

SUBMISSIONS TO THE HORIZONS ONEPLAN HEARINGS FROM NGATI KAHUNGUNU IWI INCORPORATED

01 July 2008

SUB 180 – 2A/B

1. My name is Maurice Wayne Black. I manage the environmental portfolio for Ngati Kahungunu Iwi Incorporated. I have 8 years experience in resource management and planning. I'm on several Maori Reference Groups advising central government on topical issues including climate change, the Water Programme of Action and ERMA processes, was appointed to the Hastings District Council – Joint Maori Committee and I'm an elected member of the Hawke's Bay Regional Council Maori Committee and their Environmental Management Committee.

2. Ngati Kahungunu Iwi Incorporated represents the macro interests of Ngati Kahungunu through its Board and Board Chairman. Our rohe extends from Paritu, north of the Te Mahia down to Turakirae near Wellington and inland to the ranges. It includes lands and waters within three main regional council boundaries with a slight overlap into two others. There are also eleven territorial authorities within our rohe. In terms of the Horizons Regional Council our rohe includes that part of the Horizons area from where it meets the east coast, the seaward margin out to the twelve mile limit and beyond, and inland to the Ruahine and Tararua Ranges.

3. As I may be unavailable to attend the hearings for Land and Landscape issues, I will also present our brief submissions on these topics today. Ngati Kahungunu and our constituent hapu have a world-view whereby the different physical elements of Te Ao Marama are related through whakapapa. We therefore support the council's intention for a more integrated approach to environmental management, but highlight that there are issues related to land-use and water that require a more prescriptive management regime.

OVERALL PLAN PROVISIONS

4. At 1.6 of the proposed plan, third paragraph, the stated intent is to give priority and favourable treatment to activities that employ codes of practice or other initiatives. Although we support some of the intent, in our view there still needs to be an element of precaution where the cumulative effects of activities should be taken into account in decision-making so as to promote the purpose of the Act. There are natural resources within the Horizons rohe that are already degraded (contaminated land and water) where the use of industry codes of practice for application of chemicals, hazardous substances, effluent or fertilisers may still result in significant adverse effects, contrary to the purpose of the Act. Hence we see a need to assess and regulate activities in a manner that encompasses due consideration for cumulative effects.

5. We do not agree with the presumption that the rules can be relaxed due to applicants for resource consent complying with industry codes of practice. The promotion of sustainable management must be paramount within plans so that there are no loopholes that allow cumulative adverse effects to accrue to such an extent that they become significant.

6. With Horizons Regional Council's identification of the "Big Four" issues, we see a need to maintain a sustainable management focus which the current wording in section 1.6 of the plan, although well intended, may not always be compliant with the RMA, 1991, if codes of practice were allowed to over-ride sustainable management principles. There is still a need to require activities to be assessed on their own merits and the state of the receiving environment, so that sustainable management is promoted. The amendment requested by Ngati Kahungunu Iwi Inc, will enable codes of practice etc to be considered, while providing for the necessary balance where required.

Amend 1.6 third paragraph to, "While promoting sustainable management, Horizons will recognise codes of practice and other good practice initiatives in one or more of the following ways."

CHAPTER 12 RULES 12-6

7. Vegetation clearance and land disturbances that do not comply with permitted and controlled activity rules.

Vegetation clearance and land disturbance has the capacity to affect nga taonga o Ngati Kahungunu and of other iwi/hapu groups, particularly where lands that have significant value to Maori are not yet classified as such within council plans or databases. Landforms often have iconic value and Maori heritage includes relationships with these as well as with waahi tapu and waahi taonga. Our culture is significant to Aotearoa and to the regional community for its unique values in both the historical and the cultural sense. In addition, our relationships with these are recognised as matters of national importance in RMA s6 (e) and (f) as they are part of our national identity.

8. The 2005 RMA amendments took away the obligation for any resource consent applicant to consult with other parties (including Maori) but emphasised that proposed plans and plan changes would provide the main opportunity and conduit whereby our tikanga values could be included within resource management constructs.

9. The permitted and controlled activity rules under 12-1 to 12-3 of this chapter allow for enough leeway wherein vegetation clearance and land disturbance with minor effects can be accommodated, however, significant landforms, outstanding natural features and iconic landscapes deserve a higher level of protection due to their inherent value and importance. Where these and other lands have tikanga Maori values attached to them, we see it as imperative that our hapu are provided with the opportunity for input to the resource consent decision-making process. Meaningful input for our whanaunga could only be achieved if these types of resource consents were publicly notified.

This would enable our hapu to derive some form of protection for their taonga in accordance with their hapu specific values, through the resource consent process.

We ask that the proposed plan be amended as follows: -

For the Rules 12-1, 12-2 and 12-3: Change the heading of the last column to, "Control / discretion / notification," and add, "Resource consent applications under this rule will be publicly notified" for each of the rules.

LANDSCAPES AND NATURAL CHARACTER
Objective 7-2: Landscapes and natural character

10. Clause "(a)" of the proposed objective includes the words "as far as practicable," which provides an opening for our outstanding landscapes to be compromised by subdivision, use or development. If landscapes are deemed to be outstanding, then it is because of their significance, their potential or the values associated with them. In our view, the objective as proposed does not give sufficient protection as it would be possible to develop an outstanding landscape to the exclusion of sustainable management principles; hence we see the proposed objective as not promoting sustainable management.

We ask that the words "as far as practicable" be deleted from clause (a) so it reads: -

"(a) The characteristics and values of the outstanding landscapes identified in Schedule F are protected."

No reira, tena koutou, tena koutou katoa.