



TAIRĀWHITI

REGIONAL FRESHWATER PLANNING ADVISORY GROUP

Wednesday 29 May 2024

Hui #8 agenda, minutes, and actions

Held at Rose Room, Lawson Field Theatre, Gisborne at 9:00am

Advisory Group facilitator	Dr Jill Chrisp
Advisory Group members present	Stan Pardoe, Dave Hawea, Dianne Irwin, Taylor Howatson, Colin Kerslake, Alan Haronga, Samuel Lewis, Shanna Cairns, Murray Palmer, Laura Watson, Joss Ruifrok, Leo Kelso, Jacob Harrison
Council	Janic Slupski, Ariel Yann le Chew, Sarah Thompson, Abi Wiseman, Paul Murphy Lois Easton, Wolfgang Kanz, Adele Dawson
Apologies	Phil Gaukrodger, Hannah Kohn, Mere Tamanui, Bella Hawkins, Owen Lloyd, Matawhero Lloyd, Seanne Williams

Agenda

Session 1 – General overview
<ol style="list-style-type: none"> Karakia and whakawhanaungatanga <ul style="list-style-type: none"> Welcome Housekeeping Minutes and actions from hui #7
Session 2 – Water Quantity – limit setting
<ol style="list-style-type: none"> Limits and Allocation <ul style="list-style-type: none"> Presentation Workshop Questions - One of three groups: <ul style="list-style-type: none"> Limit setting and Te Mana o te Wai Mana whenua rights and interests Allocation framework options
Leg stretch & cuppa tea
Session 3 – Water Quantity (cont.)
<ol style="list-style-type: none"> Limits and Allocation continued <ul style="list-style-type: none"> Workshop Questions – continued Group feedback Wrap up
<ol style="list-style-type: none"> Closing karakia
<ol style="list-style-type: none"> Shared lunch

Supporting documentation

- **Report 1:** Water quantity management - limit settings
- **Report 2:** Water quantity management - allocation principles

Summary of actions

	Future Action *Refer to Parked List for summary		Current task
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Tasks to be actioned

Notes:			
<ul style="list-style-type: none">• Each task is allocated a unique identifier e.g. T2 for ease of reference• The numbering continues from previous meeting minutes			
Task	Actions	Responsible	Due
T25	Seek legal advice regarding transfers	Freshwater Team	TBC

Minutes

Session 1 – General overview

1. The hui commenced at 9:00 with an opening karakia.
2. Minutes and actions from the hui held on 24 April 2024 were taken as read and accepted as an accurate reflection.
3. Staff outlined housekeeping matters.

Session 2 – Water Quantity – limit setting and allocation

4. Staff set out three topics to be covered in the hui: default limit setting, mana whenua rights and interests, and allocation options. Members were reminded of the opportunity to provide individual feedback or form separate focus groups on particular issues.
5. One member raised concern of implementing current national direction regarding Te Mana o Te Wai when that direction is likely to change. Staff noted GDC's duty to consider the 'four wellbeings', including developing technical work to assess these.
6. Staff presented background and context for the three topics outlined above, covering:
 - a. a recap of the issues with current water quantity provisions that were raised in Hui 7: The need to give effect to Te Mana o Te Wai (TMOTW); allocation equity; challenges transitioning to a new framework; lack of information about water use; current limits and methods are too "blunt", and the need for innovative solutions.
 - b. an introduction to default limits and the current TRMP methodology for setting them. Staff noted that technical evidence will be sought to inform the review of default limits via two Expert Panels (one focused on water quality, the other on water quantity), and development of a Quadruple Bottom Line Assessment to provide a cost-benefit economic analysis of policy options.
 - c. noted input is being sought from the group about how to give effect to TMOTW when setting default limits, including views on any specific outcomes or factors to include in each obligation under TMOTW.
 - d. context for considering mana whenua rights and interests in water quantity issues, speaking to Te Tiriti o Waitangi, WAI2357 and WAI2358; Section 6(c) and Section (8)

of the RMA; and background recommendations and requirements under the National Policy Statement for Freshwater Management (NPS-FM).

- e. a recap of the current 'first-in, first served' approach to allocation and its benefits and challenges.
7. One member reinforced the issue that the current framework locks out mana whenua, compounded by specific barriers to finance facing Māori, while allowing outside investors to purchase and develop land with water rights. The discussion about Māori rights and interests needs to be translated into action. Staff welcome views on how we do better.
8. Another member reminded the group of its commitment to work together to achieve a win-win balance for nature and people, focused on local values and TMOTW.
9. One member raised the need for mātauranga Māori science to be given real consideration, noting that it has been overlooked, and the dangers of relying only on western science.
10. Staff set out initial thinking on the benefits and challenges of alternative allocation options: allocation by land area; market auction; ballot; and sector priority.
11. Members raised the following comments and perspectives regarding the options:
 - (a) questions and concerns around how to transition from a first-in, first-served system to a 'sector priority' system. Staff explained that this has not been done before in fully allocated catchments, but there are other examples (e.g., the Waitaki river). Potential transition to a new system could start with catchments that aren't fully allocated.
 - (b) reiterated that the status quo is not acceptable, noting that the sector priority approach could address mana whenua needs. Lack of access to water for mana whenua continues to constrain development of their land.
 - (c) need to carefully consider legality of options.
 - (d) confirming actual water usage will be helpful.
 - (e) suggested another option: a tender system for water rights, where multiple values can be taken into account, with a matrix scoring system to prioritise access.

Session 3 – Water Quantity – limit setting and allocation group discussions

12. Members split into three groups to discuss one or more of the following topics: Default Limit Setting Methodology; Mana whenua rights and interests; and Allocation framework options.
13. There was some discussion around how transfers work, with staff confirming that when land is sold, the choice sits with the landowner whether or not to sell the consent with the land.

Group report back: Allocation frameworks

14. The following points were reported back to the group from Group 3, regarding allocation frameworks:
 - a. An alternative allocation framework is preferred: A tender system with a values matrix to allow entry into water allocation – considering who the user is, what they are using the water for and how this aligns (or not) with TMOTW requirements. A values-based allocation system would address some (not all) issues.
 - b. Other options do not give effect to TMOTW. Group particularly opposes an auction system (this hasn't worked well before, e.g. for kiwifruit licensing) or a ballot system.
 - c. Status quo has issues: lack of auditing of irrigation efficiency; very unequal; no requirement for reciprocity.

- d. Land allocation option may have some benefits for whenua māori, but it would need to take into account information about land-use classification and essentially force landowners into Water User Groups (allocation in this way would not provide enough water to do anything with).
 - e. 'Sector priority' allocation has aspects that would be helpful particularly at the low-flow end of the spectrum.
 - f. Different catchments will have different needs – e.g. Waipaoa is fully allocated.
15. Another member raised the question about transfer of powers to iwi under section 33, with staff noting this will be explored through the planning process. Another member noted this would not address the issue of transfers of permits – disfunction occurs if someone has a permit, renews it and transfers it.
 16. Some members made the case that transfers should go with the land, but speculation should not be allowed.
 17. A member noted that Te Whanau a Kai were strong advocates that water rights should revert to Council (not go with the landowner). Staff clarified that Council cannot object if landowners chose to transfer water rights, which one member challenged. Staff will seek legal advice on this issue.
 18. One member raised that while allocation frameworks assume a finite supply, we should be equally focusing on better ways to store water: Council could be leading that process. Another member raised that Council needs to answer the question of if it is a leader in this space or not.

Group report back: Mana whenua rights and interests

19. The following points were reported back from Group 2, regarding how mana whenua rights and interests should be reflected in the new Plan:
 - a. Access to water for commercial, community use and decision making is key, as is building relationships so that mana whenua are very involved in the day-to-day management of water.
 - b. We need to understand it to know how to manage it. How much is coming into the system? How much is being used? How do we manage overallocation as it currently stands?
 - c. Storage and harvesting (supply-side) are important given the amount of water we have available.
20. Another member raised that cultural values, in particular how mana whenua view relationships with others around the management of water, is important. We are one with water. The reo of water is really deep, with 'wai' speaking to time and the 'i' referring to divinity.
21. One member shared an example of proper partnership regarding water – with Te Whanau a Kai proposal for a drinking water system being taken over and managed by Council for the whole village, with mana whenua continuing to be involved.

Group report back: Default limit setting

22. The following points were reported back to the group from Group 1:
 - a. Creating new water needs to be considered.
 - b. Group discussed the impact of low flows on rivers, and the observable impacts of abstraction at certain times of the year in terms of water quality, quantity and habitat.
 - c. Raised question of if limits could be set based on the minimum water required for certain indicator species.

Closing

23. Staff thanked members for their contributions. The hui closed at 11:30am with a karakia and a shared lunch.

PARKING LIST

The following matters have been captured from discussions of the **TAIRĀWHITI REGIONAL FRESHWATER PLANNING ADVISORY GROUP** hui. They are captured here to be incorporated as supplementary recommendations in the Group's final report and/or responded to directly.

Ref	Item/Action	Date raised	Status
T11	Future discussion on stock exclusion regulations and implications.	16/8/23	Date TBC
T16	Provide opportunity for members to actively participate in the information analysis processes as we progress through plan development.	11/10/23	Ongoing: Staff will continue to seek input from the Group on options analysis
T19	Invitation extended to identify any emerging topics that can be explored in more detail within a smaller group. The goal is to share the findings more broadly afterward.	15/11/23	Ongoing: Staff meeting with local growers to further consider water quantity options
T20	Future discussions to include business sector, as current discussions only have environmental and community aspects.	13/12/23	In progress: Economic implications of options will be assessed as we progress our thinking.
T21	Revisit discussion on beds of rivers and lakes.	13/12/23	Date TBC
T23	Share Council's access to high-quality information, inclusive of technical reports, scientific findings and government policy updates.	13/03/24	Ongoing – Research papers linked on GDC website.
T24	Request to have more information on the Mangapoike Dam, how it was formed naturally, and then opened up through human intervention	13/03/24	To be addressed in Hui 9 on 10 July 2024