29 October 2019

Hon David Parker
Minister for the Environment
Parliament Buildings
Wellington 6160
New Zealand
consultation.freshwater@mfe.govt.nz

Teena koe e te Minita,

Waikato River Authority Submission on the Action for Healthy Waterways discussion document on national direction for our essential freshwater

The Authority thanks you for the opportunity to submit on the discussion document and also the opportunity to attend the public meetings, at Mystery Creek (Primary Sector) and Hamilton Gardens (Taangata Whenua).

Please find attached the Waikato River Authority submission regarding the suite of proposals to meet the objectives outlined in the Environment Aotearoa 2019 report.

Should you have any queries regarding the content of this submission please contact Julian Williams, Principal Advisor, Policy and Engagement directly on 021 379 310 or by email julian@waikatoriver.org.nz

Naaku iti, naa

Personal details removed

Personal details removed

Chief Executive
The Waikato River Authority

1. The Submission is from the Waikato River Authority (the ‘Authority’). The Waikato River Authority (WRA) and Waikato River Clean-up Trust (WRCuT) were established under the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 with the purpose of acting as an independent entity on behalf of the river. To reflect the aspiration of co-management, the board of the authority consists of a representative of each of the five river iwi authorities (Tūwharetoa Māori Trust Board, Te Whakakitenga o Waikato-Tainui, Raukawa Settlement Trust, Te Arawa River Iwi Trust and Maniapoto Māori Trust Board) and five Crown representatives.

2. The Ngā Wai o Maniapoto (Waipā River) legislation was enacted in 2012 to include the upper catchment of the Waipā River through to its junction with the Pūniu River. This Vision & Strategy now applies to the whole of the Waikato and Waipā river catchments.

3. The purpose of the Authority is to:
   (a) set the primary direction through the Vision and Strategy to achieve the restoration and protection of the health and wellbeing of the Waikato and Waipaa Rivers for future generations;
   (b) promote an integrated, holistic, and co-ordinated approach to the implementation of the Vision and Strategy and the management of the Waikato and Waipaa Rivers; and
   (c) fund rehabilitation initiatives for the Waikato and Waipaa Rivers in its role as trustee for the Waikato River Clean-up Trust.

4. The Authority has had no involvement, or direct engagement, in the development of any of the proposals by the Ministry for the Environment.

5. The Authority makes this Submission, in accordance with its functions, in order to promote the Vision and Strategy for the Waikato River and the spirit of the founding river and co-management settlement acts.
Submission from the Waikato River Authority on the Action for Health Waterways discussion document on national direction for our essential freshwater

Introduction

6. The Waikato River Authority (the Authority) welcomes this opportunity to submit on the discussion document on national direction for our essential freshwater and its key proposals through the:

(a) The Draft National Policy Statement for Freshwater Management (NPS);
(b) The Proposed National Environmental Standards for Freshwater (NES); and
(c) The Draft Stock Exclusion Section 360 Regulations (Regs).

7. The Authority is generally supportive of the focus of the proposals to improve water quality, ecosystem health and to increase protection for wetland and stream systems. The proposals align with the purpose of the Authority outlined in paragraph 3 to this submission.

8. Since its establishment in November 2010, the Authority has worked collaboratively with the Waikato and Waipaa River Iwi and Waikato Regional Council partners and many other stakeholders to achieve the Vision & Strategy. This includes funding over $50M towards projects and informing national and regional policy to improve water quality, access, fisheries habitat, protect waahi tapu, capture history by iwi, restore habitat whilst ensuring economic balance for the community.

9. The Authority has reservations that the proposals may impact some of our regional decisions in terms of supporting policy proposals including Proposed Plan Change 1 of the Regional Policy Statement, funding decisions that support projects that do more than minimum requirements and the current review of the Vision & Strategy. However, one thing the Waikato region is proud of, is resolving these potential matters through collaborative and robust processes.

10. The Authority understands that an Independent Advisory Panel (Panel) has been appointed to consider submissions and provide a report and recommendations to Ministers, and that there is no further opportunity to address our submission to the Panel. The Authority therefore encourages the Ministry for the Environment and the Panel to read the recently released “Crown investment in freshwater clean-up” report produced by the Controller and Auditor-General in September 2019. This report will provide the panel with a better understanding of the successes of the Waikato River Authority, Waikato River Iwi and the region, when you co-ordinate policy, regulation and funding within the same space.

Support for the Waikato and Waipaa River Iwi submissions

11. The Authority provides this submission with an overview of the Waikato and Waipaa Rivers. For a better understanding of the impact on the taangata whenua and their mana whakahaere (rights, authority and control), the Authority supports and endorses the submissions of each iwi, hapuu and marae associated to the Waikato and Waipaa Rivers.

12. The Authority advises the Panel to read the Waikato and Waipaa river Iwi, Hapuu and Marae submissions in conjunction with this submission.

Structure of the Authority’s submission

13. This submission provides an overview of the Waikato River Catchment and then provides responses to the draft NPS-FM and NES.
The Waikato River Catchment

This section provides an overview of the catchment and some of the strong influences contributing to the achievement of the Vision & Strategy.

The Waikato River

14. The Waikato River is the longest river in Aotearoa. As a gift from Ruapehu to his sister Taupiri, she starts her journey from the central North Island volcanic zone and flows into Lake Taupo and continues north where it flows into the Tasman Sea at Te Puuaha o Waikato (Port Waikato). The catchment area begins at Huka Falls and is approximately 14456 square kilometres in size. The main stem of the river is 336km long, with about 22478km of tributaries.

15. Since the mid 1300s, the Waikato and Waipā rivers and their lands have been home to many iwi (tribes). Marae and communities were established near the safety and provisions of the rivers. The river is like a mother. It nurtures, provides food, heals and comforts, while continuing to create life everywhere its waters reach.

16. Early European settlers were traders and missionaries. Māori resistance towards land sales to increasing numbers of settlers was followed by the invasion of the 1860s. Under the 1863 New Zealand Settlements Act the Crown confiscated approximately 1.2M acres of land from Tainui iwi. After the invasion, European settlers cleared and developed the land.

17. From the 1880s dairy farming was the main agricultural activity in Waipa and Waikato areas. Small towns grew near dairy factories. Settlements also grew around coal mines near Huntly. Hamilton, on the Waikato River, became a busy centre of economic activity.

18. In the 1960s and 1970s, the Government provided incentives to promote sheep and cattle farming and bush clearing. Subsequently more land was put into farms and forestry. Much of this was marginal land and could only be farmed with the use of fertiliser.

19. The Waikato River, its tributaries and lakes support many communities including the Hamilton City as the fourth largest city with a population of 160,911 (2018 Census). It also sustains the Auckland City population by providing around 17% of its municipal water needs. Through the nine hydro dams along the Waikato River, it provides about 10% of New Zealand’s electricity with a potential 31% more electricity by cooling the Huntly Power Station. It is a major contributor to the nation in many ways.

Te Ture Whaimana o te Awa o Waikato (Vision and Strategy)

20. The Act recognises the Vision and Strategy for the Waikato River, set out in Schedule 2 of the Act. (The Vision and Strategy is attached as an Appendix 1 to this Submission)

21. Section 5(1) of the Act provides:

"the Vision and Strategy is intended by Parliament to be the primary direction-setting document for the Waikato River and activities within its catchment affecting the Waikato River."

22. The definition, or scope, of the Waikato River is defined in the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, by Waikato-Tainui iwi as:
“The Waikato River is a single indivisible being that flows from Te Taheke Hukahuka to Te Puuaha o Waikato (the mouth) and includes its waters, banks and beds (and all minerals under them) and its streams, waterways, tributaries, lakes, aquatic fisheries, vegetation, flood plains, wetlands, islands, springs, water column, airspace, and substratum as well as its metaphysical being.”

23. The Act gives the Vision and Strategy a unique and pre-eminent weight in RMA planning documents. By way of summary:

(a) the Vision and Strategy is a central element of the unique legislation enacted in relation to the Waikato and Waipaa Rivers;

(b) the Vision and Strategy is intended by Parliament to be the ‘primary direction setting document’ for the Waikato and Waipaa Rivers;

(c) the legislation reflects a long history and recognises the mana of the rivers themselves, and the significance of the relationship between the Iwi and the rivers;

(d) the Vision and Strategy is unique under the RMA in that it has been incorporated directly into the Waikato Regional Policy Statement (RPS), and the rest of the RPS must be consistent with the Vision and Strategy;

(e) the Vision and Strategy prevails over any inconsistent provision in a National Policy Statement (NPS) or the New Zealand Coastal Policy Statement (NZCPS), and amendments cannot be made to RMA planning documents to give effect to an NPS/NZCPS, if that would make the document inconsistent with the Vision and Strategy; and

(f) a regional plan must ‘give effect to’ the Vision and Strategy.

24. The Act confers on the Authority broad functions relating to the Waikato and Waipaa Rivers for the purpose of implementing the Vision and Strategy. In particular, section 23(2) of the Act states that the functions of the Authority are to:

"(a) engage with and provide advice to local authorities on amending Resource Management Act 1991 planning documents to make them give effect to the Vision and Strategy;

(b) engage with and provide advice to the range of agencies with responsibilities relating to the Waikato River, including, without limitation, local authorities and biosecurity, conservation, and fisheries agencies, to achieve an integrated, holistic, and coordinated approach to the implementation of the Vision and Strategy in the management of the Waikato River."

25. In addition, the Authority, as Trustee of the Waikato River Clean-up Trust (WRCuT), administers a $220M clean-up fund for the Waikato River, to invest into restoration projects over 30 years. Since 2011, the WRCuT has co-invested over $50M to approximately 280 projects.

26. In relation to the funding, the report by the Controller and Auditor General titled “Crown Investment in Freshwater Clean-up” stated:

“The Authority publishes an annual funding strategy that describes the priority projects for the Waikato River Clean-up Trust and the Authority each year. It publishes this funding strategy before the funding round for that year.”
The funding strategy aims to provide clarity and transparency about clean-up priorities. It also demonstrates the importance of a regulatory framework to support the Authority’s vision and strategy, and promotes a cohesive, prioritised, and co-ordinated approach to freshwater clean-up.

The Waikato and Waipaa River Restoration Strategy

27. The Waikato and Waipā Rivers Restoration Strategy has been developed to maximise opportunities to realise the Vision & Strategy for the Waikato River catchment. Through the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, Ngāti Tūwharetoa, Raukawa and Te Arawa River Iwi Act 2010, and Ngā Wai o Maniapoto Waipā River Act 2012, the Waikato River Authority (WRA) was given two powerful tools to restore and protect the health and wellbeing of the Waikato River for future generations. [https://www.restorationstrategy.nz/](https://www.restorationstrategy.nz/)

28. Firstly, the Vision & Strategy would coordinate and influence all Acts and policy as it sits at the top of the planning hierarchy under a range of legislation (and in the RMA context prevails over a National Policy Statement). Secondly, the Crown allocated $220 million over 30 years to support the clean-up of the rivers. Noting that the Authority has a limited fund, it was our duty to ensure that the restoration fund was going to be used for actions that achieved the best outcomes for the Waikato and Waipaa Rivers.

29. The Waikato and Waipā River Restoration Strategy (the Restoration Strategy) identifies specific, technically achievable and prioritised actions for future on-the-ground restoration works throughout the catchment. It is intended to be used by organisations that either fund or undertake restoration activities for the health and wellbeing of the Waikato and Waipa rivers. The strategy covers a wide range of restoration and protection activities in the catchment and focuses on six core work streams: erosion and sedimentation, water quality, biodiversity, fish, access and recreation and cultural values.

30. The projects identified and prioritised within the strategy have been conceived and developed by a range of stakeholders and technical and local experts, including individuals from iwi authorities and marae, central and local government, Crown Research Institutes, non-government organisations, industry and members of the community. Specific iwi priorities were also developed and prioritised by each river iwi.

31. The total budget for the strategy is $340 million. This is an estimate based on $170 million from the WRCuT and $170 million from other funding sources. There are 195 priority projects.

32. The Ministry for the Environment must allocate funding for projects that achieve the objectives of the NPS-FM and NES-FM. Since 2011, it has proven successful in the Waikato River Catchment with over 1.6M native trees planted, over 1000Ha of lands retired, 550km of fencing, but more importantly the improvement in capability and capacity to deliver results.

33. A report by the Controller and Auditor General titled “Crown Investment in Freshwater Clean-up” stated “The Authority’s vision and strategy provides guidance and a plan to ensure that funding decisions are informed and complemented by a five to 15-year clean-up Restoration Strategy. In our view, this supports freshwater clean-up projects to be integrated, prioritised, co-ordinated, and likely to have a long-term and cumulative effect on freshwater quality. We believe that this will ultimately increase overall funding effectiveness for the Waikato region.”
Proposed Plan Change 1 to the Waikato Regional Plan (PC1)

34. Since the introduction of the Vision & Strategy to the catchment, the Regional Policy Statement and subsequent resource management planning documents were appropriately amended. One of the most significant proposed plan changes has since commenced to address water quality.

35. As notified, the objectives that PC1 seeks to achieve are:
   - Long term restoration and protection of water quality for each sub-catchment and freshwater management unit.
   - Social, economic and cultural wellbeing is maintained in the long term.
   - Short-term improvements in water quality in the first stage of restoration and protection of water quality for each sub-catchment and freshwater management unit.
   - People and community resilience.
   - Mana taangata – protecting and restoring taangata whenua values.
   - Whangamarino wetland contaminant loads are reduced in the short term.

36. The Waikato Regional Council, Te Roopu Hautu, Waikato River Iwi and its communities have invested heavily in the development of PC1. It is the outcome of a collaborative process in conjunction with taangata whenua, industry sectors, science advisors, communities and individual land owners. The Hearings have been completed and WRC anticipate decisions being released in mid-2020.

37. The Authority is supportive of implementing PC1 in its current form, unless improvements are proposed, to better achieve the Vision & Strategy for the Waikato River. The Authority would not like to see this process undermined by any of the proposals to maintain the integrity of the collaborative process.

Iwi Rights and Interests to Freshwater

38. The Authority notes that there are no proposals to resolve the greater rights and interests of Iwi to freshwater. The Authority encourages the Government to continue the bold approach to the better management of freshwater and make movements to resolve rights and interests, including allocation of freshwater to iwi for use and nutrient discharge. The Authority believes that we cannot collectively achieve Te Ture Whaimana without providing certainty to iwi, the community and various sectors of their allocable water use.

Carbon Change Response (Zero Carbon) Amendment Bill 2019

39. Aotearoa is in the process of adopting the Carbon Change Response (Zero Carbon) Amendment Bill 2019, which is a step change in the policy framework to develop and implement clear climate change policies that contribute to the commitments under the 2015 Paris Agreement.

40. This Bill sets out long-term targets for all Greenhouse Gas (GHG) emissions and it also puts a focus on adaptation, in recognition of the fact that climate is already changing and there is a need to adapt to that. Under current proposal, New Zealand will need to achieve net zero emissions by 2050, excluding biogenic methane emissions which will need to be reduced by 10% below 2017 levels by 2030 and between 24-47% by 2050.
41. Communities around the country are starting to explore emissions reduction targets and to assess the climate risks they are facing and how they can increase their resilience. The nexus of water – carbon – land use puts the spotlight on regional actions for climate mitigation and adaptation, including the question how to finance the transition to a low-carbon, climate-resilient society.

42. In 2017 a baseline emissions inventory developed by Waikato Regional Council highlighted the challenging context for our region in relation to our carbon emissions, which has a strong correlation to the impacts on our water quality. As a region:

(a) Waikato per capita net emissions are 50% higher than the national average (18.3 vs 12.5 t CO2e/cap).

(b) Agricultural activities generate 75.5% of all emissions, and methane emissions (7,450,000 t CO2e) are around 71% of total agricultural emissions and almost half of the Region’s total gross emissions.

(c) The Forestry sector is an important carbon sink as it removes about 41% of the total gross emissions for the Waikato (5,595,391 t CO2e), more than double the national average (-12.5 vs -5.3 t CO2e/cap). However, over 90% of carbon sequestration comes from exotic forest.

43. The Waikato Region has not set emissions reduction targets, but there is interest to explore this simultaneously with climate adaptation. Synergies with freshwater, biodiversity and cultural outcomes exist but are not quantified and priorities have not been identified. However, in conjunction with these freshwater proposals, there is much work ahead for the Authority, Waikato Regional Council, Waikato River Iwi, Communities and sectors to implement a myriad of national directives to achieve the Vision & Strategy.

44. The Authority, in its catalyst for change role, has funded significant investigations regarding agri-impact investment opportunities in the Waipaa catchment. This work has shown it is possible to have investable propositions that improve water quality, lower on-farm greenhouse gas emissions, and support community cohesion and prosperity.

45. The Authority also acknowledges that the Waikato catchment is a major food production area of New Zealand and notes Article 2b of the ‘Paris Accord on Climate Change’. That “Increasing the ability to adapt to adverse climate changes and foster climate resilience and low greenhouse gas emissions development in a manner that does not threaten food production…” and feels that the proposals need to also recognise this fact to ensure that policy changes do not overly threaten New Zealand food production.
**Draft NPS-FM**

The following text outlines the response of the Authority to some policy’s in the proposed draft NPS-FM.

1.7 **Application**

46. Could the panel considering adding a statement that recognises existing mechanisms such as the Vision & Strategy, and that these mechanisms take precedence as noted in their empowering legislation?

**Part 2: Objectives and Policies**

47. The Authority is supportive of the bold objective to ensure that resources are managed in a way that prioritises:

   a. first, the health and wellbeing of waterbodies and freshwater ecosystems; and
   b. second, the essential health needs of people; and
   c. third, the ability of people and communities to provide for their social, economic, and cultural wellbeing, now and in the future.

48. The Vision & Strategy does not create a hierarchy as such, but it does include objectives to restore the health and wellbeing of the Waikato River and providing for the protection of the relationship of the Waikato region’s communities with the Waikato River including their economic, social, cultural and spiritual relationships. However, all 13 objectives of the Vision & Strategy should be provided for whilst achieving the restoration and protection of the health and wellbeing of the Waikato River. Our experience shows that further clarification would be required by the Ministry to guide any potential conflicts and impacts of each of wellbeing before approving a policy of this scale and impact.

49. In general, the Authority is supportive of the policies proposed in section 2.2 of the draft NPS-FM, as they complement the objectives of the Vision & Strategy. The Authority recommends that the ‘relationship’ of Iwi and Hapuu with freshwater is also included in Policy 5.
Part 3: Implementing objectives and policies

3.2 Te Mana o te Wai

50. As noted in our submission to the “Clean Water Consultation 2017”, the Authority supports Te Mana o te Wai, however notes that the Waikato River catchment does not require Te Mana o te Wai as a vision.

51. Te Ture Whaimana o te Awa o Waikato is well established within the regional communities and sectors. In our experience, most of resource users are well aware of the Vision & Strategy, and in that sense, the mind shift to focus on ‘betterment’ and ‘health and wellbeing’ of the Waikato River has been a success. Elevating Te Mana o te Wai as a matter of national significance would create an improved mind shift towards the better management of all waterways.

52. To be successful, Te Mana o te Wai will not only require implementation through regulation and policy, but will also need funding to support local implementation. Policy is better supported by projects, to achieve an overarching vision. It is also beneficial to establish a monitoring and reporting framework to better understand the effectiveness of the tools and their contribution to achieving a vision, alongside all contributors.

53. The Councils within the Waikato River catchment hold Joint Management Agreements with River Iwi. The panel should be aware that the areas of interest for Iwi, extend beyond the catchment area, and therefore Te Ture Whaimana would not necessarily apply beyond the catchment boundary (Areas ‘A’, ‘B’ and ‘C’). Discretion should be provided to the relative Council and Iwi to determine whether they prefer the objectives of Te Ture Whaimana, or the principles of Te Mana o te Wai, to extend beyond the catchment boundary and cover the remainder of the iwi area of interest.

3.3 Taangata Whenua Interests

54. It is not the Authority’s position to comment in the intricate relationships between Waikato River Iwi and decision makers within the catchment. As an observer of the co-management arrangements, and the positive growth between the parties to these arrangements, the Authority believes it would be detrimental for the NPS to determine new arrangements that cut across existing Treaty Settlement agreements. The PC1 process was a ground breaking example of co-governance and decision making between WRC, River Iwi and the community. It has taken 10 years to better establish these relationships.

Part 3 (Subpart 2): National Objectives Framework

3.13 Monitoring

55. The Authority believes that including Maatauranga Maaori in planning and management of freshwater is positive. It is our experience that you will not achieve the vision of Te mana o te Wai, without acknowledging and respecting hundreds of years of experience and knowledge in managing freshwater. The Authority supports this approach as Maatauranga Maaori underpinned the framework of the Waikato River Report Card (see paragraph 63 of this submission).
Part 3 (Subpart 3): Specific Requirements

3.15 Inland Wetlands

56. The Authority supports greater protection being provided to wetlands through identification and mapping. Wetlands form part of the definition of the Waikato River as defined in the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010. The Waikato River catchment has thousands of wetlands which continue to be at risk of loss due to drainage and modification.

57. The Authority recognises that this would be an enormous task due to the fragmented nature of many, once large, wetland groups. Some discretion should be provided to Councils to stage the mapping programme, in particular for those wetlands under 1 Ha. A lower area threshold could still be utilised for high value/unique wetlands that are under 1 Ha, including those of significance to iwi Maori.

58. The Authority would also recommend that policy 3.15(2) provides for a “net gain of natural inland wetlands” rather than ‘the loss or degradation of all or any part of a natural inland wetland is avoided”. This would provide for some smaller, highly degraded and modified wetlands to be utilised as ‘working wetlands’ as long as more significant wetlands are further restored in health and size.

3.16 Streams

59. The Authority submits that the Panel pushes further that what is promoted in 3.16(1) to include positive terms related to betterment, rather than “at least maintained”. This will better achieve Te Mana o te Wai and would align with the Vision & Strategy for the Waikato River.

3.17 Fish Passage

60. The Authority supports this policy for Regional Councils to identify their own structures (particularly those associated with flood control and land drainage) that are barriers to fish passage and to develop a plan to restore and protect fish passages. Councils could prioritise a staged work programme with taangata whenua to achieve this policy.

3.19 Water allocation

61. The Waikato River is fully allocated, with many tributaries being over allocated. In some cases streams are overallocated to one consent holder. This is inequitable for Iwi and communities.

62. The Authority supports in principle this policy to better make decisions related to water take permits, encourage efficient use of water and phasing out over-allocation. However, as noted in paragraph 11 of this submission, the rights and interests of Iwi to freshwater must be resolved within our catchment to further achieve the Vision & Strategy for the Waikato River.

3.21 Assessing and Reporting

63. The Authority supports policy 3.21 in its entirety. As noted in paragraph 55, we have developed a Waikato River Report Card with River Iwi and NIWA. Monitoring, assessing and reporting by regional councils would support the collating of information required to populate the Report Card. We will work very closely with the Waikato Regional Council to share information.

64. We aim to produce a report card every five years as a tool for monitoring not only the work of the Authority, but also the contributions of each sector, Iwi, council and community group.
The Waikato River Report Card

The Authority commissioned the development of the Waikato River Report Card which was released in February 2016. The report card was presented in a simple format, but synthesised complex information into key messages for the community. The framework was guided by the Waikato River Iwi and NIWA. It was structured around 8 taura (strands of rope) that together would capture the aspirations of the Vision & Strategy. The taura, and indicators, were Kai, Water Quality, Effort, Ecological Integrity, Water Security, Experience, Sites of Significance and Economy.

Each taura equated to a mega set value which was broken down into subsets (e.g. Kooura, Tuna) in which the state of each subset was described by attributes (e.g. abundance, distribution, diversity). Maatauranga Maaori, cultural values and uses underpin the Report Card framework.

Part 3 (Subpart 4): Exceptions

3.22 Exception for large hydro schemes

65. The Authority maintains our position, as provided in our submission to the NPS-FM 2017, that this exception must not apply to the Waikato River hydro scheme as it is absolutely contradicts the intent of the Vision & Strategy (see attached letter, dated 6 June 2016, sent to the Minister for the Environment in Appendix 2). This section does not achieve Objective H:

“The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities.”

66. In fact, this section likely contradicts the objectives of Te Mana o te Wai.

Draft NES for Freshwater

67. The Authority wishes to note, in relation to paragraph 3(c) of this submission, that all applications for projects are required to meet the objectives of the WRCuT outlined in the legislation, most notably that:

(a) The WRCuT should not fund a project or a part of a project that another agency should or would fund (or be likely to fund) in the normal course of its operations if the Trust did not exist, eg. fencing of waterways on dairy farms, or activities that a territorial authority should undertake as part of their role would not be funded.

68. Therefore, the proposals and standards in the NES for Freshwater may positively affect future funding decisions as further requirements are placed on resource users, councils and their activities.

69. The Authority further wants to record that we support the intent of the draft NES for Freshwater, in particular the stringency provisions of:

2(1) Regional councils may include rules in their plans that set rules that are more stringent than those required by this Standard; and

2(2) Any rule in a regional plan that is more stringent than these Standards prevails over these Standards.

70. The NES for Freshwater provides the “how to” aspects to achieving the draft NPS-FM. The Authority will work very closely with Waikato River Iwi and the Waikato Regional Council to develop more stringent rules that better achieve the Vision & Strategy for the Waikato River. Therefore, we have no further comment on the proposed NES for Freshwater.

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RESTORING AND PROTECTING
THE HEALTH AND WELLBEING
OF THE WAIKATO RIVER

Tooku awa koiora me oona pikonga he kura tangihia o te maataamuri
The river of life, each curve more beautiful than the last

VISION AND STRATEGY FOR THE WAIKATO RIVER
Tiwha tiwha te poo ea te Ao
Kau ngaa tai o Reehua ki uta
He rongo i tuuria ki te matahau
No Tuu te winiwini
No Tuu te wanawana
Tihei Mauriora
Ko te wehi ki te Atua Ko ia te timatanga o te whakaaro nui
Me whakahoonoretia te Kiingi Maaori a Kiingi Tuheitia, e noho mai na i runga i te torona tapu o oona tuupuna me toona whaea.
E ngaa mana, e ngaa reo, e ngaa waka, e rau rangatira maa teenaa koutou,teenaa koutou, teenaa koutou kaatoa
Ki a ratou kua riro ki tua o Paerau, ngaa mate huhua o te waa, haere ki te kainga i tauiratia mo taatou mo te tangata, oti atu koutou ki Hawaiki nui, ki Hawaiki roa ki Hawaiki paamamao
E kore e mutu te whakamihi atu ki ngaa tuupuna na raatou te kaha, na raatou hoki i whakatoo te whakaaro kia whakamanawa maatou ki te tiaki i te mana me te mauri o te Awa o Waikato i raro i ngaa tikanga tuku iho.
Ko te taumata, ko te mahi tahi a ngaa Iwi katoa ahakoa Maaori mai Pakeha mai, mo te oranga o taa taatou tuupuna awa te kaupapa tino whakaharahara rawa atu. Kia tika ai te koorero o Kiingi Taawhiao,’Tooku awa koiora me oona pikonga he kura tangihia o te maataamuri’
No reira kia uu kia kaha kia mataara taatou ki te mahitahi mo te oranga o te awa o Waikato te take.
The Waikato River Authority’s enabling legislation has given it an important role as the custodian of the Vision and Strategy for the Waikato River.

The Authority has two main aspects to its work. As the sole trustee of the Waikato River Clean-up Trust, it is able to fund projects that contribute to the health and wellbeing of the river. The Authority is also charged with safeguarding the importance of the Vision and Strategy in policy that relates to the health of the river.

The task ahead is significant with the Vision and Strategy applying to 11,000 square kilometres of Waikato River catchment and the government contributing $220 million over a 30-year period.

Because restoring and protecting the Waikato River is such a long-term undertaking, the Waikato River Authority will also work towards the creation of an endowment fund so that the river clean-up work can carry on in perpetuity.

Collaboration is crucial for a cleaner river. Waikato River iwi, industry, central and local government and of course the wider community all have a key role to play now and into the future.

Kia ora

Tukoroirangi Morgan
Co-chairperson

Hon John Luxton
Co-chairperson
BACKGROUND

The Waikato River Authority was established in 2010 as the custodian of the Vision and Strategy for the Waikato River. The Authority is also the body responsible for overseeing the implementation of the clean-up of the river.

The Vision and Strategy was developed and published in 2008 under the watch and direction of the Guardians Establishment Committee. Consultative hui, public open days and meetings with stakeholders with an interest and connection with the Waikato River were held. In addition submissions were called for and received which guided the formation of the Vision and Strategy.

THE VISION AND STRATEGY RESPONDS TO FOUR FUNDAMENTAL ISSUES AS SET OUT BELOW:

1. The degradation of the Waikato River and its catchment has severely compromised Waikato River iwi in their ability to exercise mana whakahaere or conduct their tikanga and kawa;

2. Over time, human activities along the Waikato River and land uses through its catchments have degraded the Waikato River and reduced the relationships and aspirations of communities with the Waikato River;

3. The natural processes of the Waikato River have been altered over time by physical intervention, land use and subsurface hydrological changes. The cumulative effects of these uses have degraded the Waikato River; and

4. It will take commitment and time to restore and protect the health and wellbeing of the Waikato River.

The Vision is consistent with the overarching purpose of the settlement between Waikato-Tainui and the Crown to restore and protect the health and wellbeing of the Waikato River. The Vision and Strategy incorporates the objectives provided by Waikato-Tainui as set out in the Agreement in Principle, and other objectives that reflect the interests of Waikato River iwi, and of all New Zealanders.

As the Waikato River is important to all the people of the region, the ultimate measure of this Vision and Strategy will be that the Waikato River will be safe for people to swim in and take food from over its entire length.
HISTORIC TIMELINE

1858
Establishment of the Kiingitanga to unite the tribes, to retain lands and cease tribal warfare. Kiingi Pootatau Te Wherowhero was crowned the first Maaori King.

1863
New Zealand Settlements Act passed into legislation to lawfully confiscate land (raupatu). The Act was to enable the taking of lands to provide for settlers. Waikato suffered raupatu.

1987
Waikato River Claim filed with the Waitangi Tribunal.

2007
Crown and Waikato-Tainui reach an Agreement in Principle regarding the outstanding claim to the Waikato River. This agreement included the formation of Guardians Establishment Committee to develop a Vision and Strategy for the Waikato River.

2008
Vision and Strategy for the Waikato River published.

2010
Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and the Ngaati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 passed into law as enabling legislation for the Waikato River Authority.

2010
Waikato River Authority and Waikato River Clean-up Trust established.

2011
First funding round for Waikato River clean-up projects announced.

2012
Ngaa Wai o Maniapoto (Waipa River) Act 2012 passed into legislation extending boundaries for the Vision and Strategy to include all of the Waipa River.
Our Vision is for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come.

This Vision and Strategy is Te Ture Whaimana o Te Awa o Waikato
Tooku awa koiora me oona pikonga he kura
The river of life, each curve more

tangihia o te maataamuri
beautiful than the last

These words form part of the Vision
and are taken from the maimai aroha, or
lament, by Kiingi Taawhiao, the second
Maori King, in which he recorded his
adoration for the Waikato River and the
significance of the river as a treasure for
all generations. These visionary words
inspire the actions that will be necessary
to restore the health and wellbeing of
the Waikato River.
In order to realise the Vision, the following Objectives will be pursued:

a. The restoration and protection of the health and wellbeing of the Waikato River.

b. The restoration and protection of the relationship of Waikato-Tainui with the Waikato River, including their economic, social, cultural, and spiritual relationships.

c. The restoration and protection of the relationship of Waikato River iwi according to their tikanga and kawa, with the Waikato River, including their economic, social, cultural and spiritual relationships.

d. The restoration and protection of the relationship of the Waikato region’s communities with the Waikato River including their economic, social, cultural and spiritual relationships.

e. The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River.

f. The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.

g. The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River.

h. The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities.

i. The protection and enhancement of significant sites, fisheries, flora and fauna.

j. The recognition that the strategic importance of the Waikato River to New Zealand’s social, cultural, environmental and economic wellbeing is subject to the restoration and protection of the health and wellbeing of the Waikato River.

k. The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length.

l. The promotion of improved access to the Waikato River to better enable sporting, recreational, and cultural opportunities.

m. The application to the above of both maatauranga Maaori and latest available scientific methods.
STRATEGIES FOR THE WAIKATO RIVER

To achieve the Objectives, the following Strategies will be implemented:

1. Ensure that the highest level of recognition is given to the restoration and protection of the Waikato River.

2. Establish what the current health status of the Waikato River is by utilising maatauranga Maaori and latest available scientific methods.

3. Develop targets for improving the health and wellbeing of the Waikato River by utilising maatauranga Maaori and latest available scientific methods.

4. Develop and implement a programme of action to achieve the targets for improving the health and wellbeing of the Waikato River.

5. Develop and share local, national and international expertise, including indigenous expertise, on rivers and activities within their catchments that may be applied to the restoration and protection of the health and wellbeing of the Waikato River.

6. Recognise and protect waahi tapu and sites of significance to Waikato-Tainui and other Waikato River iwi (where they so decide) to promote their cultural, spiritual and historic relationship with the Waikato River.

7. Recognise and protect appropriate sites associated with the Waikato River that are of significance to the Waikato regional community.

8. Actively promote and foster public knowledge and understanding of the health and wellbeing of the Waikato River among all sectors of the Waikato regional community.

9. Encourage and foster a ‘whole of river’ approach to the restoration and protection of the Waikato River, including the development, recognition and promotion of best practice methods for restoring and protecting the health and wellbeing of the Waikato River.

10. Establish new, and enhance existing, relationships between Waikato-Tainui, other Waikato River iwi (where they so decide), and stakeholders with an interest in advancing, restoring and protecting the health and wellbeing of the Waikato River.

11. Ensure that cumulative adverse effects on the Waikato River of activities are appropriately managed in statutory planning documents at the time of their review.

12. Ensure appropriate public access to the Waikato River while protecting and enhancing the health and wellbeing of the Waikato River.
As the Waikato River is important to all the people of the region, the ultimate measure of this Vision and Strategy will be that the Waikato River will be safe for people to swim in and take food from over its entire length.

The area that the Vision and Strategy applies to is the Waikato River from Huka Falls to Te Puuaha o Waikato and the length of the Waipa River to its junction with the Waikato River as shown in the map below. The Vision and Strategy also applies to the activities in the catchments affecting the Waikato River.
Appendix 2

Personal details removed

Waikato River Authority

Hamilton

Dear Personal details removed

Exceptions to national bottom lines

Thank you for your letter of 5 May 2016 regarding exceptions under the Freshwater NPS. I understand that you are meeting Personal details removed in July.

In the Waikato, the requirements of the Vision and Strategy prevail over any inconsistent provisions in a national policy statement. This will apply to the exceptions provisions of the Freshwater NPS.

We are happy to meet with the Waikato River Authority to discuss the relationship of the Freshwater NPS to the Vision and Strategy. It would also be an opportunity to explore how the process for considering exceptions could play out in the Waikato River catchment.

If you have any questions regarding exceptions please contact: Barry Johnson (Manager – National Policy Statement for Freshwater) Personal details removed or Personal details removed

Yours sincerely

Personal details removed

Director Water

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