

**RICK WITANA**

*(INTRODUCTORY REMARKS)*

TĒNĀ KOUTOU KATOA. THANK YOU MR CHAIRMAN.

TE AUPŌURI HAVE DECIDED TO PRESENT TODAY ALONGSIDE TE OHU KAIMOANA BECAUSE WE HAVE STRONG VIEWS IN COMMON WITH RESPECT TO THE BILL AS IT IS CURRENTLY PROPOSED.

TE AUPŌURI ARE TANGATA WHENUA FROM TE HIKU O TE IKA, THE FAR NORTH REGION. THE IWI OF TE AUPŌURI HAVE THEIR TURANGAWAEWAE AT TE KAO, AT THE SOUTHERN END OF PARENGARENGA HARBOUR, WITH TE ONEROA-A-TOHE (OR NINETY MILE BEACH) TO THE WEST AND TOKERAU (GREAT EXHIBITION BAY) TO THE EAST.

*(HISTORICAL ISSUES)*

TE AUPŌURI HOLD CUSTOMARY RIGHTS AND INTERESTS IN RANGITĀHUA (RAOUL ISLAND IN THE KERMADEC ISLANDS). THE IMPORTANCE OF RANGITĀHUA STEMS FROM OUR RELATIONSHIP, OUR CULTURAL PRACTICES, OUR SPIRITUAL ASSOCIATIONS AND HISTORICAL EVENTS OF SIGNIFICANCE.

MAINTAINING THIS ASSOCIATION IS IMPORTANT IN UPHOLDING THE IDENTIFY OF BEING TE AUPŌURI.

IT IS OUR WAY OF CONNECTING PAST AND PRESENT GENERATIONS, LINKING THE PEOPLE AND THE WHENUA AND ACKNOWLEDGING INTER-TRIBAL RELATIONSHIPS.

RANGITĀHUA IS ESPECIALLY SIGNIFICANT TO MĀORI AS IT WAS ONE OF THE STOP-OVER POINTS THAT PROVIDED RESPITE FOR WAKA MAKING THE LONG AND DANGEROUS MIGRATORY VOYAGE BETWEEN THE COOK ISLANDS AND AOTEAROA.

*(CONSULTATION)*

TE AUPŌURI WAS DISAPPOINTED WITH THE LEVEL OF CONSULTATION BY THE CROWN PRIOR TO THE PRIME MINISTER'S ANNOUNCEMENT AT THE UNITED NATIONS. THE MINISTER FOR THE ENVIRONMENT INFORMED ME ONLY A MATTER OF HOURS BEFORE THAT ANNOUNCEMENT AND THAT IS NOT CONSULTATION IN ANY SENSE OF THE WORD – THE DECISION HAD ALREADY BEEN MADE BY THE CROWN AND WE WERE SIMPLY ONLY BEING INFORMED AFTERWARDS.

SUCH OVERSIGHT HAS BEEN REMEDIED AND I ACKNOWLEDGE THE WORK THE CROWN HAS DONE SINCE THE ANNOUNCEMENT WAS MADE. BUT THAT EXTENDS TO TE AUPŌURI ONLY AND WE RECOGNISE THAT ALL IWI HAVE RIGHTS IN RELATION TO FISHING IN THE WIDER KERMADEC EXCLUSIVE ECONOMIC ZONE.

*(QUALIFIED SUPPORT)*

MR CHAIRMAN, THE KERMADEC OCEAN SANCTUARY IS GROUND-BREAKING AND HAS BOTH NATIONAL AND INTERNATIONAL SIGNIFICANCE. FROM THE PERSPECTIVE OF KAITIAKI OVER RANGITĀHUA, TE AUPŌURI SUPPORTS THE ESTABLISHMENT OF THE SANCTUARY **SUBJECT TO RESOLUTION** OF THE ISSUES RAISED BY TE OHU KAIMOANA IN RESPECT OF MĀORI FISHING RIGHTS.

WE SUPPORT THE PROVISION FOR OUR INVOLVEMENT IN THE GOVERNANCE ARRANGEMENTS FOR THE SANCTUARY BUT WE BELIEVE THEY NEED TO BE CHANGED TO REFLECT THE IMPORTANCE OF THE AREA TO TE AUPŌURI AND TO MĀORI.

WE SUPPORT THE REQUIREMENT THAT RESEARCH APPLICATIONS MUST BE DISCUSSED WITH US PRIOR TO THE APPROVAL OF SCIENTIFIC PERMITS.

UNFORTUNATELY, THE GROUNDS ON WHICH APPLICATIONS MAY BE REFUSED ARE TOO LIMITED. THEY DO NOT INCLUDE CONSIDERATION OF THE VIEWS OF TE AUPŌURI, THE CULTURAL AND HISTORICAL SIGNIFICANCE OF RANGITĀHUA TO US OR EVEN CONSISTENCY WITH THE CONSERVATION MANAGEMENT STRATEGY AS POSSIBLE REASONS FOR DECLINING AN APPLICATION.

WE CONSIDER THAT THIS MUST BE REMEDIED THROUGH THIS PARLIAMENTARY PROCESS.

AS KAITIAKI, TE AUPŌURI EXPECTS FULL AND EFFECTIVE INVOLVEMENT IN THE GOVERNANCE OF THE PROPOSED SANCTUARY. WE INTERPRET THAT AS HAVING THE POWER TO DETERMINE WHAT WILL AND WILL NOT OCCUR IN THE KERMADECS IN THE FUTURE. THE BILL DOES NOT PROVIDE THAT.

OUR WRITTEN SUBMISSION PROVIDES SUGGESTIONS ON HOW THE PROPOSED BILL CAN BE AMENDED TO GIVE EFFECT TO THIS.

TE AUPŌURI SUPPORTS THE PROPOSAL THAT WILL PROVIDE US WITH THE POWER TO APPOINT A MEMBER TO THE KERMADEC CONSERVATION BOARD, ALTHOUGH WE HAVE CONCERNS OVER THE APPOINTMENT PROCESS.

WE DO NOT AGREE THAT THE MINISTER OF CONSERVATION SHOULD HAVE THE POWER TO APPOINT A MAJORITY OF THE BOARD MEMBERS. WE BELIEVE THERE SHOULD BE EQUAL REPRESENTATION AS AN EXPRESSION OF THE TREATY PRINCIPLE OF PARTNERSHIP AND RECOGNITION OF OUR TINO RANGATIRATANGA.

ACCORDINGLY, WE SUBMIT THAT THE CONSERVATION BOARD SHOULD HAVE SIX MEMBERS, WITH THREE APPOINTED BY THE MINISTER.

TWO MEMBERS SHOULD BE APPOINTED BY IWI AND THE ADDITIONAL MĀORI REPRESENTATIVE SHOULD BE APPOINTED BY TE OHU KAIMOANA AS THE REPRESENTATIVE OF ALL IWI WITH RIGHTS AND INTERESTS IN THE WIDER KERMADEC FISHING REGION.

THE KERMADEC IWI AUTHORITIES SHOULD FURTHERMORE HAVE THE RIGHT TO APPOINT THE CHAIRPERSON OF THE CONSERVATION BOARD.

FINALLY, THE CORRECT NAME FOR RAOUL ISLAND, THE LARGEST OF THE KERMADEC ISLANDS, IS, ACCORDING TO TE AUPŌURI, RANGITĀHUA. WE SUBMIT THAT THE NAME FOR THE PROPOSED SANCTUARY SHOULD BE CHANGED TO THE **RANGITĀHUA OCEAN SANCTUARY**.

*(SUMMARY)*

MR CHAIRMAN, THE KERMADEC OCEAN SANCTUARY WAS ANNOUNCED BY THE PRIME MINISTER AND FURTHER SUPPORTED BY STATEMENTS FROM THE MINISTER FOR THE ENVIRONMENT THAT THE SANCTUARY HAD THE SUPPORT OF MĀORI AND IWI. THIS WAS CONSIDERED AN IMPORTANT COMPONENT TO ACHIEVING WIDESPREAD SUPPORT FOR THE PROPOSAL.

UNFORTUNATELY, SUCH AN ASSERTION WAS NOT ENTIRELY BASED ON FACT. WE SUPPORT THE PROPOSAL IN PRINCIPLE BUT IT IS QUALIFIED SUPPORT.

HAD TE AUPŌURI BEEN CONSULTED AND ENGAGED WITH IN A MEANINGFUL WAY INSTEAD OF THE CURSORY TREATMENT WE RECEIVED PRIOR TO THE ANNOUNCEMENT, THEN TODAY'S PRESENTATION COULD HAVE BEEN DIFFERENT. IF WE HAD BEEN CONSULTED WITH EARLY ON, AS REQUIRED BY TREATY PRINCIPLES, THEN I MIGHT HAVE BEEN HERE TODAY TO DELIVER A PRESENTATION THAT WAS BASED ON COMPLETE SUPPORT AND NOT THE QUALIFIED SUBMISSION THAT WE HAVE BEEN REQUIRED TO TAKE AS A RESULT.

IN OUR VIEW, THE KERMADEC SANCTUARY DOES NOT HAVE TO BE ONE THING OR THE OTHER. IT CAN ACHIEVE THE PROTECTION MEASURES DESIRED BY THE CROWN AS WELL AS RESPECT AND RECOGNISE THE RIGHTS AND INTERESTS OF IWI AND MĀORI.

TE AUPŌURI URGES THE COMMITTEE TO DO THE RIGHT THING AND RECOMMEND THAT THE GOVERNMENT RESOLVES OUTSTANDING ISSUES AND TAKES ACCOUNT OF THE VIEWS OF IWI BEFORE PROCEEDING FURTHER WITH THIS BILL.

KIA ORA