



SUBMISSION: Clean Water - Consultation Document 2017

To: Ministry for the Environment

This Submission is from:

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INTRODUCTION

1. This submission is made on behalf of Te Whakakitenga o Waikato Incorporated (formerly known as Waikato-Tainui Te Kauhanganui Incorporated) on the Clean Water Consultation Document.
2. Te Whakakitenga o Waikato Incorporated (**Waikato-Tainui**) is the governing body for the 33 hapuu and 68 marae of Waikato Tainui and manages the assets of Waikato Tainui for the benefit of over 67,000 registered tribal members.
3. Waikato-Tainui makes this submission on behalf of our tribal members. The rohe (tribal region) of Waikato-Tainui is bounded by Auckland in the north and Te Rohe Potae (King Country) in the south and extends from the west coast to the mountain ranges of Hapuaokohe and Kaimai in the east. Significant land marks within the rohe of Waikato include the Waikato and Waipaa Rivers, the sacred mountains of Taupiri, Karioi, Pirongia and Maungatautari, and the west coast of Whaingaroa (Raglan), Manukau, Aotea and Kawhia moana. We acknowledge and affirm the intrinsic relationship of Waikato-Tainui with our natural environment.
4. Waikato-Tainui are a part of Iwi Leader Group and have been engaged with the crown on freshwater reform including the relation to the proposed changes to the National Policy Statement for Freshwater Management 2014.
5. Waikato-Tainui wish to be heard in support of their submission.

SUMMARY OF POSITION

6. Waikato-Tainui supports and promotes a co-ordinated, co-operative and collaborative approach to natural resource and environmental management, restoration, responsibilities and care within the Waikato Tainui rohe.
7. Mana whakahaere embodies the authority that Waikato Tainui have established in respect of our environment and we view the holistic integrated management of all elements of the environment such as flora and fauna, land, air and water as of utmost importance. Waikato-Tainui are responsible for protecting and nurturing the mauri of all living things in accordance with tikanga (values, ethics and norms of conduct). Therefore, when exercising mana whakahaere we recognise the intricate balance and integral relationship between all natural resources in the Waikato Tainui rohe. Accordingly, we strive to ensure these tikanga values (including responsibilities) are inherent in all our actions.
8. Waikato-Tainui has developed a range of formal resource management relationships with different central and local government agencies. For example, our multiple joint management arrangements with local authorities within the Waikato River catchment area, which recognise and provide for Te Ture Whaimana o te Awa o Waikato – The Vision and Strategy for the Waikato River (the **Vision and Strategy**). Waikato-Tainui welcomes reform that is intended to align and integrate the resource management system to enhance iwi and hapuu participation. We also welcome reform that provides robust and durable planning and environmental outcomes.
9. Equally, Waikato-Tainui opposes any legislative and policy development that may undermine participation in resource management processes that we have achieved to date, either because of Treaty settlement legislation or as a function of our relationships.
10. In respect of the Waikato River, Te Ture Whaimana / the Vision and Strategy for the Waikato River is of paramount importance and must continue to prevail over other

policy and planning instruments. Equally, to ensure that the Vision and Strategy is properly given effect, Waikato Tainui participation in planning processes relating to the Vision and Strategy must not be diluted.

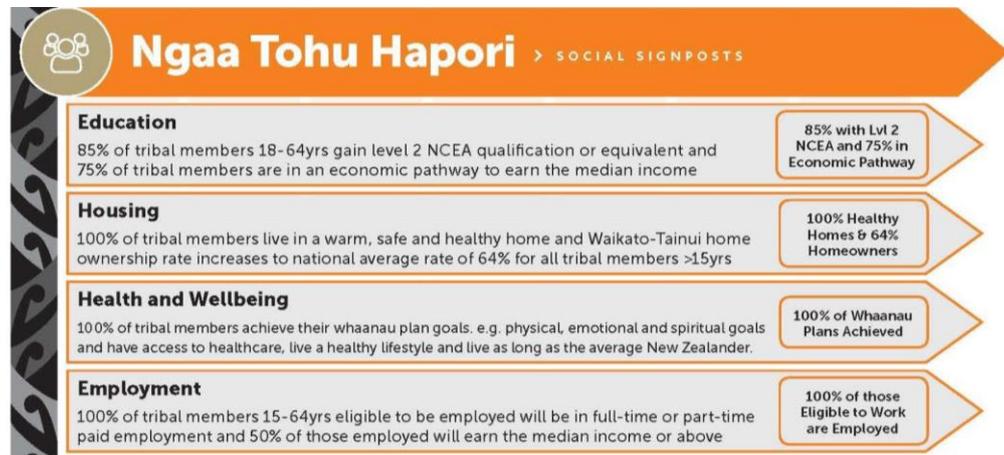
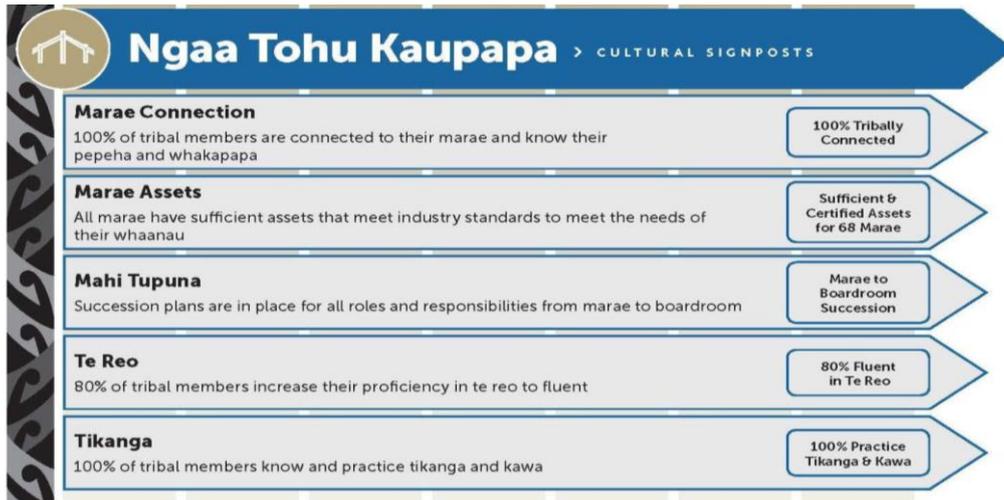
11. Waikato-Tainui welcomes the fact that iwi rights and interests are being considered alongside the proposed targets of 90% of rivers and lakes swimmable by 2040.
12. Waikato-Tainui are recognised as kaitiaki of our environment and view the holistic integrated management of all elements of the environment such as flora and fauna, land, air and water as of utmost importance.
13. Waikato-Tainui seeks to ensure that all plans and policies achieves the outcomes of:
 - Whakatupuranga Waikato-Tainui 2050 – Strategic Plan
 - Tai Tumu, Tai Pari, Tai Ao – Waikato-Tainui Environmental Plan
 - Te Ture Whaimana Waikato River Vision and Strategy

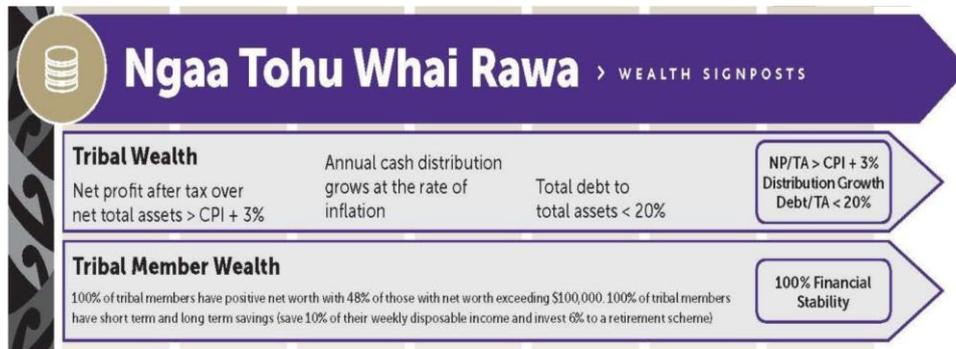
TAI TUMU, TAI PARI, TAI AO – WAIKATO-TAINUI ENVIRONMENTAL PLAN

14. This Waikato-Tainui Environmental Plan, Tai Tumu Tai Pari Tai Ao (the 'Plan'), is developed out of Whakatupuranga 2050. The Plan is designed to enhance Waikato-Tainui participation in resource and environmental management. The maimai aroha of Kiingi Taawhiao is the key driver and indicator of environmental health and wellbeing in this Plan. Waikato-Tainui aspires to the restoration of the environment to the state that Kiingi Taawhiao observed when he composed his maimai aroha.
15. The Plan is also intended as a tool to provide clear high-level guidance on Waikato-Tainui objectives and policies with respect to the environment to resource managers, users and activity operators, and those regulating such activities, within the Waikato-Tainui rohe. Waikato-Tainui recognises that the successful achievement of the objectives in this Plan is a team approach that requires input and support from these external agencies.
16. Waikato-Tainui acknowledges that there may be more than one agency involved in the successful achievement of the Plan's objectives due to the different mandate, legislation, drivers, and motivation across external agencies. Waikato-Tainui encourages and advocates for external agencies to do what they can to achieve the Plan's objectives.
17. Waikato-Tainui supports and promotes a coordinated, co-operative, and collaborative approach to natural resource and environmental management, restoration, and care within the Waikato-Tainui rohe. Through this Plan Waikato-Tainui seeks to achieve a consistent approach to environmental management across the Waikato-Tainui rohe. This Plan is a living, evolving, working document that will be monitored, revised and updated to ensure it remains relevant and provides a framework for continuous improvement.
18. Achieving an allocation of freshwater for Waikato-Tainui is a long-term outcome that favours intergenerational equity.

WHAKATUPURANGA WAIKATO-TAINUI 2050

19. Whakatupuranga Waikato-Tainui 2050 is the strategic plan blue print for the cultural, social and economic advancement of Waikato-Tainui. Its vision is to grow a prosperous, healthy, vibrant, innovative and culturally strong iwi. Its mission is for the iwi to grow, prosper and sustain.
20. WHAKATUPURANGA 2050 NGAA TOHU STRATEGIC FRAMEWORK 2050: Our people are successful in all areas of their lives: committed to Kiingitanga, fluent in te reo Maaori, strong in tikanga, healthy, well-educated, financially secure, environmentally conscious and socially sound.





TE TURE WHAIMANA WAIKATO RIVER VISION AND STRATEGY

21. Te Ture Whaimana is intended to be the primary direction-setting document for the Waikato River and activities within its catchment affecting the River.
22. Te Ture Whaimana has certain status and prevails over any inconsistencies in other policies, plans, or processes affecting the Waikato River. Relevant policies, plans, and processes cannot be amended so that they are inconsistent with Te Ture Whaimana and must be reviewed and amended, if required, to address any inconsistencies.
23. Resource management, use, and activities within the Waikato River catchment in the Waikato-Tainui rohe is to be consistent with Te Ture Whaimana.

SPECIFIC WAIKATO-TAINUI FEEDBACK

90% OF RIVERS AND LAKES SWIMMABLE BY 2040	
Proposals	Analysis
New Zealand value swimming in our rivers and lakes and we want to know future generations will enjoy this pastime too.	<p>We have concerns about what is classed as swimmable. Waikato-Tainui aspires to have waters that are drinkable, swimmable, and fishable with the water quality at least at the level it was when Kiiingi Taawhiao composed his maimai aroha. The ability to have drinkable and fishable water is limited by several factors such as the concentrations of <i>E. coli</i>, eutrophication, suspended sediments, arsenic and mercury</p> <p>We would prefer this to be achieve sooner than later and where possible 100% of Rivers and Lakes.</p>
<p>Cyanobacteria is a very important in determining whether a waterway area is safe to swim, Cyanobacteria has caused the closure of many Waikato waterways and should be considered as a measure to determine swimmable.</p> <p>An integrated approach is also lacking between responsible agencies, industry partners, the community and Waikato-Tainui. Sharing information and accepting roles and responsibilities would assist in better management of these issues that contribute to water degradation. Waikato-Tainui acknowledges that, since the establishment of co-management over the Waikato River, there has been a shift towards improving integrated</p>	

management of water, such as through Joint Working Parties, that include Waikato-Tainui, and building key stakeholder relationships through the region.

BETTER INFORMATION ON WATER QUALITY FOR SWIMMING

Proposals	Analysis
<p>Understanding the state of our rivers and lakes is key to deciding where and when improvements are necessary.</p>	<p>Many places that are important to communities for carrying out primary contact activities may not be captured by the improvement requirements and targets. The use of fourth order rivers and above is too coarse a definition – it misses out many locations that people often use for primary contact activities</p>

For the improvement targets to be meaningful to iwi/hapu, the process should allow regional councils to identify, together with iwi/ hapu potential sites that are valued by iwi/hapu for primary contact. This process should not be limited to fourth order rivers and above.

AMENDING THE NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT 2014

Proposals	Analysis
<p>Central government sets out its expectations for how councils should manage fresh water under National Policy Statement for Freshwater Management 2014 (NPS-FM 2014).</p>	<p>Te Mana o te Wai provides that the first right to the water, goes to the water itself. We are secondary, and we as a country need to change how we live to ensure sustainable economic development that does not sacrifice our beautiful landscape while still achieving the social and cultural aspirations of our many communities.</p> <p>Waikato-Tainui supports restoring waterways rather than just maintaining water quality; and do not support averaging.</p> <p>In the NPS-FM 2014 (that is proposed to be amended), Te Mana o te Wai is currently provided for in the Preamble. This does not provide Regional Councils or communities the clarity they need around how Te Mana o te Wai is to be interpreted and implemented. Providing for Te Mana o te Wai as a matter of national significance and as an overarching objective helps to address this issue.</p> <p>Regional Councils are required to give effect to the NPS-FM pursuant to the Resource Management Act 1991. There will need to be increased resourcing for Regional Councils to ensure that Regional Councils consider</p>

	<p>and recognise Te Mana o te Wai through giving effect to the NPS-FM.</p> <p>Iwi and Hapuu also need to be adequately resourced to be able to effectively participate in the processes anticipated by changes to the NPS-FM.</p>
<p>Waikato-Tainui support the restoration and protection of all waterways and do not support the removal of bottom lines to waterways that fall outside the definition of “large waterways” (defined as rivers fourth order and above and lakes with a perimeter over 1.5km).</p> <p>Waikato-Tainui do not support the removal of the secondary contact bottom line (which has the effect of there being no E. coli bottom line for smaller waterways).</p>	

FUNDING TO IMPROVE FRESH WATER	
Proposals	Analysis
<p>Targets and better data will help us prioritise for the future, and our new maps will give New Zealanders better information about water quality.</p>	<p>Waikato-Tainui supports the creation of the Freshwater Improvement Fund but the Freshwater Improvement Fund needs to have a specific focus and carve out on Maaori water issues and the threshold of \$200,000 is too high for Maaori to enter into the application process effectively locking hapu out. The exclusion of in-kind contributions from iwi and hapu is also opposed.</p> <p>Waikato-Tainui has advocated via the Iwi Leaders Group to the Government, that the Te Mana o te Wai Fund needs to be reinstated for Maaori. This is an on-going discussion with the Government, iwi is of the view that the Te Mana o te Wai Fund should also be reinstated.</p>

KEEPING STOCK OUT OF OUR WATERWAYS	
Proposals	Analysis
<p>We know that livestock in our waterways can lead to problems with water quality, erosion and sediment, particularly in terms of health risk.</p>	<p>Waikato-Tainui support the stock exclusion proposals. However, we note that we support a narrowing of focus to ensure all stock is excluded earlier rather than later, while providing adequate transitional support to farmers to achieve an earlier time frame than 2030.</p>

CONCLUSION

24. Waikato-Tainui seeks to ensure that all plans and policies achieves the outcomes of:
- Whakatupuranga Waikato-Tainui 2050 – Strategic Plan
 - Tai Tumu, Tai Pari, Tai Ao – Waikato-Tainui Environmental Plan
 - Te Ture Whaimana Waikato River Vision and Strategy
25. Waikato-Tainui supports the restoration and protection of all waterways sooner rather than later; and we see 90% of waterways being swimmable by 2040 as a bare minimum.
26. We seek an enduring and sustainable framework for the future governance and management of freshwater in Aotearoa. It must appropriately recognise and provide for the rights, interests and responsibilities of Waikato-Tainui.

DATED: 27 April 2017

WAIKATO TAINUI TE WHAKAKITENGA O WAIKATO INC
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APPENDIX 1 – WAIKATO RAUPATU MARAE

