



TŪWHARETOA
MĀORI TRUST BOARD

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Tēnā koe Allan,

RE: PROPOSED NATIONAL WASTEWATER ENVIRONMENTAL PERFORMANCE STANDARDS

We write in relation to Taumata Arowai's discussion document on the proposed National Wastewater Environmental Performance Standards (the **Proposals**).

The Tūwharetoa Māori Trust Board represents the interests of Ngāti Tūwharetoa in relation to the Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010, for which Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato) is the primary direction setting document for the Waikato and Waipā Rivers and activities within their catchments affecting the Waikato and Waipā Rivers. We are also the legal owner and kaitiaki of the bed, water column and air space of Lake Taupō, the Waihora, Waiāhā, Whanganui, Whareroa, Kuratau, Poutu, Waimarino, Tauranga-Taupō, Tongariro, Waipēhi, Waiotaka, Hinemaiaia and Waitahanui Rivers, and the Waikato River to Te Toka a Tia, inclusive of the Huka Falls (**Taupō Waters**).

By this submission we record our position that we have significant concerns about:

- the failure of the Proposals to recognise and uphold the commitments under the Upper Waikato River settlement, particularly the status and effect of Te Ture Whaimana;
- the potential for omission of any recognition of Te Ture Whaimana as the key regional policy setting framework for the Waikato and Waipā Rivers and their catchments; and
- aspects of the proposed national wastewater environmental performance standards that will likely undermine Te Ture Whaimana based on the settings currently being promoted.
- the proposed elevation of the technical wastewater and stormwater environmental performance standards above all other instruments in the RMA hierarchy, which could be interpreted to include Te Ture Whaimana.
- The performance standard proposals being subpar to maintain the freshwater quality that exists in the Taupō and Upper Waikato Catchments.

The Trust Board has strong relationships with existing councils in our rohe, which includes engagement on water service delivery. We strongly oppose any proposal premised on mandatory standards that promote baseline approaches rather than environmentally and culturally conscious outcomes. The standards must not hinder, and must actively support, the ability for councils to achieve positive outcomes through partnership with hapū and iwi. Included as an Appendix to this letter are comments



our a collective of Ngāti Tūwharetoa hapū from the northern end of our rohe in the Taupō District, which demonstrates the at place approach they take in respect of wastewater. It is important that this is not undermined by the Proposals.

As you know, together with our fellow Waikato and Waipā River Iwi we have had some engagement with Taumata Arowai in relation to the Proposals. That engagement has not produced the settlement or outcome assurances we seek. We continue to engage in good faith, and trust recording our position will assist in future kōrero.

Nāku noa, nā



Peter Shepherd
Natural Resources Management
Tūwharetoa Māori Trust Board

Te Hikuwai o Tuwharetoa Submission

Wastewater Standards Consultation 2025 – Taumata Arowai

Ngā kōrero timatanga | Introduction

Taumata Arowai - The Water Services Authority, on behalf of the Minister of Local Government, is consulting on a set of proposed national wastewater environmental performance standards ('wastewater standards') under section 138 of the Water Services Act 2021.

The proposed national wastewater environmental performance standards would streamline the process for future consents. The four proposed standards cover the most common consenting topics (discharging treated wastewater to water or land, safe biosolid use, and managing overflows and bypasses).

Te pūtake o tenei kōrero | The origins of this submission

Over 2023 – 2024, a collective of Hapū from the northern end of Tūwharetoa in Taupō district known as Te Hikuwai o Tūwharetoa (Te Hikuwai), partnered with the Taupō District Council (TDC) and Mercury Energy to undertake a Cultural Impact Assessment (CIA) of the Waikato Awa (Waikato Awa). On 01 February 2024, the Waikato Awa CIA Part 1 was delivered to TDC & Mercury in response to two activities: the renewal of the Control Gates and the Taupō Wastewater Treatment plant (TWWNTP). The TWWNTP is at full capacity, and the Control Gates hold the three waters infrastructure connecting the TWWNTP to Rangatira whenua and residence across the awa. Both activities have significant current impacts on the Awa as a Taonga Tuku Iho o Tūwharetoa as well as the Mana Whakahere and Kaitiakitanga o ngā hapū o Te Hikuwai. The CIA is both a current assessment of these impacts and also a future development framework of values and principles for guiding future decision making to resolve these issues through the design and operation of culturally appropriate infrastructure, which is mātauranga led, Te Tiriti driven and taiao positive.

The contents of the Waikato Awa CIA are to be reflected in TDC's approach to future wastewater management as well as guide operations and decision making of current wastewater infrastructure. It should also be utilised as a key resource (akin to a Te Mana o te Wai statement) to inform spatial planning and future growth in recognition that the key responsibilities for urban planning of TDC should not sit in isolation of each other. We note that all documents, statements, and predeveloped positions on behalf of iwi & hapū must be accompanied by the appropriate engagement with tangata whenua.

Ngā kōrero whakapopoto | Executive summary

The future planning of infrastructure in Taupō requires the Crown, through the NZ government (Taumata Arowai) and its local authority (TDC) as partners to te iwi Māori (in this local context, Te Hikuwai o Tūwharetoa), to commit to understanding Te Hikuwai tikanga, mātauranga, history, and local context.

Critically with respect to the standards, we ask that the ability for councils to achieve positive outcomes through partnership with hapū, iwi and the community is not undermined by mandatory immovable national standards. Where national standards are imposed, it should be done in a manner that allows bespoke mana whenua, community and council-driven outcomes at place. We ask that the standards specifically provide for this.

To that end, this submission provides insight into the Te Hikuwai position that we seek to give effect to at place. This summary provides four high-level statements in direct response to the four proposed standards topics, with the following paragraphs providing additional detail.

1. Discharging treated wastewater to water or land

It is against Tūwharetoa tikanga as a whole for wastewater treated or non-treated to be discharged to natural flowing water. It is the preference for all treated wastewater to be discharged to land to allow Papatūānuku to undertake her natural cleansing processes. Any land must be selected on the basis that it is able to reintegrate treated wastewater in a safe and sustainable way (E.g. suitable land size, soil type, topography etc). If land application is deemed non-viable, and discharge to water is the only feasible option, the quality of treatment of wastewater must be demonstrably treated to the drinkable standard before discharge. However, all reasonable options must be explored prior. We encourage innovation and out of the box thinking in terms of options analysis. E.g. exploring options that reduce the overall discharges to water could require a portion to land disposal.

2. Safe biosolid use

In principle we support processes that heal the mauri of Papatūānuku, Tane, and ngā wai o Tangaroa. Safe biosolid use, which enhances the nutrients in the soil to support regenerative growth of native trees, biodiversity, and mahinga kai, we see as a positive transfer of energy from waste processing, which would happen naturally albeit at a faster rate.

3. Managing overflows

A fundamental message from Hapū articulated in the Waikato Awa CIA was “the lake is more than a battery and the awa is more than a drain”. The ageing infrastructure in Taupō runs adjacent to the lake and river. As a result, our taonga experience overflows and spills on a regular basis. For Iwi and Hapū this is an absolute breach of environmental standards and a serious impact on the mauri of our taonga. All plants and infrastructure should be designed so in the event of overflow due to storm events or blockages all discharge is to land. The land capture space should also be designed to capture and contain any spills so they can be remedied, redistributed and/or treated once flows stabilize.

4. Bypasses

As noted in point 1 and referenced in point 3, if due to capacity overload or heavy rain events, any bypass or emergency discharge must be to land and not into naturally flowing water. As climate change continues to increase both the frequency and severity of more extreme weather events, we would advocate for all systems to be designed in such a way that the negative impact of these events is actively planned for, and neutralised, so our waterways can be protected. Acknowledging we are to expect heavier wet conditions and dryer hot seasons it would be prudent for our infrastructure to capture and store excess water during large rain events to be used during extreme hot and dry events.

Whakapapa ō ngā wai o Tūwharetoa

Protecting the mauri of our tūpuna awa remains an unwavering priority as we look to the health of our waterways as an indicator for how well we are enacting our kaitiakitanga. In protecting our waters, we recognise both the power and vulnerability of the mauri of the Taupō waters and how susceptible they are to human activity, exploration and extraction.

Whaia ngā ara o ngā tupuna | Co design land-based application

Te Hikuwai o Tūwharetoa is supportive of land-based applications that are based on a co-developed set of parameters. This must include the protection of our cultural sites and taonga and be considered a holistic landscape approach. Interconnectivity between sites of significance and the knowledge and histories they hold is an important component in any future planning. The risk is that these knowledges and the future of these special places become disconnected and isolated from each other and from the people who connect to and protect them.

Opportunities through this process and others to work with TDC to further discuss housing, Papakāinga, and other developments on Māori lands in a way that affirms our identity, connectiveness, and wellbeing as mana whenua and where whānau can live and work in a way that connects them to their whenua, resources, tikanga and kawa, and mātauranga-a-hapū/a-iwi.

Kaitiakitanga

The responsibility sits with us to ensure that we are resolute in our protection of the mauri of the Awa as it travels on to our river whanaunga.

Tiakinga ngā taonga tuku iho | Project the mauri of our wai

Te Hikuwai o Tūwharetoa expects future pipe conveyance to avoid proximity to all waterbodies. Where feasible, retrofitting existing network infrastructure with added protective elements should be explored as part of progressive improvements, as seen in the 2019 spill where replacement pipes were redirected away from the lakefront.

Te Hikuwai o Tūwharetoa supports the scoping of wastewater treatment options (plant, pipes, disposal fields, and associated infrastructure) on the northern side of Taupō. This is considered essential to avoid sewage traveling over/close to our wai.

We support an approach to wastewater treatment that centres the importance of mauri restoration. Enabling Papatūānuku and her healing abilities as a process of mauri restoration should be prioritized. To do so safely requires an approach that gives equal weight to the technical and cultural capabilities of the land and systems.

We promote interconnectivity between infrastructure planning to avoid “piecemeal” approaches of the past. Pressures to provide increased housing to accommodate future population projections require innovative solutions that should not exceed existing urban limits without a clear strategy for sustainable and supported growth. Inappropriate and poorly located developments, which often attract further inappropriate development, have cumulative adverse effects on the spiritual and cultural well-being of Te Hikuwai o Tūwharetoa.

Infrastructure planning needs to consider the impact on adjacent whenua especially undeveloped Māori land.

Tiaki te hā o Tauhara | Reduce carbon emissions

Te Hikuwai o Tūwharetoa is committed to a significant reduction in greenhouse gas emissions as a key outcome. There should be a significant shift in investment away from car reliant transport towards the main urban centres, considering mass transit low-carbon modes including bus, cycling, and walking.

Whakatika te upoko kia whai i te kōrero, kia tutuki ai te mahinga tahi | Connecting on experience to work together

The demand for engagement with Te Hikuwai o Tūwharetoa is significant. It is the expectation that TDC should initiate all engagement with a genuine commitment to early and responsive (and with appropriate resourcing to support effective) Te Tiriti-based processes. While this CIA should in no way replace kānohi ki te kānohi engagement, there is an expectation that TDC share internally the outcomes of this process for the sake of efficient future engagements across TDC projects and planning.

Rangatiratanga - Mana Whakahaere

We will always remain active, persistent, and present in our protection of all waters of Tūwharetoa. It is from these waters that we draw our strength, purpose, and commitment in the knowledge that, in upholding the mana of our awa, we uphold our mana as Te Hikuwai.

Mana ki te mana | Leaders working together

The concept of co-design should apply as a fundamental approach to guide project planning. It is recognized as a core component of strong and enduring relationships between Te Hikuwai and TDC. Supporting participation to enable co-designed planning and options that reflect the tikanga and mātauranga of Tūwharetoa will be essential to achieve improved decision-making that serves and future-proofs the needs of the community.

As a Te Tiriti partner, TDC is expected to support hapū- and Ahu Whenua driven solutions, which means actively reducing inequities through fairer planning policies. Tangata Whenua and Te Hikuwai Ahu Whenua Trusts have a critical role to play in holistic planning and ensuring their people and community are cared for. Council and other local businesses and authorities should be prioritising Tangata Whenua solutions—particularly when addressing issues specific to Tangata Whenua well-being.

Mahi ki te mahi | Expertise working together

We seek Future wastewater solutions that are developed under a Te Tiriti co-design framework between Te Hikuwai o Tūwharetoa and TDC to ensure a collaborative partnership approach at all stages of planning and decision making. This would involve adequate resource and capacity support in order for the cultural parameters of future schemes to be developed following an Iwi/Hapū process.

To support the active participation and engagement of Te Hikuwai o Tūwharetoa it is important that TDC and Mercury work together and ensure alignment of their projects to reduce the time and resource pressures on Mana Whenua. This will require careful collaboration to ensure that things don't 'fall through the gaps'. Establishing a project working group with representation from TDC with resourced positions for Te Hikuwai. A communications protocol could be developed for both organizations for example.

Any options or considerations must be driven by Tikanga and Mātauranga Tūwharetoa. The wellbeing of the community and Taiao need to be at the centre of all decision making.

Whai mohio te katoa | Whole of system approach

The current pipes attached to the control gates bridge remain highly offensive—this is a position we have voiced repeatedly by Tūwharetoa across many planning processes. We have an expectation that TDC will actively seek options to retire this conveyance route permanently in a safe and well-managed way—and in direct consultation with Te Hikuwai o Tūwharetoa.

It is important that TDC understand the impacts on Hapū and the community caused by having wastewater cross the bridge so regularly. Addressing these impacts will require a whole-of-system/network approach, which could result in more localized living, significantly reducing the need to travel across the bridge if there were adequate services to service Hapū and community living on the rangatira side of the Awa, e.g., public transport, gym, supermarket, service station, wastewater, etc.

Options need to be equitable and centered on building sustainable holistic communities with the measures of success focused on looking after Tangata Whenua and reducing inequities across markers of health and well-being.

Te Mana o te wai | Hierarchy of obligations

Wastewater and stormwater management decision-making should be responsive to the aspirations of Iwi/Hapū/Whānau/Māori Trusts in a fair, equitable, and integrated way. For too long, commercial interests have been enabled at the cost of disabling the rights and interests of Mana Whenua developments. As a consequence, our lands and waters have suffered at the expense of economic growth. We believe there is a better way to address many of the current and future infrastructure pressures within Taupō in an integrated and future focused way. Partnership and opportunities to co-design offers, in our minds, is the key change needed to sustainably and safely protect our communities while supporting inevitable growth within our region. We look forward to Council convening development and growth discussion with us, Māori land trusts and individual hapū to understand our individual aspirations and to develop solutions for expanding infrastructure and services by Council.