

NHoO RPS Hearing presentation on 22 November 2023

Whaitua

NHoO along with Atiawa ki Whakarongotai and Ngati Toa Rangatira have been drafting vision statements for Whaitua Kāpiti that are aspirational and achievable for a number of proposed FMU's within our rohe based on catchments and subFMUs within those based on tributaries, significant complex wetland systems and dune lakes/lagoons. We emphasise that each subFMU are really specific ecosystems with different impacts requiring different management and mitigation efforts in order to achieve Te Mana o Te Wai within our rohe in the future.

Amendments to the beds of lakes and rivers rules.

New sites with significant indigenous biodiversity values.

Dr Aroha Spinks met with a number of key GWRC staff on an online hui 27 July 2023. At that meeting concern was raised by Dr Spinks regarding the proposed amendment to exempt low density stocking sheep farms from fencing off waterways. GWRC staff members present at that time were unable to confirm whether the regional council had available information to determine low and high density sheep farms in the region. The prognosis at that time was 'unlikely'. Dr Spinks asked for a map of land use in the NHoO rohe to ascertain the number of sheep farms, as well as giving the regional council the opportunity to provide an indication if the council could identify low/high density sheep farms. To our knowledge to date no information or assurance on that topic has been received. If that is the case it would certainly create an enforcement issue for the council. We request that the hearing panel ascertain an outcome on this query.

Also for the record after receiving the explanation that the regional council is aware of a high proportion of high density sheep farming occurring in the Wairarapa region. Dr Spinks questioned then whether this proposed amendment is aligned to the Te Mana o te Wai vision statements and aspirations of mana whenua in that region. At that time regional council had not received feedback on the proposed amendment, although NHoO note that the Whaitua process for that region had occurred. Dr Spinks recommended that consultation and recommendations on this provision by mana whenua in that region would be very important for the regional council to consider and it is hoped by NHoO that that has occurred.

NHoO recommends taking a precautionary approach based on the points raised above and opposes this amendment.

During the online hui Dr Spinks enjoyed the discussions on significant bird habitat in this rohe although she remains concerned at the limited data that determine significant ecological sites for 'all' nesting, roosting and foraging birds in the regions rivers. The identification of Ōtaki River as the only significant river within our NHoO rohe with nesting, roosting and foraging birds (schedule F2a, Map 22) is based on limited observations and monitoring by council and contractors and is yet to include information from mana whenua kaitiaki. Email received from GRWC on 31 July 2023: "We use various sources of information to identify sites, including our monitoring of management interventions (like the flood protection gravel works) and expert knowledge, alongside citizen science (ie, eBird and iNaturalist records), that directs us to do surveys.

Admittedly we haven't tapped into mana whenua as best we could. However, this will hopefully change... ”

We note that the citizen science website eBird for example includes observations (on the Ōtaki River at least) by children. As Tiriti partners we are disappointed that regional council continues to dismiss mana whenua observations and mātauranga Māori based on our generational knowledge and experts.

It was pointed out to council staff during the online hui that Forest and Bird community volunteers regularly visit and have data available on the Waitohu Stream mouth and the Doctoral Thesis by Dr Spinks has information on threatened and rare bird species observed in the Waiorongomai catchment and KNE site.

NHoŌ highlights within our rohe and GWRC maps the Significant habitats for indigenous birds in the Coastal Marine Area Schedule F2c, Map 24 and Significant indigenous biodiversity values in the Coastal Marine Area Schedule F4, Map 27 show areas such as Waitohu Stream estuary and Mangaone estuary and more as significant. These areas as well as others should be explored further before determining that Ōtaki River is the only significant river in our rohe for nesting, roosting and foraging birds. We also ponder the notion for those in the region.

NHoO recommend that a proviso is made that allows for further 'significant sites for nesting, roosting and foraging birds' to be incorporated or updated in the future.

Further to this NHoŌ raises mana whenua concern regarding the proposed addition of a new rule that allows future river diversion consents that could result in changed water courses in perpetuity.

- 'Rule R151A: Ongoing diversion of a river' will allow for surface water to continue to be diverted once the permanent diversion has been lawfully established by a resource consent. In doing so, consents granted for surface water diversion can be short, allowing time solely for the applicant to construct/implement the diversion (i.e. 5 or 10 years) and undertake any maintenance required. This new rule removes the need for long-term consents (i.e. 35 years) to be issued for the permanent diversion of rivers.

NHoO recommends taking a precautionary approach based and opposes the inclusion of this new rule R151A in its entirety.