

The proposed Kakariki Hydro Development A Social Impact Assessment - Scoping Report

Prepared for the Project Working Party

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**Whakatauki
(proverb)**

Maungaharuru ki uta
Tangitu ki te moana
Mohaka Harara Taupunga Opunga Raupunga

*The boundaries of Ngati Pahauwera stretch in land to the Maungaharuru ranges
and seaward to the coast of Hawke's Bay.*

Our uniqueness lies not in being the same but in our ability to remain united in our differences.

EXECUTIVE SUMMARY

1. Field work was carried out by the two researchers engaged in the Social Impact Assessment during the week 3-7 April 2006. The coverage of the Scoping Phase assessment activities was on interviews with host community residents as well as representatives of regional recreational groups and the Wairoa District Council.
2. Forty-five (45) individuals were interviewed during the Scoping Phase.
3. Interviews explored the range of potential social effects and issues that might arise if the hydro electric development proposal were to proceed, and aimed to establish whether or not, from a social perspective, there are any 'fatal flaws' which would pose exceptional risks to proceeding further.
4. A range of potential social effects and issues was identified. These are summarised in Section 7.
5. A range of potential related development opportunities was identified. These are summarised in Section 8.
6. Our investigations during the scoping phase have not confirmed any specific 'fatal flaws' to further progressing this hydro electric development initiative. However, they have identified or confirmed some challenges ahead which will need to be addressed.
7. From the range of interviews conducted so far, we can conclude that -
 - (1) the potential downsides of this hydro electric development proposal loom much larger in people's minds than the potential development opportunities that might be associated with it;
 - (2) attitudes of those interviewed range from strong opposition or guarded opposition, to being neutral and prepared to keep an open mind, to support for the basic hydro electric proposition, with the balance (amongst those interviewed thus far) perhaps being more towards opposition than support;
 - (3) there are steps which can be taken, and which should be taken before any final decision on whether or not to proceed to a full proposal (see recommendations below).
8. While not wishing to ignore the potential benefits, it is strategically important to consider the basis of present opposition. In general, this comes from three sources -

Regional recreational interests: In the middle reaches of the Mohaka River, the most important issues appear to be (1) the extent to which the lake which forms behind the proposed dam will interfere with the area of the River immediately below the Willow Flat bridge that is popular with less experienced kayakers, and (2) the loss of future opportunity for 'mountain to coast' recreational experiences on the River.

Local landowner interests: Meridian Energy is already aware of the positions that the various landowners adjacent to the dam and lake have adopted, as a result of their one-on-one discussions.

Ngati Pahauwera interests: There is a question of whether, if the majority of the Ngati Pahauwera community see only the risk of losing things that are near and dear to them - rangatiratanga, wairua, food and water - they would express support for hydro electric development on their River. From their perspective, there has been little substance to the discussion of potential development benefits; there has been relatively little effort so far devoted to building and demonstrating trust between Meridian and the wider Ngati Pahauwera community although they know their long history of resource alienation; and there is suspicion amongst some segments that a “divide and rule” agenda is under way.

9. As a result of our Scoping Phase investigations of potential social effects and issues, we make the following recommendations, stated in no particular order of importance.

(1) Meridian Energy Ltd: determine with confidence the relationship between proposed dam height and the extent of impoundment behind the dam, including the zone at the upstream end of the lake where silts and gravels may accumulate and therefore where gravel extraction may have to be considered in future. In particular, determine whether or not it is feasible to avoid the potential ‘interference’ between the interests of future hydro electric generation and the interests of established in-stream recreation uses.

(2) Meridian Energy Ltd: determine the set of feasible compensation arrangements with private landowners against the perceived risks to project consentability.

(3) The Working Party: negotiate the likely scope, scale and options for delivery mechanism of a fund or revenue stream of financial resource (associated with the hydro electric development proposal) that will create credible opportunities for future social and economic development in the local community. Credibility will depend on sufficient detail and the basis for assurances.

(4) Ngati Pahauwera Section 30 Committee: promote discussion and greater awareness within the iwi of administrative structures in place that may be appropriate for facilitating economic enterprise and community development. Note: this would be just as relevant in the context of final settlement of the iwi land claims.

(5) The Working Party: initiate and resource a programme of communication and knowledge-sharing activities aimed at creating better-informed understanding about the hydro electric proposal, the likely environmental effects (i.e. the outputs of various studies underway at the present time) and the scope, scale and delivery mechanisms for future benefits (as in Recommendation (3) above). Consideration should be given to involving local residents as facilitators of such knowledge-sharing activities and to establishing information resources at places such as local marae, local schools (Mohaka and Kotemaori) and the Ngati Pahauwera Hauora building.

(6) The Working Party: convene feedback discussions with representatives of regional recreation groups on the outcomes of Recommendation (1) above.

(7) The Working Party: provide progress briefings to other stakeholder groups (e.g. Wairoa District Council, etc.)

1 The Project and brief for this Social Impact Assessment (SIA)

1.1 Basic project description

In consultation with Ngati Pahauwera, Meridian Energy has adopted the name Project Kakariki. The basic proposal is for a roller-compacted concrete dam, approximately¹ 50 m in height, to be constructed across the Mohaka River between land owned by Mr McLean on the southern bank and Crown land leased to forestry interests on the northern bank. The height of the river at this point is approximately 25 m above sea level. The lake formed behind such a dam would extend no further upstream than the bridge at Willow Flat. In its present state, the Mohaka River is recognised² as being navigable from Willow Flat to the sea. Indeed, this was the stretch of the River travelled by jet boat during the Scoping visit.

1.2 The brief for this SIA

The SIA proposal accepted by the Working Party in February 2006 aims to identify opportunities for collaborative development between Meridian Energy Limited (MEL) and the host community, including Ngati Pahauwera. It will also identify potential positive and negative social effects of the Project, related development initiatives and other relevant issues which might occur during the construction and operation of the Project. It will further seek to identify any possible mitigation or enhancement measures and their implications for the host community and for MEL over time.

Specific objectives for the whole SIA are to -

- establish a working partnership between Taylor Baines and Ngati Pahauwera researchers in carrying out the SIA;
- prepare a comprehensive and technically robust social impact assessment that will provide appropriate input to the AEE documentation, a basis for evidence on social impacts, and any other recommendations for the client;
- assess the response of the applicable Wairoa and Hawkes Bay communities, including the level of support for the Project;
- determine the nature and magnitude of the identified positive and negative social effects upon these communities; and
- recommend appropriate mitigation measures where significant adverse effects are identified.

The programme of SIA activities is to be carried out over several phases. The specific objectives of this Scoping Phase are to -

- establish the basis of community participation in the social assessment process;

¹ The final height of the proposed dam will depend on a number of factors currently under consideration, including the geographical extent of the area to be inundated behind the dam.

² Pers. Comm. - Peter Graham, lawyer working with The Property Group, Napier, April 2006.

- identify any 'fatal flaws' from a social perspective, or to contribute constructive input to the ultimate development proposal in order to assist the Working Party and MEL in deciding whether or not to proceed to apply for resource consents and carry out the associated detailed assessments of effects; and
- provide an overview of the potential social effects and social issues likely to arise if the project proceeds, and therefore requiring more detailed assessment.

2 Approach and methodology

The Resource Management Act 1991 (RMA) sets out a statutory framework which aims to direct the assessment to consider whether the proposed project would be consistent with the sustainable management of resources in a way or at a rate that enables people and communities to provide for their social well being (as provided for in section 2 and section 5 of the Act).

Carrying out a social impact assessment within this statutory framework requires attention to a conceptual framework for thinking about social well being, and the factors which might contribute to people's experience of social well being. Such a conceptual framework, which has been adopted in a range of other SIA³ and social research contexts in New Zealand in recent years comes from social indicators work in the OECD⁴ and closely parallels the framework adopted by the Ministry of Social Development⁵. The OECD study identified eight key areas of social life which shape well being:

- health,
- education and learning,
- employment and the quality of working life,
- time and leisure,
- command over goods and services,
- physical environment,
- social environment and participation, and
- personal safety and autonomy.

In conducting this SIA, consideration will be given to whether or not the proposed project is likely to have consequential effects on any of these areas of social life - in either a positive or negative sense - and for which communities of interest this is most likely to be the case.

³ e.g. Assessment of the effects of Project Aqua on local communities and development of community mitigation proposals, for Kurow Aqua Liaison Committee, 2003; SIAs carried out by Taylor Baines & Associates on several wind farm proposals in 2005; social analyses carried out by Taylor Baines & Associates for assessing the social implications of commercial retail strategy development in Christchurch City between 2003 and 2005.

⁴ OECD, 1998. Living Conditions in OECD Countries: a compendium of social indicators. OECD Social Policy Studies No.5. Paris.

⁵ e.g. Ministry of Social Development, 2003. The Social Report 2003: Indicators of social well being in New Zealand. Wellington.

3 This Scoping Report

This Scoping Report has been prepared as a result of activities designed to identify and establish initial contact with a range of stakeholders; establish sources of background data relevant to the host communities and to the type of project involved; establish expectations about the assessment process amongst potential participants; and provide a broad scoping of potential social issues and effects.

The Scoping Report does not contain an assessment of effects; rather it outlines a range of potential effects and stakeholder concerns which will be assessed in more depth during subsequent phases of the SIA. It also provides a preliminary description of the host communities of interest.

4 Activities undertaken during the Scoping Phase

4.1 Background documents reviewed:

The following documents have contributed background material relevant to understanding the nature of the proposed project and the existing social environment -

- Project Overview for the Kakariki Hydro Development Option (Meridian Energy Ltd)
- Environmental Scoping Report (Environmental Management Services Ltd)
- Waitangi Tribunal reports:
 - Wai 119 *Mohaka River Report 1992*;
 - Iwai 119 *The Mohaka Ki Ahuriri Report 2004*⁶ Part IV Chapters 12 & 13;
- Evidence of Tureiti Moxon 1997 to the Waitangi Tribunal at the Mohaka Lands hearing
- Selected literature on the social effects of hydro-electricity development (see Appendix 1)
- Report of 1991 Recreation Survey of the Mohaka River
- Other studies:
 - Preliminary Report on Mohaka River Archaeology Survey For Ngati Pahauwera Waitangi Tribunal Claim 1991 - Pam Bain⁷
 - Assessment of Local Hydro-electric Potential Hawke's Bay Region - Tonkin & Taylor
 - Ngati Pahauwera Use and Tribal View Points of the Mohaka River by Ann La Porter July 1991
 - He Arakanihi ki te Oranga Report, Health Research Council Rangahau Hauora Award - Ruruhia Rameka, March 2006
 - Ngati Pahauwera Hapu/Iwi - Resource Management Planning Kit - November 1995
 - Ngati Pahauwera Business Planning - November 1995
 - Ngati Pahauwera Strategic Plan - November 1995
 - Assessment of Terrestrial Ecological Values Adjacent to the Lower Mohaka River, Hawkes Bay by Wildland Consultants, Distribution and Habitats of Fishes in the Mohaka River. Fisheries Environmental Report No.55, February 2006.
 - Fisheries Research division N.Z Ministry of Agriculture and Fisheries - R.R. Strickland August, 1985.
 - MAF, New Zealand Freshwater Fisheries Report No103, The kahawai fishery at the Motu River mouth, B.P. Penlington, December 1988.

4.2 Hui at Mohaka Marae:

An initial consultation hui was held at the Mohaka marae in November 2005, at which Meridian Energy presented and discussed its intentions for investigations of a potential hydro-electric project on the lower Mohaka River with members of the Ngati Pahauwera iwi.

The second consultation hui on 19 March 2006 led by Ngati Pahauwera Section 30 took place at the Mohaka marae. Approximately 80 people both locally and from different parts of the country including Wellington, Auckland, Napier, Hamilton and Wairoa attended the hui.

The meeting was called to update the people of Ngati Pahauwera of progress in relation to the dam proposal. "Damn the Dam" posters stood out prominently throughout the hui on one side of

⁶ Part IV Chapters 12 & 13
⁷ Department of Conservation

the hall. Unfortunately the kawa or marae protocol became confused with the purpose of the hui whereby a number of people read out their anti-dam submissions during the whakatau or welcome. The background information and the updates given by lawyer Grant Powell, Meridian's Nick Eldred, Toro Waaka (Cultural report) and Tureiti Moxon (SIA) were somewhat overshadowed by the anti-dam sentiment but nonetheless appeared to be well received.

Despite this it was a positive opportunity to inform the people present that the SIA team would be in the area from 4-6 April and that we would be:

- Contacting community stakeholders to interview;
- Gathering relevant data pertaining to the local community;
- Scoping potential social issues and effects of the proposed dam on Ngati Pahauwera;
- Identifying potential effects which could be assessed in greater depth in phases 2-3; and
- Identifying possible benefits in relation to employment, economic development and enhancement of the natural resources.

The issue of whether or not people who are not ahi kaa (living outside the Ngati Pahauwera rohe) should be involved in the decision making process was raised. The response was to continue with the consultation process in the various city centres. Those that submitted written reports were assured that their submissions would be considered as part of the SIA scoping report.

Following the meeting, one person said that they were disappointed that they did not hear from Meridian and the panel as to what the benefits a dam might bring to Ngati Pahauwera. Unfortunately limited time did not allow for a wide variety of views to be heard. A video was also played following the hui showing the impact of dams on river life and in particular eels.

4.3 Scoping visit:

Members of the SIA team⁸ made a Scoping visit to the project area between 3 and 7 April 2006. The Scoping visit included a trip by jet boat for both team members along the stretch of River between Raupunga and Willow Flat.

During the Scoping visit, interviews were held with a range of stakeholders and other people with knowledge of the local communities. These included -

- members of the communities of Raupunga, Mohaka and Waihua; both long-term residents and kaumatua as well as younger generation residents;
- staff at Ngati Pahauwera Hauora, the local health services, and the Mohaka School
- farming landowners immediately adjacent to the proposed dam site and impoundment area;
- representatives of other businesses operating in the project area (gravel extraction and forestry);
- staff at Kotemaori School;
- residents at Willow Flat;
- Wairoa District Council; and
- regional recreational and tourism interests.

A detailed listing of interviewees is provided in Section 10 - Record of Consultation.

⁸

James Baines visited from 3 to 6 April and Tureiti Moxon visited from 5 to 7 April. Interviews were conducted jointly by the two team members on 5 and 6 April.

5 Institutional background for this project

5.1 Project shaping and SIA input

It is important to make explicit the evolving nature of this project and the fact that this scoping SIA is intended to influence aspects of overall project definition in these formative stages. It is expected that members of the SIA team will participate in the project shaping workshop which is expected to be held, once all the investigations currently under way⁹ have been completed and reported, and if a decision is taken to proceed to the next phase of investigations.

5.2 Institutional background for this project with implications for social well being

Ngati Pahauwera is commonly referred to as a hapu (sub tribe) of Ngati Kahungunu. In reality however, Ngati Pahauwera is probably a tribe in its own right and umbrellas a confederation of tribes which include Ngati Purua, Ngati Paikea, Ngai Te Huki, Ngai Tuhemata, Ngati Rauiri, Ngati Kaihaere, Ngati Tangopu, Ngati Kapekape, Ngai Taane, Ngati Kura, Ngati Paroa, Ngati Hineku, Ngati Mawete, Ngati Popoia, Ngati Matengahuru, Ngaiterau and others.

By 1886 an estimated 135,754 acres of tribal land was alienated from a total of 193,614 acres or 78,353.64 hectares.¹⁰ By November 1997 it was estimated that between 5,428.62 hectares¹¹ and a possible 6,111.1 hectares¹² remained in Ngati Pahauwera ownership.¹³

Ngati Pahauwera have been involved in two claims to the Waitangi Tribunal. The first was an urgent application involving the ownership of the Mohaka River which resulted in the *Mohaka River Report 1992*. The second claim involved the Ngati Pahauwera land claims, which was heard in 1997. The results of the Tribunal's findings were released in the *Mohaka ki Ahuriri Report* in 2004.

In 1994 the Maori Land Court appointed Ngati Pahauwera representatives under Section 30 of Te Ture Whenua Maori Act 1993. The order¹⁴ set out the purposes of the representatives as follows:

- (1) *"To conduct discussions with the Crown and to seek and conclude such agreements as may be necessary pursuant to the recommendations at paragraph 6.4 of the report of the Waitangi Tribunal of 5 November 1992 on the Mohaka River Claim and to give a receipt for Ngati Pahauwera for any compensation...."* and

"...to represent Ngati Pahauwera as a group on any other existing or future claim before the Waitangi Tribunal... or to negotiate settlement of any such claim with the Crown...."

⁹ These studies include preparation of a preliminary cultural issues statement, engineering and geological studies, studies of eel habitat and other native fish passage including whitebait and kahawai and also studies of trout habitat, resource studies associated with gravel extraction, the collection of hangi stones and the collection of driftwood for firewood, studies of riverbank flora and fauna, studies of river mouth shape and gravel banks.

¹⁰ Evidence of Tureiti Moxon to the Waitangi Tribunal 1997, Document N8, p23

¹¹ Ibid.

¹² Evidence of Brent Baker, Document W5, p and Doc X30, pp17-18.

¹³ Summary of Evidence of Tureiti Moxon to the Waitangi Tribunal 1997. Document N8, pg 23.

¹⁴ Order appointing Representatives, 92 Wairoa Minute Book, 1994.

- (2) *“To liaise with Regional and District Councils in the context of resource management issues and management of the Mohaka River.”*
- (3) *“To treat with and receive benefits from the Treaty of Waitangi Fisheries Commission.”*

It has been 16 years since the Tribunal reported on Ngati Pahauwera’s river claim. The Crown has thus far not initiated implementation of the Tribunal’s recommendations and is yet to enter into direct negotiations with Section 30 despite the latter’s many requests.

The multiple landholdings in the four remaining blocks of Waipapa, Waihua, Mohaka and Putere in Ngati Pahauwera ownership are largely uneconomical. The tribunal found that any land development was fraught with difficulties because the land is:

*“...scattered, fragmented parcels in multiple ownership, with many owners owning worthless and negligible undivided interests that make community development an enormous challenge”.*¹⁵

The Tribunal noted that the exact number of owners who own land is unknown and that, in reality there were probably more owners and less land than was currently estimated¹⁶.

Mohaka can be viewed as a place rich in resources and yet Ngati Pahauwera has received little or no benefit from these. The Mohaka River for example is the major source of gravel for the northern Hawke’s Bay area. Since 1963 gravel extracted from the Mohaka River averages between 32,500 and 36,000 cubic metres per annum.¹⁷ In 1992 it was estimated to cost \$1.00 per cubic metre.

There has been a marked increase in forestry development in the area but no direct benefit has come from this or the Mohaka forest to Ngati Pahauwera.

The Mohaka River is the one reliable resource for water, fisheries, hangi stones and fire wood which has consistently supported the Ngati Pahauwera people in times of hardship. It is also the one free resource that has not been completely developed for commercial purposes and removed from Ngati Pahauwera customary use.

The importance of the Mohaka River to Ngati Pahauwera must not be underestimated in either its physical and metaphysical forms. This sentiment is expressed in the pepeha (proverb):

“Ko au te awa.
Ko te awa au”

I am the river and the river is me.

It is a strongly held belief amongst iwi members that the future of Ngati Pahauwera’s social and economic well being is intimately linked to its relationship with the River.

¹⁵ The Mohaka Ki Ahuriri Report 2004, Vol II, p500.

¹⁶ Ibid p484.

¹⁷ The Mohaka River Report 1992, pp70-71

Meridian Energy is on record as stating that, if Ngati Pahauwera does not formally endorse a decision to proceed to full investigations and detailed development of this hydro proposal, it will not pursue the matter independently.

The Environmental Scoping Report (EMS, 2005) has identified a range of policy matters which are relevant to any analysis of social well being and social effects. That report covered the Mohaka Water Conservation Order (2004), the Proposed Hawkes Bay Regional Resource Management Plan (Decisions Version, June 2001), and the Proposed Wairoa District Plan (Decisions Version, March 2001).

While the Mohaka Water Conservation Order (2004) prohibits the granting of permits which would affect river water levels in the gorge systems and tributaries of the upper and middle reaches of the Mohaka River, it does not appear to preclude the granting of water permits for damming or diverting the River in its lower reaches¹⁸. This order protects the interests of existing in-stream users within the upper and middle reaches of the River, while signalling to existing users that new uses are not prohibited in the lower reaches of the River.

The Regional Policy Statement contains several Objectives¹⁹ about the maintenance of water quantity of rivers for “*sustaining existing aquatic ecosystems*” and “*ensuring resource availability for a variety of purposes*”, and the “*avoidance of any significant adverse effects of water takes, uses, damming or diversion on lawfully established activities in surface water bodies*”. These are relevant to the wellbeing of customary, recreational and commercial users of the waters of the Mohaka River.

The Regional Plan contains similar Objectives²⁰ on the maintenance of water quantity, and on “*the maintenance and enhancement of the natural and physical resources and uses and values of the beds of rivers and lakes*”.

18 EMS (2005), p.1
19 EMS (2005), p.5
20 EMS (2005), pp.6-7

6 Preliminary description of the social environment

This section provides a description of the social environment for the proposed Project Kakariki and the backdrop against which social effects can be assessed.

6.1 Land ownership in the vicinity of Project Kakariki

In summary, land on the northern side of the Mohaka River adjacent to the dam and lake is predominantly in Crown ownership, either as part of the DoC estate or as Crown Land with use rights leased for forestry. The one exception to this is the farmed property owned by Mossman.

Land on the southern side of the Mohaka River adjacent to the dam and lake is a more balanced mix of private and public ownership. There are four farming properties adjacent to the dam and the lower section of the lake, and a 22 ha block of land owned by Carter Holt Harvey near Willow Flat. The remainder of land adjacent to the proposed lake's southern bank is Crown land leased to Pan Pac - the Mohaka Forestry block.

Small pockets of private residential land exist at Willow Flat, where there are currently three permanently occupied dwellings.

A substantial area of "river bed" is expected to be affected by inundation. It is assumed that this is part of the land claimed by Ngati Pahauwera.

6.2 Impact areas and levels of community of interest

Bases for community of interest

Geographically, the primary area of interest for this social impact assessment is described as the lower reaches of the Mohaka River including adjacent lands and adjacent coastal areas. The communities of interest are associated with people who live, work, run businesses and recreate in this primary area of interest, or have established associations with this primary area of interest.

Communities of interest tend to be associated with geographic proximity; historic and customary association, that is to say, traditional iwi relationships with the land and river; current land ownership and settlement patterns; sources and locations of employment or service provision; aspects of administrative responsibility; and interests of people living further afield but visiting for public recreation or commercial tourism activities.

Overview

In practical terms, the areas of potential social effects - communities of interest - appear to fall into three groupings:

- (1) the immediate host community in the vicinity of the lower reaches of the Mohaka River, downstream of Willow Flat;
- (2) the town of Wairoa as the principal service centre for most people living in the immediate host community and the location of many jobs for people resident in the host community, and
- (3) the Hawkes Bay region.

6.3 Immediate host community

Geographical extent

The immediate host community covers an area which includes the rural settlements of Kotemaori, Raupunga, Mohaka and Waihua. Compared with the New Zealand population at large (15% Maori in 2001), this rural community is predominantly Maori (60% Maori in 2001), most of whom belong to Ngati Pahauwera.

Analysis of the 2001 census data suggests a dual economy and settlement pattern in the catchment surrounding the lower reaches of the Mohaka River. Between the settlement of Raupunga and the sea, and mainly on the northern side of the Mohaka River²¹, the usually resident population was even more predominantly Maori (79% Maori) while in the rural areas further away from the river and further upstream on the southern side of the river, the usually resident population was predominantly NZ European (28% Maori).

Community focal points

Settlement patterns throughout the immediate host community involve relatively widely dispersed rural communities. At the 2001 census, the entire host community numbered slightly fewer than 500 permanent residents, occupying 171 dwellings²².

Besides the settlements of Mohaka and Raupunga, the Maori communities have focal points around four marae²³ in the area. These marae are the principal marae Mohaka a Iwi at Mohaka, Te Huki at Raupunga, Te Mara a Ngata at Kahungunu and Waihua marae at Waihua. The predominantly Pakeha community further inland is centred more on Kotemaori (school) and Putorino (pub and indoor sports facility). However, it was described as being “quite fragmented these days” particular since the closure of the NZ Forest Service village (~1990) when Kotemaori School lost 13 families²⁴, followed soon by the closure of the shop, with its post Office and banking facilities.

Ngati Pahauwera rohe

The rohe over which Ngati Pahauwera exerts its rangatiratanga or authority is encapsulated in this proverb:

Maungaharuru ki uta
Tangitu ki te moana

From the Mangaharuru ranges inland to Tangitu seaward (the Hawke’s Bay coastline)

The original boundaries of ancestor Te Kahu-o-te-Rangi as described by Cordry Huata during the Mohaka River Claim extend from Pukekaraka to Puketitoti down to the Waiau River, up onto Te Haroto down to Puketitiri and down through the Te Wai o Hingaanga stream to the sea to a rock

²¹ i.e. including the settlements of Raupunga and Mohaka and the adjacent rural land close to the River

²² The predominantly Maori community around Mohaka and Raupunga numbered 321 permanent residents in 105 dwellings (3.1 pp/dwelling), while the predominantly Pakeha community numbered 171 permanent residents in 66 dwellings (2.6 pp/dwelling).

²³ Wairoa District Council, 2004. The Wairoa Profile, p.117

²⁴ Kotemaori School interview.

(the home of the taniwha Moremore). From the sea to the east the boundary continues until Pukekaraka inland to the Maungaharuru ranges.²⁵

“Ngati Pahauwera whakapapa points to continuous occupation for at least 500-600 years...” (Forbes & Gumbley). Archaeological data also supports other evidence for lengthy and continuous settlement in the area. Their relationship to the river is based on more than the concept of the River as a source of resources to consume - resources such as kahawai, inanga, eels, trout, firewood, gravel, hangi stones and water for the Mohaka marae. There is a social context to fishing; members of the community meet together to harvest when the kahawai or inanga are running. The River provides occasions and places to meet. It is also *“the lifeblood of the Ngati Pahauwera people”*, acknowledged as a source of food which could sustain them in times of hardship²⁶ in a way which electricity could not - *“our people have been nourished and fed by the River”*. The River also has spiritual significance for Ngati Pahauwera in the terms of *whakapapa* (genealogy), *wairua* and *taniwha*.

In evidence before the Waitangi Tribunal on Ngati Pahauwera’s Mohaka lands claim, Moxon (1997) described the consequences for the tribe’s social and economic development of a long history of land alienation. She concluded *“Loss of mana means loss of power and resources; loss of power and resources has meant cultural and socio-economic deprivation and all the consequent dysfunctions.”*

This situation underpins the cultural significance of the Mohaka River to Ngati Pahauwera.

Readers should also refer to the preliminary Cultural Issues Paper prepared by Toro Waaka for further detail on this relationship.

Demographic comparisons

The socio-economic circumstances alluded to by Moxon are reflected in some of the demographic comparisons shown in Table 1. This table provides a summary of demographic variables for the immediate host community as it was at the time of the 2001 census and then disaggregates the data between the predominantly “Maori” meshblocks and the predominantly “Pakeha” meshblocks. The comparison highlights the aspects of the dual economy alluded to previously.

The data demonstrate -

- the rural Maori community had greater proportions of children and elderly people than the rural Pakeha community, perhaps reflecting a combination of larger Maori families, and Maori elderly being more likely to retire on their land whereas Pakeha elderly tend to retire ‘to town’;
- the rural Maori community had smaller proportions of working-age people than the rural Pakeha community, particularly those at the beginning of their working lives (aged 15-24 years) probably reflecting a need to leave the area in search of employment, and those at the height of their earning power (50-64 years);
- the rural Maori community had much higher proportions of registered unemployed and much higher proportions of working-age people not active in the labour force than the rural Pakeha community;

²⁵ The Mohaka River Report, 1992 p9.

²⁶ e.g. local economic recession, economic hardship, being stood down by WINZ or bird flu pandemic.

- the rural Maori community had greater proportions of working-age people with no educational qualifications than the rural Pakeha community;
- while the rural Pakeha community had much higher proportions of working people with advanced vocational qualifications, the rural Maori population had somewhat higher proportions of working-age people with university degrees;
- the rural Maori community was much less likely to have working people who were self-employed or employers of others, and slightly more likely to have working people who were working for wages or salaries;
- the rural Pakeha community was much more likely to have working people who were farmers or in professional/management occupations, while the rural Maori community was much more likely to have working people who were trades people, plant and machinery operators or unskilled 'elementary' workers;
- the rural Pakeha community had many more people working in farming than the rural Maori community, while the rural Maori community had more people working in manufacturing, construction and health and social services than the rural Pakeha community, and both communities had similar proportions working in the education sector;
- personal income levels and household income levels were consistently much higher in the rural Pakeha community than the rural Maori community;
- social deprivation levels were most pronounced in the rural Maori community.

Table 1: Demographic comparisons

Source: Statistics NZ. 2001 Census of Population and Dwellings.

Demographic variable	"Host community"	predominantly "Maori" meshblocks	predominantly "Pakeha" meshblocks
Usually resident population	492	321	171
% Maori	60%	77%	28%
% of resident population who were in various age cohorts			
- under 15 years	33%	36%	28%
- 15-24 years	10%	8%	13%
- 25-49 years	37%	36%	36%
- 50-64 years	13%	10%	17%
- over 65 years	8%	9%	6%
% of resident population who were of working age (i.e.>15 yrs)	67%	64%	72%
% of Working Age population who were 'gainfully employed'	52%	40%	73%
% of Working Age population registered Unemployed	9%	12%	2%
% of Working Age population not in the labour force	32%	41%	15%
% of Working Age population with No Qualifications	39%	44%	29%
% of Working Age population vocational qualifications			
- basic	3%	3%	2%
- intermediate	3%	2%	5%
- skilled	3%	3%	2%
- advanced	4%	0%	10%

Demographic variable	"Host community"	predominantly "Maori" meshblocks	predominantly "Pakeha" meshblocks
% of Working Age population with bachelors degree	4%	4%	2%
% of 'gainfully employed' who were self-employed	13%	10%	17%
% of 'gainfully employed' who were wage & salary workers	62%	63%	60%
% of 'gainfully employed' who were employers	8%	3%	13%
% of 'gainfully employed' who worked in certain occupations			
- professionals	10%	7%	13%
- agricultural workers	48%	33%	63%
- trades	3%	7%	0%
- plant/mach. operators	10%	13%	7%
- elementary workers	17%	23%	10%
% of 'gainfully employed' who worked in certain industries			
- agriculture	53%	30%	73%
- manufacturing	9%	15%	3%
- construction	4%	7%	0%
- education	11%	11%	10%
- health/social services	4%	7%	0%
Median personal income	\$9,500-\$25,400	\$9,500-\$15,600	\$17,500-\$25,400
Mean personal income	\$11,600-\$38,200	\$11,600-\$17,600	\$19,400-\$38,200
Median household income	\$11,700-\$55,000	\$11,700-\$35,000	\$33,000-\$55,000
Mean household income	\$17,000-\$61,100	\$17,000-\$42,100	\$33,600-\$61,100
Social Deprivation Index (on scale of 1-10 where 1 = least deprived and 10 = most deprived)	7-10	all 10	7-8

Land-use trends

The conversion of pastoral farm land to forestry, which has had such significant effects on local employment patterns and work opportunities, began several decades ago. At the present time, forestry in the area employs approximately 100 people, comprising a steady flow of work for ~50 silvicultural workers and fluctuating levels of work for up to five 10-person harvesting crews²⁷. These levels of employment compare with 150 wage workers and 20 administrative staff in the days when the forests were managed by the NZ Forest Service.

The most notable recent changes in land use in the lower Mohaka have been the introduction of viticulture²⁸ on a block near Raupunga and the recent conversion of some riverside flats to kiwi-fruit and olive farming on the south side of the River near the viaduct.

²⁷ Three of these crews are supplied by prison work groups from Hawkes Bay regional prison on a 5-days/week commuting basis, while the other two crews commute from Napier. The forest manager indicated that efforts have been made in the past to establish a local crew. However, these foundered on the hurdle of random drug testing and the lack of an adequate work ethic to sustain the job.

²⁸ Nobilo's leases 200 acres from landowners.

Social Organisation

The Ngati Pahauwera Incorporated Society (the Society) was established in 1989 to provide a legal entity for Ngati Pahauwera. It was initially set up to lead the Mohaka River Claim and to oppose the conservation order over the river.

The eleven member board is made up of representatives from the local four marae, kaumatua, rangatahi, hauora, sports, education, unemployment and management. The Society also administers three kaumatua flats at Raupunga. One interviewee spoke of his concerns about the need for representatives to undertake training to assist their understanding of their roles and meeting procedures. This in his opinion would enable people to come together and make good decisions.

In January 1995 Section 30 registered themselves as the Ngati Pahauwera Section 30 Representatives Cooperative Society Limited (the Cooperative)²⁹ registered under the Industrial and Provident Societies Act 1908. They are a member of the New Zealand Cooperative Association made up of thirty seven members including Fonterra, Ravensdown, Tatua Dairy and other companies. They were the first and only Maori members to be included in the Association until 2000 when Ngati Kahu ki Whangaroa joined the Association.

The Cooperative is currently the only non-producing member. It is unable to participate as an active member until the settlements with the Crown of the forests, lands, fisheries and the river are complete. Currently it pays a subscription of approximately \$300 per annum. Once the claims are settled, then a membership drive will be undertaken for the required minimum of 20 members. It is envisaged that an election will be held thereafter to form a Board of Directors.³⁰

Description of other social/farming groups will be included at later stages of the assessment as appropriate.

Services and infrastructure

Education:

The network review of schools in the District in 2004 resulted in the closure of five schools³¹, one of which was Raupunga Bilingual School which was required to merge with Mohaka School at the end of 2004. The High School at Raupunga closed in the 1960's, since then all secondary age children travel 30 km or more³² by bus into Wairoa each day.

The Mohaka Primary school has a role of 35 children. Approximately 50% of the children come from Mohaka, 20% from Waihua and 30% from Raupunga. Mohaka has a staff of one principal and one full-time teacher, one teachers aid, one secretary, a part time reading recovery teacher and a Principal release who comes to the school once a week. The principal at Mohaka raised concerns about the inequities between urban and rural schools, saying that Mohaka was *"an oppressed area and we have to fight for anything extra. The Ministry dumped a dilapidated*

²⁹ 36 Revised Rules of Ngati Pahauwera Section 30 Representatives Cooperative Society Limited - NA/636675

³⁰ Ruku Wainohu, Treasurer for the Cooperative

³¹ A one-teacher school at Putere remains open while the Waihua School also closed at the end of 2004.

³² For example, children who have gone through primary school at Kotemaori, travel on the Kotemaori School bus as far as Raupunga to connect with the Wairoa School bus service.

building on the school grounds which cost \$50,000 to do up. The children in the city have the best and the country children always miss out”.

The other primary school in the host community is at Kotemaori, which is a two-teacher school catering for New Entrants to Year 8.

There are two active Te Kohanga Reo in Raupunga, Te Rau o Te Orewa which operates from the old high school and Ngai Taane Kohanga Reo which operates from a purpose-built building further up the Putere Road at the Huata whanau homestead.

Health:

Ngati Pahauwera Hauora is a Maori Community Health Service established in 1996 under contract to the Ministry of Health. It operates with a manager, a community health worker and two nurses out of premises in the old high school buildings at Raupunga to deliver a range of general health education and promotion, advisory, liaison and coordination activities. Te Hauora is administered by a management committee and is a member of the Society. It has approximately 700 people registered from an area between Waihua and Waikari, and between Putere and the sea, an area of some 200 sq.km that corresponds to the hapu boundary. Staff commented that they had been asked to undertake a community needs assessment (survey) this year, but that they were not sufficiently resourced to do this at the present time.

Housing:

Linked to the activities of Te Hauora, there has been a programme in the past six months aimed at promoting health through proper house maintenance and the targeted upgrading of family homes.

As part of government's policy to improve the standard of housing in Aotearoa New Zealand, Housing New Zealand (HNZ) is in the process of assessing some 40 homes in the area. A further seven relocatable houses have also been sited in the area by HNZ for low income families. A twenty-year lease is taken over the land where the house is located and the whanau/families will be given the option to buy the house after 10 years at whatever the standard value of the house would be at that time. Although these are not new houses, the standard of living has been noticeably raised.

Water supply:

Raupunga has the remnants of an old community water supply system, although under new Ministry of Health Drinking Water Standards it no longer complies with standards for public supply³³. In effect, households in the host community are dependent on their own resources to meet their needs for domestic water supply. Not all houses have their own tanks and in some cases, the roofs of houses are in no fit state to be used for catching drinking water³⁴. Staff at Te Hauora report that domestic water shortages have consequences for residents' health and well being, resulting from less frequent washing and lower levels of dwelling cleanliness. It was also reported that this is a major reason for residents to use the River for bathing at certain times of the year.

³³ Wairoa District CEO notes that it is very difficult to achieve the required A grading for water quality without incurring a level of costs that is unaffordable for the local community.

³⁴ Nevertheless, the Wairoa District CEO indicated that filtered roof tanks may be the most cost-effective and affordable method for achieving satisfactory domestic drinking water.

The Raupunga community was without running water for 10 months between June 2005 and February 2006 because the reservoir/dam collapsed. No one had the expertise in the community to fix it or the finance to have it fixed during that time. According to one Raupunga resident *“there is a spring by the public toilets. We had to cart water from the toilets everyday.”* This was further confirmed by another resident from Putere who mentioned a photograph on the front page of the Wairoa Star of a child carrying water across the state highway from the toilets. Yet another Raupunga resident spoke of the hardship of being without water for that length of time. He said *“Water is the problem. People who say they don’t want a dam don’t live here. The dam is condemned. If we dam behind the Keefe homestead (on Putere Rd) where the creek is and just behind that a waterfall, there would be water to feed the whole of Raupunga and Mohaka. It requires a high dam. We need a dam something like Waitapu in Reporoa which feeds the whole of Reporoa”.*

The Mohaka marae is supplied by water pumped from the River³⁵, and the water supply to the Raupunga School prior to its closure had filtration and UV treatment.

Waste:

Most buildings in the host community are on septic tanks for waste water treatment and disposal. Solid waste disposal for the communities of Kotemaori, Raupunga and Mohaka is now by means of a once-weekly roadside collection, since the local transfer station on Putere Rd in Raupunga closed in late 2005.

Transport:

As with most rural areas around the country, there is no public transport. Consequently, travel costs are a big issue. One resident said the single largest cost to her was travel. She said, *“It costs \$30.00 to go from Raupunga to Napier.”* Another said that transport was difficult and the impact of the petrol costs is intensifying the hardship on families to the point where someone had siphoned the petrol from the lawn mower, while a third mentioned the cost of travel on families who had to travel in and out of Wairoa for sport and shopping.

Electricity:

The cost of electricity to residential customers was another rural issue raised, particularly in relation to the level of household income.

6.4 Wairoa - District administrative and service centre

The town of Wairoa, some 30 km north east of the Mohaka River is the administrative centre of the District. It is also the primary service centre for the people of the host community.

More detail, as necessary, will be provided on District-wide trends that are relevant - during subsequent stages of the assessment.

³⁵

This water supply was installed relatively recently at a cost of some \$47,000.

6.5 Special interests in the region

There exists a range of 'users' of the Mohaka River, apart from immediate rural residents, associated with (amongst other things) -

- gravel extraction from the Mohaka River
- recreation on the Mohaka River (i.e. non-commercial recreational uses)
- tourism on the Mohaka River (i.e. commercial recreational users)

Gravel extraction

The Mohaka River is an important source of gravels for use in the road construction sector throughout northern Hawkes Bay, between Bay View and Mahia. Roads in this part of the country appear to require relatively high levels of maintenance due to the nature of underlying rock substrate and the high level of use by heavily-laden trucks³⁶

The river gravels provide highly-specified roading metal suitable for Transit contracts on the state highway system. Gravels from the higher terraces contain higher clay content, and these tend to be used for the extensive network of the Districts unsealed roads. Alternatively, these gravels require cleaning to raise their specifications to meet Transit requirements.

Two contracting firms operate out of Wairoa³⁷, while several other firms operate from bases in other parts of Hawke's Bay.

QRS used to have a depot in Raupunga until 1994. Now the company sub-contracts with individuals in the Raupunga and Mohaka communities. Operating in the lower Mohaka area has to contend with frequent site security problems³⁸. One way to address this issue is to negotiate site-specific access agreements, although this does not always ensure total security.

QRS operations in the District employ approximately 90 staff, of whom four come from Mohaka and Raupunga. Two of these are involved in river extraction and crushing operations and two are drivers. As mentioned above, QRS also works with several sub-contractors in the area.

It was noted that there has not been a major climatic event since Cyclone Bola in 1988. As a result of extracting 30-40,000 tonnes each year from river gravels, new river-bed sites have to be investigated. A similar quantity of gravels is extracted annually from terrace sites.

Recreation and tourism interests

Understanding of the recreational and tourism interests in the Mohaka River draws on historical survey data as well as interviews with local residents, recreational groups and current tourism operators.

³⁶ Resulting from road transport being the principal mode of freight transport between Hawkes Bay and Gisborne, and the heavy use of local roads and state highways by logging trucks.

³⁷ QRS and Knights; note that QRS is an ex-Local Authority Trading Enterprise.

³⁸ It has not been uncommon - several times a week - to lose fuel, batteries and other gear to theft.

Summer survey 1990/91:

A survey of recreational users of the middle and lower reaches of the Mohaka River³⁹ was carried out during the summer of 1990/91⁴⁰. While the survey results are 15 years old, they may provide a benchmark for comparison with current observations.

The survey results suggested some important differences between the middle and lower reaches of the River, both in terms of recreational activities⁴¹ and in terms of where the recreationists came from.

The middle reaches provided for a greater variety of recreational activities. The most popular five activities

- fishing (52%)
- swimming (48%)
- rafting (20%)
- picnicking (19%)
- and camping (17%)

were reported for more than 10% of the respondents. However -

- walking (9%)
- relaxing (9%)
- tubing (8%)
- kayaking/canoeing (6%)
- sight-seeing (6%)
- eeling (6%)

were reported for between 6-10% of respondents.

Visitors to the middle reaches of the Mohaka were far more likely to come from the rest of the Hawkes Bay region (62%) than from the Mohaka Valley itself (15%).

The lower reaches exhibited a narrower range of activities, with the five most popular being

- fishing (63%)
- swimming (48%)
- relaxing (14%)
- bathing (11%)
- eating/cooking (9%).

While it was reported that the lower reaches still attracted more people from the rest of Hawkes Bay region (47%) than from the Mohaka Valley itself (23%), the report also notes⁴² "In the Lower River sub-sample, locals who went down to the river 'for a look' several times a day were not surveyed as it is debatable whether their visit could be defined as recreational in nature."

³⁹ Key informants at the time of the survey suggested that the upper reaches need not be included in the survey because of low levels of use. The survey area therefore encompassed seven locations between Fisherman's Hut in the middle reaches and the beach at the mouth of the Mohaka River.

⁴⁰ The survey period was 30 December 1990 to 6 February 1991, chosen to coincide with the peak use period of the River.

⁴¹ In the 1990/91 survey, recreation included both public/personal recreation and commercial recreation that would probably now be considered a tourism activity.

⁴² Para.6 on p.3.

On this basis, the report observed that “The Middle River is visited predominantly for recreation while the Lower River is used as an everyday ‘life resource’ as well as for recreational purposes.”⁴³ The summary findings of the 1990/91 stated that: -

- local and regional residents are the main recreational users of the Mohaka River;
- the River is used for recreation all the year round, reflecting the degree of local use, but peak use occurs during the summer months (December - February);
- use varies between the Middle and Lower reaches of the River;
- in the Lower reaches, the activities and reasons for visiting reflect the practical nature of river use, illustrated by the importance of the River as a bath to the local community, some of whom rely on tank water for their domestic water supply;
- the recreational focus of the Middle reaches derives from the physical river conditions, which make the gorge section popular for activities such as rafting, while campsites attract camping and picnicking;
- Maori use was focused along the Lower reaches while commercial use was focused along the Middle reaches;
- most people visit the Mohaka River with family and/or friends.

Scoping visit - April 2006:

Recent enquiries suggest that the Middle and Lower reaches of the River continue to attract different patterns of recreational activity and public use, with commercial activities remaining focussed on the Middle reaches⁴⁴.

Discussions with representatives of the Hawkes Bay Canoe Club, the Hawkes Bay Adventure Racing Club, two residents at Willow Flat, three landowners adjacent to the River, a forest manager responsible for granting recreational permits and a chartered jet-boat operator all tend to confirm that recreational use of the River is relatively high in the middle reaches - either side of the Napier-Taupo highway (SH5) down to just below the Willow Flat Bridge⁴⁵. Below that point, all observations point to little recreational use in the lower reaches. A relatively high level of customary use and local recreational use is reported downstream of the viaduct near Raupunga.

Most interviewees remarked that usage patterns reflect accessibility. There are several public access points to the middle reaches between the Napier-Taupo highway and the Willow Flat road⁴⁶, provided variously by roads off SH5 at or before Te Haroto and SH2 at Tutira. These roads

⁴³ Executive Summary.

⁴⁴ It was reported by several interviewees that efforts in recent years by commercial interests to ‘harvest’ eels from the lower reaches of the River have prompted an official ban on commercial eeling.

⁴⁵ A stream joining the Mohaka River on the south bank, approximately 1 km downstream of the Bridge marks the most downstream take-out point for practically all kayaking on the River.

⁴⁶ The Willow Flat road itself is tar sealed through the Mohaka Forest block as far as the bridge at Willow Flat; furthermore, this road continues to a place referred to as Halliburton’s which affords access to the River’s north bank near the confluence with the Te Hoe. The confluence with the Te Hoe River can also be reached on its southern bank by roads off SH2 and SH5.

provide access to stretches of the River which cater for various grades of kayaking and rafting challenge as well as stretches of the River noted for good trout fishing. Between Willow Flat Bridge and Raupunga public access is very restricted and opportunities very limited. Access to forestry roads is controlled by locked gates and access to forestry land is controlled by a permit system, administered by companies who belong to the Forestry Stewardship Council. On occasions in hot, dry summers, when the fire risk reaches a certain threshold, public access to forest land is prohibited and the gates are maintained locked. In any case, more than 90% of permits to forestry land are reported to be for the purposes of pig hunting. The same source reported typically four requests a year for jet boat access via Patuwahine Road on the north bank and two permits for fishing⁴⁷.

The nature and pattern of recreational use also appears to reflect the quality of the recreational resource. There are few rapids in the River below a point about 1 km downstream of Willow Flat Bridge which make this stretch of River less appealing to kayakers and rafters, although it does attract occasional seasonal use by adventure racers⁴⁸ who use it in their longer boats for training for endurance races such as the kayaking section of the South Island Coast-to-Coast event. Trout fishing is also commonly reported as being much better in the upper and middle reaches of the River, with particular mention made of the trout fishery supported by the Te Hoe River.

In summary, the most popular locations for recreational use by people from the wider Hawkes Bay region and elsewhere in the North Island are along the upper and middle reaches of the Mohaka River, down to a point approximately 1 km downstream of the Willow Flat Bridge. The significance of this 1 km stretch of River below the Willow Flat bridge is related to the ease of public access and the contrast between river conditions upstream and downstream of the bridge. The 1 km stretch downstream contains several grade 1 'water gardens' and easy recycling of boats⁴⁹ which make it a very good venue for training novices for handling rapids. This makes it possible also for parties of mixed abilities to recreate in the same general location - the more advanced will use the grade 4-5 section above the bridge while the less experienced will use the grade 1 section below the bridge.

The Mohaka River is relatively unique in this respect, in that it provides for grades 1-5 in a continuous stretch of the same river.

Local community use of the River is concentrated around the lower reaches, particularly though not exclusively downstream of the viaduct.

By all accounts, commercial tourism activity other than that which is associated with recreational activities already alluded to (e.g. rafting, guided trout fishing) is very limited. There is backpackers accommodation on one of the farming properties adjacent to the proposed dam site, which is just completing its third season of operation.

⁴⁷ This level of use was confirmed by a jet-boat operator who runs fishing charters on five North Island Rivers, including the Mohaka.

⁴⁸ Nevertheless, these adventure racing enthusiasts acknowledge that they still do most of their training in a 12 km stretch of the River either side of SH5, because it is closer to Hawkes Bay or other northern cities where most of them come from, and because river access is easier. However, they pointed out that adequate water levels in the River are more reliable in the lower reaches than the middle reaches. They also pointed out that vehicle security has been problematic along the lower reaches near the sea, a factor which deters most from using this stretch of river.

⁴⁹ Track access along the southern bank between points of departure and take-out.

7 Social effects and issues

7.1 Scope of this section

Section 7.3 below contains a summary listing of potential social effects and issues raised during the scoping interviews. All the effects and issues listed are 'potential' effects. They are 'potential' effects in the sense that they have not yet occurred, but also sometimes in the sense that they are uncertain, although they would also be possible. They are listed because they have been raised during the scoping-phase discussions and recorded as worthy of further investigation.

Some of these will be assessed in more detail during the next phase of the Social Impact Assessment, while others will be referred to relevant specialists in the assessment team. It should be noted that inclusion of potential effects in the list below does not imply that they will necessarily be confirmed or found to be significant social effects when ultimately assessed. Furthermore, it may be possible to avoid, remedy or mitigate particular effects or issues. Such possible 'mitigation' measures will not be discussed in this Scoping Report.

7.2 Overview of social effects and issues

Most interest focused on the likely permanent effects, once a dam is constructed, if that should happen. Construction-phase effects drew little attention at this stage, partly because little information is presently available about the construction process, and partly because there is little expectation amongst those interviewed of significant positive benefits locally during construction. Projects of this scale will create demand for labour and ancillary services to construction. At the present time it is not possible to say with certainty who will benefit from such opportunities, although it is evident that the construction site is within the wider regional labour market (incorporating Hastings and Napier in the south and Wairoa in the north). There could be scope for Meridian Energy to establish procedures for encouraging local employment opportunities during construction through recruitment and training initiatives. However, these are matters which will be explored further in the next phase of the SIA.

It was acknowledged that one benefit that will accrue, regardless of whether or not the dam proposal proceeds, is the body of new knowledge about the Mohaka River and its ecology that will come out of the studies currently commissioned by Meridian Energy and the Working Party.

7.3 Long-term social effects and issues arising from the existence and operation of a hydro-electric dam on the Mohaka River

The potential for social effects depends upon the perspective. Some effects will apply to a few specific landowners, other effects will apply to larger groups of people or communities, and so on.

Several effects appear certain -

- approximately six landowners will have land removed from farming production due to inundation by the hydro lake;
- one landowner expressed particular concern about what he describes as the loss of unique environmental amenity when the flowing river is replaced with a body of still water;
- gravel extraction activities will not be able to continue from certain river-bed locations down stream of the dam, because gravel banks in this part of the river will not be replenished as they currently are;

- loss of the future opportunity for a 'mountain to coast' type adventure event due to the obstacle of the dam.

A number of other potential effects are somewhat less certain at this stage, but are nevertheless cause for concern amongst many interviewees -

- loss of rangatiratanga, power and control over the river;
- the risk to the physical and metaphysical aspects of the river, such as the risk to Paikea, an important Ngati Pahauwera taniwha referred to as the bar between the Mohaka River and the sea;
- further commercial development of Ngati Pahauwera's natural resources with the risk that no genuine and significant long-term benefit comes back to Ngati Pahauwera people, including -
 - the risk to a basic food resource for Ngati Pahauwera people due to changes in the habitat of river-based fisheries, specifically eels, whitebait, herrings, kahawai and trout;
 - the risk of adversely affecting the lagoon, the traditional breeding ground of the herrings which attract the kahawai in the 1000's;
 - reduced accessibility to a free firewood resource for marae activities due to the dam stopping driftwood from coming down the River to the bar where it is currently collected;
 - the risk of reduced accessibility to hangi stones;
 - the risk of reduced accessibility to rongoa or medicinal plants on the river bank due to inundation upstream of the dam;
- the risk of losing traditional customary rights and way of life as a result of the above;
- the risk of changes in the patterns of coastal erosion;
- the risk to the lives or livelihoods of downstream residents from a catastrophic failure of the dam in a major weather event or earthquake;
- the potential to affect recreational amenity downstream of the dam due to fluctuating and uncertain river levels making river-based recreation risky;
- the potential to affect a recreational amenity of regional significance due to inundation of the popular grade 1 stretch of river just downstream of the Willow Flat bridge, or due to the accumulation of silt and gravels at the top of the newly-formed lake;
- loss of alternative potential and future economic possibilities;

If the new lake should attract increased public use, this may result in -

- increased fire risk in the forests during dry summer months from accidental or malicious causes;
- altered risk of poaching or interference with farm stock.

Potential positive effects include the following -

- a source of revenue for Ngati Pahauwera as a partner in the hydro development which could be used as the basis for on-going social and economic development initiatives by the iwi, such as education grants for rangatahi/youth, or addressing the local needs for domestic water supply
- the creation of a new recreational amenity for water skiing and flat-water boating enthusiasts in the form of the lake behind the dam;
- opportunities for local gravel extraction businesses in the maintenance activities associated with gravel accumulations at the inlet to the hydro lake.

8 Opportunities for related development

8.1 The basis for considering 'related development'

One of the tasks specified for the scoping phase of the social impact assessment was the identification of opportunities for related development initiatives. These might be either by way of mitigating effects, or as specific initiatives made possible by the hydro-electric development.

In the latter case, discussions focussed on the assumption that Ngati Pahauwera's participation with Meridian Energy in the proposed hydro-electric development might result in the creation of some quantum of financial resource, perhaps a Trust Fund, or some form of permanent revenue-sharing arrangement with Ngati Pahauwera; that is to say, a financial resource that would provide the basis for local social and economic development initiatives in the future.

The basis of Ngati Pahauwera's future involvement in the proposed hydro-electric development - should it proceed further - is unclear at the present time, at least to most iwi members. Furthermore, it was not commonly presumed by the iwi members interviewed that financial resources might become available to Ngati Pahauwera as a result and some iwi members are cynical towards such overtures in the light of their historical dealings with government and the Crown.

As a result, the topic of 'related development' opportunities did not arise easily in the scoping phase discussions. Nevertheless, some potential concepts have emerged that relate to social and local economic development.

8.2 Potential development concepts and principles

A future financial fund or revenue stream could be applied to -

- (1) investment in sustainable infrastructure services for the community - e.g. water supply, waste disposal - services that are effective and affordable in the long term;
- (2) creating a credit/financing facility, administered by Ngati Pahauwera, for developments on multiple-owned Maori land which cannot raise capital in conventional capital markets;
- (3) creating improved educational opportunities for young people through investments in local schools, secondary and tertiary scholarships, trade training, etc.;
- (4) sustaining marae activities at the four marae, thus reinforcing them as centres of community activity;
- (5) other local economic development opportunities for the iwi and its members (e.g. when forest lands are returned or if other JV opportunities such as the Nobilos case present themselves in future) as the basis for creating more local employment opportunities and thereby enabling more young people to remain in the community because there is a more positive expectation that a sustainable livelihood is feasible;
- (6) more adequate resourcing for community-based social services, such as those associated with Ngati Pahauwera Hauora, and a fund for increasing access for iwi members to services that require costly travel.

It is important that any such 'development' benefits are seen as being real in economic terms; that they are seen as being shared around the community; and that they are seen as benefiting future generations in a lasting way.

8.3 Recognising rangatiratanga and the need for capacity building

Other suggestions for future community development focussed on recognition of partnership status, perhaps through Ngati Pahauwera representation on some form of dam governance committee, and on various aspects of capacity building, including -

- (1) initiatives that contribute to building trust amongst Ngati Pahauwera members, particularly between Section 30 members and the wider Ngati Pahauwera community and the capacity of tribal representative to take leadership roles throughout the process of consenting and construction;
- (2) initiatives that contribute to building skills and experience within Ngati Pahauwera to administer the financial resources arising from the hydro electric development if it proceeds.

8.4 Potential recreational developments

Some specific suggestions were forthcoming in the interviews about potential recreational development opportunities, including -

- (1) river access arrangements and recreational infrastructure around the new lake.
- (2) that, following settlement of ownership claims to the river bed, Ngati Pahauwera have appropriate rights to the development of commercial tourism in relation to the lake, such as jet-boat river tours and the like;
- (3) the development of a camping facility for families and schools and housing to be owned and operated by Ngati Pahauwera, following settlement of landownership claims.

From discussions with regional recreation interests, one specific possible future development might involve sponsorship of a high-profile adventure racing event based on the 'mountains to coast' concept and explicitly factoring in the existence of a hydro electric dam.

9 Conclusions and recommendations to the Working Party

In this section we provide conclusions on the ‘fatal flaw’ assessment and make recommendations to the Working Party related to the challenges ahead.

9.1 ‘Fatal flaws’ or challenges

Our investigations during the scoping phase have not confirmed any specific ‘fatal flaws’ to further progressing this hydro electric development initiative. However, they have identified or confirmed some challenges ahead which will need to be addressed.

From the range of interviews conducted so far, we can conclude that -

- (1) the potential downsides of this hydro electric development proposal loom much larger in people’s minds than the potential development opportunities that might be associated with it;
- (2) attitudes of those interviewed range from strong opposition or guarded opposition, to being neutral and prepared to keep an open mind, to support for the basic hydro electric proposition, with the balance (amongst those interviewed thus far) perhaps being more towards opposition than support;
- (3) there are steps which can be taken, and which should be taken before any final decision on whether or not to proceed to a full proposal (see Recommendations in Section 9.3).

9.2 The basis of present opposition

While not wishing to ignore the potential benefits, it is strategically important to consider the basis of present opposition. In general, this comes from three sources, which we discuss briefly below in order of upstream interests to downstream interests.

Regional recreational interests:

In the middle reaches of the Mohaka River, the most important issues appear to be (1) the extent to which the lake which forms behind the proposed dam will interfere with the area of the River immediately below the Willow Flat bridge that is popular with less experienced kayakers, and (2) the loss of future opportunity for ‘mountain to coast’ recreational experiences on the River.

The first issue needs addressing by determining with confidence the relationship between proposed dam height and the extent of impoundment behind the dam, including the zone at the upstream end of the lake where silts and gravels may accumulate and therefore where gravel extraction may have to be considered in future. Attention needs to focus on whether or not ‘interference’ can be avoided between the interests of hydro electric generation and the interests of in-stream recreation.

The second issue is more one of potential lost opportunity rather than existing activities being denied in future. Hence the earlier suggestion (Section 8.4) to consider, by way of mitigation, promoting actively the concept of a ‘mountain to coast’ adventure racing event which explicitly incorporates the existence of the proposed dam and lake.

Local landowner interests:

Meridian Energy is already aware of the positions that the various landowners adjacent to the dam and lake have adopted, as a result of their one-on-one discussions. Resolving such landowner opposition in each individual case, to the extent that it exists, is probably largely an issue of the adequacy of compensation.

Ngati Pahauwera interests:

For the Ngati Pahauwera community, the potential downsides of hydro electric development certainly loom larger than any substantial benefits. This is understandable when we consider that the risks to their customary uses of the River and to their relationship with the River have not been resolved since the research is still in progress and any results have yet to be explained throughout the community. It is also understandable in light of the fact that the potential for community benefits has hardly been articulated at all, and certainly not out in the wider Ngati Pahauwera community.

Hence the situation where Ngati Pahauwera Working Party members may be more open to considering the proposal, yet some segments of the Ngati Pahauwera community are trenchant in their opposition, as evidence in the following extracts from interviews or written submissions -

"The source of food is the greatest worry."

"We do not like the thought of losing something, our taonga. This is natural, leave it natural."

"It is hard for us to comprehend why they want to dam the river. A rich company wanting to put holes in our river. We get nothing for free except what we get from the river. The kids can swim in it, bath in it and get fish from it. There is going to be nothing left that is untouched."

"The Mohaka River is the Life blood of it's people, of Ngati Pahauwera. We are a part of the river and the river is part of us. The river has its own wairua. The river has given us water and food and firing wood and has nourished our families over these many years and is still looking after us...We say no. Please leave our river alone."

In summary, if the majority of the Ngati Pahauwera community see only the risk of losing things that are near and dear to them - rangatiratanga, wairua, food and water - why would they express support for hydro electric development on their River. From their perspective, there has been little substance to the discussion of potential development benefits; there has been relatively little effort so far (i.e. as at May 2006) devoted to building and demonstrating trust between Meridian and the wider Ngati Pahauwera community although they know their long history of resource alienation; and there is suspicion amongst some segments that a "divide and rule" agenda is under way.

These are issues that can be addressed. Indeed, the Working Party has already given thought to addressing some of the issues. This Scoping Phase SIA serves to reinforce the importance of addressing these issues. Indeed, we suggest that grass-roots (flax-roots) iwi support for continuing the investigations and developing a full partnership arrangement will not be forthcoming until much more specific information has been put on the table for discussion and reflection.

Because there is much ignorance about the potential effects and about the studies currently underway, sustained efforts are required to increase knowledge and understanding in all segments of the host community of the expected environmental effects specific to this particular dam and lake proposal. Time and discussion must be allowed to enable people to piece together the understandings from scientific knowledge and local knowledge. This will take time, and repeated communication. Consideration should be given to multi-lingual explanation and dialogue.

For members of Ngati Pahauwera, any decision to support this project amongst the broad membership will depend ultimately on the perceived balance between the downside risks of harm to their River and the upside future benefits in terms of social/community development and local economic development. It will be essential to develop and negotiate clearly the specific means by which Ngati Pahauwera will derive long-term and on-going economic benefit from the hydro electric development - the means for generating economic opportunity that improves social well being by raising the standard of living across the community. It will be essential to communicate these ideas broadly throughout the Ngati Pahauwera community. The level of community support for this development proposal will depend ultimately on how well the long-term benefits are understood and how worthwhile they are considered to be by members of the iwi. The challenge is one of credibility and trust.

Related to this is a challenge for Ngati Pahauwera itself. A critical aspect of future capacity building for Ngati Pahauwera will be the implementation of appropriate administrative structures for facilitating local economic enterprise (on-going revenue earning) and for facilitating the enhancement of social and community well being (health, employment, leisure, identity, etc.). As noted earlier (Section 6.3, Social Organisation) the Ngati Pahauwera Incorporated Society was established in 1989 to provide a legal entity for Ngati Pahauwera. However this was found not to be the appropriate legal entity to administer any compensation from the Treaty claim. Section 30's Cooperative although not yet tested is the legal entity that has been set up for that purpose. However, it will be important to the outcome of this particular proposal that such community structures are well understood and well respected and trusted by the broad membership of the iwi. This is because such structures will be a critical component for turning potential future benefits into real future benefits. At present, based on the range of interviews in the Ngati Pahauwera community, understanding of the administrative structure and confidence that it will be effective is not much evident.

9.3 Recommendations

Out of the foregoing discussion, we make the following recommendations, stated in no particular order of importance.

(1) Meridian Energy Ltd: determine with confidence the relationship between proposed dam height and the extent of impoundment behind the dam, including the zone at the upstream end of the lake where silts and gravels may accumulate and therefore where gravel extraction may have to be considered in future. In particular, determine whether or not it is feasible to avoid the potential 'interference' between the interests of future hydro electric generation and the interests of established in-stream recreation uses.

(2) Meridian Energy Ltd: ensure that landowner agreements are completed satisfactorily before proceeding to seek resource consents.

(3) The Working Party: negotiate the likely scope, scale and options for delivery mechanism of a fund or revenue stream of financial resource (associated with the hydro electric development

proposal) that will create credible opportunities for future social and economic development in the local community. Credibility will depend on sufficient detail and the basis for assurances.

(4) Ngati Pahauwera Section 30 Committee: promote discussion and greater awareness within the iwi of administrative structures in place that may be appropriate for facilitating economic enterprise and community development. Note: this would be just as relevant in the context of final settlement of the iwi land claims.

(5) The Working Party: initiate and resource a programme of communication and knowledge-sharing activities aimed at creating better-informed understanding about the hydro electric proposal, the likely environmental effects (i.e. the outputs of various studies underway at the present time) and the scope, scale and delivery mechanisms for future benefits (as in Recommendation (3) above). Consideration should be given to involving local residents as facilitators of such knowledge-sharing activities and to establishing information resources at places such as local marae, local schools (Mohaka and Kotemaori) and the Ngati Pahauwera Hauora building.

(6) The Working Party: convene feedback discussions with representatives of regional recreation groups on the outcomes of Recommendation (1) above.

(7) The Working Party: provide progress briefings to other stakeholder groups (e.g. Wairoa District Council, etc.)

10 Record of consultation

During the scoping phase, interviews⁵⁰ were held with the following -

- 13 March: Wairoa Visitor Information Centre (by telephone)
Department of Conservation, Brett Butland (by telephone)
- 3 April: Hawkes Bay Adventure Racing Club, Tim Wilkens and Roger Wiffin
Hawkes Bay Maori Tourism Trust and Hakes Bay Maori Tourism Operators, Tom Mulligan and Des Ratima
Hawkes Bay Canoe Club, Rob Worledge, Warren Hales, Matt Saunders
- 4 April: QRS, Lee Aitken
Wairoa District Council, Peter Freeman
Iwi Liaison Committee of the Wairoa District Council
Mohaka Forests, Pan Pac, Gerald Haynes
Kotemaori School, Sonia gray, Liz Heidi Harris, Chrissie Meredith, Sandra McNeil
Resident of Willow Flat - Mrs McAuley
Resident of Willow Flat - Mr Francis
- 5 April: Landowner on south side of the river - Mr Hamish McLean
Landowner on south side of the river - Mr Anthony (Tony) East
Landowner on south side of the river - Mr Mark Furniss
Mohaka residents - Maera McDermott and Francis Clark
Mohaka residents - Buck and Heti Tumataroa
Mohaka resident - Charlie King
Mohaka residents - Sharleen Hawkins and Ruth Hawkins Hooper
Mohaka residents - Maude and Tom Heta
- 6 April: Principle of Mohaka Primary School - Dianne Barrett
Ngati Pahauwera Hauora - Isobell Thompson (Community Health Worker), Lois Gerrard (Enrolled Nurse),
Raupunga resident - Maraea Aranui
Mohaka residents - Ross and Ngaire Taurima
Putere resident - Shaun Haraki (Telephone interview)
- 7 April: Mohaka residents - Tom and Joan Hamlin
Raupunga residents - Wayne and Mrs Rose Taylor
Raupunga resident - Willy Culshaw
Ngai Taane Te Kohanga Reo - Jan Huata and Gay Hawkins (Ngati Pahauwera Hauora Office Manager)

⁵⁰

Unless otherwise stated, these interviews were held face-to-face.

11 List of individuals and organisations to consider for follow-up contact during the Main Assessment Phase

Halifax Mohaka Ltd, owners of the new kiwi-fruit/olive farming venture upstream from the Mohaka viaduct. (Land ownership and local employment?)

Nobilos, vineyard operators on Maori land leased near Raupunga. (Landownership and local employment?)

Local Federated Farmers representative, Ian Blair at Kotemaori 06-837 6557 (recent changes in farming and local rural organisation?)

WINZ Hastings and Employment Brokeridge Team, Alan Bolt and Rob Wilson. (recent trends in unemployment and employment amongst host community residents; WINZ stand down periods - the effect it is having on whanau/families in the area; the impact of the WINZ policy whereby beneficiaries are restricted to one particular area?)

Hawkes Bay Regional Council (data on water takes from the Mohaka River? Royalties from gravel extraction?)

Trade training providers in Wairoa and Hawkes Bay (training courses relevant to construction activities?)

TrustPower (comparative costs of electricity in the area)

Appendix 1 Social impacts from hydro-electric power schemes - lessons from the New Zealand experience

Note: This summary assumes that the Kakariki hydro-electric development project does not include an irrigation component. If such an eventuality should occur, further background documentation is available to guide the relevant assessment.

Source material

This review is based largely on the following sources:

Nick Taylor, Gerard Fitzgerald and Wayne McClintock. Social assessment of hydro-electricity development: lessons from the New Zealand experience. Paper prepared for the Annual Meeting of the International Association for Impact Assessment, Vancouver, 26-29 June 2004;

Waitangi Tribunal 1993. Te Ika Whenua River Report, Chapter 6.

Findings in these references have been supplemented with observations from more recent social impact assessment work carried out by Taylor Baines & Associates.

Conceptual framework

The 'life cycle' of a hydro-electric power scheme provides a useful framework for examining the social effects associated with this type of development. This 'life cycle' begins with the planning phase, and extends through construction of the dams, reservoirs, canals and generating plant, gradual withdrawal of the construction workforce, and eventual wind down of construction as a relatively small number of workers takes over the operation of the scheme.

Generally, the potential exists for a range of social effects at each stage. Furthermore, the range of effects usually encompasses both positive and negative social risks.

Potential effects during the planning phase

Social effects can occur during the planning phase of a hydro-electric power scheme, and may fall outside the formal process of impact assessment.

Positive social effects during the planning phase may include:

- building social and human capital including the formation and revitalisation of community groups and the up-skilling of community members in planning processes and technical matters;
- collection of a large amount of natural resource and social data that becomes publically available through the AEE process;
- increased business activity and employment for firms providing accommodation and services for project investigations;
- increased national publicity for the local area and its attractions from media attention on the project;
- development of a long term strategic vision for the local area and its resources.

On the other hand, there may also be:

- psychological impacts and stress due to the uncertainty associated with land acquisition, compensation and the mitigation of potential effects;
- the effect of these uncertainties on decision making and investment by firms and households;
- social conflict in the host community between proponents and opponents regarding the acceptability of the project and the fairness of any plans for mitigation and compensation that may result in a legacy of conflict within the community;
- diversion of significant social capital and scarce resources from the host community into addressing project planning issues that may be critical when there has been a struggle to maintain social services;
- creation of barriers to social trust, or deterioration in an existing relationship, between the developer and community.

These adverse social effects can be managed by establishing procedures for community liaison early in the planning phase, providing timely information about the planning process and technical issues, supplying financial and technical assistance for community groups participating in the planning process, and supporting community development and adjustment initiatives.

Potential effects during the construction phase

The construction of dams, canals, reservoirs, power plants, roads and other project infrastructure may require some farms, businesses and households to resettle permanently elsewhere⁵¹. The physical effects of construction activities such as increased levels of noise, dust and traffic may give rise to social effects ranging from the temporary loss of amenity values or temporary downgrading of working environments, to the prevention of social activities and risks to human health. In some extreme situations, these physical effects may be of sufficient magnitude to require other farms, businesses and households to move temporarily to another location. Assessment of the potential for such construction-related effects is a significant part of social assessment throughout the project cycle. In the extreme situation of involuntary re-settlement, mitigation is addressed through a Relocation Action Plan (RAP) which includes consulting relevant stakeholders, identifying the groups in the community that need to be relocated and preparing them for the shift, formulating compensation arrangements, planning the design of housing and services for any new settlements, and developing earning opportunities for people and firms that will lose income because of their relocation.

The construction workforce, inevitably temporary in nature, is another important focus of social impact assessment. The characteristics of the workforce employed to construct a hydro-electric power scheme raise a number of issues for the assessment of potential effects. These issues include:

- where the required specialists will be recruited from (i.e. the local area, wider region, or the rest of the country)
- where the incoming workers and their families will be located and the type of accommodation to be provided for them
- the additional population impact of the incoming workers and their families, and its consequences for existing groups in the community, the housing market, infrastructure and social services.

⁵¹

Sometimes referred to in the literature as involuntary re-settlement.

A workforce plan should be prepared by the developer that covers the period from the beginning of construction to the operation of a hydro-electric power scheme. The plan would assess the capacity of the local labour market to supply the construction workforce; examine the implications for training providers, travel to work and the supply of accommodation within the area; and suggest ways for the housing market and social services to meet the increased demand generated by an influx of construction workers and their families. One of the key issues to be addressed by the plan is the distribution of the incoming workforce. The options for this include dispersal in existing settlements of the region, concentration in an existing town, concentration in a specially built settlement, or any combination of these strategies.

Construction of hydroelectricity power schemes in New Zealand has favoured the concentration of incoming workers and their families in specially built settlements, though more recently the trend has been to accommodate them in existing rural towns. The wind down of construction activities is a particularly difficult period for host communities as the continued viability of educational, health and social services, as well as local business firms, is threatened by a rapid decline of population. In specially built settlements, moreover, there are difficulties in sustaining local infrastructure that has been designed for a much larger population. At this time community leaders acquire a greater sense of urgency for finding alternative economic activities to provide employment for local residents.

Previous studies of hydro-construction workforces and host communities in New Zealand reveal that both specially built settlements and existing rural towns experience a cycle of rapid growth and rapid decline in their population. They typically move through phases of arrival, settlement and eventual departure of construction workers and their families. The main workforce effects occur during the construction period, since today the operation of hydro electric power schemes is highly automated.

Potential effects during the operational phase

Operational workforces are relatively small and not always located at the same site as the construction workers who preceded them.

Most social and economic benefits from the development of hydro-electric power schemes are derived at the regional and national levels, and these large scale, capital intensive, energy developments often contribute little to the longer-term economic welfare of residual hydro town and existing rural communities, unless this is deliberately planned. Examples do exist in New Zealand where tangible longer-term social and economic benefits for the immediate host community have been associated with hydro-electric developments. New recreational facilities such as public access points and boat ramps are not uncommon; the facilities for staging rowing regattas on Lake Ruataniwha⁵² are an example of more specialist facilities. In terms of local business opportunities, the development of a commercial salmon farm on the hydro canal between Lakes Pukaki and Ohau is an example.

Social assessments need to examine the issues of resource cycles and economic diversification. The effects on local communities should be monitored and managed over the life cycle of a hydro-electric power scheme at the community, district and regional levels, so that the benefits (e.g. additional employment, increased business turnover, better amenities) arising from its operation are maximised, and the costs (e.g. adverse environmental effects, social dislocation, and loss of livelihood assets) are minimised.

⁵²

With the consequent and regular social and economic benefits to the nearby town of Twizel.

Other effects of particular interest to tangata whenua

The Te Ika Whenua River Report describes several issues and effects concerning the mana and tino rangatiratanga of the hapu of Te Ika Whenua over the Rangitaiki, Wheao, and Whirinaki Rivers and their tributaries under article 2 of the Treaty which resulted from permitting the Bay of Plenty Electric Power Board and the Rotorua Area Electricity Authority to erect the Aniwhenua and Wheao Dams on the Rangitaiki and Wheao Rivers.

Diversion of Rangitaiki into the Wheao

The claimants strongly objected on cultural grounds because of the mixing of the waters of the Rangitaiki and the Wheao.

Lack of consultation over Aniwhenua and Wheao schemes

The claimants alleged Crown had trampled on their tino rangatiratanga by allowing the construction of the Aniwhenua and Wheao power schemes on their rivers and granting water rights for schemes without consulting their Treaty partners. The Crown rejected this assertion. Electricity companies said that they had undertaken some consultation with local Maori at the time (1970's), but there was no recognised requirement for consultation with Treaty Partners prior to 1986.

Consultation over the Kioreweku Project

The claimants maintained they were not consulted about Bay of Plenty Electricity's project to construct the Kioreweku Dam near Lake Aniwhenua. Bay of Plenty Electricity responded by providing information about their consultation processes. The claimants pointed out one of the faults of the RMA was that input from tangata whenua was not required until much of the preliminary work was completed and the project became a fait accompli.

Eel depletion and eel replenishment scheme

The claimants alleged the Aniwhenua and Wheao Dams deprived them of their eels, an important food source, by blocking the migratory routes for the eels to/from the sea. Evidence was presented by witnesses for the claimants on depletion of the eels since the construction of these two dams and the Matahina Dam.

A fisheries consultant for Bay of Plenty Electricity confirmed that the dams were obstacles for eel migration and described the effects. Electricity Corporation of NZ and Bay of Plenty Electricity had introduced measures (including assisting the migration of eels) to restore and increase the eel population of the Rangitaiki River. The claimants responded by asserting the Crown had failed to protect their customary rights in the fishery.

Appendix 2 Comparison of 1991 and 2001 census data for Raupunga Area Unit with the 1997 population profile of Raupunga prepared by the Wairoa DC

	1991 census	1997 profile ex Wairoa DC	2001 census
Population UR	804	384	741
Male/female	52.2 : 47.8	52:48	49.8 : 50.2
% < 19 years (1)	34.6	39	34.8
% > 60 yrs (2)	12	-	12.1
Involved in voluntary work	147	-	-
% no school qualifications	57.5	-	32.8
% tertiary qualifications	27	-	15.4
% persons living one family household (3)	65.5	-	66.3
% persons living alone (4)	15.5	-	25.6
Average rental per week	\$40	\$42.50	-
% dwellings owned	52	-	59.3
% dwellings not owned	42.9	-	33.7
Separate dwellings	90.8	-	-
% employed full-time	47.4	-	44.6
% employed part-time	9.5	-	14.3
% Maori	54.1	77	50.6
% European	43.6	-	47.4
% Married	52	-	59.4
% persons earning under \$20,000 (5)	83	-	50.6
Median personal income	\$11,300	\$8,170	\$15,396
Mean personal income	-	\$10,300	\$20,809
Per capita income	\$9,800	-	-
% workforce in agriculture, hunting, fishing & forestry	61.8	-	50
% paid employees in LF	50.9	-	52.5
% self employed in LF	17.9	-	14.8
% unemployed in LF	15.7	-	11.3

Notes: (1) Under 19 yrs for 1991, 19 yrs & under for 2001; (2) Over 60 yrs for 1991, 60 yrs & over for 2001; (3) 2001 - per cent of one family households; (4) 2001 - per cent of one person households; (5) 2001 - \$20,000 & under