

E nga mana, e nga reo, e nga rau rangatira, kia ora koutou. E wahine toa, Irihapeti, kia ora e hoa. Kei te mihi mahana ki a koe. E nga tane o te tepu, kia ora korua. E nga kaimahi o te Kaunihera tena koutou.

My name is Rawiri Smith and I am the environment manager for Kahungunu Ki Wairarapa.

This supplementary submission is a clarification of my original submission with respect to Natural Character. I will unashamedly be an advocate for my awa tapu, Ruamahanga. As a young boy, I enjoyed its natural character as my mauri was soothed by the mauri of the Ruamahanga at Te Whiti, where I swam and played with my cousins, one of whom, Wayne Devonshire has passed on. He and I were taught by my Poupou or grandfather when eeling, the special places like the tohi or baptism section of the river, where my Aunty Michelle was baptized. There were many other special places like Parakaiti, where taniwha remind us to respect the natural character of the river.

I have pointed to gaps throughout my submissions to these hearings. The gap I would like to point to today is River Management Unit and its objectives, policies and methods. Natural Character of my awa tapu is too important to leave this to a secondary focus of a group like Flood Protection. River Management needs to be the central focus of a group within council. This section should not just have a governance role, it should have management and operational roles too.

In my submission I would like to highlight two overall sections with respect to natural character:

- 1. The Proposed Natural Resources Plan designated areas of highly significant natural character, especially with respect to iwi values and even more tightly focused to Kahungunu Ki Wairarapa values.*
- 2. The Proposed Natural Resources Plan's references to Natural Character with respect to geomorphology and how that impacts on iwi values and even more tightly focused to Kahungunu Ki Wairarapa values.*

I commend the decisions made to include

Lake Wairarapa in Schedule A2: Lakes with outstanding indigenous ecosystem values;

in Schedule A3: Wetlands with outstanding indigenous biodiversity values

Allen/Lowes Bush
Eastern Lake Wairarapa Wetland
Lake Pounui Wetlands
Turakirae Head Wetland

Schedule B: Ngā Taonga Nui a Kiwa

Te Hā o te Ora, Ngā Mahi a ngā Tipuna, Te Mahi Kai, Wāhi Whakarite, Te Mana o te Tangata, Te Manawaroa o te Wai, Te Mana o te Wai, Wāhi Mahara

Schedule B: Ngā Taonga Nui a Kiwa, Ngāti Kahungunu ki Wairarapa

Te Awa Tapu o Ruamāhanga (Ruamāhanga River)
Wairarapa Moana (Lake Wairarapa)

Schedule C: Sites with significant mana whenua values

Schedule C5: Sites of significance to Ngāti Kahungunu ki Wairarapa and:
Hapua Korari (lost lake), Hawaikiraunui, Ruamāhanga River, Henley Lake
Kaihoata River mouth (Kaiwhata), Kohekutu pā and Kairangi Stream, Kopuaranga – Ruamāhanga River confluence, Kourarau Stream and Reservoir, Lake Ōnoke, Makakaweka Stream, Makoura Stream, Mangaakuta, Mangawhero Stream, Matakītiki coast, Mataikona River mouth, Mataikona reefs, Owahanga coast, Matewera, Waipoua River, Maurioho Stream – waterfall, Motukairangi coast, Otahome (Otahaumi) Stream mouth and foreshore, Pahaoa River mouth and coast, Papawai Stream, Parakaiti, Ruamāhanga River, Pararaki River mouth, Pukaroro coast,

Pukengaki, Waiohine – Ruamāhanga confluence, Rangiwihakaoma coast, Te Para, Te Para stream, Te Rerenga o Te Aohuruhuru (suicide rock), Te Tirohanga o Hineteorangi ki te motu ki a Kāpiti (Hidden Lakes), Tirohanga, Ruamāhanga River, Waikekeno Stream mouth, Waimimiha coast, Waipoua – Ruamāhanga confluence, Whakataki coast, Whakataki River mouth, Whareama River mouth and coast, Whatarangi coast reefs

I think this is in accordance with Section 5 Purpose of the Resource Management Act

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being.

I think this is in accordance with the National Policy Statement for Freshwater Management's Section D. Tāngata whenua roles and interests Objective D1

To provide for the involvement of iwi and hapū, and to ensure that tāngata whenua values and interests are identified and reflected in the management of fresh water including associated ecosystems, and decision-making regarding freshwater planning, including on how all other objectives of this national policy statement are given effect to.

The Proposed Natural Resource Plan has also followed Policy D1

Local authorities shall take reasonable steps to:

- a) involve iwi and hapū in the management of fresh water and freshwater ecosystems in the region;
- b) work with iwi and hapū to identify tāngata whenua values and interests in fresh water and freshwater ecosystems in the region; and
- c) reflect tāngata whenua values and interests in the management of, and decision-making regarding, fresh water and freshwater ecosystems in the region.

I also think that The Proposed Natural Resource Plan has worked with the amendment to the National Policy Statement for Freshwater Management's section on Te Mana o Te Wai

National significance of fresh water and Te Mana o te Wai

The matter of national significance to which this national policy statement applies is the management of fresh water through a framework that considers and recognises Te Mana o te Wai as an integral part of freshwater management.

The health and well-being of our freshwater bodies is vital for the health and well-being of our land, our resources (including fisheries, flora and fauna) and our communities.

Te Mana o te Wai is the integrated and holistic well-being of a freshwater body.

Upholding Te Mana o te Wai acknowledges and protects the mauri of the water. This requires that in using water you must also provide for Te Hauora o te Taiao (the health of the environment), Te Hauora o te Wai (the health of the waterbody) and Te Hauora o te Tangata (the health of the people).

Te Mana o te Wai incorporates the values of tangata whenua and the wider community in relation to each water body.

The engagement promoted by Te Mana o te Wai will help the community, including tangata whenua, and regional councils develop tailored responses to freshwater management that work within their region.

By recognising Te Mana o te Wai as an integral part of the freshwater management framework it is intended that the health and well-being of freshwater bodies is at the forefront of all discussions and decisions about fresh water, including the identification of freshwater values and objectives, setting limits and the development of policies and rules.

This is intended to ensure that water is available for the use and enjoyment of all New Zealanders, including tangata whenua, now and for future generations.

In light of this progress in recognising iwi aspirations, the next section would seem to be mean spirited, but geomorphology is fundamental to the Natural Character. The shape of the river can enhance habitat with bends, holes and riffles rather than a straight central channel. When shallow water, heat and nutrient combine there is a combination that can produce toxic algae, a more varied and dynamic river can produce cooler water through the deeper river holes and the variety of bends can supply places to live for smaller fish. Upholding Te Mana o te Wai acknowledges and protects the mauri of the water. Mauri ora recognizes the growth conditions but the degraded conditions of risking health is Mauri mate.

Understanding Natural Character is difficult because it is not defined under the RMA, so there are 3 ways I have tried to understand Natural Character, and these three ways are:

- 1. As defined in Policy 13(2) of the New Zealand Coastal Policy Statement 2010*
- 2. In the 2017 amendment to the National Policy Statement for Freshwater Management*
- 3. References to Natural Character made by the Environment Court*

I have tried to do this so as to weave the iwi understanding and iwi values with the legal obligations.

The pertinent parts for my presentation of Policy 13(2) of the New Zealand Coastal Policy Statement are

- a. natural elements, processes and patterns;
- b. biophysical, ecological, geological and geomorphological aspects;
- d. the natural movement of water and sediment;
- f. places or areas that are wild or scenic;
- g. a range of natural character from pristine to modified; and
- h. experiential attributes, including the sounds and smell of the sea; and their context or setting.

Natural occurring processes is defined in the National Policy Statement for Freshwater Management as processes that could have occurred in New Zealand prior to the arrival of humans

I understand that the 2017 amendments to the National Policy Statement for Freshwater Management are not what this hearing is obliged to consider, but in the appendix entitled Other National Values, Natural Form and Character meaning what people and communities value is clarified from the previous Additional National Values. The clarified section now includes:

Natural form and character – Where people value particular natural qualities of the freshwater management unit.

Matters contributing to the natural form and character of a freshwater management unit are its biological, visual and physical characteristics that are valued by the community, including:

- i. its biophysical, ecological, geological, geomorphological and morphological aspects;
- ii. the natural movement of water and sediment including hydrological and fluvial processes;
- iii. the location of the water body relative to its natural course;
- iv. the relative dominance of indigenous flora and fauna;
- v. the presence of culturally significant species;
- vi. the colour of the water; and
- vii. the clarity of the water.

They may be freshwater management units with exceptional, natural, and iconic aesthetic features.

The Environment Court has held that “natural” does not mean “endemic to New Zealand” or “pristine”. Natural connotes a range of qualities and features which are created by nature as distinct

from human-made constructions. Natural may include things such as pasture and exotic trees and wildlife, both wild and domestic. It does not include human-made structures, roads or machinery. This means that areas where indigenous vegetation has been replaced with pasture may still have high natural character so long as built structures do not dominate the environment.

I would like to refer specifically now to geomorphology as a part of natural character of the rivers, especially in the Ruamahanga. I wish to do this with reference to Resource Management Act and National Policy Statement Policy for Freshwater sections that refer to iwi relationships and the Proposed Natural Resource Plan.

The objectives with respect to natural character are as follows:

Objective O17 The natural character of the coastal marine area, rivers, lakes and their margins and natural wetlands is preserved and protected from inappropriate use and development.

In changing the geomorphology of rivers the natural character of the river is an inappropriate development. Maintaining changed river geomorphology is also inappropriate development as Kahungunu Ki Wairarapa sees the mauri spoken about in NPS's Te Mana o Te Wai

Objective O18 The ecological, recreational, mana whenua, and amenity values of estuaries including their sensitivity as low energy receiving environments are recognised, and their health and function is restored over time.

If we consider there are low energy receiving waterways from Lake Wairarapa south, the geomorphology of rivers as a natural character of rivers can be restored over time.

Objective O19 The interference from use and development on natural processes is minimised.

The interference on natural processes can be understood with respect to geomorphology change and this effect should be minimized.

Objective O20 The risk, residual risk, and adverse effects from natural hazards and climate change on people, the community and infrastructure are acceptable.

A change in the natural character of rivers, by changing the geomorphology of rivers can expose rivers to heating water and promote the growth of algae

Objective O22 Hard engineering mitigation and protection methods are only used as a last practicable option.

The policies with respect to natural character are as follows:

Policy P8: Beneficial activities The following activities are recognised as beneficial and generally appropriate:

(a) activities for the purpose of restoring natural character, aquatic ecosystem health, mahinga kai, outstanding water bodies, sites with significant mana whenua values, and sites with significant indigenous biodiversity values

Policy P24: Outstanding natural character Areas of outstanding natural character in the coastal marine area will be preserved by:

(b) requiring use and development to be of a type, scale and intensity that will maintain the natural character values of the area, and

(d) maintaining the high levels of naturalness of these areas, and

(e) avoiding the adverse effects of activities, including those located outside the area, that individually or cumulatively detract from the natural character values of the outstanding natural character area.

Policy P25: Natural character Use and development shall avoid significant adverse effects on natural character in the coastal marine area (including high natural character in the coastal marine area) and

in the beds of lakes and rivers, and avoid, remedy or mitigate other adverse effects of activities, taking into account: (a) the extent of human-made changes to landforms, vegetation, biophysical elements, natural processes and patterns, and the movement of water, and (b) the presence or absence of structures and buildings, and (c) the particular elements, features and experiential values that contribute significantly to the natural character value of the area, and the extent to which they are affected, and (d) whether it is practicable to protect natural character from inappropriate use and development through: (i) using an alternative location, or form of development that would be more appropriate to that location, and (ii) considering the extent to which functional need or existing use limits location and development options.

Policy P26: Natural processes

Use and development will be managed to minimise effects on the integrity and functioning of natural processes.

Policy P134: Public open space values and visual amenity The adverse effects of new use and development on public open space and visual amenity viewed within, to and from the coastal marine area shall be minimised by: (a) having particular regard to any relevant provisions contained in any bordering territorial authorities' proposed and/or operative district plan, and (b) managing use and development to be of a scale, location, density and design which is compatible with the natural character, natural features and landscapes and amenity values of the coastal environment, and (c) taking account of the future need for public open space in the coastal marine area.

Flood Protection Issues

Identifying issues: The key natural resource management issues identified across the region relate to:

- the management of natural hazards, including earthquakes, flooding hazard and coastal erosion.

Catchment based flood and erosion risk management activities Structures built, controlled or maintained by a local authority and associated activities for the purpose of protecting the community from flood or erosion risk in accordance with a river management scheme or flood plain management plan.

Policy P7: Uses of land and water

The cultural, social and economic benefits of using land and water for (g) gravel extraction from rivers for flood protection and control purposes

Policy P15: Flood protection activities

The use, maintenance and ongoing operation of existing catchment based flood and erosion risk management activities which manage the risk of flooding to people, property, infrastructure and communities are beneficial and generally appropriate.

Policy P16: New flood protection and erosion control

The social, cultural, economic and environmental benefits of new catchment based flood and erosion risk management activities are recognised.

Policy P29: Climate change Particular regard shall be given to the potential for climate change to cause or exacerbate natural hazard events that could adversely affect use and development including: (b) river and lake flooding and erosion or aggradation

Policy P102: Reclamation or drainage of the beds of lakes and rivers The reclamation or drainage of the beds of lakes and rivers and natural wetlands shall be avoided except where the reclamation or drainage is:

- (a) partial reclamation of a river bank for the purposes of flood prevention or erosion control, or
- (b) associated with a qualifying development within a special housing area, or
- (c) associated with a growth and/or development framework or strategy approved by a local authority under the Local Government Act 2002, or
- (d) necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, or

- (e) associated with the creation of a new river bed and does not involve piping of the river, and
- (f) in respect of (a) to (e) there are no other practicable alternative methods of providing for the activity, or
- (g) the reclamation or drainage is of an ephemeral flow path.

Policy P106: Management of plants in the beds of lakes and rivers The introduction to and removal of plants from the beds of lakes and rivers shall be managed so that:

- (a) pest plants are not introduced and their removal is enabled, and
- (b) indigenous plant species are encouraged to be planted where they are appropriate and their removal is only enabled where it is necessary to manage flooding and erosion, and
- (c) the introduction or removal of plants does not increase flooding and erosion either at the site of introduction or removal, or across the wider river catchment, and
- (d) the introduction or removal of plants does not adversely affect significant biodiversity values of the site.

Policy P143: Deposition in a site of significance Deposition of sand, shingle or shell in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided except where:

- (d) the activity is carried out for the purposes of flood protection and/or erosion mitigation, or
- (e) the activity is carried out by or for local authorities, or
- (f) it is necessary to enable the efficient development, operation, maintenance and upgrade of regionally significant infrastructure, and

in respect of (a) to (f): (g) there are no practicable alternative methods of providing for the activity.

These policies that include flood protection are some of the parts of the Proposed Natural Resource Plans that protect the processes of Flood Protection. The drafting of regulation by Greater Wellington Regional Council where an applicant to this regulation is from another section of Greater Wellington is a tight rope that is a difficult to traverse. Kahungunu Ki Wairarapa recognises that the Flood Protection section of the regional council is caught in a difficult situation, but we would be more confident if there was another section within the council. A river management section might well promote better methods of caring for the river that could differ from flood protection. The essential work of flood protection needs to take account of natural character like geomorphology. A river management section would redress the balance in terms of magnitude. While the river's character is modified for flooding, when it is not flooding our Kahungunu Ki Wairarapa community has to live with the results of the modifications.