

WHAITUA KĀPITI COMMITTEE HUI – 20 March 2024

The Whaitua Kāpiti Committee was convened at 9.30 A.M on 20 March 2024, at the Southward Car Museum, Paraparaumu.

Committee members present:

Mana Whenua House

Dr. Aroha Spinks – Ngā Hapū o Ōtaki

Naomi Solomon – Ngāti Toa Rangatira

Sharlene Maoate-Davis – Te Ātiawa ki Whakarongotai

Kāwanatanga House

Jenny Rowan (*Taurite*) – Kāpiti Coast community representative

Jocelyn Prvanov – Kāpiti Coast District Councillor

Kerry Walker – Kāpiti Coast community representative

Pātaka Moore – Kāpiti Coast community representative

Penny Gaylor – Greater Wellington Regional Councillor

Monique Leith, Kāpiti Coast community representative

Committee member apologies:

Caleb Royal (*Taurite*) – Ngā Hapū o Ōtaki, Mana Whenua House

Shane Parata – Ngāti Toa Rangatira, Mana Whenua House

Facilitator:

Dr. Kathie Irwin

Additional attendees:

Mana Whenua House

Claire Gibb – Mana Whenua House Co-ordinator

Torrey McDonnell - Planner, GWRC Contractor (Incite)

Kāwanatanga House

Michele Frank – Catchment Manager Kāpiti, Catchment, GWRC

Phill Barker – Senior Catchment Advisor, GWRC

Ames Donovan – Senior Catchment Advisor Kāpiti, GWRC

Nicola Patrick – Director Catchment, GWRC

Whāia Caton - Advisor Catchment, GWRC
Helli Ward - Senior Advisor Integration & Insights, GWRC
Brent King – Team Leader Evaluation & Insights, GWRC
Mike Thompson – Senior Environmental Scientist, GWRC
Rachel Pawson – Senior Policy Advisor, GWRC
Chloë Nannestad – Policy Advisor, GWRC
Adele Dawson – Senior Planner, Incite
Tim Stoddart – Senior Planner, Incite
Jo Frances – Lead Consenting Advisor, GWRC
Claire Rewi – Partnership Manager, GWRC
Tania Parata – Director Mana Whenua Partnerships, GWRC
Rita O’Brien – Stormwater & Coastal Engineer, Kāpiti Coast District Council
Simon Scott, Kāpiti Coast District Council
Ben Thompson, Kāpiti Coast District Council
Theressa Murray – transcription

Agenda:

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

9:30 am – Start

Karakia, Mihi and Welcome

- Acknowledgement of the Ngāti Raukawa Waitangi Tribunal hearing in Ōtaki today and the historical injustices that took place there.

Item 1: Taurite reflection on Monday’s caucus

- Kāwanatanga House: Reflecting on how working in the Tiriti House Model for 9 months has led to the respect and trust we need in ourselves as a House. How we are able to sit and be with the decision to accept in full work that was done by the Mana Whenua House, and the importance and significance of that for those of us who are Pākehā, sitting in the energy today that we’ve brought to that place. Standing here today aware of the team’s ability to respect and trust, to move forward with the information we have in front of us and the discussions we have today; it’s always about people and trust, and on Monday we experienced a moment where those things came together. Let’s nail this.
- Mana Whenua House: Mihi to that. The work that has been coming out of this treaty-based model is fabulous, lots of hard work done in the background. To reflect on improving in the future: in sitting and hearing the papers in caucus we are aware of the lack of mātauranga Māori; there are a few of us in the room to bring that today. Mindful that we’re not just making decisions based on science, but also on mātauranga Māori. My heart goes out to the Waikanae, recharging from bores (groundwater); when we swim in the Ōtaki we feel our tupuna with me, and the same in the moana. Our tupuna signed the treaty on the banks of the Ōtaki, and that’s why we’re here today

to make that real for our tamariki too. We want all our tamariki to be enjoying our awa. Band together, two more hui to go!

Item 2: Water allocation decision-making in break-out groups

- Task briefing from kaimahi: Basis for the kōrero for today is the image from the Powerpoint showing the hierarchy of Te Mana o te Wai. Should help you think about the quantity of water in the awa for ecosystem health and mahinga kai. On the side, there's the explanation about minimum flow allocation, and above that a note to say some consideration needs to be given to climate change and other impacts that may require that allocation to be increased to maintain ecosystem health. Middle box is the second tier of the hierarchy, health needs of people, note that with pop growth needs to be considered of quantum for that; current quantum required; third tier is economic, social, and cultural needs; add a note there about projected rainfall changes within Kāpiti; quantum of water changing, population changing, acknowledging a dynamic system.
- Kaimahi: Suggestion for today is three groups, each group to look at a different tier of the hierarchy. To assist those conversations, we have a new paper received this morning with some draft recommendations that kaimahi have put together to help guide conversation; these are a starting point not the end goal. One suggestion is to start by looking at questions in top boxes – what do you need to be thinking about when managing for the health and wellbeing of waterbody?
- Then we will come back and have a kōrero as a group to make sure we're all on the same page. We may also want to have a chat around percentages: what percentage of the water that's available should stay in the river, what percentage increase from current minimum flow should be added to provide for climate change in future, etc.
- A bit surprised that we would be getting down to the numbers stage in this conversation; have to be careful in that space. Okay to discuss it, but note some discomfort with firm decisions being made at this meeting.
- Committee member noted that there has been considerable deliberation and a workshop previously on the subject and that some are prepared today with an awareness that numbers and flow percentages would be discussed and decisions likely made. We are prepared.'
- Facilitator: note that this is an early conversation, noting that some of the data is quite old.
- Kaimahi: The draft recommendations paper also has suggestions around GWRC and mana whenua working together to firm up these decisions later; you might want to consider putting forward principles or guidance around how that work happens. We may not land on a quantum, but what is the methodology that should be used to get to a quantum? That could be decided today.
- Kaimahi: Confirm that we are working with the most up-to-date data available and that those older datasets have also been updated where most relevant.

Tier 1 group (ecosystem health, mahinga kai) discussion:

- Awa is an ancestor, want it to be well and functioning – don't want to wait until critical point to start making changes, want systemic change now.
- Note some data gaps, desktop monitoring vs on-the-ground monitoring, an absence of mātauranga.
- Current default regime based on biological not mātauranga; unsure of climate change considerations, buffers for climate change, mahinga kai. Thinking that a starting point is to add 35% of MALF for each, noting that this may take it beyond 100% of MALF. Thinking also to allocate

a percentage to Māori as right of first refusal for multiple uses, and the rest allocated based on other priorities.

Tier 2 group (health needs of people) discussion:

- Note the journey of water flowing, from source to aquifers, the atua that look after aquifers. Lots of really important atua are involved in wai; can't go beyond thinking about and understanding.
- Want people to know where their drinking water comes from; people need to understand how they're connected with the wai.
- Monitoring needs to understand cumulative effects, including permitted takes. Discussed shifting the focus from individual takes and consents to the waterbody, considering the consents as a total part of the ecosystem.
- Note crossover between commercial elements in third tier, and human health needs in second tier. How to separate these?
- Note that Kāpiti is the only district in NZ that requires water tanks with new sections - sustainable water use strategy 2003.

Tier 3 group (social, cultural, economic needs) discussion:

- Note strain on water supply faced by population growth, climate change, increasing flows over MALF, etc.
- Current system not good enough for an equity standpoint; need more information on permitted takes in order to make better decisions on those. For consents, need to align expiry dates for equity in allocation to properly assess cumulative effects.
- Discussion of hierarchy of prioritisation: irrigation for aesthetic features, golf courses vs. playing fields, horticulture and industrial – consider other metrics for ranking: efficiency of use, recycling water, pollution impacts, etc.
- Note cultural crossover for Māori between Tiers 2 and 3, and the wider community as well; cultural use vs. health needs use.
- Note difficulty of controlling permitted takes; limited information means it's hard to know the parameters of the allocation bucket, mandating consents or metering creates a cost burden.
- Thinking about the links between these conversations, it's important that we clearly articulate that we are strongly advocating for honouring Te Mana o te Wai. Idea to include key whakaaro in the WIP as pull quotes. These live thoughts are where the mauri sits in the document, and what is currently missing.
- Include key whakaaro as pull quotes in the WIP – e.g., “death by a thousand cuts”.
- Kaimahi: mihi to that, think it is important to articulate the nuances in terms of the policy concept of Te Mana o te Wai, as well as the figurative meaning.
- MWH: a loose translation is the permanence of it – the wai always has mana.
- If main perceived issue around permitted takes is around the lack of information, could help to focus on metering.
- Sustainable water use strategy (KCDC 2003) calculates 250L per person per day for essential uses: hygiene, kitchen, toilet, drinking. Then an additional 150/L per day for non-essential use: washing windows, cars, etc. that's the peak, that would be the biggest day of the year. Then an additional 90L per day for a buffer, and to accommodate commercial use.
- Query: is washing cars and commercial use tier 2 or tier 3?

- From community feedback, for some people their garden is 0 or 1, the highest priority for them. Some activities are between tiers 2/3 emotionally; schools and hospitals are classed as commercial, swimming pools, bowling greens, things that bring emotional enjoyment in life.
- Forecasts of population growth, households on average use 450-500L per day – more rural ones use up to 1000L.
- Worth considering in tier 2 vs tier 3, emotional or cultural needs might conceptually include golf courses, but then tier 3 includes food production – are we pushing that below golf courses?
- It's all about finding a balance to manage this – impacts on livelihoods and the consenting process. Storing water could be a solution, perhaps considering consenting process for that.
- Allocation only works if we know what we're dealing with and who is monitoring use and how? Regional council, district council, private water supplies.
- Decision: make sure anything relevant coming out of the Waikanae Ki Uta Ki Tai programme are considered for inclusion.

Lunch break.

Item 3: Live-editing recommendations on water allocation.

- Note that recommendations will be revised later in the plan change process to ensure councils and mana whenua are on the same page.
- Decision: add in health of water body and mahinga kai activities to Tier 1.
- Decision: include recommendation for GWRC and KCDC to work together, share information. Include community groups, collaboration.
- Discussion on default environmental flows; taking a precautionary and conservative approach was recommended. Rigorous discussion with Committee and Kaimahi on whether a default of 80% of MALF be applied where there is insufficient information or all waterways as per the NIWA report recommendation.
- Decision: a default of 80% of MALF for big rivers with sufficient information be set for environmental flows; with an additional 35% of MALF for mahinga kai, and additional 35% of MALF for climate change effects.
- Decision: where this is insufficient information to set specific flows and levels, include 80% of MALF as a default recommendation. Include direction to adapt as knowledge increases, e.g., regarding climate change effects. Note that numbers might change in future but want to have specifics to indicate direction and avoid interpretation as to what “precautionary and environmentally conservative” means.
- Note that methodology and modelling will need to be examined, and scenarios run; note that Waikanae river recharge scheme incorporates surface water and groundwater so any MALF changes will impact this scheme, and potentially impact the groundwater in terms of salination and other triggers.
- Decision: recommend to prohibit groundwater recharge scheme for Ōtaki river.
- Decision: add KCDC involvement to recommendation regarding data sharing and sovereignty.
- Decision: add DOC as partner for implementation to the recommendation for a monitoring programme.
- Decision: amend consenting recommendation to include that mana whenua are actively involved in decision-making.
- Decision: recommend a staged call-in of consents, and requirement for water meters on all takes, including permitted takes.

Afternoon tea break.

- Decision: amend water allocation recommendations to include: improving data collection on water takes volumes and uses, including permitted takes; requirements for common consent conditions on water permits with triggers to step down/cease abstraction in an FMU when an issue is identified in that FMU (e.g., saline intrusion); aligning consent expiry dates and reviewing water permits on a catchment-by-catchment basis to understand cumulative effects and to transition to a more equitable allocation framework; investigate a replacement to the first-in-first-served approach.
- Decision: amend water allocation recommendation to include immersion activities under Tier 2 as health needs of people; also include accommodations for projected population growth and climate change.
- Decision: include a timeframe of 2025 in the recommendation to update the KCDC 2003 Sustainable Water Use Strategy
- Decision: Update water-sensitive urban design recommendation to include review of KCDC plan requirement for rainwater tanks on new developments to ensure they are fit for purpose.
- Decision: amend recommendation on mana whenua rights and interests for freshwater to strengthen wording; reference papakāinga but not limited to that.
- Decision: amend recommendation on tier 3 of the hierarchy of Te Mana o te Wai to include investigating opportunities and developing criteria for prioritising certain uses of water, especially those that are sustainable and efficient and provide for the obligations in tier 3.
- Discussion about untangling some uses (such as drinking water for stock, which should be tier 3 economic activity, from tier 2 health needs of people).
- Accepted all other recs as written.

4.45pm – Karakia, finish, and depart.