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OFFICIAL

[redacted]

4 March 2026

To: The Registrar
Waitangi Tribunal DX
SX 11237
Wellington

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1. STATEMENT OF CLAIM

I, Jesse Thompson, [redacted] bring this claim as a private citizen. I am a Maori, descendant of Ngāti Wheke/Ngāi Tahu. The Crown has failed in its duty of **Active Protection** through the following acts:

- **Breach of Active Protection (Public Health):** The Crown (via CCC/ECan) operated with a **16-hour notification delay** during recent discharge events. This delay knowingly exposed vulnerable populations—including **Kaumātua and Tamariki** with developing or compromised immune systems—to raw effluent and waterborne pathogens. This is a failure of the Crown's primary duty to protect the health of its Treaty partners.
- **Fiscal Misappropriation ($25.7M):** The **LTP 2021** diverted $25.7M from "Terminal Wastewater Infrastructure" to the **Te Kaha stadium**. This directly resulted in the cancellation of "Smart" SCADA monitoring, leaving the Whakaraupō catchment "analogue blind" and unable to prevent the January cluster failure.
- **The "2028 Biogas" Deferral:** The Crown has admitted the solution is **Biogas/LPG remediation** but has deferred this project to **2028** to prioritize sports infrastructure. This 7-year delay forces the Hapū to endure "Managed Pollution" while a solution exists but is being withheld.
- **Administrative Subversion ("Parks Assets"):** The Crown misclassified industrial sewage pumps and coastal beach showers as **"Parks and Foreshore Assets"** (LGOIMA 1545557). This "Regulatory Arbitrage" was used to bypass the **Water Services Act 2021** and the **Ngāi Tahu Claims Settlement Act**, effectively silencing Mana Whenua oversight.

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2. APPLICATION FOR URGENCY

Urgency is sought because the Crown has admitted a state of **permanent infrastructure default**:

- **Irreversible Prejudice:** The benthic zone and Mahinga Kai are being poisoned by "Illegal and Non-Permitted" discharges that the Council admits it cannot stop without the sensors they refused to fund.

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- **Exhaustion of Remedies:** Direct engagement has failed. The Council continues to offer "1-hour notifications" as a substitute for actual remediation.
- **The Only Remedy (Section 33):** Because the Crown has proven it will prioritize "Trophy Projects" over "Pathogen Protection," the only adequate remedy is an **Immediate Section 33 Transfer of Power (RMA)** to Mana Whenua.

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3. RELIEF SOUGHT

1. **Immediate Section 33 Transfer:** Move all wastewater management within the Whakaraupō Takiwā to the control of Mana Whenua.
2. **Implementation of the Sovereign Loop:** Fast-track the **Thermal Anaerobic Digestion (TAD)** project to replace the deferred 2028 Biogas plan.
3. **Audit of Asset Condition:** Disclosure of the **"Green/Red Level" (Condition 1-5)** status of all pipes currently hidden in the "Parks" budget around Whakaraupo.
4. **Health Protection Order:** An immediate injunction against any **Chlorine Discharges** which create toxic organochlorides, further endangering Kaumātua and the ecosystem.

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4. PROCEDURAL MATTERS

- **Legal Representation:** I am currently self-represented.
- **Interested Parties:** Minister of Local Government, Minister for the Environment, CEO of CCC, CEO of ECan, Te Rūnanga o Ngāi Tahu.

Dated: March 4, 2026 **Signed:** Signed by: Jesse Thompson 856404FC2B12461... (Jesse Thompson)