
BEFORE THE WAITANGI TRIBUNAL

WAI 2358

IN THE MATTER OF **the Treaty of Waitangi Act 1975**
AND
IN THE MATTER OF **the National Fresh Water and Geothermal
Resources Inquiry**

MEMORANDUM OF THE CROWN

Dated 22 November 2013

RECEIVED Waitangi Tribunal
22 Nov 2013
Ministry of Justice WELLINGTON

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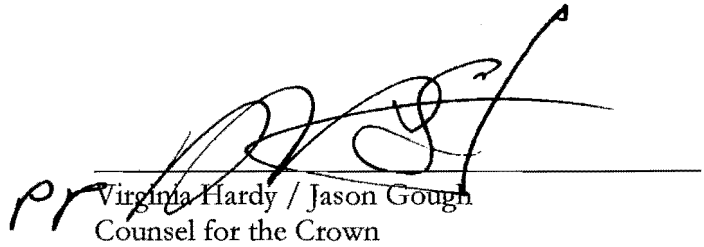
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MAY IT PLEASE THE TRIBUNAL:

1. By Tribunal memorandum-directions dated 6 November 2013 (#2.5.44), the Tribunal asked the Crown to set out the date that the details of its proposed reforms for both freshwater and geothermal resources might be filed with the Tribunal. The Tribunal sought this advice by Friday, 22 November 2013; this to enable the Tribunal to consider next steps.
2. The Crown respectfully requests an extension to 11 December 2013 to provide this information. The reason for the request is to enable Ministers to confer on plans for 2014, and in the context of a range of Ministers consulting on this issue.
3. The Crown, at this stage, also wishes to signal the potential for a Bill for Resource Management Act reforms to be introduced to the House. The Government signalled the broad content of the Bill, and its intent to introduce the Bill in 2013, in the August 2013 document *Resource Management Summary of Reform Proposals 2013*. The proposals summarised in the August 2013 paper were the result of consultation on two discussion documents: *Improving our resource management system: a discussion document* (released February 2013) and *Freshwater reform 2013 and beyond* (released March 2013), both of which were consulted on with the public and iwi/Māori in March 2013. Many of the elements of the proposed legislative amendments are germane to water reform, including but not restricted to: greater clarity on the role of iwi/hapū in resource management planning processes and greater consideration of Māori interests in the resource management system, central government intervention powers, and creation of a new optional collaborative planning track (which includes roles for iwi/Māori) for freshwater-related issues.
4. While no introduction date has yet been determined, there is potential for introduction before the end of this year. The Crown nevertheless considers that this step will not adversely impact on the provision of information to the Tribunal and claimants about the Crown's policy development over freshwater issues, the subject of this claim. The Crown can signal that its broad intention is to provide to the Tribunal and parties tranches of information from the end of the first quarter next year to enable the

claimants to develop their response and the Tribunal to conduct its inquiry. As above at paragraph 2, the Crown will set out the date(s) that the details of its proposed reforms for both freshwater and geothermal resources might be filed with the Tribunal shortly.

22 November 2013



Virginia Hardy / Jason Gough
Counsel for the Crown

TO: The Registrar, Waitangi Tribunal
AND TO: Claimant Counsel