

**I TE KŌTI TAIAO O AOTEAROA
KI TĀMAKI MAKĀURAU**

**ENV-2019-AKL-000117
ENV-2019-AKL-000127**

KEI RARO I TE MANA O

the Resource Management Act 1991

I TE TAKE O NGĀ

appeal applications pursuant to Clause 14(1), Schedule 1 of the Resource Management Act 1991

KO

**BAY OF ISLANDS MARITIME PARK
INCORPORATED**

**THE ROYAL FOREST AND BIRD
PROTECTION SOCIETY OF NEW ZEALAND
INCORPORATED**

Kaitono (Appellants)

ME

NORTHLAND REGIONAL COUNCIL

Kaiwawao (Respondents)

Kōrero Taunaki a Nora Rameka hei māngai mō Te Rūnanga o Ngāti Rēhia
[Brief of Evidence of Nora Rameka on behalf of Te Rūnanga o Ngāti Rēhia]
I tēnei rā, i te 25 Mei 2021



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KO ahau tēnei, **NORA RAMEKA**, nō Tākou, e oati ana i konei he tika, he pono ngā kupu katoa o tēnei tuhinga:

Kupu Whakataki

1. My name is Nora Rameka. I am the Business Manager for Te Rūnanga o Ngāti Rēhia (“Ngāti Rēhia”) and a kuia for my hapū.
2. I provide this evidence in support of Ngāti Rēhia regarding the following proceedings:
 - (a) ENV-2019-AKL-000117: *Bay of Islands Maritime Park Incorporated v Northland Regional Council*; and
 - (b) ENV-2019-AKL-000127: *Royal Forest and Bird Protection Society of New Zealand Incorporated v Northland Regional Council*.
3. It is my understanding that these proceedings began in 2019 and have now been set down for a hearing in July 2021. I wish to speak, alongside my whanaunga, Kipa Munro, at these hearings given we are one of the hapū that have interests in these applications and will be affected if the orders sought are given.
4. I understand that our Chairperson, Kipa Munro, will be providing the whakapapa and tikanga kōrero concerning our hapū as well as the pepeha for Ngāti Rēhia that sets out our rohe. I support Kipas kōrero in its entirety.
5. The purpose of my evidence is to provide more detail to the Court regarding some of the rōpū Ngāti Rēhia are a part of within Northland and the activities we have been involved that show the exercise of our mana, our rangatiratanga and kaitiakitanga within our rohe.

Whakatau Horopaki

6. Ngāti Rēhia describe ourselves as a key hapū of Ngāpuhi covering a geographic area from Oromahoe, Lake Omapere and Waitangi in the

south to Puketū, Te Tii and Takou Bay in the North.

7. I have read the documents that have been filed with the Court. There is mention of a place called Takou, numerous times. Therefore, I wish to begin my evidence by providing kōrero to the Court about my connection, in particular, to Takou. From there, the Court will see why I am so passionate about this place, about my hapū and our rohe.
8. In the Takou River is where the Mataatua waka is resting, this waka unites the iwi of Te Whānau ā-Apanui, Whakatohea, Ngai Te Rangi, Tuhoe, Hauraki hapū, and Ngāpuhi as a whole.
9. My connection to Takou, is through Te Kowhai. His son, Tareha te Kowhai, married my great-grandmother Tawhi Tua. They had two children: my grandfather Tame Tua, and his sister who we always knew as Toisa.
10. Their relationship between Te Kowhai and Tawhi Tua broke down and she then left Takou and returned to her own people in Ngāti Kaitangata in Matangirau. Tareha te Kowhai had a relationship with Kino and they had three daughters: Pirihiira, Ka, and Waitaruke.
11. Pirihiira married Watene Rameka. Pirihiira had Wi Watene, Pairama and Rehi. Wi and Pairama moved to Motiti Island in the Bay of Plenty. They played a major role with the hapū of Patuwai. My granduncles never ever returned to Ngāpuhi, they became the kaumatua for Patuwai at Motiti. They lived and died at Motiti Island.
12. My grandmother Rehi, married Tame Hoterene Tua. They had two sons Waitai (my father) and his younger brother Poirangi who changed his surname to Hoterene. My grandfather's surname should have been Te Kowhai, but when the relationship between Tareha te Kowhai and my great-grandmother Tawhi broke down, her son and her daughter took her surname, Tua.
13. Although we lived at Te Tii we always had a connection to Takou. All that

time, the land of Takou was farmed by my Uncles Rae Hou and Paki Hou. The Otaha and Takou lands were immense but somehow someone has sold most of our land. It's something that makes me angry today.

14. Since then, Takou has been central to my personal work for Ngāti Rēhia, although I will always have strong ties to Te Tii.
15. In 1975, when my father was dying, he said he wanted me to return to Takou Bay. I did not understand at the time why he was telling me to take our whānau back to Takou. Then I remember my father – while we were living in Te Tii he had no land. The land we lived on was through his children from his first wife. That was why he never ever participated in whaikōrero in the wharehui even though he was Ngāti Rēhia.
16. I can remember when my father used to attend Takou land meetings and the arguments over the land. In 1965, I remember my father returned from a Māori Land Court hearing in Kaeo where the Whangaroa Borough County Council had taken a case against the Takou Trust for one of the land blocks, D7, for non-payment of rates.
17. My father told me, “Ka tangi ahau i tēneiā mō ngā whenua kua riro nei i te Pākehā i tēnei rā”. My father told me the Whangaroa Borough Council won the case. This land is now owned by Kauri Cliffs Golf Course, the property of a Billionaire from America. The Whangaroa Borough Council and the Crown rated my people's lands and took it although the land was landlocked and there is no access.
18. In 1975, my young family and I returned to Takou. There was nothing at Takou. We camped on the opposite side of Takou on the lands of Otaha. The Otaha blocks are on the southern side of the Takou River and the Takou blocks are on the northern side.
19. I remember in January 1982, my sister and I swam across the Takou River. This is the first time I had set foot on the northern side of Takou. When I walked up on to the Takou whenua and I felt this warmth

overcome me, it was as if my ancestors were calling me back home.

20. My sister Marcia and I walked towards the remains of the old Takou Marae known as Te Whetu Marama. The dilapidated Marae was being used as a resting place for cows, who were roaming around on the whenua (Takou D3 and D8 lands). My sister and I cried. We never spoke as we found some ti tree to sweep ngā tutae kau off the remains of the floor.
21. After that experience I decided we had to find a way try to rebuild the Te Whetu Marae and papakainga. So this began my journey for the work I do for Takou.
22. But Takou is not the only significant place within te rohe of Ngāti Rēhia. Kipa talks more about these areas, I just wanted to highlight Takou.
23. It is important to understand that as a hapū that is surrounded by the moana, the moana is a part of everything we do and is often a part of the reasons why we do things. Our day-to-day life was governed by the tides, by the ability to gather kaimoana and by the tohu that we would receive from the wai. The knowledge concerning the moana and wai is a part of who we are as a people and the tikanga that we adopt which, in turn, expresses our identity as Ngāti Rēhia.
24. Therefore, the moana is very important to us as Ngāti Rēhia. How we connect to the water is different from how others do. Ngāti Rēhia have always been here. We currently have strong relationships with local authorities and Crown agencies within our rohe who recognise that this is our rohe moana and that we, Ngāti Rēhia, exercise our tikanga within these areas.
25. We have mana whenua over this area and mana as kaitiaki over our rohe moana. You just have to visit our rohe to see that there is no doubting our connection with our land and with our moana and waterways.
26. It is through the pepehā and whakapapa that has been provided by Kipa,

that we are inextricably linked to our world. Our social, cultural, environmental, and economic well-being is dependent on that continued connection and knowledge. Despite the numerous pressures and challenges faced by Ngāti Rēhia over the years as a result of colonisation, Ngāti Rēhia have consistently taken advantage of opportunities provided to us to ensure our connection to our rohe whenua, rohe moana and our people, is not lost.

Ngāti Rēhia Activities

27. I provide this part of my evidence to show that it is not just overfishing that effects our moana and the kaimoana in our waters. I also speak in more detail to the activities we have implemented, and continue to implement, to protect and look after our environment.

Sewage

28. Twenty years ago, the Far North District Council (FNDC) would pump sewage through the wetlands, which ultimately ends up in the sea through natural cracks in the ground. This has polluted our environment and during winter the Te Puna and Kerikeri Inlet moana must be closed down because of flooding. A few years ago, the FNDC wanted to renew their licence for another twenty years and I disagreed with this because I believed it would cause further damage to the Kerikeri Inlet.
29. The Kerikeri Inlet is an open area for families to come and collect oysters, and the sewage disposal system prevents this. The whole Pewhairangi area is affected by this sewage disposal system.
30. There is also pollution from the drainage system in Kerikeri town. It has an open drain that runs straight into the water, which will double the damage over the next twenty years.
31. The FNDC were re-developing the Bay of Islands sewage scheme so that all the sewage from the Bay of Islands would all end up in Kerikeri. My concern at the time, was if consent was to occur, it would damage the

entire Bay.

32. Ngāti Rēhia entered discussions with FNDC, some of which became heated. This was because of my strong opposition to them setting up these systems which pollute our rohe moana.

Pollution

33. There is also pollution from the farm runoff around the Bay, which flow into the water. For example, as a child I remember that the beach at Nikau Pa in Te Tii used to have white sand, but now there is more mud than sand because of the pollution caused by runoff.
34. From about 1997-2004, Ngati Rehia through TRONR successfully challenged recreational yachties about the dumping of their sewage between Ninepin Rock and Tapeka Point, Russell. It was something we felt we had to deal with because of our kaitiakitanga responsibility to the riu NgatiRehia . The Chairman at the time, Mr Remarie Kapa, attended the environment Court hearing and Tapuetahi Incorporation supported Remarie attendance on behalf of the hapū of Ngāti Rēhia .
35. We had a series of hui with local fishermen, local boaties like the Kerikeri Recreational Fishers, and locals. At first, they opposed this, but in the end we came to an agreement and there is no dumping of sewage in this area.
36. There are other examples of environmental degradation including the weather getting worse, so we are finding that a lot of the wash out (heavy rain) around Kerikeri and especially around Te Tii which has degraded the environment all along the coastline.

Fishing and Farming

37. In 1988, Ngāti Rēhia was concerned about the depletion of the kaimoana and the fish as commercial boats were coming up Te Puna Inlet and netting all the fish. The whānau were unable to sustain their own needs

and their cupboard of food was being raped by commercial fisherman operating under Crown laws. I highlight this here to show the Court, this is not a new issue for the hapū within our rohe moana but to also show the way in which we addressed the issues according to our tikanga and how we continue to address these issues, despite the multitude of barriers we come across.

38. A hui was called by Ngāti Rēhia kōtiro, Ruth Wiki, who worked at Auckland University to discuss ways of stopping this depletion and to establish a Taiapure in Te Puna to stop the commercial boats coming into the Te Puna Inlet. At that meeting Ngāti Torehina, several commercial and recreation fishermen were also invited.
39. I attended that hui at Whitiara marae. There was an agreement that Ngāti Rēhia would apply to establish a Taiapure and Ngāti Torehina supported the application. This is also discussed in the information in Tony Walzl's Ngāti Rēhia report of letters and minutes of meetings held during this time. I understand this report has been attached to the evidence of Kipa Munro, so I do not wish to attach again.
40. After a lot of work by Ngāti Rēhia with no resources and funds, the application was completed. It was sent into the then Ministry of Fisheries for consideration.
41. There were people in the Kerikeri Community who objected and the Taiapure application was declined in 1999 due to the objections of the Pākehā community. These were all based on their fear of not being able to boat race and have recreational fishing. It was a similar story to their objections to our mussel farm application, which I believe Kipa speaks about in his evidence.
42. However, Ngāti Rēhia whānau at Te Tii noticed that the Ministry of Fisheries had allocated a permit to a Pākehā to build an oyster farm right opposite Whitiara marae. My people did not know how to object as the person who was building the oyster farm promised the whānau that

there would be employment for them from his farming operation.

Participation in Te Rūnanga a Iwi o Ngāpuhi

43. In the 1980's Te Runanga a Iwi o Ngāpuhi (TRAION) was established as an Iwi authority and the kaumatua/kuia and whānau of Ngāti Rēhia supported TRAION. At the establishment of the takiwa within TRAION, Ngāti Rēhia marae delegates were elected and have participated since its conception.
44. Judah HeiHei (Ngāti Rēhia kaumatua) who became a Trustee on TRAION for the Takiwa of Taiamai Ki Te Marangai instigated that an application to Ministry of Fisheries for a Mahinga Mataitai to protect the customary areas for ngā hapū, at first for the Takutai Moana hapū.
45. Judah HeiHei called many hui of all the hapū in Taiamai Ki Te Marangai to discuss the areas which could be included in the application for a Mahinga Mataitai. He also called a small team mostly Ngāti Rēhia to work on the application and strategies for the application for the Mahinga Matatitai.
46. The team who did the initial work were Judah HeiHei, Re Kapa, Waata Rameka, Hugh Rihari, Whakaarongopai Rihari and myself. As we lacked resources and funds, we held these preparation hui either at my place at Takou or at Re Kapa's house in Te Tii.
47. TRAION staff would assist us, especially Allen Wihongi and his team. When all this work was completed Judah HeiHei called another hui to present the application and the plan. Judah also wanted the hapū to have a name for this application for the Mahinga Mataitai.
48. At a hui of the hapū of Taiamai Ki Te Marangai, the name was agreed for the Mahinga Mataitai application. The name would be Komiti Kaitiaki Whakature i ngā taonga o Tangaroa. I have read my whanaunga, Hugh Riharis, evidence regarding this rōpū and support his description of its purpose and how it has been operating.

49. On the 18 December 2002, the Mahinga mataitai was approved as a gazetted customary Mahinga mataitai area and the hapā included in this gazetted area was:
- (a) Ngāti Rēhia;
 - (b) Ngāti Whakaeke;
 - (c) Ngāti Torehina;
 - (d) Ngāti Tautahi;
 - (e) Ngāti Hineira;
 - (f) Te Uri Taniwha;
 - (g) Ngai Tawake;
 - (h) Ngāti Rangī;
 - (i) Ngāti Kawa;
 - (j) Te Hikutu;
 - (k) Ngāti Kura;
 - (l) Te Whiu;
 - (m) Ngare Hauata.
50. Another hui was held for hapū to elect kaitiaki for their areas. The kaitiaki were expected by the Ministry of Fisheries to do all this work for no payment. Over the years there has been no funding to train the customary kaitiaki for any funding needed by the Kaitiaki Roopu. They have to prepare funding applications.
51. The main role is the issuing of permits for customary gathering and to record the gathering of the kaimoana. Although these kaitiaki have been appointed, the regime often struggles within several internal issues that

have arisen. I do not believe those internal issues need discussing further for the purposes of this matter but rather, this kōrero, and the establishment of this rōpū, shows the coming together of these hapū that share the same coast and have shared areas or overlapping within our respective rohe moana.

52. It is right that these are the hapū that are involved in these decisions that directly affect their rohe moana. Ko te kōrero a Ngāti Rēhia, ko mātou kei konei, mā mātou e tiaki atu mō ngā hapū o Ngāpuhi.

Rahui

53. As part of the overall protection of our rohe moana, Ngāti Rēhia have supported rāhui being placed on a on several sites in the past for a variety of reasons.
54. In December 2009, the Rūnanga supported Te Kupenga o Ngāti Kuta me Patukeha ki Te Rawhiti in their proposal to have a rāhui laid down in Maunganui Bay (Deep Water Cove) to give fish stocks time to recover from being heavily fished. The Rūnanga informed the Ministry of Fisheries of its support for the rāhui. In 2010, Maunganui Bay was declared an official rāhui area.

Te Rūnanga o Ngāti Rēhia

55. The present day TRONR was established as a charitable trust on 8 April 2002. Prior to that there was Te Rūnanga o Ngāti Rēhia ki Te Tii Mangonui. TRONR was established as a voluntary organisation which operated on limited resources and the goodwill of the trustees and hapū members.
56. Today, I am happy to say that we have 9 Hapū Rangers and four Cultural Monitors trained as Kaitiaki within Te Riu o Ngāti Rēhia. Te Rūnanga o Ngāti Rēhia established a Ahi-Kaa Unit to work with different agencies and stakeholders within the riu of Ngāti Rēhia on issues of the RMA and practicing the Kaitiakitanga of the hapū of Ngāti Rēhia.

57. The role of the hapū of Ngāti Rēhia as Kaitiaki was mandated on the 13 February 1993 at Whitiara marae by ngā kaumatua o ngā hapū o Ngāpuhi.
58. Our mission statement is to develop a sustainable economic, social and cultural base for the continued growth of the hapū/whānau.
59. In 2004-2005 a small team of us Te Huranga HeiHei, Remarie Kapa, Waata Rameka, Hugh Rihari, Whakaaropai Rihari (Ngati Torehina), Peter Nutall (Consultant) and myself began the development of the Ngāti Rēhia Hapū Environmental Management Plan (“HEMP”) book by TRONR and involved Ngati Torehina.
60. The first draft HEMP was presented in 2006 to all Ngāpuhi hapū, FNDC, Northland Regional Council (NRC), New Zealand Historic Places Trust, Department of Conservation (DOC) and Te Puni Kokiri (TPK). The final version was presented to Ngāti Rēhia and Ngati Torehina in February 2007 after extensive consultation with these groups.
61. A key driver for the production of our HEMP was our desire to be recognised as serious stakeholders within Te Riu O NgatiRehia and surrounds. This was a large part in establishing our credibility. It sets out our current position and our vision for the future. It focuses on our hapū but seeks positive outcomes for the entire community and neighbouring hapū.
62. The wide-ranging input sought, and breadth of coverage of the HEMP, indicates how greatly Ngāti Rēhia values its relationship with other hapū, the wider community, and the relevant local and central government agencies. It also indicates the level of involvement we seek for ourselves in Kerikeri.
63. In 2014, we completed an updated of our HEMP as it was crucial that we kept this document relevant and purposeful. The process we followed included holding a hui at Whitiara Marae in Te Tii Mangonui in 2011 and

three meetings with FNDC engineers, planners and Māori advisors for FNDC in 2012. The draft report was presented on 21 May 2014 to FNDC, NRC and Te Rūnanga-Ā-Iwi-O-Ngāpuhi (TRAION) staff. We extended an invitation to all neighbouring hapū and in response representatives from Parawhenua Marae, Uri Taniwha, Ngati Torehina and Ngati Hine attended in support. I believe Kipa has attached the latest version of our HEMP document in his evidence.

Local Government Relationships

64. One of the main things the Rūnanga and I have been involved with and devoted ourselves to is relationships with local government bodies and dealings with their rules and processes, especially those related to management of our environment in one way or another.
65. Right up until the last few years, we had continual struggles with the local Councils. That is not to say that everything is smooth sailing now, but it is certainly a lot better than it use to be.
66. Regarding our past Northland Regional Council relationship, it was their policies and practices that we, as Ngāti Rēhia, struggled with. A good example of this was when they were actually pumping sewage into the water (as mentioned above). Our Chairman, was concerned as it would affect our kaimoana. Ngāti Rēhia was the only hapā who put in submissions to oppose the discharge from Waitangi Forestry.
67. I remember Remarie Kapa attending meetings in Whangaroa speaking up at the Taiamai Ki Te Marangai Takiwa meetings to get support to stop FNDC/NRC agreeing to discharge sewage into our moana. Remarie Kapa, supported by Monica and Arthur Ashby, managed to get support from the community, but no one was willing to fund a submission.
68. Ngāti Rēhia managed to fund Re Kapa to attend the Environment Court hearing in Paihia and to speak to his submission. Re told me when he got to the Environment Court Kevin Prime from Ngāti Hine was there. Kevin

Prime, Re Kapa and Monica and Arthur Ashby worked together at that hearing.

69. The outcome agreeing to take the discharge out to the Ninepin Island. I remember Re telling me it was not an ideal decision, but it was better than being discharged on our backyard.
70. TRONR have also been able to ensure that Kauri Cliffs, the famous Amercian owned Golf Course, send us reports every year of how much water they are taking and if they take more then we want to meet with them to discuss. This has happened through the TRONR HEMP processes.
71. The past 20 years or so was a real struggle for our hapū and for us “volunteer members” of the Rūnanga and for our hapū. We would constantly be faced with challenges to Ngāti Rēhia’s status as AhiKaa/Kaitiaki. Some examples are with Rangitane, the Kerikeri Bypass and the taonga tuturu that developed from it, Kororipo Pā, and the Kerikeri Basin, for all of which Te Rūnanga o Ngāti Rēhia has had, pretty much unaided, had to defend itself and the standing of Ngāti Rēhia on our own whenua.
72. Many of the past challenges have ended up in the Environment Court and the Māori Land Court. The Rūnanga on behalf of its hapū have had to bear the costs and these costs come in the form of time, effort, money and simple workload and emotional strain for hapū members.
73. Following our signing of our Mana Whakahono with the Council, we only hope that our relationship will now strengthen and be more meaningful, providing for true recognition of Ngāti Rēhia mana and kaitiatanga in riu.
74. Recognition and responsibility go hand in hand. We continue to be constantly involved with Council processes and actively involved in monitoring resource consents, coastal permits, and other applications that affect the natural, physical or heritage resources of importance to

Ngāti Rēhia. But the reality is, we still do not have the resources to keep on top of everything within our rohe, perhaps that is how we missed this application.

Ngāti Rēhia as Contemporary Kaitiaki

75. Ngāti Rēhia today continue their role as Kaitiaki within our rohe moana. I have attempted to provide a list of all the rōpū I have been on to advocate for Ngāti Rēhia:

- (a) Represent Ngāti Rēhia hapū on Te Taitokerau NRC Māori Advisory Rōpū
- (b) FNDC Māori Advisory hapū rōpū 2005- 2021.
- (c) Original Ngāti Rēhia hapū representative in Te Kotahitanga and Treaty Settlement Rōpū
- (d) Ministry of Education Kaitakawaenga 2003-2021
- (e) Chairperson of the Taiamai ki te Marangai Takiwa 2009 -2021
- (f) Secretary of Taiamai Ki Te Marangai 2002- 2009
- (g) Treasurer of Taiamai Ki Te Marangai 1999- 2002
- (h) Takou Ahu-whenua Trust Trustee 1993-2005
- (i) Takou Reservation and marae Trust 1993-2021
- (j) Te Runanga O Ngāti Rēhia Trustee 2002-2021
- (k) Awarded MNZM in 2015.

76. I have viewed the maps that have been filed to date and the descriptions of areas that have been provided by parties to these proceedings and it is clear that there is some overlap into Ngāti Rēhia area or the subject areas are so close to Ngāti Rēhia boundaries, that it will no doubt have an effect on our rohe moana practices.

77. Therefore, the potential impact that any decision from the proceedings will have on our hapū is very real. We are not simply a grouping or a hapū that is interested in the outcome of the applications, as the Court can now see from the evidence we have provided, these applications relates to our traditional rohe moana and has the potential to effect how we exercise our kaitiakitanga.
78. While we appreciate and support Ngāti Kuta and Te Patukeha attempting to implement process within their rohe moana to protect their environment, we do not support Pākehā institutions applying for orders that would allow for the implementation of restrictions that are not based on our tikanga, and would ultimately have the potential to effect our rohe and the practise of our tikanga.

DATED at Kerikeri this 25th day of May 2021



Nora Rameka