

Tamatea Pōkai Whenua

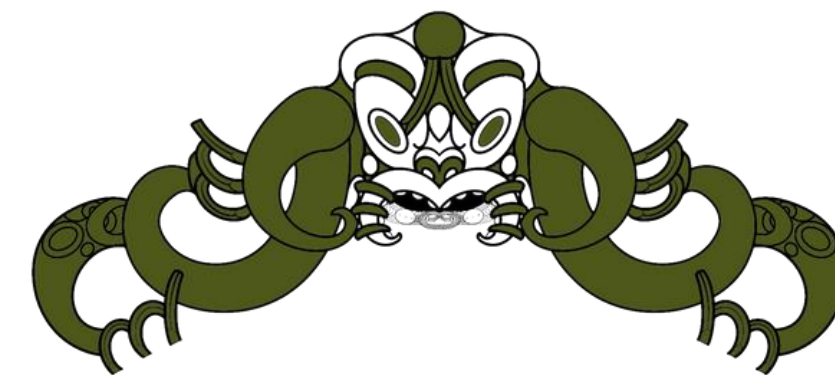
TUKITUKI WATER SECURITY PROJECT 2025

SUPPORTING A DECISION-MAKING PROCESS

March 2025



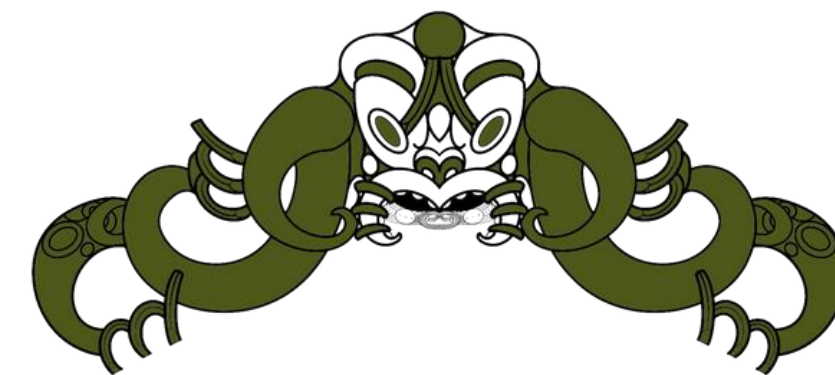
HISTORICAL CONTEXT



Tamatea Pōkai Whenua

- 2009 HBRC embarked on investigations for potential water storage in the Tukituki catchment
- 18 potential sites for water storage were considered, with the upper Mākaroro river identified as the preferred site in 2011
- Ruataniwha Water Storage Scheme (RWSS) was a project led by HB Regional Investment Company Ltd (HBRIC) a Council Controlled Trading Organisation (CCTO) of Hawke's Bay Regional Council
- Resource consents for the RWSS were granted by a Board of Inquiry on 19 June 2015. Minister of DOC approved a land swap of 22ha of conservation land in the upper Mākaroro (to enable the construction of the RWSS), in exchange for 170ha of private forest land
- Forest & Bird NZ sought a judicial review of this decision by DOC to allow this land swap and this land swap issue forced the project to be disbanded
- *NB -Resource consents remain currently granted for this project. Supreme court ruling was a decision that was not based on the development project itself (as it remains consented), but based on a failed land swap*

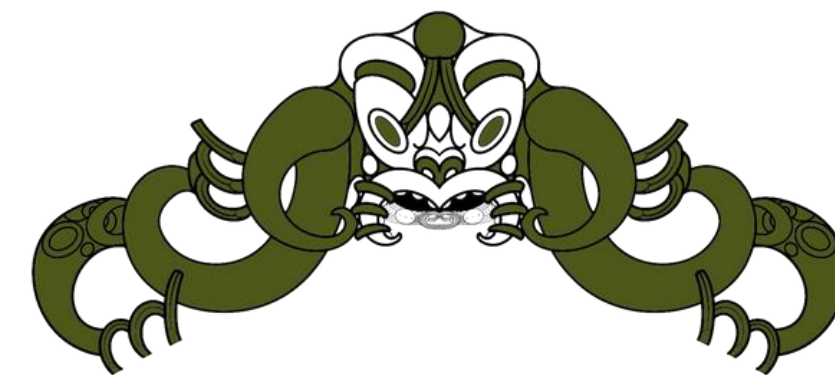
HISTORICAL CONCLUSION



Tamatea Pōkai Whenua

Project was disbanded by HBRIC in 2017 due to the Supreme court decision finding that the DOC approved land swap of 22ha of conservation land in the upper Mākaroro, was UNLAWFUL

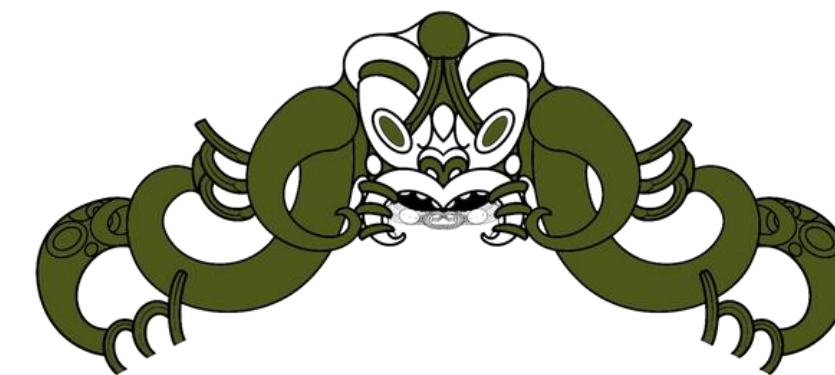
MANA WHENUA WORKING PARTY



Tamatea Pōkai Whenua

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- 19 November 2012, agreeance to establish a Mana Whenua Working Party (MWWP) to advise how to best implement recommendations associated with RWSS (MWWP membership - HBRIC, HBRC, Te Taiwhenua o Tamatea, Te Taiwhenua o Heretaunga, Ngati Kahungunu Iwi Inc, HB Regional Council Māori Committee,)
 - Multiple hui began November 2012-July 2013 to identify issues of concern for Mana Whenua culminating in a report with plans in place to address those concerns
 - Report titled 'Mana Whenua working party report – Ruataniwha Water Storage Scheme', produced August 2013
 - 5 x Cultural Impact Assessments (CIAs) were commissioned for this project
 - *NB - A Kaitiaki Rūnanga is a current consent condition within the project
 - *2024 TPW BOT endorsed the re-instigation of a Mana Whenua Working Party*

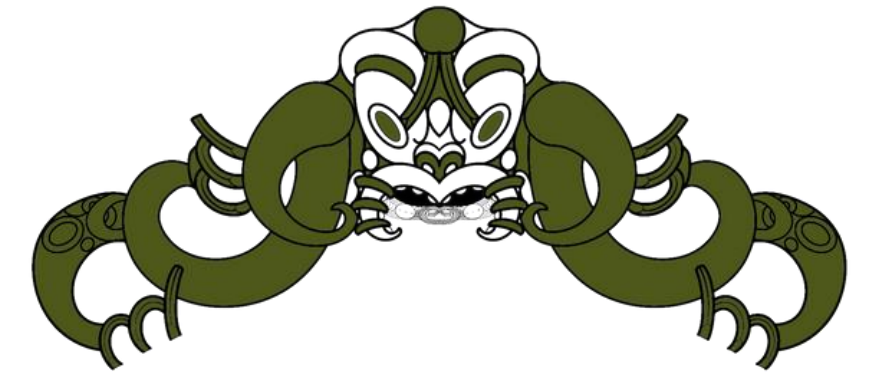
CULTURAL IMPACT ASSESSMENT REPORTS



Tamatea Pōkai Whenua

TITLE	DATE	ORGANISATION	AUTHORS
Cultural Impact Assessment of the Tukituki Proposed Water storage dams	September 2010	Te Managa Māori & EIT	Dr B. Wakefield H. Taungakore K. Steffert J. Maaka C. Marunui U. Te Aho
Cultural Impact Assessment of the Tukituki proposed water storage dams: Supplementary report on the Makāretu & Mākaroro proposed dam sites	March 2011	Te Managa Māori & EIT	Dr. B Wakefield J. Maaka H. Taungakore M. Hape
Ko Wai Ka Hua: Cultural values & uses, Cultural impact assessment of lower Tukituki Catchment	May 2012	Te Manaaki Taiao & Te Taiwhenua o Heretaunga	M. Apatu D. Moffat
Tukituki River Catchment Cultural Values and Uses	June 2012	Te Taiwhenua o Tamatea in partnership with Te Taiwhenua o Heretaunga	Dr. B Wakefield M. Hape J. Maaka Bruce Wakefield H. Maaka M. Apatu D. Moffat D. Whitiwhiti
Addendum Report on Zone M (Old Waipawa River/bed/Papanui Stream)	April 2013	Te Taiwhenua o Tamatea	Dr B. Wakefield B. Gregory M. Hape J. Heperi

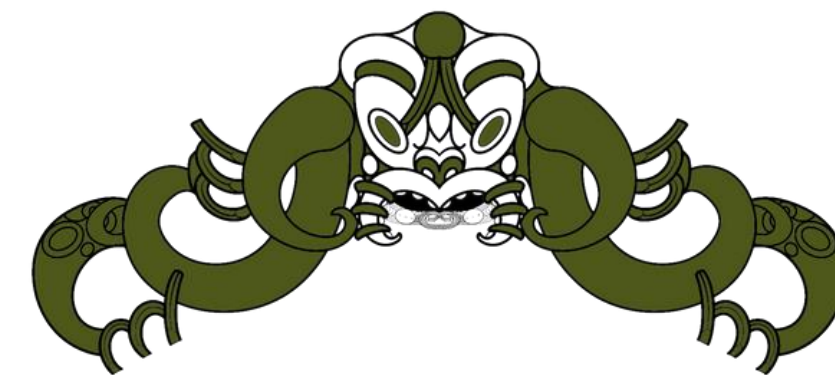
WHERE ARE WE TODAY?



Tamatea Pōkai Whenua

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- 2018 HBRC complete the sale of the RWSS intellectual property (IP) and resource consents to Water Holdings HB Ltd (WHHBL) for \$100,000 (up to \$20M had been spent on the RWSS project)
 - IP = Technical reports, studies, development and infrastructure plans
 - 2021 a re-scoping report for Tukituki Water Security Project (TWSP) to assess alternatives for water security within the Tukituki catchment is commissioned by WHL (Water Holdings Ltd)
 - 2022 HBRC produce the 'HB Regional Water Assessment' highlighting increasing demands and decreasing supply of water in the future

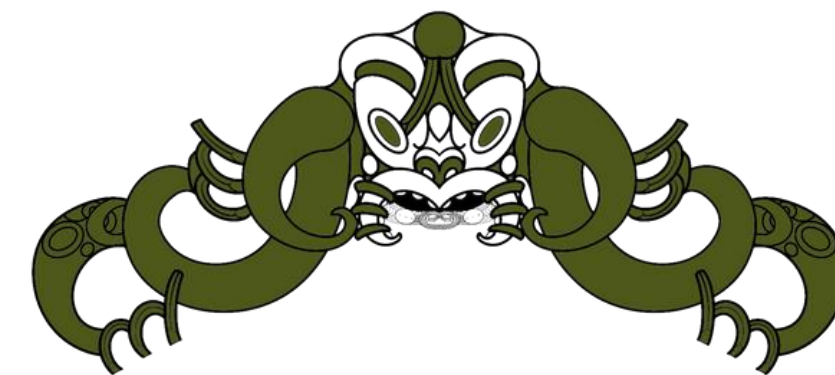
HB COMMUNITY TRUST



Tamatea Pōkai Whenua

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- 2024 – A HB Community Trust (CT) is established, to transfer the IP & consents in perpetuity to the CT as a mechanism to retain community control of assets derived from the consents
 - The CT trust proposes trustees to be made up of: 2 x Tamatea Pōkai Whenua (still to appoint), 1 x CHB District Council (CHBDC – confirmed at Council hui 31 Oct 2024) and 1 x WHHB
 - 8 October 2024 BOT Tamatea Pōkai Whenua (TPW) endorses the CT to provide a a position of strength to the rights associated with the project (but yet to appoint the 2 x CT positions)

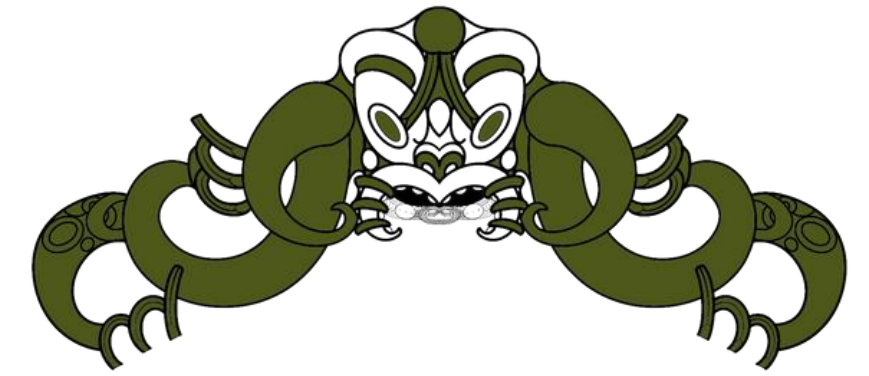
FAST TRACK APPROVALS BILL 2024



Tamatea Pōkai Whenua

- 2023 November- Coalition government seek significant RMA reforms to cut red tape for consenting processes and to progress economic recovery
- 2024 March 7 - Fast-track approvals bill introduced to Parliament to establish permanent approvals regime for housing, infrastructure and development which are deemed regionally and nationally significant projects
- 2024 April 19 – Submissions on fast-track approvals bill closes, followed by 6 weeks of hearings
- 2024 October 18 – Select committee recommend that the Bill be passed into Law
- 2024 13 November – second reading of Bill passed with 68 Yes and 54 Noes
- 2024 December - Approvals Bill is passed
- **NB -(COVID-19 Recovery Fast-track Consenting) Bill was a bill that accelerated infrastructure and other development projects through fast-tracking consents. TPW were successful in using this Bill to accelerate the 'Wairatahi' 450 housing development in Flaxmere)*

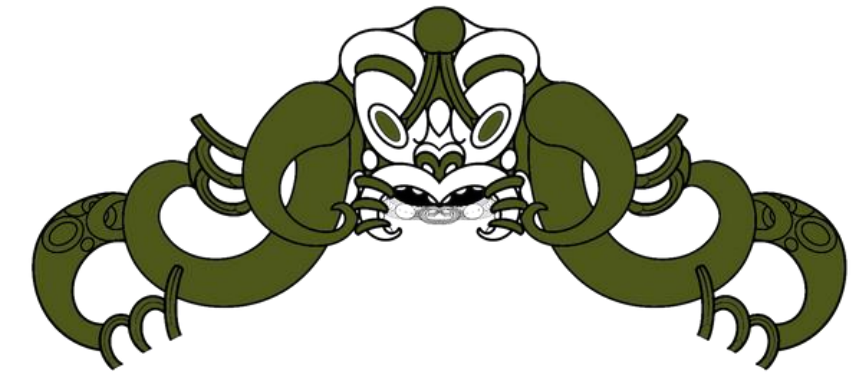
FAST TRACK SCHEDULE OF PROJECTS



Tamatea Pōkai Whenua

- 6 October 2024 Government released their Schedule 2 containing 149 listed projects for fast-track (FT)
- TWSP is selected for direct referral to the FT process therefore project approvals will be made by expert panels
- Māori, Iwi, Hapū rights have been diminished even further through the FT process
- There is no public consultation required under this legislation
- The Bill provides a separate process for the following approvals: resource consents, notices of requirement, and certificates of compliance under the Resource Management Act 1991 and concessions under the Conservation Act 1987
- **NB(remember when the Supreme court deemed the DOC land swap UNLAWFUL, this FT bill likely over-rides legislation such as the Conservation Act 1987)*

WHAT IS THE POSITION OF TPW ON WAI?



Tamatea Pōkai Whenua

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- Currently TPW have NO collective positionality on water security/storage
 - TPW has not committed to the endorsement of TWSP and NO decisions by TPW have been made as yet. However, a decision is required by the BOT by April 2025
 - 3 x Workshops were held in 2022 with Tina Porou to discuss Te Mana o te Wai & to gain some collective views and positions
 - 3 x BOT hui in 2024 facilitated by Tina to discuss freshwater values and TWSP
 - Currently the team of Te Mātai Ao are undertaking literature reviews of Heretaunga Tamatea catalogued 103 reports to extract freshwater and cultural values to inform their current work streams
 - Literature review of Heretaunga Tamatea pre-existing reports was undertaken by Tina in 2024 to provide clarity on what a position on water may look like with the following tables derived from that literature review....

Water Storage; as result of this proposal does Tamatea Pokai Whenua know whether the minimum for participation can be met?

	Best Case	Minimum for Participation	Worst Case
Consent conditions	Tamatea Pokai Whenua is developing all consent conditions	Co-development of consent conditions which enable the achievement of the 'Best Case Scenario', over an agreed time scale.	Tamatea Pokai Whenua is not developing all consent conditions.
Ki Uta ki Tai	"Ki uta ki tai", maintained at all times and protected over the entire project scope and implementation in part to ensure Taonga species have uninhibited passage between lakes, rivers and the sea.	Waterways have a limited connection from the mountains to the sea, but their life supporting capacity is enabled and Taonga species have effective fish passages.	No consideration in projects of "ki uta, ki tai", waterways do not have a continuous connection from the mountains to the sea, Taonga species blocked from having access between rivers, lakes and the sea.
Aquifers	Extraction achieves Te Mana o te Wai hierarchy of obligations. Aquifers can recharge themselves without risk of over extraction and have a further cultural buffer to protect the puna.	Recharge rates are achieved safely in spite of any extraction.	Extraction occurring in aquifers beyond the current level is opposed without hapū approval.
Cultural Impacts	There are no adverse cultural effects on the relationship between Tamatea Pokai Whenua and it is being enhanced.	All cultural adverse effects have been avoided, remedied or mitigated to the extent desired by Tamatea Pokai Whenua.	There are significant cultural adverse effects on the relationship between Tamatea Pokai Whenua and their awa.
Drinking Water	Tamatea Pokai Whenua whānau have access to clean, safe and abundant drinking water, wherever they live, including on marae and papakainga.	Tamatea Pokai Whenua whānau have restricted access to clean, safe and abundant drinking water, wherever they live, including on marae and papakainga which requires formal arrangements to confirm.	Access to clean, safe and abundant drinking water, wherever they live, including on marae and papakainga, is blocked or restricted by the decision or project.
Economic Access	Tamatea Pokai Whenua economic authorities and Māori land within the rohe has free and open access to water for their commercial needs for their whenua contingent on achieving the hierarchy of obligations in Te Mana o te Wai.	Water access for Tamatea Pokai Whenua economic authorities is enabled through the decision or proposal in favorable terms for the iwi contingent on achieving the hierarchy of obligations in Te Mana o te Wai .	Free access to water for the economic needs of Tamatea Pokai Whenua economic authorities and Māori land within the rohe is restricted and requires third party arrangements.

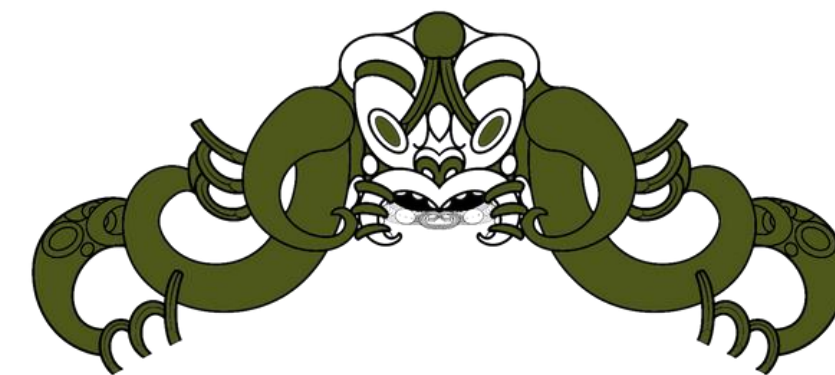
Water Storage; as result of this proposal does Tamatea Pokai Whenua know whether the minimum for participation can be met?

	Best Case	Minimum for Participation	Worst Case
Benefit Sharing	Tamatea Pokai Whenua hold full decision-making power in the project. Tamatea Pokai Whenua controls all cultural, environmental, economic and social outcomes.	Tamatea Pokai Whenua are co-leaders of the project with partners who share decision making and benefits fairly.	No opportunity provided to participate in all aspects of water storage and hydro development.
Cumulative Effects	There are no cumulative effects on te Taiao as a result of the project.	Cumulative effects have been clearly identified and they will be avoided or remedied within an agreed period.	There are cumulative effects which cannot be avoided or remedied.
Mātauranga	Mātauranga leads the implementation of the project and is resourced in the same manner as non-Māori science.	Mātauranga is integrated across the project led by Tamatea Pokai Whenua.	Mātauranga does not feature in the implementation of the project.
Swimmability	20% increase in the quality of water for swimming above current health standards.	Human health standards are met for swimming in waterways.	Waterways are unsafe for swimming.
Biodiversity	Biodiversity indicators have reached desired target states and are stable. No decline present.	Biodiversity stable in awa, estuarine and coastal waters, no decline but are not improving.	Biodiversity not present in awa, estuarine and coastal waters.
Point Source Discharges	Absence of point source discharges in upstream waters	Demonstrate avoidance, remedying or mitigation of point source discharges into upstream waters.	Upstream waters are receiving environments for point source discharges.

Water Storage; as result of this proposal does Tamatea Pokai Whenua know whether the minimum for participation can be met?

	Best Case	Minimum for Participation	Worst Case
Wetlands	Wetlands are abundant and their number and quality within the rohe are increasing as a result of the decision or project.	No further loss or degradation of wetland ecosystems.	Wetlands are lost or degraded.
Coastal Areas	Coastal areas in the rohe of Tamatea Pokai Whenua are thriving, and the protection of the mauri of coastal waters, to ensure the ability to support cultural and customary usage is enhanced by this decision or project.	No further loss or degradation of coastal ecosystems.	Coastal areas have significant negative impacts as a result of the decision or project.
Climate Change	Climate change factors are fundamental in the project design and implementation.	Climate Change factors are part of the project design and implementation.	Climate change factors are not integrated into design or implementation of the project.
Wāhi Tapu	Wāhi Tapu are protected and the knowledge of culturally significant sites, the pūrakau and tikanga that go with them to tamariki is enabled by this project or decision.	Waahi Tapu are identified and protected in the project.	Wāhi Tapu are destroyed or significantly negatively impacted by the project or decision.
Decision Making	Tamatea Pokai Whenua are the majority decision makers in all layers of the project.	Tamatea Pokai Whenua share decision making in all layers of the project.	Tamatea Pokai Whenua have no decision making power in the project.
Mahinga Kai	Increase in number and quality of mahinga kai species and sites for customary harvests.	No change in the number and quality of mahinga kai species and sites for customary harvest.	Decline in number and quality of mahinga kai species and sites for customary harvests.

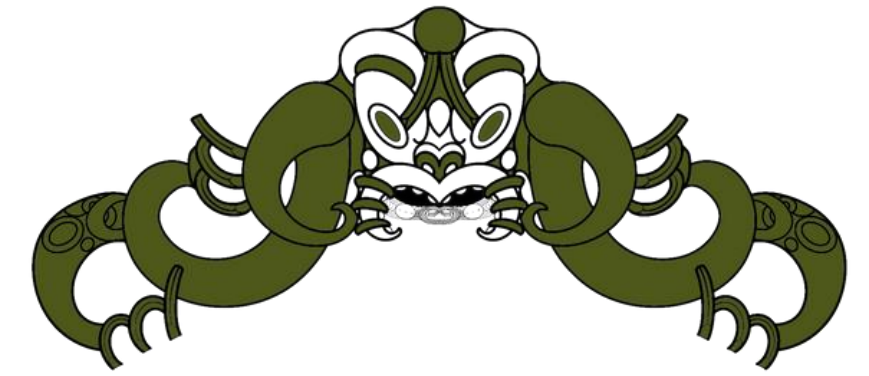
MATTERS TO CONSIDER...



Tamatea Pōkai Whenua

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- Te Mana o te Wai (TMoTW) could be interpreted without TPW input in this FT process. However, TMoTW should inform the framework towards instigating a water security strategy for Heretaunga Tamatea
 - FT Bill may expediate this application and could likely be approved with or without TPW support or consent
 - Climate change and water shortages in the future will impact water security to communities and marae/hapū, however at this stage we have no strategy in inform a position on Water Security
 - *In order for this project to maintain any type of cultural or environmental standards, this would require scrutiny & oversight by Mana Whenua*

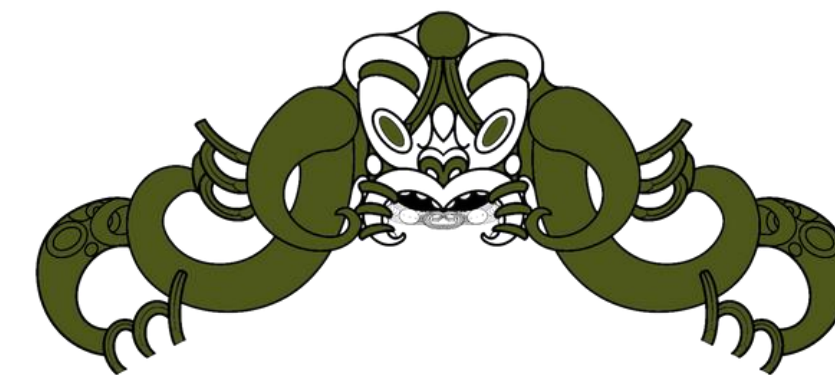
OPTIONS TO CONSIDER...



Tamatea Pōkai Whenua

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1. Withdraw from this process and therefore oppose; no ability to ensure minimum standards are met, no rights to influence cultural flows, no ability to manage cultural and environmental effects and no way to influence TMoTW in this project?
 2. Withdraw from this process and try to negotiate with the applicant on the consents (and only if the applicant wants to negotiate, as they are not bound to do so as the consents are already approved)?
 3. Stay connected to the project via having elected members in the Community Trust, within the expert technical team, and the consenting and project teams. This ensures the ability to negotiate and monitor the consent conditions, and monitor that the project arrangements are being maintained and delivered on behalf of Mana Whenua?
 4. Become an investor into the scheme?
 5. Become a shareholder so that TPW maintains some form of ownership/control?
 6. Other options..... what are they??
 7. These options are mere considerations – NO DECISIONS HAVE BEEN MADE

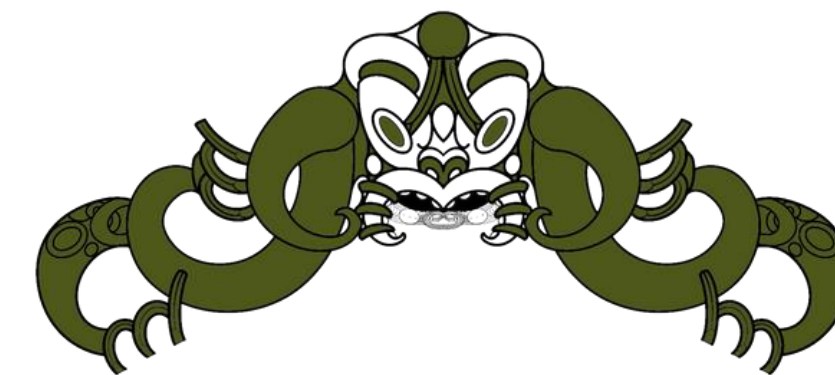
HISTORIC



Tamatea Pōkai Whenua

DATE	MILESTONE
24 November 2021	CEO report to Board of Trustees – Tukituki Water Security
May & June 2022	3 x Te Mana o te Wai Workshops with Tina Porou held in Tamatea and Heretaunga with a combined final workshop
14 August 2024	TPW BOT Online Hui with Tina Porou to present Freshwater values
27 August 2024	TPW BOT Governance Wānanga on Water with Tina Porou
8 October	TPW BOT hui at Mataweka, agreeance to support the Community Trust document in principle
22 October 2024	TPW BOT presentation by Tina Porou on Water storage. Stephen Daysh attended hui at 1pm
14 November 2024	TPW BOT and Staff invited by Water Holdings HB Ltd, to attend an update hui
2024	Various BOT reports from CEO

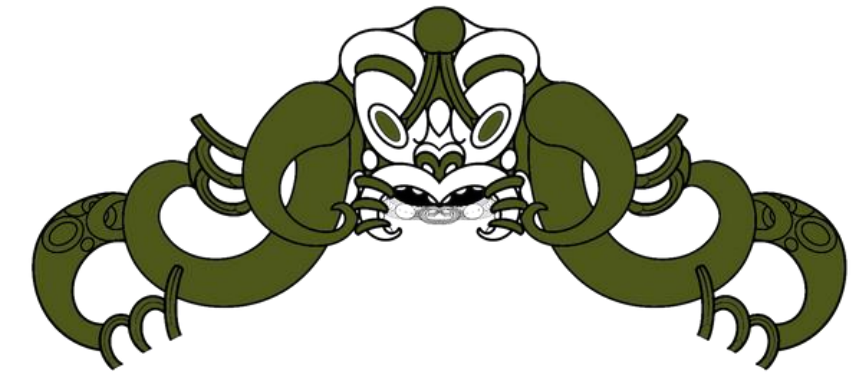
MILESTONE WORK PROGRAMME



Tamatea Pōkai Whenua

DATE	MILESTONE TARGET
May & June 2022	3 x Te Mana o te Wai Workshops with Tina Porou held in Tamatea and Heretaunga with a combined final workshop
10 December 2024	Present Project Paper to TPW Board hui
9 & 16 December 2024	Wānanga with Marae and Hapū
Jan-April 2025	Mana Whenua Working Party Group Hui
Jan-April 2025	TPW RMA Technicians regular hui with WHHBL Technicians
29 April 2025	TPW Board Hui – Decision required

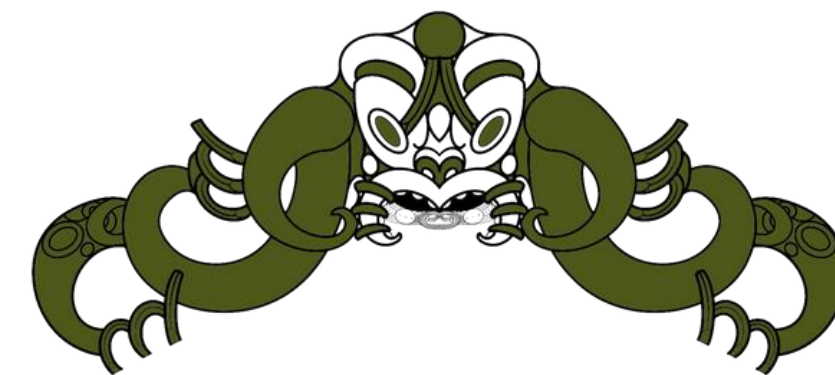
2025 MANA WHENUA WORKING PARTY



Tamatea Pōkai Whenua

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- A Mana Whenua Working Party (MWWP) group was re-instigated in 2025 to: review the current consent conditions, review various reports and documents, provide forum to discuss the TWSS and provide a recommendation report to the TPW BOT for an informed decision- making process.
 - 4 x Tamatea Haukainga and 1 x Heretaunga Haukainga form the MWWP.
 - The MWWP is supported by a Technical Advisory Group (TAG). TAG consists of 2 x TPW RMA Planners, 2 x Consultant Planners.
 - The TAG meets weekly to keep informed of all progress.
 - The MWWP meet monthly and kept informed by the TAG.

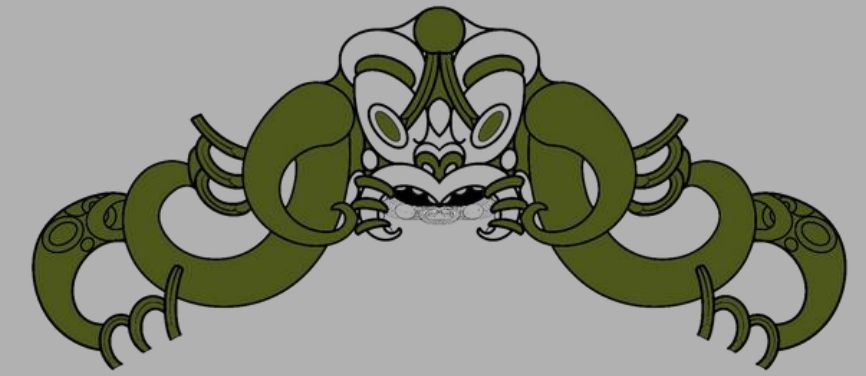
MAIN FACT SUMMARY



Tamatea Pōkai Whenua

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- 2009 HBRC begin investigations for water storage scheme
 - 2012 Mana Whenua Working Party formed to assist with implementation of recommendations for Ruataniwha Water Storage Scheme (RWSS). 5 x CIAs are commissioned for the project
 - 2017 HBRIC cease project due to Supreme court ruling that DOC estate land swap was unlawful
 - 2018 HBRC sell the RWSS IP, consents & assets to Water Holdings CHB. Consents for the project are still lawful and in place
 - 2021 & onwards multiple reports begin to re-scope water storage in HB
 - 2024 Community Trust (CT) is drafted to enable transfer of IP & assets from Water Holdings to CT
 - 2024 Coalition government introduce Fast Track Approvals Bill and Tukituki Water Security Project (TWSP) is included onto the Project Approvals Schedule 2
 - 2025 Tamatea Pōkai Whenua Board of Trustees to make a decision regarding their inclusion and ongoing involvement into the Tukituki Water Security Project & still to appoint 2 x CT trustees

Q & A



Tamatea Pōkai Whenua

Q -Has TPW invested any money into the TWSP project? NO

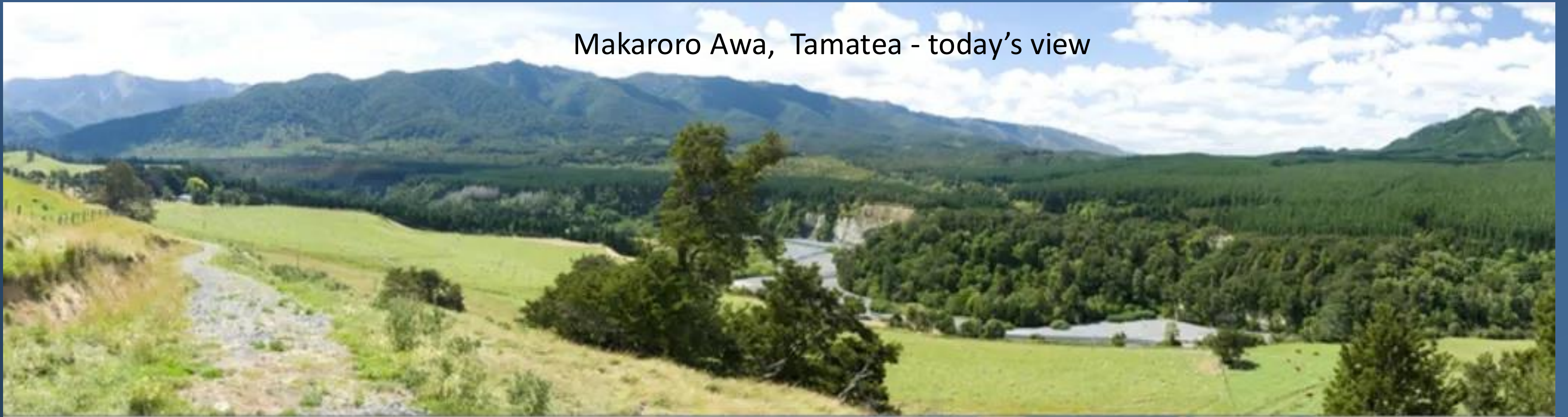
Q – Who will make the decision about TPW continuing involvement into the TWSP project? – THE TPW BOARD OF TRUSTEES

Q -Have CIAs been undertaken for this project? YES 5 REPORTS UNDERTAKEN

Q -How are the cultural and environmental effects mitigated? SCHEDULE 6a CONTAINS 6 ‘INTEGRATED MITIGATION & OFFSET PROJECTS’

Q – Is the TWSP already consented? YES, IT CURRENTLY HAS 17 PRE-APPROVED CONSENTS IN PLACE

Makaroro Awa, Tamatea - today's view



Makaroro – Future view with the TWSP in place

