

Maori Values Assessment in relation to the Parininihi Te Ara o Te Ata Project

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I. INTRODUCTION

A. TE RUNANGA O NGATI TAMA

1. This report has been produced by Te Runanga o Ngati Tama to be included with the applications documents for Te Ara o Te Ata Project.
2. The project name 'Te Ara o Te Ata' is a name provided by Ngati Tama. Te Ata is a local taniwha which manifests on the coast of Parininihi (Whitecliffs) and is of major significance to Ngati Tama.

B. SUMMARY

3. The area affected by the proposed highway bypass involves Treaty settlement land and areas of major importance to Ngati Tama. The cultural issues are central to the project and Ngati Tama considers the project requires approval of Ngati Tama given that it seeks to traverse Ngati Tama treaty settlement land. The land in question was returned to Ngati Tama through our historical Treaty settlement. It was previously the subject of raupatu (confiscation) following the land wars and the project effectively repeats this raupatu. This project therefore puts Ngati Tama in a very difficult situation.
4. The New Zealand Transport Agency (NZTA) has been consulting with Te Runanga o Ngati Tama to see if there are ways of dealing with the cultural concerns. Te Runanga o Ngati Tama has entered into these discussions in good faith. The Runanga has held a number of hui with whanau including hui-a-iwi to discuss this project. The message from the iwi has been a clear concern about the project and objection to the potential impacts on the mauri of the area and Ngati Tama.
5. In saying this, the hui-a-iwi accepted that the Runanga engage with NZTA in good faith, but on the basis that the Runanga come back to the iwi before making any decisions and adopting positions. As at the date of this report, these discussions are ongoing. Ngati Tama was advised of the NZTA preferred option at the same time as the general public and is still digesting the impacts of the project.
6. As part of the discussions, Ngati Tama participated in the multi criteria analysis to understand and provide their cultural input into the different options. The option preferred by Ngati Tama through this process was the online route, especially given it took the least Ngati Tama land and avoided the more established bush and awa.
7. From what we have observed through the process, it has given us some confidence and trust in the experts and people involved in the project. We have been pleased to hear the approach of 'treading as lightly as possible on the whenua' and can see that the experts are advocating for the ecological

values of the area. Naturally, there is some difficulty for Ngati Tama with the proposed option, and we are yet to formalise our position on this. The purpose of this report is to record that we have been involved in the process and provide some insight into the cultural importance of this area.

8. We have now held four hui-a-iwi in the process of considering this project to date. At these hui-a-iwi, members of Ngati Tama conveyed many of the concerns, stating that there is no good option, as all options impact the mauri of the area and Ngati Tama. They conveyed the position of 'not one more acre' in response to NZTA's desire to put the road over Ngati Tama land. All of the options were described as a breach of the Treaty, and conflict with the Ngati Tama Treaty settlement. Beyond the Treaty land aspect, the project affects ancestral lands and areas of importance to Ngati Tama and is considered to compromise our mana and kaitiaki responsibilities and is a transgression against these important values and responsibilities.

II. PROJECT

9. The Runanga is aware that the Project seeks to deliver much needed improvements to the Parininihi section of SH3, which is an important transport link between the Taranaki and Waikato regions. The Runanga and wider members of Ngati Tama have heard the views of members of the public and experts for the Agency on the benefits of the project. However, this does not justify the impacts of the project on Ngati Tama. These are matters we need to address.

III. NGATI TAMA ROHE

10. In Ngati Tama tradition, Ngati Tama descend from Tamaariki, Rakeiora, and Whata.
11. For many generations Ngati Tama have occupied, defended, and exercised mana over the land between the Mokau river on the west coast of the North Island, southward to the Titoki stream that flows into the sea at Waiiti Beach.
12. Extracts from the book "History and Traditions of the Taranaki Coast" provide:

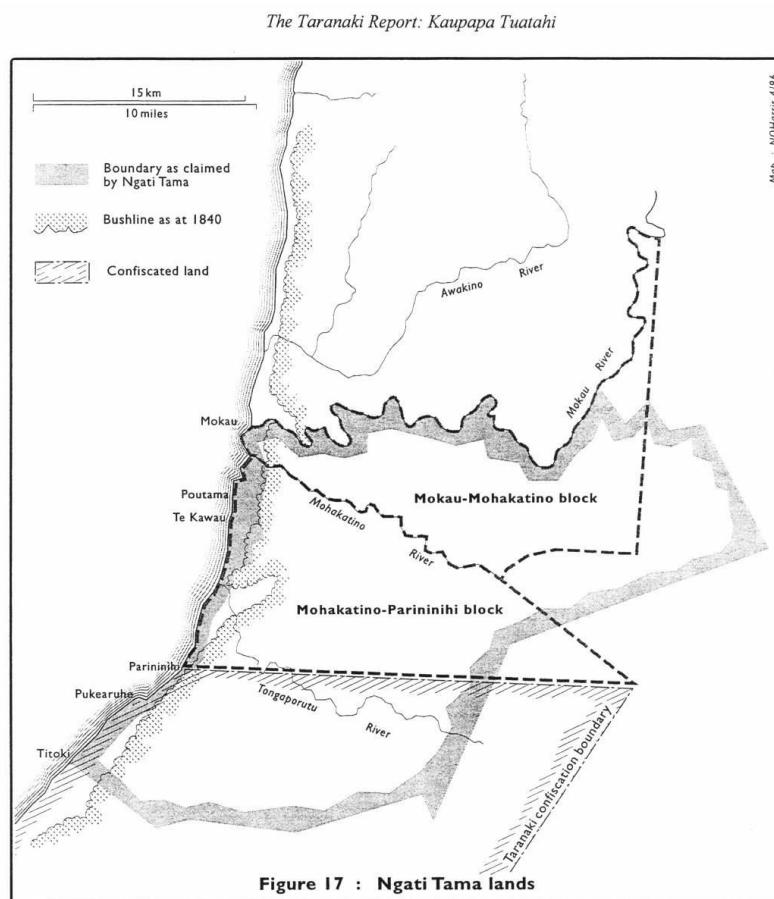
"South of the Mokau to Puke-aruhe pa, just south of the White Cliffs, a distance of about twelve miles, was the home of Ngati-Tama tribe-generally known as Pou-tama. This country has played a most important part in the history of the coast, and, therefore, is worthy of a little more detailed description, which Mr. W. H. Skinner supplies, as follows: - "From Puke-aruhe northward, the forest clad ranges and steep ravines effectually barred all passage, other than that by the narrow strip of beach at the base of Parininihi, or White Cliffs. The old Maori track wound down the slopes of the Puke-aruhe plateau, and came on to the beach at the Waikaramarama Gorge. From here northward to Te Horo, at the north end of the White Cliffs, a distance of three miles, the route lay along a fine stretch of sandy beach, but quite impassable at high-water, for the waves washed the foot of the high cliffs that rose for 900 feet from sea level the whole way. About mid-way, the Wai-pingao stream flows out of a gorge in the cliffs, and offers a coige of safety to those caught by the tide. It was here a tragedy occurred to be related later on... At Te Horo, the old Maori track turned abruptly up the cliff, the ascent being made by stakes driven into the each to which ropes were attached. This

ascent is necessary owing to a point of land jutting out into the sea called Te Rua-taniwha (the Taniwha's lair), and which presented an impassable barrier to those desirous of proceeding along the beach. Here it was that Te Whiti was killed... Strange to say, the small plateau at the summit of Te Horo, over which the old track passed was not fortified, the reason possibly being, that, although practically impregnable from an attack on the south, where no danger to Ngati-Tama was to be apprehended, the place lay open to the north... From here the track descended into the Wai-kororo (probably Wai-karoro, the latter word be meaning a sea-gull) valley at its junction with the sea. From here, at low water, the track led along the beach all the way to Mokau river; but at high water, Wai-kororo and Tamure-nui (great schnapper) streams were crossed; whence the track ascended to the plateau which here lies along the top of the cliffs at an elevation of some two hundred feet above the sea. Here was situated Katikati-aka pa, at three and a half miles from Puke-aruhe, and which was an important fortress in former days...

Ngati Tama, in fact, held the keys of Taranaki, and they proved themselves very capable of doing so.

Their territory has very many fine pas in it, the most celebrated of which have been mentioned..."

13. The map of Ngati Tama rohe is set out in the Taranaki Report: Kaupapa Tuatahi as follows:



14. This map also shows the confiscation line and the lands that were confiscated from Ngati Tama.
15. The rohe of Ngati Tama is recorded through the following account:

Mai Te Titoki ki Pukehinau
No Pukehinau ki Puau

No Paua ki Wairarawa
 No Wairarawa ki Pukekuri
 No Pukekuri ki Mokino
 No Mokino ki Tapuitautu
 No Tapuitautu ki Mangatitoko
 No Mangatitoki ki Waitara
 No Waitara ki Makarakia
 No Makarakia ki Te Ahu
 No Te Ahu ki Rereua
 No Rereua ki Potaka
 No Potaka ki Kahikatoa a Tute
 No Kahikatoa a Tute ki Tieketingiroa
 No Tieketingiroa ki Te Pou Atakirau
 No Te Pou Atakirau ki Haumapu Kahu ki te Whakarua
 No Haumapu ki Takoraparoa
 No Takoraparoa ki Pou Arohutu
 No Pou Arohutu ki Nehunui
 No Nehunui ki Tepora
 No Te pora ki Te Pou Whakairo
 No Te Pou Wakairoa ki Tiritirimatangi
 No Tiritirimatangi ki Kaihapuku
 No Kaihapuku ki Matukumaitua
 No Matukumaitai ki Panirau a Kahu Whaka te Ngutu o Mokau
 No Panirau ki Pukeruru a Tawariki
 No Tawariki ki Te Totara
 No Totara ki Tauwhare
 No Tauwhare ki Haumapu
 No Haumapu ki Te Ranginga
 No Te Ranginga ki Oturi
 Konei te rohe o Ngati Tama

16. There were many concentrations of Ngati Tama activity along the coastal and fresh water converges of Mohakatino, Tongaporutu, Parininihi, Pukearuhe and Titoki. Among the pa sites and waterways include Katikatiaka Pa, which lies adjacent to the Waikorora Stream, and pa associated with the mouth of the Waipingao Stream, which has its head waters at the maunga, and the mouth of the Mangapukatea and Waikiekie streams.
17. The Tongaporutu and Pukearuhe areas receive particular mention in the Taranaki Report as areas that Ngati Tama held strong kainga and pa within their ancestral rohe. The bush area is also important. The inland bush area played an important role in the customary practices of Ngati Tama and were important resources and icons, along with the many streams, ridgelines and peaks of this area, and continue to do so today. The importance of the bush area is also reflected in extracts from the "History and Traditions of the Taranaki Coast":

"... The object sought in placing a settlement so far inland was so as to be near the pua-tahere, or bird preserves, where Kakas, pigeons, Wekas, Kiwis, Tuis, and other birds were plentiful; and also in order to obtain the kokowai or oxide of iron..."

...

"About one hundred yards beyond Katikatiaka, the track turned down again to the beach-along a fault in the cliff-and then passed, at a half mile further on, the Wai-kiekie stream, inland of which, on a slope, stood the Tihi-manuka pa... From this pa a track led through the forest country, directly inland to the Whanganui, striking the river at Maraekowai. This and the Taumata-mahoe track, starting from the Ure-nui river, were the only two in this part of the country affording means of communication between the sea coast and the upper Whanganui and the interior.

...

To the ancient Maori this country of the Ngati-Tama was an ideal one—a land to be desired and fought for. It offered numerous sites to the old warriors, perfect in their way, for their pas or fortified villages; positions of such great natural strength and the advantages surrounding them that it was scarce conceivable to improve upon them. The narrow strip of level or undulating land—about half a mile wide—between the sea and the foot of the wooded ranges, was rich and easily worked, and more than ample for all their wants in the growth of kumara, taro, and other vegetables. Two fine streams, the Tongaporutu and Mohakatino, besides numerous smaller ones, abounded with eels, whilst the forest ranges offered good returns to the bird-snarer. At their feet the ocean literally teemed with life...

18. Within this rohe, the waterways and mountain peaks from which the waters are sourced have cultural and spiritual importance to Ngati Tama. The waterways of this area are significant resources to Ngati Tama and have sustained Ngati Tama identity, customs and livelihoods for generations. The bush and waterways are interconnected through the korero or 'Tanetewaiora' (Tane, the deity of the forest and bush, is the source of fresh water). The area affected by the project has been and remains an area of major importance to Ngati Tama as an important part of our rohe, traditions, customs and identity.

Ngati Tama land loss

19. The effects of the land confiscation and Native Land Court decisions on Ngati Tama are recorded in detail in the Taranaki Report: Kaupapa Tuatahi which states:

“The result for Ngati Tama was disastrous. We are not aware that other hapu were affected as seriously. Without any evidence that they had participated in the war, 74,000 acres of their land were confiscated, of which a mere 3458 acres were returned, and then to only 12 persons. The remainder of their lands, probably some 66,000 acres, was transferred to others, leaving the rest of Ngati Tama landless. The West Coast Commission noted their plight, however, and recovered a further 576 acres for them. The commission was critical of the Native Land Court, reporting on 26 April 1884:

The ancestral northern boundary of the Ngatitama tribe was the Mokau River, which was many years ago shifted to Mohakatino by the peace arrangements, after long hostilities. Subsequently the Northern tribes drove the Ngatitamas from the district, and they migrated to the South, where they remained until the arrival of European settlers, when they began to return, and settled in many places so far as Tongaporutu. During some of the meetings held in Waikato under the auspices of the Maori King movement the Ngatitamas were invited to attend, which they did, and were formally promised the restoration of their ancient rights to the land, and recommended to live on it, which they were doing (so far as Tongaporutu), when the Native Land Court sat and by its decision completely upset the understanding which had been arrived at. So far as I have been able to ascertain the facts, the Ngatitama failed to establish their case in consequence of a mistake in the manner in which it was brought before the Court, and if they had been allowed a rehearing, for which they applied, they would most probably have succeeded in establishing their right to the land between Tongaporutu and the Confiscated Block; but the Chief Judge of the Land Court positively refused a rehearing. The Ngatitama, being thus stripped of all the land they had, were thrown on the world, and appealed to the Government. The Hon the Native Minister, Mr Bryce, suggested to the Commissioner to locate them inside the confiscated boundary; and, there being a small block of about 576 acres near Pukearuhe available for this purpose, which they were willing to accept, it was surveyed for them, and they have been put in possession of it.

Some of them had previously been occupying a portion of town-belt on the south side of the Town of Pukearuhe, which is never likely to be more than a town on paper, and which had, by a former arrangement with the Crown Agent, been made available for settling Native claims. It has been thought desirable to add 71 acres of this belt to their award.

The reserve of 576 acres, which was all in bush, was individualised and apportioned between 50 persons, giving some 12 acres each. For having lost some 134,000 acres, Ngati Tama received in all 4056 acres, even though they were not involved in the war. It is hardly surprising Ngati Tama are not a numerous tribe today, for there was no land to sustain them."

20. These references highlight the importance of the Pukearuhe and confiscated land area to Ngati Tama which is where the project occurs.
21. It is also noted as a side issue that the interference of the Crown and Native Land Court in Ngati Tama rohe remains an issue to this day and Ngati Tama maintains its tribal boundaries up to Mokau. The Taranaki Report: Kaupapa Tuatahi discusses the ancestral lands of Ngati Tama as follows:

"By descent from the original peoples and subsequent migrants of the Tokomaru waka, Ngati Tama were the ancient holders of a large territory from the far side of the Mokau River in the north to Titoki in the south. Subsequently, by war and marriage, Ngati Tama and Ngati Maniapoto had fused at Mokau. Ngati Rakei and other hapu emerged there with connections to both groups in the usual Maori way. Of course, while being connected with both Ngati Tama and Ngati Maniapoto, Ngati Rakei and the associated hapu also had an autonomy of their own.

...

... The Native Land Court was also very political at this time and sensitive to which groups were in the Government's favour. In addition, there is evidence that at that time the court was seeking to ingratiate itself with the Ngati Maniapoto side of Ngati Rakei in order to be accepted into the King Country.

In any event, in a brief judgment the Native Land Court determined that Ngati Tama had been expelled from their lands by Waikato-Maniapoto conquerors and that the conquerors had taken possession of the vacant land, which possession, though 'sparse', was none the less sufficient to show 'a domiciliary intention'. On the other hand, the Ngati Tama reoccupation was 'desultory' and 'trivial' in the court's view and it was insufficient to displace the conqueror's possessory title, obtained by Maori custom.

... Like the Compensation Court, the Native Land Court elevated conquest according to European tradition, while Maori placed more weight on whakapapa (genealogy) and ancestral associations. These were Ngati Tama lands. They had been their lands for centuries, and by Maori custom, the Ngati Tama ancestral interests were not so readily extinguishable. An ancestral history is a fact that cannot be written out of existence. The only question was whether some adverse possession had intervened to prevent Ngati Tama reoccupying their ancestral lands. Clearly, none had, or at least not for the whole of the land. Any adverse possession was confined to a few pockets and did not affect the greater part. Ngati Tama could not have been stopped from returning to their land, and they in fact did return. In any event, the possessors of those pockets were not in fact the so-called conquerors. The Waikato-Maniapoto invaders came and went. They did not perfect by occupation such rights of conquest as they may have claimed. Those who occupied the lands, in the absence of Ngati Tama, were Ngati Rakei, who were as much related to Ngati Tama as they were to Maniapoto. Their entry upon the land was limited in scope and concept. They settled in the absence of Ngati Tama, and their right to settle in their absence was not by conquest but by whakapapa.

In Treaty terms, however, the main concern is that the Native Land Court was authorised to determine such a question. It had no business to do so in this instance. The Treaty vested the authority of Maori lands in Maori, not in the Native Land Court, and that must have included the right of Maori to maintain their own way of reaching agreements. To

the extent that it presumed to decide for Maori that which Maori should and could have decided for themselves, the Native Land Court encroached on Maori autonomy and was acting contrary to the Treaty of Waitangi. It follows that the legislation that permitted of that course was also inconsistent with Treaty principles.

It needs to be appreciated, then, that Maori dispute resolution was founded not upon finite rules, like those the Native Land Court imposed, where some won and others missed out, but upon the reaching of pragmatic solutions. Had the court permitted of a Maori process, a just and pragmatic solution was likely. The elements were there. Waikato made it clear that they supported the return of Ngati Tama. If, in the court's reckoning, these were the people who were supposed to have taken the land by conquest, then that fact, known to the court, deserved weight. In any event, a pragmatic solution was at all times feasible and the court need not have done more than record it. Ngati Rakei occupied only pockets of land. Nothing could prevent the hapu from fusing in the usual Maori way or keep Ngati Tama from the balance — nothing, that is, but the Native Land Court.

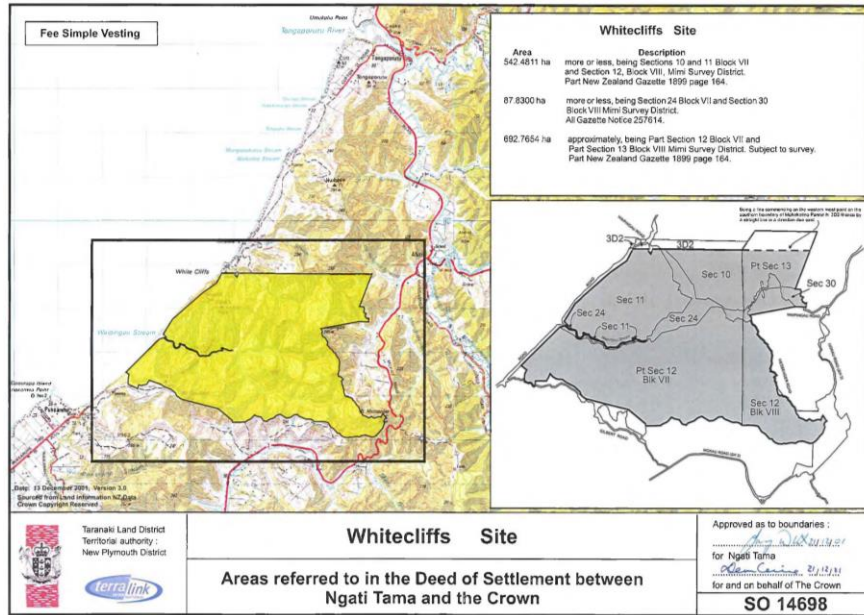
The real problem appears to have been that the Native Land Court was mainly concerned with promoting itself..."

IV. CULTURAL SITES AND PLACES

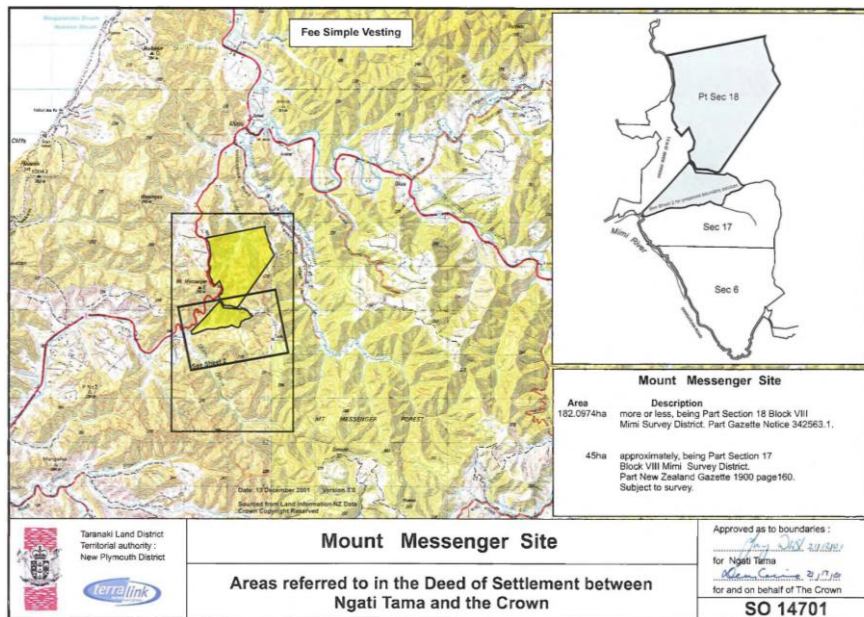
Treaty settlement

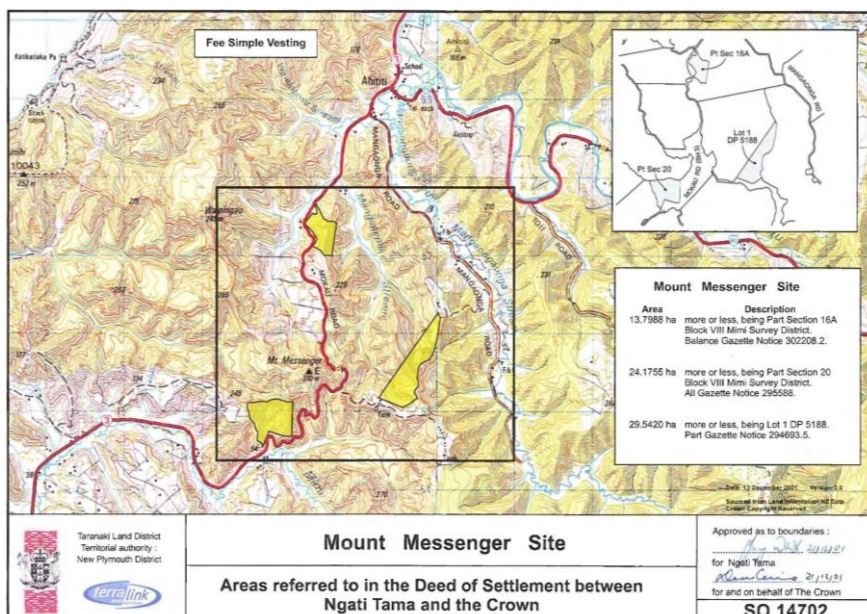
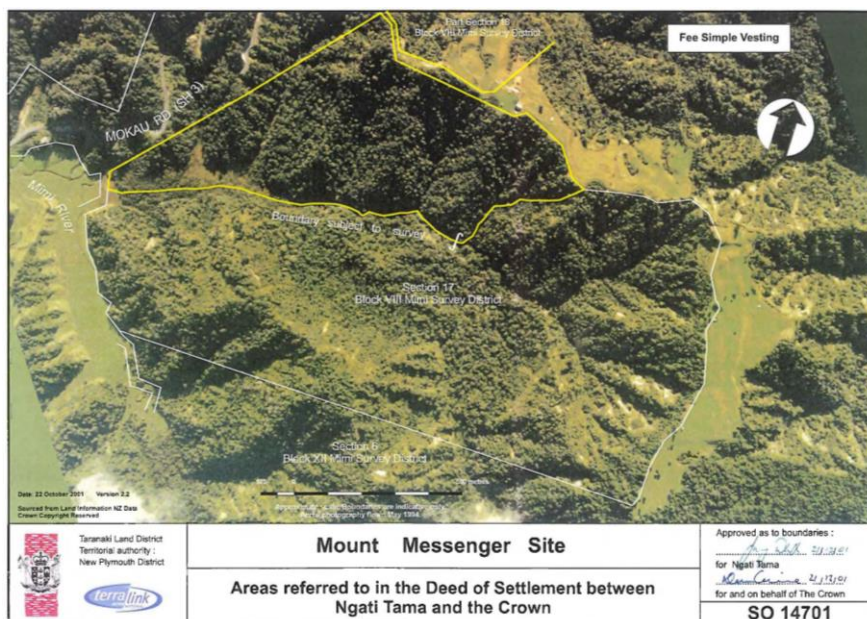
22. As part of our historical settlement with the Crown to redress the past breaches of the Treaty of Waitangi, the Ngati Tama settlement included commercial and cultural redress items.
23. The Ngati Tama Deed of Settlement cultural redress included the transfer of parcels of Conservation land areas, including areas (relevant to the Project) referred to as:
 - a. The Whitecliffs Site;
 - b. The Mount Messenger Sites.
24. We have decided to refer to these areas as 'Parininihi'.
25. These land parcels are of great significance to Ngati Tama, and are regarded as the 'jewel in the crown' of the Ngati Tama historical settlement. The Parininihi Protection Project Strategic Plan records this point, noting:

"Parininihi was returned to Ngāti Tama by the Crown in 2003, and has a rich history of pre-European occupation, shown by the numerous kainga and pa sites. Ngāti Tama wish to protect this land and ensure that it remains a jewel in the crown of Taranaki for all to enjoy."
26. The Whitecliffs site is shown as follows:



27. The Mt Messenger sites are shown as follows:



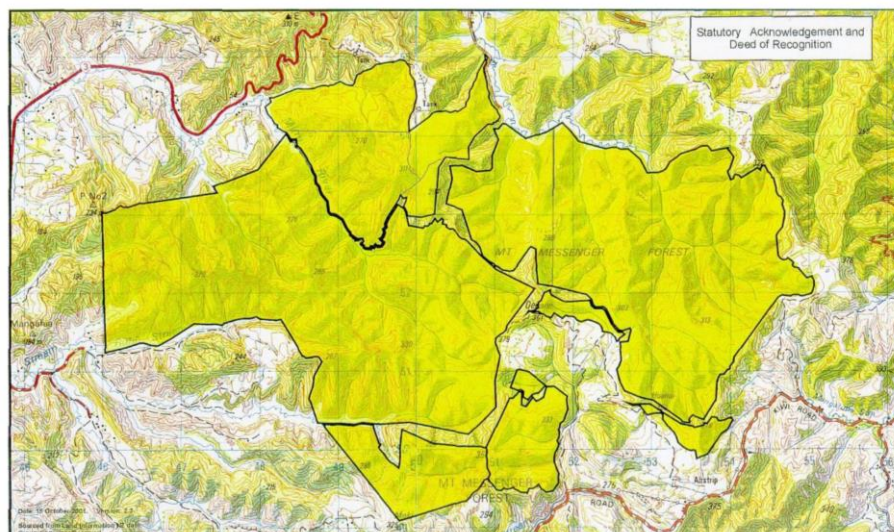


28. Further, when the settlement was negotiated, the transfer of these lands was effectively the key to the settlement going through.
29. Following some 18 months of intense negotiations, Ngati Tama was offered less than 5 hectares of Department of Conservation land in its Settlement package. The offer was rejected and negotiations had come to an impasse.
30. During this time, Ministers were also seeking to establish a marine reserve which Ngati Tama opposed. In a final attempt to reach a settlement, an offer was made to Ngati Tama which involved the transfer of the DOC land (and the Tongaporutu Recreation Reserve). The Ministers sought that in exchange for this, Ngati Tama would withdraw its opposition to the Marine Reserve. This was ultimately agreed.
31. The features of the offer were:
 - a. the DOC land was to be granted in fee simple title;

- b. the Tongaporutu Recreation Reserve was to be granted in fee simple, subject to the approval of the New Plymouth District Council, (NPDC) the then administrating entity. (a mere formality according to the Crown). This was the only site that generated any economic return (however meagre) and was considered by the Crown and Ngati Tama to be a critical element of the offer;
 - c. and, Ngati Tama would withdraw its opposition to the Ministers Marine Reserve Application.
32. Ngati Tama thus withdrew its opposition to the Marine Reserve, which was then established. After reaching agreement on the above points, there was further negotiation on other details. It was during this later discussion that the Joint Advisory Committee and covenant emerged as mechanisms to enable Ngati Tama access to the DOC fund in order to maintain the land and implement the management plan.
 33. The transfer of the Tongaporutu Recreation Reserve never eventuated due to opposition by the Council and other interests, which remains a source of discontent to this day. This was notwithstanding that we held up our side of the deal to remove opposition to the marine reserve which was subsequently confirmed.
 34. Also, since settlement, we have struggled away with the maintenance of the land and pest control. Notwithstanding the fact that we agreed to the covenant over the land in exchange for the Crown covering the costs of maintenance and pest control, this has proven a constant battle.
 35. In addition to the transfer lands, the Treaty settlement includes statutory acknowledgements and deed of recognition for Mount Messenger Conservation Area, shown as follows:

Statutory acknowledgement for part of Mount Messenger conservation area in Ngati Tama area of interest

SO 14706



36. The deed of recognition for the Mount Messenger Conservation Area is recorded in the Deed of Settlement (Schedule 2 – Cultural Redress Schedule) as follows:

1. AREA

The area to which this Deed of Recognition applies is the area referred to in the Deed of Settlement as Part of the Mount Messenger Conservation Area in the Area of Interest (the, "Area"), the general location of which is indicated on SO 14706.1

2. CULTURAL, SPIRITUAL, HISTORIC AND TRADITIONAL ASSOCIATION WITH THE AREA

2.1 This is an important area containing Ngati Tama pa sites and mahinga kai sources of birds and fish.

2.2 The once great Katikatiaka Pa was located here, inhabited by the descendants of Uerata who were among the fighting elite of Ngati Tama. It was an important vantage point, built in two divisions, and extending to the seaward clifftops. Tihi Manuka, a refuge pa, also situated in the area, was directly connected to an important inland track.

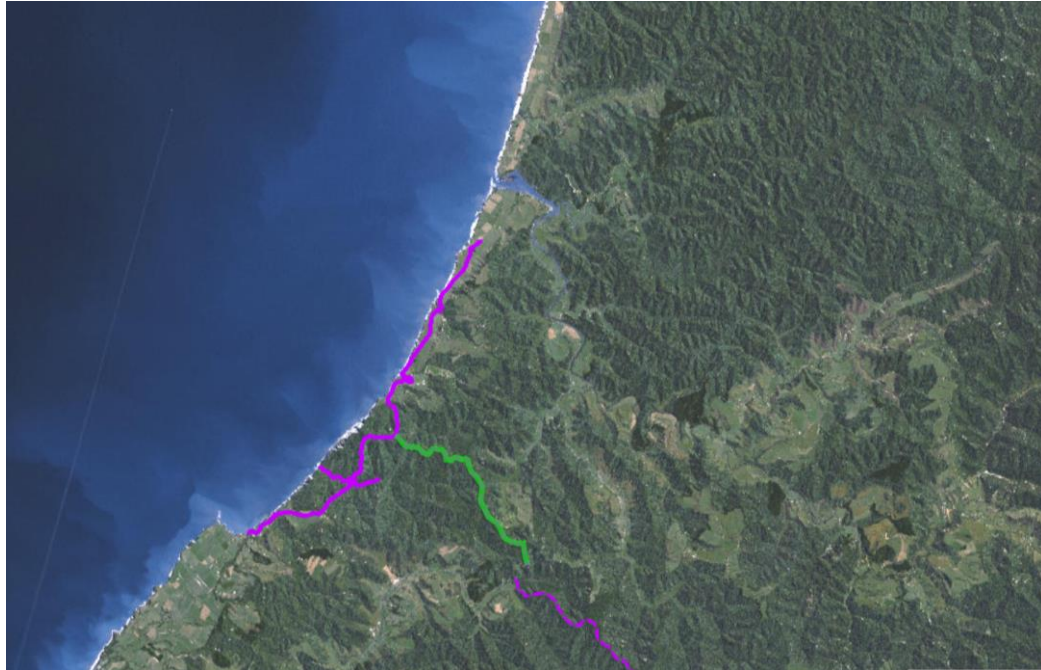
2.3 Kiwi, kahurangi, kereru, eels, inanga and the paua slug were traditional resources found here. Papa clay types found here were used for dyeing muka. A range of temperate zone flora was also available to Ngati Tama from this area including beech, rata, rimu, and a variety of ferns. Important mahinga kai streams include Te Horo, Ruataniwha, Waipingao and Waikaramarama.

37. The commercial redress component of the Treaty settlement included a financial redress sum of \$14.5 million. Unfortunately, the cash redress to Ngati Tama has been dissipated due to unsuccessful investments.
38. Putting aside this loss, there is other context to the commercial redress to note. Ngati Tama agreed its Treaty settlement relatively early. At the time of the negotiations, we were part of a group of iwi that were negotiating together, and were offered similar commercial redress amounts. However, due to other reasons, the other iwi were unable to enter into a settlement at the time, whereas we were able to proceed. We therefore entered into the settlement as outlined above. Since we settled, we have observed the settlements of other iwi surrounding us, including those who were in the same negotiation group as us. We have seen those iwi achieve commercial redress outcomes which are over three times what we settled for. We have seen other iwi, who may not have suffered the same extent of confiscation as we did achieve commercial redress in order of magnitudes greater than what we did. In our view, there is little method to Treaty settlements. It depends on negotiation, chance and political will and we have seen how this can change over time, and in our case to our disadvantage. Being a political outcome, it has little relationship to the rights and interests and tino rangatiratanga enshrined in the Treaty relationship and we are very aware that the settlement compensated a minute fraction of what was lost. In our view, it is important that a methodology that properly recognises the pre-existing rights of Ngati Tama is recognised.
39. Another feature of the Treaty settlement that we are very aware of is that it is a full and final settlement. While we continue to have our reservations about the durability of the settlement, we equally have to turn our minds to what the Treaty relationship means going forward. In our view, the Treaty settlement sought to restore the mana and rangatiratanga of Ngati Tama in our rohe and put the Treaty relationship on its proper footing. What this means in practice is something we are still exploring. In our view, the bypass project would infringe the full and final nature of the Treaty settlement which is an important factor to be considered.

Cultural landscape

40. Ngati Tama occupied a number of pa sites along the coastal area as well as pa sites inland.

41. There were and remain important tracks which provide the connection between the coastal area and the important mahinga kai and other inland resources of Ngati Tama.
42. The Mount Messenger connection to the coastal pa is reflected in walking tracks through this area which continue to this day. A map illustrating walking tracks of the area is provided below, which show the walking track along the ridge from the Mount Messenger peak.



43. The following plan shows many of the coastal pa sites:



Parininihi kaitiakitanga

44. As noted, the Whitecliffs and Mount Messenger area is known to Ngati Tama as Parininihi. Parininihi has been referred to as 'Te Matua Kanohi o Ngati Tama

Whanui', 'The parent (principle) face of Ngati Tama'. It is an area of major cultural significance to Ngati Tama.

45. From a practical perspective, the Parininihi land includes a ~2000ha biodiversity rich coastal forest which Ngati Tama were repatriated with as part of our Treaty settlement. The forest runs from the iconic coastal Whitecliffs inland to the maunga and awa.
46. As touched on above, Ngati Tama, through the JAC, have the function of putting in place a management plan for the Parininihi land.
47. The Tiaki Te Mauri o Parininihi Trust ("**Trust**") implements the management plan. The name 'Tiaki Te Mauri o Parininihi' itself is poignant, meaning 'to care for the mauri of Parininihi'.
48. An important part of the Parininihi land is its role in the re-introduction of kokako into Taranaki.
49. The Trust website outlines the background and significance of the Kokako project as follows:

The return of kokako to Taranaki is a central aim of the trust. In 1999 the last Taranaki kokako, 'Tamanui' was removed from the Moki Forest (North Taranaki), on the understanding that his progeny would be returned once the damaged eco-system was restored and a safe breeding site established. Tiritiri Matangi has provided a safe haven for breeding and Tamanui's descendants have multiplied. It is now time to bring them back to Taranaki.

Kokako are part of the ancient wattlebird family and are cousins of the extinct huia and the endangered tieke (saddleback). Kokako were once widespread throughout the lowland forests of Aotearoa, but predation and loss of habitat has taken a heavy toll.

Kokako are famous for their haunting call, like deep ringing bells. Their song carries for a great distance and is heard mostly at dawn, when birds call to maintain their territories. Pairs may duet for up to half an hour, with other kokako joining in to form a "bush choir". Calling is so important that recorded calls are played when kokako are released to help "anchor" the birds in new areas.

Mature podocarp-hardwood forest provides the diverse food supply that Kokako need. The rich forests at Parininihi provides the food and shelter required for kokako to breed successfully. The abundant food supply, however also benefits rats, stoats and possums. Kokako are especially vulnerable to predation therefore these invaders must be controlled if kokako and other taonga (treasures) are to survive. In order to ensure the safety of the returning kokako, intensive animal pest control needs to be maintained to keep rats, stoats, possums and goats to very low numbers.

With dedicated effort the call of the kokako will be heard again."

50. The Parininihi Protection Project Strategic Plan records some of the kaitiaki values associated with Parininihi as follows:

"The Tiaki Te Mauri O Parininihi Trust has been established to manage the protection of Parininihi. ...

Parininihi extends over three bioclimatic zones from the coast to semi-coastal and lowland forest. This encompasses a wide range of habitat types, from dunes and coastal cliffs to wet valley floors and dry forest ridgelines. Inland Parininihi is contiguous with protected forests on the Conservation Estate and Ngāti Tama lands.

The TRC recognises Parininihi as a Key Native Ecosystem, and DOC rank Parininihi as a priority site in Taranaki.

The Waipingao Stream forms the central water catchment, and is surrounded by steep ridges. Biodiversity values are high, with at least 40 species either being rare or absent elsewhere in the ecological district.

Kiwi, karearea (falcon), kereru, mātātā (fern bird), titipounamu (robin) and pekapeka (bat) are among notable species found at Parininihi. Kaka, titi, spotless crane and kōkako were present in the past. Parininihi is also at the 'meeting zone' for insects with largely southern or northern distributions, and has a very diverse insect fauna.

The forest canopy is dominated by abundant tawa, kohekohe, hinau, rewarewa and pukatea; with emergent rimu, miro, northern rata and kahikatea. Tawari, kamahi, towai, puriri and mangeao are also present. Nikau and kiekie are common where the canopy has been disturbed in the past by slips of fires.

The forest understorey is dense and diverse, and has a large population of the now rare king fern *Marattia salicina*. King fern have disappeared from many areas due to browsing by goats, and it's presence at Parininihi is a sign of a healthy forest. The healthy forest understorey and sub canopy provides a significant amount of food for native birds, and helps protect the forest canopy from storm damage and drought.

Towards the coast are ngaio-taupata treelands, with scattered patches of titoki, wharangi, ngaio, puka and akeake. Harakeke/wharariki flax are found as well as halophytic herbs, including the nationally endangered Matangaoa NZ cress *Rorippa divaricate* and coastal forget-me-knot *Myosotis petiolata* var *pansa*. Pingao, a significant weaving plant, is found on the dunes.

Off the Parininihi coastline is the 1800 ha Parininihi Marine Reserve, which encloses a typical slice of the North Taranaki coastline, as well as the possibly unique sponge gardens of Pariokariwa reef. The diversity of species encrusting the reef is amongst the highest recorded anywhere in New Zealand and ranks highly internationally.

...

Reintroduction of Kōkako: returning the progeny of Tamanui

Kōkako were once common in Taranaki, but have become extinct in the region. The line of Taranaki kōkako has survived through a single male bird, Tamanui, who was removed from Moki Forest in North Taranaki in 1999. Tamanui was taken to the safety of Tiritirimatangi Island, and today his progeny are ready to return to Taranaki.

Kōkako are very vulnerable to predation and habitat decline, and require intensive animal pest control and healthy forest to survive. The diverse forest at Parininihi provides the food supply and shelter that kōkako need to breed successfully. Provided that animal pest control targets are met, the Kōkako Recovery Group has selected Parininihi to be the first site in Taranaki for kōkako to be reintroduced. ...

...

The predator control network at Parininihi must be sufficient to provide kōkako the protection they need to re-establish. Rat and possum monitoring will keep a close eye on predator numbers and ensure that safe levels are maintained. ...

The vulnerability of kōkako to predation, and their need for healthy forest, means that the protection of kōkako will ensure the protection of all biodiversity at Parininihi. The reintroduction of kōkako will also herald the return of a vibrant dawn chorus..."

51. The Parininihi project is recognized as a significant conservation project regionally and nationally. After many years of preparation and work, the descendants of the Taranaki Kokako were recently returned to Parininihi. This

is something that Ngati Tama are very proud of and is a source of mana for our tribe.

Awa and ngahere

52. The project will also impact on important awa and ngahere attributes that are important to Ngati Tama. At the time of writing this paper, we are still working through the reports and discussions with experts to fully understand the details of these impacts. We are aware that a number of very old and significant rakau (trees) are sought to be felled to make way for the road. There will be a number of streams as well as the awa of this area affected by the project. These are matters we are still considering and undertaking assessments of so that we can fully report these matters to our whanau.

V. CULTURAL IMPACTS

53. There are significant cultural values associated with Parininihi. These include the following:
- a. Firstly, the value of Parininihi as the jewel in the crown of the Ngati Tama settlement, representing return of Ngati Tama collectively held lands within our ancestral rohe;
 - b. Strong kaitiakitanga associations;
 - c. Parininihi is referred to and considered a taonga;
 - d. The important flora and fauna of Parininihi is a taonga;
 - e. The importance of Parininihi to a cultural, spiritual and resourceful sustenance of our iwi.
54. In the context of this Project, we note the following points:
- a. The principles of the Treaty of Waitangi are relevant. The impacts on our ancestral whenua, waterways and ngahere, including the Treaty settlement land, causes offence and in our view represents a breach of Treaty principles to protect us in the use and possession of our taonga;
 - b. The impacts on the mauri of the whenua and Ngati Tama contravene our mana and kaitiaki rights and responsibilities and are difficult for many of our people to accept and reconcile;
 - c. Without properly addressing the impacts, this would leave an ongoing sense of failure to uphold our mana and kaitiaki responsibilities, and can have ongoing impacts, and could act as a constant source of 'whakama' and 'riri' for our people.

VI. PROCESS AND POSSIBLE MEASURES TO ADDRESS IMPACTS

55. Te Runanga o Ngati Tama has agreed to continue dialogue with NZTA to see whether the impacts on Ngati Tama can be addressed and if so how. This has been an exploratory exercise to consider how such matters may be addressed

56. The process adopted by the Runanga has been that we would enter into discussions with the Transport Agency and hear and explore measures, but that these would be matters to be taken back to Ngati Tama hui-a-iwi. This is still an ongoing process. At this stage, there are no final agreements and we therefore cannot provide any insight on this.
57. The Parininihi lands and waters (along with all resources of our rohe) provide for the cultural, spiritual and resourceful sustenance of our iwi.
58. We are aware that the Project seeks to provide for the safety, efficiency and economic benefit of the region. The ongoing sustenance of Ngati Tama from our rohe and taonga is an important factor which is integral to our relationship with our rohe and taonga. This is the rohe and taonga we are bound to, and which sustains us culturally, spiritually and physically and which in turn we have responsibilities to. These ancestral rights are affirmed in the Treaty relationship. In our view, it is necessary to consider the long term sustenance of Ngati Tama. Our experience is that the long term sustenance of Ngati Tama is not borne out by activities of public benefit, and our ancestral rights and taonga are relegated and depleted for the wider public benefit. These are matters that we are continuing to explore with NZTA.