

**BEFORE THE ENVIRONMENT COURT
AT WELLINGTON**

**I TE KŌTI TAIAO O AOTEAROA
TE WHANGANUI-A-TARA ROHE**

IN THE MATTER of the Resource Management Act 1991

**AND
IN THE MATTER** of appeals under Clause 14 of Schedule 1 of the
Resource Management Act 1991 against the
decision of the Manawatū-Whanganui Regional
Council on Proposed Plan Change 2 to the One
Plan ("PC 2")

BETWEEN

TE RŪNANGA O RAUKAWA
(ENV-2021-WLG-00020)

NGĀTI TURANGA
(ENV-2021-WLG-00021)

ANDREW DAY
(ENV-2021-WLG-00022)

WELLINGTON FISH AND GAME COUNCIL
(ENV-2021-WLG-00023)

Appellants

AND

**MANAWATŪ-WHANGANUI REGIONAL
COUNCIL**

Respondent

**EVIDENCE IN CHIEF OF HAYDEN TUROA
FOR NGĀTI TURANGA**

Dated: 6 November 2023

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1. INTRODUCTION

- 1.1 My name is Hayden Turoa. I belong to Ngāti Turanga hapū and am presenting this evidence on their behalf. I am also supported by Ngā Hapu o Himatangi, as well as Te Tūmatakahuki which is a cluster of all Ngāti Raukawa marae in the Horowhenua. Ngāti Raukawa te au ki te tonga hapū are the tangata tiaki of their iwi region – tiaki whenua, tiaki awa, tiaki wairua, haukainga and ahi kā. They are fuelled by their kaitiaki responsibility to improve the health and wellbeing of the awa. Ngāti Raukawa have not settled their historic grievances with the Crown, however there are still legislative responsibilities that are required to meet as part of all applications for a resource consent for their rohe.
- 1.2 While Ngāti Turanga are the appellant, we are presenting a collective voice alongside all hapu within Te Tūmatakahuki (who are not a party). I would like to provide some context of the core principles of Ngāti Turanga and our way of working alongside Te Tūmatakahuki. Since first submitting on Plan Change 2, the Regional Council have acknowledged and accepted that the engagement is via Te Tūmatakahuki which has been useful in Oranga Wai and keeping us informed with some consenting activities.
- 1.3 Te Tūmatakahuki are a Runanga, in its traditional sense of the word, of the hapū and marae of Ngati Raukawa te au ki te tonga based within the Horowhenua (but with wider geographical associations) and share leadership within the boundaries of the Horowhenua District Council, inclusive of the lower catchment of the Manawatū. Te Tūmatakahuki builds on a foundational recognition of the importance of marae in the well-being of our people, the huge potential that exists within our hapū and marae, and the very real inequities and challenges that these communities face. The purpose of Te Tūmatakahuki is to provide a marae and hapū-centric framework to guide Ngati Raukawa te au ki te tonga in exercising tupuna responsibilities within the Manawatū and Horowhenua District (including Te Awa o Manawatū). Te Tūmatakahuki are not the decision maker for hapū and marae, but their collective and hapū-centric voice to ensure that all applicants are engaged with hapū as the ultimate decision makers.

- 1.4 The name Te Tūmatakahuki also is derived from weaving and the tukutuku panel. Te Tūmatakahuki, the very first stitch in a tukutuku panel, holds a profound metaphorical significance in the context of fostering a hapū-centric model of working that resonates with the principles of Te Tiriti o Waitangi in Aotearoa. Just as this initial stitch meticulously dictates the placement of subsequent slats, it serves as a symbol of the imperative role hapū play in guiding the path of Aotearoa's collective journey. Much like the Tūmatakahuki ensures balance in the tukutuku panel, this approach ensures that one side of the partnership is not pulled too tightly while the other remains loose. Embracing the essence of Te Tiriti, Te Tūmatakahuki reflects the need to uphold a fair and equitable partnership between Māori and the Crown, where hapū voices are not just heard but amplified, fulfilling our tūpuna responsibilities and nurturing a harmonious, collective vision for Aotearoa.
- 1.5 Te Tūmatakahuki is facilitated in a way that provides for Rangatiratanga at place and hapū-led approaches to provide for environmental management. This aims to provide the framework to ensure hapū of Ngāti Raukawa within the Horowhenua are actively leading and ensuring our tūpuna responsibilities to care for the mana o te Taiao, and to ensure that the mana o te Taiao is upheld in a way that is responsive to the changing circumstances and pressures that our environment, communities and hapū experience.

Kawa and Tikanga

- 1.6 Coupled with the legislative and policy frameworks, it is critical to understand the cultural impacts through a kawa and tikanga framework which form an inseparable relationship between all iwi and hapū within the Horowhenua District (inclusive of Te awa o Manawatū and surrounding whenua). Whenua is a wholly inclusive concept in Māori terms. All biophysical and physical elements associated with land are inextricably intertwined with the concept of whenua.¹

¹ For example, mountains, rivers, lakes, rivers, streams, swamps, aquifers, forests, geothermal activity, oceans, animals, wind, sun, rain, and air as well as tangata (people), form a Māori understanding of whenua.

- 1.7 The system of the origins of the cosmos simultaneously underpinning the religious and scientific basis of Māori understanding of the natural world is referred to as kawa. Kawa is therefore also a word commonly used to represent sets of protocols or specific ceremonies within the Māori world. For example, every pōwhiri, (welcoming ceremony) has a foundation and meaning in kawa. This maintains a constant connection between the human world and Māori origins in the cosmos. Such origins are in common with those of the rest of the natural world.
- 1.8 The ability of each iwi and hapū to whakapapa to whenua is a critical point of difference between tangata whenua, and pākehā. Tangata whenua, express a connection to whenua through whakapapa tūpuna as it will not be able to connect to the whenua through the necessary precedent of whakapapa atua.
- 1.9 Te Tūmatakahuki recognise that land alienation in the Horowhenua in the 1800s has placed an inherited complication across this region which has never been addressed. The introduction of European land tenure and imposition of many other laws, policies and practices has given rise to claims of breach of the Treaty of Waitangi, including that the rights and interests of hapū and iwi were not properly investigated in relation to the Te Awa Hou, Te Ahu a Turanga, Rangitikei/Manawatū, Kukutauaki/Manawatu, Pukehou and Horowhenua Blocks. These claims are currently being pursued by Raukawa hapū through the Waitangi Tribunal process. Working with Te Tūmatakahuki requires a commitment to a partnership, and developing an operational framework that guarantees kawa as a legitimate space for hapū of Ngāti Raukawa to lead the partners to create more inclusive and richer social, economic, political, and environmental decisions.
- 1.10 Given the complex history of the region, we recognise that developing parties and applicants have to navigate overlapping areas of interest and resolve issues relating to Māori rights and interest within a Kawa and Tikanga framework. Te Tūmatakahuki underline kawa as an integral and inseparable component of achieving a relationship that upholds the mana of the te taiao through the recognition of the existing indigenous systems and its ontological characteristics of Te Ao Māori.

This avoids approximating indigenous law within Western Legal concepts and its system and implores us to work more collaboratively and to keep the wellbeing of the people and the environment at the centre – ensuring Hapū uphold Kawa.

2. LEGISLATIVE AND POLICY CONTEXT

Te Tiriti o Waitangi

- 2.1 The Manawatū and Horowhenua have a rich Māori History. Several iwi and hapū have long held cultural and spiritual connections to the region. All iwi within the region consider Te awa o Manawatū and all waterways, to be an ancestral living taonga that underlies their cultural identity. Te Tūmatakahuki recognise and local and central Government organisations, including regulatory bodies, to uphold Treaty settlement legislation, but more importantly, honour Te Tiriti o Waitangi with the Crowns partners, or hapū of Ngāti Raukawa te au ki te tonga as signatories to Te Tiriti.

The Resource Management Act

- 2.2 Principles of Te Tiriti o Waitangi, Section 8 of the Resource Management act states that:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi [Te Tiriti o Waitangi].

- 2.3 There is no single set of Treaty principles, and the RMA does not define which principles must be taken into account. However, there are core principles that consistently emerge as relevant to resource management matters. For this particular plan, we consider four principles to be of particular importance, which we describe as:

- (a) Active Protection. Protection of the awa, whenua and Taiao mai uta ki tai, mai i te rangi ki te whenua. This includes the known taonga species, sites of cultural significance, the ability of iwi and hapū to

continue cultural practices, and spiritual values associated within their rohe.

- (b) Partnership. Local authorities recognising the associations of all iwi and hapū to the awa, whenua and Taiao mai uta ki tai, mai I te rangi ki te whenua and upholding their interest as mana whenua by ensuring their views are factored into decision-making. It also involves local authorities encouraging the wider community to have meaningful relationships with iwi and hapū to ensure everyone understands the cultural associations of all iwi and hapū to the awa, and to help the community understand the iwi and hapū point of view regarding the proposed activity. It is appropriate that all hapū at place are afforded the opportunity of been included in the co-design of the proposed opportunities at real time.
- (c) Informed Decision-Making. Informed decision-making includes ensuring that consultation and engagement has been undertaken appropriately with all hapū at place with associations to the awa, whenua and Taiao mai uta ki tai, mai I te rangi ki te whenua. This includes ensuring that the decision-maker has been given the opportunity to understand the views of each iwi and hapū prior to making decisions regarding the consent application. Equally, it means ensuring that the hapū have been provided all of the information regarding the application to ensure their views are fully informed prior to providing their advice or views.
- (d) Redress and Reconciliation. Includes looking for opportunities to right previous breaches of the Te Tiriti o Waitangi and looking for opportunities to provide redress. It also includes ensuring that any decisions made by the decision-maker does not encumber future Treaty Settlement arrangements or provide further grievances upon each iwi and hapū.

Te Mana o te Wai

- 2.4 Te Mana o Te Wai is the fundamental concept underpinning the National Policy Statement for Freshwater 2020 (NPS-FM).² The current iteration of Te Mana o te Wai was adopted in 2020, however the concept has been implicit within the NPS-FM for a considerable length of time. At its heart, Te Mana o Te Wai is about protecting the mauri of the wai. That position is supported by the framework principles below:
- (a) Mana whakahaere: the power, authority, and obligations of tangata whenua to make decisions that maintain, protect, and sustain the health and well-being of, and their relationship with, freshwater.
 - (b) Kaitiakitanga: the obligation of tangata whenua to preserve, restore, enhance, and sustainably use freshwater for the benefit of present and future generations.
 - (c) Manaakitanga: the process by which tangata whenua show respect, generosity, and care for freshwater and for others.
 - (d) Governance: the responsibility of those with authority for making decisions about freshwater to do so in a way that prioritises the health and well-being of freshwater now and into the future.
 - (e) Stewardship: the obligation of all New Zealanders to manage freshwater in a way that ensures it sustains present and future generations.
 - (f) Care and respect: the responsibility of all New Zealanders to care for freshwater in providing for the health of the nation.
- 2.5 It must be clear on plain reading that a number of the principles can only be exercised by iwi and hapū. However, the principles associated with governance, stewardship, care, and respect are shared by all parties. Any proposed project impacting our waters ways should be an exemplar demonstrating the principles of Te Mana o Te Wai. The sole objective of the NPS prioritises:

² National policy statements provide national direction for matters of national significance relevant to sustainable management and are issued under the RMA.

- (a) first, the health and well-being of water bodies and freshwater ecosystems;
- (b) second, the health needs of people (such as drinking water; And
- (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

The Local Government Act 2002

2.6 Section 4 of the LGA 2002 states:

In order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes parts 2 and 6 [of the Act] provide principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision making processes.

2.7 Furthermore, section 81(1) of the Local Government Act states a local authority must:

- (a) Establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes;
- (b) Consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority; and
- (c) Provide relevant information to Māori for the purposes of (a) and (b).

3. THE ONE PLAN

3.1 The One Plan has been described as the one stop shop resource management planning document for the Horizons Region. There are many objectives and policies that must be considered within the One Plan when making decisions regarding the current WWTP proposal. However, Chapter 2 of the Regional Policy Statement, Te Hokai, Te Takenga Mai (Appendix 1), is of particular significance to Mana Whenua

interests. This chapter identifies the resource management issues of significance to hapū and iwi in the region in accordance with s62(1)(b) of the RMA.³

- 3.2 Te Hokai, Te Takenga Mai identifies Ngāti Raukawa as one of the iwi within the Manawatū-Whanganui Region and acknowledges their special and unique role as kaitiaki. It commits the Council to working in partnership with hapū and iwi (including Te Tūmatakahuki) and acknowledges the major frustration that hapū and iwi have with the lack of acknowledgment of their concerns with resource management and resource consent process.
- 3.3 It is important to note, that throughout the approach towards Plan Change 2 (**PC2**), there is an absence of consideration of all this previous section. There has been no in-depth discussions, or work alongside Ngāti Turanga, or any of the hapū within Te Tūmatakahuki.
- 3.4 In our statement of evidence to the Council level hearing, we set out a timeline of the limited engagement which we had with Horizons. The pre-notification consultation process followed by Horizons fails to recognise Ngāti Turanga as Treaty partners. Instead, Horizons' engagement with us reflected a similar level of investment and effort as that provided to the agricultural sector in the Tararua district or the commercial vegetable growers in the Horowhenua. We are not mere stakeholders, and we are not to be 'consulted' with alongside stakeholders. The Hearing Chair for PC2 made the explicit statement that Horizons would need to do better the next time around. This is the next time around and it is no better.
- 3.5 Horizons simply provided a copy of the relevant draft to us prior to notification. Dr Peet in his s42A report incorrectly estimated that 'iwi/hapū' were provided with a copy of the draft provisions 23 days before notification. In our statement of evidence, we set out the timeline as we experienced it in the lead up to notification of PC2.
- 3.6 To reiterate, Horizons resolved to adopt PC2 for notification on 25 June 2019. This was only 1 week after providing the draft plan change

³ 2.1 Scope and Background / Te Hokai, Te Takenga Mai

package to 'all iwi of the region', and prior to the Council-set deadline (11 July 2019) for receiving feedback. This amounts to a most disingenuous attempt at engagement, providing no opportunity for our comments to influence decision-making, and in my view, sent a very clear message of Horizons' intentions towards their obligations to engage with Treaty partners.

3.7 I draw your attention to the section 32 report provided to Council. In reading the report it becomes obvious the:

- Lack of meaningful or detailed communication of the consultation with iwi.
- Absence of clear identification of iwi concerns.
- Lack of a response to iwi concerns raised in subsequent statement of evidence or identification of provisions in PC2 which address those concerns.

3.8 It is clear that the Council made the decision on 25 June 2019 without having particular regard to the responses and advice of tangata whenua, including Ngāti Turanga. It is also evident that the Council were informed by Horizons staff that the notification date was to be 22 July 2019 and that Council did not request an update to iwi consultation or information as to how its obligations were met. I understand this is a breach of statutory requirements.

3.9 The statement of evidence made by Ngāti Turanga sets out that Horizons has failed to meet its statutory requirements under the RMA in regard to engagement with iwi, including:

- (a) Clause 3B of Schedule 1 – the Regional Council did not work with Ngāti Turanga to investigate the use of mechanisms available under the RMA to enable the involvement of tangata whenua in freshwater management.
- (b) The following engagement tools are available to give effect to Part 2 of the RMA in regard to engagement with iwi. None of these have been used by Horizons in the development of PC2. These tested methods include:

- (i) Memoranda of partnership between the Regional Council and hapū or iwi which set clear relationship and communication parameters to address resource management objectives.
 - (ii) Recognition of existing arrangements and agreements between resource users, local authorities, hapū and iwi.
 - (iii) Development of catchment-based forums, involving the Regional Council, hapū, iwi, and other interested groups including resource users, for information sharing, planning and research.
 - (iv) Development, where appropriate, of hapū and iwi cultural indicator monitoring programmes by the Regional Council.
 - (v) Assistance from the Regional Council to hapū or iwi to facilitate research, projects, seminars and training.
 - (vi) Transfers or delegations of power (under section 33 RMA).
 - (vii) Joint management agreements (under section 36B RMA).
 - (viii) Mana whakahono a rohe (under section 58M RMA).
- 3.10 Our people are on the receiving end of Horizons failure to implement its statutory obligations to iwi, and its own plan. We bear witness to the continued decline in water, land, environment, social values, exclusion from fulfilling economic aspirations, seemingly without consequence.
- 3.11 The population of Horowhenua and the lower Manawatū region is projected to grow significantly over the next 20 years and beyond. The associated development in the District is projected to be significant in scale and effect. This forecasted growth and development adds further challenges to a number of environmental concerns hapū have been raising throughout the last two centuries.
- 3.12 Our hapū and marae agree that there is a real need for economic stimulus within our rohe however this must not be prioritised at the expense of the environment or social returns, rather that they are funnelled directly to support hapū, marae, our awa, maunga, whenua to

both protect and enhance. A key objective for Ngāti Turanga is to encourage Horizons to identify and facilitate pathways to overcome this challenging task.

4. **CURRENT ACTIVITY**

- 4.1 As the iwi kainga in the receiving environment of the Manawatū Catchment we have seen the degradation of mahinga kai, taonga species, ara wairua (Te Rere o Hau), Urupa, ngahere, Rongoa customary harvest, customary interaction with our awa, as well as recreational activities within and alongside our awa. Ngāti Turanga invest significant time and resources into decision making across its rohe, including on municipal projects that affect our mana, including sewage treatment plants and housing developments. The following list sets out matters across the rohe that Ngāti Turanga are currently engaged in and are placing pressure on the mana and mauri of the rohe. Ngāti Turanga are approached by developers and councils in a silo-ed manner, with no adoption of an integrated approach, ki uta ki tai, as required by Te Mana o te Wai. The resolution of these issues will involve working with either, or both, Horowhenua District Council and Horizons Regional Council.
- 4.2 Ngāti Turanga, alongside all the Raukawa hapu within Te Tūmatakahuki have strongly advocated for the health and wellbeing of our awa. We are currently involved in substantial resource management proceedings including:
- (a) PC2;
 - (b) Matarapa Emergency Works Consent for discharging raw sewage to the awa just two years after consent was granted;
 - (c) PNCC Wastewater Treatment – Nature Calls Project;
 - (d) Fonterra Wastewater Treatment plan;
 - (e) Manawatu River Estuary Management Plan;
 - (f) Dune restoration programmes;

- (g) Save our River Trust;
- (h) Iwi Leaders Forum;
- (i) Horizon Emergency Spill Response Exercise;
- (j) Tokomaru Wastewater;
- (k) Opiki Wastewater;
- (l) Foxton East Drainage Scheme;
- (m) RAMSAR Support;
- (n) Foxton Wharf Upgrade;
- (o) Coastguard Sandbar Crossing;
- (p) Mahinga Kai Harvest;
- (q) MACA Claims;
- (r) Engagements with clubs for surface water activities;
- (s) Kuaka and Godwit Ceremonies, capturing and tagging for seasonal research;
- (t) Mudfish and Taonga Species Research;
- (u) Rahui as required;
- (v) Tangata tiaki activities;
- (w) Consenting relating to River discharge;
- (x) Coastal Reservation Review and by laws;
- (y) Planting days with HDC, Horizons and communities;
- (z) Stopbank works at Papakiri;
- (aa) Old landfills impacting the river;
- (bb) Foxton Futures and returning flow to Piriharakeke.

4.3 I am sure the Court will appreciate that the issues set out above place enormous stress on mana whenua. I am sure it will also be clear to you

that the issues above have very clear connections to one another. Ultimately, Ngāti Turanga are fighting for their survival in the lower Manawatu River. PC2 does not take the necessary steps to provide for what we understood to be the restoration and recovery of the awa when any opportunity presented itself. I appreciate that Horizons wants to be able to give farmers resource consents but that is not an obligation that trumps commitments made to iwi and the awa through statute.

- 4.4 PC 2 will have impacts on inland lakes in the coastal environment and the Manawatū River catchment which ultimately ends up at its estuary. Ngāti Turanga is deeply connected to and derive identity from the estuary. The estuary and surrounding coastal environment is important to Ngāti Turanga, such as the coastal waters all along the western coast line as a connection to ancestors, food gathering, ritual, wahi tapu and taonga.
- 4.5 The New Zealand Coastal Policy Statement is yet another planning instrument that sets out rights and interests of tangata whenua in planning and decision-making in the coastal environment, including the interface of coastal and fresh waters (at policy 2). Yet, we have not experienced the opportunity to express or represent our rights and interests in the coastal environment.
- 4.6 I understand that the Coastal Manawatū water management zone (including its six sub- zones) is not targeted in One Plan for regulation of existing intensive farming land use activities. The result of this policy decision is that existing intensive farming land use activities in and around catchments of the coastal Manawatū River and its estuary are not regulated for diffuse nitrogen leaching inputs. This has grave consequences for Ngāti Turanga as we are effectively excluded from the policy interventions set out in the regional plan.
- 4.7 Clean water, and ultimately, the ability to gather food is a core, underpinning value of ours. The uncontrolled pollution by way of leaching of nitrogen into waterways is particularly unfathomable to us when the effects are so well understood. Over the life of the plan, run-off and leaching of nutrients, sediment and bacteria from farms has continued as the single largest threat to water quality, ecosystem health and human health in the Region. This continued decline in surface water

quality has also degraded the mauri of the water such that our waterways no longer provide for the current and future needs of tangata whenua; these include the ability to swim, gather kai, access river at traditional sites, undertake rituals, movement, rongoā, use of materials. This is true for our whānau whose rohe are degraded but are not captured by regulations in the One Plan and therefore degradation is continuing.

- 4.8 I am advised that the proposed provisions will not address these issues we experience at the estuary and coast. This will lock in an existing pathway of degradation experienced by whānau at the estuary, thereby exacerbating historical problems, and removing an opportunity for improvements not only in Te Mana o Te Wai but for providing rangatiratanga back to those whānau I submit that to adequately achieve Te Mana o te Wai within the coastal environment is to include all coastal catchments into Table 14.1 thereby including those hapū into the decision making process over their freshwater taonga.

5. OBLIGATION FOR PC2 TO UPHOLD KAWA AND TIKANGA

- 5.1 One of the amended provisions of the plan requires decision makers to have regard to the values of mana whenua in making decisions on resource consents. Ngati Turanga see that this must be done in a way that upholds tikanga and kawa. For example, this does not mean a cultural impact assessment for every consent but a more strategic partnership with Council to develop a values statement that could be applied on a per consent basis. This can only be achieved through a model that upholds kawa and tikanga. Ngati Turanga believe in the following principles in relation to our wai, and want to ensure that PC2 reflects this:

He Wai Ora: Ka noho tapu ki a mātou te mana tuatahi, te mana kia ora te wai, ā, kia kaua e tūkinotia, e whakapoapoaia rānei e te tangata. Ko te poutokomanawa tēnei o tō mātou orange, ā, e kī taurangi ana mātou ka noto tēnei hei tūāpapa ki ā mātou mahi me ā mātou whakatau katoa. Ko tā mātou haepapa, he tiaki, he

manaaki anō hoki i te wai kia ora tōna mauri mō ngā whakareanga e heke mai nei.

He Wai Koropupū: I te wā ka whakaūngia te mana tapu tuatahi, ka mārama mātou e tuia ana tō mātou orange ki te ao tūroa. I roto i tā mātou reretahi me te wai, me ērā atu wāhanga o te taiao, ka arotahi mātou ki ngā kawa ora kua whakaritea e te ao tūroa. Mā te mau pūmau ki ēnei kawa mātou me ā mātou uri e whai orange ai.

He Wai Ora: I roto i tō mātou mōhio kua tāmia tō mātou hononga ki te wai nā ngā mahi ō-mua, ka hikina e mātou te haepapa kia whakaorangia te wai. E kī taurangi ana mātou ka whakapau kaha mātou ki te whakaū i ēnei here tapu, ki te whakaora me te tiaki i te wai me ngā mea ora katoa ka whāngaia e ia.

- 5.2 Across all of these issues in their entirety is a huge gap in relation to the PC2, or any future plans to uphold Kawa and Tikanga. There are not any considerations to this in the current plan, and I daresay no thought given by Horizons Regional Council in the development of future plans. The culture that Horizon's create in relation to the awa and involvement of iwi and hapū is competitive and adversarial. Across all of the listed sites, there are complexities as it relates to overlapping areas of interest. The majority of consented activities in our iwi boundaries have created a cultural impact on us, just by ignoring the decisions makers obligation to uphold kawa and tikanga. At times, this has led to the exclusion of Ngāti Raukawa hapū without strong advocacy and multiple levels to have our voice heard. Any plan change in the region, in relation to the awa, whenua and hapū and iwi must give greater assurance that kawa and tikanga will be upheld, through carefully designed programmes, strategies and policies.
- 5.3 Ngāti Raukawa are seeking consideration in PC2, or any plan change moving forward that ensures that kawa and tikanga must be upheld. This needs to be deliberately designed to avoid, mitigate, and remedy the cultural impacts that PC2 will create due to the absences of any consideration of this matter in its development.

- 5.4 Having Horizons understand a te Ao Māori legal, political and cultural ideology is complicated. Kawa is our knowledge system, cosmology and, simultaneously, the religious and scientific basis of understanding of the natural world. How we work together to uphold the mana o te Taiao, and reorganise our human activity around this is, and has been our primary concern in relation to PC2. Of all the forum created to resolve the “technical issues” there has been zero initiative to respond to the issues Ngāti Turanga has raised utilising the expertise that sits within our people.
- 5.5 We are guided by our procedural foundations within Kawa as a sacred order of creation. We are firm in our understanding that kawa is not here to be deconstructed and adjudicated on by PC2. We do, however, see there is a role to ensure that kawa is upheld, and spaces are created to resolve all the matters that Ngāti Turanga have raised.
- 5.6 There is a rich iwi history within the region that spans back thousands of years. The iwi and Hapū of Kurahaupo thrived in this region with a rich tapestry of relationships woven from the central plateau, through the Rangitikei, and along both coastlines into Te Taihū o te Waka a Maui. This included Ngāti Apa, Rangitāne, Muaūpoko, Ngāi Tara who were interconnected while holding autonomous mana.
- 5.7 Our continued effort and focus for PC2 is creating a policy environment that shifts behaviours in relation to our awa with a specific focus on working in partnership with all iwi, hapū, communities and Government. Where western legal processes can create adversarial and competitive tensions, kawa and tikanga led processes are focused on the relationality of tangata and whenua.
- 5.8 This places concepts like whakapapa atua, or iho atua as a supernatural ancestral genealogy that presents a complex inter-weaving of relationships within the cosmology of Māori. Whakapapa atua provides for the innate Māori relationship with whenua which gives rise to the concept of tangata whenua, that is, the people who descend from the land, and for whom the land is their ancestor. This ideology presents whenua as a wholly inclusive concept through whakapapa. All biophysical and physical elements associated with land are inextricably intertwined with the concept of whenua. For example, mountains, rivers,

lakes, swamps, forests, geothermal activity, oceans, animals, wind, sun, rain, and air, as well as tangata, form a Māori understanding of whenua.

6. CONCLUSION

- 6.1 What Ngāti Turanga, and the hapū of Te Tūmatakahuki are asking is for consideration in PC2 of kawa and tikanga, in line with our obligations to Te Tiriti o Waitangi. This will not complicate but resolve a number of issues felt by our hapū. While it may sound like a complicated matter to traverse, it is actually one that hapū and iwi can expertly lead and resolve with the right policy considerations. This is also something that our region is leading as a global example in relation to river management.
- 6.2 From our perspective, every layer of policy and council plan that ignores our rights and interests entrenches the disadvantages we experience from being excluded from decision making. This disadvantage is exacerbated by the time and cost burden that is experienced by hapū where we do choose to be engaged at our own cost.
- 6.3 We are essentially being asked to 'just trust us' by a council that has an extremely poor track record on these issues and scant interest in working to ensure the rights and interests of their Treaty partners are appropriately addressed. The prospect of future processes provides no substitute for addressing our rights and interests within PC2. We have no reassurance that future processes will be in any way improved on the current processes. In any case a future promise does not remove existing statutory obligations.
- 6.4 When the One Plan was first introduced, water quality monitoring at the time showed that the health of many of the Region's waterways were poor and/or at risk of degradation, particularly with regards to nutrients, pathogens, and sediment. Run-off of nutrients, sediment and bacteria from farms was identified as the single largest threat to water quality in the Region. Some water bodies were deemed unsuitable for swimming of food gathering, and aquatic life was being damaged. I understand that situation has not changed markedly.

- 6.5 Rather than give any certainty for the rights and interest of Ngāti Turanga, or the water quality, and health and wellbeing of our awa, PC2 is solely focused on creating a consenting pathway for farmers.
- 6.6 Ngāti Turanga haven't been involved, in accordance with our kawa and tikanga, and were not engaged in line with statutory directions contained in the Resource Management Act. The interests of mana whenua are a matter of national importance, and consenting pathways are not. The lower Manawatū is the sump for everything that occurs within our catchment. In that context Ngāti Turanga can't exercise our customary values.
- 6.7 Finally, PC2 has the very real potential to generate a legacy of further over-consenting, pollution of the awa beyond our ability to recover it and pays little service to the obligations the Regional Council has to mana whenua.

Hayden Turoa

6 November 2023

