Ko nga whakapapa enei
Ko au te whenua, ko te whenua ko au
Ko Phoebe Watkins ahau
Mana whenua o te moana nui a kiwa
No te puna o te ao marama
Taku kainga ko Hokianga nui a Kupe

Ko toku maunga ko Roharoha. Ka mātai whakararo ki te te wai o Waiarohia e ahu atu nei ki te moana o Hokianga, ki te puna o te ao marama. Ki toku ahuru mowai, ki te whare tupuna o Te Whakarongotai. I puta ai te korero "he puna wai, he puna kai, he puna reo he puna ora, ita, a, ita" Ko Maria Barnes toku ingoa he uri no Waimamaku, no Kokohuia, no Pakanae, no Whirinaki, no Taheke.

Our people have always had a very strong connection to the land, water and resources. Our survival depended on the ability to grow, harvest and collect food. Survival also depended on the ability to understand nature and the seasons. Our tupuna held in-depth knowledge of the taiao (environment). Everything is connected and the ability to read the signs and make observations ensured that whanau, hapū and iwi were fed and food stocks were protected. Protecting our kainga and food resources is very important to us.

'Te toto o te tangata he kai. Te oranga o te tangata he whenua, he wai.' (The lifeblood of a person is derived from food; the livelihood of a people depends on healthy land and water.) Land and water is much more than a mere resource; it is a large part of *Māori mana* as well as being a primary ancestor; it embodies the past and at the same time is the foundation for future generations (Ka'ai, et al., 2004). *Māori* are connected to the land and water through *whakapapa*. Our *tūpuna* walked and cared for these lands before us. *Māori* are not just connected with land and water. "We are an integral part of nature with a relationship to every other living thing. We belong to the land."

Due to the relationships that exist between *tangata whenua* and nature, comes the requirement for people to be guardians of nature. This is referred to as *kaitiakitanga*. Nature sustains us as a people, the mauri (life-force) is also very important. The literal interpretation for this word stems from the core word tiaki meaning "to care for, guard, protect, to keep watch over and shelter (Marsden and Henare 1992). What has been passed down from generation to generation as we have grown up is the fact that as part of kaitiakitanga comes obligations and responsibilities. We have a responsibility to protect and nurture the resources in our environment and also to protect the knowledge of our environment (Marsden, 2003). The reason for this is "*Kaitiakitanga*" is a fundamental means by which survival is ensured – survival in spiritual, economic, and political terms.

The principle of *kaitiakitanga* also ensured that generations were obliged to pass on to their descendants at least as good a supply of resources as they themselves had inherited (Ka'ai, et al., 2004). These obligations and rights were taken seriously by hapū. It is important for Māori that these concepts go hand in hand and that kaitiakitanga is not only seen as guardianship but that it is linked to specific responsibilities, obligations and rights. In the words of some of our *kaumātua:*

"Our generation has been brought up to respect the things connected to our ancestors. We have connections to all things – land, sea, rivers they are all part of a whole. We

don't own them, they own us. We must have respect for our connections to all things. We must also respect them for what we have. The place for making decisions for those things which we are connected to should be in the *marae,* in the area to which the concerns are being talked about" (Ambler, 2008).

"We had an obligation that if we took from the *moana* that we also gave back to the *moana*. We would have to go scrape the rocks in order to clean them for the *kūtai* and *tio* to grow again. We kept close watch over our resources. We also used rahui to protect and regenerate our resources. These *tikanga* are going out the window these days" (Marsden, 1999).

It is important in today's times to acknowledge that kaitiakitanga is not just about resource use, development or protection. When looking at these matters we must also use a cultural and historical framework and lens to assess how rights to excercise kaitiakitanga are justified. Māori should be involved in the decision making processes at all levels. This means not just consulting but allowing for **active participation**. It is very important to include Māori in these processes as we have deep connections and understandings of our areas, with lived experience and observations of what is happening that can help guide decision making. Continuing to exclude our people breeches our rights under He Whakaputanga o Te Rangatiratanga o Niu Tirene, Te Tiriti o Waitangi and Indigenous peoples rights. Our tikanga have also been neglected in this system that further supresses our people by dictating to us a process that is foreign to our people, that doesn't respect our tikanga, that controls the voices and limits our kaumatua, kuia or elders who hold korero of our home and who have years of lived experience that is being ignored.

Our kainga of Kokohuia holds beautiful history and korero of our people. Our surrounding maunga have witnessed many changes over time. Our awa Waiarohia that runs from Lake Rotoira once was a thriving and clean river, that is no more. You can no longer collect kai or wai from our awa, as you cannot trust it is clean. It is often stagnant and smells bad. Moving further out into the moana, our food resources of the past are no longer present. Foods our elders ate in their younger years, can no longer be collected. The Waiarohia river mouth was once a breeding ground for paua (Marsden, 1999), that is no longer the case. Other species that were collected in this area are also no longer to be found. Records of foods collected in the past is proof of this and in the oral recordings of our kaumatua and kuia. We want the absolute best for our harbour and our resources, with the impacts of climate change we cannot continue the way things are. We are also investigating seaweed contamination at this time. There are times also when we cannot swim or use areas for recreation because our wai is dirty. If you do swim you can taste the paru in the water and often end up with ear infections and getting sick. No longer can this continue.

Our ecosystem of Hokianga Harbour is complex and interconnected, with a variety of species and habitats interacting in different ways to create a functioning ecosystem. It is also home to many rare and endangered species.

Some of these include:

- Short-tailed albatross (Phoebastria albatrus): This large seabird is listed as endangered and is one of the rarest species of albatross in the world. It is occasionally seen in Hokianga Harbour and other parts of the New Zealand coast.

- Australasian bittern (Botaurus poiciloptilus): This bird is listed as nationally critical and is one of the rarest and most threatened wetland birds in New Zealand. Hokianga Harbour is one of the few remaining habitats for the Australasian bittern in Northland.

- Banded rail (Gallirallus phillipensis): This bird is listed as nationally endangered and is one of the rarest wetland birds in New Zealand. It is found in the mangrove forests and wetlands around Hokianga Harbour.

- Bryde's whale (Balaenoptera edeni): This species of whale is listed as vulnerable and is one of the most commonly seen whales in New Zealand waters. Hokianga Harbour is occasionally visited by Bryde's whales, which are sometimes seen feeding on schools of fish in the harbour. Our tohora, paraoa, kakahi are regular to our area. They are our kaitiaki and tohu wairua.

- Native oyster (Ostrea chilensis): This species of oyster is native to New Zealand and is listed as nationally vulnerable. Hokianga Harbour is one of the few places where native oysters can still be found in the wild, although their populations have been severely depleted by overfishing and habitat loss.

- New Zealand storm petrel (Oceanites maorianus): This small seabird is listed as critically endangered and is one of the rarest birds in the world. Hokianga Harbour is one of the few places where the New Zealand storm petrel has been observed.

- New Zealand grayling (Prototroctes oxyrhynchus): This freshwater fish is endemic to New Zealand and is listed as nationally endangered. It is one of the few remaining members of a primitive family of fishes that once had a much wider distribution in the Southern Hemisphere. The Hokianga River, which flows into the harbour, is one of the few remaining habitats for the New Zealand grayling.

- Black mudfish (Neochanna diversus): This small freshwater fish is also endemic to New Zealand and is listed as nationally vulnerable. It is a unique species that is adapted to living in stagnant or slow-moving water, including swamps and shallow ponds.

- Giant kelp (Macrocystis pyrifera): This species of seaweed is one of the largest and fastest-growing plants in the world and is an important habitat for many marine species. Hokianga Harbour is one of the few places in New Zealand where giant kelp can be found.

- Other taonga we are protecting are kanae, inanga, kewai, kutai, pupu, patiki, tamure, makerekere, pipi, tuangi, papaka, nga tuna, nga whai, nga mako, kina, penguin, kuaka, karahu, manu oi (So many of these have been depleted and some species are no longer to be found). Paua are no longer breeding in this area, in their traditional home.

Protecting the habitat and ecosystems of Hokianga Harbour is important not only for the rare and unique species that live there but for the overall health and diversity of the marine environment in the region. There have been concerns about pollution in the

Hokianga Harbour, including sewage discharges and runoff from surrounding land use activities. These types of pollution can have negative impacts on water quality, marine life, and human health. In a report by the Department of Conservation (DOC) in 2021, it was noted that sewage discharges from the Omapere Wastewater Treatment Plant had caused elevated levels of nitrogen and phosphorus in some areas of the harbour, which can lead to algae blooms and other forms of pollution. Currently we are experiencing cyclones, storms and flooding, this has meant the ponds are overflowing and leaking out to the land, awa and moana.

Sewage has negative impacts on the marine environment by introducing nutrients and other pollutants into the water. These pollutants can cause algal blooms and other changes in the water chemistry that can harm fish, shellfish, and other marine life. Additionally, sewage can create conditions that are favourable to the growth of harmful bacteria and viruses, which can pose a risk to human health as well as the health of marine ecosystems. Sewage can harm ecosystems in a number of ways. When untreated or poorly treated sewage is released into the environment, it can have several negative impacts on both aquatic and terrestrial ecosystems.

Water quality: Sewage contains high levels of organic matter and nutrients such as nitrogen and phosphorus, which can lead to eutrophication when released into waterways. Eutrophication is a process whereby excess nutrients cause an overgrowth of algae and other aquatic plants, which can consume oxygen and create dead zones where fish and other aquatic life cannot survive.

Disease: Sewage can contain a variety of harmful pathogens, including bacteria, viruses, and parasites, which can cause illness and disease in both humans and wildlife. These pathogens can be transmitted through contact with contaminated water, sediment, or other environmental sources.

Habitat degradation: Sewage can also degrade habitats by smothering aquatic plants and animals, reducing water clarity, and altering the physical and chemical properties of the environment. This can have negative impacts on the distribution and abundance of aquatic species, as well as the overall health and productivity of the ecosystem.

Bioaccumulation: Some of the chemicals and pollutants found in sewage can accumulate in the tissues of organisms, leading to bioaccumulation and biomagnification up the food chain. This can have negative impacts on the health of wildlife and humans who consume contaminated organisms.

Overall, sewage has significant negative impacts on ecosystems, and effective management and treatment of sewage is necessary to minimize these impacts and protect the health of the environment and its inhabitants. Proper treatment and disposal of sewage can help to reduce water pollution, protect habitats, and maintain the health and productivity of ecosystems. We have to do all we can and not settle for anything less than what is best. Council needs to thoroughly investigate all options in a collaborative way with our Hokianga community, not just try and sign off quickly on a system that does not protect our taonga, our environment.

Summary

1) **The proposal that has been submitted is culturally unacceptable**

We cannot agree to our moana having sewage dumped in it any longer. Our pataka kai and resources must be protected. It is against our spiritual beliefs and tikanga to allow for such practices to continue. The mauri of our wai needs to be restored.

2) **The cultural effects cannot be avoided, remedied or mitigated**

We cannot afford to risk the health and wellbeing of ourselves and our ecosystems. We have rare species that also dwell here and it is our cultural obligation to protect what is left and all other species. We do not want to be sick or eat contaminated foods. We want to swim in fresh, healthy waters.

3) **Te Tiriri o Waitangi principles have not been taken into account.**

The principle of *good faith:* Failing to allow for active participation more widely within iwi and hapū who have an intimate relationship to the harbour including their right as kaitiaki by virtue of their whakapapa, does not demonstrate good faith. Consultation is not enough.

Adding to this if we look at this very process it is also flawed. This process is foreign to our people, it is not culturally responsive to our needs or respectful to our people. Dictating you must do this, write this, speak for this time, is more colonised suppression upon our people that we have endured for generations. The approach that says "we know what is best for them, we will run and control the voices by making it work like this, we will dictate and they must follow if they are to have a say about anything". The time has come to be rid of this power and control system.

You have stolen our decision making rights from us. We have never ceded Sovereignty. The foreshore and seabed act is but one example of continued suppression/oppression of our mana whenua. We never gave you permission to rule above, make decisions for us or alienate us from decision making rights that were clearly outlined in Te Tiriti. For too long we have been left out of decision making processes that are about us, about our taonga, about our home. Having people who have no connection to our area and people that do not live here or experience what we do every day make decisions for us is wrong and does not reflect the principle of acting in good faith.

The principle of Active Protection : The principle of Active Protection stipulates that the Crown has a positive duty to actively protect Māori in the use of their lands and waters to the fullest extent practicable. *New Zealand Māori Council v Attorney-General* [1987] 1 NZLR 641.

By allowing this waste water system to be continued to be used is a breech of active protection of our land and waters. The fact that there is a system that is preferred, that is land-based and healthier for our environment and is cost effective is what we want. Investigation of this system is needed and therefore we ask that this is a matter of priority. Granting approval for a short period of three years would be enough time for this to be investigated thoroughly in collaboration with our people who can actively participate in the process in a culturally appropriate way. We also need our people involved in actively monitoring our taonga.

4) **Continuing with the status quo is wrong**

The system is not fit for purpose, it is outdated and we need to be moving with the times and doing all we can to protect our environment and resources. In winter and during storms and flooding which is becoming more regular the system overflows, discharging raw sewage into our awa and moana. This has harmful effects on our kaimoana and has contributed already to the loss of kaimoana resources in our area. We cannot access food sources from the past. The algae growth is also of concern. We have the ability to eliminate these risks to our environment and must take this opportunity to do so. Yes the waste water is not the only aspect harming our environment there are many, but we must make a start to address all harms.

As Maaori we want what is best for our kainga and we must ensure that we are doing all that is possible to protect our environment. Everyone should want this.

"Ko Hokianga moana, te wai oranga mo te iwi"

He tai e, he tai e
He tai hingarungaru, hi ngarungaru e
He tai au, he tai au, he tai hingarungaru, hingarngaru au
Kei hear a, kei hear a?
Kei te kapu o aku ringa taku pataka kai