

Cultural Impact Assessment

Whangārei Wastewater Treatment Plant Discharges

Kioreroa Road, Whangārei

Whangārei District Council

**Report Prepared on
Behalf of:** Te Parawhau Hapū

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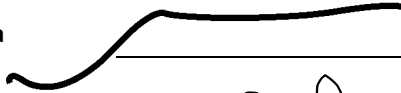
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The cultural information in this report is the intellectual property of Te Parawhau Hapū. Information contained in this report is to be used only by the Whangārei District Council, (the applicant) or their authorised representatives for the purposes of renewing a suite of resource consents associated with the Whangārei Wastewater Treatment Plant (WWTP) on Kioreroa Road, Whangārei.

Use and replication of this report by any other party, in any other circumstance will be subject to the written approval of Te Parawhau Hapū.



1. Introduction

1.1 Scope and Limitations

The assessment of cultural effects discussed in this report is limited to the information provided in the resource consent application prepared by GHD Limited on behalf of the Whangārei District Council (WDC) along with the set of specialist reports contained within its appendices. A copy of these documents is provided at **Appendix A**. Accordingly, any change in the proposal as described by these documents will require this Cultural Impact Assessment (CIA) to be reviewed and amended, or a new CIA prepared.

Note 1: Hapū, Te Parawhau Hapū, and Te Parawhau are used interchangeably throughout this report and refers to the wider group who whakapapa to a common tupuna.

1.2 Project Overview

1.2.1 Existing Consents

WDC hold a suite a of resource consents associated with the WWTP operation. The resource consent states “The existing WWTP is authorised by a suite of consents (AUT.004352.01 - 05) for the discharge of contaminants to the coastal marine area (Hāhā Creek), land and to air, and the establishment and use of a structure in the coastal marine area issued by Northland Regional Council (NRC) on 3 May 2004 and are due to expire on 30 April 2022. In addition, WDC hold short-term consents for the discharge of treated wastewater to Council gardens and closed sports fields during times of water restrictions (consent number, AUT.041633.01 - 02) issued by NRC on 4 March 2020 which is due to expire on 23 February 2023” (GHD Limited, 2021).



1.2.2 ***Proposed Suite of Resource Consents (Renewal)***

WDC has lodged an application for resource consent with NRC for the continued discharge of treated wastewater to land and water including discharge to natural wetlands (coastal mangrove wetland), and associated discharge to air (odour), including the use and occupation of a structure in the coastal marine area for a maximum 35 years.

Additionally, WDC seek to obtain consent to reuse of treated wastewater on Council gardens and sports fields during drought restriction level 1 (as a voluntary activity to manage water use) and Drought restriction level 2 and above (GHD Limited, 2021).

1.2.2.1 **Adaptive Pathway Planning**

As outlined in the resource consent application an ‘Adaptive Pathway Planning’ approach to decision making of upgrade options forms part of the proposal and includes:

- “Augmentation works” on the existing process to increase plant capacity in the short-term to improve plant performance and resilience to meet existing consent discharge limits, focusing particularly on improved treatment of ammonia, suspended solids, pathogens, and odour management.
- Significant upgrades to the plant in the medium term (approximately next 10 years) following review of the draft Adaptive Pathway Plan, to improve effluent quality and prevent further degradation of the receiving environment whilst accommodating forecasted population growth and any other drivers for change as they present themselves.
- Implementation of a 12-month comprehensive baseline monitoring programme of the WWTP discharges and receiving water environment to support the development of long-term trigger values and a long-term monitoring programme, to ensure no further degradation of the upper harbour water quality



occurs as a result of the WWTP operations, in line with the intent of the Proposed Regional Plan for Northland.

- Implementation of six-monthly odour surveys and annual recommendation reporting to ensure no deterioration of air quality occurs as a result of the WWTP operations.
- Development of a suite of Management Plans and supporting Monitoring Plans to give effect to the Adaptive Pathway Planning approach to managing the receiving environment with regular review and stakeholder engagement on the plans over the term of consent (GHD Limited, 2021).



2. Cultural Impact Assessment

2.1 Purpose

The primary objective of this Cultural Impact Assessment (CIA) is to identify and assess the impact arising from the WWTP at Kioreroa Road upon the cultural values (both positive and adverse) of Te Parawhau Hapū who retain mana i te whenua of the surrounding waterways, whenua and the project area, and to provide a means by which any adverse effects on Te Parawhau's cultural values is to be avoided, remedied or mitigated.

The purpose of the CIA can then be understood to:

1. Acknowledge Te Parawhau through cultural obligations that connect them to the whenua, project site and surrounding area.
2. Identify and document Te Parawhau's cultural values associated with their ancestral lands and waterways, in and around the project area.
3. Identify the potential effects (positive and negative) on Te Parawhau's cultural values for current and future generations, arising from the proposal.
4. Provide an assessment of those matters outlined in Part II of the Resource Management Act (RMA) and other relevant legislation, considering the proposal to evaluate the degree of effects on Te Parawhau's cultural values.
5. Determine appropriate measures to avoid, remedy or mitigate potential adverse effects on Hapū cultural values. These measures will be included as conditions of consent and, or a side agreement with the WDC as the consent holder.

2.2 Methodology

The following methodology was employed in the preparation of this CIA:

- Several hui with Simon Charles, Sarah Irwin from WDC including their project representatives from GHD, Mira Norris, Pari Walker, Ben Pittman, Mike Kake, Hinemoa Apetera and Nicki Wakefield (Te Rewarewa D representatives), Rina Tahitahi, the author and whanau from Te Rewarewa D.
- Review the draft resource consent application and conditions of consent, consultants reports and plans (engineering reports, ecological assessment etc).



- A review of the provisions of the RMA, National Policy Statement, National Environmental Standards, and other relevant legislation.
- Research of previous reports prepared by Te Parāwhau to aid in the understanding of the whaikorero specific to the site and surrounding area.
- Facilitate 3 hui (2 day time hui, 1 evening hui) with Hapū to record their whakaaro in relation to this take.
- A site walk over with WDC (Simon Charles and Sarah Irwin) and Hapū members (Selwyn Norris, Pari Walker, Mike Kake, Hinemoa Apetera, Aaron Armstrong, Rina Tahitahi and Georgina Olsen) was undertaken 13 January 2022.
- Distribution of a 'draft' CIA to the roopu kaumatua for review and to discuss on behalf of Te Parāwhau, to enable their feedback to be incorporated into the final version.
- An online hui to review and approve the CIA for release was held 21 February 2022 with Mira Norris, Nicki Wakefield, Pari Walker, Rina Tahitahi and Hinemoa Apetera.

2.3 Engagement with Hapū

Mira Norris Te Parāwhau Hapū and Nicki Wakefield on behalf of Te Rewarewa D Block formed a part of the WWTP Working Group and have worked with WDC over the past 2-3 years on this project.

Georgina Olsen the author of this CIA also participated in two hui on behalf of Te Parāwhau Hapū May and June 2021 as a part of the CIA process.



3. WWTP Site Description

3.1 Location

The whenua occupied by the WWTP located at 79 Kioreroa Road is situated approximately 800 m southwest of the Kioreroa and Lower Port Road intersection and around 3 km south of Te Ahipupurangi A-Ihenga, (the Town Basin) Whangārei and just over 800 m northeast of Rewarewa D, a Te Parawhau Hapū land block.

Constructed wetlands associated with the WWTP are located generally 200 m northwest and approximately 1 km southwest of the plant.

A location plan is provided at **Illustration 1** below to show the whenua in the wider environment.

Illustration 1: Location Plan (yellow outline – WWTP, Wetland 1, Wetland 2)



Source: Excerpt from GHD Limited – Resource Consent Application WWTP Discharge. A full copy of the resource consent is provided at Appendix A.



3.2 Watercourses

Treated wastewater from the WWTP discharges via six cascade structures at Wetland 1 and six cascades at Wetland 2 into the Hāhā Awa, an ancestral waterway.

The following watercourses are located within close proximity of the WWTP:

- The Hāhā Awa
- Otāpipi Awa
- Korowai Awa
- Wharekiri and Waiti
- Hoteo and Whangārei Terenga Paraoa

3.3 Topography

Located at the foot of the Pā of Pukeatua, the whenua occupied by the WWTP is generally flat and located at the mouth of the Otāpipi Awa, an ancient ancestral waterway.

From the WWTP, the whenua traverses Kioreroa Road and gently slopes north towards to the Hāhā Awa.

The following pā surround the WWTP:

- Tarewa,
- Okara,
- Opau,
- Pukeatua.



4. The Proposal

4.1 Overview

The Resource Consent Application (RC) prepared by GHD details the activities covered by the RC to NRC. The application entails replacing the suite of existing resource consents held by WDC associated with the WWTP including the reuse of wastewater on sports fields and gardens with long term resource consents sought for a 35-year period.

The following activities are covered by the RC.

- Discharge of tertiary treated wastewater to land and via wetlands to the coastal marine area,
- Discharge of contaminants (odour) to air,
- The reuse of treated wastewater onto Council owned gardens, trees/sports fields.

4.2 WWTP Catchment Area and Influent Activities

The WWTP services Springs Flat, Maunu, Raumanga, Onerahi / Whangarei (GHD Limited, 2021).

The WWTP receives wastewater from; commercial laundries, vehicle washes, supermarkets, major restaurants, water treatment, fish processing plants, campgrounds, aquatic centre, food and concrete manufacturers, ship maintenance facilities, landfill leachate (Pohe), cafes, small restaurants, butchers, dentists, takeaways and hairdressers and septage waste via trucks (including septic tank sludge, grease trap waste, landfill leachate (Puwera) and industrial and dairy factory wastewater (GHD Limited, 2021).

It is noted that trade waste from Mortuaries and Funeral homes are also received by the WWTP but not included in the list of activities outlined in the AEE.



4.3 Current Population and Estimated inflow rates

Current population connected to the WWTP is approximately 65,000. WWTP influent flow data indicates this equates to an average daily flow (ADF) of 15,250 m³/day (or 235 litres/day per EP). The maximum daily flow was recorded as 100,084 m³/day (corresponding ratio of Maximum Daily Flow to Annual Average Flow ~ 6.5x). This figure does not include the 1 in 500-year storm event which occurred in July 2020 and resulted in 146,000 m³/day (GHD Limited, 2021).

4.4 Existing Augmentation Works

“Augmentation works” to increase plant capacity stated in the RC to improve plant performance and resilience focusing on improved treatment of ammonia, suspended solids, pathogens and odour management are proposed in the short term.

Specific short-term plant augmentation works proposed to be implemented by 2024-2025 include:

- New septage receival station to receive trucked septic tank waste for direct loading into the sludge thickeners and continue the existing receiving station for trucked industrial wastes only.
- Converting the idle basin to an activated sludge basin including new aerators, to address ammonia spikes in the final effluent.
- Upgrades to the UV disinfection system to consistently meet current consent conditions.
- Tertiary filters between the secondary clarifiers and UV disinfection to address the elevated suspended solids in the effluent.
- Centrifuge replacement (due to aging asset life).
- Covering of bins and further investigation into the equalisation basin operations to better manage potential odour emissions (GHD Limited, 2021).



4.5 Adaptive Pathway Planning Approach

To respond to future population growth, climate change and future changes in legislation, WDC have developed an Adaptive Pathway Planning Approach. Five primary pathways are identified under this approach. These are summarised below.

4.5.1 *Pathway 1: Improved Quality*

Pathway 1 considers capacity upgrades required to improve effluent quality to prevent further degradation of the receiving environment and to accommodate the forecasted 2056 population of 95,000 EP. Upgrades would be achieved by improving treatment of BOD₅ (5-day Biochemical Oxygen Demand), suspended solids, E coli and a gradual reduction of nitrogen and phosphorous concentrations to maintain the current mass loads discharged to the Awa.

Four sub-pathways (1a-1d) under Pathway 1 are defined. These sub-pathways include options to expand by adding activated sludge tanks in incremental periods, increasing the plant with larger activated sludge plant to accommodate the anticipated 95,000 EP, retrofitting the activated sludge tanks to increase quality of treatment, adding Membrane Bioreactors (MBR) with existing trickling filter/activated sludge process capped at 15-18ML/d (GHD Limited, 2021).

4.5.2 *Pathway 2: Enhanced Quality*

Pathway 2 considers reducing the total nitrogen and total phosphorus limits beyond those in Pathway 1 by applying an alternative process intensification (MBR).

Key infrastructure required is like Pathway 1, except the entire process would be switched to a MBR process. As part of a chemical dosing upgrade for phosphorous removal, a review of the anticipated solids generation is required to determine if any solids handling upgrades are necessary (GHD Limited, 2021).



4.5.3 ***Pathway 3: Treated Effluent Reuse and Alternative Disposal***

Alternative methods of treated effluent reuse and disposal are considered with this pathway. Three sub pathways are identified (pathway 3ai, 3aii, 3b, 3c) which includes effluent reuse for public space irrigation or other restricted access irrigation, industrial reuse opportunities for recycled effluent, land-based disposal as a complement to the existing wetland and Hāhā Awa disposal including combined ocean outfall with Ruakaka WWTP (GHD Limited, 2021).

4.5.4 ***Pathway 4: Biosolids Management***

Pathway 4 considers future solids handling upgrades, accounting for possible future requirements that all biosolids must be stabilised.

Three sub-pathways, (4a, 4b, 4c) are defined and include the status quo for biosolids, replacing existing centrifuges (reaching end of life), with the addition of recuperative thickening to increase sludge retention time of two digesters. Enhanced quality of biosolids requires the sludge to achieve Class B stabilisation and an additional third digester to treat secondary waste sludge. Converting the WWTP to a regional biosolids centre is considered as a part of pathway 4c (GHD Limited, 2021).

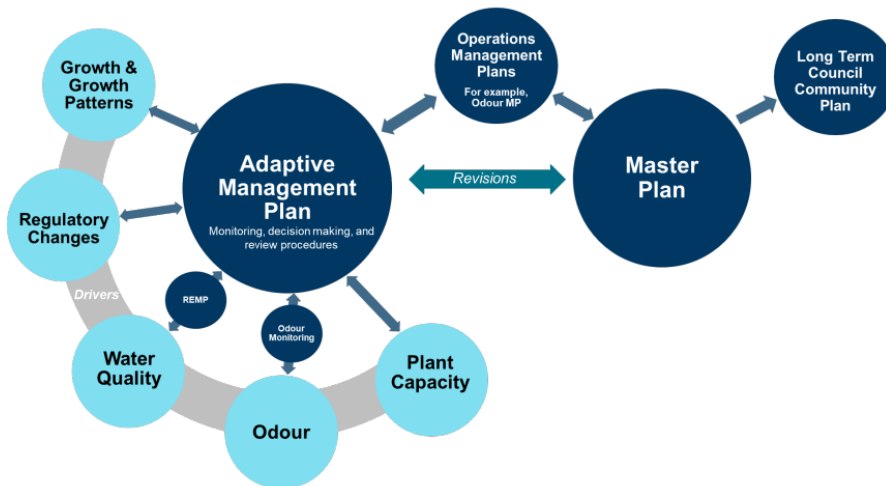
4.5.5 ***Pathway 5: Odour Mitigation Management***

Pathway 5 considers air quality management. Six-monthly independent odour surveys in conjunction with review of odour complaints are proposed. Two sub-pathways (5a and 5b) are defined and entail air quality minor augmentation, covers for sludge and screening bins including an EQ basin odour investigation. Air quality improvement considers additional odour treatment (GHD Limited, 2021).

A suite of management plans (shown at **Illustration 2**) which includes an Adaptive Management Plan, Operations Management Plans, a Master Plan including monitoring programs are proposed as a part of the Adaptive Planning Approach.



Illustration 2: Adaptive Management Planning Documents



Source: Excerpt from GHD Limited – Resource Consent Application WWTP Discharge. A full copy of the resource consent is provided at Appendix A.

4.6 Hapū Adaptive Management Strategy

In keeping with Council’s Adaptive Pathway Planning Approach and in response to the proposed RMA reforms which seek to ‘give effect to’ Te Tiriti principles, Hapū have adopted an Adaptive Management Strategy. This Strategy will enable Hapū to:

- Safeguard their taonga from harm, by enforcing a ‘Zero Tolerance’ approach,
- Undertake their kaitiakitanga obligations,
- Collaborate with WDC as Te Tiriti partners.



4.7 Medium-Term Plant Upgrade and Expansion

Pathways 1b and 1d are being considered to meet anticipated population growth (82,000 EP).

These upgrades include:

Table 1: Adaptive Management Planning Documents

Pathway 1b upgrades:	Pathway 1d upgrades
Inlet works upgrade	Inlet works upgrade
A new large reactor tank to replace No.TF 3 & 4	A reactor tank to replace TF No.2
Additional secondary clarifier	MBR trains
Sludge upgrade	Sludge upgrade

Source: Excerpt from GHD Limited – Pg 9 Resource Consent Application WWTP Discharge.

4.8 Resource Consents Required

Resource consents are required in accordance with Section 47(3)(a)(b) of the National Environmental Standard Fresh Water (NES FW) and Rule C.1.1.1, and C.6.2.2 of the PRPN (Appeals Version) for the renewal of resources consents associated with the Whangārei WWTP and land application of treated wastewater to Council gardens/ closed sports fields.

Overall, the proposal requires assessment as a **Discretionary Activity** under the NES FW and the PRPN.



Te Parawhau

4.9 History and Association with the Project Area

Māori descend from tupuna who migrated by waka from the central Pacific. Significant migratory patterns are evidenced by the arrival of tupuna waka landing at Whangārei Terenga Parāoa (Whangārei Harbour) which included Tū Nui ā Rangī, one of Te Parawhau's tupuna waka.

“Whangārei formerly belonged to the Ngāi Tāhuhu people. Their descendants trace their whakapapa from the eponymous ancestor, Manaia, or from the ancestor Tāhuhunui-o-te-rangi who is said to have arrived here in the waka Moe Karaka which landed on the coast between Te Kawau Island and Whangārei.

Fourth in descent from Manaia is Tahuhu-Potiki who married Reipae, daughter of Tuihu of Waikato. Reipae and her twin sister Reitu were on their way to Whangape. Reipae stopped at a place she called ‘One rahirahi’ (Onerahi), and then wandered along the shores of the harbour where she met Tahuhu-Potiki. Their meeting place was given the name ‘Te Whanga-a-Reipae’, and this became abbreviated to Whangārei which was later applied to the whole district at the headquarters of the harbour.

Meanwhile Reitu continued her journey until she reached Whangape Harbour where she married her kinsman, Ueoneone. Reitu became a famous ancestor of many tribes of Ngāpuhi.

Over the years, Ngāi Tāhuhu grew in strength and numbers as they established themselves around the Whangārei harbour and further inland. These people established management patterns of ownership rights, shared rights, rahui and tapu over the resources of the area.



Circa late 1700s Ngāpuhi rangatira, Te Ponaharakeke, Waikeri with their children and Te Wha migrated to Whangārei. Te Kahore, son of Te Ponaharakeke fell in love with Pae, daughter of the Ngai Tahu chief and sought the assistance of one of his kinsmen, a Tohunga, to support his plea for her. Subsequently, Pae accepted Te Kahore as her husband, gifting him the shark pools in the harbour. To Te Kahore's surprise a taua ope (war Party) of Ngāpuhi came. The taua was planned by Ngarokiteuru, who was living on the north side of the harbour, and Te Ponaharakeke. During the ensuing battle, Te Kahore and Pae were living on Pae's tupuna whenua at Toe Toe. Te Kahore was able to save the lives of some of the Ngai Tahu people by gathering them under his protection at Toe Toe.

The main Ngāpuhi chiefs involved in this ope were Te Ponaharakeke, Te Ngarokiteuru, Te Waikeri, Tawhiro, Te Tokaitawhia, Te Wha (aka Te Whara), Hautakere, Te Kahore, Te Whata, Haumia, and Pohuri. The conquerors divided the land amongst them, and some took Ngai Tahu as wives. Te Kahore claimed Whatitiri as Pae had told him of the excellent unoccupied lands there when he became dissatisfied with living on the edge of the harbour. Te Waikeri took Pukenui and north. Hautakere took Maungatapere, Pukeokui and blocks further south. Te Whata took Mangapai. Tawhiro and Tirarau 1st took Aotahi (west of Wairoa Awa) and Hihi.

Later on, in a retaliatory battle Te Wha and Hautakere were killed by Ngāti Whatua of Kaipara. The Ngāti Maru people from Hauraki attacked and killed Tawhiro at his Pā Motukiwi (Tapu Point). Tokaitawhia, son of Tawhiro, was killed when fighting at Maungataniwha. Te Ponaharakeke, Te Waikeri and Tirarau 1st were killed by the Ngāti Wai from the southern Bay of Islands. After Te Tirarau 1st's death, and in commemoration of the manner in which the body was returned to his people, the people adopted the tribal name ***Te Parawhau***.



But the Whangārei people were vulnerable where they lived at the southern extremity of the tribal land of the federation of Ngāpuhi tribes. The enemy tribes to the south when seeking utu for the injuries they had suffered at the hands of Ngāpuhi, sent retaliatory expeditions to the north, not as far as the populous Bay of Islands but to the more accessible areas on the coast. Thus, Whangārei in Particular was to suffer attack after attack by enemy war parties that penetrated right to the head of the harbour and into the interior until 1832, when the last battle took place in Whangārei harbour.

During this time of constant warfare, Te Parawhau, who occupied all the western shore at the head of the harbour and had a number of Pā there became the strongest tribe in the area. The acknowledged war leader of Te Parawhau was the chief Kukupa” (Fletcher, Marina, 2010).

When the first Europeans settled in the district in 1839, the paramount chief of the area was Te Tirarau 3rd son of Kukupa (Fletcher, Marina, 2019). Te Tirarau Kūkupa or Tirarau 3rd succeeded his father and held chiefly authority over the Whangārei area and the area south and west of Whangārei Terenga Parāoa including Opau, Kioreroa, the surrounding lands and waterways including the Hoteo and Hāhā Awa.

The above information was collated from various CIA’s/Tāngata Whenua reports prepared by Whaea Marina Fletcher on behalf of Te Parawhau. Details of these CIA’s can be seen in the reference list at the back of this report.

This cultural narrative does not seek to represent the korero of other whanau or to exclude other rangatira or tupuna. The author and contributors to this CIA acknowledge the diverse tātai ki te tāngata, whakapapa ki te whenua.



4.10 The Subject Whenua

Hāhā Awa /Otāpipi Awa/Kioreroa Block/Te Rewarewa/Pukeatua Pā

The WWTP is located within Te Parawhau's ancestral lands. Tāngata whenua that reside their today, still occupy or remain in possession of their ancestral lands located within close proximity of the site at Rewarewa, Toe Toe, Ruarangi and Otaika.

The waterways, including the Hāhā Awa that flow into the Harbour provided vital transportation routes to the safety of inland Pā in times of war and sheltered lands for establishing and harvesting mara kai throughout the year.

Tauranga ika, mahinga mātaītai areas comprising species such as Tio (Oyster), Pipi (Kōkota), Karahū (Mud Snail) and wānanga situated in the area provided tāngata whenua at this time with a sound economic base (Fletcher, Marina, 2008) and access to resources.

The activities arising from the WWTP have a detrimental impact on the receiving waters of the Whangārei Terenga Paraoa and Hapū.

4.10.1 *Hāhā Awa*

Ngā awa (Rivers/Waterways) are the life force or the mauri that sustains he tāngata (the people) and the land.

As the name implies, Hāhā means rich and succulent food. Hāhā Awa was thus named because of its abundance of succulent food (Norris, Te Parawhau Kaumatua, 2021).

Access along the Hāhā is no longer possible either by boat or on foot. Manawa (Mangroves) proliferate the banks and the estuarine edge optimising on the sedimented/muddy conditions that now exist along the length of the Awa.



Pollutants arising from sediment runoff from nearby development now established within the awa has markedly changed the original pristine environment within the Hāhā. Kai moana species that originally inhabited Hāhā and the Hoteo Awa have subsequently all but disappeared.

Hāhā Awa is a culturally significant waterway traditionally used by hapū to collect kai, undertake traditional sacred activities, and used as a transport route providing access to and from Hapū ancestral lands to the south and to Whangārei Terenga Paraoa and lands to the north and east via the Hoteo Awa.

4.10.2 *Otāpipi Awa*

The WWTP is located within the naturally formed tidal mouth of the Otāpipi Awa which flowed from a puna (name unknown) with its source on Te Rewarewa out to the mouth of the Hāhā Awa. The abundance of Raupo still present along the western boundary of the whenua occupied by the WWTP is evidence of where this ancient Awa once flowed.

Once visible on aerial maps dated circa 1865- 1987, large sections of the Otāpipi Awa are no longer visible as it has been “engineered out existence”, filled in by WDC. These works have significantly diminished the mauri of the Awa and the Hapū and must be remedied.

4.10.3 *Kioreroa Block*

The Kioreroa Block is an ancestral Te Parawhau land block originally comprising 3891 acres which extended to the Hāhā Awa to the north, Opau Block (No 1 and 2) and the coastal foreshore to the northeast and east. The Kioreroa Block extends as far west as Whatitiri. Several other land blocks including Te Rewarewa, Toetoe, Ruatetaniwha adjoins the blocks southern boundary¹.

¹ Kioreroa Historical Land Block, Nicki Wakefield 21/2/2022



As noted in the Court minute book in 1876², “Renata Manihera desired the Court to place the names of Taurau Kukupa and Te Wharepapa on the title of the Kioreroa Block” (Apetera, 2022).

The Kioreroa Block was the last block taken by the Crown under The Wastelands Act in 1876. The Whangarei High School Endowment Act was created, and Hapū land lost forever to the crown and local government’s agenda to establish education boards (Apetera, 2022). In 1879 under the Harbour Endowment Act, The Crown also took ownership of all land within the immediate area which included the whenua now occupied by the WWTP and wetlands as the whenua was covered by the tide at high water. The local Council also took the top portion of the adjacent Opau block including Kioreroa Hill even though it was not identified as being part of the endowment land (Norris, Mira, 2013). Kioreroa Hill and adjacent Pā was mined to provide fill for Whangārei Harbour Boards reclamation lands (Norris, Mira, 2013). This destruction including the construction of roads, the railway and other development has resulted in the desecration of pā, maunga, kāinga, mahinga kai, mauri and wairua.

Development over the past 60 years had a profound adverse effect on the habitat for species traditionally found within the Otāpipi Awa the Hāhā and the Hoteo, along with Te Parawhau’s ability to uphold their kaitiaki obligations, access to kai, wāhi taonga, economic and social wellbeing. Development has greatly diminished the mana and mauri of the waterway, mana atua which in turn directly affects he tāngata.

² Kaipara Minute Book No.2, pages 163-164 21 September 1876



4.10.4 *Te Rewarewa Block*

Otāpipi Awa, an ancient waterway with its source on Te Rewarewa was historically used by the tribes as a source for kai, wai and spiritual sustenance. Otāpipi Awa, once visible on aerial maps dated 1865-1987 has since been “engineered out of existence” and can no longer be seen on any maps (Apetera, 2022).

Wharekiri Awa which joins Te Waiti Awa to the Hāhā Awa (Apetera, 2021) are located adjacent to the western most wetland (Wetland 2) and flows along Te Rewarewa’s northwest boundary. Like all awa, the Otāpipi Awa, Wharekiri and Te Waiti Awa are taonga and are now highly degraded and in many cases are no longer visible. Nonetheless, although highly degraded the mauri and wairua of these awa still exists. Access to Wharekiri and Te Waiti Awa is no longer possible due to the physical barriers created by roads, sedimentation, and a proliferation of Mangroves.

4.10.1 *Pukeatua Pā*

As mentioned above, the WWTP sits at the foot of Pukeatua Pā, a lookout point and a place where traditional Hapū activities took place. The northern part of this Pā also named Kioreroa Hill/Puke has been excavated by developers to a point that the whenua is no longer as it once was.



5. Legislative Framework

There is a wide body of legislation and statutory documents that provide for the recognition of tikanga Māori and cultural values. This legislative framework is not only important to the context of this report but also requires proper consideration as part of the decision-making process for any resource consent application being assessed. The relevant legislative documents are discussed below:

5.1 Te Tiriti o Waitangi

The articles contained within Te Tiriti o Waitangi (Te Tiriti) and its principles are referenced in legislation, including the Resource Management Act (RMA).

Te Tiriti is the underlying foundation for the Crown (which includes local authorities as representatives of the Crown) and iwi/hapū relations regarding resource management. Protecting the values and interests of tāngata whenua and enabling Māori to exercise their resource management are obligations under Te Tiriti.

The principles of Te Tiriti include:

- a) **Rangatiratanga** – the duty to recognise Māori rights of independence, autonomy and self-determination. This principle empowers Māori to determine and manage matters of significance to them.
- b) **Partnership** – the duty to interact in good faith and in the nature of a partnership. This includes a sense of shared enterprise and mutual benefits; where each partner must take into account the needs and interests of the other.
- c) **Active protection** – the duty of the Crown to proactively protect the rights and interests of Māori, including the need to build Māori capacity and capability.
- d) **Mutual benefit** – the need to recognise that benefits should accrue to both Māori and non- Māori, and that both must participate in the prosperity of Aotearoa.



e) **The right of development** – recognising that Te Tiriti rights are not confined to customary uses or the state of knowledge as at 1840, but include an active duty to assist Māori in the development of their properties and taonga.

Comments:

Rangatiratanga – empowers Māori to determine and manage matters of significance to them. As documented above, the subject site and surrounding areas are located within Te Parawhau’s ancestral lands and waterways.

Surrounding cultural landmarks of Opau, Tarewa Pā, Wharekiri, Te Waiti, Hāhā, Hoteo Awa, Whangārei Terenga Paraoa surrounding whenua including their tupuna marae located higher in the catchment are of great cultural significance to Te Parawhau.

Protection of Hāhā Awa, surrounding waterways, whenua and the restoration of whanaungatanga that has been lost through the successive alienation of land and the erosion of Māori history and tikanga is of paramount importance to Te Parawhau.

Te Parawhau exercise their right in accordance with the principle of rangatiratanga under Te Tiriti to ensure the suite of resource consents outlined in the resource consent application are undertaken in a way that the proposed renewal of consents is undertaken in a way that avoids any further degradation of their cultural values and taonga.

The recommendations at **Section 10** seek to empower Te Parawhau to exercise their right in accordance with the principle of rangatiratanga (First Article) under Te Tiriti.

Partnership – as Te Tiriti partners, WDC and Te Parawhau have a duty to act reasonably, honourably and in good faith as Tiriti partners. In accordance with Te Tiriti, Hapū needs, and interests must be taken into account by WDC in relation to this kaupapa to protect the whenua, surrounding lands, and Awa which are wāhi tapu, wāhi taonga and within Te Parawhau’s ancestral lands and waterways.



Active protection – the Crown (in this case, and NRC and WDC as agents to the Crown) has a duty to actively protect the whenua occupied by the WWTP, associated wetlands, surrounding whenua and waterways as taonga in keeping with the Hapū’s rights and interests. Protecting the Hapū’s values and interests and enabling them to exercise kaitiakitanga are also obligations under Te Tiriti³.

Mutual Benefit – benefit should accrue for both hapū and the wider community. The nature and details of such benefit should be agreed upon in consultation with Te Parawhau.

Right of development – Māori interests in resources cannot be constrained to traditional or pre-Tiriti technology but includes the right to develop resources for economic benefit⁴.

No development interests are sought under this proposal. This should not however preclude Hapū’s right to develop resources in the future for their economic benefit.

5.2 Resource Management Act (RMA)

Part 2 of the RMA requires those exercising functions and powers under the act to consider Māori values.

As outlined in section 5, *the purpose* of the RMA is to promote the sustainable management of natural and physical resources. This means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety.

5.2.1 Section 6 Matters of National Importance

All persons exercising functions and powers under the RMA must, as a *matter of national importance*:

³ Gooder, C. (2018). Cultural Values Assessments. Negotiating kāwanatanga and rangatiratanga through local government planning processes in Aotearoa, New Zealand: a review of the literature. Auckland Council technical report, TR2018/008.

⁴ Janine Hayward, 'Principles of the Treaty of Waitangi – ngā mātāpono o te tiriti - Treaty principles developed by the Waitangi Tribunal', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/principles-of-the-treaty-of-waitangi-nga-matapono-o-te-tiriti/page-4> (accessed 11 November 2020).



Section 6(e), recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga;

Comment:

The WWTP and wetlands occupies Hapū ancestral land and waterways that are of great cultural and historical significance to Te Parawhau. These taonga are the land and waterways of their tupuna, its history recounted to successive generations through pūrākāu, waiata, korero and place names.

As discussed in this report and as implied by the name 'Hāhā' meaning luscious kai, the Hāhā was traditionally abundant with delicious and succulent food. The severely degraded state of the Hāhā, surrounding waterways and whenua is a direct and significant impact on Hapū uara ahurea (cultural values). Provision must be made to for Hapū to uphold their cultural traditions and protect their taonga in accordance with tikanga and Mātauranga Māori (Section 6e) as a matter of national importance. This entails the inclusion of traditional tikanga associated with the disposal of human waste requiring disposal to Papatūānuku including mitigation measures to achieve 'zero tolerance' for contamination and destruction of taonga Māori.

The protection extended to Māori cultural values (relationship of Māori, their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga) provided under the RMA is envisaged to be included in the conditions of consent.

Examples of such conditions are outlined below:

- All wastewater discharge arising from the WWTP into the Hāhā must be of a level that is safe to drink and in accordance with Hapū's 'zero tolerance' requirements.
- A Hāhā Awa monitoring programme shall be prepared and implemented by Hapū and sponsored by WDC.
- A Hāhā Management Plan shall be prepared and implemented by Hapū and sponsored by WDC.



Section 6(f), recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development;

Comment:

There are no archaeological sites listed with heritage NZ identified on the WWTP whenua. Nonetheless this does not mean that there are no cultural values associated with the whenua that qualify under the definition of a historic heritage site under the Heritage Pouhere Taonga Act. Should any such sites be identified by Hapū throughout the course of this project, it must be protected as a matter of national importance under this section of the Act.

Under section 6(g), recognise and provide for the protection of recognised customary activities, as a matter of national importance;

Comment:

The whenua occupied by the WWTP traditionally formed a part of Hapū ancestral lands and waterways which was a traditional resource for kai and sustenance (physically and spiritually). Te Parawhau have traditionally used Hāhā Awa, the Hoteo including Whangārei Terenga Paraoa and surrounding lands for customary activities including mahinga kai and mātaītai. The Hāhā Awa and adjacent waterways can no longer be used for these activities as they are highly degraded and polluted. Several claims have been lodged with the Courts verifying these rights and is discussed further in the **Section 6.4** below.

5.2.2 Section 7 Other Matters:

All persons exercising functions and powers under the RMA shall have particular regard to:

Section 7(a), kaitiakitanga; and

Section 7(aa) the ethic of stewardship.



Comment:

Hapū are obligated to preserve and protect kaitiaki and taonga tuku iho while ensuring the mauri of te taiao (the environment) is healthy and strong. In performing the act of kaitiakitanga, it is behest upon Te Parawhau to actively protect the whenua, waterways and surrounding whenua from harm. The Hāhā Awa and tributaries including Whangārei Terenga Paraoa are wāhi taonga, any activity that impacts upon these taonga translates to an effect upon the Hapū.

Imparting knowledge (mātauranga Māori) and monitoring the resultant effects on the environment arising from the WWTP including tino rangatiratanga are implicit in kaitiakitanga. As such, NRC shall have particular regard by providing for Hapū design and led monitoring programmes and the preparation of an Hāhā Awa Management Plan as a part of the decision-making process.

5.2.3 Section 8 Te Tiriti o Waitangi:

Under section 8, all persons exercising functions and powers under the RMA shall take into account the principles of the Te Tiriti o Waitangi.

Comment:

Section 8 matters are discussed in **Section 6.1** above. It should however be noted that the RMA requires these matters to be ‘taken into account’ in the decision-making process.

5.3 Marine and Coastal Area (Takutai Moana) Act 2011

The Marine and Coastal Area (Takutai Moana) Act 2011 provides recognition of customary interests of iwi, hapū and whānau in the common marine and coastal area of Aotearoa New Zealand and its offshore islands. The takutai moana legislation also provides for the right of all New Zealanders to access and use the common marine and coastal area (subject to any



lawful restrictions, including for the protection of wāhi tapu and wāhi tapu areas) (Te Arawhiti, n.d).

Comment:

The wetlands and discharge points associated with the WWTP are located within the Coastal Marine Area. Te Parawhau including other hapū and iwi have submitted a claim over the subject area.

As a part of the application to the NRC, the applicant (WDC) is required to notify all applicants who have applied for customary marine title for the area.

A decision has not yet been released by the High Court and there is no agreement made for the area with the Government to date. Nonetheless, Hapū and claimant interests should be considered in the decision-making process and in the conditions of consent which should include unimpeded access to the coast and recognition of Te Parawhau's customary interests in the area.

5.4 Planning Policy Framework

The following planning and policy documents are of relevance to Māori cultural values in relation to the proposal:

5.4.1 *NZ Coastal Policy Statement (NZCPS)*

The NZCPS is a national policy statement under the RMA. The purpose is to state policies to achieve the purpose of the Act in relation to the coastal environment of New Zealand.

When considering this application, as the consent authority, NRC must have regard to any relevant provisions of the NZCPS.

In general, the objectives and policies seek to take account of the principles of Te Tiriti which recognises the role of tāngata whenua and their capacity to fulfil their obligations in the act of kaitiakitanga.



A copy of the objective and policies under the NZCPS relevant to this proposal is provided at **Appendix B**.

Comment:

The whenua occupied by the WWTP, and surrounding waterways were a place where Hapū have lived and fished for generations.

In accordance with the objectives and policies of the NZCPS, the recommendations of this CIA should be adhered to including the implementation of a kaitiaki monitoring programme, including measures to reduce contaminants entering the Awa. These are to ensure Hapū taonga and cultural traditions (tikanga Māori) are upheld and protected from harm.

5.4.2 **Regional Policy Documents**

The Regional Policy Statement for Northland (RPS), The Regional Coastal Plan for Northland (RCP) and the Proposed Regional Plan for Northland (PRP) are relevant to this proposal.

A copy of the objectives and policies extracted from these documents relevant to this proposal is provided at **Appendix C**. A summary of each document is provided in the following sections.

5.4.2.1 RPS

The purpose of the RPS is to promote sustainable management of the region's natural and physical resources. Of importance to Māori and listed among the statement's guiding principles is;

Partnership with tāngata whenua

"In recognition of the partnership principles in Te Tiriti o Waitangi, and the benefits of working in partnership, tāngata whenua have a key role in resource management".



Comment:

The principle of *Partnership with tāngata whenua* above recognises Te Parawhau Hapū as retaining mana i te whenua and ensures they are provided the opportunity to exercise resource management (kaitiakitanga) and tino rangatiratanga in accordance with the principles of Te Tiriti o Waitangi.

Te Parawhau have a long association with the whenua, surrounding waterways and lands. Working in partnership with Te Parawhau offers multiple benefits in ensuring the proposal and resultant conditions of consent are prepared and undertaken in a way that everyone benefits and in accordance with Te Tiriti o Waitangi.

It is anticipated that in recognising this Partnership approach, that NRC include the mitigation measures and recommendations in this report as conditions of consent.

5.4.2.2 RCP

The RCP acknowledges Hapū as Te Tiriti partners, the special recognition afforded to them under the RMA including the relationship of Māori and their culture and traditions with their ancestral lands, waters, sites wāhi tapu and taonga.

Comment:

While Tāngata Whenua support the proposal in principle, the discharge of human waste to wastewater (albeit treated) conflicts with Hapū values. As such the proposal has an adverse effect on the mana, mauri and the wairua of te taiao (the environment) which includes te tāngata (the people) and all things (tangible and intangible).

Crucial to Hapū, is the restoration of mauri and wairua of the whenua and waterways. Upholding Hapū cultural values has a net positive benefit to the community it serves which helps to ensure everyone has access to waterways that are safe to swim in and gather kai.



Management strategies that protect the Hāhā, surrounding waterways and whenua from harm while enhancing the mauri of these taonga are outcomes sought by Hapū in the project design and decision-making processes.

To ensure tino rangatiratanga and Te Parawhau's obligations are upheld, the recommendations of this report shall be adopted.

5.4.2.3 PRP

A definition of 'Places of Significance to tāngata whenua' is provided in **Section D.1.5** of the **PRP** and includes quality and quantity of water, values associated with ancestral lands, sites, water, wāhi tapu and taonga.

Objectives and policies relating to water quality, indigenous ecosystems and tāngata whenua's role in decision-making over natural and physical resources are also outlined in the PRP.

Comment:

The Hāhā Awa, surrounding waterways and whenua are taonga of our tupuna traditionally mahinga kai, mataitai and trading places for Hapū. They formed part of a wider network of ancestral pathways via land and sea that supported surrounding kāinga and provided manaaki and whanaungatanga.

Over time, Hapū and their tupuna have witnessed the steady desecration and loss of their whenua lands and waterways (taonga) because of colonisation and with it, the erosion of their ability to exercise their traditional practices and inherited responsibilities and obligations. Consequently, Te Parawhau's mana (prestige, power) has been stripped and the mauri of their taonga severely degraded.

Connections with notable tupuna and ancestral sites associated with them are highlighted in this report. Te Parawhau are direct descendants of these tupuna. This report has been prepared with the guidance of Kaumatua who verify their uninterrupted occupation and association with their ancestral lands and waterways including the whenua occupied by the



WWTP and wetlands and waterways. The alienation of land is subject to Te Tiriti claims process.

The inclusion of whakawātea o te taiao to cleanse the water prior to it discharging into the awa including a kaitiakitanga monitoring programme shall be included as conditions of consent as a means of ‘recognising places of significance to tāngata whenua’.

Objectives and policies relating to water quality, indigenous ecosystems and tāngata whenua’s role in decision-making over natural and physical resources are also outlined in the PRP.

Conditions of consent and side agreements with WDC are anticipated to ensure any adverse effects arising from the WWTP now and in the future upon places of significance to tāngata whenua and Hapū values are avoided.

5.4.2.4 Hapū Environmental Management Plan

Te Parawhau have not prepared a Hapū Environmental Management Plan. This should not however preclude WDC and NRC recognising their status as Tāngata Whenua and ancestral connections to the whenua and wider Whangārei area.



6. Cultural Values

6.1 Kaitiaki, Kaitiakitanga and Manaakitanga

Te Parawhau have an obligation to all other hapū in the area which includes nurturing Mana Atua, Mana o Te Wai, Mana Whenua, Mana Ao Tūroa, Mana Tāngata.

Kaitiakitanga and manaakitanga, means more than mere guardianship or hospitality and support to others. It is the intergenerational responsibility inherited at birth, which is passed down from generation to generation to care for the environment and to uphold their spiritual (wairuatanga) obligations and to safeguard these from harm. Wairuatanga is as an essential requirement to health and therefore vital to Tāngata Whenua's wellbeing and identity.

Kaitiakitanga is not only about protecting the life supporting capacity of resources, but it also includes the deep relationship between the spirit realm, tāngata (people) and the natural world.

Fulfilling spiritual (wairuatanga) and inherited responsibilities to te taiao, maintaining tino rangatiratanga over those resources on which tāngata depend upon but also ensures the welfare of the people those resources support is integral to kaitiakitanga. This also means that as part of their obligations, Te Parawhau have a continuous and ongoing obligation to protect and use their natural resources and to interact and associate with their taonga and wāhi tapu. Kaitiakitanga is concerned with maintaining a natural an appropriate balance. In this way, the legacy of kaitiakitanga and wairuatanga is passed from one generation to another.



6.2 Te Parawhau Cultural Values

The whenua occupied by the WWTP and surrounding area, (whenua and wai) is of great cultural significance to the Hapū and has suffered an incremental loss of mauri over time.

Te Parawhau have expressed the deep and enduring relationship they have with the environment within and surrounding the WWTP and the need to recognise this as a part of the decision-making process.

To Hapū, all living and non-living things are intrinsically connected (physically and spiritually) to Ao Turoa (the environment) through whakapapa, tātai and whanaungatanga. Spiritual values are as important as the physical.

Te Parawhau's responsibilities are not just focused on the physical realm but also include their customary activities, ancestral lands, waters, wāhi tapu, effects on their taonga, mana, tapu and the mauri of resources.

All things animate and inanimate have a life force (mauri) and wairua. The whenua and waterways have a mauri that binds the current generation through, mana, tapu, whakapapa and tātai ki te tāngata including Te Ao Turoa (the environment).

The following key concepts are fundamental for environmental management based on Mātauranga Māori (Māori knowledge). They cover both the tangible and intangible mai i te whenua ki te Rangi mai i te Rangi ki te whenua and govern the rules and regulations for the appropriate use and exploitation of natural and physical resources.

These concepts form a cultural value framework which Te Parawhau have adopted, that is expressed as:



- Mana atua – (deity/spirit realm’s mana) – effects (positive/negative) on the spiritual realm which includes tikanga (protocols/procedures).
- Mana o te wai – (the water’s mana) – effects (positive/negative and benign) on the surrounding waterways and includes any physical change, discharge, mauri and wairua.
- Mana whenua (the land’s/Papatūānuku’s mana) – effects (positive/negative and benign) on the whenua arising from land use activities and includes earthworks/indigenous vegetation clearance/building coverage.
- Mana ao tūroa – (the environment’s mana) – effects (positive/negative).
- Mana tāngata – (peoples’ mana) – effects (positive/negative) on people which includes why is the project being carried out, social benefits/non-benefits.



7. Assessment of Effects on Te Parawhau's Cultural Values

This section considers Te Parawhau's cultural values and the potential effects (adverse and positive) upon these values (kaitiaki/kaitiakitanga, manaakitanga, mana, taonga, tikanga, mauri and wairua) arising from the various activities associated with the proposal.

7.1 Mana Atua

Effects arising from the WWTP can be more than tangible effects and include spiritual nontangible effects. Mana atua refers to the realm of the tupuna and deity (atua).

As cited by Mildon, "Māori are not joined to the land; we are an integral part of nature, with a relationship to every other living thing, defined by whakapapa ... as guardians of nature ... key to the health of both individual species and whole ecosystems" (Mildon, n.d). In this way, effects upon ngā atua including the life supporting capacity provided by them must be respected and maintained.

7.1.1 *Potential effects*

Wastewater from the WWTP currently flows via multiple discharge points from the wetlands to the Hāhā Awa. The discharge of wastewater into the Hāhā from the WWTP is culturally offensive. Adverse effects upon wairuatanga, mana tupuna and Te Parawhau's kaitiakitanga responsibilities exist from the WWTP and must be remedied. As such, the following mitigation measures are required:

7.1.2 *Mitigation Measures*

- To ensure Te Parawhau's spiritual obligations are upheld, tikanga and mātauranga Māori shall be incorporated into the WWTP (current and future) management and operations.
- As discussed with WDC, a working group will be established for the future management of the WWTP. A Hapū appointed roopu shall be included in this group within six months of the resource consent decision approval. The frequency and duration of meetings shall be agreed in collaboration with the WDC and the Hapū.



7.2 Mana o Te Wai

Mana o Te Wai considers effects on the waterways and includes any physical change or discharge. Waterways are the life force for Hapū, they provide physical and spiritual sustenance to Hapū.

7.2.1 *Potential effects*

Development within the surrounding area over the past 100 years has isolated Te Parawhau from their ancestral pathways, lands, waterways, and traditional resources. Adverse effects from these activities on ngā awa (rivers) including the Hāhā Awa and Whangārei Terenga Paraoa marine environment including he tāngata and their ancestral lands is profound.

Data outlined in the RC shows UV doses and the final effluent median concentration of ammoniacal nitrogen (AmmN) falling below either the minimum levels or close to the median limits specified by the existing resource consent. Elevated levels of *E.coli* in the wetland influent sampling point were also recorded.

The WWTP and associated wetlands are located on ancestral Te Parawhau land.

Wastewater from the WWTP which includes bodily fluids from tūpāpaku (deceased person's body) discharge into the Hāhā Awa (an ancestral waterway) and out to Whangārei Terenga Paraoa. Emerging contaminants (hormones, antibiotics, pharmaceuticals, heavy metals etc within the wastewater) including micro plastics are identified as a high priority for Hapū. Zero tolerance for contamination is required by Hapū. As discussed throughout this report, these are culturally offensive and unacceptable.

The following mitigation measures are required to ensure Te Parawhau's cultural values and obligations are upheld:



7.2.2 **Mitigation Measures:**

- A Kaitiaki Monitoring programme shall be prepared and carried out by Hapū and funded by WDC. WDC shall provide Hapū with appropriate training and funding for any monitoring required for this programme (water quality etc). Funding and training kaupapa shall be agreed between WDC and Hapū.
- A Management Plan for the Hāhā Awa shall be funded by WDC and prepared by Te Parawhau. This Plan shall be prepared within 12 months of the resource consent approval (by February 2023).
- Discharge of bodily fluids from The Hospital, mortuaries etc shall be collected at the source. The discharge point of this waste from all sources within the Whangārei District shall be identified and agreed in collaboration with Hapū. Accordingly, WDC's Trade waste Bylaw shall be updated (if required) to reflect these requirements.
- Emerging contaminants, plastics and other waste have devastating long lasting effects on ao turoa. As such, Te Tiriti partners and as a part of the WWTP Working Group, WDC and Hapū must collaborate to ensure these contaminants are prevented from entering the waterways and Hapū's 'zero tolerance' strategy is achieved.
- Contamination of any sort into ngā awa is not tolerated by the Hapū. Provision for tikanga māori such as, whakawātea including karakia must be provided for to cleanse the water prior to discharge into the Hāhā. Details of this kaupapa shall be agreed in collaboration with the Hapū and WDC.
- Waterfowl such as Ducks and Pūkeko inhabit the wetlands further contributing to the contamination of the awa. A 'bird management/culling' programme shall be established by WDC to reduce if not eradicate waterfowl within the wetlands. Hapū shall be given the opportunity to carry out the culling on behalf of WDC. The management regime shall be agreed in collaboration with Hapū and WDC.



7.3 Mana Whenua

Mana whenua refers to the mana, prestige held by the land or Papatūānuku. Papatūānuku provides sustenance for he tāngata and hospitality for manuhiri (guests). Supporting, maintaining, and enhancing Papatūānuku's ability to sustain and support all forms of life are required by Hapū.

7.3.1 *Potential effects*

Hapū support the proposed augmentation works and future expansion upgrades in principle planned for the WWTP. However, these works and any increase in built development and resultant increase in impervious surface reduces Papatūānuku's mana and ability to sustain he tāngata and te taiao.

The following mitigation measures are required:

7.3.2 *Mitigation Measures:*

- No contaminated water shall discharge into the Hāhā Awa. A Management Plan for the Hāhā Awa shall be funded by WDC and prepared by Te Parawhau. This Plan shall be prepared within 12 months of the resource consent approval (by February 2023).
- A Hapū appointed roopu shall be included in the future working group. The kaupapa for this group shall be agreed in collaboration with the WDC and the Hapū.
- Several pest plant species as identified on the Northland Regional Pest and Marine Pathway Management Plan have established within and around the wetlands (natural and manmade). Where possible, these species shall be eradicated and replaced with other appropriate native plant species. The control of these species shall be discussed and agreed upon with Hapū.



7.4 Mana Ao Tūroa

Mana Ao Tūroa refers to the space in between Ranginui and Papatūānuku, (the Environment). “People are part of the environment. The condition or health of the people and the environment are intricately related. The saying ‘Ko ahau te awa, ko te awa ko ahau’ (I am the river, the river is me) depicts the relationship between people and the environment. Therefore, if an awa is polluted, there is something not right with the people (and vice versa)” (The University of Waikato Te Whare Wānanga o Waikato, 2017).

As discussed throughout this CIA, the discharge of wastewater into the Hāhā is culturally offensive and has a direct impact on Hapū values which includes Mana ao tūroa.

Hāhā Awa was traditionally abundant with kai moana. This waterway including the Hoteo are now highly degraded, polluted with sediment and chemicals. Kai moana species are no longer present or where present unable to be harvested from the Hāhā and surrounding waterways.

Issues arising from climate change such as sea level rise, changing water temperatures and acidity levels present additional challenges. As outlined in the Water Quality report at Appendix 7 of the RC, average annual temperatures and drought frequency are expected to increase, while less rainfall is envisaged to eastern areas of Northland having a direct and indirect impact on the WWTP, the Hāhā and the Hoteo Awa. Climate change not only threatens tangible hapū values but also spiritual values and the well-being of current and future generations (Awatere et al, 2021). The inclusion of Hapū in the WWTP working group is necessary to address climate change and future management decisions.

It is of paramount importance that the mauri and wairua of the Hāhā is restored and initiatives such as pest plant and animal control, the inclusion of Hapū in the WWTP working



group, whakawātea comprising additional planting, karakia, etc are necessary to address cultural values and potential adverse ao tūroa effects.

In the absence of such initiatives, adverse effects on taonga, wairuatanga, mauri, mana tupuna and hapū kaitiakitanga obligations will continue to occur from the WWTP. A list of mitigation measures is provided below.

7.4.1 **Mitigation Measures**

- Whakawātea o te taiao - provision for tikanga māori such as, whakawātea karakia including additional planting of native plants must be provided to cleanse the water prior to discharge into the Hāhā. Details of this kaupapa shall be agreed in collaboration with the Hapū and WDC and included as a part of the future works programme.

7.5 **Mana Tāngata**

Mana tāngata refers to the authority which comes from their people (Durie, 2001). Mana can also be acquired by a person according to their ability, their efforts to develop skills, knowledge and achievements. Yet, it is generosity, cooperation and taking responsibility that are aspects that enhance the mana of others as well as enhancing one's own mana (M, 2016).

Many examples of Te Parawhau's long history with the site and surrounding lands and waterways have been provided in this report. Te Parawhau have been subjected to a long history of alienation from their lands and taonga which includes the subject whenua and adjacent Opau block and surrounding waterways.



The holistic view of tāngata whenua and connections with nature is defined in the Māori culture as whanaungatanga.

From a Māori worldview, we are all connected to Papatūānuku and other atua who provide tāngata with resources. As already discussed, an impact on the land, waterways etc is an impact on the people (te tāngata). The discharge of wastewater as currently occurs from the WWTP into the Hāhā must be remedied.

Te Parawhau whanau reside on their ancestral lands at Rewarewa, some 800 m southwest of the WWTP. Odour from the WWTP experienced by the whanau is offensive. Measures to reduce and ideally prevent odour produced by the WWTP is required to address Mana Tāngata effects.

The following mitigation measures are required to address the potential adverse effects on Mana Tāngata, tino rangatiratanga, whanaungatanga, wairuatanga and mana tupuna.

7.5.1 **Mitigation Measures**

- Monitoring of water quality in the Hāhā Awa shall be undertaken by Te Parawhau in accordance with their kaitiakitanga obligations. WDC shall provide Te Parawhau with appropriate training and funding for the monitoring. Funding and training kaupapa shall be agreed between WDC and Te Parawhau.
- A Management Plan for the Hāhā Awa shall be funded by WDC and prepared by Te Parawhau. This Plan shall be prepared within 12 months of the resource consent approval (by February 2023).
- Odour from the WWTP shall be reduced, if not stopped. WDC shall actively explore these options with the appointed Hapū roopu.
- Whakawātea o te tāngata - provision for tikanga and mātauranga māori such as, whakawātea karakia including additional planting of native plants must be provided



to cleanse the water prior to discharge into the Hāhā. Details of this kaupapa shall be agreed in collaboration with the Hapū and WDC and included as a part of the future works programme.

- Reverse sensitivity issues such as odour must not inhibit any self-determined land use activities on the Rewarewa D Block.



8. Conclusion

The WWTP is located on Te Parawhau ancestral lands and waterways. By virtue of their long association and occupation of their lands, Te Parawhau retain mana i te whenua, and obliged to fulfil their kaitiakitanga commitments. This association is demonstrated through whakapapa and in stories, their songs and place names. The Project area and surrounds has a mauri that binds the current generation through mana, tapu and whakapapa to the whenua and the waterways.

The surrounding lands and waterways are of high cultural significance to Te Parawhau hapū including other hapū of Whangārei Terenga Paraoa. Te Parawhau Hapū retain mana i te whenua of the surrounding whenua and waterways their obligation to safeguard te taiao from harm is bestowed upon them from birth. Hāhā Awa was once a resource for kai moana Te Parawhau and other hapū. The Awa including the Hoteo and Whangārei Terenga Paraoa are now highly degraded and kai moana species such as (Tio Tio) Oysters are no longer present within these waterways. The active protection of these ancestral waterways and surrounding whenua is necessary for Hapū wellbeing.

In keeping with Council's Adaptive Pathway Planning Approach and in response to the proposed RMA reforms which seek to 'give effect to' Te Tiriti principles, Hapū have adopted an Adaptive Management Strategy.

This Strategy will enable Hapū to:

- safeguard their taonga from harm, by enforcing a 'Zero Tolerance' approach,
- undertake their kaitiakitanga obligations,
- Collaborate with WDC as Tiriti partners.



As discussed throughout this report the discharge wastewater into ngā Awa is unacceptable to Hapū. The inclusion of mitigation measures outlined in this report is necessary to protect and enhance the mana and mauri of Te Parawhau cultural values. The recognition and acknowledgement of these values and the opportunity to recognise their significance through collaboration with WDC provides the means to enhance and enrich mauri/rangatiratanga/wairuatanga. These are an essential means to give effect to the inherited responsibilities bestowed upon the hapū under their kaitiakitanga obligations.



9. Recommendations

The following recommendations are made and should inform the conditions of consent and side agreements with the WDC:

1. Mitigation measures as discussed in this report be adopted as an appropriate response to the assessment of cultural effects.
2. All proposed mitigation measures shall be carried out in consultation with, and under the guidance of Te Parawhau and WDC.
3. To ensure the continued success of the project, ongoing engagement with hapū as partners is essential to the realisation of our aspirations are paramount to ensuring 'good faith' and mutual respect is developed and maintained through this and future projects.



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Appendix A: Resource Consent Application