

Hearings Panel
ATTACHMENTS UNDER SEPARATE COVER

Date: Monday 4 July 2022
Time: 9.00am
Venue: Duvauchelle Treated Wastewater Options,
Committee Room 2, Level 2, Civic Offices, 53 Hereford
Street

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Te Rūnanga o NGĀI TAHU

30 June 2022

Christchurch City Council
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Tēnā koe

Re: Duvauchelle Treated Wastewater Options

1. Te Rūnanga o Ngāi Tahu and Papatipu Rūnanga

- 1.1 This submission is made on behalf of Te Rūnanga o Ngāi Tahu (**Te Rūnanga**) and Ōnuku Rūnanga (collectively referred to as Ngāi Tahu).
- 1.2 Te Rūnanga is the statutorily recognised representative tribal body of Ngāi Tahu whānui (as provided by section 15 of the Te Rūnanga o Ngāi Tahu Act 1996 (**TRONT Act**)) and was established as a body corporate on 24 April 1996 under section 6 of the TRONT Act.
- 1.3 Te Rūnanga encompasses five hapū, Kati Kurī, Ngāti Irakehu, Kati Huirapa, Ngāi Te Ruahikihiki, Ngāi Tūāhuriri and 18 Papatipu Rūnanga, who uphold the mana whenua and mana moana of their rohe. Te Rūnanga is responsible for managing, advocating and protecting, the rights and interests inherent to Ngāi Tahu as mana whenua.
- 1.4 Notwithstanding its statutory status as the representative voice of Ngāi Tahu whānui “for all purposes”, Te Rūnanga accepts and respects the right of individuals and Papatipu Rūnanga to undertake their own feedback.
- 1.5 Te Rūnanga respectfully requests that Christchurch City Council accord this response with the status and weight of the tribal collective of Ngāi Tahu whānui comprising over 70,000 registered iwi members, in a takiwā comprising the majority of Te Waipounamu. A map of the takiwā of Te Rūnanga is included at **Appendix One**.

2 Te Tiriti o Waitangi

- 2.1 The contemporary relationship between the Crown and Ngāi Tahu is defined by three core documents: Te Tiriti o Waitangi (**the Treaty**), the Ngāi Tahu Deed of Settlement 1997 (**Deed of Settlement**) and the Ngāi Tahu Claims Settlement Act 1998 (**NTCSA**). These documents form an important legal relationship between Ngāi Tahu and the Crown.

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- 2.2 Of significance, the Deed of Settlement and NTCSA confirmed the rangatiratanga of Ngāi Tahu and its relationship with the natural environment and whenua within the takiwā.
- 2.3 As recorded in the Crown Apology to Ngāi Tahu (see **Appendix Two**), the Ngāi Tahu Settlement marked a turning point, and the beginning for a “new age of co-operation”. In doing so, the Crown acknowledged the ongoing partnership between the Crown and Ngāi Tahu and the expectation that any policy or management regime would be developed and implemented in partnership with Ngāi Tahu.

3 Te Rūnanga and Poutini Ngāi Tahu Interests in the Duvauchelle Treated Wastewater Options.

- 3.1 Ngāi Tahu note the following particular interests in the proposed options:

Treaty Relationship

- Ngāi Tahu have an expectation that the Crown (and their delegated authorities) will honour Te Tiriti o Waitangi and the principles upon which it was founded. All persons undertaking duties and responsibilities in accordance with the purpose this document shall recognise and respect the Crown's responsibility to give the principles of the Treaty.

Kaitiakitanga

- In keeping with the kaitiaki responsibilities of Ngāi Tahu whānui, Ngāi Tahu has an interest in ensuring sustainable management of natural resources, including protection of taonga and mahinga kai for future generations.
- Ngāi Tahu whānui are both users of natural resources, and stewards of those resources. At all times, Ngāi Tahu are guided by the tribal whakataukī: “mō tātou, ā, mō kā uri ā muri ake nei” (*for us and our descendants after us*).

Whanaungatanga

- Te Rūnanga has a responsibility to promote the wellbeing of Ngāi Tahu whānui and ensure that the management of Ngāi Tahu assets and the wider management of natural resources supports the development of iwi members.

- 3.2 Statutory Acknowledgements are an instrument included in the NTCSA. Statutory Acknowledgements are areas acknowledged by the Crown of particular significance to Ngāi Tahu that recognise the mana of tangata whenua in relation to specific areas. The acknowledgements relate to ‘statutory areas’, which include geographic features, lakes, wetlands, rivers, areas of land and coastal marine areas. Statutory Acknowledgments particularly relate to the cultural, spiritual, historical and traditional associations with the area.
- 3.3 The relevant Statutory Acknowledgement Area in respect of the proposal is the Statutory acknowledgement for Te Tai o Mahaanui (Selwyn — Banks Peninsula Coastal Marine Area). The NTCSA describes the Ngāi Tahu associations with Te Tai O Mahaanui (refer to **Appendix Three** for a full description).
- 3.4 A taiāpure provides statutory recognition of an area (being estuarine or littoral coastal waters) that has customarily been of special significance to an iwi or hapū as a source of food or for spiritual or cultural reasons. The object of a taiāpure is to make better provision for the recognition of rangatiratanga and the fisheries rights secured under Article II of the Treaty of Waitangi. The provisions for taiāpure are contained within Part IX of the Fisheries Act 1996. The taiāpure tool is a key component of the redress package for the Treaty of Waitangi fisheries settlements. Akaroa Harbour is a Taiāpure.

- 3.5 These associations are material to decision making under the Local Government Act.

3 Treated Wastewater Options

- 3.1 Ngāi Tahu wishes to acknowledge the commitment of the Christchurch City Council (CCC) to remove wastewater discharges from Akaroa Harbour. That the council recognises the rights and interests of Ngāi Tahu within the harbour and its importance for mahinga kai. This importance has been reflected in the reports and information available to the public during the consultation period.
- 3.2 Of the two options out for consideration by the public, option 1 – Spray and Drip Irrigation of Akaroa Golf Course is the option preferred by Ngāi Tahu.
- 3.3 The reasons for the support of this option are as follows:
- This option is supported by the Akaroa Golf Course
 - The potential reduction on the reliance on the Pawsons Stream for irrigation of the golf course
 - The tertiary level of treatment that meets international standards and public health requirements.
 - The recycling of resources and
 - As noted in the supporting documentation the options remove discharges from the harbour.
- 3.4 While Ngāi Tahu prefers option one, we do acknowledge that the golf course borders both the Duvauchelle Primary School and residential property. Our tamariki love adventure, exploring and don't always follow or understand restrictions. In addition, Pawsons Stream runs through the golf course and past the school.
- 3.5 Option 2 has only secondary level of treatment. Ngāi Tahu considers that the tertiary level of treatment is required, given the use of the golf course and surrendering properties.
- 3.6 Ngāi Tahu notes that the technical report by Beca – Duvauchelle Wastewater Summary of Disposal and Reuse Options 2022 on page 17 discusses the upgrade requirements for the wastewater treatment plant. The report states:
- “The selected option for a disposal scenario with no restrictions on public access was installation of ultrafiltration membranes and validated UV disinfection. A membrane-only option could be feasible if additional restrictions were placed on public access (i.e. no public access during irrigation, and withholding periods/no access until dry).”
- 3.7 Ngāi Tahu considers that the use of the surrounding land needs to be taken into consideration when considering the level of treatment that is applied to the wastewater. Based on the report this would include both the ultrafiltration membranes and validated UV disinfection.
- 3.8 As the council documents have noted any discharge of wastewater to water regardless of the level of treatment is culturally offensive to Ngāi Tahu, this includes freshwater. That cleansing through Papatūānuku is needed.
- 3.9 Given this, and the surrounding property uses, Ngāi Tahu also considers that some restrictions should also be considered. This would include but not limited to:

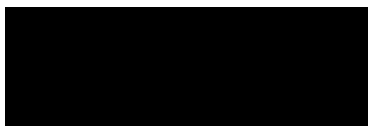
Te Rūnanga o Ngāi Tahu

- timing of irrigation e.g. night vs day,
- ensuring adequate separation from Pawsons Stream and property boundary.

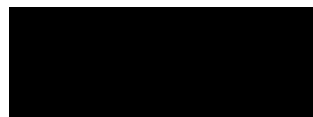
3.10 We do not wish to be heard in support of this submission.

3.11 As stated above Ngāi Tahu appreciates the work the council has undertaken, including working alongside the Duvauchelle Working Group (which Ōnuku Rūnanga is a member) to narrow down the many options presented. We look forward to continuing to work with the council as progress is continued to be made remove the Duvavuchelle wastewater discharge from Akaroa Harbour.

Ngā mihi mahana,




Aaron Leith
Acting General Manager,
Te Ao Tūroa
Te Rūnanga o Ngāi Tahu



Rik Tanui
Chair
Ōnuku Rūnanga

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