

ATTACHMENTS

Ordinary Council Meeting

3 September 2019

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Would you like to present your submission in person at a hearing?☐ Yes☒ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.**Footpaths ***

Outdoor seating areas for hospitality outlets are important for a vibrant town but need to be more strictly policed so they don't encroach too far onto the footpath. Advertising signage should not be permitted concurrently on the footpath by these businesses. Combination of the two features together often restricts passage too much, not only for able-bodied public but especially so for persons with disabilities.

While not strictly a road encroachment issue, why are developers not required to provide on-street parking areas? All too often houses and units are erected on tiny sections with not enough provision for off-street parking, forcing occupants to park on "grassed" berms and creating unsightly dust bowls. This is especially a problem outside multi-tenanted properties. Even single family dwellings will often have a "fleet" of more than 2 cars, then there is the caravan/motorhome and the boat to find space for as well. Unfortunately any provided on-site garaging is often used for purposes other than vehicle parking (storage, games area, etc), thus compounding the issue. This problem is increasing as "in-filling" of existing properties continues and should require consideration

T24Consult Page 1 of 2

1

from Council.

Attached Documents

File
Draft Road Encroachment Policy 2019

2

Organisation:

First Name:

Last Name:

Postal Address:

Suburb:

City:

Country:

PostCode:

eMail: *

Daytime Phone:

Would you like to present your submission in person at a hearing?

☒ Yes

☐ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

☒ **Draft Road Encroachment Policy Hearing - Thursday, 4 July 2019 107 Heuheu Street, Taupo District Council Chambers**

Additional requirements for hearing:

Footpaths *

Taupo District Council

Draft road encroachment policy 2019

Introduction

1. This report responds to the draft road encroachment policy on which the council has sought submissions by 13 June 2019.

2. The New Zealand Walking Access Commission is established under the Walking Access Act 2008 and has a wide range of functions associated with the promotion and maintenance of public access to land. It has therefore a strong interest in the administration of roads, especially unformed legal roads, as these provide a valuable network of public access rights to the countryside. It pays close attention to any regulatory or administrative measures that may potentially affect the public right of use of roads.

3. The draft appears to deal with three separate issues:

- Encroachment on roads; that is, the unlawful occupation of roads;
- The statutory powers whereby a local authority may authorise the leasing the airspace or the subsoil of roads; and
- The erection of structures adjacent to roads

4. The draft subsumes all three issues under the heading of its proposed encroachment policy. This seems to us to be confusing. The leasing of the airspace or subsoil of roads under the powers in s 341 of the Local Government Act 1974 does not involve encroachment. Such leases provide a lawful authority to occupy and are therefore not encroachments. The erection of fences or walls alongside but not on roads does not involve an encroachment on the road and likewise should be addressed outside an encroachment policy.

5. The fundamental issue that needs to be addressed is the extent to which the council may authorise the occupation of legal road other than under the explicit powers that it has to do so.

6. In the Commission's view that Councils' policies in respect of encroachments on roads, that is on unlawful occupation of roads, should focus enforcing the right of the public to pass and repass subject to certain powers to regulate or restrict the use of vehicles. Any action to tolerate or authorise encroachments on roads should not restrict the right of the public to use the road.

Legal framework

7. The primary statute governing the use and management of roads is the Local Government Act 1974. The Act contains very specific provisions as to what councils may do or authorise on legal roads. For example, councils may authorise, subject to conditions, the construction of motor garages adjacent to the road line; and may lease the airspace above roads or the subsoil below roads. They may also authorise cattle stops and swing gates across unformed legal roads in certain circumstances. There is, however, no explicit statutory authority to lease the surface of a road or to grant licences to occupy.

8. Roads as defined in the Local Government Act 1974 include all roads whether formed or not; that is they include so called "paper roads". The term "road reserve" as used in the draft policy has no distinct legal meaning. The common law public right of access to pass and repass on roads applies to both formed and unformed roads, and to all parts of legal roads.

9. The general powers of councils in respect of roads are contained in s 319 of the Local Government Act 1974. They include, for example, a provision empowering the council to designate which part of a road is carriageway and which part a footpath or cycleway only, but do not include

any power to authorise the private use of a road.

10. Councils have very broad powers under the Local Government Act 2002 (LGA 2002) but these are subject to other Acts and the common law; s12(3) LGA 2002. Given the breadth and generality of these powers and the common law rights in relation to roads, it is unlikely Courts would consider Parliament intended to limit or remove these common law rights without express statutory provisions to the contrary.

11. Section 357 LGA 1974 provides that it is an offence to encroach on a road by making or erecting any building, fence, ditch or other obstacle or work of any kind or by planting any tree or shrub "not being authorised by the Council..." It is arguable whether this provision is sufficiently specific to empower councils to licence the occupation of legal roads particularly if the form of licence has the effect of restricting the right of the public to use the affected part of the road.

12. Another possible authority is s 45 of the Public Works Act 1981. As originally enacted this section distinguished between a general power to lease or licence land held for public work (s 45(1)) and the leasing or licensing of Government road or State Highway (s45(2)). S 45(2) has been re-enacted in s 61A of the Government Roding Powers Act. Given this distinction it is doubtful whether s 45(1) applies to roads otherwise the more specific provision would not have been necessary. S 61A of the Government Roding Powers Act applies only to Government roads and State Highways, not to roads generally

Council practices

13. Councils typically provide for or practice the authorising of encroachments on roads. The statutory authority for doing so is usually cited as s 357(1) of the Local Government Act 1974. In other instances s 45(1) of the Public Works Act 1981 is cited.

14. The Council needs to address what statutory power it has to authorise encroachments on roads and the scope of that power.

Enforcement of the public right of access

15. Section 357 (1) of the Local Government Act prescribes a range of offences in respect of roads and specifies that proceedings for an offence against subsection (1) must be commenced on the authority of the council, or by an officer of the council (s 357 (1A)). Enforcement of these provisions is clearly a function of the council.

16. The Commission accepts that there may be good practical reasons for councils to tolerate encroachments on legal roads in some circumstances, or perhaps authorise them in spite of the lack of specific statutory authority to do so. It considers, however, that this should be considered in the context of an enforcement policy in respect of the offences under s 357(1) which takes account of the common law public right of access.

17. The Commission suggests that the policy should be restructured to correspond with its statutory powers and functions under the Local Government Act 1974. The policy could comprise:

- An enforcement policy relating to obstructions and encroachments on roads;
- A policy on the circumstances in which the Council will tolerate encroachments on roads, or authorise them to the extent that it considers that it has the power to do so;
- A policy on the exercise of the powers in s 341 of the Local Government Act 1974 i.e. on the

2

leasing of airspace and the subsoil of roads; and

- A policy on fences and walls alongside roads.

18. The Commission is especially concerned that any toleration or authorisation of encroachment on roads does not interfere with the right of the public to pass and re-pass on all parts of the road. Any licence to occupy should not be in a form that is in effect a lease that gives exclusive occupation rights to the lessee to the exclusion of the public. Nor should it authorise fencing that interferes with the right of the public to pass and repass.

19. Below is an annotated version of the draft policy noting specific areas of concern

Attached Documents

File
CMS 5345 Draft Road Encroachment Policy 2019 Annotated version
Draft Road Encroachment Policy 2019

2

Please click on the link below to view the document

https://submissions.taupo.govt.nz:443/Consult24Office/Docs/PID_40/40_2307_N0DD72\CMS5345DraftRoadEncroachmentPolicy2019Annotatedversion.docx



DRAFT ROAD ENCROACHMENT POLICY FOR STRUCTURES PLANTINGS AND OBSTRUCTIONS ON ROADS

Purpose

The purpose of this policy is to provide a framework for consistent decision-making in respect of encroachments structures, plantings and obstructions under, on or above legal road reserve in the Taupo District.

Definitions

Footpath is the part of any legal road or public place that is laid out for pedestrian use.

Public Place is any place under Council control and open to or used by the public as of right.

Road has the same definition as section 315 of the Local Government Act 1974.

Veranda is a roofed space extending from a building and includes any structure, machinery or equipment erected on, or attached to the side or underside of, a veranda.

What this policy covers

This policy covers all occupation of the structures, plantings and obstructions on roads reserve within the Taupo District.

This policy does not include activities and structures of utility companies where these relate to specific statutory rights that allow them to utilise legal road to provide various utility services.

In what circumstances is written approval for a road may encroachments on roads be approved required?

Any person who seeks to occupy or use erect structures, plant vegetation or otherwise do something that may obstruct the any road reserve must may apply to the Council as landowner of the road for permission. Approval is needed because of may be given in the following circumstances:

1. Written approval is required if there are structures that will be installed in, on, the road reserve; or if there will be any form of public access restriction associated with the road encroachment.
2. A lease is required for structures that are erected in the airspace above the road reserve such as decks and building facades. This is with the exception of verandas which are not required to obtain the written approval from Council. However, the building owner who wishes to erect a building veranda must ensure that they have met the requirements of the District Plan and that they have obtained the necessary building consents.
3. A license to occupy is required for structures temporarily located on the road reserve (for example, seats and tables for outdoor dining).

A list of common road reserve encroachments is included in Appendix 1.

Policy Principles

Decisions on encroachments are at the Council's discretion; nothing in this policy requires Council to grant or decline an application for an encroachment. The following principles are taken into account when assessing whether or not to allow an encroachment.

1. Encroachments should not interfere with the public right to pass and repass on the road.
- 1.2 Encroachments should not interfere with any reasonably foreseeable future public uses of the particular road reserve and where possible should also be removable.
- 2.3 People who are affected by a proposed encroachment should be consulted and their views considered when decisions are made.
- 3.4 Encroachments allowed in the district's town centres should contribute to economic development and encourage public use.

Commented [H1]: As noted elsewhere the word reserve has no meaning in this context. If it is meant to be a reference to those parts of the legal road that are not formed then the better term would be unformed road, but the policy seems to have application to all roads and all parts of roads so it would be better just to remove the word "reserve" throughout the policy.

Commented [H2]: This implies that the Council is empowered to approve encroachments that obstruct public access. The Commission does not consider that the Council has the legal power to do so.

Commented [H3]: The use of the term "road reserve" in this context is confusing as the statutory power for leasing airspace (s 341 of LGA 74) applies whether or not the road is formed and is more likely to apply in urban situations over formed streets.

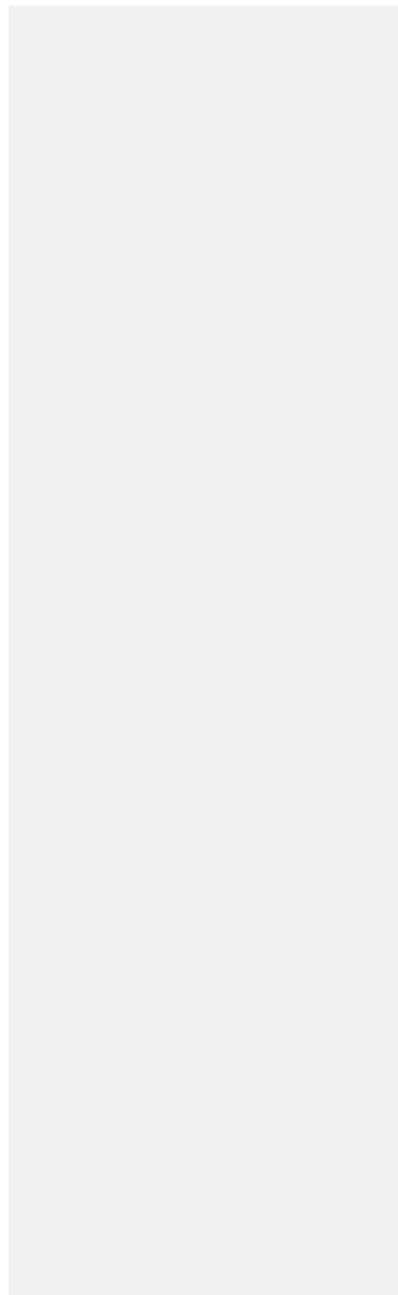
Commented [H4]: The statutory authority for such a licence is unclear

Commented [H5]: The extent of the Council's discretion is unclear and appears to have no clear statutory authority

Commented [H6]: The public has a current and continuing right to pass and repass on all parts of a legal road.

Commented [H7]: Should this not be consultation with the public?

4.5. Ensure that the health and safety of members of the public is protected.



- 5.6 The encroachment should not significantly degrade amenity values, cultural values, and significant ecological values, either as a result of a particular encroachment or through the cumulative effect of many encroachments.
- 6.7 There should not be ongoing costs to Council as a result of an encroachment.
- 7.8 The extent to which the encroachments will resolve significant community issues throughout the community. They will not be allowed in circumstances where they have been proposed to resolve a neighbour or civil dispute.

Consultation with affected parties

Council needs to be able to understand and assess the effects a proposed encroachment could have on the public right of access and on other property owners. Council may therefore wish to consult the public and to ascertain will want to know the views of property owners in the vicinity of the proposed encroachment who could be materially affected by it. This is especially so in cases:

- The encroachment may affect the public right of access along the road
- Where an adjoining property owner believes their significant vistas and/or amenity values could be affected by a proposed encroachment
- Where the proposed encroachment covers another property owner's legal road frontage.

Council will also want to be assured that the views of third parties are based on accurate information about the proposal. If an adjoining property owner who may be affected by a proposed encroachment provides written consent to the proposal, the application will be considered by Council on the basis that that adjoining property owner is not affected. If no written consent is provided then the Council will consider any comments raised by that property before deciding whether to grant an encroachment.

However, the Council retains the ultimate discretion as to whether to agree to any encroachment, guided by the principles in this policy.

Terms and conditions of encroachment agreements

Terms and conditions of encroachment agreements are included in Appendix 2.

Compliance and monitoring

Erecting a structure on legal road (including unformed the road reserve) without Council approval is a contravention of s 57 of the Local Government Act 1974 and breach of the Reserves and Public Places Bylaw 2016 and can lead to prosecution.

Commented [H8]: The primary affected party is the public.

Commented [H9]: The interests of "other property owners" must be subservient to the interests of the public.

Commented [H10]: But the principles need to be based on whatever statutory authority the Council may have.

Commented [H11]: This passage is based on the wrongful assumption that the interests of adjoining property owners is a primary concern in considering encroachments on roads.

Commented [H12]: Again the misleading use of this term.

Commented [H13]: Much more significantly it would contravene s 357 of the Local Government Act 1974.

Appendix 1

Common types of road reserve encroachment covered by this policy:

1. Airspace encroachment: when a structure above the road reserve such as a deck or a building façade occupies the airspace above a road (including footpath). It includes verandas over footpaths which provide shelter to pedestrians.
2. Amenity walls: walls advertising the name of a subdivision or development.
3. Bollards: structures installed to prevent vehicles driving on the berm.
4. Grazing of berms in rural areas.
5. Occupation of footpaths for seating by hospitality outlets.
6. Property fences built on urban road reserve.
7. Retaining walls encroaching on the road reserve.
8. Stock underpasses.

Types of road reserve encroachments not covered by this policy:

1. Planting of trees and vegetation in urban berms because this is covered by the Tree and Vegetation Policy.
2. Shelter belts in the rural area because this is already covered by Rule 4b.1.6 of the Operative District Plan.

Commented [H14]: Any obstruction placed or planted on a legal road is potentially a contravention of s 357 of the Local Government Act 1974

Commented [H15]: This rule relates to plantings that may shade the carriage way of roads, not about the right or otherwise to plant trees on the road.

Appendix 2

Included below is a non-exhaustive list of the terms and conditions that may apply to encroachment agreements:

1. In most instances, the encroachment agreement will include a standard clause that agreement that acknowledges the Network Utility Operators rights at law to maintain services in, along or under the road and that these rights take precedence.
2. An encroachment agreement may be revoked by Council by notice to the holder of the encroachment agreement. The notice period will be determined when preparing the agreement and will take into account the type of encroachment.
3. Any costs associated with installing the encroachment is at the cost of the property owner.
4. Any encroachment agreement that is issued to a property owner will be recorded on the Land Information Memorandum (LIM) for that property. Please note, however, the encroachment structure is not recorded on the Certificate of Title for the property.
5. Whether agreement needs to be made with the new property owner if there is a change in ownership.
6. Other special conditions may be applied to a licence on a case-by case basis.

Conditions relating to specific types of road encroachments

Encroachment Type	Specific conditions
Airspace encroachment	Any veranda or other encroachment constructed over a public place shall be maintained in a waterproof condition and in a state of good repair. Good repair includes the absence of: visible rust; holed, rotted or otherwise damaged materials or elements; loose, visible or exposed electrical wires; and/or projections or other features that pose a danger to persons using a public place. Any building owner wishing to construct an airspace encroachment other than a veranda, must apply to Taupo District Council for a lease. Fees for the lease may be charged in accordance with the Council's Fees and Charges schedule.
Amenity walls	<ol style="list-style-type: none"> 1. Amenity walls must not be erected in the road reserve. 2. If a developer wishes to erect an amenity wall, it must be erected entirely within the adjacent land, which is not owned by Council.
Bollards	Bollards must be: <ol style="list-style-type: none"> 1. Constructed using frangible round treated timber of less than 180mm diameter. 2. Placed in the grassed area and set back at least 400mm from the face of the kerb, unless otherwise agreed by Council. 3. No higher than 600mm unless otherwise agreed by Council. 4. At least 300mm clear of the footpath unless otherwise agreed by Council. 5. Maintained in good condition and be painted white at all times. 6. Repaired immediately or removed if damaged any associated costs will be at the adjacent property owner's expense.
Retaining walls encroaching on the road reserve	Retaining walls: <ol style="list-style-type: none"> 1. Must be maintained in good condition. 2. Must be repaired immediately or removed if damaged and any associated costs will be at the adjacent property owner's expense.

Commented [H16]: Surely the most important issue to address is the impact on the public right of access.

Commented [JG17]: Agree and it should be the first principle in the list.

Commented [H18]: If airspace above a road is leased it is not an encroachment.

Commented [H19]: It is therefore not an encroachment

Encroachment Type	Specific conditions
	The property owner must ensure that they also apply for another other relevant permissions, such as resource consents or building consents.
Property fences built on urban road reserve	Property fences built on the urban road reserve: <ol style="list-style-type: none"> Any consents (including, but not limited to building and resource consents) have been applied for and these consents have been granted. The fence/s must be maintained in good condition. The fence/s must be repaired immediately or removed if damaged and any associated costs will be at the adjacent property owner's expense. Where a fence has been erected without prior approval Council, Council will have the ability to ask the property owner/s to remove the fence/s.
Fences erected on rural road reserve for the purposes of stock grazing	Fences built in the rural road reserve: <ol style="list-style-type: none"> Fences are easily removable and are moved within one month, if requested by Council. Fences are maintained in good condition and immediately or removed if damaged any associated costs. The fences are installed in appropriate locations that are agreed to by Council.
Stock underpasses	If a subdivision results in different ownership on both parcels of land at each end of the underpass, then Council will require an easement or encroachment license to be granted and for both holders to be liable.

Commented [JG20]: Council needs to consider whether it can actually authorise this. If they decide yes, the principle should be to ensure full public access is unobstructed.

Commented [H21]: It is doubtful if the Council has authority to approve the enclosure of parts of a road by fencing as this would inherently block public access to part of the road

Commented [JG22]: This should address fences crossing roads, including ULR, and ensure that they are authorised, gated and signed or cattle-stopped compliant with legislation.

357 Penalties for damage to roads

(1) Every person commits an offence who, not being authorised by the council or by or under any Act,—

(a) encroaches on a road by making or erecting any building, fence, ditch, or other obstacle or work of any kind upon, over, or under the road, or by planting any tree or shrub thereon; or

- (b) places or leaves on a road, any timber, earth, stones, or other thing; or
- (c) digs up, removes, or alters in any way the soil or surface or scarp of a road; or
- (d) damages or, except with the consent of the council, removes or alters any gate or cattle stop lawfully erected across any road; or
- (e) allows any water, tailings, or sludge, or any filthy or noisome matter, to flow from any building or land in his occupation on to a road; or
- (f) wilfully or negligently causes or allows any oil, or any liquid harmful to sealed or paved road surfaces or likely to create a danger to vehicles on such surfaces, to escape on to any road having a sealed or paved surface; or
- (g) causes or permits any timber or other heavy material, not being wholly raised above the ground on wheels, to be dragged on a road; or
- (h) causes or negligently allows any retaining wall, foundation wall, or fence erected on any land, or any batter or slope of earth, or any building, erection, material, or thing, to give way or fall so as to damage or obstruct a road; or
- (i) digs up or removes any stone, gravel, sand, or other material from a river bed within 50 metres of a bridge or ford on any road or any dam on which a road is constructed; or
- (j) does or causes or permits to be done any act whatsoever by which any damage is caused to a road or any work or thing in, on, or under the same,—
- and is liable on conviction to a fine not exceeding \$1,000 and, where the offence is a continuing one, to a further fine not exceeding \$50 for every day on which the offence has continued and may be ordered to pay the cost incurred by the council in removing any such encroachment, obstruction, or matter, or in repairing any damage caused as aforesaid.

Submission Form

You can make an online submission by going to www.taupo.govt.nz or you may complete the form below.

Submissions open on Monday 13 May and close on Thursday 13 June 2019, 5pm

Please note that your submission (including any personal information supplied) will be made available to the Councillors and the public.

Hearings have been set down for 4 July 2019.

If you have indicated that you wish to present your comments in person, you will be contacted after the submission period has closed to arrange a date/time. You will be given up to 10 minutes in which to present your submission and answer questions. Please make your written comments as complete as possible and use the hearing time to highlight.

Written submissions to be posted to:

Freepost
The Chief Executive Officer
Taupō District Council
Private Bag 2005
Taupō 3352
Freepost No. 112497
Fax 07 378 0118

Submissions can also be emailed: twood@taupo.govt.nz

Your details

First Name:	
Last Name:	

Contact details

Postal address:	
Email:	
Best daytime contact number:	

Organisation

If you are completing this submission on behalf of others please name the organisation	
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Presentation

Would you like to present your submission in person at hearing?

- ☐ Yes
☐ No

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1

Organisation:

First Name:

Last Name:

Postal Address:

Suburb:

City:

Country:

PostCode:

eMail: *

Daytime Phone:

Would you like to present your submission in person at a hearing? *

☐ Yes

☒ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Attached Documents

File
Draft Water Supply Strategy 2019

2

First Name:

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0274 917 375

Would you like to present your submission in person at a hearing? *

☒ Yes

☐ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

☐ **Draft Water Supply Strategy Hearings - Thursday, 4 July 2019 107 Heuheu Street, Taupo, Taupo District Council Chambers**

Additional requirements for hearing:

Attached Documents

File
Draft Water Supply Strategy 2019

3

First Name:

Richard

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021 745671

Would you like to present your submission in person at a hearing? *☐ Yes☒ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.**Attached Documents**

File

Draft Water Supply Strategy 2019

4

Organisation:

First Name:

Last Name:

Postal Address:

Suburb:

City:

Country:

PostCode:

eMail: *

Daytime Phone:

Would you like to present your submission in person at a hearing? *

☒ Yes

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☒ Draft Water Supply Strategy Hearings - Thursday, 4 July 2019 107 Heuheu Street, Taupo, Taupo District Council Chambers

Additional requirements for hearing:

Attached Documents

File
Draft Water Supply Strategy 2019

5

Organisation:

First Name:

Last Name:

Postal Address:

Suburb:

City:

Country:

PostCode:

eMail: *

Daytime Phone:

Would you like to present your submission in person at a hearing? *

☒ Yes

☐ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

☐ **Draft Water Supply Strategy Hearings - Thursday, 4 July 2019 107 Heuheu Street, Taupo, Taupo District Council Chambers**

Additional requirements for hearing:

Attached Documents

File
LWAG sub TDC Water Supply Strategy June 2019
Draft Water Supply Strategy 2019

T24Consult Page 1 of 2

Lakes and Waterways Action Group Trust submission to the TDC Draft Water Supply Strategy

12th June 2019

Lakes and Waterways Action Group (LWAG) supports the four strategy outcomes

LWAG notes that some drinking water is sourced from groundwater and springs. These water resources are not noted in Section 4.4.

LWAG also notes that many TDC water supplies are not compliant with criteria (overall, bacterial and protozoa) and a significant number of supplies do not achieve chemical treatment criteria (Section 8).

- **In our strong opinion, TDC should aim to reach compliance with all these criteria earlier than 2028.**

LWAG agrees with aims to reduce unit water use (Outcome 2) and matching projected water demand to drinking water infrastructure development (Outcome 3).

- **We support financial sustainability of the drinking-water system, but not at the risk of delaying planned improvements in drinking water security.**

We agree with the statement (pg 6 of Strategy) that;

'A challenge for the district is that there is a perception that water is plentiful. Because Lake Taupo is so prominent, people do not always perceive that there is a need to conserve water, because there is so much water in the lake.'

We understand that this issue is compounded by predicted population growth in the district and the *'increasing popularity of Taupo as a visitor destination'* bringing further uncertainty regarding future water supply needs.

- **Regarding: 'Links to National, Regional and Local Documents' (pg 9) we would like to see an additional link to the recently revised WRC Stormwater Guidelines as well as TDC's Stormwater Strategy as these are also relevant in their relationship to water conservation, especially in relation to *Outcome 2: We Use Water Responsibly* (pg 11)**

Pro-active use of low impact design measures to conserve water through treating urban areas as potential 'reservoirs' capturing water at source is something LWAG have long advocated for. This can be done through; encouraging water tank roof collection for garden watering and the capture and use of grey water. (N.B. Water tanks in many districts are of course also used for drinking and potable water. Kapiti mandated and subsidised new and retrofitted rainwater tanks in their district – see below).

The promotion of incorporating dual water systems into dwellings and other buildings would mean expensive treated potable water is used for drinking, washing and cooking but not for flushing toilets or garden watering for instance.

Currently 'grey water' which began as potable water is collected and treated. It has been proven that this water, with some filtering for fibres within the domestic unit can be safely re-used (as per above) considerably reducing household demand on municipal water supplies.

Government information states that council permission is needed to install grey water systems into homes for toilet flushing: 'Harvesting rainwater - Installing a rainwater tank is relatively simple and

inexpensive and the benefits are ongoing. Rainwater is a good source of water for using on your garden. It can also be used for washing your clothes, flushing the toilet, and – if it's properly treated – for drinking and other household uses.'

More information on this at the Ministry of Business, Innovation and Employment link here:
<https://www.smarterhomes.org.nz/smart-guides/water-and-waste/re-using-greywater/>

Climate change means that all NZ communities are now vulnerable to water shortages. In this regard, long-term water supply issues due to the effects of climate change also impact water supply strategic thinking, especially regarding 'Outcome 4: We ensure that our water supply system is financially sustainable' (pg 13)

In regard to Outcome 2 we agree that;

'Water is a limited resource and there are many different users competing for access to water. Use of water can have detrimental impacts on the environment, so it is imperative that we use water responsibly.

And...'Taking too much water from the environment can impact on the ecology of the water body as can the discharges back to the environment from the processes associated with the treatment process. Minimising the water we use can improve the environment and result in more water being left for other activities. '

Of particular concern is the per capita consumption of water reflected in Para 3: *'Taupō District also has a high use of water per capita, with approximate consumptive use of 400 litres per person per day. This is significantly higher than the National Average and indicates inefficiencies in the supply chain and the community's current views on water conservation that may need to be better managed over time.'*

Redirecting household and urban stormwater from roofs and other hard surfaces to the root zone of trees can help drop daily water use significantly, causing municipal water servicing and supply costs to plummet.

- **LWAG ask that mandatory rainwater tanks be signalled by the Water Supply Strategy and embedded within related planning documents such as the District Plan.**
- **LWAG ask that grey water/dual water systems be promoted in the strategy and though the District Plan provisions for all new buildings (including civic buildings which will help to demonstrate and promote water conservation)**

Regarding the 'Strategic Outcomes' and Stated Goal to 'develop a Water Conservation and Education Plan for District (Table 1 pg 8 Draft water Strategy Implementation Plan) LWAG are concerned that TDC has historically employed officers in this educational sphere and yet consumption has not reduced. For instance, supporting a Taupo for Tomorrow educator at the Tongariro National Trout Centre is commendable regarding water conservation education, but has not, as far as we are aware, had any measurable success in water consumption reduction.

We understand that there were water conservation pamphlets available, for instance within the 'Welcome to Taupo' packs for new residents.

More recently information is available on your website under 'Water alerts and conservation' in a section called; Transport and water' and unfortunately not found in a general search of 'water conservation'. The front desk was able to provide us with the link:

<https://www.taupodc.govt.nz/transport-and-water/water-conservation>

WRC also has water conservation information embedded in their website including a webpage on 'Smart Water Use':

<http://www.waikatoregion.govt.nz/community/whats-happening/smart-water-use/>

Accompanying 'Smart Water Use' at home documents:

<http://www.waikatoregion.govt.nz/assets/PageFiles/10892/SmartWaterUse%20Check-up%20Form.pdf>

<http://www.waikatoregion.govt.nz/assets/PageFiles/10892/smart%20water%20use%20tips.pdf>

LWAG appreciate the budget of \$25,000 towards increased community awareness. We do not feel that the educational efforts of the Council, as well-intentioned as they have been to date, have proven beneficial in terms of disseminating water conservation information.

This is likely to be due in part, as stated in the strategy, the perception of an unlimited water supply in Taupo.

- **LWAG support the development of a Water Conservation Education Plan for the District and a water loss strategy for the District to enable 'forward planning, budgeting and prioritisation of future works programmes to reduce overall demand' (Table 1. pg 8 Implementation Plan)**

Short of metering the town water supplies, we feel that water consumption reduction incentives should be clearly stated with reduction targets. Related Long Term Planning would need to reflect specific measurable goals.

- **We ask that measurable goals be set regarding water consumption reduction in the both strategy and particularly implementation plan**
- **We also suggest that concrete measures such as requiring water tanks on all new buildings and subsidising these and retrofitted rainwater collection systems would be a preferred option to simply 'education'.**

Ref: Taupō District Council: Water Strategy Implementation Plan

- **LWAG supports the outcomes of the strategy (Section 1.1)**

LWAG broadly agrees with the 'Full Project and Activity Assessment', Table 1. However, in our strong opinion, TDC should aim to reach compliance with all these criteria earlier than 2028.

- **Therefore, we seek acceleration in the key capital works noted in Outcome 1 of Table 1. Ideally, these should be completed in the next five years.**

FYI: Kapiti Coast Water retrofit service:

<https://www.kapiticoast.govt.nz/services/a-z-council-services-and-facilities/water/water-conservation/water-retrofit-service/>

Helping make saving water affordable: During the summer months, outdoor water use (washing cars or boats, watering the garden or lawn) puts a lot of demand on our water supplies.

Kāpiti Coast District Council supports the use of rainwater and greywater for outdoor irrigation. If enough households use on-site water sources for outdoor irrigation, our current supplies will meet the needs of our growing communities for years to come.

In 2008, Council required new households in urban areas to install on-site supplies for toilet flushing and outdoor uses.

However, for homes built before 2008, there has been low uptake of on-site systems (rainwater or greywater systems). One reason is the upfront cost, the other is there is no financial benefit for them to do so. A house that invests in an on-site system has to pay the same water rates as an existing household with no system.

To address the cost barrier Council offers the Water Retrofit Service to help make installing an on-site non-potable supply more affordable.

Households eligible for funding:

The funding is available for households on the Kāpiti Coast where the house:

- in urban areas was built before February 2008
- receives unrestricted potable water
- has a good rate payment history.
- The applicant must be the registered property owner - named on the Title.

Application process: Council will visit your property; explain how the funding works and the responsibilities - yours and ours.

Paul White

Chairman Lakes and Waterways Action Group Trust

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Please click on the link below to view the document

https://submissions.taupo.govt.nz/443/Consult24Office/Docs/PID_39/39_2305_74KJU3_LWAG_sub_TDC_Water_Supply_Strategy_June_2019.docx

6

Organisation:

First Name:

Last Name:

Postal Address:

Suburb:

City:

Country:

PostCode:

eMail: *

Daytime Phone:

Would you like to present your submission in person at a hearing? *

☐ Yes

☒ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Attached Documents

File
TMTB Submission TDC Water Supply Strategy
Draft Water Supply Strategy 2019



Submission by Tūwharetoa Māori Trust Board

Concerning the Taupō District Council Water Supply Strategy

INTRODUCTION

- 1 This submission is made by the Tūwharetoa Māori Trust Board (the **Trust Board**) on the Taupō District Council's proposed Draft Water Supply Strategy 2019.
- 2 The Trust Board was established pursuant to the Māori Land Amendment Act 1924 and Māori Land Claims Adjustment Act 1926. The Trust Board later became a Māori Trust Board under the Māori Trust Boards Act 1955.¹
- 3 By Deeds with the Crown dated 28 August 1992 and 10 September 2007 the Trust Board is the legal owner of Taupō Waters. The term Taupō Waters refer to property including the bed, water column and air space of Lake Taupō and the Waihora, Waihaha, Whanganui, Whareroa, Kuratau, Poutu, Waimarino, Tauranga-Taupō, Tongariro, Waipēhi, Waiotaka, Hinemaiaia and Waitahanui Rivers and the Waikato River, from the outlet of Lake Taupō to a place known as Te Toka a Tia, downstream and inclusive of the Huka Falls.
- 4 The Trust Board is also a party to the Waikato River Deed with the Crown dated 31 May 2010 (the **Waikato River Deed**). The Waikato River Deed was given legal effect through the Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 (the **Upper Waikato River Act**). The Waikato River Deed provides that the Crown and the Trust Board agreed to enter into the Waikato River Deed in recognition of "the interests of Ngāti Tūwharetoa in the Waikato River and its catchment and in Taupō Waters and to provide for the participation of Ngāti Tūwharetoa in the co-governance and co-management arrangements in respect of the Waikato River".²
- 5 The Trust Board's relationship to Taupō Waters is unique; it holds legal title as trustee and acts as kaitiaki for Taupō Waters. These fiduciary responsibilities over Taupō Waters to present and future generations underpin all the activities and aspirations of the Trust Board.

¹ Māori Trust Boards Act 1955, section 10.

² Waikato River Deed, 31 May 2010, clause 8

- 6 The Trust Board is also:
- a. Party to an existing Joint Management Agreement with the Taupō District Council;³ and
 - b. The Iwi authority for Ngāti Tūwharetoa for the purposes of the Resource Management Act 1991 (RMA).⁴
- 7 Please direct all communications in relation to this submission to Maria Nepia, Natural Resources Manager at (maria@tuwharetoa.co.nz).

TŪWHARETOA AND WAI MĀORI

- 8 Expressions of our intrinsic connection to Ngā wai o Tūwharetoa have been well documented through our iwi planning documents, Joint Management Agreement with Taupō District Council as well as reflected at a national level through legislation such as the National Policy Statement for Freshwater – Te Mana o te Wai. We continue to express our position through the participation in numerous planning and policy processes. They are repeated in this submission as they form our enduring position on water within our rohe.
- 9 Tūwharetoa hold mana whenua and kaitiakitanga over the Central North Island including the Lake Taupō Catchment and part of the Upper Waikato, Whanganui, Rangitikei and Rangitaiki Catchments.
- 10 Ngāti Tūwharetoa are the descendants of Ngatoroirangi and Tia and other Tūpuna who have occupied the Taupō region since the arrival of the Te Arawa waka. Ngāti Tūwharetoa are linked by whakapapa to our lands and taonga. This connection establishes our mana whenua, kaitiakitanga, and rangatiratanga including our right to establish and maintain a meaningful and sustainable relationships between whānau, hapū, marae and our taonga tuku iho.⁵
- 11 For Ngāti Tūwharetoa, water comes from the sacred pool of our ancestor, Io. Tāne entrusted the guardianship of all the waterways to Tangaroa while Tāwhirimātea was assigned the guardianship over the atmospheric forms of the water and the weather. These two guardians hold the mauri, the essential life forces, of these forms of water.
- 12 For Ngāti Tūwharetoa, our role in the Central North Island forms part of our ancestor, our earth mother Papatūānuku. The universe and atmosphere above and around us is our sky father, Ranginui. The geographical pinnacle of Papatūānuku, within our rohe is our maunga (mountains) including our esteemed ancestor, Tongariro. To the north of Tongariro lies our inland seas, Taupō and Rotoaira. Our mauri flows from our maunga and to the hinterlands via the Waikato, Whanganui and Rangitaiki. They link us directly with our neighbouring iwi.
- 13 This tangible natural water flow is necessary to nurture every form of life it encounters during its journey. It is the intangible interconnecting web that is the lifeblood of our whakapapa and enable the survival of our wellbeing and identity as iwi, hapū, marae, landowners and whānau. This way

³ Available at <https://www.taupodc.govt.nz/our-council/policies-plans-and-bylaws/joint-management-agreements/Documents/JointManagement-Agreement.pdf>

⁴ See <http://www.tkm.govt.nz/iwi/ngati-tuwharetoa/>

⁵ Lake Rotoaira and Lake Taupo Forest Trusts and the Tūwharetoa Maori Trust Board (2011) *The Stewardship of Fresh Water – A Tūwharetoa Discussion Document*.

of looking at our fresh water highlights a truth we all acknowledge. Water us our lifeblood. Water is necessary for life. Water is us and we are the water.⁶

- 14 We have continued to exercise our customary rights and interests over all the waterways, waterbodies and tributaries in our rohe. Upholding our responsibilities as manawhenua and kaitiaki requires us to remain present, active and visible in all discussions concerning wai management to ensure Te Mana o te Wai is preserved, restored and protected.

TŪWHARETOA RIGHTS IN WAI MĀORI

- 15 Ngāti Tūwharetoa has mana and rangatiratanga over all the waterways and water bodies within our rohe. We have always exercised customary rights over all Wai Māori within our rohe and we continue to exercise those rights. We maintain that these customary rights of Ngāti Tūwharetoa have always existed separate to any other right recognised by the Crown. Given our unique position of holding legal ownership of most of the waterways and waterbodies within our rohe, as well as retaining ownership of most of the private land within the associated catchment, any proposals to amend the freshwater management framework and/or pre-empt changes to our relationship with our ancestral taonga, for our rohe must necessarily require the free, prior and informed consent of Ngāti Tūwharetoa. Owing to our significant ownership of the waterways and land within the catchment we encourage the Crown, and agencies with delegated authority from the Crown, to bolster their direct communication and engagement with Ngāti Tūwharetoa directly moving forward.
- 16 The Trust Board would like to take the opportunity to remind Council of an unresolved matter relating to council owned infrastructure (water intakes, groynes and so on) on Trust Board property. As Council are aware, these structures currently do not have landowner (Trust Board) approval. It is therefore quite important to any discussion on water supply that this matter is resolved to the satisfaction of the Trust Board so too ensure the districts infrastructure is stable and is future-proofed.

SUBMISSION ON TAUPŌ DISTRICT COUNCIL'S WATER SUPPLY STRATEGY

- 17 *"Nga hapū o Ngāti Tūwharetoa seek to ensure that all the statutory authorities involved in resource management within the Tūwharetoa rohe, recognise and provide for their role as kaitiaki but also their rights as legal owners of the bed of Lake Taupō-nui-ā-tia and tributaries (Tūwharetoa Environmental Iwi Management Plan 2003).*

Lake Taupō is a significant source of water for the drinking supply of the Taupō District. Due to the unique relationship and legal ownership status that Ngāti Tūwharetoa has with Lake Taupō and its tributaries, we expect the Taupō District Council to explicitly acknowledge this status and the importance of our role as mana whenua and kaitiaki in any discussion concerning water management issues, plans and policies. We hold concern that Taupō District Council has developed a long term (30 years) drinking water strategy and implementation plan for the communities of the wider Taupō district and have failed to acknowledge the unique relationship to, and legal title of, Lake Taupō to Ngāti Tūwharetoa.

If the premise of the water strategy *"in relation to iwi is to act as an mechanism to open up dialogue on the matters facing Council and to develop methods in which iwi can work together to*

⁶ Tūwharetoa Maori Trust Board (2012) *Ngāti Tūwharetoa relationship with our ancestral waters*.

*deliver on the 4 outcomes outlined in detail in this strategy*⁷ then Ngāti Tūwharetoa will need to feel present within the document, which in its current state, does not achieve this outcome. We, therefore, strongly recommend amending the current proposed strategy to reflect this.

- 18 We express our interest for direct engagement regarding the strategy to ensure that our rights of the wai are acknowledged and reflected in the strategic objectives and outcomes of both the water supply strategy and implementation document.
- 19 Te Mana o te Wai requires responsible and sustainable use of the water resource in the district and is considered a valuable and pertinent overarching principle to include here to ensure that the first right of water goes to water and that any 'human' use of water is considered secondary to the water itself. Te Mana o te Wai reinforces Iwi positions that 'I am the water and the water is me'. Protecting Te Mana o te Wai provides for the mauri of the water. This includes providing for te hauora o te taiao (health of the environment) te hauora o te wai (health of the waterbody) and te hauora o te tangata (health of the people).
- 20 All New Zealanders have an obligation to achieve Te Mana o te Wai whereby the water body has its own mauri and its own mana which must come first to protect the integrity of the river. This will be the basis for community discussions on freshwater values, objectives and limits. The NPS-FM refers to Te Mana o te Wai as a core concept for freshwater management. Iwi have argued that Te Mana o Te Wai should be given priority in any freshwater planning mechanisms.
- 21 We have reviewed the content of the Strategy and Implementation Plan and make the following comments and recommendations regarding specific sections of the Draft Water Supply Strategy:

SECTION: PURPOSE OF THE STRATEGY

- 22 We recommend Taupō District Council refers to the "Council" rather than "we" throughout the Water Strategy and Implementation documents.
- 23 Taupō District Council should be more specific about what water sources they are referring to by amending this section to include reference to both surface water and ground water.

SECTION: VISION

- 24 Suggested amendment to the heading to read "TAUPŌ DISTRICT COUNCIL VISION"
- 25 We propose that the explanation to the Council's vision reflects our recommended changes to the outcomes;

"The provision of, and access to, safe water is an essential component of life. To achieve Council's vision, the responsible, sustainable and efficient use of freshwater by the Council and its communities is essential. Council's role is to provide access to and security of supply of freshwater for drinking water and municipal purposes"

SECTION: WATER STRATEGY OUTCOMES

⁷ Taupō District Council Draft Water Supply Strategy 2019 – page 8.

- 26 Trust Board recommend the following amendments to the current outcomes as detailed in the table below with further explanation provided in submission points 28 - 36:

Section of Strategy	Current wording	Proposed order and wording
3. Water Strategy Outcomes	<p>The 4 outcomes are:</p> <ol style="list-style-type: none"> 1. We ensure the protection of Public Health; 2. We use water responsibly; 3. We support the Communities Growth aspirations 4. We ensure that our water supply system is financially sustainable 	<p>The three outcomes are:</p> <ol style="list-style-type: none"> 1. Water in the Taupō District is used responsibly and sustainably; 2. Taupō District Council ensure the protection of public health; 3. Ensure that any growth aspirations within the District are sustainably managed. <p>NB: Te Mana o Te Wai is an overarching principle that applies across all three outcomes.</p>

- 27 Under the NPS-FW, it is up to communities and councils to consider and recognise Te Mana o te Wai in their regions. Ngāti Tūwharetoa believes that there is an opportunity for Taupō District Council to apply Te Mana o Te Wai as a guiding principle across all matters relating to water and its management.
- 28 It is our position that Te Mana o te Wai becomes an overarching principle to any freshwater management policy or document within our rohe. To this effect, we have applied Te Mana o Te Wai across all three outcomes.
- 29 We propose rewording and reordering the outcomes of the proposed strategy. Council should act responsibly in *all* its actions as the mandated territorial authority for the communities of the Taupō region and is essential to achieve all the listed strategic outcomes.
- 30 We also propose that amended outcome one includes the sustainable use of water as well. The amended outcome would, therefore, read *“Water in the Taupō District is used responsibly and sustainably”*.
- 31 The Trust Board recommends that the proposed outcomes are grounded within a more holistic appreciation of sustainability, to capture the importance of cultural, social, and environmental sustainability of existing and future water supplies – not through the singular lens of economic sustainability as listed in the Council’s outcome four. If financial sustainability is the only benchmark in which water supply and use is assessed upon, Te Mana o te Wai and the integrity of sustainable management can be compromised. To this end, we believe that the current outcome number four could be folded into a wider understanding of our proposed outcome one as it would require consideration of the environmental, cultural, social and economic sustainability of water use in the District.
- 32 We propose a rewording of current outcome three to ensure that growth is not detrimental to the water bodies in the district.

- 33 Inclusion of Tūwharetoa specific growth aspirations should be specifically included within this outcome and the strategy should account for any changes in national or regional discussions that may result in specific allocations of water to Ngāti Tūwharetoa.
- 34 To ensure that the aspirations of ngā hapū o Ngāti Tūwharetoa are supported, a commitment to further and ongoing engagement between Taupō District Council and Ngāti Tūwharetoa is required to ensure our cultural and communities needs are being included and considered alongside other community interests.
- 35 The Trust Board is supportive of the Council's staged programme of works to ensure full compliance with the Drinking Water Supply New Zealand by 2028. However, we do hold concern that only 3 of the 18 water treatment plants achieve overall compliance and expect that during this staged process, the non-compliant water treatment plants are effectively managed to ensure public safety and that Council's current processes are stringent enough to achieve this protection.

SECTION: CONTEXT

4.1 Waikato Regional Context

- 36 The Trust Board recommend that a water supply strategy that relies heavily on Taupō Waters as its primary source, should note the intrinsic value of the waterbody to the communities who have a connection to it rather than just noting the economic value which is all the current wording points to. The context setting section of this strategy should present a fairer reflection of the relationships, connections and uses of this significant water body in our region.

4.2 Changes signalled from Central Government

- 37 Keeping our communities safe from harm is of importance to the Trust Board and so we are encouraged to hear of Minister Nanaia Mahuta's announcement of a reform of drinking water, storm water and wastewater management that eventuated as a result of the Havelock North Enquiry. We support Taupō District Council's response to this reform by placing urgency on improving drinking water quality across all its suppliers. However, we view the focus on improving drinking water quality as part of the holistic health of the water itself - improving the quality of water of all water supplies to achieve NZ drinking standard guidelines. This is a positive step towards improving water quality of the water source overall for the benefit of all ecosystems that rely on it.
- 38 We note, however, that of the areas listed under the Central Government review, climate change has not been addressed in this strategy by Taupō District Council. This is of concern given the impacts that climate change is likely to have on access to safe drinking water soon.

4.3 Havelock North Enquiry

- 39 The principles that have come through from the Havelock North Enquiry would be better understood if there was more detail about what they each mean so that the value of this strategy can be assessed more accurately against these principles.

4.4 Taupō District Council

- 40 It is noted that the “Council has budgeted for the upgrade of all water supplies to meet the current drinking water standards by 2028”. There is, however, no discussion of what the methodology is to decide what water supplies are upgraded and when, or how this is prioritised. Iwi involvement in this process will support Iwi aspirations to ensure that all marae and papakāinga have access to safe drinking water.

SECTION: IWI CONTRIBUTION

- 41 The Trust Board recommend this section is reworded as “TAUPŌ DISTRICT IWI AND HAPŪ RIGHTS AND MANAGEMENT OF FRESHWATER”.
- 42 The Trust Board expected to see acknowledgment of our Environmental Iwi Management Plan which was lodged with Council in 2003. This should be remedied in any further iteration of this strategy.

Further, as yet Iwi rights in freshwater have not been resolved and should be considered in any water supply strategy. The Trust Board is unique in their ownership rights of Lake Taupō waters currently – yet this is not reflected in the current strategy.

- 43 When it comes to access to clean and safe drinking water for marae and papakāinga, the issues are really whether marae and papakāinga have access to reticulated treated drinking water. The *Te kai manawa ora: Marae food safety initiative survey* conducted by the NZFSA indicates potential safety issues with the water on marae due to the low level of treatment¹⁶. NZFSA found that over half the marae surveyed had their own water supply that included two sources, one of which was a roof supply. Only 38 percent of supplies were treated, and in one third of these cases was by boiling the water. Only 31 percent of marae had their water supply tested for *E. coli*.¹⁷ Several Marae and papakāinga within the rohe of Ngāti Tūwharetoa lack access to a reticulated treated drinking water supply.
- 44 We are aware that in the absence of access to a reticulated treated water supply a suitable standard of treatment can be achieved by water treatment plant packages. However, the initial capital and ongoing operating costs of these water treatment systems is expensive and difficult for marae committees to maintain.
- 45 The effect of the first-in, first-served allocation regime has seen the surface water and groundwater allocation status of most of our catchments as over-allocated. Māori landowners continue to be affected by the first-in, first-served approach to water and discharge permits, with undeveloped and under-developed Māori land in the current allocation climate essentially offsetting the effects of existing water and discharge consent holders. This affects the ability to increase the productivity of Māori land and is a key impediment to unlocking Māori land potential.

SECTION: LINKS TO NATIONAL, REGIONAL AND LOCAL DOCUMENTS

- 46 There is no mention of the Deeds between the Trust Board and the Crown that determine Ngāti Tūwharetoa as the legal owners of Taupō Waters, nor to the recent Ngāti Tūwharetoa Claims Settlement Act or the Turangitukua Township Settlement. These pieces of legislation affirm the

unique and enduring position of Ngāti Tūwharetoa as mana whenua and kaitiaki over the rohe and should be included.

- 47 The Waikato Freshwater Strategy does not appear to be well reflected in this Water Supply Strategy. We encourage better alignment between the two documents.
- 48 Te Mana o te Wai was introduced to the Freshwater National Policy Statement in 2014 and refers to the integrated and holistic wellbeing of a freshwater body. Taupō District Council have not acknowledged Te Mana o te Wai in section 6.4 “National Policy Statement for Fresh Water (NPS)”.

SECTION: OUTCOMES

- 49 The goals and responses within all the strategic outcomes are vague and do not assign clear accountability. The wording in places is, in our view, not strong enough and could be enhanced with clearer and more measurable goals and more detail around how the responses will be achieved and monitored. We have provided suggestions where we can to support the development of goals and responses that more readily link to the overall outcomes.

SECTION: IMPLEMENTATION

- 50 The Trust Board expect that if Taupō District Council are planning on surrendering any water consents or ‘unnecessary’ water that the Trust Board is notified with discussions about the possibility of transferring Consents from Taupō District Council to the Trust Board.
- 51 We appreciate the need for the Council to ensure that any costs associated with water supply are equitable. We would like to see this statement extended to ensure that there is equity of access to fresh drinking water for all communities, and specifically for underserved Maori communities.
- 52 To this end, the Implementation Plan provided has very detailed projects and timeframes yet the methodology of how these projects, costs, prioritisation and times frames have been decided is not clear.
- 53 Further, given our status as the owners of Taupō Waters and as mana whenua Trust Board expect to be part of any discussions should there be moves to instate a system of metering or charging for water within the District.
- 54 The Trust Board is supportive of the Council reviewing and improving its community engagement strategies concerning water conservancy and wish to be notified and included in these processes. We encourage the Council to engage directly about developing a process of review.
- 55 It is our expectation that changes requested to the strategy document will be reflected in an amended Implementation Plan.

CONCLUSION

- 56 Expressions of our intrinsic connection to Ngā wai o Tūwharetoa have been well documented through our iwi planning documents, Joint Management Agreement with Taupō District Council as well as reflected at a national level through legislation such as the National Policy Statement for Freshwater – Te Mana o te Wai. We continue to express our position through the participation in numerous planning and policy processes.
- 57 Tūwharetoa hold mana whenua and kaitiakitanga over the Central North Island including the Lake Taupō Catchment and part of the Upper Waikato, Whanganui, Rangitikei and Rangitaiki Catchments.
- 58 Tūwharetoa has mana and rangatiratanga over all the waterways and water bodies within our rohe. We have always exercised customary rights over all Wai Māori within our rohe and we continue to exercise those rights.
- 59 We maintain that these customary rights of Ngāti Tūwharetoa have always existed separate to any other right recognised by the Crown.
- 60 Given our unique position of holding legal ownership of most of the waterways and waterbodies within our rohe, as well as retaining ownership of most of the private land within the associated catchment, any proposals to amend the freshwater management framework and/or pre-empt changes to our relationship with our ancestral taonga, for our rohe must necessarily require the free, prior and informed consent of Ngāti Tūwharetoa.
- 61 Owing to the significant ownership of the waterways and land with the Taupō catchment by Ngāti Tūwharetoa, Trust Board encourage the Crown, and agencies with delegated authority from the Crown, to bolster their communication and engagement with the Trust Board directly moving forward.
- 62 The most critical of the districts water supplies lie on our property unpermitted creating a significant risk for council – we look forward to resolving this as a matter of urgency.
- 63 We would like to take the opportunity to work with Council to work through suggested changes to the Water Supply Strategy so that these can be clearly understood and discussed.

Should there be any questions in relation to this submission please contact Maria Nepia, Natural Resources Manager at (maria@Tūwharetoa.co.nz).

Nāku iti nei, nā



Topia Rameka
Chief Executive

13 June 2019

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Please click on the link below to view the document

[https://submissions.taupo.govt.nz/443/Consult24Office/Docs/PID_39/39_2306_65VUJ7_TMTB Submission TDC Water Supply Strategy.docx](https://submissions.taupo.govt.nz/443/Consult24Office/Docs/PID_39/39_2306_65VUJ7_TMTB%20Submission%20TDC%20Water%20Supply%20Strategy.docx)

7

Organisation:

First Name:

Last Name:

Postal Address:

Suburb:

City:

Country:

PostCode:

eMail: *

Daytime Phone:

Would you like to present your submission in person at a hearing? *

☐ Yes

☒ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Attached Documents

File
20190607_TDC_WaterSupplyStrategy_Final
Draft Water Supply Strategy 2019

7



TOI TE ORA
PUBLIC HEALTH
Bay of Plenty + Lakes Districts



Toi Te Ora Public Health
PO Box 2120
TAURANGA 3140

13 June 2019

The Chief Executive Officer
Taupō District Council
Private Bag 2005
TAUPŌ 3352
twood@taupo.govt.nz

Submission on Draft Water Supply Strategy and Water Supply Implementation Draft Plan

This submission has been prepared by Toi Te Ora Public Health (Toi Te Ora) which is the Public Health Unit for Lakes District Health Board (DHB).

The key role of Toi Te Ora is to promote, protect and improve population health, prevent ill health and minimise the risk of disease and injury through population based interventions. Designated officers within Toi Te Ora have responsibilities to reduce conditions within the local community which are likely to cause disease. In part this is undertaken by assisting councils with their responsibilities pursuant to the Resource Management, Local Government and the Health Acts.

Many of the influences that determine population health and wellbeing are not healthcare factors, but are environmental, social, cultural and political. Local government is one of the most important and powerful influences on the health and wellbeing of communities. Council decisions affect the determinants of health, meaning councils have the ability to improve the health of communities. This is reflected by the reinstatement of the four well-beings in the Local Government Act.

The provision of clean drinking-water is a vitally important measure for the protection of public health. For this reason we support Council's recognition that it is essential for their community to access enough safe fresh water. We support the water strategy outcomes, particularly Council's goal to ensure the protection of public health, and also support Council's implementation plan to have consistently good water supplied to people who are connected to a Council water supply.

Toi Te Ora proposes an additional goal which is for Council to improve access to safe drinking water for all communities in the district. This will help to achieve the outcome sought by

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Council of ensuring the protection of public health across the district. Council has a responsibility for the health of everyone in its district, and as part of this responsibility should commit to a goal of continuing to increase the number of communities served by a Council water supply.

This goal could be achieved by actively encouraging more people and communities to connect to the high standard drinking water supplies that Council provides, and by providing information to people who are not currently connected to a Council supply. Community education would improve the knowledge of people who manage their own water supply. Council already provides similar services to encourage waste minimisation practices through subsidised composting equipment and information workshops. Council should also develop a needs based prioritisation approach for developing new drinking water supplies for communities that do not currently receive Council drinking water.

Toi Te Ora would be keen to work with Council to develop the content of the educational material and with the prioritisation needs assessment.

We appreciate this opportunity to submit and do not wish to be heard in support of the submission. However, we are willing to clarify and discuss any of the points made in the submission with Council staff.



Dr Phil Shoemack
Medical Officer of Health

Address for service

Dr Jim Miller
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PO Box 2120
TAURANGA 3140
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8

Organisation:

First Name:

Last Name:

Postal Address:

Suburb:

City:

Country:

PostCode:

eMail: *

Daytime Phone:

Would you like to present your submission in person at a hearing? *

☒ Yes

☐ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

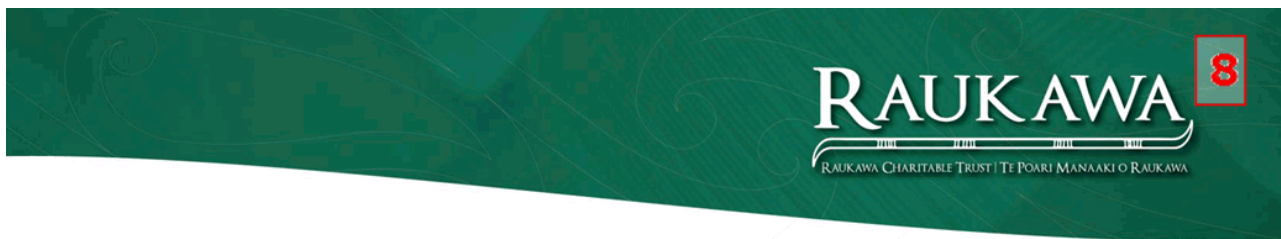
☒ **Draft Water Supply Strategy Hearings - Thursday, 4 July 2019 107 Heuheu Street, Taupo, Taupo District Council Chambers**

Additional requirements for hearing:

Attached Documents

File
2019 06 13 TDC Water Supply Strategy Response Final - Raukawa
Draft Water Supply Strategy 2019

T24Consult Page 1 of 2



13 June 2019

Taupō District Council
Private Bag 2005
Taupō 3352
Attn: Tanya Wood

Via email: twood@taupo.govt.nz

Tēnā koutou,

SUBMISSION TO TAUPŌ DISTRICT COUNCIL DRAFT WATER SUPPLY STRATEGY AND IMPLEMENTATION PLAN 2019

1. INTRODUCTION

- 1.1 Thank you for notifying the Raukawa Charitable Trust (**the Trust**) that the Taupō District Council Draft Water Supply Strategy and Implementation Plan (**the Strategy and Implementation Plan**) are open to submission. RCT appreciates the opportunity to comment. The assessment and conclusions below are the RCT submission on the Strategy and Implementation Plan.
- 1.2 The Trust's comments are based on the implications of the Strategy and Plan as they relate to the Raukawa takiwā, the health and wellbeing of the Waikato River, and the environmental, social, economic and cultural interests and aspirations of ngā uri o Raukawa.

2. RAUKAWA

- 2.1 Raukawa is a large iwi associated within a significant area of the central north island that is rich in natural and cultural heritage. The Raukawa takiwā is represented by four traditional rohe: Te Pae O Raukawa, Wharepūhanga, Maungatautari and Te Kaokaoroa O Pātetere. These four areas include Mōkai, Atiamuri, Whakamaru, Mangakino, Tokoroa, Putāruru, Tīrau, Tapapa, Matamata, Kēmureti, Kihikihi and Te Awamutu.
- 2.2 The Raukawa Settlement Trust (**RST**) represents 16 marae and was formed in 2009, as the Post Settlement Governance Entity, to receive and manage settlement assets. The Trust represents Raukawa as the iwi authority for resource management purposes. RST has delegated responsibility for the management of environmental and resource management activities to the Raukawa Charitable Trust.
- 2.3 The Crown has acknowledged the relationship between Raukawa and the Waikato River through the signing in December 2009 of the Deed in Relation to a Co-Management Framework for the Waikato River. This was followed with the enactment of the Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010, the signing of the

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Raukawa Deed of Settlement of Historic Claims in June 2012 and the enactment of the Raukawa Claims Settlement Act in 2014.

3. RAUKAWA POSITION

- 3.1 The Trust appreciates Council's acknowledgement in the Strategy of the importance of the connection between iwi and freshwater, the Joint Management Agreement (**JMA**) between RST and the Council and the partnership between iwi and Councils to protect and restore the Waikato River. The Trust expects that this submission will be treated as part of that overarching partnership and the decision making dialogue identified in the strategy itself. The Trust also appreciates Council's commitment to recognise and respect iwi rights and interests in water and looks forward to continued dialogue on this matter.
- 3.2 Te Ture Whaimana o te Awa o Waikato seeks to protect and restore the health and well-being of the Waikato Awa. The Trust considers that the main contribution of the Taupō District Council Draft Water Supply Strategy and Implementation Plan to achieving Te Ture Whaimana is to:
 - reduce the high level of per capita water consumption in the Taupō District; and thereby
 - enable reduced takes from the Waikato Awa.
- 3.3 The Trust supports those goals and actions that contribute to this and seeks that Council adopt them. The Trust also seeks some amendments to assist in achieving Te Ture Whaimana.

4. TE TURE WHAIMANA O TE AWA O WAIKATO – VISION AND STRATEGY FOR THE WAIKATO RIVER

- 4.1 The Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 (The Act) gives legislative effect to the co-management deeds entered into between the Crown and Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi. The overarching purpose of the Act is to restore and protect the health and wellbeing of the Waikato River for present and future generations.
- 4.2 The purpose of the Act as set out in Section 4 is to:
 - a) *recognise the significance of the Waikato River to Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi;*
 - b) *recognise the vision and strategy for the Waikato River;*
 - c) *establish and grants functions and powers to the Waikato River Authority;*
 - d) *establish the Waikato River Clean-up Trust;*
 - e) *acknowledge and provides a process that may recognise certain customary activities of Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi;*
 - f) *provide co-management arrangements for the Waikato River.*
- 4.3 Te Ture Whaimana o te Awa o Waikato is the primary direction setting document for the Waikato Awa and activities within the catchment affecting the Waikato Awa. In recognition

of its legislative status, Te Ture Whaimana prevails over any inconsistent provision in any national policy statement, national environmental standard, or water conservation order developed under the RMA. Any regional and district plans must give effect to Te Ture Whaimana. Additionally consent authorities must have particular regard to Te Ture Whaimana when considering resource consent applications.

- 4.4 Te Ture Whaimana sets out a suite of objectives and strategies for the restoration and protection of the health and wellbeing of the Waikato River of current and future generations. Of particular relevance are the following objectives:

Objective A - The restoration and protection of the health and wellbeing of the Waikato River.

Objective G - The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River.

Objective H - The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities

Objective K - The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length.

- 4.5 The Crown, local government, iwi and community at large have invested a significant amount towards achieving the restoration and protection of the health and wellbeing of the Waikato River and the outcomes sought through Te Ture Whaimana. The protection and restoration of the Waikato River and its catchment is of paramount concern for Raukawa. A core part of our kaitiaki role is to ensure that activities that have the potential to impact on the health and wellbeing of the river are avoided or are carried out in an appropriate and responsible manner.
- 4.6 The Trust supports Council's stated intent to give effect to the vision and objectives of Te Ture Whaimana through the Water Supply Strategy and Implementation Plan.

5 TE RAUTAKI TAI AO A RAUKAWA – RAUKAWA ENVIRONMENTAL MANAGEMENT PLAN

- 5.1. Te Rautaki Taiao a Raukawa – Raukawa Environmental Management Plan (**Te Rautaki Taiao**) is a statement of Raukawa issues, aspirations, and priorities in relation to the environment. It has been prepared by the Trust on behalf of ngā uri o Raukawa.
- 5.2 The overall purpose of Te Rautaki Taiao is two-fold. Firstly, it provides a statement of Raukawa values, experiences, and aspirations pertaining to the use and management of our environment. Secondly, Te Rautaki Taiao is a living and practical document that will assist Raukawa to proactively and effectively engage in and shape current and future policy, planning processes, and resource management decisions.
- 5.3 The sections of Te Rautaki Taiao considered to be most relevant to the application is Section 2.1 Water and Section 2.11 Infrastructure. Some of the relevant objectives and methods from these sections are set out below.

“Section 2.1 Water – Wai

Objectives

- *The mana and mauri of water is safeguarded for present and future generations.*
- *The Raukawa kaitiaki relationship with our waters is respected, enhanced, and supported.*
- *The health and wellbeing of the Waikato, Te Waihou, and the Upper Waipā River and their catchments are restored and protected.*

Methods

M18 Local authorities should develop and champion education and awareness programmes to increase community engagement in water issues including water conservation and water efficiency.

M20 Stakeholders should promote incentives for industry and businesses to uptake best practice water conservation and efficiency mechanisms.”

“Section 2.11.3 Infrastructure

Objectives

- *Providers of infrastructure networks, developments, and operations within the Raukawa takiwā understand Raukawa values and interests.*
- *The Raukawa cultural landscape and Raukawa cultural values and associations are protected and provided for in infrastructure planning and developments.*
- *Resilient and efficient infrastructure networks and renewable technologies are promoted within the Raukawa takiwā.*

Methods

M21 Local authorities and sector operators should ensure the infrastructure developments and operations are managed in accordance with the objectives of the Vision and Strategy for the Waikato River.”

- 5.4 The Trust appreciates Council’s acknowledgement of the relationship and JMA between the Trust and Council. The Trust seeks that as part of that relationship the relevant sections of Te Rautaki Taiao are considered by Council in the Strategy and Plan.

6. TAUPŌ DISTRICT COUNCIL DRAFT WATER SUPPLY STRATEGY AND IMPLEMENTATION PLAN

- 6.1 The Trust supports the identification of high per capita water consumption in the Taupō District as an issue. The approximate consumption figure given of 400 litres per person per day significantly exceeds the national average of 260 litres. To protect and restore the health and well-being of the Waikato catchment requires that excessive water takes be reduced and that water taken is used efficiently.
- 6.2 The Trust therefore strongly supports outcome two of the strategy, that Council “*use water responsibly*” and the subsequent goals and responses, set out below, as assisting in the achievement of Te Ture Whaimana and the objectives of Te Rautaki Taiao.

<i>“Our Strategic Outcome</i>	<i>Our Goals</i>	<i>Our Response</i>
<i>We use water responsibly</i>	<i>We will reduce overall water use within the district</i>	<i>We will educate and actively encourage a water conservation culture within the District</i> <i>We will develop a programme of works to reduce residential water demand to a level of 260 litres per person per day by 2028</i>
	<i>We will minimise the impact on the environment related to undertaking water supply activities</i>	<i>We will minimise the volume of water taken from water sources for water supply activities</i> <i>We will manage the discharges back into the environment from water supply activities to minimise effects”</i>

- 6.3 The Trust supports developing a *“Water Conservation and Education Plan”* as identified in the Implementation Plan and is disappointed that development of this plan is not prioritised or funded in the Implementation Plan. The Trust seeks that the *“Water Conservation and Education Plan”* be funded and developed in the 2019/20 financial year.
- 6.4 The Trust also supports the development of a *“water loss strategy”* as a means of identifying works to reduce water loss from the water supply network and seeks that these works be prioritised and funded, if necessary by amendment to Council’s Long Term Plan. Both the *“Water Conservation and Education Plan”* and the *“water loss strategy”* effectively align with methods 18, 20 and 21 of Te Rautaki Taiao as identified above.
- 6.5 While the strategy includes data on per capita water consumption and populations serviced by supply schemes the strategy contains no data on actual or consented water takes either overall or for each water supply scheme. This information is required to assess progress towards the Strategy’s goals and the effectiveness of Council’s responses. The Trust therefore seeks that the Strategy include information on actual and consented water takes both overall and for each water supply scheme. Furthermore the Trust seeks that the strategy link the goal for reduced consumption to goals for reduced actual takes.
- 6.6 The Trust appreciates the identification of the Ngāti Tūwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 as guiding legislation in the Strategy and seeks that this Act (rather than the Waikato Tainui Raupatu Claims Act) be identified in figure two of the implementation Plan. The Trust considers that both the reference to, and consideration of, the relevant sections of Te Rautaki Taiao is also required in the Strategy.

7. CONCLUSIONS

- 7.1 The Trust strongly supports outcome two of the strategy, that water is used responsibly, and seeks that outcome two and the goals and responses to achieve it are retained in the Strategy and Implementation Plan.
- 7.2 The Trust seeks that the Implementation Plan prioritise funding and development of a Water Conservation and Education Plan in the 2019/20 financial year.
- 7.3 The Trust seeks that the Implementation Plan prioritise a water loss strategy and seeks that works to reduce water loss be prioritised and funded in Council's Long Term Plan.
- 7.4 The Trust seeks that the Strategy include information on actual and consented water takes both overall and for each water supply scheme. Furthermore the Trust seeks that the strategy link the goal for reduced consumption to goals for reduced actual takes.
- 7.5 The Trust seeks that the Strategy include reference to, and consideration of, Te Rautaki Taiao a Raukawa and that the Implementation Plan correctly reference the Ngāti Tūwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010.
- 7.6 The Trust looks forward to working with the Council on these issues and seeks to be part of any hearings on submissions to the Strategy and Plan. If you have any questions or queries concerning this submission please contact Laise Harris, Programme Lead – Policy and Strategy, mobile 027 298 4162, email laise.harris@raukawa.org.nz.

Nāku noa, na



Grant Kettle

Group Manager, Pūtake Taiao (Environment)

Raukawa Charitable Trust

Report: Summary of Submissions by Submitter Number/Name

Submitter Number: 1		Submitter: Hugh Wake	
Documents:		Draft Road Encroachment Policy	
<hr/>			
Point Number	1.2	Category	1-Footpaths
Comments:			
Staff Recommendation	Our enforcement team monitor the occupation of road for the purpose of dining to ensure free passage of pedestrians including those using mobility devices. As a general rule we require a minimum of 1.5m clear space for that passage.		
<hr/>			
Point Number	1.3	Category	2-General
Comments:			
Staff Recommendation	This will be reviewed during the District Plan Review, which is currently underway.		
<hr/>			

Submitter Number:	2	Submitter:	Asher Wilson-Goldman for New Zealand Walking Access Commission
Organisation:	New Zealand Walking Access Commission		
Documents:	Draft Road Encroachment Policy ; CMS 5345 Draft Road Encroachme		
<hr/>			
Point Number	2.1	Category	2-General
Comments:	<p>This report responds to the draft road encroachment policy on which the council has sought submissions by 13 June 2019.</p> <p>The New Zealand Walking Access Commission is established under the Walking Access Act 2008 and has a wide range of functions associated with the promotion and maintenance of public access to land. It has therefore a strong interest in the administration of roads, especially unformed legal roads, as these provide a valuable network of public access rights to the countryside. It pays close attention to any regulatory or administrative measures that may potentially affect the public right of use of roads.</p> <p>The draft appears to deal with three separate issues:</p>		

- Encroachment on roads; that is, the unlawful occupation of roads;
- The statutory powers whereby a local authority may authorise the leasing the airspace or the subsoil of roads; and
- The erection of structures adjacent to roads

The draft subsumes all three issues under the heading of its proposed encroachment policy. This seems to us to be confusing. The leasing of the airspace or subsoil of roads under the powers in s 341 of the local Government Act 1974 does not involve encroachment. Such leases provide a lawful authority to occupy and are therefore not encroachments. The erection of fences or walls alongside but not on roads does not involve an encroachment on the road and likewise should be addressed outside an encroachment policy.

The fundamental issue that needs to be addressed is the extent to which the council may authorise the occupation of legal road other than under the explicit powers that it has to do so.

In the Commissions view that Councils policies in respect of encroachments on roads, that is on unlawful occupation of roads, should focus enforcing the right of the public to pass and repass subject to certain powers to regulate or restrict the use of vehicles. Any action to tolerate or authorise encroachments on roads should not restrict the right of the public to use the road.

Legal framework

The primary statute governing the use and management of roads is the Local Government Act 1974. The Act contains very specific provisions as to what councils may do or authorise on legal roads. For example, councils may authorise, subject to conditions, the construction of motor garages adjacent to the road line; and may lease the airspace above roads or the subsoil below roads. They may also authorise cattle stops and swing gates across unformed legal roads in certain circumstances. There is, however, no explicit statutory authority to lease the surface of a road or to grant licences to occupy.

Roads as defined in the Local Government Act 1974 include all roads whether formed or not; that is they include so called “paper roads”. The term “road reserve” as used in the draft policy has no distinct legal meaning. The common law public right of access to pass and repass on roads applies to both formed and unformed roads, and to all parts of legal roads.

The general powers of councils in respect of roads are contained in s 319 of the Local Government Act 1974. They include, for example, a provision empowering the council to designate which part of a road is carriageway and which part a footpath or cycleway only, but do not include any power to authorise the private use of a road.

Councils have very broad powers under the Local Government Act 2002 (LGA 2002) but these are subject to other Acts and the common law; s12(3)

LGA 2002. Given the breadth and generality of these powers and the common law rights in relation to roads, it is unlikely Courts would consider Parliament intended to limit or remove these common law rights without express statutory provisions to the contrary.

Section 357 LGA 1974 provides that it is an offence to encroach on a road by making or erecting any building, fence, ditch or other obstacle or work of any kind or by planting any tree or shrub “not being authorised by the Council...” It is arguable whether this provision is sufficiently specific to empower councils to licence the occupation of legal roads particularly if the form of licence has the effect of restricting the right of the public to use the affected part of the road.

Another possible authority is s 45 of the Public Works Act 1981. As originally enacted this section distinguished between a general power to lease or licence land held for public work (s 45(1)) and the leasing or licensing of Government road or State Highway (s45(2)). S 45(2) has been re-enacted in s 61A of the Government Roading Powers Act. Given this distinction it is doubtful whether s 45(1) applies to roads otherwise the more specific provision would not have been necessary. S 61A of the Government Roading Powers Act applies only to Government roads and State Highways, not to roads generally
Council practices

Councils typically provide for or practice the authorising of encroachments on roads. The statutory authority for doing so is usually cited as s 357(1) of the Local Government Act 1974. In other instances s 45(1) of the Public Works Act 1981 is cited.

14. The Council needs to address what statutory power it has to authorise encroachments on roads and the scope of that power.
Enforcement of the public right of access

Section 357 (1) of the Local Government Act prescribes a range of offences in respect of roads and specifies that proceedings for an offence against subsection (1) must be commenced on the authority of the council, or by an officer of the council (s 357 (1A)). Enforcement of these provisions is clearly a function of the council.

The Commission accepts that there may be good practical reasons for councils to tolerate encroachments on legal roads in some circumstances, or perhaps authorise them in spite of the lack of specific statutory authority to do so. It considers, however, that this should be considered in the context of an enforcement policy in respect of the offences under s 357(1) which takes account of the common law public right of access.

The Commission suggests that the policy should be restructured to correspond with its statutory powers and functions under the Local Government Act 1974. The policy could comprise:

- An enforcement policy relating to obstructions and encroachments on roads;
- A policy on the circumstances in which the Council will tolerate encroachments on roads, or authorise them to the extent that it considers that it has the power to do so;
- A policy on the exercise of the powers in s 341 of the Local Government Act 1974 i.e. on the leasing of airspace and the subsoil of roads; and
- A policy on fences and walls alongside roads.

The Commission is especially concerned that any toleration or authorisation of encroachment on roads does not interfere with the right of the public to pass and re-pass on all parts of the road. Any licence to occupy should not be in a form that is in effect a lease that gives exclusive occupation rights to the lessee to the exclusion of the public. Nor should it authorise fencing that interferes with the right of the public to pass and repass.

Below is an annotated version of the draft policy noting specific areas of concern.

DRAFT ~~ROAD ENCROACHMENT~~ POLICY FOR STRUCTURES PLANTINGS AND OBSTRUCTIONS ON ROADS

Purpose

The purpose of this policy is to provide a framework for consistent decision-making in respect of encroachments-structures, plantings and obstructions under, on or above legal road reserve [\[H1\]](#) in the Taupo District.

Definitions

Footpath is the part of any legal road or public place that is laid out for pedestrian use. **Public Place** is any place under Council control and open to or used by the public as of right. **Road** has the same definition as section 315 of the Local Government Act 1974.

Veranda is a roofed space extending from a building and includes any structure, machinery or equipment erected on, or attached to the side or underside of, a veranda.

What this policy covers

This policy covers all ~~occupation of the~~ structures, plantings and obstructions on roads ~~reserve~~ within the Taupo District.

This policy does not include activities and structures of utility companies where these relate to specific statutory rights that allow them to utilise legal road to provide various utility services.

In what circumstances ~~is written approval for a road~~ may encroachments on roads be approved required?

Any person who seeks to ~~occupy or use~~ erect structures, plant vegetation or otherwise do something that may obstruct the any road ~~reserve must~~ may apply to the Council as landowner of the road for permission. ~~Approval is needed because of~~ may be given in the following circumstances:

1. Written approval is required if there are structures that will be installed in, or on, the road reserve; or if there will be any form of public access restriction associated with the road encroachment. [\[H2\]](#)
2. A lease is required for structures that are erected in the airspace above the road ~~reserve~~ [\[H3\]](#), such as decks and building facades. This is with the exception of verandas which are not required to obtain the written approval from Council. However, the building owner who wishes to erect a building veranda must ensure that they have met the requirements of the District Plan and that they have obtained the necessary building consents.
3. A license to occupy is required for structures temporarily located on the road ~~reserve~~ (for example, seats and tables for outdoor dining). [\[H4\]](#)

A list of common road ~~reserve~~ encroachments is included in Appendix 1.

Policy Principles

Decisions on encroachments are at the Council's discretion [\[H5\]](#); nothing in this policy requires Council to grant or decline an application for an encroachment. The following principles are taken into account when assessing whether or not to allow an encroachment.

1. Encroachments should not interfere with the public right to pass and repass on the road.
2. Encroachments should not interfere with any reasonably foreseeable future public [\[H6\]](#) uses of the particular road ~~reserve~~ and where possible should also be removable.

3. People who are affected by a proposed encroachment should be consulted and their views considered when decisions are made. [H7]

4. Encroachments allowed in the district's town centres should contribute to economic development and encourage public use.

5. Ensure that the health and safety of members of the public is protected.

6. The encroachment should not significantly degrade amenity values, cultural values, and significant ecological values, either as a result of a particular encroachment or through the cumulative effect of many encroachments.

7. There should not be ongoing costs to Council as a result of an encroachment.

8. ~~The extent to which the e~~ Encroachments will resolve significant community issues ~~throughout the community~~. They will not be allowed in circumstances where they have been proposed to resolve a neighbour or civil dispute.

Consultation with affected parties [H8]

Council needs to be able to understand and assess the effects a proposed encroachment could have on the public right of access and on other property owners. [H9] Council may therefore wish to consult the public and to ascertain will ~~want to know~~ the views of property owners in the vicinity of the proposed encroachment who could be materially affected by it. This is especially so in cases:

- The encroachment may affect the public right of access along the road

· Where an adjoining property owner believes their significant vistas and/or amenity values could be affected by a proposed encroachment

· Where the proposed encroachment covers another property owner's legal road frontage.

Council will also want to be assured that the views of third parties are based on accurate information about the proposal. If an adjoining property owner who may be affected by a proposed encroachment provides written consent to the proposal, the application will be considered by Council on the basis that that adjoining property owner is not affected. If no written consent is provided then the Council will consider any comments raised by that property before deciding whether to grant an encroachment.

However, the Council retains the ultimate discretion as to whether to agree to any encroachment, guided by the principles in this policy [\[H10\]](#).

[\[H11\]](#)

Terms and conditions of encroachment agreements

Terms and conditions of encroachment agreements are included in Appendix 2.

Compliance and monitoring

Erecting a structure on legal road (including ~~unformed~~ the road reserve [\[H12\]](#)) without Council approval is a [contravention of s 57 of the Local Government Act 1974](#) and breach of the Reserves and Public Places Bylaw 2016 [\[H13\]](#) and can lead to prosecution.

Appendix 1

Common types of road reserve encroachment covered by this policy:

1. Airspace encroachment: when a structure above the road reserve such as a deck or a building façade occupies the airspace above a road (including footpath). It includes verandas over footpaths which provide shelter to pedestrians.
2. Amenity walls: walls advertising the name of a subdivision or development.
3. Bollards: structures installed to prevent vehicles driving on the berm.
4. Grazing of berms in rural areas.
5. Occupation of footpaths for seating by hospitality outlets.
6. Property fences built on urban road reserve.
7. Retaining walls encroaching on the road reserve.
8. Stock underpasses.

Types of road reserve encroachments not covered by this policy:

~~1. Planting of trees and vegetation in urban berms because this is covered by the Tree and Vegetation Policy.~~

~~1. Shelter belts in the rural area because this is already covered by Rule 4b.1.6 of the Operative District Plan [H14]. [H15]~~

Appendix 2

Included below is a non-exhaustive list of the terms and conditions that may apply to encroachment agreements: [\[H16\]](#) [\[JG17\]](#)

1. In most instances, the encroachment agreement will include a standard clause that agreement that acknowledges the Network Utility Operators rights at law to maintain services in, along or under the road and that these rights take precedence.
2. An encroachment agreement may be revoked by Council by notice to the holder of the encroachment agreement. The notice period will be determined when preparing the agreement and will take into account the type of encroachment.
3. Any costs associated with installing the encroachment is at the cost of the property owner.
4. Any encroachment agreement that is issued to a property owner will be recorded on the Land Information Memorandum (LIM) for that property. Please note, however, the encroachment structure is not recorded on the Certificate of Title for the property.
5. Whether agreement needs to be made with the new property owner if there is a change in ownership.
6. Other special conditions may be applied to a licence on a case-by case basis. Conditions relating to specific types of road encroachments

Encroachment Type	Specific conditions
Airspace encroachment	Any veranda or other encroachment constructed over a public place shall be maintained in a waterproof condition and in a state of good repair. Good repair includes the absence of: visible rust; holed, rotted or otherwise damaged materials or elements; loose,

	<p>visible or exposed electrical wires; and/or projections or other features that pose a danger to persons using a public place.</p> <p>Any building owner wishing to construct an airspace encroachment [H18] other than a veranda, must apply to Taupo District Council for a lease. Fees for the lease may be charged in accordance with the Council's Fees and Charges schedule.</p>
Amenity walls	<p>1. Amenity walls must not be erected in the road reserve.</p> <p>2. If a developer wishes to erect an amenity wall, it must be erected entirely within the adjacent land, which is not owned by Council. [H19]</p>
Bollards	<p>Bollards must be:</p> <ol style="list-style-type: none"> 1. Constructed using frangible round treated timber of less than 180mm diameter. 2. Placed in the grassed area and set back at least 400mm from the face of the kerb, unless otherwise agreed by Council. 3. No higher than 600mm unless otherwise agreed by Council. 4. At least 300mm clear of the footpath unless otherwise agreed by Council. 5. Maintained in good condition and be painted white at all times. 6. Repaired immediately or removed if damaged any associated costs will be at the adjacent property owner's expense.
Retaining walls encroaching on the road reserve	<p>Retaining walls:</p> <ol style="list-style-type: none"> 1. Must be maintained in good condition. 2. Must be repaired immediately or removed if damaged and any associated costs will be at the adjacent property owner's expense.
Encroachment Type	Specific conditions

	The property owner must ensure that they also apply for another other relevant permissions, such as resource consents or building consents.
Property fences built on urban road reserve	<p>Property fences built on the urban road reserve [JG20] :</p> <ol style="list-style-type: none"> 1. Any consents (including, but not limited to building and resource consents) have been applied for and these consents have been granted. 2. The fence/s must be maintained in good condition. 3. The fence/s must be repaired immediately or removed if damaged and any associated costs will be at the adjacent property owner's expense. 4. Where a fence has been erected without prior approval Council, Council will have the ability to ask the property owner/s to remove the fence/s.
Fences erected on rural road reserve for the purposes of stock grazing	<p>Fences built in the rural road reserve:</p> <ol style="list-style-type: none"> 1. Fences are easily removable and are moved within one month, if requested by Council. 2. Fences are maintained in good condition and immediately or removed if damaged any associated costs. 3. The fences are installed in appropriate locations that are agreed to by Council. [H21] [JG22]
Stock underpasses	If a subdivision results in different ownership on both parcels of land at each end of the underpass, then Council will require an easement or encroachment license to be granted and for both holders to be liable.

357 Penalties for damage to roads

(1) Every person commits an offence who, not being authorised by the council or by or under any Act,—

(a) encroaches on a road by making or erecting any building, fence, ditch, or other obstacle or work of any kind upon, over, or under the road, or by planting any tree or shrub thereon; or

(b) places or leaves on a road, any timber, earth, stones, or other thing; or

- (c) digs up, removes, or alters in any way the soil or surface or scarp of a road; or
- (d) damages or, except with the consent of the council, removes or alters any gate or cattle stop lawfully erected across any road; or
- (e) allows any water, tailings, or sludge, or any filthy or noisome matter, to flow from any building or land in his occupation on to a road; or
- (f) wilfully or negligently causes or allows any oil, or any liquid harmful to sealed or paved road surfaces or likely to create a danger to vehicles on such surfaces, to escape on to any road having a sealed or paved surface; or
- (g) causes or permits any timber or other heavy material, not being wholly raised above the ground on wheels, to be dragged on a road; or
- (h) causes or negligently allows any retaining wall, foundation wall, or fence erected on any land, or any batter or slope of earth, or any building, erection, material, or thing, to give way or fall so as to damage or obstruct a road; or
- (i) digs up or removes any stone, gravel, sand, or other material from a river bed within 50 metres of a bridge or ford on any road or any dam on which a road is constructed; or
- (j) does or causes or permits to be done any act whatsoever by which any damage is caused to a road or any work or thing in, on, or under the same,—

and is liable on conviction to a fine not exceeding \$1,000 and, where the offence is a continuing one, to a further fine not exceeding \$50 for every day on which the offence has continued and may be ordered to pay the cost incurred by the council in removing any such encroachment, obstruction, or matter, or in repairing any damage caused as aforesaid.

[H1] As noted elsewhere the word reserve has no meaning in this context. If it is meant to be a reference to those parts of the legal road that are not formed then the better term would be unformed road, but the policy seems to have application to all roads and all parts of roads so it would be better just to remove the word "reserve" throughout the policy.

[H2] This implies that the Council is empowered to approve encroachments that obstruct public access. The Commission does not consider that the Council has the legal power to do so.

[H3] The use of the term "road reserve" in this context is confusing as the statutory power for leasing airspace (s 341 Of LGA 74) applies whether or not the road is formed and is more likely to apply in urban situations over formed streets.

[H4] The statutory authority for such a licence is unclear

[H5] The extent of the Council's discretion is unclear and appears to have no clear statutory authority

[H6] The public has a current and continuing right to pass and repass on all parts of a legal road.

[H7] Should this not be consultation with the public?

[H8] The primary affected party is the public.

[H9] The interests of "other property owners" must be subservient to the interests of the public.

[H10] But the principles need to be based on whatever statutory authority the Council may have.

[H11] This passage is based on the wrongful assumption that the interests of adjoining property owners is a primary concern in considering encroachments on roads.

[H12] Again the misleading use of this term.

[H13] Much more significantly it would contravene s 357 of the Local Government Act 1974.

[H14] Any obstruction placed or planted on a legal road is potentially a contravention of s 357 of the Local Government Act 1974

[H15] This rule relates to plantings that may shade the carriage way of roads, not about the right or otherwise to plant trees on the road.

[H16] Surely the most important issue to address is the impact on the public right of access.

[JG17] Agree and it should be the first principle in the list.

[H18] If airspace above a road is leased it is not an encroachment.

[H19] It is therefore not an encroachment

[JG20] Council needs to consider whether it can actually authorise this. If they decide yes, the principle should be to ensure full public access is unobstructed.

[H21] It is doubtful if the Council has authority to approve the enclosure of parts of a road by fencing as this would inherently block public access to part of the road

[JG22] This should address fences crossing roads, including ULR, and ensure that they are authorised, gated and signed or cattle-stopped compliant with legislation.

**Staff
Recommendation**

Support amendments

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Report: Summary of Submissions by Submitter Number/Name

Submitter Number:	1	Submitter:	Te Takinga New for Turangi/Tongariro Community Board
Organisation:	Turangi/Tongariro Community Board		
Documents:	Draft Water Supply Strategy 20		
Point Number	1.1	Category	1-Purpose of the Strategy
Comments:	<p>At the Turangi/Tongariro Community Board meeting held on Tuesday, May 14, 2019, policy advisor Tanya Wood presented a report on the Taupo District Council Draft Water Supply Strategy and invited members to make a submission. Accordingly, we thank you for this opportunity to submit and respectfully make the following comments for consideration and where practicable, inclusion in the final strategy:</p> <ul style="list-style-type: none"> • The Board encourages Council to engage with and seek feedback from Ngati Turangitukua as Council's treaty partner and landowners of the spring that sources the Turangi water supply. • The Board requests that this relationship between Ngati Turangitukua as mana whenua (landowner) of the water spring (puna) is acknowledged in the final document. • The Board encourages Council to consult Ngati Turangitukua for the proper (Maori) name for the unnamed water supply spring (shown on map in figure 3), and that this name be used in the final document. • The Board encourages Council to focus on educating the general public about the responsible use and conservation of water. 		
Staff Recommendation	Council is working with Ngati Turangitukua and will acknowledge this relationship in the final document. We have obtained the correct name for the Spring, and this will be included in the document.		

Submitter Number:	2	Submitter:	Jim Bowater
Documents:	Draft Water Supply Strategy 20		
Point Number	2.1	Category	1-Purpose of the Strategy
Comments:	<p>Kia Ora Tatou, Good morning /afternoon everyone,</p> <p>My name is Jim Bowater and with my wife Marcia have owned our home at 8 Luberon Way since 2003.We moved here last August coming from a Dairy Farming</p>		

background living in Northland, Auckland and North Waikato. Water quality and utilisation have always been very important to us.

Recognising that this region is not a high rainfall area and Taupo having a very high consumption of 400 litres per person per day, there is always a continuous need for Taupo District Council to upgrade its water supply and I commend the Council for their efforts. However living here during this last summer, I realised that the various measures regarding education to the public was not enough. Advertising to conserve water asking consumers to restrict watering on alternate days at peak times is not enough. As casual walkers on many occasions neighbours deliberately flout these requests to the point of turning sprinklers on at night and leaving them on all night. It seemed that it was more important to have a nice green lawn and berm at the expense of an over-worked infrastructure and lowering lake level. When I asked land owners about it, I was told "we pay our rates so we're entitled to it". "We have the biggest lake in the country right there, so what's the problem". Unfortunately this was not an isolated response. As we all know, the arrogant amongst us will not change habits unless it hits them in their pockets.

So what else can we do about it?

1- The 2011 Christchurch Earthquakes revealed a lack of sufficient water for people, so individual rain-water storage should be encouraged as is done in the Waikato District Council area particularly with new builds. This could be used not only for garden and lawn watering but for fire-fighting too if required.

2- The installation of Water meters to all house-hold and businesses and an installation subsidy to encourage this for all current users and prospective users within a connection area. For all new builds it should be a Council requirement. A water rate discount could also be an incentive to be metered.

Water Meters are not new, Auckland Council has recently been active in installing them and it is worth noting their average daily consumption is less than 250 litres per person per day.

3- By encouraging the use of dryland plants and shrubs that don't require copious amounts of water, again by way of plant discounts.

4- The setting up of an Anonymous phone number to alert Council of water usage abuse.

This application is not about pointing the finger at Taupo District Council to do something about conserving the resource, it is about strengthening the measures that are already in place and to encourage all of us to use it more efficiently. Because if we don't, scenes like what have happened in California, the Dead sea and the Aral sea will come here.

Your current radio advert refers to our lake as our taohunga, perhaps it is time we really start doing something about it because future generations may not get to appreciate "Our taohunga".

Thank you,

Jim Bowater.

**Staff
Recommendation**

Rainwater storage for new builds can be considered as part of the District Plan Review.

While water meters are effective in reducing water usage, we need to make sure that our network is efficient (not losing too much data).

Encouraging dryland plants and the anonymous phone number can be considered as part of our water conservation plan.

Submitter Number:	3	Submitter:	Richard Taylor
Documents:	Draft Water Supply Strategy 20		
Point Number	3.2	Category	3-Outcomes
Comments:	<p>Thank you for the opportunity to have input into the District's Water Supply Strategy.</p> <p>Having read through the document, I fully support the four outcomes presented.</p> <p>With reference to Outcome 2: We use water responsibly, I have reviewed the details regarding this strategic outcome and I would like to suggest some alterations to the responses to this outcome that reduce duplication and ensures the response is more within Council control.</p> <p>The changes and explanation are as follows:</p> <p>The response "We will develop a programme of works to reduce residential water demand..." presents a target for reducing water demand. Water demand referred to in this response is largely private demand (water use) which Council has already responded to in the previous item "We will educate and actively encourage a water conservation culture within the District". I suggest the response is replaced with the following which reduces the focus on managing private demand and instead increases the focus on water loss in the Council networks. "We will take steps to assess and manage water losses in the public supply networks to acceptable levels". In addition, a goal could be included - for example 'acceptable level' could be replaced with a target water loss level. In this case it is suggested that a target figure(s) for the urban schemes is expressed in 'litres/connection/day, and for the rural schemes, a target expressed in 'm3/km watermain/day', as this is recommended best practice for water suppliers internationally.</p> <p>(FYI, I am an experienced water supply engineer employed by Thomas Consultants, Auckland. I work with many local authorities nationwide on water loss related work).</p>		
Staff Recommendation	Support changing as requested.		

Submitter Number:	4	Submitter:	Catriona Eagles for Wairakei International Golf Course
Organisation:	Wairakei International Golf Course		
Documents:	Draft Water Supply Strategy 20		

Point Number	4.2	Category	3-Outcomes
Comments:	<p>Taupo District Council's District Economic Strengthening Strategy identifies Wairakei Tourist Park as an area of future tourism and economic development. This area has limited reticulation by Taupo District Council water with the majority of the supply in the main located in Wairakei Drive being provided to Wairakei Village. Many of the established activities currently obtained water supply from the Waikato River which has high levels of uncertainty associated with future supply.</p> <p>Future tourism activities in this area including accommodation and hospitality activities will be constrained without upgrade in water supply capacity in this area of town. This outcome could place the Water Strategy as inconsistent with the Economic Strengthening Strategy.</p>		
Staff Recommendation	<p>Some of the businesses as Wairakei are on Council's supply, where as others have their own bore/supply and consents from the regional council. The submission point infers that connecting to Council supply would increase certainty. The reality is that we wouldn't be able to connect a significant development eg new hotel, without upgrades.</p>		

Point Number	4.3	Category	8-Implementation Plan
Comments:	<p>The proposed 'Council Population projection model to understand transient and holiday population impacts' should include future accommodation and hospitality activities and the wider aspirations outlined in District Economic Strengthening Strategy for Wairakei Tourist Park.</p>		
Staff Recommendation	<p>Will consider this request when determining the scope of this project.</p>		

Point Number	4.4	Category	8-Implementation Plan
Comments:	<p>The 'Community Connection Plan' should also include Wairakei Tourist Park. Finally, greater certainty regarding the 'method to calculate headwork's contributions for new connections outside development areas' is welcomed as a large portion of Wairakei Tourist Park is outside of the current water supply catchment of the Development Contributions Policy.</p>		
Staff Recommendation	<p>There is an action in the implementation plan around this work.</p>		

Submitter Number:	5	Submitter:	Jane Penton for Lakes and Waterways Action Group Trust
Organisation:	Lakes and Waterways Action Group Trust		
Documents:	Draft Water Supply Strategy 20 ; LWAG sub TDC Water Supply Stra ; PDF LWAG sub TDC Water Supply		
Point Number	5.10	Category	8-Implementation Plan
Comments:	<p><u>Ref. Taupo District Council: Water Strategy Implementation Plan</u></p> <ul style="list-style-type: none"> LWAG supports the outcomes of the strategy (Section 1.1) <p>LWAG broadly agrees with the 'Full Project and Activity Assessment', Table 1. However, in our strong opinion, TDC should aim to reach compliance with all these criteria earlier than 2028.</p> <ul style="list-style-type: none"> Therefore, we seek acceleration in the key capital works noted in Outcome 1 of Table 1. Ideally, these should be completed in the next five years. <p>FYI: Kapiti Coast Water retrofit service :</p> <p>https://www.kapiticoast.govt.nz/services/a-z-council-services-and-facilities/water/water-conservation/water-retrofit-service/</p> <p>Helping make saving water affordable: During the summer months, outdoor water use (washing cars or boats, watering the garden or lawn) puts a lot of demand on our water supplies.</p> <p>Kapiti Coast District Council supports the use of rainwater and greywater for outdoor irrigation. If enough households use on-site water sources for outdoor irrigation, our current supplies will meet the needs of our growing communities for years to come.</p> <p>In 2008, Council required new households in urban areas to install on-site supplies for toilet flushing and outdoor uses.</p> <p>However, for homes built before 2008, there has been low uptake of on-site systems (rainwater or greywater systems). One reason is the upfront cost, the other is there is no financial benefit for them to do so. A house that invests in an on-site system has to pay the same water rates as an existing household with no system.</p> <p>To address the cost barrier Council offers the Water Retrofit Service to help make installing an on-site non-potable supply more affordable.</p> <p>Households eligible for funding:</p> <p>The funding is available for households on the Kapiti Coast where the house:</p> <ul style="list-style-type: none"> in urban areas was built before February 2008 receives unrestricted potable water has a good rate payment history. The applicant must be the registered property owner - named on the Title. <p>Application process: Council will visit your property; explain how the funding works and the responsibilities - yours and ours.</p>		

Staff Recommendation	Capital works programme will next be reviewed during the development of the LTP 2021.		
Point Number	5.2	Category	3-Outcomes
Comments:	<p>Lakes and Waterways Action Group (LWAG) supports the four strategy outcomes</p> <p>LWAG notes that some drinking water is sourced from groundwater and springs. These water resources are not noted in Section 4.4.</p> <p>LWAG also notes that many TDC water supplies are not compliant with criteria (overall, bacterial and protozoa) and a significant number of supplies do not achieve chemical treatment criteria (Section 8).</p> <ul style="list-style-type: none"> In our strong opinion, TDC should aim to reach compliance with all these criteria earlier than 2028. <p>LWAG agrees with aims to reduce unit water use (Outcome 2) and matching projected water demand to drinking water infrastructure development (Outcome 3).</p>		
Staff Recommendation			
Point Number	5.3	Category	3-Outcomes
Comments:	We support financial sustainability of the drinking-water system, but not at the risk of delaying planned improvements in drinking water security.		
Staff Recommendation			
Point Number	5.4	Category	4-Context
Comments:	<p>We agree with the statement (<i>pg 6 of Strategy</i>) that;</p> <p><i>'A challenge for the district is that there is a perception that water is plentiful. Because Lake Taupo is so prominent, people do not always perceive that there is a need to conserve water, because there is so much water in the lake.'</i></p> <p>We understand that this issue is compounded by predicted population growth in the district and the <i>'increasing popularity of Taupo as a visitor destination'</i> bringing further uncertainty regarding future water supply needs.</p>		
Staff Recommendation			
Point Number	5.5	Category	6-Links to national, regional, local documents
Comments:	Regarding: 'Links to National, Regional and Local Documents' (<i>pg 9</i>) we would like to see an additional link to the recently revised <u>WRC Stormwater Guidelines</u> as well as TDC's <u>Stormwater Strategy</u> as these are also relevant in their relationship to water conservation, especially in relation to <i>Outcome 2: We Use Water Responsibly</i> (<i>pg 11</i>)		

Staff Recommendation	Support mention of these documents.		
Point Number	5.6	Category	8-Implementation Plan
Comments:	<p>Pro-active use of low impact design measures to conserve water through treating urban areas as potential 'reservoirs' capturing water at source is something LWAG have long advocated for. This can be done through; encouraging water tank roof collection for garden watering and the capture and use of grey water. (N.B. Water tanks in many districts are of course also used for drinking and potable water. Kapiti mandated and subsidised new and retrofitted rainwater tanks in their district – see below).</p> <p>The promotion of incorporating dual water systems into dwellings and other buildings would mean expensive treated potable water is used for drinking, washing and cooking but not for flushing toilets or garden watering for instance.</p> <p>Currently 'grey water' which began as potable water is collected and treated. It has been proven that this water, with some filtering for fibres within the domestic unit can be safely re-used (as per above) considerably reducing household demand on municipal water supplies.</p> <p>Government information states that council permission is needed to install grey water systems into homes <u>for toilet flushing</u>: <i>'Harvesting rainwater - Installing a rainwater tank is relatively simple and inexpensive and the benefits are ongoing. Rainwater is a good source of water for using on your garden. It can also be used for washing your clothes, flushing the toilet, and – if it's properly treated – for drinking and other household uses.'</i></p> <p>More information on this at the Ministry of Business, Innovation and Employment link here: https://www.smarterhomes.org.nz/smart-guides/water-and-waste/re-using-greywater/</p>		
Staff Recommendation	To be considered during the District Plan Review.		
Point Number	5.7	Category	3-Outcomes
Comments:	<p>Climate change means that all NZ communities are now vulnerable to water shortages. In this regard, long-term water supply issues due to the effects of climate change also impact water supply strategic thinking, especially regarding 'Outcome 4: <i>We ensure that our water supply system is financially sustainable</i>' (pg 13)</p>		
Staff Recommendation	Agree, climate change should be referenced in the document.		
Point Number	5.8	Category	3-Outcomes
Comments:	<p>In regard to Outcome 2 we agree that;</p> <p><i>'Water is a limited resource and there are many different users competing for access to water. Use of water can have detrimental impacts on the environment, so it is imperative that we use water responsibly.</i></p> <p><i>And...' Taking too much water from the environment can impact on the ecology of the water body as can the discharges back to the environment from the processes associated with the treatment process. Minimising the water we use can improve the environment and result in more water being left for other activities.'</i></p>		
Staff Recommendation			

Point Number	5.9	Category	8-Implementation Plan
Comments:	<p>Of particular concern is the per capita consumption of water reflected in Para 3: <i>'Taupo District also has a high use of water per capita, with approximate consumptive use of 400 litres per person per day. This is significantly higher than the National Average and indicates inefficiencies in the supply chain and the community's current views on water conservation that may need to be better managed over time.'</i></p> <p>Redirecting household and urban stormwater from roofs and other hard surfaces to the root zone of trees can help drop daily water use significantly, causing municipal water servicing and supply costs to plummet.</p> <ul style="list-style-type: none"> • LWAG ask that mandatory rainwater tanks be signalled by the Water Supply Strategy and embedded within related planning documents such as the District Plan. • LWAG ask that grey water/dual water systems be promoted in the strategy and though the District Plan provisions for all new buildings (including civic buildings which will help to demonstrate and promote water conservation) <p>Regarding the 'Strategic Outcomes' and Stated Goal to <i>'develop a Water Conservation and Education Plan for District (Table 1 pg 8 Draft water Strategy Implementation Plan)</i> LWAG are concerned that TDC has historically employed officers in this educational sphere and yet consumption has not reduced. For instance, supporting a Taupo for Tomorrow educator at the Tongariro National Trout Centre is commendable regarding water conservation education, but has not, as far as we are aware, had any measurable success in water consumption reduction.</p> <p>We understand that there were water conservation pamphlets available, for instance within the 'Welcome to Taupo' packs for new residents.</p> <p>More recently information is available on your website under 'Water alerts and conservation' in a section called; 'Transport and water' and unfortunately not found in a general search of 'water conservation'. The front desk was able to provide us with the link:</p> <p>https://www.taupodc.govt.nz/transport-and-water/water-conservation</p> <p>WRC also has water conservation information embedded in their website including a webpage on 'Smart Water Use':</p> <p>http://www.waikatoregion.govt.nz/community/whats-happening/smart-water-use/</p> <p>Accompanying 'Smart Water Use' at home documents:</p> <p>http://www.waikatoregion.govt.nz/assets/PageFiles/10892/SmartWaterUse%20Check-up%20Form.pdf</p> <p>http://www.waikatoregion.govt.nz/assets/PageFiles/10892/smart%20water%20use%20tips.pdf</p> <p>LWAG appreciate the budget of \$25,000 towards increased community awareness. We do not feel that the educational efforts of the Council, as well-intentioned as they have been to date, have proven beneficial in terms of disseminating water conservation information.</p> <p>This is likely to be due in part, as stated in the strategy, the perception of an unlimited water supply in Taupo.</p> <ul style="list-style-type: none"> • LWAG support the development of a Water Conservation Education Plan for the District and a water loss strategy for the District to enable ' forward planning, budgeting and prioritisation of future works programmes to reduce overall demand' (Table 1. pg 8 Implementation Plan) <p>Short of metering the town water supplies, we feel that water consumption reduction incentives should be clearly stated with reduction targets. Related Long Term Planning would need to reflect specific measurable goals.</p>		

- We ask that measurable goals be set regarding water consumption reduction in the both strategy and particularly implementation plan
- We also suggest that concrete measures such as requiring water tanks on all new buildings and subsidising these and retrofitted rainwater collection systems would be a preferred option to simply 'education'.

Staff Recommendation We will consider whether this can be funded from the budget for 19/20.

Submitter Number:	6	Submitter:	Maria Nepia for Tuwharetoa Maori Trust Board
Organisation:	Tuwharetoa Maori Trust Board		
Documents:	Draft Water Supply Strategy 20: TMTB Submission TDC Water Supp: PDF TMTB Submission TDC Water		
Point Number	6.10	Category	5-Iwi contribution
Comments:	The Trust Board recommend this section is reworded as "TAUPO DISTRICT IWI AND HAPU RIGHTS AND MANAGEMENT OF FRESHWATER".		
Staff Recommendation	Support in part. Reword as "Iwi and Hapu Rights"		
Point Number	6.11	Category	5-Iwi contribution
Comments:	The Trust Board expected to see acknowledgment of our Environmental Iwi Management Plan which was lodged with Council in 2003. This should be remedied in any further iteration of this strategy.		
Staff Recommendation	The Iwi Management Plan should be referenced in the Strategy.		
Point Number	6.12	Category	5-Iwi contribution
Comments:	Further, as yet Iwi rights in freshwater have not been resolved and should be considered in any water supply strategy. The Trust Board is unique in their ownership rights of Lake Taupo waters currently – yet this is not reflected in the current strategy.		
Staff Recommendation	Strategy should be amended to reference that TMTB is the owner of the lake bed.		
Point Number	6.13	Category	5-Iwi contribution

Comments:	<p>When it comes to access to clean and safe drinking water for marae and papakainga, the issues are really whether marae and papakainga have access to reticulated treated drinking water. The <i>Te kai manawa ora: Marae food safety initiative survey</i> conducted by the NZFSA indicates potential safety issues with the water on marae due to the low level of treatment¹⁶. NZFSA found that over half the marae surveyed had their own water supply that included two sources, one of which was a roof supply. Only 38 percent of supplies were treated, and in one third of these cases was by boiling the water. Only 31 percent of marae had their water supply tested for E. coli.¹⁷ Several Marae and papakainga within the rohe of Ngati Tuwharetoa lack access to a reticulated treated drinking water supply.</p> <p>We are aware that in the absence of access to a reticulated treated water supply a suitable standard of treatment can be achieved by water treatment plant packages. However, the initial capital and ongoing operating costs of these water treatment systems is expensive and difficult for marae committees to maintain.</p>		
Staff Recommendation	One of the outcomes of the strategy will be the development of a policy that provides guidance on requests from unreticulated communities to connect to Council drinking water.		
Point Number	6.14	Category	5-Iwi contribution
Comments:	<p>The effect of the first-in, first-served allocation regime has seen the surface water and groundwater allocation status of most of our catchments as over-allocated. Maori landowners continue to be affected by the first-in, first-served approach to water and discharge permits, with undeveloped and under-developed Maori land in the current allocation climate essentially offsetting the effects of existing water and discharge consent holders. This affects the ability to increase the productivity of Maori land and is a key impediment to unlocking Maori land potential.</p>		
Staff Recommendation	Can sympathise with this, but the "first-in, first-served" principle is under the Resource Management Act. Freshwater takes are administered by regional councils. Council does not have any ability to respond/change this.		
Point Number	6.15	Category	6-Links to national, regional, local documents
Comments:	<p>There is no mention of the Deeds between the Trust Board and the Crown that determine Ngati Tuwharetoa as the legal owners of Taupo Waters, nor to the recent Ngati Tuwharetoa Claims Settlement Act or the Turangitukua Township Settlement. These pieces of legislation affirm the unique and enduring position of Ngati Tuwharetoa as mana whenua and kaitiaki over the rohe and should be included.</p>		
Staff Recommendation	Recommend that we reference TMTB as owner of the lake bed.		

Point Number	6.16	Category	6-Links to national, regional, local documents
Comments:	The Waikato Freshwater Strategy does not appear to be well reflected in this Water Supply Strategy. We encourage better alignment between the two documents.		
Staff Recommendation	WRC were happy with how the Freshwater Management Strategy was referenced.		
Point Number	6.17	Category	6-Links to national, regional, local documents
Comments:	Te Mana o te Wai was introduced to the Freshwater National Policy Statement in 2014 and refers to the integrated and holistic wellbeing of a freshwater body. Taupo District Council have not acknowledged Te Mana o te Wai in section 6.4 “National Policy Statement for Fresh Water (NPS)”.		
Staff Recommendation	As per earlier comment re Te Mana o te wai.		
Point Number	6.18	Category	3-Outcomes
Comments:	The goals and responses within all the strategic outcomes are vague and do not assign clear accountability. The wording in places is, in our view, not strong enough and could be enhanced with clearer and more measurable goals and more detail around how the responses will be achieved and monitored. We have provided suggestions where we can to support the development of goals and responses that more readily link to the overall outcomes.		
Staff Recommendation			
Point Number	6.19	Category	8-Implementation Plan
Comments:	The Trust Board expect that if Taupo District Council are planning on surrendering any water consents or ‘unnecessary’ water that the Trust Board is notified with discussions about the possibility of transferring Consents from Taupo District Council to the Trust Board.		
Staff Recommendation	These discussions will be dictated by the Resource Management Act.		
Point Number	6.20	Category	8-Implementation Plan
Comments:	We appreciate the need for the Council to ensure that any costs associated with water supply are equitable. We would like to see this statement extended		

	to ensure that there is equity of access to fresh drinking water for all communities, and specifically for underserved Maori communities.		
Staff Recommendation	One of the actions arising from the strategy is to determine guidance/policy for requests from unserved communities to connect.		
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Point Number	6.2	Category	1-Purpose of the Strategy
Comments:	We recommend Taupo District Council refers to the “Council” rather than “we” throughout the Water Strategy and Implementation documents.		
	Taupo District Council should be more specific about what water sources they are referring to by amending this section to include reference to both surface water and ground water.		
Staff Recommendation	Have used the term "we" as it is less formal than "Council." Agree that we should be more specific and should refer to both surface water and ground water.		
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Point Number	6.21	Category	8-Implementation Plan
Comments:	To this end, the Implementation Plan provided has very detailed projects and timeframes yet the methodology of how these projects, costs, prioritisation and times frames have been decided is not clear.		
Staff Recommendation	These have been determined through the asset management planning process.		
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Point Number	6.22	Category	8-Implementation Plan
Comments:	Further, given our status as the owners of Taupo Waters and as mana whenua Trust Board expect to be part of any discussions should there be moves to instate a system of metering or charging for water within the District.		
Staff Recommendation	A change to metering would require extensive community consultation. We already have a targeted water rate for those who are connected to the drinking water supplies.		
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Point Number	6.23	Category	8-Implementation Plan
Comments:	The Trust Board is supportive of the Council reviewing and improving its community engagement strategies concerning water conservancy and wish to be notified and included in these processes. We encourage the Council to engage directly about developing a process of review.		
Staff Recommendation	Happy to notify TMTB of any review to water conservation measures.		
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Point Number	6.24	Category	8-Implementation Plan

Comments:	It is our expectation that changes requested to the strategy document will be reflected in an amended Implementation Plan.								
Staff Recommendation	Yes they will be.								
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Point Number	6.25	Category	1-Purpose of the Strategy						
Comments:	The most critical of the districts water supplies lie on our property unpermitted creating a significant risk for council – we look forward to resolving this as a matter of urgency.								
Staff Recommendation	This process is currently in the process of being resolved.								
<hr/>									
Point Number	6.3	Category	2-Vision						
Comments:	Suggested amendment to the heading to read “TAUPO DISTRICT COUNCIL VISION”.								
Staff Recommendation	Recommend the heading be amended to "The Council Vision".								
<hr/>									
Point Number	6.4	Category	2-Vision						
Comments:	We propose that the explanation to the Council’s vision reflects our recommended changes to the outcomes; <i>“The provision of, and access to, safe water is an essential component of life. To achieve Council’s vision, the responsible, sustainable and efficient use of freshwater by the Council and its communities is essential. Council’s role is to provide access to and security of supply of freshwater for drinking water and municipal purposes”.</i>								
Staff Recommendation	Support requested amendment.								
<hr/>									
Point Number	6.5	Category	3-Outcomes						
Comments:	Trust Board recommend the following amendments to the current outcomes as detailed in the table below with further explanation provided in submission points 28 - 36:								
	<table><tr><th>Section of Strategy</th><th>Current wording</th><th>Proposed order and wording</th></tr><tr><td>3. Water Strategy Outcomes</td><td>The 4 outcomes are:</td><td>The three outcomes are:</td></tr></table>			Section of Strategy	Current wording	Proposed order and wording	3. Water Strategy Outcomes	The 4 outcomes are:	The three outcomes are:
Section of Strategy	Current wording	Proposed order and wording							
3. Water Strategy Outcomes	The 4 outcomes are:	The three outcomes are:							

- | | |
|--|--|
| 1. We ensure the protection of Public Health; | 1. Water in the Taupo District is used responsibly and sustainably; |
| 2. We use water responsibly; | 2. Taupo District Council ensure the protection of public health; |
| 3. We support the Communities Growth aspirations | 3. Ensure that any growth aspirations within the District are sustainably managed. |
| 4. We ensure that our water supply system is financially sustainable | NB: Te Mana o Te Wai is an overarching principle that applies across all three outcomes. |

Under the NPS-FW, it is up to communities and councils to consider and recognise Te Mana o te Wai in their regions. Ngati Tuwharetoa believes that there is an opportunity for Taupo District Council to apply Te Mana o Te Wai as a guiding principle across all matters relating to water and its management.

It is our position that Te Mana o te Wai becomes an overarching principle to any freshwater management policy or document within our rohe. To this effect, we have applied Te Mana o Te Wai across all three outcomes.

We propose rewording and reordering the outcomes of the proposed strategy. Council should act responsibly in *all* its actions as the mandated territorial authority for the communities of the Taupo region and is essential to achieve all the listed strategic outcomes.

We also propose that amended outcome one includes the sustainable use of water as well. The amended outcome would, therefore, read “ *Water in the Taupo District is used responsibly and sustainably*”.

The Trust Board recommends that the proposed outcomes are grounded within a more holistic appreciation of sustainability, to capture the importance of cultural, social, and environmental sustainability of existing and future water supplies – not through the singular lens of economic sustainability as listed in the Council’s outcome four. If financial sustainability is the only benchmark in which water supply and use is assessed upon, Te Mana o te Wai and the integrity of sustainable management can be compromised. To this end, we believe that the current outcome number four could be folded into a wider understanding of our proposed outcome one as it would require consideration of the environmental, cultural, social and economic sustainability of water use in the District.

We propose a rewording of current outcome three to ensure that growth is not detrimental to the water bodies in the district.

Inclusion of Tuwharetoa specific growth aspirations should be specifically included within this outcome and the strategy should account for any changes

drinking water quality across all its suppliers. However, we view the focus on improving drinking water quality as part of the holistic health of the water itself - improving the quality of water of all water supplies to achieve NZ drinking standard guidelines. This is a positive step towards improving water quality of the water source overall for the benefit of all ecosystems that rely on it.

We note, however, that of the areas listed under the Central Government review, climate change has not been addressed in this strategy by Taupo District Council. This is of concern given the impacts that climate change is likely to have on access to safe drinking water soon.

Staff Recommendation

Agree - we should recognize climate change in the strategy.

Point Number	6.8	Category	4-Context
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Comments: *4.3 Havelock North Enquiry*

The principles that have come through from the Havelock North Enquiry would be better understood if there was more detail about what they each mean so that the value of this strategy can be assessed more accurately against these principles.

Staff Recommendation

The detail surrounding the principles is quite wordy and detailed and doesn't really fit within a strategy. Happy to provide the principles to TMTB if that would assist them.

Point Number	6.9	Category	4-Context
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Comments: 4.4 Taupo District Council

It is noted that the "Council has budgeted for the upgrade of all water supplies to meet the current drinking water standards by 2028". There is, however, no discussion of what the methodology is to decide what water supplies are upgraded and when, or how this is prioritised. Iwi involvement in this process will support Iwi aspirations to ensure that all marae and papakainga have access to safe drinking water.

Staff Recommendation

The infrastructure team determined the programme for upgrades through their asset management planning processes. There seems to be a desire to have all marae connected to Council's reticulated supply, or help for the marae to upgrade their drinking water supply. This will be a challenge for those marae located in our rural areas, eg Mokai.

Submitter Number: 7

Submitter: Phil Shoemack for Toi Te Ora Public Health

Organisation:	Toi Te Ora Public Health		
Documents:	Draft Water Supply Strategy 20 ; 20190607_TDC_WaterSupplyStrate		
Point Number	7.2	Category	3-Outcomes
Comments:	<p>The provision of clean drinking-water is a vitally important measure for the protection of public health. For this reason we support Council's recognition that it is essential for their community to access enough safe fresh water. We support the water strategy outcomes, particularly Council's goal to ensure the protection of public health, and also support Council's implementation plan to have consistently good water supplied to people who are connected to a Council water supply.</p> <p>Toi Te Ora proposes an additional goal which is for Council to improve access to safe drinking water for all communities in the district. This will help to achieve the outcome sought by</p> <p>Council of ensuring the protection of public health across the district. Council has a responsibility for the health of everyone in its district, and as part of this responsibility should commit to a goal of continuing to increase the number of communities served by a Council water supply.</p> <p>This goal could be achieved by actively encouraging more people and communities to connect to the high standard drinking water supplies that Council provides, and by providing information to people who are not currently connected to a Council supply. Community education would improve the knowledge of people who manage their own water supply. Council already provides similar services to encourage waste minimisation practices through subsidised composting equipment and information workshops. Council should also develop a needs based prioritisation approach for developing new drinking water supplies for communities that do not currently receive Council drinking water.</p> <p>Toi Te Ora would be keen to work with Council to develop the content of the educational material and with the prioritisation needs assessment.</p>		
Staff Recommendation	The strategy identifies an action to develop a policy/guidance for responding to requests for unreticulated communities who wish to connect to Council's water supply.		

Submitter Number:	8	Submitter:	Grant Kettle for Raukawa
Organisation:	Raukawa		
Documents:	Draft Water Supply Strategy 20 ; 2019 06 13 TDC Water Supply St		
Point Number	8.1	Category	3-Outcomes
Comments:			
Staff Recommendation			
Point Number	8.2	Category	5-lwi contribution

<p>Comments:</p> <p>Staff Recommendation</p>	<p>3.1 The Trust appreciates Council's acknowledgement in the Strategy of the importance of the connection between iwi and freshwater, the Joint Management Agreement (JMA) between RST and the Council and the partnership between iwi and Councils to protect and restore the Waikato River. The Trust expects that this submission will be treated as part of that overarching partnership and the decision making dialogue identified in the strategy itself. The Trust also appreciates Council's commitment to recognise and respect iwi rights and interests in water and looks forward to continued dialogue on this matter.</p> <p>RAUKAWA POSITION</p> <p>Te Ture Whaimana o te Awa o Waikato seeks to protect and restore the health and well-being of the Waikato Awa. The Trust considers that the main contribution of the Taupo District Council Draft Water Supply Strategy and Implementation Plan to achieving Te Ture Whaimana is to:</p> <ul style="list-style-type: none"> • reduce the high level of per capita water consumption in the Taupo District; and thereby • enable reduced takes from the Waikato Awa. <p>The Trust supports those goals and actions that contribute to this and seeks that Council adopt them. The Trust also seeks some amendments to assist in achieving Te Ture Whaimana.</p>
<p>Point Number</p> <p>Comments:</p>	<p>8.3</p> <p>Category 8-Implementation Plan</p> <p>The Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 (The Act) gives legislative effect to the co-management deeds entered into between the Crown and Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi. The overarching purpose of the Act is to restore and protect the health and wellbeing of the Waikato River for present and future generations.</p> <p>The purpose of the Act is set out in Section 4 is to:</p> <p>a) recognise the significance of the Waikato River to Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi;</p> <p>b) recognise the vision and strategy for the Waikato River;</p> <p>c) establish and grants functions and powers to the Waikato River Authority;</p> <p>d) establish the Waikato River Clean-up Trust;</p> <p>e) acknowledge and provides a process that may recognise certain customary activities of Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi;</p> <p>f) provide co-management arrangements for the Waikato River.</p> <p>Te Ture Whaimana o te Awa o Waikato is the primary direction setting document for the Waikato Awa and activities within the catchment affecting the Waikato Awa. In recognition of its legislative status, Te Ture Whaimana prevails over any inconsistent provision in any national policy statement, national environmental standard, or water conservation order developed under the RMA. Any regional and district plans must give effect to Te Ture Whaimana. Additionally consent authorities must have particular regard to Te Ture Whaimana when considering resource consent applications.</p> <p>Te Ture Whaimana sets out a suite of objectives and strategies for the restoration and protection of the health and wellbeing of the Waikato River of current and future generations. Of particular relevance are the following objectives:</p> <p>Objective A - The restoration and protection of the health and wellbeing of the Waikato River.</p> <p>Objective G - The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River.</p>

Objective H - The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities

Objective K - The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length.

The Crown, local government, iwi and community at large have invested a significant amount towards achieving the restoration and protection of the health and wellbeing of the Waikato River and the outcomes sought through Te Ture Whaimana. The protection and restoration of the Waikato River and its catchment is of paramount concern for Raukawa. A core part of our kaitiaki role is to ensure that activities that have the potential to impact on the health and wellbeing of the river are avoided or are carried out in an appropriate and responsible manner.

The Trust supports Council's stated intent to give effect to the vision and objectives of Te Ture Whaimana through the Water Supply Strategy and Implementation Plan.

Staff Recommendation

Point Number	8.4	Category	5-Iwi contribution
Comments:	<p>Te Rautaki Taiao a Raukawa – Raukawa Environmental Management Plan (Te Rautaki Taiao) is a statement of Raukawa issues, aspirations, and priorities in relation to the environment. It has been prepared by the Trust on behalf of nga uri o Raukawa.</p> <p>The overall purpose of Te Rautaki Taiao is two-fold. Firstly, it provides a statement of Raukawa values, experiences, and aspirations pertaining to the use and management of our environment. Secondly, Te Rautaki Taiao is a living and practical document that will assist Raukawa to proactively and effectively engage in and shape current and future policy, planning processes, and resource management decisions.</p> <p>The sections of Te Rautaki Taiao considered to be most relevant to the application is Section 2.1 Water and Section 2.11 Infrastructure. Some of the relevant objectives and methods from these sections are set out below.</p> <p>"Section 2.1 Water – Wai</p> <p>Objectives</p> <ul style="list-style-type: none"> • The mana and mauri of water is safeguarded for present and future generations. • <i>The Raukawa kaitiaki relationship with our waters is respected, enhanced, and supported.</i> • <i>The health and wellbeing of the Waikato, Te Waihou, and the Upper Waipa River and their catchments are restored and protected.</i> <p>Methods</p> <p>M18 Local authorities should develop and champion education and awareness programmes to increase community engagement in water issues including water conservation and water efficiency.</p> <p>M20 Stakeholders should promote incentives for industry and businesses to uptake best practice water conservation and efficiency mechanisms."</p> <p>"Section 2.11.3 Infrastructure</p> <p>Objectives</p> <ul style="list-style-type: none"> • <i>Providers of infrastructure networks, developments, and operations within the Raukawa takiwa understand Raukawa values and interests.</i> • <i>The Raukawa cultural landscape and Raukawa cultural values and associations are protected and provided for in infrastructure planning and developments.</i> 		

- *Resilient and efficient infrastructure networks and renewable technologies are promoted within the Raukawa takiwa.*

Methods

M21 Local authorities and sector operators should ensure the infrastructure developments and operations are managed in accordance with the objectives of the Vision and Strategy for the Waikato River."

5.4 The Trust appreciates Council's acknowledgement of the relationship and JMA between the Trust and Council. The Trust seeks that as part of that relationship the relevant sections of Te Rautaki Taiao are considered by Council in the Strategy and Plan.

**Staff
Recommendation**

Recommend that the strategy references the Raukawa Iwi Management Plan.

Point Number	8.5	Category	3-Outcomes
Comments:	<p>The Trust supports the identification of high per capita water consumption in the Taupo District as an issue. The approximate consumption figure given of 400 litres per person per day significantly exceeds the national average of 260 litres. To protect and restore the health and well-being of the Waikato catchment requires that excessive water takes be reduced and that water taken is used efficiently.</p> <p>The Trust therefore strongly supports outcome two of the strategy, that Council "<i>use water responsibly</i>" and the subsequent goals and responses, set out below, as assisting in the achievement of Te Ture Whaimana and the objectives of Te Rautaki Taiao.</p>		

**Staff
Recommendation**

Point Number	8.6	Category	8-Implementation Plan
Comments:	<p>The Trust supports developing a "<i>Water Conservation and Education Plan</i>" as identified in the Implementation Plan and is disappointed that development of this plan is not prioritised or funded in the Implementation Plan. The Trust seeks that the "<i>Water Conservation and Education Plan</i>" be funded and developed in the 2019/20 financial year.</p> <p>The Trust also supports the development of a "<i>water loss strategy</i>" as a means of identifying works to reduce water loss from the water supply network and seeks that these works be prioritised and funded, if necessary by amendment to Council's Long Term Plan. Both the "<i>Water Conservation and Education Plan</i>" and the "<i>water loss strategy</i>" effectively align with methods 18, 20 and 21 of Te Rautaki Taiao as identified above.</p>		

**Staff
Recommendation**

Point Number	8.7	Category	4-Context
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Comments:	While the strategy includes data on per capita water consumption and populations serviced by supply schemes the strategy contains no data on actual or consented water takes either overall or for each water supply scheme. This information is required to assess progress towards the Strategy's goals and the effectiveness of Council's responses. The Trust therefore seeks that the Strategy include information on actual and consented water takes both overall and for each water supply scheme. Furthermore the Trust seeks that the strategy link the goal for reduced consumption to goals for reduced actual takes.		
Staff Recommendation	This information is too detailed for a strategy document. This information is included in the Water Asset Management Plan.		
Point Number	8.8	Category	5-lwi contribution
Comments:	The Trust appreciates the identification of the Ngati Tuwharetoa, Raukawa and Te Arawa River lwi Waikato River Act 2010 as guiding legislation in the Strategy and seeks that this Act (rather than the Waikato Tainui Raupatu Claims Act) be identified in figure two of the implementation Plan. The Trust considers that both the reference to, and consideration of, the relevant sections of Te Rautaki Taiao is also required in the Strategy.		
Staff Recommendation	Support that we amend the strategy, as requested.		