

Wai 2200, #A198(c)

KEI MUA I TE AROARO O TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

BEFORE THE WAITANGI TRIBUNAL

WAI 2200

IN THE MATTER OF The Treaty of Waitangi Act 1975

AND

IN THE MATTER OF The Porirua ki Manawatū Inquiry

SUMMARY OF PORIRUA KI MANAWATŪ INLAND WATERWAYS CULTURAL PERSPECTIVES TECHNICAL REPORT BY HUHANA SMITH, WAI 2200, #A198.

16 Höngongoi 2020

RECEIVED

Waitangi Tribunal

17 Jul 2020

Ministry of Justice WELLINGTON

WOODWARD LAW OFFICE

Lead Counsel Filing: Donna M T T Hall Lyndon Rogers PO Box 30411 Lower Hutt 5010 +64 (04) 560 3680 info@mokoia.co.nz Taku turanga ake ki runga ki ngā maunga titohea o te takiwā nei, ko Tararua, Ōtararere, ko Poroporo, ko Pukeātua, ki ngā wai ora, ki ngā wai puna, ki ngā wai tuku kiri o te iwi, ko Ōhau, Ko Waikōkopu, ko Kuku, ko Tikorangi, ko Mangananao, ko Te Mateawa, ko Te Rangitāwhia, ko Ngāti Manu, ko Patumākuku, ko Ngāti Kapumanawawhiti o te rohe ki te iwi nei o Ngāti Tūkorehe.

Ko Āni rāua ko Rameka Wehipiehana ōku mātua tupuna, nō Kuku, Horowhenua.

Ko Parewai rāua ko Arthur Holder ōku kaumātua, nō Kuku, Horowhenua hoki

Ko Netta (nō Kuku) rāua ko Adrian Smith (nō Savernake, Ahitereiria) ōku mātua

Ko Ngāti Tukorehe te iwi, ko Te Mateawa, ko Te Rangitāwhia, ko Kapumanawawhiti

ōku hapū

Ko Huhana Smith taku ingoa

He kaimahi kerēme noa iho ahau

Ka karanga atu au ki ngā rangatira katoa i noho ana i waenganui te rohe a Porirua ki Manawatū.

Tēnā ra koutou katoa.

- 1. This Summary Report highlights the main claims issues expressed orally and recorded from informants during many wānanga in many locales held across the wide claimant rohe in 2016. The voices collated are presented in the Porirua Ki Manawatū Inland Waterways Cultural Perspectives Technical Report, compiled by the Te Rangitāwhia Whakatupu Mātauranga (Te Rangi) research team. The related transcriptions are collated verbatim within the Porirua Ki Manawatū Inland Waterways Cultural Perspectives Oral Report compiled by staff of Te Rangi. We all contributed to our Inland Waterways part of the Crown Forest Rental Trust commissioned research projects for the Porirua ki Manawatū claims inquiry.
- 2. The Te Rangi team engaged with a large claimant community with initial iwi statements sourced from Muaūpoko (page 50), Rangitāne (page 55), Ngāti Raukawa ki te Tonga (page 52), Te Ātiawa (page 58), Ngāti Toa (page 61), and Ngātiawa (page 60) with a wānanga and interview outline highlighted on pages 66-67. The latter table highlights key individuals and hapū participant groups who responded to the team's interview requests.

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The Voices

- 3. Each voice amplifies long-term pain and frustration, experienced or expressed over successive generations to become a now long-standing and intergenerational issue. A significant, varied and complex range of historic land tenure alienations have impacted negatively against Māori values and their relationships to lands and waterways. This led to a comprehensive severing of once intricate and intimate iwi and hapū cultural relationships with, greater knowledge of freshwater itself, related freshwater riparian forest cover, and associated inland freshwater species therein. Across the large claimant rohe there were once teeming healthy habitats of forests, streams, rivers, puna wai, freshwater lakes, wetlands and many other waterways that were sites for intergenerational seasonal gathering of sustenance, for an abundant range of species that ensured hapū and whanau wellbeing.
- 4. The team tried to reflect the range of laments so keenly felt by our informants about the past and their concerns for generations of today, who must suffer these severances and waterway decline. In this way too, we tried to highlight the long-term damaging effects of waterway decline, which continues to impact upon Māori cultural condition, abilities to maintain mātauranga Māori or transfer Māori world views of Te Taiao to next generations. All voices raise issue with the compounding ill-effects of colonisation via land and waterway alienation, which were promulgated by major shifts in power bases between Māori and Pākehā settler communities and disregard of intricate Māori knowledge systems. Differing values over water created conflicts, particularly when customary approaches to waterways as revered beings were ignored. This not only impacted on spiritual propitiation, but also for food gathering where related sustainable care protocols were disregarded. These conflicts in values and understandings with differing uses led directly to relentless, intensified expansion of agricultural land and waterway modification, which today has culminated in accumulated toxic point and nonpoint source pollution today. Other expanded urban and peri-urban development (built up over many generations with associated infrastructure) also spread across the inquiry region, impacting on all claimants' relationships with diverse water bodies. Claimants raised concerns for impacts of large-scale drainage, stop banking and other damaging engineered modifications exacted upon natural systems.

- 5. Ongoing Crown inaction over waterway health, at the time of consolidating this Porirua Ki Manawatū Inland Waterways Cultural Perspectives Technical Report in 2016, also emphasizes how strident the response to delays in overturning decline in freshwater species and impacts on New Zealand's economy have become. This is also alongside the related mainstreaming of climate change vulnerabilities and its reporting (pages 43-47). This report also emerges from the context of hands-on, evidence-based, action-orientated research (e.g. Manaaki Taha Moana 2010-2015) within areas of the inquiry region. All combined and documented impacts cannot be underestimated within this inquiry region.
- 6. As attested in complimentary evidence, initiated within the inland waterways historical report summary it is clear that,

"In a Māori worldview, waterways are everything: they are the conduit and giver of life; the arterial network giving sustenance to Papatūānuku and all who live on her; and the means by which she is able to cleanse herself of impurities. As literal and metaphysical providers of life and sustenance that carry ancestral connections, waterways are central to hapū and iwi identity - as expressed and celebrated in pepeha, histories, whakatauki, waiata, and stories. These whakapapa relationships are necessarily reciprocal, where the physical and spiritual wellbeing of each is inextricably tied to the other, conferring the need for kaitiaki to protect the mauri or life force of waterways so they can maintain their vitality and, in turn, continue to support the mauri and vitality of their hapū and iwi. Protecting mauri involves keeping waterways free from the harm of pollutants, degradation, and interference from other water bodies - and caring for their physical health through responsible and sustainable resource use practices, and their spiritual health through the observance of tikanga."

- "...waterways have cultural value due to their centrality to hapū and iwi identity and wellbeing, they are also a key source of mana, including through the manaaki of visitors by being able to serve locally renowned delicacies sourced from them such as eel, whitebait, and other freshwater fisheries. Waterways continue to have value in the spiritual lives of whānau, hapū, and iwi through the practice of rituals, such as tohi rites, the maintenance of wāhi tapu, and through their use as a rongoā for healing and wellbeing."
- 7. In this report, each and everyone's expressions resonate on issues that arise from complex legacies. These include: Historical land tenure changes (1840-1870) resulting in complicated internal struggles that ensued between iwi and hapū during these times of land and waterway political disturbances, which had been created by Crown and Court actions (1860-1870). Each group or individual

highlights how ancestral reactions to these land tenure changes and loss of ties to waterbodies, continue to impact on current generations' customary rights over waterways today. Their voices are critical evidence attesting to complicated systems and procedures exacted over waterway resources – a convolutedness that is analogous to the decline of once intricate and intimate knowledge of place, lands and related waterways.

Key Themes

8. Each group of participants highlight: the customary use and significance of the waterways within the region; the impacts of colonisation; ownership issues and hapū and whanau loss of management and control over waterways; their concerns for water quality from pollution; the impacts of drainage, weirs, barriers and culverts in waterways due to expanding urban development; loss of taonga species, and how ongoing hapū disconnection to place leads to dysfunction, loss of mātauranga Māori in relations to fishing practices including sustainable protocols associated with all food gathering practices, maramataka Māori and related astronomical knowledge; and the consequent inability to exercise tino rangatiratanga over rivers, streams, springs, dune lakes, wetlands and other significant waterways from mountains to sea within respective regions. This weighs heavily on everyone's sense of wellbeing as their respective autonomy or leadership (as respective iwi, hapū and whanau authorities) is curtailed. This further compounds the inability for more to act more compellingly or persuasively with/within government entities, particularly in respects to resource management, environmental cultural practices, and the active restoring of the health and wellbeing according to Māori worldviews.

Clear Maps of Significance

- 9. The series of significant waterways maps highlight the inland waterways and wetlands of significance with a range of cultural values (pages 14-33). As collated here, these waterway sources of sustenance kept peoples well-maintained and well-fed as youngsters or adults with growing whanau. Adversely, in just a generation these relationships and engagements with safe waterways, are virtually non-existent today.
- 10. It is within the last forty years or so that intensified and expanding peri-urban and coastal developments, along with expanding subdivisions within remaining

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agricultural landscapes, or major expressway developments dissecting communities that these dominating actions have effectively ignored, downplayed or applied lowest levels of compliance to a holistic Māori environmental world view, values or mātauranga Māori knowledge base of place. Such avoidances by Crown authorities to fully and more meaningfully engage with iwi and hapū, has led to tenuous balance between the cultural and spiritual needs of hapu and iwi; their proactive participation as decision makers over waterways; their roles as hands-on kaitiaki, or as being respected managers to leave their lands and waterways in a better state for future generations. Claimants reiterate though that there are: accumulated impacts of colonisation on their cultural survival over time; complexities created over historic ownership issues in the region; contemporary concerns of being isolated from more critical and active engagement in the resource management of their waterways within their regions, and impacts on species and habitat loss within once healthy and bountiful waterways.

Maintaining Resilience to Transform

- 11. Whilst the interviewees' collective recollections indicate the pain of disengagement from their rivers, streams, springs, dune lakes, wetlands and other significant waterways from mountains to sea within the wide inquiry regions, each participant remains determined to affect significant ecological improvement where sustainability of both the environment and people must be enhanced. Therefore, collated korero a hapū as stories of contemporary reality must be the basis of transformative change via shared visions based on Māori knowledge of place, with planned implementable actions. With respectful cointelligence and co-management strategies that are led by Māori, such convergences should ensure the regenerative health and wellbeing of their communities.
- 12. To these ends, these combined iwi and hapū voices alongside all Natural Environment reports will activate new ways of doing things for remnant natural areas within revered ancestral landscapes. There are also many related actions and strategies underway at present that aim to reconcile strong Māori values as the interdependent means to heal whole communities, whilst simultaneously reenhancing iwi and hapū relationships with waterways within the inquiry district.

However, all actions must first and foremost, respectfully acknowledge Māori methods of environmental resource management and apply Māori systems of understanding. Reconciling knowledge systems between Māori and non-Māori could be achieved alongside better sustainable economic and cultural imperatives – all for the sake of improving socio-cultural, socio-economic, environmental and human well-being. Far more well-resourced actions for enhanced kaitiakitanga must complement more assured holistic or ecologically-based developments.

Conclusion

- 13. This summary report overviews the formidable forbearance of informants, where Te Rangi researchers tried to honour the depth and breadth of these voices. Enduring whakapapa relationships to waterways document the temerity of iwi, hapū and whanau as they act with passion and conviction over their waterways. The main cause of combined anguish from this collection of voices is without doubt - the long term impact that dominating processes of colonisation have had on iwi, hapū and whanau cultural contexts, exacted over generations, wearing peoples down over long periods of time. However, these informants assure us that collective Mana Atua, Mana Whakapapa, Mana Whenua, Mana Tangata (encompassing Mana Wāhine and Mana Tāne) can and should be enhanced through increased understanding of how Mana resonates within a Māori environmental world view. Mātauranga or knowledge grounded by place and genealogy, can be harnessed by Māori leadership to be taken on board by more willing authorities. More respectful and meaningful engagement with Māori authorities with appropriate and relevant resourcing to the many tasks, leads to better co-creation of solutions, which must be applied urgently to the degradation issues that these peoples and their inland waterways to sea across the rohe, currently face. This report sought to document voice and experiences of place as the grounding upon which to redress the adverse actions of Crown agencies exacted over generations, space and time. In this precarious world we inhabit, it is critical to uphold the guarantee of iwi, hapū and whanau perspectives in maintaining their rights over their waterways and lands. Such promises were enshrined in the Treaty of Waitangi in 1840.
- 14. The strong and diverse voices from across this rohe provide formidable bases of knowledge and power that can help re-value and re-prioritise the urgent

actions required for waterbodies and associated freshwater resources, which flow from mountains ranges and foothills, into the marine environment. Water is critical to Aotearoa New Zealand's wellbeing. Water is the lifeblood of our environment and underpins our socio-cultural and economic systems, where combined voices in this report encompasses ki uta ki tai (mountains to sea) perspective with waterways that are strongly interconnected with all parts of the biosphere. Hearing these voices is most critically important, so that biosphere of rangatiratanga and active kaitiakitanga can provide for contemporary acts of rangatiratanga and active kaitiakitanga can provide for better health and wellbeing for iwi, hapū and whanau, and by association, for all

Dated at Wellington this 16 Höngongoi 2020

communities who call Aotearoa New Zealand, home.

Donna Hall Lyndon Rogers

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Lead Counsel for the Witness.