

**BEFORE THE INDEPENDENT HEARINGS PANELS APPOINTED TO HEAR AND MAKE  
RECOMMENDATIONS ON SUBMISSIONS AND FURTHER SUBMISSIONS ON PROPOSED PLAN  
CHANGE 1 TO THE NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION**

**UNDER** the Resource Management Act 1991 (the  
Act)

**AND**

**IN THE MATTER** of Hearing of Submissions and Further  
Submissions on Proposed Plan Change 1 to  
the Natural Resources Plan for the  
Wellington Region under Schedule 1 of the  
Act

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**STATEMENT OF EVIDENCE OF TIMOTHY ANDREW SHARP  
ON BEHALF OF GREATER WELLINGTON REGIONAL COUNCIL  
EVIDENCE ON THE WHAITUA PROGRAMME AND PROCESSES  
THAT INFORM PLAN CHANGE 1  
HEARING STREAM 2 – OBJECTIVES  
28 FEBRUARY 2025**

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## INTRODUCTION

- 1 My full name is Timothy Andrew Sharp. I am a Catchment Manager at Greater Wellington Regional Council (the Council).
- 2 I have undertaken a high-level review of submissions relevant to the Section 42A report on the Objectives topic and those previously noted for the Overarching topic (Hearing Stream 1) in order to ascertain the community interests and organisations who have expressed both support and opposition to Proposed Change 1 (**PC1**) to the Natural Resources Plan for the Wellington Region (**NRP**) and specifically, an interest in how the objectives have been derived.
- 3 I have prepared this statement of evidence on behalf of Greater Wellington Regional Council in respect of the community planning processes which preceded PC1. These were the processes by which water quality and ecosystem health objectives were considered and recommended for Te Awarua-o-Porirua Whaitua (**TAoP**) and Whaitua Te Whanganui-a-Tara (**TWT**), that were used as the starting point for the PC1 provisions.
- 4 Specifically, this statement of evidence relates to the matters in the Section 42A Report – Objectives.

## QUALIFICATIONS AND EXPERIENCE

- 5 I hold a Postgraduate Degree in AgriCommerce (First Class Honours), Bachelor of Business Studies (Financial Economics), and a Bachelor of Arts (Environmental Studies).
- 6 I have the following experience relevant to this statement of evidence:
  - 6.1 Massey University postgraduate thesis: The use of and relationship between formal and informal techniques for building and sustaining trust in collaborative groups: insights from a collaborative decision-making process for freshwater management in Hawke's Bay (2014)
  - 6.2 Hawke's Bay Regional Council, Strategic Policy Advisor (2010-2015)
    - 6.2.1 Project Manager, TANK Group collaborative process giving effect to the 2011 National Policy Statement for Freshwater Management (**NPS-FM**) for the Heretaunga Plains area

- 6.2.2 Developed and published guidance with Crown Research Institutes (CRIs) (Landcare Research, Cawthron Institute, Niwa) on collaborative processes
- 6.2.3 Project Manager, Hawkes Bay Biodiversity Strategy collaborative stakeholder group.
- 6.3 Ministry for the Environment (2015-2017)
  - 6.3.1 Secretariat support to the Land and Water Forum (LAWF) (collaborative stakeholder group advising Government on NPS-FM development and implementation)
  - 6.3.2 Regional council relationship manager for NPS-FM implementation
  - 6.3.3 Developed collaborative process guidance for councils implementing the NPS-FM
- 6.4 Sharp Advice Ltd. (2017-2018)
  - 6.4.1 Policy lead for the National Policy Statement for Indigenous Biodiversity (NPS-IB) collaborative stakeholder group
- 6.5 Greater Wellington Regional Council (2018-present)
  - 6.5.1 Whaitua Programme Manager (2018-2023) implementing the NPS-FM
  - 6.5.2 Te Whanganui-a-Tara Catchment Manager (2023-present).

## **CODE OF CONDUCT**

- 7 I have read the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023 (Part 9). I have complied with the Code of Conduct in preparing this evidence. My experience and qualifications are set out above. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

## SCOPE OF EVIDENCE

- 8 My evidence addresses what the NPS-FM requires regional councils to do to manage the health of freshwater through the National Objectives Framework (**NOF**), the involvement of tangata whenua and community in determining objectives, and the Council's response to both these factors in the whitua programme. My evidence focuses on how the Council established and ran whitua processes for TAoP and TWT. These were collaborative processes between the Council, mana whenua, territorial authorities and local communities. I was the Whitua Programme Manager from July 2018 to May 2023, and was the manager for the final six months of the TAoP Whitua process and the entirety of the Whitua TWT process.
- 9 The two whitua processes produced four documents with recommendations to the Council on implementing its duties under the NPS-FM, including in relation to the NOF.
- 10 The four documents are:
- 10.1 In TAoP:
    - 10.1.1 Te Awarua-o-Porirua Whitua Implementation Programme (**WIP**)<sup>1</sup>, and
    - 10.1.2 Te Awarua-o-Porirua Whitua Implementation Programme: Ngāti Toa Rangatira Statement<sup>2</sup>, and
  - 10.2 In TWT:
    - 10.2.1 Te Whitua te Whanganui-a-Tara Implementation Programme <sup>3</sup>, and
    - 10.2.2 Te Mahere Wai o Te Kāhui Taiao<sup>4</sup>.

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<sup>1</sup> <https://www.gw.govt.nz/assets/Documents/2021/11/Te-Awarua-o-Porirua-Whaitua-Implementation-Programme.pdf>

<sup>2</sup> <https://www.gw.govt.nz/assets/Whaitua/ngatitoataopwhaituastatement.pdf>

<sup>3</sup> [https://www.gw.govt.nz/assets/Documents/2021/12/Te-Whaitua-te-Whanganui-a-Tara-Implementation-Programme\\_web.pdf](https://www.gw.govt.nz/assets/Documents/2021/12/Te-Whaitua-te-Whanganui-a-Tara-Implementation-Programme_web.pdf)

<sup>4</sup> [https://www.gw.govt.nz/assets/Documents/2021/12/te\\_mahere\\_wai\\_20211028\\_v32\\_DIGI\\_FINAL.pdf](https://www.gw.govt.nz/assets/Documents/2021/12/te_mahere_wai_20211028_v32_DIGI_FINAL.pdf)

## **BACKGROUND CONTEXT**

- 11 PC1 includes new provisions to articulate and achieve the requirements of the NPS-FM 2020, particularly in relation to the NOF for two whitua in the Wellington Region: TAoP and TWT.
- 12 It is my understanding that the recommendations from the two whitua processes Council ran for TAoP Whitua and Whitua TWT form the starting basis for the direction of PC1, particularly in relation to the objectives for the health of fresh and coastal water bodies. It is also my understanding that the proposed provisions of PC1, including the target attribute states in Table 8.2, Objective WH.05 and Table 9.2, Objective P.O6, at times differ from those recommended in the Whitua documents. I note that the key aspects of the NOF implemented in PC1, both as they were informed by and differ from those recommended in the Whitua documents, are discussed in the s32 report for PC1, most particularly in Part B, Section 3, paragraphs 32-176.<sup>5</sup>

## **WHAT THE NPS-FM REQUIRES REGIONAL COUNCILS TO DO**

### **NATIONAL OBJECTIVES FRAMEWORK**

- 13 The first NPS-FM was gazetted in 2011 and, in each version since this date, has provided direction to regional councils on how to approach and implement management of land and water through their planning documents.<sup>6</sup> Though there have been many small and large changes over time, the key amendments to the NPS-FM that have particularly impacted requirements for regional council planning in relation to the NOF were those versions in 2014,<sup>7</sup> 2017<sup>8</sup> and 2020<sup>9</sup>. The Council's Whitua Programme to implement the NPS-FM, commenced when the 2011 NPS-FM was in play and has consequently adapted to multiple amendments since.
- 14 The NOF was introduced in the NPS-FM 2014 as a process that regional councils must follow in setting objectives for the values associated with freshwater bodies and identifying

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<sup>5</sup> <https://www.gw.govt.nz/assets/Documents/2023/10/Proposed-Plan-Change-1-Section-32-report.pdf>

<sup>6</sup> [https://environment.govt.nz/assets/Publications/Files/nps-freshwater-mgmt-2011\\_0.pdf](https://environment.govt.nz/assets/Publications/Files/nps-freshwater-mgmt-2011_0.pdf)

<sup>7</sup> <https://environment.govt.nz/publications/national-policy-statement-for-freshwater-management-2014/>

<sup>8</sup> [https://environment.govt.nz/assets/Publications/Files/nps-freshwater-amended-2017\\_0.pdf](https://environment.govt.nz/assets/Publications/Files/nps-freshwater-amended-2017_0.pdf)

<sup>9</sup> <https://environment.govt.nz/publications/national-policy-statement-for-freshwater-management-2020/>

the means to achieve these objectives. The NOF directs regional councils to create the policy framework within their own planning documents to meet the intent of the NPS-FM.

- 15 In summary, the requirements of the NOF from the NPS-FM 2014 were to:
- 15.1 Identify the values for waterbodies (including both 'compulsory' values from the NPS-FM as well as other values); then
  - 15.2 Identify the relevant attributes that apply to each value; then
  - 15.3 Assign a desired attribute state for each attribute at or above the minimum acceptable state for each attribute (i.e. to maintain or improve the current state); then
  - 15.4 Formulate freshwater objectives.<sup>10</sup>
- 16 The 2017 amendments to the NPS-FM made some changes to the NOF including to specifically require councils to undertake the NOF process 'through discussion with communities, including tangata whenua'.<sup>11</sup> The NPS-FM 2020 changed the NOF more significantly including to require that 'at each step of the NOF process, each regional council must: (a) engage with communities and tangata whenua ...'.<sup>12</sup>

#### **FRESHWATER MANAGEMENT WITH TANGATA WHENUA/MANA WHENUA AND COMMUNITIES**

- 17 Since its inception in 2011, and in addition to the requirements of the NOF, the NPS-FM has included direction for councils to provide for the involvement of tangata whenua in its application. The NPS-FM 2011 stated in Policy D1:

*Local authorities shall take reasonable steps to:*

- a) *involve iwi and hapu in the management of fresh water and freshwater ecosystems in the region*

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<sup>10</sup> NPS-FM 2014, Part CA, Policy CA2 [https://environment.govt.nz/assets/Publications/Files/nps-freshwater-management-jul-14\\_0.pdf](https://environment.govt.nz/assets/Publications/Files/nps-freshwater-management-jul-14_0.pdf)

<sup>11</sup> NPS-FM 2014 (amended 2017), Part CA, Policy CA2 [https://environment.govt.nz/assets/Publications/Files/nps-freshwater-amended-2017\\_0.pdf](https://environment.govt.nz/assets/Publications/Files/nps-freshwater-amended-2017_0.pdf)

<sup>12</sup> NPS-FM 2020, Subpart 2, Clause 3.7(1) <https://environment.govt.nz/assets/publications/Freshwater/NPSFM-amended-october-2024.pdf>

- b) *work with iwi and hapu to identify tangata whenua values and interests in fresh water and freshwater ecosystems in the region and*
- c) *reflect tangata whenua values and interests in the management of, and decision-making regarding, fresh water and freshwater ecosystems in the region.*

18 Through its iterations from 2011 to 2020, the NPS-FM's directive for councils to engage with tangata whenua in freshwater management became more specific and was broadened to provide for the involvement of communities. The NPS-FM 2020 in Subpart 1, Clause 3.2, for example, states:

*(1) Every regional council must engage with communities and tangata whenua to determine how Te Mana o te Wai applies to water bodies and freshwater ecosystems in the region.*

*(2) Every regional council must give effect to Te Mana o te Wai, and in doing so must:*

- (a) actively involve tangata whenua in freshwater management (including decision making processes), as required by clause 3.4; and*
- (b) engage with communities and tangata whenua to identify long-term visions, environmental outcomes, and other elements of the National Objectives Framework. ...*

## **COLLABORATIVE PROCESSES**

19 Collaborative processes have been used across Aotearoa New Zealand to inform resource management decision making and regional plans, particularly for freshwater.

20 Following the recommendation of the first report from the Land and Water Forum<sup>13</sup>, and based on international successes of participatory processes for resource management, a number of councils have used collaborative processes to give effect to the various requirements for engagement directed by different versions of the NPS-FM. For example:

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<sup>13</sup> Report of the Land and Water Forum – A Fresh Start for Freshwater  
<https://www.landandwater.org.nz/includes/download.aspx?ID=118914>



- 20.1 Since 2009, Environment Canterbury has used ‘water zone committees’ to recommend actions to councils and other organisations involved in water management. These were recorded in Zone Implementation Programmes (**ZIPs**). The zone committees operate under a philosophy that included working in a collaborative and cooperative manner to reach solutions that considered the interests of all sectors of the community.<sup>14</sup>
- 20.2 Between 2014 and 2018, the Waikato Regional Council (**WRC**) convened a 24-member Collaborative Stakeholder Group (**CSG**), comprising representatives from iwi, sectors and the community, to develop recommendations from which WRC notified as Plan Change 1 for the Waikato and Waipā catchments.<sup>15</sup>
- 20.3 Hawke’s Bay Regional Council undertook the TANK process (**TANK** being the acronym for the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments), a collaborative, community-based approach that led to the introduction of a more stringent approach to land and water use in those catchments through a plan change in May 2020.<sup>16</sup>
- 21 These, and other collaborations established by councils to implement the NPS-FM, used similar types of deliberative processes, informed by international literature, and advice from the Ministry for the Environment (**MfE**),<sup>17</sup> LAWF, and CRIs involved in developing best-practice collaboration principles and guidelines.
- 22 Since its release, a core tenet of the NPS-FM has been to develop a water management system that provides for the wide range of values that are underpinned by water. In the NPS-FM 2011, these were defined as ‘national values’, and by 2017, two ‘compulsory values’ (human health and ecosystem health) had been added to the policy. In 2020, the list of compulsory values was expanded to include ecosystem health, human contact,

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<sup>14</sup> <https://www.ecan.govt.nz/your-region/your-environment/water/whats-happening-in-my-water-zone/about-our-water-zone-committees/>

<sup>15</sup> <https://www.waikatoregion.govt.nz/council/policy-and-plans/healthy-rivers-plan-for-change/collaborative-stakeholder-group/>

<sup>16</sup> <https://www.hbrc.govt.nz/hawkes-bay/projects/the-tank-plan/about-tank/>

<sup>17</sup> For example, <https://environment.govt.nz/assets/publications/making-collaborative-groups-work.pdf>; <https://environment.govt.nz/assets/Publications/Files/cpp-guide.pdf>

threatened species, and mahinga kai (NPS-FM 2020, Appendix 1A), alongside “other values that must be considered” (NPS-FM 2020, Appendix 1B).

- 23 In successful collaborative processes, structured, deliberative, decision-making methods are used to deliver the requirements of the process’ terms of reference. For NPS-FM implementation, this necessitates a requirement to ensure that all ‘compulsory’ and ‘other’ values prescribed in the NPS-FM are considered. The structured decision-making method used in the whitua process<sup>18</sup> assessed each decision for its impact on each of the values.
- 24 One area where council processes have differed in establishing collaborative groups is in the approach to membership, with two models finding favour – the ‘stakeholder’ model and the ‘community’ model. This matter is relevant for this PC1 hearing, based on some submissions presented, so it is worth examining the two models.
- 25 The stakeholder model involves participants taking part with their ‘stakeholder hat’ on, where members are encouraged to advocate for the interests of their sector, starting from a preferred starting position, and to negotiate to mutually acceptable positions. A benefit of this model is that individuals and groups can explicitly see whether their interests are being represented by the group membership, such as farmers by Federated Farmers, or environmentalists by Forest and Bird. Criticisms of this model (with respect to membership) are that better resourced sectors can have more power and influence, and that national sector interests are negotiated, rather than the interests of local communities (potentially undermining local ownership of decisions). Outcomes and solutions may also be less innovative when parties begin with an entrenched, preferred position, i.e., only small shifts may result.<sup>19</sup>
- 26 The community model, conversely, requires members to put aside their personal interests, to participate as a ‘citizen’, seeking solutions that benefit all, with the long-term interests of the region in mind. In its guidance, MfE noted that “putting stakeholder interests aside for the greater good of the community is challenging for some participants (p. 10)”<sup>20</sup>. MfE

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<sup>18</sup> Informed by Gregory, R., Failing, L., Harstone, M., Long, G., McDaniels, T., Ohlson, D. (2012). Structured decision making: A practical guide to environmental management choices.

<sup>19</sup> <https://environment.govt.nz/assets/publications/making-collaborative-groups-work.pdf>

<sup>20</sup> <https://environment.govt.nz/assets/publications/making-collaborative-groups-work.pdf>

also highlighted that the composition of groups using the community model can be subject to criticism from sector groups if they consider they are not represented. The Council was aware of these potential issues with using a community model and made provision to address them as described further in the TAoP and TWT process sections of this report.

- 27 A benefit of the community model highlighted by MfE is that “putting community values at the centre of the collaborative process ... can empower participants to find solutions that overcome common disputes between stakeholders (p. 10)”<sup>21</sup>, and that innovative solutions are more forthcoming.

## WHAITUA APPROACH

### THE REGION-WIDE PROGRAMME

- 28 In order to meet the various requirements of the NPS-FM, the Council adopted a two-stage approach:
- 28.1 Notify the NRP to cover matters that warranted a regionally consistent approach, along with a plan structure to enable catchment or whitua scale matters.
  - 28.2 Undertake the Whitua Implementation Programme (**the Whitua Programme**) for the five whitua making up the Greater Wellington region, and use the recommendations from each Whitua process to inform subsequent plan changes to the NRP, including to fulfil the requirements of the NOF
- 29 In establishing the Whitua Programme, Council looked at other regional approaches, advice from MfE and CRIs, and liaised with iwi via Te Upoko Taiao - Regional Planning Committee (comprising six regional councillors and six mana whenua representatives). The goal was to establish a deliberative process where participants could share ideas and learn from each other. It was necessary that a safe space be created for debate and innovation, informed by a range of world views and interests and underpinned by a fulsome suite of technical advice.

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<sup>21</sup> <https://environment.govt.nz/assets/publications/making-collaborative-groups-work.pdf>

- 30 The Council adopted the Whaitua Programme in December 2012 to give effect to the NPS-FM at a catchment scale and through collaborative processes<sup>22</sup>. The Whaitua Programme was established in response to the NPS-FM 2011 and has adapted to multiple subsequent amendments to the NPS-FM, most notably the three major amendments in 2014, 2017 and 2020. Each Whaitua Committee aligned its work with the prevailing NPS-FM, ensuring decision-making and recommendations reflected the latest national policy direction as far as possible.
- 31 In its review of council implementation of the NPS-FM in 2017, with respect to the Council, MfE concluded: “Community engagement is highly collaborative and well supported by GWRC staff. There appears to be good community buy-in without advocates being on whaitua committees.”<sup>23</sup> This review helped to inform the design of the Whaitua TWT process.
- 32 The Whaitua Programme has now run for over a decade. Over this time each of the whaitua processes has learnt from previous whaitua and benefited from the availability of a significant increase in information and understanding of freshwater issues. There has also been a maturing in efforts to collaborate across sectors, and an increase in mana whenua capacity and leadership.

#### **MEMBERSHIP OF COMMITTEES**

- 33 Each Whaitua Committee has been established as an advisory body to the Council with its own terms of reference.<sup>24, 25</sup>
- 34 A key consideration for community membership in the Whaitua Committees was to ensure that a range of backgrounds and interests were included to support the NPS-FM requirement to provide for multiple values. Community members were sought who could reflect the interests of a wider group within the community as well as future generations,

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<sup>22</sup> [https://www.gw.govt.nz/assets/Documents/2013/10/2012\\_531\\_1\\_Report.pdf](https://www.gw.govt.nz/assets/Documents/2013/10/2012_531_1_Report.pdf), section 4.1

<sup>23</sup> <https://environment.govt.nz/assets/Publications/Files/npsfw-implementation-review-regional-chapter-wellington.pdf>

<sup>24</sup> <https://www.gw.govt.nz/assets/Documents/2023/07/Whaitua-Te-Whanganui-a-Tara-Reference-Group-Terms-of-Reference.pdf>

<sup>25</sup> <https://www.gw.govt.nz/assets/Documents/2014/08/2014.404a1.pdf>

and have the skills, experience, and knowledge to relay information to the Committee and to their networks within the wider community.

35 Including elected officials on community model groups, like the Whaitua programme did, is a method to ensure that a range of interests are brought forward to inform decisions so that all values are considered.

36 To establish membership of Whaitua Committees, expressions of interest were sought by public invitation in newspapers, social media, radio and on council websites. Some sectors were also contacted directly to advise of the opportunity (e.g., developers, catchment groups, universities). For both TAoP Whaitua and Whaitua TWT, the number of applications received from the community was more than the spaces available, and an interview process was held.

## **PROJECT TEAMS**

37 Literature on the roles of council personnel in collaborative processes identifies four broad areas: leader, facilitator, stakeholder and expert.<sup>26</sup> In establishing the Whaitua Programme, the Council actively sought to minimise its position as leader and expert. It did this through the appointment of Chairs from the community and mana whenua, and in providing space for, and actively commissioning community and mana whenua knowledge to inform decision-making. This meant the Council's role was predominantly facilitatory and as a stakeholder (receiving recommendations for plan changes, for example).

38 The two Committees were supported by a collaborative Project Team of officers from the Council, officers from the territorial authorities and Wellington Water, mana whenua kaimahi and an external facilitator to assist in designing and running the Whaitua Committee workshops and meetings. The Project Team co-ordinated all the community engagement and science and policy advice programme to guide the Committee.

39 The Project Teams were tasked with bringing fit for purpose expert advice to the committees to assist with their decision-making. For each topic covered, a subject matter expert from the Project Team (or from outside the team) would lead the discussion. For example, Wellington Water officers led sessions on three waters management, and

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<sup>26</sup> [https://environment.govt.nz/assets/Publications/Files/CawRpt-2708\\_Criteria-for-choosing-collaboration.pdf](https://environment.govt.nz/assets/Publications/Files/CawRpt-2708_Criteria-for-choosing-collaboration.pdf)

territorial authority officers would outline the requirements on their councils of other policy direction, such as the National Policy Statement for Urban Development (**NPS-UD**). Complementary to this advice was a coordinated work programme led by technical experts across a range of disciplines – the Collaborative Modelling Project (**CMP**) in TAoP, and the expert advisory panel and Te Kahui Taiao for. At times, further information was sought by committee members, for example to test the feasibility (including timeframes and costs) of implementing recommendations they were drafting.

## **TE AWARUA-O-PORIRUA WHAITUA PROCESS**

### **COMMITTEE MEMBERSHIP**

- 40 The TAoP Whaitua process ran from December 2015 to April 2019, beginning under the NPS-FM 2014 and concluding under the 2017 amendment.
- 41 The TAoP Whaitua Committee members were appointed by the Council and included Te Rūnanga o Toa Rangatira as mana whenua, community members, a representative Councillor from Porirua City Council (**PCC**) and Wellington City Council (**WCC**) (the two local authorities within the Whaitua boundaries) and one elected member and one appointed mana whenua member of Te Upoko Taiao – Natural Resources Plan Committee.<sup>27</sup>
- 42 The six community members appointed to the TAoP Whaitua Committee came from a variety of backgrounds including farming, forestry, fisheries, engineering and science. With these backgrounds, alongside councillors and mana whenua representatives, Council considered the construct of the Committee to be a good representation of the interests of the TAoP community.
- 43 The TAoP Whaitua Committee operated under a terms of reference document that set out the expectation that the Committee would operate in partnership with mana whenua.<sup>28</sup> The terms of reference facilitated community and stakeholder engagement in the development of a WIP that would include measures to implement the NPS-FM 2014.

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<sup>27</sup> Further detail on the members of Te Awarua-o-Porirua Whaitua Committee can be found at <https://www.gw.govt.nz/assets/Documents/2021/12/Te-Awarua-o-Porirua-Committee-Members-Webpage.pdf>

<sup>28</sup> <https://www.gw.govt.nz/assets/Documents/2014/08/2014.404a1.pdf>

## ENGAGEMENT

- 44 The TAoP Whaitua Committee carried out a broad community engagement initiative to gather input on values and priorities for the whaitua. This engagement included distributing brochures outlining the Committee's purpose and key questions for feedback, with a tear-off, free-post response form. Brochures were widely shared at community events and public locations. In early 2016, the Committee attended four events, collecting 352 surveys.
- 45 To deepen engagement, open-access public meetings were held, but attendance was limited. An online survey, 'Bang the Table', ran from December 2015 to August 2016, collecting demographic data and aligning with catchment demographics.
- 46 The total engagement process for TAoP resulted in 510 responses across these channels.
- 47 TAoP Whaitua Committee also undertook engagement through presentations to Wellington City Council and Porirua City Council councillors, advisory bodies and staff. The website documenting TAoP Whaitua indicates the Committee made five presentations to PCC and three to WCC at both Council and Committee meetings as well as in a series of workshops related to strategic urban development and district plan reviews.<sup>29</sup>

## INFORMATION RECEIVED

- 48 TAoP Whaitua Committee met for 36 documented workshops or meetings over four years and received over 100 documents from the Project Team.
- 49 The Committee was supported in this work primarily by CMP, a knowledge building programme. This programme was informed by science, mātauranga, economics and social science and produced a range of technical material throughout the Committee's operation. The central piece of work for the CMP was the development and use of a whaitua-scale model that was used to evaluate current and potential future states of health in the rivers and streams of the whaitua, as well as in the coastal receiving environment of TAoP Harbour.

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<sup>29</sup> <https://www.gw.govt.nz/environment/freshwater/protecting-the-waters-of-your-area/te-awarua-o-porirua-whaitua/presentations-and-reports/>

50 Through the CMP, the Whaitua Committee modelled the effects of environmental interventions under three scenarios representing three different levels of ‘effort’ that could be taken in the management of activities that impact the health of freshwater. These scenarios were:

50.1 Business as Usual: Continued existing practice in regulatory and some non-regulatory approaches.

50.2 Improved: Actions to reduce urban and rural impacts (e.g., stormwater treatment, riparian planting, wastewater upgrades).

50.3 Water Sensitive: Expanded and more effective versions of the Improved actions.

51 As noted in the report to TAoP Whaitua Committee summarising the scenario modelling results for freshwater, “the scenarios represent three levels of increasing management intervention and provide for population projections to a nominal date, 2043. Scenarios are not representative of an expected or planned catchment configuration but are rather utilised as tools to explore and help understand the level of intervention required to meet potential water quality targets.”<sup>30</sup>

52 Alongside this report, the CMP project also reported on impacts on the marine receiving environment (Pāuatahanui Inlet and Onepoto Arm of the harbour), an economic assessment on the rural economy and impacts on urban hydrology from the stormwater mitigation scenarios.<sup>31</sup>

53 Other technical advice was sought to inform decision making matters as needs arose throughout the Committee’s time together. For instance, TAoP Committee commissioned technical advice to understand the life cycle costs of stormwater and wastewater solutions. Further technical information was also provided in the form of presentations by technical experts to the Committee. For instance, in seeking further information on the implication of stream flow management on tuna (eel) in relation to both ecosystem health and

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<sup>30</sup> <https://www.gw.govt.nz/assets/Documents/2022/05/Freshwater-Scenario-Modelling-Technical-Report.pdf>, Executive Summary, p8

<sup>31</sup> <https://www.gw.govt.nz/environment/freshwater/protecting-the-waters-of-your-area/te-awarua-o-porirua-whaitua/presentations-and-reports/technical-reports/>



mahinga kai values, TAoP Committee was presented expert technical information in a workshop setting.<sup>32</sup>

54 Advice from territorial authorities and Wellington Water Limited (**Wellington Water**) was also important to the Committee's work. The Project team supporting TAoP Whaitua Committee team included officers from WCC, PCC and Wellington Water and officers from these organisations presented planning, operational and technical knowledge to both the Committee and the Project Team throughout the Whaitua process.

55 A review of presentations to TAoP Whaitua Committee indicate WCC and PCC presented twice each on urban development matters relevant to the whaitua, and Wellington Water contributed eight presentations covering three waters management, stormwater and wastewater management.<sup>33</sup> Knowledge from Wellington Water officers on management options for the stormwater and wastewater networks was a crucial part of the Committee's development of meaningful scenarios to test through the CMP process.

## **WHAITUA TE WHANGANUI-A-TARA PROCESS**

### **COMMITTEE MEMBERSHIP**

56 The Whaitua TWT process ran from February 2019 to September 2021, beginning under the NPS-FM 2017 and concluding following the introduction of the NPS-FM 2020.

57 Whaitua TWT Committee members were appointed by the Council and included Te Rūnanga o Toa Rangatira (**Ngāti Toa Rangatira**) and Taranaki Whānui ki te Upoko o te Ika (**Taranaki Whānui**) as mana whenua, community representatives, two regional councillors and a representative councillor from WCC, Upper Hutt City Council (**UHCC**) and Hutt City Council (**HCC**).<sup>34</sup>

58 A key consideration for Council in appointing the TWT Committee was that members had a sound knowledge of the issues, connectivity into the community, a willingness to learn and

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<sup>32</sup> <https://www.gw.govt.nz/assets/Documents/2022/05/Final-WORKSHOP-REPORT-Te-Awarua-o-Porirua-Whaitua-Committee-26.10.2017.pdf>

<sup>33</sup> <https://www.gw.govt.nz/environment/freshwater/protecting-the-waters-of-your-area/te-awarua-o-porirua-whaitua/presentations-and-reports/>

<sup>34</sup> For more detail on the members of the Whaitua Te Whanganui-a-Tara Committee refer to <https://www.gw.govt.nz/environment/freshwater/protecting-the-waters-of-your-area/whaitua-te-whanganui-a-tara/whaitua-te-whanganui-a-tara-committee-members/>

collaborate to provide for multiple values, and an ability to be innovative and future-focused for the greater good of all in the region.

- 59 The TWT Committee operated under a terms of reference document.<sup>35</sup> This document set out that the TWT Committee was responsible for developing a WIP that would outline regulatory and non-regulatory proposals for integrated land and water management within their whaitua boundary, including measures to implement the 2017 NPS-FM initially, and ultimately the 2020 NPS-FM which came into effect during their tenure.
- 60 Te Mana o te Wai was the guiding kaupapa for this Committee and is reflected in the kawa-based vision, value expressions, and numeric water quality and ecological health objectives in the TWT WIP.
- 61 The TWT Committee made a commitment to a Te Tiriti o Waitangi partnership model and a culturally safe space was created for mana whenua to discuss, debate, reconcile and develop a mana whenua voice. This space was called Te Kāhui Taiao and included representatives from Ngāti Toa Rangatira and Taranaki Whānui, supported by experienced advisors in Te Ao Māori pertinent to freshwater management. Te Kāhui Taiao met independently to the Whaitua Committee to debate the same and other related issues arising. Te Mahere Wai o Te Kāhui Taiao was the product of this commitment.

## ENGAGEMENT

- 62 The TWT Committee conducted extensive community consultation to gather insights on freshwater management values, issues, and solutions.
- 63 In its first year, the Committee hosted information stalls at community festivals in Karori, Aro Valley, Island Bay, and Waiwhetū, and held a workshop with Karori/Kaiwharawhara groups. In the final year, evening workshops were organized in Hataitai, Mākara, Wainuiomata, and Mangaroa to seek feedback on proposed solutions.
- 64 Four public surveys covered topics such as water use, septic systems, wastewater, stormwater, and drinking water networks. A Facebook live event featured Committee

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<sup>35</sup> <https://www.gw.govt.nz/assets/Documents/2023/07/Whaitua-Te-Whanganui-a-Tara-Reference-Group-Terms-of-Reference.pdf>

members and Local Government Minister Nanaia Mahuta, addressing urban freshwater management.

- 65 Community representatives regularly engaged with stakeholder networks, integrating their feedback into meetings. Te Kāhui Taiao conducted in-person engagements at marae, consulting with Ngāti Toa Rangatira and Taranaki Whānui experts, and shared findings with the full Committee.
- 66 The process aimed to capture community values, test solutions, and reflect the unique needs of urban catchments across the region.

### INFORMATION RECEIVED

- 67 Due to the policy backgrounds of many of the TWT members, they made many requests for information to form an evidence base. Early in the process, the decision was made to establish three subgroups to separately consider policy, science, and communications matters. By establishing subgroups, discrete subject matter was more easily able to be discussed and processed, with advice brought back to the Committee.
- 68 The TWT Committee wanted to ensure they covered and addressed all the ‘issues’ affecting water quality and ecosystem health in the whitua. They met for 41 documented workshops/meetings over a period of three years and received over 100 documents from the Project Team. These documents covered community engagement, policy making, environmental science, economic impacts, and three waters infrastructure including water sensitive urban design. Information drew from western knowledge sources and mātauranga Māori.
- 69 In its first eight months, the Committee received presentations from supporting agencies on:
- 69.1 Wellington Water overview – structure, governance, decision-making, challenges, constraints and opportunities (Wellington Water)<sup>36</sup>
  - 69.2 Three Waters Networks (Wellington Water)<sup>37</sup>

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<sup>36</sup> <https://www.gw.govt.nz/assets/Documents/2022/05/Mtg-3-Wellington-Water-Presentation.pdf>

<sup>37</sup> <https://www.gw.govt.nz/assets/Documents/2022/05/Mtg-7-TWT-3-waters-network-WWL-Rob-Blakemore-presentation-to-TWT-19.08.2019.pdf>

- 69.3 Centreport (Centreport Wellington)<sup>38</sup>
- 69.4 Planning for Growth (WCC)<sup>39</sup>
- 69.5 Planning for Growth (UHCC)<sup>40</sup>
- 69.6 Wastewater (Wellington Water)<sup>41</sup>
- 69.7 Stormwater (Wellington Water)<sup>42</sup>
- 69.8 Drinking Water<sup>43</sup>
- 70 For TWT, Council’s biophysical science programme provided scientific input through a library of relevant information and expert panels. These panels were similar to the CMP used in TAoP, and assessed environmental outcomes under different scenarios to guide decision-making. Three panels focused on freshwater allocation, water quality/ecology, and coastal science, helping the Committee understand the effort needed to achieve various environmental goals.
- 71 The water quality and ecology expert panel report was prepared by Dr Michael Greer (Aquanet Consulting Limited), Dr Olivier Ausseil (Aquanet Consulting Limited), Dr Joanne Clapcott (Cawthorn Institute), Stu Farrant (Morphum Environmental), Dr Mark Heath (the Council) and Ned Norton (Land Water People).
- 72 The coastal science expert panel report was prepared by Dr Megan Melidonis (the Council), Dr Megan Oliver (the Council), Lee Stevens (Salt Ecology) and Dr Claire Conwell (Jacobs Consulting).
- 73 The TWT Committee also commissioned additional technical advice to inform their decision making. These reports are available on the Council website and include:<sup>44</sup>

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<sup>38</sup> <https://www.gw.govt.nz/assets/Documents/2022/04/CentrePort-presentation.pdf>

<sup>39</sup> <https://www.gw.govt.nz/assets/Documents/2022/04/Mtg-7-TWT-Planning-for-growth-WCC-Kate-Pascall-Presentation-to-TWT-19.08.2019.pptx.pdf>

<sup>40</sup> <https://www.gw.govt.nz/assets/Documents/2022/04/Mtg-8-UHCC-growth-presentation.pdf>

<sup>41</sup> <https://www.gw.govt.nz/assets/Documents/2022/04/Mtg-8-WWL-wastewater-presentation.pdf>

<sup>42</sup> <https://www.gw.govt.nz/assets/Documents/2022/05/Mtg-8-WWL-stormwater-presentation.pdf>

<sup>43</sup> <https://www.gw.govt.nz/assets/Documents/2022/04/Mtg-8-WWL-drinking-water-presentation.pdf>

<sup>44</sup> <https://www.gw.govt.nz/environment/freshwater/protecting-the-waters-of-your-area/whaitua-te-whanganui-a-tara/whaitua-te-whanganui-a-tara-technical-reports/>

- 73.1 Coastal habitat vulnerability and ecological condition
  - 73.2 River and stream water quality and ecology
  - 73.3 Ecological assessment of the Parangārehu Lakes
  - 73.4 An overview of the Wellington City, Hutt Valley and Wainuiomata Wastewater and Stormwater networks and consideration of scenarios that were assessed to improve water quality
  - 73.5 Wastewater Network Condition and Overflows by Sub-catchment
  - 73.6 Overview of the Wellington metropolitan water supply network and consideration of future pressures on infrastructure
  - 73.7 Summary of Septic Tanks and their potential impacts
  - 73.8 Sediment transport model development and results
  - 73.9 Contaminant Load Model Development
  - 73.10 Proxy Modelling Catchment Assessment, including an addendum.
- 74 Cost assessments were undertaken on two modelled scenarios considered by the expert panel: Improved and Water Sensitive. These looked at increasing amounts of rural and urban mitigations (including wastewater pipe repair and water sensitive design) to improve water quality and ecological health.

#### **USE OF MĀTAURANGA**

- 75 The TWT Whaitua Committee was advised by the four mana whenua representatives on the Committee, as well as a team of Māori policy advisors.
- 76 At its inaugural meeting, the TWT Whaitua Committee agreed to establish a kawa framework (set of principles) to guide its work. The Committee started each meeting with a reminder of their kawa.
- 77 One of the original members, Morrie Love (Raukura Consultants Limited), prepared a Cultural Values report on the streams in TWT which underpinned an important principle the Committee committed to early on: that, due to their whakapapa and historical

importance for many cultural values, all streams in the whaitua were important to protect and restore.

- 78 The development of Te Mahere Wai was guided by a work programme led by a team of Māori policy advisors and Council staff which involved engagement hui with mana whenua kaitiaki and resource users. Māori policy advisors, mahinga kai experts, and cultural assessment professionals drew on existing mana whenua knowledge and national guidance to assess values, freshwater management units, mitigations, scenarios, and environmental outcomes. Advisors were Vanessa Tipoki (Kāhu Environmental Ltd.), Aaria Ripeka Dobson-Waitere (Te Konae Limited on behalf of Taranaki Whānui), Te Rangimārie Williams, (Te Konae Limited. on behalf of Ngāti Toa Rangatira), and Morrie Love (Raukura Consultants Limited).
- 79 Te Mahere Wai incorporates the Te Oranga Wai framework, a mātauranga-based assessment tool developed by mana whenua to evaluate social, cultural, and environmental indicators. This framework, tested with Ngāti Toa Rangatira and Taranaki Whānui, expands beyond the NOF to capture values and attributes not addressed by the NOF. Assessments used in Te Oranga Wai align with ecological data from Greater Wellington, ensuring consistency with the broader Committee’s work.

#### **IMPLEMENTING THE NOF THROUGH THE WHAITUA PROCESS**

- 80 At its core, the NOF, across all relevant versions of the NPS-FM, mandates regional councils to:
- 80.1 Identify values for each freshwater management unit, including compulsory national values.
  - 80.2 Identify attributes that correspond to these values and assess their current state.
  - 80.3 Set desired attribute states that meet or exceed national bottom lines.
  - 80.4 Establish freshwater objectives to guide management actions and regulatory measures.
- 81 The Whaitua processes mirrored this framework and embedded community and tangata whenua participation throughout each stage:

- 81.1 The Whaitua Committees led the process of identifying the values associated with local water bodies. This included compulsory NOF values, alongside specific values relevant to each catchment.
- 81.2 In alignment with the NOF, the Whaitua process involved rigorous technical assessment of relevant freshwater attributes. Scientific analysis was used alongside mātauranga Māori.
- 81.3 The Whaitua Committees engaged in deliberative processes to establish target states for each attribute that align with national requirements and local aspirations.
- 81.4 The WIPs set out freshwater targets and objectives and catchment-specific regulatory and non-regulatory actions to achieve them. The WIP objectives are framed in accordance with the NOF.
- 82 As many of the Whaitua committee members were experienced in policy development and RMA planning processes, they were cognisant of the need for a strong evidence base, and to take into account the practicality of their recommendations. Committee members sought to bring forward the interests of those not at the table, and were mindful of the values prescribed in the NPS-FM. In part, this was to ensure the best chance of successful implementation, including through the subsequent RMA planning process.
- 83 The committees were also aware that their work was recommendatory to Council and not binding. The considerations necessary for preparing a plan change, including as required under section 32 of the Act, were not tasked to the Whaitua Committees. Therefore, they understood that additional work would be undertaken through the s32 process and engagement in the development of PC1, and now in the s42A reporting process. I am aware that this has resulted in refinements, further detail and differences between the WIP recommendations and the provisions and recommendations in front of the Independent Hearing Panels.

#### **WHAITUA COMMITTEE RECOMMENDATIONS TO COUNCIL**

- 84 The TAoP WIP and the TAoP WIP: Ngāti Toa Rangatira Statement were received by Council on the 10 April 2019. The Council received the WIP and Ngāti Toa Statement and agreed to refer the regulatory proposals within these documents for incorporation into the NRP and

to further develop the non-regulatory proposals and consider them in the development of future Long-Term Plans.<sup>45</sup>

85 The TAoP WIP identified community and mana whenua values of Te Awarua-o-Porirua, set freshwater and coastal water objectives, set contaminant load reduction targets, and made recommendations that included both specific and general actions to achieve the objectives.<sup>46</sup>

86 TAoP WIP: Ngāti Toa Rangatira Statement records the priorities and recommendations of Ngāti Toa Rangatira as mana whenua of TAoP Whatua.<sup>47</sup> It details their cultural, physical, spiritual, social, historical, and traditional associations with TAoP and the wider catchment area, provides an overview of their history and the contemporary issues mana whenua face and describes their vision for the catchment.

87 The TWT WIP and Te Mahere Wai o Te Kāhui Taiao: A Mana Whenua implementation plan to return mana to our freshwater bodies (Te Mahere Wai) were received by Council on 23 September 2021. Council agreed to refer regulatory proposals into plan change processes and non-regulatory aspects into Annual and Long-Term Plan development.<sup>48</sup>

88 TWT WIP sets out their story through statements of Te Pūtake/the origin and ngā kawa/the protocols which outline the TWT Committee's aspirations, values, and operating principles.

89 Te Kāhui Taiao produced Te Mahere Wai as a mana whenua WIP intended to stand on its own. It expresses a vision, includes statements that outline the local approach to giving effect to Te Mana o te Wai, describes mana whenua values, sets environmental outcomes, and establishes and assesses FMUs through a mana whenua assessment framework, called Te Oranga Wai. Te Mahere Wai was endorsed by the wider TWT Committee in the TWT WIP: "Both the WIP and Te Mahere Wai should be considered and actioned together because they share an inter-dependency of knowledge, information and priorities (p.4)."

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<sup>45</sup> See Item 6 [https://www.gw.govt.nz/assets/Documents/2019/05/7525\\_Minutes\\_Confirmed-minutes-2019.148.pdf](https://www.gw.govt.nz/assets/Documents/2019/05/7525_Minutes_Confirmed-minutes-2019.148.pdf)

<sup>46</sup> <https://www.gw.govt.nz/assets/Documents/2021/11/Te-Awarua-o-Porirua-Whatiua-Implementation-Programme.pdf>

<sup>47</sup> <https://www.gw.govt.nz/assets/Documents/2021/12/ngatitoataopwhaituastatement-v2.pdf>

<sup>48</sup> See Item 6, <https://www.gw.govt.nz/assets/Documents/2021/12/Signed-minutes-of-the-Council-meeting-on-23-September-2021.pdf>



## CONCLUSION

- 90 In my opinion, the Whaitua Programme and the Whaitua Processes run so far have been an inclusive and forward-looking approach to freshwater management that has continued to give effect to the evolving requirements of the NPS-FM. By prioritising community engagement and tangata whenua partnership, the Whaitua Programme reflects the values-driven, place-based approach envisioned by the NPS-FM.
- 91 The Whaitua Implementation Programmes, led by the Te Awarua-o-Porirua and Te Whanganui-a-Tara Committees, Te Mahere Wai and the Ngāti Toa Rangatira Statement, incorporate the voices of tangata whenua and local communities. This not only fulfils the NPS-FM’s mandate for tangata whenua and community involvement, but grounds the recommendations in the knowledge, experiences, and aspirations of those most connected to freshwater resources.
- 92 The participation of elected officials on the Whaitua Committees provided a through-line of involvement for local authorities in the two whaitua. This connection reflects the commitment to realising the visions for freshwater management improvement in the WIPs. The support of a project team of experts including diverse sources of knowledge from across all agencies, facilitated the provision of robust technical evidence and management advice. This approach follows NPS-FM provisions to use the best information available at the time for decision-making.

**DATE: 28 FEBRUARY 2025**



**TIMOTHY ANTHONY SHARP**  
**CATCHMENT MANAGER –**  
**TE WHANGANUI-A-TARA, TE PANE MATUA**  
**TAIAO GREATER WELLINGTON REGIONAL**  
**COUNCIL**