

Before the Environment Court

ENV-201 6-WLG—000039

In the Matter of

of an appeal under s120 of the Resource Management Act 1991 of a decision of the Wellington Regional Council on an application for resource consent for the take and use of ground water at Ongaha, Martinborough

Between

ALAN JOHN BARTON
Appellant

And

WELLINGTON REGIONAL COUNCIL
Respondent

Supplementary Statement of Evidence of

Jon Williamson

On behalf of AJ Barton (Ongaha Farms)

Dated: 20/11/2017

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1. The purpose of this supplementary statement is to clarify the position that I have come to through the conferencing process and to suggest some further refinement in order to achieve more certainty and avoid possible confusion with the way I understand that Schedule P is intended to operate.
2. The view of the experts as expressed clearly in the JWS was that low flow restrictions on groundwater takes in the new Category B sub zone in the Lower Ruamahanga will not provide any significant benefit to the river because only relatively small reductions in river depletion (from groundwater pumping in that zone) will occur over a long period of time after the restrictions are imposed.
3. This is the logical conclusion of all of the additional modelling that has now been done. The extent of disconnection of the takes in the new (Category B) sub zone is such that low flow restrictions will not improve the flow in the river significantly during that irrigation season.
4. In respect of new takes (new bores) in the new sub zone (Category B) there is no real need for discretion because the boundary demarcation line has been determined on the basis of selection from a range of modelling scenarios that presented a spectrum in results with differing levels of conservatism.
5. Furthermore:
 - (a) the fact that the experts considered takes with impact of only less than 60% in this new Category B sub zone, noting that High Connection (Category B) groundwater, which is for groundwater takes with river depletion effects greater than 60%, were not considered as part of this new sub zone. Therefore, all new takes within the new Category B sub zone will conform to the hydrogeological model – being so conservative.
 - (b) Furthermore, the reason the experts agreed to the vertical delineation of a shallow (<10 m) Category A zone above the new Category B zone was to ensure that any shallower bores with more direct impacts on the river could be accounted for in totality in the surface water allocation and subject to the same low flow restrictions.
6. I understand that GWRC's desire to maintain flexibility is also partly because they do not have confidence in the mapping for Category B zones. This

became evident only recently and was a surprise to me given what has been maintained to-date by GWRC e.g. in paragraph 177 on page 52 of Paula Hammond's evidence she states *"There is enough certainty at a catchment and sub catchment level to have confidence in the mapped groundwater categories."*

7. Furthermore, the desire to maintain flexibility is in fact provided for through Schedule P Re-classification, which could work both ways i.e. to assist Council or an applicant,- although I would like to see this improved as detailed at length in my evidence in chief from paragraph 84.
8. I think we are all in agreement that for Category B takes Schedule P is complicated and confusing in its present form - see paragraph 183 of Paula Hammond's evidence, where she says *"I do, however, consider that Schedule P is complicated and confusing, particularly for Category B takes"*.
9. In my opinion, the modelling work has demonstrated from an effects perspective that Schedule P could be simplified as follows and as shown in the table below:
 - (a) Removing the plus and minus divisions within in Category B;
 - (b) High Connection (Category B) Groundwater be redefined as groundwater takes with >60% river depletion effect;
 - (c) Relabelling Moderate Connection (Category B) Groundwater as Moderate Connection (Category C) Groundwater and by adding the following wording with regards to restrictions as per the Panning JWS for those takes that exceed the 10 L/s river depletion threshold:
 - (i) A bore with a stream depletion effect of less than 60% but greater than 10 L/sec may be subject to restrictions outlined in Policy P115 and Schedule R where the cumulative Category C stream depletion effect attributed to the local surface water body exceeds 10% of natural 7d MALF;
 - (d) Relabelling Category C Groundwater as Category D Groundwater.
10. The provision above in 9(c)(i) is proposed as a safety net for river depletion effects from large groundwater takes in catchments with small rivers or

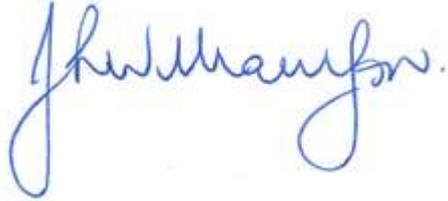
streams, where the magnitude of effect potentially represents a significant portion of the river low flow.

11. Having reflected on this over the weekend, it is my opinion, where we ended up last week is actually sub-optimal and there remains considerable ambiguity between labelling (i.e. category names) and what is the right thing to do from an effects and efficiency of resource use perspective, versus what is currently proposed from a planning perspective. I put this down to insufficient time for the hydrogeological experts and planners to consider the implications and outcomes of the suggested changes that were being discussed.
12. My further refined Schedule P table would, therefore, read as follows:

| Groundwater Category | Stream Depletion effect | Allocation | Restrictions at Minimum Flow |
|--|--------------------------------|-------------------------------|--|
| Direct connection (Category A) groundwater | Direct | Surface water | 50% restriction at minimum flow |
| High connection (Category B) groundwater | Greater than 60% | Surface water and groundwater | 0-50% restriction at minimum flow |
| Moderate connection (Category C) groundwater | Less than 60% | Surface water and groundwater | No restrictions generally, except for those takes where the river depletion effect is greater than 10 L/s and where the cumulative Category B and C groundwater stream depletion effect attributed to the local surface water body exceeds 10% of natural 7d MALF. To those bores where restrictions apply, the level of restriction may be between 0-50%. |
| Category D | Low | Groundwater | No restrictions |

13. In my opinion this approach has less scope for uncertainty in what is acknowledged to be a complex issue.
14. I have to say that I am still unclear how existing takes (on which all the modelling is based) will be distinguished from new applications for new bores not previously identified in the allocation process and I think that there needs to be some more clarity around that. I know that new applications for new bores has been an issue for Ms Hammond. I assume that there will be some method for prioritising the renewal of existing takes over any fresh applications for new takes from new bores not previously provided for in the allocation process, but I am unsure what is proposed. The important thing here is successful integration with Schedule P so that no ambiguity arises.

15. Finally, I am still of the view that the reclassification process needs more work than we have had time for.

A handwritten signature in blue ink, reading "Jon Williamson". The signature is written in a cursive style with a large initial 'J' and a trailing flourish.

Jon Williamson
20 November 2017