

Nga Hapū-o-Ōtaki

Cultural Impact Assessment

On

NZTA Peka Peka to North Ōtaki

Expressway Option

27 July 2012

## Table of contents

Table of contents .....	2
Chapter 1 Introduction .....	4
Chapter 2 Ngāti Toa Relationship to Rangitūkei, Manawatū and Horowhenua Districts .....	6
Chapter 3 Attempt by Muaūpoko, Ngāti Apa and Rangitāne To Regain Their Mana .....	7
Chapter 4 Ngāti Raukawa relationship to the Land from Whangaehu to Kukutauaki: He Take Tuku Whenua .....	9
Chapter 5 Kawanatanga 1840-1862.....	20
Chapter 6 New Zealand Company, 1839-1850 .....	22
Chapter 7 Native Secretary Report 1850.....	24
Chapter 8 1872-1873: Native Land Court.....	25
Chapter 9 Ngāti Raukawa Use of the Land .....	30
Chapter 10 1873-1900’s: Settling on The Land by Ngāti Raukawa.....	30
<i>Taylor’s Road to Rahui Road.....</i>	<i>30</i>
<i>Rahui Road to Ōtāki River.....</i>	<i>31</i>
<i>Ōtāki River to Te Horo.....</i>	<i>32</i>
<i>Te Horo to Pekapeka.....</i>	<i>33</i>
Chapter 11 Kaitiakitanga .....	34
Chapter 12 Principles of the Treaty of Waitangi .....	34
Chapter 13 Ngāti Raukawa Assessment of Environmental Effects .....	37
<i>Taylor’s Road to Rahui Road.....</i>	<i>37</i>
<i>Rahui Road to Ōtāki River.....</i>	<i>40</i>
<i>Ōtāki River to Te Horo.....</i>	<i>41</i>
<i>Te Horo to Pekapeka.....</i>	<i>41</i>
Chapter 14 Mitigation of Cultural Impacts .....	44
Chapter 15 Te Horo Interchange .....	45
Chapter 16 Conclusions .....	45
Bibliography.....	47
<i>Published Sources.....</i>	<i>47</i>
<i>Periodicals.....</i>	<i>49</i>

---

<i>Booklets</i> .....	49
<i>Waitangi Tribunal Reports</i> .....	50
<i>Waikato University Library</i> .....	50
<i>Maori Land Court Records, Whanganui</i> .....	50
<b>SIGNIFICANT FIND POLICY for PP20</b> .....	<b>51</b>
<b>Various Maps</b> .....	<b>53</b>
<i>ML765</i> .....	53
<i>ML397</i> .....	54
<i>ML1273A</i> .....	55
<i>ML1047</i> .....	56
<i>ML258</i> .....	57
<i>ML932</i> .....	58
<i>ML2515</i> .....	59
<i>ML1009</i> .....	60
<i>ML1056</i> .....	61
<i>ML1493</i> .....	62
<i>ML261</i> .....	63
<i>ML591</i> .....	65
<i>ML339</i> .....	66
<i>ML326</i> .....	67

---

## Chapter 1 Introduction

- 1.1 NZ Transport Agency (NZTA) is at the stage of undertaking an investigation into options for the alignment of the Peka Peka to North Ōtaki Expressway (PP2O). The 4-lane Expressway project runs from the northern end of the Peka Peka Interchange (being investigated by the Mackays to Peka Peka Alliance) through to Taylors Road on the northern side of Ōtaki.
- 1.2 The NZTA Board approved the PP2O corridor plan allowing for access options at:
- 1.2.1 Te Horo – local access across the Expressway.
  - 1.2.2 South Ōtaki – north and southbound access to and from the Expressway and local access to the existing SH1.
  - 1.2.3 North Ōtaki - north and southbound connections to the Expressways and local access across the Expressway and rail corridor.
  - 1.2.4 As part of the scoping stage of the PP2O project, NZTA has requested a Cultural Impact Assessment (CIA) from the tangata whenua<sup>1</sup> of the project area. The tangata whenua are Nga Hapū-o-Ōtaki [“NHoO”] which comprises the 5<sup>2</sup> Ōtaki resident Ngāti Raukawa hapū. In the Muriwhenua Lands Report 1999 the Waitangi Tribunal stated that “the political units of Maori society were the descent groups called hapu.”<sup>3</sup>

---

1 RMA 1991, Part 1 Interpretation and application, **tangata whenua**, in relation to a particular area, means the iwi, or hapu, that holds mana whenua over that area.

2 Ngāti Huia ki Katihiku, Ngāti Pare, Ngāti Koroki, Ngāti Maiotaki and Ngāti Kapu.

3 Waitangi Tribunal, Muriwhenua Lands Report, Wai 45, 1999, p 28-29.

1.3 The objectives of this CIA are:

1.3.1 To document the cultural significance of the areas within which the PP2O is proposed, including the specific cultural values that maybe affected.

1.3.2 To identify the potential effects (both positive and adverse) on cultural values arising from the three options for the PP2O which are under investigation.

1.3.3 To identify appropriate measures to avoid, remedy or mitigate, where practical, any adverse effects of the PP2O alignment option on cultural values.

1.4 Identification of authors and description of their relevant knowledge and qualifications.

1.4.1 Te Waari Carkeek, Hearing Commission, Raukawa marae paepaetapu, contract historian writer, knowledgeable in:

1.4.1.1 Waiata tawhito/Moteatea.

1.4.1.2 Whakapapa.

1.4.1.3 Raukawatanga.

1.4.2 Rupene Waaka JP, Chairperson of Raukawa marae trustees & management committee, contract historian writer, and knowledgeable in:

1.4.2.1 Whakapapa.

1.4.2.2 Raukawatanga.

## Chapter 2 Ngāti Toa<sup>4</sup> Relationship to Rangitīkei, Manawatū and Horowhenua Districts

2.1 The history of the land that comprises the Peka Peka to Ōtāki Expressway (PP20) commences with the Ngāti Toa raupatu<sup>5</sup> that was led principally by Te Rauparaha, who was also Ngāti Raukawa. However the leading Ngāti Toa rangatira, namely Te Rauparaha, Te Rangihaeata, Tungia, Te Rako, Te Kakakura, Hiroa, Nohorua, Puaha, Tamaihengia and others had already travelled to Te Upoko-o-te-Ika [Wellington] with a joint Nga Puhi and Ngāti Whatua taua<sup>6</sup> led by Tuwhare and Murupaenga.<sup>7</sup> Ngāti Toa saw the south as an option for them, following the hostilities that were taking place in their home territory of Kawhia. Ngāti Toa first arrived in Rangitīkei, Manawatū and Horowhenua circa 1818. After defeating<sup>8</sup> Rangitāne, Muaūpoko and Ngāti Apa the mana of Ngāti Toa

---

4 Ngāti Toa also means Ngāti Toa Rangatira.

5 Raupatu = conquest, conquer, overcome or rau = 100, patu = strike.

6 Taua = war-party.

7 P Burns, *Te Rauparaha: A New Perspective*, (Reed, Wellington, 1980) p 55–63.

8 Biggs B, 'Letters from Ngati Toa chiefs at Porirua to Sir George Grey. Takapuwhahia, December 11th 1851 ...' *Journal of the Polynesian Society*, 1959, Vol 68, p 262-276.

extended from the Whangaehu River in the north to Te Koko-a-Kupe<sup>9</sup> in the south.

- 2.2 The establishment of Ngāti Toa mana whenua in this narrative is crucial because it allowed Ngāti Toa to exercise the tikanga of “tuku whenua”.<sup>10</sup>

### Chapter 3 **Attempt by Muaūpoko, Ngāti Apa and Rangitāne To Regain Their**

#### **Mana**

- 3.1 The battle of Waiorua<sup>11</sup> took place on Kāpiti Island. The year is somewhat unclear; however, Jock McEwen in his book *Rangitāne* suggests that it might have taken place in the year 1824.<sup>12</sup> This particular battle has long been recognised as the final act that saw the subjugation of the tribes that had lived in the Rangitīkei, Manawatū and Horowhenua districts prior to the heke<sup>13</sup> of Te Rauparaha and Ngāti Toa and the subsequent Ngāti Raukawa heke. For Muaūpoko, Rangitāne and Ngāti Apa it was their last opportunity under tikanga Māori,<sup>14</sup> to attack and defeat Te Rauparaha and Ngāti Toa, thereby restoring their mana<sup>15</sup> in the Rangitīkei, Manawatū and Horowhenua districts. However,

---

9 Cloudy Bay, South Island.

10 Tuku whenua = gifted land(s).

11 Also known as Whakapaetai and Umupakaroa [ie Umu=oven, paka = crisps or cooked consumerables, roa= long] Carkeek, page 18. See Ngarongo Iwikatea Nicholson brief of evidence 11 June 2003 Wai207/Wai785.

12 JM McEwen, *Rangitane: A Tribal History*, (Heinemann, Auckland, 1990) p 131.

13 Heke = migration.

14 Tikanga Māori = customs.

15 Mana = authority.

this was not to be, as the eminent 19th century lawyer, magistrate, politician and naturalist William Travers<sup>16</sup> wrote:

“... The result was in every way advantageous to his [Te Rauparaha] people, for no further attempt was ever made to dislodge them [Ngāti Toa], whilst they, on the other hand, lost no opportunity of strengthening their position and of wreaking vengeance on the Ngātiapa, Rangitane, and Muaupoko, the remnant of whom they ultimately reduced to the condition of the merest tributaries, many of the leading chiefs, including Te Hakeke, becoming slaves. It would be useless for me to give anything like a detailed account of the incursions of the Ngatitōa into the country on the main land, often extended as far as Turakina, in which numbers of the original inhabitants were killed eaten, or reduced to slavery; but it is perfectly clear that their power was completely broken, and that after Waiorua, the Ngatitōa and their allies found no enemy capable of checking their movements ...”<sup>17</sup>

3.2 The eminent historian, journalist and politician Thomas Buick<sup>18</sup> also wrote about the battle of Waiorua, that, “[t]hus the largest force which had ever been

---

16 William Thomas Locke Travers 1819-1903 see DNZB Vol. I p 547-548.

17 WTL Travers, *Some Chapters in the Life and Times of Te Rauparaha: Chief of the Ngatitōa*, (Capper Press, Christchurch, Reprint 1975) p 51.

18 Thomas Lindsay Buick 1866-1938 see DNZB Vol. III p 76-77.



marshaled during the Maori wars along this coast was defeated by one of the smallest ...”<sup>19</sup>

- 3.3 After the battle of Waiorua, Te Rauparaha and Ngāti Toa held mana whenua over the area from the Whangaehu River in the north to Turakirae in the south. This victory was a final emphatic statement of their mana whenua in this region. Ngāti Apa, Muaūpoko, Rangitāne or any other iwi collectively or individually from this time, never again attempted to regain their mana under tikanga Māori.

## Chapter 4 **Ngāti Raukawa relationship to the Land from Whangaehu to**

### **Kukutauaki: He Take Tuku Whenua**

- 4.1 Immediately after the battle of Waiorua victory by Te Rauparaha, Ngāti Toa and Ngāti Tama, the Ngāti Raukawa heke began from Maungatautari.<sup>20</sup>
- 4.2 However, some of the Ngāti Tama whanau of Te Rauparaha returned to their homeland in the Taranaki. This left Te Rauparaha vulnerable to counter attack. It was Te Puoho who fetched from Taranaki a considerable number of fighting men in a heke named Nihoputa. Several Ngāti Raukawa hapū, Ngāti Whakaterere and other men from Ngāti Pare and Ngāti Waihurihia who had escaped down the Whanganui river from a clash with Te Pehi Turoa of Whanganui, also joined this group. These men and those who were already living with Ngāti Toa on Kāpiti

---

<sup>19</sup> TL Buick, *An Old New Zealander*, (Whitcombe & Tombs, 1911) p 102.

<sup>20</sup> Near Cambridge in the Waikato district.

Island caused a considerable increase in the number of fighting men for Ngāti Toa. An additional Ngāti Raukawa force (Heke Karere) under Te Ahu Karamū and others further strengthened the position of their kinsman Te Rauparaha and Ngāti Toa.<sup>21</sup>

4.3 The Heke Karere was raised because Ngāti Raukawa had heard that their whanaunga<sup>22</sup> Te Rauparaha and his whanau had been killed. Therefore, under the bonds of whanaungatanga<sup>23</sup> Ngāti Raukawa had to come to Kāpiti Island to investigate. At that time two houses were built on the island. One house was for Te Rauparaha named Te Umu ki Ohau and the other for Te Rangihaeata named Te Umu ki Whanganui.<sup>24</sup> These houses were built to excite Ngāti Raukawa into raising a “*ngare taua*”.<sup>25</sup> Ngāti Raukawa were invited by Te Rauparaha to come to the south for the purpose of assisting in utu “on account of the murders [at night of his whanau by Muaūpoko] at Te Wi and Ohau.”<sup>26</sup> The Māori term for this particular invitation was “*whakataka taua*” which means assemble a war party. Waitohi, an elder sister of Te Rauparaha, was instrumental in persuading and securing Ngāti Raukawa acceptance to come and live among Ngāti Toa and Taranaki tribes. Therefore, with agreement being reached by all parties “Te

21 WTL Travers, *The Stirring Times of Te Rauparaha: Chief of the Ngāitōa*, (Whitcombe and Tombs Ltd, Christchurch) p 116.

22 Whanaunga = relatives.

23 Whanaungatanga = relationship(s), kinship(s).

24 Kāpiti Island case, Ōtaki Minute Book (“OMB”)[1874]2 p 436, evidence of Matene Te Whi Whi.

25 Ngarongo Iwikatea Nicholson, kaumatua Ngāti Raukawa and Ngāti Toa.

26 Manawatū-Kukutauaki case, OMB[1872-1873]1 p 145.

Rauparaha gave the land to Ahukaramu, Kuruho, & Tuhainuku (sic) this land was between Ōtaki on one side & Wangaehu the other.”<sup>27</sup>

4.4 As with all requests or invitations a gift was always given and in this instance, *tuku whenua*.

4.5 After the Heke Karere there were three other major migrations:

- Te Heke Whirinui 1826
- Te Heke Kariritahi 1827
- Te Heke Mairaro 1828<sup>28</sup>

4.6 On 4 July 1867 Parakaia Te Pouepa of Ngāti Raukawa wrote extensively on the major events that confirmed Ngāti Raukawa mana in the Rangitīkei, Manawatū and Horowhenua districts. Parakaia cites 1831 as the year in which Ngāti Raukawa gained the mana of the land:

“... Ko taua whenua kua riro noa mai ia matou i te rau o te patu o Ngāti Raukawa i te tau 1831 ...”

---

<sup>27</sup> *Ibid.* p 145-146.

<sup>28</sup> Ngarongo Iwikatea Nicholson, kaumatua Ngāti Raukawa and Ngāti Toa.

---

“... This land came into the possession of Ngāti Raukawa through conquest, in the year 1831 ...”<sup>29</sup>

4.7 Ngāti Raukawa came to the Rangitīkei, Manawatū and Horowhenua districts under the tikanga of whakataka taua. The customary payment in this case by Te Rauparaha and Ngāti Toa, which accompanied this tikanga,<sup>30</sup> was made in the form of “gifting” part of the conquered lands. However, the various heke of Ngāti Raukawa to this area unequivocally did not have free passage to the conquered lands; therefore, the principles of raupatu were affected by Ngāti Raukawa on the local iwi. These actions combined with the actions of Te Rauparaha and Ngāti Toa clearly established Ngāti Raukawa mana whenua at 1840 to the rohe of Whangaehu and Kukutauaki.

4.8 At Te Horo and the surrounding locality the Ngāti Tama and their leader Te Puoho along with the Ngāti Raukawa sub tribes of Ngāti Whakātere, Ngāti Kauwhata and Ngāti Pare lived peaceably besides one another. This situation was to remain until 1834 when more arrivals from the north changed this relationship and caused disagreement between the sub tribes from Taranaki and the sub tribes of Ngāti Raukawa.

---

29 Petition from Parakaia Te Pouepa to Queen Victoria, 4 July 1867. Bishop Selwyn papers, Waikato University Library.

30 Tikanga = custom(s).

4.9 The sudden exodus of tribes in the Taranaki district was caused by a great amount of pressure from hostile Waikato tribes raiding their homelands from the North. In 1833 the battle of Pukerangiora triggered the largest migration from the Taranaki region called Tama Te Uaua. They came south seeking safety and a new home for their people. Those who were part of this heke came from many tribes which included the Ngāti Mutunga, Ngāti Tawhirikura, Ngāti Te Whiti, Puketapu Iwi and some sections of Ngāti Tama wishing to return to their relatives. It was the arrival of these people that led to a series of battles from Rangiuru, Pākākutu and Haowhenua fought on lands between Ōtaki and Te Horo; it was reputed to be one of the largest intertribal wars in the southern half of the North Island. Initially it was between those of Ngāti Raukawa from Ōtaki and sections of Taranaki from Pukerangiora. The basis of the dispute was the actions of Tawake a man from Te Ati Awa who went to Ōtaki and took food without the owners' permission (*whanako kai*). He was discovered by the owner of the cultivation site, Te Whakaheke<sup>31</sup> of Ngāti Kapu who promptly captured and disposed of the thief by cutting off his head.

4.10 The situation quickly deteriorated and a combined Taranaki war party arrived in front of the Ngāti Raukawa pā at the mouth of the Ōtaki River. It was here that the challenge of war was laid. The battle created a bitter rift between the alliances that existed between Ngāti Toa, Ngāti Raukawa and Taranaki. Some

---

31 Pukehou No 4D aka Ngatotara case OMB[1894]21 p 98.

Ngāti Toa tribal members were adversely affected by these events causing a split and relatives taking sides with one or other of the warring parties.

4.11 As the various sections of each tribe became more embroiled in this dispute their friendships and unions became increasingly stressed. Te Puoho the Ngāti Tama leader who lived relatively peacefully with his Ngāti Raukawa brethren did not take part in the dispute but removed himself and his family to Kāpiti Island where they waited out the dispute.

4.12 Te Rauparaha and Te Rangihaeata preferred to support their Ngāti Raukawa relatives and actively took part in the defence of the Ōtāki and Rangiuru pā sites where they were influential in deciding to send for assistance to their old adversaries in Waikato and Maniapoto. The messengers were successful in rousing the Whanganui River chief Te Pehi Turoa to the Ngāti Raukawa cause. The Ngāti Tuwharetoa chief Te Heuheu and the Waikato chief Potatau Te Wherowhero including the whole of the Ngāti Maniapoto tribe with typical staunchness all responded to the call and descended upon Ōtāki for the promise of distinction in battle.

4.13 The arrival of such a large war party in the district quickly changed the tide of war in favour of Ngāti Raukawa. The Northern armies in their thousands advanced on the pā of Taranaki (*Haowhenua*). The warring parties equipped with muskets and ammunition met equal resistance and no clear advantage was gained. During the

battle some notable persons were lost from both sides however; many lesser known persons were lost in great numbers by both sides. The Taranaki people lost such notables as Te Tupe o Tu, Te Waka and Te Hau Te Horo and the northerner’s lost Te Hiko and Papaka Te Naeroa, the latter being the younger brother of Te Heuheu Tukino (*The Second*) from Ngāti Tuwharetoa. The significance of these losses was greatly felt by both sides. The significance of which was not lost on Te Heuheu who memorialised these events in a lament for his younger brother Papaka (*Waiata Tangi mo Papaka Te Naeroa*<sup>32</sup>) The personages of standing from Taranaki such as Te Tupe o Tu and Te Hau Te Horo being acknowledged as recompense enough for the death of Papaka.

- 4.14 Te Heuheu composed his lament for his younger brother Papaka Te Naeroa. In this song he describes the causes of battle and the places traversed by the competing war-parties.

*Taku tiro tiro noa....*

*Taku hono tatai ka wehe koe i ahau*

*Te murau a te tini te wenerau a te mano*

*Taku manu tioriori*

*No nga hau papangarua ki Te Tonga*

*Ko Te Tupe-o-Tu ko Te Hau-Te-Horo*

*Ka whakairi te Toa*

---

32 Nga Moteatea Part I, p 210-215.

*Rangatu atu ra*

*Nga titahatanga i roto o Pahiko*

*He kautere nga nui*

*Na Koutou nga taumata i Te Horo*

*E whakamakuru ana*

*Ko Aitua tonu*

*Ko Tiki raua ko te Toa.....*

Translation of words above.....

*I look about in vain,*

*My own kin, for you have departed from me.*

*The dread of the multitude, the envy of thousands*

*My bird so alluring!*

*T'was with the winds contending in the south*

*With Te Tupe-o-Tu and Te Hau-Te-Horo*

*A brave was borne on high!*

*Go forth boldly*

*By the winding ways in the vale of Pahiko*

*Where the many went*

*And you all did ascend the heights at Te Horo*

*It was the lure of death indeed*

*It was the spirit of Tiki and the urge of the brave*



4.15 Place names associated with the battle of Haowhenua;

4.14.1 *Te Matenga o Te Tupe* – the place where the Otaraua [Taranaki] leader Te Tupe o Tu was killed by Taonui of Ngāti Maniapoto during the battle of Haowhenua

4.14.2 *Te Waka*<sup>33</sup> – the name of a Taranaki warrior and person of note who was killed during the battle of Haowhenua.

4.14.3 *Te Whakahokihiahia*<sup>34</sup> – the site where the army of Ngāti Raukawa gathered their forces and the desire for revenge was expressed. The retaliation on Haowhenua pā began from this place.

4.14.4 *Haowhenua* – the name of the Taranaki pā site hence the name of the battle that took place in 1835 near to Mary Crest site.

4.14.5 *Makahuri* – a reference to a grove of Kahikitea trees, a description for the way they sway with the wind.

4.14.6 *Waitaheke and Puruaha* – small streams flowing into the Tasman Sea between these two streams pass the Mary Crest site to the south. The

---

<sup>33</sup> Marked on ML339 - Ngakaroro 2F [Te Waka is section 20] see page 65.

<sup>34</sup> Marked on ML4235 folio 8.

northern war parties performed rituals and exercised themselves with haka before engagement in the battle of Haowhenua.

4.14.7 *Tioriori* – name of wetlands west of Makahuri named for the singing and the sound of an accomplished traditional bard mentioned in the lament for Papaka Te Naeroa.

4.14.8 *Taranaki* – A block of land near Te Horo beach named for the people from Taranaki who settled this area at one time

4.14.9 *Te Horo* – Scud Macdonald a well-known 20<sup>th</sup> Century non-Māori Te Horo personality who spoke Maori fluently and lived on Te Waka Road; wrote that according to his elderly Maori neighbour, Mrs Ani Marino, had told him that Te Hau-Te-Horo a Te Ati Awa chief was killed in the battle of Haowhenua on a hill behind Mary Crest; this was her explanation on how Te Horo got its' name.

4.16 Later during the 1874 investigation by the Native Land Court into these lands and in evidence given by Moroati Kiharoa of Ngāti Pare; he described the places where the Haowhenua fight took place.

*...Te Puoho came from Maraekuta to Otaki – his hapu were living with*

*Ngati Whakatere at Te Horo, He gave the land to Ngati Pare – Te Waha o*

*te Marangai – Otuwhatu – Tarehu – Te Pare o Puoho – Te Pa o Taonui –  
Apa – Whakahokihiahia – Makahuri – Te Horo – and Te Hapua all these  
places were given. I am only tracing places - Haowhenua fight took place  
– people were killed. Puoho came a second time he brought powder –  
shot and lead – he went away to Kapiti – he did not take part in  
Haowhenua...<sup>35</sup>*

4.17 Peace was eventually proposed. Some say Nini of Waikato was the first to approach Taranaki at Haowhenua pā, where he was favourably received. A Taranaki representative then accompanied Nini for further talks with Ngāti Raukawa and their northern allies. Te Heuheu is said to have agreed to the peace proposal and broke a taiaha across his knee to symbolise the end of fighting with his words;

*“Hei konei e Te Ati Awa! E kore au e hoki mai. Ki te tae mai he iwi hei patu I a koe ka mate”.<sup>36</sup>*

*“Farewell, Te At Awa! I will not return. If any tribe comes to make war on you, they will die”.*

---

<sup>35</sup> Ngakaroro case OMB[1874]2 page 383.

<sup>36</sup> W Carkeek, *Kapiti Coast*, AH & AW Reed, Wellington 1966 page 41.

4.18 No clear victor had emerged, and sadly for Te Rauparaha, the fighting had resulted in the shattering of the coalition of inter-Iwi co-operation but for Ngāti Raukawa and the Taranaki coalition it firmly fixed the boundary lines between each other as set down all those years before through the invitation of Waitohi.

## Chapter 5 **Kawanatanga 1840-1862**

5.1 Prior to and between the period 1840-1862 agreements between the conqueror and the conquered of the Rangitīkei, Manawatū and Horowhenua districts were made. This is not an unusual tikanga. However, over the passage of time the Native Land Court, the conquered iwi, the Crown and some non-Māori historians have interpreted this tikanga to mean that Ngāti Raukawa did not conquer the local iwi. Without going into another historical narrative, Ngāti Raukawa simply states that raupatu did occur.

5.2 Article II of the Treaty of Waitangi guaranteed Māori:

“the full, exclusive, and undisturbed possession of their lands and estates, forests, fisheries, and other properties which they may collectively or individually possess, so long as it is their wish and desire to retain the same in their possession; but the Chiefs of the United Tribes and the individual Chiefs yield to Her Majesty the exclusive right of pre-emption over such lands as the proprietors thereof may be disposed to alienate, at such process as may be agreed upon between

the respective proprietors and persons appointed by Her Majesty to treat with them in that behalf.”

Ngāti Raukawa understands Article II to mean that the crown had first purchase option (pre-emption) on those lands, which might or may not be required for their use. However, one treaty partner being the crown under its Article I rights implemented legislation without consultation with its other treaty partner.

5.3 For example the:

“office of Native Secretary that replaced the Protector of Aborigines was a clerical position without statutory powers or delegated authority. The various Secretaries’ work was mainly to promote land purchase, though they also arranged hospitality for visiting chiefs and settled disputes as they moved through the country during their land purchase negotiations. In addition, Grey created a series of Native Land Purchase Commissioners and eventually made Donald McLean, formerly of the Protectorate Department, the Chief Land Purchase Commissioner in 1850.”<sup>37</sup>

---

<sup>37</sup> GV Butterworth *Maori Affairs A Department and the People* (Iwi Transition Agency, Government Print, Wellington, 1990) p 25.

The role of these offices was not to wait for Māori to decide when to exercise the pre-emption right but to actively pursue, promote and cajole land purchases.

5.4 Another example was the creation of the Native [Māori<sup>38</sup>] Land Court. The procedures to set up a Native Land Court were created by statute with the introduction of The Native Lands Act 1862. However, the Native Land Court was finally formed with the introduction of The Native Lands Act 1865.

5.5 For iwi Māori within the Rangitīkei, Manawatū and Horowhenua districts this new tikanga was to affect all. More so Ngāti Raukawa the conqueror had to compromise their tikanga to combat their treaty partner’s new tikanga. Sian Elias is cited in the Mohaka River claim, that it is :

“important to recognise that Maori cultural precepts of hospitality and sharing are not to be seen as a relinquishment of ‘ownership’ but as an exercise of rangatiratanga.”<sup>39</sup>

## Chapter 6 **New Zealand Company, 1839-1850**<sup>40</sup>

6.1 The New Zealand Company (NZC) sailed from England in the “Tory” and landed off Kāpiti Island on the 16 October 1839. This then is the “settler invasion”.

---

<sup>38</sup> Sections 2-10 of The Native Purposes Act 1947 removed Native from legislation and Māori was substituted.

<sup>39</sup> Waitangi Tribunal Report 1992, 6 WTR 62, p 55.

<sup>40</sup> In 1850 the NZC surrenders its charter to the Crown. The Crown now inherits all the land orders and scrip it promised the company.

6.2 On the 25 October 1839 the NZC transacted a land deed, which conveyed to the company, a large tract of land from the 43<sup>rd</sup> parallel in the South Island to a point north of the Whanganui river mouth. Nine Ngāti Toa chiefs signed the deed. Te Rauparaha who was also Ngāti Raukawa was one of the signatories.

6.3 In November 1839 the NZC<sup>41</sup> recorded the population of the area as follows:

Name of Place of residence	Collective name of tribe	Specific name of tribe	Number
Otaki	Ngatirocowa	Ngatirocowa	1000
Manawetu	Kafia	Panahida	100
Wanganui	Wanganui	Wanganui	1500

6.4 It is interesting to note there were no other iwi recorded inland between Ōtaki and Whanganui. Ngāti Raukawa states that the original iwi were at this time hiding in the Tararua’s<sup>42</sup> and under the protection of Te Whatanui a principal Ngāti Raukawa chief.

41 New Zealand Company Report Number 12 in Vol Two, Appendix F, p (129F) 433.

42 BPP NZ 2, Appendix 9, p 351.

- 6.5 As a consequence of the Hutt incident<sup>43</sup> the NZC on the 22 July 1843 interviewed Te Rauparaha and Ngāti Raukawa in Ōtaki.<sup>44</sup> At the same time it was publicly announced that Commissioner Spain was about to hold his court in Manawatū.
- 6.6 This chapter indicates that land transactions within the Kāpiti, Horowhenua, Manawatū and Rangitikei districts in the period 1839-1845, were solely between the New Zealand Company and Ngāti Raukawa.

## Chapter 7 **Native Secretary Report 1850**<sup>45</sup>

- 7.1 In 1850 the Native Secretary H. Tacy Kemp commented on Ōtaki as follows:

“Distant from Waikanae about 10 miles, beach road, is situated about two miles inland, and is the head quarters of the tribe commonly called Ngatiraukawa. Otaki, I think, is the best specimen of anything like a new or regular system of Maori settlement anywhere to be found in New Zealand ... There are also two water-mills in progress of erection. One of them, the property of the Catholic natives, is now nearly completed; the cost of which, I am told, will not be less than 800/. These two mills completed, they will be, in point of comfort and actual wealth, better off than any natives I know, and the consumption of flour much more

---

43 R Grover, *The Cork of War Ngāti Toa and the British Mission, an Historical Narrative* (John McIndoe, Dunedin, 1982).

44 New Zealand Company Report Number 12 in Vol Two, Appendix H, p (85H) 555.

45 NZ Gazette, Province of New Munster, Vol III, No. 16., Wellington, 24 August 1850.



general than it is now. They have also near 100 head of cattle, well selected, and in good condition. Total native population, 664.”

- 7.2 This 1850 native secretary report indicates the building of two flourmills in Ōtaki. One mill was beside the Haruatai Stream and now commemorated by the naming of Mill Road. The other mill was near the “old course” of the Waitohu Stream.

## Chapter 8 **1872-1873: Native Land Court**

- 8.1 The establishment of the native land court for one thing individualised traditional communal title and on the other it became or:

“seemed the most expedient way of bringing Maori land on to the [open] market.”<sup>46</sup>

- 8.2 For the Expressway Preferred Option, the major title investigation by the native land court was conducted in the years 1872-1873.<sup>47</sup> At that time the NHO/Ngāti Raukawa claims for the Expressway Preferred Option lands were roughly from the mouth of the Manawatū River south along the sea coast to the mouth of the Kukutauaki Stream, turning east to the Tararua Ranges, turning north along the ranges to the source of the Manawatū River then down that river

---

<sup>46</sup> George Asher and David Naulls *Maori Land* (New Zealand Planning Council, Wellington, March 1987) p 29.

<sup>47</sup> Manawatū-Kukutauaki case OMB[1872-1873]1.

to the starting point. This native land court case became known as the Manawatū-Kukutauaki Block.

8.3 The native land court opened on the 5 November 1872 at Foxton. The claimants were NHO/Ngāti Raukawa and their co-claimants were Ngāti Toa and Te Āti Awa. Hare Wirikake was their representative and Mr. Buckley their unofficial legal adviser.

8.4 The counter-claimants being firstly represented by Major Kemp were Muaūpoko, Rangitāne, Ngāti Kahungunu, Ngāti Apa and Whanganui. However Major Kemp “stated that Hoani Meihana would conduct their case as he did not feel he could do so.”<sup>48</sup> Mr. Cash was their unofficial legal adviser. Witnesses for the counter-claimants were Hoani Meihana (Rangitāne), Major Kemp (Whanganui), Kawana Hunia (Whanganui), Peeti Te Awe Awe (Rangitāne), Hamuera Te Raikokirikiri (Ngāti Apa), Hakaraia Rangipouri (Ngāti Apa ki Rangitīkei), Kerei Te Panau (Ngāti Apa ki Rangitīkei), Karaitiana Korouoterangi (Wairarapa), Matiaha Mokai (Wairarapa) and Ihaia Whakamairu (Wairarapa). Their case closed on the 30 November 1872.

8.5 NHO/Ngāti Raukawa opened their case on the 2 December 1872 and finished on the 9 December 1872. Witnesses for the claimants were Ihakara [Tukumarū],

---

<sup>48</sup> Manawatu-Kukutauaki case OMB[1872-1873]1 p 20.

---

Matene Te Whiwhi (Treaty signatory), Rev. Henare Te Herekau,<sup>49</sup> Huru Te Hiaro (Rangitāne), Francis Robinson (lessee), Thomas Upperdine Cook (settler).

8.6 The claimants and the counter-claimants presented their closing submissions to the presiding judge on the 9 December 1872. The case was then adjourned and judgment delivered on the 4 March 1873 at Foxton. An extract of the judgment reads:

“[t]hat sections of the Ngatiraukawa Tribe have acquired rights over the said block which according to Maori custom and usage constitute them owners thereof (with certain exceptions) together with Ngatitōa and Ngatiawa whose joint interest therein is admitted by the claimants.

That such rights were not acquired by conquest but by occupation with the acquiescence of the original owners.

That such rights had been completely established in the year 1840 at which date sections of Ngatiraukawa were in undisputed possession of the said Block of land excepting two portions thereof viz.

1. A portion of the Block the boundaries whereof are not yet defined situate at Horowhenua claimed by Muaupoko Tribe of which they

---

<sup>49</sup> Created a Deacon in 1871, E Ramsden, *Rangiatea: The Story of the Otaki Church its First Pastor and its People*, (Reed, Wellington, 1951) p 297.

appear to have retained possession from the time of their ancestors and which they continue to occupy.

2. A portion of the Block at Tuwhakatupua on the Manawatu River (boundaries not defined) claimed by a section of the Rangitane Tribe whose interest therein is admitted by the claimants And

The court finds

That the Ngātiapa, Whanganui and Ngāti Kahungunu Tribes have no separate Tribal rights as owners of any portion of the said Block nor any interest therein beyond such as may avail from connection with the Muaupoko residents at Horowhenua.

That the Rangitane as a Tribe have no rights as owners of any portion of the said Block nor any interest therein beyond such as may arise from connection with Muaupoko resident at Horowhenua or with that section of Rangitane whose claims at Tuwhakatupua are admitted by the claimants.”<sup>50</sup>

8.7 In the August 1996 Waitangi Tribunal commissioned Rangahaua Whanui District 12 report for the Wellington District, Dr Robyn Anderson and Keith Pickens concluded that:

---

<sup>50</sup> Manawatu-Kukutauaki case OMB[1872-1873]1 p 176-178.

“Yet while the Kukutauaki decision contained a measure of justice, and some commonsense, it does appear to be a contrived judgment, based on a far-fetched interpretation of the historical evidence. To say that the original inhabitants of Kukutauaki were never conquered seems wrong; to say that Ngāti Raukawa did not conquer the land may be historically correct; to say that they occupied the land with the ‘acquiescence of the original owners’, is, however, to deny the historical realities.”<sup>51</sup>

8.8 Furthermore in the 2002 Office of Treaty Settlements report it is stated that:

“The denial of Raukawa’s right through conquest helped to defuse a potentially violent confrontation between the opposing tribes in the region. The apparently illogical denial of rights to those groups who had ‘acquiesced’ in Raukawa’s arrival reflected the Court’s emphasis on continued occupation/residence up to the present time.”<sup>52</sup>

8.9 The result for NHoO/Ngāti Raukawa was that they were declared the owners under the new tikanga pakeha of the block except a portion known as Tuwhakatupua and Horowhenua.

---

51 Dr Robyn Anderson and Keith Pickens Rangahaua Whanui District 12 Wellington District: Port Nicholson, Hutt Valley, Porirua, Rangitikei, and Manawatu (Waitangi Tribunal, August 1996) p 201.  
52 Iwi Interests in the Manawatu, c.1820-c.1910, A report for the Office of Treaty Settlements, Dr Diana Morrow, May 2002, p 56.

---

## Chapter 9 Ngāti Raukawa Use of the Land<sup>53</sup>

9.1 Ngāti Raukawa uses of the various blocks were stated in the various Native Land Court hearing. Where appropriate these uses are expounded in Chapter 10.

## Chapter 10 1873-1900's: Settling on The Land by Ngāti Raukawa

10.1 With Ngāti Raukawa now having Kawanatanga title to the Manawatū-Kukutauaki Block excepting Tuwhakatupua and Horowhenua, they set about subdividing under tikanga Pākēha their Ngāti Raukawa whanau/hapū/iwi entitlements. Therefore the expressway land blocks are as follows:

### Taylor's Road to Rahui Road

10.1.1 Pukehou 5L<sup>54</sup> Block. Its name taken from the larger natural hill to the east of the main highway north of Ōtaki rail.

10.1.2 Pukehou 5K<sup>55</sup> Block.

10.1.3 Pare-o-Matangi<sup>56</sup> Block or Awahohonu B. Te Pare-o-Matangi takes its name from a Ngāti Maiotaki chief, who places his Huia feather in the bough of a Totara tree overlooking the expressway designation. Matangi was killed in the 1834 battle of Haowhenua. He had a younger

---

53 Pursuant to s 6(e) Resource Management Act 1991.

54 Land Information New Zealand (LINZ) map ML765 see page 53.

55 LINZ map ML397 see page 54.

56 Name incorrectly recorded by LINZ as PAREOMATANGAE. W Carkeek, *Kapiti Coast*, AH & AW Reed, Wellington 1966, p 134.

brother named Kingi Te Aho Aho, who signed the Treaty of Waitangi at Rangiuru Pā, Ōtaki.

10.1.4 Te Manuao<sup>57</sup> Block. This name refers to the large forest that once stood upon this land which was a favorite bird snaring place of our tupuna.

10.1.5 Awahohonu<sup>58</sup> Block. This name refers to the deep tributary of the Ōtaki river which at times of high water flow provided a spill way for flood waters to flow through.

### **Rahui Road to Ōtaki River**

10.1.6 Matitikura<sup>59</sup> Block. This name is connected with the custom of washing, cleaning and preparation of tupapaku for the funeral practices of our people.

10.1.7 Te Moutere Hanganōaiho<sup>60</sup> Block. The name refers to the flooding of low lying land around the rail area and the natural high ground that provided safety in times past from the flood water of the Ōtaki river.

---

57 LINZ map ML397 see page 55.

58 LINZ map ML1047 see page 56.

59 LINZ map ML258 see page 57.

60 LINZ map ML932 see page 58.

10.1.8 Hanganoaiho<sup>61</sup> Block. The name refers to the building of temporary shelter structures.

10.1.9 Te Awaroa<sup>62</sup> Block. Another pathway for flood waters from the Ōtāki river to pass in extreme times.

10.1.10 Totaranui 1<sup>63</sup> Block. This block was named for the forest of Totara trees located close to the north side of the Ōtāki river.

10.1.11 Te Ngae<sup>64</sup> Block. As the name suggest the place is akin to an umbilical cord of the mother to her child, the cord is cut at birth but the connection between a mother and child is never broken.

### **Ōtāki River to Te Horo**

10.1.12 Kaingaraki 3<sup>65</sup> Block. This place was named for its proximity to the sheltering totara grove which sheltered this place from the cold south wind.

10.1.13 Kaingaraki 2<sup>66</sup> Block.

---

61 LINZ map ML2515 see page 59.  
62 LINZ map ML1009 see page 60.  
63 LINZ map ML1056 see page 61.  
64 LINZ map ML1493 see page 62.  
65 LINZ map ML261 see page 63.  
66 LINZ map ML274 see page 64.



10.1.14 Kaingaraki 9<sup>67</sup>Block.

10.1.15 Waha-o-te-Marangai<sup>68</sup> Block. The name refers to the time of the battle of Haowhenua, literally it means the, ‘mouth of the angry storm’, one of the place where the Ngāti Raukawa party emerged to head south and do battle with Taranaki at the time of the Haowhenua battle..

10.1.16 Wao-pukatea<sup>69</sup> Block. Named for the grove of Pukatea trees that once grew at this place.

10.1.17 Ngakaroro 3D<sup>70</sup> Block or Karu-o-te-whenua. This name is from the time of the battle of Haowhenua when the warriors circled around the enemy camp like a flock of seagulls waiting to swoop upon their prey. The Karu is literally translated as, ‘eye of the land’.

## **Te Horo to Pekapeka**

10.1.18 Ngakaroro 2F<sup>71</sup> Block.

---

67 LINZ map ML591 see page 65.

68 W Carkeek, *Kapiti Coast*, AH & AW Reed, Wellington 1966 p 150.

69 *Ibid.* p 155.

70 *Ibid.* p 116.

71 LINZ map ML339 see page 66.

---

## Chapter 11 **Kaitiakitanga**<sup>72</sup>

11.1 NHO declares that it has never alienated its rights to the management of whanau/hapū/iwi resources in keeping with the notions of Kaitiakitanga. The Treaty of Waitangi was an affirmation of that right and although NHO has always welcomed “progress” and “growth”, this right of Kaitiakitanga has never been alienated.

11.2 NHO has Kaitiakitanga over the expressway land because our mana whenua was established prior to 1840. Furthermore, the Crown purchases were solely from our Ngāti Raukawa tupuna. Therefore the Expressway preferred option does not interfere with NHO/Ngāti Raukawa Kaitiakitanga over the land, as NHO/Ngāti Raukawa will always continue to have mana whenua over it.

## Chapter 12 **Principles of the Treaty of Waitangi**<sup>73</sup>

12.1 NHO/Ngāti Raukawa in the main, signed the Treaty of Waitangi on the 19 May 1840 at “Rangiuru” pā, which was near the mouth of the Ōtāki River. Some of these signatories were claimants to the lands at Te Horo. The signing of the Treaty of Waitangi by various chiefs of NHO/Ngāti Raukawa confirms our claims and is an expression of Raukawa ownership, administration, kaitiakitanga and management of their lands, waterways and taonga.

---

<sup>72</sup> Pursuant to s 7(a) Resource Management Act 1991.

<sup>73</sup> Pursuant to s 8 Resource Management Act 1991.

12.1.1 Signed on 14 May 1840 at Kāpiti, witnessed by Henry Williams and Octavius Hadfield:

12.1.1.1 Te Rauparaha. Iwi - Ngāti Toa/Raukawa. Hapū is described as Ngāti Kimihia for Toa and Ngāti Huia for Raukawa.

12.1.1.2 Katu aka Tamehana Te Rauparaha is the son of Te Rauparaha and he has the same allegiances as his father.

12.1.1.3 Te Wiwi aka Henare Matene Te Whiwhi is a maternal grand-nephew of Te Rauparaha. Iwi - Ngāti Toa/Raukawa. Hapū - Ngāti Kimihia for Toa and Ngāti Huia for Raukawa.

12.1.1.4 Topeora aka Rangi Topeora a maternal niece of Te Rauparaha. Iwi - Ngāti Toa/Raukawa. Hapū - Ngāti Kimihia for Toa and Ngāti Huia for Raukawa.

12.1.2 Signed on 19 May 1840 at Rangiora Pā, Ōtāki, witnessed by Henry Williams and Octavius Hadfield:

12.1.2.1 Te Ruru. Iwi - Ngāti Raukawa hapū Ngāti Huia.

12.1.2.2 Matia aka Matenga Te Matia. Iwi - Ngāti Raukawa hapū Ngāti Pare.

12.1.2.3 Kiharoa. Iwi - Ngāti Raukawa hapū Ngāti Pare, Ngāti Huia.

12.1.2.4 Te Puke aka Kingi Hori Te Puke. Iwi - Ngāti Raukawa hapū Ngāti Pare.

12.1.2.5 Toremi aka Horomona Toremi. Iwi - Ngāti Raukawa hapū  
Ngāti Kahoro.

12.1.2.6 Te Ahoaho aka Kingi Te Ahoaho. Iwi - Ngāti Raukawa hapū  
Ngāti Maiotaki.

12.1.2.7 Tahurangi aka Ihakara Tukumarū. Iwi - Ngāti Raukawa hapū  
Ngāti Ngarongo .

12.1.2.8 Kehu – unknown.

12.1.3 Signed on 26 May 1840 at Tawhirihoe, Manawatū:

12.1.3.1 Witiopai aka Hori Whitiopai. Iwi - Ngāti Raukawa hapū  
Ngāti Maiotaki

12.1.4 Signed on the 19 June 1840 at Mana Island:

12.1.4.1 Te Rauparaha.

12.2 Therefore the Treaty is the backbone of all NHO/Ngāti Raukawa claims to ownership, administration, Kaitiakitanga and management of our taonga. NHO/Ngāti Raukawa believes that this claim is affirmed in the Treaty.

12.3 For NHO/Ngāti Raukawa the Treaty meant that it would find expression in perpetuity.

12.4 The use of “the principles of the Treaty” was designed by parliament to overcome a number of problems associated with considering the literal words of the Articles of the Treaty in isolation. It reflects that the English and Māori texts are not translations one of the other and do not convey precisely the same meaning.<sup>74</sup> However, the international rule of *contra preferendum* requires that any international Treaty that has two interpretations should be recognised in the language of the Indigenous Peoples. The New Zealand Government has chosen not to apply this rule to the Treaty of Waitangi. Instead, the government have decided to extract principles from the Treaty text as a basis for interpreting the Treaty.

## Chapter 13 Ngāti Raukawa Assessment of Environmental Effects

13.1 The expressway will affect the various blocks as itemised at chapter 10. Whereas NHO is the tangata whenua we acknowledge that within these blocks some parcels are still “māori owned land”<sup>75</sup> held by whanau and that they are interacting with NZTA for themselves.

13.2 From our research of the aforementioned itemised blocks, we submit the following:

### **Taylor's Road to Rahui Road**

---

<sup>74</sup> Taking into Account The Principles of the Treaty of Waitangi Ministry for the Environment, January 1993, p 8.

<sup>75</sup> See paragraph 14.1.

13.2.1 Between these roads there is a high probability<sup>76</sup> of significant site damage that is known and unknown. The following are noted:

13.2.1.1 Pukehou 5L Block. Part(s) of this land near SH1 is still under Māori ownership and title. The use of part of this land for the expressway and associated taking of the land by the Crown will have an adverse effect on the cultural value of the entire block. Discussions with the land owners will need to be engaged to dispel concerns about loss of land and cultural values as this land has never been alienated from Maori ownership

13.2.1.2 Pukehou 5K Block. Part(s) of this land is still under Māori ownership and has been<sup>77</sup> before the Māori Land Court. The use of part of this land for the expressway and associated taking of the land by the Crown will have an adverse effect on the cultural value of the entire block and further discussion will need to take place with them.

---

<sup>76</sup> Requirement for earthworks “monitor” pursuant to a protocol as well as an accidental discovery protocol at pages 51-52. See page 22 of January 2003 Mary O’Keeffe, Heritage Solutions report on Otaki-Te Horo Proposed Expressway.

<sup>77</sup> Refer to Aotea MLC A19990006962 : Section 321/93-Pukehou 5K.

13.2.1.3 Pare-o-Matangi Block. This is a block of land of special significance to Ngāti Raukawa as the name is derived from the tikanga of “taunaha whenua” that is when a chief reserved the land by naming it after a portion of his body. The chief in this instance being Matangi of Ngāti Maiotaki. Furthermore, in the 1860-1890 period a Hauhau community existed on this and adjacent block(s). Part(s) of this block is still under Māori ownership. This block is severed by the current highway and includes part of the now Pare-o-Matangi Reserve. Although only a small area of this block is required for the expressway, it is not possible to distinguish the cultural significance of this area from the block as a whole. We note that there will be culvert works on the Mangapouri and that this will not interfere with our kaitiakitanga.

13.2.1.4 Te Manuao was a former clearing and kainga of Ngāti Raukawa. Although the plan in Adkin shows the kainga to be located east of the existing highway in the vicinity of Te Manuao Road, the clearing extended further to the west across the proposed expressway. This area contains sites of cultural and spiritual significance:

13.2.1.4.1 Rawiri Rota “...Paramena had joined the Hauhaus before but he shifted his dwelling place to Pareomatangi to be near there I know that Paramena used to hold Hauhaus ceremonies at his other places but it was more convenient for him to be at Pareomatangi...”<sup>78</sup>

13.2.1.4.2 Ketewhia Takarore “...The Hauhaus lived on Cootes land at Te Manuao when Paramena erected the house at Pareomatangi...”<sup>79</sup>

13.2.1.4.3 Te Rikihana te Tarure “...Did not hear that the house was erected there to make it more convenient for Paramena to attend Hauhaus ceremonies ... The Hauhaus had become disposed about that time I knew that Hauhaus were living at Manuao...”<sup>80</sup>

## **Rahui Road to Ōtāki River**

13.2.2 Between these roads there is a low probability<sup>81</sup> of sites of significance and damage of discreet sites is an unknown.

---

78 Awahohonu B case OMB[1894]23 page 263.

79 Awahohonu B case OMB[1894]23 page 282-283.

80 Awahohonu B case continued in OMB[1894]24 page 27.

81 Refer 13.2.1 and footnote 76.



13.2.2.1 Moutere Hanganoaiho Block. Part(s) of this block is still under Māori ownership.

### **Ōtāki River to Te Horo**

13.2.3 Between these roads there is a low probability of wāhi tapu or sites of significance, however site is unknown.

13.2.3.1 Ngakaroro 3D or Karu-o-te-whenua was a clearing of Ngāti Turanga. It was situated between the main highway and the Te Waka Road a little to the north of “Tarata”<sup>82</sup> at Te Horo. This area is not affected by the expressway.

### **Te Horo to Pekapeka**

13.2.4 Between these roads there is a low probability of wāhi tapu or sites of significance, however care will need to be observed when dealing with sites that are unknown.

13.2.4.1 Te Horo pā<sup>83</sup> is situated within the Ngakaroro No 2F Reserve. The pā was located on early maps as south of Mary Crest to the east of the existing SH1 and railway. It has now come to

---

82 W Carkeek, *Kapiti Coast*, AH & AW Reed, Wellington 1966 page 143.

83 LINZ map ML326 see page 67.

pass that a pā site of significant body exists above the Mary Crest complex. It is not affected by the proposed expressway route as a result of realignment pursuant to the walkover and Opus/NHoO workshop on the 18 November 2011.

13.2.4.2 Te Waka<sup>84</sup> is the name of a cultivation area. Name of the spot where the Te Āti Awa rangatira Te Tupe-o-Tu, Te Hau te Horo and Te Waka were chased and eventually killed. This area is also west of the existing highway and is not adversely affected by the expressway.

13.2.4.3 Makahuri<sup>85</sup> is shown as a trig station on old maps a little to the west of the main highway about a mile south of the Te Horo railway station. It is the name of an important boundary place, cultivation area and is also known as a burial ground. However the burial ground is thought to be located south east of the existing highway and therefore is not affected by the expressway.

---

84 W Carkeek, *Kapiti Coast*, AH & AW Reed, Wellington 1966, p 154-155.

85 *Ibid.* p 120-121.

13.2.4.4 Te Tupe<sup>86</sup> is also known as Te-Matenga-o-Te-Tupe. As a trig station it is situated not far from the Te Horo dairy factory close to the Parahamuti stream. This area is in the vicinity of Te Horo Beach Road and is not affected by the expressway.

13.2.4.5 Ngakaroro No 2F Reserve is an urupa. This is the urupa referred to in 13.2.4.3 above and is not affected by the expressway.

13.2.4.6 Apa<sup>87</sup> a former Ngāti Pare cultivation and clearing in the bush at Te Horo. Not far from Te Waka and Te-Matenga-o-Te-Tupe. This is west of the existing highway and is not affected by the expressway.

13.2.4.7 Pare-o-Te-Puoho<sup>88</sup> the name of a clearing at Te Horo about halfway between Te-Waha-o-Te-Marangai and the Mangaone stream on the eastern side of the main highway. This area is east of the highway on the Hautere Plains and is unlikely to be affected by the expressway.

---

86 *Ibid.* p 147.

87 *Ibid.* p 109.

88 *Ibid.* p 133-134.

13.3 NHO/Ngāti Raukawa submits its assessment of the expressway in respect to the Resource Management Act 1991 sections 6(e), 7(a) and 8. NHO/Ngāti Raukawa relationship in accordance with section 6(e) of the act has been expressed in the preceding chapters.

## Chapter 14 Mitigation of Cultural Impacts

14.1 There is a high risk of damage to wāhi tapu sites between Taylors Road and Rahui Road. There is also potential loss of māori land<sup>89</sup> which affects the cultural value attached to the whole block concerned.

14.2 There is a need to consider whether there are feasible route alternatives that will not result in such significant potential adverse effects in this location. The existence of wāhi tapu in this area is unlikely to be able to be confirmed until construction earthworks take place when damage to these sites becomes unavoidable. Because of this the area of land required for the project and extent of earthworks between Taylors Road and Rahui Road should be monitored<sup>90</sup> to the extent practical.

14.3 In addition, and for the whole route, there should be a detailed protocol established with Nga Hapū o Ōtāki to manage the process of earthworks and the protocols in the event that any koiwi or taonga are unearthed during

---

89 See paragraph 13.1.

90 Refer 13.2.1 and footnote 76.

development. The transplanting of soil from one area to another is a permitted activity except where accidental discoveries have occurred.<sup>91</sup>

## Chapter 15 **Te Horo Interchange**

15.1 NZTA also seeks advice on the comparative cultural and spiritual impacts on the Expressway preferred option and the development of the interchange at School Road and Te Horo Beach Road. A preliminary field trip has been undertaken of the School Road and Te Horo beach Road option and will be reported separately. Our assessment showed that there are some sites of significance in the vicinity of this interchange along almost its whole length. The report concludes that *“The proposed interchange creates some concern for Nga Hapu-o-Otāki and Ngāti Raukawa based on the cultural safety of sites of significance”*.

15.2 The only part of the route where there is a high probability of wāhi tapu site damage is between Taylors Road and Rahui Road and at the interchange areas of School Road and Te Horo Beach Road. On this basis NHoO confirms that in terms of cultural impacts the impacts of the expressway are considered to be significantly less than any other options considered thus far.

## Chapter 16 **Conclusions**

16.1 From our research and without prejudice:

---

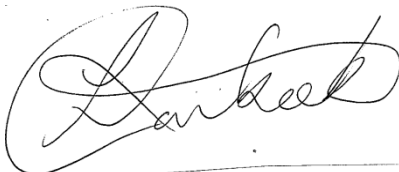
<sup>91</sup> Refer 13.2.1 and footnote 76.

16.1.1 Wāhi tapu site damage is probable between Taylors Road and Rahui Road as outlined in chapter 13.

16.1.2 NHoO/Ngāti Raukawa views the expressway as not interfering with our Kaitiakitanga.

16.1.3 The mitigation measure incorporates a protocol that will minimize the requirement for land and earthworks in dealing with koiwi and taonga unearthed during construction.

16.1.4 That this CIA is not a substitute for NHoO consultation.



.....  
Te Waari Carkeek  
Report writer

27 July 2012



.....  
Rupene M.T. Waaka  
Report Editor

27 July 2012