

The TANK Plan Change – SNAPSHOT

This is a summary of the content of the TANK Plan, more detail follows in the next section. As of December 2018.

Where the Plan Change fits

The plan reviews and updates the Council's Regional Resource Management Plan (RRMP) and gives effect to the National Policy Statement for Freshwater Management (NPSFM)

Where we are in the process

The project was started in 2012 as a community based collaborative process with input from mana whenua and a wide range of stakeholders. The Council's Regional Planning Committee recently recommended that pre-notification consultation with iwi authorities can now commence. Once iwi advice and other feedback has been received, it will be evaluated and reported to the Regional Planning Committee. The Committee will make decisions about amendments to the draft as a result of this advice and feedback.

Who can provide feedback

Advice from iwi authorities is being sought as a key aspect of this consultation opportunity. Feedback on this draft will also be accepted from TANK members and their organisations as well as the wider public.

What matters about water

The values for which the community wishes to manage water have been described and agreed. These helped inform the setting of water quality and quantity objectives and limits.

What the Plan wants to achieve for water quality; freshwater objectives

Objectives have been set for a number of indicators of water quality including sediment, dissolved nutrients and algae. It is expected that this water quality will be met by 2040.

How the objectives will be met

There are key policies targeting specific water body issues across the TANK catchments. Urban stormwater and drinking water quality protection are both key issues addressed by the Plan

More shade over waterways is needed in the Karamu catchment to reduce macrophyte growth which reduces oxygen levels and lack of shade is causing high temperatures. Land use activities that result in nutrients and sediment entering water are also a focus of new policies and rules.

In the Ngaruroro, Ahuriri and Tūtaekurī catchments, sediment is targeted, including by erosion control, stock exclusion and riparian planting. In some catchments there is a need to reduce nutrient concentrations.

A Priority Approach to Water Quality

The Plan targets catchments where water quality is not meeting objectives. It also sets milestones for key mitigation measures that are known to improve water quality and ecosystem health. Rules to reduce adverse effects from some risk activities are also included to enable compliance action to be taken where good practice is not being followed. This

“places, practices and people” approach to plan provisions enables resources to be efficiently and effectively targeted.

What it means for land owners/managers

All property is expected to eventually have a farm plan associated with it to demonstrate contaminant risks have been identified and are being managed. The Plan allows for this to be done individually or collectively to encourage innovation and flexibility in meeting the water quality outcomes.

There are several milestones for mitigation measures that Council and stakeholder groups will work together to ensure they are met in the times specified.

Some activities are subject to new rules including stock access to waterways, some land disturbance activities and new setbacks from water ways.

Water Quantity - Managing abstraction

The Plan has a number of new allocation limits and minimum flows to protect aquatic ecosystems and to provide water for abstraction at reasonable security of supply.

The new limits mean that some waterbodies are over-allocated or fully allocated, including groundwater in the Heretaunga Plains. There is no water available for new allocations for most of the TANK water bodies.

Water allocation

There are a range of competing demands for water. The Plan identifies water for human health and community and municipal supply as being a priority water use. The water necessary for primary production on versatile soils is specifically acknowledged and there are provisions that prevent end use changes. Water bottling is considered in the same as any other commercial use of water but may be subject to restrictions during droughts before water uses that have a seasonal water demand.

Where water is over-allocated, including in the Heretaunga Plains, re-allocation is provided for, but there are higher performance standards for permit applicants. There are new requirements for efficiency within irrigation systems and other abstraction uses. All re-allocation assessments will consider actual and reasonable use including information based on historic land and water use.

Water Storage and damming

New policies and rules establish high flow allocation limits. This provides some certainty for investment and ensures the protection of the hydrological characteristics of the river, including the high flow frequency which helps to flush algae and maintain the river morphology.

Damming of the Ngaruroro and Tūtaekurī mainstems and their tributaries, the Taruarau and Omahaki and the Mangaone and Mangatutu is prohibited.

High flow allocation for Māori development

Part of the high flow allocation is reserved for the development of Māori economic, cultural or social well-being. Activities that would deliver the outcomes sought are still being further developed and subject to input by iwi authorities.

Wetlands

The Plan specifically recognises the wide range of value provided by wetlands, including their role in managing both quality and quantity. Objectives and policies aim to increase the area of wetland in the TANK catchments with Council and stakeholder commitments to this included in the Implementation Plan.

The TANK PLAN - ELABORATION

Where the Plan Change fits

TANK Plan Change 9 is a catchment specific change to the Hawke's Bay Regional Resource Management Plan addressing water quality and quantity and applies to the Tūtaekurī, Ahuriri Ngaruroro and Karamu catchments. It adds new objectives, policies and rules into the Regional Plan that manage land and water use specifically for the TANK catchments.

The Plan Change introduces new allocation limits for water abstraction and new rules for water use. It also includes new rules for land use to protect and improve water quality and covers both urban and rural land uses.

Where we are in the process

This version is still a draft that the Council has released for feedback. The draft has been largely prepared through the collaborative work of the TANK Group over the past 6 years. Some parts of the Plan were not completed by the TANK Group and the Regional Planning Committee made the final recommendations on this draft.

Once the Regional Planning Committee has considered all the feedback received on this draft and decided on any changes that might be required, it will recommend that the Council publicly notify Plan Change 9 and call for (formal) submissions. Following that, further submissions can be made and then the Council will invite submitters to attend hearings.

Who can provide feedback?

Anyone can provide feedback to the Council on this draft. All feedback will be summarised and evaluated by staff. This is reported to the Regional Planning Committee (RPC) who may request changes are made to the draft in response to this feedback. Once the draft is agreed by the RPC it will recommend that the Council notify the plan change for formal submissions. Any person can make a submission.

What matters about water

Water is essential for the economic, social, cultural and environmental well-being of the region. The community cares about water for a wide range of reasons and purposes. The TANK Plan Change contains new **objectives** that acknowledge what is important about our water and rivers and how we want to manage them.

How the objectives for water quality will be met

Not all water bodies currently have water quality that meets the objectives and not all rivers have the same water quality problems. The Plan has a series of **policies** and **rules** that target remedies and mitigations that are aimed at improving water quality in priority order. The water quality and ecosystem health challenges are different depending on where in the catchment the water body is.

Stormwater

The Plan contains new **policies and rules** to better manage the stormwater networks in the urban areas of both Napier and Hastings. The Hastings, Napier and Regional Councils will work more closely together to ensure consistency between council plans, engineering standards and public awareness programmes.

Napier and Hastings will prepare integrated catchment management plans that identify opportunities for improving stormwater management by 2025.

Stormwater discharges will be subject to higher performance standards for water quality. The Plan targets existing sources of contamination by requiring better site management from sites at risk of contaminant losses. Better stormwater management is also required for any new development.

Drinking water

The Plan contains new **objectives, policies and rules** that recognise the importance of water for drinking and other human health and well-being needs with the protection of drinking water quality a key outcome provided by the Plan.

The connection between land and water use activities and its effects on the quality of the Heretaunga Plains aquifers is identified and subject to more focussed management.

New rules, including maps that show where groundwater is vulnerable to contamination from surface activities, are now in the Plan. The Plan gives effect to the National Environmental Standards for Sources of Drinking Water and ensures a multi-barrier approach to the protection of drinking water.

Karamu Catchment

The lowland rivers of the Karamu catchment are in particularly poor state. There are several reasons for this including poor quality of urban stormwater, contaminants from adjacent land entering the water and the high level of macrophyte (aquatic plant) growth in the streams.

Macrophyte growth results in very low oxygen levels in the water. In some streams at sometimes there is no oxygen in the water. These streams are mostly unshaded and have high water temperatures. Lack of oxygen and high water temperatures adversely affects the health of the aquatic organisms. The health of the waterways in the Karamu catchment is very poor.

The Plan establishes a **target** for improved riparian land management and better shading of water along 200km of water ways in the Karamu catchment.

It also introduces new rules that require land disturbances to be setback from stream edges. This work has to be planned carefully so as not to undermine the flooding and drainage functions of these waterways.

The levels of nitrogen and phosphorous in the Karamu streams is also of concern as it affects the ecosystem health of the Waitangi Estuary and contributes to macrophyte growth. Land in

catchments with high nutrient levels will be subject to nutrient management plans. Management of water quality from tile drains is also being addressed by the Plan.

Ahuriri Freshwater

The Ahuriri Estuary is currently in a poor state. This is partly caused by the quality of the freshwater from the adjacent tributaries, including the water being discharged from adjacent urban areas (see stormwater management).

Freshwater ecosystems will be improved by managing sediment loss from hill country and by improved riparian land management.

Production land is subject to new provisions for farm plans that identify where contaminant losses need to be mitigated. New rules will also mean stock access to water is avoided and land disturbance activities are subject to new controls.

Other estuary management challenges not addressed by this Plan Change include the growth of the pest organism *Ficopomatus enigmaticus* (tubeworm), and changes to the hydrology. The Council is supporting the development of an Estuary Management Plan that will cover the wider estuary management issues.

Ngaruroro River

The water quality of the Ngaruroro River is relatively good although some tributaries have higher concentrations of nutrients than specified in Schedule 1. Nutrient losses from land are also contributing to higher risks of excessive algal growth and sediment is reducing the ecosystem health. Contaminants in the freshwater are also contributing to poor ecosystem health in the Waitangi Estuary. Freshwater ecosystems will be improved by managing sediment loss from hill country and by improved riparian land management.

Production land is subject to new provisions for farm plans that identify where contaminant losses need to be mitigated. New rules will also mean stock access to water is avoided and land disturbance activities are subject to new controls.

Tūtaekurī River

The water quality of the Tūtaekurī River is somewhat degraded and some tributaries have higher concentrations of nutrients than specified in Schedule 1. Nutrient losses from land are also contributing to higher risks of excessive algal growth and sediment is reducing the ecosystem health. Contaminants in the freshwater are also contributing to poor ecosystem health in the Waitangi Estuary. Freshwater ecosystems will be improved by managing sediment loss from hill country and by improved riparian land management.

Production land is subject to new provisions for farm plans that identify where contaminant losses need to be mitigated. New rules will also mean stock access to water is avoided and land disturbance activities are subject to new controls.

A Priority Approach

The Plan takes a priority approach which means focussing on the worst areas and the best mitigation measures first. It means faster progress towards meeting the objectives.

The Plan identifies catchments that do not currently meet the required water quality and includes a **schedule of priority catchments** where the Council will target resources. The Plan also identifies

specific mitigation measures that are known to improve water quality. There are a combination of rules and targets that focus on **milestones** for:

- Stock exclusion from water ways;
- Riparian shading and planting;
- Wetland protection, enhancement and creation of new wetlands;
- Nutrient management plans in priority catchments; and
- Sediment loss mitigation in priority catchments.

The Plan also includes new rules aimed at ensuring actual and potential contaminant loss from production land is identified and mitigated through farm plans. The Plan also has **policies and rules** that enable landowners to work collectively at a catchment scale to meet water quality outcomes specified for their catchment.

New performance standards in **rules** are included for:

- Land disturbance on steep slopes;
- Land disturbance adjacent to waterways;
- Vegetation removal from riparian land;
- Stock exclusion from water ways; and
- Quality of water in discharges from drains.

What it means for land owners/managers.

The underlying requirement of the Plan is that all properties will eventually have an environmental plan that identifies risks of contaminant loss from land and mitigation measures to reduce that risk. The priority approach to targeting catchments that don't meet water quality objectives means that there is a staged approach to requiring farm plans and the timeframe for this is provided by **Schedule 3** of the Plan.

The Plan also encourages land owners to collectively work together to identify solutions to water quality issues at a catchment scale. This approach enables flexibility and encourages innovative solutions to be developed by landowners. New schedules are included that describe content for farm plans and how catchment collectives need to operate (Schedule 5).

There are also key mitigation measures that are known to improve water quality and these will also be a focus of plan implementation across all catchments.

The main mitigation measures are stock exclusion from water ways, planting riparian margins to provide shade, bank protection and a buffer between land and water, and creation of new wetlands and enhancement and protection of existing wetlands.

There are **rules** for some of these measures and also **milestones** for actions. The work required to meet the milestones will be supported by stakeholder groups as well as by the Council as part of the Plan Implementation. For some new rules and performance standards, alternative mitigation measures could be adopted by a land owner, but this is required to be documented and approved through a farm plan.

Water quantity - managing abstraction

The TANK Plan Change introduces a range of new measures to manage the abstraction of ground and surface water. The key plan change aspects are minimum flows and allocation limits for the sustainable management of freshwater. There are also a number of new policies and rules that

manage priority allocation, efficient water use, expiry dates for permits, site to site transfers of water permits, allocation according to actual and reasonable water use. The plan also includes new policies and rules for managing water abstraction at times of high flows for storage and use.

Minimum flow regimes that regulate when water can be taken are confirmed for all of the surface water bodies. The minimum flows are triggers for when abstraction must cease so that the instream values are protected for longer when river flows start to decrease in summer. Allocation limits work alongside the minimum flows to make sure that a sustainable amount of water can be taken for a range of purposes with a reasonable security of supply.

New allocation limits for both surface water and groundwater are included in the rules to control the abstraction of water. Groundwater limits will be specified as annual limits while for surface water, limits will be specified as litres per second. Groundwater permits will receive water as an annual or seasonal volume, while surface water permits are focused on the instantaneous effect of water takes in relation to river flows.

The inclusion of these limits within rules and comparing existing allocation with the current level of water allocation has meant that nearly all water bodies in the TANK catchments are now fully allocated with no more water available for abstraction during summer months or when river flows are low.

For some water bodies, allocation is higher than what the specified allocation limit is. Those rivers will be managed as being over-allocated with new provisions that will reduce this allocation over time.

The new allocation regime for both ground and surface water has also led to new rules for new small scale water takes. The new rules reduce the amounts of water allowed to be taken without a permit (from 20m³ per day to 5 m³ per day, existing takes may continue as previously).

Groundwater in the Heretaunga Plains

The allocation limit for the Heretaunga Plains is an interim annual limit of 90Mm³/year. Current allocations are over 140 Mm³/year but the actual water use has been shown to be much less than this amount. Additional controls on rates of take and application rate may also be imposed to manage water metering requirements, efficiency of use and effects of the use on water quality.

The new ground and surface water model developed to help understand the waters of the Heretaunga Plains as part of this Plan Change has shown that the water in the aquifers under the Heretaunga Plains is much more transmissive and interconnected than previously thought.

The model has enabled modelling of the stream depletion effects of groundwater abstraction to be predicted. It has shown that the cumulative effect of all the groundwater takes causes stream depletion effects across the Plains water bodies, including the Ngaruroro River.

Groundwater abstraction in the Plains is now strictly limited with an allocation limit that reflects existing actual and reasonable water use. No new water uses will be allowed, although permit holders will be encouraged to make sure the use of available (allocatable) water is maximised through things like shared water permits, jointly held permits, and water user committees.

The Plan also requires the stream depletion effects to be mitigated. Instead of cutting off or restricting groundwater use when flows are low, groundwater users will be given the opportunity to enhance stream flows to avoid restrictions. This is already being successfully carried out in the Twyford area. Further investigation is still necessary to design other stream flow enhancement

schemes for the other rivers affected by stream depletion from groundwater abstraction in the Karamu catchment. It is intended that these schemes will be investigated, designed and operated with water permit holder involvement and in consultation with local iwi.

The allocation limit for the Heretaunga Plains aquifers is therefore an interim limit which will be re-assessed when all permits have been reviewed, the effectiveness of the stream enhancement schemes is evaluated and there is more detailed information about actual water use.

The stream depletion effect of the Heretaunga groundwater takes on the Ngaruroro River is more challenging to address. The model showed that restrictions on groundwater use when river flows are low would not be effective in improving flows in time – there would be a long delay before river flows would be affected by a restriction. Further, it would require a very substantial reduction in the total allocation limit to make a difference in the Ngaruroro River flow. For these reasons, the Plan commits the Council to work with water users, stakeholders and local iwi to investigate a storage and release option that would mitigate the stream depletion effect at times the river has low flows. Funding for this is yet to be determined.

Other Groundwater

In other areas of the TANK catchments there is uncertainty about the extent of groundwater resources and their level of connectivity with surface waters, and the Plan ensures no further water will be allocated until there is more information.

Surface water - Ngaruroro

The draft Plan Change reduces the allocation limit for Ngaruroro surface water abstraction. This change reflects a need to reduce the impact of water abstraction on instream values, including native fisheries. This new allocation limit is considered to be a sustainable level that accounts for both the abstractive demand for water and the instream values. It means that the river is now considered to be over-allocated and there are measures in place to reduce the amount of water allocated.

The minimum flow that signals when abstraction must cease continues to be set at 2400l/sec.

Surface water – Tūtaekurī

The draft Plan Change reduces the **allocation limit** for Tūtaekurī surface water abstraction. The **minimum flow** that signals a cease take for abstraction has also been increased. These changes are considered to be at sustainable levels that accounts for both the existing abstractive demand for water and the instream values.

The minimum flow that signals when abstraction must cease is increased to 2500l/sec.

Surface water - Karamu

The biggest change in the Karamu catchment is the separation of ground and surface water abstractions into different allocation limits. Some of the surface waters of the Karamu catchment have **individual allocation limits** and they are collectively subject to a catchment limit. The stream depleting groundwater takes are now considered as part of the new Heretaunga Plains management unit (rather than in relation to streams within 400m of the abstraction point).

The surface waters of the Karamu catchment are now either fully allocated or over allocated and there are measures in place to reduce the over-allocation.

Each of the lowland streams affected by stream depletion from the cumulative effects of all groundwater takes is now part of the proposal to establish stream flow enhancement as described above.

Surface Water - Ahuriri

There is limited freshwater available for abstraction in the Ahuriri catchment. While there is little hydrological information available, the Ahuriri streams are generally small scale and vulnerable to excessive abstraction. For these reasons, abstraction has been capped at existing levels of use and the permitted quantity that can be taken without consent is also reduced.

Water allocation

Priority Water Allocation

The plan contains new objectives, policies and rules that establish a priority end use of water for the essential needs of people. The plan also seeks the equitable allocation of the available water amongst competing water demands and establishes priority allocation and reservation of water for domestic and municipal water supply and for use by papakāinga. It also recognises the needs of water for primary production on highly versatile land, for food processing and for industrial and commercial uses.

What about water bottling?

Water bottling is considered a viable commercial use of water. It is subject to the new allocation limit for groundwater and the actual and reasonable water use assessment as part of any permit review. Because of the new groundwater limit, there is no more water available for allocation to water bottling. In addition, because water bottling isn't a seasonal demand, they may be subject to restriction in a severe drought before seasonal uses like food production and processing.

Efficient water use

The Plan has objectives to meet the needs for current and foreseeable water demand through things like making sure there is efficient water use and water conservation. Efficient allocation regimes will also enable allocatable water to be used efficiently and effectively. Rules establish efficiency performance standards for water uses that will need to be met by permit holders.

Re-allocation of water - actual and reasonable water use

In water management areas where there is over-allocation including for the Heretaunga Plains groundwater abstraction, there are more specific controls on how water is to be allocated. For anyone applying for replacement water permits, this includes: an assessment of actual and reasonable water use based on historic water meter records and land use: the use of the water demand model IRRICALC to assess crop water demands and requirements for water use efficiency, including specifying that irrigation systems must be at least 80% efficient. The effects of water use on water quality will also be part of any assessment to take water.

Water storage and damming

The plan contains new policies and rules to recognise and address the positive and negative effects of water storage and damming.

The Plan includes a prohibition on the construction of dams in some rivers to protect their aquatic ecosystem and other instream values. These rivers are;

- The mainstem of the Ngaruroro and its tributaries the Taruarau and the Omahaki Rivers
- The mainstem of the Tūtaekurī and its tributaries the Mangaone and the Mangatutu

The combined impact of takes for storage and damming proposals is now limited by a high flow allocation limit and in relation to how much the frequency of flood flows is changed.

High flow allocation for Māori development

Some of the water available for abstraction at high flows is reserved for the development of Māori economic, cultural and social well-being. This is in response to findings that Māori cultural, economic and social well-being is currently not well provided for in relation to a number of social and economic wellness indicators.

The Plan recognises that access to water is a determinant of health, employment and economic welfare. Māori communities have historically not been able to access water directly and this lack of access also constrains opportunities for improving their well-being. The allocation of some of the high flow water specifically to activities that contribute to Māori well-being will provide future opportunities. Any new proposal for water storage will need to consider if there are any opportunities for providing the Māori allocation as part of the proposal.

While the Plan includes policies and rules to provide high flow allocation for Māori well-being, additional feedback is being sought from iwi authorities to further refine what activities could be considered under this provision.

Wetlands

The plan recognises the value that wetlands have in relation to maintaining water quality and quantity. Wetlands are also valuable for a range of other reasons including for biodiversity, recreation and cultural values. The small area of wetland now left in the TANK catchments and their value as an ecosystem led to new objectives for the restoration and protection of wetlands.

Water Conservation Order (WCO) for the Ngaruroro and Clive Rivers

In August 2017, the Council voted to oppose the WCO application for the Ngaruroro and Clive Rivers in favour of the TANK Plan Change. The TANK Plan is a comprehensive and appropriate planning framework to achieve the community's freshwater quality and quantity objectives for these waterbodies.

The WCO Tribunal considered the upper reaches of the Ngaruroro River in 2017 and will consider the lower Ngaruroro River and Clive River, beginning in February 2019. You can find more information about the Ngaruroro and Clive Rivers WCO on the [Environmental Protection Authority's website](#).