



## Meeting of the Hawke's Bay Drinking Water Governance Joint Committee

**Date:** Wednesday 4 September 2019  
**Time:** 10.00am  
**Venue:** Council Chamber  
Hawke's Bay Regional Council  
159 Dalton Street  
NAPIER

### Agenda

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ITEM	SUBJECT	PAGE
1.	Welcome/Notices/Apologies	
2.	Conflict of Interest Declarations	
3.	Confirmation of Minutes of the Hawke's Bay Drinking Water Governance Joint Committee held on 11 April 2019	
<b>Information or Performance Monitoring</b>		
4.	Call for Minor Items of Business Not on the Agenda	3
5.	Jim Graham – Study Tour feedback	5
6.	HBRC TANK Plan Change Process Update	7
7.	<b>Late Item to follow</b> – Joint Working Group Activities Update	11
8.	Regional Three Waters Update	13
9.	Discussion of Minor Items Not on the Agenda	17

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Ngāti Kahungunu Iwi  
INCORPORATED

## HAWKE'S BAY DRINKING WATER GOVERNANCE JOINT COMMITTEE

Wednesday 04 September 2019

### Subject: CALL FOR MINOR ITEMS OF BUSINESS NOT ON THE AGENDA

#### Reason for Report

- Hawke's Bay Regional Council's standing order 9.13 allows

*"A meeting may discuss an item that is not on the agenda only if it is a minor matter **relating to the general business of the meeting** and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion."*

*Please note that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision making."*

#### Recommendations

That the Hawke's Bay Drinking Water Governance Joint Committee accepts the following "Minor Items of Business Not on the Agenda" for discussion as Item 9:

Topic	Raised by

**Annelie Roets**  
GOVERNANCE ADMINISTRATIVE  
ASSISTANT

**James Palmer**  
CHIEF EXECUTIVE





## HAWKE'S BAY DRINKING WATER GOVERNANCE JOINT COMMITTEE

Wednesday 04 September 2019

**Subject: JIM GRAHAM – STUDY TOUR FEEDBACK**

### Reason for Report

1. This item introduces the presentation by Jim Graham on his study tour, principally to the Netherlands and Denmark, where he looked at water suppliers and the challenges they have with their aquifers and distribution networks. Jim will present on the appropriate responses made to address these challenges in terms of drinking water quality.

### Background

2. Jim Graham is an environmental scientist and Water New Zealand's principal adviser on water quality. Jim has over 20 years' experience in environmental science and environmental health science specialising in recreational and drinking-water quality. Previously, he has worked on the development and implementation of the New Zealand drinking-water strategy including the preparation of drinking-water standards, the legislative framework and leading the \$150M drinking water supplies funding assistance programme.
3. Jim previously presented to the Drinking Water Governance Joint Committee in August 2018 on drinking water safety.

### Decision Making Process

4. Staff have assessed the requirements of the Local Government Act 2002 in relation to this item and have concluded that, as this report is for information only, the decision making provisions do not apply.

### Recommendation

That the Hawke's Bay Drinking Water Governance Joint Committee receives and notes the "*Dr Jim Graham – Study Tour feedback*" presentation.

### Authored and Approved by:

**Liz Lambert**  
**GROUP MANAGER REGULATION**

### Attachment/s

There are no attachments for this report.





## HAWKE'S BAY DRINKING WATER GOVERNANCE JOINT COMMITTEE

Wednesday 04 September 2019

### Subject: HBRC TANK PLAN CHANGE PROCESS UPDATE

#### Reason for Report

1. This item provides the Governance Joint Committee with an update on the Regional Council's TANK (Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments) plan change (PC9) progress made since April, including detailed information where there was specific reference to source protection zones.

#### Background

2. The draft TANK Plan Change was last presented to the HB Drinking Water Governance Joint Committee in April 2019. That item provided a general overview of the pre-notification consultation process and more detailed information regarding the source protection zone modelling.

#### Regional Planning Committee meetings since April 2019

3. A summary of the RPC meetings, staff recommendations and any decisions made by the RPC in respect of the TANK Plan are summarised following.

##### 15 May 2019

4. The feedback from the pre-notification consultation was summarised for the Committee, in respect of the concerns and issues which had been raised by affected iwi authorities (responses were received from Ngāti Kahungunu Iwi Incorporated, Te Taiwhenua o Heretaunga, Mana Ahuriri and Heretaunga Tamatea Settlement Trust), affected Councils (Napier City Council and Hastings District Council) as well as from the Department of Conservation and HortNZ.
5. Significant issues raised in the feedback related to:
  - 5.1. Ensuring values are properly provided for
  - 5.2. Managing Stream depletion effects of groundwater takes
  - 5.3. Allocation limit for high flow abstraction and water for Maori development
  - 5.4. Urban development and freshwater
  - 5.5. Allocation limits
  - 5.6. Integrated and long term solutions for managing stormwater
  - 5.7. The role of mana whenua in the TANK collaborative process.
6. Staff suggested a number of amendments to refine the plan as a consequence of the feedback, and recommended that the RPC accept these changes. It was highlighted that further definition as required relating to protection of source water for drinking supplies (to be amended in a later iteration).

7. The Committee also considered the Outstanding Water Bodies plan change at the same meeting and consequently deferred any decision making in respect of the TANK Plan to the following meeting in July. It was agreed that a workshop would be held (2 July) in advance of that meeting to allow members to discuss specific areas of interest or issues with staff.

### **3 July 2019**

8. The May agenda item was amended to enable the Committee to consider those items which had been deferred as well as additional matters that had progressed since that time, including:
  - 8.1. Source protection for drinking water supplies
  - 8.2. Stormwater policies and rules
  - 8.3. Mana whenua issues
  - 8.4. TANK group feedback (note: a further workshop was held with the TANK stakeholder group on the 13 June at their request to provide them with an update on how the plan was progressing and what amendments had been made since they last met in July 2018)
  - 8.5. Remaining issues.
9. Source Protection Zones (SPZs) – the item provided the RPC with an update on the progress on SPZs, noting that the JWG were unable to reach consensus on which model to use for delineating SPZs in the plan. HDC and the DHB supported putting forward a joined up boundary combining the protection zone boundary of both models. HBRC staff had expressed concern regarding the defensibility of this approach and noted the preference would be to have one model to provide greater clarity and certainty within the Plan.
10. Staff recommended to RPC that the Heretaunga Plains numerical model be used to determine SPZs in the longer term within the TANK Plan while the AEM approach for Napier be used in the short term until further modelling can be carried out.
11. The groundwater modellers indicated that the Napier SPZs modelled using an AEM model may not be significantly different using the Heretaunga Plains numerical model as the bores in that location are within a more homogeneous part of the aquifer. The item also noted that whilst the Heretaunga Plains numerical model represents the best available knowledge it may change as more data is gathered as part of improving the model. This related specifically to the SkyTEM Airborne Aquifer Survey work programmed for completion in 2021.
12. The Plan was also amended to insert definitions into the glossary for ‘Registered drinking water supply’, ‘Source Protection Zones’, ‘Source Protection Extent’ and ‘Hawkes Bay Regional Council Heretaunga Plains Groundwater Model’.
13. The items presented to the RPC in respect of TANK were not resolved. The RPC agreed to hold a sub-group workshop prior to the next RPC meeting scheduled for 14 August, to undertake discussion on four outstanding items, namely:
  - 13.1. Stream flow enhancement
  - 13.2. Groundwater allocation limits
  - 13.3. Provisions for tangata whenua (sections 6e, 7 and 8 RMA)
  - 13.4. Alignment between the Outstanding Water Bodies plan change (PC7) and the TANK Plan.

### **14 August 2019**

14. A public excluded workshop was held prior to the RPC meeting, to discuss the RMA Part 2 decision making provisions, and to enable members an opportunity to pose any questions to a senior associate from Simpson Grierson.



15. Version 9.2 of the draft TANK Plan was presented to the RPC seeking agreement to its content. The item noted that the sub-group had met twice since the previous RPC meeting. The topics which were described in more detail as a result of directions from the RPC were:
  - 15.1. Heretaunga Plains groundwater allocation limits
  - 15.2. Policy direction for flow maintenance provisions
  - 15.3. Assessment of the TANK plan change in relation to Outstanding Water Bodies PC7.
16. The recommendations requested that the RPC receive and consider the draft plan and agree to the amendments described in the item.
17. However due to there being no quorum the meeting did not take place.
18. The next RPC meeting is scheduled for the 18 September 2019.

### **Decision Making Process**

19. Staff have assessed the requirements of the Local Government Act 2002 in relation to this item and have concluded that, as this report is for information only, the decision making provisions do not apply.

### **Recommendation**

That the Hawke's Bay Drinking Water Governance Joint Committee receives and notes the "*HBRC TANK Plan Change Process Update*" report.

#### **Authored by:**

**Ceri Edmonds**  
**MANAGER POLICY AND PLANNING**

#### **Approved by:**

**Liz Lambert**  
**GROUP MANAGER REGULATION**

### **Attachment/s**

There are no attachments for this report.





## HAWKE'S BAY DRINKING WATER GOVERNANCE JOINT COMMITTEE

Wednesday 04 September 2019

### Subject: JOINT WORKING GROUP ACTIVITIES UPDATE

#### Reason for Report

1. To provide an update on the Joint Working Group's (JWG) activities and work plan. Late item to be posted following Joint Working Group meeting on Thursday, 29 August 2019.

#### Decision Making Process

2. Staff have assessed the requirements of the Local Government Act 2002 in relation to this item and have concluded that, as this report is for information only, the decision making provisions do not apply.

#### Recommendation

That the Hawke's Bay Drinking Water Governance Joint Committee receives and notes the "*Joint Working Group Activities Update*" staff report.

#### Authored and Approved by:

**Liz Lambert**  
**GROUP MANAGER REGULATION**

#### Attachment/s

There are no attachments for this report.





## HAWKE'S BAY DRINKING WATER GOVERNANCE JOINT COMMITTEE

Wednesday 04 September 2019

### Subject: REGIONAL THREE WATERS UPDATE

#### Reason for Report

1. This item provides the Joint Committee with an update on the status of regional and national "three waters service delivery" reviews under way.

#### Background

2. A status update from Toni Goodlass, Programme Manger for the Hawke's Bay Region Three Waters Review, is attached for the Committee's information.
3. Craig Thew of Hastings District Council, will provide a verbal update on the National Three Waters Review at the meeting.

#### Decision Making Process

4. Staff have assessed the requirements of the Local Government Act 2002 in relation to this item and have concluded that, as this report is for information only, the decision making provisions do not apply.

#### Recommendation

That the Hawke's Bay Drinking Water Governance Joint Committee receives and notes the "*Regional Three Waters Update*" report.

#### Authored and Approved:

**Liz Lambert**  
**GROUP MANAGER REGULATION**

#### Attachment/s

- 1 [Hawkes Bay Three Waters Review Status Update - Aug 2019](#)





## Hawke's Bay Three Waters Review

The five councils within the Hawke's Bay Region including Central Hawke's Bay District Council, Hastings District Council, Hawke's Bay Regional Council, Napier City Council and Wairoa District Council ("the Councils") collectively commenced a review of Hawke's Bay's three waters service delivery in January this year. The primary objective of this review is to complete an assessment and recommendations of the current and potential service delivery models for three waters in the Hawke's Bay region.

### Review Principles

- To provide three water services in a way that is affordable and effective
- To provide services that are safe, reliable and resilient
- To provide services through a model that enables a meaningful role for Māori
- To provide services through a model that has the value of water at the centre
- To provide three waters services in a way that supports our urban and rural communities
- To provide three waters services that builds enduring capability and capacity.

### Review Update

The first phase of the review has followed a structured, staged process moving from current state assessment, definition of key principles/objectives, into analysis of a long and short list of options. The options have now been assessed against the principles/objectives defined for our region and set out above.

The outputs of this work, coupled with an evolving and uncertain regulatory environment had determined a second phase of activity for the project, prior to presenting a preferred option. There is considerable assessment and analysis yet to do, and we have only recently seen the direction and scope of the regulatory changes that will need to be met in any future service delivery arrangement.

### Three Waters Reform Cabinet Paper

On 30 August 2019, Government released a suite of proposals to strengthen the regulatory arrangements for drinking water, waste water and storm water. They are intending to implement the majority of the policy decisions from their cabinet papers in the form of a Water Services Bill in early 2020.

Cabinet have noted for regions such as ours, investigating options for making voluntary changes to local three waters delivery would benefit from funding support to help progress this work. Government has recognized that the costs of the review are likely to be a barrier to reform. Government will also be investigating changes to legislation that may be considered barriers to collaborative initiatives.

A fund subject to the approval of the Minister of Local Government and the Minister of Finance has been made available to provide up to \$1million (each) to assist regional initiatives. It is intended as co-

investment with local government to assist with business case development, due diligence and community consultation. The fund is effectively an incentive for 'first movers'.

### Next Steps

Hawkes Bay submitted this week a formal 'Expression of Interest' to the Department of Internal Affairs to access the funding for the next phases of our review. We expect to complete a formal application once the process has been finalised by DIA. It is our expectation that this funding will allow us to complete the second phase of our project, without requiring co-investment by Council.

The second phase of the review will encompass the following:

- Revise our models and options to include the regulatory changes for Drinking Water, Waste Water and Storm Water recently released in August by Cabinet.
- Assess the impact of any changes on the other services of Council & the organisations' themselves
- Undertake detailed analysis to assess risks and issues identified with potential changes.
- Review Council and communities' broader priorities and impact of any potential change.
- Engagement with government on water sector reforms, funding and the Hawkes Bay Review process and findings.

This phase will, naturally, involve considerable engagement with key partners such as Mana Whenua, and the wider community.

***Options to consider a way forward will be provided to the Councils by our Chief Executives, though this is not expected until early 2020. It will then be for the Councils and their communities to decide the next steps.***

Toni Goodlass  
Programme Manager





## HAWKE'S BAY DRINKING WATER GOVERNANCE JOINT COMMITTEE

Wednesday 04 September 2019

**Subject: DISCUSSION OF MINOR ITEMS NOT ON THE AGENDA**

### Reason for Report

1. This document has been prepared to assist Joint Committee members to note any Minor Items of Business Not on the Agenda to be discussed as agreed in Agenda Item 4.

Topic	Raised by