

**BEFORE CANTERBURY REGIONAL COUNCIL  
AND THE ASHBURTON DISTRICT COUNCIL**

**IN THE MATTER** of the Resource Management  
Act 1991

**AND**

**IN THE MATTER** of resource consent  
applications by Rangitata  
Diversion Race Management  
Ltd to the Canterbury Regional  
Council and Ashburton District  
Council for resource consents  
for the construction, operation  
and maintenance of the  
Klondyke Water Storage  
Facility, its associated water  
takes from and discharges to  
the Rangitata River, and all  
associated activities

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**EVIDENCE OF MANDY WAAKA - HOME  
ON BEHALF OF TE RŪNANGA O AROWHENUA AND TE RŪNANGA O NGĀI TAHU**

**11 APRIL 2018**

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## **MIHIMIHI**

### **Ko Aoraki tō mauka teitei**

Aoraki the lofty mountain

### **Ko Tarahaoa ko rawa Huatekerekere ka Mauka**

Tarahaoa and his wahine Huatekerekere are our Mountains

### **Ko Orari to Awa**

Orari is the River

### **Ko Huirapa tō Takata**

Huirapa is the Ancestor

### **Ko Te Hawea, Rapuwai, Waitaha, Kāti Mamoe me Kāi Tahu te iwi**

These are my tribal affiliations

### **Ko Te Waiaiteruati te Pā Tawhito**

Te Waiaiteruati is the Ancient Fort

### **Ko Arowhenua me Waihao tāku tupuna marae**

Arowhenua and Waihao are my marae

### **Ko Te Hapa o Niu Tirenī to Whare no Arowhenua**

Te Hapa o Niu Tirenī is the name of our wharehau at Arowhenua

### **Ko Arowhenua te Whenua**

Arowhenua is the Land

### **No Te Umu Kaha ahau**

I am from Temuka

### **Ko Mandy Waaka-Home tāku ikoa**

Mandy Waaka-Home is my name

### **Ka mihi mahana ki a koutou**

Warm greetings to you all

## **1. INTRODUCTION**

- 1.1** My name is Mandy Waaka-Home and I whakapapa to numerous Ngāi Tahu hapū (subtribe) and I provide evidence on behalf of the Ngāi Tahu hapu of Kāti Huirapa based at Arowhenua in South Canterbury with the unconditional support of Te Rūnanga o Arowhenua and Te Rūnanga o Ngāi Tahu.
- 1.2** Like my parents, I have inherited the role of kaitiaki of the Rangitata catchment ki uta ki tai. Being a kaitiaki is a significant responsibility; it is much more than being merely a passive guardian of natural resources. It requires a hands on and proactive approach to ensure our mahika kai is safeguarded and restored. I take my kaitiaki responsibilities extremely seriously. As an inherited responsibility it is not something that can be disregarded. I am passionate to ensure that our tāonga and other natural resources are passed on in as good a state, if not better, to the generations that follow, and that our care and endeavours today respect the beliefs, practices and the intentions of our Tīpuna.
- 1.3** Traditionally, kaitiakitanga incorporated guardian spirits who communicated with the living world to warn of the danger to the mauri and the mātauranga (training and knowledge) and also herald the times and limits of harvest seasons. Sometimes kaitiaki were manifested through guardian animals, birds, fish or taniwha. Kaitiaki were people with the mātauranga to interpret signs in the environment, such as environmental indicator species or natural events that were utilised to understand the changing ecology. They were monitors of resource health and wellbeing.
- 1.4** Kaitiaki is the unseen guardian that looks after something or somewhere, humans are known as tautiaki or tangatiaki who do the work for the kaitiaki. I take my tautiakitanga responsibilities extremely seriously. As an inherited responsibility it is not something that I can disregard, there is not an "opt out clause". While to some this may seem like a burden, I am passionate to ensure that our taonga and other natural resources are passed on in as good a state, if not better, to the generations that follow, and that our care and endeavours today respect the beliefs, practices and the intentions of our tīpuna. This is all part of the rights and responsibilities that comes with being a "good" tautiaki.
- 1.5** While the same principles of kaitiakitanga still apply today, it has been necessary for the role of kaitiaki to evolve in order to cope with the intense

demands that are being placed upon our natural resources. In modern times, and particularly under the Resource Management Act, the duties associated with kaitiakitanga include:

- (a) restoring and rehabilitating our degraded mahika kai sites;
- (b) assessing the cultural implications of proposed developments, including preparing cultural impact assessments;
- (c) lodging submissions and presenting evidence on resource consent applications and plan development processes; and
- (d) forming constructive relationships with environmental agencies such as councils, the Department of Conservation and Fish and Game.

**1.6** It is important to re-emphasise that while the role of kaitiaki has evolved to accommodate contemporary resource management processes, we are still guided and remain true to our cultural foundations based on mauri and mātauranga. Fortunately for those of us mandated as kaitiaki we are more empowered now to express our cultural beliefs, values, activities and associations as it is our relationship that is important under the RMA and not simply more easily identifiable tangible aspects.

**1.7** My involvement today is an example of my kaitiaki responsibilities. Other examples of kaitiaki initiatives I have been involved with include:

- (a) since 1994 I have been involved with the numerous resource consent applications affecting the Waitaki catchment, including Project Aqua, the North Bank Tunnel Concept and the Hunter Downs Irrigation Scheme;
- (b) from 2000 to 2009 I was a member of the Aoraki Canterbury Conservation Board;
- (c) I am the present chair of the Manuhaea Land Trust, which involves the management of our ancestral lands at Lake Hawea that were returned to the descendants of the original Manuhaea Native Reserve landowners;
- (d) from 2002 to today I have been a member of the Waitaki Native Fish Trap and Transfer Committee;
- (e) since the early 1990s, I have been a member of the Roopū Kaitiaki DoC Rūnanga working party;
- (f) from its inception in 2004 I have been a past chair and current member of the Ngāi Tahu Māori Rock Art Trust;

- (g) from 2007 to today I have been a member of the Orari–Rangitata Mātaitai Committee;
- (h) in 2007 I was appointed by the Minister of Fisheries to be a tangata tiaki (customary fisheries officer) from the Rakaia to the Waitaki;
- (i) since 2000, I have been the report writer for the Ngāi Tahu Land Tenure team for the pastoral leases between the Rakaia and the Waitaki;
- (j) from 2007 - 2010, I was employed as the Marae manager for Arowhenua Marae; and
- (k) from 2010 – 2018 I was employed as manager for Te Ku waha, the Maori section of NIWA in the freshwater and native fish team.

### **Ngāi Tahu Claims Settlement Act 1998**

#### *Statutory Significance of Rangitata River*

**1.8** Ngāi Tahu’s association with the Rangitata is provided for within the Ngāi Tahu Claims Settlement Act 1998 as a Statutory Acknowledgement area. Schedule 55 of the Settlement Act sets out Ngāi Tahu’s association with the Rangitata and acknowledges its immense cultural, spiritual, traditional and historic significance to Ngāi Tahu Whānui.

**1.9** Given the Crown has acknowledged the significance of the Rangitata River to Ngāi Tahu Whānui, via an Act of Parliament no less, we wish to note that there can be no dispute of this fact.

#### *Ngāi Tahu association with the Rangitata River*

**1.10** The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today. In today’s world of technology the Rangitata keeps us connected to Te Ao Maori.

**1.11** The river was used by Ngāi Tahu parties from Canterbury as part of a trail to Te Tai Poutini (the West Coast), as well as Takapo, Pukaki, and Oamarama. The tūpuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the river. The river was an integral part of a network of trails which were used

in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the river.

## **2. SCOPE OF EVIDENCE**

**2.1** My evidence will focus on describing the following:

- (a) the Mauri of the Rangitata;
- (b) our kaitiakitanga responsibilities for protecting the Mauri of the Rangitata;
- (c) our aspirations for the future of the Rangitata; and
- (d) how the Klondyke Pond will impact upon these.

**2.2** Before I discuss these I acknowledge that RDRML sought to engage with Arowhenua on the development of the storage facility. Arowhenua has sought, particularly though allowing TRONT planning and freshwater technical staff, to engage with RDRML experts, to understand the proposal. Arowhenua determined however that it could not support the Klondyke storage facility or the additional 10m<sup>3</sup> water that was proposed to be taken from the Rangitata River (I will discuss the reasons for the opposition further on in my evidence). TRONT has supported Arowhenua in its objection.

**2.3** Arowhenua further acknowledges that RDRML has made changes to its proposal that better reflect concerns that have been raised by Arowhenua, including developing an ecological refuge that includes a wetland and reducing the lapse period for the consent from 30 years to 15. I would however indicate that Arowhenua did seek to remove the conditions of consent proposed by RDRML that relate to engagement with Arowhenua, but RDRML determined these be retained.

### *The Catchment as a Whole*

- 2.4** Ngāi Tahu see themselves as part of the environment, belonging to it and complementing other entities, both animate and inanimate. In the context of the management of the Rangitata Catchment it is necessary to consider the catchment in its entirety: from its source in the Southern Alps, its turbulent passage through the gorges, its network of tributaries and small creeks on the lower floodplains to its interface with the saltwater at the lagoon and coast.

## **3. MAURI OF THE RANGITATA RIVER**

- 3.1** The name Rangitata means dry sky. From Orari to the Rangitata River was bone dry, it very rarely rains around there. Once you travelled up towards Hekeao (Hinds) you came to the massive swamp that was drained by the run-holder from Long Beach.
- 3.2** Mauri is a term that is readily used nowadays, and I find it really hard to define in words what Mauri means. Mauri is usually described as the life-force, however it means so much more. To me Mauri contains a number of elements which interact with each other. It is these interactions that provide us with the basis upon which to determine firstly the existing state of the Mauri of the river, and then determine Klondyke Pond may impact upon the Mauri of the Rangitata River.
- 3.3** Mauri contains elements of both the biophysical and spiritual. I would comment here that a number of times people tend to focus upon the biophysical elements of Mauri and assume that if these are "OK" or "protected" then everything is all good. However, this approach only addresses one aspect of what makes up Mauri and completely ignores the interrelationship between the biophysical and spiritual elements. By way of an example having heaps of water within the river will address the biophysical element of Mauri, however, this does not always mean that we would/should catch and eat kai from that river which is the spiritual element.
- 3.4** My definition of Mauri first and foremost is that water is Papatūanuku's blood and cleansing fluid. It is there to feed and nourish everything that is provided by Papatūanuku, Tāne and Tangaroa, so the Mauri has to be 'spot on' at all times. The next important things is the source, is it spring, glacial snow or forest based? These beginnings are what make the water special.

- 3.5** Then as it journeys to the ocean to complete the cycle it picks up other particles, minerals, flavours etc., that make its life giving essence peculiar to that waterway. We also remember whether we can use it for mahika kai or other purposes such as washing and preserving bodies, or dyeing fibre.
- 3.6** The river is also a life force for the numerous wetlands, side braids and springs which abound up and down the river along with the Taniwha which is quick sand.
- 3.7** Activities that have been identified as potentially eroding the mauri of waterbodies include the damming of rivers, abstracting water from rivers and streams, and the diverting of waters.
- 3.8** Ngāi Tahu believes that every effort should be taken to ensure that the mauri of a resource should not be desecrated. The integrity of the waterways on which their survival and their cultural identity depends must be protected. The protection of mauri is vitally important to Ngāi Tahu.

*Ki Uta ki Tai (The Catchment as a Whole)*

- 3.9** Ngāi Tahu see themselves as part of the environment, belonging to it and complementing other entities, both animate and inanimate. In the context of the management of the Rangitata Catchment it is necessary to consider the catchment in its entirety: from its source in the Southern Alps, its turbulent passage through the gorges, its network of tributaries and small creeks on the lower floodplains to its interface with the saltwater at the lagoon and coast.

*Mahinga kai*

- 3.10** Mahinga kai remains a cornerstone of Ngāi Tahu culture and identity. Although the number of sites available to Ngāi Tahu has reduced and the abundance and diversity of mahika kai species is also reduced, mahika kai continues to play a vital role in the health and well-being of Ngāi Tahu. Seasonal activities that were specifically referred to by members of Te Rūnaka o Arowhenua include:
- (a) eels, taken in the greatest numbers during the heke, and whitebait;
  - (b) eggs, which were taken at Labour Weekend, and birds; and
  - (c) plant resources (i.e. foods, medicines and materials).



*Why oppose the proposal, particularly the take?*

- 3.11** Arowhenua Runaka is concerned that nearly 33 cumecs of the river's flow is removed by the RDR irrigation scheme already. The way we see it, the water put down Highgate into the Rakaia can be used to fill up the holding pond. The Rakaia does not need this water. With an annual flow of some 100 cumecs, and additional takes above this already occurring, Ngāi Tahu believes any additional abstractions would threaten the outstanding values it ascribes to the Rangitata River and its catchment. This is the reason that our Kaumatua supported F&G water conservation order for the river and gave extensive evidence at the hearing. It is also noticed by us that RDR have put water down the Hinds and Ashburton, so it obviously has water to spare.
- 3.12** The Rangitata is one of the last free flowing rivers in our rohe and we would like to keep it flowing without hindrance. Taking water at flood levels will stop the river from clearing the weeds and rubbish. The river will start channelling rather than braiding, and shingle needed to replenish the coast line that is already eroded at a metre a year will not have the momentum of the water to take it to the sea and beyond. The mouth now blocks up which it rarely did before. With more water taking from the system, the temperature of the water will rise effecting the life that this water sustains. We are watching this happen in other waterways now because of extraction.
- 3.13** We are also concerned that with RDR and Rangitata South extracting water in times of flood it will flat line the river and all of the concerns listed in the above paragraph will happen.
- 3.14** We have asked consistently as to why RDR want this 10 cumecs and have never received an answer.
- (a) Is it for further intensification of farming which potentially leads to more damage to our waterways?
  - (b) Is it to bring across the river to South Canterbury to top up a so-called "water poor area?"
  - (c) Or is it about water ownership?

#### **4. CONCLUSION**

- 4.1** Given the Crown has acknowledged the significance of the Rangitata River to Ngāi Tahu in an Act of Parliament, there can be no dispute of the immense cultural, spiritual, traditional and historic significance of the Rangitata to Arowhenua Rūnaka and Ngāi Tahu Whānui.
- 4.2** Buddy Mikaere makes the point all the way through his evidence that RDRML wanted to talk to us constantly. I would like to say that we all work, and do not have time to attend every meeting that they wanted. When someone has a brain wave, and they have to consult with Rūnaka, they need to remember that we are all volunteers, we are not paid.
- 4.3** When RDR went to the USA to look at fish screens yes we were invited, but apart from me who could afford it, there was no offer of fares etc, but the consultants who went were paid. It is not up to our marae, us, or the iwi to pay for someone else's dream.

*Na reira*

- 4.4** It is my view that there is no water shortage, only bad management and greed. Water extracted from a river is a privilege, not a right. The only one here who has rights is the right of the river to flow to the sea as intended, feeding and replenishing all that live in and around the river plain, the wetlands and eco-systems that have evolved over thousands of years. We forget that rivers and waterways have rights too. Actually we should be asking "what can we do for the river?" Not "what the river can do for us".

Tena koutou

**M Waaka-Home**

**11 April 2018**