

**UNDER**

the Resource Management Act 1991  
(the RMA)

**IN THE MATTER OF**

an application for a Water  
Conservation Order on the Hurunui  
River and Lake Sumner (Hoka Kura) by  
the New Zealand and North Canterbury  
Fish and Game Councils and the new  
Zealand Recreational Canoeing  
Association

**AND**

**IN THE MATTER OF**

a submission by Te Rūnanga o Ngāi  
Tahu, Te Rūnanga o Kaikōura, Te Ngāi  
Tūāhuriri Rūnanga

## **STATEMENT OF EVIDENCE OF RAEWYN SOLOMON**

### **Introduction**

1. Kia ora koutou - my name is Raewyn Solomon. I work for Te Rūnanga o Kaikōura and have done so, for the last 11 years. In this time most of my work has been focused in the environmental area including the RMA. I was project manager for Te Poha o Tohu Raumati, the Te Rūnanga o Kaikōura Iwi Management Plan 2005. I have been a member of the Kaikōura District Planning Committee and Hearings & Applications Committee since 2001 and have been a certified RMA Commissioner since 2005.
2. Ngāi Tahu culture does not separate spiritual interests from secular ones, in response to the knowledge that these two sets of interests are intertwined and interdependent. In the experience of Ngāi Tahu, spiritual values are poorly understood by non-Maori resource managers. It is said that spiritual values are beyond the reach of decision-makers and it is difficult or impossible to develop conditions and policies that protect and enhance them except where, say, specific tapu sites can be ring-fenced from development.

3. Ngāi Tahu maintains that this is an immature understanding. Spiritual and physical outcomes are mutually inter-dependent. Therefore, positive actions in the physical realm can be taken that result in positive spiritual protections and outcomes. For instance, acting to ensure thriving communities of fish enhances the health of the mauri of the holistic river - a spiritual value. In traditional Maori conception, it is preferable to focus more on spiritual ritual as a component of physical management, but in the absence of a mature bicultural framework that values and allows for this, the focus on biophysical actions offers a cultural compromise.
4. So far today you have heard about the cultural, historical, traditional and economic values that Ngāi Tahu holds in respect of the Hurunui River and Hoka Kura (Lake Sumner). We are attempting to bring the knowledge of yesterday through to the present and position it as a platform for the future.
5. My evidence moves examines the natural features of the Hurunui that are valued by Ngāi Tahu including:
  - Water Quality
  - Water Flows
  - Ngāi Tahu and Biodiversity
  - Ngā Manu (Birds)
  - Repo Raupō (Wetlands)
  - Parenga (Riparian Zones)
  - The Hurunui River Mouth
6. My evidence will then move on to discuss the Ngāi Tahu philosophies of how these values should be managed now and into the future. The main philosophies that I'll discuss are:
  - The environmental policies contained in the Te Rūnanga o Kaikōura Environmental Plan - Te Poha o Tohu Raumati;
  - Ki Uta Ki Tai (from the mountains to the sea) – What does it mean and how does it relate to the WCO.
  - The Hurunui as a cultural landscape; and
  - Kaitiakitanga.

## **General Observations**

7. The question shouldn't be: What can the river do for us? What we should be asking is: What can we do for the river? And we have to ask this question because the pressure on the resource from people and industry begs the question.
8. This Water Conservation Order is an opportunity to place a more realistic and robust planning framework in place, to align it more befittingly with the outstanding characteristics of the Hurunui and, from a cultural point of view, acknowledge the mana of the mighty Hurunui.
9. We see this WCO as an opportunity to do something for this river, for this catchment, because we have too many rivers that are degraded and whose flows are interrupted on their course to the sea. The Hurunui is a beautiful example of a braided river, still in a relatively natural state and whose flows are still unimpeded, that, in itself, is outstanding.

## **Water Quality**

10. For Ngāi Tahu the quality of our awa is a matter of considerable cultural significance. In order to ensure the preservation of water quality, Ngāi Tahu relied upon a traditional water classification system, which included:
  - Waiora: Pure water is termed Te Waiora a Tane, and to Maori it contains the source of life and wellbeing. It is the spiritual and physical expression of Ranginui the sky father, shedding tears at the loss of Papatuanuku, the earth mother. Rain is waiora.
  - Wai Maori: is water in a normal and healthy state; water becomes wai maori when it comes into unprotected contact with humans. It has a mauri (which is generally benevolent) and which can be controlled by ritual.
  - Waikino: is water, which has been polluted or debased, spoilt or corrupted. In waikino, the mauri has been altered so that the supernatural forces are non-selective and can cause harm to anyone.
  - Waimate: is water that has lost its mauri or life force and has the potential to cause ill fortune, contamination or distress to the mauri of other living things, including people, their kai moana or their agriculture. The subtle differences

between waikino and waimate seem to be based on the continued existence of a mauri (albeit damaged) in the former, and its total loss in the latter.

Water has Wairua and Mana which give rise to Mauri - the life force.

11. Water quality within the Upper Hurunui is relatively high reflecting the purity of the sources within the mountains and the absence of human development that might impact on that quality. The quality of water in the upper Hurunui is also buffered by pure flows from Hoka Kura (Lake Sumner).
12. Further downstream, tributaries feed water into the main river course from catchment sources and some small spring-fed tributaries (e.g. Dry Stream and School Creek, feeding into the Hurunui and the Pahau Rivers).
13. Water quality within the upper river system is regarded as pristine and is a significant element of the River's wilderness and natural character. Waters within the Hurunui River Catchment were sometimes used to provide "spiritually clean" waters for baptismal and other purification rituals, a use reflected in traditional names such as Waitohi River.
14. However, it has been recorded that this quality significantly degrades lower in the river, reflecting changes in land-use patterns, particularly clearance of natural native wilderness cover and the water quality consequences of agricultural land uses, particularly on the Amuri Plains.
15. Impacts on water quality in the lower reaches of the Hurunui must be considered serious.  
The microbial quality of the river is such that on occasion the lower reaches of the river do not meet contact recreational guidelines.
16. Water quality degradation has been noted in terms of nutrient enrichment, sedimentation (turbidity), clarity and temperature. The degradation in water quality

lower in the river has been attributed to the effects of non-point source contaminants including drainage of intensively stocked land, irrigation by-wash discharge into the river and its tributaries and bird colonization.

17. Te Rūnanga o Kaikōura has a baseline or benchmark policy of no discharge to water. The policy comes from years of watching our waterways in the takiwā become degraded as a result of uncontrolled discharges of effluent, rubbish, industrial waste, hospital waste, grey water, and sewage. Over time, the impacts on stream health, water quality, and mahinga kai have been significant. Water is the lifeblood of Papatūānuku, and must be protected. This general policy is a baseline or starting point. From this point, the Rūnanga can assess applications on a case by case basis.

Without water no living thing, plant, fish, or animal can survive

18. Some of the relevant water quality provisions within Te Poha o Tohu Raumati are outlined below:

- To avoid the use of water as a receiving environment for the direct, or point source, discharge of contaminants. Even if the discharge is treated and therefore considered “clean”, it may still be culturally unacceptable. Generally, all discharges must first be to land.
- To support and encourage catchment management plans (ki uta ki tai) that manage the cumulative impacts of water abstractions in a given area.
- To avoid impacts on water, land, mahinga kai and biodiversity as a result of inappropriate discharge to land activities. Treatment and purification systems, including wetland systems, and close monitoring of the carrying capacity of soils must be part of any discharge to land activity.
- When assessing the alternatives to discharge to water, a range of values, including environmental, cultural and social, must be considered in addition to economic values.
- To advocate for recognition of esplanade reserves and strips as protection of those values relating to the integrity of waterways, and not just access.

- To avoid compromising water quality as a result of water abstraction.
- To consider all new applications for water abstractions in terms of cumulative effects of all existing water takes, and in terms of the impact on water quality, mahinga kai and other instream values of additional water takes.

19. Ngāi Tahu has sought in its submission that, as far as possible, provision should be made in the WCO for protecting the water quality within the catchment – and if there is to be ongoing intensification of the land then it must be carefully and prudently managed to actively ensure that there is no further decline in water quality.

20. If intensification is to happen then the practices have to become environmentally smarter about how they operate. Active measures have to be put in place that enables the reduction of and better management of pollution, and improves the quality and reduces the quantity of runoff that enters our waterways. Historically the industry standard operating practices have not only cleared significant areas of riparian buffers and wetlands that act as filters and flood barriers and which protects and maintains the quality and quantity of water and its habitat, it then takes the water for irrigation and as a result of it's runoff puts the water back polluted. It's more than just a double jeopardy. The measures must be enforceable.

21. In order to ensure appropriate control and management of the water quality of the Hurunui, we seek that a restriction similar to the following clause from the Oreti Water Conservation Order be imposed;

....no discharge permit may be granted or rule included in a regional plan authorizing a discharge into any waters....that will result in a reduction of water quality beyond the zone of reasonable mixing.

## Water Flows

Preserve the strong existing life-force (mauri) and wild and moody character of the Hurunui River by ensuring continuation of the existing natural flows of the river.

22. Flows throughout the course of the River in the Upper and Middle reaches of the River are natural and undisturbed by human intervention. These sections of the Hurunui River exhibit natural and seasonal flow fluctuations, with the largest flows occurring in September to November, and the lowest flows being recorded in the summer months of February and March.
23. Ngāi Tahu believes that the maintenance of high velocity flows and natural flushing and flood event variations is vital to maintain the quality of the River. Flushing flows and flood events help to offset impacts to water quality in the lower reaches of the River from existing irrigation takes and pollution. If the flood and flush events are interfered with by human intervention, greater problems could result from nutrient enrichment and proliferation of biomass blooms that grow rapidly in a nutrient-polluted environment. If not periodically cleared by high velocity flows and flushing events, this biomass would spread, and could further damage aquatic habitat and cultural values in the river. The Hurunui already has didymo.
24. Ngāi Tahu has sought to protect the natural flows of the lower Hurunui River by supporting via our further submission, the flow regime prepared by DoC and Forest & Bird. The 40,000 litres per second September to December inclusive is so that black fronted tern and black-billed gull (both nationally endangered) will have safe islands to nest on. This is known as the 'moat effect'. The majority of birds that do not nest on islands have their eggs and young eaten by predators. The majority that nest on islands survive because predators are less likely to get to them. Below 40 cumecs the number of islands in the river drops off dramatically (paper by Hughey & Duncan).
25. We also asked for a minimum flow of at least 20,000 litres per second in August, January and February because these flows and above produce more invertebrate food for birds than lower flows. In August adult birds building nests need food to

ensure they are healthy for breeding. In January and February the young birds are growing and fledging and also need plenty of food. In Ken Hughey's evidence (yet to be presented), he actually suggests that flows of 25 cumecs and above are more desirable for feeding birds.

26. It's fundamental - the indigenous bird species have evolved with their habitat over eons. The braided area is where they habituate. The river is braided because of water flows, take the flows away and you take the braids away – of course the species will be affected. The species would not live there, if it wasn't the best place for them.

### **Ngāi Tahu and Biodiversity**

27. Biodiversity refers to the variety of living things in the environment. The protection of indigenous biodiversity is an important value for Te Rūnanga o Kaikōura. Indigenous species, and the habitats that support them, must be protected for future generations. In many parts of the takiwā, where land use is dominated by agriculture and forestry, the impact of human activity on indigenous species has been significant. The New Zealand Biodiversity Strategy (2000) establishes a framework to conserve, sustainably use and manage biodiversity.

28. A goal identified in the Strategy is to “actively protect iwi and hapū interests in indigenous biodiversity, and build and strengthen partnerships between government agencies and iwi and hapū in conserving and sustainably using indigenous biodiversity”.

**Hutia te rito o te harakeke  
Kei hea te Kōmako, e kō?  
Ki mai ki ahau  
He aha te mea nui o te ao?  
Māku e ki atu  
he tangata, he tangata, he tangata**

When the centre of the flax bush is picked  
Where will the bellbird sing?  
You ask me  
What is the greatest thing in the world?  
My reply is  
it is people, it is people, it is people

29. Like many other iwi (tribes), Ngāi Tahu have a significant interest in the protection, management and restoration of indigenous biodiversity. This stems from the

relationship that Ngāi Tahu has with the biodiversity of Canterbury developed over centuries of occupation, close interaction and use. The above whakataukī (proverb) provides an insight into this relationship, and the importance biodiversity has for ongoing culture, identity and well-being. Importantly, it demonstrates awareness of the ecological link between harakeke (NZ flax) and the kōmako (bellbird) and of the role that people can play in either destroying or maintaining such linkages.

30. The need for ongoing proactive management of biodiversity within the Canterbury region is therefore aligned with the traditional relationship between Ngāi Tahu and the environment, as well as a number of key traditional concepts including whakapapa (genealogy), mahinga kai, kaitiakitanga (often likened to guardianship), and the philosophy of ki uta ki tai ('from the mountains to the sea').

31. Whakapapa forms the basis for the Ngāi Tahu approach to biodiversity management by accounting for the genealogical connection between people, plants, birds and insects through their shared descent from Tane Mahuta – “god of the forest”. The crux of the relationship, however, is the custom of mahinga kai and the interdependence between people and the species and natural resources that provide the gift of sustaining life.

Ngāi Tahu see themselves as part of the environment, belonging to it and complementing other entities, both animate and inanimate. The shared whakapapa confirms that all things are from a common source. Ngāi Tahu retain the strong sense of indivisibility of humanity and nature.

### **Ngā Manu (Birds)**

32. The upper reaches of the Hurunui River have been identified as having very high wildlife values, including habitat that supports significant populations of kamana (crested grebe), mohua (yellowheads), roroa (kiwi), kea, kaka, kakariki (parakeet), and kakarua (robin), amongst other bird species. A Department of Conservation “mainland island” has been established in between the South and North branches of the River to protect the River’s adjacent conservation and wildlife values.

33. Wetland bird habitat located within this section of the river, particularly in and around the Hurunui lakes, has been identified as being of high to moderate regional value, largely because of the diversity of habitats and of species represented. Wetland birds found within the Hurunui system include blue duck, oyster-catchers, plovers, pied stilts, and black-backed gulls.
34. The habitat for native bird species in the Upper Hurunui Catchment is outstanding. Royal Forest and Bird have asserted that Lake Sumner Forest Park has the richest forest bird diversity in Canterbury. The area boasts 33 species of indigenous birds recorded from the South Branch alone, and significant populations of threatened and endangered bird species.
35. The braided sections of the river have been identified as nationally significant as wetland bird breeding habitat, particularly for several threatened bird species, including branded dotterel and black fronted tern, black billed gull.
36. The life-supporting capacity of the braided sections of the Hurunui River with respect to birdlife is related to hydrologic regime principally through flood events, at any time of the year that provide vegetation-free gravel bars for nesting, and the medium to low flows that provide food producing and feeding areas during the nesting/breeding period, especially in sub habitats other than the deep, fast-flowing runs in the main braids (i.e. riffles, seepage channels, pools in side braids etc).
37. A number of key outcomes relevant to biodiversity have been identified in the *Ngāi Tahu 2025* vision document produced in 2000, including:
- Increasing the abundance of, access to, and use of mahinga kai.
  - Appropriately protecting all wāhi tapu, mahinga kai & taonga tuku iho according to Ngāi Tahu values and interests.
  - Enhancing waterways to support healthy populations of species of importance to Ngāi Tahu.

38. Te Poha o Tohu Raumati the Te Rūnanga o Kaikōura Natural Resources Iwi Management Plan 2005 neatly summarises the policy positions of Ngāi Tahu in relation to biodiversity, advocating for:

- The protection of key biodiversity areas and sites;
- The connection of areas and sites of high indigenous biodiversity through corridors from mountains to sea. Such corridors would enable the movement of plants, birds and other biodiversity; and
- The encouragement of activities that are appropriate to maintaining, protecting and enhancing biodiversity.

### **Repo Raupo (Wetlands)**

39. Wetlands are an important natural and cultural resource to Ngāi Tahu. Such areas were (and are) rich in biodiversity and important sources of mahinga kai. They also provide important ecosystem services such as filtering of contaminants, and along with riparian areas, are considered natural buffer and transition zones. Wetlands are considered the “kidneys” of the land due to their ability to filter and cleanse water. They are central to what is called *Haumanu Taioa Ihumanea*, or restorative balance. Reduced flows, changes in land use and drainage have reduced the number of wetlands associated with many river and tributaries in takiwā. Wetlands in the Hurunui catchment, especially those in the upper catchment, as you will have already heard, definitely have outstanding amenity and intrinsic values because of the natural state of its waters, species and habitat. For Ngāi Tahu monitoring of wetland health and condition is a critical part of monitoring water quality.

### **Parenga (Riparian Zones)**

40. Riparian areas are the transition zone between water and land. Such areas are often associated with mahinga kai and other customary use activities (mahinga parenga). Riparian areas contain a range of important plant species; some of which may be used for wāhi raranga (sources of weaving materials), or rongoā (traditional medicines). Riparian areas are also associated with their role in maintaining ecosystem health as they reduce bank erosion, provide habitat and enhance water quality through natural pollution abatement functions.

41. In the upper catchment the quality and quantity of riparian margins are, by and large, still in their natural state. In the upper gorge area this native vegetation is relatively unmodified. There are very few weeds with plenty of tikumu, red tussocks, significant stands of red, mountain and silver beech and large tracts of kōwhai that grow alongside the awa in a similar manner as willows populate the margins of our urban waterways such as the Avon and Heathcote Rivers. And lichens, mosses cushion plants and tororaro (*meulenbeckia axilaris*) – these latter ones are really important plants because they're colonizing plants that hold the ground together. But for much of the waterway below the Mandamus the riparian zones have been highly modified and degraded as a result of poor land management, weed invasion, stock access and land use activities such as forestry and agriculture.

### **The Hurunui River Mouth**

42. The Hurunui flows into the Pacific Ocean approximately 80 km north east of Christchurch and 5km south of Gore Bay, passing through a break in the coastal cliffs. The coastline at the river mouth is defined by cliffs and there is no estuarine area although a lagoon has formed behind the barrier of the beach. The location of the mouth tends to change depending on river flows and sea conditions and may also be dependent on periodic high flows which break through the barrier beach. Closure of the river mouth is very rare. The mouth of the Hurunui has also received attention as an outstanding landscape due to its unusual character and high value as a habitat for native wildlife including coastal broadleaf forest, fine finger broadleaf, harakeke, Ngāio, karaka and native spinach, but to name a few.

### **Te Poha o Tohu Raumati**

43. I will now talk about the Ngāi Tahu environmental management philosophies that we would like to see integrated into the future management of the Hurunui River. The first philosophy I will talk about is Te Poha o Tohu Raumati, which is the Environmental Management Plan of Te Rūnanga o Kaikōura. It has the status of an Iwi Management Plan effectively making it the Environmental Ngāi Tahu voice for that area between Te Parinui o Whiti in the north, south to the Hurunui River, inland to the Main Divide and as far seaward as the eye can see.

44. This Environmental Management Plan is a written statement that consolidates Ngāti Kuri values, knowledge and perspectives on natural resource and environmental management issues. It is an expression of kaitiakitanga. While the plan is first and foremost a planning document to assist Te Rūnanga o Kaikōura in carrying out kaitiaki roles and responsibilities, it also recognises the role of communities in achieving good environmental outcomes and healthy environments, and thus is designed to assist others in understanding tangata whenua values and policy.
45. The plan is intended for use alongside Te Rūnanga o Ngāi Tahu tribal policy, including the Te Rūnanga o Ngāi Tahu Freshwater Policy (1999) and other Ki Uta Ki Tai tribal policy development.
46. Although there is no express requirement for the Special Tribunal to take into account Iwi Management Plans, they are nonetheless a vital means of identifying those characteristics that are of outstanding significance in accordance with tikanga Māori therefore, it will be important for the Tribunal to pay close attention to Te Pōhā o Tohu Raumati (3.5.14), as it contains a number of policies and provisions that are relevant to the Water Conservation Order.
47. A section of Te Pōhā is dedicated solely to the Hurunui River. I think that it is vital that you factor this into your assessment of the WCO application. It states:

#### **3.5.14 Hurunui River**

The Hurunui River is the southern boundary of the Te Rūnanga o Kaikōura takiwā. Te Rūnanga o Kaikōura shares kaitiaki rights and responsibilities associated with the Hurunui with Te Ngāi Tūāhuriri Rūnanga.

The Hurunui River is a Statutory Acknowledgement / Deed of Recognition site under the NTCSA 1998, providing for the special association of Ngāi Tahu with the river (see Appendix 14). Historically, the river was treasured for its yield of customary resources, and as the gateway for Canterbury Ngāi Tahu to the pounamu resources of Te Tai Poutini. Today, the customary importance of the river remains for tangata whenua.

Hoka Kura (Lake Sumner) is also a Statutory Acknowledgement / Deed of Recognition site, a reflection of historical importance of the lake, and the mahinga kai and wāhi tapu values associated with it (see Appendix 15).

#### **Ngā Take – Issues:**

- Cumulative impacts of water takes on the natural character of the river
- Future water demands, and ability of the river to support demand
- Need for monitoring the relationship between river water takes, water levels, aquifer quality and quantity.
- Need for catchment based planning and integrated management
- Gravel extractions and impact on flow
- Forestry plantations that go right down to the river edge, and impact on water quality
- Run off into the river from forestry operations
- Loss of wetlands associated with tributaries due to land clearance and drainage
- Introduction of weed species (e.g. gorse, broom)
- Willows that are choking the river
- Protection of endemic species in the Hurunui River catchment
- Protection of wāhi tapu values in the Hurunui River catchment

#### **Ngā Kaupapa – Policy:**

1. To recognise and provide for the shared kaitiaki responsibility with Te Ngāi Tūāhuriri Rūnanga for with the Hurunui River and Hoka Kura.
2. Applications for activities that are within, adjacent to, or may impact on the Hurunui River or Hoka Kura Statutory Acknowledgement (SA) areas under the NTCSA 1998 will require consultation with Te Rūnanga o Kaikōura, Te Ngāi Tūāhuriri Rūnanga, and Te Rūnanga o Ngāi Tahu.
3. **To ensure that the value of the Hurunui River as a cultural and natural landscape is recognised and provided for in management decisions throughout the catchment.**
4. To ensure that activities in the Hurunui River catchment do not adversely impact wāhi tapu and wāhi taonga values.
5. To protect and enhance the traditional and customary associations that tangata whenua have with the Hurunui River.
6. To support and encourage catchment management planning (ki uta ki tai) to manage land and water resources in the Hurunui River catchment.
7. **To protect the headwaters of the Hurunui to ensure continuous healthy flow from mountains to the sea.**
8. To avoid the use of the Hurunui River or its tributaries as a receiving environment for the direct, or point source, discharge of contaminants.
9. To avoid adverse impacts on water quality as a result of non-point source pollution, and require that any non-avoidable impacts are mitigated.

10. To prioritise the restoration of wetlands and riparian margins throughout the Hurunui River catchment.
11. To support a flow regime for the Hurunui that adopts the priorities established in the Te Rūnanga o Ngāi Tahu Freshwater Policy. The priorities are:
  - Priority 1: Sustain the mauri of the waterbodies within the catchment
  - Priority 2: Meet the basic health and safety needs of humans
  - Priority 3: Protect cultural values and uses
  - Priority 4: Protect other instream values (indigenous flora and fauna)
  - Priority 5: Meet the health and safety needs of humans (sanitation)
  - Priority 6: Provide water for stock
  - Priority 7: Provide for economic activities including abstractive uses
  - Priority 8: Provide for other uses
- 12. To ensure mahinga kai have uninhibited access to and from the river, its tributaries, associated lakes, and the sea.**
13. To avoid any exotic forestry plantations immediately adjacent to the Hurunui River. Any forestry operation in the vicinity of the Hurunui River must establish buffer zones between the river, associated waterways, and the plantation, as per Te Rūnanga o Kaikōura policies on Forestry (s. 3.5.1).
14. To require appropriate fencing, to control stock access to the Hurunui Rive and associated tributaries, wetlands and springs.
15. To advocate for regular monitoring of water quality in the Hurunui River catchment, particularly in areas where intensive farming and forestry activities are occurring.
16. To advocate for increased monitoring of actual water takes from the Hurunui River catchment, both surface and groundwater.
17. Minimum flows for the Hurunui must reflect the needs of tributary streams and associated wetlands.
18. To control and eradicate where possible weed species along the Hurunui River and associated tributaries.
- 19. To generally oppose any large scale proposal to dam, extract, or otherwise reduce, change or alter the existing flows of any part of the Hurunui River (e.g. hydro and irrigation schemes). Te Rūnanga o Kaikōura encourages considerations of alternatives to large scale alterations of flow regimes on rivers such as the Hurunui.**
- 20. To ensure that activities in the upper catchment have no adverse effect on mahinga kai, water quality and water quantity in the lower catchment. [my emphasis]**

Waterways have a special place in our heart. They're not just collections of gravel and water and fish. They not only feed the people, they also connect the mountains to the sea, are the lifeblood of Papatūānuku, have Mana and a life presence of their own. Our belief is that the rivers should be treated with total respect, and their health given the utmost priority.

## **Ki Uta Ki Tai**

48. The second environmental philosophy that I will talk about is Ki Uta ki Tai. The philosophy of Ki Uta Ki Tai is used by Ngāi Tahu Whānui to describe an overall approach to natural resource and environmental management. It's about an indigenous, organic understanding of the environment that can be used to help address the wide range of issues Ngāi Tahu face with regard to managing natural resources.

49. Ki Uta Ki Tai is based on the idea that if the realms of Tāwhirimātea (wind), Tāne (forests), Papatūānuku (earth mother) and Tangaroa (sea) are sustained, then the people will be sustained. The kaupapa reflects the knowledge that resources are connected, from the mountains to the sea, and must be managed as such.

50. A Water Conservation Order is consistent with applying the principles of Ki Uta Ki Tai for freshwater management because it allows for a broader perspective and a broader approach and it can also establish cultural bottom lines.

51. Ki Uta Ki Tai is particularly relevant in this Hurunui situation because unlike a number of other rivers in the Ngāi Tahu takiwā, the Hurunui River continues to this day to flow in a relatively natural manner to the sea. Unimpeded flows from source to sea are vital because when you impede the flow and manipulate it, you end up with a whole range of undesirable cultural impacts – such as:

- Adverse impact to integrity of mauri, wairua and mana
- Destruction and inundation of cultural landscapes which are likely to include wāhi tapu and wāhi taonga sites, the tapu, being koiwi/human bodies and sacred areas, and the taonga being indigenous flora/fauna and biodiversity.
- Valuable mahinga kai areas are lost or degraded
- Fish movement within the river system is disrupted – both of juveniles into the system and of mature adults trying to leave the system to breed
- Endemic mosses and lichen and riverbed plant species are subject to degradation and loss
- Fish survival, some fish need the velocity to survive e.g. torrent fish

- The minimum flows are rarely able to mimic the natural conditions of the river
- Sediment is trapped and therefore unable to reach the coastal environment where it is needed to avert coastal erosion

52. Ki Uta Ki Tai – unimpeded passage from the source to the sea is one of the characteristics of the Hurunui River that make it of outstanding significance in accordance with Tikanga Maori.

### **Cultural Landscape**

53. Tribal history is embedded in the river and the lands that it flows through. Over many generations, the river, its tributaries, the vast areas of repo raupo (wetlands), waipuna (springs) and parenga (riparian areas), as well as surrounding forests, valleys and maunga (mountains) provided tangata whenua with abundant natural resources, mahinga kai, cultural and spiritual associations.

54. Traditional western beliefs based upon anthropocentric views of the world are at odds with the belief of Ngāi Tahu that tangata whenua, whakapapa back to Papatuanuku (the earth mother) and Ranginui (the sky father). When viewed in this light, it can be seen that it's simply not possible to interpret a landscape from a cultural perspective without first having an appreciation of the legendary stories, traditions, waiata, customs and values of which the landscape is comprised. In this respect the Hurunui river landscape is not only characterized by its natural and physical aspects, but also by its significant and cultural sites, whakapapa, stories, indigenous biodiversity, mahinga kai, that are all present within it.

Ngāi Tahu perceptions of land, water and the resources they support can be represented as cultural landscapes, which are culturally and geographically unique areas.

55. Despite changes in land ownership, and the ability of Ngāi Tahu to express traditional relationships and exercise kaitiaki responsibilities over the last 160 years, Ngāi Tahu history and identity remains on the Hurunui landscape. Wahi ingoa (placenames) and other culturally important landscape features are tangible reminders of the extent of Ngāi Tahu customary land use and occupancy and to the

degree to which tangata whenua understood and interacted with the landscape. The knowledge and stories held by tangata whenua that have been passed on through generations, keep ancestral connections with the Hurunui River strong. The Statutory Acknowledgement (under the NTCSA 1998) status reinforces the contemporary importance of the river and Hoka Kura in terms of kaitiakitanga, culture and identity.

56. One of the natural characteristics of the Hurunui that is significant is the variable character of the river, which is essential to its cultural value and reflects the life force of the awa. No one part of the river is considered to be more significant to Ngāi Tahu than another, notwithstanding differences in the natural, scenic, flow, quality, and use values throughout its length. Ngāi Tahu maintains that all parts of the river are inter-related and actions on one part impact on the spiritual and physical health of all other parts.

57. The landscape, water quality, and instream values identified for the upper section of the River and its lakes include

- Significant mahinga kai and recreational fisheries.
- Very high natural landscape character, unspoiled native forest and outstanding wilderness mountain landscape, including one of the most intact tawhai (beech) forest systems left in Canterbury;
- Very high water quality reflecting the rainwater and snow-fed sources from the mountains, largely unmodified by human action;
- A Department of Conservation “mainland island” containing nationally significant conservation and heritage values;
- Nationally and regionally important native species habitat, supporting healthy and significant populations of taonga plant and bird species (listed further on); and
- Scenic character ranked as “impressive” and “exceptional”;

58. The Hurunui Lakes in the upper catchment are identified as a Special Management Area in the Hurunui District Plan because of their natural and amenity values:

The grandeur and tranquility of the area make it a popular destination for visitors, who take up the area's many opportunities for recreation, including tramping, hunting, fishing, kayaking, four-wheel driving and trail biking... The Hurunui Lakes Area has been identified as one of the District's significant natural assets. The area is one of high natural and recreational value, not only to the District, but regionally and nationally, and requires careful management to protect and enhance its intrinsic qualities.

## **Kaitiakitanga**

59. Kaitiakitanga is an inherited responsibility of those who hold manawhenua to ensure that the mauri (life force) of the natural resources of their rohe (region) is healthy and strong, and the life-supporting capacity of these ecosystems is preserved. Kaitiakitanga enshrines an obligation to safeguard the well-being of the land, water, sites, and biodiversity for future generations - *mō tātou, ā, mō kā uri ā muri ake nei* – for us and our children after us<sup>1</sup>.

60. Kaitiakitanga and manawhenua also incorporates the obligation of manaakitanga or the provision of hospitality to manuhiri (visitors). In these ways, the mana (prestige, power, authority) of the people is derived from the natural environment and its ability to provide the necessities of life.

## **Summary**

61. As we have shown today the relationship Ngāi Tahu has with the Hurunui River, its tributaries and surrounding lands is centuries old and of outstanding significance to the tribe. We have explained the meaning of tikanga Māori and described that characteristics of tikanga Māori include whakapapa, ara tawhito, wāhi ingoa, archaeological sites, a traditional tribal boundary and mahinga kai.

62. We have shown you the placenames, the trails, the archaeological sites and the food gathering areas that are associated with the Hurunui River. We have shown you our sustainable and integrated philosophies of how we believe our cultural, traditional and historical values should be managed. We believe that the Water Conservation Order should provide for the protection of these characteristics, which are of outstanding significance in accordance with tikanga Māori.

63. We support this application for a Water Conservation Order because it will ensure the appropriate planning platform is in place for this catchment. There is increasing pressure for the resources of the Hurunui and the current planning platform needs to evolve and be realistically positioned to manage and protect the outstanding intrinsic and cultural characteristics of the Hurunui, from that pressure.

64. Which takes us back to my original question – What can we do for the river? We look forward to knowing how you will answer this question and what you can do for the river.

Thank you.

Research was undertaken, to determine if water is a living entity in it's own right. One of the tests revealed interesting results. Water was frozen to different types of music for example when heavy rock music was played, the water formed into mangled, distorted, dark crystals. When symphony music was played the water froze into light, clear, beautiful crystals. The results were astonishing to the researchers. The point of this example is to not qualify our beliefs as such, it is used merely to draw parallels to other understandings of water. *Ref: Masaru Emoto – The Message of Water*