

Date: 28 April 2017

Receiving authority: Ministry for the Environment

Applicant: N/A

Location: National

Consent Number: N/A

Wish to be heard: Yes

Support/oppose in part. Support stock exclusion provisions but oppose the insufficient water quality measures.

Contact for service: [REDACTED]

Reasons for our submission:

Ngati Kuia are the Kaitiaki of several waterways in the Te Taihu (Top of the south) region. We understand the Iwi Leaders Forum have been advising the ministry in the formation of this consultation document however our specialist RMA/environment team have not to date been involved in addressing the details of the proposal and undertaking a policy assessment.

Ngati Kuia have four Taiao goals in our long term strategy which have been designed and agreed to through a robust democratic internal iwi consultation and ratified by the elected Board of Trustees.

These goals seek a 'thriving and abundant biodiversity', the ability of kaitiaki to manage and protect taonga, for the realm of Ngati kuia to sustain the people, and for taonga to be managed through partnerships. The proposed changes in some areas would achieve the desired environmental outcomes of Ngati Kuia while it fails to achieve some of the most crucial values. This has been caused by a contradiction between the policies and the associated appendices to the NPS freshwater.

We support the work of the iwi leaders in incorporating the Te mana o te wai principles throughout the document and increased obligations on councils to take those values in to account and requiring participation of tangata whenua.

It is our view that the NPS has not been written to achieve the te mana o te wai objectives and; that the proposed amendments to the NPS would set specific measures on 'attributes' (appendix 2) that

do not achieve the values identified in appendix 1. And could lead to further degradation of the values important to iwi and tangata whenua.

The particular aspects of our submission:

Having read the consultation document, there are several specific aspects of the proposal that we support and many that we have concerns about and cannot support at this time.

1. We are not convinced that the standards for 'fair' water quality can be considered as 'safe for immersion' and therefore only 'good' and 'excellent' water values could be considered realistically as safe for swimming. On that note, Ngati Kuia seeks water quality in all waterways to be safe for drinking. Although this may be seen as a now unrealistic goal. We set our sights high and expect that water should not do harm to our people or the wider community.
2. We support the creation of more transparent water quality monitoring on the LAWA website that is easy to use by the public and visitors to NZ. Local authorities, including iwi authorities should have the ability to identify swimming sites for monitoring and mapping.
3. The introduction of economic considerations raises concerns. It is the stance of Ngati Kuia that our environment is the cradle of our economies and therefore protecting our environment protects our economies and business interests for the future. Economic prerogatives should not be deemed as being outside of; or more important than a clean healthy environment that supports the people.
4. Access to funding for cleaning up waterways is a great way for the government to support the values shared by all New Zealanders however, it is sad that it has got to this point is such a very short time in this country's history. It is much more cost effective to prevent degradation than to reverse it, acknowledging the cost benefits of ecosystem services to the economy and the community.
5. We support the moves of stock exclusion from waterways and the timeframes proposed seem realistic. We would like to see national minimum setbacks included in the regulation either based on slope, soils, stocking rates or a combination of the above.
6. Stock are not the only key cause of water quality degradation and more effort should be done to manage stormwater run-off and discharges from urban areas and industrial sites. All waterways, particularly those in urban residential areas where contact is highly likely, should be improved. This includes but should not be limited to, the creation of alternative water filtration or treatment, land based disposals of water where manageable and the creation of set backs for all new developments. Piping of waterways should be prevented etc. it is important for urban activities to take responsibility of the poor water quality of urban

waterways. A fine larger than \$2000 needs to be implemented for urban and rural non consented discharges.

7. The proposals focus heavily on recreational values but does not highlight the need to protect ecological and natural character values. Although these values are incorporated into the objectives and appendices of the NPS, the policies and the 'national bottom lines' do not achieve these.

The decision we wish the Ministry to make:

8. Keep Chapter AAA Te mana o te wai.
9. In Objective A3 of the NPS, replace immersion with consumption.
10. In Objective B1 remove the references to economic terms unless it is the intention of the Ministry to give increased value to commercial uses over recreational and social infrastructure. Commercial uses should come last in the order of uses.
11. Include a provision for the collection of royalties from the commercial use of public water, this should increase efficiency of consumption and can fund restoration projects.
12. Objective B2 needs to include a timeframe for hauling back over allocation.
13. Objective B3 should provide guidance on what constitutes 'efficient' and in the opinion of Ngati Kuia, it should relate to nutritional output per litre of water. Non food uses would require a different measure or assessment of efficiency.
14. We support Policy C1a).
15. Alter Policy CA2iia) (a-b). This policy should refer to the maintenance of water quality only for waterways that achieve an 'excellent' water classification. All other water classification should require an 'improvement' in water quality until they meet the excellent attributes. The maintenance of poor water quality is weak and contrary to the objectives of Ngati Kuia and for the principles of Te Mana o te Wai.
16. The revised NPS would be subject to so many convoluted additions that a complete rewrite would be needed to make the document readable.
17. Policy CA2 needs to remove the provision for exemptions for meeting national bottom lines. There is no point in having bottom lines if councils can 'opt out' of achieving them due to an existing inconvenience. NO opt out provisions.
18. Under Policy CA3 a), reword to include "the existing freshwater quality is caused entirely by non human induced naturally occurring processes; or"
19. Remove Policy CA3 b).
20. We support the values identified in Appendix 1 as these reflect the values iwi have for their water resources and the values expected in wider New Zealand society.

21. In Appendix 2, the national bottom line needs to be lifted to the 'B' grade requirements. The proposed 'C' grade bottom line is not considered as achieving the values in Appendix 1 or the desired environmental outcomes of Ngati Kuia. This may in fact allow for an increased rate of pollution in our Rohe with significant adverse effects on the Kai gathering areas and therefore would degrade the well-being of Ngati Kuia as a tribe and as individuals. We do not see how this could be seen as consistent with Part 2 of the RMA.
22. The protection of Taonga Species is not achieved by the proposed environmental bottom lines in Appendix 2. The dissolved Oxygen and algal infection rates identified as acceptable by these standards would see the potential local extinction of vulnerable endemic freshwater species and a loss of the cultural activities associated with them. Again these are not consistent with the objectives set out in Appendix 1.
23. The level of accepted E-coli levels in waterways has been set too high and has a contact illness rate of 0.5% of contacts. Ngati Kuia would be satisfied with a contact illness rate of 0.01 however realistically, New Zealand should be aiming for a 0.01 or lower rate of illness from freshwater contact. As this would closely resemble the pre European risk of illness.
24. The NPS should aim to achieve the pre European state of fresh water in New Zealand to acknowledge the rate of degradation that has occurred primarily over a period of only 150 years.