TE RŪNANGA O MOERAKI – SUBMISSION ON ACTION FOR HEALTHY WATERWAYS
DISCUSSION DOCUMENT

1. This submission is made on behalf of Te Rūnanga o Moeraki (the Rūnanga) on the Ministry for the Environments’ Action for Healthy Waterways discussion document.

2. The Rūnanga is one of the 18 Papatipu Rūnanga that collectively make up Te Rūnanga o Ngāi Tahu. This submission is intended to be complimentary to the submission made by Te Rūnanga o Ngāi Tahu, which the Rūnanga supports.

3. The waters within our takiwa extent from the Waitaki in the north to the Waihemo (Shag River) in the south and inland to the southern Lakes Hawea and Wanaka.

Submission

4. This submission generally addresses questions one to eight in the discussion document.

5. The Rūnanga supports the position of Te Rūnanga o Ngāi Tahu that:

5.1 Ngāi Tahu rights and interests in all water must be recognised and given effect to in any regulation and management of freshwater;

5.2 Ngāi Tahu must be enabled to protect freshwater ki uta ki tai (from the mountains to the sea); and

5.3 the Action for Healthy Waterways discussion document does not meet the Crown’s obligation to work with its Treaty Partner, and is inconsistent with the acknowledgement of Ngāi Tahu’s rangatiratanga.

6. Flowing from its rangatiratanga and kaitiakitanga, the Rūnanga has a responsibility to protect and restore all of the waters in its takiwā. The current legislative and regulatory framework prevents the Rūnanga from acting on this responsibility.

7. Until Ngāi Tahu rangatiratanga over freshwater is appropriately integrated into the management system, our waterways will not be healthy. Mana whenua must be involved in decisions within their takiwā.

8. The public engagement process for this proposed reform is not consistent with the requirement of Treaty partnership. The Rūnanga has not been provided with any appropriate opportunity to engage with the Ministry on the proposals. Te Runanga o Moeraki appreciated having the opportunity to engage with Peter Skelton. However, the focus of that engagement was constrained because of the issues facing Otago. Issues such as rights and interests where not discussed.

9. The proposed reform also fails to address the wider concerns around the Resource Management Act 1991 (RMA) and the role of iwi. As noted by the Waitangi Tribunal in its recent WAI 2358 Report, the RMA is currently not Treaty compliant. This is perpetuated
by the proposals. The Rūnanga is concerned that the Crown is not seeking to address those concerns in good faith with its Treaty Partner in a clear and timely manner.

10 Ultimately, any proposal to amend the freshwater management system must address Ngāi Tahu rights and interests in freshwater. The freshwater crisis in our takiwā is concerned about water quality and allocation. Issues with water quality impact the ability of our hapū to exercise its rights and interests in water, including rangatiratanga and kaitiakitanga, as much if not more than issues with water allocation and over-allocation.

11 For example, the intensification of land uses in the Waitaki catchment and the consequent impact on water quality captured national attention. Sadly, from the perspective of Te Runanga o Moeraki the quality and quantity of water in the Kakaunui is also stressed. This is in addition to the issues in Central Otago that precipitated the investigations by Peter Skelton.

12 The Rūnanga does not support the Ministry’s Kahui Wai Māori, who do not speak for the Rūnanga and its interests in and aspirations for freshwater. The Rūnanga does not support a number of the Kahui Wai Māori’s recommendations, including the establishment of a “Te Mana of Te Wai National Commission”. The Rūnanga does not support the concept of a national body to overseeing freshwater management in its takiwā, and considers such a proposal an insult to its rangatiratanga.

13 For the reasons above, the Rūnanga does not support any freshwater reform unless and until the Crown engages meaningfully with Ngāi Tahu to advance takiwā-specific solutions that will address Ngāi Tahu rights and interests in water.

Nā,

Chair

Te Rūnanga o Moeraki