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Sefulu Sione

From: Stephanie O'Sullivan [Stephanie.O'Sullivan@raukawa.org.nz]
Sent: Friday, 23 January 2009 4:54 p.m.
To: Fresh Water NPS
Subject: Raukawa Trust Board Submission
Attachments: Raukawa Trust Board.doc

To the Chairperson
Board of Inquiry

Tena Koe a Rangitira,

Please find attached the Raukawa Trust Board submission on the proposed National Policy Statement for Freshwater Management. Our submission is a general submission, and is made within the significant constraints that the Board currently faces due to the requirements of our Treaty Claims negotiations pertaining to the Waikato River. To this end, our submission is more of a general submission, however we do make some comment on some specific provisions.

In general we support the development of a National Policy Statement for Freshwater Management, however believe that it needs to be cognizant of the NPS status of the Vision and Strategy for the Waikato River, and in light of the co-management models being developed as a result of Treaty Settlements within the Waikato Region.

We wish to be heard in support of our submission, but do not believe that a joint presentation is appropriate.

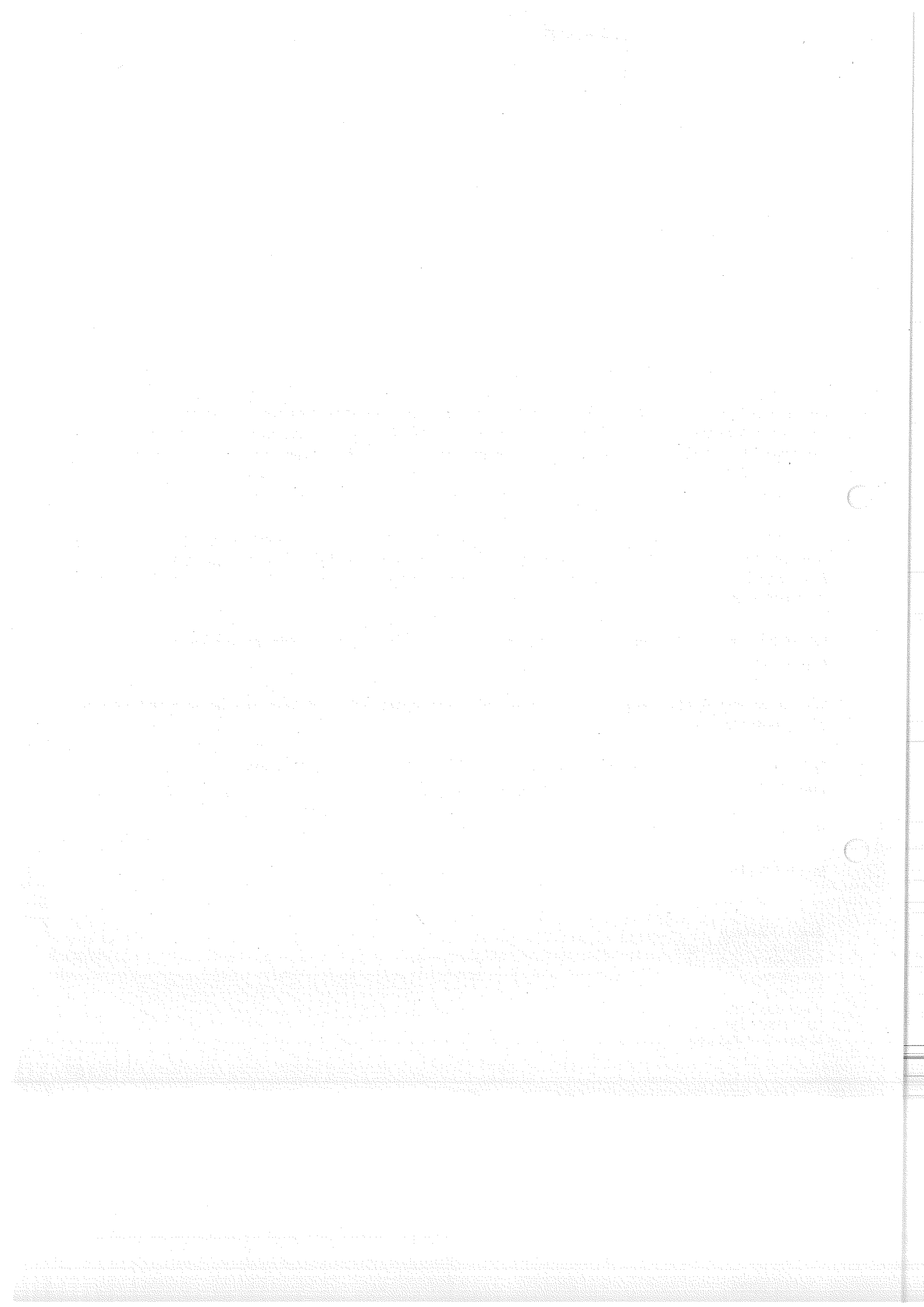
We will be posting a hard copy of our submission in today's post, but I include my full details at the bottom of this email for your convenience.

We would like to take this opportunity to thank the Board of Inquiry for its hard work and for this opportunity to submit on such an important issue.

Heoi ano,

Steph O'Sullivan

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Raukawa Trust Board

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Submission on the Proposed National Policy Statement for Freshwater Management

23 January 2009

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Introduction

1. The Raukawa Trust Board is based in Tokoroa and represents the direct descendants of the tupuna Raukawa. As the recognised Iwi Governing Body, the Board is required to act in the best interests of the whanau and hapu of Raukawa, comprising some 32 hapu and marae.
2. The tribal takiwa (or area) includes the settlements of Cambridge, Matamata, Te Awamutu, Kihikihi, Maungatautari, Arapuni, Tokoroa, Putaruru, Tirau, Mangakino, Mokai, and Atiamuri. The geographical boundaries of Raukawa's takiwa cover a much greater area, including some 530,000ha within the Waikato. Raukawa's historical relationship with the Waikato River extends from Karapiro to the headwaters of the Waikato River, the Waihou River from its source in the Mamaku Range to just north of Matamata and the Waipa River in the Puniu vicinity.
3. Over the generations Raukawa have developed tikanga or protocols that embody a profound respect for its tribal area, flora, fauna, geography and all life within it. This tikanga recognises that if people care for the environment, the environment will continue to sustain the people for generations to come. This is the concept of kaitiakitanga.
4. In many fora and policy submissions, including major water take resource consent hearings, geothermal policy submissions, water allocation policy submissions, LTCCP and Annual Plan submissions, and sustainable agriculture and forestry presentations we have stated the importance of the natural environment to the Raukawa people.
5. In Te Ao Maori, and specifically the Raukawa World view, the natural environment is inseparable from the parts within it, and from the people who depend on it. Water in particular, forms the essence from which all life is derived. Without water, we are nothing. Papatuanuku also offers 'important 'points of reference'. Important reference points in the Raukawa rohe include the Waikato River, the Waihou River, and the Puniu and Waipa Rivers. We are also kaitiaki for numerous springs, waterfalls, lakes and streams which are important taonga.
6. As stated on many occasions to the Crown, these Rivers are not separate from the people but part of the people. Nor are the rivers separate from their surrounds. Raukawa regard our Rivers as whole living entities. In summary, Raukawa's relationship with our water resources is a holistic one incorporating spiritual, physical and metaphysical elements. This has been recognised by the Crown and we have reinforced this through our Waitangi Tribunal Claims process.
7. Raukawa continues to be part of the Waikato River Claims process as an active step to remedy the losses that they have suffered through the degradation of the river and it's entire catchment. Raukawa has suffered through this degradation because of the connections that are explained through out this submission.

8. Raukawa's role as kaitiaki is inter-generational. It is an enduring responsibility to not only care for and protect the environment now but also for future generations. In this context and unlike the other submitters Raukawa looks back to when particularly water sources were in their natural state, through time to their present state. We do not accept benchmarking from water quality standards as they exist now.
9. Raukawa are extremely concerned about the state of water throughout the Waikato Region, particularly within the rohe in which we hold both the rights and responsibilities as kaitiaki.
10. Do not mistake this concern for being 'anti development or subscribing to the 'lock it all up' philosophy. Raukawa has accepted that the Waikato River is an important component of the nation's energy generation system and that both surface and ground water provide for numerous and important other life sustaining and economic activities along its banks and through out the catchment.
11. What we do expect is recognition of the cumulative and ongoing effects of economic growth and resource exploitation, and our role as kaitiaki to advocate for both the environment and people. But more importantly, as kaitiaki we must show leadership and look for both co-management and partnership opportunities in looking for durable, sustainable solutions to these challenges.
12. We do not accept the continued degradation of water quality, the continued drive for increased production through the catchment, the ever increasing demand for water when it is very clear that bottom lines are already being hit. We must look carefully at the core tenets of sustainability: environmental, cultural, social and economic considerations and make durable robust decisions. For this to happen we must keep a wider timeframe in mind.
13. As a result of our concerns about the environment, particularly water within the Waikato, we have made an ongoing commitment to interact with all resource management legal, policy and operational frameworks. Raukawa has consistently articulated its view in other hearings and forums and will continue to do so.

Treaty Claims & Co-Management of the Waikato River

14. Raukawa have been engaged in the Treaty Claims process for 20 years. Within the last 15 months we have signed as a partner to the CNI Forestry Settlement and have a Deed of Agreement in regard to a Co-Management Framework for the Waikato River, with a draft deed scheduled to be signed in February 2009.
15. We have strongly supported the leadership of Waikato Tainui in developing and advocating for Co-Management of this key natural resource. We have also worked closely with Te Pumautanga o Te Arawa and the Tuwharetoa Maori Trust Board in developing our framework for the Upper Waikato River and its catchment.

16. In addition we are one of the River Iwi represented on the Guardians Establishment Committee for the Waikato River. We strongly supported the development of the Vision and Strategy for the restoration and protection of the Waikato River and endorse the National Policy Statement status of this Vision and Strategy.
17. It is our belief that only through partnership, collaboration and co-operation, the essence of co-management, will we be able to restore what is the most important resource on our earth: our water. To this end we have developed a co-management framework focused on relationships, inclusive of the community and we have followed an open, consultative process as we have been able to within the constraints of the treaty negotiations themselves.
18. We believe that this framework will provide a model by which we can undertake co-management at a meaningful level. We envisage the model as being the vehicle to create the leadership necessary to implement environmental best practice as well as energising community awareness as the catalyst for change.

Environmental Issues within our Rohe

19. We have a range of serious issues within our rohe, which all relate to the quality and management of freshwater. These include: forestry to farm conversion, hydro and geothermal energy generation, plantation forestry, expansion and intensification of agriculture, and urban expansion and sprawl.
20. Over 70% of New Zealand's bottled water is produced from the Blue Spring on Te Waihou River, a Raukawa taonga. This is a classic example of the pressures we are placing on natural resources.
21. Both ground and surface water are under significant pressure and as evident in Environment Waikato's latest publication water quality has been severely compromised.
22. Water Quality, Water Quantity and Water Allocation are all issues of significant concern for Raukawa.

Policy Issues for Consideration in Freshwater Management

23. We would like to take this opportunity to comment on the following policy implications:
24. The Resource Management Act recognises the need for integrated planning in section 30. A key function of Regional Councils is the:
 - 24.1.1.1. "establishment, implementation, and review of objectives, policies, and methods to achieve *integrated management* of the natural and physical resources of the region:"

25. Integrated management is not only important to Maori, but an integral part of the Maori world view. As stated in our view, all natural resources are intrinsically linked. This proposed national policy statement appears to support greater integration between regional and district levels of policy and planning. We strongly support this intention and direction from Central Government.
26. Raukawa is concerned that water is currently considered in a fragmented approach, and the water cycle and the context in which it sits is also separated. The Mauri or life-force of water can only be protected by considering water as part of a 'whole' system. It is from this principle that we make the following points:
27. The Board supports the following key elements of good freshwater management:
- We strongly encourage the recognition of the intrinsic value of water in the mix of potential 'users or values' – that is the right of water to exist in a balanced and healthy state.
 - The need to use water more efficiently
 - The need to prioritise water quality and protection of water as a fundamental planning principle
 - The need to eliminate wastage in all aspects of water use cycles
 - The need within allocation frameworks to ensure a clear priority of users which provides for certainty and clarity
 - The need to monitor our water use systems to a far greater extent
 - The need to improve the policy relationship between regional council responsibilities for water management and district council responsibilities for land management.
 - The Board raises and supports the issue of first rights allocation to iwi within water allocation frameworks.
 - Our concerns about water right trading systems that are currently being proposed.
 - The need for clearer guidelines in times of water shortages.
28. The need to investigate safer and more effective options for provision of water to the primary production sector which don't affect the ecological values and flows of existing water bodies.
29. Raukawa are extremely concerned about the lack of detailed, up to date and effective information on water stocks, flows and usage across the Region. Without sound information, it is very difficult to both introduce good policy and monitor and review resource use. We have strongly encouraged Environment Waikato to use its LTCCP process to instigate such research as a matter of urgency, however this is a matter which affects policy nationwide.
30. The Board supports the introduction of requirements for improved monitoring and reporting by resource users. However this information must be used effectively and efficiently.
31. Given the 2008 climatic conditions and experience it is evident that clear policy must be developed and implemented in relation to water shortage conditions. We support policy which encourages and facilitates this to happen.

32. Raukawa has worked hard to develop effective partnerships with stakeholders in our rohe. This includes Federated Farmers, Environment Waikato, District Councils, Mighty River Power, Carter Holt Harvey and Hancock Forestry Management. To this end we strongly support those mechanisms which enable partnerships, collaboration and relationship based solutions. We believe integration between local government, a significant increase in environmental education around water issues and the encouragement of community catchment groups and other water user groups will help develop innovative and durable solutions to water issues.
33. The Board points to international examples of community collaboration around water issues, most particularly with First Nations people of Northern America.
34. The Board does raise the issue of the need to strengthen Councils 'environmental scanning' ability so that global, national and regional trends are foreseen and work is undertaken to respond to these trends more effectively. Market driven land use changes are one example of these trends and water usage will be closely aligned to these trends.
35. The Board agrees with the principle of the separation of the rights to take water from the rights to use water and believes that the National Policy Statement needs to steer policy development in this direction.
36. The Board has significant reservations about the introduction of transferability of water rights. Our concerns include unresolved Treaty issues associated with water rights, deep concerns about how tradeability may affect our role as Kaitiaki within our rohe, precedent about market driven resource use systems whereby cultural and environmental uses are characteristically of 'lowest value', inequities introduced through such trading systems, externalities that can be created and the resulting social dislocation, uneven playing fields and imperfect information.
37. Raukawa support in principle the implementation of financial contributions, but within clear and transparent frameworks. In recognising the public good aspect of maintaining and enhancing water quality standards we believe some contribution to ongoing research and evaluation will be necessary.
38. Raukawa seek to strengthen those clauses relating to the recognition of Tangata Whenua. We are concerned about those clauses which only require Councils to 'consider' tangata whenua values. We do not believe that current regimes have the skills, knowledge or background to make sound decisions within such a loose framework.
39. Within our Co-Management model we have agreed with the Crown to sign accords with those Ministers whose functions relate to natural resource management. It is our desire to ensure, amongst other aspects, that there is a much greater commitment, and resourcing of consultation with us in policy development. Whilst we are fortunate to have secured this in our Co-Management agreement we are aware that other iwi may not be afforded the same

rights and therefore wish to see greater commitment to and resourcing of iwi to engage in freshwater policy and implementation issues.

Support for the Proposed National Policy Statement

40. As stated in our covering letter to this submission, due to capacity and capability issues we are unable to provide detailed submission on each of the proposed NPS objectives and policies. However we support the proposed NPS to the extent that it promotes greater integration of resource management policy, to the extent that it makes clearer definition of the requirements for resource management authorities and to the extent that it promotes community collaboration in finding solutions to the serious freshwater issues that our country faces.
41. We strongly encourage the Board to consider the Vision and Strategy for the Waikato River as a relevant NPS, and to take time to ensure the integration between these two important policy documents.

Conclusions

42. Raukawa advocates for a conservative approach to water management in what is an increasingly challenging environment. We are extremely concerned about current over allocation, water quality issues, the lack of awareness of water issues and current water management regimes.
43. We are equally concerned about a driving economic philosophy which pursues unsustainable growth, and which promotes individual wealth creation at a high public good cost, namely environmental damage.
44. We understand the need to grow the economy, to earn foreign exchange, and to use our competitive advantage. However, those internal economic drivers are also being met with global economic and social messages which support a green clean New Zealand, that support indigenous peoples rights to have greater involvement in resource management and which increasingly require sustainability benchmarking and accountability.
45. We also understand that this policy is not isolated from wider economic and social issues including security of energy supply, global food demands, climate change, etc. However we do need to be courageous in adopting policy that reflects best practice now, and have the wisdom to review the policy as we know more.
46. Raukawa strongly advocates for those supporting mechanisms which would support the proposed framework, namely community catchment groups, education and information provision, greater awareness of water planning and water management regimes and a true partnership approach to facing our water challenges.

47. Again we stress that more work must be completed on understanding the current and future water resource and the carrying capacity of catchments around New Zealand.

48. We would like to thank the Board of Inquiry for this opportunity and acknowledge the support we have had from our local government bodies to achieve better environmental outcomes within the Waikato.

49. We would also like to respectfully state that we reserve the right to make any additional comments or clarifications to our submission, subject to the development of our co-management negotiations and wider treaty claims.

In closing we remind ourselves that *Less than 1% of the entire world's water is fresh water. Let us be careful with what we are priviledged to have inherited.*