

I wish to make a submission to the NPS for Freshwater 2011. My name is Derek Stanton Gosling and I live at Derek Gosling [ withheld ]

My major concern relates to Regional Councils issuing 'water takes' to agriculturalists and horticulturalists. Bay of Plenty Regional Council (BOPRC) currently issue 'water takes' on a 'first come, first served basis. I have spoken to BOPRC [ withheld ] about my concerns she has agreed that 'water takes' privatizes water. She also confirms that these 'water takes' can be bought and sold with the property. She also confirmed that once the minimum low flow is reached for each water source, no further 'water takes' will be issued for that water source.

My concerns are:

- How is the minimum low flow calculated for rivers and ground water etc.? How accurate is this inventory likely to be, especially for ground water?
- How can this water be allocated in a fair and honest way so that all people benefit, instead of a few landowners who received their allocation on the current 'first come, first served' basis? There doesn't seem to be any room for input from other agencies, other than through the non-notified consent process, in the allocation process.
- To Māori, water sustains the life force of all living things for example, parts of the Whakatane River are guarded by Taniwha and as such, they are Waahi Tapu. In this case, Ngai Tuhoe are kaitiaki for this part of the river and any water pollution, disturbance, water extraction or the accidental, or deliberate introduction of harmful organisms e. g. Didymo, affects water quality both above-stream and down-stream. Māori should be permitted to continue their role as Kaitiaki and to retain the "Full, exclusive and undisturbed possession of the ancestral waters, including lakes rivers aquifers, ground-water and their beds and banks" and yet there seems to be no Māori involvement in the water issuance process. This must be changed. As outlined above, Māori are responsible for water within their rohe and strive to 'hand it on to the adjoining Iwi' in as good or better and this must be respected by all Government agencies. Given the predicted future water shortages and the relationship between Māori and water and the relationship Māori have with the Crown, Māori must be included in the decision-making at all levels relating to water and 'water takes.'
- Even NGO's such as Federated Farmers, Forest and bird etc. should have some say in the water allocation process policy for their district. 'First come, first served' basis is unjust and its flaws will become more apparent with the passage of time.
- In a recent dispute over the legal boundary of two land blocks adjacent to the riparian margins of the Whakatane River, the Crown assured both Trusts that they had no responsibility in regard to the river. Up until then, BOPRC believed that the Crown 'owned the river.' This strengthens the Māori role in water management and supply of water within their rohe.

The NPS for Freshwater is a great step forward, but in its current state it is unfair to some sectors of the community and this needs to be remedied. It is particularly unfair to Māori. I believe that Māori must be involved in the process at all levels, including policy.

Derek Gosling  
[ withheld ]

