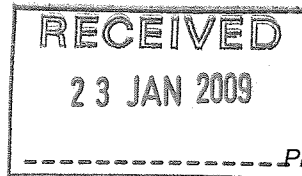


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E rere kau mai
Te Awanui
Mai te kahui Maunga
Ki Tangaroa
KO AU TE AWA
KO TE AWA KO AU!



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Submission on Proposal for National Policy Statement for Freshwater Management

Section 49 of the Resource Management Act 1991.

To: the Chairperson Board of Inquiry
Friday, 23 January 2009

1. The **Whanganui River Maori Trust Board** agrees that there is a need to ensure that the freshwater resources are managed wisely, in order to provide for present and future environmental, cultural, social and economic well-being.
2. The Whanganui River Maori Trust Board believes however that the approach that has been taken to achieve Freshwater management has been very piecemeal and it will place Tangata Whenua under considerable stress to meet the demands of this policy and separate standards such as;
 - a. Undesirable effects of land use on water quality.
 - b. Ecological flows and water levels.
 - c. Measurement of water takes
 - d. Electricity transmission
3. The Sustainable Water Programme of Action will place significant pressure on Tangata Whenua to respond and in most circumstances Iwi Maori will not be capable of participating in the decision making and consultation processes because of insufficient capacity and resources.
4. The collective of Whanganui Iwi as the Tangata Tiaki of the Whanganui freshwater systems displayed in Appendix I recognises that the proposed Policy Statement for Freshwater seeks to ensure the Tangata Whenua Values and Interests are identified and reflected. However without a confirmed Crown relationship yet to be achieved through settlement Whanganui Iwi are apprehensive that Regional and Territorial authorities will do very little but merely incorporate words into the planning documents to meet the baseline of the Policy without giving any true affect to their inclusion in the management of these freshwater resources.
5. SPECIFIC PROVISIONS

Over the last two years the Trust Board has worked alongside the Iwi of Waikato-Tainui, Te Arawa and Tuwharetoa, in a joint work programme with the Crown in the context of the former government's Sustainable Water Programme of Action ("SWPoA"). The proposed Freshwater National Policy Statement formed one part of the SWPoA initiatives and the form and intent of the draft national policy statement is supported in principal by Whanganui. Specifically the Trust Board confirms the following contents and insertions to the draft.

- (a) Paragraph five of the Preamble to the proposed National Policy Statement for Freshwater Management be redrafted by inclusion of the words "including the involvement of Iwi and Hapū" to read:

The Treaty of Waitangi (Te Tiriti o Waitangi) is the underlying foundation of the Crown-Māori relationship with regard to Fresh Water Resources. This proposed National Policy Statement is one step in the process of addressing Tangata Whenua values and interests *including the involvement of Iwi and Hapū* in the management of fresh water. Additionally, the proposed National Policy Statement is a non-exhaustive step towards progressive strategies at the national and regional level in order to meet shared objectives in respect of the fresh water resources of New Zealand.

- (b) Objective 3 of the Preamble to the proposed National Policy Statement for Freshwater Management be redrafted by inclusion of the words "or exceed" to read:

To ensure the progressive enhancement of the overall quality of Fresh Water Resources, including

actions to ensure appropriate Fresh Water Resources can reach or exceed a swimmable standard.

- (c) Objective 6(b) of the proposed National Policy Statement for Freshwater Management be redrafted by inclusion of the word "biophysical" to read:
- the need to provide for resilience against the biophysical effects of climate change (such as through infrastructure for supply, storage and distribution of fresh water); and
- (d) Objective 8 of the proposed National Policy Statement for Freshwater Management be redrafted by inclusion of the words "including the matters specified in Objectives 1-7" to read:
- To ensure that Iwi and Hapū are involved, and Tangata Whenua Values and Interests are identified and reflected, in the management of Fresh Water Resources including the matters specified in **Objectives 1-7**.
- (e) Policy 4(d) of the proposed National Policy Statement for Freshwater Management be redrafted by deleting "(including electricity generation)" to read:
- The contribution of existing and potential uses *[deleted: (including electricity generation)]* of Fresh Water Resources and of existing economic investment to regional and national social, economic and cultural wellbeing;
- (f) Policy 6 of the proposed National Policy Statement for Freshwater Management be redrafted by replacing "as far as practicable and appropriate" with "unless appropriate" to read:
- Without limiting policies 1 to 3, this National Policy Statement will be achieved also through the inclusion, *unless inappropriate [deleted: as far as practicable and appropriate]*, of conditions on any relevant resource consents granted and recommendations on designations confirmed in respect of:

The Trust Board also makes the following remarks concerning particular objectives and policies.

12. WE believe the ultimate aim of objective 3, should be to make all significant freshwater resources drinkable, rather than just swimmable. Swim ability is not a sound environmental measure in our view and is far more subjective in terms of agreeable standards, than is drinkability.
13. Objective 5 does not provide enough guidance to policy-makers in regional or local government, on creating incentives for immediate remediation or mitigation of the effects of land-use on degraded and outstanding freshwater resources. Another objective which captures "current" and "historic" use, and its present cumulative effects, would be better than the current one.
14. Policies 1D, 1E, and 1F, may pose problems for Iwi in that the costs to Iwi of identifying values and interests and providing sensitive information to local government are likely to be borne largely by Hapū and Iwi, and/or by their mandated authorities. It is unclear to us how if at all, central and local government will assist Hapū and Iwi in meeting these costs. We would expect financial and technical support to be available to Iwi, where such support is generated within the formulation of documents such as long-term council community plans, and annual plans. We will vigorously advocate this approach in the event policies 1 to 3, and policy 8, in particular, are adopted within this statement.

Summary

In general the Trust Board agrees with the intention and objectives of the National Policy Statement for Freshwater Management but seeks to ensure that Te Iwi of Whanganui as Treaty Partners receive a greater role and recognition in the decision making processes and determinants of policies and practices affecting the Freshwater within our tribal rohe.

Naku noa

Nancy Tuaine
Manager

Appendix I

