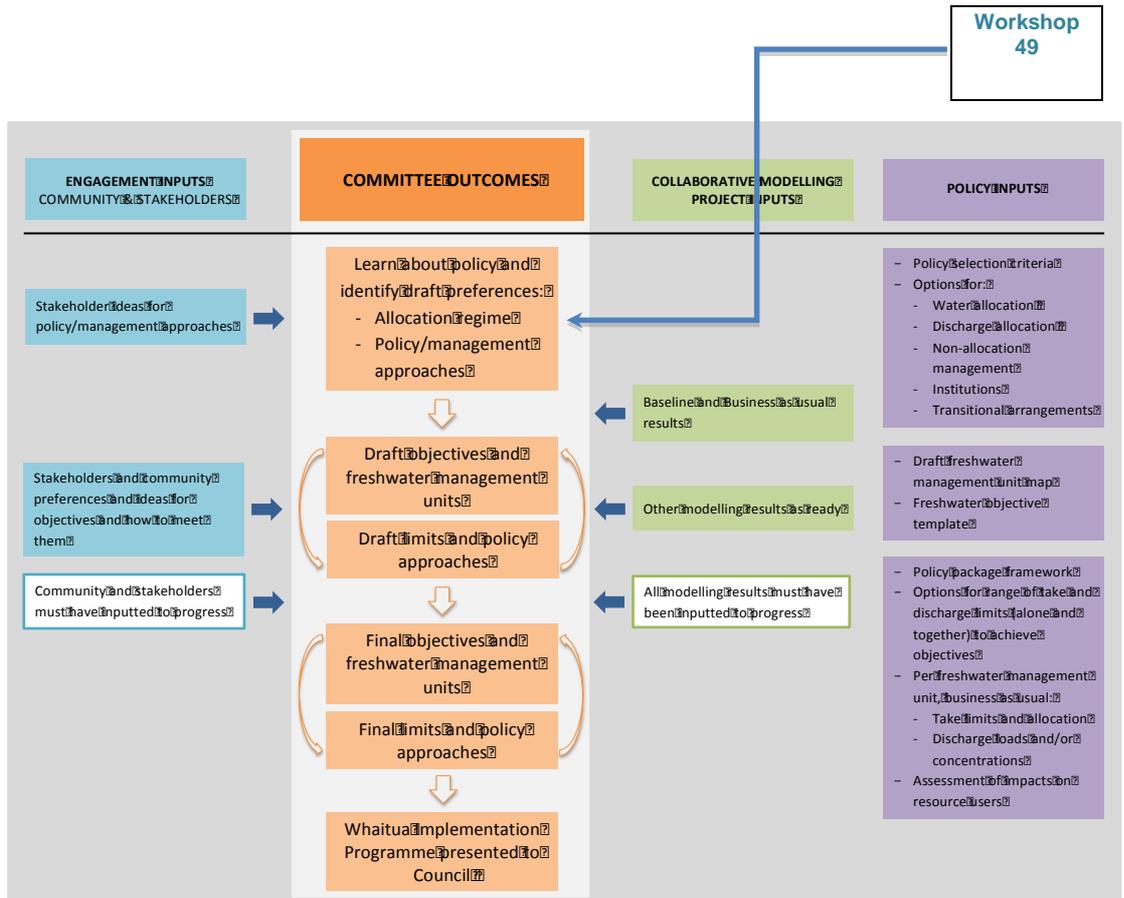


Meeting Notes: Ruamāhanga Whaitua Committee

Deliberations Phase 3 – Workshop 49

Monday 25 September, 4-8PM

Carterton Events Centre



Summary This report summarises notes from a workshop of the Ruamāhanga Whaitua Committee held from 4-8PM on 25 September 2017 at the Carterton Events Centre.

Contents These notes contain the following:

- A** Workshop Attendees
- B** Workshop Purpose and Agenda
- C** Workshop Decisions
- D** Workshop Actions
- E** Workshop Notes - RWC Process
- F** Workshop Notes – Papawai Marae visit
- G** Workshop Notes - Reflect on RWC decision-making. Review against principles and values in RWC criteria.
- H** Workshop Notes – Allocation at consent expiry
- I** Workshop Notes – Water allocation package

Appendix 1: Photos of Flipcharts

A Workshop Attendees

Workshop Attendees

RW Committee:

Aidan Bichan, Mike Birch, Esther Dijkstra, Andy Duncan, David Holmes, Peter Gawith, Russell Kawana, Ra Smith, Rebecca Fox, Chris Laidlaw, Colin Olds, Phil Palmer.

Greater Wellington Project Team:

Mike Grace, Murray McLea, Alastair Smaill, Mike Thompson, Natasha Tomic, Kat Banyard, Richard Parkes.

Modellers: John Bright.

Independent Facilitator: Michelle Rush.

Apologies: Vanessa Tipoki, Mike Ashby, Horipo Rimene.

B Workshop Purpose and Agenda

Purposes

The purposes were:

Confirm proposed Ruamāhanga Whaitua Committee (RWC) water allocation package including:

1. Reaching agreement on what happens at consent expiry.

2. Confirmation of decisions with respect to river packages, permitted activities and next steps for phasing in:
 - Category A cease take at minimum flow
 - Changes to minimum flows
3. Reflect on mana whenua engagement:
 - Messages for policy packages
 - Messages for freshwater objectives
4. Reflect on RWC decision-making, and review against principles and values in RWC criteria.
5. RWC timing and process matters:
 - More meetings? Or longer meetings?
 - Community Engagement – post draft WIP decisions.

Purpose 1, 3, 4, and 5 were achieved.

With regard to Purpose 2, it was agreed that RWC members would read the packages compiling decisions on the river by river packages and confirm these via email.

Agenda

The agenda is detailed in the table below.

Time	Task
4:00 – 4.10PM	Welcome (Peter Gawith) and Karakia (Ra Smith), Purposes (Michelle Rush)
4:10 - 4:30PM	Whaitua process and timelines (Al Smaill)
4:30 - 5:20PM	Reflections on mana whenua engagement and achievements to date
6:00 - 6:30PM	Dinner
6:30 – 7:30PM	Allocation at consent expiry (Al Smaill and Murray McLea) Workshop (all)
7:30-8:00PM	Draft water allocation policy package (Murray McLea)
8:00 PM	Karakia and close

C Committee Decisions

Committee Decisions

The following decision was made about re-allocation at expiry:

- Don't reserve
- 2 potential streams for decision making – priorities as detailed in table 1 on page 11 or priority of use is determined by the sub-catchment group.
- Requested the project team do further work to consider how these options would work together or separately in practice.

-
- Other Business** There is a Combined Council Meeting on Friday 29 September 2017 where whitua work will be discussed.
- A1 is presenting.
 - Colin – will see if Whitua members can attend.
 - David to check with Lyn (Masterton Mayor) about Whitua Committee attendance and to come back to Colin.

Colin and David met with the mayors of the TA's a few weeks ago to keep them up to date with progress.

D Workshop Actions

**Workshop
Actions**

Purpose 2 on category A groundwater and changes to minimum flows:

Action: RWC members agreed to read the packages compiling decisions for each river and confirm these via email with Kat Banyard (Project Advisor).

Additional workshops:

Action: Add two additional Committee workshops to the schedule between now and December 2018.

Thanks from mana whenua engagement

Action: Esther to email thanks and include information as agreed on page 6.

E Workshop Notes – RWC Process

Process

The timeline to have all major decisions for the Whitua Implementation Programme (WIP) made by Christmas remains unchanged.

This workshop will finish the current discussions on water allocation and the Committee will be looking at freshwater objectives from the next workshop. This will be informed by modelling results.

The Ruamāhanga Whitua Committee are a couple of meetings behind to finish major decisions by Christmas. Discussed additional meetings or longer meetings. Agreed to put two additional meetings into the calendar.

**Whole WIP
package
community
engagement**

Discussions with GWRC councillors following requests from stakeholders have sought that there be an opportunity that the ‘whole package’ of decisions for the WIP be discussed with stakeholders before going to Council. The timing on this would likely be February-March 2018, with the WIP then confirmed in April 2018. The style of engagement would be ‘consultation.’

RWC were asked if they like to front this, or whether they wished the Council to. The view was that RWC should front it. There was also a view that anyone should have the chance to see and comment on the proposals, not just selected stakeholders.

Community engagement planned later this year for the water allocation package and draft freshwater management objectives would continue as planned.

F Workshop Notes – Papawai Marae visit

**Key messages
for RWC**

A discussion was held to debrief the recent visit to Papawai Marae on Saturday 16 September 2017, and catch up other members who hadn’t been able to attend.

RWC members recapped the information presented and identified highlights and concerns. They then identified messages for the Committee’s freshwater objectives and policy packages. These were:

- Mana whenua are looking for a river management focus not a flood management focus.
- They expect to have a role in any board/management entity for rivers.
- They are calling for a larger engagement in consent decision making – water takes focus to the discussion but the sentiment expressed was broader.
- There is a need to ensure iwi involvement in catchment groups – Mana whenua strongly support the catchment group approach.
- Mana whenua are looking for an emphasis on sustainable land use with its contribution to water management e.g. practices that build up humus in soil for example.
- Mana whenua see a need to ensure resilience through non-regulatory means – for helping meet longer term objectives.
- Whilst matters such as land rights, and easier access across land to waterways didn’t come up on the day, they were strong issues at the pre-meetings.
- There is concern about the inefficiency of water races.
- Wairarapa Moana is of key importance.

- Education of how people interact in water with respect to conservation and use is seen as a priority.
- Need to explain what we might signal for the role of the Wairarapa Moana Statutory Board for inclusion in the WIP.

To conclude the discussion, RWC members identified the following **next steps**:

- Use this as a ‘ready reckoner’ or touchstone. Put in a bullet point list for the RWC to refer to.
- Ra to update RWC on state of play with Treaty Settlement (with approval from treaty trust), e.g. perhaps when RWC are to be presented with the modelling information on Wairarapa Moana.
- Implications of this partnership model for the rest of the catchment above the lake.
- Process from here:
 - Thank you
 - Send the list of key messages back
 - Further engagement: Ask what they would like to be engaged on and how, and make sure we always refer back to what’s happened already
 - Get kaitiaki response on key messages?

Feedback we’ve heard from mana whenua was that the day was good and they enjoyed the depth of discussion.

G Workshop Notes - Reflect on RWC decision-making. Review against principles and values in RWC criteria.

Introduction

Ra Smith presented a diagram showing the connections of the five guiding principles with the six Ruamāhanga community values, and this was used as a lens through which to reflect on RWC decision making.

[Principles and values diagram](#)

The project team will use this thinking when planning and presenting information to the Committee. The Committee will then use this as a lens when receiving information and making decisions. Consideration of the principles and values will occur throughout the process.

Discussion started from identifying some of the decisions the Committee had made (interim or otherwise) and then discussing which of these RWC members felt particularly proud of – and what

was it that had seen these be effective decision processes?

Participants then explored what it was that had made the decision making effective and successful. The key points from this discussion are below, with the decisions (or interim decisions) made in bold, and, where identified, the success factors in normal font.

Factors that made the decision making effective

River Management

- We turned our traditional thinking on its head

Minimum Flows

- We focused on what was in the river rather than what it would be used for
- We reached consensus – everyone recognised the need to give up something

Non-allocation regime for [Diffuse Nitrogen] contaminants

- We knew what wouldn't work, had seen what had happened elsewhere in the country
- New approach in New Zealand
- Future proofed it by requiring that we gather data and keep in an option to change the regime in the future
- Good call until technology improves
- Knew it would be more agreeable for the regional council

Catchment group/Community Approach

- Not a new idea but we knew it worked in the Wairarapa.
- E.g. Wainuioru which has been going for 30 years to manage stock water.
- Allows ownership of issues in the community.
- We recognised the growth of catchment groups already happening and people getting on with it!

Outcomes – habitat protection. Identified as a decision but wasn't discussed as to why the decision had been effective and successful.

Decision-making criteria - basing decisions on principles and values. Identified as a decision but wasn't discussed as to why the decision had been effective and successful.

Considerations we need to add in to our decision making approach

Participants were then asked to consider what else they might need to ensure formed part of their decision making approach to further enhance it in the future. To do this they were asked to review the diagram Ra had presented earlier, together with the key points from the reflection discussion of the Papawai Marae visit. The following factors were identified:

- Apply a legal lens.
 - Put the story around some other less obvious decision-making by the RWC e.g. river management.
 - Look at structural change elements e.g. role of catchment groups (and provide a story for this).
 - Include recommendations for other relevant agencies e.g. DOC and the management of the Forest Park – and RWC need to talk to DOC.
 - Are we holistic enough? We need to keep sight of this when we go into the details – need to keep the big picture in mind and be able to explain this to community and stakeholders so they can see this as well as their piece.
-

H Workshop Notes – Allocation at consent expiry

Overview

Alastair Smaill gave a reminder of the allocation framework, and the legal and practical context for decisions at consent expiry. He provided a commentary on the options that RWC members had identified at previous workshops, including legal and technical considerations, and suggested the areas for which the Committee needed to focus in framing the policy for what happens at consent expiry.

[Presentation on re-allocation at consent expiry](#)

The following paper was provided in advance of the workshop:

[Allocating water at consent expiry](#)

Questions

Q: What are the options for allocating spare water?

A: Reserve water – allocate a block to a user or a group of users or a type of use.

Have priorities for water – this is only useful when there is competition for water.

Q: Does the length of a consent affect the decision that might be made on re-allocation?

A: Yes – the next time a consent comes up for renewal the assessment might be different. There might be a different assessment of the level of investment e.g. if considering a 25 year consent vs a 10 year consent.

Q: Are regional councils ready to make tough decisions on efficiency?

A: Reasonable amount of use is the most common test used. More could be done in this space. It's a one on one conversation with the user. You need 5-8 years of meter information to make a really good assessment. Implementing the PNRP will bring in tighter restrictions on the efficiency test.

Q: Is there any case law on the efficiency of water races?

A: We would need to check.

Q: Could you bank water and then tender it out?

A: Difficult under existing law.

Q: What will the modelling tell us about whether an allocation is taken up or not?

A: If you want to leave water in the river it's best to make that decision and calculate your allocation limits accordingly.

Workshop Activity

Working in the break out groups, RWC members worked through the following questions for what happens where there is water available (after renewing existing users have gained consent) and there is competition for that water that is available:

First step: Decide whether to...

- Reserve (for whom or what) OR
- Partially reserve (for whom or what, and the explicit proportion of water available that you wish to reserve) OR
- Don't reserve.

Second step: Determine priorities (e.g. if you have chosen not to reserve water, or to only partially reserve water)

What, if any, are your allocation priorities in order?

- NB: If you have chosen NOT to have a system that operates on priorities, write down 'first come first served.'
-

Workshop Notes

The results of the break-out group discussions are set out in the table on page 11.

Following discussion, and a return to break out groups to consider the areas around which consensus was still needed, a further plenary discussion was completed.

Plenary discussion notes:

- Consents can be issued to individuals or groups of people. When it is issued to a group they make decisions between them so they administer their right.
- A lot of consents are being aligned for common expiry.
- Catchment groups for water allocation would be different to

catchment groups to manage discharges. For water allocation there is a legal difference as the group would hold the legal right to the consent. The social license would be the same for both types of groups. Catchment groups could however make decisions/facilitate on sharing water (short term transfers).

- Use the water for mana whenua values and human health. What is left could then be used until you renew your minimum flow. As a buffer for an expectation that the minimum flow would probably increase on review. E.g. if 9 years until minimum flow review, issue consent for 9 years. If 5 years, issue for 5 years.
- For community water supply – definition from legislation.
- The Committee has come up with 2 different systems – could these be integrated? Would a group be willing to have their consents processed together as a single entity? Would the group then be assessed against the priorities?
- Heard as a Committee at Papawai Marae in the hui with mana whenua on 16 September that they want any spare water to go back to the river. Preference for first priority for spare water to go to the river. Is this the way to do it compared to allowing for cultural values in the minimum flows that you set?
- Could go to the community and ask for preferences around the two different options?
- Who makes the decision about who gets the water? The group or GWRC? A group could be those with different land uses, or do the individuals still apply?

RWC members confirmed the following decision:

- Don't reserve
- 2 potential streams for decision making – priorities as detailed in table 1 on page 11 or priority of use is determined by the sub-catchment group.
- Requested the project team do further work to consider how these options would work together or separately in practice. E.g. Would users opting to work together be subject to the priorities an individual user would be assessed against, BEFORE being able to determine their own priorities, or not? This option would also need:
 - a mechanism for sorting problems, e.g. someone to arbitrate if a problem develops e.g. GWRC
 - clear legal rules of engagement.
- In addition how would the Committee's wish to provide water back to the river to provide for mana whenua values (Priority 1) work most effectively.

Appendix 1 contains photos of the sticky wall and the flipcharts.

Water Allocation at Expiry - how is 'new' water allocated where there is competition for that water among potential new users?

Questions	Group 1	Group 2	Group 3	Consensus following break out groups	
<p>Reserve OR Partially Reserve OR Don't reserve and Why?</p>	<p>Don't reserve Why? Water has been allocated for use and should be used efficiently if available.</p>	<p>Don't reserve</p>	<p>Reserve a proportion to go back to the river.</p>	<p>Don't reserve</p>	
<p>Priority and Why?</p>	<p>Human health Why? It's common sense.</p>	<p>Priority of use is determined by the sub catchment group.</p>	<p>Priority 1: Human health due to population growth</p>	<p>Priority 1: Health of river (a proportion of available new water) Why? To provide for mana whenua values</p>	<p>Priority of use is determined by the sub catchment group. This was the group that would hold a legal right to the water. Or a group that wants to share water. Why? Provides flexibility for local circumstances. Is highly democratic.</p>
		<p>Efficient use, short term transfers, storage. Why? All enhance efficiency</p>	<p>Priority 2: New users with storage capacity</p>	<p>Priority 2: Community water supply Reason: To provide for expected population growth</p>	
			<p>Priority 3: New agricultural use based on soil mapping – water use efficiency</p>	<p>Priority 3: New users with storage capacity Reason: To encourage water harvest and storage</p>	
				<p>Priority 4: New agricultural use based on soil mapping – water use efficiency. A group that wants to work together and share water. Reason: To encourage sustainable use</p>	

I Workshop Notes – Water allocation package

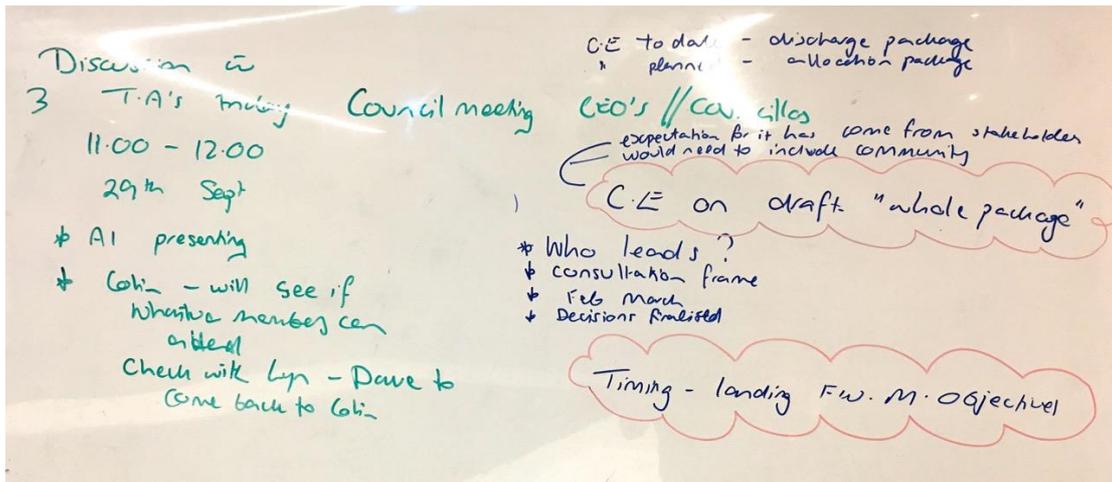
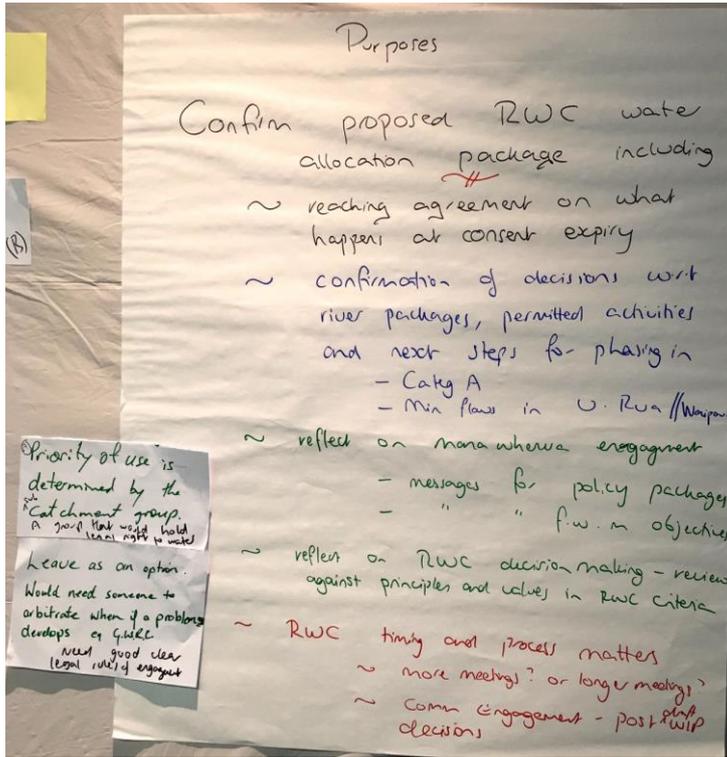
Workshop Notes

Due to time constraints this agenda item wasn't completed. It was agreed the Committee would read the papers and confirm them or any changes by email.

The following papers were provided in advance of the workshop or at the workshop to summarise the water allocation policy package:

- [Water allocation policy package story](#)
- [Table 1: Draft summary table for minimum flows and allocation limits in the Ruamāhanga whaitua](#)
- [Managing limits - including PA takes](#)
- [Draft RWC preferences for water allocation provisions – by major river](#)
- [Narrative summary – minimum flows and allocation limits by river](#)

Appendix 1: Photos of flip charts

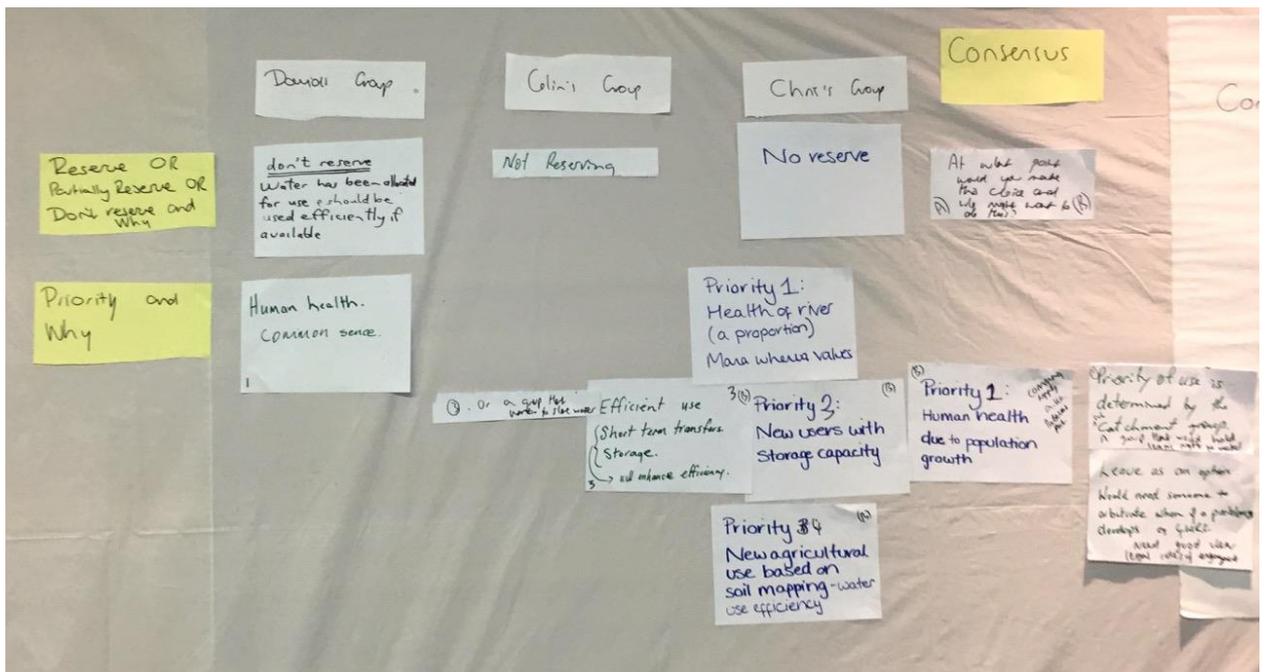
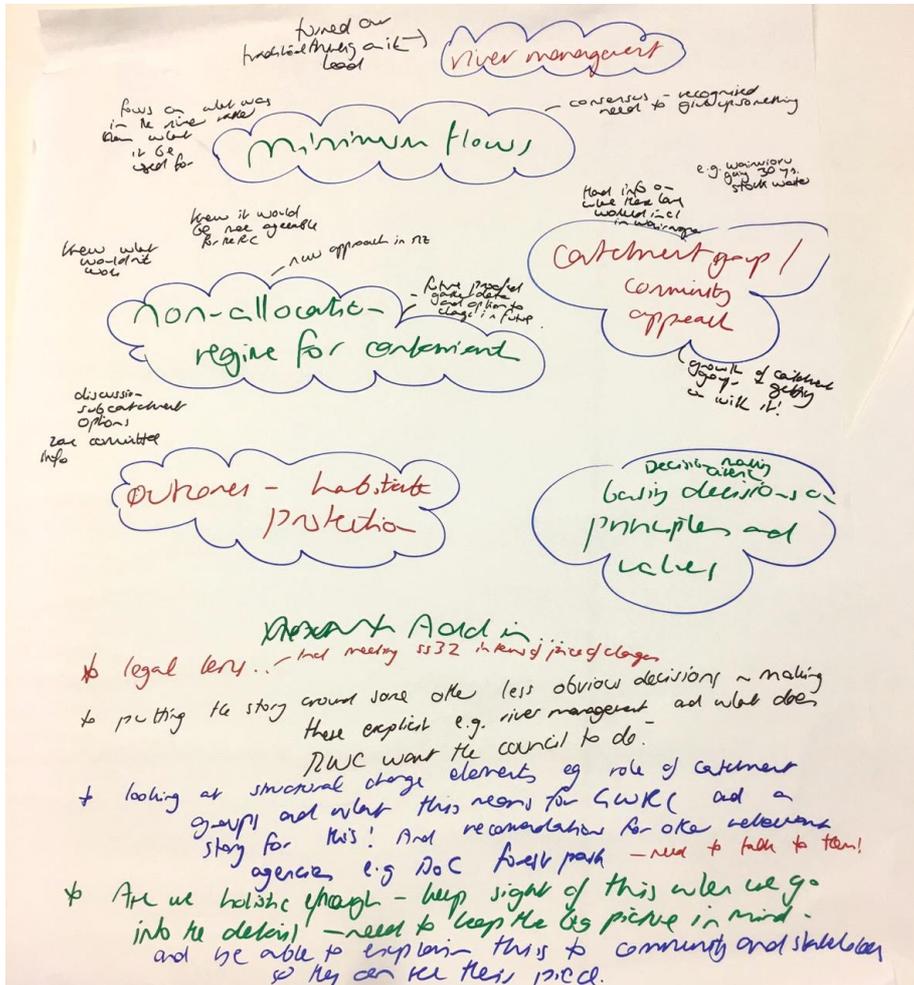


Messages for our policy packages

- * Looking for = river management focus not a flood management focus
- * That mana whenua would have a role in any board / management entity
- * Call for > engagement in current decision-making - water takes but sediment was broader
- * ensuring iwi involvement in catchment groups - and a lot of support for a catchment group approach
- * emphasis on sustainable land use < i.e. contribution to water management e.g. humus in soil example
- * also matters like land rights, land and river access - didn't come up on the day but had been strong at the pre-meeting
- * Need to ensure resilience through non-regulatory means - for helping next large storm
- * concern about inefficiency of water races
- * Wairarapa Moana of key importance
- * education of how people interact in water w.r.t conversation and use
- * need to explore what we might signal for the Board role of the Kōhanga Wairarapa Moana ^{Statutory} Trust to put in the WIP

Next steps

- Use this as a "ready reckoner" or touchstone
- Ra to update RWC on state of play with Treaty settlement, e.g. perhaps when get modelling info back on Weirorapa moana
- implications of this partnership model for the rest of the catchment above the lake
- Process from here
 - Thank you / send "key messages" back
 - Further engagement - ask what they would like to be engaged on and how.
 - need to allow time for prep work.
 - { can't make me always refer back to what's happened already



ENDS