



Te Taiwhenua o  
**HERETAUNGA**

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**BEFORE THE HEARING PANEL**

**IN THE MATTER OF**

The Resource Management Act, 1991

**AND IN THE MATTER OF**

Applications APP-123534, APP-123548, APP-123526, APP-123550, APP-123535 & APP-123536 by the Regional Assets Section, Hawke's Bay Regional Council to extract gravel and undertake other earthworks at various locations along the Ngaruroro River, Tukituki Catchment Rivers and Tūtaekurī River to the coast.

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**Statement of Evidence of MAREI BOSTON APATU  
For Te Taiwhenua o Heretaunga**

**Cultural and environmental matters  
01 DECEMBER 2021**

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## He Mihi

*Ko Ruahine, Owahaoko, Puketapu ngā pae maunga*

*Ko Ngaruroro, Taruarau, Ikawātea, ngā awa*

*Ko Kuripapango, ngā kōrero nehera*

*Ko Owahaoko, Timahanga, Omahaki, Kohurau, Otamauri, Matapiro, Maraekākaho, Ohiti-Waitio, Ngātarawa, Heretaunga ngā whenua*

*Ko Ngāti Hinemanui me Ngai Te Upokoiri Ngāti Hawea ngā hapū*

*Ko Heretaunga Haukunui, Ararau, Haaro Te Kaahu, Takotonoa, Ringahora*

*Ko Ngāti Kahungunu te Iwi*

*Ko Ruahine Wakarara ngā pae maunga*

*Ko Makaroro, Makaretu Waipawa Tukituki ngā awa*

*Ko Rua o Taniwha ngā kōrero nehera*

*Ko Ruahine Ruataniwha Waro o Manawakawa ngā whenua*

*Ko, Ngāti Marau Ngai Te Upokoiri, Ngāti Te Rehunga Ngāti Hawea ngā Hapū*

*Ko Ngāti Kahungunu te Iwi*

*Tihei Whatuiāpiti*

## Introduction

1. My full name is Marei Boston Apatu.
2. My primary hapū affiliations within Heretaunga are Ngāti Hori, Ngāti Hawea, Ngāti Te Rehunga, Ngāti Hinemanu me Ngai Te Upokoiri, and my iwi is Ngāti Kahungunu. From these ancestral linkages I derive my cultural connections and kaitiaki obligations to the Ngaruroro, the Karamū and Tukituki Awa.
3. I have whānau/hapū connections to the Tamatea/Central Hawke's Bay district in particular to Ngāti Marau and Ngai Te Rehunga which gives me cultural connections and obligations to the Tukituki Awa.
4. I reside in Heretaunga and have lived in Waipatu all my life. I was raised by my Kuia Lydia Kingi (Ngāti Marau) and Koroua Jack Nepe-Apatu (Ngāti Marau, Ngāti Hinemanu, Ngai Te Upokoiri, Ngāti Hori, Ngāti Hawea, Ngai Te Rehunga, Ngāti Ngārara).

5. I have been influenced by many of my kaumātua and pakeke, through the transfer of mātauranga Māori me ngā tikanga (cultural knowledge and practices) of our hapū.
6. I am one of two Chief Executives at Te Taiwhenua o Heretaunga (“TToH”) with direct responsibility for Te Manaaki Taiao Unit, which manages a community development portfolio, and resource management functions, working closely with Marae/Hapū and TToH partners to ensure our values and aspirations are considered and incorporated into long term strategies and planning for our region.
7. I hold a Masters’ degree in Māori Asset Management from Te Wānanga o Raukawa, completed in 1999, and I gained certification under the Ministry for the Environment’s Making Good Decisions programme in September 2014, and this was renewed January 2022.
8. Over the last 30-years I have held elected positions to TToH Board of Trustees, the Hawke’s Bay Cultural (Museum) Trust, and the Owhaoko C Lands Trust where I had a governance role over millions of dollars’ worth of assets and provided cultural and strategic advice and input to decision-making. From 2003 to 2009 I was Project Manager for He Toa Takitini, the mandated entity that progressed our historical treaty settlement claims with the Crown to Settlement in 2018.

### **Expert Code of Conduct**

9. I have read Expert Witnesses Code of Conduct contained in the Environment Court of New Zealand Practice Note 2014. I have prepared my evidence in compliance with that Code in the same way as I would if giving evidence in the Environment Court. Except where I state that I am relying upon specific evidence or statements of another person, my evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

### **Te Taiwhenua o Heretaunga (TToH)**

10. TToH is one of six Taiwhenua that were established in 1988 and is affiliated to Ngāti Kahungunu Iwi Incorporated (“NKII”). TToH is the largest of the six Taiwhenua in terms of population,

representing 17 marae in the Heretaunga region and has over 10,000 registered members. The designated area for Te Taiwhenua o Heretaunga extends from the Ngaruroro River in the North to Te Aute Trust Rd in the South, from Kairākau on the East Coast, inland to the Ruahine Ranges in the West.

11. Each Taiwhenua is represented on the NKII Board, where we participate in and contribute to, Iwi-wide issues and developments. NKII is the mandated iwi organisation for the purposes of the Māori Fisheries Act 2004, and a registered iwi authority for the purposes of the Resource Management Act 1991. The role of NKII in part, is to advocate for pan-iwi issues and support and represent the collective issues of the six Taiwhenua in the Ngāti Kahungunu rohe.
12. TToH also operates independently on some matters and for resource management and planning we often co-operate with NKII through Te Manaaki Taiao.
13. Te Manaaki Taiao is a strategically focussed unit that:
  - (a) Supports Marae/Hapū in their role as kaitiaki in managing and responding to resource management needs, aspirations and pressures;
  - (b) Coordinates the ongoing identification and prioritisation of Māori rights and interests in resource management objectives and goals;
  - (c) Assists with capacity and capability building with whānau, hapū and marae
  - (d) Runs social development and health programmes, and
  - (e) Facilitates the integration of Māori priorities into regional planning and development initiatives with local government and stakeholders to provide liaison, advisory and consultancy services to Marae/ Hapū and local government in accordance with the Resource Management Act 1991, Local Government Act 2002 and their subsequent amendments.
14. My evidence will cover:
  - Te Whare Kōrero and connections to the rivers within the Heretaunga and Tamatea districts;
  - Historical and cultural interests, values and aspirations of tangata whenua associated with the Ngaruroro and Tukituki Awa and their tributaries;
  - Past practices involving gravel abstraction and gravel management
  - The actual and potential effects of gravel abstraction and related activities on these awa and connected groundwater systems;

- Recommendations for some methods/controls that I consider will help avoid, remedy or mitigate adverse effects of gravel abstraction on these awa, their associated ecosystems, and on Māori cultural/spiritual values and interests.

## **Te Whare Kōrero**

15. I have been a fisherman, hunter and food gatherer for most of my life. The activity of gathering kai from within our rivers and streams and from our estuaries and oceans, is an intrinsic part of my cultural and spiritual well-being, as it is for many of my whānau. Fishing along with the processes and methods associated with preparing for and partaking in the activity of fishing is enjoyable and I readily instruct my mokopuna on matters related to these.
16. My knowledge is based on the teachings and mātauranga passed down to me by those who raised and instructed me. Over the years I have refined some of these and added to them through my own experience and trial and error, and the use of knew knowledge and technologies. Annually we look forward to fishing on the river during the whitebait season, and for catching tuna, and visiting the river for swimming or for walks and recreation.
17. Within Te Ao Māori (the Māori worldview), the physical world is the embodiment of the Atua (celestial beings, children of Ranginui and Papatūānuku) with the topography of the whenua (terrestrial) explained as the result of various actions of Atua, and/or our tūpuna (ancestors). As tangata whenua, the physical and spiritual aspects of the environment are inseparable and give rise to their status as “Taonga Tuku Iho” (treasured gifts handed down by the Atua).
18. The protocols governing how Māori treat and interact with the land and water, and the natural resources associated with them, are based on this worldview. The protocols and behaviours which include aspects of restricted use – Tapu, Rāhui - are generally transferred from birth, through the use of teaching tools such as waiata, parables/storytelling, pēpeha, whakatauākī, through wānanga, and the use of allegorical or symbolic names and descriptions expressing personification, to demonstrate kaitiakitanga and practices.
19. The kaitiakitanga guidelines are for everyone in our whānau/hapū. For example, to guard against abuse of the natural resources, our Rangatira applied Tapu and Rāhui to protect the people and environmental resources from physical or spiritual mishap, human misuse, and unsustainable practices.

### *Taonga tuku iho*

20. The physical and metaphysical aspects of waterways in Māori world views are inseparable, giving rise to their status as “taonga tuku iho”. This term is also inclusive of freshwater resources, and the mahinga kai areas and sites that they contain. Other taonga are our various waahi tapu and waahi taonga sites within our river catchments. With a long history of settlement, rich oral traditions are associated with these sites and there is evidence of longstanding customary use of both the rivers and streams, and what they contain.

### **The Tukituki Awa**

21. Environmentally, tangata whenua see an awa as a whole entity whose parts are interdependent and the health or well-being of any tributary, flora, fauna, birds, fish, or insect will be affected by the health of the awa, and vice versa; and so too the well-being of the people<sup>1</sup>.
22. There is a rich inheritance and whakapapa connecting Māori to places of significance, many of these derived from mātauranga, cultural practices and cultural/traditional uses, this being the source of our cultural knowledge. Throughout our history, our tūpuna placed taunaha (names expressing connection and mana) over the landscape and rivers.
23. Throughout the Tukituki catchment these names still resonate today<sup>2</sup>. A few examples are given below.
- Ma-kāretu – the stream of sweet-scented grasses;
  - Waka-rara – the action of a waka coming in broadside to a riverbank;
  - Ma-ngā-whio – the place of the whio (blue duck)
  - Ma-harakeke – the stream where flax is plentiful
  - Ma-kāroro – the stream where seagulls come inland
  - Ma-ngā-pohio – the place of the young seagulls.
  - Opunua – young bird or animal
24. The Tukituki River is approximately 120 kilometres long and originates in the Ruahine Ranges. Its source emerges from one side of a hill near Ngamoko<sup>3</sup>, while the source of the Manawatu

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<sup>1</sup> Heretaunga Cultural Values and Uses Report, 2012.

<sup>2</sup> Wānanga presentation by Ngahiwi Tomoana at Matahiwi Marae, 5<sup>th</sup> September 2017.

<sup>3</sup> From Ngā Mokopuna, literally the grandchildren, where the foothills are regarded as the grandchildren of the Ruahine Range.

River flows from the southern side of the same hill<sup>4</sup>. Whakapapa o te wai inherent within the whenua connects source of the Tukituki with that of the Manawatū.

25. The Tukituki is regarded as an awa tūpuna (ancestor). The health of the awa is integral to the spiritual and physical health of hapū members who have whakapapa connections to the whenua and waters of the Tukituki catchment. It provides the hapū with a sense of identity and interconnectedness as it flows through their lives. The whakapapa within the river and its many tributaries is reflected in the whakapapa and whanaungatanga of tangata whenua it provides for.
26. The Tukituki River catchment (inclusive of the Waipawa River and tributaries) contains numerous sites of cultural significance. These range from waahi tapu sites (pā sites, battle sites, urupā) to other archaeological sites, mahinga kai sites and areas. They also include places where whānau gather to learn, to recreate and reflect, places of solitude and healing.
27. Several sites of significance to Māori are located near the confluence of two tributaries, or of a tributary with the main river. Here is where two sources of energy combine in an area and concentrate the mauri (spiritual life force). In the past these places often included wetlands which were valued as mahinga kai, for eeling, for koura and birds.
28. The confluence of the Tukipo with the Makaretu is one such place with pa and kainga once located around the base of Pukeora. Likewise with Pukekaihau and Waipukurau with their proximity to both the Tukituki Awa and Lake Whatuma, which was far more extensive than it is today. Tapairu and Te Whatuiāpiti Marae are also adjacent to confluences (Waipawa and Tukituki, Papanui and Tukituki respectively).
29. Mahinga kai sites in particular have multiple values and uses. They are a source of mātauranga (traditional knowledge), therefore are places used for the transfer of knowledge, as well as being places to gather for harvesting and sharing kai. They provide both sustenance for the body and for the mind. The learning and retention of the collective knowledge can then be passed on to following generations.

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<sup>4</sup> Personal comment - Johnny Nepe-Apatu who learned this kōrero from his grandfather.

30. For the whitebait season and for eeling, the activities have different aspects that are almost as important as the actual catching of the kai. Preparation for the whitebait season has its own rituals and behaviours attached to it. There is also the sense of anticipation and heightened awareness as nets are sorted and traditional sites registered and prepared.
31. Whānau look forward to meeting their cousins, aunties and uncles from further up the river or even from outside of the region. Kōrero is shared over cups of tea with everything from the weather and the flow of the river through to the progress of tamariki and mokopuna discussed. There is a sense of relaxation and wellbeing that occurs as we interact with our whānau and recall years of feast and famine in terms of the whitebait catch or how well the hīnaki performed at certain times.
32. Part of the whitebait catch includes inanga. Several inanga spawning grounds<sup>5</sup> are located within the lower reaches of both the Tukituki and Ngaruroro catchments<sup>6</sup>. Gravel extraction and related activities if not appropriately managed, have the potential to damage or smother inanga spawning grounds. Gravel extraction along the coastline can have positive benefits for inanga where it contributes to keeping the river mouths open and prevents the premature hatching of inanga eggs due to inundation before the eggs have matured enough, as they usually hatch when the 1.8 metre tide is due<sup>7</sup>.
33. Wāhi tapu/waahi taonga sites in the Lower Tukituki are located near the river mouth (mahinga kai sites and former kainga) with other waahi taonga on both riverbanks near Black Bridge<sup>8</sup>. Some of these are utilised by tangata whenua during the designated white-bait season and for eeling year-round, while further upstream near the end of Tennant Road is Ahi-koura, a traditional mahinga kai area used by tangata whenua for gathering and cooking kai.
34. Below Red Bridge on the Waimārama Road is Papa-o Tihi, a sacred white rock formation and tohu (cultural indicator) within the river channel. It is connected to our historical records and a particular event.

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<sup>5</sup> See Appendix 1

<sup>6</sup> Cape to City Īnanga Spawning Update, 2017.

<sup>7</sup> Personal comment – Joella Brown.

<sup>8</sup> Hastings District Plan – Planning Maps.

35. Ngaruahikapuku is a pa site at the top of the cliffs at Horseshoe Gully about 10kms upstream from Red Bridge. Overlooking the Tukituki, its wairua and spiritual power remains within the landscape and emanates towards the adjacent riverbed.
36. Ngāwhakatātara is an Island Pā and wāhi tapu, situated approximately 20kms upstream of Red Bridge. The Pā site is a former island fortress, and at one time was completely surrounded by the waters of the Tukituki. Today the Tukituki flows mainly on the true right bank, with flows on the other side diminished due to the accumulation of gravels.
37. The wairua from Ngāwhakatātara emanates outwards from the island, into the river and the surrounding landscape. The wairua from the river surrounds the pa site and helps to protect it.
38. Upstream from the confluence of the Waipawa and Tukituki Rivers near the end of Tapairu Road is another culturally significant area. Now a popular trout fishing spot, it can also be accessed from the end of Walker Road which runs off Pouterere Road east of Waipawa.
39. Upstream from Waipawa the river goes dry for a major part of the year. This occurs mainly from above the Manga-o-nuku confluence with the dry stretch extending in some years up to Highway 50 west of Ongaonga and beyond. Partly this is due to the accumulation of gravels in the main riverbed, although the abstraction of water from the Waipawa River and its tributaries west of Highway 50 and around Ongaonga is likely to contribute to this<sup>9</sup>. A high percentage of groundwater is drawn from around Ongaonga, which is where the aquifer is deeper and most productive. The cumulative effects of water abstraction and dry river reaches restrict uses of the river by tangata whenua and others, while preventing the passage of native fish and trout from the lower reaches of the Waipawa River to the tributaries further upstream.
40. The river between State Highway 50 and the Manga-o-nuku Stream confluence would benefit from gravel extraction, as would other parts of the Tukituki system (e.g., near Ngāwhakatātara). The presence of numerous sites of cultural significance both within the river channels and in close proximity to them, and our use of the river throughout the year for cultural/recreational purposes, indicates that very careful management of gravel extractions is required so as to prevent or restrict adverse effects on our existing activities and the relationships, values and uses that Māori have within the Tukituki catchment.

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<sup>9</sup> Personal comment – Morry Black, environmental consultant.

## The Ngaruroro River

41. The Ngaruroro River has different names from our cultural past. One name Ngā-ngāru-o-ngā-ūpoko-roro<sup>10</sup> (the waves of the startled whitebait), was bestowed by our illustrious ancestor and explorer Mahu Tapoanui, who witnessed the abundance of Upoko-roro swimming beneath the water's surface. As they were pursued by predatory species like the kahawai and fled en masse, their sheer numbers created small waves.
42. Some names relate to parts of the awa - Moko-tuararo ki Rangatira – after a mauri that was placed on the river refers to the lower reaches around Waitangi and Clive, while another is Te Awa o te Atua, denoting its significance and the high esteem in which it was held by several of our hapū. These names have resonated through time as part of the cultural connection and identity for the river's many hapū.
43. The Ngaruroro River has diverse sources rising in the Kaweka and Kaimanawa ranges. Along its course it flows through the Owahaoko land blocks, then Kuripapango, Timahanga, Omahaki, Kohurau, Otamauri, Matapiro, Mangatāhi, Maraekākaho, Ohiti-Waitio, Ngatarawa, Te Popo, Te Awa o Te Atua and Omahu. Before entering the Heretaunga Plains it recharges our main aquifer system before flowing further east and discharging to sea near Waitangi (Clive today). The Ngaruroro has a mauri, a life force, and supports a vast natural habitat and history.
44. Another illustrious explorer and ancestor around 1400 – 1450 was Tamatea Pokaiwhenua. After enjoying fat flounder at Otiere and catching lizards at Tapu te Ranga in Ahuriri<sup>11</sup>, he set out on an epic journey up the Ngaruroro River to meet up with his son Kahungunu I tutaki raua ki reira at the junction of the Taruarau and Ikawātea, a place to be called 'Waitutaki'. At this location the name of a rock there is Te Toka a Tamatea with the name Te Upoko o Kahungunu placed there as well. As father and son traversed the land, they named many locations and natural features. Numerous Māori names that are still in use today, date back to Tamatea's journey.
45. Tamatea left his Atua on the lower slopes of Te Popo Range, Roy's Hill, and the spot became known as "Opunua". Further up the river opposite Maraekākaho and Mangatāhi, he and his companions threw stones in the river and the district is known as "Omapere" today.

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<sup>10</sup> Evidence of Waipa Te Rito who was informed of this by her kuia (grandmother) – Hearings for Variation 2 to the Proposed Regional Water Resources Plan.

<sup>11</sup> A former island in Te Whanganui-a-Orotu that was a waahi tapu and often used for baptisms and rituals.

46. Above Omapere the land spread into an open plain and here Tamatea laid out three mats named “Aorangi”, “Matapiro” and “Tiwhakairo”. The place where the mats were laid took the name Matapiro, and the western end of the plain was given the name Tiwhakairo.
47. The Ngaruroro has a mauri which supports its natural habitats - its main channels, deeper pools, rapids, and its braided reaches. As it flows through from the maunga, its spirit is fed with the mauri from the tributaries and the lands they come from. These converge and unite to contribute to the Ngaruroro’s physical and spiritual health state.
48. There are numerous sites and locations of cultural significance within the Ngaruroro catchment. Several of these are waahi tapu or waahi taonga within or close to the Ngaruroro River and are acknowledged in the Hastings District Plan. I have attached a map showing some of these locations as Appendix 2. Similar to the Tukituki catchment, no archaeological sites whether registered or not, may be damaged, modified or destroyed unless the necessary approvals pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 have been obtained first. To achieve this and to protect tāngata whenua interests, I believe a specific consent condition is required.

### **The Tūtaekurī River**

49. The Tūtaekurī River shares an estuary with the Ngaruroro and Karamū/Clive Rivers at Waitangi. Within its lower reaches’ mana whenua-mana moana aspect is shared, so Waitangi Estuary could be regarded as a collective asset or resource. It is the receiving environment for numerous discharges from activities that occur upstream, and which generate sediment, contaminant and nutrient losses.
50. I perceive the interests of TToH and our hapū with the Tūtaekurī as being mainly within this shared lower reach with some extensions up to Waiohiki where there is an overlap of interests. My opinion on this is guided by the fact that before the region was divided up into land blocks by Donald McLean and various land surveyors prior to sale, there was always a degree of co-operation between neighbouring Marae/Hapū.

## Actual and Potential Adverse Effects

51. Gravel extraction has the potential to impact upon:
  - a) the mauri of our three main rivers;
  - b) the health and wellbeing of traditional fisheries and our associated practices;
  - c) our waahi taonga and waahi tapu;
  - d) our existing public amenity values, and
  - e) our cultural and spiritual practices associated with our awa.
  
52. The consents being sought and the operation of them across a broad area, have the capacity to disrupt or interfere with the existing cultural uses and practices of tangata whenua. Adverse impacts are not restricted to the active river channels and berms themselves, but include the disturbance of adjacent land, the construction of roads and accessways, and perhaps drainage for such roads throughout three catchments.
  
53. As some of these roads will be across private land, I understand that additional resource consents will be required from district councils, as well as the approval of landowners. The global consent being sought differs from existing consents in that the current sites for gravel extraction and associated activities are reasonably well known, while a global consent enables extraction across a broad range of sites within the three catchments including coastal areas.
  
54. The applications for consent are silent on where these accessways/roads will be constructed, although the maps provided with HBRC's evidence give an indication of the general areas. In my view, these additional activities as well as the extraction activities themselves, have the potential to damage, modify or destroy sites of cultural significance to Māori and should require an authority from Heritage New Zealand, and accidental discovery protocols that have been drafted in consultation with those who hold mana whenua-mana moana over their specific rohe.
  
55. In addition, known sites and areas of cultural significance including mahinga kai sites should be mapped and gravel management directed to have minimal effect on them and related cultural activities. In my opinion, these matters should be addressed and concluded before any global resource consents are granted.

56. Although we discussed some of these issues with the applicants' representatives, their preference seemed to be leaving them to be addressed through an MOU, a Gravel Management Plan and/or adaptive management. After seeing the scale of some activities associated with gravel extraction or management, which included river diversion at Roy's Hill (See Appendix 3 attached), I am of the opinion that any actual and potential adverse effects on tangata whenua interests in relation to gravel extraction need to be managed more carefully. My preference would be that the effects are addressed through specific and enforceable consent conditions for each abstraction site.
57. Another issue I have noted with the area downstream from Roy's Hill, is that this is an area of gravel deficit<sup>12</sup>. This was told to me when meeting with Holcim over another resource consent. I find this deficit issue concerning, as I was under the impression that gravel extraction only occurs where there is a surplus, which then informs the amount of gravel to be extracted from each area.
58. The applications for consent do not include cultural impact assessment(s) to quantify risk, the likelihood or degree of adverse effects, and/or their impacts on Māori, nor on the relationships that we have with our awa or specific parts of them. I consider this to be unsatisfactory, as these are matters that should be considered and addressed prior to consent being granted. The applicants in my view, rely too much on an adaptive management approach.
59. The consent sought by HBRC is a "global consent" and in the past some gravel extraction operators have undertaken activities outside the terms of their contracts<sup>13</sup>, with little done as I understand it, to change their behaviour. For the activity identified in para 57 above where several kilometres of Ngaruroro riverbed were modified, HBRC staff have stated that they do not know who was responsible for it<sup>14</sup>. This implies that the current management regime for gravel extraction activities is inadequate to manage the adverse effects in a manner which protects tangata whenua interests and values, or environmental values in general, and requires more stringent criteria and positive enforcement action.

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<sup>12</sup> Personal comment – Holcim General Manager.

<sup>13</sup> Russell Roding.

<sup>14</sup> Personal comment – HBRC CE during site visit to river and Roy's Hill, 9 November 2021.

### ***Te Whakaheke o te Wai***

60. TToH along with HBRC, Geological and Nuclear Sciences (“GNS”), Lincoln Agritech, NIWA and others are part of a research project called Te Whakaheke o te Wai. Part of this research has identified the Braided Plain Aquifer as an integral part of a river’s hydrological system. I understand the Braided Plain Aquifer (“BPA”) to be that part of a riverbed that exists below and between river braids. It stores water that acts as a buffer during declines in river flow.
61. With the Ngaruroro River below Roy’s Hill where the braided system was modified and directed into a single channel as part of gravel extraction and river management, this storage capacity and resilience was lost. The river is now more susceptible to adverse effects from lower flows.

### ***Proposed Plan Change 7***

62. TToH and others have lodged an appeal on Proposed Plan Change 7 which is an “Outstanding Water Bodies” plan change to the Regional Policy Statement. In this plan change, the Upper Ngaruroro River and the Tukituki River are listed in Schedule 25 as outstanding water bodies, thus affording them and their significant values a high level of protection. The applications for global consent need to take these matters into account so that the operation of the consent and the consequent issuing of contracts under it, provide the necessary protection for significant values.
63. The TToH appeal on PPC7 decisions seeks the addition of the lower section of the Ngaruroro River down to Chesterhope Bridge and the Heretaunga Plains Aquifer System to Schedule 25, and if successful, the added protection requirement afforded by outstanding water body status would then apply to these water bodies.

### **Mahinga kai**

64. I am a hunter and gatherer of kai on, in and around our waters and lands and have practised the values of mahinga kai over many decades. Like many of our whānau from local and distant marae / hapū, we converge annually to do our fishing from the mouth of the Tukituki awa at Haumoana through Te Ahikoura (the place to light fires and cook crayfish).

65. Places for the regular gathering and cooking of kai along our awa are referred to as “pahi<sup>15</sup>” or “nohoanga”. Over the years they gain their own wairua and mauri as our whānau come to associate them with a sense of nurturing and well-being, and places of solace healing and contentment.
66. Mahinga kai customs and practices underpin the cultural values of every hapū in Heretaunga, and are central to the relationships of our people with places and resources, and to the ongoing cultural, economic, social and spiritual wellbeing of the whānau and hapū who are kaitiaki of these areas.
67. Mahinga kai sites/areas are prolific throughout the Ngaruroro, and Tukituki catchments. Mahinga kai is also an action or activity, the practice of harvesting or gathering kai. It includes the associated practices of food preparation – both cooking and preserving of kai. There is a risk of mahinga kai values being diminished in the Ngaruroro and Tukituki catchments as a result of gravel extraction activities. The adverse effects include disruption of access or reduced activity, lower diversity of diet from natural resources, reduced transmission of mātauranga Māori and reductions in overall well-being.
68. Our special relationships with our rivers are etched and imbued within our pēpeha, in our tribal identity and who we are. Where our waters flow from. What our awa and maunga are, and more importantly for whom we seek to uphold our values for - The next generation and those to come. To leave in the care of the next generation an environment that is safe and healthy that provides for their sustenance and wellbeing.

## **Mauri**

69. Mauri or spiritual life force comes from the celestial realm. Given its origins, an ethical approach towards managing things that diminish or detract from mauri is required. A river is a living entity. It has a mauri that weaves itself through the people, connecting them with their river. Because it nurtures and sustains them it was given the utmost respect. Any damage done to the river is perceived as harm done to the mauri of the river and harm done to the mana and health of our people.

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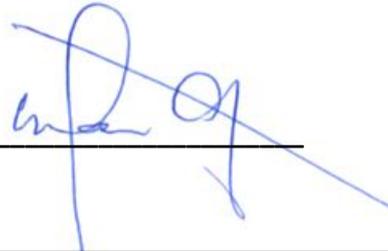
<sup>15</sup>Defined here as a temporary camping place, but also as a place of learning, for teaching our young ones.

## Summary of Recommendations

70. I provide the following to assist the hearings panel as I consider these necessary to protect the rights and interests of our Marae and hapū throughout the duration of the global consent should the panel see fit to grant it at this stage.
- a) The application for and obtaining of approvals from Pouhere Taonga – Heritage New Zealand for damaging, modifying or destroying an archaeological site or waahi tapu site.
  - b) A maximum duration of 10 years for the global consent with an annual review on 31st May in any year to address adverse effects that have become apparent during the previous year, and that are more than minor.
  - c) A specific review clause for the 5th year of the consent to review:
    - i) the operation of the consent and ancillary activities,
    - ii) the scale and nature of adverse effects and how they have been managed,
    - iii) to ensure compliance with any consent conditions and operative plan provisions relevant to gravel extraction, and if necessary to amend existing consent conditions to cater for these.
  - d) Cultural monitoring and assessment both pre and post gravel extraction operations, such monitoring to be resourced by the consent holder and/or individual gravel extraction companies.
  - e) Annual hui/wānanga to review the previous year's operations with a representative of HBRC's compliance team, one of HBRC's consents team, three tāngata whenua representatives and a representative from each of the contracted gravel extraction operators.
  - f) A requirement that gravel extraction activities operate only in a gravel surplus area.
  - g) Re-instatement of an extraction site to (as close as possible) to pre-extraction conditions, including hydrological conditions, when extraction has ceased.
  - h) Seasonal restrictions on encroachment (suggest a 1.5 kilometre buffer) near mahinga kai sites/areas and local recreational sites.

i) Extra care to prevent changes to natural character and hydrology where these changes can result in scouring/undermining of riverbanks, loss of groundwater storage or recharge capacity.

Signed:



Date:

1 December 2021

**Marei Apatu**

**Te Kaihautū**

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## References:

*McArthur, K.M., Black, M. W., Apatu, M. A. et al, October 2016 – Ngaruroro Values and Attributes Report.* Report commissioned by Hawke’s Bay Regional Council to inform the TANK Plan Change process.

*Te Manaaki Taiao, May 2012 – Cultural Values and Uses of the Tukituki River Catchment.* Report commissioned by the Hawke’s Bay Regional Investment Company as part of the Cultural Impact Assessment for the Ruataniwha Water Storage Scheme.

*Brown, J. D., July 2017 – Cape to City Update 2017 Inanga Spawning Sites.* Report prepared for Hawke’s Bay Regional Council.

*Te Manaaki Taiao, 2015 – Mana Ake -An Expression of Kaitiakitanga.* A collective hapū management plan prepared with assistance from the marae/hapū of Heretaunga.

## List of Appendices

**Appendix 1:** Inanga spawning site - Lower Tukituki River.

**Appendix 2:** Map of Wāhi Tapu sites – Ngaruroro catchment.

**Appendix 3:** PowerPoint presentation showing aspects of gravel management – Roy’s Hill/Ohiti.



Te Taiwhenua o  
**HERETAUNGA**

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**APPENDIX 1:** Inanga Spawning Site – Lower Tukituki River

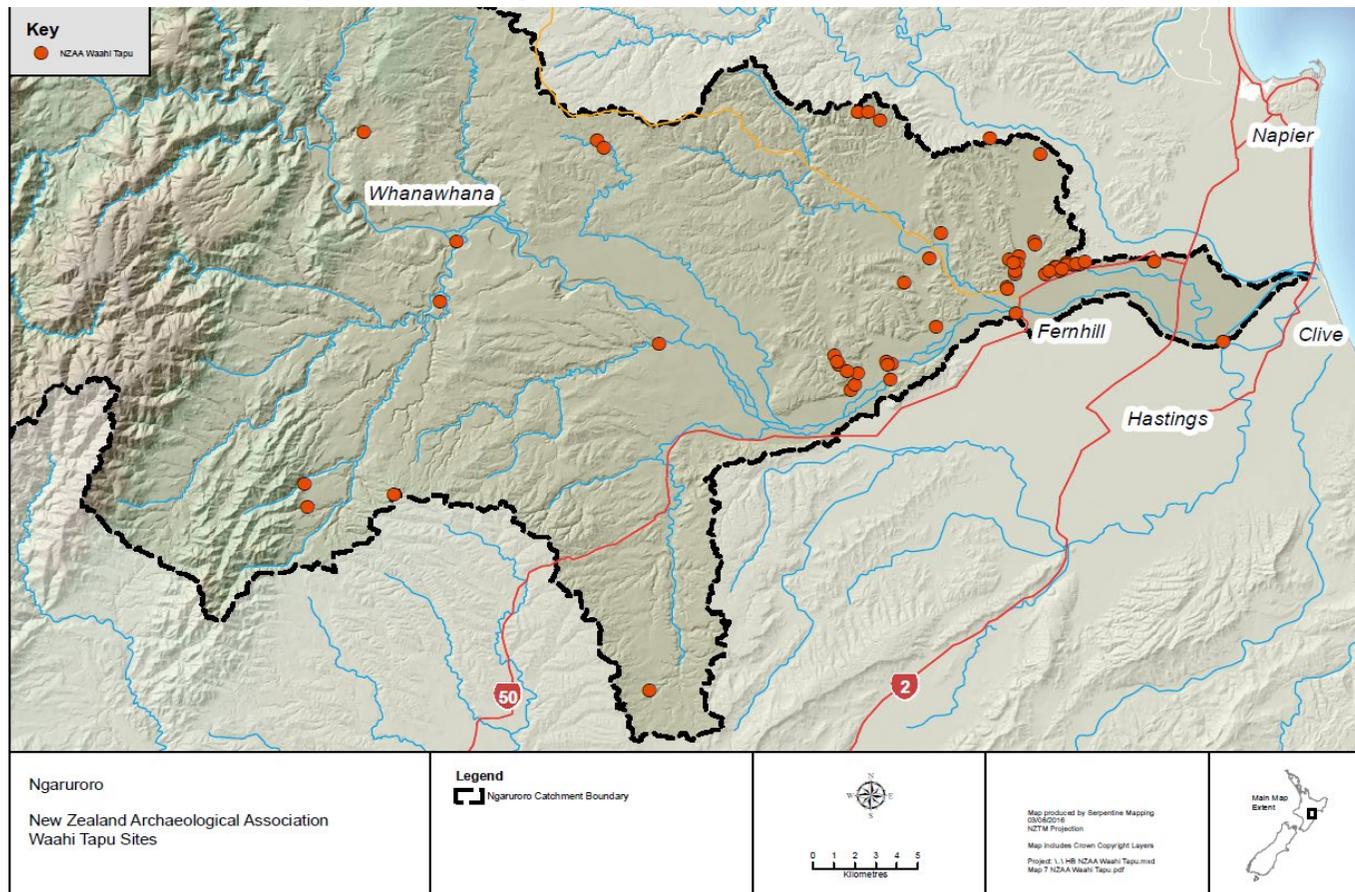


Lower Tukituki Estuary with an artificial wetland (Left middle of picture) created for inanga spawning, Grange Creek entering from the bottom and the estuary mouth to the right.



Te Taiwhenua o  
**HERETAUNGA**

**APPENDIX 2: Waahi Tapu sites in the Ngaruroro catchment.**



Map of waahi tapu sites within the Ngaruroro catchment several which are close to or within the river/tributary channel.