

Submission to Proposal for National Policy Statement for Freshwater Management
Ian Mitchell Presenter / Witness for Emma Gibbs
Ian Mitchell qualifications skill and experience

Ko TeAhuAhu te maunga,
ko Omapere te wai roto,
Ko Waitangi me Kerikeri nga awa ki te rawhiti,
Ko Utakura, Punakitere nga awa ki te hau a uru,
Ko Pewheirangi, ko Kerikeri nga moana ki te rawhiti,
Ko Hokianga Whakapau Karakia te moana ki te hau a uru.
Ko Kupe, Ko Nukutawhiti, Ko Puhimoana Ariki, ko Rahiri nga tupuna, ka heke ki a
Erana Kareariki Pehiriri.
Erana Kareariki ka moe ki Arthur Edmonds te mea a mea ki ahau.
He Uri o te whanau Kaire/Edmonds ahau
Ko Matawhaorua te waka ,
Ko Te Uri Taniwha te hapu.
Ko Parawhenua te marae

I am 29 generations descendent from Kupe. Oral tradition of our kaumatua say our tupuna married into tangata whenua already present when Kupe arrived. Our blood lines have been in this land of Aotearoa for over 900 years.

I have a first class honours degree in Horticultural Science from Massey University, 1989. In this degree I specialised in Environmental Sciences and management. I have a Masters Degree in Business Administration from Massey University 1991. My thesis was on Environmental Tourism.

I was a self employed business consultant for over 10years in Northland. I have raised /am raising 3 children in the Hokianga. I was employed by Northland Polytechnic for 5 years up to 2005, where I tutored Horticulture, Business and Ecology, and helped develop a programme called Sustainable Rural Development. I am currently a solo father raising my child.

I was treasurer for the Whirinaki Maori Committee (Te Hikutu hapu, Hokianga) and raised \$800,000 for one of the only community owned water lines in the country. The water take is from a mountain spring in the Waima Range and is held in the name of the hapu Te Hikutu. It feeds 50 homes and community organisations in the Whirinaki Valley.

I am currently Chairman of the Kaire Edmonds Whanau Trust based at the Kerikeri Inlet. Our main task over the past 2 years has been making submissions to Resource Consents in an effort to save sites of cultural and historical significance in the area, and our aim is to keep our shellfish plentiful and safe for eating. We have found this to be an uphill battle.

My Submission

We continue to see ongoing degradation of waterways, wetlands, harbours and ongoing depletion of our natural food stocks. These are taonga which were guaranteed to be protected under Te Tiriti o Waitangi. This is despite the implementation of the Resource Management Act. The current system is failing the hapu of Ngapuhi and the community at large. There is need for reform to ensure the protection of our rights and taonga.

We have clear evidence and experience of the Resource Management Act not working for Maori. We have found the processes stacked against Maori participation – timeframes, hearings held in council and court buildings not marae, costs to participate in legal processes and appeal decisions in court.

Our experience has shown that the settler government has failed to meet their obligations and duties under Te Tiriti o Waitangi,

-failure to actively protect,

-failure to allow Maori to be sustainable on their own lands, clean sustainable freshwater and tidal water are integral to this.

-failure to give Maori full rights and privileges of British Subjects – especially the right to ownership of land, and other resources thereby to lease/rent/royalty payments on land, waterways (taha taimoana, queens chain) and water.

He Whakaputanga

Our tupuna (specifically of the Te Uri Taniwha, Te Hikutu, Hokianga and Bay of Islands hapu) had the foresight to sign He Whakaputanga and Te Tiriti o Waitangi. He Whakaputanga declares ownership and management of nga taonga tuku iho nga hapu te tangata whenua. Our rangatira declared the sovereignty of the nation belonged to tangata whenua, their ability to act on their own laws and the right to manage all treasures of this land.

Trading flag. Our ancestors were trading in food, water, timber and other resources under tikanga, prior to the setting up of a NZ settler government. The Trading Flag was given by King William to protect the trading rights of the hapu of Nu Tirini to the world. The Treaty of Waitangi stands on He Whakaputanga (signed on top of the flag) and supports the Declaration of Independence. The Treaty gave Britain the right to settle here and manage their own peoples peacefully, while maintaining self determination for Maori.

Ownership and Management Rights of Nga Hapu o Ngapuhi

As clear and outright owners of all rain (nga roimata o Ranginui), the water, waterways (surface and subterranean) the queens chain, the foreshore and the seabed, we have the right to manage those resources according to tikanga. We believe this is the best way forward for all communities of New Zealand.

Tikanga to become policy. Water is a treasure handed from our ancestors (nga taonga tuku iho, nga roimata o Ranginui). Clean water is essential to all life. Our tikanga is to protect and promote clean live water. We have recognition of the need for the ecology of water ways to keep water clean and live (sustainable) and thereby promote the health of all life – Te Wao Nui o Tane me te Wai Ora, Mauri Ora. For us it is key to the present

and future health of the whanau and hapu of Ngapuhi. - physical and spiritual, and the community at large.

Puna wai. The springs are the sources of water as they appear at the surface from subterranean channels. They are clean through natural processes. These are considered waahi tapu, i.e. are to be given full protection under all circumstances.

Live water: A waterway is a living breathing entity that needs to be nurtured and protected. It has an intrinsic value. The ecology of every waterway is to be restored and biodiversity promoted at every opportunity. This is done with riparian fencing and native tree planting. We see a great need to actively promote riparian fencing and planting at every opportunity. This will give us ecological corridors from the mountains to the sea. This is required to keep the ecology intact and our food baskets full.

Water Take issues:

Allocation to promote waterway health. It is good that a complete review of all water allocation take place. The current system of first in first served is failing the health of the intrinsic value of water and needs complete overhaul. We, the hapu of Ngapuhi, declare our continued ownership and management rights over all water and waterways. We require a royalty on all water take to go to hapu, to be used specifically for kaitiakitanga - fencing and planting of riparian strips, seeding of ecotypes, promotion of biodiversity on waterways, monitoring and gathering information for the promotion of healthy waterway ecology. Policies on water take to make best use of storage of water during periods of high rainfall (and avoiding take during periods of low flow) to promote waterway health and sustainability.

Allocation to promote health of the people. He aha te mea nui? He tangata he tangata. Allocation according to tikanga. Priorities of allocation to be sorted (not first in first served) on a rational basis that recognizes Maori tikanga and kaitiakitanga. Eg. first right to whanau hapu Ngapuhi and the wider community, schools, hospitals, homes.

Allocation to Commercial Enterprise. The hapu rights to sale of water. The first right to take water for commercial purposes to nga hapu o Ngapuhi. The first right to bottle water to whanau hapu kaitiaki. Bottling, farming, horticulture, and other commercial enterprise to pay royalty to the hapu, monies utilised to manage waterways under kaitiakitanga and to promote cultural spiritual health of the people.

Water Discharge issues: Those that are taking water are most likely to discharge Eg farms, municipal sewage systems, mining, industry - Herein is a double expense to the quality of water, its sustainability as an ecology and life force and its intrinsic value.

Waste water. All industries that discharge polluted water to pay a royalty to be utilised for the promotion of the health of the waterway. That there is a requirement on all industries that lower the quality of freshwater, undertake continuous improvement, until zero pollution to waterways is achieved. This will require land based systems, understanding and utilisation of watersheds and ecologies.

Sewage systems. Under tikanga, no human effluent is to enter any waterway. Land based systems. Zero faecal coliforms in water from land based systems to wetlands, harbours and sea. No compromise. Waterless systems promoted. Use of the whole watershed to clean fresh water before it enters the harbours and sea. Self maintaining systems of energy and nutrient use promoted.

Kai Tuna, Kai Moana, Kai Ika – whanau/hapu harvest of tuna, other freshwater species (eg torowai – freshwater mussel, kewai-freshwater crayfish, inanga-whitebait), shellfish (oyster, mussel, paua, etc) and inshore fish species (snapper, parore, mullet, kahawai to name but a few) have been diminished and continue to be depleted because of poor management of the freshwater resource. The ability of our whanau and hapu to feed ourselves from these sources is integral to our cultural and spiritual sustainability.