

Additional Comments on Objective 8

Objective 8 of the Proposed National Policy Statement states:

"Iwi and Hapu Roles and Tangata Whenua Values

To ensure that iwi and hapu are involved, and Tangata Whenua Values and Interests are identified and reflected, in the management of Freshwater Resources including the matters specified in Objectives 1 – 7."

Council agreed with the Objective 8 in its submission. It noted that declining water quality and increasing demand for freshwater resources are key issues which are continually reiterated by tangata whenua in Iwi Management Plans and Treaty of Waitangi Findings where water quality issues are featured.

Given the significant Treaty of Waitangi settlements and arrangements where freshwater resources are involved, (for example the co-management of the Waikato river between Tainui and the Crown and the Manukau Harbour), objectives and policies concerning tangata whenua, Iwi Management Plans and any Treaty of Waitangi Findings need to be recognised.

While the intent of the Objective is supported, Council's evidence states that there is a need to improve the clarity of the objective. The terms that create uncertainty are the words *"involved"*, *"identified"* and *"reflected."*

The contents of the National Policy Statement have to be consistent with the Resource Management Act. The relevant sections of the Act are :

Section 6: Matters of national importance

*"In achieving the purpose of this Act, all persons exercising functions and powers under it, shall recognise and provide for the following matters of national importance:
(e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga..."*

Section 7: Other matters

*"In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to-
(a) Kaitiakitanga
(aa) The ethic of stewardship..."*

Section 8: Treaty of Waitangi

"In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)."

Possible amendments to objective 8:

“To ensure that the relationship of Maori and their culture and traditions associated with ancestral water are recognised and provided for, with particular regard to the exercise of their functions and powers for kaitiakitanga and the ethic of stewardship, and taking into account the principles of the Treaty of Waitangi.”