RESOURCE MANAGEMENT REVIEW PANEL

In the matter of: Draft National Policy Statement For Indigenous Biodiversity

Enviroment and Climate Change

Resource Management Act 1991

Kaitiakitanga

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Statement  Kaitiakitanga – Environment Climate Change

Proprietary Cultural and Customary Practises as carried out by Indigenous Peoples are recognised internationally as best practise models in sustainability of natural resources and the environment.

Article 2 Te Tiriti Waitangi ensures Tino Rangatiratanga to Maori

New Zealand is a signatory to the International Treaty of Human Rights, the Declaration of the Rights of Indigenous Peoples: Article 25 states

"Indigenous Peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard"

Kaitiakitanga is the ethic of guardianship in accordance with Tikanga Maori, it is guardianship in the widest sense and comes from Maori/Indigenous Peoples knowledge and connection to the land, sea, air and life within it.

Tahuroa Watson Puketapu Hapu Rangatiratanga Tipuna and descendants from 1820s have entrenched, enhanced and evidenced their Proprietary, Cultural and Customary Rights of Kaitiaki over the Arapaoa Whenua Takutai Moana and Awa resources
2.

Review Panel

Issues and Options

3.

c. Make provision for new approaches and partnership arrangements in the management of resources:

Hapu to be a Crown appointed Authority in all new provisions and partnership arrangements or structures in the management of resources equally in Partnership with Iwi or other Agencies.

d. Clarify the meaning of iwi authorities and Hapu:

Hapu to be Iwi appointed Authority in all new provisions and partnership arrangements or structures in the management of resources equally in Partnership with iwi and or other agencies.

A Crown Grievance Process be implemented to appeal any Iwi procedures which fail to comply with due process and case law.

Iwi Trustees are made up of a small percentage of Iwi members who do not necessarily have the requisite knowledge of the Whenua and Takutai Moana, or desire to implement “best practise models of sustainability of natural resources and the environment”.

Commercial private Kaitiaki Consultants contracted by Iwi to provide Kaitaiki services are limited by resources in providing “adequate best model of sustainability of natural resources and the environment”.

Resident Hapu Tangata Whenua practise Tikanga Māori and Ahi Kaa inherently possess the requisite knowledge of the Whenua and Takutai Moana to ensure “best practise models of sustainability of natural resources and the environment” are maintained.
3.

Building works were conducted in Onauku, without council consent or iwi consultation which resulted in large amounts of clay washing on to the foreshore and seabed. As a result, large amounts of kaimoana left or died therefore substantially impacting the ecology of Onauku.

These events have significant and long term repercussions, with the kaimoana only just recovering after a similar event over 10 years ago. Kaimoana are no longer breeding due to the impact on water quality which takes years to clear before the kaimoana can return and establish breeding grounds again. This event has had a more devastating impact on the region than prior years of over fishing. Protection from these activities are as important as quota on ensuring a sustainable kaimoana for all tanagata.

Due to the intimate knowledge our Hapu has for the whenua we were able to identify the early and subtle changes to the environment. As a result, we notified the council and iwi. The council required the builder to apply for retrospective consent however no action was undertaken to rectify the environmental damage to the kaimoana.

The iwi was notified of the damage and acknowledged the limitations of the current structure to ensure kaitiaka of the kaimoana. The iwi currently rely on the hapu with their ahi kaa to identify to resolve any environmental issues. This reinforces the need to formally recognise and provide authority to the role of hapu as kaitiaki of whenua.

As a result, we recommend hapu be formally recognised by the Crown, authority to be given via legislation, to ensure the ongoing protection of the environment for all people. If iwi are responsible for recognising and authorising hapu, we recommend a grievance process be introduced to ensure hapu have the ability for mediation when policy or process has not been appropriately followed.

We reserve the right to add to this Submission