

Federated Mountain Clubs of NZ

PO Box 1640
Wellington

Tamati Kruger
Te Kotahi ā Tūhoe
22 Tūhoe St
Taneatua
Whakatane 3191



20/07/17

FMC Submission on Te Kawa o Te Urewera

E te rangatira, tēnā koe,

FMC extends its greetings to Te Urewera and the people of Ngāi Tūhoe; Tēnā koutou. We are proud to offer our support and friendship to Te Urewera, and pleased to have the opportunity to offer our sincere advice for the development of Te Kawa o Te Urewera.

Te Kawa of Te Urewera (Te Kawa) is vitally important, not only for Te Urewera and Tūhoe, but because in very many ways it is precedent-making. Future drafters of law and policy in New Zealand will look to Te Kawa for direction and guidance, and—it is not too much to hope for— as a beacon for first-nation peoples in other countries. Kia ora!

As you know, FMC had to consider deeply where we stood with respect to the creation of Te Urewera through the Ngāi Tūhoe settlement and what it meant for our members. We concluded that the approach was innovative and brave, but that we could explicitly trust government and Tūhoe to do the right thing; we determined to fully and enthusiastically support the creation of Te Urewera. Te Kawa proves to us that we were right to do so. We are very much encouraged by Ngāi Tūhoe's determination to put the health of Te Urewera first, understanding that from this, good things would flow for people connected to Te Urewera. Te Kawa puts this principle front and centre.

We trust that the following comments may help confirm your confidence in Te Kawa and, perhaps, strengthen Te Kawa a little.

General comments

Te Kawa is inspirational and refreshing. Te Kawa is not like any management framework document we have ever read before. The passion and near poetry captures what our members feel when they visit and connect with these places. Indeed, Te Kawa, it borders on the poetic and clearly comes from an oral tradition. This is by no means bad; indeed, one of our Executive mentioned that his only disappointment with Te Kawa is that it is not written in blank verse, because it deserves to be so written.

Be it written in blank verse or prose, we understand that Te Kawa is to be read and understood in its entirety to form a complete understanding of Te Urewera as a living entity with fundamental core values and principles that are not negotiable, and not just a management plan to be dissected and read only in isolated parts. A management document that has to be understood in its entirety will no doubt challenge some traditionally schooled planners, used to reading only sections at a time, but as Te Kawa is a framework for the Board to work under, and not only for planners, this is immaterial. We just wish that our National Park management plans were written in this manner and with such passion.

Over the last 100 years or so, trampers, hunters and mountaineers have developed their own outdoor culture—the lived custom and behaviour of those in the outdoors—and, in a broad sense, our culture aligns well with the values found in Te Kawa. This should not be a surprise, for Te Urewera imposes the same physical conditions and limits on tangata whenua and manuhiri (trampers) alike. The concepts of “simplicity values”, “united sense of responsibility”, and “achieving nature’s balance” resonate. We, too, believe that Te Kawa “is disrupting the notion of our false superiority over the natural world. In all the decisiveness, we are returning to [Te Urewera] as a child” (p10). It is not surprising then that what we love about Te Kawa is that it so closely matches our own views of backcountry and manuhiri ‘re-creating’ in the backcountry.

Specific comments

The only section where we have specific comments to make concern 6. Te Ao.

We strongly commend the measures listed in 6.1.1 for consideration to authorise use and activity. We suggest that “Measures for consideration to authorise use and activity in Te Urewera may include:” be changed to read “Measures for consideration to authorise use and activity in Te Urewera shall include:” for every one of those measures is important enough not to be overlooked.

We very much like the concept and name given to 'Friendship Agreements' in 6.2. The name is important: there is a mistaken belief in some government departments that words are somehow approximate and haphazard, but we firmly assert that words mean exactly what they say, and that names give strong direction. Both words in 'Friendship Agreement' make it very clear what is expected by everyone.

We have long argued elsewhere that in our National Parks, commercial activities are a privilege and not a right—not always with success. In particular, we have always maintained that commercial activities in National Parks should only be permitted where they will provide greater enjoyment of those entering the parks (and without compromising the enjoyment of others or at the expense of the environment); we are unequivocal that commercial gain should be a by-product of providing services that improve enjoyment, i.e. making a profit is a secondary, if useful, outcome of the activity. We believe that such a view is closely reflected in Te Kawa, noting that the special position of Tūhoe with respect to Te Urewera adds a further requirement of care. The use of the name "Friendship Agreement" for allowing commercial operations in Te Urewera makes it very clear that commercial operators are indeed expected to adopt this view.

The list of requirements for Friendship Agreements in 6.2 is sound, but we suggest that in (f) the word "mitigating" be replaced by "ameliorating". "Mitigating" (to lessen or reduce) is a concept that comes from the Resource Management Act and we believe that it has not been successful in its originally intended purpose. Rather it has led to some perverse outcomes. Using "Ameliorate" (to make better) would be more positive, as well as helpfully distancing the clause from the RMA.

We also suggest the insertion of the following after (f): "Will enhance the experiences of manuhiri and tangata whenua". This may seem obvious, but would remove the possibility of doubt, and at least force any prospective applicant to explicitly consider the benefits of his or her proposed operation.

We suggest that (g) could be simplified to read, "Shares the benefits and risks between the parties, reflecting their respective contributions".

In sections 6.3 and 6.4 we note that the word "visitor" is used instead of "manuhiri", which may be an oversight.

We appreciate the implicit acknowledgement of Pākehā in Te Kawa, with it finishing, not with an expected whakatauki, but lines from Little Gidding. That is generous. Perhaps our best response comes from a few lines earlier in the same poem:

'What we call the beginning is often the end

And to make an end is to make a beginning.

The end is where we start from.'

We welcome the challenge of being manuhiri to Te Urewera, to bring friendship, innovation and care to Te Urewera. We trust that these comments are of use and we would be delighted to provide further assistance.

Naku, na,

A handwritten signature in blue ink, appearing to be 'Robin McNeill', with a long horizontal flourish extending to the right.

Robin McNeill, MNZM

FMC Te Urewera liaison