

**Submission to North Port Hearing Committee to extend the port facility at
Marsden Point.
October 30th 2023**

**Ko Manaia toku maunga
Ko Takahiwai toku whenua
Ko Patuharakeke toku iwi
Ko Luana Pirihi toku ingoa.**

Greetings

My name is Luana Pirihi

I live in Takahiwai.

Before I begin, I would like to acknowledge the whanau who started the original Northland Port Corporation (“NPC”) journey back in 1994-5 and who are now, no longer part of this world. They include: my father Henare Maki Pirihi and Tiakariri Robert Kepa. - (These two elders submitted on behalf of the Patuharakeke Kaumatua in the original Port Corp hearing) Zona Midwood - (Zona wrote the CIA report for the first hearing), Wi Te Teria Pirihi Pauline (Didi) Smith, May Paki-Slater, Dawson Rata, Jan Dobson and Rorina Rata. Due to ill health Paraire Pirihi is not with us, as well.

I also pay tribute to Margaret Barbara Hicks who stormed into the Bream Bay Community back in 2004-5, trying to educate anyone who would listen about environmental issues happening in our local area

Margaret was an accomplished ocean-going sailor. She sailed solo across the Atlantic to USA and back to the UK. Her depth of knowledge and concerns with respect to environmental issues was of the utmost importance to her. I don't think that there were any resource consent applications in this area that dodged her beady eye. Margaret wrote her last submission regarding the Resource Consent application by NPC to extend the port at Marsden Point. She would have relished the opportunity to voice her perspective very loudly. Sadly, Margaret suffered a massive stroke and died in Whangarei hospital aged 90, on September 5th 2023.

Moe mai ra e te whaea Margaret Barbara Hicks.

I participated in the consultation process with NPC that occurred prior to the hearing held in 1997. Consultation began in 1995 and finished with the hearing held in Whangaarei and at Takahiwai Marae July 14th 1997.

I support the submissions presented by Patuharakeke Te Iwi Trust Board (PTB)

What do I remember?

I remember that I was most ignorant about Resource Management and the Resource Management Act 1991. However, along with other relatives who lived in Auckland at the time, lots of reading and learning about the RMA, in particular, the RMA's Part 11 Sections 6, 7, and 8 and about the NPC Resource Consent application, was required. This to bring ourselves up to speed with the whanau located at home.

1. The Resource Consent was granted with the report issued in December 1997.
2. I remember a recommendation by the commissioners in the Decision 7.2.3 read: ‘That the Minister of Conservation consider not vesting the reclamation in any party until the outcome of any existing relevant Treaty of Waitangi claims are known’. We know very well that didn't happen.

3. Mere Kepa and I lodged an Appeal to the Environment Court against granting the Resource Consent, on behalf of the Patuharakeke kaumatua along with other submitters from around Whangaarei Te Rerenga Paraoa. Due to legal costs associated with the appeal we were forced to abandon our challenge.
4. NPC built its new structures, in the process, annihilated the substantial pipi bed located there. This resource had been available to all in sundry over many generations. This effectively ended our connections, to this site of significance and the ability to pass down these customs associated with this special place.
5. We know that both Patuharakeke Te Iwi Trust Board and Northport applied to the Minister of Conservation to have the land created from the seabed vested in their ownership. The outcome of this challenge of course favoured Northport. A lease for \$1 per annum for 11 years was granted. In 2018 the Minister of Conservation (Eugene Sage) vested the leasehold in Maritime Holdings Limited (MMH formerly NPC for 105 years. I had resigned from PTB by then and was deeply saddened when I heard of the lease, though not surprised. Government and Business working together to achieve preferred outcomes, in my view.
6. Fast forward to 2023. I haven't had much input into the consultation process for Northport's application. Earlier this year I attended a meeting along with other kaumatua, PTB trustees and the PTB chair with North Port at their Marsden Point office where I recalled my experience of the first consent process.
7. I also recently attended a hui for MMH training led by Moea Armstrong. Doctor Guy Gudex gave a presentation on the Patuharakeke Waitangi Tribunal Claim to Maritime Holdings staff on behalf of the PTB's Claims Committee. The subject of property leased by MMH to the Patuharakeke Taiao Unit was raised. I asked about the cost required to cover the lease. The reply given was, the lease was based on a 30% discount off the market rental. An actual cost was not offered. A far cry from what the original lease quantum paid by Northport back in the day, \$1 per annum. Considering that the Taiao Unit is made up of mokopuna of the original owners of Te Poupouwhenua, one would have thought that the lease would be minimal or free.
8. The land confiscation of Te Poupouwhenua remains a major source of injustice for Patuharakeke people. From my perspective it is incumbent on tangatawhenua to remind developers that their businesses occur on confiscated land. To this day it astounds me that everyone else benefits socially and economically from development here, except the rightful owners of Te Poupouwhenua,
9. Pipi beds were plentiful back in the 1970's and 80's, a resource available to everyone has been seriously depleted and is now almost non-existent. I have assisted the Taiao Unit in monitoring the pipi beds overtime and witnessed firsthand the decline in numbers at Marsden Bank and Mair Bank in particular.
10. One of the recommendations to resolve the annihilation of the pipi beds in the 1997 resource consent was to re-seed beds in Takahiwai. After many years, this proved to be unsuccessful. We still do not have another source of pipi or cockles; therefore, Northport has not fulfilled its obligation under the resource condition and proves that their recommendations were based on limited knowledge
11. Another recommendation was to set up a Whangarei Harbour Kaitiaki Roopu. with the majority of funds allocated to NIWA or other research groups. The fund did not provide for any tangata whenua initiatives until very late in the piece.
12. My understanding of this new extension is that we will lose our last piece of an area of significance on the eastern side of the Port Facility. It is like deja vue for me. We continue to sacrifice our special places and suffer losses over and over again. The accumulative loss over generations has been for the greater good of the region and country, without any discernible benefits to our hapu and marae.

13. Based on past experience, the loss of our sites and areas of significance to our hapu, loss of our taonga kai moana and therefore continued loss of customs and activities, and without benefits to our marae and hapuu our marae and hapu, I do not support this application.

Conclusion

I have highlighted only a few issues, however, they are the most significant concerns to me

- Patuharakeke ownership and confiscation of land that Northport operates on.
- The imbalance of the lease agreement our Taiao Unit is experiencing
- The loss of taonga and connection to our sites of significance
- Other issues highlighted in evidence provided by PTB

History is repeating itself. Past experience tells me that our concerns will not be addressed again.

Recommendations:

Substantial and meaningful further discussion will be required for PTB and Northport to address the significant issues I have raised in Point 15 above.