

PART 6 THE WAIKATO RIVER

The Waikato River is perhaps the most significant natural feature within Franklin District.

As well as its significant conservation values, the Waikato River is a resource subject to pressure from competing interests. The River is a central part of the lives of the people of Franklin and Tainui.

Several authorities including eight District Councils, the Waikato Regional Council and the Department of Conservation have statutory responsibilities for the River. The people of Tainui have a *kaitiakitanga* responsibility for the River. There is considerable overlap between these responsibilities.

6.1 RIVER ISSUES

The following key issues have been identified for the Waikato River. The issues are interrelated and not necessarily the sole responsibility of the District Council.

6.1.1 MANAGEMENT

The management of the Waikato River is divided between a number of agencies with different but interlinking functions. There are also a number of interest groups and private enterprise groups who use the River. These groups have their own particular concerns over the management of the River.

Huakina Development Trust, on behalf of the Tainui people, has lodged a series of claims over the Waikato River. These include a taiapure local-fishery application, seeking an interest in the management of the River's fisheries, a Heritage Protection Order application and a request for the River to be declared a Maori Reservation. At the same time there is a claim for ownership of the River bed lodged with the Waitangi Tribunal.

6.1.2 WATER QUALITY

The lower reaches of the Waikato River are increasingly influenced by human activities associated with higher population densities (Hamilton City) and intensive agriculture.

There are many discharges into the Waikato River. These include industrial, sewage and stormwater discharges and diffuse runoff from rural land uses.

6.1.3 WATER SUPPLY

The Waikato River provides an important source of water to the Auckland Region, supplying about ten percent of the Region's needs. This supply provides the Auckland Region with an alternative to the rainfall dependent dams in the Waitakere and Hunua Ranges, which provide the majority of Auckland's water supply, by providing a drought resistant, plentiful, cost-effective water supply source.

6.1.4 ECONOMIC INTERESTS

The river is a resource for a range of activities including mining, tourism, fishing, energy generation and recreation. The management of this resource involves balancing these sometimes competing demands within a sustainable management framework.

6.1.5 CONSERVATION VALUES

The natural values of the lower Waikato River are being compromised in a number of ways. Drainage and flood protection schemes have reduced the area of swampland adjoining the River. This has destroyed native vegetation and reduced the habitat available to waterbirds and fish. Cattle grazing and the misuse of trail bikes and dune buggies are causing extensive damage to vegetation and disturbing breeding birds on the sand spit at the mouth of the River. These activities are also contributing to sand erosion.

The protection of whitebait spawning areas, generally located around the river islands, is critical to the survival of this fishery in the lower Waikato River.

6.2 OBJECTIVES, POLICIES AND METHODS

6.2.1 OBJECTIVE - CONSERVATION OF NATURAL CHARACTER

To preserve the natural character of the Waikato River and its margins and protect them from inappropriate subdivision, use and development.

Policies:

1. Adverse effects on the natural character of the River and its islands and margins shall be avoided, remedied or mitigated.
2. Where an activity has an effect that cannot be avoided it will be necessary to demonstrate that there is a significant net environmental benefit arising from the activity that clearly outweighs any loss in the natural character. The net environmental benefit must compensate for any loss by adding to the natural character of the Zone.
3. As far as practicable buildings and structures shall not visually compromise the natural character of the Waikato River and its margins.
4. The use and development of the Waikato River be allowed where wildlife and aquatic habitat is enhanced or created.

Methods of Implementation of Policies:

1. The Plan places the Waikato River, its islands and associated wetlands within a Waikato River Management Area with an underlying *Wetland Conservation Zone*.

Resource consents including subdivisions will be assessed in terms of their impact on the Waikato River and appropriate conditions may be imposed.

2. The Zone allows for uses of the Waikato River, its islands, margins and associated wetlands where such uses are not detrimental to the conservation values of these areas. The Management Area provides Objectives and Policies to underpin the rules and achieve the desired environmental results for the river.
3. Requiring development setbacks for land along the edge of the Waikato River, in both the *Rural Zone* and the *Wetland Conservation Zone*.
4. Within the areas adjoining the Waikato River, defining a setback yard of 30 metres from banks where:

specific controls on structures are imposed (Refer to Part 7 and the relevant Zone rules on "development" standards);

Other Methods:

The control of adverse effects on flood protection works is addressed in the natural hazards section.

Reasons and Explanation for Objective, Policies and Methods:

The Waikato River is one of the most significant natural features within the District and it requires special attention.

Anticipated Result:

- Recognition and protection of the conservation values of the River.

6.2.2 OBJECTIVE - TANGATA WHENUA

To recognise the Waikato River, its islands and associated wetlands as being central to the spiritual and cultural well-being of tangata whenua of Franklin District.

Policy:

1. That the Plan provides for the continuation of tangata whenua's traditional access to food and plant resources and select species of timber appropriate for carving, subject to landowner approval.

Method of Implementation of Policy:

Refer to the *Permitted* activities of the *Wetland Conservation Zone* (Part 24).

Reasons and Explanation for Objective, Policies and Methods:

The Act states that the following matter is of national importance:

"The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga".

Anticipated Result:

- Tangata whenua's continued traditional access to the Waikato River's plant and animal resources.

6.2.3 OBJECTIVE - RIVER MANAGEMENT

To promote an integrated approach to the management of the Waikato River.

Policy:

1. That the Council works towards a joint management approach to the Waikato River with the Tainui people and relevant central, regional and local government agencies.

Methods of Implementation of Policy:

Funds will be requested via the District Council's *Annual Plan* process to assist with implementing a joint management approach.

Reasons and Explanation for Objective, Policies and Methods:

Franklin District Council considers that only an integrated management approach can effectively deal with the numerous significant issues pertaining to the Waikato River. Such an approach is consistent with Section 8 of the Act which requires all persons to *"take account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)* in achieving the "sustainable management" purpose of the Act.

Provision can be made in the Council's *Annual Plan* to assist with this.

Pending the outcome of such a joint approach, the Council will introduce Plan changes to implement relevant parts of the approach when and where appropriate.

Anticipated Result:

- Integrated management of the Waikato River and its environs.