

Iwi places Rāhui over Moehau

Rongo-Ū at Koputauaki, led by their kuia Frances Henare, have placed a rāhui (1) over their sacred maunga Moehau against use of chemical toxins for predator control. Mrs Henare is acknowledged by Waikato Regional Council as the mandated spokesperson for Rongo-Ū iwi. (2)



The Department of Conservation has recently advertised on its website the intention to use aerial 1080 over Moehau mountain for predator control in 2021. Under law, for DoC to obtain permission for the use of 1080, the Department has to provide evidence of consultation with iwi. Records of DOC's consultation with Rongo-Ū prior to the aerial poisonings of Moehau in 2013 and 2017, show that the person DOC consulted was not the mandated spokesperson Frances Henare, but was instead a DOC contractor.



Rongo-Ū o Te Pa-tu-ta-tahi iwi has now registered a claim with the Waitangi Tribunal, against the Department of Conservation, Wai 3053. The claim is against “an action of the Crown”, in this case, the regular four-yearly poisoning of Coromandel forests. The rāhui reinforces Rongo-Ū’s kaupapa claim with the Waitangi Tribunal.

Frances Henare, the kuia who heads Rongo-Ū iwi at Koputauaki, holds mana tangata whenua over Moehau and the maunga is sacred to her iwi. She asked DoC to negotiate an alternative means to poisoning Moehau with aerial 1080. The Coromandel DOC ranger Steve Bolton made a brief visit to her, and called the visit "consultation", but DOC has so far refused to discuss the iwi's trapping proposal.

In NZ case law, the Court of Appeal has described what proper consultation involves: *“Consultation must be allowed sufficient time, and genuine effort must be made. It is to be a reality, not a charade...Consulting involves the statement of a proposal not yet finally decided upon, listening to what others have to say, considering their responses and then deciding what*

will be done...It is also implicit that the party obliged to consult, while quite entitled to have a working plan already in mind, must keep an open mind and be ready to change and even start afresh. (3)

However the Coromandel Operations Manager for DoC, Nick Kelly, has stated (4) that for the Moehau drop there will be “consultation on effects only”. This is not consultation in the normal legally defined sense of the word. “Consultation on effects only”, according to DoC’s Standard Operating Procedures Manual for Pest Control, means that “your control method has been decided and is not open for discussion.”

So-called “consultation on effects only” is also inconsistent with consultation as described in DoC’s own Consultation Policy: *“Consultation involves a willingness to adapt the proposed operation as a consequence of the information gained from consultation. “*

Recently, a Coromandel medical herbalist asked the DOC ranger why he was not consulting the community and he responded, *“Consulting is a waste of time because DOC is going to go ahead and do the drop anyway whatever you say.” (5)*

It is clear that DoC is unwilling to consult with Rongo-ū, nor with the wider Coromandel communities. The 4-yearly 1080 drops have become institutionalised and DoC has openly abandoned its own consultation policies.

There are consultation obligations under the Treaty of Waitangi as well as consultation guidelines established by the 2009 ERMA review of 1080 use:

“Consultation will include options for control in the operational area, and should take place with: individual people over specified parts of the operational area; groups and organisations with a special interest in the area; and entire communities, where aerial application has not occurred previously in that area or where relationships with the community have not been established. ... Notification on its own is not sufficient communication if an operation is taking place on public land. “(6)

Mrs Henare says, “Rongo-ū holds the mana tangata whenua of Moehau, and it is tikanga to make sure the land is in pristine condition for the next generation. That’s my job, pretty much.”

“To us, Papatūānuku is a living breathing resource. I was taught by my father that the maunga is tapu and as a young girl I was not permitted to go there. Nowadays, Department of Conservation takes no care of the sacredness.

“DOC tells us that by poisoning predators it is protecting the native birds. In our mātauranga Māori, poisoning harms the mauri and wairua of the forest as a whole ecosystem. Poisoning kills both introduced and native species. DOC has admitted that moreporks die from eating poisoned mice, and that eels scavenge poisoned possum carcasses that roll down the slopes into streams.

“It is no longer safe for us to collect rongoā (medicinal plants) and watercress from a forest that has been poisoned. Pigs also scavenge poisoned possum carcasses. Some of our whānau depend on pig hunting as a source of food but hunters no longer trust the safety of wild pork. DOC is poisoning our kai-cupboard.”

Rongo-ū has a plan for a trapping regime, but Mrs Henare says, “DOC won’t even discuss the plan with us, which leads us to believe there is a bigger agenda, but what is it? Our iwi

has fit men and women who would be glad to be trappers if DOC would only give us training and contracts.”

“Some fellows have work on the mussel farms but we need more jobs. Our community centre needs rebuilding. Our children from Koputauaki go to primary schools at Coromandel, Manaia, and Harataunga. If there was more income in the community, our children could have a bus stop, and a 50 K sign for safety would be good too.”

“A warehouse has opened up in Thames for possum carcasses and fur, but we can’t trap possums from a poisoned forest because the poison gets into the meat and fur. It seems that DOC doesn’t fund any predator control unless it involves poison.”

Under tikanga Māori, the rāhui over Moehau means that all poisoning is currently prohibited.”

References:

1. **Rāhui (verb)** (-ngia,-tia) to put in place a temporary ritual prohibition, closed season, ban, reserve - traditionally a *rāhui* was placed on an area, resource or stretch of water as a conservation measure or as a means of social and political control for a variety of reasons which can be grouped into three main categories: pollution by *tapu*, conservation and politics. Death pollutes land, water and people through *tapu*. A *rāhui* is a device for separating people from *tapu* things. After an agreed lapse of time, the *rāhui* is lifted. A *rāhui* is marked by a visible sign, such as the erection of a *pou rāhui*, a post. It is initiated by someone of rank and placed and lifted with appropriate *karakia* by a *tohunga*.
 2. Minutes of Waikato Regional Council meeting held in December 2015.
 3. Consultation Guidelines for the Ministry of Health and District Health Boards P 54.
[https://www.moh.govt.nz/notebook/nbbooks.nsf/0/7DA9155B78CF5A05CC257A990002EE58/\\$file/consultation-guidelines-links.pdf](https://www.moh.govt.nz/notebook/nbbooks.nsf/0/7DA9155B78CF5A05CC257A990002EE58/$file/consultation-guidelines-links.pdf)
 4. Letter to Naomi Pond from Nick Kelly, Coromandel DoC Operations Manager 12th July 2021.
 5. Affidavit of Naomi Pond dated 29th June 2021.
 6. ERMA Environmental Risk Management Authority, now EPA, Environment Protection Authority: 2009.
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