

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Proposed Plan Change 18 of the Far North District
Plan

AND

IN THE MATTER of Proposed Plan Change 131 of the Whangarei District
Plan

**JOINT HEARING OF SUBMISSIONS BY COMMISSIONERS OF THE FAR
NORTH AND WHANGAREI DISTRICT COUNCILS**

**EVIDENCE OF DR BENJAMIN PITMAN
ON BEHALF OF
SOIL & HEALTH ASSOCIATION OF NEW ZEALAND INCORPORATED AND
14 OTHER SUBMITTERS**

DATED: 24 May 2016

SUMMARY OF EVIDENCE

In summary, my evidence:

- states my background and expertise
- asserts my *rangatiratanga* under Te Tiriti o Waitangi
- defines the principles of *tikanga*
- defines *whakapapa* as the inter-connectedness of all things
- defines *mauri* and the sacrosanct nature of this living essence of all things, animate and inanimate
- raises concerns about any mixing of *mauri* through GMOs/GE experimentation under *tikanga*
- supports any precautionary approach to GMOs/GE in unitary and district plans.

QUALIFICATIONS AND EXPERIENCE

1. My name is Benjamin Pittman and I hold the positions of Chairman, Ngāti Rahiri Komiti Māori; Chairman, Te Pouwhenua o Tiakiriri Kukupa Trust (Te Parawhau ki Tai, Whangarei Terenga Paraoa), Member, Akerama Marae Committee; Chairman, Ngāti Hau Trust Board; Treasurer, Tai Tokerau District Māori Council and Representative for Tai Tokerau, NZ Māori Council; Member, Whangarei Māori Executive; and, Member, Hihua Māori Committee. I am very active in cultural and resource management issues for Akerama Marae, Ngāti Hau, Te Parawhau and Ngāti Rahiri and draw on my extensive cultural background and upbringing in Ngāpuhi genealogy, history, tikanga and cultural values. I am administrator of the historical and genealogical website, www.patuone.com, Patuone being my great-great grandfather.
2. I hold the degrees BFA and MFA(Hons), University of Auckland; DipSecTchg, Auckland Secondary Teachers' College; DipTchg, NZ Department of Education; MHPEd, University of NSW, PhD University of Technology, Sydney; and a DipAPC, Catholic Institute of Sydney.
3. From the position of my asserted *rangatiratanga* under Te Tiriti o Waitangi, I have prepared and presented evidence to the Waitangi Tribunal (February, 2015) for WAI 1427. This extensive evidence includes, inter alia, detailed concerns related to the environment, with particular reference to land degradation, forest impacts, pest plants and animals, waterways degradation and also expressed concerns related to GMOs/GE and the Trans Pacific Partnership Agreement (TPPA). I lodged a request for urgency related to the

TPPA to the Waitangi Tribunal under WAI 1427, and attended the hearings in person in March, 2016. My particular concerns in seeking urgency and in participating in Waitangi Tribunal deliberations were related to the threat to *rangatiratanga*, engendered within Te Tiriti o Waitangi, of such international agreements and the capacity for this to be overridden by foreign and local corporate interests, which include potential imposition of GMOs/GE and the enabling of overriding central government policies related thereto. I am very involved in developing evidence for Te Parawhau for presentation to the Waitangi Tribunal. Evidence was presented before the Waitangi Tribunal in February 2016 and will continue at final presentations in October 2017. Key concerns include consideration of environmental assaults and despoliation along with matters of great concern such as GMOs/GE.

4. I spent a total of 9 years teaching at senior secondary level in New Zealand (1971-79) followed by 34 years in education and training (health and aged care) in Sydney where I was also a Māori community leader. I returned to live in Tai Tokerau in January 2013. Since my return I have been very active in Māori community issues and groups.

CODE OF CONDUCT

5. I have read the Environment Court Code of Conduct for expert witnesses and agree to comply with it.
6. I confirm that the topics and opinions addressed in this statement are within my area of expertise except where I state that I have relied on the evidence of other persons. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions I have expressed.

SCOPE OF EVIDENCE

7. I have been asked by the Soil and Health Association of New Zealand Inc. to offer comment about GMOs/GE and particularly on how they breach *tikanga*.
8. I define *tikanga* broadly as "the ways of and for all things", the rules, principles and laws which govern all things, actions and responsibilities.

9. I wish to state that based upon *rangatiratanga* and *tikanga*, I also have grave concerns about and objections to any imposition of GMOs/GE upon communities and support fully any and all precautionary provisions in unitary and district plans in general. Communities, through their elected community representatives and employed officials and experts, must have the final say and not be ignored or overridden. Since within and as Ngāpuhi, we are full and equal partners under Te Tiriti o Waitangi, we also have the capacity to umbrella all others within our various communities.
10. I have major concerns about any corporate interest, particularly when supported by enabling government plans and intentions, having the capacity to override local communities and councils having any say in or precautionary approach to critical matters such as GMOs/GE. Democracy in resource management must include all levels from central to local government and local communities – because that is the scheme of the Resource Management Act 1991 (RMA) as well as plain English understanding of democracy.
11. The risks are far too great and potentially worse than anything we have ever had to face to date with "well-intended experiments" which have already gone seriously wrong, for example - wilding pines; exotic pest plants; possums; feral cats; stoats; ferrets; weasels; rabbits; swans - all costing billions to manage. The thought of yet another but far worse and unknown composite raft of risks is truly alarming.
12. With GMOs/GE and unknown and unforeseen effects possible upon people and their environments, again the risks are unacceptable and further, should something go wrong.
13. I make this stand with the Soil & Health Association of New Zealand Inc. and provide this brief of evidence as one, born of and linked to this land, and, as one asserting a responsibility as a *kaitiaki*, a guardian of the land and its environment, people, resources and features.

MY COMMENTS

14. In the Māori world view, all living things have a *whakapapa*; a genealogy and this expresses their inter-relatedness and in many cases, their inter-dependence, where all is held within a state of dynamic balance.

15. The notion of dynamic balance and re-balance within the Māori worldview is central and includes the capacity for placement of *rahui* - prohibitions and exclusions. A *rahui* may place a mantle of protection or exclusion over any aspect of the environment, as a preventative measure or one to allow time for recovery, repair and restitution. A *rahui* may also offer permanent exclusion and protection.
16. A useful inter-relationship word for *whakapapa* in English is taxonomy.
17. Further, both animate and inanimate things have what is termed *mauri*, a spiritual life force. This force connects those things and entities in the living world with those in the spiritual world and effectively sets up pathways between them. They therefore exist as a dynamic whole, a dynamic system.
18. *Mauri* means that regardless of any inter-relationship or inter-dependence, which might exist, the uniqueness of each organism or entity has to be maintained. Any mixing is an offence against *tikanga*.
19. So, the thought of combining what is effectively the *mauri* of one organism or entity with that of another is of deep cultural concern, since all are created by natural and spiritual forces and not human, this also results in interference in the natural order, the pre-determined *whakapapa* of all things.
20. Also, such a process of experimentation results in a human entity taking on a role set aside for the gods within the spiritual realms. It is an invitation to retribution.
21. Having said this, there might be a capacity within the bounds of *tikanga* to allow such developments where life saving benefits could be proved although there would need to be careful consideration of any risk. Benefits would need to be paramount and risks completely mitigated. This of course is the issue: there is simply no possibility of giving any absolute assurance of there being no risk attached to any GMOs/GE release: there are too many unknowns, which must therefore demand a precautionary approach. Also, if there were to be any release and problems did arise in the environment or population, there is no possibility of containing it all and returning to a pre-release state and conditions: it will be too late and the consequences will continue to unfold and impact.

22. While those existing outside the Māori worldview might regard all of this as native suspicion, it is an integral part of Māori spirituality which imbues all things and which underpins all, setting the frameworks for permitted actions.
23. Another Māori principle of importance within this discussion is the strict separation of things to do with the body and those pertaining to cooked food or food environments such as tables where food is prepared or consumed. So, actions such as washing one's clothing or face in a sink; washing clothing and tea towels together or even in the same washing machine; placing hats and spectacles on a table; sitting on a table, are prohibited in strictest application.
24. It therefore follows, given due consideration of the above, that actions such as transgenic interchange or experimentation would be deeply concerning under the principles of *tikanga*; a breach of *tikanga* and thus, inviting intervention and retribution from the spiritual realms.
25. From a Māori worldview enabling outdoor release of GMO's would be offensive to the principles of *tikanga* and seriously damage the *mauri* of the land and surrounding environment. This is the case where s6(e) of the RMA should be regarded as critical in the Commissioner's decision. There is nothing more fundamental than maintaining *tikanga* and *mauri* in the relationship of our culture and tradition with our ancestral lands, water, sites, *wāhi tapu* and other *taonga*.
26. For that reason I support the prohibition of outdoor release of GMO's as proposed in the two plan changes.
27. It is also important for the Commissioners under s7 of the RMA to have particular regard to 7a) *Kaitiakitanga*. The exercise of *kaitiakitanga* is a fundamental duty of Māori. The release of GMOs would completely conflict with that duty.

CONCLUSION

28. Many of us who have been highly educated in a western sense have come from a base position of deeply ingrained *tikanga* and live our lives in accordance with these principles. Within an increasingly complex world, adhering to these principles remains critical because, as the embodiment of our

tupuna, our ancestors, we carry the *mauri* from them all and the attendant responsibilities which attach as *kaitiaki*, as responsible guardians with the task of preserving, maintaining and handing on.

Dated 26 May 2016

A handwritten signature in black ink, consisting of a series of fluid, overlapping loops and strokes that form the name 'Benjamin Pittman'.

Dr Benjamin Pittman