

**IN THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA**

UNDER the Resource Management Act
1991

IN THE MATTER of appeals under clause 14 of the
First Schedule of the Act

BETWEEN **ARATIATIA LIVESTOCK
LIMITED**
(ENV-2018-CHC-29)

MERIDIAN ENERGY LIMITED
(ENV-2018-CHC-38)

**FEDERATED FARMERS OF
NEW ZEALAND**
(ENV-2018-CHC-40)

(Continued next page)

**STATEMENT OF EVIDENCE OF
CHRISTINA GRACE VAUGHAN FOR THE WAIAU
RIVERCARE GROUP INCORPORATED
19 August 2022**

Judicial Officer: Judge Borthwick

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**TE RUNANGA O NGAI TAHU,
HOKONUI RUNAKA, WAIHOPAI
RUNAKA, TE RUNANGA O
AWARUA & TE RUNANGA O
ORAKA APARIMA
(ENV-2018-CHC-47)**

**ROYAL FOREST AND BIRD
PROTECTION SOCIETY OF NZ
(ENV-2018-CHC-50)**

Appellants

AND

**SOUTHLAND
COUNCIL**

REGIONAL

Respondent

Introduction

1. My name is Christina Grace Vaughan.
2. I am a mother, teacher, and Co-Chair of the Waiau Rivercare Group Inc. (**WRG**).
3. Four generations of my family have resided in and around Tuatapere, the place we call home. The Waiau River is our home.
4. Within my role on the WRG, I look to the tamariki and young people of the Waiau, the River's future, and the future of the community that our River sustains.
5. Our young people and our community have a strong understanding that people cannot be separated from place, and in turn, that our River cannot survive if its people do not act.

The Voice of the Child for the Waiau

6. The power of listening to, documenting, and upholding the child's voice, their values, objectives, and the universal language of the arts, is what embodies the collective ecological identity for the children of the Waiau River, as shared in my evidence.
7. I believe the child's voice is an integral voice for our River, one that should be at the heart of decision making for the Waiau, especially when the decisions made will have long standing consequences for the next generation in the Lower Waiau Catchment.
8. Working alongside the children in our community has enhanced the kaupapa and 'why' of our organisation's mahi. It has laid the foundations for further child-led Waiau River inquiry and advocacy for the WRG, working alongside the children of Hauroko Primary School and Waiau Area School.
9. The WRG's Children's Kaitiaki Project extracts are presented as **Appendix A** to my evidence. These extracts are visual depictions of the children's ecological identity journey. The Kaitiaki Project brought to the fore 'the voice of the child for the Waiau', through their articulation of hauora as they explored the concept

of Te Mana O Te Wai, and their own connection to the Waiau River.

10. By providing this evidence to the Environment Court, my aim is to actively uphold the child's voice for the Waiau; by increasing awareness of this often unheard perspective on the degradation of our awa - locally, regionally and nationally.
11. Alongside providing this evidence to the Court, the WRG has explored ecological identity through the universal language of the arts, to invite reflection and engagement on the children's mahi through a number of other platforms, including:
 - a. At the Annual Artists of Southland Art Exhibition in Tuatapere;
 - b. Making over 100 t-shirts incorporating the collective voice as our logo;
 - c. The Invercargill CBD Rebuild Art Trail;
 - d. Working in our local schools;
 - e. Murihiku Miharo Annual Art Awards and Exhibition;
 - f. A commissioned corten steel art sculpture that acknowledges the Children's Kaitiaki Project - the role and responsibility of these children, depicting the challenge they face as future kaitiaki and caretakers of the Waiau; and
 - g. Most recently, being asked to bring student representation to front the Select Committee for the Environment in July 2022 (which is discussed further below).

Attendance Before the Environment Select Committee

12. In 2020, a petition led by Co-Chair Paul Marshall received over 2400 signatures in support, seeking to give voice to the Waiau in response to the Draft National Policy Statement for Freshwater Management.¹
13. In August 2021, the group was to head to Parliament to front the Select Committee in response to this Petition, until COVID-19 lockdowns prevented this. Further evidence to support the petition was provided by the

¹ Link to Petition: https://www.parliament.nz/en/pb/sc/submissions-and-advice/document/53SCEN_EVI_97999_EN2981/paul-marshall

WRG, including the Children's Kaitiaki Project. It was this piece of evidence that caught the attention of government officials, and was followed with a specific request from the Secretary for the Select Committee, asking for student representation in our face-to-face presentation.

14. On Thursday 28 July 2022, WRG Executive Committee Members, Paul Marshall, Peter Horrell, Claire Jordan and myself, along with representatives of the Children's Kaitiaki Project (including students and teachers from Hauroko Valley Primary and Waiau Area School), headed to Wellington to present to the Environment Select Committee. Upon sharing the news of the request for student representation, the WRG were humbled by the immediate and unwavering support of our local schools, their teachers, students and families, and this support has highlighted the kaupapa of the advocacy that we have been striving for.
15. Having the backing of our community is what drives our group of volunteers to continue to take on the relentless and resource intense battle for the health of our awa.
16. The following are extracts from the students attending the Select Committee and representing the collective of the Children's Kaitiaki Project:

"The evidence shared with the Select Committee has the voice of me, and my friends, and my school, and my community. I play rugby at the Domain beside the Waiau River for the Waiau Star Rugby Club. The River is in our name because it tells everyone we are proud to belong to this place and to this River - we are Mighty people, like the once 'Mighty' Waiau River."

"We'd like to prove that kids can do stuff like this - like coming up to Wellington and showing this Government that we kids want to make a difference and we can help to save the Waiau!"

"We are going to speak to the Select Committee on behalf of all 120 children of the Children's Kaitiaki Project, and our community, because we know Government action needs to be taken. We will be asking the Environment Select Committee to please not forget about our river - to not forget the children in their decision making on

legislation concerning our river, because, this River is our home and we depend on the health of the Waiau River to sustain our community, today and into the future.”

“Going to present to the Select Committee is an opportunity to have our concerns for our River heard, an opportunity that the children of the Waiau have not had before. We want our community’s future generations to look back on us and be proud to say, ‘Look how hard these adults and these children tried’, and not have to question why ‘no one thought about the kind of future they would be leaving behind for us.’”

17. While these sentiments were expressed in relation to the Select Committee presentation, they speak to the broader journey of ecological identity and connection between the children and their awa. By also presenting this to the Court, I hope to bring further awareness and understanding of the plight of our River, and to achieve this through the unique and significant lens of the children of the Lower Waiau.
18. The children whose work is presented in this evidence never had the opportunity to be heard in a consenting process for the Manapouri Power Scheme. After all, 1996 was some time ago, I was a child then myself. Further, with all the changes that have been made since those consents were granted, our community more broadly has not had the opportunity to be involved in a consent process for the whole Manapouri Power Scheme as it stands today.

Concluding Remarks

19. The community and various Waiau River-vested organisations have been advocating for the Waiau for a long time, and we wish to highlight this to Court; to utilise the opportunity to talk about, and have our concerns considered. The social impacts have changed and we again reiterate that a full discretionary process is needed to meet the present and future needs of our community and our River. As articulated in the Children’s Kaitiaki Project, we have a new generation of Waiau community members who care and who want to have a say, and who also reiterate that the status quo is not best serving us. We ask the Court to please enable

us the procedural process to have a proper conversation about and for our River.

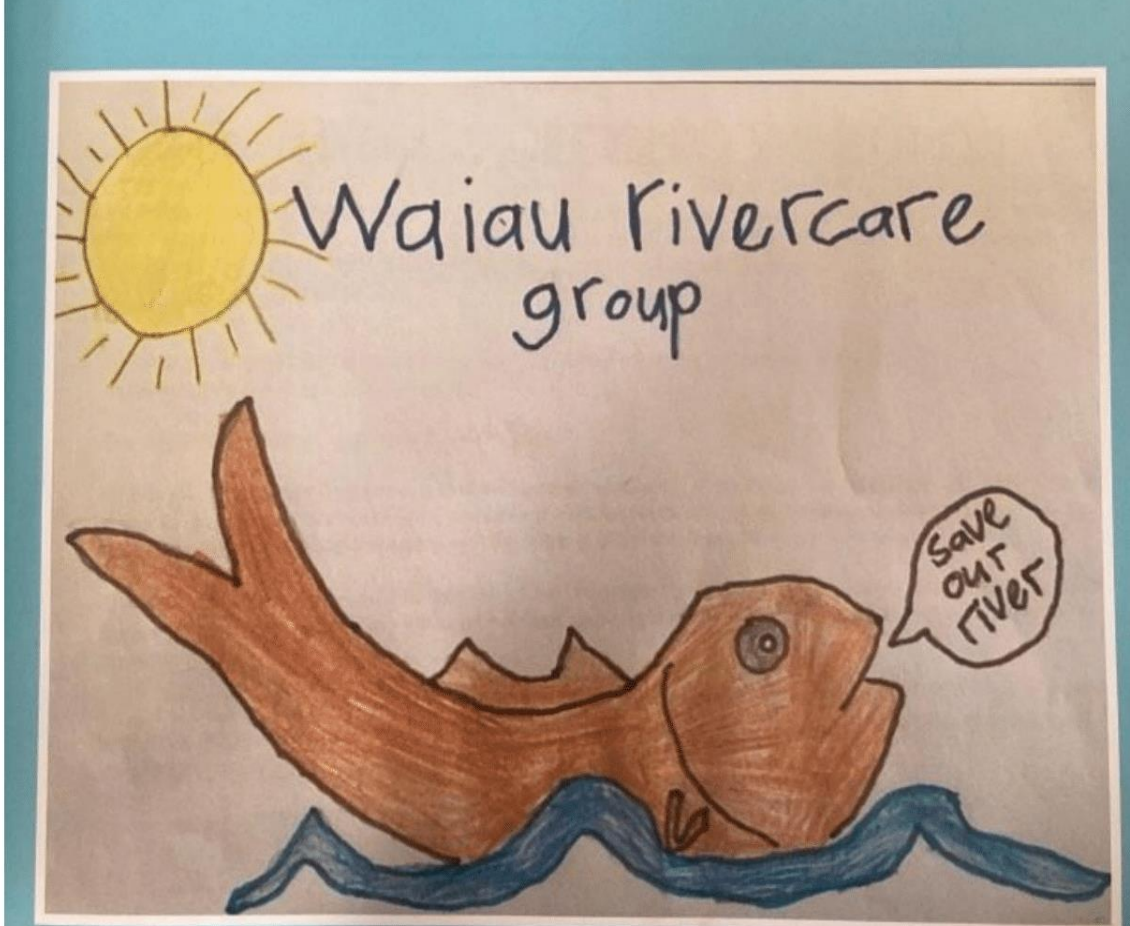
20. This evidence is but a single piece of the puzzle, and together with the evidence provided by others, creates a more complete (but dire) picture of the status quo for our Waiau River. The status quo occurred under a more stringent regulatory regime than that currently contained in the proposed Southland Water and Land Plan. I consider it important that this document provide for the hauora of the Waiau, and the hauora of the people of the Lower Waiau Catchment as the priority.
21. I consider that the uniqueness of the Waiau River requires careful consideration in the regulatory decision making process, as does the voice of the awa's children.
22. Mo tatou, a, mo ka uri, a muri ake nei. For us and our children after us.



.....
Christina Grace Vaughan
19 August 2022

Appendix A: excerpts from the Children's Kaitiaki Project (as well as other documentation related to this project)

JACOB SMITH, 11 yrs: "The Waiau River is a taonga to me and my family because it has living animals in it. Also, because without water we wouldn't have water to drink and if there was no water everyone would die. People can fish in the water."



Kacie, 8yrs: ... the Waiau river is a taonga to be and my family because it helps us live

Brook, 7yrs: ... it is a part of nature, and we need to take care of it

Zeke, 7yrs: ... that's where we get our water from to help people stay alive

Peter, 7yrs: ... it is the big river in Tuatapere

Elektra, 11yrs: ... we used to be able to fish and eat the fish that we caught. I would love to have a clean River so we could do this as a family again. I would love to be able to go swimming without worrying about getting sick

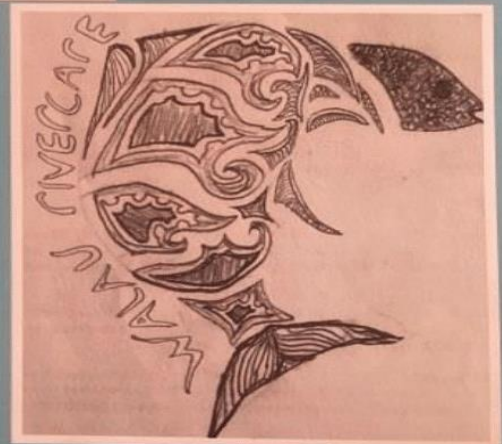
Jasmine, 14yrs: ... it restricts how much school activities we do in the river

Natalie, 13yrs: ... the river is full of life. If the pollution keeps happening, then that life will be gone



ETHAN PARSONS, 14yrs (below): "It is (The Waiau River) still important to us because we will go fishing at the Mouth and Whitebaiting. I also remember getting my first fish in the Waiau River and spending time with family."

EMILY TEMPLETON, 12yrs (above): "The Waiau River is a taonga to me and my family because The River supplies food and fun not just for me but for others as well. Without a River we wouldn't have somewhere to fish and we would have nowhere to swim. At the moment we can't swim there anyway because of the Toxic Algae. And if there was no River there would be a big cavern."



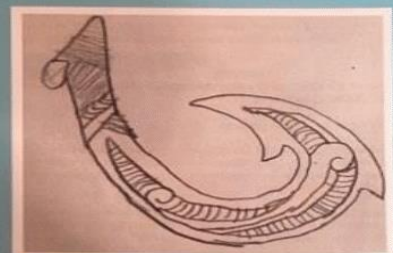
KATHRYN HAMMOND, 8yrs (right): "The Waiau River is special to me because we need to live and for the animals this should not be happening."

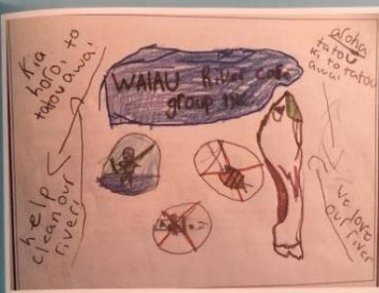


HAMIORA LARSEN, 8yrs (above): "The Waiau River is a taonga to me and my family because of its name, "The Waiau River", and if you don't drink water you can die."



PAUL WARD, 13yrs (below): "The Waiau River is a taonga to me and my family because we eat food out of the River. There will be no swimming or kayaking if we don't have the River. You won't be able to drink water in the town if we don't have the Waiau River. There will be no water for everyone's farms in the District so that means your stock won't survive then you won't be able to eat meat. Thank you."





KIARA BALDWIN, 8yrs (above): "The Waiau River is special to me because fish are living there. Kia horoi to tatou awa (let's clean our River). Help clean our River. Aroha tatou ki to tatou awa - we love our River!"

NICHOLAS ERSKINE, 12yrs (below): "The Waiau River is a taonga to me and my family because we like to go fishing in the River but the slime on the Rocks makes it hard. I would like to be able to swim in the River but at the moment it is too unsafe. Save the Waiau River!"



Ranudi, 12yrs: ... it is important to my home and other families for fishing, swimming and other various activities. The Waiau River is an important place for New Zealand so let's all join together and protect our lovely River.

Amber, 14yrs: ... it provides for the animals that live in and around it and also provides for the people that use it.



MADDI NORMAN, 7yrs (left): "The Waiau River is a taonga to me and my family because we love going swimming and having a barbeque on the other side. It is also important to my family. Thank you for taking care of our Waiau River."

Lucas, 11yrs: ...it is symbolic of the animals and wildlife that live in the Waiau. We have trout, eels and other fish; even the birds need the Waiau to feed on the small fish to be safe from other predators. I enjoy fishing in the Waiau River and want to see the river at its best, not filled with toxic algae.

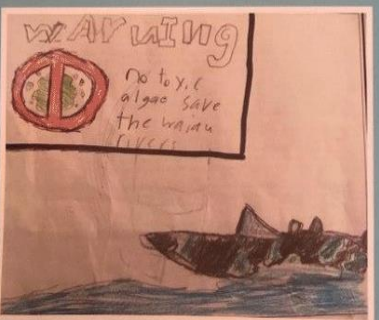


AYDEE HURLEY, 6yrs (left): "The Waiau River is a taonga to me and my family because I am in the River with my Mum and Dad and Eily and we are all swimming in the Waiau River and it was fun and we went fishing and it was fun too."

GEORGIA MERCEP, 9yrs (right): "The Waiau River is a taonga to me and my family because if the Waiau River wasn't here, we would not have any water for our stock and kai."



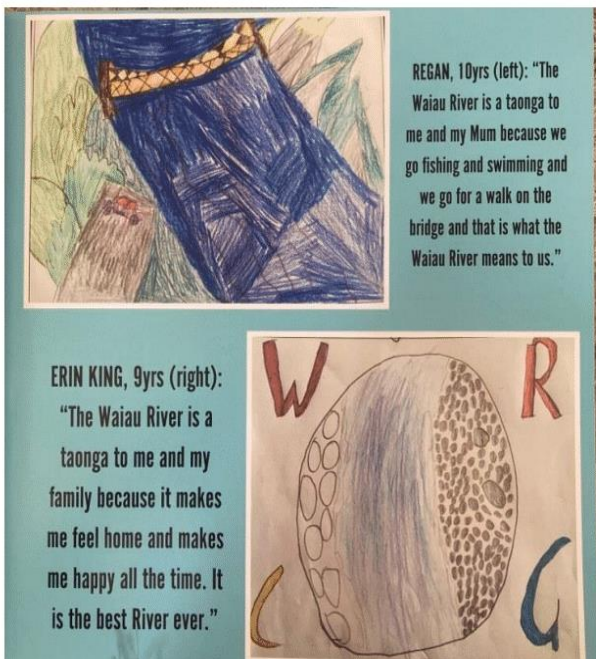
Paul, 13yrs: ... The Waiau River is a taonga to me and my family because we eat food out of the river. There will be no swimming or kayaking if we don't have the river. You won't be able to drink water in the town if we don't have the Waiau River. There will be no water for everyone's farms in the district.



MAX TILBY, 9yrs (left): "The Waiau River is a taonga to me and my family because it is great to go jet boating in because there is no big rocks in the water and the best place to go fishing and it is where I caught my first fish. No toxic algae - Save the Waiau River."

Katie, 11yrs: ... the mountains under the sun stand for the Takitimu Mountains... I believe we need to look after our River as it is an important resource for our community. I want to see it in better condition.

Malakai, 14yrs: ...it is a part of Tuatapere's history, a part of the environment and a home. It is an ecosystem and needs to be looked after to flourish – just like a garden needs love and care, so does the river. It is a home to our native water animals. Not looking after it is abandoning our water creatures



REGAN, 10yrs (left): "The Waiau River is a taonga to me and my Mum because we go fishing and swimming and we go for a walk on the bridge and that is what the Waiau River means to us."

ERIN KING, 9yrs (right): "The Waiau River is a taonga to me and my family because it makes me feel home and makes me happy all the time. It is the best River ever."

Nevaeh, 7yrs: ... it is such a beautiful river to teach us about water life

Tamzyn, 7yrs: ...because it's always there...

Hamiora, 8yrs: ... because of its name, "The Waiau River"

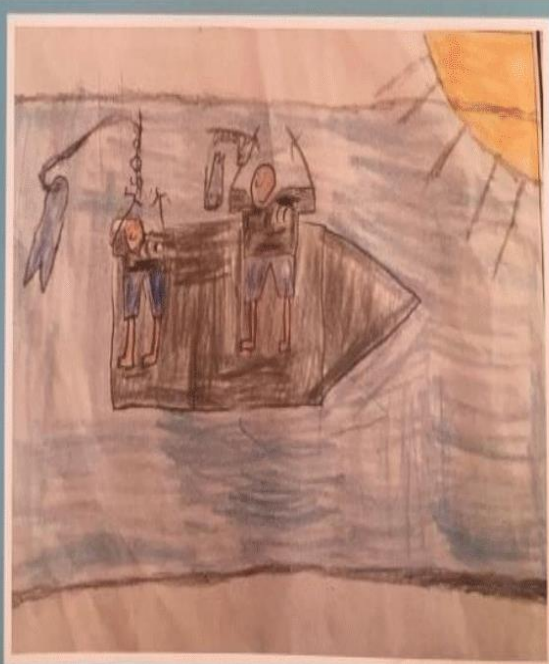
Madisyn, 13yrs: ... it represents our home. It also is really important to my School because it's even in our name: "Waiau Area School". The Waiau River is important to many families...Many of us would like to swim in it again along with friends, family and even pets.

Kathryn, 8yrs: ... we need to live and for the animals this should not be happening



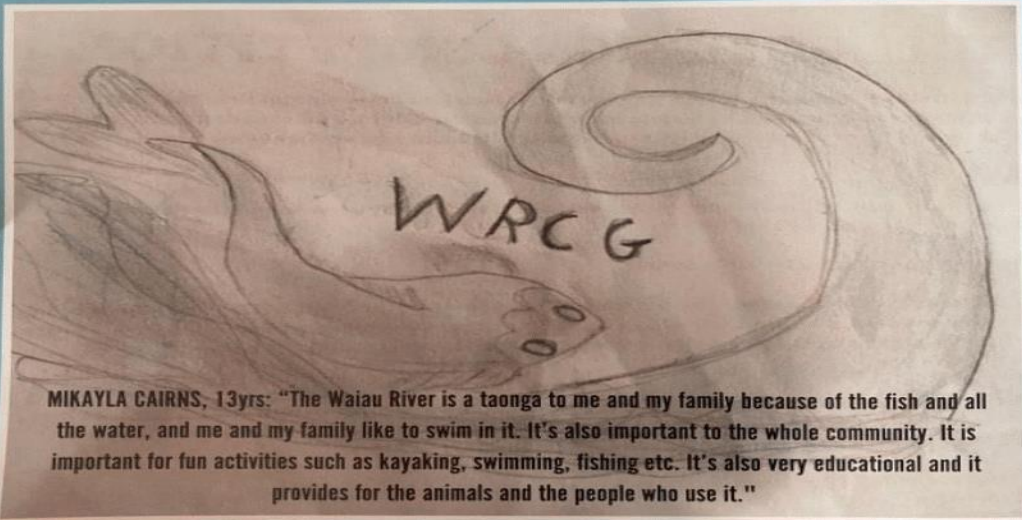
BINURA M R MP, 7.5yrs (above): "The Waiau River is a taonga to me and my family because I like to see the Waiau River. When I walk over the Bridge I hear the water moving. You can relax and you can enjoy the view."

SAM HORRELL, 8yrs (right): "The Waiau River is a taonga to me and my family because the Waiau River is an important water source. The Waiau River brings family and friends together."

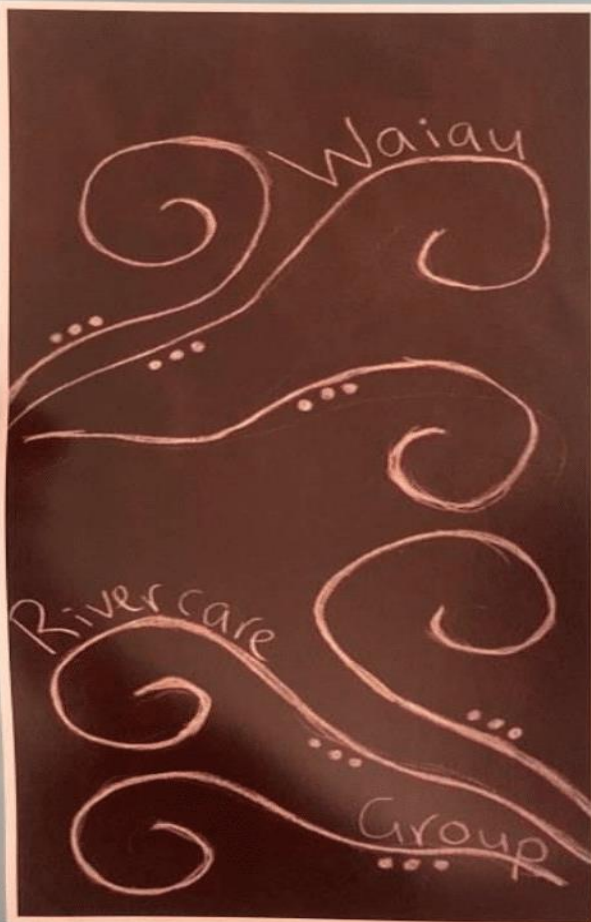


Kassadee, 14yrs: ...if the Waiau River gets any more polluted than it already is, the contamination of the water could significantly affect the current and future wildlife living in the river. With the help of the Waiau Rivercare Group, the Waiau River could get back to the state where we can swim in the river, so we can have the same experiences that our Grandparents once had.

TAMZYN VERDON, 7yrs (right): "The Waiau River is a taonga to me and my family because the Waiau River is important to me because it's always there and we can catch fish."



MIKAYLA CAIRNS, 13yrs: "The Waiau River is a taonga to me and my family because of the fish and all the water, and me and my family like to swim in it. It's also important to the whole community. It is important for fun activities such as kayaking, swimming, fishing etc. It's also very educational and it provides for the animals and the people who use it."



KATE MERCEP, 11yrs (left): "The Waiau River is important to me because without it my farm stock would have no water. We used to be able to swim in the Waiau River every day after school but now if we did, we would get very sick. I think that we should do everything we can do, to help the Waiau River become mighty again!"



OLIVER CHAMBERLAIN, 7yrs (above): "The Waiau River is a taonga to me and my family because it is a great place for families and friends to spend time with each other."



MOFID ALI (left): "The Waiiau River is a taonga to me and my family because it is a peaceful place for my family to go."

JACK HEWITT, 7yrs (right): "The Waiiau River is a taonga to me and my family because we have good quality family time."



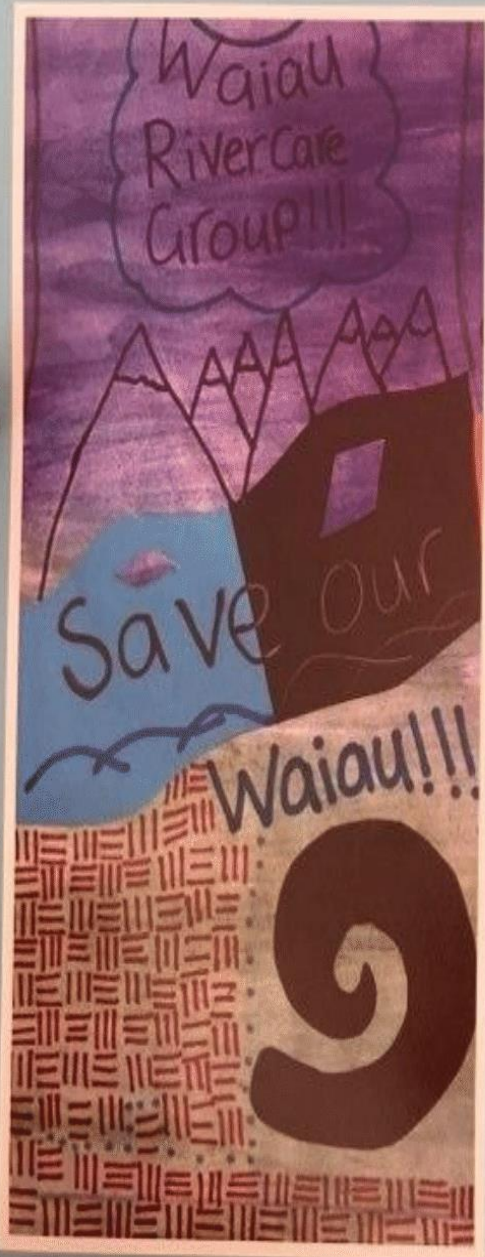
LIBBY ANDERSON (left): "The Waiiau River is a taonga to me and my family because my family likes it because it is a nice place to relax. And it is a nice place to be a part of Nature. It makes me feel relaxed and it is a nice place for family and friends."

Nicholas, 12yrs: ... *we like to go fishing in the river but the slime on the Rocks makes it hard. I would like to be able to swim in the river but at the moment it is too unsafe.*

Jacob, 11yrs: ... *without water we wouldn't have water to drink and if there was no water everyone would die.*

Maddi, 7yrs: ... *we love going swimming and having a barbeque on the other side.*

AMELIA CHALLIS, 11 yrs (below): Describing her Rivercare Group t-shirt design: "My t-shirt represents the Waiau River and the culture of the area. The Takitimu Mountains in the background are part of the area, the koru and the weaving patterns are part of the culture and the River in the middle is the Waiau River. Save the Waiau!"



KENZIE MARTIN, 12 yrs (above): Describing her Rivercare Group t-shirt design: "The colours in the fishhook are what the River should look like (deep blues and greens). The fishhook is a symbol of the strength of the Waiau Rivercare Group. I believe the River is an important asset to our community and we need to protect it. Save the Waiau!"

HOLLY DAVIES, 14yrs (right):
"The Waiau River is a taonga to me and my family because a big thing for my family at Christmas, if we aren't going up North, is to go to the River for lunch."



MICHEAL GARDYNE, 8yrs (left): "The Waiau River is a taonga to me and my family because it's been around for a long time and it's special to our community."

HARRY BLAIR-EDIE, 10yrs (below): "The Waiau River is important to me because it is my local awa and it is below my maunga (mountain)."



NIZA NIBBIN, 8yrs (right):
"The Waiau River is a taonga to me and my family because it brings the joy of Nature to us and because I feel like nothing bad can happen to me there and because it is peaceful."



Michael, 8yrs: ... *it's been around for a long time and it's special to our community*

Riley 7yrs: ... *I want it to always be there*

Alexis, 12yrs: ... *Whakaorangia to tatou awa" means save our River. The Waiau River is MY River, MY Dad's River, MY friends River, but most importantly it's OUR River. This means it's OUR job to save the Waiau River so we can swim in it, fish, and so our dogs can have a swim. Let's work together to save OUR River!*

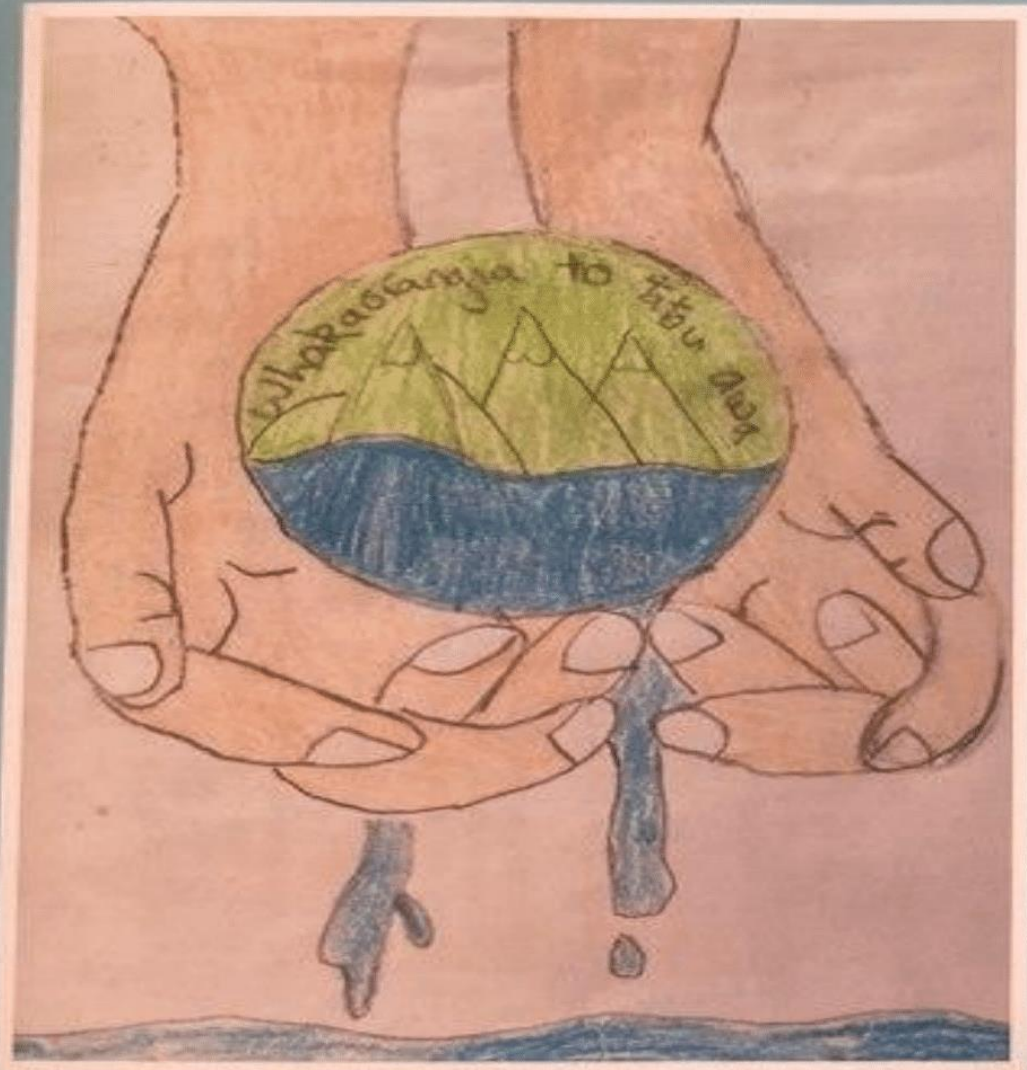
Nelson, 14yrs: ...*the river gives hope to Tuatapere*

Lachlan, 10yrs: ... *fish have a life in this River and if we don't do something about the algae, they won't have a very long life*

Jake: ... *we always go fishing in there and from the algae, we are losing fish. We like to go swimming and take our dogs swimming, but I don't know if it is safe*

Kate, 11yrs: ... *without it my farm stock would have no water. We used to be able to swim in the Waiau River every day after school but now if we did, we would get very sick. I think that we should do everything we can do, to help the Waiau River become mighty again!*

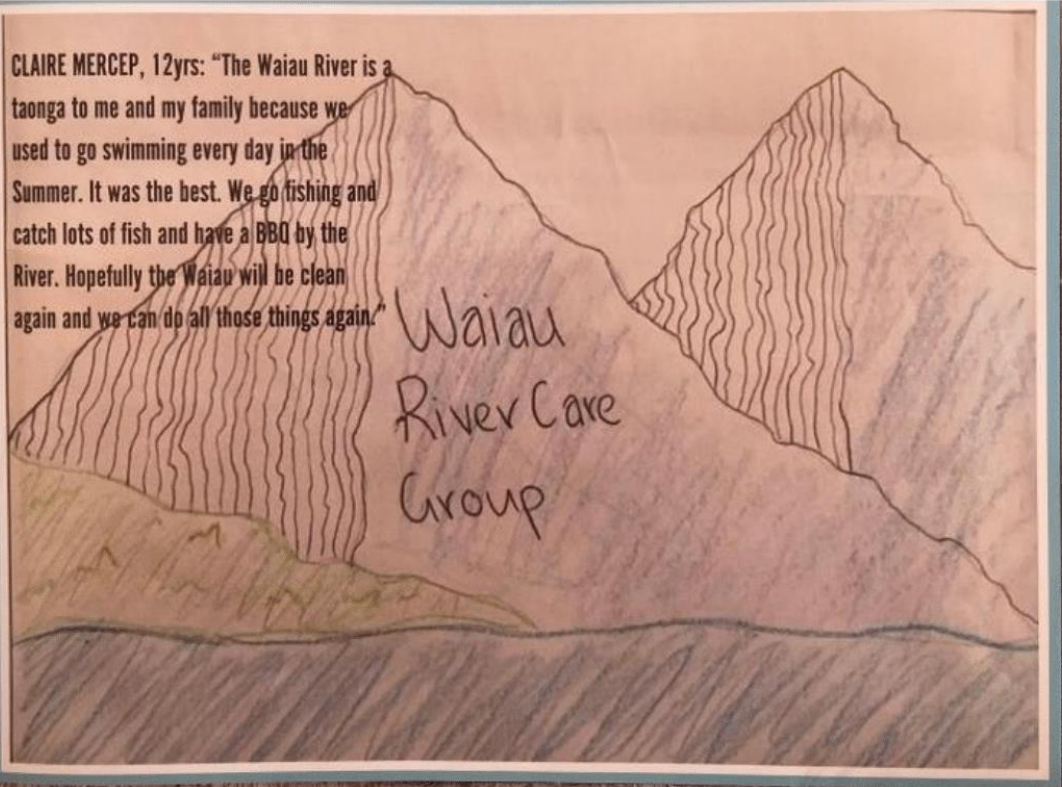
Kenzie, 12yrs: ... *The colours in the fishhook are what the river should look like (deep blues and greens). The fishhook is a symbol of the strength of the Waiau Rivercare Group. I believe the river is an important asset to our community and we need to protect it.*



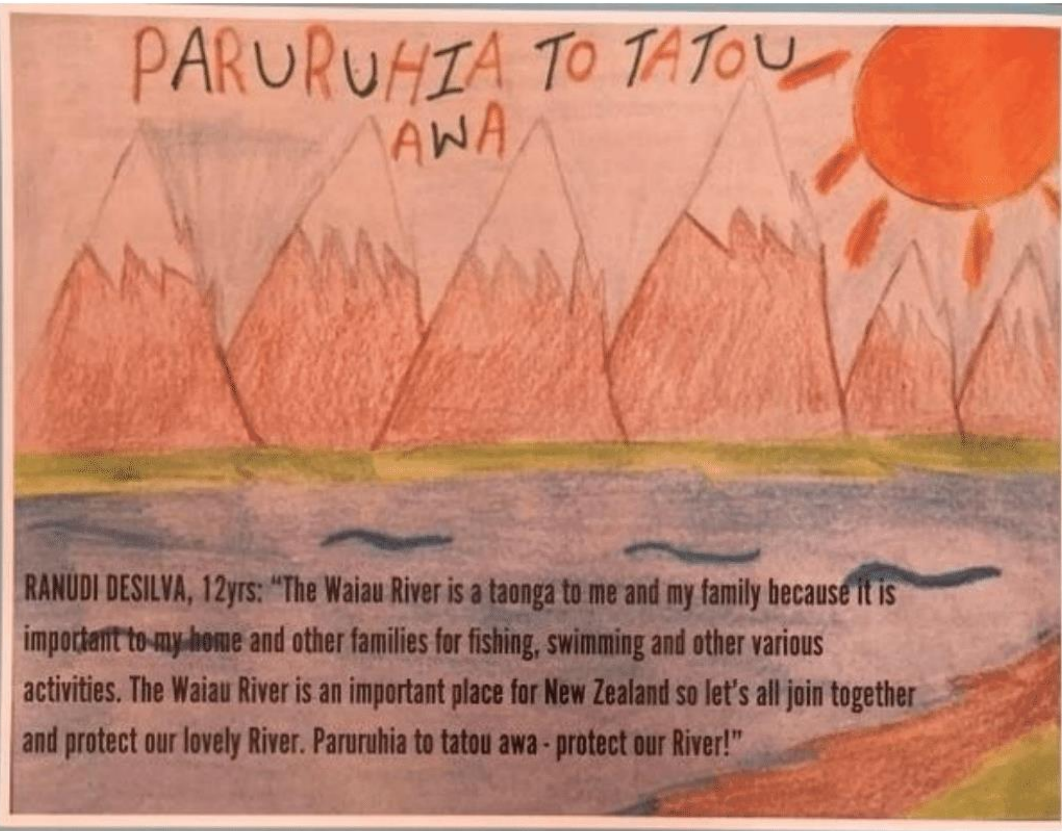
ALEXIS GIBBS: 12yrs (above): “Whakaorangia to tatou awa” means save our River. The Waiau River is MY River, MY Dad’s River, MY friends River, but most importantly it’s OUR River. This means it’s OUR job to save the Waiau River so we can swim in it, fish, and so our dogs can have a swim. Let’s work together to save OUR River!”

CLAIRE MERCEP, 12yrs: "The Waiau River is a taonga to me and my family because we used to go swimming every day in the Summer. It was the best. We go fishing and catch lots of fish and have a BBQ by the River. Hopefully the Waiau will be clean again and we can do all those things again."

Waiau
River Care
Group



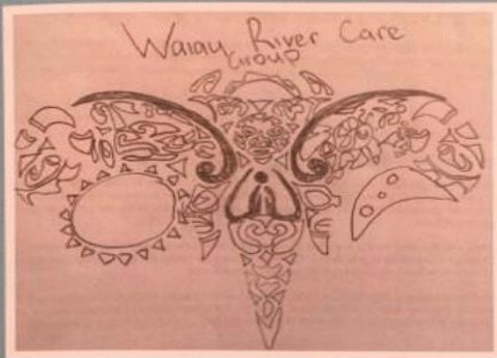
PARURUHIA TO TATOU
AWA



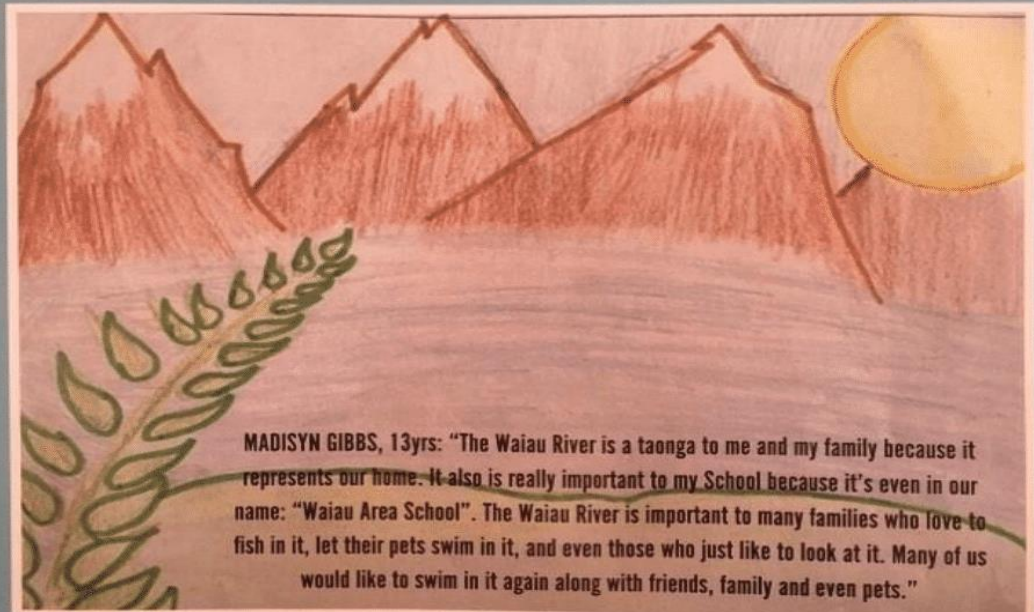
RANUDI DESILVA, 12yrs: "The Waiau River is a taonga to me and my family because it is important to my home and other families for fishing, swimming and other various activities. The Waiau River is an important place for New Zealand so let's all join together and protect our lovely River. Paruruhia to tatou awa - protect our River!"



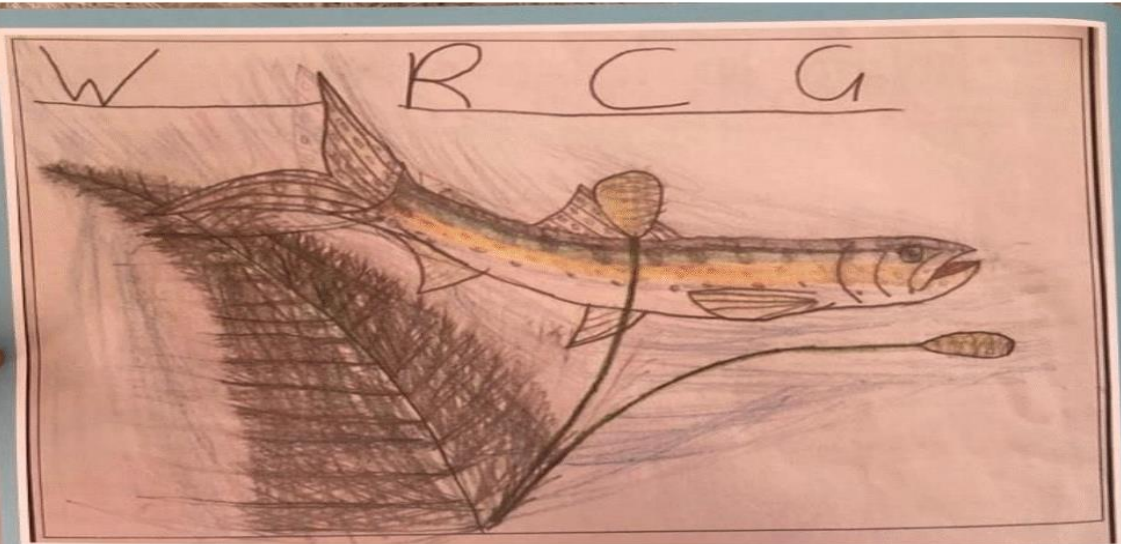
**ELECKTRA HARDING,
11 yrs: "The Waiau River
is a taonga to me and
my family because we
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and eat the fish that we
caught. I would love to
have a clean River so we
could do this as a family
again. I would love to be
able to go swimming
without worrying about
getting sick. Save our
River!"**



NELSON WILKINS, 14yrs (left): "The Waiiau River is a taonga to me and my family because the River gives hope to Tuatapere, and cleaning will bring fresh water and food, it will help it to keep the fish alive and to produce more fish."



MADISYN GIBBS, 13yrs: "The Waiiau River is a taonga to me and my family because it represents our home. It also is really important to my School because it's even in our name: "Waiiau Area School". The Waiiau River is important to many families who love to fish in it, let their pets swim in it, and even those who just like to look at it. Many of us would like to swim in it again along with friends, family and even pets."

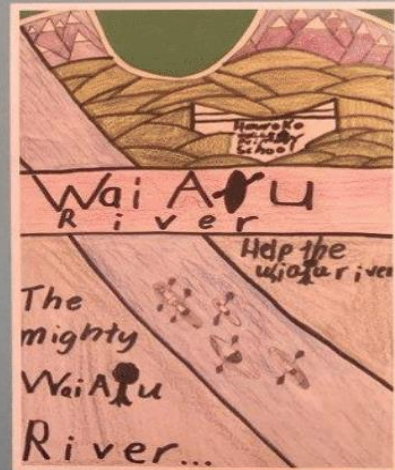


LACHLAN PARSONS, 10yrs (above): "The Waiiau River is a taonga to me and my family because fish have a life in this River and if we don't do something about the algae, they won't have a very long life. My name is Lachlan and as much as I like hunting; other people should get the right to go fishing."



LUCAS TEMPLETON, 11 yrs (left): "The Waiau River is a taonga to me and my family and is symbolic of the animals and wildlife that live in the Waiau. We have trout, eels and other fish; even the birds need the Waiau to feed on the small fish to be safe from other predators. I enjoy fishing in the Waiau River and want to see the River at its best, not filled with toxic algae. Tukutuku penapena nga Waiau!"

BAXTER ERSKINE, 11 yrs: Describing his Rivercare Group t-shirt design: "It has the Waiau River flowing across the front. My t-shirt design has people kayaking on the Waiau River. The Waiau River is a taonga to me and my family because it's a place to relax and have fun. The toxic algae has taken over our mighty River and we need it to return to its original glory. The River flow is not like it used to be; we need to help the once mighty Waiau River. We need to make a stand! Help the Waiau River - the Mighty Waiau River!"



LILY CADE, 8yrs (left): "The Waiau River is a taonga to me and my family because if we didn't have the Waiau River we couldn't go fishing in it and go boating in it and go swimming. Keep the area clean. Stay safe."



ASHTON EDGERTON, 10yrs (above right): "The Waiau River is a taonga to me and my family because we love to go swimming and play with our dog. Oh wow, we need to save our River!"

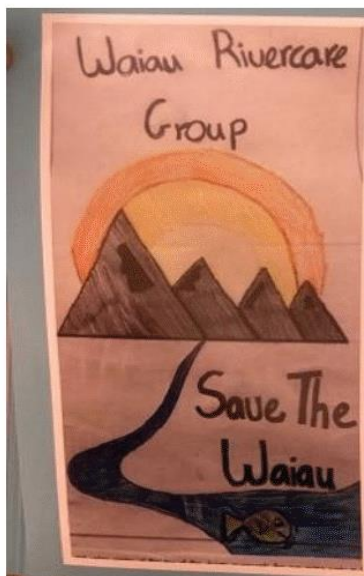
COOPER WILLIAM PETER GOW, 8yrs (right): "The Waiau River is a taonga to me and my family because we love fishing in the Waiau. Please keep it clean for the fishermen and be careful!"



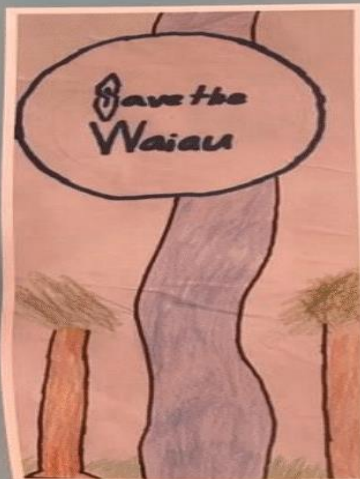
HARRISON ERSKINE, 12yrs (right): "The Waiau River is a taonga to me and my family because I love swimming, kayaking and fishing. I want the Waiau River to be restored to a healthier River. The River is important to me because it flows through my community. The Mighty Waiau!"



RAKOA EDWARDS, 14yrs (above): Commenting on the demise of the Waiau River: "The River wouldn't be suitable for fish to live in and restricts access for water sports."

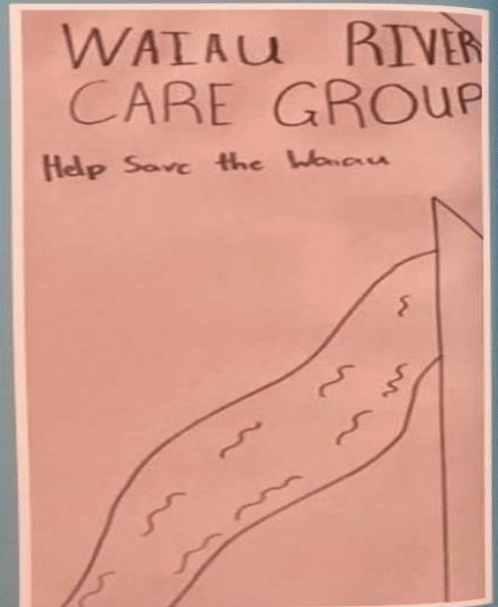


KATIE BREACH, 11yrs (left): "The Waiau River is a taonga to me and my family because the mountains under the sun stand for the Takitimu Mountains. All the fish live in the River and need to survive. I believe we need to look after our River as it is an important resource for our community. I want to see it in better condition. Save the Waiau!"



JACK HORRELL, 11yrs (left): "The Waiau River is a treasure to me and my family because we go fishing for Whitebait and fish in Spring and we get to go swimming in Summer. Hopefully, the Waiau will become clean again so we can go fishing and swimming. Save the Waiau!"

FELIX FOWLE, 13yrs (right): "The Waiau is very important to me and my family. It is a place of swimming, fishing and a place to relax. It is a place of tranquility. The Waiau River is our piece of paradise in the little old Clifden. It is a place to escape from the World and just relax. Help save the Waiau!"





Ko au te awa, ko te awa ko au
Waiau Rivercare Group Ltd.

Judges comment:

This tamariki kaitiaki project began in September 2019 and is an enduring and long-term river-care project. Engaging with multiple organizations and local community, this project is a very special taonga that has, and continues to give voice to the Waiau River through the eyes, hands, minds and hearts of the tamariki who have direct connection to this awa.

Whanaungatanga Award - Secondary Entry