

Review of Te Ture Whaimana o Te Awa o Waikato (Vision & Strategy) Request for Expressions of Interest



Background

In 1987 Sir Robert Mahuta, the Tainui Maaori Trust Board and Ngaa Marae Toopu filed an historic claim to the Waikato River, as part of the raupatu (confiscation) claims with the Waitangi Tribunal. Sir Robert sought redress for the confiscation of Waikato lands and the consequences of raupatu which impact on the health and wellbeing of the Waikato River and the relationship of Waikato-Tainui with the Waikato River. Through the Treaty Settlement process between Waikato-Tainui and the Crown, the Guardians Establishment Committee was formed with the support of other Waikato River Iwi. In 2009 the Guardians Establishment Committee (GEC) then achieved its objective and finalised its Vision & Strategy for the Waikato River.

In 2010, the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act established the Waikato River Authority as an independent statutory organisation tasked with the guardianship of the Te Ture Whaimana o Te Awa o Waikato (Vision & Strategy), among other objectives. This includes its periodic review and potential amendment. Complementary co-management legislation between the three upper Waikato River Iwi (Ngāti Tūwharetoa, Te Arawa River Iwi Trust, and Raukawa) was also passed (Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010).

In 2012 the Treaty of Waitangi settlement between Ngāti Maniapoto and the Crown was finalised. An outcome of this settlement was the passing of the Ngā Wai o Maniapoto Act 2012. This Act strengthened current provisions in the Waikato-Tainui and upper Waikato River Iwi legislation, extending the reach of the Vision & Strategy into the upper Waipā River.

During this review of the Vision & Strategy, the Waikato River Authority must ensure that the Vision & Strategy

contributes to achieving the overarching purpose of the Act. If the Waikato River Authority decides that amendments are required to the Vision & Strategy, it must take into account the Maniapoto environmental plan and the Maniapoto objectives.

The Vision & Strategy to restore and protect the health and wellbeing of the Waikato River and all it embraces for future generations has been incorporated in the settlement legislation as the primary direction setting document for all activities within the catchment. The Vision & Strategy also includes objectives sought by Waikato-Tainui and River Iwi to achieve the Vision. These objectives encompass all people of the River and their relationships with it – through their communities, Marae, industries, recreation, social and cultural pursuits.

It will take commitment and time to restore and protect the health and wellbeing of the Waikato River. Only by us all working together collaboratively and cooperatively will the Vision be realised.

Review of the Vision & Strategy (V&S)

The Waikato River Authority is required to periodically review the Vision & Strategy. The board of the Waikato River Authority at its December 2020 board meeting resolved that the Vision & Strategy Review should proceed to consideration of potential amendments to the existing Vision & Strategy. The Waikato River Authority supports a strong co-designed review process with River Iwi and the Crown.

The Vision & Strategy has remained unchanged since its development by the GEC.

All content of the Vision & Strategy is able to be amended save for the Vision statement itself. New provisions to update the Vision & Strategy may be added.

The Vision & Strategy is the primary direction setting document for the Waikato River and activities within its catchment affecting the Waikato and Waipā River. Any amendments proposed to the Vision & Strategy should enhance the ability of the Vision & Strategy to remain the primary direction setting document.

It is essential that the review process has equal weighting given to Maatauranga Maaori alongside western science and this is incorporated this within all stages of the review.

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Services Required

The Waikato River Authority requests tenders from suitably qualified organisations that can provide the following services in support of the review process for the Vision & Strategy:

- A successful engagement process with the appointers (River Iwi and the Crown) throughout the review process including as part of a co-design review approach with the Waikato River Authority;
- A successful engagement process with key stakeholders throughout the review process;

A successful engagement process with catchment communities throughout the review process;

- Drafting of potential amendments to the Vision & Strategy supported by a sound analysis of the reasoning for, and impact of, any amendments (similar to a Regulatory Impact Statement);
- Prepare proposed amendments to the Vision & Strategy arising from the consultation (for WRA Board consideration).
- Notifying a revised Vision & Strategy and calling for submissions (including how they are received and acknowledged);
- Conducting an open and transparent submission process;
- Supporting the hearing process so that all submitters wishing to be heard are fairly heard and the hearing panel is supported where required; and
- Supporting the hearing panel in preparing a final revised Vision & Strategy for the Waikato River Authority's consideration.
- Communication services associated with delivery of the above.

This is an opportunity to build on the innovation that the Vision & Strategy provided at its inception and the gains made through other treaty settlements and national policy change since 2010.

Areas of feedback received to date regarding the Vision & Strategy include, for example, incorporating climate change and water allocation objectives.

The skill set we require includes:

- Ability to include and understand Maatauranga aa Iwi, tikanga, co-governance framework, Settlement and Treaty Principles within the review process;
- Social, economic, environmental and statutory planning assessments arising from proposed amendments to the Vision & Strategy;
- Sector knowledge across industry within the Waikato River catchment, particularly agriculture and power generation;
- Workshop facilitation;
- Media/Public/Stakeholder communication; and
- Policy drafting.

The process for completing the review is expected to take approximately two years. The successful contractor will be responsible for developing the critical milestones that will meet this time frame.

Timelines for EOI

- Deadline for submitting questions: 16 June 2021.
- Deadline for Waikato River Authority to answer questions: 23 June 2021.
- Deadline for submitting an Expression of Interest: 30 June 2021.
- Waikato River Authority will notify Respondents whether or not their EOI has been accepted: 14 July 2021.



Conditions of Engagement

- Respondents are responsible for ensuring their EOI has been received.
- The request for EOI does not create a process contract or any legal relationship between Waikato River Authority and the Respondent.
- Waikato River Authority may amend, cancel or re-issue the request for EOI.
- Waikato River Authority in its sole discretion may accept late EOIs.
- Waikato River Authority in its sole discretion may accept late questions.
- Waikato River Authority in its sole discretion may accept or reject any EOI.
- Waikato River Authority is not liable for any damages, costs loses etc incurred by the Respondent in taking part in the EOI process.

Submission Contact

- Expressions, questions, clarifications must be submitted to the Waikato River Authority contact person only.
Julian Williams, Advisor Engagement & Policy
Waikato River Authority, julian@waikatoriver.org.nz
- The address for submitting Expressions of Interest is by email only to:
Julian Williams, julian@waikatoriver.org.nz.
- EOI's submitted must be of a suitable size for email.



Required information

At this time we request an Expression of Interest (EOI) from suitable organisations (including joint ventures). The EOI will allow potential tenderers to receive notices from the Waikato River Authority and be invited to participate in the Request For Tenders process (RFP). The EOI must include a:

- Statement of knowledge and understanding of the Vision & Strategy and the historical context in which it was initially developed (note this is a pre-condition for tender acceptance).

If your organization is selected to participate in the RFT process you will need to include:

- Supplier's location, size, structure and annual turnover.
- Track record in delivering similar services.
- Understanding of the requirements and proposed methodology.
- Operational and financial systems to manage delivery
- Proposed team including CVs and individual track record in delivering services required.
- Proposed fee.

