

A.	Outstanding Issues	Context	Feedback
1.	Land-Use Change Rule – 20kgN/ha	<p><b>TANK 4 – Production Land Use</b></p> <p>The changing of a use of production land on farm properties or farming enterprises in the TANK catchments pursuant to s9(2) of the RMA resulting in an increase in annual N loss and associated non-point source discharges pursuant to Section 15 (RMA).</p> <p>(a) Any production land use commencing after &lt;date of notification&gt; that results in an increase in annual nitrogen loss to more than 20 kg N/ha.</p> <p>(b) For any production land use that has an annual nitrogen loss of 20 kg N/ha, any production land use commencing after &lt;date of notification&gt; that results in an increase in annual nitrogen loss of more than 6kg/ha/year.</p> <p>Note: The annual N loss is calculated on a whole of farm property or whole of farming enterprise basis.</p> <p><i>For the purposes of interpretation of this rule, activities that are likely to exceed an annual loss of 20kgN/ha are described in Schedule 6.</i></p>	<p>Inclusive list of land uses required. FEP required to establish N. If 20kg or more then a consent is required.</p> <div style="border: 1px solid black; background-color: #f8d7da; padding: 5px; margin-top: 10px;"> <p>23 voters                      Agree = 18                      Disagree = 0                      Abstain = 3</p> </div>
2.	20% high flow allocation reserved for iwi	<p>At meeting 41 when considering the alternatives solutions/proposals for Ngaruroro and Tutaekuri trigger flows the following was recorded:</p> <p><i>Out of high flow storage provide a 20-40% allocation to be made available to iwi</i></p> <p><i>No amendments have currently been made to the plan to allow for this. Should it be incorporated, if so what does it look like?</i></p>	<p>Out of high flow allocation to provide 20% to be made available for iwi to take/use store.</p> <div style="border: 1px solid black; background-color: #f8d7da; padding: 5px; margin-top: 10px;"> <p>23 voters                      Agree = 20                      Agree with conditions = 2                      Disagree = 1                      Abstain = 0</p> </div> <p>noted that there needs to be further economic analysis talking about storage. If this is allocation there is no problem.</p> <p>suggest this could be 20% or 20%+ depending on whether it is 6m<sup>3</sup> or 8m<sup>3</sup></p> <hr style="width: 30%; margin: 10px auto;"/> <div style="border: 1px solid black; background-color: #d1ecf1; padding: 5px; margin-top: 10px;"> <p>There was a further recommendation (2a) presented by Ngaio as follows:                      2a) out of high flow storage provide at least 10% for ecological/environmental uses                      Agree = 13                      Agree with conditions = 1                      Disagree = 4                      Abstain = 4</p> </div> <p>noted that this should apply to larger scale storage rather than small scale (private) schemes</p>
3.	<p>Maps</p> <ul style="list-style-type: none"> <li>• TANK Surface Water Quality Management Zones</li> <li>• Karamu Water Quantity Management Zones</li> <li>• Ahuriri Water Quantity Management Zones</li> <li>• Heretaunga Plains Groundwater Management Zone</li> <li>• Ngaruroro Water Quantity Management Zone</li> <li>• Nitrogen Concentration Priority Catchments</li> <li>• Sediment Risk Priority Catchments</li> <li>• Nitrogen Catchment Yield Priority Catchments</li> </ul>	<p>Draft maps circulated 23<sup>rd</sup> July</p> <ul style="list-style-type: none"> <li>- Are there any areas of disagreement?</li> </ul>	<p>Heretaunga Water Zones, doesn't reflect the wording in the rule</p> <p>want maps to be available online, so can see what zones affect who</p> <p>Is the Moteo Valley in the Heretaunga Water Management Zone included within the 90m?</p> <p>Noted that for the ecological zones map (Sandy's) the cut off for the Upper and Lower Ngaruroro should be Whanawhana and this should be supported within the text of the plan</p> <p><b>**Tutaekuri Map was not included in the printed pack – this would be re-emailed **</b></p>

<p>4.</p>	<p>Stormwater Rules</p>	<p>Draft stormwater Rules are found on pages 49-54 (clean version of the draft plan).</p> <p>There are a few outstanding matters which have been raised at the stormwater meeting (24<sup>th</sup> July). These have been highlighted within a tracked word document (circulated 25<sup>th</sup> July).</p> <p>We will be seeking input as to whether members</p> <ul style="list-style-type: none"> <li>• Agree</li> <li>• Agree with conditions, or</li> <li>• Disagree</li> </ul> <p>With the general content of the proposed stormwater rules.</p>	<p>there is no reference to inert roofs within the new rules</p> <ul style="list-style-type: none"> <li>- Rina noted that it had been difficult to define and would also be difficult for HBRC to enforce. This would be promoted through education</li> </ul> <p>there is no mention of storage of stormwater in the rules</p> <ul style="list-style-type: none"> <li>- Mary-Anne explained there was reference to low impact stormwater design in the policy (and also the matters within the rule)</li> </ul> <p>Do the industrial buildings connected to TLA networks still require Regional Council consent under Rules 3 and 4?</p> <ul style="list-style-type: none"> <li>- Rina confirmed that they did not, the rule states that not where there is a reticulated network. TLA's have bylaws and requirements to deal with this</li> </ul> <p>Rule 1, no renewal of stormwater consent for small scale residential where there is a reticulated system. Does this impact on residential where there is existing reticulation?</p> <ul style="list-style-type: none"> <li>- Clause e) is intended to capture new residential</li> </ul> <p>low risk contaminants, is the list by inclusion or exclusion?</p> <ul style="list-style-type: none"> <li>- Rina explained that this was a live discussion, and is ongoing</li> </ul> <p>RDA, planning query, what are the matters?</p> <p>RDA doesn't have a bullet re: destruction. This should be included within the degradation of habitat</p> <p>noted that rule 3 doesnt include the matters, this should be carried over</p> <p>Level of infrastructure in the urban environment results in significant stormwater and contaminants into the coastal environment, it this picked up in the policies and rules?</p> <p>Tāngata whenua should have involvement in the design phase recommend a sub-group rather than consultation</p> <p>residents don't think the TLA's are doing a good job, what does this plan change do to deliver, make change?</p> <p>there is a "back-door" for Industrial premises – TLA stormwater networks – there is an instance where there might be need for an RDA (allowing for discharge to land)</p> <p><b>**this loophole needs to be fixed as it is not the intention**</b></p> <hr/> <div style="background-color: #f8d7da; padding: 5px;"> <p>Agreement: Agree with the general content of the stormwater rules subject to refinement                  23 voters                  Agree = 0                  Agree with conditions (as discussed above and below) = 16 + 7                  Disagree = 0</p> </div> <p>schedule needs to include tāngata whenua, don't want to be forgotten. There are implications for mahinga kai</p> <p>Rule 2 should include immersions in the last column.</p> <ul style="list-style-type: none"> <li>- Mary-Anne noted that this was covered within Table 1 water quality objectives</li> </ul> <p>Rule 1 v) mahinga kai, insert into 2, 3 and 4 as well</p> <p>drains and pumps. Queried whether they are fish friendly? Is this monitored by the TLA's?</p> <p><b>** Chris to provide a response on this **</b></p> <p>Destruction and degradation reference. The TLA bylaws should be reviewed to check these are still fit for purpose. Look at stringer wording to 'reasonable mixing'.</p> <p>Rule 3 and 4 hard to figure out how much extra consenting will be required without defining high, medium and low risk activities.</p>
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B.	Work in Progress	Context	Feedback
1.	Sandy's Table 2	This is a work in progress. Are there any areas of concern? Note that this is now Schedule 2 within the draft plan	There was Group discussion around Table 2. The key discussion was around how failure to meet the targets within the table would be addressed, whether there is an accountability loop and whether there are clear timeframes in place to review whether the plan is working.  <div style="border: 1px solid black; background-color: #f8d7da; padding: 5px;">                         Agreement: There was unanimous agreement that there should be a review clause developed and circulated within the next iteration of the draft plan.                     </div>
2.	Drinking Water	The Joint Working Group recommendations will be presented at TANK 42.  <div style="border: 1px solid black; background-color: #d1ecf1; padding: 5px;">                         Post note: the following recommendations were presented by Craig Thew and Nick Jones on behalf of the JWG.                          One: Production land use controls to be included in permitted activity rule with expanded requirements for Farm Environment Plans in SPZ, and changes to regional rules for noted activities                          Two: All other rules to be accepted by TANK as recommended by JWG subject to further technical refinement                     </div>	<div style="border: 1px solid black; background-color: #f8d7da; padding: 5px;">                         Agreement: Recommendations one and two were voted on (23 voters)                          Agree = 0                          Agree with conditions = 22                          Disagree = 0                          Abstain = 1                     </div> <div style="border: 1px solid black; background-color: #d1ecf1; padding: 5px;">                         Two suggested recommendations were presented by the TANK Group for members to vote on, these were as follows:                          1) Vegetation clearance needs better definition – 21 voters agreed                          2) FEP's needs to take into account small registered drinking water supplies – 22 voters agreed                          (Note: there was no disagreement with the above suggestions)                     </div> <u>Other comments</u> concern with the drafting there is no change to the status of discharges form dwellings on the unconfined aquifer. - Point of clarification this is in Rule 37  as written his could trigger consent for spreading compost, suggest use the existing trigger of 100m <sup>3</sup> before require documentation - point of clarification  need to be able to provide further comment, take a precautionary approach through the plan
3.	Wetlands	This was discussed at Meeting 40 (31 May 2018). Feedback is required as to whether the Group agree with the recommendations regarding shallow lakes - swimmability targets and ecological values.	This was not discussed at the meeting.
4.	Site to site transfer- Rule	There are existing policies which cover this issues – namely <ul style="list-style-type: none"> <li>• Policy 31 'Heretaunga Plains Water Management Zone' allows for the site to site transfer of allocated water provided that they do not result in an increase in water use above those covered by clause (h).</li> <li>• Policy 37 (f) 'Over-allocation' – transfers will only be consented where the water has been used as demonstrated by water use records.</li> <li>• Policy 40 'Water use change/transfer'.</li> </ul> However there has been no corresponding Rule developed yet.	Mary-Anne noted to the TANK Group that this is a work in progress. No further comments were made.
5.	Hapu Management Zones/Freshwater Management Zone	The Treaty Partners have requested that the single Freshwater Management Zone for the three catchments (Tutaekuri, Ngaruroro and Karamu) be broken down into a number of FMU's which align with the hapu boundaries – for the purposes of developing monitoring networks. It has been suggested that the following be adopted: <ul style="list-style-type: none"> <li>• Lake Poukawa</li> <li>• Upper Ngaruroro</li> <li>• Middle Ngaruroro</li> </ul>	This was raised/socialised during Sandy's presentation. It was noted that this is a work in progress. No further comments were made.

		<ul style="list-style-type: none"><li>• Upper Tutaekuri</li><li>• Middle Tutaekuri</li><li>• Ahuriri</li><li>• Heretaunga Plains</li></ul> <p>These are similar zones to those presented in Sandy's map of ecological characteristic zones. However further investigation is required into the existing monitoring sites (SOE) and the cost implications of incorporating more monitoring sites (if deemed necessary for the alignment) and also consideration of maintaining continuity of data sets.</p>	
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C.	Areas of Non-Consensus	Context (the below text has been extracted directly from draft plan version 6)	Feedback
1.	<p><b>No consensus Item 1 - Objective 7 d)</b> aquifer recharge and flow Enhancement for māuri and ecosystem health</p>	<p><i>Items d) in this objective is not agreed with by Forest and Bird representatives or by the Treaty Partners Group (TPG). Policy 30 is also specifically not agreed with.</i></p> <p><i>F&amp;B and the TPG oppose in particular the proposed flow enhancement scheme for the lowland rivers of the Karamu catchment as being uncertain as to their effectiveness. More information to come from Forest and Bird on this matter.</i></p> <p><i>They seek further reductions in allocations as a preferred alternative. (The impact of this approach is discussed further in the High/Low Flows Discussion Paper for TANK meeting 38).</i></p> <p><i>Note that flow enhancement in the Karamu streams is the only scheme being specifically provided for in the Plan Change. Any other scheme would require assessment on a site by site basis according to the relevant policies.</i></p>	<p>Forest and Bird – not opposed in principle but need to have strong policies in place. Currently think they are insufficient</p> <p>Treaty Partners – not opposed to augmentation but not in support of low flow enhancement or aquifer recharge.</p> <p><b>**Fish &amp; Game to submit wording**</b></p> <p><b>** Forest &amp; Bird to provide further input/wording**</b></p> <hr/> <p>There was discussion at this point in the meeting around the Terms of Reference.</p> <div style="border: 1px solid black; background-color: #f8d7da; padding: 5px;"> <p>Agreement – it was agreed that a letter of support be prepared for the TANK members, to be drafted and circulated with the next draft plan to provide acknowledgement that “consensus” does not preclude members from advocating for satisfactory refinement of the plan through the schedule 1</p> </div>
2.	<p><b>No consensus Item 2 - Heretaunga Plains Water Management Zone, Policy 31, Clause h)</b></p> <p>For applications in respect of existing consents due for expiry or when reviewing consents to allocate water on the basis of actual and reasonable use that reflects the existing land and water use authorised up to August 2017 (except as provided by urban water policy 38 ) and;</p>	<p><i>Clause h)</i> <i>The effect of the policy for re-allocation on the basis of existing land use is not supported by all TANK members. The limit in water use at levels reflected by existing land use is consistent with Section 124 of the RMA that also seeks to protect existing investment. However it has adverse effects on landowners with low water use crops or no water permit as it reduces land use flexibility and has adverse effects on land value. (Refer Cover report meeting 40)</i></p>	<p>An alternative was proposed by Xan <b>** Xan to provide wording **</b></p> <p>Amended wording of policies to support this also.</p>
3.	<p><b>No consensus Item 3 - Heretaunga Plains Water Management Zone, Policy 32</b></p> <p>To remedy or to offset if remedying is not practicable, the stream depletion effects and effects on tikanga Māori of groundwater takes in the Heretaunga Plains Water Management Zone on the Karamu River and its tributaries by</p> <p>a)developing stream flow and habitat enhancement schemes that;</p> <p>(i) improve stream flows in lowland rivers where groundwater abstraction is depleting stream flows and;</p> <p>(ii) improve oxygen levels and reduce water temperatures</p>	<p><i>This policy are not agreed with by Forest and Bird representatives or by the Treaty Partners Group.</i> <i>See discussion in non-consensus item 1</i></p>	<p>Intent needs to be better written.</p> <p><b>** Forest &amp; Bird to send in reasons **</b></p> <p>it was noted that there is an opportunity for F&amp;B to also liaise with the Treaty Partners on this Policy</p>
4.	<p><b>No consensus Item 4 - Surface Water Low Flow Management, Policy 36</b></p> <p>To manage river flows and lake or wetland water levels affected by surface water abstraction activities including groundwater abstraction in Zone 1 during low flow periods so that they meet objectives for aquatic ecosystem health, mauri, tikanga Māori values, and other instream values by;</p> <p>a) maintaining a minimum flow and allocation limit for the Ngaruroro River that provides for the health of native fisheries and meet the needs of the range of instream values at existing levels of protection and allow for abstraction at agreed security of supply levels</p> <p>or</p> <p>a) increasing the minimum flow over time for the Ngaruroro River to provide for the health of native fisheries at a high level of protection and meet the needs of the range of instream values and to reduce allocation limits accordingly so as to meet agreed security of supply levels</p> <p>b) maintaining a minimum flow and allocation limit for the Tūtaekurī River that provides for the health of trout and native fisheries and meet the needs of the range of instream values at existing levels of protection and allow for abstraction at agreed security of supply levels</p> <p>or</p> <p>b) increasing the minimum flow over time for the Tūtaekurī River to provide for the health of native and trout fisheries at a high level of protection and meet the needs of the range of instream values and to reduce allocation limits accordingly so as to meet agreed security of supply levels</p>	<p><i>There is no consensus in relation to the minimum flow regime or allocation limits for the Tūtaekurī and Ngaruroro Rivers.</i> <i>Refer to cover report for meeting 42.</i></p>	<p>Surface water low flow</p> <p>it would be a win for the Tutaekuri if the minimum flow was raised to 2500</p> <p>Mary-Anne suggested an amendment to the b) which should read ‘maintain minimum flow and decreasing the allocation limit...’</p>
5.	<p><b>No consensus Item 5, Fre3 – Adverse effects – water take and storage, Policy 47</b></p>	<p><i>The 10% of Fre<sub>3</sub> statistic is recognised as a threshold for protecting natural river flushing functions. The TANK group was not in unanimous agreement about how much the allocation limit should be less than the 10% of Fre<sub>3</sub>. Modelling</i></p>	

	<p>and will limit the amount of flow alteration so that the taking of surface water does not cumulatively affect the frequency of flows above three times the median flow in the Ngaruroro and Tutaekuri Rivers by more than 6.3% and provided that:</p> <ul style="list-style-type: none"> <li>b) The high flow take ceases when the river is at or below the median flow</li> <li>c) Such high flow takes do not cumulatively exceed the specified allocation limits</li> <li>d) any takes to storage existing as at &lt;date of notification&gt; will continue to be provided for within new allocation limits and subject to existing flow triggers</li> </ul>	<p>results were provided for allocation limits at 6 and 8 m<sup>3</sup>/sec and these levels of abstraction impacted the Fre<sub>3</sub> by 4.8% for a 6m<sup>3</sup>/sec limit and 6.3% for the 8 m<sup>3</sup>/sec limit.</p> <p>Some TANK group members advocate that the full amount represented by the 10% Fre<sub>3</sub> should be made available as it provides for future water demand and is consistent with an appropriate threshold for protection of the river ecosystem.</p>	
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