

Ministry for the Environment – Freshwater Consultation 2016

In the consultation document I am concerned about some proposals regarding freshwater management.

Water is essential to life. It is natural. We have no control over where it falls from the sky, when, and for how long.

We need water to grow food, to wash, to drink. It is extremely important to everyone.

We need to effectively manage water to avoid contamination, to allocate when scarce, and ensure its fair and equitable use. This is essential for all New Zealanders, and we all have a vested interest in achieving good outcomes.

It is acknowledged that the beds and banks of some rivers and lakes can be owned by iwi, because they are taonga, and are required to be returned as cultural redress.

However, flowing water should be owned by no-one. At common law it is *publici juris* – common to all who have access to it – the same as air and light. It is critical this concept is not undermined.

Flowing water was and is hugely important to everyone, whether now or at the time of colonisation. Maori may have viewed land, air and water as one entity, in a holistic notion of the environment, but early settlers also knew the importance and value of water for transportation, trade, and sustenance.

Neither maori nor pakeha should have preferential “rights” over the ownership of water, nor preferential treatment as to how it is managed. Granting such rights will only result in divisiveness and conflict. Everyone desires good environmental outcomes, whilst allowing productive use of water, and respecting particular values held by both iwi and pakeha.

It is extremely important that the mechanisms in place enabling iwi and councils to work together do not create the possibility of competing and conflicting interests when making decisions. With the potential economic value of water, any decision about its management must be impartial, whilst still respecting what is valued about it, from all viewpoints.

It is important that Councils engage with iwi to ensure iwi values with water bodies are known and recognised. However, the management of those water bodies needs to be done transparently and impartially. Without this will be discontent and conflict amongst landowners and the public. With water being such an important commodity, this would be a very unsatisfactory outcome.

Regards

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