Your submission to Action for healthy waterways – consultation

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Notes

SUBMISSION ON MINISTRY FOR THE ENVIRONMENT ACTION FOR HEALTHY WATERWAYS: A DISCUSSION DOCUMENT ON NATIONAL DIRECTION FOR OUR ESSENTIAL FRESHWATER (2019) 30 October 2019 1 This submission is made by Ngā Pae o te Māramatanga (NPM) on the Action for healthy waterways discussion document (the Discussion Document). 2 Ngā Pae o te Māramatanga (NPM) is New Zealand's only Māori Centre of Research Excellence (CoRE), established in 2002. NPM has built a reputation of distinction, providing critical contributions to Māori research advancement, constructive international Indigenous engagement and capability and capacity building through the support of career development for Māori researchers at all levels. NPM consists of a cohort of more than 200 Māori researchers from across the country working together to respond effectively to key research challenges that face Māori communities, the nation and the world. NPM has 21 partners including universities, wananga, Crown Research Institutes, independent research providers, museums, polytechnics, iwi research groups and commercial entities. 3 Several NPM researchers have been involved in the Ministry for the Environment working parties directly influencing the Discussion Document. Co-Director of NPM, Professor Jacinta Ruru, and immediate past Deputy Director of NPM, Dr James Ataria, are members of Kāhui Wai Māori. Dr Dan Hickuroa, NPM Principal Investigator, is a member of the Science and Technical Advisory Group. 4 We strongly endorse all components of the: • Te Kāhui Wai Māori submission; • Te Kāhui Wai Māori Report to the Minister Te Mana o Te Wai: The health of our wai, the health of our nation (Sep 2019); • The Waitangi Tribunal WAI 2358 Stage 2 Report on the National Freshwater and Geothermal Resources Claims. 5 The present law in respect of freshwater is not consistent with the Treaty of Waitangi principles or the United Nation's Declaration on the Rights of Indigenous Peoples. There is an opportunity to now advance Aotearoa New Zealand's compliance. The work of the Waitangi Tribunal and the Kāhui Wai Māori (greatly influenced by the Iwi Leaders Forum and the New Zealand Māori Council) provide the pathway for this to be done. 6 Holistic integrated reform is required. 7 Māori have proprietary rights, interests and obligations in freshwater. These need to be acknowledged and actioned. 8 Te Mana o te Wai provides the nation with the framework for Māori and the Crown to work together for the health and wellbeing of our waters. 9 The NPS-FM ought to ensure Te Mana o te Wai is given effect to. This is not in conflict with the Resource Management Act 1991. 10 A Te Mana o te Wai Commission ought to be established. 11 NPM recommends that the status of mahinga kai be elevated to a compulsory national value in the NPS-FM that will compel regional councils to support hapū/iwi and Māori landowner-driven efforts to identify and articulate mahinga kai values and to incorporate these into freshwater planning documents. 12 NPM is strongly opposed to the exemptions for major hydroelectricity schemes and consider that the generators need to mitigate their contribution to fresh water decline. 13 NPM supports all of the proposals for improving ecosystem health including: a. shifting the focus of national direction and planning to a more holistic view of ecosystem health, and require better monitoring and reporting on these, including the revised list of ecosystem health attributes and valuing and supporting mātauranga Māori and social science research to augment the current narrow biophysical view of water quality – an approach that is consistent with a broad values-based approach being promoted by Te Mana o te Wai. b. making mandatory all Farm Environment Plans and interim measures to reduce nitrogen loss in high nitrate-nitrogen catchments. 14 NPM stresses the need for the nation to value and create more opportunities for mātauranga Māori and science to be used in setting standards and decision-making. Further discussion and clarification on issues raised in this submission is welcome, and contact can be made through: Professor Jacinta Ruru Co-Director Ngā Pae o te Māramatanga Faculty of Law, University of Otago Email: jacinta.ruru@otago.ac.nz Phone: 03 4798833