

# **Donna Flavell**

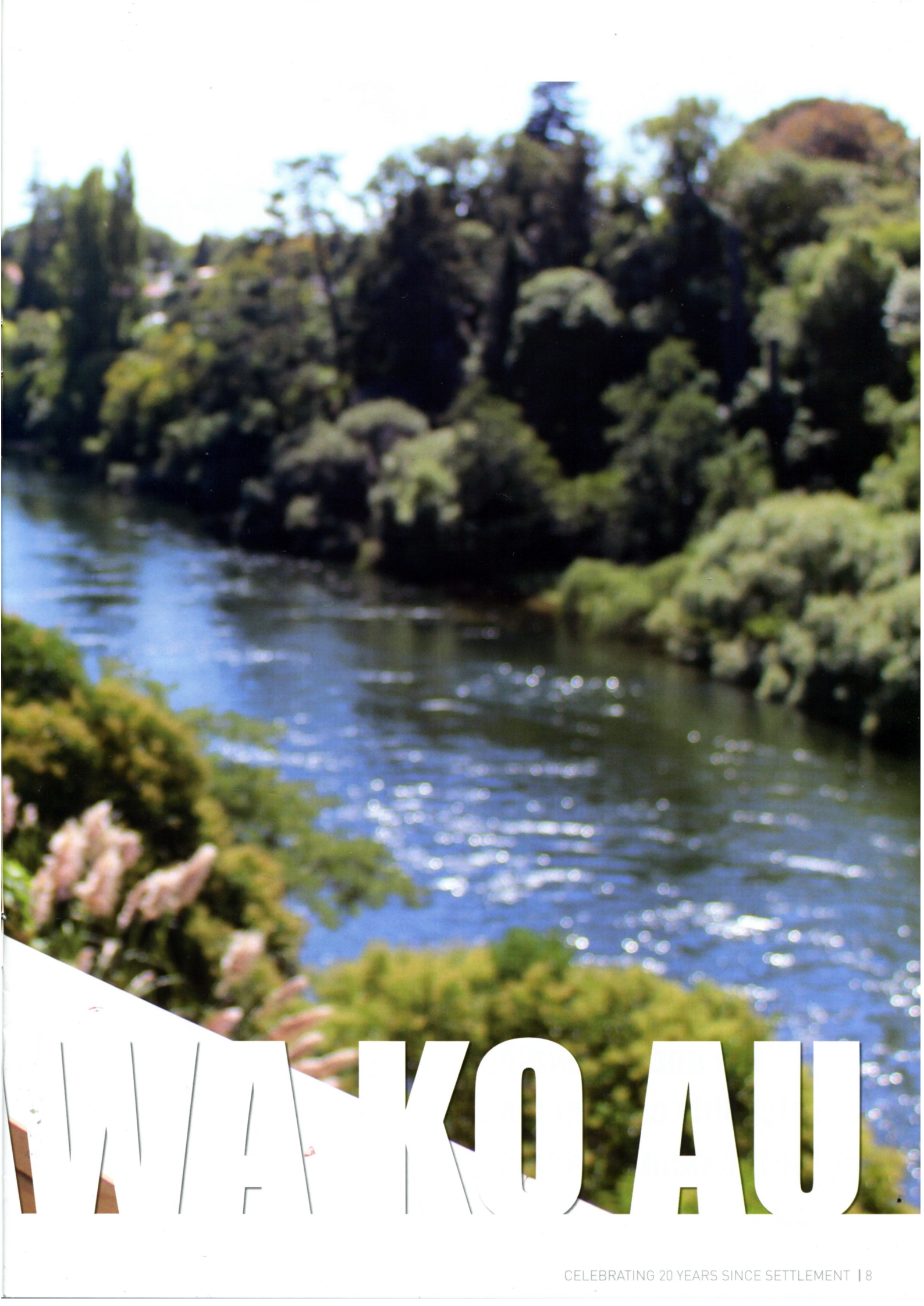
## **(1986)**

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# KO AU TAKU AWA KO TAKU AWA





# WAIKO AU





**“As the Waikato River winds through our territory we remember how it has personified the unity, the strength and the power of our people. We pledge ourselves to further negotiate its return to us, with the dignity, the forbearance and the understanding which this current land settlement signifies.”**

**T**hese words were spoken by Sir Robert Te Kotahi Mahuta to commemorate the signing of the Waikato Raupatu Lands Settlement in 1995 and consequently, set the wheels in motion for Waikato-Tainui to have its unique relationship with the Waikato River recognised by the Crown.

The Waikato River, among other claims, was excluded from the tribe's initial Deed of Settlement. Donna Flavell, who was a part of the tribe's graduate team at the time, says the river settlement would have been achieved during the original negotiations, but it didn't hit the mark with our people.

“Settling the land claim with the government took some real guts and obviously our settlement fell short of what some of our expectations were, but the smarts that RTM had was in the mechanisms that we developed, particularly around relativity and the exclusion of the river – they were all critical factors in protecting our future.”

Donna says, “The way the Crown viewed the world was that it's just land and so the bed of the river is all they were offering. They offered the bed to us more than a dozen times during negotiations and we'd go back to our old people and they would say 'we don't whakarite ourselves with mud, we whakarite ourselves with water'. For the Crown to offer just the bed just didn't cut it.”

From the signing of our lands settlement, it took the tribe and the Crown more than a decade to reach a mutual understanding regarding the Waikato River and in 2008 a Deed of Settlement was achieved. The Deed acknowledged our unique relationship with the river, but more importantly, it ensured that we as an iwi would have input in to how the river was managed so our vision to restore its health and wellbeing could be realised.

Donna says our tribal values and tikanga played a vital role in achieving the river settlement. “We spent hours and hours literally trawling through newspapers, tapes, microfiches, microfilms and tribunal hearings, searching through anything and everything to find what was relevant to us, but the most important thing was staying true to our values and knowing our own tribal history, those were the fundamentals that set the foundation for any work we did.”

She says, “Our kaumaatua were critical when we were doing the river settlement because they knew a lot and that's where we got a lot of our information from. One thing we did learn from RTM was to always have kaumaatua there to support you. They were there for the kaupapa and they would do anything to support the Kiingitanga and support a better future for our people because that's what they wanted so they had the courage and the leadership to support RTM in his role in moving the tribe forward. It was about getting out of grievance mode and focusing on the future.”

Once the mandate was achieved for the tribe to advance the river settlement, Donna became claims manager and was responsible for progressing all the tribe's outstanding claims. The river claim at that time was the priority and so from there she started building the claims team. “We'd do all the grunt work, develop all the ideas and look at all possibilities.”

Critical to their work was also looking out beyond our immediate situation. “RTM didn't just look at ourselves, he





would look out at the world to see what's happening globally and he was very good at that kind of thinking so for our river settlement we did the same, we looked at other indigenous cultures but we would still push the boundaries beyond it and apply our own model which is values based."

Donna says, "I was lucky enough to be able to start off in the early stages with the tribe and really get RTM's vision at that point in time and so for the river settlement we kind of knew where he wanted to take it.

"He always had a vision around this entity over the river so he had already seen a co-management type model. He had already seen that the clean-up was the priority; he had already said the people were going to be involved because the river settlement was about the people.

"All of those things are pretty much consistent with what has been achieved today, it's just a slightly different model. So I think the challenge for us now is making sure the river settlement remains relevant for the iwi. I still look back to our lands settlement and that's our asset base. These other settlements are really about the people."

She says not enough can be said to express the dedication and commitment shown by the late Lady Raiha Mahuta as she too was instrumental in the tribe achieving its river settlement. "After RTM passed in 2001, Rai picked up where he left it. Together with Tuku's political nous, and her determination, they both worked hard to fulfil his and the tribe's aspirations."

For Donna, a sign that the river settlement is working will



be the active participation of our people with our awa. "The health and well-being of our awa ultimately leads to better outcomes to the health and wellbeing of our people across the economic, social and cultural spectrum. We should be the ones making the decisions, setting the standards and the rules around the Waikato River because that's our tupuna."

She says, "That's the challenge for the team now as they move into implementation – how do we empower our people so that they're the ones to make the decisions and be involved in the changes that we, as an iwi, want to see happen."

A first stepping stone towards supporting this development is the tribe's environmental plan – *Tai Tumu Tai Pari Tai Ao*. "It clearly outlines our set of fundamental principles – these are our views around water, these are our views around discharge, this is our view around land and other key activities."

Donna says, "We needed to have a position on things so that's why the plan was really important. We needed to provide our people with information and the tools that will help them make the decisions, but at the same time maintain a consistent and united voice so no matter which one of our 68 marae is speaking or doing the mahi, we're all saying and striving for the same thing."

Looking ahead, Donna's challenge to our people is simple, "By the year 2050 we have a clean and healthy awa, our people are involved in the decision making, and that our awa is alive in the sense that there's a hub of activity everywhere, all along the stretch of it and that people – young, old, Maaori and Paakehaa – are celebrating the Waikato River and all its glory."