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TANK Collaborative Stakeholder Group

Meeting Twenty-Six - Record

When: Thursday 9th February 2017, 9:30am – 4:30pm

Where: Ellwood Function Centre, Hastings

- Note: this meeting record is not minutes per se. It is not intended to capture everything that was said; rather it is a summary of the proceedings with <u>key</u> comments noted. *Text in italics indicates a response from HBRC to questions posed during the meeting.*
- Where additional information has become available subsequent to the meeting (such as answers to questions unable to be answered in the meeting), this is included in red italics [as up to 27 February 2016].

Meeting Objectives (slide 5)

- 1. Take stock of current issues with the TANK work programme and collaborative process.
- 2. Understand the relationship between groundwater abstractions and stream depletion as indicated by the GW/SW model.
- 3. Agree on a policy framework for determining how surface water restrictions (e.g. minimum flows) should apply to stream depleting groundwater abstractions.
- 4. Fine-tune flow regime scenarios to be modelled and reported back

AGENDA ITEMS

1. Welcome and karakia

Robyn welcomed everybody and said a karakia.

2. Agenda, early discussion and introductions

- Housekeeping matters covered.
- Apologies were confirmed (see attendance table above).
- The meeting agenda and objectives were outlined.
- Ground rules for observers confirmed.
- Engagement etiquette was covered.
- Open floor for TANK members for notices and announcements No notices
- Report on Progress on Action points from Meeting 25 (slides 9 10)

3. Item # 1 – Meeting Record 24 (pre-circulated with Agenda)

Section 5 on sediment has now been finalised. No questions from the TANK Group. Meeting minutes passed.

4. Item # 2 – Meeting Record 25 and Action points (slides 8 - 10)

Meeting minutes passed.

Desiree ran through the current action points from Meeting 24 and 25.

Mark Clews was asked about an action point on the Hastings District Council (HDC) Plan Change regarding land use rules for activities on land above the unconfined aquifer. Mark offered to bring Rowan Wallis, HDC Planning Manager to the next TANK meeting to provide that update.

Action Item

26.1 Mark Clews to bring Rowan Wallis, HDC Planning Manager along to the next TANK Group meeting to provide an update to the TANK Group on the HDC plan change.

5. Item # 3 – Matataki position paper

Marei Apatu gave a verbal presentation on the Mana Whenua Group's concerns with the TANK process. Tangata whenua are concerned about the problems that arose through previous plan change processes and do not want to see that happening again. Five key issues to be addressed were presented and are explained further in the paper attached to these minutes:

- 1. Wai is a TAONGA Mauri, mana and integrity must be protected first. This should be the fundamental primary value in a hierarchy of values. It provides for KAI for the people drinking water, kaiawa, wairua. Then employment for Hawke's Bay locals. Finally other local businesses.
- Legislative and policy framework RMA; NPS; RRMP; RPS. Stronger bottom lines than the NOF are needed. Relevant PC5 agreements should be more prominent e.g. Table 1 PC5 value priority tables as starting point for discussion.
- 3. Emphasis on status quo versus improvements, enhancement and "phasing out over-allocation". Science and matauranaga Maori to inform decisions. Allocation shouldn't be a subset of economic interests. Incentivise and promote better land and water use. Opposed to grandparenting. Consent have an end date when effects should be re-evaluated.
- 4. Accurate record of tangata whenua issues Participation in good faith
- 5. **Engagement**. Lack of positive outcomes and feedback to report to constituents based on T/W interests. Ladder of participation. For T/W the values is the river itself, for other sectors it is the water once it is taken out of the river.

Tangata whenua take a holistic approach to the environment focussed on the long-term and sustainable use. Iwi have specific rights enshrined in legislation and it is tiresome to have to repeatedly bring these up. The status quo is not ok and this is demonstrated by current local issues such as bores running dry and Havelock North drinking water.

Marei stated that it is important that the paper presented is taken into account and not lost. Maori have a different world view and that often gets parked. Te Taiwhenua o Heretaunga had considered leaving the TANK Group but were encouraged by the NKII Chairman to stay. The TANK Group does have the ability to work together.

The presentation was well received by the TANK Group. It was noted by one stakeholder that stress often unlocks opportunities so it is important to stay at the table.

James Palmer thanked Marei and addressed two particular aspects of the korero; primacy of resources as a taonga and the way people work. Securing the integrity of the biophysical resource underpins everything. Overall and overtime, everyone in the room wants to see improvement. The challenge is in how fast, how and who pays. Improvement is common ground for an objective and a collective statement from the TANK Group agreeing this could be helpful.

The way that people work is complicated and there are different world views. As mentioned by Marei there are new groups in the Tangata Whenua space and "it is cluttered" There is a statutory requirement to listen to Tangata Whenua but Tangata Whenua is a "broad church". The human element is "messy" and James acknowledged it is huge ask for Tangata Whenua to have a "tidy" collective view. He

reiterated that council want to hear your concerns to give us the chance adjust what we are doing. Please continue to tell us.

James gave an undertaking to bring a substantive response to the written position paper.

Action Item

26.2 HBRC to formally respond to the Mana Whenua position paper.

6. Item # 4 – Survey Results and Work Programme (slides 12 – 16)

Desiree presented the collated results from the online survey emailed on 27 January 2017. The survey asked 4 questions on satisfaction with the TANK Group process, what changes would most improve it, topics to include in the work programme and the preferred date for an additional meeting in May. There were nine respondents in total.

Unique themes from responses on proposed improvements included:

- Get to the point (i.e. areas of actual disagreement on limits and start tabling solutions)
- Put a topic (river system) to bed before moving on to the next
- Appropriate time allocated for meaningful discussion
- Preparedness to compromise (principle of gifts and gains)
- Legal weight to the collaborative process
- Cramped meetings

A handout was tabled with the full survey responses and a reply as a starter for discussion. Desiree invited further feedback at any time to give us a chance to fix issues.

7. Item # 5 – Ngaruroro and Clive Rivers Water Conservation Order Update (WCO)

James provided an update on the WCO. The appointment of a Special Tribunal is imminent.

A hard copy of a staff report presented to the Regional Planning Committee (RPC) in November 2016, plus a draft submission to the Special Tribunal (as requested by the RPC) was tabled for each TANK member. HBRC will continue talking to the WCO applicants about the process and look for alignment between the WCO and TANK processes wherever possible.

In regards to establishing minimum flows, the Council's science team has revisited the methodology previously used to model and estimate the naturalised flow in the Ngaruroro River. The preliminary and provisional results for the mean annual 7-day low flow (MALF7d) indicate it is likely to be lower than previously estimated, due to reassessment of the artificial recharge scheme operation and influence on Ngaruroro river flows. The revised MALF7d is currently being independently peer reviewed.

Post meeting update: On 21 February 2017, the Minister for the Environment formally announced his appointments for the Special Tribunal. With these appointments made, the next step will be for the Tribunal members to meet amongst themselves to determine their next steps, including when to publicly notify the application, and to determine when the hearings will take place. Once the Tribunal members have met, then it is likely more information will be available about when and how to make submissions on the WCO application. <u>You can read the official press release here</u>.

Post meeting update: Further calculations undertaken by HBRC's science team have established that the MALF7d is slightly higher than previously reported. A briefing for the WCO applicants and TANK Group members has been scheduled for Friday, 17 March to explain the methodology and results.

Matters raised by the TANK Group:

• A paper on the pros and cons of a WCO was requested.

HBRC staff will come back with a paper. **Post meeting update**: Mary-Anne has a short document that compares and contrasts key features of WCOs compared with regional plans. This will be provided to the TANK Group for information purposes.

• Questions were raised around the process for identification of Outstanding Freshwater Bodies and whether there will be opportunity for the TANK Group to have input. *HBRC is working with Auckland Council on a national project to develop criteria for assessing outstanding freshwater bodies and values. The TANK Group will not get the opportunity to comment on any national guidelines but can choose how it might apply guidelines in respect to the TANK plan change.*

Post meeting update: Assessing the TANK Group's values against the criteria used to identify outstanding water bodies is on the Work Programme for TANK #30 on 14 June 2017. The intention is to align the TANK Group's assessment with the Special Tribunal's consideration of the WCO application where appropriate.

- It was noted that there are not many bird experts in NZ and they need to be represented when determining any national tools and guidelines. James will pass this on to Gavin Ide, HBRC, to raise with the CEF and MFE project teams attempting to develop nationally consistent criteria and methodology for identification of outstanding freshwater bodies.
- DOC has statutory responsibilities in relation to matters raised in the WCO. DOC need to be encouraged to be actively involved.
- What are the timelines for the WCO process? There is a timeframe for starting the process but not for when it must be completed by.

Post meeting update: Refer to update above regarding Minister's announcement of Special Tribunal appointments. <u>You can read the official press release here</u>.

Action Item

26.3 HBRC to come back with a paper explaining the difference between a Water Conservation Order and a Regional Plan change.

8. Item # 6 – Rivers, modified watercourses and farm drains: Discussion Document (slides 18 – 23)

Mary-Anne spoke to the pre-circulated discussion paper on *Rivers, modified watercourses and farm drains*. The discussion paper was in response to a request at the previous TANK Group meeting for "further information about what a drain, ditch and rivers means and what implications this has for deciding on objectives and management response".

Farm drains contain water, which is subject to management through plan rules, but they are not classed as rivers or waterbodies. Rivers include modified watercourses. Much of the drainage network in the Heretaunga Plains results from draining wetlands and many waterways constructed to do this are therefore modified waterways, i.e. Raupare Stream is a modified watercourse. Whatever policy is established to cover farm drains and some of these modified watercourses will also need to consider the flooding and drainage functions they perform.

The following recommendations were put to the plenary for discussion:

- 1. That diversion and discharge of water by and from farm drainage canals (ditches) is managed through rules in the RRMP
- 2. That discharges into the water that is in drainage ditches is managed through rules in the RRMP

3. That provisions for ecosystem improvements to modified watercourses (that were constructed primarily to protect communities from flooding and provide drainage of productive land) take into account those flood protection and drainage objectives

Matters raised by the TANK Group:

- Is recommendation 1 the status quo? And rec 2 an extension? Yes.
- Management of farm drains needs to be considered in tandem with FEMPs.
- There were differing views over what waterways are modified streams and what are artificial drains. For example, a member explained that they have always known the Raupare to be Raupare Drain and note it is now called a stream. However, other members confirmed that there are historical recollections that waka use to traverse up the Raupare Stream.
- A member found it hard to accept or otherwise these recommendations without more information on the implications on values (particularly for this member on Maori values, how tangata whenua see waterways and what they use them for i.e. collecting water cress). The Raupare Stream and a lot of other modified waterways are important to tangata whenua. Further information required.
- It has been observed that some landowners in the region have been piping water underground to increase productive land on their properties. This is the opposite trend to "daylighting water" that is an increasing trend in other regions. Filling of farm drains requires authorisation prior to carrying out the works.

Action Item

26.4 HBRC to take the feedback from today's plenary discussion and revise the *Rivers, modified watercourses and farm drains discussion document* for wider circulation.

9. Item # 7 – Priority Water Allocation Discussion Document (slides 50-57)

As the meeting was ahead of time and the HBRC Hydrologists weren't arriving until after lunch, this item was brought forward from the afternoon. Mary-Anne spoke to the pre-circulated *Priority Water Allocation Discussion Document*. The TANK Group will be making recommendations about water allocation and the management of water supplies during drought. This discussion concerns the amount of water that can be sustainably abstracted from waterbodies and is available for allocation through resource consents. The current system under the RMA is first-in first served with the exception of domestic, stock drinking and fire-fighting which is expressly provided for. As we reach limits of available water and increasing community interest in how water is managed consideration needs to be given to a more sophisticated approach, including favouring one end use over another.

Breakout session

TANK members broke into smaller groups to talk about different ways to prioritise water allocation during day-to-day operations (i.e. normal flows) and during drought conditions. The Group first confirmed the existing high priority given to permitted water takes for domestic water supply, an individual's animals and fire-fighting, through the Resource Management Act.

The breakout questions were:

- 1. Should some end uses have priority over others?
- 2. Why or why not? i.e. what reasons exist for differentiating between preferred end uses?
- 3. What additional information is needed to identify preferred end uses?

See the table below for the write-up from each of the groups.

DAY-TO-DAY OPERATIONS

Based on the report back, the break-out groups were roughly split 50:50 on the question of whether some end uses have priority over others. Common themes included community and municipal water supply being highly valued, along with further attention to efficient use (to encourage water users to thrive or innovate including domestic users and municipal take). A potential connection was made between existing land use policy (i.e. Heretaunga Plains Development Strategy, HPUDs) - recognising the productive nature of irrigable land on the Heretaunga Plains - and water allocation policy. This discussion will continue.

DROUGHT

During dry summer months, water use is under the most scrutiny. Small groups again discussed how to prioritise for water allocation under these conditions. Options include equal pain or protection of preferred or vulnerable end uses. An example of this is the emergency water provision in the Tuki Tuki Plan Change 6 for the purpose of avoiding the death of horticulture or viticulture root stock or crops. The groups listed prioritisation by efficient vs inefficient water use (e.g. resilient users \$/L/yield) noting however, that using this as an assessment criteria would become a consenting issue. The idea of "rewarding" applicants who was raised. Some had a particular focus on urban water efficiency. Water take priority fell loosely into these categories:

- Life supporting/ welfare people and animals
- Environmental flows
- Perennial crops
- Food processing

More discussion on irrigation and other end uses will come as TANK moves to water allocation decisions.

Action Item

26.5 HBRC to provide more information on the relative volume of water consented/used (?) by each water user type (e.g. municipal, irrigators, urban growth).

Breakout Session (slide 56) – At normal flows (i.e. when not on ban)

Breakout Session (slides 57 - 58) – Management During Droughts

Question	Group 1	Group 2	Group 3
What end uses of water should get higher priority to take water during droughts? Why/why not?	 Priority order: Municipal water supply, including water for drinking/sanitation for human health Section 14 of the RMA – individual domestic supply, stock water drinking water supply, fire fighting Flows for valued ecosystems, e.g. horseshoe wetland Approaching Minimum flow (i.e. staged reduction) Emergency water for capital root stock subject to a bottom line minimum flow 	Same as above.	See above.
	 Perennial crops Vertically integrated processes, e.g. food processors like McCains 		

Grou	ıp 4
Prio	rity order:
1.	Life protecting values – human, stock welfare (for survival), and firefighting
2.	Perennial crops (global consent on sub-catchment)
3.	Environmental flows for ecosystem protection
4.	Food processing (e.g. \$/litre of water) and jobs

10. Item # 8 – Stream Depletion in Heretaunga Plains: Preliminary modelling results and proposed solutions (slides 32 – 45)

Jeff Smith, Team Leader/Principal Hydrologist, introduced this item and gave an overview of the presentations to come.

- 1. Pawel Rakowski HBRC Senior Resource Modeller:
 - i. Stream depletion explained
 - ii. Approaches to modelling stream depletion
 - iii. Modelling results: Heretaunga Plains zones of connectivity
 - iv. Implications and future modelling investigations
- 2. Jeff Smith:
 - i. Policy options Tukituki (PC6) framework
 - ii. Policy options Heretaunga Plains
 - iii. Questions for Breakout Groups

The new groundwater model shows that groundwater and surface water are highly connected across the Heretaunga Plains, with the aquifer described as a slowly affected bathtub. Nearly all groundwater takes are connected in varying degrees to surface water systems. Stream flow effects from groundwater takes are not localised and combined abstraction effects over the wider Heretaunga Plains add to declining water levels and flows. Every water user has some effect and the effect is cumulative. This in itself represents a big turnaround in the way the TANK Group and wider community have understood and managed abstraction to date.

Figure 1: Modelling Layer 1 (shallow aquifer) results



Pawel presented maps showing the potential for stream depleting effect by zone.

Further modelling (results expected at the March meeting) will simulate the stream depleting effect:

 based on the current system of groundwater and surface water takes/ restrictions, and actual consented takes.

2. using the new way of classifying groundwater takes based on the four zone categories in the map.

Mitigating effects of artificial recharge and stream augmentation from groundwater will also be modelled

Matters raised by TANK Group members included:

• How confident can we be in the model, and is there a difference in confidence between the confined and unconfined layer?

As a tool for basin-wide allocation we have high confidence in the model plus a comprehensive report on the limitations and assumptions will be produced for consideration at the same as any modelling results. Confidence is higher in the shallow aquifer where there are more observation bores.

• Can we use the model for optimisation vs simulation? Yes

Breakout session

TANK members broke into smaller groups to discuss the following questions

1. Do you agree with classifying stream depletion in four zones:

Heretaunga Plains Potential Stream Depletion Zones

Layer 1 Stream Depletion Zone

/////Zor	ne 1 (>	90% - 7	days)
/////Zor	ne 2 (>	60% - 30	O days)
Zor	ne 3 (>	60% - 1	50 days)
Zor	ne 4 (<	60% - 1	50 days)

- 2. Do you agree with the recommendations that groundwater takes in Zones 1-3 should be included in the surface water allocation? **If not why not?**
- 3. One option is for minimum flow **restrictions** to apply only to directly connected (**Zone 1**) takes, provided a **mitigation scheme** is implemented to manage adverse effects on surface water bodies caused by groundwater allocation. Is there an appetite for modelling a mitigation Scheme e.g. flow augmentation or artificial recharge?
- 4. Are there any concerns, questions or suggested alternatives to the 10 scenarios proposed?

See the below table for the write-up of the breakout session.

Breakout Session (slides 46 – 49) – Groundwater Stream Depletion Modelling

Question	Group 1	Group 2	Group 3	Gro
 Do you agree with classifying stream depletion in four zones: Heretaunga Plains Potential Stream Depletion Zones Layer 1 Stream Depletion Zone Zone 1 (>90% - 7 days) Zone 2 (>60% - 30 days) Zone 3 (>60% - 150 days) Zone 4 (<60% - 150 days) 	Agree	 Agree Reasonable approach Not to undermine existing production (uncertainty, incremental change) Like zones 1 and 2 short-term and zones 3 and 4 	Agree subject to confirmation by Plan Change time. Regular reviews, i.e. every 4 - 5 years.	
 Recommendation: groundwater takes in Zones 1- 3 should be included in the surface water allocation - do you agree? If not – why not? 	Agree.	 Nonsensical toBut if do that, take Zone 3 in on a percentage basis 1, 2 and 3 not practical 1 to 30 days makes sense 	Agree subject to confirmation by Plan Change time. Regular reviews, i.e. every 4 - 5 years.	Zon All z
 3. Mitigation One option is for minimum flow restrictions applicable only to directly connected (Zone 1) takes, provided a mitigation scheme is implemented to manage adverse effects on surface water bodies caused by groundwater allocation Is there an appetite for modelling a mitigation Scheme? e.g. flow augmentation or artificial recharge. 	Agree Adaptive policy approach – less binary/absolute solutions. Need to consider (dam) storage options.	Very interested. Now we know that all groundwater takes are connected to surface water, everyone should contribute to mitigation schemes and increasing supply. Everyone should contribute to offsets Need to do studies New vs. old users • Storage • Incentives for storage Everyone contributes.	Definitely interested.	Yes. The SWS dem Add irrig
4. Scenarios Are there any concerns, questions or suggested alternatives to the 10 scenarios proposed?	Question about the source of water for augmentation/ managed aquifer recharge - i.e. part of allocation limit?		 Modelling scenarios ok. Also want to add 100% MALF Hard to understand at first reading 	

up 4

es 1 – 4 in allocation.

zones in to manage as a whole.

ere is also an appetite for above ground storage.

<mark>S</mark> needs to identify <u>all</u> alternatives and quantum of nand, rural and urban.

litional water required to facilitate additional gation area.

11. Item # 9 – GW/SW Quantity Modelling – Proposed Modelling Scenarios Update (slides 25 – 28)

Rob Waldron further explained the 10 proposed scenarios, that had been circulated prior to today's meeting. They cover a range of combinations of parameter/levers that can be changed to model different scenarios including stream-depleting GW abstraction classification (as discussed in item #8), allocation, low flow restrictions and mitigations.

Action Item

- 26.6 HBRC to provide more information (e.g. in the form of "Factsheets") with more commentary on each of the 10 scenarios.
- 26.7 Assess each scenario against the values as a means to compare and find the best options to pursue.

12. Item # 10 – Verbal updates from Working Groups

Economics Working Group

The sub-group had a meeting in December last year with industry on sediment management. Mary-Anne has drafted a discussion document in response entitled "Sediment Management Options for the TANK Catchments". The plan is to reduce the 25 page document to 1-2 page summary for wider circulation (to the pastoral industry).

There is a meeting scheduled for 15 February to cover:

- Update from AgFirst on the on-farm economic modelling
- Discussion on how the EAWG "inserts biological farming and ecological economics expertise into the EAWG".
- Feedback on the sediment management discussion paper
- Engagement programme with pastoral industry, B&L
- Engagement with enviro stakeholder groups and

Stormwater Working Group

Rina Douglas, the convenor of the Working Group was absent from the meeting as she was on a joint information gathering trip with the Napier City Council to learn from the Auckland Council, who are considered leaders in stormwater management.

Wetlands/Lakes Working Group

The Group was sent some background reading in December 2016. It is yet to meet. A report back is on the Work Programme for TANK #28 on 27 April 2017.

Engagement Working Group

Drew updated the plenary on the recent activity of the sub-group and tabled a copy of the "Tank Plan Change – Engagement Plan" for each of the TANK members. The Engagement Plan sets out the media releases, newsletters, articles, information sheets and events planned up until December 2017. The general approach will be to progress along the continuum AWARE + INFORM + VOCAL. As we move from making the community aware of the TANK Group process to informing them of the Group's findings and inviting feedback, there will be increasing media attention. The Councils Communications Manager with the Engagement Working Group will be the initial sounding board and approval process for communications concerning the TANK Plan.

A hard copy of the relevant page from the Terms of Reference was tabled for each TANK Group member. Section 7. "Protocol for collaborative deliberation" states:

- Members agree to refrain from debating issues through public media channels and to keep the debate within the TANK Group.
- Any public statement about discussions or decisions by the group must be agreed by the group and made through an agreed spokesperson. This also applies to researchers, council staff and others who attend the meetings in support of the TANK Group.

The sentiment in these clauses was reaffirmed by the Group.

13. Karakia and close.

Robyn Wynne-Lewis said a karakia and the meeting ended at 4:30pm.

Summary of Action Points

ID	Action item
26.1	Mark Clews to bring Rowan Wallis, HDC Planning Manager along to the next TANK Group
	meeting to provide an update to the TANK Group on the HDC plan change.
26.2	HBRC to formally respond to the mana whenua position paper.
26.3	HBRC to come back with a paper on the pros and cons of a Water Conservation Order process.
26.4	HBRC to take the feedback from today's plenary discussion and revise the <i>Rivers, modified</i> watercourses and farm drains discussion document for wider circulation.
26.5	HBRC to provide the volume of water consented/used (?) by each water user type (e.g. municipal, irrigators, urban growth).
26.6	HBRC to provide more information (e.g. in the form of "Factsheets") with more commentary on
	each of the 10 scenarios.
26.7	Assess each scenario against the values as a means to compare and find the best options to pursue.