

KARIPORI/TAIPĀ MARAE
MATAKAIRIRI – HAUKANGA HAPŪ

CULTURAL IMPACT ASSESSMENT

FAR NORTH DISTRICT COUNCIL
TAIPĀ WASTEWATER PLANT UPGRADE
JUNE 2019



TAUPARAPARA

Unuhia te rito
Unuhia te rito te harakeke
Kei hea te komako e kō
Ka huri ki uta,
Ka huri ki tai,
Uia mai ki a au,
He aha te mea nui,
Māku e kī atu
“He tāngata, he tāngata, he tāngata”
No reira tēnā tātou katoa.

Pluck out the shoot
Pluck out the shoot of the flax
And where will the bell-bird sing?
Turn inland,
Turn seawards,
Ask of me,
What is the greatest thing?
I will tell you
“It is people, it is people, it is people”
Therefore, greetings to all of us.

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WHAKAPĀ - KEY CONTACTS	
Organisation	Contact Details
IWI/HAPŪ Ngāti Kahu /Matakairiri Karipori/ Taipā Marae	Trudy Allen Hapū Consultant (027) 269 9319 PO Box 58 Ahipara 0449 indiajade@xtra.co.nz
RESOURCE CONSENT APPLICANT Far North District Council	Andy Finch General Manager – Infrastructure & Asset Management Far North District Council ddi: 09 401 5520 M: 021 331 066 Andrew.FINCH@fndc.govt.nz
RESOURCE CONSENT AGENT Northland Regional Council	Bill Shepherd (Chairman) Constituency: Coastal North Phone: 021 433 574 bills@nrc.govt.nz

AUTHORS

Trudy Allen
Matakairiri (Hau Kāinga Hapū)
Kaitiaki/Consultant
027 269 9319
indiajade@xtra.co.nz

Venerable Lloyd Popata
Matakairiri Taumata
027 277 5400
Lloyd.Popata@gmail.com

ABBREVIATIONS TO DOCUMENT

Projet or TWWP – Taipā Wastewater Plant Upgrade
Hapū – Matakairiri
HIR – Hapū Integration Roopu
TRINK – Te Rūnanga-a-Iwi o Ngāti Kahu
FNDC – Far North District Council

DOCUMENT EXECUTIVE SUMMARY

This Cultural Impact Assessment (CIA) has been created by the ahikaa hapū -Matakairiri and the taumata Kaumātua (Te Taumata) of Karipori/Taipā Marae for the following purposes:

- To edify and inform the applicant – FNDC who wish to apply for a resource consent for the upgrade of the Taipā Wastewater Plant.
- To edify and inform the regulatory authorities responsible for issuing and monitoring any resource consents for the project.
- To inform and establish a terms of agreement covering Matakairiri protocols and agreed consultation process
- To provide a positive foundation on which to build an ongoing and mutually beneficial relationship with Matakairiri and FNDC.

This CIA has also been endorsed by Te Rūnanga-a-Iwi o Ngāti Kahu (Te Rūnanga).

This CIA opens with a rehearsal in Section 1 of the constitutional foundations of Matakairiri.

Section 2 then introduces their haukāinga kōrero, hapū engagement processes, and their hapū concerns.

This is followed by a description in Section 3 of the proposed Purpose and Process for the TWWP options and then a summary in Section 4 is the origins of Matakairiri.

In section 5, the CIA provides a comprehensive outline of the cultural values that inform the kaitiakitanga and rangatiratanga of Matakairiri, while in Section 6 it describes the whenua taonga (landmarks) that delineate and define the rohe of Matakairiri.

Section 7 canvasses the legislative and statutory considerations that must be taken into account by the Far North District Council and consenting authorities with regards to the Taipā Wastewater Plant - Upgrade.

Section 8 concludes the CIA with a table of recommendations compiled by the Hapu consultant Trudy Allen

ELECTIVE HAPŪ/IWI ROLES

I Trudy Allen have been elected as a hapū Consultant by the whanau/ hapū of Matakairiri to engage with FNDC and submit this CIA for the purpose of educating FNDC and other consenting authorities the cultural values/tikanga of the hapū Matakairiri in relation with the Resource Management Act 1991.

Te Taumata comprises kuia and kaumātua from Taipā Marae and a collective Taumata of Ngāti Kahu. Their role is to provide tikanga guidance and direction to Trudy Allen.

Te Rūnanga is the mandated iwi organisation for purposes of the Resource Management Act. It is made up of 13 of the 15 Marae of Ngāti Kahu and provide the first point of contact for FNDC with Matakairiri. It also provides ongoing advice support to, particularly with regard to the requirements of both Crown law (legislation) and Ngāti Kahu law (tikanga).

INTELLECTUAL PROPERTY NOTICE

The cultural information in this CIA is the intellectual property of Matakairiri. It is to be used only for the purposes of the Project, and for consent applications associated with the Project.

Use of the CIA and its contents by the FNDC or any other party, in any other circumstances (for example, subsequent applications for other projects), will be subject to written approval by Matakairiri.

EXPLANATORY NOTES

This CIA contains a large number of explanations in English of Māori words, concepts, principles and values that inform the world view of Matakairiri. Therefore, the reader's attention is drawn to the following three points with regard to translations from Māori into English contained in the CIA.

There are always limitations when trying to explain the world view of one culture by translating it into the language of another culture. As with the language of any nation, te reo Māori, and particularly the Ngāti Kahu dialect, is the only true way of reflecting the world view of Matakairiri.

Where Māori words in this CIA are attributable to people from Ngāti Kahu, including the authors, we have used the dialect and spelling that reflects the way Ngāti Kahu speak. However, where we are quoting people from different Iwi, we have used the dialect and spelling of their iwi.

Thus, He Hākaputanga is used by Ngāti Kahu with reference to the 1835 Declaration of Sovereignty, while references to that document by people from other Iwi are rendered He Whakaputanga or He Wakaputanga as appropriate.

We would prefer that all readers of this CIA were fluent in both te reo and English. However, for the sake of those who are not, we have tried our best to render clearly and comprehensively into English the depth, breadth and height of Matakairiri's world view. In doing so, our hope is that non-Māori readers may be able to better understand and appreciate that world view

Because the Taipā Wastewater Plant is in the rohe of ahi kaa hapū Matakairiri with mana whenua in the rohe, this CIA explains and presents the world view of Matakairiri. However, that world view derives from the world view of their Iwi, Ngāti Kahu, and is shared by the a collective hapū who also have interest in Maheatai/Taipā.

Consequently, unless otherwise stated, all references to Matakairiri may be taken to also referred to as 'the hapū' or 'Ngāti Kahu'.

SECTION 1 – CONSTITUTIONAL FOUNDATIONS

Tikanga as Law

When working or interacting with Matakairiri in their rohe, it is important for FNDC and all others involved in the TWWP upgrade to understand that they are operating under Matakairiri tikanga and rangatiratanga.

To assist the FNDC and all other parties to understand what that means, this section provides explanations in English of the modern-day constitutional foundations of Matakairiri. While they have often been affected negatively by the Westminster-based, Eurocentric constitutional arrangements under which the New Zealand government currently operates, like native or customary title, they have never ever been extinguished.

Tikanga is the constitutional cornerstone of Matakairiri rangatiratanga. In fact, tikanga is such a fundamental construct that we have taken considerable advice from a wide range of reputable sources about its nature, meaning, and modern-day applications.

In his report, *He Whakaaro Here Whakaumu mo Aotearoa*, written for the independent working group on constitutional transformation (Matike Mai), the eminent constitutional lawyer Moana Jackson wrote that

...tikanga may be defined as both a law and a discrete set of values. As a practical law, it influences everything from the political organisation of Iwi and Hapū to the social interactions of individuals. As a set of values, it sums up what is important in the Māori world view – it is the “ought to be” of Māori existence.

The two parts of tikanga are naturally interrelated and mutually reinforce each other. While it is difficult to separate the law from the values, we believe it is useful to do so for the purposes of this CIA. Therefore, in this Section we discuss tikanga as law, while in Section 5, we consider tikanga as a set of values.

Professor Hirini Moko Mead discussed the different facets of tikanga in his work “Tikanga Māori – Living by Māori Values” -

“There are several ways of looking at tikanga...An obvious way is to consider (it) as a means of social control. Looked at from this point of view, tikanga Māori controls interpersonal relationships, provides ways for groups to meet and interact, and even determines how individuals identify themselves. It is difficult to imagine any social situation where tikanga Māori has no place”.

The former Chair of the Waitangi Tribunal Sir Edward Taihakurei Durie regards tikanga as Māori law and suggests that the question is not whether it has Pākehā-type rules but

“Whether there were values to which the community generally subscribed. Whether those values were regularly upheld is not the point but whether they had regular influence. Māori operated not by finite rules (but) by reference to principles, goals, and values...Tikanga derived from ‘tika’ or that which is right or just. Tikanga may be seen as Māori principles for determining justice...(It) was pragmatic and open-ended...flexible and subject to reinterpretation according to circumstances...The principles of tikanga provided the base for the Māori jural order”.

A Contributing Member to Matike Mai o Aotearoa (the Independent Working Group on Constitutional Transformation) and a Kaihautū at Te Wānanga o Raukawa, Ani Mikaere, has described tikanga as being so fundamental it was

“The first law of Aotearoa, a law that served the needs of tangata whenua for a thousand years before the arrival of Pākehā”.

While rangatiratanga is a jural construct and “people-bestowed” it is also “tikanga dependent”. The relationship between tikanga and mana, between constitution and authority to make political decisions, is both symbiotic and essential to the maintenance of “law and order”.

It ensures the smooth functioning of the polity and provides the stability needed to promote harmonious relationships or to restore them when they are disrupted by conflict.

It is a constitutional imperative that cannot be divorced from the practicalities of political power. This was the view of many of the respondents to Matike Mai –

“Mana was always about political power or personal status but it was also about protecting the whakapapa and the whenua too...that was its tikanga, the whole idea of relationships and making sure they were in sync”.

“I think we’ve got trapped in the last few years to only see rangatiratanga as a right or some sort of power...and sometimes we think it’s just about making money. But it was always a legal authority more than anything else...just like sovereignty is except it rests on tikanga and how we should see the world”.

If we look at what or how mana was exercised it was always dependent on tikanga...kind of like nothing could be done unless it was done in the name of the law...so the first point is that tikanga was like a precondition for mana and secondly there is no doubt that mana or rangatiratanga was always meant to be exercised in a tika way.

Saying you can have a Māori constitution without tikanga is like Pākehā saying they can have their constitution without the Magna Carta. It doesn’t make sense...and maybe all we have to do is find out how in a treaty constitution we can get Pākehā to live by Magna Carta and we live by tikanga to find a common ground.

Tikanga was created because our old people knew humans were prone to make mistakes or act in a non-tikanga way...we knew we would make mistakes...and I think we are even more likely to do that now especially since everything seems to be about me and there is talk but less real interest in the collective...but it’s where we need to start.

Tikanga supported, informed and gave constitutional structure and meaning to the rangatiratanga interactions of Matakairiri with the new Iwi (Pākehā) who arrived in their rohe from the early 1800s onwards.

For Matakairiri hapū, rangatiratanga without tikanga as law is a nonsensical contradiction in terms. You cannot have one without the other.

Hakaputanga 1835

He Hakaputanga o Te Rangatiratanga o Nu Tireni (He Hakaputanga) 1835 is the second baseline of the modern constitutional foundations of Matakairiri.

He Hakaputanga has been and continues to be discussed at great length by all the hapū of Ngāti Kahu, indeed, by all the iwi of Taitokerau where it was drafted and initially signed.

However, although it was not signed by many iwi outside of Tai Tokerau, the ideals that He Hakaputanga expresses are acknowledged and respected throughout the motu as a novel and bravely inventive articulation for its time of an old concept (mana) and site (Āriki) of power.

In 1835, He Hakaputanga was an adjustment to changing circumstances that was consistent with traditional legal, philosophical and even religious thought. Essentially it proposed that a collective of Iwi and Hapū should regularly come together in a Hakaminenga or assembly to make joint decisions on matters of common concern while respecting the mana of each participating polity. It was a constitutional transformation in which Iwi and Hapū would exercise an interdependent authority while retaining their own independence. That joint decision-making power is defined in Article Two of Te Tiriti o Waitangi as a “Kīngitanga” where “all sovereign power and authority” is

“...declared to reside entirely and exclusively in the hereditary chiefs and heads of tribes...who also declared they will not permit any legislative authority separate from themselves”.

As proof of the difficulties of translation, James Busby erroneously translated “ka meatia nei kei ngā Tino Rangatira anake i to matou huihuinga” to mean that the sovereign power and authority resided, “entirely and exclusively in the hereditary chiefs and heads of tribes...” A more accurate translation provided by Dr Manuka Henare is

“The sovereignty/kingship (Kīngitanga) and the mana from the land of the Confederation of New Zealand are here declared to belong solely to the true leaders (Tino Rangatira) of our gathering...”

However, errors aside, Busby’s English translation does capture the clear declaration in the original te reo document of an existing and accepted constitutional authority. In any event, Matakairiri are clear that He Hākaputanga is a necessary as well as an apt and aspirational base of their constitutional foundations. This view is reinforced by the Waitangi Tribunal hearings on He Hākaputanga and Te Tiriti. At those hearings the Ngāti Kahu ki Whaingaroa kaumātua, Nuki Aldridge, stated that

“Te Wakaminenga was the gathering together of the rangatira in response to the changes that the rangatira had seen occurring...The purpose of Te Wakaminenga was for Māori to control their own changes in the ‘new world’...about how Māori were able to think and put themselves into the future”.

In the same hearings Professor Patu Hohepa looked at the language and history of He Hākaputanga and described it simply as

“a declaration of our independence and sovereignty as a nation of independent rangatira”.

Also, in the hearings Professor Dame Anne Salmond stated that under He Hākaputanga

“the rangatira declared their rangatiratanga or independence and asserted their Kīngitanga and mana, their sovereign power and authority. They also foreshadowed the possibility that they might delegate kāwanatanga or function of government to someone whom they themselves had appointed. In such an arrangement however, they would retain intact their rangatiratanga or independence and their mana and Kīngitanga or sovereign authority and power. The Declaration is unambiguous and the relationship between these key terms is clear”.

In its First Part of the Paparahi o te Raki Report, the Waitangi Tribunal considered both the relationship between He Hākaputanga and Te Tiriti, as well as the language and terminology that best gives effect to it. It reaffirmed the long-held general Māori understanding that He Hākaputanga was

“a declaration that Māori authority would endure...When rangatira asserted their mana i te whenua there can be no doubt that they intended this as an expression of the highest authority within their territories. They furthermore asserted their rangatiratanga – their rights as leaders subordinate to no-one else within their territories. And they asserted their Kīngitanga...that there could be no leaders above them. Taken together these assertions of mana, rangatiratanga and Kīngitanga undoubtedly amounted to an assertion of their authority to make and enforce law and therefore of their sovereignty”.

The Tribunal further stated

“Its principal significance was as a written assertion of the mana, rangatiratanga, and independence of those who signed...and to ensure that no foreign law or government could be imposed on them...It was also important as a renewed declaration of friendship with Britain and its King based on mutual benefit through trade, mutual commitments of protection, and British recognition of rangatiratanga and mana i te whenua”.

In the view of Matakairiri, the Tribunal conclusions underscore why He Hākaputanga is key to their constitutional foundations

Te Tiriti o Waitangi 1840

For Matakairiri, Te Tiriti involves a special set of rights and obligations which have not yet been completely honoured by the Crown. It also involves more than the kind of “partnership” that has been the dominant view in the recent Crown Treaty policies and jurisprudence.

In that context, Te Tiriti flows from tikanga and the understanding of mana as a distinct concept of power. It also signifies the same wish for independent yet interdependent political relationships that is evident in He Hākaputanga.

Like everything else in the Māori world, it has a hākapapa and a history. It is not necessary in this CIA to detail that history. However, we do feel it is important to briefly summaries four facts about the political understanding of rangatira Māori when they signed it in 1840 that seem especially relevant to this discussion.

1. All Iwi and Hapū continued to know and exercise their mana as culturally unique and independent polities, and those who signed He Hākaputanga had just recently reaffirmed that fact, some only a few months before the 6th of February.
2. Every Iwi had a long history of treaty-making. In Ngāti Kahungunu for example it was a part of the diplomatic lexicon and was known as mahi tūhono, the work which brings people together. It was an expression of mana and every Iwi and Hapū has examples of treating with others both before and after 1840. Treaty-making did not fall out of the sky on an unsuspecting people in 1840.
3. In the north, where the greatest concentration of Pākehā had arrived, rangatira Māori had been concerned for some time about the behavior of the new Pākehā ‘tribe’, but their increasing presence did not alter the fundamental legal and political perceptions which Iwi and Hapū had about their own authority and their place in the world. The Pākehā presence was just a mere blip in time and our people perceived them according to a view of the world determined by tikanga and the absolute certainty of mana as a concept of power.
4. Iwi and Hapū wished to formalise some relationship with the British Crown for a number of different political and even economic reasons but were clear on the tikanga as well as the political criteria which that relationship had to meet if it was to be legitimate in Māori terms.

In 1840 rangatira Māori could only act according to tikanga and commit the people to a relationship with the Crown that was tika in Māori constitutional and cultural terms. Just as a marae expects the rangatira of any manuhiri to monitor the behavior of his or her rūpū and ensure it accepts the jurisdiction of the marae they are on, so the Iwi and Hapū were keen to treat with the Crown so that it would bring order to the Pākehā manuhiri who came onto the “marae” that is Aotearoa. Like any manuhiri the Crown’s authority, its “mana”, would be acknowledged when it entered the marae, but it would ultimately be subject to the kawa or tikanga which prevailed there.

That substantive offer was never accepted by the Crown, but it is absolutely consistent with the Māori reality in 1840 where the important question is not whether Maori understood sovereignty so much as whether they understood mana and the obligations that manuhiri were expected to honor. The evidence from all of the kōrero in the reo before and at the time of the signing is that rangatira Māori were absolutely mindful of their responsibility to preserve and even enhance the mana they were entrusted with, while ensuring that manuhiri reciprocated. They were clear about what they could and could not do.

In that sense Te Tiriti is derivative of Māori law and mana and could only have been discussed and understood by rangatira Māori in that historical and constitutional context. They could only have made decisions in the reality that they made and lived.

However, the Crown rejection of the Tribunal Report has not deterred Matakairiri from holding fast to Te Tiriti as being fundamental to the constitutional foundations of their rangatiratanga.

Both pre- and post- 1840, Matakairiri have consistently held that neither their tūpuna nor they have ever ceded their sovereignty, and to the fullest extent possible in the face of the Crown's ongoing rejection of their right to self-determination, they still maintain and express their tikanga and rangatiratanga.

To conclude this Section, Tikanga, He Hakaputanga, Te Tiriti all reaffirm the rangatiratanga of Matakairiri and confirm that any shade the Crown casts at their constitutional foundations has no moral or legal substance.

SECTION 2 – HAU KAINGA KŌRERO AND HAPŪ ENGAGEMENT

Introduction

This Section has been prepared to inform the FNDC and consenting authorities about the historic and intrinsic relationship of Matakairiri with the lands, estates, forests, fisheries and other properties in their rohe.

Given the significance of the area for Matakairiri, it is crucial that the FNDC establish and conduct meaningful protocols of engagement with Matakairiri and the Hapu Integration Rooup - HIR, and that Matakairiri tikanga be adhered to during all phases of the Taipā Wastewater Plant Upgrade options selection, resource consent review process and the Hapu and community secondary objective to remove all wastewater overflow from the TWWP from all waterways.

Matakairiri territory includes the lands and waterways within the boundaries of Ōpouturi and Hakapapa in the West, Ōmatai in the South, Parapara in the North, and Tokerau in the East. There are many significant sites within this area where their tikanga and cultural practices continues to be maintained by the kuia and kaumātua of Matakairiri.

Hapū Concerns

Since 2008 a collective of Hapu and community groups have had lengthy hui/korero with FNDC, Matakairiri joined the talks in 2015 and to date 2019 Matakairiri has supported a collective roopu the Hapu Integration Roopu – HIR.

Our collective concerns are:

1. The existing system has not and currently cannot service its catchment zone due to population and industry development growth in the last 5 years. It is a major concern for Hapu/HIR for future growth in our rohe/catchment area operating a defective system that is not compatible to deliver a service that meets all requirements of our tikanga values within the RMA.
2. The present parameters for the overflow discharge from the TWWP are unacceptable for current environmental standards which for hapu/HIR this is a safety issue for us and community, it is our obligation as kaitiaki to protect and stop all pollution in our waterways.

*Full detailed description of the above concerns can be viewed in the attached mission statement *Appendix A from the Hapu Integration Roopu – Te Mana O Te Wai Hapu and also in Section 8 – CIA Recommendations*

SECTION 3 – TAIPĀ WASTEWATER PLANT UPGRADE

THE PURPOSE

FNDC

The intention is to secure a resource consent for the TWWP, through consultation processes with Hapu and community that identifies options that will upgrade the present system and all secondary environmental effects associated with the discharge process.

HAPU/HIR

Our intention is to secure a resource consent that will meet all necessary upgrade conditions/recommendations as stipulated in the attached HIR mission statement and this CIA section 8 recommendations.

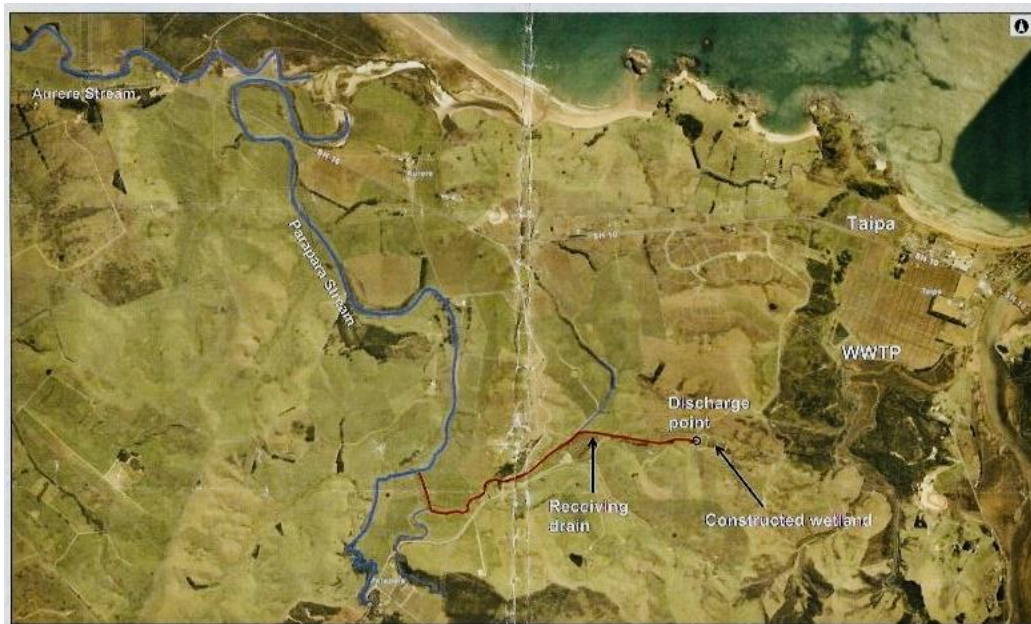
THE PROCESS

1. Terms of Agreement been Matakairiri and FNDC
2. Continued consultation with Hapū, HIR and FNDC to select and implement agreed options selection of either updated or replacement of a new wastewater system.
3. Continued consultation with Hapū, HIR and FNDC to consider all options for a land discharge point.
4. Community Consultation/Education
5. Assessment of replacement of system option/s, and also a options to land discharge point/s in regards to environmental effects
6. All releavent Consents to be sought through Northland Regional Council
7. Construction following approval of consents

THE PROPOSAL

- Upgrade or replace existing wastewater system (Inclusive of the Electrocoagulation Unit – ECU) through a selection and review process for the Taipa WWTP Upgrade that identifies the associated environmental/cultural/engineering and budget issues for Hapu and Community.

*Full detailed description of the above proposal process can be viewed in the attached mission statement *Appendix A from the Hapu Integration Roopu – Te Mana O Te Wai Hapu and also in Section 8 – CIA Recommendations*



SECTION 4 – MATAKAIRIRI ORIGINS

The Ancestor – Kupe

Many traditions hold that Aotearoa was first discovered by the ancestor Kupe and his family and crew who reached these shores while in pursuit of a giant octopus known as Te Wheke a Muturangi.

Ngāti Kahu traditions hold that during his exploratory trips around Aotearoa, Kupe spent some considerable time on the eastern side of Karikari peninsula. There are several places there named by or for Kupe and his family.



Ngāti Kahu's oral traditions record many events and deeds associated with Kupe's presence in our rohe, such as his landing at Ikatiritiri in Taipā because of the abundance of shellfish stock and schools of fish there with which he could feed his people. Hence the pouwhenua at Taipā was erected as a monument to him and his descendants. Then there is Kupe itself, just south of Paeroa where the knuckle-like rock juts out of the sea. Paeroa is labelled on some maps as Knuckle Pt. There the shapes of Kupe and his dog climbing the cliffs can still be seen from

certain vantage points inland from the coast. Then there is Haumarere where Kupe lost the feather from his hat and it floated down the stream to the sea. It is also the place where Kupe put his sail out on the rocks to dry. The imprint of the sail is still there in the rocks today.

Further south again at Te Awa and the settlement of Waiari there is the plaque stone for Kupe's daughter, Waipuiarangi, standing in the middle of the rocky beach. Tradition records that while on his way back to Hawaiki (the ancient Polynesian homeland), Kupe anchored at Te Awa, cooked a meal and had a long rest before continuing his journey. As a result, he appreciated the place so much that he left a plaque of stone in memory of his daughter, Waipuiarangi. He also left a dog to guard and protect her. However, the plaque for the dog has worn entirely away and is no longer visible.

Then at the northern end of Tokerau beach at Pārakerake there is Te Kupenga a Kupe – Kupe's fishing net, clearly etched on the rocks at the end of the beach. Tradition records that the nets are from the time of Kahukura, and that they ended up on the rocks and turned to stone. Kahukura was an old lady from amongst the patupaiarehe or fairy-folk. They lived at Rangīāwhia, near present day Brodie's Creek and would travel at night to Pārakerake with their nets to fish. One night, Kahukura left her net there in order to get back to Rangīāwhia before daylight because the fairy-folk did not travel abroad in the daylight and had to return home in the dark. When she went, Kupe saw the net and pulled it ashore. According to the traditions, that was the first net that was ever made. Kupe made it for all human beings, working from the plaitings of Kahukura's net.

The Ancestors – Kahutianui and Te Parata

The following haka papa charts and kōrero describe:

The origins of Kahutianui and Te Parata, the founding Ngāti Kahu tūpuna who arrived on the shores of Aotearoa. The descendants of Kahutianui and Te Parata who went on to found the various hapū who populated and still occupy the lands and territories of the iwi known as Ngāti Kahu.

CHART 1: NGĀ TŪPUNA O KAHUTIANUI ME TE PARATA

(The Ancestors of Kahutianui and Te Parata)

Māui Pōtiki

Wharua Kura

Teuhewa

Pōtaua

Whitirangi Mamao

Kupe (1)

Hina

Hina i te Pō

Hina Mate-Ao

Hina i-te Kukuti

Hina Kaitangata

Tamanui te Rā

Te Tikitiki o te Rangi

Te Raramutu

Ueoneone

Rangi Taupae

Pipi

Wawai

Haere Orowai (t)

Kupe (2) = Puna (f)

(1) Parawhenua Mea (2) Ngaruerue i te Whenua

Tāwhaki

Te Weta

Rānea

Tamaita

Tamaroto

Tamahānene

Mihi

Ngoi

(1) Tapū

Tira

Tūmoana

Kahutianui

(2) Kāinganui

Moeākau

Taranga

= Te Parata

Ta Māui Pōtiki, ko Wharua Kura; Ta Wharua Kura, ko Te-uhewa; ta Te-uhewa, ko Pōtaua; ta Pōtaua, ko Whitirangi Mamao; ta Whitirangi Mamao, ka puta ki waho ko Kupe tuatahi. Ta Kupe, ko Hina; ta Hina, ko Hina-i-te-Pō; ta Hina-i-te-Pō, ko Hina Mate-ao; ta Hina Mate-ao, ko Hina-i-te-Kukuti; ta Hina-i-te-Kukuti, ko Hina Kaitangata; ta Hina Kaitangata, ko Tamanui-te-Rā; ta Tamanui-te-Rā, ko Tikitiki-o-te-Rangi; ta Tikitiki-o-te-Rangi, ka puta ki waho ko Te Raramutu. Ta Te Raramutu, ko Ueoneone; ta Ueoneone, ko Rangi Taupae; ta Rangi Taupae, ko Pipi; ta Pipi, ko Wawai; ta Wawai, ko Haere Orowai tuatahi; ta Haere Orowai tuatahi, ko Kupe tuarua, me Te Puna; ta Kupe tuarua, ka puta ki waho ko Parawhenua-mea me Ngaruerue-i-te-Whenua. Ta Parawhenua-mea, ko Tāwhaki; ta Tāwhaki, ko Te Weta; ta Te Weta, ko Rānea; ko Rānea, ko Tamaita; ta Tamaita, ko Tamaroto; ta Tamaroto, ko Tamahānene; ta Tamahānene, ko Mihi; ta Mihi, ko Ngoi; ta Ngoi, ko Tapū, me Kāinganui; ta Tapū, ko Tira; ta Tira, ko Tūmoana; ka moe a Tūmoana i a Kahukura Ariki, ka puta ki waho, ko Kahutianui. Ka hoki ki a Ngoi; ta Ngoi, ko Kāinganui; ta Kāinganui, ko Moeākau; ta Moeākau, ko Taranga; ta Taranga ka puta ki waho ko Te Parata

Ka moe a Te Parata ki a Kahutianui ka puta ki waho ko ngā uri o Ngāti Kahu

A Kahutianui ka moe i a Te Parata, ka puta ko Māmangi.

A Māmangi, ka puta ko Tūkanikani.

A Tūkanikani, ka puta ko Hāpute.

CHART 2: NGĀ URI O KAHUTIANUI RAUA KO TE PARATA (The Descendants of Kahutianui and Te Parata)

Kahutianui = Te Parata

Māmangi

Tūkanikani

1. Tūhangai

2. Huhupara

3. Hāpute

Haiti-tai-marangai

1. Tūpoia

2. Mokokohi

3. Taramaraeroa

4. Tahuroa

5. Hungahunga

6. Tapū

7. Aukiwa

Ngāti Kahu Pepeha

Ko Maungataniwha te maunga

Na, I roto I nga korero I te heke o Ngāti Kahu

Ko Tokerau te moana

Ko Kahutianui te tupuna

Ko Te Parata te tangata

Ko Māmaru te waka

Maungataniwha is the mountain

In the accounts of the descent lines of Ngāti Kahu

Tokerau is the sea

Kahutianui is the ancestress

Te Parata is the man

Māmaru is the canoe

Matakairiri Pepeha

Ko Hikurangi te maunga

Ko Ikateretere te awa,

Ko Tokerau te moana,

Ko Taipā te marae,

Ko Puta ngā Rau te urupa,

Ko Māmaru te waka,

Ko Te Parata te rangatira,

Ko Kahutianui te tupuna,

Ko Ngāti Kahu te iwi,

Ko Matakairiri te hapū.

Hikurangi is the mountain,

Ikateretere is the river,

Tokerau is the sea,

Taipā is the marae,

Putangārau is the burial ground,

Māmaru the canoe,

Te Parata is the leader,

Kahutianui is the ancestor,

Ngāti Kahu the tribal grouping,

Matakairiri is the hapū.

The founding ancestors of Matakairiri, as with all Ngāti Kahu hapū, are Kahutianui and Te Parata. There are earlier haka-papa lineages; e.g. from the Te Paatu tūpuna Kakaitawhiti and the earlier tūpuna Kupe. However, those haka-papa do not displace or supersede the haka-papa from Kahutianui and Te Parata from whom Matakairiri specifically claim descent through Tapū, the sixth child of Haiti-Tai-Marangai, a great-great grandson of Kahutianui and Te Parata.

The name of Matakairiri hapū was born out of an encounter with the English settlers and was given to the descendants of Tapū who reside in the rohe of Matakairiri.

For the present-day exercise of their mana whenua, kaitiakitanga and rangatiratanga, Matakairiri are Ngāti Kahu.

SECTION 5 – CULTURAL VALUES

Ngāti Kahu Tikanga

Under Ngāti Kahu tikanga, the hapū have always been, and still remain, the pre-eminent unit. How that works in Ngāti Kahu is encapsulated in simple terms by the following tikanga:

Whānau aggregate to form hapū which in turn aggregate to form iwi.

The authority that resides at each level of this social order is conveyed to the next via a leadership representative.

Hence, whānau leaders engaging with other whānau leaders is a hapū level engagement; hapū leaders engaging with other hapū leaders is an iwi level engagement; iwi leaders engaging with other iwi leaders is a waka level engagement.

For engagement to be effective, it must be level to level i.e. iwi to iwi; hapū to hapū; whānau to whānau. The only exception to this is when engagement occurs as part of the aggregation process i.e. own whānau to own hapū to own iwi and vice versa.

For the structure to maintain its integrity, the ‘chain of authority’ must be followed i.e. whānau to hapū; hapū to iwi – iwi to hapū; hapū to whānau.

At all levels of engagement there must be authority to engage. At the waka level, iwi leaders engage with other iwi leaders by virtue of the authority vested in them by their hapū leaders. At the iwi level, hapū leaders engage with other hapū leaders by virtue of the authority vested in them by their whānau leaders.

The authority that each representative brings to their level of engagement is non-transferable. Hence no hapū leader could purport to represent another hapū leader, likewise with the whānau leaders, likewise with the iwi leaders. This often creates a conundrum for external parties seeking to engage with the largest collective possible, preferably of iwi. Generally, external parties tend to presume that engagement is with a collective whole rather than a collective of independent participants. While this may appear to be a subtle difference, it can become a significant hindrance to engagement if it is not made clear that the collective incorporates a number of independent authorities rather than maintaining a ‘single’ overarching authority.

Any information shared with the collective must also be shared with the individual members of the collective – particularly those not participating in the collective.

Anything produced by the collective can only be described as ‘collective’ if it has 100% support of all of the individual participants. And, even then, it can only represent the collective participants i.e. the iwi, hapū or whānau leaders, not the actual iwi, hapū or whānau which, by virtue of tikanga, retain the authority to represent only themselves and no others.

Under this tikanga, in Ngāti Kahu it is the hapū who are and hold mana whenua and ownership over the lands and resources in their respective areas.

Some Basic Ngāti Kahu values

This section briefly discusses some of the basic underlying values held by Matakairiri as well as the wider Ngāti Kahu Iwi and, indeed, by most, if not all, Iwi Māori. Much of this section is derived from or based on the teachings of the late Rev. Māori Marsden and the late McCully Matiu. The approach taken is to examine key words from within Ngāti Kahu’s dialect which are perceived to identify the cornerstones of these values.

The words chosen are mana, tapū, tikanga Māori, whanaungatanga, rangatira and rangatiratanga, kaitiaki and kaitiakitanga, and ahi kaa.

To illustrate how deceptive the use of bilingual dictionaries can be if used as sources for understanding these concepts, the discussion of each word is commenced by quoting the English translations listed for each of these words in the authoritative Williams’ Dictionary of Maori Language before going on to outline the meanings described by Rev. Māori Marsden, McCully Matiu and other eminent Māori scholars.

The discussion of each word is concluded with references either to Matakairiri or other Ngāti Kahu hapū examples and experiences and expectations.

Mana

William's Dictionary of the Maori Language lists eight meanings for mana providing the following possible translations:

1. Authority, control
2. Influence, prestige, power
3. Psychic force
4. Effectual, binding, authoritative
5. Having influence or power
6. Vested with authority
7. Be effectual, take effect
8. Be avenged

These translations, however, do not describe the source of mana nor how mana is upheld and maintained. That, after all, is not the job of a bilingual dictionary. The result is an unfortunate distortion of the real meaning of mana, which is inextricably based in the spiritual realms of the world.

The Rev. Māori Marsden, in his article "God, Man and Universe: A Māori View", defines and discusses among other matters the concepts of mana and tapū. For him, Mana in its double aspect of authority and power may be defined as 'lawful permission delegated by the gods to their human agents and accompanied by the endowment of spiritual power to act on their behalf and in accordance with their revealed will.' This delegation of authority is shown in dynamic signs or works of power. He goes on to warn:

Authority and power in this sense must be clearly distinguished since it is clear that to exercise spiritual power outside the limits delegated is to abuse the gift, and results either in its withdrawal or in that power running rampant and causing harm to the agent and others.

A simple analogy will make the distinction [between power and authority] clearer. A person approaches a traffic crossing and the lights turn red. He has power to cross but no permission. The lights turn green but his car stalls at that moment. He has permission to cross, but no power. His car starts and the lights remain green. He has both authority and power to proceed.

There are many different types of mana and many aspects of it as it manifests itself in everyday life. For example, all living things, animals, trees and plants, fish and birds, as well as human beings, are imbued with a mana of their own, a mana implanted by the gods. So too are many inanimate objects such as meeting houses and mountains which are personified and addressed in Māori as ancestors and relations.

The terms mana atua, mana tūpuna, mana whenua, mana tangata, mana moana and mana Māori motuhake are also heard frequently and are being referred to increasingly by the Waitangi Tribunal in its reports. These are different types or aspects of mana and can be described, albeit very briefly, in the following way:

Mana atua is "the very sacred power of the gods ... which is given to those persons who conform to sacred ritual and principles".

Mana tupuna is authority and power handed down through chiefly lineage.

Mana whenua is the mana that the gods planted within Papā-tuā-nuku (Mother Earth) to give her the power to produce the bounties of nature. A person or tribe who "possesses" land is said to hold or be the mana whenua of the area and hence has the power and authority to produce a livelihood for the family and the tribe from this land and its natural resources. One means of ensuring that mana whenua is upheld and enhanced is to return the pito or whenua (afterbirth) of a child to his ancestral lands at points specifically designated for the purpose. But the most powerful means is, once the spiritual element has departed from a person (i.e. the person has died), to return the human body to the ūkaipō, the place from which his true sustenance and being came, that is, his ancestral lands. This is perhaps one of the main reasons why tribes will fight to have a body returned to his or her own ancestral lands for burial. Furthermore, the greater the person's mana, the bigger the fight, especially if the person has ancestral rights in more than one tribal area.

Apart from these aspects, every effort is made to protect and uphold mana whenua, not only from loss of "possession" of the land, but also from despoliation by careless exploitation. Mana whenua is a gift from the gods and always remains with the tribe of an area. The imposition of European title, for example, cannot remove mana whenua from a tribe. The Resource Management Act 1991 interprets mana whenua as meaning "customary authority exercised by an iwi or hapū in an identified area". Like Williams' dictionary it falls very short of the real meaning by not incorporating any reference to its spiritual basis.

Mana tangata is the power acquired by an individual according to his or her ability and effort to develop skills and to gain knowledge in particular areas.

Mana moana is the equivalent of mana whenua as it applies to the sea and its resources. The two forms of mana overlap considerably since the land is considered to extend well into the sea, while the sea's effects impinge some distance inland.

The term mana Māori motuhake is a term which encompasses all of the above but serves to point out that mana is something which applies to the Māori people of Aotearoa and to them only. It also points to the fact that with such mana, Māori people are imbued with the eternal right to live under their own mana and hence determine their own way of life as they themselves see fit to choose.

It is critical that the FNDC and all associated agencies and organisations involved in the Project comprehend and remember at all times that they are operating in the rohe and under the mana of Matakairiri, not the other way around.

Tapū

The Rev. Māori Marsden discusses tapū at some length, not least to dispel some misconceptions of the concept held by early missionaries and anthropologists.

He describes the Māori idea of tapū as being very close to the Jewish idea translated in the words 'sacred' and 'holy', although it does not have the later ethical connotations of the New Testament of 'moral righteousness'. However, it does have both religious and legal connotations.

A person, place or thing is dedicated to a deity and by that act it is set aside or reserved for the sole use of that deity. The person or object is thus removed from the sphere of the profane and put into the sphere of the sacred. It is untouchable, no longer to be put to common use. It is this untouchable quality that is the main element in the concept of tapū. In other words, the object is sacred, and any profane use is sacrilege, breaking of the law of tapū.

From a purely legal aspect, it suggests a contractual relationship has been made between the individual and his deity whereby a person dedicates himself or an object to the service of a deity in return for protection against malevolent forces and the power to manipulate his environment to meet needs and demands. (p. 119-120)

Te Rangi Hiroa (Sir Peter Buck) in his book *The Coming of the Maori* recounts how as a child he was taught the practicalities of tapū. He comments "Thus the fear of tapū was inculcated early and remained late." (p.359)

It is the laws of tapū which play the most influential role in regulating Māori society. It was for this reason that the tribal experts in the laws of tapū, the Tōhunga, were outlawed by the colonial government (under the Tōhunga Suppression Act of 1907) in a rather vain attempt to gain complete and absolute control for the government over Māori society.

The laws of tapū still hold in Maoridom today and their violation continues to bring disaster, pain and injury to its transgressors, particularly when waahi tapū (places that have been set aside as tapū) have been desecrated and violated. When such desecrations and violations occur, it is most important for the perpetrators to participate in rectifying the transgressions of tapū that have taken place.

Ranginui Walker in his book *Ka Whawhai Tonu Matou* points out

The personification of natural phenomenon is fundamental to the holistic world-view of the Māori. Papātūānuku was loved as a mother is loved, because the bounty that sprang from her breast nurtured and sustained her children. Humans were conceived of as belonging to the land; as tangata whenua, people of the land (and descendants of Hine-ahu-one). This meant that they were not above nature but an integral part of it. They were expected to relate to nature in a meaningful way. For instance, trees were not to be cut down wantonly. If a tree was needed for timber, then rituals seeking permission from Tane had to be performed first. Similarly, a fisherman had to return to the sea the first fish he caught as an offering to Tangaroa... it was believed that these practices ensured the bounty of nature would always be abundant. (pp. 13-14)

To Māori ways of thinking, it also follows that because man and nature are descended from a common ancestor, then we are one and the same. Thus, Matakairiri will talk of being descended from their awa, Ikatiritiri, or from their moana, Tokerau, and will point out that a violation against either is a violation against Matakairiri who are that awa and that moana.

It is critical that FNDC and all those engaged in the Project understand, accept and work to protect and uphold the value and reality of tapū.

Tikanga Māori

The Resource Management Act describes tikanga Māori as "Maori customary values and practices". Williams dictionary gives a further seven possible meanings for tikanga with the following possible translations:

1. Rule, plan, method
2. Custom, habit
3. Anything normal or usual
4. Reason
5. Meaning, purport
6. Authority, control
7. Correct, right

The word 'Māori' is being used in this term as an adjective describing tikanga.

Tikanga Māori, as Ngāti Kahu elders explain it, is the correct way to carry out something in Māori cultural terms. Tikanga Māori is the Māori equivalent of English law.

Tikanga Māori is a significant body of knowledge, wisdom and custom deriving from the very detailed knowledge gained from residing in their particular geographic area for many hundreds of years, of developing relationships with other neighboring hapū as well as those further afield and learning from practical experience what works and what does not.

Not surprisingly, this body of law is very different from English law, mainly because it cannot be reduced to writing and hence set in concrete in the way legislation sets English law in concrete.

For Matakairiri, Tikanga Māori is very flexible and each situation requires its own particular form of tikanga. The particular form it takes on any occasion can always be determined by consensus of their whānau and hapū, if the matter is anything other than very straight forward.

As a result, Matakairiri will spend considerable time in hui on marae discussing what an appropriate tikanga for a particular take/problem should be. Their marae remains the center and focal point of their hapū and is the one institution that has been left largely untouched by their contact with Europeans.

In discussing the centrality of the institution of marae to all Māori, R. A. Joseph states –

Despite the corrosive effect of missionaries and official amalgamationist policies, the Marae as an institution has persisted from pre-European Māori society into the modern era. It therefore has no Western legal base...In addition, the Marae provides common ground where the Pākehā can gain some awareness and insight into Māori life and the importance of biculturalism. The Marae is essentially an institution run by Māori for Māori with inclusion granted to other groups on their terms. Marae therefore fulfil deeply felt needs for the maintenance of culture, assertion of identity, and resistance to amalgamation.

All marae throughout New Zealand serve a communal need which has been handed down through many generations which is to hui on any and all issues that arise in the iwi, hapū and whānau that affect their people and environment.

Consensus in such hui is very important, and for that reason they almost invariably run for at least several hours to allow all possible aspects of the take to be thoroughly aired. If consensus is not reached the hui will either continue until it has been reached, even if it takes several days, or, if the divisions are too great, the hui will be adjourned and reconvened at a later time when everyone has had more time to reflect on the matter. Time is not an influencing factor when important decisions are to be made. This is a trait of Tikanga Māori which has often frustrated and annoyed Pākehā affected by the process.

Matakairiri expectations for FNDC and all those involved in the upgrade of the TWWP is to respect and work within their tikanga and timelines.

They would far rather take their time and reach a well-considered decision than rush it through and end up having to fix up a mess afterwards.

Whanaungatanga

One of the most fundamental values that holds any Māori community together is whanaungatanga, or the manner in which everyone is related genealogically. Knowledge of how one is related to everyone else within a particular community and to other neighboring hapū is fundamental to the understanding of an individual's

identity within Māori society. It also determines how an individual relates and behaves towards other individuals of that community.

This behavior is largely determined by the traditional roles of tuakana/teina (older or younger sibling within an extended family), matua and whaea (parents, aunts and uncles, or all those one generation above), and tamariki/mokopuna (those in the generations below).

So, Matua and whaea have authority over all generations below them and exercise a supervisory and mentoring role in training the following generations to replace them. Within a single generation, tuakana (older siblings, or those descended from older siblings) have authority over teina (younger siblings or those descended from younger siblings).

Attempts to overturn these lines of authority are rarely tolerated, unless the ability, skill and personal attributes of a teina (mana tangata) earn sufficient respect over a long period of time to warrant such a departure from the norm. On the other hand, a tuakana who does not have the inherited qualities and skills of leadership will be set aside by the people in favor of one who does.

In traditional Māori society, the role women played was highly valued and largely complementary to that of men. Many hapū and iwi are named after women, including, of course, Ngāti Kahu (named after Kahutianui).

Mana wahine (the power and authority of women) has, however, been distorted by the perceptions of outside observers during the period of contact with Europeans to diminish the importance of women. Yet Māori women have always been and are still active leaders in all aspects of Māori endeavor.

In Matakairiri, women continue to take strong leadership roles, and attempts to denigrate women in leadership roles have brought strong and pointed criticism from both kuia and kaumātua who continue to uphold the traditional values.

Regardless of these hierarchies of authority, the complexities of which are difficult to explain to outsiders, but which are generally well understood within the community itself, all members of a Māori community have a role assigned to them, particularly in matters relating to the marae and communal gatherings. Individuals are ideally encouraged to take roles they are particularly suited for and most comfortable carrying out.

The place of residence of a member of a Māori community does not determine the role they play in that community. Those who stay on the ancestral lands are often referred to as ahi kā (literally: burning fire) and their job is to “keep the home fires burning”. However, it is not at all unusual for the leaders of a Māori community to have their main residence elsewhere, and these days, particularly in Auckland.

It is also not unusual for an individual to play leadership roles in more than one community. That does not diminish their role/s, it simply enlarges their responsibilities of having to return home for all important meetings and occasions.

In terms of authority and standing, there is a very clear distinction between those whose genealogy connects them to the area and those who do not.

Thus, for example, unless an in-law has the necessary genealogical links to a particular community and its lands, they can never hold any authority in respect of either the lands or the community. That is not to say that they cannot play a very active role in the community, and they often do. However, in matters of the ultimate authority to speak for and represent the community, any attempts to do so by an “outsider” will bring very swift and strong reactions to stop it.

In the rohe of Matakairiri, there are also many Māori who do not hakaapa (genealogical links) to the area but live in or are connected in various ways. In general, they have a good understanding of the social organisation that exists, and they respect it. Likewise, the very few non-Māori, and particularly the Dalmatian families, who have been in the area for more than three or four generations.

The rest of the non-Māori population in the Matakairiri rohe however, are almost all very recent immigrants to the area, manuhiri (visitors) in Ngāti Kahu terms, having arrived less than a generation ago. In the experience and observations of Matakairiri, too many of this part of the Pākehā (non-Māori) community in Taipā have little or no understanding of the social organisation of the hapū amongst whom they live. Most of them take little or no part in Matakairiri activities, particularly those which take place on the marae.

In contrast, Matakairiri have consistently engaged with and taken part in most Pākehā activities in their rohe, from the school to the sports clubs and the civic bodies and have a very wide and deep understanding of Pākehā social organisation. As a result, there appears to be a widely held and completely erroneous misconception amongst this section of the (non-Māori) community that the tangata whenua of Taipā are assimilated into and totally subsumed by the Pākehā community. Nothing could be further from the truth. However, in line with the value of whanaungatanga, Matakairiri continue to reach out to and invite Pākehā to participate in their social structure under their tikanga.

FNDC and all organisations and entities involved in the Project need to understand and respect the primacy of Matakairiri with regard to all aspects of whanaungatanga in their rohe.

Kaitiaki and Kaitiakitanga

The word kaitiaki is derived from tiaki which the Williams dictionary translates as 'guard, keep, watch for, wait for'. The prefix kai- denotes the doer of the action and on Williams translations should give 'guardian, keeper, someone who watches for or waits for'. Kaitiakitanga is the derived noun from kaitiaki and therefore should translate as 'guardianship' or something similar.

The interpretation of kaitiakitanga provided in the Resource Management Act 1991 is Kaitiakitanga means the exercise of guardianship; and in relation to a resource, includes the ethic of stewardship based on the nature of the resource itself. By 1997 the inadequacy of this definition had been acknowledged and the interpretation was amended to Kaitiakitanga means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship. (See section 2.)

The understanding of kaitiakitanga held by Māori involves far more than just this interpretation or the dictionary translation. In specific terms, each whānau or hapū is kaitiaki for the area over which they hold mana whenua, that is, their ancestral lands and seas. Should they fail to carry out their kaitiakitanga duties adequately, not only will mana be removed, but harm will come to the members of the whānau and hapū. Thus, a whānau or a hapū who still hold mana in a particular area take their kaitiaki responsibilities very seriously. The penalties for not doing so can be particularly harsh.

Apart from depriving the whānau or hapū of the life sustaining capacities of the land and sea, failure to carry out kaitiakitanga roles adequately also frequently involves the untimely death of members of the whānau or hapū, a punishment Ngāti Kahu has had to weather on more than one occasion in the recent past.

The late Nganeko Minhinnick of Ngāti Te Ata wrote extensively on kaitiakitanga and was careful to point out that only Māori can be tangata whenua, that is, those who hold or are mana whenua for a particular area. Hence only

Māori can carry out the role of kaitiakitanga. That is not to say that Pakeha do not have guardianship responsibilities in respect of the country's natural resources, for they certainly do.

Rev. Māori Marsden spoke and wrote extensively on this issue. His writings, along with submissions of tangata whenua of various areas of the country made to the Board of Inquiry into the New Zealand Coastal Policy Statement in 1993-4, made references to and explained this concept in a manner consistent with the following explanation provided largely by McCully Matiu.

Kaitiakitanga is the role played by kaitiaki. Traditionally, kaitiaki are the many spiritual assistants of the gods, including the spirits of deceased ancestors, who were the spiritual minders of the elements of the natural world. All the elements of the natural world, the sky father and mother earth and their offspring, the seas, sky, forests and birds, food crops, winds, rain and storms, volcanic activity, as well as man and wars, are descended from a common ancestor, the supreme god. These elements, which are the world's natural resources, are often referred to as taonga, that is, items which are greatly treasured and respected. In Māori cultural terms, all the natural, physical elements of the world are related to each other, and each is controlled and directed by the numerous spiritual assistants of the gods.

These spiritual assistants often manifest themselves in physical forms such as fish, animals, trees or reptiles. For Matakairiri, they come in the form of a tohoraha (whale) and a kaahu (hawk). Each kaitiaki is imbued with mana. Man being descended from the gods is likewise imbued with mana although that mana can be removed if it is violated or abused. There are many forms and aspects of mana, one of which is the power to sustain life.

Matakairiri are very careful to preserve the many forms of mana they hold, and in particular they are very careful to ensure that the mana of their kaitiaki is preserved. In this respect Matakairiri become one and the same as their kaitiaki (who are, after all, their relations). So, in a sense Matakairiri become the minders of all their relations, that is, the other physical elements of the world.

As minders, kaitiaki must ensure that the mauri or life force of their taonga are healthy and strong. For Matakairiri this includes the hau kāinga (the winds of home) which carry and waft the airborne essences emanating from both the land and the sea. A taonga whose life force becomes severely depleted, requires kaitiaki to do all in their power to restore the mauri to its original strength. Kaitiaki are warned of the onset of the depletion in the mauri of their ancestral lands when the characteristics of the hau kāinga start to change as they do with any major development.

This is particularly important for Matakairiri's related hapū of Te Paatu, whose name means literally The Guardians of the Spiritual Portals. Over recent years the character of that hau has started to change with the advent of intense development, and Te Paatu must try to restore the hau kāinga that has been unnecessarily interfered with and prevent it from being further altered.

For Matakairiri, this is the case with regard to the pipi beds in their awa, Ikatiritiri. Therefore, in order to uphold their mana, they as kaitiaki must do all in their power to restore the mauri of that taonga to its original strength. Rangatira and Rangatiratanga

The Williams' dictionary gives four meanings and the following translations for rangatira:

1. Chief, (male or female)
2. Master or Mistress
3. Well born, noble
4. Person of good breeding

A rangatira in Māoridom is a person of mana derived not only by genealogical seniority but also by his or her own personal qualities and abilities to maintain the support and confidence of his/her people. Should a chief lose the confidence of his people, then his/her mana will suffer and the people will look elsewhere for leadership.

The word rangatira was once analysed by a Ngāti Kahu kaumātua as follows:

Ranga is a shoal of fish; raranga is to weave or plait; tira is a group of people. A rangatira then is someone who holds a group of people together so that they move as one, like a shoal.

Rangatiratanga is the derived noun from rangatira and is generally translated as 'chieftainship'.

The Waitangi Tribunal in the Ngāwha Geothermal Resource Report (Wai 304) considers rangatiratanga to include the concept of kaitiakitanga. The tribunal has discussed the concept of rangatiratanga at great length in many of its reports, simply because it is a key term in the Treaty of Waitangi. Quoting the New Zealand Maori Council, it states –

In essence, it is the working out of a moral contract between a leader, his people and his god. It is a dynamic not static concept, emphasising the reciprocity between the human, material and non-material worlds. In pragmatic terms, it means the wise administration of all the assets possessed by a group for that group's benefit: in a word, trusteeship. And it was this trusteeship that was to be given protection [in the Treaty], a trusteeship in whatever form the Māori deemed relevant.

And then from the Muriwhenua Fishing Report (WAI 22) at p. 181

Te tino rangatiratanga o ratou taonga tells of the exclusive control of tribal taonga for the benefit of the tribe including those living and those yet to be born. There are three main elements embodied in the guarantee of rangatiratanga. The first is that authority or control is crucial because without it the tribal base is threatened socially, culturally, economically and spiritually. The second is that the exercise of authority must recognise the spiritual source of taonga (and indeed of the authority itself) and the reason for stewardship as being the maintenance of the tribal base for succeeding generations. Thirdly, the exercise of authority was not only over property, but of persons within the kinship group and their access to tribal sources.

For Matakairiri, rangatiratanga denotes the mana, wehi and ihi that underpins their right and responsibility (their kaitiakitanga) to make decisions and take actions to preserve, protect and enhance their river, Ikatiritiri, and all the lands, estates, forests, fisheries and other properties in their rohe. Rangatiratanga is our birthright.

Ahi Kaa

The Williams Dictionary gives two meanings and the following translations for ahi kaa

1. burning fires of occupation
2. continuous occupation

The noun, ahi, is directly translated as 'fire'. When combined with a verb, particularly a verb in its stative form, the result is an intensification of those properties denoting the state of combustion in which material burns to produce heat, flames and often smoke.

As a verb, kaa(-ngia) is 'to burn' or 'to glow', and in its stative form it denotes a state of 'being alight', 'burning' or 'ablaze'.

Ahi kaa, then, is a form of mana whenua (title to land) established and maintained by a whānau or hapū through a combination of haka-papa back to the primary ancestors who lived on the lands, augmented by occupation over a long period of time, thereby keeping their fires burning.

Ahi kaa is also the term applied to those whānau and hapū whose fires of occupation remain unextinguished over long tenure. By dint of that unextinguished occupation, the mana whenua of those who are and hold ahi kaa is stronger than that of those who do not.

As long as a whānau or hapū are able to maintain their occupation and keep their fires burning, regardless of all depredations or challenges, they are the ahi kaa. Other whānau and hapū may share mana whenua through shared haka-papa, but unless they can show ahi kaa title, they cannot and would not claim ahi kaa status.

Hence, although Matakairiri share a degree of mana whenua with their related hapū of Ngāti Whata / Te Paatu ki Toatoa, Ngāti Tara and Matarahurahu in their respective rohe of Toatoa, Parapara and Kenana, however these hapū who have interest in the rohe of Maheatai/Taipā cannot claim ahi kaa status. It is important for FNDC and all consenting agencies to understand this principle of Matakairiri as ahi kaa in the rohe of Taipa so the relationship with them is tika/right.

Summary

In summary then we can say that the world view and values of Matakairiri are firmly rooted in the spiritual aspects of this world, where mankind and all other creations, both physical and spiritual, are imbued with a life force (mauri), mana and tapū by the gods.

From the spiritual world proceeds the material and physical world of Te Ao Marama (the World of Light), and the spiritual (which is the higher order) interpenetrates Te Ao Marama. (Marsden 1992:134). In the physical world, the genealogical relationships between people are of highest importance.

Basic concepts of mana, tapū, whanaungatanga, rangatiratanga, kaitiakitanga and ahi kaa must be clearly understood by FNDC and all agencies involved in the Project as underlying all Matakairiri thinking and practice. It must also be appreciated that behind these concepts Matakairiri have their own wealth of traditions and tikanga (laws) which explain and give substance to each concept. These traditions and tikanga invariably hark back to the role played by the Ātua (gods) in the creation and on-going maintenance of the world in both its physical and spiritual form.

SECTION 6 – WHENUA TAONGA (LANDMARKS) OF MATAKAIRIRI

There are a number of whenua taonga in the rohe of Matakairiri. Each of them reinforces their mana whenua and explains why and how they are the kaitiaki over them. For the purposes of this CIA report, we have included brief descriptions of a few of the most significant of these whenua taonga.

Ōtako – Tauranga Waka

Te Parata navigated the Māmaru waka to Aotearoa and eventually made landfall at Ōtako. This is the tauranga waka that Ngāti Kahu acknowledges as the arrival point of their founding tūpuna from Hawaiiki. From Ōtako, Te Parata and Kahutianui established their whānau in the Ōruru lands.

Hakapapa Pā

Inside the Ōruru Valley is a major pā that Ngāti Kahu established in its founding years. To access Hakapapa Pā you travel up Ikatiritiri river then turn into Parera river and through Kaikakaho. You then go further up to arrive at the Pā.

Ōpouturi

Hakapapa was renamed Ōpouturi after Koropeke and his men were killed there by Te Wairua and Ngāpuhi seeking after the mana of Kakaitawhiti, Koropeke's father. When Kakaitawhiti took his son's body away to be buried, he looked back at Hakapapa and did not want that event to be heard or told again in his hearing. Hence the name became Ōpouturi.

Māheatai

Māheatai has two interpretations; a physical and a spiritual. The name of the land describes the ebbing and flowing of the tide and provides a spiritual symbolism of life; entering the natural world and departing from it. Māheatai is also the name of a portal into the spiritual world.

Māheatai are the lands between Hakapapa pā and Tokerau Moana. In this area, fish and shellfish were once in abundance.

Herewaka

Herewaka is the Taipā beach frontage where the food carrying waka were tied. The tapū and noa principles were strictly adhered to in that early Ngāti Kahu period; hence the separation between areas where tapū or sacred ceremonies were conducted and areas where noa or temporal matters were conducted.

Hikurangi Maunga

This is the kainga of the kaitiaki Kaahu for the Māmaru Waka of Ngāti Kahu. The Kaahu protected the iwi and operated from its dwelling atop Hikurangi. One of the local hapū, Pikaahu, derive their name from the Kaahu. The tūpuna of that hapū was raised and nurtured on Hikurangi by the Kaahu. His descendants originally adopted the name Pīpīkaahu, the fledglings of the hawk, in remembrance of this event.

To access Hikurangi you follow a similar route to that which takes you to Ōpouturi (Hakapapa pa), but Hikurangi maunga is not very far past Kaikakaho.

Ōmātai

Ōmātai is another Pā site of Koropeke, the son of Kakaitawhiti. At the base of Ōmatai is the beginnings of the river Ikatiritiri, where the salt water from Tokerau Moana meets the fresh waters that flow down from Maungataniwha.

The symbolism of the name, Ōmatai, also signifies the transformation that occurs when moving from a spiritual state of being to a physical state of being.

Waimutu

Waimutu is the first river that branches off Ikatiritiri. It was a source for patiki, karehu and kanae.

Further up the Waimutu, you arrive at what is now known as Ryder's Creek and come to the site of the first Marae at Taipā which was a marae built by and for Kohikiko Pikaahu who married Marara Herangi, daughter of Tainui Chief, Tawhiao. Kohikiko and Marara had two sons, Te Wiki Pikaahu and Henare Pikaahu. The descendants of these two sons went on to establish and support marae at Taipā and Toatoa. Hence the very close relationships between Karipori Marae of Matakairiri hapū in Taipā, and Ko Te Ahua Marae of Ngāti Whata hapū in Toatoa.

Whatianga

Whatianga is a Pā site located at the headland of the entrance going into Ikatiritiri. It was a waahi tūtei for approaching enemies (a lookout point). In this Pā site is a puna, also called Waimutu. It is of great significance to Matakairiri.

Ikateretere / Ikatiritiri

Ikatiritiri is the name of our Awa. It is also rendered Ikateretere. One translation is that it refers to the shoals of fish when they are schooling on the surface; teretere is descriptive of this event. Hence ika (fish) teretere (schooling on the surface).

Ikatiritiri, has been altered and diverted over the years, and the original river used to run through Ōruru when fish life was in abundance in that area.

Tangitepurupuru

Below the quarry on the Ikatiritiri awa is the place we call Tangitepurupuru. This name derives from the crying of sealions living there.

SECTION 7 – LEGISLATIVE AND STATUTORY CONSIDERATIONS

Under Crown law there are a number of legislative and statutory requirements affecting the Project which also augment and support the tikanga and rangatiratanga of Matakairiri. In this Section, the relevant legislation and statutes are detailed below.

Resource Management Act 1991

Part II of the Resource Management Act 1991 [the Act], which sets out the Principles and Purposes of the Act, determines those matters which must influence all decisions relating to the use of natural resources. In respect of matters specifically relating to Māori interests these are given at Ss. 6(e), 7(a) and 8 although there is considerable overlap in practice between these subsections and all other subsections of Part II.

The Fourth Schedule of the Act sets out the matters which should be considered when preparing an assessment of the effects that a proposal will have on the environment. These include cultural effects, any effects on ecosystems, and any effect on natural and physical resources having spiritual or cultural value for present or future generations. This Schedule requires that in making an assessment of effects on the environment those persons interested in or affected by the proposal should be identified, as should be the consultation undertaken and any response to the views of those consulted. Furthermore, a description of the mitigation measures to be undertaken to help prevent or reduce the actual or potential effect should be included in the assessment.

The full text of the sections which specifically relate to Māori and tangata whenua matters and are also specifically relevant to the present proposal are:

Section 6. Matters of national importance - In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

(e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapū, and other taonga.

Section 7. Other matters - In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to -

(a) Kaitiakitanga:

Section 8. Treaty of Waitangi -In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The above sections specifically relate to matters which must influence any decisions of the Far North District Council, the Northland Regional Council, the Environment Court and other authorities in respect of the current upgrade of the Taipā Wastewater Plant.

The nature of discussions with the FNDC indicated a need to provide explanations not only of the meaning of these sections and the Māori values and concepts behind them, but also the practical implementation of them in respect of the proposed upgrade of the TWWP. Such explanations are provided in this Cultural Impact Assessment at SECTION 5 – Cultural Values, and in SECTION 8 – Hapū Recommendations.

The Fourth Schedule of the Act lists matters that should be included and considered by the applicant in an assessment of effects on the environment and matters that should be considered when preparing an assessment of effects on the environment. In relation to tangata whenua issues the following sections are particularly relevant:

1. Information must be specified in sufficient detail

Any information required by this schedule, including an assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.

2. Information required in all applications

- (1) An application for a resource consent for an activity (the **activity**) must include the following:
 - (f) an assessment of the activity against the matters set out in Part 2:
 - (g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).
- (2) The assessment under subclause (1)(g) must include an assessment of the activity against—
 - (a) any relevant objectives, policies, or rules in a document; and
 - (b) any relevant requirements, conditions, or permissions in any rules in a document; and
 - (c) document; and
 - (d) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).
- (3) An application must also include an assessment of the activity's effects on the environment that—
 - (a) includes the information required by clause 6; and
 - (b) addresses the matters specified in clause 7; and
 - (c) includes such detail as corresponds with the scale and significance of the effects
 - (d) that the activity may have on the environment.

3. Additional information required in some applications

An application must also include any of the following that apply:

- (c) if the activity is to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, an assessment of the activity against any resource management matters set out in that planning document (for the purposes of section 104(2B)).

6. Information required in assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must include the following information:
 - (a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity;
 - (b) an assessment of the actual or potential effect on the environment of the activity;
 - (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use;
 - (d) if the activity includes the discharge of any contaminant, a description of—
 - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
 - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment:
 - (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect;
 - (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted;
 - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved;
 - (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the

exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

(2) *A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.*

(3) *To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—*

(a) *oblige the applicant to consult any person; or*

(b) *create any ground for expecting that the applicant will consult any person.*

7. Matters that must be addressed by assessment of environmental effects

(1) *An assessment of the activity's effects on the environment must address the following matters:*

(a) *any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:*

(b) *any physical effect on the locality, including any landscape and visual effects:*

(c) *any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:*

(d) *any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:*

(e) *any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:*

(f) *any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.*

(2) *The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.*

The Fourth Schedule is subject to the provisions of any policy statement or plan. At the date of writing this CIA, the most relevant policy statement in respect of tangata whenua issues is the [New Zealand Coastal Policy Statement 2010](#). The [Regional Coastal Plan for Northland](#), which was drawn up following the guidelines provided in the national policy statement, is also relevant as is the [Far North District Plan](#).

Pouhere Taonga Act 2016

In Part 1, Section 3 describes the purpose of this Act, which is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand.

Section 4 requires all persons performing functions and exercising powers under this Act to recognise a variety of principles, including —

(d) *the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tūpuna, wāhi tapu, and other taonga.*

Under Part 2 of the Act, two organisations are established – New Zealand Pouhere Taonga (Historic Places Trust) and the Māori Heritage Council.

In Section 13 (1)(i) one of the functions of Pouhere Taonga is to act as a heritage protection authority under [Part 8](#) of the Resource Management Act 1991 for the purposes of protecting—
the whole or part of a historic place, historic area, wāhi tūpuna, wāhi tapu, or wāhi tapu area; and

land surrounding the historic place, historic area, wāhi tūpuna, wāhi tapu, or wāhi tapu area that is reasonably necessary to ensure the protection and goals of reasonable enjoyment of the historic place, historic area, wāhi tūpuna, wāhi tapu, or wāhi tapu area.

Then in Section 27 (f), (g) and (h) the Māori Heritage Council has the following functions:

to consider and determine suitable applications to enter wāhi tūpuna, wāhi tapu, and wāhi tapu areas on the New Zealand Heritage List/Rārangi Kōrero:

to propose historic places and historic areas of interest to Māori to be entered on the New Zealand Heritage List/Rārangi Kōrero:

to make recommendations to Heritage New Zealand Pouhere Taonga on applications for resource consents referred by Heritage New Zealand Pouhere Taonga under section 75:

Section 75 covers proposals affecting wāhi tapu areas entered on New Zealand Heritage List/Rārangi Kōrero.

Conservation Act 1987

Under Part 1 Section 4, this Act shall so be interpreted and administered as to give effect to the principles of the Treaty of Waitangi.

SECTION 8 – FNDC BACKGROUND UPDATE AND HAPŪ RECOMMENDATIONS

Matakairiri declares the Mission Statement from Te Mana O te Wai Hapu is an inclusive document to the CIA of Matakairiri and carries the mana and tikanga of our collective hapu tikanga values of Ngati Kahu.

Matakairiri CIA is to establish open, transparent communications with all interested and affected parties; maintain tika and pono working relationships; identify the potential risks and mitigations of the Upgrade; produce this CIA to edify, inform and help the FNDC, all and all regulatory consenting authorities to understand the cultural context of the upgrade risks and mitigations.

To conclude this CIA, Matakairiri have now compiled a table of recommendations that address the following concerns:

potential adverse impacts for all future generations in our rohe/community with the impact in our awa(river/waterways) and our whenua (lands)

Matakairiri now provide this CIA and its recommendations to FNDC and all other consenting authorities that the following recommendations are implemented in good faith and in accordance with tikanga Māori as laid out in this CIA, there is considerable potential for successful outcomes for the applicant FNDC, the community of Doubtless Bay, Matakairiri and the rest of Ngāti Kahu, and indeed the wider community of Te Hiku o Te Ika.

HAPŪ RECOMMENDATIONS

*Appendix 1 attachment – Reference to Te Mana O Te Wai Hapu Mission Statement

SIGNIFICANT CULTURAL AND PHYSICAL ADVERSE EFFECTS	RECOMMENDATION/METHODOLGY	COMMISSION/RESOURCE
1.CULTURAL TIKANGA		
KARAKIA	Commencement of upgrade works Tikanga Protocol Option for dawn karakia or alternative timeframe	Hapū to nominate Kaumatua/priest for all ceremony events. Far North District Council to resource ceremony protocols.
	Completion of upgrade works Tikanga Protocol Option for dawn karakia or alternative timeframe	
CULTURAL INDUCTION	To be delivered by Venerable Lloyd Popata, (Matakairiri Kaumātua) a brief clearing and hohou rongo (peace-making) ceremony. With the Hau kāinga hapū /whanau to educate FNDC, associated governing agencies and contractors of the tikanga and kawa of the Matakairiri hapū.	FNDC to commission Venerable Lloyd Popata and resource hui costings.
2. HAPŪ ENGAGEMENT		
HAPŪ TIKANGA ACKNOWLEDGEMENT/AGREEMENT	<p>HAPŪ CONSULTATION</p> <ul style="list-style-type: none"> All agreed processes/schedules are actioned within acceptable timeframes. FNDC and all associated governing agencies and contractors acknowledges the Hau kāinga tikanga of Matakairiri. Establish a Terms of Agreement with Matakairiri te hapū Continue engagement with FNDC for the TWWP Upgrade Issues and Options Process. FNDC and all associated governing agencies acknowledges and supports Te Mana O Te Wai Hapū Integration Roopu(HIR)recommendations within their Mission Statement pertaining to the Taipā WWTP upgrade process. <p>Hapū to have access to all reports pertaining to the upgrade of the TWWP.</p>	Far North District Council and or other consenting authorities

2.OPERATIONAL ENGAGEMENT		
OPERATIONAL SUPPORT	<p>MONITORING – TRAINING – REPORTING</p> <ul style="list-style-type: none"> • Hapū Kaitiaki monitoring, training and reporting as ongoing support into the upgrade and future analyses of the TWWP treatment and land disposal solutions. • All contracting/maintenance staff to be fully trained to operate and maintain new system • All monitoring contractors/staff to work alongside Hapu Kaitiaki with future testing/monitoring process 	Far North District Council and or other consenting authorities
3.RESOURCE CONSENT		
<p>CULTURAL TIKANGA</p> <p>THE RESOURCE MANAGEMENT ACT 1991</p>	<p>Hapu will support an initial 5-year resource consent with the following conditions adhered too:</p> <ol style="list-style-type: none"> 1. Upgrade or replace existing system 2. a reduced discharge rates 3. discharge to land option/s <p>It will be imperative over a 5-year period to analyse the upgraded system and work towards a land disposal option.</p> <p>The above recommendation is the action that is needed to meet the tikanga and cultural needs for hapu within the RMA 1991 pertaining to</p> <p>Section 5 – Purpose a,b,c</p> <p>Section 6 – Matters of National Importance</p> <p>E: the relationship of Maori and their ancestral lands, water, sites, waahi tapu and other taonga</p> <p>G:the protection of recognized customary activities.</p> <p>Section 7 – Other Matters</p> <p>Section 8 – Treaty of Waitangi</p>	FNDC
ECONOMIC DEVELOPMENT	RECOMMENDATION	COMMISSION/RESOURCE
EMPLOYMENT OF LOCAL EXPERTS AND ASSOCIATES	Throughout the project the Hapū Group will need to seek the expertise of specialized consultants to meet the needs/roles within the TWWP Upgrade. We do envision we will need	Far North District Council and or other consenting authorities

	<p>consultants throughout different stages of the upgrade TWWP .</p> <p>Cultural Monitors</p> <p>Hapū Cultural Advisors</p> <p>Hapū Expertise Environmentalist/Scientist</p> <p>AS PER TERMS OF ENGAGEMENT</p>	
EDUCATION DEVELOPMENT	<p>Support learning initiatives:</p> <p>Engaging and resourcing community programs along with rangatahi projects within the upgrade process to upskill with NCEA accreditation/cadetships and seminars/programs in career path options that incorporates the following learning initiatives.</p> <p>Cultural/historical and research/documentation</p> <p>Environmental Solutions</p> <p>Pollution: water/air/land</p> <p>Waste management</p> <p>Business Studies</p>	<p>Far North District Council and or other consenting authorities</p>

MISSION STATEMENT

FROM NGATI KAHU HAPU, NGATI TARA, NGATI WHATA & MATAKAIIRIRI & DOUBTLESS BAY COMMUNITY MEMBERS LIVING IN THE CATCHMENT AREA OF TAIPA, PARAPARA & AURERE

Named: TE MANA O TE WAI HAPU INTEGRATION ROOPU (HIR)

Tihei mauri ora, the 3 Hapū of Ngāti Kahu – Ngāti Tara, Ngāti Whata and Matakairiri as Kaikaitiaki in our rohe are fulfilling our responsibility to mitigate and protect our waterways from the adverse effects of the discharge overflow of the Taipā Wastewater Plant into the Parapara awa and Aurere moana.

We are making the statement that the mauri of our awa and moana is suffering from the adverse effects from the Taipā Wastewater Plant due to poor maintenance and nil upgrade of the plant and compliance standards that have not addressed population and development growth in our rohe.

For our 3 hapu the health of our awa and moana has for mai rānō been an intricate part of our tikanga (way of life). We know all waterways in our rohe are the life force that has allowed our whanau to remain on our tribal lands for generations.

Historically the Parapara awa flourished with a variety of tuna, Aurere was plentiful providing a wide variety of kai moana and shellfish. This legacy, our tupuna handed down through tikanga practices from collection and spiritual respect to rejuvenation methodologies that kept our waterway's healthy.

We need the mauri of our awa and moana returned to its natural state.

**RE: Taipa Wastewater Treatment System
Resource Consent 4007 Renewal. Overdue since
2008**

This is a Statement that we; TE MANA O TE WAI HAPU INTEGRATION ROOPU (HIR) will be accepting, a renewal of the Consent 4007 conditional on, and only if, the following discharge parameters of the upgraded Waste water treatment plant can be met, as per the National Policy Statement for Fresh Water Management 2014 (amended 2017) Ministry for the Environment.

We have an obligation to protect our Environment and stop the pollution of our water ways. A point source discharge of Waste water is an ideal example for implementing very tight parameters to stop future pollution and reduction of marine life.

TO THE FAR NORTH DISTRICT COUNCIL,

To carry out the following activities associated with the operation and use of a sewage treatment and disposal system at Ryder and Parapara Roads, Taipa on, Pt Allot 57, Pt Sec 33, & Pt Allot 24, Blk IV Mangonui SD:

01

To discharge treated municipal wastewater to land after the following discharge parameters are met.

- a) Zero discharge over the property of IJ & GM Muir Trust, Parapara Road, as is the current situation.
- b) Zero discharge into Parapara Stream, or any stream in our rohe.

02

To discharge contaminants to air from activities associated with the treatment and disposal of wastewater at two points, at or about Map References O04:514-882 & O04:524-889;
subject to the following conditions:

***APPENDIX 1.2 – TE MANA O TE WAI HAPU (HAPU INTEGRATION ROOPU HIR)**

DISCHARGE TO FARM LAND

- 1 The quantity of treated wastewater discharged shall not exceed 350 cubic metres per day (based on dry weather flows).
- 2 The discharge shall not cause the soil quality in the unnamed designated area, to fall below the following standards:
 - a) The natural pH of the soil shall be within the range 6.0 to 6.5
 - b) The median concentration of the faecal coliform bacteria in the water shall not exceed 100 per 100 millilitres, and the 80percentile concentration shall not exceed 350 per 100 millilitres, based on not fewer than 5 samples taken over any 30day period.
 - c) The dissolved oxygen concentration shall not be reduced below 90% of saturation.
 - d) The concentration of total N in the discharged treated water shall not exceed the following:
at pH 6.5; **20°C**; 1.0 mg/l total Nitrogen
 - e) The concentration of total P in the discharged treated water shall not exceed 0.25 ppm

SCHEDULE 1

The Consent Holder or its agent shall carry out the following monitoring programme.

1. MONITORING OF THE DISCHARGE

At not less than weekly intervals the Consent Holder or its agent shall undertake the following sampling and analyses.

Composite samples of the discharge made up of not less than three consecutive grab samples of equal volume taken at least 5 minutes apart and be analysed for the following:

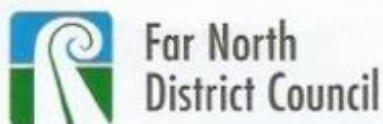
*APPENDIX 1.3 – TE MANA O TE WAI HAPU (HAPU INTEGRATION ROOPU – HIIR)

Determinand
pH
Total Phosphorus
Total Ammonia
Total Nitrite
Total Nitrate
Total Nitrogen
Biochemical Oxygen Demand BOD 5 or DOD 5
Suspended Solids

Determinand
Total Coliforms (membrane filtration technique)
E. coli

2.0 REVIEW

This monitoring programme may be reviewed two years after the commencement of the consent, where a need arises. The Northland Regional Council in conjunction with the Consent Holder shall undertake the review. The Consent Holder shall meet the reasonable costs of any such review.



Taipa Wastewater Treatment Plant: Background information

1. Introduction

The Taipa wastewater treatment plant was commissioned in 1990. The treatment plant is located just south of the Taipa township, off Ryder Road and treats wastewater from Mangonui to Taipa. Treated wastewater from the treatment plant is pumped to a constructed wetland located in the Parapara River Catchment. From the wetland treated wastewater discharges into a farm drain which eventually flows into the Parapara Stream.

The purpose of this document is to provide background information on the treatment plant to assist with the work that is to be carried out by a working party comprising Doubtless Bay Marae and FNDC.

2. The current treatment system

The Taipa treatment system consists of a pond based treatment process, consisting of three aerated ponds, following by a large shallow treatment pond. Wastewater flows through each of the aeration ponds before flowing into the shallow "maturation" pond (see Figure 1 below).



Figure 1. Aerial imaging showing the Taipa wastewater treatment plant. White arrows show the flow direction of wastewater.

The treatment process works by encouraging good bacteria to grow in the pond water and subsequently breaks down the biological matter in the wastewater.

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From the maturation pond, treated wastewater is pumped to a large constructed wetland. The wetland provides additional treatment by mimicking key features of natural wetlands, including the uptake of contaminants by plants. From the wetland, treated wastewater flows into a drain, which travels approximately 2km before reaching the Parapara River. A map showing the location of the wetland and treatment plant is attached to this document (see Appendix 1). Average flows from the treatment plant are around 500m³/day (about 500,000 litres per day).

3. The resource consent process

Permission in the form of a resource consent is required from the Northland Regional Council to allow for the wastewater to be discharged into the receiving environment. The resource consent for the Taipa wastewater treatment plant expired in 2008 and an application for a replacement resource consent was lodged with the Regional Council before it expired. The resource consent application was notified in 2010 to allow for public submissions on the proposal. A great deal of submissions were lodged in opposition to the consent application and FNDC staff requested that the application be placed on hold to try and resolve some of the concerns that were raised. In late 2014 and early 2015, FNDC staff started making contact with submitters and affected parties in a bid to re-commence the consent process. A meeting was eventually held at Parapara Marae on 27 March 2015 between FNDC and representatives of affected Marae. At that meeting it was agreed that a working party would be formed comprising marae representative and FNDC staff in order to effectively work through the issues together.

4. Compliance

Although the consent for the Taipa wastewater treatment plant expired in 2008, FNDC is able to continue to use the resource consent until a decision on the replacement consent has been made. The expired consent contains a number of conditions that require specific standards in terms of treatment quality. Generally the wastewater treatment plant is capable of meeting those standards. However, when conditions are dry, the standards that relate to ammonia concentrations in the receiving drain are not able to be met.

5. What technical information is available at the moment

Currently FNDC sample the treated wastewater at the outlet of the constructed wetland and at a few sites approximately 1km downstream of the discharge point. In addition FNDC commissioned weekly catchment wide water quality monitoring for about 12 months over 2009 and 2010. Finally, FNDC recently commissioned an ecological study of the receiving environment to explore how the wastewater was affecting stream life and what could be done to improve the situation.

6. The working party

A working party is to be formed that comprises of marae and FNDC representatives. A meeting will be held at Parapara Marae on 23 April 2015 to establish the goals of the working party and the process by which the working party will achieve those goals. The resource consent application will remain on hold until the working party for this project has reached a conclusion.