TOPIC – Taking, Using, Damming and Diverting Water	TRMP Chapter 30

ISSUES

This chapter addresses three broad issues: 1. Water flows and levels, including for rivers, lakes, aquifers and wetlands; 2. Allocation of water between competing users; and 3. Water augmentation where there is insufficient freshwater to meet all demands.

Regulated minimum flows, allocation limits and rationing triggers have assisted partial achievement of the water flows and levels objective, however some Water Management Areas lack allocation regimes. The protection and restoration of flow levels in over-allocated FMUs is a requirement of the NPS-FM and is slowly being addressed through reduction of consented volumes, use of cease takes to protect minimum flows, and flow augmentation (including the Waimea Community Dam).

The provisions that encourage the use of dams to store water have been beneficial and the considerable number of dams in the District do augment the available water supply to a large degree, especially in drier areas. Nevertheless, this does not ensure there is always sufficient water, and waiting lists are used in some areas.

The Council has reserved water for future public water supply and Maori perpetual lease land. These aspects need review to incorporate growth demands and consideration of iwi water needs for returned settlement lands. A review of the bore rules is required to ensure protection of source water for drinking water supplies.

Wetland management under the TRMP is hampered by a lack of identification of wetlands for protection. In addition, rules do not encourage or promote wetland protection, enhancement or restoration.

Council's State of the Environment monitoring has only recently considered the effects of low water flows and levels on ecological values. Previous monitoring shows that the predominant impacts on instream, ecological and other values are not due to low water flows or levels, but rather a range of land use activities addressed through other parts of the TRMP. Nevertheless, there are localised incidents of streams and rivers running dry in drought conditions due to over-extraction e.g. Humphries Creek; and Waimea (in 2001). There are also numerous rivers in Tasman that go dry naturally due to their connections to groundwater (e.g. Takaka River and tributaries due to karst geology). In some cases extraction may have a small impact on the extent or frequency of this drying.

MANDATORY STATUTORY REQUIREMENTS

Council must implement the National Policy Statement for Freshwater Management (NPS-FM) including any amendments, and must ensure the Tasman Environment Plan (TEP) gives effect to Te Mana O Te Wai by placing the needs of water and ecosystem health as a first priority when managing freshwater. Other key national instruments that must also be implemented include the NZCPS and NPS for Renewable Energy Generation.

A new national environmental standard on Freshwater is anticipated in mid 2020 which Council will need to enforce, in addition to anticipated amendments of the NES for drinking water sources.

RECOMMENDATIONS

1. Implement relevant national instruments, including the NPS-FM, ensuring the TEP embeds Te Mana O Te Wai.
2. Update the values and uses of water in line with the NPS-FM and review how these are integrated across the freshwater chapters.
3. Improve the integrated management of waterbodies, including integration with district, regional and coastal chapters and holistic consideration of margin areas and their connected waters, incorporating ki uta ki tai, and having regard to climate change.
4. Better reflect the expectations and aspirations of iwi, including protection of sites of importance, such as culturally significant areas and valued mahinga kai (food gathering sites), and considering the water needs for settlement lands.
5. Strengthen the rules to require or incentivise restoration and enhancement of waterbodies through the resource consent process.
6. Provide provisions and clear rule cascades that further promote and enable off-stream dams for water storage, harvest of water during high flows, non-consumptive uses of water, including for renewable energy generation.
7. Complete wetland mapping and review provisions and rules to promote and enable wetland protection, restoration and creation.
8. Review the priority in time and activity status of consent renewals regarding conflicting views over perpetual water rights.
9. Review how water sharing can be further enabled.
10. Consider including an objective and related policies and rules aimed at protecting the public water supply from contamination; review the suitability of the permitted activity rule for bores and their potential to contaminate groundwater.

Provisions: extent of change