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the tabled evidence/statement



**HEARD BEFORE JUDGE D SHEPPARD (CHAIR), MR K PRIME,
DR J HARDING AND MRS J VERNON, MEMBERS OF THE BOARD**

WEDNESDAY 22 JULY 2009

**HELD AT TE RŪNANGA O NGĀI TAHU CONFERENCE ROOM,
158 HEREFORD STREET, TE WAIPOUNAMU HOUSE, CHRISTCHURCH**

HEARING OPENED [9.34 am]

APPEARANCES

Ms M Sparrow, Mr S Markham and Mr N Harrison, Waimakariri District Council

Mr H Blake-Manson, Selwyn District Council

Dr T Heiler, Irrigation New Zealand Inc

Mr Sintenie, Orari River Protection Group Inc

Ms J Finlayson

Mr A Sintenie and Ms C Sintenie

Mrs H Tirikatene-Nash

Mr N Tirikatene-Nash

Audio file: dpm0108

CHAIR: Good morning and welcome. We were having a varied hearing of various submissions here in this room yesterday, so we look forward to hearing what you have to tell us this morning. May I introduce the members of the Board. On my right is Mrs Vernon from Waingaro in the Waikato, on Mrs Vernon's right is Kevin Prime, of Ngati Hine, he comes from the far north. On my left is Dr Harding from the University of Canterbury and I am the chairperson.

MR MARKHAM: Good morning, kia ora. There are three staff representatives here from the Waimakariri District Council. My name is Simon Markham and my colleagues are Mary Sparrow and Nick Harrison. Our presentation in the first instance is relatively short. We want to focus on three key aspects of the council's submission and Mrs Sparrow will lead off on that.

CHAIR: Good morning Mrs Sparrow. Thank you very much.

MRS SPARROW: Good morning sir. The three points we want to look at are in fact firstly the definition of land use development, which we have dealt with as a specific matter in our submission – we have put a possible revised definition. We are very conscious that when we're working under the RMA that precision of language which is absolutely crucial, otherwise we can get into - find lots of difficulties further down the line. That is why we feel particularly this concept of land use change, is difficult to comprehend because it could mean anything. It could mean I've changed from grass to farming a crop or some like that. And one wonders exactly what level we need to exercise control to achieve the objectives of the National Policy Statement. So that really is one of our major issues.

We may not have got it right. I'm quite happy to admit that. Maybe we focused too much on the Canterbury context and talked about intensification in relation to irrigation, whereas land use change, say in the central North Island may have something to do with a change from forestry to dairying, or something of that ilk. But to cover all bases I still think we need to be more precise about that definition. That's the key point we want to make there.

The next point we want to make is to actually link Objective 7 when we talk about - which deals with the issue of avoiding waste, besides the concerns about best practice - and here I think we are looking at a water policy setting which is going to allow us to get into a reasonable process of upgrading, sorting out the difficulties that we have got at the present time in terms of the activities that threaten freshwater quality. And here we'd actually draw on our experience of working under the NES for Air Quality, where we've seen very, very substantial sums being spent in a relatively short space of time to try to getting to improve air quality in our urban areas, when some of these urban areas are only marginal in terms of the difficulties with the air quality. And at the end of the day one wonders whether if we have taken the whole exercise a little more slowly it would have been self-correcting as the older appliances were taken out. And I think the same sort of thing holds for looking at the piping networks, for instance, with community water supplies. Yes, there may be some leakage; you could argue that that is wastage, from another point of view it may not be because it's still on the planet, but are we going to start to ask these communities to replace pipes at a pace faster than we might have otherwise done? Similarly with irrigation systems, and this sort of thing.

[9.40am]

So we would actually favour the use of the term “minimising waste” rather than “avoiding waste” in the objective. And the use of the term “best practicable” rather than “best practice” because that again allows us to put higher standards in for new activities versus allowing other activities to maybe upgraded at a more reasonable pace.

The other point that concerns us relates to policies 3 and 5 which make it mandatory to make changes to district plans. Our view is that the control of water and the management of land for the purposes of water quality rests with the region. If there are – is a need for changes to district plans as the result of the measures that eventually come through in this National Policy Statement, we feel that they shouldn’t be mandatory, they should be voluntary. They should be made on a case to case basis, depending on exactly the circumstances in the region, and the district concerned.

So those are actually our three major points. The other reason for being pretty sure we want to see the control stopping at regional level is that if we are going to be looking at things like nutrient budgeting on farms, and things, it’s I think very hard to expect rural council to have the expertise to manage these situations, and it would be far better if the opportunity was created for regional councils to become specialists in these sort of areas. That really is all we wish to say directly on the matters we addressed in our submission, otherwise we’re happy to answer questions.

CHAIR: Thank you very much. I think we may have one or two questions. I will start by saying how grateful we are that you have come to give us this summary, as it were, not the council’s submission which is so clear and quite easy for us to comprehend.

MRS VERNON: Just to follow along your - In objective 7, on your 2.2; you talk about avoiding waste and minimising waste. And I would just like to

explore that a little bit further with you in that I see that this - part of what New Zealand is looking for is perhaps, a raising of the bar and I just would like you to explore a bit further the word minimising always looks like to me, we are going down backwards, not forwards, and avoiding is a type of hurdle. Can you just explain to me why you, you know, and I understand you're a small rural community; I live in a small rural community too, that it isn't actually going that way rather than setting a higher standard, which I have to say a lot of submitters are looking to this NPS to raise the bar, not lower the bar.

MR MARKHAM: I think we are seeing the to minimising as inclusive of the two situations that Mrs Sparrow refers to. In the case of looking at existing activities and requiring new consenting, there's the opportunity in that instance to up the game. And I understand the sentiment about up-ing the game, but then to look at existing use and provide a more severe test of avoiding, in our view I think take things a little too far, too quickly.

Certainly then in the second situation of wholly new activities, the emphasis in terms of minimising is inclusive of approaches which range from avoiding through to, as we talked about earlier in terms of our "best practicable" option. I guess it is not seeking to set a lower standard per se, but it is seeking to provide a platform where the appropriate regime in terms of decisions reflects the reality of the situation on the ground, and certainly our sentiment as our experience with air quality, and we have two (inaudible) that are requiring quite a high level of conversion in the air quality sector, is to look for the best practicable in the circumstances, and to be in a position to look at the merits of the case, a little more than a rather harsh standard of avoiding - it has a degree of finality and control which I guess, we believe is not appropriate under the circumstances.

MR HARRISON: I think to add to that to Simon - excuse me, we do have our asset management plan system for our community water supplies. Which more or less lock us into program expenditure over the next ten years, as far as assets, They would be managed along the lines of minimising loss, most efficient use, that statement changed that context, and could - and (inaudible) asset management plans to be changed, at a cost to the community, which hasn't been necessarily (inaudible)

MRS VERNON: How big is your District Council?

MR MARKHAM: Population-wise, we are at about 46,000

MRS SPARROW: About 60% urban.

MRS VERNON: 60% urban. But small urban - I mean rural.

MRS SPARROW: Well, we are talking the largest is Rangiora and Rangiora has a population of approaching 13,000, 13,500, maybe Kaiapoi is a bit smaller. We also have some very rapid areas of growth particularly with the new town in Pegasus, so that it's a complicated area to administer. And yet we do have some smaller communities, and poorer communities – Oxford for argument's sake, qualified for a substantial grant from the Ministry of Health to upgrade its paper water system recently. So that's the mix and the rest of it is small holdings, very urban - development and a few larger properties out the back.

MRS VERNON: Right. It probably doesn't surprise you that there has been a lot of discussion by other submitters, I'm sure we will get more about this term "land use development." Some submitters have suggested that an actual fact the word "development" is the issue, and that it could be better as say "land use activity" or "land use effects" and I guess that was a little

along the lines that you were suggesting. But I note - and I did question why you have just got irrigation, urban subdivision and development, given that this document is going to have to be a nationwide applicable and not everybody has irrigation, and not everybody has urban subdivision either. So I guess you would be flexible on that point.

MRS SPARROW: Well that was the point I was trying to make in my earlier presentation, because you write these things in one context, and you come back some time later to have another look at what you are saying, and I thought, "Well yes, okay, it is essentially a Canterbury focus on that one." But I still think we need to be a little bit more precise about exactly which land uses we are targeting, rather than land use change, per se because which may actually be beneficial for water management purposes and things and therefore, do we need to control it, we can just let it happen sort of stuff. And that I think is where we are coming from.

MR MARKHAM: I guess the key point is one of significance, and to encapsulate that in a definition I think made perhaps, a partial contribution, but our feeling is, as stated, it is so broad and inclusive as to be unhelpful.

MR PRIME: Your request for Objective 8 to retain the obligation to involve iwi and tangata whenua but not hapu, are you able to elaborate on that?

MR HARRISON: I think in my view, it's reflecting that developing unique Waimakariri circumstances where we are dealing principally with Ngāi Tahu and (inaudible) in terms of our consultation, so we don't go to the hapu level for our circumstances.

[9.50am]

MR MARKHAM: Perhaps to just explain a little further, we are within the rohe of Ngāi Tua Hurere (ph) and we have a memorandum of understanding directly with the runaka and our consultation processes are focussed at that level rather than - and there's a perception of a need for wider engagement with Ngāi Tahu in a broader sense. That is from our point of view on advice from our local runaka.

MRS SPARROW: The other general, I think, thought, behind this is and one or two other aspects of our submission is that in many respects this is coming in over a whole lot of practices, and procedures and things that people are already doing. And it was a feeling that in many instances the relationships between Māori and the councils would be established, they mightn't be the same as ours but they would be established practices, and it would be very difficult then to start - you may well be able overturning things, making things more difficult than they already are and they are reasonably satisfactory at the present time, it would be probably not very helpful to have a National Policy Statement which suddenly required changes to these processes. That would be our view. I suppose again it's getting back to this issue we were looking at just before, it's a case of our aspirational goals versus reasonable, firm bottom lines in a National Policy Statement. That would be one of the reasons why the submission was made. I understand it was also one that did cause concern across the local government sector.

MR MARKHAM: Can I just explain a little further that within the greater Christchurch area, the six runanga who are of this part of Ngāi Tahu's territory have collaborated to form a joint venture company (inaudible) which is the vehicle for which our engagement on resource management matters primarily happens. So we with our local runanga, Ngāi Tua Hurere (ph) will, on advice from their specialist company on resource management, advise us of the extent and nature of the engagement we

might have. So having in a sense a mandatory requirement to engage at that level and then also at Ngāi Tahu was we felt a little bit over the top from the point of view of the established processes that we currently have in place.

MR PRIME: You don't foresee any difficulties from the hapu then, if an iwi overrode what their feelings were.

MR MARKHAM: I guess we see that as an issue for the local and wider tribe to determine and it's not our role to seek to resolve that. It's partly you know, respect for the relationship that exists within Ngāi Tahu and our concern is to not prejudice good relationships by our own activities.

MR PRIME: And how many hapu would there be in your council area to your have knowledge?

MR MARKHAM: Ngāi Tua Hurere (ph) cover our whole council area and to that extent in one sense it's a simple situation.

MR PRIME: Thank you, I understand better now.

MR HARRISON: Operationally we have a monthly meeting with the Ngāi Tahu Area Resource Management Committee. It is almost general council business, isn't it?

MR MARKHAM: It can range beyond resource management and our new relationship with the company that has been formed. (inaudible) is that they will participate in that process but they will advise the local runanga in relation to resource management matters and the council has provided the funding to assist that to happen as part of our contribution to (inaudible).

DR HARDING: Thank you for your submission. I have just got a couple of questions related to your submission on page 3 about Policy 1(a) where Policy 1(a) is referring to the timetable issue, but within that discussion you bring up the topic of the ephemeral streams and intermittent flowing streams and that sort of thing. Yesterday the regional council were asked about how they felt about temporary streams or intermittent flowing streams and they supported the inclusion of that in this policy statement. What's your view on that topic?

MRS SPARROW: I'll take this one. I think our view firstly, was again, thinking in terms of the Canterbury situation, there are a large number of relatively small inland streams that contribute to our major rivers. And what we were trying to do was say, look - again, let's pitch at a level at which we will get most of the work done without making it mandatory that we have to go and look at all the small streams that might be up in the Rakaia Gorge leading into the Rakaia River, or something like that. That was the thinking behind putting some sort of peg in the ground, if you like, in terms of saying, let's go out after the major, the larger streams, particularly when we are setting minimum flows and things. It gets very difficult to set the minimum flows if it is flowing most of the time.

And again, I think it is the problems that we have with definitions. And again, we have got intermittently flowing streams, ephemeral streams, flowing streams, what's the difference when one ends and another one cuts in, it is essentially I think, again, part of this whole use of terminology within the Regional Policy Statement that we do have to watch.

There are two lines of thought behind that, as far as - and we are very mindful for instance we do have a number - even our major rivers in our district such as the Aire (ph) and the Ashley. which do not flow continuously during the summer. Again, how do we handle them under

Policy 1 as it is written at the present time? And that is the problem I think, because these things are mandatory, we're going to have to tackle them and we would like to make sure that we can actually deliver on it, it would be nice to think.

DR HARDING: Okay, so one issue there is minimum flow, you brought up. But also another consideration is generally, is water quality, generally. And I know that you've mentioned dealing with the larger rivers and in your amendment you talk about the timetable relating to water resources of 3 metres or above, which won't be rooted for minimum flow issues, but for water quality some might suggest that it is actually the much smaller waterways that actually control the water quality of the larger rivers. So maybe we should be thinking about emphasising the smaller systems rather than larger systems? There's still the logistics problem you've talked about.

MRS SPARROW: It's the mammoth task if you like, and maybe again at Canterbury we are rather conscious of how long it is has taken to get our first generation plans into place. I think it is just getting a balance with what is doable, what's a reasonable bottom line rather than an aspirational top line?

CHAIR: I just want to understand a little better the question about distinguishing between new activities and existing activities. What was in my mind is that we are talking about the content of an instrument that is under the RMA as part of the RMA regime, but it's supportive to the RMA and the RMA, whether wisely or not isn't for us to consider, but it has its own regime about existing activities, and protecting them within limits if they are under resource consents and when the resource consents expire, it's got to be dealt with as a new application. And that's the time when existing activities are brought into whatever the current standard is, but up

until then they're entitled to carry on, aren't they? And then of course if they are permitted activities that gives them a stronger protection, subject of course to the procedures under the RMA itself. I say that because that is my attempt to explain why I'm not sure I've your point you were making and I hope you'll help me.

[10am]

MR HARRISON: Putting your point into say the context of the community water supply which might have a resource consent for water take and then reticulate it through, the resource consent by the time it's finished, the community water supply is therefore required to be upgraded to (inaudible) new specification there is.

CHAIR: Well, I'm not quite clear whether that's so, if the take requires a new resource consent, then obviously the new regime will be part of the background of the decision whether the resource consent should be granted or not, and if it is to be granted on what conditions. And all by reference to the purpose of the Act which you will remember tries to incorporate a lot of sometimes conflicting values, so that in the end, it is not just a matter of saying, "Here's the rule: if it needs a resource consent the resource consent can be granted, and sometimes will be, according to the whole circumstances. Is that right?"

MR HARRISON: That is the line we are going down in my mind.

CHAIR: So that in a sense the regime already has this kind of aspirational quality about it, rather than saying, well you've got to do it now, although you haven't got the money to do it, because you've budgeted to do it over 10 years, or whatever. So I am just wanting to fully understand your concern.

MR HARRISON: The concern I think does rest back with how compulsive if you like, the statement (inaudible) the decision making on the resource consent process in that circumstance.

CHAIR: What we are looking at is an objectives and policies document. What we are looking at is not a plan with rules. That will perhaps depend on what the regional council does by way of implementing it and to some extent even the Waimakariri District Council has some influence on how the regional council performs its duties.

MRS SPARROW: I think you can suggest therefore, in part some comments are influenced to a certain extent (inaudible) with the uncertainty, if you like, in an already not very certain world that is introduced by introducing another document which will have high status in the hierarchy of documents to say, "Where is this thing going to end up? How is it actually going to be incorporated?" And just trying to close off a few of the possibilities, should we say, for extreme interpretations which might end up with consequences that were not necessarily seen as being advantageous to communities or even individual operators from all points of the compass if you like. I think that would explain the fear factor, if you will.

CHAIR: Well, it is also part of the value in having a clear understanding of what is meant by "land use development", for example

MRS SPARROW: Exactly.

CHAIR: And some of the uncertainties about that we were discussing a little earlier, may be helped if one thinks of what's the purpose of this? and if the purpose it to reduce adverse environmental effects, then you can understand the kind of language that you are suggesting this definition

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provides - more precise (inaudible), can't you? Well thank you for that. I think those are the questions the Board has for you. And we are very grateful to you for answering them so helpfully. Is there anything else further you want to say to us? We will keep it brief. We are grateful to you. But we are also grateful for what, as a submission, is clearly one that has been thought through thoroughly.

ADJOURNED

[10.27 am]

Audio file: dpm0109

RESUMED [11.36 am]

CHAIR: Good morning and welcome. You are Mr Heiler, are you?

DR HEILER: Yes sir.

CHAIR: I have heard about you, and so I'm particularly pleased that we have this opportunity of meeting with you this morning, and hearing your presentation of the submission. And so would you just proceed to do so. As seems, appropriate to you.

DR HEILER: Thank you. I will assume that you have the opportunity to read, what was submitted so I won't read it. I would like to highlight a few points, and move around a little, if that is okay.

CHAIR: Of course, just however, seems right to you

DR HEILER: The first point would be to describe where I come from, as with in the (inaudible) room, we should really give a bit of Whakapapa stuff. I have been up until a week ago, the Chief Executive Officer of Irrigation New Zealand. I've now stepped back from that, and have a replacement in place. The organisation was set up three years ago, to represent the interests of the irrigation industry, primarily irrigation water users, although it does represent the interests of - we have regional council members we have industry commercial players, and any interested individuals as well but it's largely irrigation farmers, 3,500 members. About 35 percent of the irrigated land in New Zealand is represented by that membership, and because of that we have been fortunate enough to sit around the table during the water programme of action activity. I personally was working

for the National Environmental Standards on ecological flows, and water measurement, and made some prior submissions in regard to the NPS, prior to its being drafted, unsolicited at that stage I might say.

I've always believed - moving on - that an NPS is on fresh water is sorely needed. As you would know, it was intended that the RMA in 91, in its implementation would be developed within a framework with clear national direction delivered through NPSs and NESs and for whatever reason, but that didn't happen. Also, it was hoped that the monies allocated to this matter through central Government by way of (inaudible) the Ministry's of Works and Development Town and Country Planning would follow the legislation, and augment the resources of the regional councils to implement, that didn't happen either, and both those omissions in my view have resulted in what we now have is a unsatisfactory state of affairs with our freshwater environment.

So, with the NPS coming in 2009, 2010 perhaps, long overdue, I welcome it.

But the interesting situation in that the terms of reference for your work was drawn up under the previous Labour lead Government. And November saw a change in Government, and a lot of us fully expected that your work would be curtailed and you would be given a new set of terms of reference, and that wasn't the case. So, there's some confusion in the mind, I guess, of submitters, me particularly, as to how I respond to terms of reference prepared to certain policy position, if an administration is no longer there, what I know from my own experience, is that there's a new policy position development.

Now I guess that's something that is interesting to you as well. The reviews of the RMA stage one and stage two, will clearly have a big

influence on the way you are directed in this matter, and the development, 1000 functions of the environmental protection authority also, could change the landscape, and the way that we do things. That's not to say that our higher level aspirations should change at all. That's only provided we go ahead (inaudible) change.

[11.40am]

Section 32. Preambles and the material in the start of the draft document quite fairly, I think, describes the problem we've got here in this, but I will add some additional points. In my experience, there is an enormous problem, in coordination and consistency, between the Regional Councils and the statutory powers of the seven Government Agencies that relate, and impact upon, the matters that this policy statement addresses. Seems, to me that, as well as the NPS, we are probably due to have a close look at the institutions related to environmental management, because they haven't changed for a long time. MfE and Department of Conservation was set up in the 80s, commensurate with the demise of Ministry of Works, which is the reason why they were set up in the first place. Ministry of Works leaves the scene, and we were left with two agencies that really had their reason for existence, because of the centralist and development focus of the Ministry of Works and development, under the Muldoon administration. So it's certainly time that we had a look at the institutions, because I think there is a lot of confusion out there about roles and some of it's not very helpful.

The other point I would make is that, almost all of the thinking that has been done about how we manage our resource has been done with the expectation that the resource will be delivered to us according to the rules of nature, without any man made interference. So the time flows of water in our systems would be as they've always been, if we measured them

and quantified them. And we're building rules around that. It was okay when we had plenty of water and when we were not at the resource limits, RMA first in first served seemed to work quite well, because we didn't need to decide what to do. We only needed to decide how to do very well what we decided to do. We now have resource limits and things have changed, and that's one reason why I guess you've got this task in front of you. From an engineering point of view, the solution or part of the solution has always been pretty obvious to me, that given the tremendous abundance of water per capita in this country, compared with any other country in the world. We don't have any water shortage problems at all, we have a distribution problem, in time and in space, and enduring methods are commonly used, by way of regulating storage and major distribution (inaudible), to address such a problem. We don't have a history of doing that, except for hydropower development, which is done for another reason.

So the current interest in water infrastructure is welcome, and I believe that it should be a key factor to consider in your deliberations. Because proper and sustainable investment in water infrastructure, is able to address many of the environmental problems that have developed as a consequence of development pressures in water short areas. In the Canterbury region where much is made of the reduction in lowland streams because of reduced groundwater pressures, water infrastructure - bringing alpine water into the equation would largely address that particular problem.

The other point I'd like to make is that in my dealings with the rural community, much greater progress can be made by way of incentives, rather than disincentives. I'd like to see the flavour of the RMA administration change from one of the blame and shame penalty imposed set of things, to something that says, we are all in this together, let's find

some ways that get you to agree to do what we want you to do with some sort of incentives. That's clearly in the mind of the current administration, with the establishment of the Land Water Forum, which is looking to get consensus between (inaudible) adversarial parties to this.

I would caution too much attention to the uninformed use of the term "land use". I believe that too much has been made of that, it's land management we're talking about. Proper management of any land use can be made to do what you want it to do, it's not the land use itself that's the issue, for example dairy has been widely condemned as a problem that is (inaudible) for land management associated with (inaudible).

One of the problems that some of our regional administrations have is with capacity. Small country, we haven't got a lot of resources - scientific resources to assist in this area, and we just distribute them across 16 Regional Councils, seven (inaudible) authorities. We don't have the critical mass in some of the disciplines to carry out the investigations to the level that they need to be carried out to make by a decision maker, and I think that is major problem which has been identified by others I might say that have reviewed the way in which we administer our natural resources since 1991. The fact that we've dispersed our scientific personnel across the regional councils and increasingly with the consultancy game, where they have been used in the adversarial science size discussions around hearing panels and Environment Court situations.

So looking forward I think that our national thing should be to start is to correct some of these problems. And I hope that the NPS in its deliberations were at least take account of some of the points I've made and that might have some influence on what you do.

From a water resource engineer's point of view, I would reinforce the difference between water resource management and water resources development. Water resource management is what we're talking about now, water resources development as looking ahead for 20 to 25 years and anticipating our needs in regard to water and undertaking interventions to make sure that we can meet them. Long term planning of water resource development in New Zealand ceased with the demise of the Ministry of Works and Development. There is no agency in this country in government that is charged with long term planning for water and water use. There is for energy. There is for some of our social concerns. There is for prisons, but there's none for water. I have worked overseas and I don't know any country in the world that would claim to be interested in its environment and its people that hasn't got some sort centralised water resource planning, long term planning activity in place and an agency to do that.

Those are sir, are general observations that I wanted to make.

In regard to this document, my view its plain purpose is for it to be a reason for you to hear some interesting submissions, rather than anything else. It is not adequate in its current form at all. It's pretty hard to disagree with the objectives which are largely apple pie and (inaudible) objectives, but don't take it too far and gives you a headache to read the policies, pretty hard to relate the policies to the objectives, the section 32 report does not even attempt to do that, it only relates the objectives to the Act, purposes of the act and of course, that's all at a very high level and it's very difficult not to get the ball in the whole regardless of what (inaudible) objectives.

So, Irrigation New Zealand's position is, the objectives are okay. We think they are fully written and we have made suggestions, I guess as many

have, in our written presentation to you to rewrite some of those. We were reluctant to even get into the policies, because that would almost be like an agreement that they were okay. So we didn't want to give any credence to the policies, but we felt, to demonstrate that we were good people, that we would try, so there's a very limited commentary on the policies as they appear in the draft.

[11.50am]

We couldn't find much of a linkage between the objectives and the policies and if I withdraw my position to say let's go ahead and make this better (inaudible), then I think you want to do - it would be very useful to have some linkages between how the objectives have been met by the implementation of the policies, they don't seem to be coming out the same tent in lots of cases.

In common with many other benefits cost analyses I've seen in regard to RMA policy changes, the section 32 analysis underestimates the cost to this country of the implementation of the NPS, in my view. I don't believe that we do justice, to the requirements under the RMA to properly examine the costs and benefits of these changes, that would be my observation of the (inaudible) standards that were developed - well, it's almost like it was decided to do it and then we'll wrap the cost benefit around it and make sure it comes out. I think the section 30 cost benefit analysis in here is pretty efficient.

In summary, the objectives restated in our words are acceptable. The (inaudible) of policies are unlikely to realise the objectives, in our view. And the cost will be high. The limitations to our current situation I think, are highlighted by the fact that we're involved in this process in the first place. Central government needs to its bit to help achieve its success,

and there are two areas where I think central government has got a clear responsibility. One is getting agreement with our Treaty party in regard to co-management or any other matter related to the management of water resources which is currently up in the air and has been - the idea is that it will be handled at the regional level. To my mind that is the government not undertaking its responsibility, which is to sort that out and to give us the framework with which we do our work, because with confusion still there, we're always uncertain about what we do at the regional level.

It's also time for central government to recognise that it cannot enact things at the centre and throw them out to the rate paying public to be implemented without some recognition of the costs involved. Particularly under the previous government, we saw much of that, and in my opinion, that's one of the reasons we have a rate revolt in this country is because of central government legislation being enacted without the necessary financial provisions being made from the centre. Treasury's to blame for that. So there needs to be some financial resources committed if we're going to do the job, otherwise we will find under-resourced regional councils with more and more to do, because these National Policy Statement provisions are written into their plans.

And finally if it was of interest to you, you may consider my point that long term water resources development planning is required in this country if we are to avoid the shocks and surprises that we get when we only concentrate on water resources management of the current resource as it stands. So water resources development, I think is a really important part of the future. It's inevitable with climate change on and the Eastern sea border; recognised in the speeches of our current government, but resisted by the attitudes of our fiscal departments as to the role of central government and there's clearly market failure out there, because things that need to happen are not happening and I think that's a really really

important thing in terms of the national leadership involving water. So our recommendation to you is to not have this; to use the accumulation of positions that you've got to develop another one and have the process amended.

That concludes my presentation.

CHAIR: Thank you very much. I will see if there are some questions that you would like to answer.

MRS VERNON: To follow on your last statement about the resource planning versus resource management, and I go to page 4, is there any way, and I'm sure that our Chairman will explain to you at the moment, but I mean, we are dealing with a document -

DR HEILER: This is page 4 of the?

MRS VERNON: of your original submission. Is there any way that you see that a new objective or policy or even some wording could help with indicating that we should be heading to resource management, not just resource planning. Do you see any scope in this NPS of adding a new policy or a new objective or even under - I've noted your changes that you have made in your objectives, which we appreciate and even beer is there a linkage that you could see to at least raise -

DR HEILER: Yeah, we'll an NPS can only work with objectives and policies, it's a bit like trying to fix the car without a full tool kit. And that again is another issue isn't it? I mean, if the government can't get its (inaudible) powers under the RMA then it better decide what it needs to do and make sure it's got those powers.

In Objective 2, because of our earlier and unsolicited submissions to this process, we see mention of the coordination and sequencing of land use development, investment and infrastructure (inaudible, so on and so forth. The problem is, that the mechanisms for long term water resource development and implementation are not there within our current system. I don't know that it's a National Policy Statement thing, I think it's something to do with national economic development really, this needs - and its being taken up with government by a whole range of people, including myself. I mean, the reality of this thing is we can have as many objectives and as many rules - as many policies and rules as we want. We won't change the fact that we've got - we've reached the limit of being able to access the resource for economic development without intervention. The groundwater resources are fully allocated, the surface rivers have conservation orders on them. Only 1 to 2 percent of our total water resource in this country is actually consumptively used, 98 percent remains in the environment. Our per capita access to water is 94,000 cubic metres per head per year compared with 5 or 6,000 for the rest of the world. We are the envy of the world. Our current Minister of Finance has said that water is our oil, water is our minerals, but we can't move on it now, because we've hit the limits, set up by rules and regulations, not by nature. So infrastructure is really really important for the future of this country.

DR HARDING: You've obviously touched on a range of sort of fairly high level issues, which this Board may or may not be able to do much about. So accepting the fact that we may be rearranging deck chairs on the front (inaudible) or something, I have got a question about some of your suggested re-wording. So your original submission on page 6, you point out that Objective 3 doesn't refer to groundwater quality and resistance to the sustainability etc.

DR HEILER: Sorry, so I might have the wrong page numbers.

DR HARDING: Number 20.25

DR HEILER: I didn't number mine

DR HARDING: It's under the heading Objective 3

CHAIR: Would you mind showing Mr Heiler this copy, so that he can see what the question's referring to?

[12pm]

DR HEILER: Yes, thank you.

DR HARDING: Yeah, so you're identified potential issues with this objective at the moment and you've suggested a re-wording wish is to ensure that surface freshwater resources identified under implementation of RMA policies (inaudible) are safe for contact recreation. So that would take - so one might read the objective at the present moment to be trying to be raise the bar somewhat to improve the water quality and freshwater systems nationally. And in the suggestion here you are now taking out groundwater out of the equation, because under the definition freshwater resources doesn't include groundwater. Do you have a particular view on that?

DR HEILER: Because I've said surface freshwater resources?

DR HARDING: Yes.

DR HEILER: Well I felt that Objective 3 was about contact recreation and swimming, it's pretty hard to swim in groundwater. If you want to call that groundwater quality, then talk about groundwater quality but don't mix it up the swimming. And Objective 4 is about ecosystem health, so they're logical I mean, that's - the person who wrote this had in their mind recreational use of water at Objective 3 and ecosystem health with 4. All right, I mean probably what I'm saying is, you should say something about groundwater somewhere. I guess it's hard to know what they authors of this document we're thinking, but I wonder if swimmable was just a standard that they were trying to get in, rather than saying, well you know we're actually talking of water that has to be swimmable.

DR HARDING: It appears to be in everybody's wish list to be able to swim, contact recreation, that's - it's a publicly understood water quality ground parameter I think. So they, I think quite rightly, said as a society, God given right to take your kids to the creek. That's Objective 3, and Objective 4 is we have a responsibility to look out for biodiversity and indigenous species and in the case of New Zealand, (inaudible) species like trout and salmon, for another reason, not to swim, that's, I think, what they're trying to do. But the document looks a bit like there's been many hands in it and a lot of track changes on the way through and when that happens, you often find it difficult to find out where everything started.

CHAIR: Amongst the many interesting comments you made in your delivery, is one relating to the disbursement of scientific research capacity. What we're looking at is a Proposed National Policy Statement under the RMA. Now I know that the RMA could work better if there were scientific research capacity better applied, but I'm not sure that I see that that is a proper subject of the National Policy Statement. Do you think it is?

DR HEILER: It's difficult to see how it can be, it's an observation that that's a big problem.

CHAIR: Well, thank you. I agree with that and I understand that. Then there's a similar question, you may another insightful observation about the level at which things are done and you were talking about the government copping out and expecting regions to do it, but not providing them with resources to do it, and not even explicitly recognising there's costs involved. And I understand what you're saying, but I'm not sure if that's a subject for the National Policy Statement either. Do you think it is?

DR HEILER: It's probably easier than the first one, but it's difficult isn't it, is because you really haven't got a lot of tools to use here. I don't know what other people have told you, but I don't think the National Policy Statement can actually really really be helpful until we fix up some of the things outside of the National Policy Statement that we can't do through the National Policy Statement.

CHAIR: Well, I understand that, but I'm wondering whether telling us is much help, because we can't do anything about that. That it may be that you need a dual approach, you need to tell us about what should be in the document, and you've done that and we appreciate the constructive attitude you're taken to that, but at the same time, if you think the structures are wrong or the way the costs fall is wrong, that's got to be dealt with in another way. And we can't do anything about that

DR HEILER: But then you have conversations outside of your current responsibilities that perhaps the opportunity may arise.

To be read in conjunction with
the tabled evidence/statement

CHAIR: Well perhaps it might! Well, Dr Heiler, thank you very much we do appreciate the fact that you've come in this morning and been able to explain the already quite coherent submission so clearly for us.

DR HEILER: Thanks for the opportunity. I wish you well.

ADJOURNED

[12.05pm]

CHAIR: Good morning.

MR BLAKE-MANSON: I'm Hugh Blake-Manson, from the Selwyn District Council and I'm the Utilities Manager, which is for us the five waters, and I was to be here with Mr Ray Anderson, unfortunately he's not able to attend this morning.

CHAIR: Well I'm sure we'll be very well satisfied with the materials that you'll be giving to us.

MR BLAKE-MANSON: Thank you. I am also very grateful of my colleagues from the Waimakariri who essentially covered the main points that I wished to cover myself. But I have made a very short background to Selwyn District to give you some context. It's a population of about 36,000 and growing; it's in a partnership with Christchurch and Waimakariri as an urban developments strategy process. And growing together and the trials and tribulations that go with that growth being managed through change to regional policy statements and of course that's effecting - has a big impact on land use and how we zone land and allow for future generations to be accommodated. And of course going with that future generations, if you like, survival is the ability to have access to reasonable freshwater and also what they will do with that water once they have used it. So that circular, if you like, life cycle process is one that I am keenly interested in.

CHAIR: Would you forget my ignorance and explain to me where the district is please?

MR BLAKE-MANSON: Certainly. So we sit between the - I'm pointing out, this way we sit between the Waimakariri and the Rakaia Rivers; we run up to Arthurs Pass, the main divide and down to - we run around the

side of (inaudible), Lake Ellesmere and along the pacific coast to the juncture of the Rakaia River. Christchurch City Council manages along with Ngāi Tahu and the (inaudible) runanga Te Waihora and of course through Banks Peninsula. So we are in an area which is blessed with an enormous amount of groundwater, probably 7% of the fresh groundwater sits within the - in New Zealand sits within the Selwyn District. And I am sure you are aware of other discussions on groundwater and who wishes to have access to it for what reasons.

But of course, my reason for being here is on behalf of the communities that draw fresh water, access it for stock water, which is through a number of water races, very simply, open channels that draw water off the Waimakariri, and a number of other smaller - and Rakaia and a number of other smaller sometimes ephemeral streams and rivers

[10.10am]

CHAIR: So you have got the whole range of urbanising around the outskirts of Christchurch City and you've got a large rural area as well.

MR BLAKE-MANSON: Yeah, Norman Kirk's Rolleston is now taking shape and growing and that's our biggest town. And around that there are 30 odd water suppliers and growing from 18 households to the Rollestons of thousands. For us, the growing pains carry on and so to the challenges. However, the opportunity to speak in front of you I take gratefully. The two points I would like bring to you if I may, have been covered by Waimakariri but on land use development plans and how that actually fits with what councils tasked with other legislation, particularly the Local Government Act. And also, the role of iwi and hapu in that exchange. Again, to reiterate the group, the chap said, Mr Markham, elaborate on and I abbreviate his MKT, let's bring together the six rohe, I hope I've got that

right. But anyway, and we have a number of them within the district. (inaudible) we believe through Selwyn District Council's sustainability principles which we draw straight from the Local Government Act and the tensions between the well-beings, the different values withdrawn and recognition directly in our management of our water schemes and our committees through national kaitiakitanga and through our principles that we are building, ever building a stronger relationship with the runanga and with this group - this management group, MKT, because we believe that vehicle is so much - is so strong for us from the ground up that the objective may be counterproductive. From the work that we do, it may in fact - and this is an unknown of course, but we believe that the ground up discussions, the working parties, the liaisons, the council's approach through its sustainability derived through its activity plans and a number of other vehicles through the resource consents that we hold and review from time to time, are very strong vehicles which in some ways have more benefit than Objective 8 could achieve necessarily. That's our experience of course. But it's an evolving exercise. It is dynamic, it certainly is never static and it is all depending on what issues we have in front of us. Without wishing to digress, if I can give an example, we harvest water out of the Rakaia River, the Rakaia River has a water conservation water; we harvest that water for stock water for over 40,000 hectares of land that we provide for stock. Some of it is drawn off for drinking water which in itself is a questionable exercise, but nevertheless it provides some drinking water to those that can't access that water in any other particular way. And through the resource and consenting process which we are engaging in directly today through - in fact in August, the MKT management group, like Ngāi Tahu are working, what I believe, is extremely well with us and vice versa on the management of if you like, of this fresh water in what is a significant portion of the district. So there's an example of that group and the ground up principles and councils, the direct dialogue and exchange of

views and relationship that allows us to bring solutions that are good at the time, of course they will be only involved in changes in the future.

Land use development – again, I’m grateful for Mary Sparrow to actually have that discussion with you. And let’s just leave that as it well, I think we’ve had that discussion and we’re such similar districts; all that separates us is a river, essentially, we can see each other, we talk with each other, we have similar land uses; it’s that close, if you like. So just as long as I have made that point I am comfortable with that for the moment.

CHAIR: Are there any questions from the Board?

MRS VERNON: Thank you and thank you for your helpful submission. It is always good when we get a submission that clearly puts out if you want changes, you’ve given the suggested changes and that’s extremely helpful to the Board. I just say to your page 9, which is actually the suggested new wording under 3.9.1. It’s a new objective. And I am just relating that to your new objective as well, on page 17, 4.3.1 and just ask you why there is a difference in wording from the point of view that in page 9 you’ve used the word “values of effective water ways in a way that is economically sustainable”, but then later on, under discharges that affect water, you actually then include “economically, socially and culturally sustainable.” I just wonder why you have only got economic in that part and yet you used the others in the other part. And what is the difference?

MR BLAKE-MANSON: I would certainly profess to it not being as comprehensive as it could have been .

MRS VERNON: There is no difference?

MR BLAKE-MANSON: Yes there is no difference. If I may, this document, just looking to get it through a working group involving Waimakariri and other councils, so that we tried to express our values in Canterbury at least in that forum in, so thank you for picking that out. I appreciate that.

MRS VERNON: That's all right. Now I go to your new objective about performance measures, and I notice - and that's on page 10, 3.12.1, and again, no problem with you've put that forward as an objective but you haven't given any subsequent new policy for it to hang to. It just sits there and so I am wondering who is going to provide the guidance on what performance measures, or how is the NPS going to progress the idea that you are putting forward and I am not saying it is a bad idea, but it is an objective left hanging, so you have got the idea but how is it going to follow through? I mean, where do you see that direction coming from? Basically normally a policy says what and - I mean objective says what and the policy says how.

MR BLAKE-MANSON: I am sure you will correct me if this is inappropriate but I believe that will be interpreted and evolved at the regional level and because we should know what's going on in our patch, wouldn't necessarily be inconsistent with the national level. If I may give you an example in our water supply schemes. We have got performance measures which I have picked from Auckland City, from Wellington, from Sydney, so we are able to look at what a little council is doing and how it is actually - its performance is going compared to Sydney. We pick one or two similar things, how we can look out and see how we're going against the rest of the world. But at the regional level, we strongly believe we will find that the best solution for us, be it as may, others will look outside and say, "hey don't forget about X, Y and Z".

MRS VERNON: Thank you. Again, you have changed – and I am not quite sure which page, sometimes I was good at this and sometimes I wasn't, when I was reading the submissions, but you have changed the word “ensure” to “encourage”; page 18. And I just wonder again, is it in the district and Waimakarere, the team, shall we say, is that a higher test or a lower test, why didn't you like the word “ensure” and you have put “encourage”. Are they not kind of the same, or?

[10.20am]

MR BLAKE-MANSON: I'll pick up the Oxford Dictionary and have a look first. That is a very fair question and having put things like performance measure, etc that we wanted to evolve at a regional level. I would say pretty much the more definite outcomes we can give to this, the more we know what the - if you want to call it, thresholds are, the more we can gauge our performance, the more we can actually see how we are managing the - or meeting the NPS of course, for our communities. To come back to a theme that I raised earlier, it's one of the key themes that the Selwyn District Council has supported is that it needs to provide for the future generations. And we are looking at essentially 60 years of it through our water strategy. And we believe even that is too short in some aspects.

MRS VERNON: So you see “encourage” as being a stronger word than “ensure”?

MR BLAKE-MANSON: No.

MR PRIME: Thank you for your explanation following on from Waimakariri District Council. Are you able to just tell me how many different runanga - no, not runanga, hapu, are within the Selwyn District?

MR BLAKE-MANSON: I'll profess an ignorance here, I know of three.

MR PRIME: And the entire district is - Ngāi Tahu have oversight as an iwi over the entire area?

MR BLAKE-MANSON: Correct.

DR HARDING: On page 18, and this is in reference to amendments to Objective 3, it's the issue of the timeframe, improvement by 2035 and we've had a number of submitters who have given us some variations on that theme, 2035 is the number that is mentioned in the proposed - does your council have any view on whether that is too short a timeframe? Should we be looking to get improvements before that? Or do you feel that is a realistic timeframe?

MR BLAKE-MANSON: I feel that is a realistic timeframe, it fits reasonably comfortably with the urban development strategy, the Greater Christchurch Urban Development Strategy, there is more than enough work and changes to plans, etc at this mid-level if you like, going to the moving our focus. So that sits quite comfortably with - and you know, there's so many cycles of plans, if you like; I have a view that a 10 year plan is in fact a three year plan and that might be generous. So, that is in terms of the council's activity management planning process.

DR HARDING: You probably heard me ask the previous council about the issue of ephemeral and intermittent streams, and as I said, we have had previous submitters who have suggested the intermittent streams should be included in this sort of definition of freshwater resources, what would be your view on that topic?

MR BLAKE-MANSON: We have a number of our communities which draw from such ephemeral sub-surface flow, intermittent - yes, so the answer is yes. I believe it should be included. And that is thinking about security, about long term management quality, quality control, if you like, for those areas. While our population and economics analysts come in and tell us that some of our communities are going to disappear, from a statistical point of view, we see the opposite. There is no dust bowl turning up so we don't think they're going to increase - quite clearly in our urban areas, that tips the scales at more than 50% of our population. But these other areas aren't - there's still a need for people to want to come or a desire for them to want to come and move to those areas, be it with the right zoning and the right other environmental constraints.

CHAIR: Some submitters say, scrub the whole thing, we don't need an NPS. Others say the opposite and say we need an NPS which will make a difference. It's not really for the Board to decide that there shouldn't be an NPS. That is a decision that the government has made. Our role is to see if the content of it can be improved. But for those submitters who say, we support having an NPS, but we want one that can actually make a difference, if we were to be persuaded by that, that if there's going to be any point in having one it ought to make a difference, haven't we to be looking for ensuring rather than encouraging?

May I just give a little story by way of an example? A resource consent required – this is a land use resource consent, required the operator of the activity to plant all round the road frontage of the property where he was going to carry on his new business activity and a year later there was no sign of any of the planting and when challenged he said: “Oh, I put them all in. I spent a lot of money on all of those plants, but I'm sorry, I don't have green fingers.” And we don't want to have something that's just

aspirational and it would be easy to say, “Oh, well I’ve tried and I don’t have green fingers.” It’s got to make a difference, hasn’t it?

MR BLAKE-MANSON: I don’t work at an aspirational level. As a chartered engineer etc when I do business for council, for the communities, take these principles - you mentioned it a few times, (inaudible) principles, they have - each one of those is devolved into a project, an outcome, the dollars that we spend will turn up and for example, planting out some of our waterways, for water quality improvements, which we measure upstream and downstream. So the word, as Mrs Vernon, raised, the word “encourage” versus “ensure” and I will sit on the side of “ensure.” Because we need to - we’ve chosen to prove to our customers, our community, to ensure that X, Y and Z are done it. They give us the mandate, if you like, and our job is to see it done, or tell them we couldn’t, but we (inaudible) because there are reasons we can’t achieve some things. And this is how we are going to find another route. Without throwing too much jargon into it. It is essentially making sure that we meet their levels of service.

CHAIR: Making sure, that’s “ensure”?

MR BLAKE-MANSON: Yes. That’s what I am employed to do.

CHAIR: Well, thank you very much for your assistance and we appreciate your answering the questions so helpfully too.

ADJOURNED

[12.05 pm]

Audio file: dpm0110

RESUMED [1.55 pm]

CHAIR: Good afternoon. Thank you for coming in to help us to understand your submissions. You're Mr Sintenie is it?

MR SINTENIE: Yes. Yes, Ad Sintenie is my name.

CHAIR: Thank you, and we have of course your submission –

MR SINTENIE: Yes and I'm here for the Orari River Protection Group, and Jan Finlayson is also a member of that group.

CHAIR: Yes, good afternoon. And so you're going to be speaking mostly on behalf of the group, is that right?

MR SINTENIE: First part, speaking for the group, and then Jan's got the private submission.

CHAIR: Yes, thank you very much.

MR SINTENIE: And I saw on the list there is also a private submission for my wife and I, we won't be able to do that, we'll just use the time to do the group and Jan's –

CHAIR: Splendid. All right.

MR SINTENIE: Save repeating ourselves I think.

CHAIR: Well thank you, and if you'd just like to present it however you wish.
We're enthusiastic to hear your presentation and deliberations.

MR SINTENIE: Yeah well I've prepared a series of slides, and we'll talk you through those, but first I'd like to just make you aware we are lay people, we represent the group, and our community, and our group are no means technical experts with – we have been involved in our local river for quite some years now, and yeah that's what I will tell you a bit about.

CHAIR: Thank you.

MR SINTENIE: So the Orari River Protection Group, and there's a number of people involved. There's land owners, which includes farmers and irrigators, there's quite a lot of recreational users and organisations, and Orari River is a very good river for all sorts of recreational activities, and we've got members from all parts of the community really, including conservationists and conservation groups, environmental professionals. So at the moment there's over a hundred members.

MS FINLAYSON: I mean Geraldine - I think Geraldine only had about 3,000 people living in the town wasn't it –

MR SINTENIE: That's right.

MS FINLAYSON: Without outlying areas, and when you consider that we have a hundred members and lots more people use the river, they see it daily – it's a place that people engage with and (inaudible).

MR SINTENIE: The reason why our group was formed was you know, it was about four or five years ago, it was really a community response to a proposal to build a dam in the river, and the first time we heard about that

was a headline in the paper, “Rangitata South is going to build a dam in the Orari River” and even people who had land where the dam was proposed didn’t know, that was the first they heard about it, and of course it was the most beautiful part of the river, actually everybody knew, it was going to be a dam, and there was a lot of anger in the community and real disappointment that something like that could just happen. Private interest, taking our river for brighter gain really. Quite a lot of people got quite wound up about it, and we all started talking to each other and then decide well we should form a group and do something about this, and so it was very easy to actually gather a whole heap of people and we had sort of like, 150, 200 people, very quick together to actually form our group. So it was a reflection of the sentiments within the community, and we sort of recognised that you know the river needs a voice and we also, we formed our group because you know we wanted to be a legal entity for whatever happens, you know down the track, and if we want to fight the dam proposal, we need to be a body really, and we also feel that the river needs a watchdog for any future and inappropriate development proposals.

[2pm]

Since then it became, I think quite apparent to the people proposing the dam that it wasn’t going to sit well with the community and the (inaudible) seem to peter out, reasonably quick, fortunately and I think part of that was also of course it was tied in with a Conservation Order in the Rangitata River and the Orari was found to be used to store water from the Rangitata, so the whole idea depended on the Conservation Order being overturned or changed, and that didn’t happen. That was just one of the reasons why there is no dam in Orari at the moment.

So when we formed our group, we set out some aims and objectives, and we took a long term view and thought “oh we’re not just a group that is there to stop dams, or to oppose the dam, we want to be an ongoing voice for the river” and so we set our aims – yeah, our objectives really are to protect the environmental and cultural integrity of the Orari River in its free flowing state, so we want to see the river flowing, we don’t want it dammed up. We want to certainly retain the gorge in its free flowing state in all respects as you see here, it’s all part of Orari Gorge. We want to also retain the integrity of the river hydrology. We want to retain the public access to the Orari River as an educational and recreational resource, and as Jane was saying it is a very well used - all parts of the river, right from the upper catchment to the sea, it’s used for all sorts of recreational purposes.

MS FINLAYSON: I think because it’s quite close to mid Canterbury, it’s just over the border, which is the Rangitata River, it’s used by people on both sides of the Rangitata, mid Canterbury and south Canterbury. It’s a well loved spot.

MR SINTENIE: It’s also – it’s catchment is all the Canterbury foothills, so it’s known for its clean water, in the summer it’s always a very pleasant temperature, the water, it’s just great to swim and I think that’s why there was so much public interest because people always associated that with good times really. So we also decided that part of our aims and objectives is to advocate for greater protection, especially the upper Orari catchment, that’s really special. You can sort of divide Orari up in three sections. There’s the lower Orari, which part of it is is normally dry, the river runs underground, but it pops up again closer to the coast. It’s nice, estuary, and there’s quite a lot of springs and all that coming up. You got the Orari Gorge which is all these photos here, taken there, and then you’ve got the

upper Orari, which is you know more in the hills and there's, there's some amazing places there. I'll talk to you about that more a bit later on.

So this is where the Orari River is located. It's just south of the Rangitata and it's north of Geraldine, the circle bit is what we call the upper Orari, so there's a nice picture of the Gorge and they're swimming there.

So what does our group do now that the immediate threat of the dam seems to have evaporated somehow, we still stay active as a group and one of the things which is high on the priority is to get the Orari recognised, the upper Orari for its high naturalness (inaudible) and we've put in a submission on the RNP, the Canterbury Regional Council and it seems to be a process that seem to go on forever, and ever, and we're somewhat actually disappointed about that because we're just a bunch of people spending our spare time doing these things, and then you don't hear anything for talk about years and we just wonder why on this occasion – we can understand it's very complex, but it's also meanwhile there is a lot of you know deterioration happening as we speak, and there's still new wells going in using ground water from the Orari and other rivers, and we talk particularly about Orari, but we are actually concerned about all rivers in Canterbury, or New Zealand for that matter.

We feel quite disappointed by the fact that it's taken them so long to go through the process and it's almost like – it's a bunch of lay people who are spending our time doing these sort of things, can stretch ourselves so far and then we find “oh, we may have you know missed out on something because it's all got hidden under bureaucracy and stretched over a long period of time.” Anyway, we've put in a submission. We presented in our submission and we are waiting eagerly for the result, to see if our submission had any effect.

We are also involved in the integrated catchment management in the ECan and (inaudible) Trusts have been very – they have sort of recognised our group and the issues with Orari as a good opportunity to help develop an integrated catchment management group, and what actually happened is we – (inaudible) Trust and ECan facilitated monthly meetings and every month they got the whole community, not just our group, but everybody, whether it was irrigators or farmers or environmentalists, or anyone, was invited to the meeting where there was specialists reports presented, and it could have been anything from hydrology, or ecology, or farming needs or geomathology, all these issues were sort of presented at these meetings, and these meetings were well attended, and for a relatively community, there would always be like 70 or 80 people attending those meetings, and it was a really good way of actually getting the community to really understand the river, and what is happening with this river, and the interesting thing was, actually it seems to have start, (inaudible) obviously very strong divisions, building on Lindale (ph) as a dam, and people were feeling very threatened by that, and when there was a real dam announcement, people invested money in the irrigation company and they, – so it was very divisive what was initially happening, but as the time went on and we all started to learn more about the river, the community actually started pulling together more and more. What we could see is actually, no matter who you are, most people actually do prefer clean water, like water to swim in, like water to drink, and like to see you know landscape values and that maintained, and so it took away more of the division, because when initially the dam was proposed, all of these people who were investing in the company actually didn't have a clue that this existed. That was just a line on the map, and they'd never actually been in this place and, we sort of thought Orari was our hidden secret and unless you actually see it, you don't appreciate how special it is. It certainly, me as an immigrant to this country, and living where we live, you know this is one of the reasons why we live here, is

places like this – so our group, so ECan and (inaudible) Trust facilitated these meetings and then encourage the community to set up an integrated catchment management group, which the community did, and ECan is continuing to facilitate the integrated catchment management. I talk a little more about that later on.

I'll just go through this list. One of the things our group does, we're promoting the didymo awareness and control. We've set up a blue duck recovery programme. I'll talk a bit more about that later. We're involved with schools, and other outdoor education groups, and help promote education awareness.

[2.10pm]

We're also involved with the weed control, especially in Orari there's a problem with the (inaudible) spreading and we're working with that in pruning, cutting weeds but also helping develop a plan that actually gets on top of this problem. Also it actually works well through the integrated catchment management, actually start talking with land owners, and actually, try to coordinate a plan together with the land owners, with ECan, with links, and just try to get more of a - which is really what the integrated catchment management is about, is trying to get all the different parties together and come up with the best possible solution, rather than everybody doing little bits on their own and actually not getting anywhere. So, yeah we promote access and recreation. So just go back to what I talked about before, our application for recognising the river for high naturalness, and as I said we submitted in our RRP, we've had to read up quite a bit and study what the requirements was for river of high naturalness. In our mind, there's absolutely no doubt that there is nothing that's there why the river shouldn't be a river of high naturalness, and so that's why we wonder why it takes so long for people to make up their

mind about it, it's just blatantly obvious to us, maybe we're bias. So we want to really schedule this as a high naturalness river. We're talking about, not the entire river, we're talking about from the gorge upwards, the native vegetation is more or less still intact, there's low impact farming happening, but there's no water being taken anywhere from up there, so it's further up the Orari. It's a deep gorge, and one of the reasons why the river is always clean flowing, and such a good river is because it is all just a tussock line up there, and it's a nice gradual flow, tussock water's just flowing straight in. It releases the water slowly so that there is no real, that the river just runs dry one moment and not the next - there's always a good gradual flow.

So I talk a bit more about integrated catchment management, but it is really a very effective way of people to get community involvement. It is really important to get this ECan leadership, Ecan has allocated some budget to have somebody facilitate the meetings. I think just to say "oh, the community does it", I think there are too many different parties in the community, and factions that actually - it's a big ask to just let the community do it. I think there needs to be leadership from, in our case, ECan. I think I can't fault it actually, it's a very effective way.

It is surprising how much agreement can be reached on often contentious issues, and one example would be gravel extraction. In the end it was quite well debate about it, but it was a very - agreeable – the integrated catchment management group who (inaudible) together, and it's worked well for gravel extractors, it was good for the river and, you know, (inaudible) people and all sorts of other things that could be issues were actually all discussed and sorted out and agreed. I think that proves the power, that's sorting of having a (inaudible) community engagement, thus there's often you know these things lead towards friction, and people start throwing rocks at each other rather than sitting down and talking to each

other. So it is really good to have an established forum to raise proposals at early stages. If you had an integrated catchment management group together, before the dam proposal came about, then things would have been quite different and it could have been raised in that group, and it would have been at the very early stages recognised that it was not a realistic proposal, or at least there would have been an opportunity to make the community aware that something like that was being considered, rather than reading it on the front page one day.

So I think it's a really good way for the Council and the community to engage in an informal but effective way. I think one of things we find as a group, we don't know all the ways around the Council, and around the rules and regulations, we just enjoy our river. Having a way of sort of being about to talking informally, and have somebody say "well yes I'll sort it out, I'll find out what you need to know" and it's a very good way of actually fully engaging the community, whereas I think often, if there is community consultation, I think you may find a bit of process here. Where you get really the community reflection of what people think, or there's too many barriers for people to actually spend their time saying what they really think, what does the community really think. I think often that it's commercial interests that can be heard, but the true community is often a silent majority. So I think the integrated catchment management is a pretty effective way of actually allowing the community to engage. And it's a good way to work the issue, unique to the particular catchment and our community. The Orari river is pretty unique. It's better if it's not comparable to other rivers, and better if it - there's a whole range of issues that are very unique to the Orari. Same with the community, there's the farming community, there's an upper catchment with high country farmers, and there's a low area with a little dairy farming, and there's a community using it, there's a big recreational demand on the river, so I think again I'd

like to make you aware that we believe that the integrated catchment management touches all these things, and it's a good way forward.

But national standards I think are essential. We can't just expect the community to make it all up themselves. I think there have to be rules to play the game, and y these rules need to be set very clearly, which I guess is what this process is about, to actually establish these rules. So if there are clear rules available, then I think an integrated catchment management process would be very effective. Okay, I'll just quickly go through this. We are involved with didymo awareness, and again this is just us, the Orari River protection group as a community group, we've been very much involved with putting the science out, talking with other groups, first of all trying to avoid getting it in Orari, but that unfortunately didn't work, so now we can't avoid getting it into other rivers, and making people (inaudible) and all that, setting up cleaning stations, and science and all that to make people aware. I think, what we've really got, what we find within our group, there's plainly people who are willing to actually put their time and effort in doing these sorts of things. They don't even have to be paid for it, they'll just do it providing there's a good support behind it.

Again for our group it's very useful to be part of the integrated catchment management, because we can talk within that integrated catchment management group and say "well we make the signs available, we make sure that the council is aware of this", and so we do these things because we've got good support and we've got somewhere to talk about.

The other thing we're involved with, we set up in 2008 a Blue Duck recovery project, that's in the Upper Orari in the (inaudible) Station. We're very fortunate, one of our members is an ecologist called Mike Harding, and he's been aware that there is a very small population of Blue Duck in the upper catchment of Orari. So he was aware of that, but it is very

difficult to know exactly how many, and exactly where they are. Of course they do move around. Anecdotal evidence had it that about five years ago was the last sign - that there were ducklings there, so there was a breeding pair observed, and -

[2.20pm]

MRS FINLAYSON: Whenever we go there to reset traps, there's almost always signs. I think there was a short time last year, perhaps over winter, where there wasn't any, but there do seem to be ducks present. Whether they're actually living there -

MR SINTENIE: So what Mike has done for us is – because we're certainly very keen to get involved in the project that actually reflects some of the values of the upper river, and the fact that the Blue Duck, which is in the Canterbury Foothills, there's no other known populations, so it's pretty unique. Blue Duck is more rare than the Kiwi in New Zealand, so I think there's only about 2,000 left in this country. It's nearly extinct, so we've got them there, we've set up - Mike Harding developed a program trapping for predators so the ducks, because the habitat is good, the water is good, everything is good except for the million predators, stoats and cats and rats, and those sort of animals. So what we've done is set the trapping program to protect the ducks really that are still there.

We've attracted attention from DoC, because they can see that this community group we are committed to this. We also got a grant from the Lotteries Grant Board, so we were able to buy traps. There's a whole heap of things that is actually good about this, apart from saving the last Blue Duck and hopefully getting a breeding program going. It helps us engage with the landowners because from the land owners' point of view (a) they value the fact that there are unique creatures in their territory, and

also the trapping helps the land owners deal with the risk of TB with the farm animals. Also it helps the land owners see that if they work with a community group, and us as a community group, if we work with the landowners, if you work together you get good results, if you work against each other you don't. So from that sense, we started to attract some attention from other landowners who are quite keen, because there's other tributaries within the catchment that certainly can sustain a population of Blue Duck and they may be travelling around with this. Particularly (inaudible) at the moment we don't know exactly the way these birds move around and nest and breed. There is a vital area which has just been surveyed by DOC recently, because they know we're doing the trapping, and they've got the specially-trained dog that came out and sniffed out the area, and we found some ducks. Got them DNA tested and identified the population, and also identified the other areas where there may be duck, or where we may be able to introduce duck if we can get a breeding program set up, which is what we're negotiating with DOC at the moment. So in all, it would be great to see an increase in population of Blue Duck in the catchment. It will also be really beneficial for all the other unique creatures that live there, there's a lot of creatures that only live in these particular areas, so it's worth protecting and it's also part of what the river - it's an ecosystem that really supports these sort of things. You know we don't know how special it is until we've lost it, and we try to avoid the. This is a little gecko, there's quite a lot of them there, which is great.

So moving on to education now. There is an outdoor pursuit centre in (inaudible) Forest and they use the river a lot. There's also a lot of schools and that, that make use of it.

So why do we want a statement for the Freshwater Management? I thought this was quite a good summary was one of the reasons. We think you know, New Zealand - the economic developments in New Zealand in

recent years are actually you know, make this statement very true. I think what the Freshwater Policy Statement is to protect our clean green brand and we are evolving that brand. And I've always worked in the food industry and I know how important it is to actually have a brand. If you want to make money as a business you need the brand that says what you stand for and that people recognise and that people will buy. And I think New Zealand needs to really get their act together and certainly on water and certainly what we've seen in Canterbury of course there's been such a rapid deterioration it's actually shameful really that that's been allowed to go the way it has and we see that Environment Canterbury is forced to allocate water takes in red zones and you wonder what on earth we're doing. So and yet you know, we're destroying our brand and that we want to build our economy we need a strong brand and we need to be true to what we say we are.

MS FINLAYSON: And if for no other reason, and there are plenty of other reasons, you know our trading partners are very interested in these sorts of things, they want to know how we're treating our land resources and our biodiversity.

MR SINTENIE: Thanks Jan. And the other reason is why would we want to give this up? You know we've got wonderful rivers, wonderful playground, wonderful places and you know, no amount of money in the world can ever buy this so we should look after it.

And again, you'll see there a little gecko very rare now and again in the Orari catchment and because it hasn't been destroyed yet.

And again, the strategy should pretty much recognise the recreational values and you know, these are just a few shots from the Orari River especially in the summer it's always lots of people there who really enjoy it. And as I said, I never forget the first time I laid eyes on it and was absolutely amazed really, so that's swimming, fishing, kayaking all that.

So in getting towards my conclusion now, we believe that all freshwater is precious. The National Policy Statement must recognise that good quality freshwater and free flowing rivers are essential for ecosystems and human wellbeing. We believe as a country we've come too far; it's not about how can you take more, it's about you know, whatever we do in the future it's got to recognise our limitations and so development can only happen within environmentally sustainable limits. Canterbury is a very clear example that without the backing of a national standard, a sound good standard you know regional councils are more able to manage the demands on freshwater, it's really out of control. Canterbury we believe and again the fact that they could come around one day and say we're going to put a dam right here, it luckily didn't happen, but it could have just as well happened. The fact that people can still perceive these ideas as you know, we are slash and burn and rape and pillage and do these things it's not even third world it's beyond that really.

Future development proposals must recognise the true environmental values and qualities of the resource it is intending to use. So really you know, usually we put the economic values first and then see if we can mitigate the rest. I think we must put the environmental values first and then we can do some economic activities within that.

[2.30pm]

And active community engagement it's imperative but often difficult to maintain if there's no clear standards. That's what I mentioned before with the integrated catchment management you know, we need clear standards to work within, we need to know what the rules are and work within those and then I think the community's interested and will be prepared to give time as we're doing to have our say and (inaudible) and - not that we don't know the rules.

MS FINLAYSON: You can't really rely on their always being community groups there and available to stand up for these things and so we're lucky in this case that there was a really good whole hearted group of people who were prepared to get in there. But some national standards as back up would have been good.

MR SINTENIE: Okay. So National Freshwater Standards must recognise the unique qualities of each catchment the effects of the land use I think that's really important, it's not just what we take out of the river it's what goes back in or what goes in the aquifers and that. And I think there's some really big problems there. I grew up in Holland and I grew up in a town that was sort of going backward, since then you know, things have turned around a lot and the way you look at water looks a lot cleaner now than it did 20 years ago which is good and encouraging to see that we can fix some things. But the real risk at the moment is that we do things that can't be fixed within one or two or three generations and I think it's disgraceful.

The different types of river and waterways and their particular sensitivities such as braided and non-braided rivers we've got to recognise that each river and each water body has got their own different characteristics. And we also have to recognise the inter-connectedness of ground water and surface water and I think the other thing is we must take a precautionary approach and that seems to be again, having looked at the last 10 years 10, 20 years we take anything but a precautionary approach, it's always been "oh we'll fix it later" or we have to - we don't have the science to prove that it's doing any damage so let's do it anyway. So we believe there must be a much more precautionary approach.

MS FINLAYSON: I think that there hasn't been a policy based energy to do it, it's so difficult to say "no we need to protect this", there's always been a

wriggle factor. A strong reason to keep up the standards I think are really needed.

MR SINTENIE: Okay and then we want a National Policy to recognise that all the rivers are an important life force sustaining ecology and hydrology and the mechanics of erosion and debris transport and (inaudible). A lot of the things we learned with the Orari you know, the catchments is about 600 square kilometres there's about a two millimetre uplift every year and it's about I think it was 70,000 tonnes of debris that has to be somehow taken out of the catchment. So if you start mucking around with the river, then you muck around with the thing that actually created the land that lies below it. So, it sustains recreation and in many cases the reason why we actually live here and the landscape values you know, as I say, we don't know how lucky we are and coming in as an outsider in this country I still feel very fortunate to live here and I still can't think of a place I'd rather live. So and I'd like to pass that on to my children and their children.

Human health and well being, if you don't have clean water you won't be healthy, so it also supports education and community wellbeing. So let's not wait till it's too late.

And I think we're quite frustrated by seeing the deterioration happening while we are busy talking about these things and trying to get strategies in place and all that, but for some reason that all seems to be stretched out and meanwhile we just keep on doing bad things. And it's for our future our children our grandchildren and you know how can we take that away from them? So a National Policy for freshwater it's for our river, the Orari, to the source of every other river and every other bit of water in the country and that's my submission.

CHAIR: Well thank you very much. Obviously you've spent a lot of time in preparing this presentation to us thank you. Is there something that you were going to add Ms Finlayson?

MS FINLAYSON: No I have my own one here, it's probably relatively brief, so if you have any questions?

CHAIR: Questions now yes.

MS FINLAYSON: No my one is just a separate personal one.

CHAIR: Splendid yes thank you, do you have any questions?

MRS VERNON: I don't, but can I just say thank you very much for your submission and also the passion that you obviously have for where you live and what you do as a community group, thank you.

MR SINTENIE: Thank you.

CHAIR: Mr Prime.

MR PRIME: Thank you. I just have one question, what are the pests that you're trapping to save the blue duck?

MR SINTENIE: What are the pests, cats is probably one of the main ones, we're catching a lot of wild cats.

MS FINLAYSON: Especially this time of year.

MR SINTENIE: In the summer we catch a lot of hedgehogs; we catch a lot of stoats and weasels. We haven't had too many ferrets.

MS FINLAYSON: We've had some rats.

MR SINTENIE: Yeah rats, cats, possums yeah.

MS FINLAYSON: Yeah, but that has been a - we've found mouse droppings in the traps at times and put out bait for them, poison bait.

MR PRIME: Do they take the young or the eggs?

MR SINTENIE: Well again there's little known, but what we know what - the only thing that the experts know is if you do a predator trapping your Blue Duck population will go up provided you've still got breeding pairs there. So which predators catch them in which way so whether its possums eating eggs or cats catching duck or you know, rats catching ducklings, actually it's not known and you know we've got a lot of experts and all we know is that if you do the trapping that you increase the chances of the ground population, that's actually proven. I was just talking to the national recovery group, Blue Duck recovery group based in the North Island, so that's where we're working on plans now, together with DOC, to get the reintroduction programme together we're hoping to get eggs being hatched in - by a group in Christchurch -oh by a qualified breeder who can and then grow up the ducks and then release them while there are still ducks around. It's a little difficult to do and a lot less likely to succeed with not much ducks around and it's more likely to fail. So while they're still around there's a chance there could be - the window could close next year or you know, very soon if we don't get onto it.

CHAIR: When you've heard about a proposal for a dam and that's not current apparently, was that to be dam for irrigation water or was it to be for electricity generation?

MR SINTENIE: No it was irrigation and it was going to be funded by the Timaru District Council and the farming community that was closer to the coast. And there may have been some electricity generation, but that was not the electricity company behind it, that was the farming community and very much supported by the district council which was a whole different story again.

MS FINLAYSON: There's been a huge push to dairying in our area.

CHAIR: Yes.

To be read in conjunction with
the tabled evidence/statement

MS FINLAYSON: And South Canterbury hasn't had the resources that mid Canterbury have.

CHAIR: I think some of us have heard of that yes. Well thank you, we appreciate the presentation for your group and very glad to hear what you've been about.

MR SINTENIE: Okay, you're welcome.

CHAIR: Now we might come, if it's convenient, to Ms Finlayson's personal presentation.

MS FINLAYSON: I suppose I should say, along with Ad, I feel like I'm just one person, I'm a lay person, an interested person who's interested in environmental issues anything to do with our native flora and fauna. And when I look at the submissions on your website made by the likes of Federated Farmers, the power companies and so on, I think you know, it's so small. Post-Christmas with four children at home you get this small thing together so you know, I have a lot of people who feel exactly the same way as me and they probably haven't submitted and certainly nobody like us has submitted to the extent that those big groups have. But I think it needs to be understood, that we don't have the time and resources, but it's certainly just, I think, our feelings, our opinions are just as valid and weighty. Anyway, because here I am with one page, but I think I'll just read through it and perhaps go off on tangents where I have noted them.

So, I wanted first of all, to thank you for the chance to comment on this. I think it's really essentially in such times of escalating demand and rapidly emerging science and international interest in resource and biodiversity management to have a strong National Policy (inaudible). I appreciate the last statement that called for integrated management of freshwater resources. And its support for flexibility (inaudible) goal. But, in a general sense, I think that in its current form it's insufficient to protect freshwater environments from existing and ongoing harm and I'll talk a bit more about this.

But while the preamble mentions freshwater as a crucial underpinning of important parts of biodiversity, and Objective 4 talks about freshwater's life supporting capacity, nowhere is it explicitly stated that freshwater

resources are not just water but they're complicated environments supporting many plants, birds, fish, micro-organisms and so on. You know, it's a building block, protector of life, it's vital. All that human existence is linked in and how humans as living organisms live as part of and depend upon fully functioning freshwater ecosystems for continued existence. Not just for swimming, and I don't mean to belittle the statement by saying that, but there is a lot about swimming mentioned and I think, there's so much more to it than, much more than swimming. I think we need to focus perhaps a bit higher.

Moreover, nor does the statement mention responsibility for looking after our freshwater resources. And I think that as citizens of this country we have a duty to care to value and nurture all such ecosystems. And I think that's one thing that hasn't really been mentioned and I think people are bit squeamish about it. But I think it's a moral duty that we have. We should do it. We are the guardians you know, it's in our hands.

There are many things that we have chosen to nurture, for example, Te Reo, you know, it's a national treasure, it only belongs here, nowhere else. Likewise our freshwater resources and all the ecosystems that they support are just here. They don't belong anywhere else and there's nobody else going to stand up for them.

The Ministry for the Environment should be advocating for the environment and I'd very much like to see some clarity throughout this statement (inaudible) certain in its believe (inaudible). The draft statement gives me cause for concern because it seems to be bending over backwards to accommodate activities that are advocated for in many other forms such as land use development, which is spoken for by many business groups, not less Federated Farmers, and very strongly too. And it uses language of compromise such as "manage and controlled" talking

about “demand for and degradation of freshwater resources”. For example, in Objectives 2 and 5.

No I'll leave that, I'll go straight to Objective 5, I think there's a bit there that, and it's vague, it says “to control the effects of land use development and discharges of containments to avoid further degradation of freshwater resources.” I think it is vague, it's quite light. If you compare that with a strategy that Sweden arrived at, adopted ten years ago, whose goal is to have – this is the (inaudible) – the goal of which is to have the country's next generation not faced with today's environmental difficulties. And it aims very high and specifically with, for example, I'm just setting this up against our Objective 5. Their Objective 7, which is entitled Zero (inaudible) says “nutrient levels in soil and water must not have adverse effects on human health, the prerequisites for biological diversity, or versatile lands and water use”. That's from an OSED report called Environmental Performance of Use, 2007.

Another one, to take Objective 6, which is entitled “Managing Demand for Freshwater” and similarly vague. I think it says “to ensure that demand including social, economic and cultural for freshwater are sustainably managed in a manner that has regard to the following” and one of the things is the adverse effect that arise from those demands. And I think you can compare that with quite redemptive qualities of almost any other developed country, it has in the course of its development injured freshwater systems. And I think if you look at the Netherlands, which recently launched its fourth national environment policy plan. This document recognises that the quality of its environment is facing serious threats, this is one of the overarching statements. It's chosen to spend more money on environmental protection, specifically targeting water degradation. I'm sorry, I can't quote anything from that because as soon as you look for specifics it launches into Dutch. But those are the general

guidelines and I think they're a whole lot more specific and they aim a lot higher than what our document is.

And I think even a brief view of other countries' approaches suggest strongly that we've been substantially out of step with the developed international community's awareness of and ready to deal appropriately with water degradation. And so, of course, all the degradation of all the life forms and ecosystems that depend upon it. In a recent study of 130 mostly developed countries, protection of biodiversity, which the World Economic Forum did, New Zealand scored lowest. So ranked bottom, 130 out of a 130. And I just think that given our per capita area and the relatively late development of the nation it's an appalling picture of decline emerging. We can do a whole lot better than this.

So, I proposed four things that I just thought would be good guiding principles as starting points from which to draw policy. So the first one that I drew up was, that as New Zealanders we have the responsibility of acting active guardianship over all parts of our natural environment. It's like the moral issue that I talked about before, duty of care.

Secondly, that all freshwater resources remain public hands and I think this is very important also. It's not a commercial resource. And if we were to go down the path of trading water rights, I think it gives moral and financial authority to people with money and people with business acumen over and above everybody else.

The third one, that freshwater standards be set at ecological levels nationwide. And I think we just need to look at comprehensive science, not one thread of science or two or three, but when we're developing policy on this we need to be looking at all aspects of science, all branches

of science that have anything to do with what's under our noses in a freshwater sense.

And fourthly, that land use be appropriate to land type. I think we've had a quite a cavalier frontiers man sort of way of bending water systems to suit human enterprise and it's led to a really unsustainable situation. And I think much of the world has realised the limits of environmental coping and restructured human activity accordingly.

And I know there is a lot of pressure on this particularly in rural areas and the farming community is – I feel that they're out of step anyway, and I'm coming from the situation from you know, being a rural person, I'm a farmer, partly. I think urban communities here accept that certain restrictions are necessary for the common good and because of the environment constraints. And so, for instance, they have limits on noise, building height, household fires etc, they can't keep roosters, all sorts of things like that. And I just think it's reasonable to expect all New Zealanders to properly respect environmental parameters, including everybody in the rural sector.

We're not breaking in a new land in ignorance of its fragility anymore. We've got plenty of scientific data that says that water systems are under stress. And many of our trading partners are progressive countries that are trying to undo their own environmental harm with citizens, also consumers, who care about food production and ecosystem protection regimes.

[2.50pm]

We had a meeting, the Orari meeting with a water scientist from Massey University by the name of Mike Joy back in April and he told us quite a few

stories actually, but I thought two of them linked in particularly well. And one of them was a story about some work he'd done with a masters students and they went out studying little fish and I'm not sure why, I can't remember that bit of it now. But they caught and tagged 100 and went back a week later. This is just a wee stream somewhere. They came back a week later and they caught a 100, but they found that only 10% of those were the tagged ones, they were new fish, so, they tagged all the new ones with different colours and came back a week later and the same thing had happened, they found 10% of the first colour, 10% with the next colour but a whole lot of new fish. And when they went investigating they found that these little fish were going down into the streambed at least a metre and I'm not terribly sure what they were doing there, but obviously it's important, I don't know whether it was their - I don't know, 23 hours a day out of 24 home nesting spot for several months of the year or what, I'm not sure that was ever established.

But linking in with this, another story Mike told was of a fence somewhere in his region which is 500 metres above the ground and of course it was attached to the ground at one point. But the ground had been washed away, so it's now a hazard to low flying aircraft. But the thing is that that hill has gone somewhere you know, it's gone down creeks and (inaudible), it's gone out to sea. And so, if that had gone past this patch where these little fish were trying to do their thing you know, that wouldn't be a population of fish anymore, it would be gone.

It's quite likely part of what's silting up the snapper spawning grounds and the Kaipara Harbour is the only snapper spawning ground left now because of silt. So, it all links in. We need to be looking after everything better, freshwater is a major part of it.

There are just a few things that I would like to approach. Just bits and pieces that I think are relevant to put this in a slightly more international context. Actually, a very hard hitting plan published by an Asian development bank in 2005, which was entitled “Making Profits, Protecting Our Planet, Corporate Responsibility for Environmental Performance in Asia and the Pacific”. And this comes from their conclusion, from a very large report, very hard hitting. And they say: “national governments need to recognise the growing citizen and consumer demands for better environmental quality and management. Governments also must do a better job of integrating environmental concerns into both macroeconomic and sector policies. Those who step up to this challenge will prosper, while those who do not will increasingly find themselves to be out of step with their peers and society at large and their ability to operate threatened by competition and by the heavy scrutiny of governments, shareholders, consumers and the communities in which they operate.” And I thought that you know, it doesn’t even smack of diplomacy anymore it’s just saying it outright. It’s a very strong message I think from a group like that.

And just one last one which I found quite fascinating. “The value of the worlds ecosystems services and natural capital”, and you may be aware that there are people out there, researchers, who are putting values on all sorts of environmental systems. There’s a chap by the name of Guy Garrod (ph) who works with Kenneth Willis sometimes who has researched the actual values. This is, you know, in terms of health and education and all those other goods that you get from having an ecosystem or environment. Things that he’s done; botanic gardens, he’s done livestock breeds in Kenya, he’s done all sorts of environment, from small to large.

But this chap by the name of Robert Castanza (ph) I think, has looked at the worlds ecosystems and their values. And based on published studies

and some of his original calculations, he has worked out for the entire biosphere, most of which is outside the market, the value is in the range of US 16 to 54 trillion dollars per year, with an average of US 33 trillion. And he says, because of the nature of the uncertainty this must be considered a minimum estimate and GDP total is around US 18 trillion per year.

And I just think, we need to realise this is really important in all kinds of ways. It's not just swimming and landscape, you know, it's really important to all of us on every level and we need to protect it strongly.

I don't have terribly much else to say. I did add into my submission that I - and this was probably in a moment of desperation, that I suggested the thorough investigation of introducing the requirement of strict liability and insurance of commercial freshwater use. And I think that probably was a desperation sign of things. Living where I do in the Canterbury I'm surrounded by dairy development; our landscape has changed immeasurably in the last, particularly five years. We have - it's grand scale hydroponic farming you know, we have cows, one or two types, of grass nitrogen and water, that's it, there are no trees, there are plenty of ferning trees. There are no trees for birds to nest in or for bees to use as corridors so pollination is under threat. Our water is particularly bad, you know, the water races had developed this reasonably good ecosystems of their own I suppose over the last two years and we've had hedges and a few native fish and some trout, eels certainly, and would been clear. No longer, I don't know that its supporting life at all frankly. And I drink out of it, I take my household water out of one of those races and I've been sick. So I see it every day and yeah, I suppose that last night I put in there in just a feeling of desperation.

But certainly they are people who will gather the data very, very thoroughly and ensure that appropriate commercial use did follow if it was to happen.

And the very last thing I have to say is that I think that 2025 is a goal way too far. Industry is moving far faster than that and if you lived on my doorstep you'd see it you know, it's going very, very rapidly and 25, 26 years away is just it's too far, a huge amount of damage could happen in that time. And whole ecosystems could (inaudible). I think we can do better so I like the spirit of the policy statement, but I think it needs to be ramped up and I think that they need to consider that you know, it's the Ministry for the Environment not for farming as well you know, the Ministry for the Environment. That's me.

CHAIR: Well thank you very much I will see if there are some questions for you.

DR HARDING: Thank you. Thank you very much for that presentation and obviously you're - you know, you're thinking about some pretty big picture views about how we deal with this issue. Our task here is about trying to deal with aspects of improvements to this proposed policy statement so my questions are a little bit related directly to that. Some previous submitters have suggested for example where it refers to freshwater resources that it might be better to refer to those as freshwater ecosystems which might possibly take into account the biodiversity, so would you support that sort of?

MS FINLAYSON: Yes absolutely and less about managing demand and - I think probably in many of these objectives there are things there that can just be ramped up a little. Avoiding excessive contamination, you know, I think "none", none is - we don't need contaminants and it's up to - just as you know. we don't allow coal smoke to be - to enter the air here in Christchurch anymore. You know, people need to manage what's going off their farms or out of their pipes or whatever, to ensure that these things

just don't happen. It can be done. It's not impossible and people here in urban centres manage these things, they have to reinvest in different ways of heating their homes, you know, every sector that is polluting needs to think about these things. So yeah, sorry I went slightly off on a tangent there but yes I think all of these objectives can be ramped up a bit and I think they're all heading in the right direction, but I just would like to see them stronger.

DR HARDING: Sure I accept that. So your last point was about the timeframe 2035 and you said obviously that's from your point of view that's too far in the future?

MS FINLAYSON: Well yes I have and I yeah, I know there are costs involved and I know people have resource consents and grandfathering out is a slow process and so on. But things can happen when they have to and I think that they do have to in many situations you know, if you look closely at many of these ecosystems they're under quite serious threat. You know, and I think back to the water shortage in Auckland a few years ago, that pipe was set to be put in down to the Waikato very, very quickly, you know, things can happen if they need to and I would like to see that type of range shortened.

[3pm]

DR HARDING: Thank you very much.

CHAIR: Could we come back to your list of four guiding principles, and number 3 about freshwater standards set at (inaudible) levels nationwide. And I just want to be sure that I'm not getting confused in my mind about that. I believe that there's yet another opportunity for people like yourselves to take part in the development of a process to lead to a National Environmental Standard on that topic. Are you aware of that?

MS FINLAYSON: No, no I wasn't.

CHAIR: And I think it's a separate process from the document that we're looking at, at the moment, so I suppose I'm saying I think we - our hands are full dealing with what we have and somebody else must be dealing with that National Environmental Standards.

MS FINLAYSON: Yeah, yeah and I would imagine that to set ecological standards you need to have lots of branches of science working together don't you?

CHAIR: I'm sure. Yes. But that's not to say that people like yourselves who have an interest as shall we say users of a particular waterway having a part in it as well.

MS FINLAYSON: It's good to hear.

CHAIR: Well thank you very much for your insights and plainly you too have given a lot of thought to this and done some research and that helps us in deliberating on how we can improve the contents of this document. Thank you indeed.

MS FINLAYSON: Thank you.

ADJOURNED [3.02pm]

Audio file: dpm0111

RESUMED [3.27pm]

CHAIRMAN: Good afternoon. Thank you for coming. This is Heidi Tirikatene-Nash is it?

MRS TIRIKATENE-NASH: Yes.

CHAIRMAN: Well thank you very much.

MRS TIRIKATENE-NASH: Thank you.

CHAIRMAN: We're glad to hear you speak to your submission. And you should feel free to do that just however you choose.

MRS TIRIKATENE-NASH: Thank you. Tena koutou. My submission is pretty informal. We live in Cheviot and we – I travel to Kaikoura two days a week and I've also lived there so often crossing the Hurunui and Waiau River and also smaller rivers around Kaikoura.

I'm not a scientist, but just a lot of my submission is from my own just observation, what I see and done with a little bit of just self research I've done into the state of our rivers. And so I'm here because I'm concerned about the state of our rivers and I'm concerned that there hasn't been enough management, or there's been a mismanagement of the rivers.

A few years ago NIWA had put research out that 95% of our low lying rivers were unsafe to swim in and I think more recently some research has shown that two fifths of 200 plus rivers that they surveyed were five times over the safe nutrient levels. I don't think that's acceptable for our clean

green country and so I would like to see more – and I did actually hear from the previous submitter, she obviously talked about water standards as well with, so more legislation ensuring that our rivers are maintained at a certain level. You know, we all want clean rivers. And I suppose for some people it's at what cost, because it's costly to treat water or discharges effectively, I suppose and it's easy for some people just to discharge their – what would you call it, like leftovers or like – for example with dairy farming you know, the discharging of waste into the rivers. So yeah, I would like to see that things are made compulsory, for example riparian planting – all the things that can mitigate the effects of what we're doing on the land be put in place. Even like on a sort of a mass government initiative to do a whole lot of riparian planting along all our waterways where it's appropriate. Whether it's things like (inaudible) but like you know PD workers or unemployment - people that are on the unemployment benefit, that's something that they could do that - yeah that there's mass riparian planting really to really bring our rivers back to a state that's swimmable.

Yeah, I just really feel upset that our rivers have got to a state where – or it's become accepted that our – it's okay for our rivers to be unsafe to swim in. And I think every possible thing needs to be put in place so that it's changed. And I feel that if standards are put in place, if you have guidelines, then there's more - I suppose that's more legislation that people have to be responsible – take responsible for their discharges or their land use practices or whatever they're doing that affects the rivers.

And just in regards to the riparian planting, that kind of thing, that there has been initiatives, but it's all sort of been volunteer basis. And just community members – there's not enough community members having enough spare time to be able to do the planting that's necessary and also I think with farmers, you know, for some it's not their priority. So if it's just

made on a volunteer basis it's not going to happen to the point that I think it needs to.

And also I think a lot more monitoring needs to be done. Like, I know that there's sort of things in place that environmental – in our area Environment Canterbury are meant to be monitoring. But often we see cows in rivers where you know, the fencing's inadequate and still nothing's been done about it kind of thing, and yeah, you sort of – even though there's meant to be rules in place for that it's not been enough – it's obviously not been monitored enough and maybe not enough deterrents for farmers, to make sure that they have kind of thing in place.

And also maybe bigger buffer zones if that's what would be necessary for like pesticides and fertilisers are put on, on rivers, yeah between farming that backs onto rivers. Yeah, bigger buffer zones so that there's not maybe such a direct leakage into the rivers.

Yeah I'm not a scientist but just those are things that to me that sort of seem are commonsense to be able to reduce the nutrient load on our waterways. And I know that that – all this kind of stuff is quite a – be a big expense and thinking the government talking about infrastructure – spending more money on infrastructure well maybe they could spend money on cleaning up our rivers, because I think that there would be long term benefits of that in the tourist industry.

I recently went to the Milford Sound and we stopped – the bus stopped and people could fill their water bottles in the river and drink from it and I was just so impressed by that that I'm from a "clean, green country" so I feel like if we did a big push at cleaning up our rivers that it could be a really sort of a (inaudible) in our (inaudible). Because I know we talk about clean, green rivers – oh clean, green New Zealand, but actually I

think when some tourists get here they might actually be – it's not what it's all been cracked up to be. For example, I was walking across a bridge – an overbridge in Kaikoura and I was just walking behind some American tourists and I heard them say "Ooh yuck look at the river." And that's Lyall Creek and just, I thought yeah that's quite – that's true it looks polluted and unclean. And I know that there's been – like a – there was a volunteer group sort of set up to try and clean up that river, but again just lack of volunteer hours; farmers not taking responsibility, they should have been. I know that they're monitored along the river, so they know where most of the pollutants are coming from, but there was little they could do to kind of enforce the farmers to take the precautions necessary.

I know I'm picking on farmers a wee bit, but because a lot of the time they are - you know, their land use has such a big effect on the river I really think they need to take more responsibility. And I know that they have - some of them have, but across the board it hasn't been happening, so really that's again, I sort of I feel like the things need to be compulsory and monitored more closely to ensure that they – all the farmers, all the land use people using land next to rivers are doing what's necessary so our rivers are (inaudible) to swim in.

And just, also just on like the, you know there's a lot of reports out there that in years coming there's going to be worldwide sort of shortage of water and food also and so hence the importance of looking after what we have and what we – a resource that we're quite rich in, in New Zealand.

And also my concern too is with the overall ecology of the rivers and our fish species with the damming – dams and that kind of thing. I think that maybe again, more money needs to go into research to have a more of a holistic look at the rivers to ensure that our fish species aren't endangered where – I know that there are some that are now endangered where a lot

of resource goes into sort of trying to prevent endangered species - you know endangered species such as kiwi or etc and here we are potentially losing a species - losing species where we could instead of letting it get to the point where it's near extinct, we could take the steps earlier to ensure that they are still able to inhabit our rivers and be able to do their natural cycles of spawning.

Thank you for your time.

CHAIRMAN: Thank you for coming and giving us your views. Shall I ask my farmer colleagues if they have any questions of you?

MRS TIRIKATENE-NASH: Yes. Please do.

MRS VERNON: No I don't. But we understand where you're coming from so thank you.

MR PRIME: I understand fully the point she's made. We'll see what we can do about it.

MRS TIRIKATENE-NASH: Yeah. It needs to be a bit more of a priority I think. Actually, there was another point I wanted to make, it was just in general even with like industrial discharge that it – I think that any discharge that should be allowed to be in – put in the water is at a drinkable state, that it's treated to that kind of point, because I know that's what they say that's what the sewerage and the outfall out to sea at the sewage plant that the discharge is treated to a point of drinkable. And if they can do that with sewage, then yeah, like I'm sure that there's technology out there that can do it for like industrial contaminants and that kind of discharge as well. Sorry I forgot that – I had another point that wasn't related.

CHAIRMAN: Thank you. Well now I'll invite my scientific colleague to see if he has any questions, Dr Harding?

DR HARDING: Thank you. Yeah so the farmers are at that end! Thanks very much for your comments. Part of the proposed statement at the moment talks about sort of improving fresh water quality to. it mentions, swimmable standards and you've talked about drinking water and that sort of thing. Do you think the idea of trying to get to swimmable level, contact recreation (inaudible) is acceptable or are you looking for something more than that?

MRS TIRIKATENE-NASH: Well I think that – I mean of course it would be preferable to be drinkable, but I think that just to get it to the point where swimming and recreational and sort of a – you know, obviously that must – there comes a point that someone might swallow a bit of water while they're swimming but that that would be at least – that's better than it is now, so I'd be happy with that. Yeah, I mean it would be – yeah, I would be happy with that.

CHAIRMAN: Well the things that you've been talking about are important to you and you've shown that by coming all the way from Cheviot, or is it from Kaikoura to tell us about them. So thank you very much we appreciate that.

MRS TIRIKATENE-NASH: Thank you.

CHAIRMAN: Now I take it that you are Nukuroa Tirikatene-Nash?

MR TIRIKATENE-NASH: Yes.

CHAIRMAN: And you have your own submission that you've come to tell us about. Thank you.

MR TIRIKATENE-NASH: I do thank you. I will start with just a little prayer which is part of my tikanga.

(Mr Tirikatene-Nash opens with a prayer in Māori)

I was just asking our good Lord who created all things to give us support at this time - care and support, as we work through these difficult matters.

(Mr Tirikatene-Nash continues in Māori)

I also greet those who have passed on, those around us on the walls in the pictures who have worked for the environment, who on behalf of their thousands of people, have integrated many cultural views, to become one view today. So I also greet those who aren't here.

I also greet the whare, this house that stands, Te Waipounamu House, it's been a nurturing point for us all, and what a power for me to be able to walk into this house as management from Ngāi Tahu, to present to you ones who are representing on behalf of the Crown. How significant this whare is and the marae, that lays out in front us. The marae of (inaudible), the mana of Ngāi Tahu of (inaudible) hapu.

I affiliate to all 18 Papatipu runanga of Ngāi Tahu. So I feel it only appropriate to call all O-Tautahi, home for all of Ngāi Tahu people, despite our relationship throughout the South Island.

(Mr Tirikatene-Nash continues in Māori)

And I also want to acknowledge you ones in particular individually, and as a group, may the strength be with you. And also my wife, who sits within the mauri of this whare, the life essence of this whare and within the wairua the spirit of this korero .

And I thank you all for particularly for this kaupapa - this task that we're about to confront, and we'll continue facing all independently, even after the hearings have finished. Water. Wai - water. We have many states of water; I will set - I will try and do my - do everything in English.

(Mr Tirikatene-Nash continues in Māori)

Much love to you all and greetings.

I have got a very informal approach as well. I've tried my best to write down policy, legislation, cultural perspectives, spiritual perspectives. However, I feel comfortable speaking from the water of the heart. I speak this from inside and so I do not have a planned format.

I do have many understandings through university, and the internet, and my upbringing in what water could mean to us. So, I dare not say as usual, I am about to present something that is to the left of everything else we have heard.

In Ngāi Tahu Te Runanga, we view water states in several categories. One which is very seldomly talked about is wairua – the spiritual water. Others are, for example, the wai-mauri, which is life essence water, which is our principal water which can give effect on things such as perspiration from trees, transpiration from trees; we have wai-ora, which is a life giving water and that's commonly what we might see as baptismal water, or for myself, I was a professional surfer for ten years, and we took water to Australia, to the World Indigenous Titles, and considered in our hui, in our ring, that the pouring in of the waters was a guide for us, and a guardianship, - kaitiaki, the water itself. And so we needed to take lively water for it to be a positive effect, or of benefit for us to be able to place in somebody else's sea. So wai-ora, the states are very important to us, wai-mauri and wai-ora. Wai-māori is a general state of water, which we might say comes out of the tap. And we also have wai kino, which is a bad state of water, which is for example a river affected by run-off. We also have wai-mate, which is dead water, which we feel is able to contaminate all the other waters and in very few cases, actually none that I know of, it is not reversible, it is continued in that state.

The water that I enjoy working with is wai-ora, our natural water from the rain, and the wai-mauri, which we can drink. I feel challenged by the wai-kino and the wai-mate, the bad water and the dead water, which we have created; not in every circumstance. There is for example, an inability to drink thermal water that's in a natural state, which we do not change. All of these waters are evaporous waters which come out of wai-tai, our sea and to a lesser degree evaporation of lakes and rivers, and to an even lesser degree I think, I don't know, if this is at the bottom of the pile, but the transpiration - the tree's perspiration.

What I also wish to incorporate with that Ngāi Tahu view, is a Waitaha view, a view from our people earlier than Ngāi Tahu, which I am also

Waitaha. And that's a view that we believe the heaviest waters in the world, are the waters of the heart. And that the people without unity will inadequately manage the other water sectors. So we believe universally, we have to have understanding of each other, as to these trigger nutrients which feed the earth and people, in this case, wai, or water.

[3.50pm]

We (inaudible) a though that the earth is not perfectly round, it's like an egg and on its rotation, in the last number of generations, even Red American Indians have noticed the shadows fall in different places than what they were taught they should. So there's a misbalance in the world that's the belief of those around the world who relate to Waitaha, including the Asian, the African, and the European. We of Waitaha have blue eyes, brown eyes and black eyes; fair skin, brown skin and black skin. There were many races. The three main races we believe were, and still are aware of our relationship, because the Red American Indians have returned their red stone to us, remembering our relationship by genealogy. And then just in 1986, we returned pounamu to the twelve tribes of the American Indians, to maintain that relationship, so we have an environmental view as Waitaha on water, and we believe that it's governed by the water of the heart, and then it affects our management capability in use, and right also, with all the other water sectors.

So I wanted to put forward a cultural perspective from the two cultures, Ngāi Tahu, and Waitaha, as a modern day person, who has Welsh and Israeli and Cornish and Pakeha, and proud as of all. And then Irish and the list goes on. So this is not a colour thing, this is not about the culture, and the colour in culture, this is about the colour of water that's in all of us. And I just wanted to endorse this point of view on how we view water -

potential management of anything in the world, and what waters are truly significant that affect fresh water management.

And so I'd also like to support my wife at this time, in just asking that the panel in their process listen to the hearts of the people, as well as the words. Because the heart of the water is the policy, which we need to sustain. There are many words and sounds in the water, but they all have a singular principle, and I'm just wishing to identify the singular principles that these are all about with our submissions on the Coastal Policy Statement, and Fresh Water Statements, and the likes are all related and all into the water. Economically in the future, we don't do trade on water at the moment in New Zealand, but the United Nations are facing such a thing. Numerous African continents are evaporising, desalinating - taking the salt from the ocean, to try and get an adequate quantity of drinkable water. I just hope we don't get to that point.

So I'd like to point out the principle of maintaining all fresh water that we can gather at this stage, in a decreasing water quantity time, that we manage it adequately. Because we are one of the luckiest countries, if not the luckiest, I believe, but I put us with the luckiest countries of the world in facing these food shortages, the recessions, and the likes of water crisis, in particular for farming, there is a major challenge there in negotiating a way forward, because we need the food, however, the food as we know in the trade and the likes, has been exported, the most quality of produce including our fisheries and wood. We really are not backing ourselves, I feel, with the resource that we have, and managing it adequately, or seeing the management content for example, the hydrological cycle which New Zealand now has incorporated into its environmental planning at a Crown level, at a governance level, has not made relationship with the United Nations Hydrological Cycle studies and we have ability to be part of

the economic trade, because it will put pressure on us eventually and we will succumb to international weight of hospitality.

Te ngati tanga (inaudible) aroha - care and support in others, what we do as kiwi's. We will help them out, and we want to have a plan should that happen, which it is throughout 80% of the country already - the world is stricken for water. We may not realise what we're protecting just yet, until we're faced with having to protect it, so I just want to give a foresight into the richness that sits within our control in New Zealand, for our own health and safety; socially, economically; environmentally and culturally. Should we choose to manage it, we have cultural consideration here, which not many countries at a governance level have and in the Treaty. And Article - section 4 of the Treaty, describes quite clearly, "all of the elders of both races, were looking to the heart of the people, the spiritual aspects should they be joined, we will be fine". So I'd like to just recommend that the following article in the Treaty be taken into account on this process and also from Part 2 of the Resource Management Act, sections 6, 7 and 8 in particular, (a) and (e), kaitiakitanga, and that the kaitiakitanga becomes known and useable for us all; we're all guardians, but the concepts seem to be sitting in certain camps, so I just want to bridge over the fences of our different camps at the moment, as European, Māori, and earlier nations, first nations people and our concept of water.

I think your hearing process is great in terms that we can finally speak about these subjects that sit amongst the adults, and the children, and the future generations of New Zealanders that haven't had an opportunity to present.

I feel this solume hydrological cycle is what I called it, because it is all governed from the solar, sun and the lunar - the moon. All tides are in a circle. We're both national representative and run the Gore Bay Surf Club

up in Cheviot. So the solune affects the tide and the moon and as we know, please don't jot this part down with wahine and the menstrual and menstrual cycles with the moon, we have effects from solune in our habit which we can pre-analyse and monitor our management ability with that international countries are taking onboard through the hydrological cycle plan. I feel our hydrological cycle is so relevant to us in New Zealand for example, as the Māori water states of Ngāi Tahu which I just described earlier, all fit just as appropriately inside the hydrological cycle. The hydrological cycle is a natural – is a correct natural feature which we need to identify in managing fresh water or any water status.

We maybe in a position should we be able to find it, to actually allocate water, as opposed to always try and protect it and may know when our fluctuations are and when our (inaudible) of water quantity are, so the hydrological site was something that I think we in New Zealand take on at an at international – with an international relationship. Just because it appears to me that internationally the water trade is the hot topic and if we wish to help ourselves economically and – or even abstain to economic benefits for the benefit of – help of our own people, I think the hydrological cycle is a great place to start or a template for fresh water policy in New Zealand, with an international understanding because these features of hydrological cycle studies are only just at a phase where we are realising that they have geographical regioning. Each geographical region has a different hydrological water content and needs a feasibility study done where, for example, inter-regionally – one region may be (inaudible) another of fresh water and therefore may need its own management plan or benefit from its own management plan being incorporated in a national plan, as I'm supposing a national accountability of how rich we are in water quantity would weigh at an international level, having management recognition and feature recognition throughout the tiers geographically and hydrologically.

[4pm]

I was impressed by the hydrological cycle research because I'd never come across it until last night and all of my studies including fresh water testing here in Christchurch in 40 sites on behalf of Te Rūnanga o Ngāi Tahu. They all made māori whakairo, background of learning had in my thoughts, it was right there in English, in a template with a picture and a revolutionary cycle or evolutionary cycle of water transportation. So I think it's a great step forward to a natural management concept of water.

So I'd really like to promote our use, or recognition, of the solum hydrological cycles and put studies in which happen throughout the world on how much water they are predicting they will have, water quantity and mass and distributability and we don't appear to have that. However, we seem to be in a lucky place and we should really not take that for granted.

On the United Nations environmental website they state all of these things quite importantly and quite clearly as the main focus point, because it seems to be the only resource which cannot only save lives but may also be the next pot of gold and we should be mindful to remember how lucky we are in this country that we should take our own steps in developing these templates and go for gold. For the future generations.

So just to recap on what I've spoken, sorry for my unplanned format, is just that I ask the panel to listen to the words and the hearts of the people, because it's in the hearts of these – in our people, we all have unity and management, reliability and our national compliance for sustainability, I want to endorse what my wife has said concerning the processes that are in play, the policies that are in place, the processes kept to. We have a great look – we have a great cosmetic look and I'll tell all, but we have

internally a lot of damage and it is not that our policies, so to speak, are incorrect, it's that we aren't complying with the process as adequately as we could, as adequately as we probably believe we are. I was born in North Canterbury, in Cheviot. I grew up around farming all my life and this very conversation scares 50% of my town. So I go gently and know that we all have livelihoods, Māori in farming that feel offbeat to others. However, there are also centre line ambitions in the spiritual water in the heart and it's a simple concept laid out in the Bible and in our Treaty; it's under the Resource Management Act. So I think our national compliance to our sustainability measures is endorsed to its fullness and we may be able to monitor and get statistical understanding of the position we really are in should we choose to adopt a hydrological cycle plan that's incorporated internationally.

And I just jotted down a note while my wife Heidi was speaking about the industrial discharge; that I want to support that also, that no water should be put into a better water state if it's not the same quality. The mixing of the states of water can effect the entire body of that state. For example, we don't want a Wai-mate running off into a wai-ora or wai-mare. We don't want to dead water running off into general common drinking water, because - it's a bit impractical as far as managing our health with water goes, however it is happening throughout, throughout more towns, throughout North Canterbury, we are probably the largest of users of that significance in life where we've got – many of us have closed shutters on as to what we really do with the water for economic returns, but they're going to individuals. I'd like to see the economic returns managed as a nation. Not as individuals in a region or a district.

So Industrial discharge is a big one as we see developments go throughout, all over the beaches, next to the rivers and the mixing of those waters, even with a European/English view, I feel it's just inappropriate

that we should take such quality so readily off ourselves. So I endorse industrial discharge be monitored at a more confineable level that the standards that are adhered to, in particular the cross-contamination of water states. It's a great way to be able to understand if it can be done, or should be done, the mixing with those waters and that seems to be the greatest effect on our fresh water which we have access to taking, as industrial and farming run-off. So I think if we looked at those two areas, industrial discharge and agricultural – agricultural discharge, dairying discharge, we may just see a state improvement of the water within a rapid period, because our believe with these water states is that we can heal water; we can use healing water to heal things and it doesn't just seem to be in the water, it also seems to be in the heart of the person that supplies the water and so we're (inaudible) again at the way the spiritual water's addressed in the heart and our most managed water, the spiritual waters be our most managed water on this process. And that we've remembered that we can clean water, as well as dirty it, and we put some of those concepts in place to clean it, to make it more healthy. Some of those industrial discharges and farm run-offs, if they were cleaner, maybe they would clean the river, begin the cleaning cycle in the river.

So in the first instance is I hope our spirit is well and I hope that we take all of these factors of water into that spiritual context as a tangible thing, not as an intangible thing. Tangibly just looking at it like a solum in a hydrological cycle, which sits in our atmosphere, whereas cosmic occurrences which create winds which change through the water currents, our atmosphere which then those winds blow on the ocean and create the waves we see. We have a process of environmental factors that happen and have a relationship and a cycle and they needn't affect our surfing.

So I hopefully the water of different perspectives that is all taken into account on this journey and you know, I hope where it touches you ones

To be read in conjunction with
the tabled evidence/statement

to should your decisions be in particular ways that you know in your spiritual order in your heart that it is right. And maybe we yield from it all.

Because I'm so unorganised, I'm finding it very hard to close down. So I will close down. Thank you ones for that time. It was a little difficult, but also when one looks at it from within the heart, it has to be done. So I want to thank you ones for your time and listening to the heart of my wife who was speaking to us with you ones hearts.

Morena kia koutou, tena koutou, tena koutou e Ngā Rangitira,
(Mr Tirikatene-Nash closes in Māori).

To you all, you are indeed the Chieftains of this talk; you are indeed the ones carrying the weight of the table and I acknowledge you all and greetings to you all. Thank you for your time.

[4.10pm]

CHAIR: Well thank you. And may I see if any of my colleagues have any questions that they'd like to ask you. Would that be satisfactory?

MR TIRIKATENE-NASH: Absolutely.

MR PRIME: Just a couple of questions and possibly a follow on. First one is I noted your links to most of the hapu, like Waitaha Iwi, Waitaha, Ngāi Tahu do you see any conflicts in the views held by Waitaha and Ngāi Tahu with regard to water?

MR TIRIKATENE-NASH: I do. think that they are amendable, so they aren't obstacles which we have to change our goal setting, due to – we just have to work around them and there will be difficult issues, as there has been in

the past. One of those issues for example, I will speak of which may not be an answer to the particular reference you're asking for, I'm not too sure, but when we signed the Deed as Ngāi Tahu, we took onboard Ngāti Mamoe and Waitaha lineage, which I am also; I am also Ngāti Rapuwai which precedes Waitaha and (inaudible) which precedes those as well, and it was said by my great grandfather, Sir Eruera Tirikatene that my lineage on that side, which he arranged a marriage into, didn't have a waka; so we consider even Waitaha to have arrived here and we know those dates and where they arrived and where those people were - Māori landed in (inaudible) south western and he was the great grandson of Kupe who we know throughout Aotearoa as Te Kupe o (inaudible) found Aotearoa and he came from Easter Island and met Kehu, his wife, here. Kupe was white skinned - light skinned with blue eyes and flaming red blonde hair and his wife, Kehu, was skinny and tall and very dark, with dark hair and dark eyes. They went back to Easter Island and left records for Māori are to come home.

We know who we are as Waitaha, how both traditions worked, how we got here, as we do in English and Ngāi Tahu and (inaudible) also. What we seldomly hear of is the first nation's people in the rights and Ngāi Tahu manages first nation's people's indigenous rights in the South Island, which we all conform to, through my elders who worked as one because they had the same spiritual belief. They prayed to the same God with the same words that was in the Bible. They did it with a Māori tongue. There was no confusion spiritually and the management was succeeded to all their land deals; it is only today our concepts of spiritual belief are being so dispersed for so many different reasons that our alignment as Waitaha, Ngāi Tahu and individual has got (inaudible), less care for it than it had in the past, so I do see that there between Ngāi Tahu and Waitaha that when we signed the Deed of Settlement and got an economic base, that we didn't have a plan to give to (inaudible) iwi and associations, because we

as earlier iwi were formed under the name Ngāi Tahu and I have whanui profit from the South Island (inaudible), who I descend from, who was an old Ngāi Tahu Tohu prophet who used to do all his – the old stuff. He is Waitaha and (inaudible) views as to we wish to have rights as Waitaha. However, I love both of my sides. I love all my sides, so I see a middle ground there. Not just with Waitaha or Ngāi Tahu.

MR PRIME: I guess the area I was wanting to see if there's any conflict was more to do with the water, like the views on how you treat fresh water, Waitaha or Ngāi Tahu, if there is a conflict in that area?

MR TIRIKATENE-NASH: Not greatly that I'm aware of. I think there would be views, for example, the Waitaha view it as that that all things must begin in the heart, that was the principle, I think to describe the Waitaha theory. And from Ngāi Tahu when I was doing the water testing, I made sure we had whakamoemiti before I entered praise to the Lord that we're looking after our souls. So that's slightly different but along the same lines.

CHAIR: Thank you. Particularly I think for your generosity of attitude and it must be your generosity of spirit and thank you for your submissions and we'll bear them in mind when we come to report on all of the submissions that we're hearing.

Thank you both for coming so far to present to us this afternoon.

ADJOURNED

[4.15pm]