



CULTURAL VALUES ASSESSMENT REPORT:

SK AOTEAROA TRUST – RUAKAKA TRAVEL CENTRE PROPOSAL

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This Cultural Values Assessment Report (“the Report”) has been commissioned by SK Aotearoa Trust and undertaken by Patuharakeke Te Iwi Trust Board (“PTB”) part of the Mana Whenua Engagement Process in relation to an application proposal being investigated and prepared by SK Aotearoa Trust to develop a travel centre at Ruakaka. The Report has been prepared in contemplation of SK Aotearoa Trust making an application for resource consents necessary to enable its proposal, and is able to be relied upon for that purpose.

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1. PURPOSE OF THIS PAPER

- a) To present a **'Patuharakeke Cultural Values Assessment'** to SK Aotearoa Trust.
- b) This paper will inform the scope of other technical studies commissioned by SK Aotearoa Trust and design iterations as part of the project design phase and the preparation of an Assessment of Effects for consent application purposes.
- c) This paper will form part of the overall mana whenua engagement process for this proposal and inform the Cultural Effects/Impact Assessment.

2. INTRODUCTION

SK Aotearoa Trust are preparing resource consent applications to establish a travel centre, including service station, café and food outlets, campervan, coach and truck parking and playground area on the coner of SH1 and SH15 (Port Marsden Highway) at Ruakaka. The project involves landscaping, stormwater and wastewater management and design and other activities that could potentially impact Patuharakeke cultural values. At this point they are in a design stage and a number of investigations are underway prior to resource consent applications being made. Parallel to the various technical assessments that are required is the need to act in good faith (and as per statutory requirements) to appropriately recognize and appropriately address the concerns of mana whenua that have relationships to the proposal site and surrounds.

SK Aotearoa Trust wish to engage with mana whenua whenua in regard to the proposal and have initiated specific consultation with PTB in June 2019. As such, PTB and SK Aotearoa Trust have agreed a Terms of Reference which recommends a pathway for engagement and input, first to delivering this Cultural Values Assessment (CVA) report identifying the relationships, uses and values of the site sand surrounds, to be followed by a second, more in depth assessment of cultural effects.

2.1 Engagement Process

The diagram below depicts the engagement process agreed between the applicant and PTB.

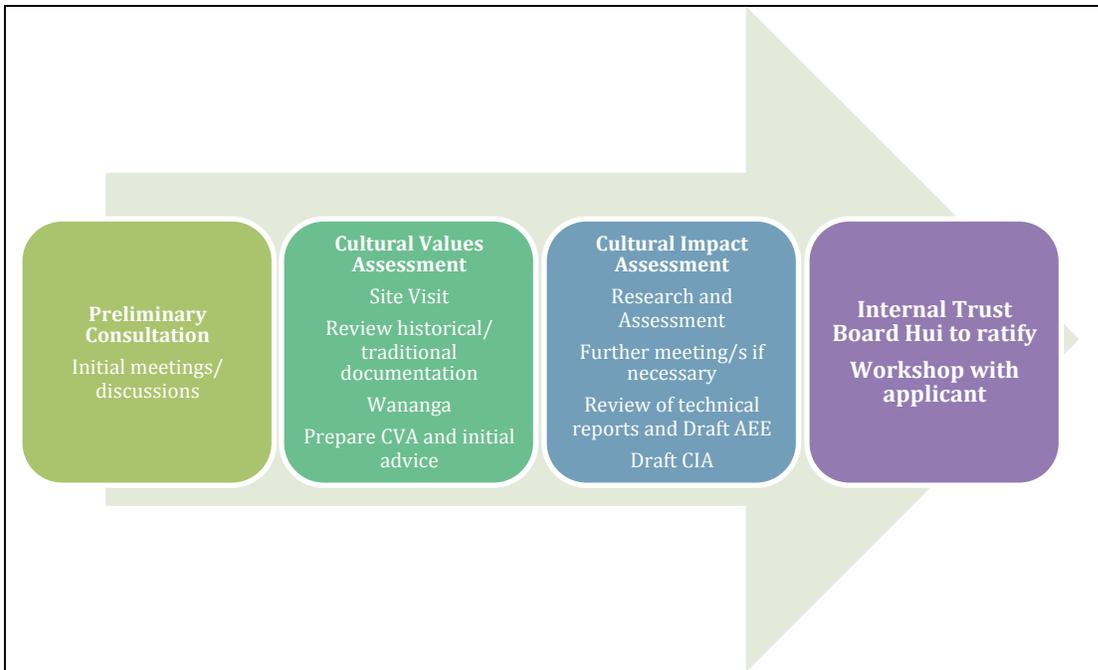


Figure 1: Engagement Process for Cultural Values and Effects Assessments

2.2 Outline of the Proposal

Having recently purchased the subject property, owners Simon and Nancy Tan wish to move their roadside café operation from Springs Flat, Kamo, to the site on the corner of SH1 and SH15 (immediately before the Ruakaka roundabout southbound). The café will be just one component of the proposal to establish of a comprehensive travellers centre, featuring a petrol station, gift shop, fast food restaurants, bus and coach stop facilities, freedom camping parking, picnic and playground areas for example (Simon Tan, pers. comm) as illustrated on the figure below. An Assessment of Environmental Effects is currently being prepared to accompany the application and will detail matters such as stormwater and wastewater treatment design, landscape plans and so forth. PTB will provide further advice by way of cultural effects/impact assessment once these documents are available.

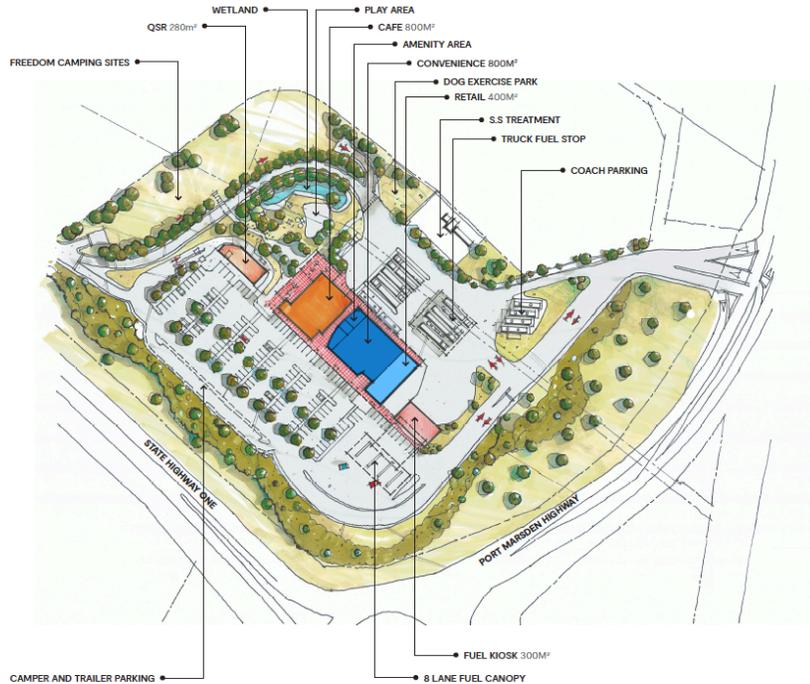


Figure 2 – concept drawing of Ruakaka Travel Centre for Community Meeting (provided by Tattico).

3. CULTURAL VALUES ASSESSMENT METHODOLOGY

Cultural effects on Māori (and their values, culture and taonga) are not defined in the Resource Management Act 1991 (RMA) and have generally been poorly defined in terms of best practice. This lack of definition has often meant that “cultural effects” are narrowly scoped and “pigeon-holed” or reduced as matters relating only to wahi tapu or heritage seen in a “past tense” sense rather than understanding its continuous nature incorporating current events or activities as well as past. While these matters are critically important, they are only a sub-set of all the effects that a proposal might have on tangata whenua, their values and environmental concerns. PTB have used a matrix-based methodology at a wananga (see Appendix A) based on the cultural safeguards of the RMA that concentrates on firstly identifying the relationship of Patuharakeke to the proposal site and implications for the practice of Kaitiakitanga. These matters are discussed in section 5 of this report. The matrix is based on key provisions in Part II of the RMA including:

- The relationships between Māori, their culture AND their traditions AND ancestral land, water, sites, waahi tapu and other taonga that might be affected by the proposal (as per s6(e) RMA);

The matrix attributes were used to prompt discussion at the wananga and the table populated through the korero gathered. Historical material (eg. Waitangi Tribunal evidence and traditional korero has also been utilized to complete the matrix table. Subsequently (during later stages of engagement - the Cultural Effects/Impact Assessment proper) mana whenua will assess whether these safeguards of the RMA have been met.

4. RELATIONSHIP OF TANGATA WHENUA TO THE PROPOSAL SITE

Patuharakeke as mana whenua of the region located south of the Whangarei harbour have a long traditional relationship with the site and surrounding area. We have held mana or dominion over both land and water resources and other taonga in the area through numerous generations of occupation and use in Patuharakeke's history and since settler arrival, in our responsibility as manawhenua and kaitiaki of the region. Patuharakeke's traditional rohe is depicted in the abridged map below (marked accordingly for contemporary management purposes), illustrating that the site is located within Patuharakeke traditional rohe.

The relationship of Patuharakeke was considered against the various categories listed in sections 6(e), and 7(a) of the RMA 1991: that is to say the relationship of mana whenua and their culture and traditions with Ruakaka, the river and its tributaries, sites and waahi tapu and other taonga of that vicinity; and their status as kaitiaki and practitioners of kaitiakitanga in regard to those resources.

4.2 The Relationship of Patuharakeke and their Culture and Traditions with their Ancestral Lands, Water, Sites, Waahi Tapu, and other Taonga

The naming of water systems and land features is but one way that mana whenua demonstrate the depth and closeness of their long traditional relationship with the proposal site and surrounding area. The waterways, and surrounding ranges are named in pepeha; as they were by their tupuna and, as the current generation intends they will be referred to by their mokopuna for all time to come. Tribal whakatauki and waiata provide further rich descriptives of the relationship of the people with this place and their historical ties to all resources within the area.

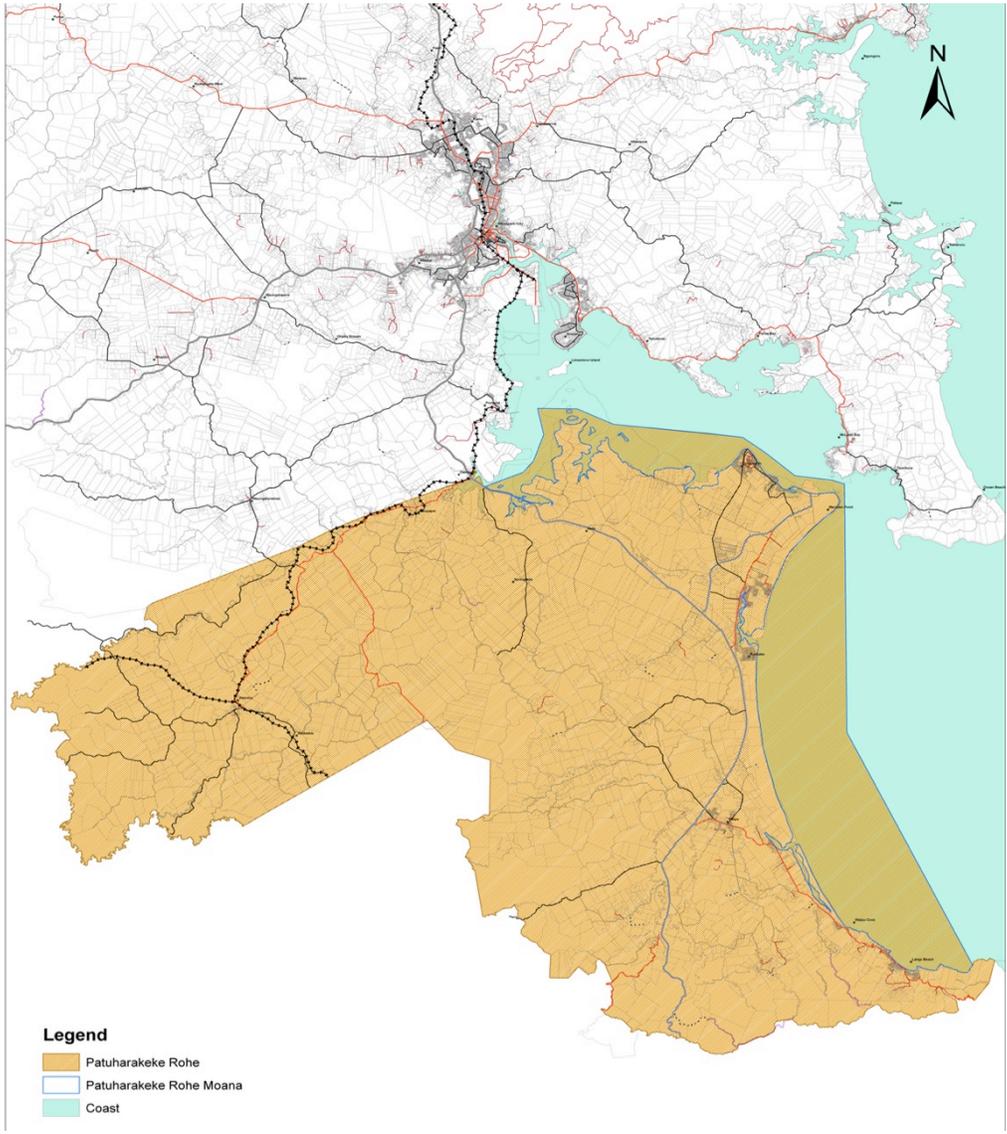


Figure 3: Te Rohe o Patuharakeke (for contemporary management purposes)

4.2.1 Cultural Landscapes

The naming of water systems and land features is one way that tangata whenua demonstrate the depth and closeness of the relationship to their environment through pepeha, waiata and whakatauki; as they were by tupuna/ancestors and, as the current generation intends they will be referred to by mokopuna in future generations for all time to come. The name Ruakaka was known to be recorded by the old people, as reference to a particular observance which holds cultural significance to Patuharakeke and represents the multi-layered relationships between Patuharakeke and their various iwi linkages. 'Ruakaka' applies to the limits of Ruakaka as shown on the oldest maps of the area and has historical provenance to Patuharakeke.

The proposed travel centre sits at a low point on the alluvial Ruakaka Plains and is ringed by important cultural markers including maunga such as the Takahiwai and Kukunui ranges to the northeast and west and Manaia, Matariki (Mt Lion), Te Whara (Bream Head) to the north and northeast with the islands of Bream Bay (eg. Taranga and Marotiri/ Hen and Chickens) seaward to the east and the Piroa/Brynderwyn ranges to the south.

The area where the proposed travel centre sits and running back to Marsden Point Road is peatlands that were formally a network of wetland/swamps – throughout the Ruakaka area. These were also important sources of rongoa and kai e.g. tuna, parera, kokopu, koura, and kuaka. These important wetlands were known as the Waiwarawara immediately to the Northwest of the site (Guy Gudex Brief of Evidence, 2013); and Puehaenga on the opposite side of SH15. Puehaenga refers to water rising from two locations, or locations that are separate but rising from the same source (H. Midwood pers. comm, 2017).

The Waiwarawara Block (see figure 4 below) was described in the Crown Deed of purchase for Ruakaka as "*the portion exempted for us being delineated on the plan on the back hereof.*" Its was marked as Native Reserve on the deed plan and in 1862 it bordered the Ruakaka River, encompassing 1227 acres (see figure x below). However the Native Land Court failed to adequately protect this block as a reserve, and with Nova Scotian settlers lobbying hard to buy it, it was whittled away before the remainder was also lost to pay surveyors costs. Ironically, not longer after in 1867 and 1873 amendments to the Native Lands Act deemed that Crown Grants for native reserves shall state the land was inalienable by sale or mortgage except with the consent of the governor (Guy Gudex Brief of Evidence, 2013). This loss (among a number of other similar dishonest land deals and confiscations) has cast a long shadow over Patuharakeke, leaving less than 2% of land in our rohe in hapū ownership. While the lands are no longer in hapū ownership, they remain of high cultural significance to our hapū and our association to them is unbroken.

Therefore Patuharakeke identify a rich tapestry of signifiers of our traditional relationship with this area. In light of the proposed Travel Centre being situated in the centre of these significant features and historic events and losses, it's design will need to be cognisant of, and sympathetic to, the cultural landscape.

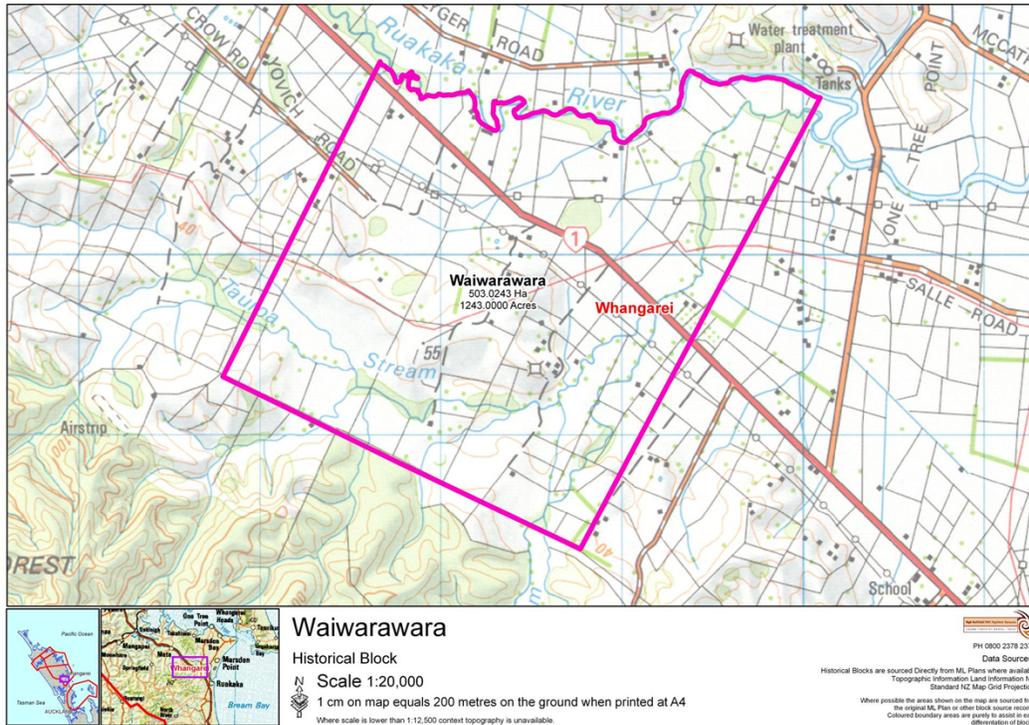


Figure 4 Waiwarawara Block

4.2.2 Waahi Tapu

There are a number of recorded archaeological sites in the vicinity and as shown on the map below site q07/334 (midden) appears to be located on, or immediately adjacent to, the subject site. When nearby Wilson’s Dam was created in the early 2000’s, a number of artefacts were unearthed in the Waiwarawara tributary surrounds, including a waka. Swamps, lakes and the like were often a repository for such taonga. Any archaeological sites, including midden, are seen as the “footsteps of our tupuna” and are significant to Patuharakeke. While the site has been drained, modified and farmed for a very long time there is still a reasonable possibility that unrecorded archaeological sites may be uncovered, therefore it essential that ongoing engagement with Patuharakeke occurs should this site be developed as proposed.

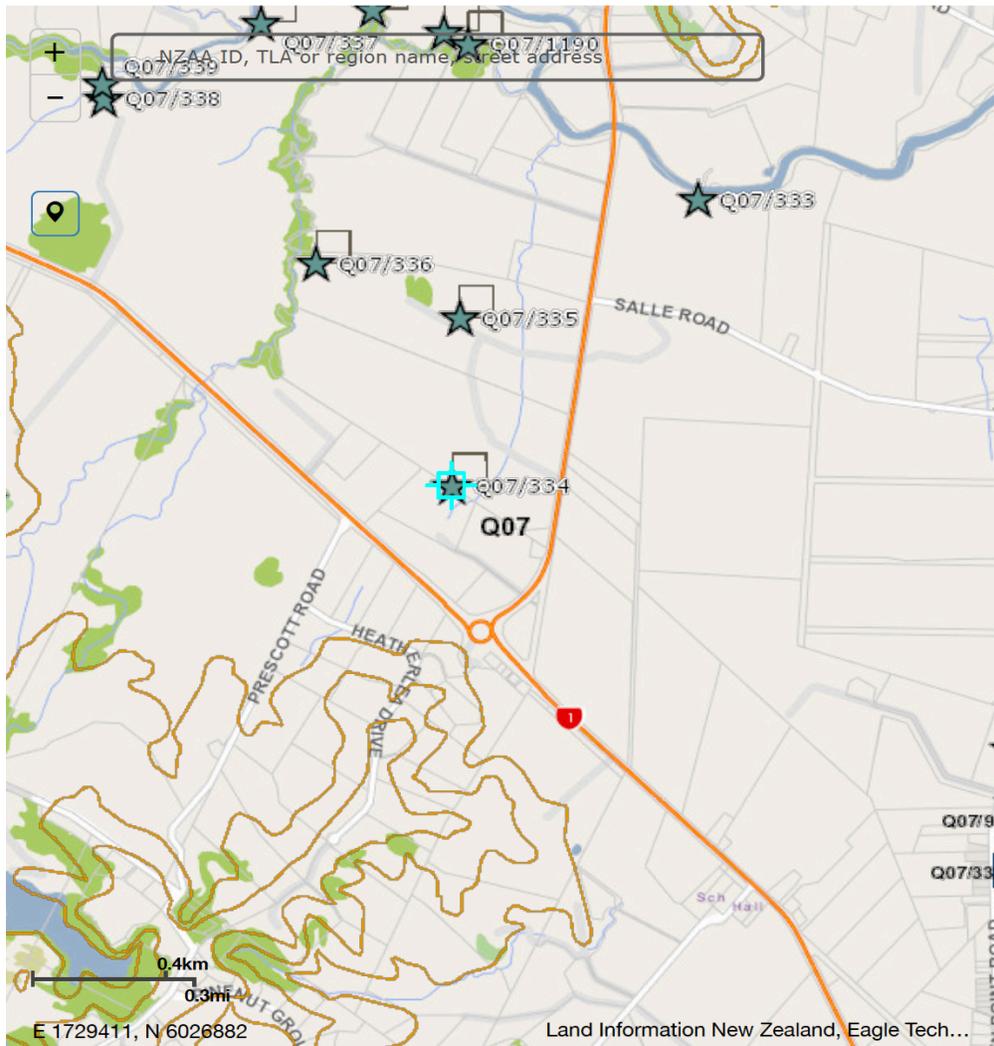


Figure 5 Map of Recorded Archaeological Sites - retrieved from NZAA Database

4.2.3 Waterways

The historical map below clearly shows the network of swamps/wetlands and dune lakes that characterized the Ruakaka area, prior to the large tracts of land being alienated as described above and then drained and disced for farming. These, along with the Ruakaka River and its tributaries the Waiwarawara, Tauroa and Waipapa Stream were historically important and continue to be significant in contemporary times. Their important function as mahinga kai and mahinga mataitai is described further below. These were also traditional transport and communication routes for our tupuna and neighbouring tribes when they travelled between hinterland and coastal sites seasonally. Other locations were set aside for particular activities such as baptisms, the washing of tupapaku (the deceased) and yet other areas for teaching children to swim. In terms of the cultural landscape outlined above,

awa were important boundary and way finding features and of course central to hapū identity.

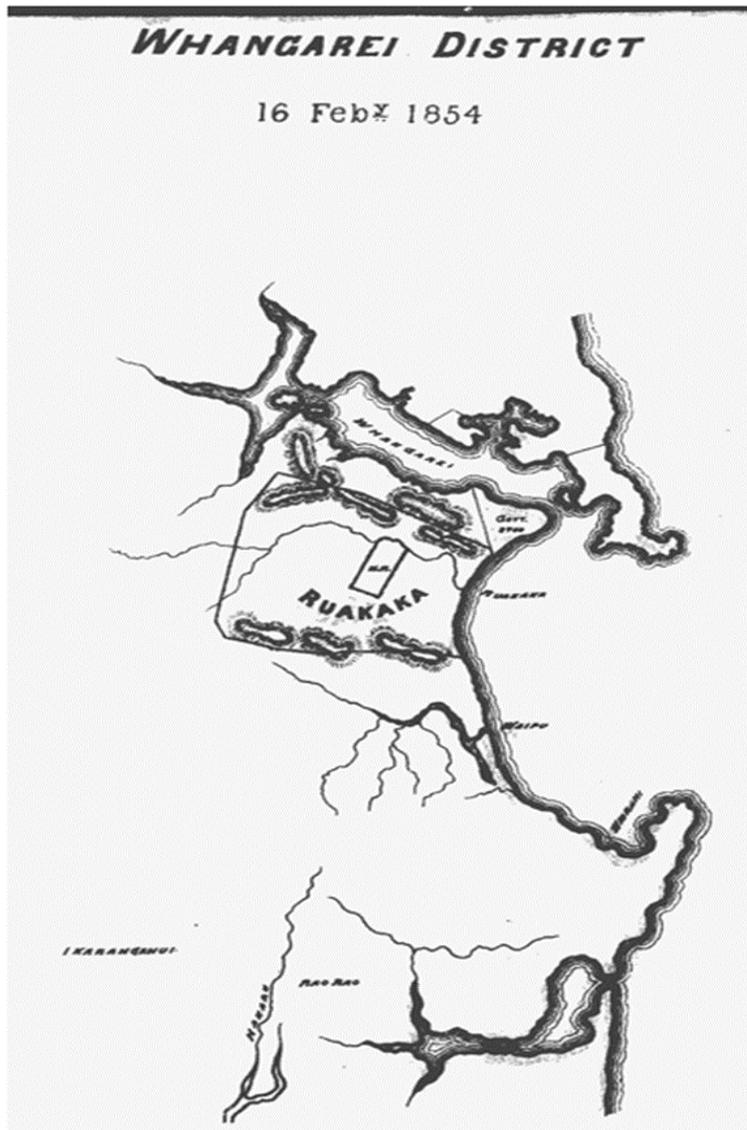


Figure 6: 1854 Map of Ruakaka (From attachments to Dr Guy Gudex BOE to Waitangi Tribunal October 2013)

Unfortunately, these waterways are now in a degraded state, the Waiwarawara only within the last two decades, dammed and flooded to create Wilson's Dam at Prescott Road to provide municipal water supply for Ruakaka. Northland Regional Council monitoring sites in the Ruakaka Catchment nearby (Tauroa Stream and Ruakaka River) have the unenviable

reputation of being in the worst 25% of monitored freshwater sites in Aotearoa/New Zealand according to the LAWA website.¹ This is extremely distressing for mana whenua as water is seen as a taonga – gifted by our tupuna. This imposes a responsibility on Tangata whenua, as kaitiaki, to ensure the resource is conserved and handed on to future generations in a similar condition. Water, like all things in the natural world is seen by mana whenua as having mauri and wairua. The continued existence of these qualities is dependent on the physical health of a water body and is also linked to the mana of the Kaitiaki people. Contamination or degradation of water has the effect of diminishing its mana and wairua, thereby resulting in a loss of mana for the Kaitiaki.

4.2.4 Mahinga Kai/ Mahinga Mataitai

The relationship Patuharakeke have with the river, tributaries, wetlands and Bream Bay as a large food basket or 'Pataka' is particularly significant. In close proximity to the subject site are mahinga kai areas where Patuharakeke have traditionally gathered kai such as watercress, tuna (eels), waterfowl, and rongoa (medicinal plants) and material for raranga (weaving). At the bottom of the Ruakaka catchment, the estuary and Bream Bay beyond provide kaimoana such as oysters, pipi, cockle/tuangi, scallop/tipa, and multiple ika/fish species.



Figure 7 (A. Carrington PTB Site visit) – shows stock accessing the drain, no fencing or riparian planting, however watercress is present.

¹ <https://www.lawa.org.nz/explore-data/northland-region/river-quality/ruakaka-river/ruakaka-at-flyger-road/>

The site visit undertaken by PTB’s RMU/Taiao unit indicated that at present, the proposal area and associated waterways are in a substantially modified and degraded state through years of farming and associated practices. However, Tuna are known to inhabit the farm drains and small streams and tributaries and watercress was seen growing in the farm drains.

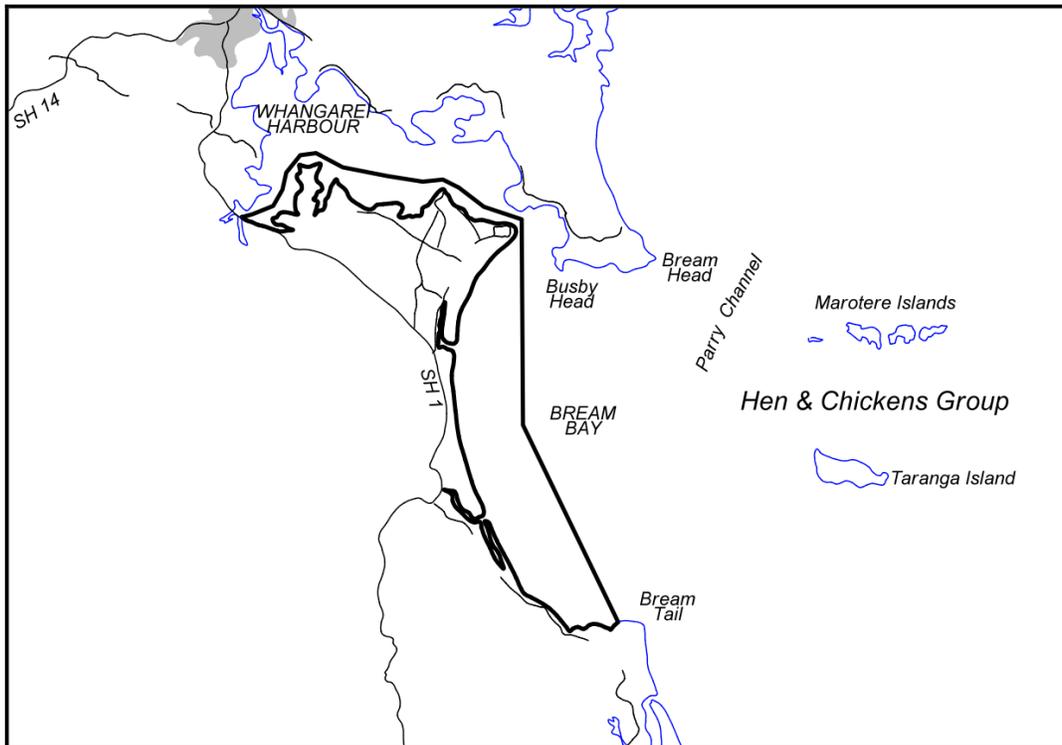


Figure 8. Patuharakeke Gazetted Rohe Moana

Figure 8 above depicts the gazetted rohe moana of Patuharakeke. Our kaitiaki are working to implement monitoring and management actions for customary harvest of kaimoana within this area. PTB are four years into a five-year community monitoring project, sampling the health of pipi population at Ruakaka Estuary to determine longer-term trends and inform our rohe moana management planning. The hapū is very active in advocating for the rehabilitation of our degraded mahinga kai in the vicinity and are also kaitiaki of the shorebirds that inhabit the Ruakaka Estuary. The revitalisation of Patuharakeke’s relationship as Kaitiaki is seen as vital to the future aspirations as the recognised traditional owners of such resources. Mana whenua therefore identify a rich tapestry of signifiers of their traditional relationship with the proposal area.

The decline of mahinga kai species, is accompanied by a decline in traditional knowledge in regard to those species, their uses and management practices. This impacts on the duty of mana whenua as Kaitiaki and displaces an important role and function for our tamariki and mokopuna. Our mana as tangata whenua, is further diminished by an inability to practise

manaakitanga to gather kai for the table both for our whanau and manuhiri. Not only does this impact on the cultural wellbeing of Patuharakeke, but it has economic consequences, as it restricts the ability of whanau to put kaimoana on the table, a practice that has always supplemented low incomes. Therefore the technical reports informing the design of the travel centre will need to be cognisant of the fact that the Ruakaka River and its tributaries are already in a significantly degraded state. The desire of mana whenua is to restore key mahinga kai and only activities that enhance mahinga kai will be acceptable. For this proposal, Patuharakeke encourage the applicant to seeking an outcome where wastewater and stormwater systems are designed to improve the habitat for taonga species in this location, providing for an ecological gain rather than further loss.

4.2.5 Contemporary Cultural Relationships

Patuharakeke also retain a contemporary cultural relationship with the site and its surrounds. Mana whenua, mana moana and mana tangata are based on historical connection and whakapapa, however the modern descendants of those ancestors see this as a living and contemporary relationship and not only as a traditional or historic memory.

The marae at Takahiwai approximately 7 km distant from the proposal site continues to hold its dominant position in the landscape and is a living and dynamic institution in constant use as a cultural centre for the surrounding district. Ahi kaa is maintained through the continued and unbroken residence of families of direct descendants domiciled on ancestral land. Such families maintain practices such as maintenance of the ancestral house as a living and vibrant institution and 'entity', the gathering and harvesting of traditional foods, the maintenance of the urupa and guardianship of tikanga associated with both place and people. Mana whenua still rely on the use of a wide range of species from both land and water as part of their customary relationship – including kai and rongoa materials.

Other hapū and whanau residing outside the immediate area of Patuharakeke also participate in these practices demonstrating the continued cultural, social and physical linkages to their traditional rohe and area of origin. These linkages are maintained not only by story telling, whakapapa, wananga, waiata and whaikorero but also through the interaction with the physical environment in the Ruakaka catchment.

4.2.6 Relationship through Kaitiakitanga

As Kaitiaki, Patuharakeke are responsible for both the knowledge (mātauranga) and the practice (tikanga) of kaitiakitanga in relation to resources. This relationship is a responsibility rather than a right – a duty kaitiaki are bound to by both culture and tradition to maintain. This relationship and obligation has been in place since time immemorial and the continuous connection to the whenua, awa and moana enabled development

of a sophisticated resource management paradigm. Patuharakeke are highly cognisant of the cost of the historical period of colonisation on both aspects of kaitiakitanga. There has been a large historical loss of knowledge of kaitiakitanga – both the “whys” and “hows” – as a result of colonisation.

Prior to the Treaty, kaitiakitanga was THE resource management system for controlling the effects of people on the environment. However, rather than an indigenous resource management system, kaitiakitanga was often seen by the early missionaries and many of their followers as akin to practicing witchcraft or devil worship. The Tohunga Suppression Act 1907 also had an enormous effect on the practice and transference of kaitiakitanga to subsequent generations.

The capacity to practice kaitiakitanga has been further eroded over subsequent decades by the loss of title to large tracts of ancestral land (for example Te Poupouwhenua, Waipu, Ruakaka, and Te Mata blocks) and the progressive introduction of increasing layers of government control over resources and their management. Land ownership laws, western science, fisheries controls, harbour boards, reserve and wildlife legislation and more recently district and regional councils, departments of conservation and heritage agencies all have largely competing priorities to tangata whenua and have impacted on the ability to effectively practice kaitiakitanga in its pure form (that is the right to action management practices which would ensure the ongoing viability of species management and preservation). Conversely, it has been the tight-knit character and isolation of our community that has seen kaitiakitanga maintained in the face of these external pressures. Further, it has been the sheer volume of industry on our ‘doorstep’ that has further mobilized the hapū to assert their rights and responsibilities regarding kaitiakitanga.

Patuharakeke are committed to ensuring that today’s Kaitiaki will play a significant future role in the monitoring and protection of the health of the Ruakaka catchment and the effects of developments such as this proposal on the health of its ecosystems.

5. CONCLUSION AND RECOMMENDATIONS

This report has utilized korero gathered from meetings, a site visit, wananga and a number of documented sources to describe the traditional and contemporary cultural relationships of Patuharakeke with the proposed Ruakaka Travel Centre site and surrounds. It illustrates that these relationships remain well established, entrenched and easily demonstrated and acknowledged.

The Ruakaka River catchment was known to mana whenua as a bountiful and rich food basket or ‘Pataka’. The mahinga kai, waahi tapu, and cultural

landscape remain of utmost significance today. Their use still revolves around maintaining customary practices and feeding whanau, hapū and manuhiri as in the past. The layers of mātauranga and management through kaitiakitanga have been stripped back due to a number of factors, such as alienation of rights and access, imposition of government controls, mismanagement, pollution. Today, kaitiaki seek increased control over the management of these places and resources. Our desire is to prevent further diminishing of the mauri of the river and to enhance and restore the important mahinga kai that remain.

In terms of any adverse effects as a result of this proposal, it is tangata whenua who have, and will continue to bear ultimate responsibility. Therefore they are concerned with ensuring a precautionary approach is taken with any activities that have the potential to create further adverse effects. The applicant's technical studies will need to take these factors into account, considering the potential effects of developing a Travel Centre at Ruakaka in relation to mahinga kai, taonga species and other sites of significance discussed in this report. To that end it is recommended that the engagement process continue so that;

- PTB are able to review and comment on draft technical/ AEE reports in an iterative manner and have the opportunity to meet with specialists/ consultants if required (ie. if there are any key concerns or areas of interest); and
- PTB prepare a full CEA/CIA once the AEE and technical reports are completed.

The engagement to date between SK Aotearoa Trust and PTB has been positive and productive. It will be essential to maintain an open and transparent dialogue to build this relationship going forward.

6. REFERENCES

Gudex, G . (October 2013). *Brief of Evidence to the Waitangi Tribunal: Te Paparahi o te Raki District Inquiry*. Whangarei, October 16th 2013.

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SK AOTEAROA TRUST PROPOSED RUAKAKA TRAVEL CENTRE – PATUHARAKEKE RELATIONSHIP MATRIX

<i>relationships that must be recognised and provided for</i>	<i>subcategory</i>	<i>Ancestral land</i>	<i>Water</i>	<i>Sites</i>	<i>Wahi Tapu</i>	<i>Other Taonga</i>
Māori	<p>Mana Whenua Tangata Whenua Kaitiaki Whanau Ahi Kaa Hau Kainga Hapu Iwi</p> <p>Patuharakeke Te Parawhau</p> <p>Ngapuhi</p> <p>Landowners</p>	<p>Mana Whenua Rangatira Kaitiaki</p> <p>Ancient tribes: Ngai Tahuhu Koiwi Ngati Ruangaio</p>	<p>Mana Moana Rangatira Kaitiaki</p> <p>Mahinga Mataitai at end of catchment eg. Ruakaka Estuary, pipi, cockle, mullet, flounder, wading birds</p> <p>Peatlands, swamps, tributaries of Ruakaka River were traditionally a resource for harvesting of waterfowl, tuna, flax, weaving materials etc</p>	<p>kaitiaki for all heritage sites and sites of significance within the proposal area eg. middens (recorded or unrecorded)</p> <p>Nearby sites eg. Wilson’s Dam was a site of extensive taonga tuturu unearthed during excavation</p> <p>Subject land is farmland therefore been disced however potential for accidental discovery</p>	<p>Kaitiaki Connections to the water including tapu</p>	<p>Kaitiaki of all taonga eg. tuna, kawai, whitebait, marine species further down catchment</p>
Culture		<p>The relationship with ancestral land (whenua) gives meaning to “tangata whenua”</p> <p>Adverse effects on the mana of the land and the mana of the awa reflect on the mana of the people</p>	<p>Riparian areas around Ruakaka River and tributaries (Waiwarawara (now dammed and flooded as Wilson’s Dam, Tauroa, and Waipapa streams).</p> <p>Those with Mana whenua, mana moana will bear ultimate responsibility for the</p>	<p>Repo swamps, lakes etc were often a repository for taonga/ artefacts</p> <p>Cultural landscape – views to all rohe markes/boundaries ie ancestral maunga Manaia, Matariki, Bream Bay and Islands eg. Taranga, Marotere etc, Kukurui, Piroa,</p>	<p><i>Waiwarawara and Puehaenga, adjacent areas of wetland/swamps – right throughout the Ruakaka area. These were also important sources of rongoa and kai e.g. tuna, parera, kokopu, koura, and kuaka.</i></p>	<p>Histories and stories</p> <p>Taonga raranga sites Natural material, dyes/paru for weaving etc Waiwarawara reserve is a key part of Patuharakeke’s statement of claim before the Waitangi Tribunal - 10% reserve of</p>

			health of the whenua and awa	Takahiwai		the Ruakaka Block that was failed to be put aside for hapū and was sold.
Traditions		<p>Gathering of watercress, manu, tuna, kawai etc and other resources to weave etc for nets</p> <p>Sustainability maintained through kaitiakitanga – colonization has diminished role of kaitiaki – poor health of catchment/ cost of development</p>	<p>Traditional mahinga kai and sites <i>Waiwarawara and Puehaenga</i> <i>rongoa and kai e.g. tuna, parera, kokopu, koura, and kuaka.</i> <i>seasonal eel weir and flax plantations etc</i></p>	kaitiaki of Ruakaka wildlife Refuge,		