

**BEFORE THE**

Waikato Regional Council Hearing  
Commissioners

**IN THE MATTER**

of the Resource Management Act 1991

**AND**

**IN THE MATTER**

of Waikato Regional Proposed Plan Change 1 –  
Waikato and Waipā River Catchments

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**STATEMENT OF VANESSA JONELLA EPARAIMA  
ON BEHALF OF RAUKAWA CHARITABLE TRUST IN RELATION TO THE  
HEARING TOPICS FOR HEARING BLOCK 1**

**(Submitter No. 74035, 74073 and 82034)**

**15 FEBRUARY 2019**

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**WELLINGTON**

## INTRODUCTION

1. My full name is Vanessa Jonella Eparaima. I am chair of the Raukawa Settlement Trust (**RST**) and have held this position since 2012. I am the representative of Mōkai Marae on the RST. I am chair of the Raukawa Charitable Trust (**RCT**), a position I have held since 2013. I was the inaugural Chair of the Raukawa Iwi Development Ltd (**RIDL**) before becoming the Chair of RST. I am still a Director of RIDL and the Raukawa Asset Holding Company Ltd (**RAHC**).
2. I also hold the following other governance positions:
  - (a) Chairperson, Te Wānanga o Aotearoa;
  - (b) Director, Te Pūia Tāpapa GP Limited;
  - (c) Director, CNI Iwi Land Management Limited;
  - (d) Director, CNI Iwi Holdings Limited;
  - (e) Director, Tuaropaki Kaitiaki Limited;
  - (f) Director, Miraka Limited; and
  - (g) Director, Miraka Holdings Limited
3. This brief of evidence is not given as expert evidence, but for and on behalf of RST and RCT. RCT has submitted on the Proposed Plan Change 1 – Waikato and Waipā River Catchments (**Plan Change 1**) and I am authorised to speak on RST and RCT's behalf.
4. RST's role, and our relationship with our affiliated marae, is detailed at paragraphs 6 to 8 of this brief of evidence. This evidence is provided in addition to, and in support of, the evidence and submissions provided by the Ngati Tuwharetoa, Waikato Tainui, Maniapoto, and Te Arawa River Iwi Trust (**River Iwi**)

## SCOPE OF EVIDENCE

5. My evidence covers:

- (a) The Raukawa relationship and association with the Waikato River;
- (b) The relationship between the Raukawa Deed in Relation to a Co-Management Framework for the Waikato River and Plan Change 1.
- (c) A statement on the RST position on Plan Change 1.

## **RAUKAWA SETTLEMENT TRUST**

- 6. RST is the post settlement governance entity (**PSGE**) of Raukawa. RST was formed in 2009 and represents 16 affiliated Raukawa marae.
- 7. RST has a representative role for Raukawa as the “iwi authority” for resource management purposes. However, this representative status does not mean that a local authority can conclude that no other Raukawa group or person is not affected by a resource consent application or plan change simply because of RST’s existence as a PSGE and its advocacy role on behalf of Raukawa. Our marae retain the mana and right to submit on matters that affect them to ensure their kaitiaki role and responsibilities are able to be exercised.
- 8. RST is a vehicle to advance the collective interests of our members and to ensure that the benefits of our Treaty of Waitangi Settlements are protected for the benefit of present and future members. The Raukawa Group is headed by RST, which forms the governance and representational arm of the organisation. Commercial investment and growth is undertaken by our company – Raukawa Iwi Development Ltd (**RIDL**). Our fisheries asset is held within the Raukawa Asset Holding company and is managed by RIDL. RCT is the “engine-room” of our iwi organisation delivering upon our corporate, social, health, cultural, treaty and environmental aspirations.

## **BACKGROUND TO THE IWI OF RAUKAWA**

- 9. The iwi of Raukawa descends from the eponymous ancestor, Raukawa. Raukawa is the eldest child of his father Tūrongo of the Tainui waka and his mother Māhina-a-rangi of the Takitimu waka. His birth was

particularly significant as a bridge joining the people of the west and east coast of the North Island.

10. Raukawa was named after the perfume worn by his mother during the period of his parent's courtship. Under the cover of darkness, the pungent scent of the oil from the Raukawa leaf led Tūrongo to Māhina-a-rangi who were joined in eternal love.
11. Desiring that his child be born in his homelands, Tūrongo returned to his home and built a pā named Rangiātea on the banks of the Manga-o-Rongo stream. Rangiātea was named to commemorate the ancestral island of the Tainui waka. Māhina-a-rangi remained with her people until late in her pregnancy at which time she was ready to make the epic journey to join her husband. She began her long trek from her east coast home at Kahotea while heavily pregnant, taking a circuitous route. Joining her was her husband's dog Waitete, who was to act as a guide to ensure a safe journey westward.
12. Along the way, she said her fond farewells to her people, introducing her unborn child to them. Her presence was celebrated by every pā she passed through, reinforcing the connection between the unborn child and her east coast peoples.
13. Purposefully, she tracked her way along the coast bidding her people goodbye, before crossing inland towards Waikaremoana, then through the expanse of the Kaingaroa, to Rotorua. From there Māhina-a-rangi made her way towards Tauranga, before labour pains forced her to turn towards the Kaimai Ranges. In the Kaimai area, Māhina-a-rangi gave birth to Raukawa.
14. At a stream called Rapurapu the new-born Raukawa was cleaned and at Waitakahanga-a-Māhinaarangi, my ancestress bathed in its geothermally heated waters in order to revitalise her strength after her arduous journey. It was not long before she continued on her journey with her newborn son, crossing over pristine terrain to her new home. She crossed the Waikato River at a place called Anewanewa, below Maungatautari. After crossing the river, she laid out the infants clothing to dry. This place became known as Horahora. There, the dog Waitete left Māhina-a-rangi to find Tūrongo. Tūrongo was overjoyed at the sight

of his dog, as he knew that his wife would not be far behind. Immediately he set off to find her and welcome her into his lands.

15. After locating his wife and child, he escorted his family back to Rangiātea. Waiting to greet them was Tāwhao, the father of Tūrongo. Along the banks of the Manga-o-Rongo, Tāwhao performed the tohi (dedication) ceremony on his grandson.
16. Shortly after arriving, the new family travelled from Rangiātea to Nukuhou to see relatives of Tūrongo. When they reached the Waikato River, Māhinaarangi tied her son Raukawa to her back as she and her husband swam across the Waikato River. This place became known as Tamahere in acknowledgment of the child Raukawa being tied to his mother.
17. Generations later the Waikato River features again in the history of iwi of Raukawa. Along the banks of the Waikato, the iwi of Raukawa fought and defeated the Ngāti Kahupungapunga. At Pohaturoa, Atiamuri the Ngāti Kahupungapunga were overwhelmed

#### **RAUKAWA RELATIONSHIP WITH THE WAIKATO RIVER**

18. The Waikato River is a very important part of the Raukawa cultural landscape. The bond between the people and the awa transcends both the physical and the ethereal.
19. In this regard I turn to the saying of my ancestors “Titiro ki ngā wai o Waikato, ki te tiaki i te oranga o te iwi – Turn to the waters of the Waikato, to sustain the wellbeing of the people”.
20. For that is what the Waikato River is to Raukawa. The Waikato River provides for our physical, spiritual, cultural, and social wellbeing. It is our source of nourishment that not only feeds our tinana (body), but our hinengaro (minds) and our wairua (spirit) as well.
21. As the Waikato River transects the Raukawa takiwā, it is a vital component in connecting the iwi. For our tūpuna, the Waikato River served as our State Highway One, linking one part of our takiwā with the other, resulting in iwi growth and expansion. The River was the major

medium for the transport of goods. It also provided access to resources and the capacity to share those resources throughout the iwi.

22. Kōkōwai (red ochre) was a very important commodity located within the Raukawa takiwā. Traditionally the Waikato River would be used to transport the much sought after dye from the kōkōwai pits found in places like Rua Kōkōwai located in the Pouakani to other iwi up and down the river. The iwi prospered through this trade. Centuries later, during early Pākehā colonisation, the iwi continued utilising the Waikato River to move goods up and down the River, particularly to the burgeoning Auckland markets.

### **HE PIKO HE TANIWHA**

23. Raukawa has a long and ancient relationship with the Waikato River. For centuries the iwi have maintained that the mauri (the eternal life-force) of the River and the mauri of the iwi are intrinsically linked. Consequently, this special relationship gave rise to our responsibility to protect the River in accordance with Raukawa tikanga.
24. It was and is still believed that our relationship with the River is cemented through the manifestation of taniwha. Taniwha are metaphorical beings that exist in both the spiritual and physical realms. They are the conduits between humans and the River. The presence of these taniwha enhances the connections of the iwi to the River and the mana of the iwi, as taniwha were viewed as kaitaki and taonga to the iwi.
25. Therefore the Raukawa connection to the Waikato River can be expressed in the axiom “He piko, he taniwha – At every bend a taniwha”. The Waikato River is the home of many taniwha and is an important part of our connection to the river. For example at Niho o te Taniwha, Atiamuri, the taniwha is called Waiawhiowhio, the protagonist of Honoiti.
26. One day, Honoiti, a rather rash young chief trespassed upon the domain of Waiawhiowhio. Angered by his temerity, the taniwha lashed out at Honoiti’s waka, encircling it within a powerful watery vortex, dragging the hapless chief to the depths of the river. Honoiti was turned to stone and it is said that the petrified remains of the waka can still be seen.

27. Basking between Waipapa, and Maraetai is the taniwha Rangikakake, a taniwha that vigilantly wards against danger.
28. These taniwha support, protect and enhance the connection of the iwi to the River.
29. Much like the taniwha, the Waikato River is a whole and indivisible entity that winds its way from Ruapehu to the puaha (delta). It is a taonga that requires constant care, a responsibility that we as Raukawa exert as kaitiaki and as mana whakahaere.
30. The River has always provided a source of cultural, social, physical and spiritual sustenance to the iwi and in return we have exerted our role as mana whakahaere and kaitiaki. This role does not seek to supplant the importance of that played by taniwha. Rather it is a role that embraces respect and intergenerational responsibility.
31. Clause 2.3 of the Deed in Relation to a Co-Management Framework for the Waikato River 2009 contains a further statement of the significance of the Waikato River to Raukawa (**Appendix**).

## **TREATY CONTEXT**

32. As previously mentioned, the Waikato River has been a critical component to the success of the iwi. Its flowing waters carry the mauri of our people that we as Raukawa treasure so dearly.
33. Leading Raukawa kaumātua, Koro Hori Deane once said that “Water is the lifeblood of our people and the rivers and streams are its veins and arteries”.
34. This is an apt metaphor of how Raukawa see the Waikato River. It is likened to the main artery that sustains the body much like those that are found within ourselves. Thus it is incumbent upon each of us to maintain and care for the river as if we were caring for ourselves.
35. This however, has not necessarily been the case. For over a century, our people have watched helplessly as the mauri of the awa diminished year after year. Our views unwanted as we were excluded from the

management of the awa. We were impotent and unable to influence the Crown's decision making processes.

36. Thirty years ago, our Raukawa kaumātua decided that enough was enough and took direct action by filing their Treaty claims. Unfortunately many of those initial claimants passed away before they saw their labours come to fruition. For all our elders however, the claims represented their tino rangatiratanga (sovereignty) as they continued to “walk our own pathway.”
37. To them, for too long had Raukawa and other river iwi been relegated to the position of spectators as the river, a national tāonga, continued to be polluted and allowed to degrade to the point where on several occasions it had not been safe to drink or to bathe in its waters.
38. For our kaumātua, this was a travesty for the waters of the Waikato to be determined as unfit for human consumption or contact. To them this was unacceptable and they were determined to effect change.
39. They recognised the enormity of the problem and realised that the solution did not lay in the hands of a single group. Rather, that if the issues were to be effectively addressed and the Waikato River was to be sustained for the betterment of all, then the solution must include all those with an interest.
40. The journey to settlement was a long and at times difficult one that required significant discussion, compromise and aroha amongst all groups involved. Where groups did not agree with each other, they continued discussion until a common thought was achieved.
41. For Raukawa, the only way forward in achieving the long term health and wellbeing of the river, to ensure the continuation of the mauri of the awa from generation to generation, lay in a collaborative framework that provided capacity for iwi to participate.
42. On 17 December 2009 Raukawa and the Crown signed a Deed in Relation to a Co-Management Framework for the Waikato River. This was followed in 2010 with the enactment of the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (**The Waikato River Act**).

43. These dates represent a significant milestone in the history of Raukawa. For Raukawa it signalled a new era of co-management over the Waikato River and the opportunity and responsibility to restore and protect the health and wellbeing of the Waikato River for present and future generations.
44. Proposed Plan Change 1 is absolutely fundamental in delivering on the vision and aspirations of kaumātua and achieving the outcomes sought by Raukawa uri, hapū and marae.

## **TE TURE WHAIMANA O TE AWA O WAIKATO**

45. The Waikato River Act (amongst other matters) gives rise to one of the most important mechanisms in the **restoration** and protection of the Waikato River – Te Ture Whaimana O Te Awa O Waikato (**Te Ture Whaimana**)
46. Te Ture Whaimana is the primary direction setting document for the Waikato River and activities within its catchment that affect the Waikato River. It contains a vision statement and a suite of objectives and strategies for the restoration and protection of the health and wellbeing of the Waikato River.
47. Raukawa and the River iwi developed an outcome statement and principles which reflects the collective aspirations of River iwi, being:  
  
*“The Waikato and Waipa Rivers must be restored so that they are safe to swim in and take food over their entire length and, protected from further degradation – it is not enough to simply halt the decline in water quality; water quality must improve everywhere –”.*
48. Raukawa supports this collective outcome statement and principles for achieving Te Ture Whaimana in relation to Plan Change 1. This outcome statement and principles was ratified and adopted by the RST in July 2015.
49. For Raukawa, achieving swimmable fishable rivers and streams over an 80 year time horizon is a non-negotiable – it must be achieved. Achieving this change will continue to take leadership and require

significant investment in mitigations, land use change and an ongoing collaborative effort.

50. Also of relevance to Raukawa are a number of objectives, including
- (a) The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities (emphasis added).
  - (b) Adoption of the precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.
  - (c) The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River.
51. The above objectives are particularly relevant given the overall decline in the quality of the environment within the Raukawa takiwā. One significant contributor to this decline has been the large scale land use change and intensification that has occurred over the past 15 years with the resulting increases in the accumulation of contaminants (particularly nitrogen) in Waikato River catchment<sup>1</sup>.
52. For Raukawa, the effect and magnitude of this land use change and intensification has been significant. As mentioned above, Raukawa and the Waikato River are inextricably linked and our relationship with the River is paramount. However, this also gives rise to responsibilities to protect the mana and mauri of the river. The sense of frustration at the complete lack of ability to prevent or control such change has been felt by RST and also our marae, hapū and uri. The permissive nature of the Operative Waikato Regional Plan and its lack of effectiveness in avoiding or managing the impacts of such activities has impacted Raukawa in exercising its responsibilities as kaitiaki.

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<sup>1</sup> This is evidenced by a number of sources but most recently in the Waikato Regional Council Technical Report 2018/30: Trends in river water quality in the Waikato Region, 1993-2017. December 2018

53. Therefore in the context of Plan Change 1 the 'hold the line' approach to manage land use change and intensification is critical to Raukawa and to ultimately achieving the outcomes sought by Te Ture Whaimana.
54. As the Chair of RST it concerns me how the trajectory to achieve Te Ture Whaimana will be protected over the intergenerational timeframe. It is important to provide certainty to Raukawa, the River iwi and the regional community that positive change will occur.
55. Whilst I'm not an expert in such matters, finding a mechanism(s) to protect the investment and direction of travel and set by the CSG through 26 local body election cycles and a total of 8 regional plan changes (over the proposed 80 year timeframe) will be important.
56. Equally, ensuring the significant investment that the Crown, Local Government, River iwi and the community have invested towards achieving the outcomes sought by Te Ture Whaimana will be important. The Crown investment through the Co-Management Framework for the Waikato River currently sits at \$467 million<sup>2</sup>. This investment must be not be placed at risk by incremental changes and a general 'watering down' of provisions designed to achieve the 80 year vision.

### **PLAN CHANGE 1: PROCESS**

57. Plan Change 1 has been designed and developed in accordance with the Raukawa Waikato Regional Council Joint Management Agreement **(JMA)**
58. The JMA is an important instrument of the Waikato River Act which allows Raukawa to participate as co-governance and co-management partners in this process.
59. Raukawa have worked collectively with the Waikato Regional Council in the spirit of co-management for the benefit of the Waikato and Waipā Rivers. We have invested heavily in our co-governance role and in

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<sup>2</sup> Crown contribution to the co-management framework – \$210 million Clean-up Fund, \$150 million iwi capacity funding Waikato River iwi (Waikato-Tainui, Raukawa, Maniapoto, Te Arawa and Ngati Tuwharetoa), \$10 million Clean-up Fund contribution as part of the Maniapoto Deed of Co-Management, \$50 million Waikato-Tainui river projects funding, \$20 million Waikato-Tainui Endowment College and \$27 million Waikato River Authority operational funding.

supporting the Collaborative Stakeholder Group (**CSG**) to develop Plan Change 1.

60. Following the wisdom of those that have gone before Raukawa collectively placed our trust and confidence in the community, industry and stakeholders to define solutions to achieve Te Ture Whaimana and to deliver on the aspirations of Raukawa.
61. I am of the view that the integrity and direction of this process must be upheld. Achieving Te Ture Whaimana over the 80 year timeframe is non-negotiable. It will require intergenerational change and a commitment of the entire Waikato region to this process.
62. Further context and detail in regard to the process to develop Plan Change 1 is provided in the joint statement on behalf of the Waikato and Waipā River Iwi.

#### **CONCLUDING STATEMENT**

63. Raukawa broadly supports the direction set out in the notified version as a means of delivering on the outcomes sought by Te Ture Whaimana and (in part) our values and interests and our Treaty of Waitangi settlements.
64. For Raukawa achieving swimmable fishable rivers and streams over the 80 year time horizon is a non-negotiable – it must be achieved.
65. Plan Change 1 provides the first step in realising this dream.

## APPENDIX

### STATEMENT OF SIGNIFICANCE OF THE WAIKATO RIVER

- 2.1 Clause 2.3 contains a statement by Raukawa of the significance of the Waikato River to Raukawa.
- 2.2 The Crown recognises the statement of significance by Raukawa. On this basis the Crown enters into a co-management framework.
- 2.3 The statement is:

#### He Pānui Kōrero Nui

Mai anō i ngā rā onamata te whanaungatanga ahurei o Raukawa ki Te Awa o Waikato. E kī ana te kōrero, ko te Awa o Waikato me ngā kautawa ngā iatoto kawe ai te waiora o Papatūānuku. Ahakoa he aha ngā mahi, ngā kaupapa ka whakahaeretia i runga i te awa, ka pā ki a Papatūānuku. Kawea ai e te Awa o Waikato te mauri o te iwi o Raukawa, whai anō, ki te pā he āhuatanga ki te Awa, ka pā hoki ki te iwi.

Kei te Awa o Waikato tōna ake 'mana', tōna ake mauri.

Kua pau te 600 tau i te hononga ita o te mauri o te Awa o Waikato me te mauri o Raukawa. Ko mātou te tangata whenua o ētahi o ngā rohe ka rere ai te Awa, nā reira, he tino nui rawa atu ki a mātou te whanaungatanga ki te Awa. Nā te Awa, ka hiki ai te mana o te iwi. Heoi, he kawenga anō tō te iwi ki te tiaki i te mana me te mauri o te Awa. Kua tuitui ēnei kawenga ki roto i tō mātou mana whakahaere, ka takoto ki roto i te kawa me ngā tikanga o te iwi. Ko te kaupapa o te mana whakahaere, 'ko te orange o te Awa'.

He taonga te Awa o Waikato ki a Raukawa. Kāore he wehewehenga i te awa, ka rere mai i Ruapehu, puta rawa atu i te Pūaha o Waikato, ā, kapi katoa ai ngā wai, ngā tahatika, ngā takere (me ngā manawa whenua ki raro), ngā kōawa, ngā rerenga wai, ngā kautawa, ngā roto, ngā mea ora i te wai, ngā tipu, ngā wāhi waipuketia, ngā repo, ngā moutere, ngā puna wai, ngā pou-wai, ngā ngāwhā, te ātea, te paparanga, tae atu ki te wairua me te mauri.

#### Statement of Significance

Raukawa has a unique and ancient relationship with the Waikato Awa. The Waikato Awa and its tributaries are metaphorically speaking the veins carrying the lifeblood of Papatuanuku. If events or activities affect the awa, they in turn affect Papatuanuku. The Waikato Awa carries the life force for the Raukawa people, and therefore, that which affects the River, affects the people.

The Waikato Awa holds 'mana' in its own right (spiritual authority and power, or a right to exist in a pristine state for intrinsic reasons) and its life essence or life force is the 'mauri' of the Awa.

For over 600 years Raukawa have held that the mauri of the Waikato Awa and the mauri of Raukawa are inextricably linked. As tangata whenua within the region which the River flows, our relationship that exists with the Awa is paramount. It includes the enhancement of our respective tribal mana. However, this also gives rise to the responsibilities to protect the Awa, its mana and mauri. These responsibilities are woven within our customary assertion of mana whakahaere, which is encompassed within long established kawa and tikanga. The purpose of mana whakahaere is simply 'to ensure the wellbeing of the Awa'.

The Waikato Awa is a taonga to Raukawa. It is a whole and indivisible entity that flows from Ruapehu to Te Puaha o Waikato (the mouth) and includes its waters, banks, beds (and all minerals under them), and its streams, waterways, tributaries, lakes, aquatic life, vegetation, flood plains, wetlands, islands, springs, water column, geothermal aspects, airspace and substratum as well as its metaphysical elements.

Kei te kaha tonu te mana, ngā tika tuku iho me te kaitiakitanga o Raukawa e pā ana ki te Awa o Waikato ka rere i tō mātou rohe. Nā runga i ngā mātāpono o te ahi kā roa, kei te tūtū tonu ngā marae, kei te noho tonu ngā whānau me ngā hapū ki ngā tahatika o te Awa o Waikato. Ka noho te Awa hei pūtake mō te wairua, te ahurea, te hāpori, te taha tinana o tō mātou iwi. Waihoki, heke i tēnā reanga, i tēnā renga, ka waha mātou i ngā kawenga me ngā whakaaro nui o te kaitiakitanga.

Raukawa continue to exercise our mana, along with customary rights and exert the rights and responsibilities of kaitiakitanga in relation to the Waikato Awa within our rohe. In accordance with the principles of ahi kaa roa; marae, hapu and whanau still reside next to and live every day with the Waikato Awa. The Awa has provided a source of spiritual, cultural, social, and physical sustenance for our people, and in turn our role as kaitiaki embraces respect and an inter-generational responsibility.