

MEETING PAPER

SUBJECT	Whaitua Te Whanganui-a-Tara Committee
WHEN	Monday 22 March 2021, 9am-5pm
WHERE	GWRC Council Chambers (100 Cuba St, Te Aro)
ATTENDEES	Sam, Louise, Zoe, Pat, Pete, Jonny, Sean (9-10), Tui, Roger (from 1.30pm), Kara (from 3pm)
APOLOGIES	Hikitia, Naomi, Wayne, Anya, Ros, Gabriel
PROJECT TEAM	Tim, Phill, Emily O., Mike G., Richard, Matt, Mark, Brent, Kat, Glen, Angela, James, John, Emily T., Vanessa, Helen, Dave, Mike T.

KEY

D = decision.

A = action.

PT = project team.

R = idea for drafting a recommendation.

Meeting opening

Sam opened with a karakia.

- Question about legal advice on waterbodies becoming legal entities. Potential to enable Councils to take civil action or impose penalties against people who despoil it.
- At a recent Sanctuary to Sea meeting, there was discussion about the possibility of giving legal status outside of treaty settlements and looking into this for Kaiwharawhara and the protection for other streams.

Te Kāhui Taiao engagement events:

- Te Kāhui Taiao hosted two events with mana whenua on 16 and 18 March. Attendance was low but engagement was high.
- Young participants expressed interest in what it will take to make change and their frustration with councils.
- They shared a rich te ao Māori perspective. A key idea is that in order to act as mana whenua three fundamental things are needed. Turangawaewae (place for Māori to stand e.g. marae and rohe), Urupa (a place to be buried), and Mahinga kai (a place *near the marae* to gather kai).
- Preference for doing a few simple things really well rather than a long list of recommendations. They want something powerful that can be implemented.

- Find a new way to connect the community through whakapapa relationship and giving legal status to a few important waterbodies.
- See the mana whenua marae engagement reports on share point for further detail.

A: Amend 24 February workshop notes as below:

- “Request to extend timeline... to be considered by GW management and co-chairs.” Remove co-chairs since they made the request.
- “Draft WIP structure introduced by Te Rangimārie... accepted by Committee.” Change accepted to incorporated.

D: Committee members to add comments only in the Draft WIP on SharePoint. Draft WIP printed for Committee workshops to be date stamped. Long comments or additional text to be added in a coloured text box with the contributor’s name.

A: PT to share protocol for working in the Draft WIP document and support access to SharePoint.

A: PT to seek legal advice on issues as requested by the Committee, e.g., how to give a waterbody status as a legal entity.

Urban recommendations

‘Appropriate management of waste’ section

- Structure as a list of recommendations followed by the rationale that apply to a recommendation or group of recommendations. Most people may just want to read the recommendations, but for those who are interested, it should direct them to where they can go for more information.
- Discussion about cost figures. Total costs are difficult to conceptualise, potential to break down to per dwelling costs in rates. Suggestion to provide costs compared to Auckland or Christchurch.
- Specific costs not critical – tell community and councils the change that is needed to meet water quality targets and they will have to find a way to get there, acknowledging there will need to be an increase in rates and funding.
- Some acknowledgement of costs is needed to show that recommendations are feasible. Costs over long timeframes involve a lot of guesswork. Committee to focus more heavily on outcomes and let agencies work out mechanisms for implementation.
- Recommendations about water supply and conservation of water need to include Porirua City Council as TWT provides water supply to their catchment.

D: Add bullet point with the number of overflow occurrences.

D: WIP to include a visual representation or timeline of short, medium and long-term recommendations.

A: Management of waste to include contaminated sites and landfills, to be discussed at a future workshop.

Recommendation 5:

- General recommendation that Councils prioritise and fund Whaitua recommendations, could be through an LTP or other mechanism.
- All recommendations to be listed on a timeline to help the Committee discuss trade-offs and prioritise between issues.
- Wastewater overflows are a greater risk to human health than an ecological risk. Important to consider cultural and spiritual values about immersion in water. How does Te Mana o te Wai apply to this issue? Is it necessary to include the phrase “that also pose a high risk to public health?”

- Recommendation does not specify whether overflows occur on public or private land. They're more likely to occur on public land.
- Overflows on private land are the responsibility of landowners to fix. Recommendations 10 and 11 address issues with private laterals.

D: Remove reference to LTPs, change wording to "TAs prioritise and fund."

D: Undecided whether to include phrase, "that also pose a high risk to public health."

D: Specify "public" wastewater assets.

R: Updated wording of recommendation: "TA's prioritise and fund the repair and replacement of public wastewater assets that lead to overflows on private or public land that also pose a high risk to public health."

Recommendation 6:

- *E.coli* is not the only attribute affected, swimming and primary contact as well. Change to "relevant target attribute states."
- Not agreed on 2040 target date, change date for plan to be developed by 2023.
- General recommendation in governance section on regular reporting on recommendations.
- Need to understand how the global stormwater and wastewater consents can help drive Wellington Water to fix issues in the wastewater network. PT to organise a session with the Wellington Water stormwater consent team.
- Stormwater should be required to be pre-treated before entering the receiving environment. Aim for a percentage of stormwater to be treated by a specified date. To be considered as part of the stormwater recommendations.

D: Replace "road map" with "plan." Plan to be completed by 2023, link to global stormwater consent.

D: Remove "help achieve... E.coli bottom lines" and replace with "achieve the relevant target attribute states."

R: Updated wording of recommendation: "TAs fund Wellington Water to develop a plan by 2023 within the global stormwater consent to achieve the relevant target attribute states in Appendix X."

Recommendation 7:

- Discussion about how to prioritise which catchments to start investigations into cross-connections and wastewater leakage.
- May not be necessary to tell agencies where to investigate first if it is completed in a short timeframe by 2030. Need to provide outcome and timeline, and leave operations up to them.
- Clarification that inflow and infiltration is an issue that relates to stormwater runoff and involves infiltration into broken pipes. Cross-connections are when wastewater pipes are incorrectly connected to stormwater pipes, which is an issue in dry weather. Explain these terms in plain English throughout the WIP.
- Should prioritisation start with the engaged communities? Important to support highly motivated communities and use existing connections that may have more buy in for fixing private laterals. If one community leads the way, it could make it more efficient and cost effective for other communities to follow.

- Wellington Water is starting investigations in Owhiro Bay and Titahi Bay. The Titahi Bay Residents Association has an active online group dealing with problems such as overflows and discharges into the bay.
- A leaflet was circulated a month ago letting residents know that Wellington Water will be looking at lateral connections and doing dye testing in the coming months. Community meeting held at a local school to discuss associated costs and next steps of the process.
- Most residents aren't aware that they're liable for the pipes on their land.
- Start where there are relationships first and communicate values relating to water and the environment. Everyone needs to do their part.
- If there was data on where cross-connections and overflows are worse, would we prioritise these areas first? Don't know which areas are most affected.

A: Rec 7 to be rationalised with 39 and 49.

A: Consider prioritisation of suburbs with community connection versus areas where cross-connections are the worst. Any prioritisation still to be determined. Remove prioritisation wording from this recommendation.

A: Consider use of language and definitions of cross-connections, inflow and infiltration, and exfiltration for public-facing documents and communications.

R: Updated wording of recommendation: "TAs fund Wellington Water to increase investigations across the public/private networks to identify all cross-connections (wastewater connected to stormwater) and wastewater leakage (exfiltration) by 2030."

Recommendation 8:

- California is banning the sale of copper brake pads this year. They started by implementing a policy in 2010 and it has taken 10 years to phase them out.
- Put pressure on central government and enable early adopters to buy copper-free brake pads. Need to ensure that ceramic or other replacements can be sourced. Encourage expedient introduction of rules.
- Councils to lead by example by replacing copper brake pads or using electric vehicles with regenerative braking.
- Consider impacts of copper and zinc from roofs and hot water cylinders on stormwater as well.
- Change section title, "Managing our waste," to something that encompasses waste and contaminants.
- Include in recommendations directed to central government.

D: Add educating public about replacing brake pads with copper-free next time service vehicles. Add providing support to garages and dealerships.

D: Add date for lobbying central government by 2022 to "expediently introduce rules" to phase out copper brake pads by 2030 or earlier.

R: Updated wording of recommendation: "TAs, GWRC and mana whenua start lobbying central government by 2022 to expediently introduce rules that will phase out copper brake pads in vehicles by 2030 or earlier."

R: Add recommendation (8a): "TAs, GWRC and Wellington Water lead by example with their fleet vehicles and, as they are renewed/replaced from 2022 onwards, they have copper-free brake pads."

Recommendation 9:

- 'Average' condition = grade 3 pipes.
- Project team to provide interim decade targets to meet the outcome of no public wastewater assets below grade 3 in 50 years.
- Consideration of climate change implications and whether to prioritise pipes that will be impacted by sea level rise. Is it worth fixing areas where there may be managed retreat? Some wastewater pipes are already below the tidal level and pumping is needed. Important to fix those pipes to prevent sea water infiltration.
- Greatest areas of risk for coastal vulnerability are Petone and Eastbourne.
- Climate change needs to be factored into future reviews and decision-making. Support for a community based approach to adapt to sea level rise. Include as an overarching recommendation.

D: Group recommendations 9, 12 and 18 on wastewater pipe renewals (now 9, 9a and 9b). Outcome in 50 years for no public wastewater asset to be below grade 3. PT to provide a series of interim decade targets with percentages to meet the outcome.

D: Decade targets to adapt to decisions made about sea level rise and climate change. Support community based approach to adapting to sea level rise.

A: PT to share [article on resilience and sea level rise](#), and options for decision-making.

R: Updated wording of recommendation: "TAs to fund Wellington Water to increase repair and renewal of public wastewater infrastructure. By 2030, ~22% of the wastewater pipe network will be below grade 3 (average condition)." Decade targets to be added (9a and 9b).

Recommendation 10:

- Important that funding mechanisms are in place to support landowners in fixing private laterals. Add education and raising awareness.
- Are current enforcement measures enough for those who don't fix their private laterals? Most people are not aware they have an illegal cross-connection issue. There needs to be adequate time and funding mechanisms for landowners to fix pipes before they are fined.
- If broken laterals are recorded on the LIM, the liability could be transferred to the next owner without requiring them to be fixed.
- Laterals need to be checked more frequently than at point of sale in the event that some homeowners may live at the same property for decades. WOF idea is its own recommendation to address ongoing investigation, captured in recommendation 69.
- Visual representation suggested to show how the short/medium/long term recommendations on this issue fit together to help homeowners.
- Public health is the key driver for fixing private laterals.

D: Link to Rec 7 and 69. Leave 69 as for now may be moved when reviewed.

D: Note that funding mechanisms need to be in place once investigations into private laterals have begun, add no later than 2024.

A: Consider options for incentives and consequences for not fixing private laterals.

R: Add recommendation: "All TAs provide financial mechanisms no later than 2024 to encourage landowners to fix faults in private laterals. TAs and Wellington Water to provide supporting advice to private landowners when requested about their rights/responsibilities in relation to private laterals." Relabelled as Rec 7a.

Recommendation 11:

- If a plumber has installed pipes incorrectly, it will not be possible to claim the cost back without facing legal issues.
- Important to help landowners understand what their rights are to hold plumbers and councils accountable and prevent the issue from occurring in the future.

D: Remove Rec 11 as out of scope.

D: Support for landowners in understanding their rights in working with plumbers and councils to fix cross connections, add to recommendation 10.

Recommendation 13:

- 50 year timeframe to eliminate overflows does not fit with kawa and mana whenua thinking, need to expedite process. Wastewater entering the environment is unacceptable.
- If overflows were treated so that they no longer contaminate the receiving environment, would they still be considered a problem? Advice needed on how overflows could be treated at a local scale.
- Storage tanks are one option to help avoid overflows until the network is upgraded with increased capacity to prevent overflows, but it is a short sighted solution.
- Te Kāhui Taiao to add to thinking about how to achieve zero overflows.
- Understand scale and cost of challenge to achieve zero overflows. Need interim targets to reach the outcome. Discuss further with global stormwater team.

D: Group recommendations 5, 13 and 16 (now 5, 5a and 5b). Outcome to eliminate all overflows in 50 years. PT to provide a series of interim decade targets to meet the outcome.

A: 2040 date not ambitious enough to reduce wastewater overflows to 2 per year for mana whenua. TKT to discuss when no overflows can be achieved.

A: Consider option to pre-treat overflows before they are discharged into waterways.

A: PT to set up a session with the global stormwater consent team from Wellington Water.

Recommendation 14:

- Should TAs and WWL be responsible for covering the cost of fixing private cross-connections or should homeowners be required to pay? Possibility for loans and repayment through rates.
- Uncertainty about changes that will come through the Three Waters Reform. Proposal that public assets will be invested into the crown and managed by a regional water authority.
- If homeowners are being asked to fix private cross-connections, need to see that TAs and Wellington Water are working to fix the public network.
- Timing of cross-connections recommendation prioritised ahead of leaky laterals because of the direct connection to the stormwater network.
- Target percentages and timeframes to be reviewed. Investigating private laterals needs to be ongoing.
- Cross-connections to be fixed within 3 months of being identified. Broken laterals to be fixed within 12 months of being identified.

D: Group recommendations 7, 14 and 17 (now 7, 7b, 7c, 7d). PT to propose decade targets.

A: Consider options for funding mechanisms through Councils and support for landowners with a loan and repayment through rates scheme.

R: Reword recommendation (7b): “TA’s fund Wellington Water to repair all cross-connections on public and private land by 2032. Payment of cross connections repairs may come from a mixture of private and public funds.”

Te Mahere Wai (presented by Sam and Kara)

- Te Kāhui Taiao to lead a wānanga on Te Mahere Wai in the next few weeks.
- Privilege to meet with iwi members in the past week, as mana whenua representatives we represent our people and it’s part of our tikanga to test our thinking with them.
- From the Whaitua Committee’s establishment on Matiu/Somes, we’ve talked about waterbodies being interdependent and interconnected with the whole system. We apply that framework to all of our recommendations.
- Waterbodies are not seen as resources but recognised as indivisible, whole beings. Taranaki Whānui and Ngāti Toa view awa as our ancestors and we have a responsibility to take care of them.
- At the recent iwi engagement events, we tested the idea of mana whenua taking management control of waterways instead of agencies like the regional council. We started the conversation about a new management approach as the current one isn’t working.
- In order to give effect to Te Mana o te Wai, we can’t make any decisions about waterways without mana whenua, relating to both governance and care. Need to build both capacity and capability.
- Interest in testing a management approach informed by a te ao Māori worldview, perhaps in a few waterbodies such as Kaiwharawhara, Black Creek, Korokoro or Waiwhetu Stream.
- Te Kāhui Taiao has been discussing a governance forum, including the roles, responsibilities, powers and funding mechanisms that would be needed to deliver improvement for our waterways.
- Expect that it will be a long journey but in 100 years we might be operating under an entirely different framework.
- Premise that mana whenua and all people who call this whaitua home must take responsibility for our waterways. We need to build a framework that ensures we can do this.
- Understanding that we’re operating in an evolving space with the Three Waters Reform coming through central government in the next few years.
- We cannot breach our kawa. If we break the water cycle, our ability to survive is challenged. The things we can control is our tikanga, which includes a three-way partnership between mana whenua as kaitiaki, communities who participate and lead, and councils who fulfil their role.
- We take care of wai in a holistic sense, mai uta ki tai. Mātāpuna (source or spring) need to be protected. Small streams need to be named and recognised to restore their mana.
- Discussion about how Te Mahere Wai and the Draft WIP might be brought together. It is possible that there may be two documents from this process. If not everything can be agreed, then they should endorse each other and not include conflicting recommendations.
- Mana whenua want to have a document that will be framed and articulated in a way that their iwi will be able to understand and connect with. Want to be able to provide direction to iwi to continue the work in Te Mahere Wai and implement it.

A: TKT to host a wananga with the Whaitua Committee to discuss Te Māhere Wai in depth.

Meeting closing

- Need a recap of discussion for those who were unable to attend and to review changes made to recommendations.
- Good discussion and process but takes time to work through recommendations.

Kara closed with a karakia.

A: PT to organise a 2-hour Zoom session to recap the changes to recommendations and provide an opportunity for Committee members who were unable to attend to contribute.