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24 June 2025

**Rotokawa Baths Mana Whenua Working Group
C/o R Kiriona**

Subject: Submission to oppose Tikanga Aroro's application for a land use resource consent for a reintegration facility (Puwhakamua programme)

Kia ora

We oppose Tikanga Aroro Charitable Trust (Tikanga Aroro) being granted this resource consent.

The kaupapa of trying to heal high risk criminal offenders, or reintegrate them into the community, is good and much needed. But based on our experience of their programme being operated on our land, we believe Tikanga Aroro lacks the honesty, integrity, tikanga and mana required to properly operate a reintegration facility.

This is a serious activity and the public has every right to expect high standards and expectations from whoever operates an activity like this.

We are not proud that we have to do this submission, in fact we are disappointed. Like those running this programme, we too are Māori. But we feel the need to speak because Tikanga Aroro is not learning from its mistakes and still taking short cuts that cause people harm.

About our land

About two hectares of multiple-owned Māori land at Rotokawa, near Rotorua Airport, was set aside as a reservation by its owners in 1965 for the purpose of bathing for the benefit of the Ngāti Uenukukopako and Ngāti Rangiteaorere tribes. In the 1980s, an additional activity was added to the purpose of the reservation by its then trustees, beneficial owners (descendants of the original Māori owners of the land), the two tribes and also the Māori Land Court. The additional activity was

housing for kaumātua or elders from those subtribes as well as an additional third tribe - Ngāti Te Roro o Te Rangi.

The area of the reservation is zoned rural in the Rotorua District Plan. The operation of a reintegration facility is not a permitted activity in this zone and would require resource consent.

Our land is special or what Māori refer to as 'waahi tapu' because of events that happened there during pre-European arrival.

For many years now, the reservation has been home to a private bathhouse that only members of our tribes, and beneficial owners, are allowed to use. For generations, our women, children and men (particularly our kaumatua) have accessed these healing waters to bathe in. It has been our tradition that people bathe nude in these medicinal waters as clothing can discolour the water and the fabric. In addition, the reservation is home to some of our kaumatua who live within 50 metres of the bathhouse.

Also in the area, across the paddock from our land and within 300 metres, is a primary school, kohanga reo and social housing complex mainly for solo mothers with very young children.

Operating anything other than bathing and kaumātua housing on the reservation is prohibited unless permitted by not just the trustees but also a meeting of the beneficial owners and the three tribes as well as the Māori Land Court.

Despite not having approval from those groups and the Court or any sort of resource consent from Rotorua Lakes Council, Tikanga Aroro established in 2021 a site, about 3500 square metres in area, on the reservation to operate its Puwhakamua programme. That operation included bringing parolees there to reside in multiple cabins.

A stop was put to the operation by the Court in May last year, because a brave resident kuia (elderly woman) on the reservation took action against the trustees which meant Tikanga Aroro had to cease operating on the land and remove their 20 plus cabins from it. All but one of those cabins has since been removed from the land and an application is before the Court to force Tikanga Aroro to remove it as its staff and parolees have been seen at it, just recently last week.

About our group

Our working group was formed after a meeting in April last year of more than 130 people who have interests in the reservation land. We were formed to action a number of decisions made by that meeting, including, holding the trustees of the reservation to account for a number of things including permitting an ungazetted activity to operate on the reservation – the Puwhakamua programme from 2021 to last year.

All members of our working group are descendants of the original Māori owners of this land and have been deeply involved in our marae and tribal affairs, up until about 12 months ago when our whānau, hapū and iwi became divided over a number of things including Tikanga Aroro's operation on our land.

Our experience with Tikanga Aroro

We will show evidence substantiating these statements in the oral hearing for this application.

Devious behaviour:

Every level of the Tikanga Aroro – from its governance board to its management and even its legal counsel – has consistently misled the public into believing it did not operate its reintegration programme on our reservation.

This is despite the Department of Corrections, which has funded the Puwhakamua programme, confirming in OIA requests that parolees have resided at the Rotokawa Baths site as part of the Puwhakamua programme. Elderly kaumātua, who have lived on the reservation for years, also have confirmed that parolees were staying there. More than 30 regular users of the baths have also confirmed seeing strange men staying there, in cabins only 20-30 metres behind the bathhouse (where people bathe nude). Some of them, especially our women, stopped using the baths because they did not know these men, only that they had come from prison. Even parolees who have stayed there, and immediate family members of theirs who visited them there, have confirmed to us that they were living there as part of the Puwhakamua programme.

Despite all those confirmations, Tikanga Aroro's chairman Doug Macreadie, general manager Billy Macfarlane and legal counsel continue to tell Waikite Valley residents, a Judge and the media that they never operated Puwhakamua from the Rotokawa Baths site. Their line has been that they used the land only for storage.

This devious behaviour has made many of our people, including our kaumātua, look like they are liars and cannot be trusted. People think we are lying when we say Puwhakamua operated on our land. Tikanga Aroro has failed to listen to our calls, for almost 10 months now, to stop lying. Only several weeks ago, they repeated that lie again in their S92 response to Waikite Valley residents which is included in the documentation for this application.

Bullying behaviour:

Our working group and our kaumātua do not have money to hold Tikanga Aroro to account in Court. Our kuia, whose only income is a pension, mentioned above has already exhausted her access to legal aid holding the reservation trustees to account. However, she was seriously considering taking the matter further in Court

until she received correspondence from the lawyer for Tikanga Aroro warning her that if she did, she would be liable for damages if she lost the case. This scared our kuia, so she decided not to take the matter further, fearing she might lose what little possessions and money she has.

It is likely that Tikanga Aroro will try to shut down this submission too. Any responsible decision making on this application needs to take into account the experience of those who have seen Tikanga Aroro operate their programme on their land.

Careless behaviour - leaving our land in a mess:

The trust has consistently ignored appeals for it to repair the damage it has done on our land so it could run its Puwhakamua programme. The trust, via its general manager, created an unconsented road through our land, blocking a drain. As a result, there is a backwash of dirty water going back into our baths. We have run out of creative ways to deal with it so may have to close the baths due to the risk to our peoples' health. Closing down the baths would mean a severe break in what has been an unbroken chain of customary use by our people for many generations. Our kaumatua will no longer be able to access their daily dose of traditional medicine.

The trust also powered up the site and experts we've spoken with have said, all the underground wiring/cables should be removed before bringing in any machinery to remove the road and repair the drain.

Parolees who stayed at the site have also told us that their waste, including their raw untreated sewage, was not dealt with properly, that a hole in the ground was dug by Tikanga Aroro's general manager to empty raw waste into directly from the toilets in the cabins. There was no septic tank or treatment measures used.

The trust never got consent from the council for its cabins and waste disposal on our land. The trust was sent a letter last year to fix this damage. They haven't. They were contacted last month to fix it. They still haven't. Last year we raised this concern with council staff who appeared more concerned not with Tikanga Aroro actions and inaction but what we were doing, eg, replacing the rusty roof, rusty taps and painting the fence at our bathhouse.

So, Tikanga Aroro's ability to properly manage sites, and land, is very poor.

Lack of tikanga – not the way to treat visitors to our land:

Several parolees who stayed on our land as part of the Puwhakamua programme, as well as their immediate family members, spoke with us about the poor conditions of the accommodation provided by Tikanga Aroro and the poor level of treatment they got from Tikanga Aroro's general manager.

We are not angry at the parolees who stayed on our land. We are disappointed at the way they have been treated, and we understand their reluctance to not speak publicly about that out of fear of getting a violent or aggressive response.

We are sad to know that parolees, who were still visitors to our land, were treated this way on our land. Our tikanga is to respect and care for all visitors to our land, no matter what they've done in their past.

Lack of tikanga – undermining the mana of our land:

Tikanga Aroro general manager has stated that our land is not waahi tapu. Many people who are none the wiser believe that. Such disinformation has undermined the mana of the many learned tribal leaders from our land who raised us to believe and know that our land is waahi tapu. The general manager has not once corrected his statement.

Lack of tikanga – not paying their way:

The trust does not practice the tikanga or cultural values it is trying to instill in the men it wants to reintegrate.

Tikanga Aroro cut a deal with the reservation trustees which did not expect it to pay rent for using our land, because they were under the impression that Tikanga Aroro would get no funding to run the programme. However, since 2001, Tikanga Aroro has received more than \$4 million from government agencies. Yet it has decided to pay no rent or give any koha (donation) for its use of our land.

Tikanga Aroro is very aware that many things on the reservation have fallen into a poor state from the kaumātua houses to the bathhouse and the road they got daily use out of, which is littered with potholes. This shows a huge lack of moral fibre and of tikanga particularly manaakitanga.

Reservation trustees:

Overall, the reservation trustees are responsible for this as they allowed Tikanga Aroro to treat our land and people in such a negative way. But the fact that the chairman of the reservation trust is also on the Tikanga Aroro board does not help.

Council need not worry about us holding the reservation trustees to account - they are facing more court action right now by other beneficial owners who've become inspired by our brave kuia and want to see the original legacy of this land maintained.

Department of Corrections:

Despite us contacting this Department on a number of occasions to express our concerns that the Puwhakamua site on our land is not fit for living, and that it had no resource consent, we feel it ignored us. The department allowed men to be

released to stay at this site knowing the substandard conditions and absence of a resource consent. The department also failed to notify our kohanga reo and school to let them know there were high risk criminal offenders living within 300 metres of them and their children.

What do we seek?

We are not asking the council to force Tikanga Aroro to fix our land or apologise to us - that's a matter before the Court.

We are asking the council not to grant Tikanga Aroro a resource consent to operate its reintegration facility anywhere because they have not learnt from their mistakes and will likely continue to take shortcuts that cause people harm.

Their dismissal of our concerns, and the language and tone they use in their application, does not convince us that they have learnt from their mistakes.

We wish to speak to this application at the hearing and would appreciate being given access and use to a powerpoint projector with a speaker to support the points we have raised in this written submission.

Mauri ora

Rotokawa Baths Mana Whenua Working Group