

## **Media Statement**

### **Everybody owns water: A framework for water policy that's fair to all New Zealanders**

Council believes a fair and just water policy will provide for the interests of the natural environment, the general public and Māori.

To provide for these interests, the policy must be founded on an ethic of responsibility in resource use, the concept of the common good and the preservation of natural resources for future generations. Current policy does not balance these responsibilities.

#### **The general public interest**

All New Zealanders should have free access to reasonable water supplies for personal domestic needs as a basic human right, and reasonable access to natural water bodies for recreation. The general public interest embodies the interest of all people in maintaining reasonable access to the land and waters of their country in appropriate condition for their physical and spiritual sustenance, for themselves and the coming generations.

The general public interest derives from the alienation of land for European settlement as envisaged in the Treaty of Waitangi with an implied sharing of access to associated water bodies.

However, water has been treated as a limitless, free resource for domestic use, waste disposal and commercial profit. This is inconsistent with the common good and Māori interests, and has led to over-utilisation and pollution of water bodies.

#### **The Māori interest**

The Māori interest is based on prior use. Such interest is acknowledged and respected by the Treaty of Waitangi, the UN Declaration of the Rights of Indigenous Peoples and the common law. But it is not presently recognised in national policy.

The Māori interest comprises:

- proprietary interests in water resources based on the customary use of water bodies

- cultural interests in the preservation of healthy water bodies derived from the Māori spiritual comprehension of natural water resources and the associated ethic of responsible and constrained use.

The Māori proprietary and cultural interest in water has been recognised by the Waitangi Tribunal following an inquiry in which several hapū described their customary use of different water resources.

A number of water-use stakeholders have agreed on some necessary measures in water management. But these do not address the Māori status as indigenous peoples with pre-existing customary interests, and the respect lawfully due to such interests.

### **So what's the solution?**

The Māori Council supports proposals where:

- a. water wastage is minimised
- b. a price is paid for the commercial use of water to reflect its value to the community as a whole
- c. ongoing pollution of water resources is progressively reduced
- d. currently polluted water bodies are progressively cured and ecosystems re-established
- e. the water take is assessed as follows:
  - LEVEL 1:** a sustainable natural flow or volume of water is maintained on environmental grounds
  - LEVEL 2:** domestic use water is allocated according to need
  - LEVEL 3:** commercial water use is capped at the volume of water available after allowing for levels 1 and 2, and commercial users are progressively required to pay for water consumed, redirected or otherwise utilised
- f. current consents for commercial usage are wound down to meet the level 3 volumes
- g. a percentage of the level 3 allocation is reserved to Māori for water-related Māori purposes or renting out to other commercial users
- h. the revenue from commercial uses of water is paid to an independent commission managed on a regional basis and accountable to non-commercial users

## **The role of the commission**

We propose that the independent commission will:

- monitor the water take levels, set water prices and allocate water use rights through a mechanism to be determined by it
- deal with all water bodies including aquifers and geothermal
- use funds to reclaim water consents; undertake research; monitor water use; foster water storage and reticulation projects; and implement pollution reduction and environmental restoration programs
- allocate a proportion of revenues to Māori in recognition of the Māori proprietary interest and taking account of previous non-recognition. The funds allocated to Māori shall be applied for the particular needs of Māori in relation to water supplies for marae, papakainga, and general Māori housing, to engage Māori in the restoration of customary waterways and to enable Māori to develop commercial operations utilising water.

**Further information contact:** [karen@maoricouncil.maori.nz](mailto:karen@maoricouncil.maori.nz)