

# Co-management and the Waikato River



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Tooku awa koiora, me ona pikonga, he kura tangihia mo te mataamuri

More than any others in New Zealand, the tribes of the Waikato Valley are a river people. Five centuries of continuous occupation of its banks have embedded the river deep into the group and individual consciousness... The life of the river became inseparable from the life of the people, and each took the name of the other.



Michael King, *Te Puea*

Spiritually the Waikato River is constant, enduring and perpetual. It brings us peace in times of stress, relieves us from illness and pain, cleanses and purifies our bodies and souls from the many problems that surround us...

Te Kaapo Clark



# Paradigm of exclusion



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‘For Waikato-Tainui, one of the greatest impacts of the raupatu (confiscations) in respect of the River has been the removal of their capacity to protect the River in the decades of rapid change that followed. Their authority and their tikanga were ignored, as if they had not existed for hundreds of years. As mining, farming, sewage disposal and hydro-electricity development took their toll on the health of the river, Waikato-Tainui were not consulted’

Ann Parsonson



- 1840 Treaty of Waitangi
- 1860 King Movement
  - ▶ Pōtatau
  - ▶ Tāwhiao “Prophet or King”
    - Raupatu - Confiscation
    - Monarch to Monarch
  - ▶ Mahuta – Member of Parliament
  - ▶ Te Rata – “Homeward Bound”
  - ▶ Korokī – Tainui Trust Board
  - ▶ Te Atairangikaahu – 1995 Land Settlement
  - ▶ Tuheitia – 2008 River Settlement; 2010 Legislation



# Ecologist's view

- ▶ The multistranded ecosystem of the Waikato River has been highly modified
- ▶ Fish migrations have been disrupted
- ▶ Eels have been overfished
- ▶ Deforestation and land use intensification has degraded water quality
- ▶ Pest fish have invaded the river, its lakes, and its tributaries

“We desperately need high quality management”

- *Henceforth indigenous peoples should not only have a decisive voice in decisions that affect them directly, but share in all of the decisions that will shape the future of the planet.*
  - Chairperson UN Working Group on Indigenous Peoples 1994



# Co-management



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- Co-Governance – direction setting, decision making, supervision, monitoring
- Co-Management – involved in day to day decisions and implementation
- Strategies that recognise indigenous interests in the environment and different world views
- Participation at all levels of decision-making
- Negotiated arrangements between Maori and Crown agencies and local government
- Can include ownership of beds/banks and usually includes public access rights





- Focus on restoration and protection
- Recognises river as ancestor
- Vision and strategy – primary direction setting document
- Holistic approach
- Established Waikato River Authority
- Clean-up fund
- Protection of principles and values (e.g. river is a treasure, future generations)

- Co-management funding
- Recognition of certain customary activities
  - fishing, ceremonies
- Vesting of sites of significance
- Co-management of Crown-owned river related lands
- Compulsory JMA with Councils
- Accords (Ministry of Fisheries, Ministry for the Environment)





- Waikato
  - Better relationships with councils
  - Restoration projects – species, habitats, riparian planting
  - Improved access – ceremonies, river trails
  - Plan changes – Healthy Rivers
  - Changes in farming practices
  - Changing mindsets and language
  - River still degraded...
- Co-management models becoming the norm
  - Mountains, harbours and marine areas, rivers, lakes, conservation areas
  - Innovative models – distinct legal identity
  - Law reform proposal for Iwi participation arrangements

# Current debates 'rights and interests in water'



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Maori had rights and interests in their water bodies for which the closest English equivalent in 1840 was ownership. Those rights were then confirmed, guaranteed, and protected by the Treaty of Waitangi, save to the extent that the Treaty bargain provided for some sharing of the waters with incoming settlers... The nature and extent of the proprietary right was the exclusive right of hapu and iwi to control access to and use of the water while it was in their rohe.

Waitangi Tribunal, 2012

# Mahalo!



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