

Before Independent Hearings Commissioners appointed by the Northland Regional Council

*under:* the Resource Management Act 1991

*in the matter of:* an application by Meridian Energy Limited for resource consents for earthworks, associated stormwater diversion and discharges and vegetation clearance for the construction of a solar farm at Ruakaka, Northland (APP.045356.01.01)

*between:* **Meridian Energy Limited**

*Applicant*

*and:*

**Northland Regional Council**

*Consent Authority*

Statement of Evidence of T. Mere. A. Kepa.

Dated: 24 July 2024

Takahiwai Maori Committee. Chair. 337 Takahiwai Rd. RD1 Whangarei 0171

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## STATEMENT OF EVIDENCE OF MERE KEPA

### Introduction

- a) My full name is Tangiwai Mary Appleton Kepa, commonly known as Mere Kepa.
- b) I hold a doctorate degree in education conferred by the Faculty of Art, the University of Auckland.
- c) I am a descendant of Tiakiriri Kukupa, Te Parawhau Hapu and Wiki Te Pirihi, Te Patuharakeke o Te Parawhau Hapu.
- d) I am the chair, Takahiwai Maori Committee. Est. 1977.
- e) I am the chair, Kopuawaiwaha 2B2 Land Trust (the last remnant of land owned by Te Parawhau Hapu on the south bank of Whangarei harbour).
- f) I was called to bear witness to the Claim by Tamihana Paki, on behalf of the Te Parawhau Hapu, to the Marine and Coastal Areas in Whangarei harbour and at Bream Bay in 2023.
- g) I was secretary and later the chair, Patuharakeke Te Iwi Trust, 2010 to 1999.
- h) I was secretary, Takahiwai Marae Committee 1995.
- i) I was the lead convener of the Friends of the Berm@Takahiwai 2017 project to restore beauty to the roadside, to research the history of Takahiwai Native School and to co-organise the associated exhibition at Kiwi North, Whangarei Museum.
- j) I am a Kaitiaki and lead-convener of the voluntary Pest Strategy: Takahiwai Hills and Forest 2018.
- k) I have over 30 years of experience of engagement with industrialists and developers at Te Poupowhenua.
- l) On 6 May 2023 at Takahiwai 9A Marae Reservation, the consultation by Meridian Energy Ltd (MEL) with Patuharakeke Te Iwi Trust Board (PTB r.m.u. and Juliane Chetham Consulting) on the Ruakaka solar farm project led to my initial concern with the Proposal
- m) The consultation was to assist with deciding to oppose the application by MEL and making a submission to the Northland Regional Council on 23 March 2024.

### Code of Conduct

#### Takahiwai Maori Committee Minutes, 10 July 2024

*NRC Hearing for Meridian Energy Ltd Application for earthworks at Te Poupowhenua. Monday, 5 August 2024 through Wednesday, 7 August 2024 @9am, Distinction Hotel, Whangarei.*

**Decision:** *Mere will represent the Takahiwai Maori Committee in the application.*

## Summary of Evidence

Subsequently, Takahiwai Maori Committee does not agree with Alister Hartstone's *Report to Hearings Commissioner(s) on Resource Consent Application to Northland Regional Council* that espouses that:

While acknowledging that the underlying land, being part of the historical Poupouwhenua Block, is subject to claims and a history of alienation, the documentation provided **is not read as directly opposing the proposal**. The applicant is responding to the cultural concerns raised and provided for the recommendations made in the CEA and Te Parawhau Hapu Korero, and this **is considered sufficient** in this case to suitably address any cultural concerns. On that basis, any cultural effects arising from the proposal are considered to be **minor** subject to implementation of the recommendations made in the consultation documents.

The position is a case study of cultural imbalances—Maori and Pakeha— that result in contrasting notions of beauty and nature. At this moment, the contrasting notions of nature and the:

*provision of the garden being accommodated as part of the detailed design phase for the wetland on Site 3,*

are two assessments of cultural effects on nature that lie side by side, their divergence explained by two different, and differently deficient ways of life.

**In terms of the Act, granting resource consent would not:**

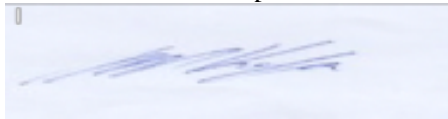
- (a) Achieve the sustainable management purpose of the Act as it would not enable the Takahiwai Maori Committee to provide for our wellbeing, including the wellbeing of the generations ahead;
- (b) Recognise or provide for our relationship with Te Poupouwhenua as Tangata Whenua, Manawhenua, and Ahikaa Roa.
- (c) Enable the Committee to continue the sophisticated Maori customary practice of Kaitiaki Maori at Te Poupouwhenua;
- (d) Implement the principles of Te Tiriti o Waitangi, including Rangatiratanga [our right to rule ourselves];
- (e) Ensure that adverse effects are adequately avoided, remedied, or mitigated;
- (f) Be consistent with the *New Zealand Coastal Policy Statement*, including the requirement to avoid effects on significant biodiversity such as the indigenous wildlife and the dune lake.

**Without limiting the generality of the above, the following points are highlighted:**

- (a) The receiving environment is already degraded and compromised by the current activities. This current degradation must not be the starting point for an assessment of effects. The current unacceptable state of the environment should not be used to justify further degradation and loss of the whenua toto, the wahi tapu, the wai, and the wai Maori.

- (b) Section 6(e) of the Act requires our relationship with the affected area to be “recognised” and “provided for”—*not just considered sufficient in this case to suitably address any cultural concerns. ... or to be **minor** subject to implementation of the recommendations made in the consultation documents.*
- (c) More fundamentally, the excavation of 200 plus hectares of the land and soil and water is the antithesis of “providing for” our relationship to the whenua toto, to the wahi tapu, to the wai and the wai Maori;
- (d) The proposal will not avoid effects on significant indigenous biodiversity as required by the *New Zealand Coastal Policy Statement*. The associated effects are not minor or transitory. Rather, they are significant and permanent. Creating a Mara Rongoa may or may not mitigate these effects. It will not, however, avoid the effects; that is biodiversity loss, Te Parawhau land loss, Maori language and cultural loss. Moreover, it is notable that the applicant has adopted a ‘let’s do just enough’, rather than seeking to provide for a ‘net benefit’, and to acknowledge the current degradation and cultural effects.
- (e) In terms of addressing cultural effects, the assessment and current proposal is wholly inadequate. It also reflects an inadequate engagement process conducted by the applicant with the Takahiwai Maori Committee, the Pest Strategy: Takahiwai Hills and Forest, and the Ahikaa Roa who are descendants of the Te Parawhau Hapu.

(Dr) T. Mere. A. Kepa



Chair, Takahiwai Maori Committee  
Kaitiaki & Lead Convenor, Pest Strategy: Takahiwai Hills and Forest.  
Ahikaa Roa, Te Parawhau Hapu and Te Patuharakeke o Te Parawhau.

24 July 2024