

CULTURAL IMPACT ASSESSMENT

Adverse Environmental Affects on Hapu Communities

A Report from Tangata Whenua

Northern River Section

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EXECUTIVE SUMMARY

The Affiliate Te Arawa Iwi/Hapu Deed of Settlement 2008 has carried Tuhourangi and their affiliated hapu through to an era of post Treaty of Waitangi settlement Governance. Contained within Section 6.3.2 (a, b, c) of the Act is an acknowledgement by the Crown that Cultural Redress Relationships, Memorandums of Understanding and interaction with its Local Government representatives will be entered into between each Council and the Te Pumautanga Trustees, who represent their respective tribal authorities.

This Cultural Impact Assessment is a continuation of working together with the Bay of Plenty Regional Council in good faith in order for the views of tangata whenua to be adequately heard and recorded. This report is also an extension of mana whenua and kaitiakitanga as guaranteed to Maori in the Treaty of Waitangi, the associated principles and the rights of Maori encapsulated in the Resource Management Act 1991 with specific regard to sections 6, 7 and 8 of the Act.

CULTURAL AND INTELLECTUAL PROPERTY RIGHTS STATEMENT

All information contained within this report will remain the property of the Tuhourangi Tribal Authority and the Tangata Whenua of the Puarenga River. Any reproduction of this document in part or whole must first meet with the written approval of the Trustees for the Tuhourangi Tribal Authority.

INTRODUCTION

In recent times the Tuhourangi Tribal Authority has led a campaign to effectively change the way local industry and Government views its role in waste management disposal, its effect on the environment and just as importantly, the effects on the people and our culture.

The Tuhourangi Tribal Authority has agreed to this process in good faith as an opportunity for the current generation to fulfil their Kaitiakitanga obligations and help to restore the Mauri of our environment. It also enables this generation to build on the historical record of our tupuna for future generations in order that they will see the injustices perpetrated upon the people who have lived their lives on the banks of the Puarenga River.

Over the years and since the establishment of the Waipa State Mill, a number of people have voiced and written concerns over the degradation of the Puarenga Stream. Regardless of their particular standing within the Rotorua Community, their voice has been largely ignored and a new generation of kaitiaki from Whakarewarewa is lending their voice in an effort to aid the restoration of the Puarenga back to as a pristine state as possible.

At a meeting held on the 22 December 2011, in the Mount Maunganui office of the Bay of Plenty Regional Council, BOPRC representatives in conjunction with Toi Te Ora Public Health representative Ross Price and Medical Officer of Health, Dr Jim Miller heard views of participating Tangata Whenua representatives, Wally Lee, Peter Staite and Ike Reti in relation to a draft scientific report compiled by BOPRC.

The report is named the Puarenga Stream Investigation Update II, reporting into investigations into water quality of the Puarenga stream and catchment.

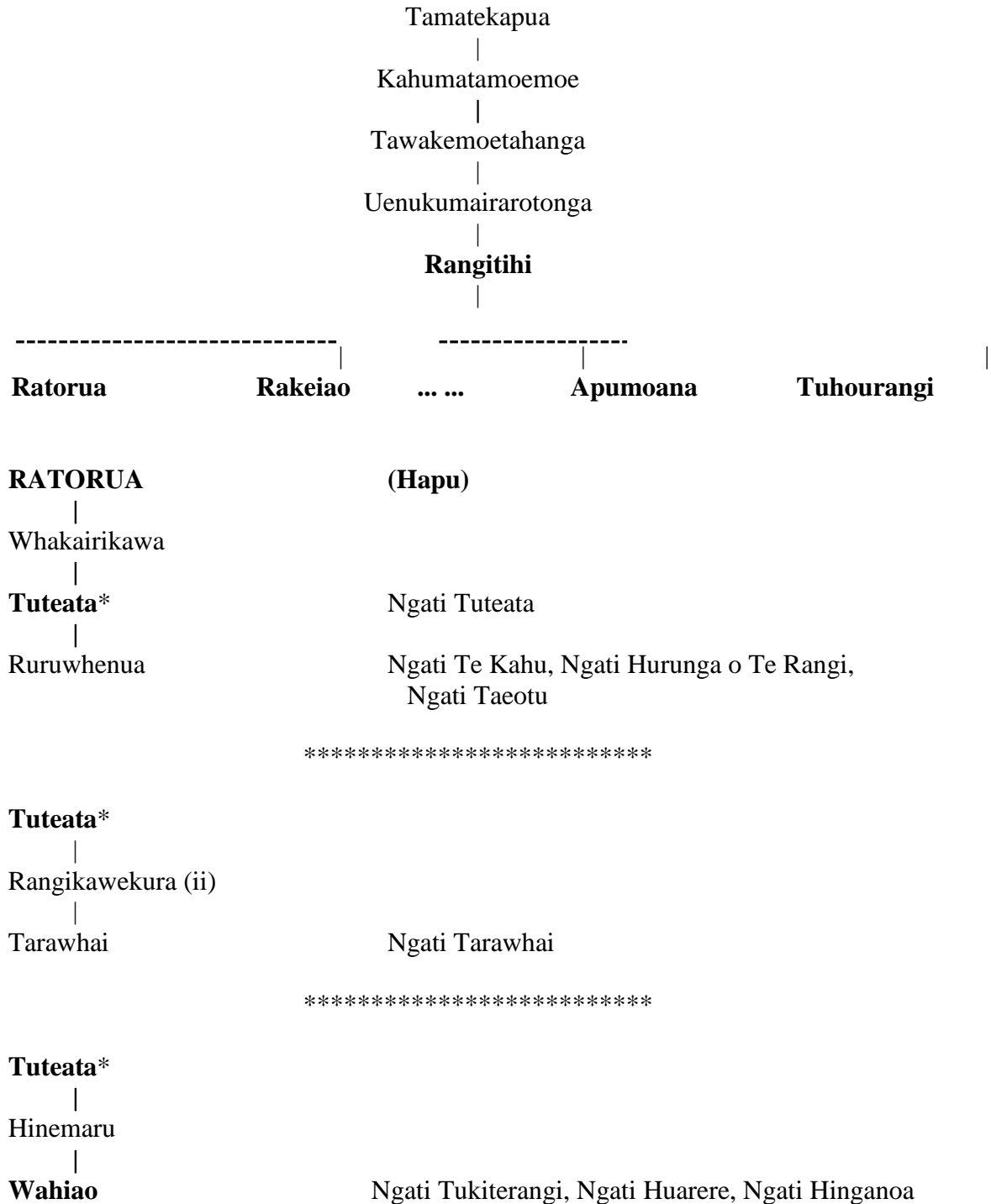
It was felt that Tangata whenua views be incorporated as an integral part of the report in line with current legislative provisions.

Tangata whenua of the catchment have not been known to have been given such an opportunity to put their concerns and views forward for the record in this manner. The opportunity to do so is late in the day, but is however, much appreciated.

There is no set requirement for tangata whenua to express their views in terms of culture and the way Maori may choose to say what they have to say. No statements in this report are considered abusive or racist or objectionable or non factual.

TANGATA WHENUA - PEOPLE OF THE LAND

Common ancestors and tribal groups associated to the Puarenga catchment



RAKEIAO

|
Ngamahana

|
Taketake

|
KahuUpoko

Ngati KahuUpoko

|
Rangitupukiwaho = Tumatawera Ngati Tumatawera

APUMOANA

Ngati Apumoana

TUHOURLANGI*

|
Uenukukopako

|
Whakaue Kaipapa

Ngati Whakaue

Tuhourangi

Twenty hapu were named under Tuhourangi in the 1887 rehearing of its land claims associated to the catchment¹

|
Uenukukopako

Hinemaru

|
Wahiao

Ngati Wahiao

¹ Minute Book 13, p192-203

HISTORICAL SETTLEMENTS NEAR THE PUARENGA

In the traditional Maori world view, everything in the natural world possessed a Mauri or life force. A kinship existed between all elements of the natural world of which people, land and water were part of a holistic order. This view of the world was reflected in the way Maori managed all of their natural resources. The early settlers of Rotomahana-Parekarangi land maintained their rights to the land by way of continuous occupation (ahi kaa). The most visible signs of their mana were their settlements, cultivation sites and their activities ranged from hunting and gathering to extensive horticulture.

The people who lived on the banks of the Puarenga River in pre European times enjoyed a prosperous way of life where their every need was supplied by the surrounding forest and waterways. The name is said to derive from sulphur particles which form themselves into patterns resembling flowers due to the swirling currents².

The relationship of Tangata Whenua to all their land, water-bodies, and living organisms is inextricably dependent on the Mauri of those taonga. Prior to colonial degradation of the same, these taonga were treasured and protected in accordance with the traditional beliefs, laws and practices of tikanga Maori as encapsulated in Kaitiakitanga and Rangatiratanga. These values and obligations were applied to maintain integrity and to meet the importance of cultural, customary and physical needs in connection with Papatuanuku.

The Puarenga is a Taonga Tuku iho of special significance. In its natural clean state it held unaffected Mauri and life giving provisions which provided benefits to our tupuna who naturally established kainga along its banks. Common to all nations, a river was a natural draw-card for community establishment along its banks.

Traditional use included transportation by waka to specific mahinga kai sites and landing places to gather such supplies accessible along the river. Karakia was naturally an ongoing tikanga for the wise who set out on their missions along the river. Taniwha are also naturally associated with the stream. The knowledge of where traditional things took place has been largely lost due to colonial interference on our minds and thinking, particularly mental degradation that runs with the degradation of the natural resource. In simple terms, Maori are negatively affected in a spiritual sense from the degradation and suffering of Papatuanuku who we are directly connected to.

Whakarewarewa and Ngapuna are settlements along the Puarenga where there is a combination of Ngawha, Waiariki and natural clean flowing streams from once numerous puna. Our relationship and mentality was naturally that of gratitude for these gifts to sustain our existence. A Kaitiaki role was a natural calling in our minds, hearts, and wairua. This is our tikanga.

Rangatira were recorded providing their evidence to the native land court of their life and times. Statements of tribal mana whenua were argued, and the extent of land use and occupation were provided as an expression of mana in relation to an historic event having occurred at a specific site along this important river. Natural resources on this river were abundant.

² DM Stafford p88 Te Arawa Place names

Kaikorero – Mohi Atarea, (25 July 1893)

*The taking of crayfish at the Puarenga, they dived for them and fished for them, also the kokonga by fishing. The shags were taken at night.*³

Te Mapou (3) is the resting place rookery of cormorants.

The snares for ducks are erected at Te Whakapukai a Paretore (8) and Te Rakau a Tuawhenua (on map), Te Ao o Puarenga (9), Te Rerenga a Pokere (10), Whakaongakei (11), Kohongaatua (12), Te Rotowhiri (on map) and Ngararanui (13). These are all on the Puarenga Stream down stream from the bridge at Tumaro.

The raupo was used for thatching and food. The convolvulus, it is cut, the juice wrung out and then eaten. The fern was soaked in the lake then dried—the fern root was to be eaten. The fern for catching small fish was only one sort.

*In 1852, at that time my hapus were still living on this block. Whilst we were living on this block we cultivated potato, kumara, and wheat also peaches, apples, cherries. Kumara cultivations were at Puhunga, Korotiotio (17), this cultivation was named after a spring. Te Waihunuhunukuri (15) was another, and potato was cultivated there also. The wheat at Te Roto a Tamaheke on the banks of that lake. The rua where the kumara were kept was called Whakahekengawaka (18). The fruit and willow trees were grown about Puhunga marked on map.*⁴

Hamuera Pango in the 1883 Whakarewarewa case said Pakarutanga-te kakahu is a raupo reserve. The raupo and tutu were protected on this block'. Another place for raupo was the Puarenga Stream. According to Pango, raupo was an esteemed product in former times because the roots, called aka, were used as food. It was prepared by drying in the sun and cooked in the hot springs. Afterwards, it was dried then mashed up in bowls, it had the appearance of rye bread and was known as keke-kai-a-Rotuhenga.⁵

In 1885, Alfred Ginders, the resident medical officer of the Rotorua district painted a rosy picture of the settlement:

*'Three miles from Ohinemutu... Whakarewarewa, is situated on the Puarenga River whence the natives obtain a pure supply of water. They belong to the Ngatewahiao (sic) tribe and number about 100 all told. The children are the healthiest in the district and a school is greatly needed for them. With one exception (an old chief suffering from heart disease), they are all in good health. They make a considerable amount of money by visitors to their hot springs and food is abundant. The settlement is tolerably clean and its general sanitary condition fairly good'*⁶.

Prior to the building of the first bridge across the Puarenga River at Te Whakarewarewa in 1885/1886, tourists were carried across the River on the backs of the men of the village. For this service, the men received a penny. Upon completion of the bridge and the ending of the 'piggy back service', it was suggested that a penny be thrown into the pool where the children were swimming as an entry fee into the village, and the 'penny diver' was born.⁷

³ Rotorua Minute Bk 26, pg214, 1893

⁴ Ibid pg216

⁵ Report on the alienation of Rotomahana Parekarangi Land, August 1996, pg9

⁶ Ginders to Native Under Secretary, 19 May 1885. AJHR, G-2A, p6 [vol.1, p161]

⁷ Chrissy Gardiner, personal communication, Whakarewarewa 2011

THE PENNY DIVER

The penny diver has been an iconic institution for the promotion of Tourism in New Zealand. On the 14 June 1901 the Duke and Duchess of Cornwall and York (future King George V and Queen Mary) visited the Rotorua region and were guided through Te Whakarewarewa by a young Maggie Papakura (Makereti). Already famous, after the royal visit, Makereti, Whakarewarewa and by association the penny divers became an iconic institution not only in New Zealand but around the world.

Diving for pennies was an integral part of village life as most families were very poor and relied on their children to supplement the family income. Children from a very early age, grew up with the idea of getting to the river as quickly as possible in order to participate in the acquisition of money which was being thrown at them from the bridge by tourists.⁸ There were no restrictions on how old a child had to be before he went diving for pennies. As a consequence he knew the dangers of water early in life and I don't remember a child not being able to swim by the time he was five years old. Those too young to dive for pennies earned their pocket money by performing the penny haka.

The penny diver has played a crucial role in the psyche of all Te Arawa over many generations. This association was never more evident than when the term 'The Penny Divers' was used to identify the Te Arawa contingent that made up the majority of the 28 Maori Battalion B Company.

In August 1940, during the Battle of Britain, the Maori Battalion was garrisoned in England to prepare for the pending invasion of Britain by Nazi Germany which never eventuated. The town of Farnham which was not far from where B Company were billeted, possessed a modern swimming bath and the Farnham Swimming Club advertised a carnival at which teams from British, Canadian, and Australian units were going to compete. Major Bertrand felt that New Zealand would be worthily represented by the Maori Battalion and entered for all open events. The teams, with two exceptions, were all from the lake dwelling B Company and upheld the honour of their country by winning every event against all comers.⁹

The following extract denotes the level of swimming ability held by villagers of Whakarewarewa who also served during WWII. 'Sonny Sewell was a New Zealand junior diving champion while William Whareaitu represented New Zealand in a backstroke event at the London Empire Games in 1936. The Penes were all good swimmers; Ruhi, Manu and Johnny. So too were the Heretaungas. There were two brothers, Adam and Binky Heretaunga who were excellent swimmers and they were killed together at Salum in Egypt during the Second World War.'¹⁰

⁸ Peter Waaka p105 1982

⁹ JF Cody 1956, p25

¹⁰ Kuru Waaka pers coms to Peter Waaka pg 105

COLONIAL IMPACT

Regardless of the fact that the British Crown had not entered a treaty to provide it a right to set up a government of the central North Island, the British did have an overwhelming appetite to convert these valuable lands and resources, whereby the NZ Parliament was formed and established to over-rule Rangatiratanga throughout the land legal or not. There came colonizing tools such as Crown Judges, NZ Statutes and Regulations, NZ land laws, Crown land agents and purchasing officers to scout for and obtain shares in land. Individualization of land ownership title, foreign to the hapu collective, altered forever the Maori view of land tenure and caused an unnatural frenzy for Te Arawa to put their lands through the Native Land Court. Crown grants, perpetual lease arrangements, and Crown leases converted to Crown purchase, sales to non Maori for establishing settlers to the region and eventually, Maori land boards and trusts to administer what was left of native land. All designed to further alienate Maori from their Tino Rangatiratanga. The very fabric of Maori society had begun to be torn apart and the land to which hapu were intrinsically tied was also divided.

Prior to 1870 the British imperial army paved way across NZ for the establishment of British settlements and the establishment of a government. Post 1870 the NZ military forces replaced the imperial army setting up campsites, then came the NZ police force, stations, concentration camps, prisons, state controlled media and broadcasting, falsified history books, museum collections, archives records, land registry and court records over Maori land.

All was in place to confiscate and force Maori off their land. Maori became troubled at the advancement of Crown land acquisitions from Maori to sell on to foreign settlers coming from England.

The United Nations received a report from its secretary, reporting, the British admit it did not acquire full rights over NZ by the Treaty of Waitangi, Treaty of Waitangi provisions applied illegally over non treaty tribes.

THE FENTON AGREEMENT 1880

Te Arawa were not a signatory to the Treaty of Waitangi but were, none the less, loyal to the Crown during the land wars. As a consequence, Te Arawa fiercely maintained their independence from any colonial intervention and would not allow the Native Land Court, surveyors or Crown purchasing agents into the Rotorua District. Since its inception however in 1865, the Chief Land Court Judge F.D. Fenton was requested to travel to Rotorua on behalf of the Government in order to find some fresh means of breaking the deadlock.¹¹

On the 25 November 1880, forty seven chiefs signed an agreement with Fenton at Tamatekapua, providing for the formation of a township at the junction of the Puarenga River and Rotorua Lake, ninety nine year leases for which were to be publically auctioned by the Crown on behalf of the lands owners once determined by the Native Land Court.¹²

The Fenton Agreement was the thin end of a wedge that was to change forever Te Arawa's view of land tenure from a collective hapu based kaitiaki system to an individualized title system, where land was to be alienated by charging survey liens, Court costs, food provisions charged up during Land Court hearings against the titles of now individual owners.

¹¹ The Crown and Te Arawa, In the Rotorua District, C.1840 – 1910, June 1996, pg128

¹² Ibid pg131

THE THERMAL SPRINGS DISTRICT ACT 1881

The Thermal Springs District Act had purportedly been passed by parliament in order to give effect to the agreement signed by Ngati Whakaue and the other tribes in 1880. Fenton had noted that it was scarcely necessary for him to point out that ‘Legislation will be necessary to give effect to the agreement.’ The legislation which followed, however, did much more than provide for the formation of a township at Rotorua. The Preamble to the Act stated that:

It would be advantageous to the colony, and beneficial to the Maori owners of land in which natural mineral springs and thermal waters exist, that such localities should be opened to colonization and made available for settlement¹³

In 1896, the Crown purchased the bulk of Whakarewarewa’s thermal belt (thereafter known as the Government thermal reserve) from its Ngati Whakaue owners. This meant that, apart from the village proper, most of what tourists were viewing at Whakarewarewa was Government owned.¹⁴

The historical information regarding this period of time and the establishment of Rotorua as a town is extensive and will not form a part of this report. It is highlighted only to reveal how the Arawa people came under the jurisdiction of the Native Land Court without being signatory’s to the Treaty of Waitangi and the subsequent alienation of land. For it is from this point in time that the fate of Lake Rotorua, the Puarenga River and surrounding catchment was sealed to take the brunt of colonial and industrial pollution practices.

COMMUNITY INFRASTRUCTURE & POLLUTION FLOW

Community planning over land use and development was systematically advanced by capitalist values and principles. Land in hand, settler establishments, land zoning restrictions, subdivision development, public road, drainage, rail and reserves networks, industrial and commercial development, businesses and related infrastructure were established. The landscape and the environment were now at risk. Stripping of native forests, burning and poisoning of scrub, draining of wetlands, would spell certain degradation of the environment.

In 1939, The Waipa State Mill was commissioned and established on the banks of the Waipa Stream, a major tributary of the Puarenga River, as a direct result of World War II. The need for raw materials in order to aid the war effort saw the mill process the first generation of trees that were planted in the Whakarewarewa Forest in the late 19th century and the early part of the 20th century.

A large number of tributaries of the upper Puarenga catchment and waterways flow through farmland. Many water bodies and flows are exposed to open animal grazing pasture with free to roam animals. Heavy event rainfalls have been noted to increase a pollution source’s influence on waterways, such as fast running water across land surfaces containing animal effluent, cattle hoof erosion and hoof trodden damp spots. Rainfall speeds up effluent flows from effluent spray irrigation over grazing pastures, causing surface runoff into nearby waterways.

- Sewage effluent spray irrigation over Whakarewarewa forest land near the Waipa, Kauaka and Ohineuia Streams.
- Underground water pollution through land into the Waipa stream

¹³ Ibid pg 150

¹⁴ Peter Waaka, 1982, pg 89

- Effluent ponds, spray irrigation, chemical and general rubbish dumpsites in relation to the Waipa sawmill site near the Waipa Stream
- Treated timber storage site surface run-off near the Waipa stream.
- Rotorua district landfill, drainage network near the Tureporepo and Waihuahuakakahi streams.
- Peka Block Industrial Park, drainage network near the Waihuahuakakahi and Kauaka Streams
- The confluence of the Puarenga Stream
- Puarenga Bay pollution

Waterways flowing from the south (into the Puarenga stream)

- Tumunui lands Ohineuia stream Kauaka stream
- Te Kuha stream Pakaraka lands Ohineuia stream
- Rotokakahi headlands Ohineuia stream

Waterways from the south, south-west

- Kapenga lands Waikaruru stream
- Horohoro /Mamaku ranges Tureporepo stream
- Kahikatea stream Waihuahuakakahi stream Waitokomahanga stream

Waterways from the south, south-east

- Kakapiko mountain Waipa stream
- Moerangi mountain Hemo spring
- Waipa spring
- Waipa stream
- Puarenga stream
- Unnamed natural springs

Waterways from the East

- Tokorangi Pa Waipa stream
- All the above streams eventually flow into the Puarenga River.
- The Puarenga is an important river to tangata whenua and the overall health of Lake Rotorua due to the size of its catchment and the volume of water that flows into Lake Rotorua.

Loss of Rangatiratanga over land and waterways would soon see the Puarenga catchment's ecosystems put at risk. The Waipa sawmill, timber preservative treatment chemicals, petroleum products residue, sewerage effluent and other substances were known to flow from the site discharge areas.

There are yet to be identified substances and nutrient overload runoff from the Rotorua Landfill, meanwhile tangata whenua have observed the discolour, bad smells, and absence of fish life once found in downstream waters of these sites. The waters of these streams are clearly unsafe for human use.

AN IMPACT ON THE LAND AND PEOPLE

Land and water abuse does bring calamity in various ways. Only the gentle facts are covered in this assessment. Will this world of political correctness ever be able to handle reading the heavy aspects of cultural impact from tangata whenua, and this is why the writer's do not go further than what is expressed in this report. Many of us have seen much suffering, many tears, much sorrow and heart ache, sickness and premature deaths. The taking of land, the polluting of its waters for the sake of money is a culturally negative impact, a near genocide of the indigenous nations of land dwellers right here in our back yard, the Puarenga catchment.

Monitoring environmental degradation continues to be done by common sense walk-by observations. Subjective assessments by visual sense observations on the Puarenga stream when crossing a Whakarewarewa bridge has been going on for generations, but little has been done to improve the water quality of the river to anywhere near what its clean condition once was.

Opening the floodgates for pollution

A telling timeline of events unfolded as we looked at the period that Rangatiratanga was lost by tangata whenua over its indigenous rights to its natural resources.

In 1922 the Crown took control over Lake Rotorua, setting up a Crown administered Arawa Trust Board in 1924 to receive compensation while the Crown controlled what happened to the lake.

In 1939 the Government's Waipa Sawmill was on the way to completion and in December of that year the first logs passed through it. Noting the changes in the condition of the Puarenga stream since the opening of the Waipa sawmill. Upstream pollution of various sources would only have compounded the problems at the lower Puarenga at Ngapuna, and along the lakeshore at Ngapuna.

In 1942 the Rotorua County Council decided to relocate the refuse tip to Ngapuna after a complaint from the State Advances Office over the tip situated at Pukuatua Street.

In 1946 typhoid fever broke out at Ngapuna. Within a few days nine cases were admitted to Rotorua hospital in a serious condition. Within two weeks eighteen cases were reported and some one hundred people had received inoculations. There was no report that typhoid had broken out elsewhere in Rotorua at that time. The medical and health officials put the reason for the outbreak down to the contaminated water supply.

VOICES FROM THE PAST

Guide Rangi notes the pollution of the Puarenga stream coincided with the establishment of the Waipa Saw Mill and the advent of farming:

"The authorities ought to pay more attention to the dangers of erosion, pollution, and other damage to Whakarewarewa from their rapidly expanding industries. The Pakeha industries at Waipa mill have spoiled the purity of the Puarenga stream. The water has at times turned black and children jumping in at times have been unable to find them in the famous pool under the bridge. Large quantities of pine bark have come down the stream in floods. Flooding seems to be getting worse as farming develops and erosion worsens up the Puarenga valley. We have also had trouble with

big floating blobs of unsavory looking material appearing in hot summer weather. It has been identified as algae, which apparently grows on the stream bottom, and is said to have been caused by the discharge of sewerage outflow into the Puarenga from the oxidation ponds at the governments Waipa sawmill settlement."¹⁵

In 1988, the Rotorua Daily Post reported on the Whakarewarewa Maori Committee submissions to the Bay of Plenty Catchment Board's standing tribunal in Whakatane of its concerns over the Puarenga stream. Mr Tona Nuri, Kaumatua and chairman of the committee told the tribunal:

"Our people never really complained vocally about what was happening to their environment, mainly because they did not fully understand the procedures within the system..."

In fact our people in our village continually bowed down for the sake of peace. We are sick and tired of bowing, our concern for our environment has accelerated with a growing awareness throughout our tribes with regard to the many injustices that have been heaped upon Maoridom by the Crown," the committee said. The Maori committee was the only objector to Prolog's application to discharge water from its water treatment plant and general mill use, into the Puarenga Stream.

[Mr Nuri] claimed that the health of the people of Whakarewarewa had been jeopardized over the forty-nine years that the sawmill had been discharging effluent and chemical waste into the river. Skin diseases, ear and eye problems and gastric complaints were cited as examples of the ill effects people, often children, using the river had experienced. "the advice to us all from our doctor is usually the same. Keep the children out of the river", Mr Nuri said. He said it was time Maori cultural and spiritual values were required by law to be considered together with other aspects relating to the granting of water rights.

Mr Kuru Waretini of the Maori Arts and Crafts Institute asked that "stringent conditions" be applied to the water right. He said that it was culturally insensitive for Prolog (previously named Waipa mill) to dispose of pollution in the Puarenga. A further submission was also penned on behalf of the People of Te Whakarewarewa by the renowned Te Arawa historian Don Stafford who writes:

Despite all the advantages of thermal facilities to the people the one paramount and most vital of all their possessions was the Puarenga Stream.

This stream and the several fresh water springs along its banks provided the vital and life giving source for drinking, watering crops and steeping or preparing foodstuffs. But quite apart from these, the waters of the Puarenga itself played a major role in the life of the people. Raupo once abounded in the stream. It provided most of the materials needed for the construction of the original houses as well as other products. In addition, pollen from the bulrush heads was collected and processed into a protein-rich, bread like food. Some traditions assert that this yellow pollen, carried by the swirling water formed itself into patterns resembling blossoms, hence the name for the stream—Puarenga.¹⁶

¹⁵ Guide Rangi, 1968 pg83

¹⁶ Statement of Evidence by DM Stafford 1988

There were other important items that flourished along its banks. There was kakaho, toetoe, kuta, wiwi and several varieties of harakeke. Rahui or special prohibitions protected all these products from abuse.

In his submission, Mr Stafford goes on to name bird species of kawau and whio which were once in abundance. Names of resting places for birds such as Te Mapo and Rotowhio from which the present Model Pa in Te Puia takes its name:

“Within the stream itself fresh water crayfish (koura) flourished and were taken by swimming or wading during the day and often by torchlight at night. The once numerous small native fish, the kokopu, was also at times netted in large numbers”.

Mr Stafford gives an extensive summary of various names along the banks of the Puarenga and a background to those names. He also includes the attempts of the Crown and local businesses of the late 1890s and early 1900 who wanted to remove the Tangatawhenua from the land all together. His final summation states:

“Those who have spent their lives at Te Whakarewarewa, and their parents and grandparents before them, have tolerated many changes to their way of life; intrusions into their family affairs and have received a very small share of the bounties that their contribution to tourism has brought. They have been subjected to criticism for as long as any of us can remember and there are still too many who believe that their papakainga is public property and that reference to them or their concerns can be ignored”.

In relation to the resource consent that Mr Stafford is responding to he states;

*“I cannot imagine them believing that they have a shred of moral right to continue this offensive practice”.*¹⁷

Has the situation for the Tangatawhenua of Te Whakarewarewa and the Puarenga River changed for the better in the 22 years that these submissions were received regarding the dumping of chemicals into the Puarenga catchment? Our research indicates that the polluted state of our land and water has become worse, for industry and its practice of dumping waste have sadly, increased.

NGAPUNA

The tangata whenua at Ngapuna combined their three marae committees in order to produce a report in relation to their environment. This study was reported in December 1990. In general terms the residents of Ngapuna identified the magnitude of problems in relation to Impacts of Industrial Development. Verbatim comments were recorded. Impacts from sawmills, verbatim comments –

- *Waipa mill polluting Puarenga. Industry is depressing*
- *We used to swim in the Puarenga, now it is a health hazard*¹⁸
- *Relocate industry*
- *Tighter restrictions on pollutants*

¹⁷ ibid

¹⁸ D. Shaw 1990 pg 38

Sewerage treatment Plant Impacts - Respondent's verbatim comments

- *Outlet into stream disgusting, cannot use*
- *Pipe effluent not into stream*
- *Apply enforcement orders or court orders*
- *Rubbish dumped at Puarenga stream*
- *Clean up stream, lakeshore*
- *Stop pollution of streams*
- *Clean up the stream down Hona Road (Puarenga)¹⁹*

Tangata Whenua at Ngapuna habitually assessed, observed and complained about the degradation of their environment, noting that for many years the Puarenga stream continued to be polluted by what they considered to be failures on the part of various government organizations.

On the western side of Ngapuna, the Puarenga stream has been used as an outlet for Rotorua's treated sewerage since the 1890's. Likewise, the land just to the west of the stream has been used as a treatment area. The planners of the present sewerage works in the late 1960's noted that Ngapuna was between 500 to 1000 feet from the proposed site. The works went ahead partly in the expectation that all Ngapuna was to be zoned industrial. The present plant was opened in 1973. The Rotorua City Refuse tip was located near there between 1958 and 1978.²⁰

In late October 1991 a serious chemical discharge went into the Puarenga. The Rotorua Daily Post reported –

'The owners of the Waipa sawmill, Forestry Corporation of New Zealand Ltd, may face prosecution... about 150 litres of CCA (copper chrome arsenic) washed into the (Waipa) stream, which flows into Lake Rotorua, after a seal burst on a pressurized timber treatment tank during heavy rain... the spill was considered an illegal discharge...'

In the past, spills of another type of timber preservative solution called PCP (pentachlorophenol) have caused major kills of invertebrates in the Waipa Stream and Sulphur Bay. Use of PCP has since been banned²¹.

On 1 December 1992 Greenpeace New Zealand published 'The Deadly Legacy'. The report highlights the deadly legacy of toxic contamination left by New Zealand's past timber treatment practices. Over 40 years of use, it is reported that at least 600 sites in New Zealand were contaminated by PCP, with the effect of dispersing widely into the environment and many food chains. Some 200 tons of PCP was used annually in New Zealand over the period 1950-1988. Greenpeace called for 7 bullet-point matters, including the immediate and deregistration and ban from use of PCP. It goes on to report –

'PCP and dioxin from these sites are known to be leaching into ground water, travelling off-site, persisting in the environment and accumulating in food chains...only Waipa sawmill and Lake Rotorua have been studied by New Zealand...Although the scope of the study was too narrow to see the full picture it showed clearly that PCP/dioxins have leached from the Waipa site,

¹⁹ Ibid pg 39

²⁰ Ibid pg 10

²¹ Daily Post 01/11/1991

into Puarenga Stream, and are now found in trout, freshwater mussels and sediments of Lake Rotorua at an alarming level'.²²

Tangata Whenua often raised concerns of sewage entering the Puarenga stream, via a secret outlet pipe at the end of Hona Road.

²² Greenpeace NZ, The Deadly Legacy 1992 pg 4



Photo by Peter Staite 1989



Photo by Peter Staite 1989

In 1996 poor maintenance of the Rotorua District Council's spray irrigation system was to blame for effluent overflowing into streams before an Environment BOP inspection.

The sewage being sprayed into the Rotorua forests contains too much phosphorous and nitrogen which could pollute lake Rotorua...Council's sewerage irrigation system is not fully complying with its resource consent, according to a compliance report presented to Environment BOP's regulation and monitoring committee yesterday.²³

In 2004 the Puarenga catchment was included as one of a number of studies reported to the Central North Island Waitangi Tribunal Inquiry.

Participating claimants organised their approach to providing their professional/expert evidence for each aspect of their claim by engaging professional researchers through their (CFRT) Crown Forestry Rental Trust. Numerous themes were researched, for my part as a customary evidence witness, I can utilize information from our Final Report for

"Land Based Cultural Resources and Waterways and Environmental Impacts (Rotorua, Taupo, and Kaingaroa) 1840 – 2000", dated 17 December 2004.¹⁵

Some references –

The most serious concern tangata whenua have regarding pollution to the Puarenga Stream is the presence in potentially damaging quantities of pentachlorophenol (PCP).

The Ministry for the Environment's Health and Environmental Guidelines for selected timber treatment chemicals (1997) states that

"Chronic exposure to pentachlorophenol (PCP) may result in a range of adverse health effects in humans, including irritation of the skin and mucous membrane, chloracne, neurasthenia, depression, headaches and changes in kidney and liver function. In addition, PCP has been classified as a probable human carcinogenic (Group B)) by the USEPA, for exposure by the oral route".

The Waipa Mill, in the Puarenga catchment, has been described as the most heavily PCP-contaminated site in New Zealand, and ranks among the world's worst.

Both soils on the mill site and water runoff from the site are contaminated with PCP, as is the Puarenga Stream and flora and fauna in Lake Rotorua.²⁴

PCP was found at both surface and depth and the results suggested that vertical migration occurred within the soil profile, potentially resulting in contamination of groundwater...PCP contaminated ground water is migrating towards Waipa Stream.²⁵

Of particular concern to tangata whenua, who were guaranteed continued use of their fishery resources, is the MFE [Ministry for the Environment] statement that -

²³ Daily Post 10 February 1991

²⁴ CFRT, *Land Based Cultural Resources and Waterways and Environmental Impacts (Rotorua, Taupo, and Kaingaroa) 1840 – 2000*, 17 Dec 2004 pg173

²⁵ Ibid pg 173

*PCP accumulates in the fatty tissue of living organisms. This process is known as bioaccumulation.... Rainbow trout, which feed by predation, have been found to bioaccumulate PCP at up to 600 times the levels found in the surrounding water by feeding on organisms which are already contaminated.*²⁶

An important point to emphasize that the study of the Puarenga catchment was considered the second most serious area of environmental degradation cases by the report writer in answer to the question by the chairperson of the tribunal panel. The Tribunals final report on the first stage of that inquiry was presented to the claimants in 2005 at Tamatekapua meeting house.

HUI A IWI IN WAHIAO 3 APRIL 2012

An integral part of a Cultural Impact Assessment is the need to gather stories and the feelings of those who are directly and indirectly affected by the degradation of a treasured resource. As our history dictates, the spiritual connection tangata whenua have with the Puarenga has been an ongoing love affair for many generations encompassing many tribes. The clean water our ancestors once enjoyed is no longer available to the current generation and this assessment is the opportunity for our people to have their say and add their voices to those voices of the past.

'The state of the river has put our people in conflict. Do we let our kids swim in there or tell them to stay out. It is a part of our history and our culture. It is a meeting place for families and the consents that allow pollution into the river does my head in.'

'The abatement notice shows that RDC have resource consent for 30 ton (nitrogen) and they are over their consent by 11 ton. They are releasing 41 ton of nitrogen into the lake (via the Puarenga) and they still want to pump more in. They ignored us that they have been in breach of the consents since 2003. We haven't even gotten into the bad spots up there yet.'

A question was put to the floor; 'Does anyone ever recall ever seeing fish or life in the Puarenga in their lifetime.'

'There was koura and trout and there was little fish. We used to catch them at times and when the river was in flood that was the time we used to go swimming for coins, because the flood used to move the sand. We also used to swim against the current to make us stronger swimmers. There used to be swimming competitions at the blue baths that we used to compete in. We also used to catch koura in the banks and at one time we cooked them in the hot pools. This was in the early 60s and into the early 70s. Then we noticed less and less food coming down the river and if they did they were floating. Koura and fish were floating down the river. There were quite a few different types of fish but they were all floating. There was pirau floating down the river and we were swimming amongst it not realizing it was pirau. It was brown, and white, foamy white and we would try to break it up not realizing it was dangerous for us. The river was covered with it. Even though our Koroua, Tona (Nuri), did a lot of research he could never get anybody onside to provide the scientific proof about what was happening. That was the pirau running down the dump and farms up Horohoro and the streams that come down from the dump. We also used to eat

²⁶ Ibid pg

the watercress not realizing it was contaminated until Rose Maniapoto got sick, then we stopped touching it.'

'The blowhole at Ngapuna, we used to have a drain where we used to get the watercress for tangi. There are a lot of stories there and the dump that was at Ngapuna, and what I want to say is that it is worse than the Aussie rivers. I think back from then to now where we used to swallow the water but not now. So what has changed from then to now because once it is gone it is gone.'

'We have two contaminated sites on there, it's in the LIM File, and it's on file at the Council that we have two contaminated sites. My siblings saw the pits being dug for sludge, and in despair, in utter despair, my father left.'

'This has actually been enlightening because I tell the tourists out there that we don't have a pollution problem out there anymore, we have a sewerage scheme and I was always under the belief that if they throw it up there (Whakarewarewa Forest), it goes up there 100% clean and that you can even drink it. This is the belief that I've always had. Please excuse my ignorance because that is what I've always read and believed. But I now see where it comes back in and pollutes this space. This is all part of our healing, so I stand with everybody here and we need to do something like this.'

- *He ma ai to tatou awa mo nga tamariki mo nga uri a muri I a tatou katoa. Mehemea e ora ana te awa, e ora ana te iwi me te hapu. Koina te mea nui. Whakakotahi tatou I a tatou. The river is important, why because water is important. It's important to everyone. When a baby is in the mother's puku, there's water there. Water is life, if we have no water whatsoever we are nothing. But we are not going to die, we are going to support this kaupapa.*

A general conversation regarding the polluted state of the Peka land and the fact that it was given up for an industrial park. Fertiliser factory and a waste transfer station for the cattle trucks. The re-diversion of the Tureporepo through the dump and the effect of water quality on both the Tureporepo and the Waihuahuakakahi. The impact that this industrial estate has had on the people who live on Peka Land.

All names of those who spoke during this hui have been with-held

THE MODERN WORLD

In many ways, the people of the villages of Whakarewarewa, Ngapuna Horohoro and Rotorua in general have fallen victim to the industrial and economic growth that was established within the Puarenga catchment. Much of the labour required for the forest industry has come from these villages. The Maori was the backbone of the labour force, both men and women being highly skilled in all forestry work.²⁷

By 1935 the combined efforts of the Government, financed by the taxpayer at large and private companies, financed by hopeful investors, had created an exotic forest estate totaling close on 900 000 acres. About one half of this vast young forest had been planted within a radius of 50 miles of Rotorua. (Ibid pg 142) With the opening

²⁷ Enid Tapsell, 'A History of Rotorua 1972' pg 141

of the Mill, men were suddenly offered the chance of comparatively high wages, regular hours and security of income. The once exciting prospect of Maori land lived on and farmed by Maoris lost some of its great concept.²⁸

As a result of technological advances and external materialistic influences, Maori customary and traditional world views were under pressure to change and be tipped off its foundations for all time. Many natural features of the land, and the life forms it supported, its waterways, the airspace and life within, now suffered exposure to adverse environmental damage. The Native forests, once abundant with birdlife and customary food sources, were replaced with exotic pine forests.

Maori cultural practices and traditional land uses were compromised under the influence of capitalism. Capitalist ideals and values were focused on money, financial wealth as the main measure of prosperity. Traditional lifestyles, health, quality of life as it relates to enjoyment of customary food gathering and recreation, feeling good, feeling safe and being proud to share and show your visitors a healthy environment that once was, had been replaced with environmental degradation, and providing a tribal member's employment at the offending mill site, farms, and at sewerage works. This is the price the people of the land have had to pay for prosperity that is measured by a bank balance.

REALIZATION

On the other hand, tangata whenua born into this system with little or no knowledge of recent Maori history will be unphased in this modern world. Not knowing their tribal history, or their roots, or the generational losses suffered by their ancestors, may well matter little. There are many individuals who now accept the land losses and injustices against their tupuna as a phase in time. Moving on and a shift from tribal community lifestyle to job opportunity in suburbia, nearer the shops, the school, and modern day conveniences is survival.

The coming and pains of assimilation is real for the older ones, those who saw the beginning of the end for Maori, who began disassociating from land and identity, the transition. Owning a flash car, having a flash job and being a boss seemed to be the go, a step up in the new world.

A measure of impact is the loss of traditional ties to land, the use of that land and water to pollution. A culture coming to realize a bitter end, be off the land and out of the river, relocation or sickness are the option. A new life, in new circumstances, away from tradition, and social isolation, colonial living, that is the assimilation following pollution. In time the traditional tribal knowledge and interaction if not lost altogether, will fade away into the distance, like the jet stream to Australia.

Money is key in the new world, loans, building permits, rent, rates, mortgages, taxes, insurances, doctors and medical, professional advisory service, dog and vehicle registration, fishing license fees, telephone and electricity charges, fines, and the list goes on. Polluted rivers and streams, lakes, land and air, chlorinated tap water and public swimming pools, and fish shops, that's the impact.

²⁸ D. Stafford, 'The New Century in Rotorua 1988' pg 214

SUMMARY

For many people of the Puarenga catchment, twenty generations or so have passed since the arrival of their ancestors Ihenga and Kahumatamoemoe. The wide range of descendants came down the line of chiefs of the Rotorua district. The first Europeans venturing into the volcanic interior plateau preceded the year 1840, when northern tribes arranged to sign the Treaty of Waitangi. Following attempts to promote the treaty being signed by southern tribes, the chiefs of the day within the Te Arawa confederation rejected the treaty and did not sign it. In fact it was reported that the interior of the North Island was somewhat hostile. Tuwharetoa also refused the treaty by not signing it.

Tangata Whenua of the Puarenga have endured huge cultural and environmental changes since the signing of the Fenton's agreement in 1880. The survivors of the Tarawera eruption of 1886, resettled in Ngapuna and Whakarewarewa with relatives, due to the simple fact that the land and waterways would sustain all who dwelt within the catchment. So whilst the writer's ancestors witnessed the devastation and destruction of 1886, through a natural event, we, their descendants have witnessed the devastation and destruction of an eruption of pollution over a long period of time that has wiped out a whole way of life.

As the customary evidence for Wai 533, a claim for tangata whenua descendants of Tuteata, the evidence provided not only stated that we were non treaty tribes, but further stated that unbroken indigenous customary title to the water (as this report relates), in reference to the Rotorua lakes, connecting rivers and all natural water bodies, remained under the customary mana of tangata whenua in relation to their indigenous title and rights in the common law of man.

However, the subsistence living we once enjoyed on the banks of the Puarenga River and our ability to protect our whenua through rahui has been replaced with heavy industry, the need for employment, a dirty river and shopping centres. A former way of life that can never be reclaimed.

The inference made by the colonial government over tangata whenua taonga by the mistaken view that it has right to do what it wants with water resources, has proved to be a very serious mistake on their part.

Maori have adapted to the modern world and have generally been more than accommodating to the needs of Rotorua and the growth of our city. But the cost to that growth and prosperity can be measured through environmental degradation of taonga and the effects upon Tangatawhenua who have had to endure for a large part of the last 132 years.

What is of the utmost importance for our future is not the fact that our environment has and continues to suffer from manmade abuse but that we work together in finding the answer to fixing this pollution problem. If our first point of reference is a zero tolerance to pollution, then we may be able to move forward to finding a true solution. For the answer will not be found from one aspect of our society, but from a combination of western science and matauranga Maori that equally reflects the nature of what Aotearoa/New Zealand truly represents.

Finally, we must all be reminded that God, our creator has no more to give us than what he has provided us on this earth. He has placed a natural respect in the hearts and minds of those he entrusted to a particular land. Even when adversity invades, we remain focussed on the waters, for the waters are his first creation in forming this earth.

Genesis 1

Verse 1. In the beginning God created the heaven and the earth.

Verse 2. And the earth was without form and void, and darkness was upon the face of the deep. And the Spirit of God moved upon the face of the waters.

Verse 25. (on the 6th day) And God made the beasts of the earth, according to their kinds. And God saw that it was good.

Verse 26. Then God said, “let us make man in our image.

Water came before all earthly creations, and only when God saw it was good that he created man.

Verbatim Statements

On behalf of a Group

From: Joe.Harawira

Date: Tue, 3 Apr 2012 01:08:41 +0000

Tena koe e Te Hoa Wally,

My concern is the testing methodology, what I understand is that they only tested for PCP, PCP is water soluble, the bi-products of PCP are Dioxins where they would have detected in the sediment, OCDD/Furans, Hepta CDD/Furans Hexa CDD/Furans and TCDD/Furans which is the most infamous of the Dioxins, these are persistent in the environment, they belong to the POPs group of chemicals called Persistent Organic Pollutants and they are all carcinogenic substances, cancer causing.

Aroha mai.

Joe Harawira

Te Pou Tiriao o Papatuanuku

SWAP Project Co ordinator

Sawmill Workers Against Poison

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