



Natura Kuki Airani

Submission to To Tatou Vai Authority Bill 2020

SEPT 2020

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Natura Kuki Airani (NKA) is the Cook Islands Organics Movement.

NKA is licensed to manage a Participatory Guarantee System (PGS); and use the Pacific Organic certification marks developed by the Pacific Organic and Ethical Trade Community (PoetCom). The PGS requires members to co-operatively certify fields, produce, and production processes. The Pacific Organic Standard sets guidelines for the Pacific region; and is used by 22 member countries, and is recognised by New Zealand, Australia, Canada, and the United States.

NKA members have assisted with oral and written submissions made to the To Tatou Vai Authority Bill 2020, and endorses the broader recommendations made in the Grower Community submission.

Response to the To Tatou Vai Authority Bill

1. Charges for water will impact of the viability of agricultural production, noting that local producers are competing for market share against with aggressively priced industrially-grown imported product.
2. If participation is compulsory - 29 - and multiple meters are required to irrigate larger plots - 29(3), then cumulative periodic fees for each meter point 29(5) will be an **additional expense to small-scale and subsistence growers**.
3. If charged with ongoing fees for the availability of water 29(5), **growers will be less likely to convert vacant land** for agricultural use (e.g. family holdings).
4. The requirement to identify **the owner of vacant lands** 29(6) for connection and billing purposes will also deter field development.
5. Organic growers are charged with the responsible use of water resources — public supply is only used when needed. **Water conservation techniques** employed under the Pacific Organic Standard include minimal tilling, ground cover, mulching, use of rainwater collection, etc. Public supply may only be required in drought conditions, but connection will be charged even when water is not used.
6. Fields may not be tended for an extended period to allow for soil regeneration. Rather than pay monthly availability fee, growers may choose to disconnect. **Reconnection fees will deter the implementation of labour-efficient irrigation systems**.

7. **We strongly object to agricultural users being the first to have supply restricted** - 30(4)(a). Restriction of irrigation water in times of drought will negatively affect crop production and livelihoods.
8. **An appeal process is necessary when termination of agricultural supply is proposed** 39(5). In the case of livestock, 24 hours is not sufficient notice (and may be inhumane).
9. 31(3) definition of 'domestic use': **Confusion is likely where family lands are used both for dwelling and small-scale agricultural production.** It is unclear if outside taps used for domestic crop production will be metered separately — and if so, this seems an unnecessary expense — another meter to install; another meter to read. Home gardens and subsistence fields should be defined as domestic use.
10. Key definitions (e.g. consumer types) should be provided in Interpretations rather than defined within a section.
11. **Agricultural production costs will be passed on to consumers.**
12. **The TTVA Board requires grower representation** when agriculture is the major water user. Representation should be appointed from within the grower community.
13. **The criteria for inclusion on the TTVA board is not representative of affected stakeholders.** TTV will be a SOE with a monopoly; the concerns of the board should be communal, rather than commercial.
14. Why is the appointment to the board of any director with *socio-economic understanding* s.35(f) at the minister's discretion s33(1)(b)?
All board appointments should be subject to the same review and approval process.
15. 35(2) The process by which a person can come to be 'registered on the CIIC database' should be detailed — or this section deleted.
16. 56 **Fines are excessive.** Common minor offences and indicative penalties must be defined in regulations.
17. An **appeal and/or mediation process** should be the preferred method of resolving a perceived offence — rather than filing criminal proceedings or an automatic fine.
18. 63 In the case of agricultural use, **negligence in the maintenance of the public supply may result in loss of earnings** - crop and livestock damage. This should be recognized in legislation.
19. 66(c) **Delete.** This regulation gives rights and authority over natural water sources. **Regulation of natural water sources is unnecessary to the management of the public water supply system,** and may be exploited by future administrations and/or commercial interests.

20. **Greater transparency is required around all Authority decision-making processes** – ‘reasonable’ is too subjective; and is open to (mis)interpretation. As one example (and all too often), the public sector perception is that using water for crops or livestock is ‘wasteful’.
21. Chemical treatment methods. Although water quality standards are not prescribed by the TTVA Bill – **the addition of chemicals to the public supply will negatively impact production**. The 2020 POS irrigation standard (attached) identifies that chemicals in the public supply may affect soil and crop health, and require an intervention step (an additional cost).
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