31 October 2019

Freshwater Submissions  
Ministry for the Environment  
P O Box 10362  
Wellington 6143  

By Email: consultation.freshwater@mfe.govt.nz

ACTION FOR HEALTHY WATERWAYS

Tēnā koe

Tuaropaki Trust makes the attached submission on the Government’s freshwater reform proposals to protect and restore New Zealand’s waterways.

Our contact details are:

Personal details removed

Nāku noa, nā

Steve Murray  
Chief Executive  
Tuaropaki Trust

Personal details removed
# Key Submission Points Regarding the Action for Healthy Waterways Proposal

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<td>Overview, questions 4-6 (page 19)</td>
<td>Recognition of Tuaropaki's uniqueness, and providing flexibility for complex, multiple land-use and integrated enterprises.</td>
<td>• Tuaropaki is a large-scale enterprise, and has diversified land-uses that integrates pastoral production, glasshouse horticulture, milk processing, geothermal energy generation, and horticultural research. • Tuaropaki is a significantly different enterprise than the vast majority of those for which the Action for Healthy Waterways proposal has been developed.</td>
<td>• Tuaropaki Trust is an Ahu Whenua Trust established under Te Ture Whenua Māori Act 1993. Accordingly, Tuaropaki manages and owns the land vested in the Trustees. • As a Māori Land Owner, all freshwater management decisions are the responsibility of the Trustees, which affords the Trust a legal status and scope of authority beyond those of a hapu or iwi entity. • We want to ensure that any healthy waterways proposal does not unnecessarily constrain Tuaropaki in its ability to deliver on positive environmental outcomes, in the most efficient manner, across its group of land-use activities - as a whole enterprise.</td>
<td>Tuaropaki Trust's responses to the proposed measures include but are not limited to: • Actively participating in the consultation process. • Reviewing the Trust's current practises, approach, strategies and seek that the proposed measures include the ability to provide for a whole of enterprise approach. • Supports the Freshwater Science and Technical Advisory Group recommendations 1(a)(b)(i)-(v), 2, 3(a)-(b), and 3(c) in part. • Request that recommendation 14 of the Freshwater Science and Technical Advisory Group be considered against existing demonstrable commitments by the Trust to maintaining and developing existing and new areas of wetlands across its lands and thereby ensuring perverse outcomes are avoided.</td>
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**TUAROPAKI TRUST**

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www.tuaropaki.com
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| Overview, questions 7 and 8 | Ensuring equity for those that have been committed and proactive in implementing freshwater management practices. | - Tuaropaki has invested in and resourced significant activity (research and monitoring) over time to inform its current land management practices to ensure the sustainability of its land-use.  
- Tuaropaki has been an early adopter of sustainable management practices, including self-investment in extensive R&D from which the Trust is developing best practice models that ensures vertically integrated and informed decisions can be made and implemented in respect of waterways, improved water practices and sustainable water management strategies. | - Concern that those who have taken steps to minimize the impacts of land-use activities by fencing waterways, riparian planting, bio-waste composting and comprehensive environmental data collection and analysis will, in doing so, are dis-advantaged by, and/or have reduced the types of mitigation activities available to them, in comparison to those who have taken no actions to date.  
- Desire that those who have acted proactively are recognised as such, and should not be negatively impacted as a result of actions for healthy waterways proposals. | - The Trust supports the idea of an independent national body to provide oversight of freshwater management implementation, subject to the incorporation of recognition for those land owners who demonstrate proactive management of their environment. |
| Te Mana o te wai, questions 9 to 12 | Ensuring the values and mana of the beneficial owners of Tuaropaki Trust are considered in terms of local practises of mahinga kai. | - Tuaropaki have established kai and native tree enterprises on their lands.  
- Kai production is a core commercial sector that Tuaropaki has interests. Over time Tuaropaki would be seeking to explore the regeneration of traditional kai on their lands. | - The proposal contemplates mahinga kai as a universal value for tangata whenua that will require regional councils to support the development of and implementation into their plans. The Trust supports this approach because the Trust which is based within Mokai lands has our own world view and perspective that relates to our corpus natural assets.  
- Mahinga kai values relevant to Tuaropaki are captured and appropriately incorporated into regional councils recognition of mahinga kai value. | - Support proposal 1.  
- Support proposal 2, with the exception that Māori Land owners (Māori Trusts and Incorporations) are afforded the same recognition. |
| Te Mana o te wai, question 17 and questions 40-42 on page 53 | NPS 3.19 Water Allocation, does not appear to take into consideration an enterprises water requirement on an annualised basis. This presents a risk where an enterprise may have variable uses throughout a 12 month period, including usage that may be difficult to forecast in advance. | - Tuaropaki has a water allocation that is fully utilised thus putting at risk businesses that require water.  
- Water allocations were considered holistically, Tuaropaki would be able to offset the months of high use against the months of low use. | - Support the new planning process for freshwater.  
- Do not support the Water Allocation provision at 3.19 in its current form. |
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| Question 19         | Exempting Hydro schemes prioritises them over and above the NPS objectives. | • Tuaropaki has no equity interests in hydroelectricity generation, but is active and has invested in R&D to investigate the biodiversity inherent in our surface waterways, i.e. likely occurrence of macroinvertebrates, bully, koura, long fin eel, koaro, rainbow trout, and brown trout in the waterways on its lands. This effort of work links back to the Trust’s core value “ka manaaki te whenua ka manaaki te tangata – look after the land and the land will look after you.” Preliminary R&D investigations focussed on identifying historic and current aquatic species found on Tuaropaki lands with a view to establishing a freshwater biodiversity baseline particularly for our native taonga species. | • Exemption is contrary to the proposed Māori values including, kei te ora te mauri and KWM’s proposed principles (see page 30)  
• Tuaropaki’s R&D records:  
  - fish occurrence and predictions which suggest that fish are sparsely distributed throughout the Mokai area. This can be partly attributed to geographical and geological reasons, but also be due to artificial fish barriers (in particular hydro dams), stream habitat alterations and land use changes. | • Support KWM and FLG’s opposition to the exemption of major hydro schemes. |
| Questions 30-35 on pages 52 and 53 | Existing water collection data, models, analysis and solutions undertaken on Tuaropaki lands are in jeopardy of being ignored in favour of a national policy framework. | • Tuaropaki invests significant resources into R&D in an effort to understand the impacts of its land-based enterprises on its waterways.  
• Tuaropaki’s R&D records:  
  - Stream health based on predicted macroinvertebrate community metrics appears to be compromised, with a significant number of sensitive taxa lost likely due to pastoral land use and possibly also point discharges.  
  - Conversions from indigenous forests to pastoral land uses has large effects on ecosystems, however some of the negative effects can be addressed to improve general stream health and enhance fish populations of interest. | • Support in principle improving the collection of data on freshwater. However, where Tuaropaki has invested in R&D, consideration be given to acknowledging and using that R&D data.  
• Support KWM and FLG recommendations to consider total volume of water take when deciding which users are required to install telemetry devices to measure and report. |
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<td>Question 36 on page 53</td>
<td>Higher standard for swimming.</td>
<td>The Trust has an expectation that we strive to protect our corpus natural assets within the context of our land-based business activities. Not actively pursuing the highest water quality not only.</td>
<td>• Support STAG and RSWs recommendation to complete a proposed Quantitative Microbial Risk Assessment as soon as possible. Once completed the relationship between disease causing organisms and bacterial indicator organisms would assist in setting thresholds to estimate risks of illness. Accordingly, support the higher standard for swimming.</td>
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<td>Question 37 on page 53</td>
<td>Adequate water flowing through a waterway.</td>
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<td>• Support advisory group’s requirement for further work to understand what level of water flow and flow regime is required for ecosystem health, and to review existing resource consents.</td>
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<td>Questions 43 on page 56</td>
<td>Safer drinking water.</td>
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<td>• Support proposed amendments to the Drinking Water NES and the engagement with tangata whenua on their views on source water.</td>
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<td>Questions 51 to 53 on page 80</td>
<td>Improving farm practices.</td>
<td>• Tuaropaki has dairy, sheep, beef and forage operations on its lands. • Tuaropaki has 11.5 hectares of glasshouses on its lands.</td>
<td>Potential negative impacts on current operations.</td>
<td>• Support RSWS proposal to improve farm practices, including restricting intensification of rural land use where it impacts on water quality. • Support proposals to limit further intensification in over allocated catchments in the interim. However, consideration to look at the enterprise activities holistically when making a decision should be given.</td>
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<td>Questions 58 to 64 page 80</td>
<td>Reducing nitrogen loss.</td>
<td>• The Trust has begun a long-term programme of planting approximately 92 hectares of riparian areas and is actively retiring parcels of land that are marginal for agricultural land-use.</td>
<td></td>
<td>• Support the reduction of nitrogen losses in nitrogen impacted catchments.</td>
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| Questions 65 to 68 on page 80 | Excluding stock from waterways. | • Tuaropaki has approximately 82 kms of waterways  
• Tuaropaki has 495.5 kms of fencing across its lands, of which 165 km is for riparian planting. | • Support the new standards for when stock must be excluded from wetlands, lakes and rivers more than one meter wide, but there needs to be a clear definition of what constitutes a waterway. For instance, is it a stream that is greater than one meter wide all year round or could be less than one meter wide for 90% of the time, except in flood situations when it is greater than one meter wide.  
• Support the requirement for mandatory Farm Environment Plans, and a move to best practice for winter grazing. | • Support the 'averaging' width set-back approach to stock exclusion and that current fencing remains in place where fencing is already excluding stock from entering waterways. Minimum buffer widths need to be practical and deliver outcomes.  
• Do not support requirements to move existing fences by 2025 as there is limited progress to be achieved by re-fencing the same length of stream.  
• Support smaller waterways being managed to protect critical source areas, but do not support an 'average' distance set-back approach on these smaller waterways.  
• Should make the most of Farm Environment Plans in place – Some elements of the Essential Freshwater proposals would be better addressed through FEPs, rather than requiring a consent. For example, stock holding areas and the maintenance and management of wetlands should be Permitted Activities and managed through FEPs. |
| Questions 65 to 68 on page 80 | Excluding stock from waterways. | | | |
Submission: Action for Healthy Waterways

1. Tuaropaki Trust

1.1 Overview of the Trust

1.1.1 Tuaropaki Trust ("the Trust") was amalgamated from multiple owned lands in 1952 that can be traced to the descendants of seven Mōkai hapū: Ngāti Parekaawa, Ngāti Te Kohera, Ngāti Wairangi, Ngāti Whāia, Ngāti Moekino, Ngāti Haa and Ngāti Tarakalahi. These hapū have tribal affiliations to Ngāti Tūwharetoa and Ngāti Raukawa. Tuaropaki is an Ahu Whenua Trust acting under the provisions of Te Ture Whenua Māori Act 1993.

1.1.2 In the mid-1960s a comprehensive development programme commenced under the administration of the Department of Māori Affairs. The Tuaropaki Land Development Scheme was initiated with a loan from the Department of Māori Affairs. By 1982, the Trust had repaid the loan which resulted in the administration of the land being returned to the land owners.

1.1.3 Initially, farming operations included cattle and sheep, however, over the years the Trust gradually introduced other stock as a means of providing on-farm diversification including dairy. Over the past 30 years, the Trust has managed to not only grow their asset base but also diversify their portfolio continuously.

1.1.4 In 1994 the Trust established Tuaropaki Power Company and in 2000 commissioned the Trust’s first geothermal generator, Mokai 1. A second plant has since opened to produce a total of 113 MW of renewable electricity, in partnership with Mercury (previously Mighty River Power).

1.1.5 Further diversification in 2002 saw the Trust invest in Gourmet Mokai, a joint venture with produce grower and exporter Gourmet Paprika, which resulted in the first 6.2 hectares of geothermally-heated, hydroponic glasshouses being built and have subsequently expanded to 12 hectares.

1.1.6 The Trust further expanded its focus on value adding by establishing Miraka a milk processing facility, in partnership with Wairarapa Moana, Waipapa 9 Trust, Hauhangaroa Partnership, Tauhara Moana Trust, Pouakani Trust, Te Tumu Paeroa and Te Awahohonu Trust. Miraka was set up as a Māori-owned and vertically integrated business in order to secure better returns for the owners.

1.1.7 As part of the design and development of Miraka, the Trust commissioned MB Century to provide a design build solution for a clean steam generation plant using existing high enthalpy geothermal resources to provide clean steam to Miraka – a world first. Building on this partnership, and looking for vertical integration in the Energy sector, the Trust acquired MB Century in 2015.

1.1.8 The Trust has had solid success over the years growing the asset base from $4 million in 1982 to $1 billion in 2016 on 4,000 hectares of land, and now contributing to the creation of 366 FTE jobs across its various businesses and investments within the upper Waikato region. However, at the forefront of the Trust’s ethos is balancing its commercial interests with its cultural, social and environmental responsibilities.

1.1.9 Sustainability is an integral part of the Trust’s guiding principles. It operates from the philosophy that neglecting the environment, culture and social aspects will be a barrier to long-term survival at both the macro and micro level. The establishment of a worm farm to process waste from Miraka, green waste from the glass houses, as well as solids from the dairy farm was the first step towards a closed loop integrated system.

1.1.10 The Ngaire George Sustainability Centre is dedicated to the pursuit of innovative environmental
practices to mitigate and manage the impacts of development. Its operations now include:

- 4.5 kilometres of worm rows involving the processing of green and dairy process waste from its enterprises;
- Native plant nursery (200,000 plants annually);
- Caretaker of the national harakeke collection (65 different species);
- Caretaker of over 970 rare heritage and native seeds, cultivars, fruit trees and flowers;
- Various research initiatives;
- Riparian planting programme management; and
- Developing a sustainability template for sustainability reporting that is holistic and encompasses environment, cultural, social and economic endpoints.

1.1.11 The success of the Trust’s development has provided the means to extend its role as kaitiaki (guardian) beyond the land and wider environment to encompass community and cultural wellbeing. The Trust currently has 2,400 owners all of whom receive economic dividends and social benefits from the Trust. The Trust also has a long history of investing in the Mokai, Tirohanga and the Taupo communities. This approach has included the provision of free T>Stream (wi-fi access) for the Taupo CBD.

1.1.12 The ability of the Trust to balance people, culture, profit and planet makes it unique amongst many commercial entities. As a result, the Trust is honoured to have hosted notable overseas dignitaries including Her Excellency, Princess Razan, Khalifa Al Mubarak, Secretary-General of the Environment, Abu Dhabi, a number of Permanent Representatives to the United Nations and the visit of the former Secretary General of the United Nations Ban Ki Moon. The Trust continually strives to show others how the four pillars that make up its sustainability model are not mutually exclusive but indeed complementary.