

IN THE MATTER of the Resource Management Act 1991

AND IN THE MATTER of a Board of Inquiry appointed under s149J of the Resource Management Act 1991 to determine an application for resource consents sought by Watercare Services Limited for its Waikato River Take and Discharge Proposal.

STATEMENT OF SUBMISSION of SUPPORTING EVIDENCE OF WAYNE DOUGLAS
JENSEN ON BEHALF OF TWO MANIAPOTO REGIONAL MANAGEMENT COMMITTEE'S
JOINT SUBMISSION

IWI/RMC CONSULTATION

1. Introduction, and Experience

1.1. My full name is Wayne Douglas Jensen My tribal affiliations are Waikato/Maniapoto

1.2. I am of Ngāti Ngutu, Ngāti Kinohaku, Ngāti Urunumia and Ngāti Te Putaitemuri descent.

1.3. I currently hold the position of Chairman for Te Tokanganui-a-noho Regional Management Committee

1.4. My qualifications relevant to this submission include previous employ by Maniapoto Maori Trust Board as a Project Manager/Policy Analyst from 2008 to 2011 and as a previous holder of Commissioner RMA 1991 status between 2011 – 2019 also serving as a Te Tokanganui-a-noho Regional Management Committee member since 2006.

2. Statement of Intent

2.1. We ask for leave to submit in writing this support of the Water Care Resource Consent Application from the Water-take side of that application. I refer you to our Joint RMC submission dated 26/03/21 and NGA WAI O MANIAPOTO WAIPA RIVER ACT 2012 referred to therein on page 2 paragraph 5.

2.2. NGA WAI O MANIAPOTO includes the interconnected relationship of, Timatatanga, Taangata, land, water and sea which binds all Kaitiaki responsibilities including across Te Rohe o Maniapoto. He mana to te kupu. Kootahi anoo, te koohao o te ngira e kuhuna ai te miro ma, te miro pango, me te miro whero! I muri i ahau, kia mau ki te aroha, ki te ture me te whakapono. Hei aha te aha, hei aha te aha! There is but one eye of the needle through which the white, red and black threads must pass. After I am gone, hold fast to the love, to the law, and to the faith. Forsake all else. - Kiingi Pootatau Te Wherowhero

3. Consultation

3.1. We acknowledge Watercare has answered many concerns raised by consulting and inclusive of cited meetings with Maniapoto RMC's, on the 16th of March 2021 and 25th June 2021.

3.2. Discussions were amicable and high level, with Governance and Management personnel from Water Care attending and outlining earlier consultation meetings with Maniapoto back in 2013 to date which we acknowledge.

4. Acknowledgement of recognition of Nga Wai o Maniapoto

4.1. The Water Care consultation team agreed to include flow and volumetric data into their scoping study of their applications support documentation in recognition of Waipa water contributions into Waikato awa and therefore the project.

4.2. This gifts data in relation to Waipa and the available water flow, water quality, water monitoring information and therefore better control data to assist kaitiakitanga inclusive of the rohe o Maniapoto.

4.3. Future impacts to opportunities for tāngata whenua/mana whenua, wherein local development potential being adversely affected has been considered and will be weighed by the Commissioners.

4.4. Indication we acknowledge is for Water Care to support giving effect to the notion of support for the functions of kaitiakitanga, using both matauranga and science being mutually beneficial is recognised.

5. Kaitiakitanga

- 5.1. Responsibilities of kaitiaki were acknowledged as being in a state of inequity disadvantaged against potential for kaitiakitanga integration being given effect.
- 5.2. Opportunities to support enhancement of Maniapoto economic, social, cultural, and spiritual relationships to the NWOM were discussed.
- 5.3. Education, water conservation, and partnership opportunities alongside research opportunities for improvement of water quality and environmental improvement measures were discussed at a high level.
- 5.4. We contend that local resources belong to local people and when benefit is gleaned from those resources there should be a mechanism or plan in place to provide benefit back to the source community as a matter of recognising mana taiao.
- 5.5. Maoritanga has a special place to leverage this type of outcome on behalf of the many which is part of regional iwi responsibilities housed inside Rangatiratanga.

6. Mana o te Wai

- 6.1. Water Care acknowledged the mana of Waikato in respect to this resource consent application.
- 6.2. We had dialogue and agreement that the Kawenata with Te Whakakitenga (Waikato) acknowledges mana and relationships to their whenua and wai.
- 6.3. This includes support in connection giving effect to the Vision and Strategy for the Waikato River.
- 6.4. Maniapoto acknowledged that Te Mana o te Wai as expressed in Nga Wai o Maniapoto (Waipa River ACT 2012) is our perspective enshrined in an act of Parliament in agreement with the Crown (and its agencies).
- 6.5. We both acknowledged that Waikato and Waipa (awa) water quality, is degraded, with significant amounts of sediment and other pollutants associated to land use

activities carried in the water body which Water Care must process to a drinkable standard.

6.6. We both agreed it is an imperative to recognise kaitiakitanga, education, intervention and conservation activities that benefit all parties throughout the life cycle and uses of water and its qualities.

6.7. Maniapoto looked for potential opportunity to assuage costs associated with Maaoritanga, functions kaitiakitanga, planning, tasks, and actions for voluntary groups like ours which specifically give recognition of Maniapoto and Waiwaia.

6.8. Especially in relation to ongoing costs associated to Maaori individuals and groups, performing cultural heritage functions. Meeting, monitoring and reporting included.

6.9. NPSFM 2020 at section 3.2 Te mana o te Wai and (3) Every regional council must include an objective in its regional policy statement that describes how the management of freshwater in the region will give effect to Te Mana o te Wai.

7. NPS Freshwater Management 2020

7.1. I note connection between NPS Freshwater Management 2020 and when a Freshwater Management Unit (FMU) or part of an FMU is degraded or degrading, council must, as soon as practicable, take action to halt or reverse the degradation (for example, by making or changing a regional plan, or preparing an action plan).

7.2. NPSFM 2020 at section 3 3.1(3a) subpart 1 sets out how local authorities must implement this National Policy Statement, particularly in relation to giving effect to Te Mana o te Wai.

7.3. I would like to draw focus to potential for this to be enabled using economic, social, cultural, and spiritual relationships as parts of the V&S being given effect to.

7.4. WRC RPS on freshwater seeks to *maintain and enhance the values of fresh-water bodies in the region, manage the allocation and use of fresh water etc... to promote water quality, biodiversity, cultural values and public access*. Some values are left out refer to 7.3 above.

8. STRATEGIES FOR THE WAIPA RIVER (Mirror Strategies for Waikato awa)

- 8.1. *To achieve the Objectives, the following Strategies will be implemented:*
- 8.2. *Ensure that the highest level of recognition is given to the restoration and protection of the Waipa River.*
- 8.3. *Establish what the current health status of the Waikato River is by utilising maatauranga Maaori and latest available scientific methods.*
- 8.4. *Develop targets for improving the health and wellbeing of the Waipa River by utilising maatauranga Maaori and latest available scientific methods.*
- 8.5. *Develop and implement a programme of action to achieve the targets for improving the health and wellbeing of the Waikato River.*
- 8.6. *Develop and share local, national and international expertise, including indigenous expertise, on rivers and activities within their catchments that may be applied to the restoration and protection of the health and wellbeing of the Waipa River.*
- 8.7. *Recognise and protect waahi tapu and sites of significance to Maniapoto and other River iwi (where they so decide) to promote their cultural, spiritual and historic relationship with the Waipa River.*
- 8.8. *Recognise and protect appropriate sites associated with the Waipa River that are of significance to the Waipa regional community.*
- 8.9. *Actively promote and foster public knowledge and understanding of the health and wellbeing of the Waipa River among all sectors of the Waipa regional community.*
- 8.10. *Encourage and foster a 'whole of river' approach to the restoration and protection of the Waipa River, including the development, recognition and promotion of best practice methods for restoring and protecting the health and wellbeing of the Waipa River.*
- 8.11. *Establish new, and enhance existing, relationships between Maniapoto, other River iwi (where they so decide), and stakeholders with an interest in advancing, restoring and protecting the health and wellbeing of the Waipa River.*
- 8.12. *Ensure that cumulative adverse effects on the Waipa River of activities are appropriately managed in statutory planning documents at the time of their review.*
- 8.13. *Ensure appropriate public access to the Waipa River and its catchments while protecting and enhancing the health and wellbeing of the Waipa River.*

9. Conclusion

We believe that Water Care has been responsible and cautious in their approach. We acknowledge that one of the primary functions of kaitiaki is to protect the wellbeing of people. This project seeks to do just that.

We urge considerations be made to give effect to the Waipa River Act 2012 and protection to maintain and restore the Mauri o Waiwaia, and support its cultural contribution to economic, social and community purposes.

Water Care have an opportunity to support functions of kaitiaki to give effect to protecting, maintaining, and improving the mauri and wellbeing of Water (Te Mana o te Wai).

This submission seeks to support Water Care Ltd and provide an opportunity for them to assist us safe-guard and improve systems for developing better water quality in all connected catchments giving effect to the Waikato Vision and Strategy.

APPENDICES 1

Following excerpts are from;

1. Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010
2. Nga Wai o Maniapoto (Waipa River) Act 2012

Nga Wai o Maniapoto (Waipa River) Act 2012

Overarching purpose of this Act (1) The overarching purpose of this Act is to restore and maintain the quality and integrity of the waters that flow into and form part of the Waipa River for present and future generations and the care and protection of the mana tuku iho o Waiwaia.

Part 2 Co-governance

7. Statement of significance of Waipa River to Maniapoto

(1) Te Awa o Waipa is a taonga to Maniapoto; the relationship between Maniapoto and the Waipa River is historic, intellectual, physical, and spiritual; to Maniapoto, their relationship with the Waipa River and their respect for it lies at the heart of their spiritual and physical wellbeing, and their tribal identity and culture.

(2) The particular characteristics of the Upper Waipa River and its place within the rohe and customs of Maniapoto are of special significance to Maniapoto.

(3) The Waipa River is a significant contributor to the region's social, cultural, environmental, and economic wellbeing.

4. GUIDING PRINCIPLES OF INTERPRETATION

(4) The guiding principles to do with mana are—

(a) respect for the mana of Waiwaia and recognition that Waiwaia is the mauri and waiora of the Waipa River; and

(b) respect for the mana of Maniapoto and recognition of the significance of the Waipa River to the mana of Maniapoto; and

(c) recognition that Maniapoto have their own distinct relationship with the Waipa River and that the area encompassing the Upper Waipa River is distinct and the particular characteristics of the Upper Waipa River and its place within the rohe and customs of Maniapoto must be respected.

(5) The guiding principles to do with practical and effective outcomes are—

(a) acknowledgement that the Crown and Maniapoto are Treaty partners working with one another to achieve positive results for the Waipa River and the Waikato River; and

(b) acknowledgement that work is needed to restore and protect the quality and integrity of the waters that flow into and form part of the Waipa River and that this is inextricably tied to the health and wellbeing of the Waikato River; and

(c) avoidance of unnecessary bureaucracy in co-governance and co-management arrangements with a focus on practical arrangements that will work now and over time.

8 VISION AND STRATEGY EXTENSION

(1) This section applies once the vision and strategy is extended to include the Upper Waipa River and activities in its catchment affecting the Upper Waipa River under section 36(3) or ... etc...

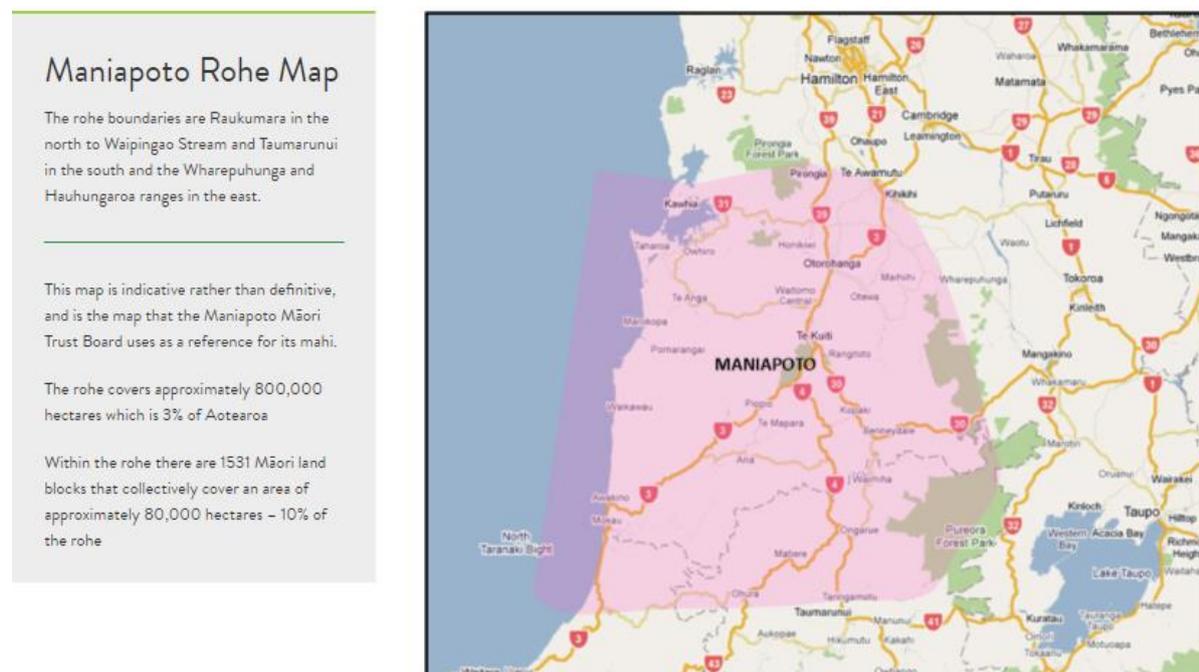
(5). Status

(2) Sections 10 to 17 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and sections 11 to 18 of the Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010—

- (a) apply for the purposes of this Act as if they were written to achieve the overarching purpose of this Act; and
- (b) apply for the purposes of this Act as if they were written to apply to the Upper Waipa River; and
- (c) apply for the purposes of this Act as if they were written to apply to the Trust; and
- (d) apply for the purposes of this Act as if they were written to apply to the **territorial authorities** whose boundaries fall within, or partly within, the area marked “C” on SO plan 409144; and
- (e) apply for the purposes of this Act to the **Council**. Subsequent reviews (3) Section 19 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and section 20 of the Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010, which are about reviews of the vision and strategy, apply for the purposes of this Act together with subsections (4) to (8).

Appendices 2

Maniapoto Rohe Map



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Submitted on behalf of THKURMC & TTRMC by

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