30 October 2019

Freshwater consultation
Minister for the Environment

Tēnā koe / koutou rānei

Rotorua Te Arawa Lakes Strategy Group submission to the Actions for healthy waterways proposals

Thank you for the opportunity to comment on the government’s Action for healthy waterways package of proposals released on 5 September 2019 (the proposals).

Rotorua Te Arawa Lakes Strategy Group

The Rotorua Te Arawa Lakes Strategy Group (RTALSG) is a co-governance partnership enabled and established by the Te Arawa Lakes Settlement Act 2006. Our partnership is made up of representatives from Te Arawa Lakes Trust, Bay of Plenty Regional Council and Rotorua Lakes Council. Our purpose and mahi is to coordinate policy and actions to maintain or improve the water quality of Rotorua Te Arawa lakes for present and future generations. As the Ministry is aware, RTALSG has a formal working relationship with the Crown.

We have been on this journey for some time. Our Vision and Strategy for the Lakes of the Rotorua district (our Vision and Strategy) has been in place since 2000 and was refreshed in 2013. It sets our collective high level vision and goals for the Rotorua Te Arawa lakes. RTALSG guides delivery of our Vision and Strategy.

Our Vision:

The lakes of the Rotorua district and their catchments are preserved and protected for the use and enjoyment of present and future generations, while recognising and providing for the traditional relationship of Te Arawa with their ancestral lakes.

Matakaraka:

E tiakina whai, e manaakitia ana hoki ngā roto o te rohe o Te Arawa hei painga mō tātau me ngā whakatipuranga o ara mai nei, ā, me te aro anō ki te hononga tuku iho o Te Arawa ki ā rātau roto

Together, we’re working to remove 320 tonnes of nitrogen from the Lake Rotorua groundwater catchment and restoring the water quality of all Rotorua Te Arawa Lakes as part of the Rotorua Te Arawa Lakes Programme.
Submission

We wish to express our strong support for the Action for healthy waterways proposed objectives to:

- stop degradation of freshwater resources and start making immediate improvement; and
- reverse past damage in order to return freshwater resources and ecosystems to a healthy state.

We share government's sense of urgency for action where degradation is occurring in our Rotorua Te Arawa Lakes. They are particularly sensitive environments. Our lakes are taonga, highly valued by iwi and hapū as well as local people for mahinga kai, amenity, recreation, cultural and spiritual values.

We support key parts of the proposal because they are particularly well aligned with and will contribute to achieving the vision and goals in our Strategy. These are:

1. Strengthening of Te Mana o te Wai, the hierarchy of obligations it entails and the engagement with tangata whenua it requires.

2. Strengthening expectations that Māori values must be accommodated meaningfully into freshwater planning, including elevating mahinga kai to a compulsory value and creating a tangata whenua freshwater values category within the framework and stronger provisions for mātauranga Māori.

3. Tightly restricting further intensification of high risk land use in catchments without NPSFM provisions in place, noting there are provisions in place for the Lake Rotorua groundwater catchment (known as Plan Change 10).

4. Raising the bar on ecosystem health, more particularly:
   - Broadening the focus of the NPSFM to a more holistic view of ecosystem health and the requirement for better monitoring (inclusive of mātauranga) and reporting.
   - Inclusion of new attributes relevant to matters we are concerned about for our lakes such as: fish and macroinvertebrate numbers; and lake macrophytes or the amount of native and invasive plants in our lakes.
   - Strengthening protection of wetlands and streams.
   - Strengthened protection of threatened indigenous freshwater species to ensure indigenous species thrive.

5. The new streamlined planning process to give full effect to the NPSFM by having new plan provisions in place by December 2025.

We do, however, hold a number of key concerns about the proposal and its urgency for action which must not be at the expense of addressing fundamental issues that are critical for successful implementation including:

1. Addressing Māori rights and interests in freshwater. Addressing water allocation issues, including Māori interests, is a stated objective of the government which needs to be addressed alongside stopping further degradation and reversing past damage.

2. Shortening time frames has the potential to compromise iwi and hapū involvement in processes – relationship building, process agreements, and delivery take time.
3. Appropriate resourcing to ensure active and meaningful involvement of tangata whenua is critical for successful implementation, is required whatever the timeframes proposed.

4. Delayed national direction on allocation – both nutrient and water allocation approaches.

5. Delayed detail about the national direction on three waters. As with allocation and Māori rights and interests delayed national direction on these matters hinders the integrated and holistic management of water in accordance with Te Mana o te Wai.

Other matters which we seek assurance of or amendment to the proposals are:

1. The requirement for a long-term vision in the Regional Policy Statement. We are concerned that the proposal to develop and articulate a region wide long-term vision in the Regional Policy Statement may denigrate or detract from our Strategy's vision and goals (and visions other co-governance entities have in their river documents). We seek the requested assurance or removal of the requirement for a long term vision.

2. Identification of Nitrogen Impacted catchments. We note only the upper Rangitāiki catchment in the Bay of Plenty has been identified as a Nitrogen Impacted catchment where we would have expected some of our Rotorua Te Arawa Lakes to be included. The method for selecting Nitrogen Impacted catchments looks to have failed to identify Bay of Plenty's most impacted catchments, and the cap and reduction methodology does not target poor practice which is the stated purpose of the regulation. We seek an appropriate and implementable interim regulation.

3. Possibility for unintended consequences where nutrient management rules are in place. While we support tightly restricting further intensification of high risk land use in catchments without NPSFM provisions in place, we are concerned this may have unintended consequences in the Lake Rotorua groundwater catchment which has plan change 10 in place (subject to resolving outstanding appeal points). This provides for land use change from forestry to low intensity farming on land held under Te Ture Whenua Māori Act meeting specific conditions. Proposed NES clause 35 4) c) looks to possibly extinguish this opportunity. We seek flexibility where there are nutrient management provisions in place.

We trust you find our submission constructive.

The Rotorua Te Arawa Lakes Strategy Group (RTALSG) is available to be heard on this submission if the Minister for the Environment’s Independent Advisory Panel requires any further clarification. For matters relating to this submission, please contact me on 07 346 1761.

Ngā mihi

Sir Personal

Chair – Rotorua Te Arawa Lakes Strategy Group