either be sufficient or available to fund environmental flows without further impacting on ratepayers. Dividends from the Napier Port should be allocated across the region- not concentrated to the dam operation and flows. I struggle to understand how this option can achieve the objectives in the Tuki Tuki Catchment policy: *to maintain or enhance the habitat and health of ecosystems, macroinvertebrates, native fish and trout.*

Statements made for this Option A say it “Gives HBRC 34million m3 of water free for seven years and then the requirement to purchase 4 million m3 per years for environmental flows with a total cost of \$36.9m over 35 years. However below under Option A it is stated “For the first 10 years, get up to 34m m3 free in total.Confusing and conflicting statements.So the water is not free.

What is the likely cost beyond the 35 years then? Will this become another longer term financial burden on the regions ratepayers?

Option A must be rejected.

Option B

This option also appears to be unacceptable and is not supported. With competition with other water users at unknown costs for any addition water, is a real concern. This could have significant implications on all HBRC ratepayers both in the short and longer term. I am not prepared to pay more rates to support additional water purchase for environmental flows “*in any given year*”. Any environmental flows must be managed carefully and accommodated within the scheme and at no extra cost to the ratepayers.

Option B must be rejected.

Option C

Option C appears to be the only one of the three options offered by the Regional Council that which makes any sense.

Whilst this Option C may have no cost implications to HBRC, if the dam is progressed, then opportunity to access additional flows, may still be essential for the waterways environment and quality. It is suggested that Option C should be reworded to:

Current Situation Analysis:

*This option **will give** opportunity to access flows for additional environmental enhancement , via the Ruataniwha scheme **at no additional cost to ratepayers**.*

Whilst there are flaws with this option it appears that it is the only one that is acceptable for adoption.

Conclusion:

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river. If a dam is constructed then environmental flows must take precedent as a key function to protect and enhance the environment, at no cost to HBRC or its ratepayers.

It is Regional Councils legislative responsibility to work toward improving river quality and environs. I remain unconvinced the proposed dam achieves clean water and environmental objectives.

The cost of the proposed dam has escalated significantly and I submit that any further increased costs (including environmental flows) must not be funded by the ratepayers across the region. There is no certainty of the water uptake that will provide adequate returns to Council to support water purchase. .

From the public and ratepayers perspective, HBINC appears to have managed this project poorly. Consultation with ratepayers has been quite abysmal. I am not convinced the proposed dam is viable. HBINC and HBRC do not appear to have been open and honest with information provided to ratepayers and residents of Hawkes Bay. This is most unfortunate.

My Regional Council Rates have increased by 25% in the past 5 years. I do not wish this rate of increase to continue and are not prepared to pay more for a scheme that has insufficient support or evidence that it is a long term viable proposal or that it will enhance the environment.

I am not prepared to pay more toward a scheme where so much uncertainty in the uptake of water and the viability of the scheme exists.

The amendment to the Long Term Plan should be declined and make no provision for environmental flows.

Recommendations:

- **Decline Options A and Option B**
- **Support Option C**
- **Decline the amendment to the Long Term Plan 2015-2025 and make no provision for environmental flows and at no cost to HBRC or its ratepayers.**

Submission 70

Gary Gollobin

Consultee	Gary Gollobin (68533)
Email Address	doandgary@gmail.com
Address	Havelock North 4130
Event Name	HBRC Annual Plan 2016-17
Submission Type	Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

Option C is preferred. I do not wish for the council to continue to fund the dam.

SUBMISSION 73

SUBMISSION to HBRC on Long Term Plan 2015-2025

I do not wish to speak at the submission hearings.

OPTION C

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

*“Environmental flows” should **not** be paid for by the ratepayers.*

*Decline the amendment to the Long Term Plan 2015-2025, and make **no provision for “environmental flows”**.*

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke’s Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke’s Bay who still continue to refuse to fence their stock out of waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified landuse, including dairying, thereby adding an even greater pollution load on an already polluted river.

Mary Gray

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER Elaine H. Guthrie

ADDRESS 123 A Ascot Ave. Taradale

CONTACT DETAILS [email] elyguthrie66@gmail.com [daytime phone] E.H. Guthrie

I ~~do~~ do not wish to speak at the submission hearings.

I submit that option C is the only one of the three options offered by the regional council which makes any sense. "Environmental flows" should **not** be paid for by the ratepayers. Decline the amendment to the Long Term Plan 2015-2025, and make **no provision for "environmental flows"**.

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified landuse, including dairying, thereby adding an even greater pollution load on an already polluted river.

FURTHER REASONS I am very concerned about
the ongoing serious pollution with effluent
of our beautiful TukiTuki River.

RECEIVED
RECEPTION
TIME: 3.42pm DATE: 7/5/16
SIGNATURE: LSB.

SUBMISSION 77

*Decline the amendment to the Long Term Plan 2015-2025, and make **no provision for 'environmental flows'**.*

SUBMISSION to HBRC on Long Term Plan 2015-2025

I do not wish to speak at the submission hearings.

OPTION C

No provision is to be made for environmental flows, with no cost to HBRC.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

*'Environmental flows' should **not** be paid for by the ratepayers.*

*Decline the amendment to the Long Term Plan 2015-2025, and make **no provision for 'environmental flows'**.*

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock out of waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified landuse, including dairying, thereby adding an even greater pollution load on an already polluted river.

OTHER REASONS

SUBMISSION to HBRC on Long Term Plan 2015-2025

I do not wish to speak at the submission hearings.

I am opposed to the Ruataniwha Water Storage Scheme for the following reasons:

1. Added risk to the environment:

In the CHB region there is continuing unacceptable pollution of the upper Tukituki river through town sewerage discharge and through farming practices that are not regulated or complied with sufficiently. To believe that the proposed water storage scheme with controlled flushing and intensified agricultural land use will not have a significant negative environmental impact on water ways sounds very unlikely to me. **A 'living free-flowing' river** with adequate/improved environmental protection leaves a legacy far more valuable to eco-systems and rate payers than a dammed river with controlled outflows and compliance risks around water way protection.

2. Limited benefit:

The water storage scheme will predominantly benefit a small number of CHB farmers with forecasted but questionable long term benefit (e.g. job creation in HB) to the rate payers of HB region.

3. Financial risk:

It appears that there is significant financial risk to the farmers who have signed up to purchase water. If some default on payments then they will likely be bought out by the more wealthy farmers in the scheme. Political and financial power around water use in the region then ends up in fewer hands - a risk in itself. HB rate payers are being asked to subsidize a scheme where a great deal of money is involved and thereby expose themselves to considerable risk.

4. Coastal erosion:

There is no guarantee that controlled flushing of the Tukituki river, as opposed to natural flooding, will have the same or greater effect in transporting shingle to the sea. Rivers such as the Tukituki discharge significant amounts of gravel/shingle into the sea and this replenishes the coastal shingle bank. This coastal protection is already compromised by shingle extraction at Awatoto and we cannot afford to take the risk and worsen this situation.

5. Communication:

Has there been adequate communication from HBRC and local councils with HB rate payers regarding the analysis of long term potential benefits, investment risk and environmental impact evidence? If ACC becomes a major investor then will there be consultation with the NZ tax payer?

Overall there are unacceptable long term risks to the environment and to rate payers. HBRC and other organizations involved who represent rate and tax payers have a duty to protect them and the environment. The rate payers and tax payers look to their local and regional councils to act

with integrity in all decision processes and to have adequate communication strategies in place especially for schemes of this magnitude.

I submit that option C is the only one of the three very limiting options offered by the regional council which makes any sense, namely:

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows' from the proposed Ruataniwha dam.

Mike Harris

Submission 79

Kate Hartland

Consultee Ms Kate Hartland (68455)
Email Address kate.hartland@gmail.com
Address Hastings 4156
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

I have been horrified by the escalation of costs and the increasing commitment of our assets and our resources to prop up this dam scheme. I do not believe the dam is anywhere near viable. You told us that 45 m cubic metres of water had to be guaranteed for this to be even possible; yet you have told us that 42m is enough. In one of the versions of your 'sales document' for the dam (still on the website - "6 August public meeting" - the slide saying 'does the project stack up?') you claimed that it did; "at the current water charge, project economics work"; and that was with 104m cubic metres at 26c per cubic metre - which has apparently increased to 27 or 27.5c. Meanwhile the total cost of construction appears to have risen by over \$50m; which surely means the break-even level for uptake must also rise significantly, yet this hasn't been taken into account. And now we are being told that we ratepayers have to commit another \$37m for future water purchase for the flushing flows. Yet in the initial information given to us by the council, one of the main reasons for the dam was to protect the environment and improve the ecological health of the river. So my assumption then was that this would be factored in to the operation of the dam in the first place; not that you would suddenly decide to commit to spend public money to buy water to do this. In fact I even thought that the resource consent for the dam would require a certain level of flushing flow water. And - as the regulator - surely if you need more, the obvious thing would be to have built this in to the requirements for any dam operator in the beginning, rather than suddenly decide we the public have to buy our own water from a private operator to clean up our own river to protect it from commercial farming operations that are pumping nutrients into the water. Why haven't you sorted this out and maybe gone down the 'polluter pays' route? Then we wouldn't have to pay anything and could spend the \$37m on something to improve social justice and relieve poverty. I am horrified by this latest development and am STRONGLY against anything that commits us the taxpayers to buying water. Please go with option C.

Ireland Road
RD2
Otane 4277

Friday 13 May, 2016

RECEIVED

RECEPTION

TIME: 1.09 pm · DATE: 13/5/16

SIGNATURE: *LHB*

Kia ora

Please find attached my submission on HBRC's proposed amendment to the 2015-2025 Long Term Plan and variations to the 2016-2017 Annual Plan.

I do not wish to speak to my submission

I do not wish to have my contact details made publically available.

Thank you

Fiona Harty

SUBMISSION

Proposed amendment to the 2015-2025 Long Term Plan and variations to the 2016-2017 Annual Plan.

Re: Ruataniwha Dam

I have lived in Central Hawkes Bay most of my life and my family have farmed for two generations at Pourerere Station. I have a good appreciation of what it takes to successfully farm to Hawkes Bay's seasonal variations. On-farm water storage, with farmers taking both investment responsibility and risk is the norm out at the coast. Transferring this responsibility and risk to ratepayers for the benefit of 150 farmers is wrong and the Regional Council do not have a mandate to do this.

Accordingly, I strongly oppose any more money being spent on this dodgy scheme for all the reasons we have been reading and listening to now for a very long time. Why has the so-called 'financial close' for the dam been delayed seven times? This speaks volumes. No more! The proposed \$80 million would be better spent subsidising on-farm water storage for farmers in need throughout Hawkes Bay.

Fiona Harty

Submission 83

Gordon Hills

Consultee Mr Gordon Hills (68151)
Email Address ljhills@hotmail.com
Address Napier
4186
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

The proposed dam is a sinkhole for ratepayers money and should be stopped before any more ratepayers money is wasted.

Submission 84

Lynette Hills

Consultee Mrs Lynette Hills (68152)
Email Address ljhills@hotmail.com
Address Napier 4186
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

The money wasted on this dam proposal has to stop. Forcing the cost of jacking up water usage to justify building the dam is basically corruption.

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION: on the Long Term Plan 2015-2025

NAME OF SUBMITTER: Mr Stephen Mark Holder

ADDRESS:

CONTACT DETAILS: steve.holder@xtra.co.nz [daytime phone]:

I do not wish to speak at the submission hearings.

I submit that option C is the only one of the three options offered by the Regional Council which makes any sense. **"Environmental flows" should not be paid for by the ratepayers**, especially considering that this option would not be required if there were no dam in the first place!

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for **"environmental flows"**.

The current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters. In particular, **Central Hawke's Bay District Council**, who continue to allow their town sewage to discharge into the Tukituki River after being found in breach of their discharge consent some nine years ago and have still failed to comply. Plus, those **farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways**.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.



S M Holder

RECEIVED
11 MAY 2016
HBRC

Herbi

HELP US SHAPE OUR PLAN 2016-17

Sending in your submission

- This form is optional and for your convenience. However whether you are posting or faxing your submission, as a minimum we need you to include your name, address and most commonly used telephone and email contacts. This helps us to keep you informed of the outcome/s.
- You also need to clearly indicate if you want to present your submission in person to the Council.
- Keep a copy of your submission for reference.
- Submissions must be received at HBRC no later than 4pm, Friday 13 May 2015. Late submissions will not be accepted.

Post to: Our Plan 2016-17 Submission, Freepost 515,
Hawke's Bay Regional Council, Private Bag 6006, Napier 4142

Fax to: 06 835 3601

Deliver it to: 159 Dalton Street, Napier

Name: Murray Howarth. (or representative)

Organisation: (if applicable)

Address: 93 Boyle Road
Takapau
4286

Daytime phone: 027 233 5089

Email: tawa.parke@gmail.com

Signature: M Howarth.

Tick,

YES – I wish to present my submission in person to the Council meeting

NO – I do not wish to present my submission in person to the Council meeting



Amendment to the Long Term Plan 2015-25

HBRC's preferred option is A. Council believes that the ability to lock a strong environmental flow component into the Ruataniwha scheme up front, will deliver the best long-term benefits to the Tukituki catchment and downstream communities.

Q1. Which option do you prefer? Option A, B or C?

- A. Accept this amendment to the Long Term Plan 2015-25, committing HBRC to purchasing 4 million m³ per year for environmental flows at a preset price from 2026-27, acknowledging that the first ten years are free. The annual estimated cost to HBRC would be \$940,000 in 2016 dollars, with a total cost over 35 years of \$36.9 million.
- B. Decline this amendment to the Long Term Plan 2015-25, and in future purchase additional required water at market rates, from 2019-20 and the years that follow.
- C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think – what option do you prefer?

The Commissions P.C. 6 should be followed first, which imposes obligations for water and land use.

Many farms will need to lower their N leaching levels to attain their L.U.C. limits and achieving this will improve water quality.

To lock the H.B.R.C. into a 35yr water users agreement for extra flushing flows with no plan as to how to use this water would be a rash move.

It is not known yet if flushing flows will be needed with the P.C. 6 changes in place, or if flushing flows will be of any benefit.

There would be much better ways to spend \$36 mill to improve water quality than buying extra water to be used for extra flushing flows.

Treat ratepayers with respect and honesty.

Option A appears to be a last minute deal to financially prop up the Dam proposal.

Submission 87

Jack Hughes

Consultee Mr Jack Hughes (68410)
Email Address rascals@xtra.co.nz
Address Haumoana 4102
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

The Environmental Flows Proposal is a thinly disguised and unjustified further ratepayer subsidy for the Dam. If HBRIC/HBRC cared about the environmental state of the Tukituki they wouldn't have tried to except farmers from being responsible for DIN levels until 2030. If HBRIC/HBRC were being fiscally responsible they would factor in the extra \$100M in construction costs and accept that contracted volumes need to be in the order of 60M cubes for the project to be viable. And if HBRC staff were ethically responsible they wouldn't be hiding the truth from Councillors about the Waihi dam from councillors.

SUBMISSION to HBRC

Submission on Amendment to the Long Term Plan 2015-25.

Submitter: Ross Imlay

Address: 162 Kawera Rd

RD9 Hastings

Phone: 06 874 3141 or 022 137 9779

I do not wish to speak at the submission hearings.

Environmental Flows.

I support Option C.

Reasons:

The additional environmental flows are not necessary, as they have been allowed for in the BOI conditions for this dam. There is little evidence to show that flushing flows will work, and spending further money on unproven ideas is poor use of rate payers funds

Should the additional water not be required for "environmental purposes", HBRC, as regulator and protector of the environment, should not be involved in water trading within its own scheme.

The \$36.9 million would be better spent on improving the environment in other areas of Hawkes Bay outside RWSS

Thank you for this opportunity to submit,

Ross Imlay



SUBMISSION 89

SUBMISSION to HBRC on Long Term Plan 2015-2025

I do not wish to speak at the submission hearings.

The whole idea is dinosaur thinking .. out-of date. There are more effective, far less costly solutions.

There are better ways to conserve water. e.g. in Humus rich earth and many small ponds,

especially near the head of the water source. This is proved in more and more countries -even UK.

see Resurgence magazine article. The initiator of this common sense has won an International prize for water conservation.

E mail me on skye.isaac@nowmail.co.nz if you require more common sense info.

OPTION C

No provision is to be made for environmental flows, with no cost to HBRC.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

*'Environmental flows' should **not** be paid for by the ratepayers.*

*Decline the amendment to the Long Term Plan 2015-2025, and make **no provision for 'environmental flows'**.*

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central

Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in

Central Hawke's Bay who still continue to refuse to fence their stock out of waterways.

SUBMISSION 90

Submissions close at 4pm on Friday 13 May 2016.

ourplan@hbrc.govt.nz

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTERPenny Isherwood.....

ADDRESS

CONTACT DETAILS [email] p.isherwood@orcon.net.nz.....[daytime phone]

/do not wish to speak at the submission hearings.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

"Environmental flows" should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for "environmental flows".

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central

Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

I do not believe that the dam will bring all the suggested benefits and am very concerned that the planning has

progressed so far that it is almost inevitable that a dam will happen. Too many egos are going to be bruised if this

project fails and the planned environmental flows will not improve the environment. The October elections will hopefully

sort out the egotistical members of that council.

When will the Hawke's Bay District Council actually take care of the environment that they are elected to care for?

The province is not well cared for if this dam proceeds.

I have some admiration for the staff of the council who work with commitment to improve our habitat, but fear that they

are pushing the proverbial stick up hill if their leaders are so blind.

Penny

Submissions close at 4pm on Friday 13 May 2016.

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER

RICHARD JACOMAN

ADDRESS

39 GOYS HILL ROAD, NAPIER

I ~~do~~ wish to speak at the submission hearings.

CONTACT DETAILS

[email]

[daytime phone]

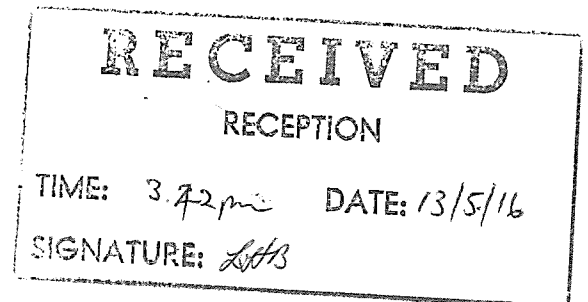
DATE

13-5-2016

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

I submit that **option C** is the only one of the three very limiting options offered by the regional council which makes any sense. Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows' from the proposed Ruataniwha dam.



Submission 92

Anthony Johnson

Consultee Mr Anthony Johnson (68515)
Email Address Chevenning@gmail.com
Address Hastings 4175
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

During the Board of Inquiry process, the public were assured that the RWSS scheme, in association with Plan Change 6, was capable of adequately preserving the ecological health of the river systems. Flushing flows and minimum flow levels form part of the resource consent conditions. It is therefore of concern to me that at this very late stage it somehow becomes so important to further manipulate river flows for environmental advantage. I suggest that one likely explanation is in fact expressed in para 1.5 of the "Details of Proposal (Option A)". This states unequivocally that HBRIC cashflow would be a major beneficiary of adopting Option A. I further suggest that under the terms of the Local Government Act section 82(1)f it is incumbent on the Council to provide assurance that there is no question of Option A being adopted primarily as a means of improving HBRIC cashflow in the medium term (and incidentally making the RWSS scheme more attractive to prospective investors), with environmental benefits being of secondary importance. I find it impossible to support Option A without such assurance having first been given. I do note however that HBRC appear to be in a financial position where they feel able to support expenditure of around \$36.9 million to address environmental concerns in the Tukituki catchment. I therefore suggest a more considered step would be a preliminary detailed study to prioritise environmental concerns over the whole HBRC jurisdiction, and proceed with relevant projects from there. On these grounds, I would again decline both Options A and B and (as an interim measure only) express my support for Option C.

Submissions close at 4pm on Friday 13 May 2016.

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025
NAME OF SUBMITTER Nicole Johnston
ADDRESS 108 Kent terrace taradale

I do do not wish to speak at the submission hearings.

CONTACT DETAILS [email] [daytime phone]
DATE 13-5-16.....

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

I submit that **option C** is the only one of the three very limiting options offered by the regional council which makes any sense. Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows' from the proposed Ruataniwha dam.



RECEIVED
RECEPTION
TIME: 3.42 pm DATE: 13/5/16
SIGNATURE: *LSB*

Submission 95

Audrey Jones

Consultee Ms Audrey Jones (68519)
Email Address deakinjones@gmail.com
Address RD 5
Wairoa 4195
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

I wish to vote that HBRC do not make any amendment to the Long Term Plan 2015-25. I do not want HBRC spending ratepayer money on purchasing water from the Ruataniwha Water Storage Scheme for any reason.

Submission 96

Richard Karn

Consultee mr Richard Karn (68534)
Email Address rikan@xtra.co.nz
Address Napier 4110
Event Name HBRC Annual Plan 2016-17
Consultation Point Option : Long Term Plan Amendment ([View](#))
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

Submission 97

Terry Kelly

Consultee	Dr Terry Kelly (68522)
Email Address	tckelly17@gmail.com
Address	Hastings 4156
Event Name	HBRC Annual Plan 2016-17
Submission Type	Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C?

C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

The proposed amendment is driven by the company promoting the RWSS and trying to sell the water, and was developed in haste. Rather, such a proposal should come from the science community, and be analysed as to whether such an expenditure is the best way to improve environmental outcomes for the Tukituki catchment. If at a later date such additional flushing flows are deemed desirable, then this can be proposed in future long term plans. As it stands now, it appears that the Council has caved in to the Company's need/desire to sell more water in recommending this amendment; this is not the way to spend ratepayers' money.

Submission 100

Allan Lange

Consultee Mr Allan Lange (68273)
Email Address allan.lange@gmail.com
Address Hastings
4120
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

I can't see why we would need to purchase water from HBRIC, when the consented dam is suppose to improve the water quality ahead of where it is now. It also has minimum water flows which should be more than enough to make the Tukituki a healthier river. If additional flows are required for environmental reasons, the consents the dam was given was obviously to low to start with.

SUBMISSION 101

Matt LeQuesne to Hawke's Bay Regional Council

1 hr .

My submission for "our plan".

This is dishonest and a scam. This purchase of water off the HBRC's own subsidiary is merely a way of transferring funds to the HBRIC, to make the RWSS scheme look financially viable and a good idea to the ratepayers of HB.

This is called an inter-related party transaction which is dishonest and miss-leading the public of Hawkes Bay.

The HBRC is using public funds to subsidize private farming businesses.

There should be NO RWSS at all using any money sourced from the Hawkes Bay Regional Council.

I do NOT support my rates being used to purchase water from a company that the ratepayers already own.

I do Not support the Port of Napier paying dividends to the HBRC to pay for the RWSS at all.

I am a logging truck driver and I have not had a pay rise in 5 years.

To increase the Rates for ratepayers while the profits of the Napier Port (HBRC owned) are funneled to the HBRIC to pay for the construction of the RWSS dam is transferring the wealth from the public asset (the Napier Port) to the farmers and corporate farmers.

If the RWSS does go ahead, then when the RWSS dam is over full with winter rain, and the spring melting of snow from the ranges, the water will have to spilled down the river anyway so to attach a cost to this is dishonest and miss-leading to the public and ratepayers of Hawkes Bay.

I do NOT support purchasing any water by the HBRC off the HBRIC!

The water is going to be released down the river anyway why pay for it!!

Citizens risk versus development and progress

This submission maintains the costs of the dam outweighs its benefits. It is against neither dams nor development but asserts that the costs of building a dam of this size has to be weighed against its private and social benefits.

This means reassessing the benefits of huge water storage of this kind in the light of consensus science including recent findings of environmental economics, health, agriculture and risk-assessment sciences.

A key concept in cost-benefit economics is opportunity cost. That is, what are the costs of the lost opportunities in choosing a particular option. When big dams over 15 metres were first built the loss of land was the key question. Now the question is whether smaller scale alternatives can provide the same benefits. Or what money spent on the dam could be used for that would bring equal or greater benefits.

There is now overwhelming evidence in the public arena that the costs by far outweigh the benefits. There is also plenty of evidence that the same benefits can be achieved by smaller scale storage.

Neither does mass storage of water by itself make possible a scale and/or type of farming that is fit for land purpose. But it does have side effects that are best avoided for a modern ideal of progress that emphasises sustainable development.

This submission bases its argument on:

- 1) Deloitte's assessment that the 'down-stream' benefits claimed for the dam cannot be substantiated or are at the least predicated on unknown future variables. This is more than a note of caution and more a statement that present or future projected benefits are not justified by costs inflation
- 2) The idea that if you store water benefits will be found by future industries ignores best practice about water usage world wide
- 3) Up-to-date research now telling us about hitherto not understood health risks (Waikato Waikato vet and ecologist, Dr Alison Dewes), and that flow-flushing does not work (Massey freshwater ecologist at University, Dr Mike Joy)
- 4) if the same Water storage benefits can be had by private-public dams constructed on a smaller scale, then any risk-assessment should also take alternatives into account. The principle of 'the greatest good for the greatest number' applies, especially for publicly funded projects but also for private-public one.

Conclusion:

The key question, from a citizen's point of view, is whether a civil authority representing all citizens and ratepayers is elected to make cost-benefit judgement on behalf of citizens. If it is, then the costs have now become unacceptable.

The momentum of projects judged too-far-forward-to-fail by those promoting them does not mean they are. If the long-term cost is too great, they should not proceed no matter what monies have been spent up to the point of final decision.

Note on commercial sensitivity and the public interest:

There is no necessary conflict of interest in councils promoting growth and representing the interests of all citizens who will or will not benefit from that growth.

In democracies, however, even at the local level, the public has a right not just to challenge assessment of risks and the benefits but also to reject proposals that are not in their collective interest. This is not anti-development or progress, but pro responsible and long-term progress. And requires council 'taking off one hat and putting on another.'

Commercial sensitivity is a phrase often used to make decisions in private and/or keep information out of the public arena that may prejudice the cost or buy-in of a project. In the case of public-private works, the use of this concept to justify in camera meetings, non-disclosure, opaque or partial disclosure until a project is too far advanced not to proceed, is invalid.

Any contract can be judged invalid because it is based on incorrect, biased or inflated information. Judgements about public-private projects, however, surely have to base theirs on whether the benefits of a project for a section of the citizenry are also for the long-term good of all the public.

And judges deciding whether penalty clauses on parties withdrawing from contracts are legally binding are usually not obliged to take into account whether the public were deceived by their own officials.

Clauses protecting vulnerable contractors from premature withdrawals – or preventing withdrawals at all – have to be weighed up against the costs to the public - and preferably before contracts are signed.

Non-disclosure on grounds of 'commercial sensitivity' can be used by officials, not to protect the process of bidding for contracts from cost undercutting through knowledge of competitors' pricing, but as a smokescreen to hide true costs. This smokescreen not only prevents informed decision-making but also makes judgements about real costs and risks impossible.

The results of misuse of any such secrecy clause can be artificial deflation of both costs or and risks. To the detriment of the public interest.

Submissions close at 4pm on Friday 13 May 2016
ourplan@hbrc.govt.nz

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER Michael Hugh Little
ADDRESS 7. hockwood Point Wairoa
CONTACT DETAILS [email] littlecranehire@extra.co.nz [daytime phone] 06 838 6336
littlecranehire@extra.co.nz
I do/do not wish to speak at the submission hearings.

*I submit that option C is the only one of the three options offered by the regional council which makes any sense.
"Environmental flows" should not be paid for by the ratepayers.
Decline the amendment to the Long Term Plan 2015-2025, and make no provision for "environmental flows".*

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

SUBMISSION 106

From: HBRC Website Request - Email Us [<mailto:no-reply@wufoo.com>]
Sent: Thursday, 28 April 2016 9:33 p.m.
To: Clare Hollings <Clare.Hollings@hbrc.govt.nz>
Subject: HBRC - Email Us [#13]

Subject: Consultations

*

Email plowe@nowmail.co.nz

Address:

*

Message: *

Re: Amendment to the Long Term Plan 2015–25
Environmental flows Proposal

I am against the proposed amendment which would commit the HBRC to a Foundation Water User Agreement. I vote for Option C because I am sceptical the benefits being claimed for Options A and B.

I am also concerned that a commitment to purchase water would have to be made before the optimum level of environmental flow volumes have been identified.

The RWSS has been dogged by lack of clarity, transparency, rising costs, shifting goal posts. I feel there are too many uncertainties and financial risks for the H.B.Regional Council to commit its ratepayers, both present and future, to a Foundation Water Agreement.

This is not what was envisaged when the scheme was first promulgated.

Hawke's Bay Region Long Term Plan

Submission on Proposal to Purchase Water for Environmental Flows

Roger CA Maaka

I support the Option A Proposal to amend the Hawke's Bay Regional Council 2015-25 Long Term Plan for the following reasons:

1. Our support for this proposal is consistent with our support for Plan Change 6 and The consenting flushing flows into the Makaroro, Waipawa and Tukituki rivers from the RWSS has always been considered by us as an integral part of the overall environmental preservation and restoration plans associated with the scheme.
2. The focus of RWSS project is on providing secure water for irrigation purposes to boost food production and enhance the economic performance of the Hawke's Bay Region as a whole. HBRIC has volunteered a wide range of conditions through the RWSS consenting process so the environmental effects of the Scheme's operations going forward are remedied or mitigated (e.g. Provision of residual flows, the flushing flows and through funding of a wide range of long-term ecological mitigation projects). It is certainly appropriate that the Irrigation Company pays for these environmental flows and projects which are directly associated with the future effects of the RWSS itself.
3. However, there is a long legacy going back more than 100 years of environmental degradation on the Ruataniwha Plains, including the land, rivers, streams and wetlands. This legacy has nothing to do with the RWSS and it should not be its responsibility alone to recover the environment to a better state. It should be the responsibility of the whole region and its people to actively work towards remedying some of this past environmental damage and improving our waterways and the environment. This will require vision and serious commitment and funding.
4. Examples of the long term decline in the Central Hawke's Bay Environment brought about by past human intervention include:
 - a. The draining of wetland areas along with removal of wetland species as part of breaking in land for farming purposes;
 - b. The use of groundwater and "naturally flowing" surface water for irrigation during summer months leading to the drying up of wetlands, low river levels and the drying up of some rivers and streams;
 - c. The clearance of native vegetation on hill country land in particular, leading to siltation of downstream lakes and wetlands and the loss of habitat for a number of species; and
 - d. Global temperature rise which will lead to less rainfall in the Central Hawke's Bay area which will have negative long term environmental consequences.
5. Environmental stewardship is a key function of the Regional Council. Purchasing this which will be targeted at long term environmental projects over a 35 year period (and potentially beyond) means the Council will be directly investing in this core function through a key resource it would otherwise not have at its disposal, i.e. a significant volume of secure stored water.

6. The Environmental Projects listed in paragraphs 2.1 to 2.5 of the proposal all have potential merit, but would require further testing and investigation to maximise the overall environmental benefits of using this stored water. Such investigation and testing can occur and projects tested and if successful fine-tuned during the period of available "free water" (up to 2026-27).
7. In particular, the concept of restoring Lake Whatumā to somewhere near its natural state would be a landmark project for Tamatea/Central Hawke's Bay and is fully supported if this can be achieved. Whatumā, commonly known as Lake Hatuma, is very significant to the hapu and marae of Tamatea not only as being emblematic of our historical claims to the area but also as the primary mahinga kai (a customary, food procuring site) of the district. With surface area of water being approximately 150 hectares and around 76 hectares of wetlands. Whatumā has been identified as a very important wildlife habitat and is one of the few natural wetlands remaining in Hawke's Bay. It has been listed as one of the top ten of the region's wetlands for protection and enhancement. The lake and wetland are considered degraded on partly because of the lowering of the water levels by successive local authorities over the years. There is an urgent need of a revegetation programme and central any such programme are the water levels which currently a far too low on average to successfully sustain a revegetation programme.
8. At the end of the day, if not all the water purchased by HBRC can be effectively applied to environmental projects, as the proposal states at paragraph 3.4 the "investment" would be able to be sold to other water users (in the same way that other tangible investments can be on-sold) and for this reason it seems to be a low risk proposition.
9. What is also important (as set out in paragraph 1.6 of the proposal) is the funding for this environmental water will come from HBRC's operational budget which is derived from investment dividends (and not rates). This means that the investment in the environmental projects will utilise profits from the Council's other investments for the benefit of a large part of the region.

I do not wish to speak to this submission at a hearing.

A handwritten signature in black ink, reading "R C Maaka". The signature is written in a cursive, flowing style.

Roger CA Maaka, Phd.
Box 104 Takapau
027 860 9955

SUBMISSION 108

NAME OF SUBMITTER**Peter Maclean**

ADDRESS 132 Main Road, Clive, HB

CONTACT DETAILS [email] work.shop@xtra.co.nz
[daytime phone]

I do not wish to speak at the submission hearings.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

“Environmental flows” should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for “environmental flows”.

*Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly **Central Hawke’s Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke’s Bay who still continue to refuse to fence their stock away from waterways.***

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified landuse, including dairying, thereby adding an even greater pollution load on an already polluted river.

SUBMISSION 110

We have no doubt of the sincerity of those HB Regional Councillors who first agreed to financially support the Ruataniwha Dam Project. They could not have known of the complex situation that has since developed.

In common with many others I cannot understand why they continue to support a project so contrary to the original purpose of the HBRC. That is the protection of our environment and wise stewardship of our financial assets.

The creation of HBRIC and its well documented and attempted efforts to be secretive have alienated many in the community.

We believe that Ruataniwha Dam Scheme will be environmentally and economically damaging to the region and submit that option C of the proposed change should be adopted.

Yours sincerely
Pam and Richard Marshall
P

SUBMISSION 111

OurPlan i would like to opose any further cost to ratepayers associated with proposed water dam i therefore support option c for the Environmental Flows Proposal it is time to end this foolish dam proposal

Ian Martin
Martins5@xtra.co.nz

Drew Broadley
Community Engagement & Communications Manager
Hawke's Bay Regional Council
P [06 835 2632](tel:068352632) | M [027 445 8290](tel:0274458290) | www.hbrc.govt.nz
This communication, with any attachments, is confidential.
If you are not the intended recipient, please delete it.
Thank you.

63/145 Battery Rd
Napier

06) 8350254

VED
13 MAY 2016

10:44am
Reception

This is my submission against
the Ructanwha Dam

I do not think enough work has
been done on the aquifers of Hawkes
Bay. The economics of the plan
seem very unworkable.

My opinion water should be
stored in many smaller dams
for availability & because
earth tremors could disrupt the
dam

I do not want to speak to my
submission

Robin Maramapi

Submission 114

Owen Mata

Consultee Mr Owen Mata (68013)
Email Address obomata@gmail.com
Address Napier 4112
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

option C I do not believe HBRC has presented a realistic economic justification for the dam. Also given the evidence of what has happened so far - I do not think HBRC has shown itself to be remotely capable of successfully completing such a large project within the forecast budget. Therefore the dam represents an unacceptable long term financial risk to the region and no further public money should be committed to its support. I am also disappointed that HBRC does not consider \$37 million to be a significant amount of money for Hawkes Bay ratepayers, and had to be forced to consult them on this issue. This should not be happening.

Submission 115

Sara Mata

Consultee Mrs SARA MATA (68069)
Email Address saralouisemata@yahoo.co.uk
Address Napier 4112
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

I do not think it make sense for Hawkes Bay to spend 40 million dollars buying back water which already belongs to the area. I am very disappointed that the Regional Council felt is was acceptable to spend such a large amount on money without consulting RatePayers -who will be paying back this money for years.Extreme arrogance. I believe the scheme will benefit very few with ratepayers footing the pill. Badly done. I would just like to say that it was extremely difficult to find out how to make this submission online-makes me think this was a deliberate attempt to put people off.

Submissions close at 4pm on Friday 13 May 2016.

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025


NAME OF SUBMITTER SHONAGH MATHESON

ADDRESS 128 Puketitiri Road Napier

I do not wish to speak at the submission hearings.

CONTACT DETAILS [email] [daytime phone]

DATE 13.5.2016


SA MATHESON

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

I submit that **option C** is the only one of the three very limiting options offered by the regional council which makes any sense. Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows' from the proposed Ruataniwha dam.

RECEIVED
RECEPTION
TIME: 3.42pm DATE: 13/5/16
SIGNATURE: *SHS*

Submission 118

Karl Matthys

Consultee Mr Karl Matthys (68438)
Email Address karl@waspnet.co.nz
Address Taradale 4112
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Please add any other comments you wish.

It is my view that the Ruataniwha scheme is not in the best interest of HBRC ratepayers. The HBRC should not be involved in such a scheme. It will no doubt incur substantial cost overruns. In addition my fear is that in the case of commercial failure (for one of many reasons) the ratepayer will be footing the bill for years to come. There are many precedents. The recent sale of leasehold property by HBRC for the purpose of investing in this project must surely result in substantial rates increases in the (near) future. I oppose all further 'investment' in the scheme.

Submission on Proposal to purchase additional “Environmental Water”

Events so far indicate that HBRIC is under pressure and beginning to show pronounced weaknesses in its negotiations with potential investors:

1. The back-tracking that has characterised the sale of the income stream from Napier leasehold land. Despite the claims of the Napier Councillors, it is very unlikely that the cash return on this money in the next two decades will better the income from the leases at the time of sale. Both HBRC and HBRIC have been very reluctant to make public the expected returns on this money over the next twenty years.
2. The repeated failures to meet its self-imposed, deadlines for signing Water User contracts to meet the criteria for “Financial Close”. Despite the constant assurances that the volume of water contracted will soon meet the required target(s), the decision to expand the irrigated area, or “foot print” of the RWSS is a signal that they are having trouble. The consequent increased size and cost of the distribution system is a further negative factor for potential users in the original “foot print”.
3. The withdrawal of at least 3 potential institutional investors (Trustpower, Kai Tahu and the NZ Superannuation Scheme) indicates that their due diligence investigations showed that the level of risk in the scheme was higher than a prudent investor would accept. The statement that HBRIC are still negotiating with two potential investors, made at the 30th March Council meeting shows that the confidence expressed prior to the meeting (Public Excluded) in which the “preferred investor” was identified was misplaced. (note: in reported comments to HB TODAY 18th April, Mr Newman was still referring to a “potential” investor which indicates that no final agreement had been signed.)
4. The current proposal put out for Public Consultation clearly demonstrates that once again HBRC are acting, on behalf of HBRIC, to tap ratepayers’ funds to provide greater surety of a commercial return for HBRIC and Institutional Investors. The claim of environmental gains is nothing more than rather clumsy “spin”. Such statements as “Revenue foregone by RWLP to deliver flows to Council for environmental benefits equates to approximately \$7.6 million – a proxy value for the environmental benefits delivered.” (at a cost to ratepayers of \$36.9 million??) and “HBRC believes that whatever amount of water is used,

there will be equal environmental benefits” reveal the shallowness of thought of the authors. The use of phrases such as “cash flow positive” at the same time as discussions are being held on the need for HBRIC to borrow money to meet the 6% investment return to HBRC only add to the distrust with which the public views the manoeuvring that has occurred during this project. Perhaps the guaranteed support of five Councillors for any proposition from HBRIC, whatever its merit, has led to a lowering of standards.

5. An example of that lowering of standards (of care) is the Prospective Statement of Financial Position on page 9 of TAB 1 in the Consultation Document. An increasing liability for “water purchase” is shown, from 2019/20 into the future, which is the cost of buying 4 million cubic metres of water annually from the time of completion of the Ruataniwha Dam. Where is the explanatory note for that assumed obligation? Under what current, or proposed, Council policy does that obligation exist? Another (embarrassing) example is the range of inflation forecasts in the Consultation Document and Long Term Plan. Actual inflation last year was 0.4%, but HBRIC water costs are scheduled to increase 2% annually, while HBRC Rates are forecast to increase by around 5% annually. Really??
6. The increase in cost of what was repeatedly publicly reported to be a “fixed price” build to \$333 million. The reported increase of \$200 million in farmers’ capital costs will make it more difficult to convince farmers of increased profit from their operation. It is more likely that a number will sign on, but not commit to paying for the on-farm infrastructure, instead placing their land on the market, hoping to cash in on a forecast rise in land value.
7. The Butcher Report relies solely on unsubstantiated claims of gains in Viticulture and Apple growing. There is no evidence to suggest that such a change will occur (except for the data supplied by HBRIC itself).
8. Section 4.3 states the position to be met before the proposal can proceed includes “Confirmation from staff and HBRIC Ltd that the net position of dividends paid by HBRIC Ltd less the cost of the Council flows will be consistent with the HBRIC Ltd Statement of Intent, which recognises both (?) environmental, economic and financial returns from Council investments.” Unfortunately no attempt is made to apportion any value to those classes of “return” so I presume we will be expected to take HBRIC Ltd’s word for it.
9. The decision by HBRIC Ltd to abandon the commitment in the draft “Concession Deed” of an option to purchase up to 4 million cubic metres of water per year at the Foundation Water User price is disappointing and illustrates their desperation to get this scheme in place on terms that suit the Institutional Investors. The fact that HBRC staff have collaborated in misrepresenting the terms of the draft Concession deed as a more expensive

option using “market pricing” is equally disappointing. It would not be a surprise to me if the public regarded this as a betrayal of the HBRC duty of service to its ratepayers. Why is there no mention of the “Concession Deed” in the Consultation Document? Dr Glen Robertshaw, who has a PhD in Environmental Decision – Making and Environmental Modelling has commented publicly (see HB Today April 19, 2016, page 11) on the destructive effect of the process to date on public confidence in HBRC and HBRIC.

10. The claimed “environmental benefits” are nothing more than a list of maybes. If any of them is really necessary it should have featured strongly in the evidence in support of the RWSS put before the EPA Board of Inquiry. None, apart from ‘Flushing Flows’ did.
11. The Price, Waterhouse, Cooper letter (see 30th March 2016 agenda) and the open letter from the Farmer Reference group (also 30th March, item 15, attachment 1) raise questions about the actual future cost of the water that may differ from the figures given in the consultation documents, as well as questions about how the “environmental water” is to be distributed and at what cost. None of these matters are discussed in the consultation documents.

Does anyone remember the 45 million cubic metres of water that the Board of Inquiry was persuaded was available for use in the Ruataniwha and Papanui aquifers? (see the BoI Draft Decision p154 – 174) HBRIC at one stage was planning to tap that resource, charging the same as the cost of Dam water (on the basis that the Dam helped recharge the aquifers). Perhaps, given the struggle to sell that amount of water, it is time to give more thought to the option of using the aquifer water, backed up with a smaller dam and recharge canals to increase the aquifer recharge rate. (The data from the Papanui study, while still not publicly available, should show significant movement of surface water into the aquifer, particularly in summer.)

This may also occur in other parts of the irrigable zone which could be assisted by canals from a smaller dam. It is possible to build a small hydro-electric power station, the discharge from which may provide the water for the recharge canals. Such a network could be constructed over time at a lower cost, with a lower financial risk profile and a much lower disaster risk should a major earthquake occur in this highly faulted area.

The report, “groundwater Level Changes in the Heretaunga and Ruataniwha Basins from 1994 – 2014”, put before the Regional Planning Committee on 20th April, 2016 re-inforces the importance of this proposal. It may well be that the information on surplus water in the Ruataniwha Aquifer put before the Board of Inquiry was nothing more than wishful thinking, but certainly there is an obvious need to investigate the viability of an enhanced recharge scheme. It is also

obvious that the concerns expressed by Ongaonga residents in the past summer were well founded and did not deserve the dismissive response they got from the Regional Council staff and some Councillors.

It is my understanding that HBRIC had already located potential sites for bores to draw water from the aquifers. Evidence gained from the Papanui Study could help identify the characteristics required in other potential aquifer recharge sites. (As an aside, what has happened to the Otane Waste Water Resource Consent application and all the data gathered by the subsequent investigations? There has been no public mention of any progress or resolution in the last two months)

I do understand that this alternative proposal may not please those who prefer the more massive “biggest dam in the Country”, “largest Public/Private {?} joint investment”, memorial to “grand scale thinking” type of project, but I believe it offers a more manageable and potentially socially uplifting alternative. It also offers a workable alternative should the RWSS fail to reach “financial close”. The future project on the Ngaruroro River might provide a natural model or at least preliminary design work.

Taking all these matters into account, and the personalities involved, I accept that there is little possibility that the Dam project will be substantially modified at this stage, therefore my personal choice and one I urge Councillors to think carefully about, is Option C. This would allow Council to use the investment return on other projects. Examples might be:

- A return to the 2008 resource consent for Central Hawkes Bay which was based on a single WWTP which treated the waste water from Waipawa, Waipukurau and Otane to a higher standard than the present troubled systems. In my opinion this would do more to clean up the Tukituki than simply putting more water down the rivers.
- Fund riparian planting and other measures to mitigate higher Nitrate and Phosphate leaching in the footprint of the RWSS. (see “Ruataniwha Basin Nitrate Transport Modelling” by Dr H. Baalousha of the HBRC Resource Management Group, prepared for HBRIC in May 2013.)
- Coastal and erosion protection, an urgent need if the “global warming/sea level rise” predictions are valid.
- Meet some of the costs of the work to be done in future on the Ngaruroro and Mohaka rivers.
- Fund the deep well drilling programme in the Heretaunga aquifer.
- Track maintenance/upgrade for the Napier-Wairoa Railway. I read that HBRC have accepted responsibility for this and it is likely that the forecasts of costs made earlier will prove to be somewhat optimistic.
- Measures to combat Hill Country erosion as a result of the deforesting activities promoted as a major driver of the profitability of the Napier-Wairoa Railroad.

- I have no doubt that HBRC staff could think of other possible and necessary applications.

My second choice, based on the slow rate of farmer sign up, uncertainty over the need for additional “environmental water” and likely small market for water (given the need for the proximity to a distribution pipe, the cost of connection for each property and the on-farm equipment needed) would be option B. There is likely to be increased market demand only from established water users and then only in dry years. There was evidence put before the Board of Inquiry for the RWSS and Plan Change 6 that the demand for irrigation would not be as consistent and widespread as some of the predictions made by project supporters. Remember that RWLP must supply a given flow at “low -flow” times to the Tukituki and Waipawa rivers to meet the conditions of the Resource Consents issued by the EPA Board of Inquiry.

Ian McIntosh

PS I would like the opportunity to speak to my submission.

SUBMISSION 123

SUBMISSION to HBRC on Long Term Plan 2015-2025

I wish to speak at the submission hearings.

I am concerned that the words "Long Term" are being used to cover 10 years, because 10 years is a short period in the life of a river, thus the use of the words "Long Term" is inappropriate and I submit, misleading. I submit that even 100 years is not "Long Term" in the life of a river the size of the Tukituki.

Furthermore, I am concerned that silt build-up behind the proposed dam will have a serious downstream detrimental effect in the event of a dam breach, which is clearly plausible in a significant local earthquake, both short term and long term in this fault line region, site of the proposed dam.

Current pollution of the Tukituki River needs to be urgently reduced and paid for by the polluters, especially the Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is erroneous thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

I submit that option C, offered by the Regional Council, is adopted, namely:

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows' from the proposed Ruataniwha dam.

Ross McLean, BSc (Biological Sciences)

SUBMISSION 124

Submission on the Long term Plan 2015-2025

To: Hawke's Bay Regional Council

By email: ourplan@hbrc.govt.nz

Name of submitter: Dr Amelia McQueen

Contact :

I do not wish to speak at the submission hearings.

General Comments

I am opposed to committing 36.9 million of rate-payers money for the use of extra environmental flows for the following reasons:

If the dam goes ahead, 80 million of rate-payers money will already be spent on achieving a 'flush and flow regime' that, in the view of the Board of Inquiry is able to meet the necessary requirements of environmental flows within the Tukituki and rid the river of nuisance algae.

Is it necessary to spend another 36.9 million?

At present the justification for extra flows for Papunui stream, Mangatarata stream and Lake Whatuma do seem to be convenient channels for HBRIC to provide water for irrigating zones rather than for environmental reasons.

Flushing or increasing water levels in these areas is 'an ambulance at the bottom of the cliff approach' in that it is not fixing up the underlining reasons for algal blooms, algae, lower water levels or in extreme cases drying out of streams or lakes. For example, Lake Whatuma algal blooms will occur due to increased nutrient levels, and sediments being at nutrient saturation point. Therefore increasing the water level during summer is not likely to alleviate the algal bloom situation. Reducing levels of nutrients entering the shallow lake will be far more likely to be effective in time (depending on nutrient levels in sediments). Furthermore, drying of the shallow lake in extreme drought could be considered a natural state. Here, the focus should be on where is the water? Land use and water over- allocation may well be the main issues here.

I believe working with the farmers on reducing the nutrients entering water ways and 'clawing back' on over-allocated water issues in the Tukituki catchment would be a far better focus for spending 36.9 million of rate-payers money.

This money could also be better spent on other environmental issues within Hawke's Bay, for example the Biodiversity Strategy.

Of the three choices given, Option C - No provision is to be made for [extra] environmental flows, with no cost to HBRC is the most appropriate.

Submission 125

Philipp Meier

Consultee Mr Philipp Meier (68153)
Email Address meierphilippus@gmail.com
Address Napier 4110
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

Have Your Say

What do you think - What option do you prefer?

I submit that option C is the only one of the three options offered by the regional council which **makes any sense. "Environmental flows" should not be paid for by the ratepayers. Decline the amendment to the Long Term Plan 2015-2025, and make no provision for "environmental flows". Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock out of waterways. It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified landuse, including dairying, thereby adding an even greater pollution load on an already polluted river.**

Submission 126

Hilda Meier

Consultee Ms Hilda Meier (68159)
Email Address kiwioma1@gmail.com
Address Napier 4110
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

I submit that option C is the only one of the three options offered by the regional council which **makes any sense. "Environmental flows" should not be paid for by the ratepayers. Decline the amendment to the Long Term Plan 2015-2025, and make no provision for "environmental flows". Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock out of waterways. It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified landuse, including dairying, thereby adding an even greater pollution load on an already polluted river.**

Submission 127

[Alyce Millar](#)

[Today at 7:23am](#)

This is a submissions... I don't not want to pay extra rates because of a dam...I do not want a stupid dam I will never use.

Submission 128

[Rhys Millar](#)

[Yesterday at 10:10pm](#)

This is a submission. I in no way agree to my rates paying for the use of water from the proposed Ruataniwha dam. This proposal is a joke...on the HB.ratepayers

Comment

Consultee	Ms Sarah Millington (68458)
Email Address	s.millington.nz@gmail.com
Address	1020 Waipuna St Mahora Hastings 4120
Event Name	HBRC Annual Plan 2016-17
Comment by	Ms Sarah Millington
Comment ID	OP1617-38
Response Date	5/8/16 10:21 AM
Consultation Point	Option : Long Term Plan Amendment (View)
Status	Submitted
Submission Type	Web
Version	0.1

Amendment to the Long Term Plan 2015-25

HBRC's preferred option is A. Council believes that the ability to lock a strong environmental flow component into the Ruataniwha scheme, up front, will deliver the best long-term benefits to the Tukituki catchment and downstream communities.

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

Have Your Say

What do you think - What option do you prefer?

Of the three given, I prefer option C (declining the amendment to the Long term Plan 2015-25. In the bigger picture, I strongly prefer that the dam is not built - for ecological, economic and social reasons.

A Submission on the Hawkes Bay Regional Council, Annual Plan 2016-7,
and especially on the Environmental Flow Proposal

I vote for Option C, as an expression of loss of confidence in the way a narrowly divided Hawkes Bay Regional Council has handled the Ruataniwha Dam project.

The whole process has been riddled with contentious issues – economic, social, and environmental outcomes - for which we as the public have lacked adequate warnings, clear information, or open opportunities for honest debate and involvement. The “ordinary ratepayer” is now regularly being faced with alarmingly escalating costs and added financial burdens.

The recent lack of clarity about exactly how many farmers, after deferred deadlines, have signed up for less than half of the water: the scary failure to win the confidence of outside financial backers who could trust the success of the venture: the presumption by the Council that it could decide on the buying of \$36 million of dam water without any consultation: or that it may dismiss Forest and Bird’s ecological challenge when the Council’s first obligation is to nurture that very environment: and now the initially disturbing news of the RWSS’s willingness to put at risk the public’s asset of Napier Port, in the event of their project getting into financial trouble

The fundamental issue has never adequately been resolved in the eyes of the great majority of the region, those of us who are town dwellers, or farmers outside the limited Central Hawkes Bay farms who will directly benefit. That issue is the way the scheme in fact hugely subsidises about 129 farming families : anywhere else in New Zealand farmers committed to improving their water storage have expected to meet the costs themselves.

All these issues you will be familiar with, but I reflect the concern of so many others in the community that I have no choice but to vote for OPTION C to prevent further escalation of public money on what still is a risky if not flawed venture.



Murray J Mills 12 Clyde Road Napier 4110 4.5.2016

SUBMISSION 132

Kia ora koutou. I wish to submit my objections to the building & consent of the Ruataniwha Dam on the Tukituki River.

I object to:

- 1. The lack of consultation during the sales of leasehold land to the Napier ratepayers.**
- 2. The lack of consultation during the negotiations of using the Napier Port as security for the proposed dam.**
- 3. The disregard to the desecration of native flora & fauna, & the audacity to swap protected forest for unsustainable grazed farmland.**
- 4. Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.**
- 5. It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.**
- 6. I submit that option C is the only one of the three very limiting options offered by the regional council which makes any sense, namely:
Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows' from the proposed Ruataniwha dam.**
- 7. Ignoring previous sound & well constructed submissions presented to the HBRC.**

keith moretta

Submission 134

Tony Murphy

Consultee Mr Tony Murphy (68011)
Email Address spu.d@xtra.co.nz
Address Otane 4276
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

No extra environmental flows are required as plan change 6 already requires that higher minimum flows than at present will benefit the environment. If the HBRC is serious about achieving the objectives of the Tukituki Catchment policy they would be better off investing in a serious upgrade of all the wastewater facilities, domestic & industrial that discharge into the Tukituki catchment.

SUBMISSION 136

From: HBRC Website Request - Email Us [<mailto:no-reply@wufoo.com>]
Sent: Friday, 29 April 2016 10:32 p.m.
To: Clare Hollings <Clare.Hollings@hbrc.govt.nz>
Subject: HBRC - Email Us [#16]

Subject: * Ruataniwha Water Storage Scheme

Email Address: * smnichols@extra.co.nz

Message: *

I do not agree with any of the three options put out for public comment. Having said that, if I have only these three to choose from then I choose Option three.

It has the singular advantage of keeping some of my hard earned money in my pocket, rather than H.B.R.C's

Regards and thanks.

Steven Nichols

SUBMISSION 138

Submission To HBRC on Long Term Plan 2015-2025

Greetings:

I wholeheartedly DISAGREE with building the Ruataniwha Dam.

I am an ordinary New Zealander who loves our country. We live in a great place which I sense many of us take for granted. We like to tell the world we are clean and green but in reality who are we kidding. We need honestly reflect on how we are treating our natural environment.

Already many of our rivers are struggling to survive – so therefore, are definitely not “clean” and the quality of water is very questionable. Supposedly, the dam would improve the health of the streams and rivers plus would allow up to 200 extra farms in the area and thus reap large economic benefits for the Community. Well you don’t have to be a rocket scientist to know that the increased intensification of the land would continue to add even more fertilizer run-off and nitrates from stock effluent into the soil and eventually into the waterways.

Instead of working with the natural resources we have been gifted with and adapt our practice of land utilisation and work alongside nature, we are instead trying our best to harness and control these natural resources in the hope of squeezing out a little more productivity which may or may not provide an extra dollar for some people.

Andrew Newman has inferred that building a dam will insulate the community from the effects of climate change. I am lost for words! I sense it is going to take a little more than building a dam to match the effects of climate change.

I am a Nurse and work with people who are dying and their families. When I care for someone I don’t just consider one aspect of who they are –you cannot just treat the physical aspect of a person and neglect to care for their spirit, their mind and their family. We use the word holistic which is all encompasses 1 of these aspects of the person we are caring for. Holistic care is not reserved just for human beings but is evident throughout all aspects of our lives. Our natural environment and the communities in which we live also requires an holistic approach. Focussing on the economic outcomes and neglecting the social, spiritual and environmental aspects around this issue is I believe short-sighted.

Irene O’Connell

Heywood.irene@xtra.co.nz;

Submissions close at 4pm on Friday 13 May 2016.

ourplan@hbrc.govt.nz

16 MAY 2016

8:30am

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER

Lee Pepping

ADDRESS

2 Franklin Terrace

CONTACT DETAILS

[email]

leepepping@gmail.com

[daytime phone]

027 353 4869

NO I do/do not wish to speak at the submission hearings.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

"Environmental flows" should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for "environmental flows".

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified landuse, including dairying, thereby adding an even greater pollution load on an already polluted river.

*Lee Pepping
11th May 2016.*

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER RICHARD J.H. QUICLEY
ADDRESS 75 HARANGE ROAD NAPIER 4110
CONTACT DETAILS [email] [daytime phone]

I do not wish to speak at the submission hearings.

R.J.H. Quicley

I submit that option C is the only one of the three options offered by the regional council which makes any sense. "Environmental flows" should **not** be paid for by the ratepayers. Decline the amendment to the Long Term Plan 2015-2025, and make **no provision for "environmental flows"**.

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified landuse, including dairying, thereby adding an even greater pollution load on an already polluted river.

FURTHER REASONS

.....
.....

RECEIVED
RECEPTION
TIME: 3:42pm DATE: 13/5/16
SIGNATURE: *LHS*

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER ...Ann Rafealov

ADDRESS.....343 Kennedy..Rd. Pirimai. Napier.

CONTACT DETAILS ..ann.rafealov@xtra.co.nz

I /do not wish to speak at the submission hearings.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

"Environmental flows" should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for **"environmental flows"**.

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly **Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.**

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified landuse, including dairying, thereby adding an even greater pollution load on an already polluted river.

Hi at the HBRC...

OPTION C is the only way to go.

Where has the public consultation been with this project ?????

This whole process has corrupted our local democratic institutions at every level. Central HB District Council voted to buy water from the dam, without public consultation, and without even considering other options.

This is madness

Ann Rafealov

Hi at the H.B.R.C.

This Dam must not go ahead...

"The Ruataniwha Dam has sucked money, time, and energy away from the rest of the region. The upper Tukituki River is still being used for dumping town sewage; the Regional Council's Compliance Officers failed to pick up on Wairoa's looming Waihi Dam disaster; and nine huge consents were granted for water-bottling plants from the Heretaunga Plains Aquifer when no-one knows what is the capacity of the Aquifer."

Ann Rafealov

SUBMISSION 145

SUBMISSION to HBRC on Long Term Plan 2015-2025 from

Lesley Dale Redgrave

I do not wish to speak at the submission hearings-

but I submit that, as a ratepayer who is affected by HBRC decisions, I support option C: namely that

"No provision is to be made for environmental flows, with no cost to HBRC." and state that I believe it is the only one of the three options offered by the regional council which is judicious.

"Environmental flows' should not be paid for by the ratepayers.

Therefore I ask that the HB Regional Council decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows'.

I believe that the current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock out of waterways.

I contend that it is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified landuse, including dairying, thereby adding an even greater pollution load on an already polluted river.

I wish to further point out that The Tourism Export Council and the Environmental Defence Society say the government's decision to pour hundreds of millions of dollars into irrigation is a gamble, particularly in the wake of the dairy downturn. The groups also say the growth in intensive farming is a disaster for rivers and streams.

Lesley Dale Redgrave

SUBMISSION 146

SUBMISSION to HBRC on Long Term Plan 2015-2025

I do not wish to speak at the submission hearings.

OPTION C

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

“Environmental flows” should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for “environmental flows”. Limiting flows will have ongoing negative effects on the Tukituki flora and fauna in and around the river.

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke’s Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke’s Bay and along the Tukituki river who still continue to refuse to fence their stock out of waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

I also have serious concerns regarding holding back the natural shingle transport to the Haumoana coastline. There are a number of homes currently under threat from coastal erosion and many more could be compromised by any negative changes in quantities of shingle arriving at the beach and continuing to disperse along the shoreline.

As a Hawkes Bay regional ratepayer I wish to advise I do not wish to contribute financially to this underfunded, poorly supported project.

Ann Redstone

F Robinson

Hawke's Bay Regional Council
by Fred Robinson

Re: Proposed \$36.9 million by-in to Ruataniwha Water Storage Scheme (RWSS) by Hawke's Bay Regional Council (HBRC) [The Council]

1. I have read your 14 page document detailing Significant Change to the intended level of service provision for the activity "Water Management" and appreciated the invitation to make submissions on it.

Executive Summary

- The Council has a statutory authority to regulate for environmental flows and enhancement.
- The Council therefore does not need to pay for water for that purpose.
- The proposition appears therefore to be a tort.
- Should the Council decide to go down that path a number of pertinent questions arise.

Background to the Scheme

2. Treasury documents, regarding the Ruataniwha dam, were obtained under the Official Information Act (OIA) in November 2013 [1]. These documents include briefing papers which contain the statements "*The government has a number of initiatives underway to facilitate rural water infrastructure under the Resource Management Reforms;*". And further "*The government has a number of things underway to facilitate rural water infrastructure under its economic growth agenda,.....*"

3. In a Treasury report, contained in the same OIA release, under the heading Economy-wide impacts appears the statement:

"4. We understand that the large long-term gains suggested by the model arise principally from the stimulatory effect of the construction activity (both on- and off-farm) on the economy. Most of the construction is assumed to occur between 2015 and 2024, with a peak in 2017....."

4. The document goes on to include other statements such as:

"5. Social and environmental costs have not be considered."

"7. This information suggests that at the farm gate the costs exceed the benefits. This does not preclude the possibility that some individual schemes may have positive benefit / cost ratios. MAF are not proposing to put the information together in the form of a business case because it is considered too crude for that purpose at this stage."

"8. We have also analysed some of the individual schemes that are currently in contemplation. They generally promise poor to average rates of returns when on-farm income and expenditure is taken into account"

"9. The poor to average prospects of most schemes have been reinforced by anecdotal comments from some farmers, councils and participating electricity companies."

5. So we can see as far back as 2009 and 2010 there was a clear understanding, at Treasury at least, that large-scale irrigation was a

government agenda (political policy), the economic "benefits" were contained in the construction of these dams, and on-farm returns were "poor to average".

6. Also contained in the Treasury OIA release [1] was a section specifically dealing with Hawke's Bay. It states:

"Hawkes' Bay: 40,000 ha

The Hawkes' Bay Regional Council is in the process of developing a Regional Water Management Strategy. Water harvesting and storage will be integral to the implementation of the Strategy once it is finalised. Storage will provide for the replacement of current ground water and surface water takes to reduce pressure on summer low flows, improve the reliability of current irrigation and provide for a substantial expansion of irrigation onto fertile soils.

Investigations have advanced to the feasibility stage in the Ruataniwha Plains (Tukituki Catchment). The Council's intention is to progress investigations in the Ngaruroro Catchment (including the Heretaunga Plains) and then into the Tutaekuri Catchment.

Consultation processes are also well under way. We understand that the Council has also already given consideration to possible funding sources, including the sale of its equity in the port.

A 10 – 15 year staged development period is anticipated." [Underline added]

7. Therefore, up to recently, we had HBRC as a major backer of a scheme that would make some money for construction firms, produce little or no return for water users and investors, and for which the Council was prepared to sell a high performing asset of vital importance to Hawke's Bay, particularly primary producers, exporters and importers.

Now to add Insult to Injury (The Issue at Hand)

8. I have discovered what appear to be a number of disturbing aspects of the above scheme as promoted by Hawke's Bay Regional Council (HBRC) and its subsidiary company, Hawke's Bay Regional Investment Company (HBRIC).

The Apparent Rort

9. I understand the latest plan is to spend 36.9 million of ratepayers money purchasing water from the Ruataniwha Water Storage Scheme (RWSS).

10. You are offering for public consideration, three (3) options, A, B, & C, in the HBRC document proposing an amendment to the HBRC 2015-25 Long Term Plan. I further understand the rationale for this is to primarily enable "flushing flows" to enhance the environmental well-being of the river. Putting aside the argument that these flushing flows have minimal environmental benefit, extending only 5 or 10 km down the river (whereas natural flushing flows caused by Nature flush from source to sea), let us look first at simply the cost to the ratepayers.

11. Under the Resource Management Act 1991 (the RMA) the Hawke's Bay Regional Council has the authority to require the mitigation of adverse effects. Part 3 Section 17 of the RMA, inter alia, states the following:

"17 Duty to avoid, remedy, or mitigate adverse effects

- (1) Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with—
 - (a) any of sections 10, 10A, 10B, and 20A; or
 - (b) a national environmental standard, a rule, a resource consent, or a designation.
- (2) The duty referred to in subsection (1) is not of itself enforceable against any person, and no person is liable to any other person for a breach of that duty.
- (3) Notwithstanding subsection (2), an enforcement order or abatement notice may be made or served under Part 12 to—
 - (a) require a person to cease, or prohibit a person from commencing, anything that, in the opinion of the Environment Court or an enforcement officer, is or is likely to be noxious, dangerous, offensive, or objectionable to such an extent that it has or is likely to have an adverse effect on the environment; or
 - (b) **require a person to do something that, in the opinion of the Environment Court or an enforcement officer, is necessary in order to avoid, remedy, or mitigate any actual or likely adverse effect on the environment caused by, or on behalf of, that person.** [Bolding added]

12. An enforcement officer means any person authorised under section 38 [Part 4 Section 38 of the RMA]

13. Surely the above section gives HBRC the authority to require "flushing flows" from the Hawke's Bay Regional Investment Company (HBRIC).

14. The RMA goes on to state, inter alia, in Part 4 Section 30 Functions of Regional Council, the following:

" 30 Functions of regional councils under this Act

- (1) Every regional council shall have the following functions for the purpose of giving effect to this Act in its region:
 - (a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region:
 - (c) the control of the use of land for the purpose of—
 - (i) soil conservation:
 - (ii) **the maintenance and enhancement of the quality of water in water bodies** and coastal water:
 - (iii) **the maintenance of the quantity of water in water bodies** and coastal water:
 - (iiia) **the maintenance and enhancement of ecosystems in water bodies** and coastal water:
 - (e) **the control of the taking, use, damming, and diversion of water, and the control of the quantity, level, and flow of water in any water body, including—**
 - (i) **the setting of any maximum or minimum levels or flows of water:**
 - (ii) **the control of the range, or rate of change, of levels or flows of water:**

[bolding added]

15. For HBRC to give away its prerogative and statutory duty to regulate for the enhancement of the quality of water in water bodies, and then turn round and spend somewhere north of \$36 million, of ratepayers money, apparently buying that "enhancement" back from an associated party, gives the appearance of being a major rort against the ratepayers of Hawke's Bay.

16. I understand there may be a number of regulatory mechanisms by which HBRC can ensure adequate flows for the river, without the purchase of water from the RWSS scheme. For example, the Concession Deed between HBRC and HBRIC could contain the requirement to provide water as a priority for flushing flows and/or other environmental flows.

17. As a point of clarification I use the term "associated party" as it would be defined by the Inland Revenue Department if it were looking at associated persons.

Explanation and Example of the Term "Rort"

18. While I fully concede it is perfectly legal for HBRC to enter into a contract, for the provision of anything, with any other entity, sometimes that which is perfectly legal is neither moral, ethical or acceptable to the ratepayers.

19. An example of such a legal mechanism was well illustrated by Deputy Prime Minister, Bill English, as was well reported in late 2009 by multiple media outlets [2]. Mr English was at the centre of a housing allowance storm since it was revealed he was being paid around \$900 a week to live in his own family home in Wellington. That was almost double the amount ordinary out-of-town MPs could claim on Wellington accommodation. Mr English and his wife and six children had lived there for about two years and it is owned by a family trust.

20. Despite trying to bluff it out for a short time, Mr English eventually agreed it was not a good look and no matter what the technicalities were, "that is not a sustainable position." He paid back about \$12,000 that he had received in the previous six months stating it was not an acknowledgement that he had done something wrong.

21. So clearly our worthy leaders acknowledged that some things that are "legal" are not necessarily acceptable.

Evidence that HBRC knows it can regulate.

22. The agenda for the HBRC Council meeting, Wednesday 16 March 2016, had as item 5 - Decision Items "HBRC Environmental Flows". The report attached to that agenda [3] contained within it, inter alia, the following statements:

"2. Acknowledges the potentially significant environmental benefits of an additional 30 million m³ of water for the Tukituki system over the next ten years and an additional 4 million m³ of water per annum from Years 10-35 over and above the flushing and other flows provided for by the resource consent." [Underline added]

23. And later in the document:

"6.9. Further, on 26 June 2013 Council approved the draft concession deed which included access to further water for environmental flows." [Underline added]

24. Clearly the Council has already obtained "environmental flows" at no cost.

25. Further, Section 14 of the RMA deals specifically with Water. Some parts of that section are reproduced below:

14 Restrictions relating to water

(1)

(a)

(b)

(2) **No person may take, use, dam, or divert any of the following, unless the taking, using, damming, or diverting is allowed by subsection (3):**

(a)

(b)

or

(c)

(3) A person is **not** prohibited by subsection (2) from taking, using, damming, or diverting any water, heat, or energy if—

(a) the taking, using, damming, or diverting is expressly allowed by a national environmental standard, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent; or

(b) **in the case of fresh water**, the water, heat, or energy is required to be taken or used for—

(i) an individual's reasonable domestic needs; or

(ii) the reasonable needs of an individual's animals for drinking water,—

and the taking or use does not, or is not likely to, have an adverse effect on the environment; or

(c)

[Bolding & underline added]

26. Clearly in the case of the current proposed water storage project there is going to be an adverse effect on the environment, otherwise the HBRC would not currently be proposing purchasing 34 million cubic meters of water between 2019 and 2026 to mitigate those adverse effects.

Question 1: Is there a mechanism available to HBRC that will ensure environmental flows are available, subject to Nature providing the rain of course, that does not involve the payment for that water to HBRIC, RWLP, or any other entity?

Sound Commercial Practices required of HBRC

27. **The Local Government Act 2002** states among other things:

3 Purpose

The purpose of this Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities; and, to that end, this Act—

(c) **promotes the accountability of local authorities to their communities;**

28. The LGA 2002 goes on to state:

14 Principles relating to local authorities

(1) In performing its role, a local authority must act in accordance with the following principles:

(a) a local authority should—

(i) **conduct its business in an open, transparent, and democratically accountable manner;** and

(f) **a local authority should undertake any commercial transactions in accordance with sound business practices;**

and

(ii) **the need to maintain and enhance the quality of the environment;** and

.....

[Bolding & underline added]

29. I believe HBRC has a duty of fidelity and good faith to the ratepayers of Hawke's Bay. Paying \$36.9 million, for something the council can obtain by regulation, appears to me to fall outside the definition of fidelity and good faith.

30. Clearly the proposed \$36.9 million by-in to the RWSS would not fall within the definition of "sound business practice" for HBRC. Any entity that would throw \$36.9 million of shareholder (ratepayers) money down the toilet, buying a resource that it could have for free (by regulation) has lost the plot.

31. I do not doubt that the buy-in by the Council could in some way provide a guarantee to large corporate investors, funding the RWSS development, that they would receive a return on investment - however this is not the reason being put forward by HBRC for the purchase of this additional water.

Question 2: Has HBRC acted with Fidelity and in Good Faith with the ratepayers of Hawke's Bay by proposing to purchase water that it could obtain for free, by regulation?

The Provision of Guarantees

32. The legislation, under which HBRC operates, prohibits the provision of guarantees for HBRIC. This proposal to be a "water user" is effectively such a guarantee by stealth.

33. For your information The Local Government Act 2002 includes the following:

62 Prohibition on guarantees, etc

A local authority must not give any guarantee, indemnity, or security in respect of the performance of any obligation by a council-controlled trading organisation.

34. As JP Morgan, the International Financier, once commented: *For any action there are two reasons; a good reason and the real reason.* So what is the real reason for "purchasing" this water? We are told it is to enhance the environment by providing additional water for environmental purposes.

35. Yet Official Information Act (OIA) material released in November 2013 from The Treasury [1] reveals that discussions between Alan Dick, then Chairman of HBRC, on 30 October 2009, shows the RWSS was already on the drawing board. Discussions between the Treasury and the Minister for Infrastructure and Associate Minister for Infrastructure on 10 November 2010 (revealed in the same OIA material) shows costings and calculations were well underway.

36. Now we are being asked to believe, over five years later, someone has suddenly woken up at HBRC and realised they haven't allowed enough water for environmental purposes. Further, rather than regulate to correct this oversight, the Council have chosen to become a water user/purchaser.

37. But does this actually provide environmental flows? The information I have from third-party sources is that HBRC would have no priority on call on any water, above any other user. So potentially could have the biggest payout for water, and although others get some water, the environment, through HBRC's additional purchased take, gets none. Any allocation of water would be solely at the discretion of HBRIC and it's hard to conceive, should HBRC be given a priority on water take, that any other water user would sign up to a WUA. Particularly so as apparently the agreement does not guarantee the provision of even so much as a drop of water to any water user.

38. Thus a Water Users Agreement appears not fit for purpose, if that purpose is environmental protection.

39. However what the proposed Water User Agreement (WUA), for 35 years between HBRC and the Ruataniwha Water Limited Partnership (RWLP) does provide is a guaranteed income, from the ratepayers of Hawke's Bay, into the scheme.

Question 3: Is this purchase of water in fact a guarantee by stealth offered by HBRC to HBRIC and/or RWLP?

Other Fishhooks in the Proposal To Be a "Water User"

40. There is an in principle, and subject to consultation, a Water User Contract, aka a Water User Agreement (WUA), for 35 years between HBRC and the Ruataniwha Water Limited Partnership (RWLP).

41. I delivered by hand an Official Information Act request, dated 31 March 2016, to HBRC on 1 April 2016 and they have replied with a commitment to respond as soon as practicable (by 29 April 2016).

42. **In the absence of a copy of the said Water User Agreement**, or a decision to decline to provide it for whatever reason, I need to operate on what information is available in the public domain.

43. Tom Belford (HBRC Councillor) in the local paper, Hawke's Bay Today (HBT), on 12 January 2016 (letters to the editor) said [the standard] Water Users Agreement contains a "No Objection" covenant - *"The provision - which the WUA euphemistically calls a "No Objection" covenant - is nothing short of a "gag rule". It forbids anyone signing up for water from challenging or objecting to any future changes or extensions HBRIC seeks to its overall consents to operate the dam, as they otherwise could under the Resource Management Act.*

Moreover, the water user is also forbidden from abetting, in any way, any other responsible party who would object to such HBRIC proposals ... like Fish & Game or Forest & Bird.

In other words, if the scheme turns to custard - and who would better know than existing water users - the existing water users' lips are sealed so long as their WUA is in effect (35 years).

44. Belford in that same letter to HBT also stated : *"The terms of the WUA are not negotiable on a clause-by-clause. It's "take it or leave it" if you want water from HBRIC."*

45. Thus five HBRC councillors appear to have effectively gagged themselves, HBRC staff, and any current or future elected councillors, from any criticism of the RWSS. This despite HBRC's role as regulator of the scheme on behalf of the ratepayers of Hawke's Bay.

Question 4: Should the (WUA), between HBRC and (RWLP) contained the standard "No Objection" covenant, would this be a violation of statute and statutory duty?

Further Conflicts of Interest

46. Assuming the WUA was signed and came into force, and assuming that there was any water available from the scheme, then a situation as discussed in the agenda for the HBRC Council meeting, Wednesday 16 March 2016, item 5 - Decision Items "HBRC Environmental Flows" is pertinent. The report attached to that agenda contained within it, inter alia, the following statement:

"4. Notes that by entering into a Foundation Water User Agreement Council will be creating an asset which at any future time it may sell all or any part of its available water". [Underline added]

47. Now a conflict arises between a statutory responsibility of HBRC to protect the environment through using the "purchased" water for those purposes, or alternatively trading the water for a profit.

Question 5: Is it appropriate for the HBRC to place itself in a position where it has to decide between the good of the environment and the good of their purse?

A Note of Caution

48. While I have used the word "rot" in this submission, I seriously advise individual members of the Council to obtain competent legal advice on this matter. The reason I suggest that is because when we look at extracts from the Crimes Act 1961, with amendments, Part 10, it contains the following sections:

Extracts from the Crimes Act 1961

Crimes involving deceit

240 Obtaining by deception or causing loss by deception

(1) Every one is guilty of obtaining by deception or causing loss by deception who, by any deception and without claim of right,—

- (a) obtains ownership or possession of, or control over, any property, or any privilege, service, pecuniary advantage, benefit, or valuable consideration, directly or indirectly; or
- (b) in incurring any debt or liability, obtains credit; or
- (c) induces or causes any other person to deliver over, execute, make, accept, endorse, destroy, or alter any document or thing capable of being used to derive a pecuniary advantage; or
- (d) causes loss to any other person.

(1A) Every person is liable to imprisonment for a term not exceeding 3 years who, without reasonable excuse, sells, transfers, or otherwise makes available any document or thing capable of being used to derive a pecuniary advantage knowing that, by deception and without claim of right, the document or thing was, or was caused to be, delivered, executed, made, accepted, endorsed, or altered.

(2) In this section, **deception** means—

- (a) a false representation, whether oral, documentary, or by conduct, where the person making the representation intends to deceive any other person and—
 - (i) knows that it is false in a material particular; or
 - (ii) is reckless as to whether it is false in a material particular; or
- (b) an omission to disclose a material particular, with intent to deceive any person, in circumstances where there is a duty to disclose it; or
- (c) a fraudulent device, trick, or stratagem used with intent to deceive any person. [Underline added]

240A Application of section 240 to match-fixing

(1)

241 Punishment of obtaining by deception or causing loss by deception

Every one who is guilty of obtaining by deception or causing loss by deception is liable as follows:

- (a) if the loss caused or the value of what is obtained or sought to be obtained exceeds \$1,000, to imprisonment for a term not exceeding 7 years;
- (b) if the loss caused or the value of what is obtained or sought to be obtained exceeds \$500 but does not exceed \$1,000, to imprisonment for a term not exceeding 1 year;
- (c) if the loss caused or the value of what is obtained or sought to be obtained does not exceed \$500, to imprisonment for a term not exceeding 3 months.

242 False statement by promoter, etc

(1) Every one is liable to imprisonment for a term not exceeding 10 years who, in respect of any body, whether incorporated or unincorporated and whether formed or intended to be formed, makes or concurs in making or publishes any false statement with intent—

(a) to induce any person, whether ascertained or not, to acquire any financial product within the meaning of the Financial Markets Conduct Act 2013; or

(b) to deceive or cause loss to any person, whether ascertained or not; or

(c) to induce any person, whether ascertained or not, to entrust or advance any property to any other person.

(2) In this section, **false statement** means any statement in respect of which the person making or publishing the statement—

(a) knows the statement is false in a material particular; or

(b) is reckless as to whether the statement is false in a material particular.

49. On the face of it, the latest proposal to charge the ratepayers of Hawke's Bay \$36.9 million for water the Council could obtained for free, appears to be sailing very close to the wind, when you look at the above legislation. There is, after all, a loss to the ratepayers of at least \$36.9 million.

50. I recommend all Councillors consult the Shorter Oxford English Dictionary for the definition of "false". You will find it has a broad scope. I understand the High Court uses The Shorter Oxford English Dictionary for the definition of common terms.

51. While the Local Government Act 2002 does provide some indemnity for Councillors, Part 4 Section 43 makes it quite clear, that is only applicable if the Councillor acting in good faith.

52. For your information Section 43 is reproduced below:

"43 Certain members indemnified

(1) A member of a local authority (or a committee, community board, or other subordinate decision-making body of that local authority) is indemnified by that local authority, whether or not that member was elected to that local authority or community board under the Local Electoral Act 2001 or appointed by the local authority, for—

(a) costs and damages for any civil liability arising from any action brought by a third party if the member was acting in good faith and in pursuance (or intended pursuance) of the responsibilities or powers of the local authority (or committee, community board, or other subordinate decision-making body of that local authority); and

(b) costs arising from any successfully defended criminal action relating to acts or omissions in his or her capacity as a member.

(2) Subsection (1) does not apply to a member's liability for a loss under section 46.

(3) To avoid doubt, a local authority may not indemnify a director of a council-controlled organisation for any liability arising from that director's acts or omissions in relation to that council-controlled organisation. [Underline added]

Concluding Remarks

53. Over the time that this scheme has been talked about a number of statements have been made by HBRC staff. One meeting that I attended was held at the EIT campus.

In the video recording, of the transparency Hawke's Bay public meeting regarding the Ruataniwha Water Storage Scheme (RWSS) held on 21 May 2015 at EIT campus Hawke's Bay, you will observe the following:

[The video is available to view at <https://vimeo.com/128966544>]

At 1 hour and 44 min into the video recording Liz Lambert Interim/Acting CEO of HBRC said there was "no liability to HBRC" from the RWSS.

Between 1 hour 40 min and 1 hour 50 min into the video recording Liz Lambert said "the council [HBRC] expects a return on investment".

At 2 hours 14 min, Derek Williams asked a question from the floor, "Will the irrigation take precedent over the releases" [the environmental flows]?

In response Iain Maxwell, Resource Management Group Manager, at HBRC, said "No, absolutely not, the, the water for the environmental flows, so the residual flows out of the base of the dam and the flushing flows are category A water, so that has priority over the irrigation water."

54. Clearly the situation has changed since May 2015. Then environmental flows had priority, now they have to be purchased for \$36.9 million. Why?

55. Thank you for your valuable time considering these issues that I have raised.

56. What I am requesting of this council is:

- A) Do what is your statutory right and obligation - regulate to protect and enhance the environment.
- B) Stop apparently roting the ratepayers
- C) Bin the proposal to pay \$36.9 million for water which the council can obtain, at no cost to the ratepayers, by regulation or concession deed.

57. I wish to be heard (speak to) this submission.

58. Should you wish to contact me, my contact details are:

Fred Robinson, 46 Salisbury Avenue, Tamatea, Napier 4112

Phone: (06) 843 4108

Mobile: 027 403 7074

The Source Material Used in the Preparation of This Submission

[1] www.treasury.govt.nz/publications/informationreleases/irrigation
T 2009/2417: Briefing for meeting with Alan Dick on Water Storage, Hawke's Bay.
T 2010/2187: Potential of Irrigation
Treasury: 1979573v 1

[2] www.nzherald.co.nz/nz/news/
Article "Bill English to pay back part of allowance" by Audrey Young
Wednesday 5 August 2009

[3] www.hbrc.govt.nz
Meeting of Hawke's Bay Regional Council, Wednesday 16 March 2016
Venue: Council Chamber Time: 11 a.m. Agenda

[4] HBRC is Supporting Accountability Documents for Our Plan 2016-17

Hawke's Bay Regional Council - Submission No. 2
by Fred Robinson

Re: Proposed Amendment to the Hawke's Bay Regional Council (HBRC) [The Council] Long-Term Plan 2015-25 and the accompanying Proposed Budgets for the years 2015 - 2025 in relation to the Ruataniwha Water Storage Scheme (RWSS)

1. I have read your 14 page document detailing Significant Change to the intended level of service provision for the activity "Water Management" and appreciated the invitation to make submissions on it.

Executive Summary

- The *LTP Amendments HBRC Funding Impact Statement*, and associated financial material, fails to take into account significant matters in relation to the RWSS

The Global Background

2. Hawke's Bay does not operate in a vacuum. Global economic and political forces significantly impact on this Province.

3. As far back as 2008 global players, such as Wall Street banks and elitist multibillionaires had arrived at a strategy to acquire primarily two things:

- Infrastructure assets - such as ports, airports, water and sewerage plants and renewable energy generation to name a few.
- The worlds freshwater supplies

4. Andrew Liveris, CEO of Dow Chemical Co, was quoted in The Economist magazine, August 21, 2008 as saying "*Water as the oil of the 21st century*". Citigroup's top economist, Willem Buiter said in 2011 that the water market will soon be hotter than the oil market. He is reported as saying:

"Water as an asset class will, in my view, become eventually the single most important physical-commodity based asset class, dwarfing oil, copper, agricultural commodities and precious metals."

The Limitations of Accountancy and Budgets

5. Any competent accountant will tell you that "off-balance sheet" factors (such as liabilities) can, and do, distort the actual position of any enterprise. That despite the best efforts of an accountant to present a "true and fair" representation of the enterprises trading position.

6. That is clearly the situation for HBRC in relation to the RWSS.

7. It is my contention that significant issues relating to the RWSS mean that the figures suggested in the LTP Amendments budgets (Pages 7 to 11) range between overly optimistic to outrightly fallacious.

Background to New Zealand irrigation schemes

8. As far back as 2009 and 2010 there was a clear understanding, at Treasury at least, that large-scale irrigation was a government agenda (political policy),

the economic "benefits" were contained in the construction of these dams, and on-farm returns were "poor to average". This revealed in a Treasury Official Information Act (OIA) request [1].

9. Also contained in the Treasury OIA release [1] was a section specifically dealing with Hawke's Bay. It states:

"Hawkes' Bay: 40,000 ha

The Hawkes' Bay Regional Council is in the process of developing a Regional Water Management Strategy. Water harvesting and storage will be integral to the implementation of the Strategy once it is finalised. Storage will provide for the replacement of current ground water and surface water takes to reduce pressure on summer low flows, improve the reliability of current irrigation and provide for a substantial expansion of irrigation onto fertile soils.

Investigations have advanced to the feasibility stage in the Ruataniwha Plains (Tukituki Catchment). The Council's intention is to progress investigations in the Ngaruroro Catchment (including the Heretaunga Plains) and then into the Tutaekuri Catchment.

Consultation processes are also well under way. We understand that the Council has also already given consideration to possible funding sources, including the sale of its equity in the port.

A 10 – 15 year staged development period is anticipated." [Underline added]

10. Therefore, up to recently, we had HBRC as a major backer of a scheme that would make some money for construction firms, produce little or no return for water users and investors, and for which the Council was prepared to sell a high performing asset of vital importance to Hawke's Bay, particularly primary producers, exporters, importers and the tourism sector.

11. The construction costs which have recently been revealed as blowing out, combined with a new Water User Agreement (WUA) being offered to end users, with an increased water cost, suggests the scheme needs significant funding.

12. Recently HBRC proposed propping up the scheme, through itself becoming a "water user" and signing a WUA giving the scheme \$36.9 million of ratepayers money. That initiative would appear to have little possibility of being acceptable to the ratepayers.

The Potential Loss of the Port of Napier

13. In the absence of other sources of funding it is highly likely that the Hawke's Bay Regional Investment Company (HBRIC) will take on board the suggestion made in 2009 by the then Chair of HBRC, Alan Dick, to sell the port (Port of Napier). The approval for this sale has already been given with the approval of a Constitution for HBRIC - adopted by resolution of HBRC on 18 December 2013, signed by Fenton Wilson, Chairman, HBRC [2].

14. In the news item in Hawke's Bay Today 14 April, by Sophie Price regarding the soaring cost of building the RWSS, Fenton Wilson is reported as saying "*HBRIC would have to find any extra money it needed*".

15. If one looks at the Constitution [2] of HBRIC you will notice that it contains under "*1.3 Limited Nature and Scope of Activities*" (among other things)

"d. Raising funds for investment by selling bonds, mortgages, preference shares and other debt instruments or by reducing its holdings in equity investments, (for example by way of part sales of shares in Port of Napier Limited), Its subsidiary or associated companies; ".....

16. As I understand it HBRIC has already benefited from the sale of the income from leases held by the Council, which has sold the income realisable, from the lease portfolio that HBRC holds, for the next 50 years, to the Accident Compensation Corporation (ACC) for approximately \$37,651,000.

17. The consultation documents include on Page 5 - LTP Amendments - Financial Strategy - include under 3.4 "Funding for the Above Strategic Investment Initiatives" the statement: *"HBRC will provide funding for the investment initiatives by drawing down on the cash reserves set aside for investment (.....), sale of Wellington leasehold land (this sale is scheduled in the LTP for year 3) and borrowings"*.

18. There is not much of the family silver left to flog off. It is not rocket science to join the dots between Alan Dick's comments back in 2009, paragraph 1.3 d. of the HBRIC Constitution, and Fenton Wilson's recent statement to the media.

19. However, the *LTP Amendments - HBRC Funding Impact Statement* (Page 10 of the consultation documents) fails to take into account the full or partial sale of the Port of Napier (The Port). It is my understanding that the income from The Port is contained within the line *"Interest & dividends from investments"** under the heading *"Sources of operating funding"*.

20. Clearly a sell down of HBRIC's holding in The Port would significantly reduce the interest & dividends from investments, from the date of sale through to 2025 and beyond. Therefore these figures will need to be adjusted to reflect that significant drop in investment income. *It is my understanding that the income from the port is approximately 80% of the figures quoted in your document.

21. There are of course major ramifications, for the wider Hawke's Bay community, should the gateway to the Province (for significant volumes of goods and tourists) be partially, or fully sold.

22. Question 1: Has the reduction in income from the sale of the Wellington property, currently valued at approximately \$10 million, been factored into the interest & dividends from investments figures, in the Budget 2015-25?

23. Question 2: How is HBRIC going to fund the shortfall to get this project over the line?

24. The fact that HBRIC itself is aware of the potential loss of the Port is signalled by a letter from the company, dated 14 April 2016, and addressed to Mr F Wilson & Mrs L Lambert, Hawke's Bay Regional Council. The letter

requests a change in the wording (revision) to the HBRIC Ltd Statement of Intent for 2015/16. The letter contains inter alia the words:

"The purpose of this change was (on Deloitte's advice) to enable HBRIC Ltd to be able to borrow for working capital, including to enable it to fund dividend payments to Council in the event of a shortfall in the dividends paid to HBRIC Ltd by Napier Port and by the RWLP (if that precedes)." [Underline added] [3]

25. Borrowing working capital, and paying dividends to HBRC from that borrowing, has taken robbing Peter to pay Paul to new heights. This is apparently robbing Paul to pay Paul.

Other costs apparently not included in the financials

26. It is common in accounting practice to provide for the replacement of a major asset through the allowance for depreciation. In the case of the RWSS it is not so much the replacement as the decommissioning that needs to be allowed for.

27. My understanding is that the useful life of a dam, constructed as a solid core rock filled dam, is unknown as this depends upon the quality of the construction, the quality of the maintenance/monitoring, and factors outside the control of whoever operates the dam such as floods and earthquakes.

28. It is well known that weather patterns are changing and extreme events are more often and more extreme worldwide. Hawke's Bay is no exception. I therefore contend that as the Ruataniwha Water Storage Scheme (RWSS) is one of the most significant infrastructure developments ever undertaken by HBRC, provision should be made, in the budgets, to handle these events.

29. What is the management process for when the dam fails? Competent engineers will tell you that there is always a force that will exceed the design capability. The local civil defence people tell me that earthquake is the number one threat in Hawke's Bay.

30. As was clearly stated by the Board of Inquiry (BOI) into the scheme (Volume 1 of 3 Draft Decision)

"[5] The RWSS involves the proposed construction and operation of a dam and a 90 million m³ reservoir on the Makaroro River for irrigation purposes (with a small hydro-electric power station). If built the dam would be the largest irrigation dam in New Zealand and the largest dam to be built during the last 20 years. The irrigation distribution network would enable around 25,000ha of land to be irrigated." [Underline added]

31. The BOI, in the above document, went on to say:

"[26] At its highest point the concrete-faced rockfill dam would be 83m high with a crest of 505m long and 8m wide. It would have the capacity to store 90million m³ of water with the lake behind the dam extending for almost 7km at full capacity. A small 6.5 megawatt hydro electric power station is proposed to be constructed at the toe of the dam. **If constructed this dam will be the largest irrigation reservoir in New Zealand and the dam will be the largest to be constructed during the last 20 years.**" [Bolding added]

32. All decisions of the BOI were based on the above assumptions.

33. However, as is stated inter alia in "Deloitte - Peer Review of The Ruataniwha Water Storage Scheme Business Case" May 2014 (the Deloitte report) [available on the HBRC website], on Page 17:

"Following the evaluation process OHL-Hawkins was selected as the preferred contractor however the bid price exceeded the affordability threshold. The evaluation team and its advisers entered into a value engineering process with OHL-Hawkins and identified alterations to scope and other changes which resulted in the design and construct price being reduced to \$240 million to \$245 million."

34. The Deloitte report goes on to state, under the heading " OHL-Hawkins Dam and Associated Works Design Summary"

- *Central core rock fill dam (CCRD), approximately 83m above existing riverbed level, with a crest width of 7.0 m at RL 475.30m."*

35. Clearly the type of dam has changed from a Concrete-faced Rock Fill Dam (CFRD) to now be a central core rock fill dam (CCRD) , which is clearly cheaper but at the same time **would** have been more suited to an earthquake prone area, **if suitable core material was available**, although the height remains the same. However, according to dam engineering specialists *"Unfortunately, the only available core material proximate to the site are silt derived from mudstone."* This is an unsuitable material.

36. The design of dams is a specialized and complex task for the following reasons:

- All dams are different.
- The consequences of dam failure may be disastrous.
- The force of water pressure is enormous.
- The level of acceptable leakage is low; usually it is in the range of liters per second, and often totals less than the losses by reservoir evaporation.
- The foundation is a key part of the structure and needs careful exploration and improvement.
- The control of floods is an essential element in dam design and may also be a difficult problem during construction on large rivers.
- The local seismic risk may modify the design.
- The impact of reservoirs on the environment demands special study.

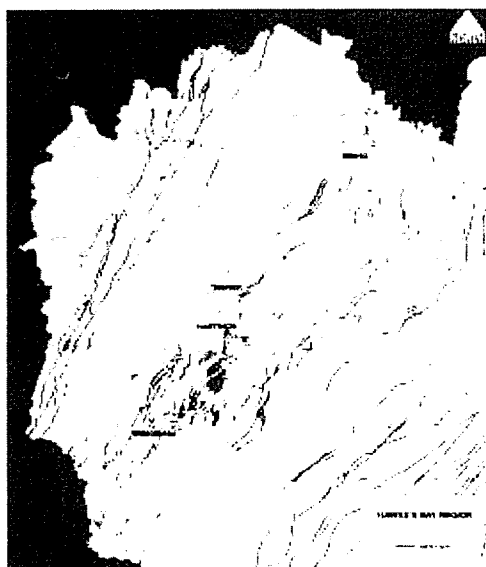
The Earthquake Situation in Hawke's Bay

37. As anyone living here is well aware, Hawke's Bay is prone to earthquakes, the most notable being in 1931 which, together with the subsequent fire, resulted in the destruction of Napier and the loss of over 250 lives.

38. The considerable issues around earthquake risk were well covered by Paula Fern in her previous submission to HBRC titled "Plan Change 6 and RWSS Submission Representation". The council appears to be unconcerned about the chaos resulting from a dam failure, however I submit that it would be prudent to allow for such an eventuality in the budgets, and also for the decommissioning of the dam, either after such an event or at the end of its useful life.

39. As is clearly detailed on the Hawke's Bay Emergency Management Group site [www.hbemergency.govt.nz/hazards/earthquake]

"FAULTS



A fault line is a fracture along which the earth's crust has moved. There are numerous active faults in Hawke's Bay onshore and offshore. Many are surface faults where a rupture that initiated at depth has broken through to the surface and left a visible fault trace. Others are buried or 'blind' faults that slip at depth but do not rupture to the ground surface, so these are harder to recognise. The Active Fault Map shows generalised traces of active surface faults in the Hawke's Bay region. Active faults are those faults that have moved within the last 125,000 years. While no surface traces of active faults have been mapped in the Napier and Hastings city areas, this is because historic floods and development have covered them over. Scientists believe both cities have 'buried' or 'blind' fault sources including the large fault source that caused the Hawke's Bay earthquake of 1931, but they are currently unable to map them. The subduction interface between the Australian and Pacific plates is the largest offshore fault in our region." [Underline added]

40. I draw your attention to **the fact that scientists are currently unable to map large fault sources in Hawke's Bay.**

41. Does the council hold comprehensive insurance to cover the cleanup should that the dam fail? Or is that burden going to fall on the ratepayers of Hawke's Bay who appear to be putting an enormous amount on the line for little or no benefit? Natural catastrophe insurance products exist as a way to

spread the risk and the cost of major catastrophic events, that are unlikely to occur, but which are very expensive when they do. Another global financial crisis could also impact badly on economic returns from the RWSS.

42. The introduction of the Health and Safety at Work Act 2015, which came fully into force on 4 April 2016, holds implications for anyone involved with the RWSS. That legislation resulted from the Pike River Mine Tragedy in November 2010.

43. The similarities between the Pike River Mine and the RWSS are rather striking. Both enterprises were/are seen by the local authorities as essential to the economic development of their region's. Both enterprises had/have central government support. In the case of Pike River mine in 2010, prior to the tragedy, government agencies had invested in the project. The Accident Compensation Corporation (ACC) held over 17 million shares with a value of approximately \$17.5 million and the New Zealand Superannuation Fund Nominees Ltd held nearly 6,000,000 shares with a value of over \$6 million. Needless to say after the tragedy those investments were lost.

44. Yet after the Pike River tragedy many questions remained unanswered, as detailed in Brian Gaynor's opinion piece, the New Zealand Herald 13 July 2013. Titled "*Pike River - why mine owners must pay the money*", this stated (among other things) the following:

"The court order requiring Pike River to pay \$3.41 million to the families of its mine explosion victims raises many legal and moral questions.

Why won't Pike River meet its \$3.41 million obligation, even though it has received \$90.7 million in insurance payouts?

Why has each family received only \$18,700 from the company when families in the United States received US\$1.5 million (\$1.9 million) each in a similar situation?

Why has the Bank of New Zealand received all of its money back - plus interest - yet there is nothing left for the bereaved families?

45. And further in the same article he states the following:

"The prospectus was bullish and said the company was "on target to produce its first coal late in the quarter ending March 2008, with annual saleable production expected to reach more than 1 million tonnes in the 2009 calendar year".

However, the main characteristics of the mine development were unfulfilled promises, tunnel problems, huge delays and financial difficulties. No coal was produced and sold in the December 2009 year forecast period." [Underline added]

46. Does that sound familiar? Further in the same article Brian Gaynor states:

"But the issue looks quite different when viewed from a moral perspective.

The royal commission of inquiry into the mine tragedy was highly critical of the board and senior management of the company.

It concluded that "the board of directors did not ensure that health and safety was being properly managed and the executive managers did not properly assess the health and safety risks that the workers were facing".

47. The Health and Safety at Work Act 2015 states, in Section 43, the following:

43 Duty of PCBU who installs, constructs, or commissions plant or structures

(1) This section applies to a PCBU who installs, constructs, or commissions plant or a structure that is to be used, or could reasonably be expected to be used, as or at a workplace.

(2) The PCBU must, so far as is reasonably practicable, ensure that the way in which the plant or structure is installed, constructed, or commissioned ensures that the plant or structure is without risks to the health and safety of persons—

(a) who install or construct the plant or structure at a workplace; or

(b) who use the plant or structure at a workplace for a purpose for which it was installed, constructed, or commissioned; or

(c) who carry out any reasonably foreseeable activity at a workplace in relation to the proper use, decommissioning, or dismantling of the plant or demolition, or disposal of the structure; or

(d) who are at or in the vicinity of a workplace and whose health or safety may be affected by a use or an activity referred to in any of paragraphs

(a) to (c). [Underline added]

48. The Hawke's Bay Regional Council and HBRIC are commissioning a structure which would appear to put 1000 residents of Waipawa at risk. Given the similarities to the Pike River mine situation I believe it would be prudent for this Council to revisit the concerns of the local residents who will be directly affected when a major earthquake, or other major catastrophic event, occurs.

49. I note that in a report prepared by Engineering Geology Ltd (report by T Matuschka, CP Eng) for Tonkin & Taylor Ltd, under the heading 2.3 Site Selection appeared the first statement "*There are no ideal dam sites in the project area.*" One wonders what part of no HBRC and HBRIC don't understand.

50. To further add to my concerns I note that in a report by Damwatch, dam engineering specialists, to Tonkin & Taylor Ltd, dated 24 February 2012, appears a statement under 4. Selection of Dam Type, which reads:

"For an earth core rockfill dam to accommodate the possibility of secondary movement on SZ1 , the core must preferably be cohesive or at least broadly graded. Cores of uniform non-cohesive material like silt that are potentially highly erodible are not considered suitable. Unfortunately, the only available core material proximate to the site are silts derived from mudstone."

51. The above paragraph may give some clue as to why Tonkin & Taylor recommended a concrete face rockfill dam (CFRD), which was approved by the Board of Inquiry.

52. Tonkin and Taylor in the same Technical Feasibility Report, quoted above, stated in their **Concluding Remarks** inter alia the following:

"In the absence of suitable core material for a central core embankment dam, a concrete face rock fill dam has been selected as best suiting this site and having the capacity to accommodate the high seismic loading and the possibility of secondary movement on shear zone SZ1."

53. The above recommendations, which are now clearly being ignored, give rise to considerable concern, particularly among some residents close to the dam.

54. At the very least I believe the Council should budget for Catastrophic Event insurance so that those adversely affected from such a tragedy are not left in the same position as those impacted by the Pike River tragedy.

Possible Errors Regarding Returns from RWSS

55. The HBRC budgets, as I understand them, assume a number of factors in relation to the RWSS. One of those is that from a storage volume of 104 million cubic meters [4], sales of around 200 million cubic metres, as indicated in the Deloitte report [5]. That report, on Page 2 suggested *"In addition to the 104 [million cubic metres] of water available to be contracted for irrigation purposes a further 43.3 M m3 of water will be available for environmental purposes (residual flows and flushing flows) and 52.3 M m3 for other purposes including being sold a spot water....."*

56. Yet independent analysis suggests that the RWSS will reliably be able to supply 40-50 million cubic meters less than that 200 MCM figure.

57. It's not the size of the dam that is important, it's the amount of rainfall in the catchment area.

58. Deloitte cover themselves with the Disclaimer on Page 10 of the Peer Review document which contains inter alia a statement *"However, in no way do we guarantee or otherwise warrant that any projections of future profits, cash flows or financial position of the RWSS will be achieved. Projections are inherently uncertain. They are based upon assumptions, many of which are beyond the control of HBRIC and its management."*

59. Unfortunately, the situation for the RWSS is that the catchment figures are based on a number of factors, all indicating wishful thinking rather than empirical data, for example:

- Tukituki Mean Annual Rainfall map contains the disclaimer *"The Hawke's Bay Regional Council cannot guarantee that the data shown on this map is 100% accurate."*
- Reports covering water resources and hydrology for the project clearly concede flow records at the Burnt Bridge site were marginal, contained

significant errors, and were purposely high for their intended use, that is flood protection. **They were never intended to be used to justify an irrigation scheme.**

- Those high figures, from Burnt Bridge, have themselves been used to create a "synthetic" record of mean monthly flows containing arbitrary elements. This is a less than satisfactory record.
- Despite the considerable time period between the Makaroro river being chosen for the dam site and today, HBRC/HBRIC have chosen NOT to put in place, during that time, robust measurement of the actual flow available from this catchment. Surely this would have been sensible best practice.

60. This means there is considerable uncertainty involved in just how much water has been estimated as available from this dam. I will speak more to this matter at my oral presentation to HBRC.

61. The reason that significant stakeholders, particularly the financial institutions, are not so concerned with the viability of the scheme, is that they will almost certainly be paid out on their investment/loans courtesy of Hawke's Bay ratepayers.

62. Thank you for your valuable time considering these issues that I have raised. They impact significantly on the budgets and financials presented by HBRC in the consultation documents.

63. I wish to be heard (speak to) this submission and other matters.

64. Should you wish to contact me, my contact details are:

Fred Robinson, 46 Salisbury Avenue, Tamatea, Napier 4112

Phone: (06) 843 4108

Mobile: 027 403 7074

The Source Material Used in the Preparation of This Submission

- [1] www.treasury.govt.nz/publications/informationreleases/irrigation
T 2009/2417: Briefing for meeting with Alan Dick on Water Storage, Hawke's Bay.
T 2010/2187: Potential of Irrigation
Treasury: 1979573v 1
- [2] Constitution of Hawke's Bay Regional Investment Company Limited
Company number: 3727789
- [3] Agenda HBRC 27 April 2016, Attachment 1, also described as "Item 11"
- [4] Hawke's Bay Regional Council website www.hbrc.govt.nz
What Is RWSS - RWSS at a glance
- [5] Deloitte - Peer Review of the Ruataniwha Water Storage Scheme
Business Case (Page 2 & Page 10)

Submission 151

Robinson

Consultee Robinson (68184)
Email Address bizmath@gmail.com
Address Napier 4112
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

I am opposed to any proposal to purchase water for environmental flows, and accordingly I support Option C. The appropriate mechanism for the H.B. Regional Council to ensure river health is through conditions imposed on resource consents, including discharges and offtakes. The resource consents should take account of a reasonable range of river conditions, including a normal dry H.B. summer. This would mean that in cases of drought the river would be under stress. Your consultation document does not explain the conditions attached to the use of water for environmental flows, and specifically what happens in the event that Ruataniwha offtake is restricted, as could be the case during a drought. The consultation document should have made clear whether river health would take priority, or whether commercial users would be first in the queue. This should be at the heart of any rigorous analysis of this proposal, but the fact that this information is not included in the consultation document causes me to wonder whether the work has been done. Further, the sudden way this proposal originated, with the confusion about the cost, suggests that it is an off-the-cuff development. This is not the way to go about making sound investment decisions. To sum up, I support Option C, and opposes any purchase of water for environmental purposes, because appropriate environmental safeguards should have already been built into the resource consents. I further oppose this proposal because it appears to be based on inadequate analysis, although to be fair, I acknowledge that the story as reported in the media may be incomplete, and the work may have been done. If that is the case though, the information should have been made available to the public, so we could have an informed say on the matter.



13 PARSONS ROAD
MEEANEE
NAPIER 4112

Herbi

29th April 2016

Amendment to the Long Term Plan
2015-16

I thought that the critical reason for building the Kaitiaki Wharangi Dam was to have water to flush out the Dudi Dudi river. Now we are told that we will have to pay \$36.9 million for that right. Considering the amount of money that has already been spent I think the whole dam saga is a farce. Now we are told that the Napier Port is to be used as collateral on any loans.

I think that option C is the only one that anyone can support as our rates I can see will rocket in the future, all due to this crazy idea

Susan Rogerson.

Submission 153

Megan Rose

Consultee Megan Rose (68453)
Email Address meg@nrose.co.nz
Address Te Awanga 4102
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

No evidence or justification has been provided to the public to support anything other than Option C. The fact this consultation has been forced on the council speaks volumes; this entire process has been undertaken in a manner that flies in the face of democracy, transparency, professional courtesy and common sense. Adequate information or explanation has not been provided to ratepayers either for this amendment or the wider RWS scheme in general. In sitting councillor Alan Dick's words "it is a sham and a travesty". While councillors may be protected from legal liability, HBRIC directors are not, and in the event that this project and the spurious elements comprised within it prove as ill-devised as many ratepayers fear, we can at least be assured that enough concern has been raised through legal and governance channels that those who have attempted to foist unnecessary debt on the region will be held accountable. This amendment is a flagrant attempt to make a poorly constructed scheme look financially viable to investors when farmers, ratepayers and commercial investors have roundly rejected it. Council has no public mandate or moral right to continue to invent ways to keep the RWSS project alive. My verbal submission will include the above, and other matters.

To: Hawkes Bay Regional Council (HBRC)

From: R.A. Russell and J.D. Russell
11/196 Vigar Brown St. Napier South 4110

Date: 12.5.2016

Re: Proposed amendment to the Long Term Plan 2015 - 2025

11:47am Reception
13 MAY 2016

A Submission

In order to assess this Plan change from a long term perspective, we go back to the inception of the Ruataniwha Dam proposal, when HBRC first backed plans to search for several small sites for dams in Hawkes Bay, to give farmers some water security during times of drought. When no suitable sites were found, the present large scheme on the Makarora River was put forward as the answer. Farmers on current irrigated land and would-be users of new land that could be irrigated, were encouraged to show their interest in the proposed scheme. Only later on, in the wider discussions with the people of Hawkes Bay, was the scheme billed as a way forward, firstly, to enhance the Tukituki River flows and to provide sustainable river levels and secondly to give farmers and horticulturists, who would join the scheme, security against drought.

Why does HBRC now say that this new plan change is necessary to secure enough water for future 'environmental enhancement' in Hawkes Bay? We were already assured of that when we were asked to consider the document, 'Tukituki Choices', which spoke glowingly of the environmental gains, especially for that river, if the dam became a reality. We are now to consider an amendment to HBRC's Long Term Plan that would commit HBRC to a Foundation Water User Agreement. Such an agreement would commit ratepayers to long term costs with no real guarantee that the benefits will eventuate. Even the question of constant, plentiful water flows into the dam in the future seems to have been skirted around. This summer of 2016 has changed another East Coast dam, the Opuka, inland from Temuka, into a dried up lake. No doubt it will bounce back, but the costs to users and investors could be high.

Please do not tie Hawkes Bay ratepays, both directly and indirectly, into long term payments for a scheme that has many risks attached.

Submitters are given options A, B and C to assist our response.

We support Option C. R.A. Russell, supported by J.D. Russell.

SUBMISSION 156

SUBMISSION to HBRC on Long Term Plan 2015-2025

NAME OF SUBMITTER...Delicia Sampero

CONTACT DETAILS (email /

phone)..... deliciasampero@ihug.co.nz.....

DATE.....Wed.... 11. May 2016.....

I do not wish to speak at the submission hearings.

Ruataniwha Dam: I am opposed to the Ruataniwha Dam scheme.

I submit that Option C is the only one of the three very limiting options offered by the regional council which makes any sense. Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows'.

Current pollution of the Tukituki River needs to be cleared up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

The cost of the dam has now escalated and should not be paid for by ratepayers.

Kind Regards,

Delicia Sampero

SUBMISSION 157

Submissions close at 4pm on Friday 13 May 2016. Email to ourplan@hbrc.govt.nz

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER

John

Schwed

ADDRESS

CONTACT DETAILS [email] keri.schwed@gmail.com.

[daytime phone]

I do not wish to speak at the submission hearings.

I am opposed to this scheme for the following reasons [state your reasons]

Option C - No provision is to be made for environmental flows, with no cost to HBRC.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

'Environmental flows' should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows'.

Submissions close at 4pm on Friday 13 May 2016.

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025
NAME OF SUBMITTER Corey Scott
ADDRESS 83 Kennedy Rd
CONTACT DETAILS [email] [daytime phone] 06 835 6246
DATE 4 MAY 2016

I do do not wish to speak at the submission hearings.

Ruataniwha Dam: I am opposed to the Ruataniwha dam scheme.



I submit that option C is the only one of the three very limiting options offered by the regional council which makes any sense. Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows'.

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

The cost of the dam has now escalated and should not be paid for by the ratepayers.

The ~~\$36 million~~ would be better spent on

RECEIVED	
RECEPTION	
TIME: 3.42 pm.	DATE: 13/5/16.
SIGNATURE: <i>LHR</i>	

Submission 159

Willow Sharp

Consultee Ms willow sharp (68147)
Email Address willowsharpe@gmail.com
Address Napier 4110
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

I submit that option C is the only one of the three options offered by the regional council which **makes any sense. "Environmental flows" should not be paid for by the ratepayers. Decline the amendment to the Long Term Plan 2015-2025, and make no provision for "environmental flows". Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay** who still continue to refuse to fence their stock out of waterways. It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified landuse, including dairying, thereby adding an even greater pollution load on an already polluted river. We need to be **FIXING THE ROOT OF THE PROBLEM**, not creating a band-aid that will then create its own range of new problems.

Submission by HBRIC Ltd on HBRC's Environment - HBRIC Ltd

The proposal for Council to contract 4 million cubic metres of water per year from the Ruataniwha Water Storage Scheme (RWSS) for environmental flows makes sound environmental and financial sense.

The original 2014 plan within the Concession Deed and the RWSS Business case approved by Council proposed that Council buy 4 million cubic metres of water at 23 cents per cubic metre, as and when needed for environmental flows. The flows could be demanded at any time by Council. This proposal has significant financial flaws for several reasons.

- The RWSS would have to retain the 4 million cubic metres of water each year for HBRC Flows, but if Council decides not to take it then the RWSS is not able to sell that water, foregoing revenue of at least \$920,000 a year.
- If Council chose not to budget for the water in its Annual Plan then it would not have the money to be able to buy the water, even if it needed it in a dry year.
- If Council decided to only budget for the flows from time to time it would not get the intended environmental benefit for the Tukituki River and would get less economic benefit from its investment in the RWSS.

The alternative proposal would see Council contract to take 4 million cubic metres of water for environmental flows each year for 35 years at 23.5 cents per cubic metre. It would include 30 million cubic metres of water provided free for the first six years.

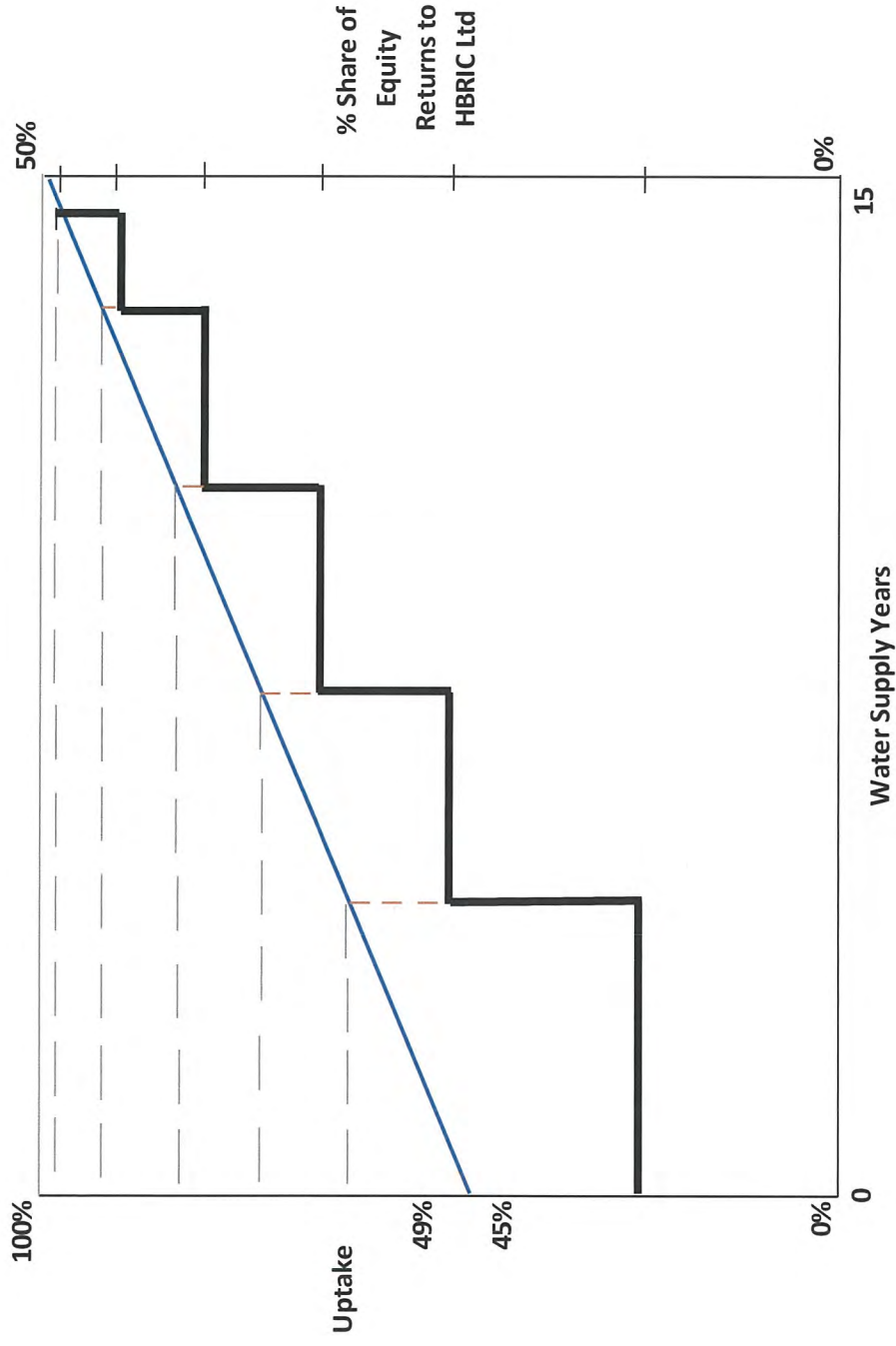
This proposal would provide Council with at least as much environmental benefit as the original 2014 plan, with increased economic benefit through its return from its investment in the RWSS.

The new proposal is not going to cost Council anymore. In fact HBRIC's return (and Council's return) on investment in the RWSS over the uptake period will increase. HBRIC starts with a small share of the cash distributed from the RWSS which grows in steps as uptake increases.

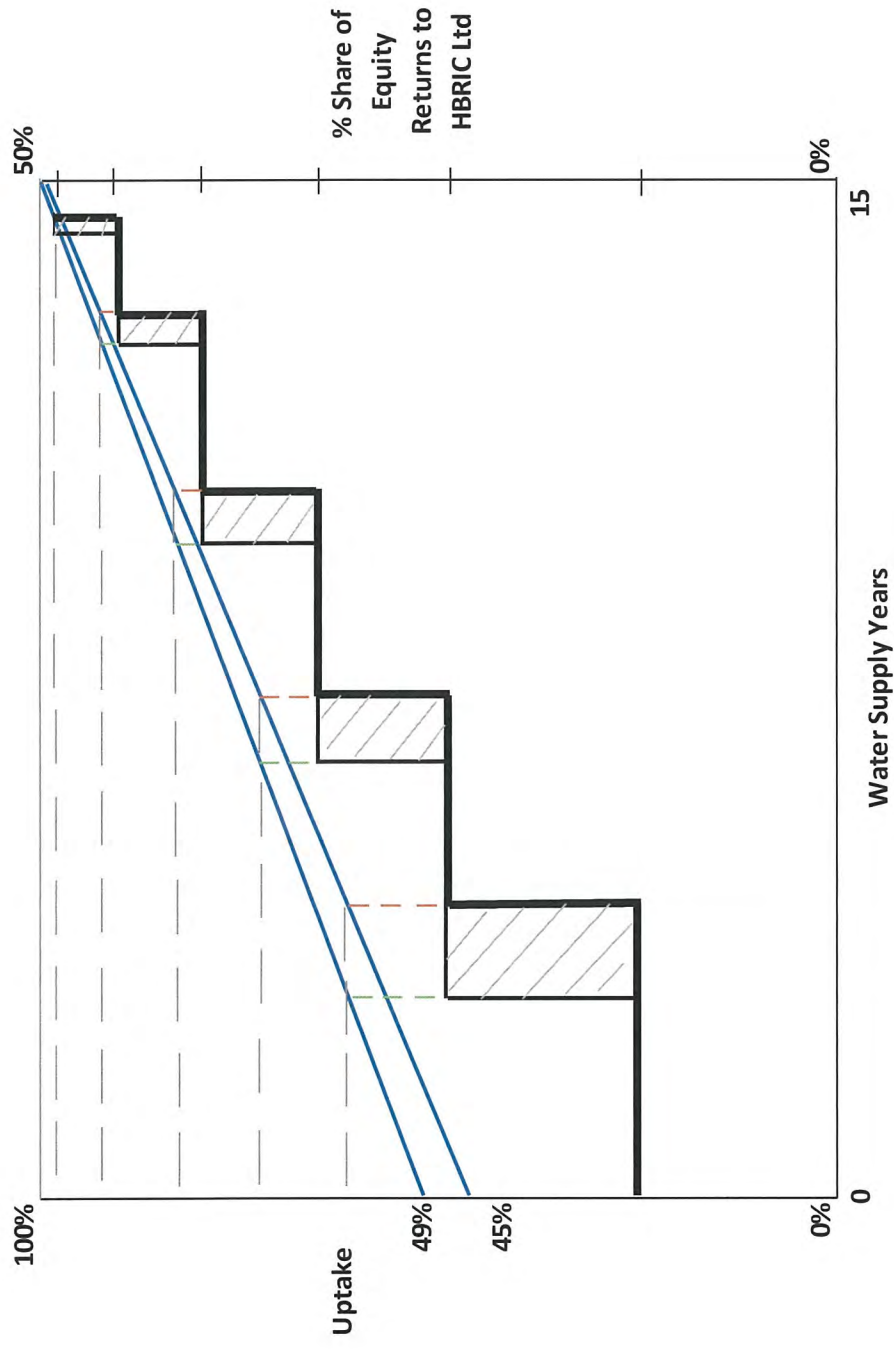
HBRIC benefits more from Council signing a Foundation Water User Agreement than other investors do. Even though the RWSS gets no extra revenue over the first six years, HBRIC will receive a larger portion of the total distributions earlier than it would otherwise have done.

So Council contracting to take 4 million cubic metres of water from day one of the scheme boosts HBRIC's return on its investment throughout the whole uptake period, which in turn boosts Council's return.

HBRIC wishes to speak to this submission and will illustrate how this works with a diagram. HBRIC's preference is Option A



HBRIC Ltd's Return Without Environmental Flows



Council's Environmental Flows Increase HBRIC Ltd's Return

W E Shortt

Email: potomahia@xtra.co.nz

13 May 2016

SUBMISSION TO HBRC ON LONG TERM PLAN 2015 - 2025

I do not wish to speak at the submission hearings.

I object to the Ruataniwha Dam as to date the original estimated costing has jumped from \$275 million, to give or take in 2016, to near \$1 billion.

I live some 220 kilometres from this controversial Dam and feel that no one in Northern Hawkes Bay will benefit from its operation if it is ever built.

Opposition to it has been so strong from a number of quarters, and the fact that HBRC members are so divided on its building, one can only comment that it should be put to rest as a brain dead idea but unfortunately it has cost millions of dollars just for exploratory work so far.

I submit that Option C is the only way to go.

W E SHORTT

SUBMISSION 162

TO the powers above:-- My wife and I do not want the HBRIC to use \$36.9 million of rate payers money for environmental flows.

We do not want the dam to go ahead as the environment will suffer due to the increase of dairy farming. The dam is to be built on a fault line which will put the people below the dam at risk. Rate payers money is to be used and their assets may be used as debt collateral, which will also be a risk if there is a financial blow out.

We both feel the HBRIC are out of their depth and the HBRC should not have allowed this to take place as their main job is to look after our environment. If this dam goes ahead there won't be any funds left for them to do their job.

The HBRC need to put things in place to reduce pollutants from entering our water ways and soils and perhaps new businesses will grow.

We have weighed up the risks and benefits of the dam construction and without a doubt have come to the conclusion that the risks are too high.

Yours sincerely,
Lee & Dawn Simmonds

HBRC
P.O.Box 6006
NAPIER 4142

15/4/2016

Lance Simon
791 SH 2
RD 2
Napier 4182
Ph 8366777
Email lssimon@slingshot.co.nz.

SUBMISSION to amendments to the HBRC Long Term Plan 2016.

Re Environmental Flows Proposal, in regards Ruataniwha dam.

My preferred option is option C.....

“No provision is made for environmental flows, with no cost to HBRC.”

I make this submission as an individual.

Regards
LR Simon

LR Simon 15/4/2016

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER Adrian Skelton

ADDRESS

CONTACT DETAILS [email] Adrian.skelton@gmail.com [daytime phone]

I do not wish to speak at the submission hearings.

I am opposed to this scheme for the following reasons

Destruction of the ecology of the dam footprint – incongruous for a council with a conservation role to be promoting such a destructive scheme

Encouragement of change of land use to dairying which create more problems than solutions for the health of rivers

A scheme for the benefit of a few, paid for by all

Sustains the illusion that we can have business as usual under climate change; indeed we are pretending we can use more and more water – when what we are using is being stolen from the replenishment of the aquifers

There are better uses for \$115M of the region's money

Option C - No provision is to be made for environmental flows, with no cost to HBRC.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

'Environmental flows' should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows'.

Submission 166

Ian Skins

Consultee mr ian skins (68487)
Email Address ianskins@vodafone.co.nz
Address Havelock north 4294
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

Option C Decline As a land owner with riparian rights on the lower Tukituki I believe that HBRC has granted excessive water rights from the river, and has taken no action on the CHB sewage works pollution, resulting in the lower Tukituki current condition being a total disgrace. The Dam will not benefit the Tuituki catchment , and will be a complete white elephant , councillors need **understand milk power has gone from white gold too fool's gold , farm according the climate .** The council would be better placed by purchasing back excess water rights, build a new sewage works, if the aim is give benefits the Tukituki catchment. Develop tourism, encourage clean high tech industry Investment, and live up the 100% pure

Submission 167

Gary Speers

Consultee Speers (68432)
Email Address garyspeers@xtra.co.nz
Address Havelock North 4130
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? B. Decline this amendment to the Long Term Plan 2015-25, and in future purchase additional required water at market rates, from 2019-20 and the years that follow.

What do you think - What option do you prefer?

Not happy about three option. Two against and one fore should have been to options. B or C with the promise the HBRC have made on improving the water quality of our rivers with just the dam getting built I can not see why extra water would be required. If water quality is at its best flushing should not be required.

Submissions close at 4pm on Friday 13 May 2016.

Email to ourplan@hbrc.govt.nz

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTERDANIEL R STABLER.....

ADDRESS907 Miro Street , Hastings 4120

CONTACT DETAILS [email] [...drs20002@hotmail.com](mailto:drs20002@hotmail.com)[daytime phone] ..06 876 0032 / 027 782 4414

I do / do not wish to speak at the submission hearings.

I DO WISH TO SPEAK AT THE SUBMISSION HEARINGS

I am opposed to this scheme for the following reasons [state your reasons]

- 1) **OPTION C – NO PROVISION IS TO BE MADE FOR ENVIRONMENTAL FLOWS, WITH NO COST TO HBRC IS THE ONLY OPTION WHICH MAKES ANY SENSE.**
- 2) **NO MORE OF MY RATEPAYER MONEY SHOULD GO FOR THIS SCHEME.**
- 3) **THESE 'ENVIRONMENTAL FLOWS' ARE IMPOSSIBLE TO MAINTAIN AFTER DRY WINTERS AND HAVE NOT BEEN SUFFICIENTLY RESEARCHED AS TO THEIR EFFICACY.**
- 4) **PLEASE DECLINE THE AMENDMENT TO THE LONG TERM PLAN 2015-2025, AND MAKE NO PROVISION FOR 'ENVIRONMENTAL FLOWS'.**
- 5) **THE DAM SCHEME HAS NOT REACHED ITS SALES QUOTA BY THE DEADLINE AND THE ENTIRE SCHEME SHOULD BE SCUTTLED IF HBRC IS TO BE HONEST TO ITS RATEPAYERS.**
- 6) **THE COSTS OF THE DAM SCHEME HAVE BEEN CONSISTENTLY DOWNPLAYED AND UNDER-QUOTED BY HBRC AS THEY QUOTE ONLY THE \$275 MILLION FOR CONSTRUCTION OF THE DAM PROPER AND RARELY INCLUDE THE COSTS OF BUILDING THE PIPING FOR DELIVERY WHICH BRINGS THE REAL COSTS TO NEARLY \$1 BILLION. ADDING ANOTHER \$37 MILLION IS RIDICULOUS AND A SLAP IN THE FACE TO ALL OF US RATEPAYERS.**

Submission 169

Antony Steiner

Consultee Mr Antony Steiner (68137)
Email Address asteiner31@gmail.com
Address Napier
4110
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? B. Decline this amendment to the Long Term Plan 2015-25, and in future purchase additional required water at market rates, from 2019-20 and the years that follow.

What do you think - What option do you prefer?

This proposal seems to be to have been thought up as another prop for the Dam project. HBRC and HBRIC seem to have had tunnel vision since inception, rejecting alternatives with a "not invented here" silo mentality. HBRC spends its ratepayers' money with gay abandon, and I want to signal that I find this an abuse of power that needs to be highlighted and to the extent possible, prevented in future.

Submissions close at 4pm on Friday 13 May 2016.

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTER Karen Strother

ADDRESS 36 Nelson Crescent Napier South

I do / do not wish to speak at the submission hearings.

CONTACT DETAILS [email] Cowley, A. XTire.co.nz [daytime phone] 8305 705

DATE 5.5.2016

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

I submit that **option C** is the only one of the three very limiting options offered by the regional council which makes any sense. Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows' from the proposed Ruataniwha dam.

Karen Strother
Karen Strother

RECEIVED
RECEPTION
TIME: 3:42pm DATE: 13/5/16
SIGNATURE: LHS

SUBMISSION 171

Ruataniwha dam options I prefer option 3 for the council not to enter into a water user agreement and stop wasting rate payers money

Submission 173

I do not wish to speak at the submission hearings.

OPTION C

I submit that option C is the only one of the three options offered by the regional council that makes any sense.

'Environmental flows' should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows'.

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly **Central Hawke's Bay District Council**, who continue to allow their town sewage to discharge into the Tukituki River, **and those farmers in Central Hawke's Bay who still continue to refuse to fence** their stock out of waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

Valerie Thompson
Napier South
Napier

Email – valthompson@clear.net.nz

Submissions close at 4pm on Friday 13 May 2016.

Email to ourplan@hbrc.govt.nz

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025

NAME OF SUBMITTERPhyllis Tichinin.....

ADDRESS

CONTACT DETAILS [email]phyllis@truehealth.co.nz... [daytime phone] 027 465 1906..

I do wish to speak at the submission hearings.

I am opposed to the HBRC Long Term Plan 2015-2025 Amendment Environmental Flow Proposal. This alteration to the recently passed Long Term Plan appears hastily cobbled together as an attempt to salvage the RWSS by having the HBRC purchase water from the scheme to achieve security of return for the investor. This proposal is inconsistent with the core justification of the RWSS, that of achieving better water quality in the lower Tukituki River by periodic flushing flows. Adequate environmental flushing flows were meant to have been part of the standing application and permit for the Scheme. They are already incorporated into the calculations for water allocation from the Scheme. So is HBRC acknowledging that their original allocated environmental flows were inadequate to achieve the core purpose of the dam? And that now we as taxpayers need to pay even more?

These last minute changes to the core aspect of the RWSS Project bring into question the entire justification for the Project, the competence of staff and the integrity of the Council and its elected members.

My preference for HBRC action is Option C and I urge you to decline the amendment to the Long Term Plan 2015-2025 making no additional provisions for environmental flows.

*Phyllis Tichinin
May 5 2016*

Submission 175

Stephane Tiedemann

Consultee Mr Stephane Tiedemann (68415)
Email Address acrosteph@clear.net.nz
Address Clive 4102
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

Option C. The rate payers should not have to pay for this. I believe that damming a river to fix its flow and pollution problems is not the right solution. The fundamental problem is over-allocation of water and land-use intensification with too little control on pollution.

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION: on the Long Term Plan 2015-2025

NAME OF SUBMITTER: Mrs Marjoleine Desiree Turel

ADDRESS: **CONTACT DETAILS:** m.turel@xtra.co.nz **[daytime phone]:**

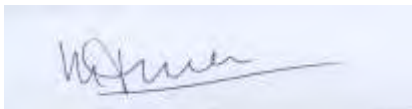
I do not wish to speak at the submission hearings.

I submit that option C is the only one of the three options offered by the Regional Council which makes any sense. "Environmental flows" should not be paid for by the ratepayers, especially considering that this option would not be required if there were no dam in the first place!.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for "environmental flows".

The current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters. In particular, Central Hawke's Bay District Council, who continue to allow their town sewage to discharge into the Tukituki River after being found in breach of their discharge consent some nine years ago and have still failed to comply. Plus, those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.



M D Turel

SUBMISSION 178

SUBMISSION to HBRC on Long Term Plan 2015-2025

I do not wish to speak at the submission hearings.

OPTION C

I submit that option C is the option the Regional Council follows through with. The Regional Council should not be involved with buying back the water from a dam it has invested in (its investment company has). As a ratepayer I do object to that.

"I Decline the amendment to the Long Term Plan 2015-2025, and make **no provision for "environmental flows"**.

Please could those who are polluting the Tuki Tuki River clean it up and pay for it. Building a dam is not the way to clean up the rivers. This is just an excuse

Tessa Tylee
Alice In Television Ltd
www.aliceintv.co.nz

Submissions close at 4pm on Friday 13 May 2016.

HAWKE'S BAY REGIONAL COUNCIL

SUBMISSION on the Long Term Plan 2015-2025
 NAME OF SUBMITTER U. VON MINDEN
 ADDRESS 141 FERGUSON BAYVIEW
 CONTACT DETAILS [email] [daytime phone] 06 836 7929
 DATE 2-05-2016

I do /do not wish to speak at the submission hearings.

I am opposed to this scheme for the following reasons

Option C - No provision is to be made for environmental flows, with no cost to HBRC.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

The cost of the dam has now escalated and should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows'.

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

Joe van Mibe

RECEIVED
RECEPTION
TIME: 3.42pm DATE: 13/5/16
SIGNATURE: <i>LHRS.</i>

Submission 182

Angus Wall

Consultee Mr Angus Wall (68481)
Email Address flynnwall@gmail.com
Address Hastings
4122
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

I don't believe the democratic process has been followed with the Ruataniwha dam project and that there has been a distinct lack of transparency. I don't support additional spending as part of this project. I want a truly independent audit of this project including this amendment.

Submission 183

Fiona Ward

Consultee FH Ward (68510)
Email Address fionaward@clear.net.nz
Address Havelock North 4130
Event Name HBRC Annual Plan 2016-17
Submission Type Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

None of the available options adequately represent my point of view. Option C has been selected as the least worst case. The second part of statement C, 'make no provision for environmental flows' is misleading. More water is needed but I do not expect as a rate payer to have to first build a dam and then purchase it. I am specifically opposed to the proposition in Options A and B, that the rate payer must buy back water to restore the rivers intrinsic health. The water is in common public ownership, it belongs in the river and it is an obligation of the HBRC to ensure that adequate minimum flows are set and met. The fact that this has not been the case is at the heart of the controversy. What has been agreed in principle by the Council (Option A) is the thin end of the wedge and reverses all common sense and logic. We are now presented with a major turn around in public policy in which water sits in HBRC's ownership and has to be purchased by the public in order to maintain the rivers health. This is not in the interests of ordinary ratepayers and to enact it in principle without public consultation and thorough debate is an enormous breach of public trust. Having watched video recordings of Council meetings, I am truly shocked at the cursory way in which the executive handled this issue. Whatever policy mechanism is used to ensure respectful, safe and efficient use of our precious water it is most important that it does not accelerate or facilitate privatisation and corporate ownership. The statement given in the proposed amendment (5.) 'whatever amount of water is used, there will be equal environmental benefits' should be thoroughly contested in the public forum. I have not seen evidenced based research backing this assertion that flushing flows will improve the river quality, especially in the most polluted lower reaches. Yet environmental benefits are loosely bandied about as a main justification and used to promote the scheme, as well as the amendment for this particular item of water purchase. In addition I would like to note that the public consultation on the RWSS scheme, most of which I have attended, as been poorly conducted. Throughout there has been a sense of coercion, public manipulation and withholding of vital information (if not outright propaganda). This is far short of the level of democracy I expect. The fact that this amendment to the plan comes along at 59 minutes to a 12 o'clock deadline is in itself very revealing of poor process and public accountability.

My appreciation for the online commenting process and the new website.

11 Finnis Lane
Hospital Hill
NAPIER 4110

10 May 2015

OurPlan
C/- Hawke's Bay Regional Council
Private Bag 6006
NAPIER 4142



OUR PLAN 2016-2017 CONSULTATION

With respect to the proposed amendments to the Hawke's Bay Regional Council 2015-25 Long Term Plan, I support Option C.

As the Hawke's Bay Regional Council will contribute \$80 million plus to the Scheme, it should put itself in a position where any water that is surplus to the minimum flushing requirements and commercial user requirements should be available free of charge to be used to further mitigate and enhance the health of the Tuki Tuki River. The proposed changes Option A and Option B have the appearance of an elaborate hidden subsidiary for the Ruataniwha Dam Scheme.

A handwritten signature in black ink, appearing to read "M J Wenley".

M J WENLEY
Email: mwenley@gmail.com

Hi Leeanne@hbrc

My name is Dean Whaanga and I am attempting to make a submission online, but on registration, the site fails to recognise and/or accept my email address

My details are as follows :

Dean Tamaku Whaanga

email address: dtwhaanga@hotmail.com

My submission is as follows:

The Ruataniwha Dam does not fit for Wairoa

The Ruataniwha Dam project continues to stir the disbelief of many of Wairoa in attempting to get to grips with the idea that we would be paying over the next 35 years for a project and its perceived income with no major benefit or use of the District of Wairoa. Does arrogance or ignorance rule the day when an already financially oppressed community is subjected to a decree of debt beyond its capability? Already Wairoa strains under the burden that its current status demands and the addition of natural and manmade mismanagement disasters that have beset Wairoa, it is hardly fair that it should be committed to investing into a nothing. Where is the logic there? Its ageing infrastructure is soon to need replacement and are we to expect our sister cities to pay, I think not and why should they?

One could argue that just because the project has no relevance now, it could prove beneficial in the future for a water based future project. We struggle now to manage our natural waterways with the devastation through poor maintenance and upkeep or poor planning contingencies for anticipating mediocre harvesting practices by unscrupulous forest harvest operators or should we be looking closer at the lack of foresight of our Regional Council. A perception that now that the Waihi Dam is fixed, everything will return to normal. Are we being realistic when before the Dam Disaster, the quality of water was acceptable and now that we are suffering through our River being considered beyond safe for recreational use, we pay exorbitant excess to enable the town to be fed with potable water?

However, that aside, where is the voice of the community of Wairoa or moreover when were we asked what our thoughts were for the Ruataniwha Dam Project. A rollout of the Amendment to the Long Term Plan provided in the Thursday 28 April edition of the Wairoa Star does not necessarily afford the general public a chance to look into all the aspects of the amendment to enable them to have a clear and qualified view of the facts and then make a qualified decision. The Regional Council has been pushing this barrow for a number of years. A submission to be submitted by the 13th of May. Hardly sufficient time for "Joe Public" to gather all the facts available, make a submission and still know that there will be areas of information that they would not have access to, but is readily available for the members of the council. A meeting held at the Wairoa Memorial Hall for 5 May over a time period where a lot of those who are fortunate are working and therefore not necessarily capable of being

able to voice their opinions. Are we to believe that just this roll out was not necessarily foremost on the mind of the Regional Council unless directed by Audit New Zealand. Hardly transparent.

Let us have a quick look at the burgeoning cost of this project to date. It would be logical to say that each day this project gets more expensive without a single turf of soil being turned. The delay in attracting sufficient buy in from the farming fraternity has incredulously seen major financial opportunists withdrawing from the negotiating table. Postponements of target deadlines have added an amount of uncertainty that has had the ratepayer contribute an amount that perhaps could be better served on smaller projects throughout the region. It seems that we are heading towards putting all our eggs in the one basket against an asset that has and continues to be a strong sustainable asset in the Napier Port. As a member of the public, I am unwilling to put my asset up against the success of such a large outlay which has no guarantees.

The latest news from HBRIC is that the desired target of investment by the farming community has been met. On its own however, this does not constitute the “fait accompli” outcome that the project will proceed but at least the farmers were given the offer of whether to opt in or not. I did not see that question being asked of the ratepayer and when the current perception of the regional community translates to an investment where some of the communities are seen to benefit most with a major cost to the others, it hardly seems reasonable to get consensus.

I want to affirm that I am not against water storage and I applaud the farming community in my area, who through good decision making have established their own reservoir capability for their stock which has not seen them needing to consider a long term alternative source of water. Appreciating that the need is not only the Farming community, but could include the Fruit Growers fraternity as well I do not see any indicators that the Horticulture Sector is actually putting their name to the investment. Again, this could be that the information surrounding the Horticulture Sector has not had public release or adversely just have not participated. Begs the question perhaps?

I need to be of the belief that through collective wisdom the Regional Council have exercised due diligence in allowing bottling companies to exploit the underground water reserves for meagre per litre tariffs and make considerable commercial gain. I understand that this could be a miscalculation of the local body in understanding the perceived value of the water that they have allowed to be bottled and exported against actual value to the district from whence it is sourced. This however alone, does not discount the part played by the Regional Council in the Resource Consent process knowing all the details of the operation and not pressing for a more realistic cost of a natural resource.

The Ruataniwha Project has done enough for the Wairoa District and for my part I cannot subscribe to the project or the manner in which the Hawkes Bay Regional Council has taken it upon itself to commit ratepayers to debt. When balancing the domestic books in every household becomes stressful, where does the Regional Council see that it has the wherewithal to commit me to spend money that I don't have in my budget. That to me is bad economics especially when I cannot see the advantages for Wairoa. We are constantly reminded to live within our means and yet I am getting compromised into something I not only don't want, but Wairoa doesn't need. What we do need is our waterways cleaned and made safe for not only drinking water, but for recreational purpose. Is that too much to ask?

I opt for a user pays means of paying the project. This process is not unusual, as a matter of fact, it is fully entrenched in today's economic psyche. It is a matter of those who need, pay

the price, those who don't need, watch from a distance. I support option C of the Hawkes Bay Regional Council Amendment to the Long Term Plan 2015-25. .

D T Whaanga

I would be happy to register and follow the submission process should all the details be accepted

kind regards

D Whaanga

Sent from Windows Mail

12 MAY 2016

2:46pm Reception

Mrs K Whiley
9 Hickey Street
Otane
4202
Central Hawke's Bay

11th May 2016

Hawke's Bay Regional Council
159 Dalton Street
Napier

Dear Council Members & Officers

Re: Amendment to the Long Term Plan 2015-25

Regarding the Environmental Flows Proposal, I would like to add my support to Option C and decline this amendment.

I firmly believe there is serious lack of conclusive evidence to make this proposal (or any of the RWSS as it stands) viable either economically or environmentally sustainable.

Hawke's Bay has a dry climate which will only be exacerbated by the intensification of farming – especially dairy – that will significantly increase the pollution levels and negate any of the dubious benefits of river flushing discussed in the RWSS Environmental Flow Optimisation report. If there is not enough rainfall to flush the rivers naturally, how will it be possible to collect enough in a single large dam to do this, in addition to providing enough to economically sustain industrial farming practices? I think it is important to remember that by collecting this water centrally will actually desertify the surrounding landscape and create an even worse drought problem than Hawke's Bay already suffers (See: Sepp Holzer's 'Desert or Paradise').

In addition to providing clean water, the HBRC has a duty of care to the environment on behalf of all the rate payers and as such should be investigating other far more sustainable water security approaches for our region.

Yours faithfully



Kerry Whiley

SUBMISSION 188

SUBMISSION to HBRC on Long Term Plan 2015-2025

I do not wish to speak at the submission hearings.

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock away from waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified land use, including dairying, thereby adding an even greater pollution load on an already polluted river.

I submit that option C is the only one of the three very limiting options offered by the regional council which makes any sense, namely:

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows' from the proposed Ruataniwha dam.

As a ratepayer I am very concerned about the level of debt and loss of assets were the dam to be bulldozed through as a few people are trying to do . To anyone sane it is MAD.

M.W.E. Wilks

o5.05.16

SUBMISSION 189

Submission Opposing Ruataniwha Dam.

I am a Napier resident, property owner and ratepayer and am alarmed at the progress on the proposed Ruataniwha Dam Scheme (RDS). What does it take for the council to take heed of the sentiments of the whole population it represents and be transparent and accountable in its decision making on this matter? It does not seem to have been a fully democratic process, especially with 4 regional mayors giving approval for the scheme without a mandate.

The HB Regional Council has commissioned reports, feasibility studies and budgets and seems to have approached the scheme with the enthusiasm of making it go ahead whatever the cost, whatever the warnings, whatever the sentiments of the wider public. I have talked with some people who have read all the reports and while I do not pretend to have read and understood all the reports I am taking this opportunity to have my say against the dam and for a 'greener' and fairer growth strategy. The following six points concern me the most.

1. The dam is to be built with 800metres of a major fault-line. There is a dam on the Rangitaiki river completed in the 1960's, damaged by an earthquake in the 1970's and which took millions of dollars to repair. That was without the township below the dam being damaged. A major earthquake in the area of the proposed dam could cause damage to the dam requiring major repair – or worse; damage to downstream dwellings and townships costing lives and livelihoods
2. Methods of assessing and clearing the build up of shingle behind the dam wall have not been stated. The rivers which run off the Ruahine Ranges carry a lot of metal. Is there another disaster in the making? What time of year will the lake be drained to clear the shingle and where will it be deposited? Has this been factored into the amount of water available to subscribers?
3. The impact of recurrent rising and falling of water levels on the horseshoe shaped piece of land within the proposed dam lake does not seem to have been assessed and may undermine the stability of that area of the created lake.
4. The loss of an area of regenerated riparian forest that has become a place of beauty and enjoyment for human visitors as well as home to native flora and fauna. Swapping it for a piece of farmland is not a fair transaction of wealth and has not been legally finalised.
5. The loss of full health of another braided river and the life forms it supports from headwater to river mouth, and all the life forms it supports in between.
6. All the millions of dollars going into this dam to benefit a few hundred farmers making money out of animals with little regard for their dignity for a decade or two, until the economy changes and the world looks on eating meat as it now looks on smoking cigarettes.

I have been to the area of the proposed dam and don't think it is worth the risk and losses to be incurred on the land and the life it supports.

I think it's time for the HBRegional Council to take heed of those opposed to the dam and take the greater, longer term good into account. Why can't this council get up to speed with the ethics of the

21st Century and invest money into projects that benefit the economy as well as benefitting the environment we live in? We have rivers that need cleaning up, not damming up. We have a regional council that needs to open up not clam up. We need to act independently of pressure from central government to invest in this dam, and engage with people and organisations that bring fresh ideas of creating a green economy, creating greater river health, growing primary crops that sustain people without having to breed, farm and kill animals. If its farmers' incomes the HBRC wants to support, why not support the horticultural farmers sowing GMFree crops and growing Organic fruit and vegetables?

Let's regenerate our ailing rivers and use the sewerage currently polluting them to produce energy and compost. Lets encourage stock farmers to fence and plant beside every waterway on the land in their care, before thinking about giving them greater access to water.

Let's tap into the mighty aquifers underneath our land to grow cropping trees and bushes, beans, vegetables, grains, and fruits and in doing so suck up the carbon and create more rain food and wealth .

Let's invest in the T.A.N.K. Groundwater Modelling Project before letting the aquifers be drained into plastic bottles and shipped halfway across the world to profit a few capitalising on the waterwealth that not only belongs to all of us , but which it is our duty to safeguard for future generations.

If these are not the tasks of the HB Regional Council, then whose are they?

My impression over the last 2 years is that the current body of councillors and chair supporting the RDS are steamrolling it and are intent on completing it at all costs. In my view this is undemocratic and makes them unworthy of the roles they have been elected to as both leaders and servants of the public will.

Yours sincerely,

Clare Woodham

Submission 191

Wayne Yule

Consultee	Mr Wayne Yule (68154)
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Event Name	HBRC Annual Plan 2016-17
Submission Type	Web

Amendment to the Long Term Plan 2015-25

Which option to you prefer? Option A, B or C? C. Decline this amendment to the Long Term Plan 2015-25, making no provision for environmental flows and at no cost to HBRC.

What do you think - What option do you prefer?

This whole process of the rate payers ending up paying for flushing flows is nothing more than enabling HBRIC to reach the 45 million to get the dam built. It is in my opinion an absolute farce. Putting environmental issues aside this scheme does not even stack up for producers. I am in the business of growing packing and exporting apples (Longview NZ) and there is no way we would contemplate any apple production in CHB. Any money spent on the Tuki Tuki should be cleaning up the sewer currently running into it.

SUBMISSION 192

By

Sieglinde ZIEGLER

SUBMISSION to HBRC on Long Term Plan 2015-2025

I do not wish to speak at the submission hearings.

OPTION C

No provision is to be made for environmental flows, with no cost to HBRC.

I submit that option C is the only one of the three options offered by the regional council which makes any sense.

'Environmental flows' should not be paid for by the ratepayers.

Decline the amendment to the Long Term Plan 2015-2025, and make no provision for 'environmental flows'.

Current pollution of the Tukituki River needs to be cleaned up urgently and paid for by the polluters, particularly Central Hawke's Bay District Council who continue to allow their town sewage to discharge into the Tukituki River and those farmers in Central Hawke's Bay who still continue to refuse to fence their stock out of waterways.

It is flawed thinking to suggest that the best way to solve the current river pollution is by building a dam and introducing more intensified landuse, including dairying, thereby adding an even greater pollution load on an already polluted river.

Submission 193

John & Raewyn Owens

Feedback on AP from our HBRC facebook page

Regarding the option that we would prefer the HBRC to take over the buy back of water from the proposed Ruataniwha dam - considering we do not wish the dam to proceed at all, our choice is the third option - not to enter into a water user agreement. It is costing ratepayers enough to build the dam & then service for years to come, & then to have to turn around & buy back water !!!