

Title: Makauri Aquifer Water Allocation
Section: Environmental Services & Protection
Prepared by: Sarah Thompson (Senior Water and Coastal Resources Officer)
Meeting Date: 12 September 2018

Legal Financial Significance = HIGH

Report to ENVIRONMENTAL PLANNING & REGULATIONS Committee for information

SUMMARY

The purpose of this report is to provide an update to the Committee on the current state of water allocation from the Makauri Gravel Aquifer (Makuri Aquifer).

The majority of water takes from the Makauri Aquifer have been reviewed between June - August 2018. Most of these expired on 30 June 2018, and some with a later expiry date were voluntarily offered up for renewal.

The Freshwater Plan (now incorporated in the Tairāwhiti Resource Management Plan) sets out water quantity allocation limits for the Makauri Gravel Aquifer, with reduction targets as follows:

1. Reduce total annual allocation to 1,892,160 cubic metres by 2020 for the Makauri Aquifer;
2. Reduce total annual allocation to 1,702,944 cubic metres by 2025 for the Makauri Aquifer; and
3. Review total allocation in 2025.

Council is on track to reach the reduction target of 1,892,160 cubic metres of water being allocated by 2020, however some very difficult discussions still need to happen with consent holders and it is likely that some of the revised allocations will be the subject of objections under Section 357A of the Resource Management Act. Should an objection be lodged then the applicant is able to seek a Hearing on the consent.

The Makauri Aquifer resource consent renewals are expected to be finalised by the end of August 2018. The objection period is the following 15 working days after the issuing of the consent.

The decisions or matters in this report are considered to be of **HIGH** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS

That the Environmental Planning & Regulations Committee:

1. Notes the contents of this report - and in particular:

- a) That the reduction target for the Makauri Aquifer is on target to be met by 2020.
- b) That any objections to revised allocations under Section 357A of the Resource Management Act still need to be considered.

Authorised by:



Nicholas Zaman
Director Environmental Services & Protection

Keywords: Makauri Aquifer, Allocation, Over-allocation, consent reviews, appeal period

BACKGROUND

1. The Makauri Gravel Aquifer (Makauri Aquifer) is the most productive and extensive aquifer system on the Poverty Bay Flats. This confined aquifer is made up of a complex braided channel system through silt and clay sediments. These gravels are thought to have been deposited by the Waipaoa River around 14,000 years ago in the early post-glacial period (Brown 1984; in Barber 1993). The Makauri Gravel is approximately 7 m thick at Kaitaratahi, 12 m thick around the Makauri region and 3 m thick at Matawhero (Barber 1993).
2. The Makauri Aquifer's water level is also in decline. This decline has been captured by setting limits in the Freshwater Plan which aim to stabilise the decline and sustainably manage the resource.
3. As it currently stands the Poverty Bay Flats Freshwater Management Unit of the Waipaoa Catchment Plan requires a reduction in the total allocation of the deep groundwater water quantity zone which the Makauri Aquifer fits within. The Makauri Aquifer must be reduced to an annual allocation of 1,892,160 cubic metres by 2020. Further reductions are required by 2025 to an annual allocation of 1,702,944 cubic metres. The current annual paper allocation is over 8,000,000 cubic metres.
4. Historically in the Gisborne region, water take resource consents (water permits) have been given restricted durations of five years. Common expiry dates have also been imposed by Council. The result of having short consent durations and common expiry dates is that a large number of water permits from the Makauri Aquifer expired in June 2018. This allowed for a substantial review of the state of water quantity within the Makauri Aquifer.

DISCUSSION and OPTIONS

5. The majority of water takes (23 out of the 31) from the Makauri Aquifer have been reviewed. While the majority of the consents that have been reviewed expired on 30 June 2018, some with a later expiry date were voluntarily offered up for renewal. The remaining eight consents will be reviewed as they expire. In order to ensure that allocation reduction targets will be met, we have forecasted what the likely allocations of those eight remaining consents are and built this into the methodology for reaching the reduction target by 2020.
6. The current 23 consent renewals are expected to be finalised by the end of August 2018. Under Section 357A of the RMA an Objection can be lodged within the following 15 working days after the issuing of the consent.
7. So as to not undermine the consenting process, no consent holder details will be reproduced in this report. However, to understand the significance of this piece of work, the following summary highlights the significance of the reductions that have been made:
 - a. There are three reductions (old annual allocation vs new annual allocation) which are greater than 80%.
 - b. There are 12 reductions that are between 50% and 70%.
 - c. The reductions required to meet the 2020 target are largely based on the highest water year from each individual consent holder over the past six years.
8. Many of the existing consent holders and others who are wishing to take water for irrigation or commercial use are now relying on a successful managed aquifer recharge or looking into alternatives such as pipelines to the river and/or onsite storage.

ASSESSMENT of SIGNIFICANCE

Criteria	This Report	The Process Overall
The effects on all or a large part of the Gisborne district	Medium	Medium
The effects on individuals or specific communities	High	High
The level or history of public interest in the matter or issue	Low	Medium
Inconsistency with Council's current strategy and policy	Low	Low
Impacts on Council's delivery of its Financial Strategy and Long Term Plan.	Low	Low

9. The decisions or matters in this report are considered to be of **medium** significance in accordance with Council's Significance and Engagement Policy.
10. Water availability is of increased interest to some parts of the community as without irrigation many high value crops such as kiwifruit, leafy vegetables and modern apple varieties cannot be sustainably grown in Gisborne.

COMMUNITY ENGAGEMENT

11. While no formal community engagement specific to individual consent renewals has been undertaken, discussions on the over-allocation and decline of the aquifer have been occurring for a number of years now with irrigators and other stakeholders – through the development of the Freshwater Plan, consultation on the draft and Proposed Plans, and through submissions.
12. The majority of consent holders have also met with Council staff on a one-on-one basis prior to lodging their water consent renewal application. At this meeting they were reminded of the policies and rules in the Freshwater Plan that clearly stipulate significant reductions to allocations are required and therefore there would be reductions made to their consented allocation.

CONSIDERATIONS

Financial/Budget

13. Officer time spent on consent renewals are charged on a consent-by-consent basis.

Legal

14. Consent holders have the right to object to Council staff's decisions and recommended conditions under Section 357A and then seek a Resource Consent Hearing. Should they still be unhappy with the outcome of a Hearing, they can appeal to the Environment Court within 15 working days of receiving their granted consent. If an objection or appeal is lodged, then the consent holder can operate under their old consent until the final decision is made.

POLICY and PLANNING IMPLICATIONS

15. The reduction targets are set out in the Freshwater Plan, parts of which are under appeal, although the targets themselves have not been appealed.

RISKS

16. Some consent renewals may be challenged through the objection process – or appealed to the Environment Court.

NEXT STEPS

Date	Action/Milestone	Comments
End of August 2018	Provide renewed consents to consent applicants.	
Late September 2018	Any Objections will have been lodged.	