

**IN THE MATTER OF**

The Resource Management Act 1991

**AND**

**IN THE MATTER OF**

An application made to Hawke's Bay Regional Council (HBRC)

(Consent Authority)

**BY**

Tuki Tuki Awa Limited, Buchanan No. 2 Trust, Plantation Road Dairies Limited, Te Awahohonu Forest Trust, I and P Farming Limited, Springhill Dairies Partnership, Papawai Partnership and Purunui Trust

(Collectively, the Applicant)

For the hearing of various applications for resource consents associated with the taking and use of Tranche 2 Groundwater in the Tukituki catchment

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**MEMORANDUM 2 TO PARTICIPANTS**

**Supplementary s42A Officer's Report**

26 October 2022

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**INTRODUCTION**

- 1 This memorandum outlines why we have asked the Regional Council's Reporting Officer, Mr Paul Barrett, whether he would like to prepare a supplementary s42A RMA Officer's Report, which he has agreed would be helpful.
- 2 The hearing will take place in the week starting 14 November 2022. The Commissioners will undertake a site visit on Monday 14 November. The hearing will commence in Ahuriri on 15

November, with the second day (Wednesday 16) in Waipawa. The hearing will reconvene in Ahuriri on the 17<sup>th</sup> and, if necessary, 18<sup>th</sup> November.

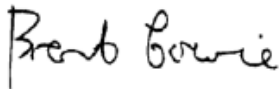
- 3 All parties to the hearing will be advised of the exact timetabling and venues by 31 October 2022.

#### **PROGRESS TO DATE**

- 4 Parties will recollect that the hearing was originally set down for the week starting 29 August 2022, but was deferred until November at the applicants' request. In accordance with the original timetable the Council Officer's s42A Report was circulated on 8 August 2022. It was accompanied by four supplementary reports prepared by experts from the consultancy Pattle Delamore Partners (PDP). These addressed potential effects of the applications including: those of the groundwater takes, such as on well interference; those on surface water quality and quantity and associated effects on stream ecology; and those of land use change, such as on groundwater quality. Significant concerns were also raised about the reliability of the applicants' groundwater modelling.
- 5 In our first memorandum dated 22 September 2022 we directed that expert conferencing take place between representatives of the applicant, and the experts from PDP who had prepared supplementary reports.
- 6 Three such expert conferences have now been held, and their results have been reported via Joint Witness Statements. They were on:
  - a. Groundwater modelling, where there was full agreement that the updated model prepared by Aqualinc Consulting for the Applicant was fit for purpose. This means we can rely on the outputs of the model to assess the effects of the applications on the Ruataniwha groundwater resource.
  - b. The effects of the applications on surface water ecology. Here there was some agreement between the experts, but certainly not full agreement as uncertainties still exist. Importantly, it was agreed that the applications would not adversely affect any "natural wetlands".
  - c. The effects of the applications on potential interference with other bores close to the proposed points of groundwater take. Again, some agreement was reached, but several issues remain in dispute.

## UPDATED OFFICER'S REPORT

- 7 In his original s42A report Mr Barrett had relied on the expert assessments from PDP. Given the extent of agreement in the Joint Witness Statements, parts of those assessments prepared in early August no longer stand. Given this, we thought it appropriate to ask Mr Barrett if he wanted the opportunity to provide a short supplementary officer's report, which he agreed would be helpful. We contacted the applicants' legal counsel, Mr Bal Matheson, and he supported our suggestion.
- 8 Mr Barrett is busy, and has asked that his supplementary report be prepared and circulated no later than **midday on Friday 4 November 2022**. He has told us he will try to do it earlier if possible. What it contains, and what if any changes are made to his recommendations, are entirely up to him.
- 9 If you have any questions about this minute, please contact Nadene Savage at the HBRC on 027 253 8259, who will confer with the commissioners as necessary.



Signed by Brent Cowie (Chair)  
on behalf of the Hearing Panel