IN THE MATTER OF

THE RESOURCE MANAGEMENT ACT, 1991

AND IN THE MATTER OF

THE PROPOSED HORIZONS ONE PLAN, 2007

FURTHER SUBMISSIONS FROM

NGATI KAHUNGUNU IWI INCORPORATED

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1. I have read the officers reports and expert evidence in relation to the matters under consideration today. As a consequence of the rearrangement of the proposed plan content, we are reasonably comfortable with many of the interim decisions relating to the provisions on Air Quality and Administration and Finance. We have voiced some of our concerns relating to Natural Character and Landscape Issues at the previous hearing for Te Ao Maori. Today we have extra comment to make on: -

- Infrastructure, Energy and Waste, and
- The Contaminated Land and Hazardous Substances provisions

2. **Infrastructure, Energy and Waste**

a) One of the risks for our whanau that is inherent within the new plan proposals is the displacement of our whakapapa values, our tikanga Maori and kaitiakitanga values, with something that is deemed to be “in the national interest”. Whakapapa is about relationships, of how we relate to things in our spiritual and physical worlds, to our whenua, to our awa, to Tangaroa, Tawhirimatea, to each other, to the things that help us grow, both physically and spiritually. Whakapapa is the key that helps us to define our place in the world. It helps us achieve a balance. When you interfere with the natural order of things, you run the risk of upsetting the balance. I am not saying that renewable energy generation is wrong. I am stating that there needs to be sufficient due diligence, robust assessment of all likely effects, and appropriate input from kaitiaki to ensure that our values are not undermined in the pursuit of energy sources and the increase in generation capacity

b) Article 2 Treaty rights also, should not be over-ruled in the interests of others. We recognise the aspirations of government and power companies to utilise clean forms of electricity generation, but there needs to be due consideration given to our existing cultural rights. It is not ethical or just, to over-rule the aspirations of our hapu in relation to their taonga without their prior informed consent. Treaty settlement processes are headed more towards co-management options between the Crown and its various agencies, and iwi / hapu groups. We would like to see the door left open for these types of arrangements, instead of the aspirations of energy companies being given higher

priority within decision-making processes and over-riding pre-existing rights and obligations. The mana of our hapu is contained within the limits of each of their respective rohe and for us; our hapu and iwi interests are paramount. Supporting outside interests at the cost of our own is in conflict with our iwi constitution, has potential to undermine our mana, and fails to give sufficient recognition to the Crown's Treaty obligations to Ngati Kahungunu whanau / whanui. With pending Treaty settlements currently being negotiated, there is a risk that the additional pressures being placed on natural water resources from hydro schemes and water storage options will affect the aspirations of Ngati Kahungunu whanau / whanui through diminished access for kaitiaki and their customary activities.

c) Wind power holds enormous potential, but our cultural landscapes are valued for the way they have helped shape our history and continue to affirm our cultural well-being. The natural features of land that our ancestors walked and fought over often retain this tikanga value and deserve a certain degree of reverence. In our view they should not be altered to the extent that renewable energy generation is given a priority whereby our iconic landscapes and outstanding natural features become unrecognisable. There are already several additional wind farms being proposed within the Kahungunu rohe. We are not against wind farms provided they are not built in places or in quantities that denigrate our tikanga Maori values. We believe there needs to be more moderation. The preservation of the natural character of the land and the protection of outstanding natural features and landscapes is something that is supported through our district planning. These plans have been formulated through a robust consultative process, with input from our local communities. Their provisions are legally binding. Any regional or national directive needs to accommodate the wishes and interests of local communities including those of tangata whenua.

d) Electricity generation from hydro electric schemes has the potential to disrupt the natural flow regimes of our rivers, including the influence of natural springs and ground and surface water interaction, and aquifer recharge zones. It is not logical to store water in dams if it diminishes from natural ground water storage capacity to a degree where it has significant adverse effects on existing users of the ground water resource. There is the disruption to migratory pathways and the feeding and breeding patterns of taonga species to consider.

e) Impoundment of water can also impact on the rejuvenation of Mauri and natural energy cycles within water. When these are adversely impacted, the ecosystems in our rivers often suffer due to oxygen depletion and related stressors. The insertion of section 7(i) “to have particular regard to the effects of climate change” and section 7(j) “the benefits to be derived from the use and development of renewable electricity” into the RMA, still requires appropriate consideration of other provisions in Part 2 of the Act. Section 7 is not accorded higher priority but must be considered while balancing all other matters in Part 2.

3. Waste, Hazardous Substances and Contaminated Land

a) We have concerns around this chapter failing to address the effects of hazardous substances on iconic water resources and the taonga they contain. If these issues are to be addressed through the water chapter at Chapter 6, then kei te pai, but in its proposed form Chapter 6 does not refer to hazardous substances. There is a reference in the stormwater provisions and to aquatic pest control at 17–10, but little consideration for other hazardous substances and their effects on water. Hazardous substances can emanate from land and enter water via natural or man-made flow paths. For example, consent for a landfill requires extensive investigations into hydrogeology and the potential for groundwater contamination. Our original submission sought the addition of ‘Water” to one of the headings, and we still ask for this amendment. The objective follows on from the scope and background statements and in achieving integrated management, there needs to be a direct correlation.

b) Change the sub-heading under 3.1: Scope and Background, to;
“Waste, hazardous substances and contaminated land or water”

Amend Issue 3-2 (iii) to read; “land *or water* becoming contaminated to the point it poses a risk to people or the environment.”

Substitute the word “resources” for the word “sites” in the objective at 3.2 so it reads:
“Waste, hazardous substances and contaminated resources”

Add the words “or water” to clause (iii) in the objective, i.e.

“(iii) manage adverse effects from contaminated land or water”

4. Infrastructure

(a) Our main concern with infrastructure is with the potential for upgrading and an increase in scale or intensity of adverse effects. In our view, the proposed objective and associated policies did not give adequate consideration for these issues. Upgrading can increase the environmental footprint for infrastructure, and with some infrastructure, this can be substantial. If consultation with our constituent hapu was required, and their views formed part of decision-making, then we would be supportive of the existing provisions, but this is no longer required for resource consents.

b) Our original submission raised the issue of the approach taken in enabling of future infrastructure development. We see the need for additional assessment on a case-by-case basis, and feel that the plan provisions in the report (green version) at 3-3 go some way towards addressing our concerns. For surety, there would need to be recognition of their kaitiaki status within the plan. We would feel more comfortable if there was a cross-reference to the Te Ao Maori section in Policy 3-3

No reira, tena koutou, kia ora tatou katoa.