Re: Submission - Action for Healthy Waterways

IN THE MATTER OF Consultation and feedback on Te Mana o te Wai

SUBMISSION by CULTURAL and POLITICAL SERVICES, RANGITĀNE O TAMAKI NUI A RUA

Thursday, 31 October, 2019

Ruahine te Maunga

Manawatū te Awa

Te Rangiwhaka-ewa te Tangata

Rangitāne te Iwi

Nō reira, tēnā koutou, tēnā tātou katoa.

1. Rangitāne

Rangitāne Tū Mai Rā Trust (RTMR); is the Settlement Governance Entity for the two Runanga, Rangitāne o Wairarapa, and Rangitāne o Tamaki nui-a-rua. RTMR is responsible for the management of all Treaty settlement assets transferred from the Crown. Another key outcome of the Treaty Settlement is the Relationship Redress component that; “aims to enhance the Rangitāne relationship with the Crown more generally post settlement “ by committing to Protocols and Relationship Agreements with the following in relation to our Taiao:

- A Taonga Tuturu Protocol with the Minister for Arts, Culture and Heritage;
- A Crown Minerals Protocol with the Minister of Energy and Resources;
- A Relationship Agreement with the Department of Conservation;
- A Relationship Agreement with the Ministry for the Environment; and

Letters of introduction for local Councils; and regional Councils from the Director of the Office of Treaty Settlements.

2. Cultural and Political Services, Rangitāne O Tamaki nui a Rua Inc. (RoTNaR)

Represents the Hapū of the northern rohe (contemporary area) while Rangitāne o Wairarapa (RoW) represents the southern rohe. It is the responsibility of RoTNaR to develop and implement the aspirations of the northern Hapū and lead out the Runanga’s involvement in environmental, political and cultural matters. We work alongside Rangitāne Tū Mai Rū Trust and to strengthen our representation and relationships with all Rangitāne hapū/iwi. Particularly as we all have shared cultural revitalisation aspirations of which environmental wellbeing is a priority.

3. Te Kāuru Eastern Manawatū River Hapū Collective

The hapū collective published the 2016 Te Kāuru Tai ao Strategy (TKTS). TKTS provides a platform as a voice for RoTNaR Hapū to apply a strategy outlining mana whenua expectations for the Upper Catchment of the Manawatū Awa. This is a collective representation of RoTNaR and is inclusive of the whakapapa whanaungatanga (kinship)
connections with Ngāti Kahungunu hapū in this rohe. RoTnaR provides the administrative support to Te Kāuru, the hapū collective who have kaitiakitanga for the eastern reaches of te awa o Manawatū, and is a Manawatū River Leaders Accord signatory.

4. Te Kāuru Strategy

“Everything is connected - water flows through Papatūānuku like blood flows through the body of man. Rivers flow from the source/mountains to the sea. They shape – and in turn are shaped by – the air, the land, the fauna and flora, rocks and minerals as well as people – they all are integral to their being. The purpose of this section is to make the Te Kāuru relationship with air, water, land, fauna and flora, rocks, minerals, oil & gas, and people explicit. It provides values and strategies/principles for environmental impact assessment and decision making at a generic level. Over time, Te Kāuru will develop more detailed policies for specific situations such as resource consents for irrigation, waste water discharges, mixing of waters, water takes, etc.”

Tuia ki runga
Tuia ki raro
Tuia ki te muka tangata

Unite celestial matters
Unite terrestrial matters
Unite with human fibres

“Water circulates between the sky and the earth – it connects the above – with what is on the surface and what is below – this includes people. Te Kāuru recognise that these elements are inseparable.”

He puna manawa, he manawa whenua!
He manawa whenua, he manawa ora!
He manawa whenua, he manawa tū!
He manawa whenua, he manawa tangata!

A spring of water from the heart of Papatūānuku
An eternal spring of water, unfailing
An eternal spring supports life
An eternal spring supports longevity
An eternal spring supports eternal well-being

5. Environmental Management Plan

RoTnaR is currently developing an Environmental Management Plan; this will be an extension of the TKTS. It extends beyond the Manawatū Awa and reaches out to the eastern coastline and captures a holistic te Kāuru ki tai approach
of our contemporary rohe. Therefore RoTnaR takes this opportunity to submit to the Essential Freshwater – Action for Healthy Waterways.

6. **Te Mana o te Wai – Kāhui Wai Māori Report**

The health of our wai, the health of our nation¹. RoTnaR recognise the obligations or hierarchy identified in the Kahui Wai Māori Report (Kāhui Report) and Te Mana o te Wai (TMOTW) framework:

- The first; is to the water, to protect its health and its mauri
- The second; is providing for essential human health needs such as drinking water
- The third; is for other consumption provided that such use does not adversely impact the māuri of freshwater

7. **RoTnaR support the principles and recommendations of the Kahui Report**

RoTnaR agree that all recommendations be adopted as a key part of the NPSFM. The following are of particular interest to RoTnaR and in some cases requires further expectations as outlined below;

8. **Te Kāhui Wai recommendations to restore the health of our Wai.**

- Embed Te Mana o te Wai principles and obligations to guide all activities.
- Establish an independent national regulatory Te Mana o te Wai Commission.
- Implement a Te Mana o te Wai Capacity and Capability Strategy to guide the investment in, and development and empowerment of, the leaders of Te Mana o te Wai to enable this structural and system reform; and also including implementation for enabling “flax roots” kaitiaki responsibilities e.g. cultural health surveys and monitoring.

9. **The principles and obligations to guide all activity**

Te Mana o te Wai prioritises these principles:

- The dual roles of iwi/hapū and the Crown to develop and maintain decision-making processes for water, including mana whakahaere;
- kaitiakitanga and stewardship practices to sustain water; and
- manaakitanga and care and respect in providing for the health of our nation.

- When Te Mana o te Wai is provided for the mauri of the wai is sustained and the cultural, social, and economic relationship of iwi/hapū and all New Zealanders with the wai is maintained.

10. **Structural and system reform is required**

- A new system is required that is values-based and upholds the integrated values of water from the mountains to the sea.

- The involvement of Māori in the delivery of Te Mana o te Wai needs to occur systematically, where leadership is working towards achieving the obligations and principles inherent in Te Mana o te Wai. **There is also insufficient support and funding to enable kaitiaki responsibilities e.g. cultural health surveys and monitoring.**

¹ Kahui Wai Māori report to Hon Minister David Parker April 2019
• There is not a sufficient and sustainable source of funding for all water governance activities, including funding to support the investments that are increasingly needed to provide for kaitiaki initiatives for the restoration, care and protection of degraded water bodies.

11. Declare a moratorium
• Declaring an immediate moratorium on further water takes, and any further intensification of land use that will increase discharges to water, is an essential action to commence our journey as a nation to heed the cries of our waters. Urgent action is required to address the current crisis.
• A moratorium will prevent further:
  a. degradation of water bodies through additional extraction and/or discharges;
  b. alienation of iwi/hapū rights, interests and obligations, until this issue can be addressed by Parliament; and
  c. accumulation of use rights that could fetter the development of the new structural system for caring for water.

Although outside the scope of the NPSFM the following is a key part of the conversation about innovative and future focused freshwater management influenced by an RMA reform.

12. Reform legislation and policy
In practice, the existing requirements in the RMA do not provide for Māori rights, interests and obligations in water to be adequately identified and accommodated in RMA processes, including adoption of, and changes to, national and regional rules and decisions on water takes and discharges. This must change. To help this change, we recommend:

a. The insertion of a new sub-paragraph 5(2)(aa) to read: “recognising and respecting the kawa, tikanga, and kaitiakitanga of marae, whānau, hapū, and iwi of natural and physical resources (excluding minerals); and”;

b. Section 8 be amended to read “In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall conform with the principles of Te Tiriti o Waitangi / the Treaty of Waitangi”;

c. The insertion of a new section to detail the importance of Te Mana o te Wai, including the hierarchy of obligations and the principles for the sustainable management of water, by embracing kaitiakitanga (stewardship/guardianship); manaakitanga (care/respect); and mana whakahaere (partnered governance).

• We support the recommendation for amending section 36 of the RMA to enable local authorities to fix charges payable on consumptive water uses, for the purpose of creating and sustaining regional / catchment level clean-up funds for investments into initiatives for the care and protection of water bodies, consistent with Te Mana o te Wai. Such mechanisms must be accessible to iwi/hapū and the wider community, to meet regional or catchment goals for enhancing and restoring the wai.

13. Establish te mana o te wai commission
We support the recommendation for the establishment of a new independent national body should be sustainably resourced to design and implement the Te Mana o te Wai Structure and System Reform that includes: setting national direction that promotes Te Mana o te Wai; calling-in applications at the local catchment level where appropriate; auditing water-related local government and catchment level processes and decisions; and bringing, and participating in, proceedings relating to local government and catchment level processes and decisions.

14. Improve accountability and partnership of local government
Genuine partnership is currently not reflected in water governance and planning because Māori input is usually limited to very specific points of input, and iwi/hapū are not adequately resourced to participate. Te Mana o te Wai requires that partnership is reflected across the water care system and iwi/hapū are enabled to work at various levels including infrastructure, governance and management; planning and policy; environmental regulation; compliance, monitoring and enforcement; and land and water restoration and management. Iwi/hapū are best placed to ensure that strategic planning for, for example, Regional Plans, Long Term Plans, and Asset Management Plans, reflect Te Mana o te Wai principles and obligations.

15. Develop te mana o te wai capability and best practice strategies

There currently exist a range of informal, ad hoc arrangements between iwi, hapū, other Māori entities and local government to participate in water care. This includes involvement in the assessment of resource consents and participation in compliance monitoring.

Best practice approaches must be identified to strengthen and further formalise these arrangements throughout the country. With few exceptions, iwi/hapū have not been supported or resourced to develop their knowledge sets and capacity to partner with local government and various catchment groups that inform the policy and planning for water. Supporting and resourcing this partnership, including iwi/hapū resource management planning, must also occur.

Iwi Management/Kaitiakitanga Plans must be resourced and highly valued in informing all the various aspects of the water care and resource management system, including planning and monitoring.

There are currently a plethora of farm-level environment plans and land use change models that do not incorporate tikanga or mātauranga Māori approaches to planning and modelling change. This needs to be resourced to change.

16. Allocation system

Although there was mention at Ministry for the Environment (MfE) consultation hui, that freshwater allocation will be addressed in another engagement process, Te Mana o te Wai cannot be separated into water quality and water allocation separately. You cannot have one without the other have the true essence of Te mauri o te wai.

Te Mana o te Wai first prioritises obligations 1 and 2. Only once appropriate water levels have been set to meet obligations 1 and 2, can the system consider an allocation process for consumptive uses of water.

17. Setting the scene

This section touches on key comments and discussions based on the online submission form and also other key discussions and documents reviewed recently to inform this submission.

18. Do you think the proposals set out in this document will stop further degradation of New Zealand’s freshwater resources, with water quality materially improving within five years?

RoTnaR support in principle the proposals in this document. It is an aspirational document that is bold and audacious with the policy reforms, and that is what is urgently needed to address the degraded state of our waterways. By meeting the objectives encompassing the new reforms, we can ensure a better, healthier life for our mokopuna that stretches long into the future.

To establish no further degradation of New Zealand’s freshwater resources occurs, the action needs to be immediate in order for improvements in water quality be effective within five years.

Government and regional councils must co-design these processes with Tangata Whenua – the current process has been inadequate and not in accordance with our Treaty partnership.

A fundamental issue with the reforms is that by introducing a new pNPSFM the ‘maintain’ timeframes will be reset and will restart the clock in some instances. This will impact the Government’s objectives to at least maintain, if
not improve and reverse degradation of our waterways. Alternatively, amendments could be made to the current NPSFM 2017 to strengthen the same principles but ensure the date ‘maintain’ is measured against is protected. In that regard, ‘maintain’ should be measured from the date the waterway could support cultural use. However Government need to actively engage with the Mana Whenua of each rohe to ensure this happens.

Recommendation: We seek specific recognition of Rangitāne o Tamaki Nui a Rua rights and interests under the Treaty of Waitangi, including our role in relation to freshwater management in our rohe.

19. Do you think the proposals will bring New Zealand’s freshwater resources, waterways and ecosystems to a healthy state within a generation?
As stated above in sections 6 – 15, we support the strengthening of Te Mana o Te Wai as the framework for freshwater management. To reverse past damage and restore the waterways back to a healthy state, the Government must aim for reversing damage immediately where possible. Moratoriums and rāhui should be implemented on particular activities affecting water quality and quantity now to ensure that generational change is achievable.

Our concerns are around Councils ability to be definitive with compliance, monitoring and enforcement with the new policy reforms. The response to changes need immediacy if the timelines are to be achieved. We seek full assurance and guarantee that freshwater resources, waterways and ecosystems will be returned to a healthy state within a generation. How will this happen?

20. What difference do you think these proposals would make to your local waterways, and your contact with them?
The current proposals still provides for grandparenting for nutrients and positions major hydro schemes outside of the NPSFM. This does not reflect acting in the best interests of the waterbody and is inconsistent with Te Mana o Te Wai. Existing consents and existing use rights which will continue to undermine Te Mana o Te Wai and must be addressed.

21. Broader government and reform
It is pre-emptive of the Government to introduce the Resource Management Amendment Bill (currently before the Environment Select Committee) which implements the freshwater planning system currently up for consultation. The Waitangi Tribunal has made a number of findings and recommendations around Māori customary rights in water and recently found that the RMA fails to give effect to the Treaty of Waitangi. We support the finding of the Tribunal that Rangatiratanga over taonga must not be diminished by the RMA, and that the Crown’s right to provide a regulatory regime for the management of natural resources cannot override the proprietary interests of Rangitāne o Tamaki Nui a Rua.

We appreciate that the change required to remedy the ongoing breach of the Treaty of Waitangi by the continued implementation of the current framework will take time to resolve. We are committed to working in partnership with the Crown to devise a solution to resolve this breach.

22. Central Government Direction
Any central government direction to local government must ensure that local government exercise its powers in accordance with the principles of the Treaty and ensure that local government explicitly knows that it also has responsibilities under the Treaty.

Local government needs to engage with iwi accordingly as its Treaty Partner. There are examples in our rohe where local government has engaged constructively, however this is determined by the good will of local government to implement existing settlement mechanisms and provide for a te ao Māori values. Therefore, clear direction from central government is required to ensure local government uphold its obligations under the Treaty.

23. New national direction of an NPS, NES, and s360 regulations
We are in principle supportive of national directions driving the implementation of Te Mana o Te Wai but compliance must be monitored. These reforms must be considered in light of the Waitangi Tribunal’s findings and
recommendations in Stage 2 of the National Freshwater and Geothermal Inquiry and cannot repeat the breaches of the Treaty already identified by the Tribunal. There is clear disconnect from what the Discussion Document states and what is actually in the draft national directives. There is also a disconnect between the definitions in the national planning standards and the definitions in the pNPSFM.

- The Regulatory Impact Statement for the proposed reforms noted that the direction in the current pNPSFM for councils to engage with iwi and hapū has been poorly implemented in some regions. We do not consider that the current proposed reforms address or enhance the obligations of councils to meet engagement requirements and stronger policy is required.

- Fundamental issue with the reforms is that by introducing a new pNPSFM the ‘maintain’ timeframes will be reset and will restart the clock in some instances. This will impact the Government’s objectives to at least maintain, if not improve and reverse degradation of our waterways. Alternatively, amendments could be made to the current NPSFM 2017 to strengthen the same principles but ensure the date ‘maintain’ is measured against is protected.

Specific comments on the pNPSFM include:
Having a placeholder for reference to the Treaty of Waitangi (page 3) is disappointing and does not meet the Government’s obligations as a Treaty Partner.

**Recommendation:** Ensuring all obligations exercised under the pNPSFM are in accordance with the Crown’s (including local government) obligations under the Treaty of Waitangi and the principles upon which it is founded.
- We seek that the Objective clearly outsets that the priorities of the NPSFM is to manage freshwater in accordance with Te Mana o Te Wai.
- We recommend Policy 8 be amended to also protect coastal wetlands and supports no further loss of any wetland.


RoTnaR are limited in capacity to engage in a comprehensive submission. Hapū and iwi are engaged in a broad range of issues and opportunities that however, we see the importance of engaging in this issue. We also see the opportunity this provides to increase hapu/iwi involvement in high level decision making to support kaitiakitanga in our waterbodies. RoTnaR see the pNPSFM as an important step change to stop, and reverse the declining health of our waterbodies however, this must be done in a manner and timeframe that sustains the health and wellbeing of all users or those that may currently be impacting on the health of our waterbodies at the moment.

We recognise that a healthy waterbody will reflect a healthy whanau, marae, hapū, iwi, and at the same time it will reflect on all other sectors of our community.

RoTnaR support in principle, all of the proposed policies 1 – 13 as outlined in section 2.2 of the draft proposed National Policy Statement for Freshwater Management (pNPSFM) document.

We have not addressed all issues in the pNPSFM however, have focused on key areas of importance to our waterbodies. The following are of particular interest to RoTnaR and in some cases requires further expectations as outlined below;

25. **Section 3.2** Reiterating the support for TMOTW as per the Kahui Report, we also support section 3.2 TMOTW where regional councils must *give effect to* TMOTW however, this can only be done appropriately by engaging directly with whanau, marae, hapū, iwi as outlined in section 3.3 Tangata whenua roles and interests.

26. **Section 3.3 (2)** Engagement with tangata whenua requires taking “reasonable” steps...
**Recommendation:** is to replace “taking reasonable steps” with: *Engagement with tangata whenua must occur to...*

This will help to provide local tangata whenua values and attributes.

**Recommendation:** with appropriate resourcing and funding to support capability and capacity to engage in this.

### 27. Section 3.4 Integrated Management

Integrated management begins to reflect a Te Ao Māori (Māori worldview) in Te Ao Tūroa (the natural environment) as a holistic approach where the entire environment is considered due to how interconnected our environment is te kāuru ki tai (from the headwaters to the sea).

**Recommendation:** Regional Council engagement with tangata whenua must occur with appropriate resourcing to support capability and capacity to action TMOTW in integrated management.

### 28. Subpart 2 National Objectives Framework

#### 29. Section 3.5 Overview of the National Objectives Framework

The national objectives framework (NOF) requires that every regional council identifies values for each FMU in its region; sets target attribute states, and flows and levels, for waterbodies; develops interventions (limits specified in rules, or action plans) to achieve the target attribute states, flows, and levels; monitors waterbodies and freshwater ecosystems; and takes steps if deterioration is detected.

At every stage of the process, regional councils must engage with communities and tangata whenua in order to give effect to Te Mana o te Wai, as required by clause 3.2.

**Recommendation:** Regional Council engagement with tangata whenua must occur with appropriate resourcing to support capability and capacity to action TMOTW in identifying and managing Freshwater Management Unit (FMU) e.g. identifying values, attributes, monitoring that may be required etc.

### 30. Section 3.7 Identifying values and environmental outcomes

- Every regional council must identify the values that apply to each FMU...
- For each FMU, or for individual waterbodies or freshwater ecosystems within an FMU, the regional council must describe the environmental outcomes that it wants to achieve...
- A regional council may identify additional components and attributes for any of the compulsory values, and components and attributes for any additional values identified

According to the *Interim Regulatory Impact Analysis for Consultation: Essential Freshwater* document (released by Martin Workman, Director of Water Taskforce, Ministry for the Environment) there is reference to consulting on two options to amend the pNPSFM to strengthen Māori values and attributes into regional freshwater management.

**Recommendation:** RoTnaR support the following recommendation of this document.

**Recommendation:**

*We recommend consulting on two options to amend the Freshwater NPS to place stronger requirements on regional councils to incorporate Māori values and attributes into regional freshwater planning. These options are:*

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2 Section 4.8 Providing for Māori values and attributes of freshwater health recommendations, page 30.
• creating a ‘mahinga kai’ compulsory value for the National Objectives Framework, equivalent to ecosystem health and human health for recreation,
• creating a new value category for ‘tangata whenua’ values in the National Objectives Framework.

We also recommend non-regulatory measures, such as guidance and funding to support regional council and hapū/iwi capacity and capability to implement the Freshwater NPS.

Recommendation: RoTnaR would like to work with the Regional Council (Horizons) to develop a “platform” for tangata whenua values to be based from, to support a local perspective that may help to inform the NOF at a national level.

31. 3.8 Identifying current attribute states

The proposed attributes and management approach will contribute to improving ecosystem health as it is a more holistic approach to freshwater management and helps move the focus away from bottom lines and maximum contamination to proactive management for the health of the waterways.

However, we have concerns that the proposed attributes and management approach will not contribute as significantly as proposed to ecosystem health, as the existing bottom line is already too low. Pragmatically, the interplay between Clause 3.7 and 3.9(pNPSFM pg 10) would suggest that only maintain is required, not improve, and potentially allows councils to execute the existing status even when communities would like to see a higher band.

32. 3.15 Wetlands

Wetlands are highly valued waterbodies, taonga, that provide copious cultural resources and environmental values, ecosystems and habitats. The amount of wetlands have dramatically decreased through draining or development.

We seek protection for coastal wetlands, not just inland wetlands, as these areas are as significant to us as the inland wetlands. Their role as a boundary between rising sea levels and the land is vital with climate change as an ever increasing pressure we are facing this century.

We seek protection for restored/constructed wetlands which have been created for either ecological restoration or as a mitigation.

Recommendation: We support the proposal to protect remaining wetlands, this includes inland, coastal and restored/constructed wetlands.

We also have some questions:

Forestry would be exempt from wetland provisions in the new standards. Why is this?
This is detrimental to TMOTW as they are the kidneys of te Taiao.

Wetland monitoring only applies to new consents. What about all the other wetlands?
This is detrimental to TMOTW as they are the kidneys of te Taiao.

Wetland protection is proposed for bigger than 500 sq. meters. What about the smaller wetlands?
This is detrimental to TMOTW as they are the kidneys of te Taiao.

33. 3.16 Streams

We support the proposal to limit stream loss and increased protection for streams however, we have concerns regarding the ability to modify streams in ways that may impact our cultural values and the ability to offset.

Recommendation: that the definition of streams and rivers includes ephemeral and intermitting flowing rivers.

34. 3.17 Fish passage
We support proposed fish passage requirements. It is great to see provisions on fish passage in the new standards. Rangitāne o Tamaki Nui a Rua support councils having to comply with the Guidelines created by the Fish Passage Advisory Group.

With existing structures, it should be a requirement for land owners to identify existing culverts on their land. We recommend that this does not just apply to new structures but existing structures also. There needs to be an additional clause which requires councils to make a plan and inventory of existing structures with a timeline of alleviation.

Culvert lengths have not been discussed, so we request that any rules are not weaker than what is already contained within some plans as this could have detrimental effects on some of our waterways if these stronger plans are reviewed.

35. **We support the increased monitoring and reporting.**

We seek that cultural monitoring is implemented alongside the standard monitoring requirements for councils. Cultural monitoring must be integrated into decision making, and effectively resourced for Mana whenua to carry out this work.

We support the specific timeframes for achieving the target attribute states.

36. **New bottom line for nutrient pollution**

We support the introduction of new bottom lines for nutrient pollution, and the stronger focus on ecosystem health rather than toxicity. Nutrients in our waterways are a critical stressor of river ecosystems, with implication on the ecosystem that reach further than just periphyton or MCI.

**Recommendation:** We support that new thresholds are based on rigorous science however, should be underpinned by mātauranga. In accordance with Te Mana o te Wai, we recommend that the environment is put first when considering nutrient pollutions and that each catchments ability to cope with these pollutants is recognised, rather than the existing nutrient loss.

- We are concerned that the proposal could reinforce grandparenting, which we oppose.

37. **Subpart 4 Exceptions**

3.22 **Exception for large hydro schemes**

(1) This section applies to the following 6 hydro-electricity generation schemes (referred to as Schemes):

a) Waikato Hydro Scheme;
b) Tongariro Power Scheme;
c) Waikaremoana Power Scheme;
d) Waitaki Hydro Scheme;
e) Manapouri Power Scheme;
f) Clutha Hydro Scheme.

3.22 (3) Regional councils may accordingly set target attribute states that are below national bottom lines in respect of waterbodies or freshwater ecosystems that are adversely impacted by structures that form part of any Schemes, to the extent of such an impact.

**Providing for Hydro-electricity Generation Infrastructure**

Waterbody diversions and major infrastructure development from the “Think Big” 1960’s are shown to have the biggest impact on TMOTW. We recognise the benefit these provide for the nation however, also see the impact
they have on multiple generations of tangata whenua. We are fortunate that our rohe supports wind generated energy and that is the preference over hydro-generation.

**Recommendation:**
Further engagement with tangata whenua hapū, in the catchments where these major hydro generation facilities are, is required. Further engagement on researching and implementing innovative management practices that support TMOTW must be outlined in policy, and supported financially by the operators.

Grandparenting in the context of existing infrastructure and the term it has existed should not override original state or condition of the environment before the infrastructure was developed.

### 38. Part 4 Timing

**4.1 Timing**
(1) Every regional council must implement the objective and policies of this National Policy Statement as soon as reasonably practicable.
(2) The final decisions on changes to policy statements and plans that are necessary to give effect to this National Policy Statement must be publicly notified no later than 31 December 2025.

**Recommendation**
Hapū, iwi engagement timeframes do not align with policy timeframes. RoTnaR experience continual overload of issues and opportunities requiring full and meaningful engagement. In regard to environmental matters the process is;

- Receive the issue/opportunity
- Research and identify issues or opportunities
- Present to various hapū forums (multiple meetings)
- Review info and format recommendations
- Present recommendations for ratification

Depending on the scale of the issue or opportunity there maybe direct engagement with the applicant, technical experts that can extend engagement timeframes therefore, hapū iwi engagement can take up to 3 months for a full meaningful approach. These sit outside current RMA or policy review timeframes. Some councils are improving by way of pre-consultation or engagement hui which shows good intent, however these are still tight in regards to allowing a full comprehensive engagement process for hapū iwi.

**Recommendation:**
Consider a 3 month timeframe to engage with hapū, iwi before the first round of national engagement.

### 39. Summary

Te Mana o te Wai encompasses an entire holistic approach te Kāuru ki tai. This includes quality, quantity, flow, tangible and intangible aspects of te Ao Māori. The pNPSFM infers good recognition of TMOTW. It infers good mention of tangata whenua being a part of the development at a regional and local level.

To provide justice to TMOTW there is a need for a complete monitoring and implementation of TMOTW supported by a Mātauranga Māori platform that can be personalised at a local level.

RoTnaR emphasise the importance of the suite of recommendations in the Kahui Wai Māori report to make a step change in policy to support the restoration of our wai te Kāuru ki tai (from the headwaters to the sea).
If there are hearings, we would like to speak to our submission.

Personal        Chief Executive
Personal details removed