

WHAITUA KĀPITI ADVISORY COMMITTEE MINUTES 28 FEBRUARY 2024

The Whaitua Kāpiti Committee was convened for its 14th hui at 9.30 A.M on 28 February 2024, at Southward Car Museum, 250 Otaihanga Rd, Paraparaumu.

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ATTENDEES

Committee members present

Mana Whenua Whare	Facilitator	Kāwanatanga Whare
Dr. Aroha Spinks, Ngā Hapū o Ōtaki	Dr. Kathie Irwin (Kathie Irwin & Associates)	Jenny Rowan, Kāpiti Coast community representative
Caleb Royal, Ngā Hapū o Ōtaki		Jocelyn Prvanov, Kāpiti Coast District Councillor
Naomi Solomon, Ngāti Toa Rangatira (<i>online</i>)		Kerry Walker, Kāpiti Coast community representative
Sharlene Maoate-Davis, Ātiawa ki Whakarongotai Charitable Trust		Pātaka Moore, Kāpiti Coast community representative
Shane Parata, Ngāti Toa Rangatira		Penny Gaylor, Greater Wellington Regional Councillor

Special Guest

Dr. Russell Death – Professor of Freshwater Ecology (until 12:30pm)

Apologies

Monique Leith, Kāpiti Coast community representative, Kāwanatanga Whare

Kaimahi present

Mana Whenua Whare	Role and responsibility
Claire Gibb, Ātiawa ki Whakarongotai Charitable Trust	Mana Whenua Whare Co-ordinator
Torrey McDonnell, Contractor (Incite)	WIP/RMA Section 32 writer

Kāwanatanga Whare	Role and responsibility
Chloë Nannestad, Greater Wellington Regional Council (GWRC)	Policy Advisor, supporting policy development for WIP and plan change
Helli Ward, GWRC	Senior Advisor Evaluation and Insights, western science co-ordination and communication.
Brent King, GWRC (<i>online</i>)	Team Leader, Evaluation and Insights
Phill Barker, GWRC	Senior Catchment Advisor, programme plan, delivery and capturing meeting actions
Rita O'Brien, KCDC	Stormwater & Coastal Engineer, KCDC lead on Whaitua Kāpiti project
Tim Stoddart (<i>online</i>), Contractor (Incite)	Senior Planner to advise on plan change aspects; support drafting WIP/RMA section 32 and plan provisions for Kāwanatanga whare
Simon Scott, KCDC (<i>online</i>)	Senior Strategic Advisor for Strategy and Growth and has been tasked with developing an Environmental Strategy
Ben Thompson, KCDC	Water Conservation and Trade Waste Officer
Rachel Pawson, GWRC	Senior Policy Advisor
Claire Rewi, GWRC	Mana whenua partnerships manager (morning only)
Whāia te kikorangi Caton, GWRC	Catchment Advisor, meeting logistics
Nalini Singh, GWRC	Catchment Business Planner, minute-taker

DRAFT AGENDA

The following was the draft agenda set by the Whaitua Committee. Refer to minutes for updated order of events.

9:00am – Gather at venue, tea and coffee.

9:30 am – Start

1. Kārakia, Mihi and Welcome
2. *Revised Recommendations Review*
Review and amend draft WIP recommendations as in the paper ‘Briefing on Whaitua Kāpiti Recommendations’.
Confirm proposed groundwater recommendation planned to be addressed by Taurite.
Alternatively, full Tiriti Whare could address this.

10:45am Morning Tea (15 mins)

3. *Mahinga kai attributes and targets*
Review and decide proposals in the Mana Whenua Whare briefing paper on Mahinga Kai Attributes and Targets

12:30pm Lunch (30 mins)

4. *Monitoring sites for target attribute states*
Review briefing paper on mahinga kai for implication on monitoring and previously shared GW paper on ‘Identifying Sites for Setting Target Attribute States’. Decide on recommendations for sites for monitoring target attribute states.

3:00pm Afternoon tea (15 mins)

5. *Water Quantity Settings (part 1)*
Consider decisions for water allocation policy and water flows and establish the views and principles of the Tiriti Whare on this large topic. Half-day session at March hui intended for shared decisions.
Three papers were supplied on the water quantity topic in 2023. An additional policy advice paper was prepared for the February 2024 meeting (i.e. this meeting).
6. Next steps, agendas and agreements
7. Closing and Karakia

4:30pm – Karakia, Finish and Depart. Kaimahi pack down.

Notes:

- 1) The set time for individual Whare caucus and feedback time post-lunch was removed from this agenda at the facilitator’s suggestion, due to the nature of the substantial topics allowing to instead stay together in wānanga mode progress the kōrero needed on multiple topics. This still left the Caucus option open to be activated when appropriate to the point reached on the topic at hand.
- 2) Minutes and logistical administration were to be circulated for approval following the meeting. The Taurite would notify edits or confirm approval of the minutes by email back to Kathie and Whāia. Approved minutes, reports and presentations will be uploaded to the Whaitua website and Committee SharePoint site.
- 3) No further policy templates for decisions at this stage with the focus now on the modelling as a decision-making framework, management recommendations and target setting.

MINUTES

INTRODUCTIONS, WELCOME AND LOGISTICAL MATTERS 9:30am-10am

- 1 Following a karakia and welcome from the Chair, all attendees introduced themselves as there were a number of new people in the room. The Whaitua Kāpiti Committee (hereafter: the Committee) thanked the facilitator and Caleb Royal for picking up the Taurite role from Dr. Mahina-a-rangi Baker. The Committee acknowledged the journey to date and reiterated their desire to keep up the momentum. Dr. Russell Death noted that he had been working on freshwater Kaupapa for over 30 years and that the Committee was the “most collaborative group [he had] ever worked with” and was “the sort of thing that everyone talks about happening, but rarely ever happens.” Dr. Death congratulated the group for their mahi to date.
- 2 The Facilitator noted that an email had been sent the previous evening to the Taurite and GWRC regarding the next Tiriti Whare hui date. When Te Ātiawa ki Whakarongotai had stated that they were not available for the March 27 meeting, this should have halted further consideration of the 27 March meeting. The Facilitator requested the Committee consider 20 March as a possibility and emphasised that venue consideration should ensure that there was sufficient capacity for the Mana Whenua Whare and the Kāwanatanga Whare members, and that others could join online.
- 3 Kaimahi noted that the date was acceptable but that this may affect the quality of the briefings that needed to be provided in advance on the next meeting as it would constrain the time available to draft these products. Kaimahi suggested time would be needed to consult internally, and also requested assistance in locating an appropriate venue. The Facilitator suggested Ōtaki as meeting venue (i.e. the conference room at Holiday Park). The Facilitator would check regarding IT capabilities. There was also Te Wānanga o Raukawa across the road, which could be another possibility. KCDC Council Chambers was another possibility for the venue. Kāwanatanga Whare noted that they already had a caucus session booked for the 18 March, and the Mana Whenua Whare agreed they would also book a caucus session for the same date. Kaimahi noted that another consideration was transcription services.

Agreed: to shift the next Whaitua Kāpiti Committee meeting to 20 March 2024.

Action: kaimahi would work with the Committee to locate a suitable venue for 20 March 2024.

- 4 The Committee agreed to revise the agenda to the following order of items for discussion:
 - a. Mahinga Kai
 - b. Monitoring sites – target attribute sites
 - c. Review of WIP recommendations
 - d. Water quantity settings

MAHINGA KAI ATTRIBUTES AND TARGETS 10am – 10:37am

Tuna abundance and condition

- 5 The Mana Whenua Whare suggested an amendment to the tuna condition measure from what had been originally proposed in the Mahinga Kai paper presented to the Committee, *Mahinga Kai discussion paper for Whaitua Kāpiti Committee meeting 12 February 2024*. The suggested measure in the discussion paper had been intended for shortfin tuna (at least 4 edible tuna in good condition 700g and over, and 600g in the Waiorongomai FMU). The Mana Whenua Whare suggested that longfin tuna also be included in the measure. For this, a weight of 1.5kg would be more appropriate as it was a bigger tuna. Dr. Russell Death enquired as to the considerations that informed this value. The Mana Whenua Whare clarified that this was a suitable size for eating (once filleted) and that the measure therefore better reflected mahinga kai values. In their experience, iwi would concur with this figure also. The data would be skewed if only the 700g value was retained as this related to shortfin tuna.
- 6 Dr. Death enquired if this would change the 18 sites that were suitable for mahinga kai collection. Mana Whenua Whare clarified it would not, as the measure was binary (achieve/does not achieve) and different species occur across different sites. They further clarified that the target measure could be a combination of 2 longfin eels over 1.5kg plus 2 shortfin eels over 700g, or 4 big longfins, or 4 big shortfin eels. The monitoring for this would be done across the full Whaitua and all mahinga kai monitoring sites.
- 7 Dr. Death noted that there was uncertainty in the model around what factors were likely to influence catch. Dr. Death had included land use, HQI, and QMCI as influencing the food sources for tuna. The Mana Whenua Whare said that proximity to the coast could also be considered as Dr. Mike Joy had suggested. Dr. Death noted that this was not a good variable as it was unlikely to be something that could be changed, and all sites that had been identified for monitoring were close to the sea in any case. The Mana Whenua Whare agreed, further noting that Greater Wellington Regional Council's monitoring sites also tended to be located lower down in the catchment.
- 8 The Kāwanatanga Whare enquired if there was a baseline weight for the tuna at present. The Mana Whenua Whare clarified that 600g/700g and 1.5g were target weights [i.e. not baseline].
- 9 The Kāwanatanga Whare enquired if there were any other species besides tuna that were indicator species. Were tuna sufficient to show changes in water quality based on their size and abundance? The Mana Whenua Whare noted that tuna would be the most common mahinga kai species and that iwi would generally agree. The suggestion for including tuna (and not other species) had also factored in practicality. The Mana Whenua Whare noted that tuna longevity was also important, in addition to size/weight and abundance. While tuna were seasonal, they were not as seasonal as inanga.

- 10 The Mana Whenua Whare noted that the other two species that had been considered were inanga and watercress. Tuna were probably best for suitability as indicators for the quality of the water and for mahinga kai. Dr. Death pointed out that there were other measures the Committee already had available such as the Index of Biotic Integrity (IBI), which was the Ministry for the Environment (MfE) measure for the quality of freshwater fish. The presence of harvestable tuna was an indicator of one aspect of mahinga kai, and other things would be captured in the IBI. The Mana Whenua Whare noted that good quality tuna also relied on other species of fish being present beneath them in trophic chain. Tuna could survive in poor conditions too, but this would be reflected in their weight, and their health was indicative of the health of the whole ecosystem.

Agreed: The Committee agreed to include longfin tuna over 1.5kg as part of the tuna condition measure for mahinga kai.

Mahinga Kai Culture Aggregate Attribute

- 11 The Mana Whenua Whare noted that they had had a discussion around the mahinga kai cultural attribute, which had three aspects: a) intergenerational knowledge transfer, b) environmental distress, and c) connection to mahinga kai. They had discussed the importance of the social parameter, and capturing how people interact with and value waterways. They had also discussed if this attribute would be measured for the whole community or just iwi, and whether iwi would be monitoring that aspect as well. There were a number of people in the community engaging in mahinga kai and building a connection with the water (which related to (c)).
- 12 The Kāwanatanga Whare noted that the whole community wanted similar things. Most people fishing in the Waikanae and living near it felt connected to the awa. The Mana Whenua Whare noted that being inclusive of the whole of the community would strengthen the [importance of, and perhaps the acceptance and validity of] the indicator. Mahinga kai was after all a national policy attribute in the NPS-FM.
- 13 Kaimahi drew attention to the draft WIP recommendations. Recommendation 8 concerned intergenerational healing and connection, which was related to the present discussion around the mahinga kai culture aggregate attribute. The Mana Whenua Whare noted that Waikanae Ki Uta Ki Tai (WKUKT) was an interagency project with mana whenua, involving Department of Conservation (DOC), GWRC, and KCDC, and based around reconnection to te taiao. Some of the types of projects it had spurred included the waiora rongoā work, which was about people healing themselves through and with the awa. The Mana Whenua Whare emphasised recommendation 8 was an example of a WIP recommendation that had come directly out of the WKUKT work. Nga Tai Kōrero project in WKUKT related to engaging the community. The Mana Whenua Whare said that WKUKT could provide more information to the rest of the Committee on this, which could also support thinking around a communications strategy. A significant amount of thinking had informed WKUKT, which could be relevant to the WIP, particularly on how communities could be brought into the work.

Action: Committee to confirm what further information it requires on Waikanae Ki Uta Ki Tai in the context of mahinga kai culture aggregate attributes, a communications strategy, and to support broader WIP recommendation development.

- 14 The Committee returned to the topic of whether or not the wider community should be included in the mahinga kai culture aggregate attribute measure. The Mana Whenua Whare noted that the discussion paper had been originally drafted with iwi values in mind and that while it would be challenging to include the full community in this, the wairua attribute related to connection, and that all people's connection to the water sat "in the heart." From a social science perspective, it was important that all the community were included in this. The Mana Whenua Whare could see how it would work in terms of having iwi monitoring mahinga kai, having wānanga and hui at different seasonal times, and the value of having community input into all of this also.
- 15 Dr. Death raised a concern that, were there a resource consent issue, it may lead to the cultural value of the awa being degraded. The narrative explanation may not stand up against dollar values or numbers in resource consent hearings. The Facilitator emphasised that mātauranga was not merely a "narrative" but had epistemological weight. Mātauranga was a science, and therefore it was important to record that the narrative was about the science.
- 16 The Mana Whenua Whare also raised the importance of maintaining the integrity of tikanga when it came to mahinga kai practices. The wider community, while they shared certain values with Māori around connecting with the awa, would not necessarily be in a position to engage in mahinga kai with regard to the appropriate tikanga. While the aggregate attribute could be inclusive of all community, there was nonetheless an element specific to Māori. Making certain values being inclusive of everyone and everything risked diluting the value of the tikanga that surrounded mahinga kai practices. The Mana Whenua Whare also noted that mahinga kai was not usually practiced not to feed oneself but to feed others. Dr. Death noted that while Pākehā did have similar values, Pākehā did not usually see the awa as a tupuna. The Facilitator noted that there was a clash of knowledge systems, and they were "fundamentally different."
- 17 Moreover, a concern was raised by the Mana Whenua Whare that if there were a single mahinga kai culture aggregate attribute, and it were to include all the community, then presumably it would be monitored by the Council, which may mean Māori communities may not be captured. This would defeat the purpose of this attribute.
- 18 Dr. Death was challenged by the mahinga kai cultural aggregate attribute in the model. Most things that affected iwi connection with the water were socio-economic, not land use/QMCI, IBI etc. He enquired as to which socio-economic factors could be managed and put in the model. The Mana Whenua Whare agreed that it was important to understand this
- 19 The Kāwanatanga Whare noted that they had fully accepted mātauranga Māori, and that this would be reflected in a strong statement in the WIP that the Committee respected both forms of knowledge. The Kāwanatanga Whare also expected that justification for mahinga kai attributes would be articulated strongly in the WIP, including a clear historical context that would be able to support court hearings. The language needed to be strong and

respectful to convey that “we sat here as a group from our communities acknowledging both sets of knowledge.” Where the rubber would hit the road would be during resource consent processes. Dr. Death noted that even if the WIP strongly advocated for mātauranga Māori and tikanga Māori, it would be important to ensure this was not lost during drafting of Plan Changes by Council, where it appeared that it was much more challenging to ensure that mātauranga Māori was recognised.

- 20 There was an additional comment from the Mana Whenua Whare that inanga were another indicator that may make the mahinga kai measures inclusive of the wider community (given community values around whitebait), but also noted that this was captured in other existing indicators already.
- 21 The Facilitator emphasised the importance of the beginning of the WIP being clear for readers on what to expect, explaining the model and the use of different scientific processes (e.g., mātauranga Māori and Western science). This process would not yield a separate WIP report and separate Māori report as in other Whaitua. The Committee agreed that given the discussions prior, mahinga kai needed to relate to mana whenua specifically. The Committee further agreed that this may mean that a different social measure needed to be created somewhere else in the WIP for other social monitoring for community connection to te taiao and values around ‘mahinga kai’ as it related to the wider community.
- 22 A further concern was raised by the Committee that if Māori and Pākehā interpretations were different, it was unclear which would take precedence. The Mana Whenua Whare noted that the WKUKT agreed on a set of solid values, and these were the things that people referred to when having a discussion on different interpretations. It was important to always go back to the values that underpinned the decisions and therefore underpinned behaviour. Dr. Death reiterated that while there was similarity of values within Te Ao Pākehā and Te Ao Māori, there were also marked differences. The Mana Whenua Whare concurred – there was a desire for kotahitanga, but it came with a risk that mana whenua might lose what they had fought hard to get recognised in the legislation. This reiterated the importance of having a separate community cultural health monitoring measure.

Agreed: The Committee agreed to ensure that mahinga kai was drafted as an iwi expression in the WIP. The recommendations could outline a different social/cultural community aspect elsewhere (i.e. not in the mahinga kai section).

Campylobacter testing

- 23 The Mana Whenua Whare sought clarification on *Campylobacter* testing, which was another one of the attributes suggested to be measured under the mahinga kai attributes section of the discussion paper. The question concerned whether it was watercress that would be tested for *Campylobacter* or the water itself. Originally, there had been a desire to use watercress as this was an important food for Māori. Dr. Death suggested it was likely better to measure the water. The Mana Whenua Whare agreed, noting that there was no watercress available to be monitored in some sites. Dr. Death confirmed he had what he needed for this measure.

Glossary

- 24 The Mana Whenua Whare suggested that a glossary of key terms was needed. For example, the term 'expert opinion' was used on page 2 of the discussion paper, and it was unclear what this meant in practice. One person's interpretation of expert opinion could differ from another's. The Facilitator agreed that a glossary was needed to help define terms so that the mana of the mātauranga was clear i.e. what expertise looked like in different contexts.

Action: The Committee instructed kaimahi to create a glossary of key terms in the WIP.

MONITORING SITES FOR TARGET ATTRIBUTE STATES 10:37am-11:20am

Type of monitoring and potential relocation

- 25 The Mana Whenua Whare noted that last year it had originally put forward a map with a number of sub-Freshwater Management Units (sub-FMUs). The Mana Whenua Whare noted that there was a need for additional monitoring sites and potentially moving some sites to more appropriate locations. For example, the Waikanae site was east (upstream) of the expressway and did not pick up the Mazengarb and other identified waterways. This would mean that the major contributors of poor water quality coming into the Waikanae would not be captured. The Mana Whenua Whare suggested that a water sampling site closer to the Mazengarb and Waikanae River mouth, and that sites should generally be further downstream.
- 26 The Mana Whenua Whare also enquired about what types of monitoring occurred at the sites. The Committee noted that a memo had been shared which included where KCDC stormwater testing was conducted and a number of other GWRC monitoring sites. Kaimahi clarified that this only referred to the KCDC monitoring sites for MCI. KCDC noted that they had other monitoring sites as well which included water quality attributes such as dissolved oxygen (DO). The Mana Whenua Whare enquired whether all attributes were measured at every site, and if, in cases, monitoring was done at quite some distance (e.g. 100m) from the site, noting that for the present discussion, what was important was to identify sites and a technical level of detail could be covered later. Kaimahi noted that each attribute in the NPS-FM had a set methodology for monitoring, how monitoring was conducted, where, when, how frequently, and if it was site specific. For example, for fish IBI, monitoring was conducted in a stretch around the site.
- 27 The Mana Whenua Whare noted that it was important that saltwater did not influence monitoring sites. If sites were moved closer to the river mouth, how would saltwater influence the measurements? Another consideration was the accessibility of the site and presence of weeds (which made it difficult to access). For example, at the Sims Rd Bridge monitoring point, there may be too many weeds to clear to monitor easily. The Mana Whenua Whare enquired how far monitoring could be done from Sims Rd without moving into the estuarine area, and alternatively, if monitoring might occur 100m upstream and whether the site location was this flexible. There was a need to consider what suite of parameters were being measured at each site, and if there was flexibility to move the exact measuring point.

- 28 Dr. Death noted these were Western science measures, but mahinga kai measures were not specified anywhere in these. Kaimahi noted that mana whenua could create their own measures for monitoring mahinga kai, including flexibility as to site extent. The Committee noted that the present discussion concerned all attributes, which affected everybody, rather than just the mahinga kai monitoring sites.
- 29 Returning to the topic of monitoring sites and sub-FMUs, the Committee discussed further amendments to monitoring sites. The Mana Whenua Whare noted that GWRC sites were usually selected for ease of access, and representation of catchment. For mana whenua, it was more important to put sites in the right place to capture and understand the catchment, than ease of access. The Mana Whenua Whare suggested a number of changes:
- a. That in general, monitoring sites downstream of the current ones were needed, which affected all attributes.
 - b. *Lake Waitawa* was a sub-FMU, that needed to be managed separately as it was below all national bottom lines. This was a priority area needing attention. *Lake Waiorongomai* also needed monitoring. Neither lake was being monitored regularly.
 - c. The *Kōwhai* monitoring site was proposed to be at *Raukawa Road* which made sense as there was easy access to the *awa*.
 - d. *Waitohu* FMU: the Mana Whenua Whare suggested to kaimahi that the *Mangapouri* become a sub-FMU. A monitoring site was needed in lower *Mangapouri* as the current site at *Convent Road* did not pick up all the contaminants and it was one of the most polluted streams in *Wellington* region. Mana whenua could facilitate access to the *Ōtaki* Trust Board land.
 - e. *Ōtaki* catchment FMU: The current *Ōtaki* site was in the mainstem of the river which gave the appearance of water quality indicators being more favourable as the volume of water diluted the quantity pollutants coming in from the tributaries. It was important to look at tributaries which captured stormwater and farm runoff. Overall, *Ōtaki* FMU should have 3 additional monitoring sites on the following suggested tributaries: *Pāhiko* Stream, *Rangiuru* stream and *Waimanu* stream.
 - f. *Mangaone* Stream: it may be more helpful to monitor at *Pukenamu* drain (as it came into *Mangaone*). The *Pukenamu* drain would capture the significant *Te Hapua* wetlands and was a location of extensive dairy farming. It was important to understand where pollution and threats to human health came from.
 - g. Regarding combining the *Wharemauku*, *Wainui* and *Whareroa* as proxy indicators (i.e. using one as a proxy for the other) – the overwhelming response of mana whenua was opposition to this. Whilst catchments had similar characteristics, measuring one would not automatically explain what was occurring in the other. It was important to look at them as individual FMUs. Combining monitoring led to looking at these as 1 FMU.
 - h. *Kāpiti* FMU: *Ngāti Toa* would identify a site if one was needed for *Kāpiti* Island. If there were attributes below target values, work would need to be done, and therefore

monitoring would be useful. However, Ngāti Toa had concerns about Council monitoring staff visiting Kāpiti Island from a cultural perspective.

- 30 The Kāwanatanga Whare enquired as to what the complete picture of monitoring sites would be, if the sites suggested by the Mana Whenua Whare were combined on a map with those of GWRC and KCDC. Such a map should also include what attributes were being monitored at each site. The Kāwanatanga Whare also noted the importance of agreeing on a timeframe for when new sites would be activated (if there would be new sites), whether it could be done in 12 months and who would undertake the monitoring. The Committee noted that putting timeframes around sites was getting into the operational space and the key decision at hand was which sites should be selected.

Action: The Committee requested that monitoring sites be combined on one map to facilitate the Committee's consideration of all monitoring sites together (KCDC, GWRC and Mana Whenua Whare's proposed sites), including what indicating what was being measured at each site.

Investigations

- 31 Kaimahi noted that the present discussion concerned fixed monitoring sites. There was also a programme of work around individual investigations that happened periodically. The Committee may wish to discuss the scale of this and its implications. In other words, funding was invested into particular monitoring programmes that was not captured by the funding allocated to specific sites.
- 32 The Mana Whenua Whare requested that mana whenua be involved in these investigations. However, it was also noted that if sites were better selected, then mana whenua may not need to be involved. Kaimahi noted that the contractual model used was very Western and there were still questions around how to engage in that space without a transactional approach (i.e. "we contract you for a service, you deliver, you report to us on the deliverable"). The Facilitator noted that Kahungunu leaders had done research on kaupapa Māori contractual arrangements.

Action: Kaimahi to follow up with Facilitator on Kahungunu research on kaupapa Māori contractual arrangements.

Cost of monitoring

- 33 The Kāwanatanga Whare was concerned about the cost, given monitoring was expensive, and was not reassured given there had been some resistance to shifting monitoring sites 6-7 months prior. It also noted that even if the Committee agreed sites should be relocated, they wanted reassurance that it would actually be done (given the cost). It was also concerned that data should be shared, as there was some concern that it may not have been shared in the past. This was all the more important given the state of the waterways now, the urgency of the issues and community expectations. This consideration sat beyond the WIP.
- 34 The Kāwanatanga Whare noted that even if a site was shifted, reliable data may not be available for another few years. It may therefore be of value to keep some existing sites in

addition to new ones. That stated, some sites were not providing much useful information in any case, so it was important to consider whether it was worthwhile to continue investing in these sites. Dr. Death noted that mahinga kai monitoring could be done for a fraction of the cost and may be more useful.

- 35 The Mana Whenua Whare noted that Western science would also create information that was helpful to mana whenua. The Kāwanatanga Whare expressed that despite investing in monitoring over many years, waterways had gotten worse. It was important that monitoring led to changes in practice.
- 36 Regarding monitoring cost, the Mana Whenua Whare stated that mana whenua had strong interest in being engaged in monitoring. There was an understanding that GWRC needed monitoring to be done all in one day (Dr. Death noted that this depended on what was being monitored and why). If mana whenua were conducting monitoring, it could be managed differently. Recommendation 7 in the WIP concerned an MOU between mana whenua and GWRC, and transferring some monitoring to mana whenua could be part of this. The Committee also floated whether remote monitoring was potentially an option.
- 37 Kaimahi noted that GWRC was moving away from transactional to partnership models. With respect to kaupapa funding, GWRC was looking more at partnering. If iwi aspirations were to do more monitoring, then it would need to be ongoing and not one-off. The Kāwanatanga Whare raised two other concerns: 1) in giving mana whenua the monitoring mahi, the mana/status of that should not be dismissed inside consent discussions. The integrity of monitoring was key. Integrity of monitoring needed to be professionally supported by GWRC so it could inform statutory processes. It should stand in court and in consent decisions. 2) Financing of monitoring – it was important that any joint financing, or financing of mana whenua to undertake monitoring, was considered publicly acceptable. Kaimahi noted that work was underway to consider how mana whenua may attain ‘preferred supplier’ status.
- 38 The Kāwanatanga Whare noted that it appeared that limited funds had been allocated specifically for the implementation of the recommendations in the GWRC Long-Term Plan (LTP). The Mana Whenua Whare emphasised that this made it all the more important to collaborate with others to find opportunities to implement together. The Committee discussed whether it was possible to influence the LTP before June, when it was due to be signed off. Kaimahi clarified that funds for implementation were held in a number of different programme lines in the LTP and that the WIP would provide direction for how those funds would be spent in order to improve freshwater values. The WIP would give teams the direction to pivot.
- 39 The Committee remarked that GWRC was in a transitional phase from Business-As-Usual to a new way of working following the restructure in 2023, and this was a positive development. It was pleased to note that there were many programmes of work that may implement WIP recommendations. Reassurance was needed that councils were working on better coordinating and streamlining the way that work was organised internally so that outcomes were achieved, and collaborative decisions made. The Committee noted that some things would shift quickly, and others would take time. Kaimahi noted that WKUKT had been an exceptional programme with strong values and strategy that had laid the

foundation for a more collaborative and integrated approach in the Whaitua recommendation development.

11:20 AM-11:45 AM – The Committee broke for morning tea.

WIP RECOMMENDATIONS 11:45AM-12:37pm

Note: the numbering and wording of WIP recommendations may change in later versions – the numbering referred to below relates to the draft WIP recommendations as presented to the Committee prior to the present hui.

- 40 Kaimahi gave an introduction to the Committee about the WIP recommendations paper, noting that, as requested, the recommendations had been tidied up. Recommendations had been organised by the six principles of Te Mana o Te Wai. Overall, the intention was for the Committee to discuss whether the document represented what the Committee wanted to convey at the end of the process. The Committee would get another chance to review recommendations as part of the whole WIP.
- 41 The Mana Whenua Whare requested an update on where the WIP design process was at. Kaimahi said some thinking had been done around comms. Before the Committee read through the WIP recommendations together, kaimahi from KCDC noted that they wished to make some further comments. The Kāwanatanga Whare also expressed an overarching concern around language and enforceability and noted that tight language was preferred given the WIP would be used in the regulatory context (i.e. Plan Changes).
- 42 Kaimahi also noted that they had started a glossary of terms (e.g. partnership). The Facilitator suggested that the first line needed to reflect what partnership was and who it was between.
- 43 Kaimahi clarified that Mana Whakahaere section was on one level administrative that the Committee was directing work to be conducted through appropriate channels.

WIP recommendation 3 – Habitat Quality Index

- 44 The Committee sought further clarification on the Habitat Quality Index (HQI). Dr Death outlined that the HQI was something that he and Ian Fuller developed, as scientists, and it was intended to be a very flexible measure. HQI could be used to assess how much change there had been in river morphology to previously, and whether or not river works had had a negative impact. Dr. Death had been asked to write simple non-technical explanation as to how HQI could be used in the WIP context, given there had been some misunderstanding on it to date.
- 45 Dr. Death gave a brief explanation: HQI was about the structure and habitat of rivers and concerned aspects of geomorphology (riffles, sinuosity, pools, rocks, logs, and other non-living structural aspects). It related to abiotic factors only and did not measure macrophytes/invertebrates. An HQI of '1' meant that the aim was to maintain the river structure/habitat as it appeared currently. An HQI of '1.5' meant that attributes would be increased by 50% (for example, 50% more sinuosity, 50% more riffles etc.). An HQI of '2'

meant attributes would be effectively doubled (i.e. twice as many riffles, twice as sinuous etc.).

- 46 In response to a question around the spatial extent of an FMU, which had many rivers with many tributaries, Dr. Death clarified that a '1' meant that the expectation was that no features of tributaries and rivers would change at all. He also noted that the 'reach' in question was usually 20-50 metres.
- 47 The Mana Whenua Whare noted that Ōtaki River HQI was listed as '1'. But this would mean maintaining – not improving – the geomorphology. The Ōtaki River was highly modified and constrained and mana whenua wished to improve this. The Mana Whenua Whare recalled from earlier discussions that this score had been set during discussions of attributes such as nitrates, dissolved oxygen and so on, which may have influenced setting the HQI at a '1.' The Committee suggested that this HQI be changed to a 1.5.
- 48 Kaimahi noted that values chosen should be achievable even if they were changed. The Mana Whenua Whare noted that HQI concerned geomorphological features – pools, riffles – and these could be changed. The Committee enquired whether this would only last between one flood to the next. The Mana Whenua Whare said that current practice was around groynes, pole planting and so on. Currently, if a riffle was removed, it needed to be replaced, but this was destructive in itself.
- 49 The Committee was not clear on what part of the river HQI values referred to. If they related to the whole river, then to ensure that at least 50% more change was seen in the river overall (i.e. HQI of 1.5), in order to keep the upper reaches the same (given they had different attributes and were closer to their natural state in any case), the lower reaches would have to be modified by 2x, to obtain an HQI of 1.5 overall. Dr. Death suggested that a footnote could be included that stated that an HQI value only applied to reaches of the river altered by engineering.
- 50 The Committee agreed for the need to consider 1.5 as the HQI for every FMU except Kāpiti (which would remain at 1) subject to a deeper reading of the paper. The Committee also agreed to identify HQI values for all watercourses for each FMU (not just main stems), and would do this reach by reach, river by river, FMU by FMU. Dr. Death noted that flood management teams had named reaches for rivers and that GWRC had a map of highly modified watercourses in the Kāpiti region.

Action: HQI values to be identified for all watercourses for each FMU, reach by reach, using existing maps of watercourses in Kāpiti. Kaimahi would seek a map of the reaches from GWRC flood protection teams.

Action: Dr. Death would provide a non-technical explanation of HQI to the Committee.

- 51 Discussion for specific FMUs included:
- a. Lake Wairongomai: Dr. Death clarified the HQI only applied to the streams/tributaries going into the lake, not the lake itself. The Committee suggested to either remove Lake

Waiorongomai, or include only the closest stream, or add a footnote that the HQI only related to Waiorongomai Stream.

- b. Waikanae – the Committee was comfortable raising the HQI to 1.5 but this required further discussion with the Pou.
 - c. Wharemauku was singled out as having a heavily modified habitat and needing a lot of work to meet the HQI objective.
 - d. Kāpiti Island – had been deforested and reforested, but otherwise was in a natural state and would remain at an HQI score of 1.
- 52 Dr. Death also noted that some of the highly modified watercourses were heavily constrained, and some were in private property. In some catchments, there would be very little opportunity to effect change, which is why a 1 had been originally proposed. The more space there was around a river, the more room there was to alter the geomorphology of the river. This would not be possible without buying properties, which was not an option in the short- nor medium-terms but may be possible in the long-term under climate change adaptation plans.
- 53 The Mana Whenua Whare noted that lifting the measure from 1 to 1.5 would not constitute a major change given the current state was so poor. Technology could also be used to improve HQI even in constrained spaces. For example, gabion baskets had been placed in Wairarapa with terracotta pipes. All the pipe holes had been full of fish when viewed with a GoPro. It was possibly to create artificial habitats through river geomorphology changes in this way.

WIP recommendation 4 – comms & oversight for delivery

- 54 The Facilitator noted there was a paper on comms that the Committee would have time to discuss at the end of the day. [Note: this was not discussed due to time constraints].
- 55 With respect to 4(b), the Kāwanatanga Whare enquired as to the role of the Committee in providing oversight to the implementation of recommendations once the WIP was agreed. It noted that there was some discussion to consider delaying requirements around freshwater management until the new NPS-FM deadline of 2027. Kaimahi clarified that while there was no further information around the timing of Plan Change processes and how these would be affected by national Government direction, it would be worth discussing how the Committee could take on an Advisory/Reference Group role that checked in every 3-4 months in a similar fashion to the Te Whanganui-a-Tara Whaitua Reference Group.
- 56 The Kāwanatanga Whare reiterated concerns around what would happen once the WIP was agreed and whether it would be implemented in the timeframes envisaged. This concern was further compounded by the slow pace of other Whaitua implementation to date. The Committee's integrity and mana was part of this. Kaimahi noted that there were a number of non-regulatory recommendations in the WIP, besides the Plan Change, that GWRC could activate. The Committee welcomed the opportunity to be briefed on WIP implementation progress, how the WIP was being activated, and how relationships were progressing. The Mana Whenua Whare emphasised that it was important that the Committee continued to

be engaged as the December 2024 deadline neared. It was important to see the process through, and important to retain a group that would be communicated with, otherwise there would not be much value in 4(a). This group had been unique in terms of its commitment to completing the process in a much shorter time frame than any other Whaitua. Kaimahi noted that another Terms of Reference would be needed for the next phase of the group's work and what the expectations would be.

- 57 The Mana Whenua Whare tautoko'd the comments around the Committee's ongoing involvement but also reiterated that the Committee needed to be actively involved in the Plan Change process, otherwise "things [may] get unpicked" during that process.
- 58 The Kāwanatanga Whare raised a concern about the current language in 4(a) around comms to community groups. When would the Committee start talking to community at large rather than community groups only. Ideally, Committee would have kept them in the loop throughout the present process. The Committee agreed to strike out groups and leave the word 'community' in 4(b), noting it encompassed – but was also broader than – community groups.

Dr. Death departed at 12:30pm.

12:37pm-1:22pm The Committee broke for lunch. The Kāwanatanga Whare caucused.

WIP RECOMMENDATIONS CONT'D 1:22PM -4:20PM

WIP recommendation 6 - consents

- 59 Kaimahi raised a number of concerns and suggestions regarding recommendation 6:
- a. It was important to understand what the Committee was attempting to fix through resource consents.
 - b. That the Committee also needed to understand what should not sit under consents and rather under state of the environment monitoring, plan effectiveness etc. A related concern was how to judge plan effectiveness and whether this recommendation could be expanded to these matters explicitly or whether it solely concerned consent conditions. [The Mana Whenua Whare noted that this was captured in recommendation 7, which could be placed before recommendation 6].
 - c. The Committee needed to be careful that it was focused on controlling the effects of that consent rather than attempting to capture all the activities occurring within that catchment.
 - d. Better monitoring of compliance with permitted activity standards needed to be undertaken.
 - e. Recognition that KCDC did not conduct monitoring of consents and only attended to them if there was a complaint. Compliance was not done well and was reactive rather than proactive. It was also difficult to understand whether someone had complied with a resource consent.

- f. It was important to understand what compliance and monitoring of urban consents actually meant in the context of ‘water sensitive urban design’ and the practicality of this. It risked appearing academic.
- 60 The Kāwanatanga Whare noted that the Environment Sub-Committee meeting in KCDC had rolled out an Environmental Strategy. Developers needed more stringent rules on what they could and could not do and this needed to also be aligned with GWRC rules and regulations. Kaimahi suggested to put together a toolbox of acceptable solutions, whereby GWRC and KCDC could work together on creating robust standard consent conditions in terms of monitoring and enforcement and robust processes on when and how to consult with each other and mana whenua when consents are received. In response to a question from the Committee on whether GWRC rules overrode KCDC rules, kaimahi clarified that KCDC were required to give effect to GWRC’s Regional Policy Statement. GWRC dealt with the effects of land use on water quality while KCDC dealt with land use, but sometimes the councils went “out of their lanes.” Developers attempted to play off local and regional councils against each other.
- 61 The Committee then discussed whether the language of “landowners and other stakeholders” needed to remain in recommendation 6.
- a. Kaimahi noted that it was unclear how these groups would be engaged in a review of consenting, monitoring, compliance and enforcement, and it may significantly delay the review. It was also confusing to have landowners and stakeholders engaged in a review that included enforcement practice.
 - b. Kaimahi suggested that it may be worthwhile to consider GWRC and KCDC only, notwithstanding that councils held relationships with developer representatives and other avenues of engaging with landowners. The Engineering Code was up for review later in the year also, which would be an opportunity for KCDC to engage with GWRC.
 - c. The Mana Whenua Whare noted that in Ōtaki, the Department of Conservation (DOC) was either a landowner or a stakeholder. DOC was influential and there to administer the conservation of native species.
 - d. The Mana Whenua Whare noted the importance of this recommendation – on the rare occasion that consent conditions had been enforced, there had been allowances made for an individual’s circumstances (for example, sickness, financial situation, lack of awareness of the rules). So, in a sense, people [i.e. landowners and stakeholders] were involved in and influenced the enforcement process already.
 - e. Kaimahi noted that the prior comment related to the enforcement process rather than the review. The Committee agreed that the language of “landowners and stakeholders” could be removed from this draft recommendation for the purposes of ensuring the review was conducted swiftly. Others could be brought in down the line.
- 62 The Committee also discussed whether mana whenua should be involved in monitoring, compliance and enforcement activities [Note: the draft recommendation related to the *review* of such activities only.]

- a. Kaimahi noted that part of enforcement related to funding, who undertook this enforcement, and whether this was something that mana whenua could be involved in the future. There was provision for this in relation to wetlands, but it could be expanded.
- b. In response to some concern by the Kāwanatanga Whare that being involved in enforcement may lead to mana whenua being viewed unfavourably, the Mana Whenua Whare noted that their involvement in such activities was “being proposed everywhere” and that this was ultimately about sharing power. If there were challenges for councils to perform compliance, enforcement and monitoring activities, then mana whenua could help. Section 33 of the RMA could be utilised to engage mana whenua as kaitiaki i.e. an enforcement officer for council. This would not constitute transfer of all enforcement responsibilities to mana whenua but was about *sharing* responsibility.
- c. The Mana Whenua Whare noted that there had been an example of this in Taranaki where council had been slow and mana whenua had started to promote a rāhui. Mana whenua had worked with a number of hapū and conducted monitoring already. This had been followed by a series of community conservations that led to the creation of a whole community programme, which then led to enforcing the rāhui. Education programmes in schools and training programmes had also been part of this kaupapa.
- d. The Committee agreed that a key concern was that compliance, enforcement and monitoring should actually take place when there was a perpetrator. Environmental degradation in the region and country was occurring because the councils were not utilising their powers to enforce consent conditions and rules and regulations. In Taranaki, enforcement had affected two or three main perpetrators, and this had ripple effects throughout the whole community, which had driven change.

63 The Kāwanatanga Whare raised that 6(b)(i) referred to natural wetlands and natural wetland offsetting projects and enquired about the use of this language. Kaimahi clarified that it was NPS-FM wording. Kaimahi were asked to add in (iv) the word ‘natural’ for consistency, and also requested these terms be defined in the WIP glossary.

64 Later in the hui, the Mana Whenua Whare returned to the topic of wetlands and enquired about where ‘creation’ of wetlands was covered. Recommendation 10 related to ‘restoring’ wetlands. The Kāwanatanga Whare clarified that artificial wetlands and offsetting of wetlands were related and Mana Whenua Whare noted that constructed wetlands may be included as part of water sensitive urban design. Kaimahi noted that most wetland creation would be considered low impact urban design.

WIP recommendation 7 – monitoring programme

65 The Committee discussed whether and how to include the “community” in this recommendation.

- a. The Kāwanatanga Whare suggested the final sentence [that was accidentally not numbered in the text provided to the Committee but read as “Require the results of section 35 monitoring for Te Whaitua o Kāpiti are proactively communicated with mana whenua”] could include reporting to the community.

- b. The Mana Whenua Whare agreed, especially given that citizen science would likely be a part of monitoring, but noted that it was important to make clear who would be disseminating the results of monitoring.
- c. Kaimahi clarified that s35 already provided for regional councils to make monitoring results available every 5 years to all people, so this recommendation was about strengthening proactive communication with mana whenua in particular.
- d. The Committee agreed that it was nonetheless important to include the community in proactive communication, therefore this recommendation should be updated to include the word 'community.' It was important that the general public could see the value of the Whaitua process and could see themselves within it.

66 Kaimahi suggested that results of the monitoring programme should also be proactively communicated to KCDC in addition to the wider community.

WIP recommendation 8 – reconnection with te taiao

67 The Mana Whenua Whare reminded the Committee that this recommendation had arisen out of WKUKT mahi – although currently neither GWRC nor KCDC were contributing to this project. It noted that this recommendation had been thoroughly discussed as part of the discussion on mahinga kai earlier in the day.

WIP recommendation 9 – maramataka

68 There were no changes suggested to this recommendation by the Committee, although the Committee did note that if this recommendation was realised, it would constitute a major shift in current operations.

WIP recommendation 10 – community education

69 The Committee enquired about natural inland wetlands and if this meant other wetlands were excluded. Kaimahi clarified it excluded coastal wetlands as the focus was on freshwater. The Committee agreed that coastal wetlands should be included as there were so many in the Kāpiti Coast District. Kaimahi clarified that most wetlands in the Kāpiti Coast fell within the definition of natural inland wetlands. The Committee also recommended that a glossary be included of key terms.

WIP recommendation 11 – working together

70 Kaimahi noted that it was difficult for councils to work together on a joined-up approach to consents under the RMA, and that better coordination was required. Under the RMA, the only mechanism for agencies to get together and create a joint mechanism was if the consent was notified. It was unclear how this worked if the consent was not notified. Ideally, design and review (pre-application) would be conducted by KCDC with GWRC, and with developers. The Kāwanatanga Whare emphasised that it was important that councils stopped taking each other to court.

71 Kaimahi further noted that it was not always feasible to push developers to engage in the pre-application process. But this stage was generally better for targeting people to review or

change their practices as once the consent application had been completed and submitted, the developer had often invested a significant degree of resourcing into the process and was generally unwilling to change. What also complicated this was council officers becoming compromised – Auckland Council had a mechanism for addressing this through its independent urban design panel which provides input into consenting processes.

- 72 The Mana Whenua Whare noted that when it came to the relationship between Māori and their ancestral lands, this was often omitted out of resource consent processing. The Mana Whenua Whare also conveyed its perception that the onus appeared to be on the person applying for the consent to tick the box saying that cultural values applied, and often this was not ticked. The Mana Whenua Whare suggested that the consideration of Māori values should be part and parcel of the process encompassed by this draft recommendation, rather than tacked on later.
- a. The Mana Whenua Whare provided an example of where it might be difficult for iwi to influence the process once a consent officer had already made a decision that adversely affected the environment and mana whenua interests. Recommendation 11 could be updated to include iwi.
 - b. The Kāwanatanga Whare reiterated the importance of reviewing the consent process for this very reason [i.e. recommendation 6]. If a consent was approved without appropriate consultation with iwi, then it was difficult to do anything about changing the consent conditions or status retrospectively if iwi were not satisfied with the activities in the consent. This is because the applicant would technically be considered to be ‘complying’ with the conditions of their approved consent.
 - c. Kaimahi noted that there were 10 working days to decide whether to reject an application. If it had wahi tapu, and if plans/protocols were robust enough, then this was the stage at which the application could be rejected and reworked. Once it was in the council, the council had only one opportunity to ask for further information or changes. Many KPIs in local councils were not about the quality of decisions but whether timeframes were being met and whether the council may have to incur fines or penalties for late processing. This impacted on quality of consents granted.
 - d. Kaimahi clarified that there were sections of the Natural Resources Plan (NRP) and the RMA that stated that if there were a minor or more than minor adverse effect on the environment then Māori were considered an affected party, and the consenting process would need to be put on hold until a Cultural Impact Assessment could be completed. But this could be determined by “whose science” stated whether the effect was minor or not, and the perceived rigour around science compared to Māori rights and interests.
- 73 The Mana Whenua Whare suggested that recommendations 6 and 11 be placed together as they were related. Kaimahi also suggested a toolkit could support how KCDC, GWRC and iwi worked together on consents, and could set expectations up front so it was easy for developers to know what to do. The Committee instructed kaimahi to incorporate this.
- 74 The Facilitator suggested to kaimahi to pull high level principles out and put these up front, and to bullet point the specific examples in the text.

WIP recommendation 13 – habitat enhancement and restoration

- 75 The Facilitator requested that kaimahi pick up grammatical errors and typos in the text.
- 76 Regarding draft WIP recommendation 13(a): The Mana Whenua Whare noted that funding for programme development should not just be for 24/25 funding but should be ongoing.
- 77 Regarding draft WIP recommendation 13d(iii), kaimahi noted that “gravel extraction” appeared to be narrow in scope. The language should be broadened to include silt and vegetation clearance (e.g. “open channel clearance”). The Kāwanatanga Whare noted that they had previously discussed doing this in a way that did not erode the stream bed. There was uncertainty around how deep to dig if a stream had not been maintained in a long time and was full of weed. Kaimahi noted that this would be determined under best practice guidance.
- a. The Kāwanatanga Whare raised a question around weed removal practices, asking if other, desired lifeforms might also be accidentally removed (e.g. fish). Kaimahi stated that it was about way weeds were removed – i.e. putting the weeds in buckets, conducting the process slowly enough, giving enough space to allow for fish to escape, and that generally fish and eels got out of the way. Sides of streams were not touched as this often resulted in erosion. The Mana Whenua Whare noted that most weed removal work included spotters who were focussed on fish and eels.
- 78 Regarding draft WIP recommendation 13(c) – 13(e), the Mana Whenua Whare enquired whether it was appropriate for this recommendation to only relate to mahinga kai sites and their restoration. There may be other sites where habitat restoration was required, for example, places where farmers were doing riparian planting. The Committee agreed to place mahinga kai habitat restoration first and then have an additional specific recommendation for broader ecosystem health improvement, which would enable the wider community to see themselves in the process and outcomes.

WIP recommendation 14 – pest and weed control

- 79 The Committee discussed the use of the word ‘pest’. The Mana Whenua Whare noted that WKUKT had also struggled with the use of this word, and who determined what was considered a pest. WKUKT had created a more acceptable terminology which was around providing a barrier to those species. The language of ‘pests’ had come out of a flawed paradigm that forced people to view endemic/native species in a certain way and introduced/invasive species in another way. WKUKT had looked at ecologists’ lists of plants and mana whenua had had their own conversation around what would be useful. There was a need to rethink this language especially as humans had brought introduced plants into the ecosystem. It was important to have these conversations when planning planting programmes. The Mana Whenua Whare noted that GWRC had conducted a range of work on pests and a pest management strategy and included a list of pests on their website.
- 80 The Committee sought clarification on 14(a) and whether it referred to getting rid of specific species or invasive species more generally? Kaimahi noted that there were also native species that would be changing their habitat with climate change and encroaching on the habitat of other species.

81 The Mana Whenua Whare reiterated that, as per the start of recommendation 14, it was important that mana whenua were included to co-design this process given the concerns noted above.

82 The Committee noted a comma was needed between the words 'geese' and 'carp.'

WIP recommendation 15 - wetlands

83 Kaimahi noted that GWRC was the lead agency, so it was unclear why the recommendation was drafted to give the impression that mana whenua and GWRC were 'supporting KCDC' to do wetland protection work. This work was difficult for KCDC to do. Kaimahi were comfortable with the change that drafters made during the session: "Mana whenua and Greater Wellington partner to lead and support Kāpiti Coast District Council...".

84 The Mana Whenua Whare noted that even though from a jurisdictional perspective, GWRC needed to be leading the process, there was a Mai Uta Ki Tai value here. With respect to climate change, while natural inland wetlands fell in GWRC's jurisdiction, mana whenua saw them all as part of the one catchment/Whaitua.

WIP recommendation 16 - ETS

85 The Committee enquired about the inclusion of 'peatlands' in the Emissions Trading Scheme (ETS) in this recommendation, noting that it was a proposed policy of the current Government to add peatlands into the ETS. Kaimahi clarified that peatlands were a subset of wetlands. Peatlands sequestered carbon when they were re-wetted and released carbon when they were dry. The Committee said this recommendation was acceptable as drafted.

WIP recommendation 17 – improving understanding

86 The Mana Whenua Whare made a general recommendation around streamlining the material as there appeared to be a crossover between the information contained within different recommendations in different sections. Kaimahi noted that the structure now reflected the 6 principles of Te Mana o Te Wai.

Shane Parata departed the meeting at 3pm.

87 The Committee discussed 17(h) which related to wastewater discharges. The Committee was not clear as to why this only included "domestic" wastewater discharges when there were also industrial, farming and other sources of discharges.

- a. Kaimahi noted that there was a related recommendation around whether to relocate the Waikanae treatment plant.
- b. Kaimahi noted that the NRP already had stringent rules on wastewater treatment plants. There was already the opportunity to consider emerging pollutants as they became known. There were also a number of ways to mitigate water quality. Wastewater treatment staff had been in discussions with staff in Napier as the latter had been considering mitigation of cultural values for water that left the plant.

- c. The Waikanae plant was the 4th highest functioning plant in New Zealand, and state-of-the-art. Building a treatment plant somewhere else would require at least \$100 million in infrastructure, requiring significant rate hikes. Other possibilities including pumping somewhere else, which would involve creating a mega-pump station. It may not be publicly acceptable for it to be pumped to Queen Elizabeth Park and it would affect streams in that area. Various options needed to be investigated.
- d. The Committee also noted that septic tanks did not appear to be captured in the 17(h) recommendation. People may not be managing and maintaining their tanks properly and may have other challenges with their septic tanks. The Committee discussed 17h(ii), which suggested higher standards for new on-site systems but omitted addressing existing septic tanks that were arguably worse.
- e. The Committee agreed to remove the word 'domestic' from 17(h).

88 The Committee also discussed the use of the word "address" in 17(c), which related to estuaries. What did it mean to 'address' – did it mean to resolve or improve? Kaimahi were instructed to find alternative language for 'address,' and also more active language for the words 'should consider' [i.e. to imply it would actually be done, not merely considered]. Kaimahi were also asked to move the second 17(a) recommendation (that sat between 17g and 17h) up with the main 17a recommendation as both related to estuaries.

WIP recommendation 20 – pollution prevention

- 89 The Kāwanatanga Whare enquired whether the pollution prevention programme had any legal weight or enforceability vis à vis other mechanisms.
- 90 Kaimahi noted that it would be appropriate for KCDC and mana whenua to support rather than partner on this as it related to GWRC's area of work, given it was a discharge to land that entered water.

WIP recommendation 21 – septic tanks

[Note: septic tanks were also discussed when the Committee discussed 17(h) – see notes in above section].

- 91 Kaimahi noted that a building consent was not required to put in a new septic tank as it was a permitted activity as long as standards were met. Waitakere had a bylaw around septic tanks, and the council visited every 3 years to conduct a compliance check to tell owners what needed to be fixed. Porirua had this too, although there was no OPEX to support regular visits.
- 92 The Kāwanatanga Whare noted a study in Te Horo where dye was flushed into the toilets and three days later it came out of the taps, indicating the groundwater table was the same. It was one of the most offensive things happening in the district. Stronger language was needed in this recommendation.
- 93 Kaimahi suggested that the Committee could consider a bylaw or compliance monitoring on discharge. The Kāwanatanga Whare noted that it was about going forward and saying that

when people got septic tanks, they would not be allowed to discharge. Kaimahi suggested a risk-based compliance programme could also be considered.

- 94 The Mana Whenua Whare noted that in another Whaitua process, reference had been made to the development of a bylaw. The Committee agreed that any such bylaw would be needed in 12 months, given a survey had already been conducted on septic tanks (and some people had not realised they had one on their property). The Facilitator suggested that drafters speak with members of the Mana Whenua Whare who had experience from other Whaitua processes.

WIP recommendation 22 – drain maintenance

- 95 The Mana Whenua Whare noted that there were many methods that could be used, each of which had their advantages and drawbacks.
- 96 Kaimahi enquired if the Committee wished to adopt the Code noted in the recommendation, and suggested not to call it drain maintenance as they were all streams and waterways, albeit highly modified. The Mana Whenua Whare was comfortable with the latter proposal.

WIP recommendation 23 – stock exclusion

- 97 The Committee suggested that the date needed to be removed (April 2024) as it appeared it had been added in error.
- 98 The Kāwanatanga Whare noted that various dairy companies were doing well with respect to stock exclusion, but it was the next level (beef etc.) that were not.

WIP recommendation 24 - Waiorongomai

- 99 The Kāwanatanga Whare enquired about the difference between an Action Plan and a management plan. Kaimahi clarified that the former was in NPS-FM and had “more teeth.”

WIP recommendation 25 - Waitohu

- 100 The Mana Whenua Whare requested removal of the word ‘Moana’ and to leave the language of ‘Lake.’ They further requested that 25(c) should be wahi tapu not wai tapu.

WIP recommendation 26 - Ōtaki

- 101 The Kāwanatanga Whare enquired what the following wording meant in practice: ‘make decisions with regard to’. After a brief discussion, the Committee requested kaimahi to strengthen the recommendation as it appeared light.

WIP recommendation 28-29 - Waimeha

- 102 The Mana Whenua Whare requested changes to the language to specify Te Ātiawa ki Whakarongotai throughout their rohe (as the current reference is to ‘mana whenua’) – for example, to have: “Te Ātiawa ki Whakarongotai, GWRC, KCDC, partner to...” etc.
- 103 A strong community component was needed in recommendations 28-29.

- 104 The Kāwanatanga Whare clarified if the tributary was the same as the Ngārara Stream (it was) and this was amended in the text.
- 105 The Mana Whenua Whare said that it may need to check on dates (Dec 24 and Jun 25 for recommendation 29). It noted that ‘living map’ was language from WKUKT.
- 106 Kaimahi suggested that the Committee could consider whether data sovereignty needed to be a new section in the WIP. The Committee agreed. Kaimahi suggested that previous wording could be used here, given that the Mana Whenua Whare had passed on a Te Puni Kokiri paper to kaimahi with language on this.
- 107 The Committee requested that kaimahi check when the next SOE report was due. If it was 4 years away, this was probably too long.

Action: kaimahi to check when the next SOE report would be due.

WIP recommendation on Kowhai

- 108 The Mana Whenua Whare suggested that this recommendation begin as follows: “Mana whenua, GW, KCDC partner to...” Kaimahi noted that this had been a draft recommendation that was still in bullet points for the Committee’s consideration and would be refined.

WIP recommendation 37 and 40 – Whareroa and Kāpiti

- 109 The Mana Whenua Whare were comfortable with both recommendations 37 (relating to Whareroa) and 40 (Kāpiti Island). The Mana Whenua Whare would check in with KAISAC around the latter.

WIP recommendations 30-34 - Waikanae

- 110 The Committee discussed recommendation 30, which related to the relocation of the Wastewater Treatment Plan from the Mazengarb catchment to elsewhere:
- a. The Mana Whenua Whare suggested that recommendation 30 should be more about options for where to discharge wastewater than narrowly focussed on the option of relocating the plant in its entirety.
 - b. Kaimahi noted that KCDC was working with Te Ātiawa on this [this was reflected in new wording “In partnership with Te Ātiawa ki Whakarongotai...”].
 - c. The Committee agreed that it was important to consider alternatives to relocation. It proposed the following wording: “investigates relocating Wastewater Treatment Plant and alternative wastewater discharge locations.”
 - d. The Kāwanatanga Whare raised a concern that options would be ‘investigated’ but no action would take place. The Committee suggested that setting a timeframe may be helpful in this regard.
 - e. The Kāwanatanga Whare noted that this was a much bigger issue. If Kāpiti was set to expand and grow, what was the opportunity for this treatment plant? Councils needed to

be thinking in a 30–50-year timeframe to do anything with this. There may be a short-term solution, but what was the long-term vision?

- f. The Mana Whenua Whare noted that this was a huge issue for Ōtaki as well. Solids were trucked down to Paraparaumu then taken to the Hutt. A better option was needed.
- 111 The Committee discussed recommendation 31, which related to developing a storehouse of kōrero and customary knowledge.
- a. The Mana Whenua Whare suggested to change the language in recommendation 31 to “kōrero a iwi and hapu.”
 - b. For recommendation 31b, the Mana Whenua Whare suggested changing the word “map” to “living map” to be consistent with WKUKT language and language used elsewhere in the WIP.
 - c. For 31c, the Mana Whenua Whare suggested use of the term “mana whenua kaitiaki” instead of “iwi kaitiaki.” The Kāwanatanga Whare enquired about the tikanga for vehicle access. The Mana Whenua Whare noted that there were already protocols for this.
 - d. The Mana Whenua Whare also noted the point in 25(b) around gravel extraction could be reinforced in a new bullet point, 31(d).
- 112 Regarding recommendation 33, the Mana Whenua Whare noted that the language should state “wahi tapu” not “wai tapu.”
- 113 Regarding recommendation 34, the Mana Whenua Whare suggested language of “daylighting and naturalising” as for some streams there may not be opportunities for daylighting.
- 114 The Mana Whenua Whare suggested an additional recommendation around climate change for Waikanae Beach. The Committee requested that kaimahi define “managed retreat” in glossary.

WIP recommendation 35-36 - Wharemauku

- 115 The Mana Whenua Whare suggested inclusion of a point around partnering to develop an action plan/management plan as the new 35a (and shifting the existing 35a to become 35b and so on).
- 116 The Kāwanatanga Whare noted that the existing 35a language concerned flood storage capacity, and questioned whether this could be elevated to a Whaitua-wide recommendation. Kaimahi noted that this might duplicate what KCDC already had with respect to flood maps and models. There was a lot of land that was marginal and subject to flood hazards. If building something in an area of regular ponding, people may need to compensate for what they were filling in. Building needed to be hydrologically neutral.

- 117 Regarding recommendation 36, kaimahi noted that KCDC already conducted testing of runoff from impervious surfaces and parking areas. Kaimahi suggested the addition of “where appropriate” to reflect this.
- 118 The Committee discussed what was included – all the small carparks or only larger areas (e.g. airport)? Kaimahi clarified that discharges from carpark areas would sit under “discrete investigations” and “plan effectiveness”. The Committee concurred.

Next steps on WIP recommendation development

- 119 Kaimahi outlined next steps for the Committee. The next iteration of the draft WIP would be passed to the Committee to read on 12 April. The peer review team had 1 day to review the draft WIP prior to 12 April. During the April meeting, the Committee would have the chance to go through the final WIP. The Committee suggested that it would be helpful to see reworded or additional recommendations in the March meeting and requested a track change version to easily see the changes made.

Action: Kaimahi made changes to the WIP recommendations on the day, which would be tidied up and sent to the Committee in advance of the March meeting. Kaimahi would additionally make other changes that had been requested, but for which specific wording had not been proposed. A track change version would be sent in addition to a clean copy for the Committee’s review.

WATER QUANTITY DISCUSSION: 4:20PM

- 120 The Committee briefly touched on some context relating to the water quantity discussion:
- a. The Mana Whenua Whare noted that algal blooms were important as these correlated to healthy flows. The minimum flows needed to be higher than the value that would lead to algal blooms. This required monitoring and an evidence base.
 - b. The Mana Whenua Whare remarked that fish deaths were another indicator that could be considered. Some of these attributes (fish deaths, algal blooms) sat outside what would be traditionally used to monitor water quantity.
 - c. The Kāwanatanga Whare enquired as to whether there was any information on the bores and water takes. The Mana Whenua Whare noted that in Ōtaki, takes were generally classed as falling into Category A or B.
 - d. There was discussion about what Te Mana o Te Wai meant for allocation, and kaimahi noted that this was discussed in the Te Whanganui a Tara Whaitua process when the latest NPS-FM was released.
- 121 The Committee neared the closing time for the hui and discussed how to best approach the water quantity discussion. Neither Whare had had the opportunity to discuss the paper during caucus meetings [the Kāwanatanga Whare had only received the paper following the most recent caucus meeting, although had touched on it verbally during the caucus meeting]. The Committee agreed that this was a critical piece of work that required dedicated time for discussion. Some of the technical information had been shared with the Committee prior to Christmas 2023, and the Committee agreed that:

- a. Kaimahi would collate all information that had been shared to date on the topic to be sent to the Committee to be considered all together.
- b. Individual caucus meetings on the 18 March to discuss the papers.
- c. The next hui on 20 March be dedicated to a discussion on this, given that previous Whaitua had spent 4 days on this topic. Kaimahi noted that the important thing was to set principles to guide the work rather than agree on every technical level of guidance.
- d. There would be a brief presentation from kaimahi at the beginning of this hui to help understand the topics and what the Committee was required to make decisions on. Kaimahi suggested that questions posed in the latest (February) paper could help focus the discussion.
- e. An online hui following the 20 March meeting was proposed, should the Committee need it.
- f. Kaimahi to consider whether something 'light' could be done by Zoom (e.g. setting target attributes) given there were only two meetings remaining.

Action: Kaimahi to collate all information shared on water quantity to date and send in one bundle to the Committee for consideration. Kaimahi also to prepare a short presentation to help the Committee understand the issues and their role.

CLOSING: 4:40pm

ACTIONS AND REQUESTS

Opened	Action	Update	Owner	Status
28/02/24	GWRC kaimahi would work with the Committee to locate a suitable venue for 20 March 2024.		GWRC kaimahi	Open
28/02/24	Committee to confirm what further information it requires on Waikanae Ki Uta Ki Tai in the context of mahinga kai culture aggregate attributes, a communications strategy, and to support broader WIP recommendation development.		GWRC kaimahi	Open
28/02/24	Kaimahi to provide a glossary of terms required in the WIP.		Kaimahi	Open
28/02/24	Monitoring sites to be combined on one map to facilitate the Committee's consideration of all monitoring sites together (KCDC, GWRC & proposed mana whenua sites), including what is being measured at each site.		GWRC kaimahi	Open
28/02/24	Kaimahi to follow up with Facilitator on Kahungunu research on kaupapa Māori contractual arrangements.		GWRC kaimahi	Open
28/02/24	HQI values to be identified for all watercourses for each FMU, reach by reach, using existing maps of watercourses in Kāpiti. Kaimahi to seek a map of the reaches from GWRC flood protection teams.		GWRC kaimahi	Open
28/02/24	Dr. Death to provide a non-technical explanation of HQI to the Committee.		Dr. Death	Open
28/02/24	Kaimahi to check when the next SOE report would be due.		GWRC kaimahi	Open
28/02/24	Kaimahi made changes to the WIP recommendations on the day, which would be tidied up and sent to the Committee in advance of the March meeting. Kaimahi would additionally make other changes that had been requested, but for which specific wording had not been proposed. A track change version would be sent in addition to a clean copy for the Committee's review.		GWRC kaimahi	Open
28/02/24	Kaimahi to collate all information shared on water quantity to date and send in one bundle to the Committee for consideration. Kaimahi also to prepare a short presentation to help the Committee understand the issues and their role.		GWRC kaimahi	Open

CLOSED ACTIONS AND REQUESTS

Opened	Action	Update	Owner	Status
05/04/23	GWRC kaimahi to produce and present a technical paper on the limit setting process, that addresses where allocation is at, and includes commentary from mana whenua for the right to use water.	<p><u>June note:</u></p> <p>This information is available however it is proposed to be provided as part of the water allocation topic, rather than out of sequence.</p>	GWRC kaimahi	Proposed Closure 28/02/23
05/04/23	GWRC kaimahi to produce a glossary of 'policy jargon' and identify commonly used Māori terms, to support the committee's decision making.	<p><u>June note:</u></p> <p>Draft prepared. However, definitions are in the NPS-FM itself. Proposed that jargon be explained as they arise through the process.</p>	GWRC kaimahi	Proposed Closure 28/02/23
21/06/23	GWRC kaimahi to seek direction from the Kāwanatanga Whare on allocating or procuring resource for WIP and (RMA) Section 32 writing personnel.	<p><u>August note:</u></p> <p>This action is underway with resourcing and contract arrangements still to be clarified for this to be finalised.</p>	GWRC kaimahi	Proposed Closure 28/02/23
21/06/23	GWRC kaimahi to seek direction from the Kāwanatanga Whare regarding the time commitment concerns and review the Terms of Reference for appropriate of resourcing together.	<p><u>August note:</u></p> <p>This action is underway with GWRC senior management through Michele.</p>	GWRC kaimahi	Proposed Closure 28/02/23
09/08/23	GWRC to confirm how much the Scenario report cost and report back to the Committee.		GWRC kaimahi	Proposed Closure 28/02/23

09/08/23	To have a specific hui on modelling. People from both Whare can participate and bring a proposal to the table to determine an agreed method for a Tiriti Whare modelling exercise. They will report back from that meeting for the 20 September hui.	Sept note: Hui occurred the report back will follow at the October hui.	GWRC kaimahi	Proposed Closure 28/02/23
09/08/23	Minor adjustments that were made through the TMotW principles statement workshop, to be finalised by Chloë and sent to Kathie and both Taurite to approve.		GWRC kaimahi	Proposed Closure 28/02/23
09/08/23	Mana Whenua Whare to share draft long-term visions with the Kāwanatanga Whare.		Mana Whenua Whare	Proposed Closure 28/02/23
21/08/23	Kaimahi from both Whare to collect the particular spatial units, noting each Committee suggestion and issues to highlight. Take the principals from both Whare to see where the points of divergence are and bring together these points, then propose decision to the September Tiriti Whare hui to consider.		Kaimahi from both Whare	Proposed Closure 28/02/23
20/09/23	Kaimahi from both Whare to finalise all long-term vision statements for each FMU wording together, cross check consistent use of language to read well and report back at the next Tiriti Whare hui.		Kaimahi from both Whare	Proposed Closure 28/02/23
06/12/23	Item 3 - For GW staff to bring back to the Committee the figures on median DIN across the FMUs.		GW	Proposed Closure 28/02/23
06/12/23	Item 3 - Include recommendations to address Septic tank standards.		Whaitua Committee	Proposed Closure 28/02/23

06/12/23	Item 5 - Kaimahi to email Taurite to confirm the wetland recommendations ideas from the Committee for further drafting by kaimahi in the collected draft recommendations doc to be returned to the Committee.		Kaimahi	Proposed Closure 28/02/23
Opened	Requests	Update	Owner	Status
10/05/2023	GWRC kaimahi to provide information on the science behind consent water allocation, and how a consent is approved or declined. Requested from: Kāwanatanga Whare (item 2)	Note: Phill Jan 2024: Addressed through Water Allocation 101 advice report		Proposed Closure 28/02/23
10/05/2023	GWRC, KCDC kaimahi and the Kāwanatanga Whare Committee members to share their perspective on identifying FMUs, their rationale behind it, the process and approach. Requested from: Mana Whenua Whare (item 7)	This information will be included in the presentations from the Kāwanatanga Whare on the FMU's topic. Note: FMUs are settled, pending WIP review.	Kāwanatanga Whare presenters	Proposed Closure 28/02/23
21/06/23	To have examples of previous WIP recommendations and the concrete provisions that came out of them in relation to specific decisions areas for this Committee. Request from: Mana Whenua Whare (item 4)	Note: Committee members were provided copies of previous WIPs where requested. Never specifically addressed but kaimahi have considered previous WIP's in their mitigation options advice and drafting recommendations.		Proposed Closure 28/02/23

