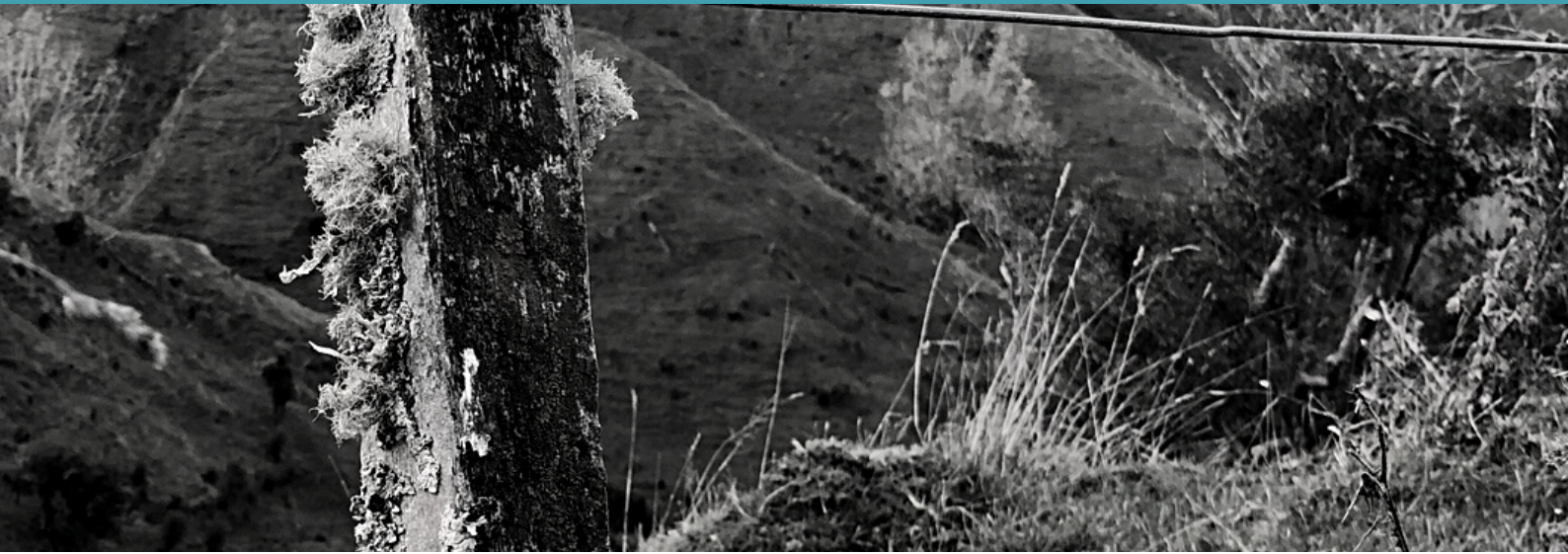




TE MANA O TE WAI

WHAT TO CONSIDER AS A MĀORI LANDOWNER

FACTSHEET 002



Purpose

The purpose of this fact sheet is to provide an introduction to Te Mana o Te Wai, the opportunities it presents for Iwi and Hapū, and potential pathways for implementation by Māori landowners.

Introduction

Hapū and Iwi hold an inherited responsibility through whakapapa to manage their ancestral taonga in a way that balances Rangatiratanga (rights and interests) alongside Kaitiakitanga (obligations) for the benefit of current and future generations. Only Hapū and Iwi can speak with authority about their relationships with freshwater. Māori landowners continue to uphold these roles in their management of lands which are collectively owned and have been inherited through succession.

Hapū and Iwi definitions of Te Mana o Te Wai can provide a powerful tool for strengthening freshwater management and improved environmental outcomes. The achievement of these aspirations will require close collaborations and alignment amongst tangata whenua in each rohe.

What is Te Mana o Te Wai?

Te Mana o te Wai is a concept developed by Iwi as a way of describing the importance of freshwater within a Te Ao Māori framework. It was derived in part from the principles and values expressed in the Ngā Mātāpono ki te Wai developed through the Freshwater Iwi Chairs in 2017 and was included in the National Policy Statement of Freshwater (NPSFW 2020).

Te Mana o te Wai requires people to think about the water as a living breathing taonga in its own right that needs to be looked after rather than a commodity to be taken until it is gone or pushed to its limits until it can no longer survive. As Māori landowners, this is the core to how land is managed. It is expected that Te Mana o te Wai will advantage landowners who continue to act as kaitiaki for their taonga tuku iho while providing for their uri.

What is the role of Councils and Te Mana o Te Wai?

The National Policy Statement for Freshwater Management 2020 (NPSFW) provides Councils with updated direction on how to manage freshwater under the Resource Management Act (RMA). They are now required to give effect to Te Mana o Te Wai by engaging with Hapū and Iwi as part of Regional Plan making and implementation.

Councils must implement the NPSFM through their planning instruments as soon as reasonably practicable, but no later than 31 December 2024.

Māori landowners will need to consider how best to participate and at what stages of the plan making process. It may be helpful to have a collective process that enables wider discussion within each takiwa for all those mana whenua who have roles and responsibilities to wai.

What are the main provisions of the NPSFM?

The NPSFW provides for Te Mana o Te Wai as a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.

Principles

Six principles of Te Mana o te Wai have been established to inform the implementation of the NPSFM:

1. **Mana Whakahaere:** the power, authority, and obligations of tangata whenua to make decisions that maintain, protect, and sustain the health and well-being of, and their relationship with, freshwater
2. **Kaitiakitanga:** the obligation of tangata whenua to preserve, restore, enhance, and sustainably use fresh water for the benefit of present and future generations
3. (c) **Manaakitanga:** the process by which tangata whenua show respect, generosity, and care for freshwater and for others
4. **Governance:** the responsibility of those with authority for making decisions about freshwater to do so in a way that prioritises the health and well-being of freshwater now and into the future
5. **Stewardship:** the obligation of all New Zealanders to manage freshwater in a way that ensures it sustains present and future generations
6. **Care and respect:** the responsibility of all New Zealanders to care for freshwater in providing for the health of the nation

Hierarchy

There is also a hierarchy of obligations in Te Mana o te Wai that prioritises:

- First, the health and well-being of water bodies and freshwater ecosystems;
- Second, the health needs of people (such as drinking water); and
- Third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

What could this mean for Māori Landowners?

Tangata Whenua models of Te Mana o Te Wai can inform:

FOR HAPU/IWI

Mātauranga Wānanga.

Mauri restoration and enhancement of taonga including mahinga kai.

Taiao management plans.

Mātauranga led cultural monitoring programmes for water quality and ecosystem health.

Strategies for ensuring access to safe drinking water

Strategies for working with others to give effect to Te Mana o Te Wai.

Collaboration within each takiwa.

FOR MAORI LANDOWNERS

Land use approaches to give effect to Te Mana o Te Wai.

Investment frameworks and cost benefit analyses.

Development of Farm Plans consistent with regulatory frameworks.

Applications for resource consent including water takes and discharges.

Monitoring Programmes that incorporate Mātauranga Maori approaches.

Collaboration within each takiwa.

FOR LOCAL GOVERNMENT

Mechanisms for formal recognition of Hapū and Iwi relationships with freshwater. For example: governance arrangements, Mana Whakahono ā Rohe and Joint Management Agreements.

Engagement required with Māori Economic authorities as a distinct group to ensure their perspectives are included in the plans.

Partnership approaches to Regional Plan making and implementation including the National Policy Statement for Freshwater Management (NPSFM).

Under the provisions of Te Ture Whenua Māori Act (1993), Māori land is subject to restrictions and protections that are not associated with other forms of privately owned land. Regional plan changes under the RMA provide a range of examples where Māori landowners are disproportionately impacted by limits placed on resource use e.g. nitrogen discharge.

Māori landowners will need to participate in all stages of plan-making under the NPSFW to contribute to policy provisions that enable land-use changes, development, and occupation of Māori land while giving effect to Te Mana o Te Wai.

While Councils will be responsible for implementing and monitoring freshwater management in their region, consenting requirements and costs will increase. Sectors such as Dairy, Sheep, and Beef will be particularly affected. Potential effects for on-farm management include:

- Synthetic nitrogen fertiliser caps;
- Intensive winter grazing;
- Intensification and land use change;
- Stock exclusion;
- Wetland management;
- Feedlots and stock holding areas; and
- Measurement and reporting of water takes.

Next Steps:

Key contacts may include regional council staff, Hapū and iwi entities, industry bodies and catchment groups. Contact your regional council for further information.

This fact sheet is one of a series. Further information about Te Mana o Te Wai and its implementation can be found here <https://ourlandandwater.nz/temanaotewai> including guidelines and case studies.