

## ORAL SUBMISSION POINTS – HEARING STREAM 3

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TE ĀTIAWA KI WHAKARONGOTAI

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### 1. WATER ALLOCATION

- Regarding Objective 52: The efficient use and allocation of water; it is not clear from the plan how 'efficient' is defined and determined. The definition in the plan states it is 'including economic, technical and dynamic efficiency', but this doesn't actually provide a definition.
- There is a total policy void as to how Objective 52 will be implemented, and there is no method which provides for this either.
- These matters have been largely left to a Waitua which is particularly concerning for those of us that are some time away from having a Waitua. In Kāpiti we have no indication from GWRC when this process will begin, let alone be implemented.
- The NPS-FM sets out specific objectives relating to water quality, in particular safe-guarding life-supporting capacity and avoiding over-allocation.
- In our view GWRC cannot delay their obligations to set out how they will ensure the objectives of the NPS-FM, and their obligations under the RMA regarding water quantity, will be met.
- Until such time that Waitua is implemented, they have to be able to demonstrate how they are meeting those obligations now.
- Currently in our district we have no record of how much water has been allocated, the knowledge gap is even more significant when it comes to groundwater. We know what has been consented, but those are maximum amounts, and this information is not kept formally or reviewed, it's not referenced in making a decision regarding the issuing of future consents. It's also not closely regulated. It current relies on permit holders self-monitoring.
- We find that therefore the Proposed Plan as it stands does not provide clear mechanisms for avoiding further over-allocation. How is this possible if we don't even know what the current state of the resource is, and what is cumulatively allocated?
- The implications of this void have already started to play out in the implementation of the Proposed Plan through consenting:
  - When a consent for a water permit is applied for, we as iwi are able to successfully demonstrate that the current limits haven't taken into account effects to mahinga kai, customary use, and various other 'non-iwi specific' values, such as recreation, swimmability etc.
  - The consent processing officer then goes back to the applicant and directs them to assess those effects as part of their application
  - The applicant then typically has to attempt to fill the knowledge void around how much water they should take to avoid impacts on mahinga kai etc., despite those effects being best assessed at the cumulative reach and/or catchment level
  - This puts iwi in the position of being perceived as 'holding up the process', and puts the onus on applicants to address matters that GWRC arguably should be addressing
  - It also provides an opportunity for applicants to successfully argue that assessing those effects can be dealt with 'when Waitua comes', which is potentially five years away

- Ultimately it creates a great deal of uncertainty for iwi, regulator and applicants alike.
- For many of our fresh and ground water bodies, this is a critical time in their health, and in Kāpiti, we are looking at at least five years of this being largely unregulated, and likely to continue to be over-allocated.
- In terms of what we would see as an alternative:
  - A timeframe on the introduction of Whaitua
  - The inclusion of policies and methods that enable a better understanding of the state of the available resource to be developed, and the development of appropriate methodology to determine sustainable and efficient allocation.
  - That there is the opportunity to have the input of 'cultural' values into the process of determining limits.

## **2. FORM AND FUNCTION**

- Because water allocation is, by our assessment, dealt with so poorly in the plan, effectively the only mechanisms that provide some ability to ensure that water allocation upholds life-supporting capacity is through the provisions of the plan that relate to form and function. And so it makes it even more critical that these objectives are strong and meaningful.
- We reference the expert evidence that has been provided by Professor Russell Death which clearly sets out how critical it is that waterbodies, particularly freshwater bodies, have the suitable volume and therefore habitat for organisms to live in.
- We believe the wording of Objective 17 regarding natural character should read 'natural character is protected and improved'
- It's also crucial that objective 19, the interference from use and development on natural processes is minimised, is maintained to ensure that there is some clear means of protection from development and use
- We want to emphasise that whilst the environment and ecosystems have intrinsic value, it's often overlooked and not well understood that this intrinsic value is not necessarily the most important to us as Māori. These matters are often framed as being 'economic' vs 'environmental', when they are in fact 'economic' vs 'economic' in that healthy ecosystems are the essential economic capital that sustains our communities. These ecosystems are the means by which our families feed themselves.
- The suggestions we make regarding the protections of habitat at their heart, are about providing an even economic playing field, in that the economic capital that our communities rely on, aren't affected in favour of supporting or providing advantages to other economies which happen to exploit those ecosystems.
- We are asking that the Plan recognises Māori and other communities economic use of fresh and groundwater ecosystems, which happen to depend not upon the extraction of water, but upon water volumes being maintained, and therefore the ecosystems they support being protected.