

Regional Council

NOTICE IS GIVEN

that an extraordinary meeting of the **Regional Council** will be held in **Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga** on:

Tuesday, 10 March 2020 commencing at 9.00 AM

This is an Extraordinary Council meeting to discuss the process for managing water shortages in the region

Fiona McTavish
Chief Executive
5 March 2020



Council

Membership

Chairperson	Chairman Doug Leeder
Deputy Chairperson	Cr Jane Nees
Members	All Councillors
Quorum	Seven members, consisting of half the number of members
Meeting frequency	Six weekly or as required for Annual Plan, Long Term Plan and other relevant legislative requirements

Purpose

- Enable democratic local decision-making and action by, and on behalf of, Bay of Plenty communities.
- Meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.
- Set the overarching strategic direction for Bay of Plenty Regional Council as an organisation.
- Hold ultimate responsibility for allocating financial resources across the Council.

Role

- Address Local Electoral Act matters and Local Government Rating Act matters.
- Oversee all matters relating to identifying and contributing to community outcomes.
- Consider and agree on matters relating to significant new activities or areas of involvement such as infrastructure which are not the responsibility of a specific committee.
- Provide regional leadership on key issues that require a collaborative approach between a number of parties.
- Review and decide the Council's electoral and representation arrangements.
- Consider issues of regional significance which are not the responsibility of any specific standing committee or that are of such regional significance/high public interest that the full Council needs to decide on them.
- Adopt Council's Policy on Significance and Engagement Policy.
- Develop, adopt and implement the Triennial Agreement, Code of Conduct and Standing Orders.

- Consider and agree on matters relating to elected members' remuneration.
- Appoint the Chief Executive, and review their contract, performance and remuneration at least annually.
- Approve all delegations to the Chief Executive, including the authority for further delegation to staff.
- Oversee the work of all committees and subcommittees.
- Receive and consider recommendations and matters referred to it by its committees, joint committees, subcommittees and working parties.
- Approve membership to external bodies and organisations, including Council Controlled Organisations.
- Develop, adopt and review policies for, and monitor the performance of, Council Controlled Organisations.
- Monitor and review the achievement of outcomes for the Bay of Plenty Community.
- Review and approve strategic matters relating to the sale, acquisition and development of property for the purposes of meeting Council's organisational requirements and implement Regional Council policy.
- Address strategic corporate matters including property and accommodation.
- Consider and agree on the process to develop the Long Term Plan, Annual Plan and Annual Report.
- Adopt the Long Term Plan, Annual Plan and budgets variations, and Annual Report.
- Adopt Council policies as required by statute (for example Regional Policy Statement and Regional Land Transport Strategy) to be decided by Council or outside of committee delegations (for example infrastructure policy).
- Develop, review and approve Council's Financial Strategy and funding and financial policies and frameworks.
- Institute any proceedings in the High Court that are not injunctive proceedings.
- Exercise the powers and duties conferred or imposed on Council by the Public Works Act 1981.

Delegations from Council to committees

- Council has a role to monitor the functioning of all committees.
- Council will consider matters not within the delegation of any one Council committee.
- Council may at any time, revoke or modify a delegation to a Council committee, either permanently, for a specified time or to address a specific matter, if it considers there is good reason to do so.
- The delegations provided to committees may be further delegated to subcommittees unless the power of further delegation is restricted by Council or by statute.
- It is accepted in making these delegations that:
- The committees, in performing their delegated functions, powers or duties, may, without confirmation by the Council, exercise or perform them in a like

manner and with the same effect as the Council itself could have exercised or performed them.

- The delegated powers given shall at all times be subject to their current policies and principles or directions, as given by the Council from time to time.
- The chairperson of each committee shall have the authority to exercise their discretion, as to whether or not the delegated authority of the committee be used where, in the opinion of the chairperson, circumstances warrant it.

Powers that cannot be delegated

Under Clause 32 Schedule 7 of the Local Government Act 2002, Council must make the following decisions:

- Make a rate.
- Make a bylaw.
- Borrow money or purchase or dispose of assets, other than in accordance with the long-term plan.
- Adopt the long-term plan, annual plan, or annual report.
- Appoint a chief executive.
- Adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement.
- Adopt a remuneration and employment policy.

Public Forum

1. A period of up to 15 minutes may be set aside near the beginning of the meeting to enable members of the public to make statements about any matter on the agenda of that meeting which is open to the public, but excluding any matter on which comment could prejudice any specified statutory process the council is required to follow.
2. The time allowed for each speaker will normally be up to 5 minutes but will be up to the discretion of the chair. A maximum of 3 public participants will be allowed per meeting.
3. No statements by public participants to the Council shall be allowed unless a written, electronic or oral application has been received by the Chief Executive (Governance Team) by 12.00 noon of the working day prior to the meeting and the Chair's approval has subsequently been obtained. The application shall include the following:
 - name of participant;
 - organisation represented (if any);
 - meeting at which they wish to participate; and matter on the agenda to be addressed.
4. Members of the meeting may put questions to any public participants, relevant to the matter being raised through the chair. Any questions must be asked and answered within the time period given to a public participant. The chair shall determine the number of questions.

Recommendations in reports are not to be construed as Council policy until adopted by Council.

Agenda

E te Atua nui tonu, ko mātau ēnei e inoi atu nei ki a koe, kia tau mai te māramatanga ki a mātau whakarite mō tēnei rā, arahina hoki mātau, e eke ai te ōranga tonu ki ngā āhuatanga katoa a ngā tangata ki tō mātau rohe whānui tonu. Āmine.

“Almighty God we ask that you give us wisdom in the decisions we make here today and give us guidance in working with our regional communities to promote their social, economic, environmental and cultural well-being. Amen”.

1 Opening Karakia

2 Apologies

3 Public Forum

4 Acceptance of Late Items

5 General Business

6 Declarations of Conflicts of Interests

7 Reports

7.1 Managing and Responding to Water Shortage Events 13

APPENDIX 1 - Section 329 Water Shortage Direction 21

APPENDIX 2 - Description of the Three Level Response Standard Operating Procedure 25

APPENDIX 3 - Water Shortage Event Manager Roles and Responsibilities 31

8 Consideration of Late Items

9 Consideration of General Business

10 Closing Karakia

Reports



Report To: Regional Council

Meeting Date: 10 March 2020

Report From: Sarah Omundsen, General Manager, Regulatory Services

Managing and responding to water shortage events

Executive Summary

Minimum rain has fallen across the region this summer and as a result stream flows are very low in many areas. While the Bay of Plenty has not yet been assessed as being in drought, staff are monitoring the situation and preparing for a potential water shortage event.

The Resource Management Act 1991 provides a specific statutory tool for Regional Councils to use when there is a serious drought situation and where stream water flows are much lower than normal or groundwater levels are in decline.

Section 329 enables Councils to issue a water shortage direction to water users, stopping or restricting the abstraction of water regardless of whether they are operating under a consent or utilising the Council's Permitted Activity rules.

A Standard Operating Procedure for managing a water shortage event and issuing a water shortage direction has been prepared for Council's approval.

Delegation to the Chief Executive for issuing water shortage directions is sought.

Recommendations

That the Regional Council:

- 1 Receives the report, Managing and responding to water shortage events;**
- 2 Approves the Standard Operating Procedure that has been developed to manage and respond to water shortage events in the Bay of Plenty;**
- 3 Delegates the responsibility for issuing a water shortage direction under Section 329 of the Resource Management Act 1991 to the Chief Executive.**

1 Background – what is a water shortage event?

Water resources are part of the hydrological cycle and are ultimately replenished by rainfall. During periods of low rainfall, stream flows recede to base (low) flow conditions. Base flow is that portion of stream flow that is maintained from shallow groundwater, as opposed to direct surface flow following rainfall events. Base flow enters streams as diffuse seepage through the banks or bed, or by direct discharge from natural springs.

A water shortage event is where stream flow and groundwater levels reduce to a point where Council considers there is a serious temporary shortage of water (for example water use, cultural flows or the ability to support aquatic ecosystems is compromised). The duration and magnitude of a water shortage event can be quite variable, and may encompass the entire region or be confined to a single catchment within the region. For example, recent rainfall in the central Bay of Plenty region have maintained stream flows while low flows are currently being experienced in the western and eastern parts of the region.

When sufficient flow data is available, the onset of low stream flows can be predicted reasonably accurately based on the recession behaviour of a particular stream or river. Generally, a short period of rainfall will only temporarily elevate stream flow levels as surface runoff enters a river or stream. The river or stream can quickly return to a low level of flow in a short period of time.

Ground water behaviour is more complex with shallow and deep ground water resources often being connected, and as noted above contribute to stream flow during low rainfall periods. Rainfall and streams can also recharge ground water resources. Generally ground water resources are recharged in winter, when rainfall is high and temperatures are low, and are reduced in summer months. Periods of prolonged low rainfall or drought can affect the recharge of ground water resources and therefore those who draw water from them. In most ground water systems there are lag effects between rainfall and water levels in ground water aquifers.

There is no decisive point that marks the start of a water shortage event and the Resource Management Act 1991 provides considerable latitude to Regional Councils to decide when it considers that there is a serious temporary shortage of water.

2 Hydrologic monitoring in the Bay of Plenty

Regional Council presently operates a network of hydrological stations throughout the Bay of Plenty Region. The monitoring network has grown in response to increasing pressure on water resources in the region.

The stations provide information on stream/river water levels, rainfall, groundwater level and soil moisture data. Most of these sites are telemetered which means real time data is available via Regional Council's web site. The National Institute for Water and Atmospheric Research also operate a number of stations in the Bay of Plenty region providing further supporting information.

Regional Council has a low flow monitoring programme undertaking low flow surveys when appropriate conditions and resources are available in order to better support management of the water resource, including the definition of water shortage events. These low flow programmes may target one or more catchments and endeavour to measure naturalised flows, so consent holders within the catchments are requested

(and in most cases required by consent conditions) to cease taking water for the duration of the survey.

The nature of water shortage events is such that onset occurs over a relatively long period of time (i.e. weeks). Monitoring of the region's water resources allows such periods to be recognised allowing for a lead-in time and some prior warning. How long such an event will last, and to what magnitude, are much less predictable.

2.1 Current situation

The months of January and February have been very dry resulting in total rainfall figures to the end of February being approximately 5 – 30% of average in most places. This is resulting in low flows across the region which staff are monitoring closely. Of note:

- Monitored rivers in the western Bay of Plenty are experiencing the most extreme response with the lowest flows on record being commonly recorded. Two low flow surveys have been undertaken in this area to date.
- Central areas of the region are not as extreme, but are still very dry.
- Eastern areas have experienced some rainfall in the ranges to replenish some of the major rivers a little, but catchments and rivers are experiencing similar response to other parts of the region.
- The MetService forecast is predicting only minor showers so it is expected that low river flows will continue with a gradual recession.
- MPI and NEMA have requested regular updates on the situation. Staff are meeting with MPI and the BOP Primary Sector Coordination Group on a weekly basis to monitor, and MPI may consider declaring an Adverse Event if it is needed.
- Northland, North Auckland, South Auckland and the Waikato have now been classified as having drought conditions.

If an Adverse Event (see www.mpi.govt.nz/protection-and-response/responding/adverse-events/dealing-with-drought-conditions) is declared, and the dry conditions continue, Regional Council may need to consider restricting water use.

3 Statutory Requirements

Regional Council has a duty to promote the sustainable management of the region's water resources, especially during water shortage events, to safeguard the life-supporting capacity of the region's water ways and to avoid, remedy, or mitigate to an acceptable level the adverse effects of the use of the region's water resources.

The Council achieves this by allowing certain activities to be undertaken as a permitted activity under a regional plan, often with appropriate conditions, or by the issue of a resource consent. In some regions resource consents have special conditions attached relating to stream flows, requiring users to restrict or cease use once stream low-flow thresholds have been passed, however no consents in the Bay of Plenty have conditions of this type.

However, the RMA provides a specific statutory tool for Regional Councils to use when there is a serious drought situation and where stream water flows are much lower than normal or groundwater levels are in decline.

Section 329 enables Councils to issue a water shortage direction to water users stopping or restricting the abstraction of water regardless of whether they are operating under a consent or utilising the Council's Permitted Activity rules.

The section gives Council the capacity to "apportion, restrict or suspend" the take and/or use of water in order to meet its management responsibilities. Therefore Council's direction can be very broad, so that all water resources and users are covered or very specific narrowing down to a water resource type, area or even part of a waterbody (see Appendix 1 for section 329 in full).

Further, the Bay of Plenty Regional Natural Resources Plan contains direction in the form of Policy 80 which states:

"To use appropriate measures to restrict the take and use of water during hydrologic or meteorological drought events to ensure the instream minimum flow requirement is not breached as a result of abstraction, while recognising and providing for public health requirements."

Method 172 of the Plan also provides direction to manage water abstraction during drought/low flow events through issuing, where appropriate, water shortage directions under Section 329 of the Act to apportion, restrict or suspend water use.

4 Managing water shortages in the Bay of Plenty

Stream and river levels have never before been at a level low enough to require issuing water shortage directions in the Bay of Plenty. However, given the current low flows being recorded, and the minimum rainfall forecast, there is a risk that water shortage events will be experienced, and management intervention will be required.

Section 329 is couched in a way that provides considerable discretion to Council to "consider" when there is a serious temporary shortage of water in all (or part) of the region. The Act does not specify what parameters Council must use to determine that a water shortage situation exists, however markers such as sustained lower monthly rainfall, stream flows below a 1 in 5 year low flow level, and risks to instream biota are likely to be important.

Staff have prepared a three level response Standard Operating Procedure for managing water shortages in the future. This Procedure is provided in Appendix 2. In summary:

Level 1: Normal water resource use, where flows are adequate but rainfall is low/absent and close monitoring is required.

Level 2: Impending water shortage, where flow is receding and in the absence of a significant rainfall event, flows will reach critical levels. Additional monitoring is required, and communications of possible restrictions commence.

Level 3: Water shortage event, where flows have receded to the point where there is serious risk to maintaining the life supporting capacity of the water resource. Water shortage direction to apportion, restrict or suspend water use is issued.

4.1 Considerations for issuing water shortage directions

It is essential that Regional Council considers the cultural, social and economic implications of both issuing a direction and also the implications of deciding not to issue a direction as they are potentially significant either way.

Apportioning, restricting or suspending water use will have economic and social impacts, particularly for the horticulture and agriculture industries which may already be impacted by drought conditions. There may be loss of crops, reduced productivity, cost of supplementary feed for livestock.

Alternatively, continued water use when flows are so low that the life supporting capacity of streams and rivers is at risk, will have cultural and environmental impacts.

In any case, water directions are not intended to restrict use in the long term, and are for emergency use only.

There is a need for Regional Council to act in a consistent and fair manner across all water resource users during a water shortage event. To achieve this it is important that all relevant information is available in a coherent manner and that a clear management structure and well defined areas of responsibility are established within the Council prior to a water shortage event.

Further, Council has a responsibility to ensure that those parties who have gone through the correct process and obtained consent are not disadvantaged by parties without authorisation who illegally take water to irrigate crops or pasture in times of water shortage.

4.2 Delegations for issuing water shortage directions

Section 329 empowers "Council" to make a water shortage direction which, in the absence of a delegation down to the Chief Executive, means there would need to be a Full Council meeting for any decision to be made, every time a decision is required.

This paper is recommending that Council delegates the decision to the Chief Executive, given the rapidly evolving nature of water shortage events and the need to be agile and responsive to drought events.

Further, the effects of global warming and consequent climate change have predicted more frequent and more extreme weather events for the Bay of Plenty, such as droughts and floods. The likelihood of water shortage events increases each year, and Regional Council needs a responsive framework in place for managing use during these times.

As per the Standard Operating Procedure (Appendix 2) a clear decision making process has been proposed, and Councillors will be kept up to date throughout the three levels of response.

4.3 Regional Council functions during a water shortage event

The primary functions of the Council during a water shortage event will be to:

- (a) measure and record rainfall, stream flows, and groundwater levels to maintain hydrological records;
- (b) monitor the recession of the region's water resources;

- (c) using available hydrologic data to provide early warning to water users and the general public of possible water restrictions;
- (d) liaise with and advise iwi, resource consent holders, territorial authorities, industry groups and other water resource users of restrictions to water resource use either specified by resource consent conditions or, if the Council considers it necessary, by the issue of a water shortage direction under Section 329 of the RMA;
- (e) monitor for compliance with any restrictions that may be in place and where necessary take enforcement actions; and
- (f) advise users when normal use of water resources can resume.

Experience from other regions indicates that a Water Shortage Event Manager should be appointed to manage the event under a standard Civil Defence CIMS response model. Responsibilities of this role are outlined in Appendix 3.

5 Implications for Māori

Tangata whenua have unique relationships with freshwater bodies in their rohe. The National Policy Statement for Freshwater and in particular Part D (Te Mana o Te Wai) requires councils to involve iwi/hapū in the management of Freshwater, work with them to identify their values and interests, and reflect those values and interests in decision-making. Therefore when considering issuing a water shortage direction Council must have regard to the cultural effects of low river flows on tangata whenua.

Maintaining cultural flows will be an important determinant of when a water shortage direction might be necessary. Currently, we have little understanding of what cultural flows might be in a natural drought situation in the Bay of Plenty. Therefore our approach must be to combine all of the information that we can get, engage with tangata whenua about their values and concerns and make decisions that protect cultural and environmental flows.

It is also noted that tangata whenua are also landowners who take and use water. Any restriction or suspension of this allocation through a water shortage direction will have economic and social implications for them.

6 Budget Implications

6.1 Current and future budget implications

Implementing the Standard Operating Procedure at Appendix 2, appointing an Event Manager, and issuing water shortage directions can all be delivered through existing budgets. However, it will require deploying existing staff which will affect the delivery of business as usual for a short time. This includes staff from the Data Services, Compliance, Consents and Policy teams. It is very unlikely this will affect delivery of Annual or Long Term Plans given the short term nature of water shortage events.

7 Community Outcomes

This work directly contributes to the Healthy Environment, Freshwater for Life and Safe and Resilient Communities Community Outcomes in the Council's Long Term Plan 2018-2028.

Eddie Grogan
Principal Regulatory Advisor

for General Manager, Regulatory Services

4 March 2020

APPENDIX 1

Section 329 Water Shortage Direction

Section 329 Water Shortage Direction

- 1) Where a regional council considers that at any time there is a serious temporary shortage of water in its region or any part of its region, the regional council may issue a direction for either or both of the following:
 - a) that the taking, use, damming, or diversion of water:
 - b) that the discharge of any contaminant into water,— is to be apportioned, restricted, or suspended to the extent and in the manner set out in the direction.
- 2) A direction may relate to any specified water, to water in any specified area, or to water in any specified water body.
- 3) A direction may not last for more than 14 days but may be amended, revoked, or renewed by the regional council by a subsequent direction.
- 4) A direction comes into force on its issue and continues in force until it expires or is revoked.
- 5) A direction may be issued by any means the regional council thinks appropriate, but notice of the particulars of the direction shall be given to all persons required to apportion, restrict, or suspend—
 - a) the taking, use, damming, or diversion of water; or
 - b) the discharge of any contaminant into water,— as far as they can be ascertained, as soon as practicable after its issue.
- 6) For the purpose of this section, notice may be given to a person by serving it on the person or by publishing the notice in 1 or more daily newspapers circulating in the area where the person takes, uses, dams, or diverts the water, or discharges a contaminant into water.

APPENDIX 2

Description of the Three Level Response Standard Operating Procedure

Description of the Three Level Response Standard Operating Procedure

Level 1 – Normal water resource use

At Level 1 Council stream monitoring information shows that while rainfall has been low or absent, stream flows are adequate and normal use of water resources can continue.

Continuous representative monitoring of the water resources is undertaken through the operation of the Council's automated flow monitoring network supplemented by physical flow measurements undertaken by staff. The ability to place automated alarm levels on the sites within the Council's automated flow monitoring network to support a Water Shortage Direction is practical once suitable limits and criteria have been defined.

Monitoring of stream flow recessions and interpretation and assessment of weather forecasts and longer term climate predictions can be made within our current system but would be *ad hoc*. This information would enable the onset of a water shortage event to be identified and predictions of stream flow recession to be made. This will be the responsibility of the Data Services Team in Council.

The required outcome of monitoring is to provide adequate warning of the onset of low flow conditions. When it is predicted that, in the absence of a significant rainfall event, the stream flows will reach low levels of concern in one week, the situation is elevated to a Status 2 level.

Primary roles during Level 1 water shortage event:

- Low-flow gauging and telemetry system maintenance - Data Services.
- Development of an up-to-date database of resource consent holders that may be affected - Consents.
- Identification of other water users (PA's, S14 and unauthorised) - Compliance
- Interpretation and assessment of stream flow recessions/ground water reduction, weather forecasts and longer-term climate predictions - Data Services.
- Stream flow recession/ground water reduction forecasting. Specific assessment as to when and where stream flows will reach critical levels - Data Services.
- Development of a Communications Plan to all relevant stakeholders - Communications.
- Engagement with iwi about the potential for restrictions to be imposed – Communications.
- Science assessment of the adverse environmental effects of low stream flows on biota - Science.
- Situation reports. Regular updates on progress of the extent and magnitude of the current situation to the Water Shortage Event Manager. To be undertaken by all contributing sections nominally weekly but as circumstances demand.

Level 2 – Impending water shortage

A Level 2 Water Shortage Event is when stream flow is receding, and in the absence of a significant rainfall event intervening, stream flows will shortly reach critical levels.

The Water Shortage Event Manager is appointed and co-ordinates the notification of specific water resource users of possible restrictions and when they are expected to be required. The aim will be to give water resource users at least one week notice of possible water resource use restrictions. The form of notification will follow the Communications Plan developed at Level 1 and needs to include consented users, those relying on Permitted Activity plan provisions and those taking water without authorisation.

During this period additional monitoring shall be undertaken to refine and quantify the extent and magnitude of the water shortage event.

The water shortage event may vary in its magnitude across different parts of the region and different water bodies within areas. Therefore, not all water resource users will be affected at the same time or even to the same extent. Consequently, the exact nature of the response to a water shortage event will be specific to the particular event and this needs to be carefully articulated to water users and the public as identified in the communications plan. Clear documentation of all decision making is essential due to the potential for challenge by water users both during and after the event.

Specific interest groups such as Horticulture NZ, Zespri, grower groups and Federated Farmers should be advised of possible restrictions to water resource use as soon as practicable. Iwi and Hapu in affected areas should be notified early on to ensure they are aware of the need for the Direction. Notification of appropriate Council staff and interested or affected parties such as the TLA's, should also occur and finally the general public via the media.

Primary roles during Level 2 water shortage event:

- Sitreps - Regular updates on the extent and magnitude of the current situation - Data Services
- Interpretation and assessment of stream flow recessions, weather forecasts and longer term climate predictions. This is to enable predictions of stream flow recession to be made - Data Services
- Science assessment of the adverse environmental effects of low stream flows on biota and input to support the decision to restrict- Science.
- Notification of water resources users and other Hort/Ag organisations. The aim is to provide one week's warning of possible restrictions to water resource users as low stream flows recede - Compliance/Consents co-ordinated by the Water Shortage Event Manager.
- Engagement with iwi/hapu contacts – Water Shortage Event Manager
- Communications with general stakeholders - Comms
- The Chief Executive, GM, LT and Councillors are to be kept apprised of the situation as it develops - Water Shortage Event Manager

Level 3 – Water Shortage Event

A Level 3 level water shortage event is when the Council deems that stream flows have receded to the point where there is a serious risk to maintain the life supporting capacity of the water resource. In addition at this point often water resource users with a resource consent cannot get sufficient water to fulfill their reasonable water needs.

When the Council or officers under delegation consider that there is a serious temporary shortage of water they will issue a Water Shortage Direction under Section 329 of the RMA. The Direction will remain in place for up to 14 days (the maximum period allowed under S329) and will specify the water bodies affected and the limits in terms of abstraction that are to be complied with. However, the Water Shortage Direction may be amended, revoked, or renewed by the issue of a subsequent direction (or it is replaced after 14 days).

Typically for abstractive uses from streams, a minimum residual flow that must be maintained is specified and the user must manage their abstraction accordingly. Currently the instream residual flow used to define consent limits is 90 % of Q57d (the 1 in 5 year low flow calculated as a 7 day rolling average) which needs to be sustained to provide for aquatic biota.

In the absence of specific policy Council may seek to get water users together on a specific water body so that water sharing or rationing proposals can be developed. For this to occur all users need to be identified and unauthorised users need to be identified and prevented from taking water.

The desired residual stream flow may be achieved by options such as:

- Implementation of 'no use days' where water resource use is limited to prescribed days and alternating users;
- Rationing of water resource use in terms of maximum amounts; or
- Total restrictions to water resource use.

Many users claim to utilise the Council's Permitted Activity level of abstraction of 15 m³/day from a surface water body or 35 m³/day for groundwater. As such there is no requirement for them to register with the Council so we have little idea of how many there are, their locations, or how much water they are using. When water bodies have been identified for restrictions Council will need to put significant effort in to ensure all users in a catchment are identified and are aware of the requirements and consequences.

Resource consents for the discharge to water typically specify a minimum dilution and/or a maximum concentration of the particular contaminant in the receiving water that must not be exceeded. Consequently the discharge has to be managed accordingly when there are reduced flow conditions and Council will need to ensure that discharges are managed appropriately in restricted catchments.

Compliance monitoring of all water users (resource consent holders and PA), is to be undertaken to ensure that the required restrictions on water resource use are adhered to. Good record keeping will be essential to ensure Council has the full range of enforcement tools available.

Monitoring of the event and forecasting of its extent and magnitude is to continue and the appropriateness of any restrictions in place reviewed daily by the Water Shortage Manager (in conjunction with the Data Services/Science Managers)

At this time it may also be appropriate for the Council to take a coordination/facilitation role and form or assist in the formation of a drought committee with other local authorities and farm industry leaders. The Ministry of Agriculture and Forestry has prepared guidance material on this for local communities.

Council planning documents do not have a specific hierarchy in terms of users, however it is a generally accepted principle that Human Drinking Water supplies should be highest priority followed by stock drinking water.

Primary roles during Level 3 water shortage event:

- Situation reports. Regular updates on the extent and magnitude of the current situation - Data Services
- Stream flow and ground water level recession forecasting. Specific advice as to when and where stream flows will require further sanctions or where the WSD can be revoked - Data Services/Science
- Iwi liaison – Water Shortage Event Coordinator
- Water user and wider community engagement - Comms in conjunction with the Water Shortage Event Manager
- Implementation of a water shortage direction under Section 329 of the RMA - Water Shortage Event Manager
- Compliance monitoring and appropriate enforcement of non compliant water resource users - Compliance/Consents
- Review of the water shortage direction and subsequent amendment, revocation, or renewal as necessary.
- Coordination/facilitation role and form or assist in the formation of a drought committee with other local authorities and farm industry leaders - Water Shortage Event Manager

Conclusion of the Event

We will know when we get enough rain to restore stream flows - hopefully not all at once.

Council or staff under delegation, revoke the Water Shortage Direction.

APPENDIX 3

Water Shortage Event Manager roles and responsibilities

Water Shortage Event Manager: roles and responsibilities

A Water Shortage Event Manager will be appointed to manage a water shortage event. Responsibilities of this position include:

- Co-ordination of the flow of information between the various sections of the Council involved in managing a water shortage event;
- Raising and lowering the status of a particular water shortage event;
- Public Information Management - Working with the Water Communications Advisor to develop a communications plan for effective communication with the media and outside organisations;
- Intelligence - Liaising with relevant iwi to ensure they are engaged and they can contribute to our knowledge about cultural impacts;
- Intelligence - Working with the Data Services manager using the combination of stream flow and rainfall information to determine Water Shortage Stage ;
- Intelligence - Working with the Science Manager to determine the effect of the low flow conditions on instream biota;
- Planning - Working with the Policy Manager to ensure the appropriate policy response is followed;
- Operations - Working with the Compliance Monitoring and Consents Manager to ensure restrictions to the use of water resources are appropriately applied; and
- Preparation of decision reports for Council regarding the declaration of a Water Shortage Direction;
- Ensuring that the GM - Regulatory Services, LT, CE, and relevant local politicians and Council as a whole are kept apprised of the situation as the water shortage situation progresses.

