

Chair
Te Urewera Board
PO Box 56
Tāneatua 3163

Submission to te Urewera Board on Te Kawa o te Urewera

Tēnā koe, Tēnā koutou,

As the voice and servant of Te Urewera, I commend you the Board for publishing the draft of Te Kawa o te Urewera. I sense it is vital and significant process for the marae of Te Urewera to communicate her kawa from which relationships, actions etc. will come or reform.

I am grateful for the opportunity to make a submission to the Board. I am grateful for the opening for submissions to Manuhiri and potential friends and what might come from these possible connections for te Urewera and beyond. I am grateful and humbled by Tūhoe, the generations of people who have stood for their Mana Motuhake and what they have held onto in spite of significant odds. I am also grateful of what can become possible when the Crown takes steps to restore their honour in this case in the eyes of the Tūhoe people, and of the nation as a whole.

I have to admit that reading and engaging with Te Kawa has been a process of unlearning, rediscovery, and relearning in itself. This is particularly so in terms of unlearning patterns of language in this albeit brief submission.

Introducing myself

My name is Carl Chenery. I am Pākehā New Zealander of English, Irish & Scottish descent. Waitākere, West Auckland in the rohe of Te Kawerau a Maki is where I live with my family. Te Waonui a Tiriwa, Waitakere Ranges, and more recently the Waikato River are important places of connection for me.

I have been working in the Sustainability field for the last 12 years, and am currently work in Sustainability Strategy in transport in Local Government (though I am not writing in this capacity). Parallel to this, over the last ten years and have been on a journey of learning of my genealogy, my ancestors' interactions and involvement in the life of different regions, and unlearning and relearning our history of Aotearoa New Zealand.

I share the aspiration of Te Kawa o te Urewera – that in 20 years-time to be 'supporting a local, national and global effort of living with the land, admiring the living system of nature and making us whole'. Twenty years is not a long time. We are 18 years from the bicentenary of the first signings of 1835 He Wakaputanga o te Rangitiratanga o Niu Tireni and 23 years away from the bicentenary of the signing of Te Tiriti o Waitangi. Looking back from 2040 and my journey of unlearning and learning was the topic of my recent Joan Cook Memorial Essay on the State of The Pakeha Nation¹ (Joan Cook was an early Pākehā treaty educator) on the Treaty of Waitangi, the Rights of Nature and our Constitution. Looking

back from 2040 was also the theme of my recent Opinion piece in the NZ Herald² on the subject of stolen lands in Waitara, where the NZ Land Wars started.

Whilst I write this submission as an individual, I am part of a group of informal friends or admirers of Te Urewera, and not yet Manuhiri.

There are two further specific aspects I would like to focus on for my submission– both relate to Statutory friendships of Te Urewera with local authorities. While these points relate to implementation of te Kawa o te Urewera, I think it is worthwhile to highlight them now as they relate to looking ahead in the next steps of unlearning, rediscovery and relearning.

Statutory Friendships - Local Authorities

Documenting any consented harm to Te Urewera

Part of implementation of Te Kawa and ensuring that local government functions related to Te Urewera are carried out in a manner that reflects the personality of Te Urewera, Te Urewera Act and Te Kawa will be to document and reveal the harm permitted or consented within those local government functions.

Given the widespread practice of consenting harm to ecosystems by local authorities around Aotearoa New Zealand, there will be opportunities to share learnings from within and outside of Te Urewera.

Restorative Justice processes with Te Urewera

A second area that could be addressed with territorial authorities are any processes for redressing harm might look at restoration of (and relationship with) Te Urewera.

The first and only test case that went to courts drawing on the Rights of Nature provisions in the Ecuadorian Constitution was the case of the Villabamba River vs. the Provincial Council of Loja. In this case related to the degradation to the river that was caused by the council, the river *won* and reparations *went back to* the river, not as a fine to a state government. I cite this example not because of involvement of courts but because it highlighted to me the issue of redressing harm, and restoring relationship.

There are thousands of environmental incidents across New Zealand every year, where a negative impact is had. In some cases, a fine or penalty is paid to a territorial authority. There *have been* a number of cases of Restorative Justice that have occurred under the Resource Management Act in the last ten years. While sympathetic to restoring harm to the local ecosystem- these are not informed by the awe and respect of nature, nor have responsibility of restoring the relationship with the harmed ecosystem. This could be an area of innovation in next steps for implementation.

I would like to speak to my submission but am not available to speak in person on the dates.

I am yet to visit and meet Te Urewera myself, and thank you for the opportunity to make a submission on Te Kawa o Te Urewera.

Nā mihi nui te Urewera, me te Te Urewera Board.

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¹ Joan Cook Memorial Essay 2016 – Accessible from:

<https://drive.google.com/drive/folders/0B5zNfnuY1xEIUENnNHBYZEpVRmM>

² NZ Herald – Returning Stolen Land only fair path – Image accessible:

<https://drive.google.com/open?id=0B5zNfnuY1xEINk1pWjJIYklrdVE>. NZ Herald online story:
http://www.nzherald.co.nz/opinion/news/article.cfm?c_id=466&objectid=11886160