

Cultural Values Assessment

Project Name:

Nukuhau Whenua: Review of Peacockes Structure Plan

Report Author(s):

Te Haa O Te Whenua O Kirikiriroa

Title of Report

Cultural value assessment for Nukuhau Whenua (Peacockes area)

Date of Report:

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Authorised signatory:

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Chairman
Te Haa O Te Whenua O Kirikiriroa

1. Project Description

This Cultural Values Assessment (CVA) presents a Maaori cultural framework which Hamilton City Council (HCC) and developers must apply to any proposed development of the area currently designated as the Peacocks area. In this context, it must be recognised, that traditional Maori “boundaries” do not correspond to Local Authority boundaries. For this reason, this CVA deals with a much larger area, which has relevance in terms of Maori history and values, which includes the area designated by HCC as Peacocks area.

In addition, the name Peacocks does not have any relevance to Maaori as it records and commemorates the confiscation and subsequent sale/use of their traditional lands. This report therefore refers to the area under its traditional Maaori name of Nukuhau Whenua.

This CVA provides relevant information to inform:

- The Review of the Hamilton City Council’s Peacocks Structure Plan to give effect to:
 - The development of approximately 740 hectares of land in the Peacocks area to be rezoned Medium Density Residential to allow construction of homes for +/- 20,000 people over the next 30 years, with associated development of utilities, infrastructure, Parks and Recreational areas and Public amenities.
 - Recognition and protection of “Key areas of Vegetation” (Mangakootukutuku Gully and Waikato River esplanade) and “Key areas outside the gully network that support biodiversity”.

Purpose of Report

This CVA has been prepared to:

- Inform the review of the Peacocks Structure Plan (PSP) and future development within the Peacocks Structure Plan Area (PSPA).
- Identify what needs to be done in the PSPA to recognise and provide for Maaori and their culture and traditions within their ancestral lands, waters, sites, Waahi Tapu and other taonga and;
- Identify and understand the meaning of Kaitiakitanga and assist Mana Whenua to exercise Kaitiakitanga over their traditional lands.

Scope of Report

This CVA identifies:

- The Iwi and hapuu that exercise traditional Maaori authority over the PSPA, and organisations that represent them.
- Statutory requirements relating to recognising and providing for Maaori values and involving Maaori in decision making.
- Planning document provisions relevant to the purpose of this report.
- The effects of development of the PSPA on Mana Whenua cultural, ecological and social associations with the area.

- The types of measures that will be needed to avoid, remedy or mitigate the adverse effects of development of the PSPA on Maaori cultural values and to promote the realisation of Mana Whenua aspirations for the area.
- Mana Whenua cultural, economic, social and economic aspirations for the PSPA

Methodology

This CVA has been developed by Te Haa O Te Whenua O Kirikiriroa (THaWK) from the information and feed-back gained from:

- Korero (consultation), Waananga (workshops) and Hui (meetings) between HCC, THaWK and Waikato Tainui about the proposed programme for the wider development of the Peacocks area.
- Measuring the PSP against applicable Treaty Settlements, the Waikato-Tainui Environmental Plan (Tai Tumu, Tai Pari, Tai Ao) the Ngaati Hauaa Environmental Plan and other relevant Local Authority policies and plans.
- Existing Cultural Values Assessments for the PSPA written, endorsed and supported by THaWK and the Waikato Tainui Iwi Authority.

In accordance with the Waikato-Tainui Environmental Plan and the Ngaati Hauaa Environmental Plan, during the planning and implementation phases of the PSP, THaWK encourages partnership engagement with HCC and developers to ensure appropriate consideration is given to matters of importance to Tangata Whenua and Mana Whenua.

2. Mana Whenua

The planned development covers the traditional lands of five Waikato Tainui hapuu:

- Ngaati Hauaa,
- Ngaati Maahanga,
- Ngaati Wairere,
- Ngaati Tamainupoo,
- Ngaati Korokii Kahukura.

All of these five hapuu, who are members of Te Haa O Te Whenua O Kirikiriroa, have been consulted during preparation of this CVA and their opinions are coordinated and presented in this report. As part of the development of the CVA, the potential impacts of the proposed development have been measured by each hapuu against their individual Strategic Environmental Plans.

3. Waikato Tainui Engagement

Te Haa O Te Whenua O Kirikiriroa (THaWK) is made up of, and represents, the five hapuu (identified in “2” above) upon whose traditional lands Hamilton City has been constructed. Whilst each of these hapuu are part of the Waikato Tainui tribe, neither they, nor THaWK, represent, or speak for, the Waikato Tainui Tribal Authority. Hamilton City Council (HCC) and developers must therefore engage separately with the Waikato Tainui Tribal Authority.

4. Planning documents informing this Assessment

The following strategic and planning documents are relevant to this project and have been considered when preparing this report.

Te Ture Whaimana O Te Awa O Waikato (vision and strategy for the Waikato River)
Tai Tumu, Tai Pari, Tai Ao; Waikato Tainui Environmental Plan
Te Rautaki Tamata Ao Turoa O Hauaa: Ngaati Hauaa Environmental Management Plan
The relevant provisions of these planning documents, along with a precis of the processes and procedures necessary for this project to comply with these provisions, are attached in Appendix to this report.

5. Catchments

Mangakootukutuku Gully and Waikato River esplanade.

6. Description of the environment

The area defined in the Peacocks Structure Plan (PSP) comprises approximately 740 hectares of predominantly rural land on the southern fringe of Hamilton. It lies approximately three kilometres south of the city's central business district and is broadly oval in shape, extending approximately 4.5 kilometres from north to south and three kilometres east to west. The south-west and south-east boundaries of the PSP is Hamilton City Council's administrative boundary with Waipa District along Ohaupo, Peacocks and Gainsford Roads. To the east and north-east the Peacocks area is bounded by the Waikato River, and to the north-west by the Glenview and Fitzroy residential areas of the city.

Land use within the structure plan area is predominantly agricultural, mostly dairying, with some horticulture and recent residential development in the Dixon Road area. There are a few buildings on lifestyle blocks and farms sited along the road network. The south-western side of the growth cell is separated from Peacocks Road by the Mangakootukutuku gully and is serviced by Hall, Waterford and Dixon Roads.

The area was brought into the city in 1989 as one of a number of large growth areas that would, in due course, contribute to accommodating city growth. It is part of the Waikato Basin that encompasses the Hamilton urban area. Geologically, the area is a large basin filled with alluvial sediments, and some ash deposited by volcanic eruptions. Topographically the area is flat, with low rolling hills. There are some ridges, formed by harder sediments protruding through the surrounding softer sediments. There were once extensive peatlands and wetlands across the basin, but most of these were drained or heavily modified for farming.

The northern and eastern boundaries of the growth cell are defined by 4.5 kilometre river frontage, which is the most significant landscape feature of the area. The deeply incised nature of the central section of the Waikato River is susceptible to localised bank erosion as evidenced by localised slips seen along the river banks in the Peacocks area.

7. Relevant Cultural Narratives

The cultural narratives are presented in the Section entitled “Nga Korero Mai Waikato Ki Punui – The History of the Area” attached in Appendix to this report. These Korero have major significance as they tell of the undertakings and relationships of the people who lived, fought, bled, died and were buried in the land. It is this history that explains the significance of the land to Mana Whenua and thereby defines the mitigations and commemorations that are appropriate for the proposed development of this land.

7.2: Site and Environments of significance to Mana Whenua in the area (See Appendix 4):

- NUKUHAU PAA
- KAIROKIROKI PAA
- WHATUKORURU PAA
- TE PUHI A TARAO PAA (Tiireke)
- HAHAWARU PAA
- TE NIHINIHI PAA (Dillicar Park)
- TE PARAPARA PAA
- TE PAA O RUAMUTU
- MANGANUA PAA
- BORROW PITS.
- PUNA - FRESH WATER SPRINGS
- URUPA (cemeteries)
- WATERWAYS, STREAMS AND GULLIES
- MANGAKOOTUKUTUKU STREAM AND CATCHMENT
- WAIKATI RIVER

7.3: The Mana Whenua of the area:

- Ngaati Hauaa,
- Ngaati Maahanga,
- Ngaati Wairere,
- Ngaati Tamainupo,
- Ngaati Korokii Kahukura.

More detailed information about these hapuu is presented in the Section entitled “the People of the Area” attached in Appendix 2 to this report.

8. Mana Whenua Aspirations Relevant to the Nukuhau Whenua (Peacocks) area

Given that return of the land to Mana Whenua is not an available option, the following are the only aspirations available to Mana Whenua:

Exercise of Kaitiakitanga over their traditional lands
Participation in the planning and implementation of the development of their traditional lands.
Opportunities to once again live on their traditional lands

Recognition, commemoration and dissemination of the pre-European Mori history of their traditional lands
From that promotion of community understanding of the significance of this land to Mana Whenua.

9. Mitigations, Commemorations and Enhancement Measures Mana Whenua wish to be implemented when the area is developed.

The reasons underpinning the identification of broad mitigation and commemoration categories/strategies, along with examples of the practical implementation of these strategies, is presented in the Section entitled “Maori Aspirations” attached in Appendix to this report. They are précised below:

MITIGATING AND BALANCING THE EFFECTS OF THE PROPOSED DEVELOPMENT.

Irrespective of who currently owns this land, Mana Whenua’s fundamental aspirations for this land is;

- Kaitiaki (protection and guardianship) of the Whenua and Awa
- Living on their traditional whenua
- Recognising and commemorating the Maaori history of the land.

As Mitigation and Balancing damage done to the land and awa are the only option available for Mana Whenua to achieve this aspiration then implementation of Kaitiaki can only be based on the following broad **mitigation categories**:

- Recognising the Maaori values (history, people and environment) associated with this land and commemorating/recording it appropriately and in a way that will be recognised and understood by none Maaori.
- Mitigating the damage which the development will cause to the Wairua and Mauri of the land
- Protecting any/all sites of significance to Maaori (Waahi Tapu), including those currently identified and any that might be unearthed during the development.
- Mitigating any physical damage done to these sites of significance. In the greater Waikato region, including Peacocks, there are many Waahi Tapu sites of significance that have undergone a range of topographical and ownership changes. These sites and areas of significance are associated to the history of its people, its environment and culture – this is illustrated in the Sections about the history, people and sites of significance attached in Appendix 2 and 3 to this report. Because of the land confiscations and subsequent land development many known sites of significance were destroyed, and the ownership and management passed to private land owners. Given that land in private ownership will become part of this area to be developed, then these must also be subject to the terms and conditions identified in this CVA and this paragraph.
- Identifying, protecting and enhancing the environment of the area (fauna and flora on land and in the waterways)
- Protecting the Waikato River and all local waterways from any damage during and after the development phases and
- Enhancing the water quality in the area so that it meets the Waikato Tainui defined A+ scorecard.

These broad mitigation categories will be achieved by application of practical measures such as, but not limited to, the following examples:

- Incorporating Maaori ceremonies before, during and after any physical work done on the area.
- Incorporating Maaori designs and artwork into structures developed in the area
- Incorporating native and indigenous plants into all planting schemes and setting aside areas of land as reserves in which the pre-European flora of the area can be regenerated.
- Incorporating surveys of land fauna (bats, birds, molluscs etc.), water fauna (fish, crustacea, molluscs) and flora (land and water) as part of the planning and implementation of the development.
- Based on the results of these surveys, develop “environmental” enhancement and protection strategies. One such strategy should address removing “exotic”, introduced fish species and reintroducing challenged or “at risk” indigenous fish species into the waterways and lakes in the area.
- Investigate and identify opportunities for Maaori employment as a priority in the development process.
- Incorporate historical Maaori names associated with this area for places, recreational areas and streets.
- Recognising sites of significance and Waahi tapu sites by erection of carved Pou Whenua, Pou Rahui, story boards, whata etc.
- Given that Nukuhau Paa, probably the most significant Paa in the area, was a centre for training and meetings, adopt an education theme for development of the area:
 - Involve students off all levels and ages (Kura, Kaupapa Maaori, other schools and Waananga’s) in surveys and documentation of protection and enhancement strategies of Fauna and Flora in the area.
 - As part of the development of the Public facilities, incorporate a Library/Convention Centre – named Nukuhau Paa Centre – to record/mirror the historical use of Nukuhau Paa for important meetings/discussion by pre-European Maaori (see the Section on Sites of significance in Appendix). The Centre should incorporate Maaori designs, art work and an area depicting the Maaori history and people associated with Nukuhau Paa and this area, as told in this CVA.

In addition to mitigations which support Kaitiakitanga aspirations, Mana Whenua aspire to re-establish their connection to the life they lived on this Whenua before the confiscations. These include:

Housing: Mana Whenua ancestors were borne, lived and died on this land for centuries before the arrival of the British. Mana Whenua therefore want an opportunity to again live on their traditional lands. To implement this, a strategy whereby a number of sections created in every subdivision are dedicated for Hapuu housing should be developed.

In this context, it must be noted, that as this document is a Cultural Values Assessment (CVA), then the mitigation categories and implementation strategies exemplified above only provide broad mitigations for Maaori aspirations. They are designed to give developers some indication of the potential mitigations which Mana Whenua consider appropriate for development of the whole Peacockes area. Not all of these potential mitigations will apply to every individual development. Which mitigation(s) will apply to a particular development in a specific area of Peacockes will be identified within the Cultural Impact Assessment

(CIA) which THaWK will prepare for each specific development. The korero (Maaori history) identified in Appendix 5: Maaori Aspirations of this CVA, will inform which mitigation(s) are appropriate for individual developments.

The following are the types mitigation and enhancement measures Mana Whenua require to be incorporated into the development of the PSPA to:

- Avoid, remedy or mitigate any adverse effects any development might have on their values and relationship with their ancestral landscape or other taonga
- Recognise, protect and/or commemorate/provide for those values and relationships,
- Have regard for, and provide for Maaori to exercise their traditional kaitiaki of the land
- Take into account the principles of Te Tiriti O Waitangi (Treaty of Waitangi)
- Give effect to Waikato-Tainui's Vision and Strategy for the Waikato River.

Table 1: Summary of mitigation and enhancement measures Mana Whenua may require to be implemented when the area is developed

Fauna and Flora
<ul style="list-style-type: none"> Measures to protect, restore and enhance indigenous biodiversity, including restoration of ecosystems, habitat and wetlands, and the establishment or enhancement of ecological corridors Measures to manage animal and plant pests Measures to protect, and enhance the abundance of Taonga species: tuna, whitebait species, smelt, piharau (lamprey eels), kanae (yellow eyed and grey mullet), paatiki (flounder) , koura (freshwater crayfish), and Rongoa (indigenous plants) for long term harvest.
Natural Form and Character (including Fauna and Flora Ecosystems)
<ul style="list-style-type: none"> Measures to protect or enhance the natural character, features and amenity of the PSPA Measures to enable the scheduling of sites in the HCC District Plan as a Significant Natural Area.
Access
<ul style="list-style-type: none"> Proposed new or enhanced public access to/in gullies and alongside waterways, wetlands and the Waikato River to enable cultural tourism, recreational and customary activities
Waikato River, Streams and Gullies
<ul style="list-style-type: none"> To promote the development and implementation of an integrated catchment Management Plan (ICMP) that promotes habitat restoration To design and install sufficient wastewater infrastructure capacity to prevent overflows into the waterways and gullies in the PSPA Implementation of measures to manage and remediate the effects of stormwater discharge from the land into waterways and water bodies to the level which allows/supports swimming and harvesting of food. This will include controlling soil erosion and discharge of contaminants into the water and ecosystems by maximising the use of swales, rain gardens and stormwater treatment wetlands. Promotion of rainwater collection and grey water non-potable reuse
Urban Development and Housing
<ul style="list-style-type: none"> Partnering with Mana Whenua to develop affordable housing opportunities for Maaori and the wider community

<ul style="list-style-type: none"> • Develop and implement measures to enable housing and papakainga development, including more permissive planning rules to empower such developments. • Devise measures to improve safer access to and from schools and commercial areas within the PSPA, particularly for Tamariki and Rangataahi • Promote development of industrial activities outside of the PSPA • Promote the use of water-sensitive techniques (collection of roof water into water tanks) to reduce the demand for water supply and to manage wastewater and stormwater disposal.
Recognition of Mana Whenua ancestral relationships with the land
<ul style="list-style-type: none"> • Protection, promotion, preservation and enhancement of Waahi Tapu and sites of significance to Mana Whenua, including improving access to them. • Producing and erecting structures such as Waaharoa, Paataka, Pou Whenua, Pou Rahui to commemorate Waahi Tapu and sites of significance to Mana Whenua. • Maaori protocols to be followed in the event of any accidental discoveries of Taonga (artefacts), Koiwi (human remains), or archaeological remains. • Cultural ceremonies to be performed by Mana Whenua prior to and during any development within the PSPA • Whakairo (carving), and the use of Maaori art and design should be used to recognise and commemorate Mana Whenua's relationship with this land.
Hauanga kai/ Mahinga kai/ Cultural activities
<ul style="list-style-type: none"> • Measures to protect, restore, and/or enhance cultural activities, including access to area for these purposes.
Maatauranga Maaori
<ul style="list-style-type: none"> • Measures to recognise and apply Maatauranga Maaori in developments within PSPA
Mana Whenua development
<ul style="list-style-type: none"> • Measures to support Mana Whenua development (commercial, social, cultural) within the PSPA
Te Reo Maaori
<ul style="list-style-type: none"> • Te Reo Maaori to be incorporated in the PSPA and in developments within the PSPA • Traditional Maaori names associated with the area should be used when naming roads, parks, sub-catchments, facilities, recreational areas etc.
Mana Whenua involvement
<ul style="list-style-type: none"> • Inclusion of for Mana Whenua in planning or implementing any of the above measures, including involvement in decision-making, monitoring and service provision. • Commission THaWK of behalf of Mana Whenua to development Cultural Impact Assessment Reports (CIA's) for all future developments within the PSP area. • The appointment and resourcing of Mana Whenua as kaitiaki to monitor the impacts of future developments in the PSPA.
Other Measures
<ul style="list-style-type: none"> • Any other measures to improve the health and wellbeing of the Waikato River, implement Te Ture Whaimana and Iwi Management Plans or to realise Mana Whenua and Waikato-Tainui aspirations.

10. Recommendations

Structure Plan Development

That Hamilton City Council, Waikato-Tainui and THAWK work in partnership to:

- a) Ensure the mitigation and enhancement measures recommended in the CVA are reflected and enabled within the PSP.
- b) Address any opportunities and/or resolve any issues that may arise throughout the development and finalisation of the PSP from pre-notification through to the formal adoption by Council.

Structure Plan Implementation

That Hamilton City Council and developers work in partnership with Waikato-Tainui and THAWK to:

- a) Implement the PSP in accordance with this CVA.
- b) Ensure appropriate resourcing and support to develop and implement CIA Reports recommendations for specific developments within the PSPA.

11. Appendices

Appendix 1 - NGA KORERO MAI WAIKATO KI PUNI: THE HISTORY OF THE AREA
Appendix 2 - PEOPLE OF THE AREA
Appendix 3 - SITES OF SIGNIFICANCE IN THE AREA
Appendix 4 - MAAORI ASPIRATION
Appendix 5 - RELEVANT LEGISLATION CONSIDERATIONS
Appendix 6 - REFERENCES

APPENDIX 1

NGA KORERO MAI WAIKATO KI PUNIU: THE HISTORY OF THE AREA

1 INTRODUCTION: A Time of disruptions for the people of the area

Around the 1650's Te Putu (King Pootato Te Wherowhero's famous forbearer) captured Ngatokowaru (Raukawa Chief) who was travelling up the Waikato River from South of Maungatautiri. Te Putu took him back to his Paa (Mata-o-Tutonga at the foot of Taupiri mountain) and in an ensuing scuffle Ngatokowaru killed Te Putu. In retribution Te Putu's warriors killed Ngatokowaru. Te Putu was buried beneath the earth floor of his whare (house) - his people subsequently vacated the Paa and moved elsewhere. From then on Taupiri mountain became the burial ground for the Waikato Tainui people.

This single event gave rise to an ongoing mistrust, dislike and multiple disputes between Waikato Tainui and Raukawa tribes for the next 200 years. Many of these disputes took place in the Northern Maniapoto tribal rohe (Maniapoto ki te Raki) This gave rise to the formation of the **Waikato – Maniapoto Alliance** which was based primarily on survival (safety and protection of both Iwi) but also on Utu.

Over the next 200 years, there was a series of events that disrupted the living arrangements of the people living in the Kirikiriroa rohe (including the Peacocks area):

- As a consequence of the Waikato – Maniapoto Alliance, people from different Waikato tribes (hapu) constantly travelled from Taupiri, through Ngaruawahia, and from that point where the Waipa River joins the Waikato River:
 - Along the Waipa River to Whatawhata, Pirongia, Ngaaroto, Matakītaki, Huiputea, and Kaawhia, or
 - Along the Waikato River to Kirikiriroa (Hamilton) and then on foot across to Ngaaroto, Matakītaki, Huiputea, and Kaawhia.

Hence there was a continual influx of Waikato hapu and whanau from other areas, coming to the Kirikiriroa district for extended periods. This continually disrupted the living arrangements of the people who already lived in the Kirikiriroa area.

- Another major forced disruption was caused in the 1820's by the incursion of Ngapuhi armed with guns (Pu) into, and through, the area. As the local people did not have guns, they were forced to vacate the area and seek other, safer, places to live.
- Further forced disruption was caused by the Waikato wars (1863-1864) which resulted in the loss of much of Waikato Tainui's tribal lands and the consequential exile of the local communities elsewhere.

1.1 1750-1760

This korero is from Ngati Te Konawa-Maniapoto history concerning the Waipa district from:

- Moeawha (Waikeria) to Wharepuhunga, Rangitoto to Kakepuku and Pirongia,
- the Waipa river in the south to the Waikato river in the north and
- the establishment of the Waikato-Maniapoto authority within that district and

During the early to mid-1750's Te Konawa and his Maniapoto and Rereahu hapū established a strategic military alliance with the Waikato tribes (mai Manakau ki Rangitoto) from the Manukau to Ngaaroto, and Ngaaroto to Rangitoto district. This alliance was formed to counter the imminent danger from:

- Pikau-Te-Rangi tribe to the east,
- Raukawa at Maungatautari, and
- Toa Rangatira (Te Rauparaha) and Ngati Te Ariari in the west at Kaawhia

who were all hostile and aggressive towards Waikato and Maniapoto. The Waikato-Maniapoto alliance tribes continued to live together for safety and protection against the constant aggravation from Raukawa at Maungatautari, Toa-Rangatira and Ngati Te Ariari at Kawhi and attacks from other marauding war parties from other tribes.

Around this time, Te Kanawa's only daughter called Paretekawa (mother Whaeapare), married the Raukawa Chief Te Momo-o-Irawaru. They and their Uri (descendants) lived on Te Momo's ancestral tribal lands in Wharepuhunga and later around Te Awamutu, Te Ararimu (Kihikihi), Pukekawakawa (in the Tokanui land block), Rangitoto, Kawa, and Kakepuku, and around the Mangapiko, Mangaohoi, and Puniu rivers, and the Wharepuhunga and Kakepuku maunga (mountains).

1.2 1780's

Te Konawa had several sons - Te Riri-o-Rangawhenua was the eldest (te matamua) and his heir apparent. In the 1780's he was killed in his home by Ngati Te Ariari, hence his own son Te Ikahaungata became Ariki Rangatira of Te Konawa-Maniapoto. Te Ikahaungata established his Te Konawa-Maniapoto base in the Kakepuku district (mountain between Te Awamutu and Otorohanga) and constructed their kaainga (village) and fortifications there, but later moved with Waikato to Oturu in the Taupiri region to ensure the security of the district. By Waikato allowing Te Ikahaungata to move there enhanced and strengthened the alliance between Te Konawa – Waikato alliance.

The people of the Waikato - Maniapoto alliance became aware that Pikauterangi (Raukawa), Toa Rangatira of Kaawhia, and a number of other tribes from throughout the motu (island/country), were making plans to overthrow the Waikato – Maniapoto Tainui alliance once-and-for-all.

On the return of Te Ikahaungata (Chief of Maniapoto) from Oturu to Mangatoto Paa near Otorohanga, he encountered in the Waipa- Rangitoto district the "Tahuraho" ope taua (small scouting war party) from the southern districts (Wanganui). He repelled these invaders to neutralise any threat that they would return later with a bigger war party. Despite this, they returned several years later which resulted in the battle of Hingakaakaa.

To address this threat, the chiefs of Waikato (Rauanganga) and Maniapoto (Ikahaungata, Pehi Tukorehu) agreed to build a series of Paa Pahu (sentinel Paa) - Te Rauanganga was the famous fighting chief of Ngati Mahuta who resided at Kaitohetohe Paa on the eastern side of Taupiri mountain and married Parengaope of Ngati Koura. These "sentinel Paa" formed an alarm system to warn the people of the Rohe of any invasion from other iwi of the motu. They were called Paa Pahu because they used "Paahu" (large hollow wooden alarms) to raise the alarm of an approaching war party.

The Paa Pahu were:

- Mangatoatoa was the first Paa Pahu built on the northern banks of the Puunui River between Te Awamutu and Otorohanga, followed north by
- Waiari, on the southern banks of the Mangapiko stream, Ohaupo, which probably runs out of Lake Ngaaroto,
- Ngaaroto above Ngaaroto Lake,
- Nukuhau on the southern bank of the Waikato in the Mangakootukutuku-Korakonui district, and
- Maniapoto Paa in the Tamahere area, by State highway 1 and thence on to others (unrecorded) to Taupiri.

Mangatoatoa was designated as the Paa where Taua (warriors) congregated in the event of an attack or threat to the rohe. Mangatoatoa became the centre of activity for the area, and became part of the whakatauki describing the Tainui boundaries:

- **Mokau ki runga** (Mokau on top), **Tamaki ki raro** (Tamaki on the bottom), **Mangatoatoa ki Waenganui** (Mangatoatoa in the middle), **Pare Waikato** (the tribes of the Waikato), **Pare Hauraki** (the tribes of Hauraki), me te **Kaokaoroa o Patetere** (and the Kaimai's are the armpit) - in those days the map was upside down as Maori thought the South Island was in the North. This is a saying known by every Tainui tribal member describing the Tainui waka boundaries.

1.3 1790's

The first invasion occurred in 1791 when tribes from:

- Kaawhia in the west,
- Raukawa of Maungatautari (Pikauterangi), and
- Kahungunu, Tuhoe, and others from the East, and
- Taranaki, Whanganui,

came via Mookau over the lands of Maniapoto, and descended upon the Waikato-Maniapoto army in the Waipa region of Ngaaroto (Te Mangeo).

The first karere (message) warning of the invasion came from Wahanui (Maniopoto Chief) in Mokau who was the southern boundary sentry. When it was received at Mangatoatoa Paa the alarm was sounded and "passed on" along the line of **Sentinel Paa**: Waiari Paa, Ngaaroto Paa, Nukuhau Paa to Maniapoto Paa, and then on to the rest of the Waikato tribes, particularly Te Rauangaanga at Taupiri.

Taua (warriors) from Maniapoto, Waikato and Ngati Whaatua (Auckland) made their way Southwards by River and land and assembled at Mangatoatoa Pa. They agreed to engage the invaders in a battle called Hingakaakaa, fought on a series of hills called Te Mangeo near the Ngaaroto lakes (just north of Te Awamutu). This site was chosen because it was a swamp area – the invaders did not know where the solid ground was and hence became bogged down and could not run away. The Waikato-Maniapoto warriors, led by Te Rauangaanga (Waikato) and Ikahaungata Wahanui (Maniapoto), defeated the invaders, including groups lead by major chiefs of Ngaati Te Ariari and Ngaati Toa (Te Rauparaha's tribal chiefs/tupuna).

This battle set the Kaupapa tikanga for the Waikato-Maniapoto alliance relationship for the next 160 years.

1.4 1800 -1810: Post Hingakaakaa battle

“Pena ano nga tupuna o Waikato kua hinga, kei te timata nga whakatupu ki te tu rangatira ai, ko Te Rauanganga ka heke kia Te Wherowhero, ki Tokohihi ka heke kia Te Paewaka, me etehi atu me etehi atu...”

“Chiefs have children who will go on and take over such as Te Wherowhero from father Te Rauangaanga, Te Paewaka from Tokohihi, Te Rauparaha from, and Wiremu Tamehana from Te Waharoa.”

After the death of Te Ikahaungata (son of Te Riri-o-Rangawhenua who was the son of Te Konawa) his mana passed to his son Mahue-ki-te-rangi.

Ngaati Hikairo, Ngaati Maahanga, Ngaati Hinetu, Ngaati Apakura and other Waikato tribes had shared interest in the territories to the north of the Mangaotama and Mangaoohoi Rivers (around Pirongia). Ngaati Te Konawa, Ngaati Ngutu, Ngaati Unu, Ngaati Ngaawaero, Ngaati Makahori, Ngaati Kahu, Ngaati Huuiao, and other Ngaati Maniapoto and Raukawa tribes had shared interest in the lands to the south of the Puuniu river (Otorohanga).

During this same time, despite the defeat suffered by Toa Rangatira and Raukawa at the battle of Hingakaakaa, their heirs, including Te Rauparaha, were re-establishing their power base. Hence, peace did not last for long in the district. In addition, Ngaati Kauwhata (Raukawa) from the southern side of Maungatautari and Hauraki tribes were starting to have skirmishes in the Waikato and Maungatautari regions.

Despite this “unrest” in the region, there were no more major battles but the inter-tribal skirmishes between the Waikato-Maniapoto alliance and Raukawa and Ngaati Toa continued for the next two decades.

1.5 1810-1820 Period: The period of upheaval

1800-1818: During this period Te Rauparaha led an attack on Mangatoatoa Paa. The attackers were repelled by Peehi Tuukoorehu and his hapuu, Ngaati Te Kaanawa, Ngaati Ngaawaero, Ngaati Unu, and others. Te Rauparaha went back to Kaawhia and Peehi Tuukoorehu settled peace terms with the remaining Ngati Raukawa (Wharepuhunga: West Raukawa/East Maniapoto) at “Pouaiti”. Raukawa never attacked Mangatoatoa again.

In the following years the Te Kaanawa region was divided in two - Maniapoto populated south of lake Ngaaroto and Waikato Tainui north of lake Ngaaroto.

1819-20: Several events started in these years which ultimately became closely interlinked by subsequent events.

At this time, an Amio Whenua (a war party of mercenaries on a killing spree, usually for revenge), led by Te Apihai Te Kawau (Ngaati Whaatua) and Kukutai (Ngati Tipa) set out

to take revenge by punishing the tribes who fought against them at Hingakaakaa. Peehi Tukorehu joined the Amio Whenua when it got to Wharepuhunga where he lived.

In 1820, tired of the constant attacks and skirmishes, Te Wherowhero led 3000 Waikato, Maniapoto and Hakairo warriors, plus another 1500 Maahanga warriors from Whaingaroa (Raglan), who were led by Te Awataia, against Ngaati Toa positions at Te Arawai Paa (Tarahoa) on the South side of Kaawhia. After several days fighting Ngaati Toa, led by Te Rauparaha, were defeated and the survivors, including Te Rauparaha, escaped by sea, travelling south to Taranaki, and on to Kapiti. Te Wherowhero pursued Te Rauparaha down the coast by land. On arriving at Pukerangiora, on the Waitara River, he rescued Peehi Tukorehu and the Amio Whenua (who were on their way back from their hiko) from the clutches of the Waitara tribes.

1.6 1820-1830 period of events

1820-21: Peehi Tukorehu settled Ngaati Naenae, Ngaati Haehaeora, and Te Patu Kooko (Wero Kooko) tribes at Otaawhao and Paiaka Paa under Chief Te Paewaka. Ngapuhi raids on Ngati Whatua and Waikato forced them southwards to the Te Awamutu / Ngaaroto rohe.

May 1822: Te Wherowhero returned home from pursuing Te Rauparaha in Kaapiti in time to lead the defence against the Ngapuhi. Ngapuhi, who had guns, won the battle and consequently Te Wherowhero retreated to Mangauika Paa (6 kms south of Matakītaki by Pirongia mountain). Subsequently Ngapuhi attacked this Paa causing Te Wherowhero and his warriors to escape and scatter south to Otorohanga, west to Kaawhia (vacated by Te Rauparaha), and east to Wharepuhunga. Ngapuhi then settled at Huiputea near Otorohanga (Huiputea is named after Te Huiputea, Hongi Hika's second in command).

1823: Ngaati Kauwhata living at Wharepunga (West Raukawa/East Maniapoto) started their one-way overland Heke (migration) not expecting or intending to return. They travelled through Taupo Tuwharetoa down to Kaapiti to join up with their Raukawa relation Te Rauparaha (Ngaati Toa), to become what is now known as "Raukawa ki te Toonga" (Southern Raukawa). This Heke left a major gap in the boundaries of the Waikato – Maniapoto alliance.

1823– 1825: Te Hokinga O Ngapuhi: The return (home) of Ngapuhi

By the end of 1822, after Matakītaki, the Ngapuhi invaders were settled, unchallenged, at Hui Putea, close to Otorohanga. Their guns prevented further direct attack, hence guerrilla tactics were adopted. Warriors came by canoe down the Waipa river under the cover of darkness and killed the Ngapuhi one-by-one or often in groups. This guerrilla warfare ended when Te Wherowhero negotiated a peace treaty with Ngapuhi which saw them return home. The exact terms of the peace deal are unknown, but may have included Ngapuhi taking some of the local people with them as slaves/concubines.

1825-1826: Land settlements – filling the gaps.

After Ngapuhi had left, Te Wherowhero (still a young warrior) and Peehi Tukorehu called a hui at Nukuhau Paa to discuss the resettlement of the lands vacated by Raukawa/Hauwhata and Ngaati Toa/Te Rauparaha when they migrated south to Kaapiti. Most of the Chiefs of the tribes who participated in, or were affected by, the tribal wars were in attendance. **This hui took place at Nukuhau Paa.**

Consequently, the mana (importance) of Nukuhau Paa increased dramatically from being just sentinel Paa before the wars to being the centre of the land resettlements after the war. This resettlement was necessary to fill the gaps left in the rohe boundaries by the migration of Ngaati Kauwhata and Ngaati Toa Rangatira southwards. The closing of the gaps re-established the ring of protection around Tainui lands.

The hui resulted in the following allocation/settlement of land:

- Ngaati Hikairo, Ngaati Mahuta, Ngaati Ngutu were allocated land at Kaawhia and elsewhere.
- Te Paewaka and his hapuu Ngaati Waenganui, Ngaati Paremaemaeora, Ngaati Ruru, Te Patu Koko/Wero Koko, Ngaati Naenae, settled at Te Ureparawera, Owairaka and Panehakua (marae) at Wharepuuhunga district. That blocked off that part of the Maniopoto/Waikato boundary.
- Ngaati Mahuta settled with Te Wherowhero at Maketu, Kaawhia
- Peehi Tukoorehu settled Tarei Waraki and Maniapoto at Aoao, on the southern shores of Kinohaku, Kaawhia
- Ngaati Hikairo re-settled at Aotea harbour (Ngaati Apakura as well)
- Ngaati Nguutu settled on the lands at Te Waitere and Kinohaku, (south Kaawhia).

Not all tribes and lands were allocated at that hui, others happened later. After settling Ngaati Mahuta at Kaawhia, Te Wherowhero settled Ngaati Hinetu at a Taurangaatahi Paa and Kaipaka Paa and then later went back to Taupiri.

In this period (1826) there was a further disruption caused by a second Ngapuhi incursion. In 1822 Hongi Hika came with his guns via the Waikato-Waipara river route thereby “missing” and hence sparing those in and around Kirikiriroa. By contrast, in 1826, the second Ngapuhi incursion, led by Pomare, also with guns, travelled down the Waikato river through Kirikiriroa and onto Te Parapara (Hamilton Gardens) Paa. There he was met by Tioriori and Te Rauroha from Nukuhau Paa. Bloodshed was avoided based on a peace settlement made with Hongi Hika, 4 years earlier, after Maataakitaki. That peace was based on Kati (Te Wherowhero’s brother) marrying Matire Toha, the daughter of Rewa (a whanaunga of Hongi Hika) and thus cementing peace between Waikato and Ngapuhi.

1.7 1863 – 1864: The Waikato Wars.

The next upheaval and disruption came to the Kirikiriroa rohe via the Waikato Wars. The resultant Raupatu (theft of 1.2 million acres of Waikato Tribal lands) caused the exile of Te Wherowhero south of the Punui River, thereby destroying the fabric and lives of the Maori communities of the region.

SUMMARY

The history of the people of Kirikiriroa over the last 200 years has been characterised by them having to deal with, and survive, a series of events that caused major disruption to their lives and lifestyles. In some cases, these disruptions disinherited and exiled them from their traditional tribal lands. In other cases, the disruptions brought new people to live in the area, thereby setting up new groupings in Kirikiriroa and changing the structure of the society of the people living there.

In addition, prior to the 1840 Treaty, the tribal wars caused much angst and disruption to the Manawhenua tribes throughout the lower Waikato and Kirikiriroa rohe. Whanau and Hapuu

welcomed and looked after (Manaakitanga) their whakapapa relations, and married others. This also inevitably created new sets of groupings within Kirikiriroa.

The incursions of Ngapuhi (1822 and 1826) carrying guns and later the colonial wars (1863/64) created significant disruptions to lifestyle and separation from their lands for the people of the area.

The Raupatu (confiscation/theft) of the lands resulting from colonial Waikato wars caused additional major disruption as the Mana Whenua hapuu could not return to the lands they believed to be theirs. Finally, the impacts and disruptions upon the whanaunga (relations) hapuu who took in to manaaki (look after) those exiled were also harrowing.

All these disruptions to the people of the Waikato–Maniapoto alliance and their lands over the 100 years to 1880 created a pot-pouri of tribes who could each claim to having been the Manawhenua of the area for the period of time whilst they “stoked the fires” (ahi kaa).

However as identified above, with so many disruptions over a relatively short period of time, it is difficult to conclusively identify any one hapuu with Mana Whenua rights over and above all others. Based on the koorero tuuku iho in this section, 5 hapuu (Ngaati Maahanga, Ngaati Wairere, Ngaati Hauaa, Ngati Korokii Kaahukura and Ngati Tamainupoo) accepted each other's claim to be Manawhenua and therefore agreed to act collectively as Manawhenua for these lands.

APPENDIX 2

2 PEOPLE OF THE AREA

Whilst the whole of the Waikato region is the traditional lands of Waikato Tainui, each of the individual hapuu (tribe) who make up Waikato Tainui have their own traditional land areas within the region. Tiikanga Maaori prescribes that it is “correct” to give mention to all groups that were present (in an area), particularly with recognition of the overall “mana”. (Hayward and Samuels 2015). Today, the descendants of the people who have lived in the Mangakootukutuku catchment (Peacocks area) over the past five hundred years affiliate to Ngaati Maahanga, Ngaati Tamainupoo, Ngaati Wairere, Ngaati Korokii Kaahukura and Ngaati Hauaa.

The information presented below identifies some of the koorero (verbal history) recalled by members of the hapuu who have lived in the Nukuhau Whenua (Peacocks) area at different times. In most cases the hapuu are named after a renowned ancestor who started the genealogical line of that hapuu.

Hapuu hold Mana over their rohe (region), whenua (lands), ngaahere (forests), awa (rivers), waahi tapu (sites of significance), taonga (treasures), whanau (family) and hapuu (sub-tribes). This mana is held by the people and exercised through Rangatira (chiefs) and Tohunga (high priests) appointed by the people. Some of these are described in the sections below.

In the following section some of the accounts appear to be contradictory in their description of the inter-relationships between hapuu and hapuu groups and relationships of hapuu to particular land and Paa. This is well exemplified by the differences in the koorero about Ngaati Koura in the narratives by Ngaati Maahanga and Ngaati Wairere below. In this context, it must be recognised that none of the descriptions are wrong and none take precedence over the others. Rather they are the history of the area as perceived and recalled by different people who have lived in this area at different times over the past five hundred years. In addition, as indicated by Hayward & Samuels, in many cases the intermarriage between people of different hapuu has blurred the definition of hapuu over that five hundred years. In other cases, hapuu names have been actively “retired” in favour of becoming part of a larger hapuu grouping in order to access the protection afforded by being part of a larger group.

It must also be recognised that whilst today hapuu tend to be clearly identified and separated, they are all descended from voyagers on the canoes that brought Maaori to Aotearoa. Hence, they are all closely inter-related. Historically they lived in large “family” groupings, and the men of the group had multiple wives, often at different locations. It was only when one of the family became “recognised” (Leadership, fighting prowess etc) that his/her descendants identified themselves by association with that name. For example, Wairere’s daughter Tumataura married Korokii and they had two sons Haape and Hauaa. During their lives the two sons identified themselves as Ngaati Korokii and Ngaati Wairere, from their father and mother’s lineage. However, because of the fame they developed by their deeds in adult life, their descendants identified themselves as Ngaati Hauaa (Hauaa’s lineage) and Ngaati Korokii Kahukura (Haape’s) lineage.

2.1 NGAATI MAAHANGA KOORERO

Maahanga, from whom the Ngaati Maahanga lineage is descended, lived in the 1500's - his father Tuheitia was a direct descendent of Hoturua, the captain of the Tainui canoe. He had four wives and had 7 children to Paratai, 1 son to Wharewaiata, 1 son to Hine-te-peī and 3 children to Te Aka Tawhia (Hayward 2017). One of his daughters Tukotuku, married a warrior named Tamainupoo and they had a son named Wairere. This was the start of Ngati Wairere.

Historically Ngati Mahanga is an Iwi in its own right. However, in recent times it has been referred to as a hapuu of Waikato Tainui Iwi because it was administratively part of the 33 hapuu that made up the structure of the former Tainui Maaori Trust Board.

Today, Ngaati Maahanga is an Iwi made up of some 30 hapuu. Many of these hapuu were separate until the early 1900s, but have now consolidated under the general name Ngaati Maahanga. This has been caused by historic forces, particularly land loss, and prolific intermarriage, which has seen the distinctions between the different hapuu gradually disappear. (Hayward & Samuels 2015).

Before the consolidation, prominent Ngaati Maahanga hapuu were Ngaati Hourua, Ngati Ruateatea (Mahanga's son), Ngaati Kuku, and Ngaati Tonganui. These hapuu were in turn made up of smaller hapuu. There were also splinter groups from other Iwi, that became part of Ngaati Maahanga through intermarriage, the most notable ones being Ngaati Ruru and Ngaati Ngaamurikaitaua. Ngaati Ruru also consisted of smaller factions of Ngaati Patupoo, Ngaati Werokooko and Ngati Koura.

Ngaati Hourua, often termed, Ngaati Maahanga-Hourua, the main hapu who occupied Hamilton was made up of smaller sections: Ngaati Hourua Tuuturu, Ngaati Whare, Ngaati Ngaarape, Ngaati Ngaamurikaitaua, and a section of Ngaati Ruru. Intermarriage with Ngaati Hourua probably explains why a section of Ngaati Ruru occupied land in Ngaati Maahanga country.

The most notable example of this was Te Mokorou, a renowned Ngaati Ruru chief; who married Mihi Aotea, who was the daughter of Uehoka, a Ngaati Hourua chief. After Mokorou's conversion to Christianity in the early 1840s, he left Ootawhao (Te Awamutu) and moved to Whatawhata (Ngati Mahanga rohe), where he stayed for the remainder of his life. His descendants retained their Ngaati Ruru identity, but they were allowed to live on the Ngaati Maahanga land at Whatawhata because of his wife's (Mihi Aotea) Ngaati Hourua/Maahanga lineage. Thirty years later, an 1874 census recorded this section of Ngaati Ruru still living at Piitakataka, a kaainga at Whatawhata. The Census also shows Ngaati Ruru and Ngaati Ngaamurikaitaua as hapuu of the Tribe of Ngaati Maahanga.

An illustration of smaller groups giving up their name and becoming part of Ngaati Maahanga is given in a well-known account of the late Pouwhero Kihī, a Ngaati Ruru elder, who was one of the last occupants at Nukuhau Paa. He laid the name of Ngaati Ruru [ki Whatawhata] to rest, so that they would no longer be separate in name, but would hence forth come under Ngaati Maahanga. In this way, when reference is made to Ngaati Ruru, Ngaati Ngaamurikaitaua, or any of these smaller hapu living within the Ngaati Maahanga rohe, it refers to the specific lines of those hapu that became part of Ngaati Maahanga, and not to the main population of these hapuu who live in other places.

Ngaati Koura is another example of this process. The entity of Ngaati Koura has become largely historical and obscure. Ngaati Koura was not in the list of 33 hapuu consolidated

(administratively) as Waikato-Tainui in 1946. At this time, remnants of smaller hapuu were absorbed into their natural larger groups. Hence, Ngaati Koura remnant lines can be found in Ngaati Hauaa, Ngaati Ruru, Ngaati Wairere (originally from the branch of Ngaati Hauaa) and Ngaati Maahanga (Hayward & Simons 2015).

Koura, from whom Ngaati Koura descended, is an ancestress of most, if not all, of Waikato Tainui. Hotumauea (Koura's grandson) is a tuupuna belonging to Ngaati Hauaa, Ngaati Korokii, Ngaati Maahuta and some parts of Ngaati Maniapoto. As both Koura, and Hotumauea, lived many generations ago, and because of inter-marriage, they are the tuupuna of everyone in Waikato Tainui. In any case, many generations had passed before the name Ngaati Koura came into general usage. Ngaati Koura as a distinct hapuu began in the time of Te Ironui, who was Ngaati Hauaa and Ngaati Ruru. He rose to prominence in the Battle of Rangipootiki, a battle fought primarily by Ngaati Maahanga and Ngaati Te Wehi against the people of Te Rauparaha. This is estimated by Pei Jones to be during the very early 1800s. In the documentation of Nga Tapuwae O Hotumauea reference is made to the battle of Rangipootiki, but Te Ironui is confused with Iranui the son of Wairere. Te Ironui was a contemporary to Te Waharoa and Te Tiwha, Chiefs of Ngaati Hauaa and to Te Rauparaha. This chronology demonstrates this confusion, as Iranui, a son of Wairere (who lived in the 1600's) could not have fought in the Battle of Rangipootiki which occurred in the 1800's. (Hayward & Simons 2015)

Whilst Ngaati Hourua is clearly part of Ngaati Maahanga, it is sometimes recorded with other affiliations. For example, because Ngaati Hourua fought with other Iwi and hapuu, in military contexts Ngaati Hourua is often referred to as part of Ngaati Hauaa, particularly in reference to the battles at Kaipaka and Taumatawiiwii. This assumption is also made because Hourua's husband Puukauae, was the son of Hauaa. Similarly, Ngaati Hourua is also referred to as part of Waikato Tainui, because the Ngaati Hourua Chief Te Awaitaia led the Southern Waikato tribes in battle. This clearly illustrates the flexibility of relationships in the hapuu structures of Waikato Tainui. Another example is Ngaati Hourua (Mura Section) which was originally part of Ngaati Hourua tuuturu, but later became part of Ngaati Korokii.

When the British arrived in the Hamilton area Te Awaitaia (Te Awaitaia Wiremu Nera) was Chief of Ngaati Maahanga – he was known as Te Awaitaia until he assumed the name Wiremu Neera when he converted to the Wesleyan Faith in 1836. He was the great grandson of Maahanga, and ruled most of the western areas of Kirikiriroa along the Waipa river towards Ngaruawahia.

His principle hapuu were Ngaati Hourua and Ngaati Ngaarape. He was often called Pootatau's (Maaori King) Fighting General. History remembers him as the chief who slayed the Ngaati Tama Chief, Raparapa, an ally of Te Rauparaha, at the Battle of Taharoa. Along with other Waikato Chiefs, he was instrumental in the expulsion of the West Coast tribes, and the conquering of that Territory. He played a large role in the battle at Kaipaka. Te Awaitaia, lived the later years of his life at Whaingaroa (Raglan), though his mana over the Hamilton West lands remained constant.

Predominantly located to the west of the Waikato River, Ngaati Maahanga have had a long standing presence alongside Tamalnupoo, Wairere, Korokii, and Hauaa within the Hamilton rohe (district). Like these other hapuu, Ngaati Maahanga experienced significant land losses during the colonial confiscation period. In the 1850's, to encourage trade and good relations, Ngaati Maahanga made their land available for settlement and use by immigrant Europeans. From this a strong trade network developed in the agricultural and horticultural industry. However, Ngaati Maahanga expected the Europeans would comply with the laws of the Maaori community and values of manaakitanga (serving and looking after others). Instead Ngaati Maahanga's lands were confiscated under deeds of sale and the Reserves set aside

for Ngaati Maahanga were also subsequently taken. With the introduction of various Crown laws, Ngaati Maahanga saw almost all their land lost to the Crown.

Following the land confiscations, Ngaati Maahanga moved “outwards” to the Whatawhata, Te Pahu, Waitetuna, Whaingaroa, Aotea, Ohaupo and Pirongia areas.

The land, which includes the Peacockes area and the three Paa (Nukuhau, Hahawaru and Whatukooruru) located there, has always been significant to Ngaati Maahanga. The Mangakootukutuku stream, which runs through the area into the Waikato River, provided access to the Waikato River and hence to Hamilton for trading and transport of people and goods.

2.2 NGATI TAMAINUPOO KOORERO

Tamainupoo, probably the most famous of Kokako’s sons, was borne in Kaawhia. On a journey to look for his father, he met and married one of Maahanga’s daughters Tukotuku. They settled on the Waipa River, between Whatawhata and Ngaruawahia, and from them Ngaati Tamainupoo are descended. One of their sons, Wairere, had two daughters, Kaahurere and Tumataura, both of whom married Korokii (Ngaati Kauwhata) – a warrior who lived near what is now Cambridge.

Korokii and Tumataura had two sons Haape and Hauaa – Haape gave rise to Ngaati Korokii Kahukura and Hauaa to Ngaati-Hauaa.

Korokii and Kahurere had a daughter called Ruru who married Koorako, one of Wairere’s grandsons. They had a son named Waenganui who married a woman called Koura. These unions gave rise to a group of hapuu now known as Ngaati Koura, Ngaati Waenganui, Ngaati Ruru, and Ngaati Ngaamurikaitaua,

Thus, early in the 17th century, in the district south of the Huntly Gorge, Ngaati Tamainupoo lived on the bank of the Waipa between Whatawhata and Ngaruawahia, Ngaati-Korokii on the Waikato between Maungatautari and Hamilton, and the families of Maahuta and Paoa near Taupiri.

2.3 NGATI WAIRERE KORERO

Most of the following information is extracted from “Nga Tapuwae O Houtumauea”, (authored by W. Puke : 2002) and deals only with the hapuu who were related to Ngaati Wairere who lived in, or had some association with, the riverside Paa within the Hamilton City boundaries. Exhaustive descriptions of Ngaati Wairere are provided in other documentation elsewhere.

Kokako was a Chief whose origins linked to the Mataatua canoe. Kokako was blamed for the drowning of Tuheitia, Maahanga’s father. As a result, Maahanga and Kokako were continually in dispute. Tamainupoo, the most famous of Kokako’s sons, married Maahanga’s daughter Tukotuku. They had one son named Wairere.

The birth of the son Wairere was so significant that Kokako and Maahanga made peace at Purakau Paa. To mark Wairere's birth the ancient name of the river was changed from Te Awanui O Taiehu to Waikato - Waikato means "to pluck water" and refers to the motion of sprinkling water on the child during the Toohi (baptism ritual).

Wairere's baptism ritual was performed at Taipouri Island near Huntly. In later life Wairere had several wives who produced several sons, daughters and numerous descendants. In his old

age, Wairere travelled southwards to the Taupoo district and married Hikataupo a Chieftainess of Ngaati Tuuwharetoa.

Of the many hapuu associated with Ngaati Wairere, the following had particular association with the Riverside Paa, including those in the Peacocks area.

- 2.3.1 **Ngaati Koura:** Paoa (mid 1600's) a Tainui Chief, lived at Kaitotehe Paa opposite Taupiri mountain with his first wife Tauhakari. They had three children: two sons Toapoto and Toawhane and one daughter, Koura after whom this hapuu was named. Koura married Waenganui, a mokopuna (grandson) of Korokii and his wife Kahurere (herself a daughter of Wairere). On the death of her two brothers Toapoto and Toawhana, Koura and her mokopuna Hotumauea set about conquering the Ngaa Iwi people (indigenous Pacifica people before Maaori) who were living along the western side of the Waikato River from Taupiri to as far south as Te Raapa Paa, (by what is now Waikato Hospital).
- 2.3.2 **Ngaati Haanui:** Wairere and his third wife Tukapua had a son named Maramatutahi. He married Paretahuri and their third child was named Haanui. Haanui became one of Ngaati Wairere's greatest hand-to-hand combat warriors. It was Haanui and Hotumauea who set about conquering the Ngaa Iwi people of this region and claimed large areas of their lands for Ngaati Wairere and their sub-tribes. On his death Haanui was buried at Karamu Paa in Gordonton. In the late 1880's his bones, and those of Hotumauea, were exhumed under the supervision of King Taawhiao and Te Puke Waaharoa, to protect them from possible degradation during the land wars. They were reburied at Taupiri mountain. The location of these burial sites is still known to a few of their living descendants. Ngaati Haanui constructed a number of Paa throughout their lands, but the remnants of only one, Miropiko Paa on River Road, is still visible today.
- 2.3.3 **Ngaati Ngamurikaitaua:** There were two people called Ngaamurikaitaua. As they were both famous they are referred to as Ngaamurikaitaua 1 and 2.

The ancestor Ngaamurikaitaua 1 descended from Maahanga's sister-in-law Tikitiki. Ngaamurikaitaua 1 married Puuruhi (early 1600's) who descended from Maahanga's son Ruateatea. Their daughter Ngaamurikaitaua 2 gave birth to Te Tipi who in turn had a child called Inuwai, who was part of the construction of Hahawaru and Nukuhau Paa.

This hapuu derives its name from an event which occurred in the time of Ngamurikaitaua 1, sometime during the 1600's. Following an unidentified battle, a number of dead warriors' bodies were placed in a canoe moored on the Waikato River to await their burial. However, the canoe broke its mooring and floated down stream, where it was seized by the people of this hapuu as it floated by. They cooked the decomposing bodies in a specially constructed Umu (oven) and ate them. From then onwards this group were known as Ngaamurikaitaua, the name describing the eating of these decomposing warriors bodies. Ngaati Ngaamurikaitaua warriors took part in the famous Hingakaakaa battle (1791), fought near Ohaupo close to the shores of Lake Ngaaroto.

2.4 NGAATI KOROKII KAHUKURA KOORERO

Ngaati Korokii Kahukura has connections to both Waikato Tainui and Raukawa Iwi. The traditional rohe (region) of Ngaati Korokii Kahukura extends north to Horotiu Paa (Te Raapa region of Hamilton), west to Puahue, east to Puketutu and south through Waipa, Huihuitaha, Waotu North, Waotu South, Matanuku, Maraetai, and Wharepuuhunga to Waipapa.

Throughout this area different hapuu have different levels of Mana (interest in or claim to) in blocks of land. Ngaati Maahanga have dominant mana whenua interests in their homeland area, which includes:

- in and around Cambridge and
- from Te Tiki o Te Ihingarangi (an historic Paa site on the north western side of Karapiro) and Te Taurapa o Te Ihingarangi (eastern side of Karapiro)
- through Pukekura, Horahora and Maungatautari land blocks to the south eastern corner of the Maungatautari blocks where the Owairaka river and the Waikato River, meet at Waotu North.

Ngaati Korokii Kahukura has shared (with Ngaati Maahanga) interests in:

- the eastern side of the Waikato River from Te Taurapa o Te Ihingarangi to where Owairaka and the River meet at Waotu North and
- the areas outside their homeland with their relations of Waikato to the north and Raukawa to the south.

Ngaati Korokii Kahukura are a river Iwi, as are the majority of Waikato Tainui hapuu. Their relationship with the Waikato River has endured for centuries. The spiritual and cultural wellbeing of the Ngaati Korokii Kahukura people is inherently linked to the wellbeing of the Waikato River and the tributaries which feed it.

Ngaati Korokii is descended from Haape, one of Korokii's two sons – the other was Hauaa. The hapuu Ngaati Kahukura were dominant in the Waotu and Waipapa areas (South Waikato). They intermarried with Ngaati Korokii; thus the collective hapuu of Ngaati Korokii Kahukura was formed.

Tioriori (Ngaati Korokii) and Te Waaharoa (Ngaati Hauaa) as well as being kinsman, were the recognised leaders of their hapuu and were skilled tacticians in warfare.

Tioriori was the recognised leader of Ngaati Korokii. He was a nomadic leader, skilled in the art of war. He was taught to read and write English in addition to the traditional education he received in the Whare Waananga. He lived at a number of locations including Cambridge, Arikirua, Tamahere, Te Parapara Pa (Hamilton Gardens), Kirikiriroa, Rangiaowhia, Kihikihi, Arititaha, Te Tiki o Te Ihingārangi, Tane and many other places at the base of Maungatautari. He became a native magistrate and school governor. He was captured at the battle of Rangiriri and held prisoner until the end of the Waikato colonial invasion.

2.5 NGAATI HAUAU KOORERO

Korokii (Ngaati-Kauwhata) married two of Wairere's daughters Kaahurere and Tumataura. Tumataura had two sons Haape and Hauaa. Haape gave rise to the Ngaati Korokii Kahukura lineage and Hauaa to Ngaati Hauaa.

Ngaati Hauaa is an Iwi in its own right – the hapuu of Ngaati Hauaa are: Ngaati Te Oro, Ngaati Werewere, Ngaati Waenganui, Ngaati Te Rangitaupi and Ngaati Rangi Tawhaki.

During the early 1800's Ngapuhi invaded the Hauraki carrying guns. The people of the area fled and sought refuge at Karapiro. This disrupted and displaced the Ngaati Hauaa people living in this area and they left to find refuge with their whanaunga (relations) in Tauranga, Maungatautari, Cambridge, Tamahere and Kirikiriroa (Nukuhau).

During the 1840's and 1850's Ngaati Hauaa established a strong economy centred at the thriving Christian community of Peria. Their Rangatira (Chief) Wiremu Tamehana attempted unsuccessfully to develop a relationship with the Crown on issues of Maaori governance. Because this was unsuccessful he supported the establishment of a Maaori King to provide order and laws within Maaori communities. He anointed the first Maaori King. From that time onwards Ngaati Hauaa have played a prominent role in the establishment of the Kingitaanga (Maaori King Movement). Wiremu Tamehana, and his descendants, hold the position known as Tumuaki or "Kingmaker" and it is their task to find and anoint each new Maaori King or Queen. They are also prime advisors to the King or Queen.

Relationships between the Crown and the Kingitaanga deteriorated over the early 1860s and in July 1863 Crown forces invaded the Waikato. As part of the Kingitaanga, Ngaati Hauaa opposed the invasion of 1863 and 1864, and many of their people were killed or wounded in ensuing battles.

In February 1864, Crown forces attacked the unfortified agricultural settlement of Rangiaowhia which was a refuge for women, children and the elderly. In 1865 the Crown confiscated a large area of Waikato land, including the western part of the Ngaati Hauaa rohe. This raupatu (theft) destituted Ngaati Hauaa and left the Iwi virtually landless. In May 1865 at Tamahere, Wiremu Tamehana laid his taiaha at the feet of a British officer and signed 'he maungarongo' ('the covenant of peace'). Until his death in 1866 he sought the return of the confiscated Waikato lands and an investigation into the causes of the war. In the late nineteenth and early twentieth centuries in his role as Tumuaki, Wiremu's son Tupu Taingakawa, continued to seek justice for this Raupatu.

From 1866 the Native Land Court converted customary "land title" into "title derived from the Crown". Legislation derived from this change which was in force until 1873 limited the ownership of any land block to ten or fewer individuals. This meant that land previously held by multiple Maaori owners passed to individuals or small groups. This led to large areas of land previously awarded by the Court to Ngaati Hauaa being sold by the (new) individual owners, without any reference to the original hapuu or Iwi owners. Consequently, by the 1880's private people had acquired a large quantity of Ngaati Hauaa land. Crown purchasing activity further reduced Ngaati Hauaa land holdings.

Ngaati Hauaa lost further land in the nineteenth and twentieth centuries through public works takings for roading, railways, schools, and hydroelectric purposes. Ngaati Hauaa also had a grievance relating to the Crown using the Public Works Act in 1951 to take their land at Waaharoa to construct the aerodrome.

APPENDIX 3

3 SITES OF SIGNIFICANCE IN THE AREA

There is a long and extensive history of Maaori occupation of the lands of the Hamilton City Council area. This occupation is evidenced by sites of significance, such as Pa and Urupaa which have been documented in Council documents such as District Plans. This information is available because the pressure for development has largely been in the more populated areas of the city. This has promoted investigation and research into the Maaori occupation of the City as part of the RMA consenting process. Hence there is now a wealth of information about the Maaori history of those areas.

By contrast, until recently, there has not been any demand to develop green field areas such as Peacocks and hence there has been little research into the Maaori history of the area. It is only now that predicted population expansion and the associated housing pressures are driving the Hamilton City Council to identify new green field areas where such expansion can occur. This in turn is now driving the need to document the Maaori history and cultural associated with these new areas to ensure that this is not damaged by planned development of the area. However, because to date, there has been little research into these areas, the current information about the Maaori history and sites of significance within the Peacocks area is sparse. This CVA presents what is currently known, but also identifies the necessity to fund further research into the Maaori history of the area, before large developments begin.

In terms of “sites” such as Paa, it is essential to recognise that the area of “significance” of a Paa is not defined by the outer defensive ditch or where the wooden fortifications stood. Maaori records demonstrate that the activities that were essential to the everyday life of the people of a Paa stretched far beyond the limits of the Paa’s fortifications. Indeed, there were extensive farming activities in a vast area around most Paa. Many people lived in the area around the Paa, rather than inside its fortifications, only retreating inside the Paa in times of threat from invading war parties. Crops were planted, Koiwi were buried, religious and ceremonial ceremonies involving burying Talismen and Taonga, were all carried on outside of the Paa. Hence for Tangata Whenua, the area of significance of a Paa cannot be defined by a line drawn to identify the fortified perimeter of a Paa, but must include an extensive area of land around the Paa.

Indeed, the whole of the land in its entirety is of importance to Maaori. Many activities were carried out well away from centres of habitation. Hunters and food gatherers travelled considerable distances from Paa (fortified village) and Papakainga (none fortified village) and often set up temporary camps close to seasonal food sources. They carried out various rituals and ceremonies associated with their everyday life and food gathering activities during their travels and at their temporary camps. Whilst the actual location of many of these sites are now lost, buried human remains (Koiwi) and artefacts(taonga) that attest to their presence may still be buried in the soils of the area.

In the following section, several of the sites discussed are not within the area defined by HCC as the “Peacocks” district, and could therefore be considered as irrelevant to the current study. This highlights the difference between Maaori and European concepts of Districts and boundaries - Local Authority boundaries do not match Maaori areas and boundaries. Local Authority districts are administrative areas defined by boundaries drawn on a map. Maaori Districts (rohe) are defined by the tribal affiliations of the people who lived in the area and the narratives of the events that occurred at, and around, particular sites. Hence, as Local

Authority Districts are very much smaller than Maaori Districts, several Local authority districts are often contained within one Maaori “district”.

Hence, if the Maaori narratives (koorero) which define a rohe are confined to only what happened in a particular Local Authority District within that rohe, the koorero does not make sense. This is best illustrated by some of the koorero about Nukuhau Paa, which comes within the Peacocks district.

(Extract from Nga Tapuwae O Hotumauea: 2002):

“In an interview in 1998 the late Mr. Waea Mauriohoho (Ngaati Raukawa and Ngaati Haua) recounted that “Mahinarangi and her husband Turongo crossed the Waikato River at the Narrows, whilst travelling to Nukuhau Paa. The name Tamahere is derived from the way Mahinarangi tied Raukawa, her infant son, to her back whilst she swam across the river - Tama (son) Here (to bind).”

In terms of the Maaori concept of a District, this narrative about an event that took place at and around Nukuhau Paa makes perfect sense Nukuhau Paa is close to the narrows where Mahinarangi crossed the river on the way to Nukuhau Paa to visit relatives. However, in terms of Local Authority boundaries, if the story is restricted to what happened within the HCC defined Peacocks district:

- Mahinarangi and Turongo started on the east bank of the river in the Waikato District Council area (Tamahere),
- They swam across the river and emerged on the west bank into Waipa District Council area.
- They entered the Paa in the Waipa District Council area
- However, as the boundary between Waipa District Council area and Hamilton City Council runs through Nukuhau Paa, then once in the Paa, they were in Waipa or Hamilton City Districts, depending upon which part of the Paa they were in.

Hence, if the narratives for this current study are confined to only the HCC defined Peacocks area, then this story does not make sense and could be classed as irrelevant.

Similarly, in terms of Local Authority boundaries, the Paa on the West side of the river (Nukuhau, Whatukoruru, Hahawaru) are within the HCC “Peacocks” area. These are therefore quite separate from the Paa on the other east side of the river, as they are in another HCC district - some are also in Waikato District Council’s area. By contrast, as far as Maaori are concerned these are all river Paa and as the river was their prime source of travel and transport, they are all within the same rohe (district), just on either side of the river. They are/were not distinguished by their particular location, but by who lived there and their tribal associations. For this reason, the following section documents the Paa “within the Nukuhau Whenua rohe” rather than in the Peacocks District.

3.1 PA IN THE NUKUHAU WHENUA ROHE

Pre-European Maaori commonly sent war parties to invade other areas to settle old scores, take prisoners as slaves, or to access the natural resources of the area. Consequently, settlements were usually centred on/around fortified Paa. These were built in strategic positions, such as steep-sided promontories on riverbanks or gullies, which could be fortified with a minimum of construction, and easily defended. While some people lived within the Paa,

others had their home outside the fortifications and only retreated to the Paa when under attack or threatened.

3.1.1 NUKUHAU PAA

Nukuhau Paa was the most important and significant Paa in the area. It was not only a place where people lived, but was also a meeting place where waananga were held and Taua (warriors) from various Hapuu congregated prior to going into battle

Ngaati Wairere koorero associated the Paa with Ngaati Wairere and records that the Paa was established by Korokii as fighting Paa and a fortress that protected the people and surrounding whenua in times of inter-tribal warfare.

Ngaati Maahanga koorero associates the Paa with Ngaati Maahanga and records that it was Tipi who built Nukuhau Paa (Hayward & Samuels 2015). Te Tipi is the acknowledged origin of Ngaati Ngaamurikaitaua as a distinct hapuu and his lineage demonstrates the association between Ngaati Maahanga, Ngaati Ngaamurikaitaua and Nukuhau Paa.

The area surrounding the Paa was extensively cultivated. The narrowness of the Waikato River close to the Paa (now known as the Narrows) allowed the people of the Paa and the surrounding whenua easy access to the eastern bank of the river. This thereby expanded their horticultural (Maara kai or food gardens) and trading area and activities. The Maara Kai in this wider zone were extensive and highly productive.

People from different hapuu lived at and lead the people of the Paa in times of war and peace. Tuhikitia was a Ngaati Hauaa Chief who led the occupants of Nukuhau Paa in his time. Pouwhereo Hiki, a descendant of Te Tipi (who Maahanga identify as the builder of the Paa) and Inuwai, was one of the last to occupy the Paa (Hayward 2017). Ngaati Wairere Chiefs Te Apipainga, Te Ironui, Iraia Patoto, and other hapuu Chiefs such as Porokoru and Tatangi Te Roore lead their respective Taua (warriors) in the defence of Nukuhau Paa during attacks by both Ngaati Taukaawa and Te Rauparaha prior to the 1820's (extract from HCC Draft District Plan change: Maaori Heritage Section).

In 2002, Nga Mana Toopu O Kirikiriroa (NaMTOK) prepared a report, authored by Wiremu Puke, entitled "Nga Tapuwae O Hotumauea" (the footsteps of Hotumauea), which detailed some of the Maaori history of the Paa sites along the Waikato River. Whilst this dealt primarily with sites within the Hamilton City boundaries it made brief reference to the Peacocks area. In 2006, as part of preparing a structure plan for the Peacocks area to determine strategies for future Urban development, the Hamilton City Council (HCC) requested NaMTOK to review that report and add any further comments or information regarding additional sites that may have been missed as part of the 2002 investigation. That information was documented in "A Cultural Evaluation by Nga Mana Toopu O Kirikiriroa: Assessment of Tangata Whenua Historical and cultural sites in the Peacocks area." Author Wiremu Puke. The following is extracted from both those NaMTOK reports:

"Gainsford Road, which marks the boundary between Hamilton City Council and Waipa District Council, cuts through Nukuhau Paa. Whilst the district now known as Tamahere is on the other side of the Waikato River from Nukuhau

Paa, the derivation of the name has some relevance to the Paa. In an interview in 1998 the late Mr. Waea Mauriohoho (Ngaati Raukawa and Ngaati Hauaa) recounted that "Mahinarangi and her husband Turongo crossed the Waikato River at the Narrows, whilst travelling to Nukuhau Paa where Ngaati Koura, Ngaati Ngaamurikaitaua and Ngaati Ruru were living. The name Tamahere is derived from the way Mahinarangi tied Raukawa, her infant son, to her back whilst she swam across the river - Tama (son) Here (to bind)."

This location, where the Narrows Bridge crosses the Waikato River, is the narrowest point of the Waikato river in this area. It was therefore a place of great significance to pre-European Maaori as they could cross the River here, thereby giving access to and from Nukuhau Paa. There was a canoe landing point on the west bank of the river, where war canoes were pulled onto the riverbank and hidden under the scrub and ferns. Ancient Maaori commonly declared such strategic places of importance tapu. Designating and identifying a place as tapu was done in various ways including:

- Painting the trunks of large trees with red ochre.
- Establishing a place of ritual where offerings were made to various tribal deities to ensure travellers safe passage.
- Placing a carved stone or rock to mark the location as tapu.

There were a number of canoe landing sites along the Waikato River. These were generally considered to be sacred places particularly when the bodies of slain warriors that had been transported by canoe were landed at one of these landings.

The canoe landing site and river crossing at the Narrows were very busy in pre-European times. Hence items such as stone talismans, discarded stone tools and other Taonga may well be buried in the river bank or river bed and hence may be unearthed during any earthworks that might be undertaken near the riverbanks.

3.1.2 KAIROKIROKI PAA

This Paa is located on the west bank of the Waikato River, between Wai Ora Terrace, Peacockes Road and the Waikato River. It is directly across the river from the Te Parapara Paa site in the Hamilton Gardens and the Managakootukutuku inlet into the Waikato River.

The Paa site runs parallel to, but slightly elevated above, the River. At its eastern end it was protected and defended by a ditch and trench structure which is well preserved and visible today.

In 1993, a partly carved Patu (hand held fighting club), made from medium grain, green-grey, volcanic rock, was unearthed in the eroding river bank close to the Paa. When found, the Patu was in two pieces. In 2005, segments of an ancient waka (canoe) were also unearthed near to the Paa. Two sections of the hull of a waka were also recovered from the Waikato River also close to the Paa.

Muskets and other weapons have been found within the Paa site, wooden artifacts were found to the south of the Paa and musket balls close by in the Waikato River. A large burial ground (Urupaa) has also been recorded near to the Paa site.

3.1.3 WHATUKORURU PAA

This Paa is located in the Managakootukutuku Valley with Hall Road to the West and Peacocks Lane to the East. The Paa is surrounded on three sides by the gully and double ditch and bank style defences. It is classed as an “horticultural” Paa as borrow pits and modified Maaori-made garden soils have been found in the area around it.

The following additional information is extracted from an Iwi Consultation report prepared by NaMTOK (author Wiremu Puke) in February 2003, for an RMA resource consent application for a property in the Dixon Road area.

“The application falls within the traditional lands of Ngaati Koura and Ngaati Ngaamurikaitaua, sub-tribes of Ngati Wairere who occupied the nearby Whatukoruru Paa prior to 1864. The Whatukoruru Paa is situated off Peacocks Lane and derives its name from the large gully system that extends through the area.”

The Hamilton City Council recently returned ownership of Whatukoruru Paa to Waikato Tainui.

3.1.4 TE PUHI A TARAO PAA (Tiireke) & HAHAWARU PAA (Glenview, Deanwell).

The following account is extracted from page 15 of “Ngaa Maara O Muriwhenua – Ngaati Maahanga Sites of Historical Significance in Hamilton West.” Compiled by Paretutaki Hayward (Ngaati Maahanga, Ngaati Houra) for Te Haa O Te Whenua O Kirikiriroa, April 2017.

“Te Puhi a Tarao was a Paa at the foot of Tiireke maunga (mountain). Tiireke maunga, was the rise where the Paa stood and is now known as Resthills Park. An old map shows Tiireke was near the source of the Mangakootukutuku river. As the name suggests, Ngaati Tarao were associated with this Paa, as well as Ngaati Ruatatea (groups who have descent from Ngaati Koura, Ngaati Waenganui and Ngaati Ngaamurikaitaua). Ngaati Hourua also had a Kaainga nearby, known as Hahawaru Paa (also known as Takakura Kaainga). The location of this Paa has been estimated near to what is today called Chinaman’s Hill. Tiireke was the site of the largest Maaori owned flour mill during the 1840s – 1850’s. Ngati Ngamurikaitaua has been associated with this mill.”

3.2 EAST BANK PA

The following information is extracted from “Nga Tapuwae O Hotumauea” Maaori Landmarks on Riverside Reserves Management”. The Maaori content in this Management Plan was

prepared by Nga Mana Toopu O Kirikiriroa to assist in the management of traditional Maaori sites situated on reserves along the Waikato River within Hamilton City boundary. NaMTOK identified seventeen significant riverside landmarks within the boundaries of the Hamilton City Council. The following sites are located on the east side of the Waikato River, but in Maaori culture they are relevant to the Nukuhau Whenua area.

3.2.1 **Te Nihinihi Pa:** (Dillicar Park) – other side of the river opposite Peacockes Reserve.

Little is known about this Paa except that Ngaati Koura and Ngaati Haanui occupied it at various times during its existence. It is believed that the elongated shape of this Paa resembled, and hence commemorated, Hotumauea's footprint.

Most of the Paa is located in Dillicar Park but a portion is on privately owned land. This park is named after Councillor Dillicar who was in Council from 1935 until he resigned in 1945.

3.2.2 **Te Parapara Paa**

Te Parapara Paa is located in what is now the Hamilton Gardens. It was occupied by Haanui and his Ngaati Wairere descendants. The Paa was particularly renowned as a site of sacred rituals associated with harvesting of food crops and the collection of the first berries from forest stands in the area. There was a Tuahu (sacred altar or shrine) called Te Ikamauroa at the Paa.

As the then representative organisation for Mana Whenua, Nga Mana Toopu O Kirikiriroa designed and developed Te Parapara Maaori garden at Hamilton Gardens. This commemorates the association of Tangata Whenua with this, their traditional lands, the location of Te Parapara Paa and illustrates pre-European Maaori horticultural practices – particularly cultivation of Kumara.

3.2.3 **Te Paa O Ruamutu** - Hammond Park Reserve; East bank, below Balfour Crescent

This Paa was named after Ruamutu, the Chief of the Ngaa Iwi people who constructed the Paa and occupied it until Ngaati Wairere dispossessed them. Ruamutu was killed in the battle for the Paa. Ngaati Wairere occupied the Paa until the arrival of the British. This was a large boundary Paa, certainly one of the largest Paa within the Hamilton City area. It was sited close to, and guarding, the boundary between the lands of Ngaati Wairere and Ngaati Hauaa. The Paa was rectangular in shape, built on a headland close to the Waikato River, just upstream from the Mangaonua gully (Tamahere). Balfour Crescent crosses what was the ditch fortification of the Paa, but this ditch is now unrecognisable as it was filled in during the development of Balfour Road. The ridge upon which the houses at the end of Balfour Crescent, closest to the river, are built was the original central raised terrace of the Paa. There are no remnants of any of the original structures remaining today.

During the wars with Ngaati Raukawa in the mid 1600's a number of battles were fought at Te Paa O Ruamutu, and along the riverbank close to the Paa. At one time during these wars the warriors of Ngaati Raukawa, led by their Chief Ngaa Tokowaru,

came up river by canoe. The canoe was spotted by the people of Te Paa O Ruamutu Paa. They abandoned the Paa in a ploy to convince the invaders that they were in unopposed control and possession of the area. This ploy worked and the Ngaati Raukawa warriors passed by the Paa and continued up the river to Taupiri where they were defeated by the combined forces of Ngaati Maahuta, Ngaati Maakirangi and Ngaati Wairere.

Whare Koata, a paramount chief of Ngaati Wairere, lived at Te Paa O Ruamutu Paa. He was killed by an invading war party from Hauraki whilst on a bird hunting expedition at Tauhei. Upon the news of his death this Paa was abandoned, and following ancient Maaori custom, became an Urupa (cemetery). King Taawhiao is reported to have visited this Urupa when he travelled through Hamilton in 1881.

Human bones (Koiwi), and numerous green stone artefacts have been found at this site by the bulldozer drivers who constructed Balfour Crescent and subsequently by house owners digging in their gardens.

3.2.4 Mangaonua Paa - Mangaonua Esplanade Reserve, East bank, below Riverlea Road.

Not a great deal is known about Mangaonua Paa. It was a small boundary Paa occupied by the people of Ngaati Wairere. The Paa marked and guarded the boundary between the lands of Ngaati Hauaa to the south and Ngaati Wairere to the north. Mangaonua Paa is close to Te Paa O Ruamutu and the two Paa were joined by a walking track.

3.3 OTHER FEATURES OF SIGNIFICANCE IN THE AREA

There are a number of historic and environmental features in the Peacocks area that are of considerable significance to Tangata Whenua. The following information is extracted from "A Cultural Evaluation by Nga Mana Toopu O Kirikiriroa: Assessment of Tangata Whenua Historical and cultural sites in the Peacocks area February 2006".

3.3.1 BORROW PITS.

Pre-European Maori cultivation involved excavating soil from an area and spreading the excavated soil over the surrounding area. This was then fertilised with wood ash and other components and the crops planted in this surface layer of soil. The surface layer of soil is now referred to as a "modified soil" and the hole from which the modified soil was excavated is a borrow pit. This soil excavation process was usually accompanied by pagan religious rituals that included burying a talisman (carved wooden or stone artefact) in the borrow pit. The Peacocks area was a major site of such pre-European Maori cultivation. Hence borrow pits and modified soils existed throughout the District with the largest concentrations along the river terraces and near major Paa and Papakainga sites.

Borrow pits could still be seen on various properties within the Mangakootukutuku catchment (Peacocks) and along the river terraces of the area in aerial photos from 1943 and 1954. Many of these borrow pits have since been modified or filled in during development of subdivisions and allotments. However, extreme care must be taken during any earthworks in the Peacocks area as these borrow pits, and the Taonga that are buried in them, may well become exposed during such works.

Artefact find sites and Maori place names are further evidence of Tangata Whenua's use of this catchment. More artefacts, Koiwi, Urupa, borrow pits, and modified soils may well be discovered as the Mangakootukutuku catchment is developed.

3.3.2 PUNA - FRESH WATER SPRINGS.

There are a number of Puna (fresh water springs) recorded in this area, but most of them are on private property. Puna were particularly important to pre-European Maori because water from a Puna that was particularly clear and pure was used for ceremonial purification in various rituals and religious ceremonies. This water was never used for domestic (drinking, cooking) purposes. Less "pure" water from other springs was used for domestic purposes, or for drinking water, depending on clarity and taste. Often kete (bags) containing Karaka, Tawa or Hinau berries were placed in the water of the Puna to ferment, or to remove toxins from the berries in preparation for their consumption.

At some puna, Paru was formed in the area where the water flowed out of the ground. Paru is a black mud, the colour being produced by the decaying vegetation and traces of iron oxide it contains. Flax fibres and carvings were immersed in the Paru to dye them black.

Human remains (Koiwi) and Taonga (talismen, wooden carvings) were sometimes buried in or near Puna.

3.3.3 URUPA (burial grounds)

There are records of many ancient Urupa (burial grounds) in this area - the location of some is known, but most have now been lost or destroyed. It must be recognised therefore, that pre-European Maaori did not bury their mate (bodies) in specific areas similar to European cemeteries. Rather they were buried in land which had significance to the whanau (family) or hapuu (tribe) of the deceased, often at unmarked sites. Consequently, Koiwi (human remains) may be encountered at any location or depth below the surface (Koiwi were recently unearthed at a depth of 16 feet) during development of Peacocks.

3.4 THE ENVIRONMENT

The following account is extracted from documentation by NaMTOK (Wiremu June 2007 from RMA application report for Dixon Road, Peacocks)

“Properties on Dixon Road fall within the traditional lands of Ngaati Ruru, Ngaati Parehaehaeroa, and Ngaati Koura who are the Tangata Whenua for the area. Documents from the 1860’s record that the hill ridges in this area were once covered in Totara, Kauri, Rimu and Manuka scrub along with stands of Kahikatea, Raupo, toetoe, and native flaxes along the swampy margins and nearby gullies. Springs were also evident that contained artifacts and clear suitable drinking water. The Ohaupo Road heading south is constructed upon an ancient Maaori walking track that was commonly used by war parties.”

In the 1850’s, local hapuu cultivated extensive areas of wheat and maize and had established a mill to process their harvested produce. These lands were confiscated by the Crown in 1865.

3.5 WATERWAYS, STREAMS AND GULLIES

The Waikato River is the prime waterway in the area and defines the eastern boundary of the Peacocks district. The Mangakootukutuku catchment within the Peacocks District collects water and feeds it, via the Mangakootukutuku, into the river. On the other side of the river (east bank) the Mangaonua stream flows into the river from Tamahere.

Mangakootukutuku means tree Fuchsia stream - Manga means a watercourse or stream and Kotukutuku is the tree Fuchsia (*Fuchsia excorticata*). Ngaati Maahanga koorero is that these trees grew close to the area known as Tiireke and their edible berries were a traditional food source.

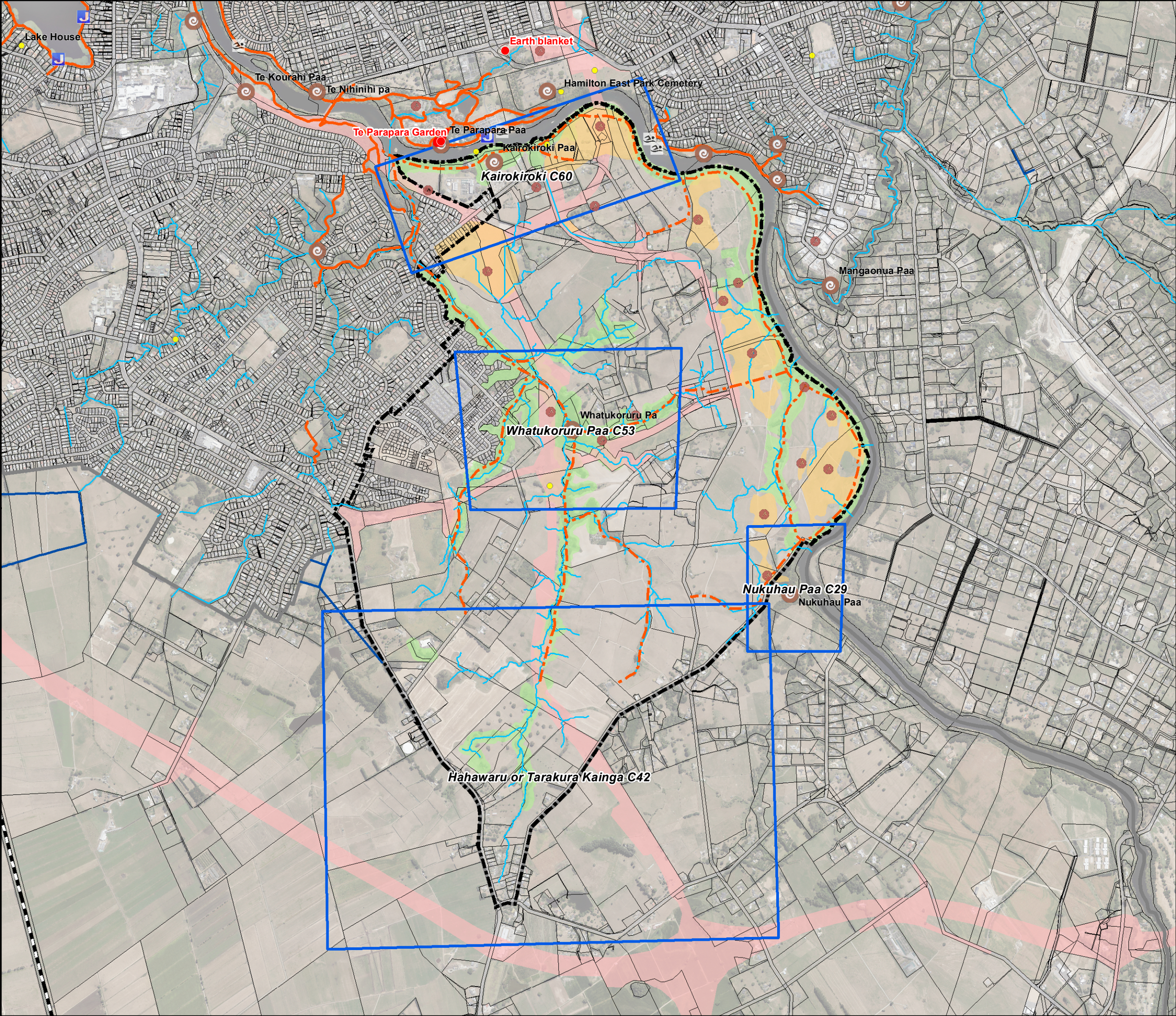
3.6 Mangakotukutuku stream and Catchment (extracted from Tangata Whenua section of the Mangakotukutuku Integrated Catchment Management Plan (ICMP) September 2019).

The abundance of natural resources in the Hamilton basin sustained the Tangata Whenua in the area. They obtained most of what they needed to support their material requirements from nearby bush, wetlands, the Waikato river, streams and what they could cultivate from the land.

The Waikato River, streams, lakes and extensive wetlands in the district teemed with life. Tuna (eels), whitebait species (inanga, banded kokopu and giant kokopu) smelt, piharau (lamprey eels), kanae (yellow and grey eyed mullet), kakahi/kaeo (fresh water mussels), and koura (fresh water crayfish). Some of these species were identified in the Mangakootukutuku catchment in a 2017 survey. Prior to European settlement, the Mangakootukutuku stream and Waikato river and all of its tributaries had high water quality, free from contaminants other than those naturally occurring (vegetation litter, sediment from erosion and scour).

Map title:
**SITES OF
SIGNIFICANCE MAP**

- Legend**
- Pou, Public Art and Gardens
 - Te Parapara Garden
 - Swimming Location
 - Jetty
 - Known Paa Sites
 - Urupa
 - Maaori horticulture
 - Other
 - Cultural Sites
 - Proposed path providing access to and along lakes, rivers and streams
 - Existing path providing access to and along lakes, rivers and streams
 - Farm Drain
 - Lined Drain
 - Natural Watercourse
 - Known Maaori Soils
 - Mangatookutuku Gully Network and Waikato River
 - Southern Links Designation
 - Structure Plan Boundary



**Cultural Value Assessment
Nukuhau Whenua
(Peacockes area)**

Prepared by:
Te Haa O Te Whenua O Kirikiriroa

Date: 20/07/2021
Scale: 1:20,000

Version
003

APPENDIX 4

4 MANA WHENUA ASPIRATIONS

4.1 INTRODUCTION

Through whakapapa (genealogy) Tangata Whenua are related to Ranginui (Sky Father) and Papatuanuku (Earth Mother) and this relationship is recorded in Karakia (prayer), Kawa (ritual) and Waiata (song). They return the Whenua (afterbirth) to the earth in recognition of this origin, and their eventual return to the earth after Mate (death). Because of this association Tangata Whenua align cultural, physical and spiritual wellbeing with Te Taiao (the environment). Consequently, all Maaori people are charged with the duty of care for the environment (land and water): this is the essence of the concept of Kaitiakitanga.

- “Kaitiakitanga is a principle incorporating the cultural, physical and spiritual values of Maaori. It includes the rules and practices Maaori have used for centuries to control and manage their natural resources, along with exercising their traditional responsibilities of guardianship and protection (Marsden & Henare, 1992)”.
- Kaitiakitanga is a traditional practice system which has been passed down through generations through oral and artistic history. The traditional stories of Ranginui and Papatuanuku are embedded into the younger generation for the sole purpose of passing on the customs and sustainable practices for the care of the environment (Moko Tauariki 2020).

KAITIAKITANGA (guardianship and protection of the environment: land, water, sea and air) IS THEREFORE A FUNDAMENTAL MAORI ASPIRATION.

4.2 ENVIRONMENTAL PLANS: giving effect to KAITIAKITANGA.

Dr. Hare Puke (Ngaati Wairere), Chairman of the Tainui Maaori Trust Board, said:

“The Resource Management Act 1991 allowed Maaori to once again put their hand back on their traditional lands.”

In recent years, settlements of Maaori Treaty Claims have returned some land back to Maaori, and given them access to resources to further purchase/acquire surplus Crown land. This, coupled with the requirement of Sections 6 to 8 of the RMA, has empowered Maaori to have their voices heard in regard to any proposed land development within their Rohe (district). Consequently, to inform developers, local authorities and the general public, Waikato Tainui Iwi Authority and some individual hapuu of Waikato Tainui Iwi, have documented strategic policies defining their values in regard to land and water. These policies define and give effect to their aspiration of Kaitiakitanga. The proposed Peacocks PSP has been measured against these plans.

Mana Whenua aspirations for the land of Nukuhau Whenua are identified by applying these policies to that whenua.

4.2.1 NGATI HAUAU ENVIRONMENTAL PLAN

Ngaati Hauaa developed an environmental plan which contains policies that guide/instruct developers and decision makers about how to meet Ngaati Hauaa's aspirations of Kaitiakitanga. Section 6 of the plan outlines these aspirations and priorities to include:

- Sustainable Land Use and Development: Use and Development of Lands: Te Wai (Water): Ngaa Repo (Wetlands): Maahinga Kai (Fisheries): Te Ararangi (Air): Cultural Heritage: Customary Activities: Ngaati Hauaa Tangata (Kaitiaki).

4.2.2 TE TURE WHAIMANA O TE AWA O WAIKATO

The Waikato Tainui Raupatu Claims (Waikato River) Settlement Act 2010 heralded a new era of co-management and co-governance of the Waikato River. This is underpinned by Te Ture Whaimana o te Awa o Waikato (Waikato Tainui's Vision and Strategy for the Waikato River). This vision is;

“for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come.”

The Vision and Strategy includes commentary on urban and rural development, water use and discharge, water take and recreational use. Every project must comply with the terms of Te Ture Whaimana and contribute to the restoration and protection of the health and well-being of the Waikato River including its tributaries.

4.2.3 WAIKATO TAINUI ENVIRONMENTAL STRATEGY: Tai Tumu, Tai Pari, Tai Ao

The visions for Waikato Tainui's environmental strategy are documented in “Tai Tumu, Tai Pari, Tai Ao”. The plan has three priority areas which define;

- **Te Mana o Te Wai (freshwater):** The Waikato river within the Tainui rohe will receive an A+ report card rating.
- **Te Mana o Te Whenua (land):** Waikato-Tainui double the ownership of lands every generation, and ensure all Waikato-Tainui Land Holding is culturally and economically sustainable.
- **Te Mana Whakahaere (customary and cultural activities):** All marae and tribal members are supported by tribal partnerships to fulfil priority kaitiaki responsibilities.

4.3 APPLICATION OF THESE ENVIRONMENTAL PLANS TO DETERMINE MANA WHENA ASPIRATIONS RELEVANT TO THE PEACOCKES AREA

Section 8.2.1 of the Waikato-Tainui Environmental Plan provides an hierarchal, priority-based framework which can be applied to identify Maaori aspirations for the land in the Peacocks area. It states:

“In managing the effects of a resource use or activity, regardless of the magnitude, frequency, or duration of the effect, Waikato-Tainui considers that it is necessary to provide a net benefit when considering social, economic, environmental, spiritual and cultural impacts – to strive for environmental enhancement. Therefore, it is necessary

to suitably manage any effects so that they are **avoided, remedied, minimised, mitigated, or balanced**.

For Waikato-Tainui, this is essentially a hierarchy where the premium way to manage an effect is to avoid it, the second way is to remedy it, and so on through to suitably balancing the effect, (offset mitigation).

"In managing effects consideration needs to be given to:

Avoid: manage the effects so they can be avoided - no effect occurs;

Remedy: managed to the point that the effect is eliminated (e.g. cleaning discharges to water so that the water of a suitable quality);

Minimise: manage frequency or magnitude of the effect to a point where it does not cause concern to Waikato-Tainui;

Mitigate: if the effects cannot be adequately avoided, remedied, or minimised, is there something that can be done to mitigate or offset the effect to create a benefit not directly linked to the proposed resource use or activity. (e.g. an effect of discharge to water being offset by additional riparian planting or wetland restoration).

Balance: when taking all the effects into consideration, and considering the relative weight of the effects to Waikato-Tainui, do the positive effects adequately balance out the negative effects, and provide environmental enhancement? Only Waikato-Tainui can determine whether effects are suitably balanced for Waikato-Tainui.

If this framework is applied to the Peacocks area it defines the **"aspirations" that are available to Mana Whenua in terms of the proposed development of Peacocks area:**

Avoid: (manage the effects so they can be avoided);

Abandoning the proposed development, leaving the land unaltered and returning it to Mana Whenua would give action to this requirement. However, whilst the Hamilton City Council recently returned the site of Whatakoruru Pa to Waikato Tainui, return of the whole area, much of which is in private ownership, is "unlikely".

Remedy: (manage to the point that the effect is eliminated).

Given the planned development of the area to incorporate a significant housing development with associated shopping precinct(s), recreational facilities, utilities and roading systems, it will be impossible to meet this requirement.

Minimise: (manage frequency or magnitude of the effect to a point where it does not cause concern to Waikato-Tainui).

For the same reasons as in "b" above, this option is not available.

Mitigate: (if the effects cannot be adequately avoided, remedied, or minimised, is there something that can be done to mitigate or offset the effect to create a benefit not directly linked to the proposed resource use or activity).

Given that options a, b and c above are not available, this option is the “highest” priority available to Mana Whenua in dealing with the proposed development of the Peacockes area. Mitigation (and commemoration) based on:

- Application and hence practical demonstration of Maaori environmental and cultural values in the planning and implementation of the development and
- Installation of structures to recognise the pre-European Maaori history and people who lived on this land,

will allow Mana Whenua to exert some amount of Kaitiaki over this whenua.

Balance: (when taking all the effects into consideration, and considering the relative weight of the effects to Waikato-Tainui, do the positive effects adequately balance out the negative effects, and provide environmental enhancement?).

Whilst this is the lowest priority option, because of its focus on environmental outcomes, it should be included as part of the implementation of option “d” above.

4.4 MITIGATING AND BALANCING THE EFFECTS OF THE PROPOSED DEVELOPMENT.

Irrespective of who currently owns this land, Mana Whenua’s fundamental aspirations for this land is;

- Kaitiaki (protection and guardianship) of the Whenua and Awa
- Recognising the Mauri of the land and commemorating the Maori history of the land.

As Mitigation and Balancing any damage done to the land and awa by development are the only option available for Mana Whenua to achieve this aspiration then implementation of Kaitiaki will have to be based on the following mitigation categories:

- Recognising the Maaori values (history, people and environment) associated with this land and commemorating/recording it appropriately and in a way that will be recognised and understood by none Maaori.
- Mitigating the damage which the development will cause to the Wairua of the land
- Protecting any/all sites of significance to Maaori (Waahi Tapu), including those currently identified and any that might be unearthed during the development.
- Mitigating any physical damage done to these sites of significance – this must apply to all land whether in “public” or private ownership.

“Once Waikato-Tainui sites are altered or lost, they cannot be replaced and there is no mitigation or compensation that can restore its original significance. Therefore, Waikato-Tainui must protect their Waahi tapu (sacred sites) and Waahi tupuna (ancestral sites) for the benefit of future generations and to acknowledge the sacrifices of tuupuna” (Waikato-Tainui, 2020).

- Identifying, protecting and enhancing the environment of the area (fauna and flora on land and in the waterways)
- Protecting the Waikato River and all local waterways from any damage during and after the development phases and
- Enhancing the water quality in the area so that it meets the Waikato Tainui defined A+ scorecard.

These broad mitigation categories will be achieved by application of practical measures such as, but not limited to, the following examples:

- Incorporating Maaori ceremonies before, during and after any physical work done on the area.
- Incorporating Maaori designs and artwork into structures developed in the area
- Incorporating native and indigenous plants into all planting schemes and setting aside areas of land as reserves in which the pre-European flora of the area can be regenerated.
- Incorporating surveys of land fauna (bats, birds, molluscs etc.), water fauna (fish, crustacea, molluscs) and flora (land and water) as part of the planning and implementation of the development.
- Based on the results of these surveys, develop “environmental” enhancement and protection strategies. One such strategy should address removing “exotic”, introduced fish species and reintroducing challenged or “at risk” indigenous fish species into the waterways and lakes in the area.
- Investigate and identify opportunities for Maaori employment as a priority in the development process.
- Incorporate historical Maaori names associated with this area for places, recreational areas and streets.
- Recognising sites of significance and Waahi tapu sites by erection of carved Pou Whenua, Pou Rahui, story boards, whata etc.
- Given that Nukuhau Paa, probably the most significant Paa in the area, was a centre for training and meetings, adopt an education theme for development of the area:
 - Involve students off all levels and ages (Kura, Kaupapa Maaori, other schools and Waananga’s) in surveys and documentation of protection and enhancement strategies of Fauna and Flora in the area.
 - As part of the development of the Public facilities, incorporate a Library/Convention Centre – named Nukuhau Paa Centre – to record/mirror the historical use of Nukuhau Paa for important meetings/discussion by pre-European Maori (see the Section on Sites of significance in Appendix 4). The Centre should incorporate Maaori designs, art work and an area depicting the Maaori history and people associated with Nukuhau Paa and this area, as told in this CVA.

In this context, it must be noted, that as this document is a Cultural Values Assessment (CVA), then the mitigation categories and implementation strategies exemplified above only provide broad mitigations for Maaori aspirations. They are designed to give developers some indication of the potential mitigations which Mana Whenua consider appropriate for development of the whole Peacockes area. Not all of these potential mitigations will apply to every individual development. Which mitigation(s) will apply to a particular development in a specific area of Peacockes will be identified within the Cultural Impact Assessment (CIA) which THaWK will prepare for each specific project. The koorero (Maaori history) identified in the “History, People and Significant sites” (Appendix 2) sections of this CVA, will inform which mitigation(s) are appropriate for individual developments.

APPENDIX 5

5 RELEVANT LEGISLATION, ENVIRONMENTAL PLANS AND POLICIES

5.1 Treaty Settlement Legislation

This CVA identifies measures that should be incorporated in the Nukuhau Whenua (Peacocks) Structure Plan to give effect to the following legislation, Environmental Plans and Policies.

5.1.1 Waikato Raupatu Claims Settlement Act 1995

The Waikato Raupatu Deed of Settlement 1995 legislation is largely based around events that took place from 1863 onwards that relate to land confiscation and the impacts of the New Zealand Land Wars on Waikato-Tainui. The Waikato River was excluded from the 1995 Act. **The land designated for the Peacocks development was confiscated from Waikato-Tainui.**

5.1.2 Waikato Raupatu Claims (Waikato River) Settlement Act 2010

The Waikato River Deed of Settlement was signed by Tainui and the Crown in 2009 and enacted in 2010. It heralded a new era of co- management of the Waikato River and its tributaries (lakes, streams, wetlands, lands, waahi tapu and minerals). The overarching purpose of the Waikato River Settlement, is to restore and protect the health and wellbeing of the Waikato River for future generations.

Part 2 (Settlement redress through legislation), 8(3) of the Waikato Tainui Raupatu Claims (Waikato River) Settlement Act 2010 statement of significance of the Waikato River to Waikato-Tainui states the following:

“The Waikato River is our tuupuna (ancestor) which has mana (spiritual authority and power) and in turn represents the mana and mauri (life force) of Waikato-Tainui. The Waikato River is a single indivisible being that flows from Te Tahekeheke Hukahuka to Te Puuaha o Waikato (the mouth) and includes its waters, banks and beds (and all minerals under them) and its streams, waterways, tributaries, lakes, aquatic fisheries, vegetation, flood plains, wetlands, islands, springs, water column, airspace, and substratum as well as its metaphysical being. Our relationship with the Waikato River, and our respect for it, gives rise to our responsibilities to protect te mana o te awa and to exercise our mana Whakahaere in accordance with long established tikanga to ensure the wellbeing of the river. Our relationship with the river and our respect for it lies at the heart of our spiritual and physical wellbeing, and our tribal identity and culture”.

In this regard Waikato-Tainui has sought to engage with the Crown and their respective delegated authorities to work collectively/collaboratively for the health and wellbeing of the Waikato River and its tributaries.

The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 sets out Te Ture Whaimana o te Awa o Waikato (The Vision and Strategy for the Waikato River). The vision for the river is:

“for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come.”

This is underpinned by the whakatauki (proverbial saying) of King Taawhiao;

“Tooku awa koiora me oona pikonga he kura tangihia o te mataamuri”.

The river of life, each curve more beautiful than the last.

The streams in the wider Kirikiriroa rohe flow to the Waikato River. It is therefore the responsibility of all those who have direct and indirect interests with the Waikato River to ensure that the Vision and Strategy to restore and protect the Waikato River for generations to come is maintained and practiced at all levels. This includes, but is not limited to, plan changes, structure plans, urban and rural development, water use, water discharge, water take and recreational use. The Peacocks development must be consistent with Te Ture Whaimana and contribute to the restoration and protection of the health and well-being of the Waikato River, in its holistic form

5.1.3 Ngaati Hauaa Claims Settlement Act 2014

Whilst Ngaati Hauaa was one of the 33 hapu which administratively made up the Tainui Maaori Trust Board for the Raupatu Claim and settlement, Ngaati Hauaa is an Iwi in its own right. The Ngaati Hauaa Claims Settlement Act 2014 (The Settlement) therefore addressed the non-Raupatu elements of Ngaati Hauaa's historical Treaty claims. The Settlement recognises breaches of the Treaty of Waitangi and its principles in its dealings with Ngaati Hauaa. These breaches include:

- the operation and impact of the native land laws, which undermined the traditional tribal structures of Ngaati Hauaa, made their lands more susceptible to partition, fragmentation and alienation, and allowed individuals to sell land against the wishes of other owners.
- the Crown's purchase of over 1,400 acres of Ngaati Hauaa land from individuals in the twentieth century, in disregard of the collective decision of the owners not to sell.
- the cumulative effect of the Crown's actions and omissions, particularly in relation to raupatu, the operation and impact of native land laws, Crown and private purchasing, and public works takings, leaving Ngaati Hauaa with insufficient land for their present and future needs.

The settlement included an apology, an agreed historical account; cultural, financial and commercial redress.

5.1.4 Ngati Korokii Kahukura Claims Settlement Act 2014

The Ngati Korokii Kahukura Claims Settlement Act 2014 records the acknowledgements and apology given by the Crown to Ngaati Korokii Kahukura and gives effect to provisions that settles the historical claims of Ngaati Korokii Kahukura.

The settlement addresses the claims of the whole of Ngaati Korokii Kahukura not settled by the 1995 Waikato Raupatu settlement. The settlement includes:

- Crown acknowledgements and apology: Cultural redress – General, Waikato River, Maungatautari; Financial and commercial redress.

The Crown acknowledged its actions arising from interaction with Ngaati Korokii Kahukura whereby it breached the Treaty of Waitangi and its principles and apologised to Ngaati Korokii Kahukura for its actions and omissions which breached the Crown's obligations under the Treaty of Waitangi. The breaches include:

- the operation of the native land and public works legislation; the failure of the Crown to protect the traditional tribal structures of Ngaati Korokii Kahukura, the Crown's failure to recognise and provide for their relationship to Maungatautari and Waikato River: · Crown policies and laws which led to the economic, social, environmental and cultural degradation of the people of Ngaati Korokii Kahukura and their physical and spiritual resources.

5.2 Planning Documents

The following planning document provisions are relevant to the purpose of this CVA report and potential developers should familiarise themselves with the detail of these documents.

5.2.1 Resource Management Act 1991

The Purpose of the Act is to promote the sustainable development of natural and physical resources. Significant sections in terms of Peacocks development are:

- Section 6 (Matters of National Importance) under which all persons exercising functions and powers in managing the use, development, and protection of natural and physical resources, must protect the natural features of national importance:
 - wetlands, and lakes and rivers and their margins, and outstanding natural features and landscapes from inappropriate subdivision, use, and development
 - areas of significant indigenous vegetation and significant habitats of indigenous fauna
 - maintain and enhancement of public access to and along the coastal marine area, lakes, and rivers:
 - the relationship of Maaori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
 - the protection of historic heritage from inappropriate subdivision, use, and development:
 - the protection of protected customary rights:
 - the management of significant risks from natural hazards.
- Section 7 (Other matters) under which all persons exercising functions and powers in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to;
 - kaitiakitanga:
 - the efficient use and development of natural and physical resources, and end use of energy

- the maintenance and enhancement of amenity values, intrinsic values of ecosystems, the quality of the environment and any finite characteristics of natural and physical resources.
- Section 8 (Treaty of Waitangi) under all persons exercising functions and powers in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

5.2.2 Te Ture Whaimana – Vision and Strategy for the Waikato River

The Vision and Strategy for the Waikato River is set out in the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010. It is the primary direction setting document for the Waikato River and activities within its catchment affecting the Waikato River. It sets out how to achieve the restoration and protection of the health and wellbeing of the Waikato River for future generations.

Te Ture Whaimana responds to 4 key fundamental issues:

- The degradation of the Waikato River and its catchment has severely compromised Waikato River iwi in their ability to exercise mana whakahaere or conduct their tikanga and kawa;
- Over time, human activities along the Waikato River and land uses through its catchments have degraded the Waikato River and reduced the relationships and aspirations of communities with the Waikato River;
- The natural processes of the Waikato River have been altered over time by physical intervention, land use and subsurface hydrological changes. The cumulative effects of these uses have degraded the Waikato River; and
- It will take commitment and time to restore and protect the health and wellbeing of the Waikato River.

All objectives and strategies of Te Ture Whaimana are relevant to the development of the Peacockes areas.

5.2.3 Tai Tumu, Tai Pari, Tai Ao: Waikato-Tainui Environmental Plan

The overarching purpose of the Plan is to provide a pathway that will return the Waikato-Tainui rohe to the modern day equivalent of the environmental state that it was in when Kiingi Taawhiao composed his maimai aroha. Key provisions of the Plan that are relevant to the Peacockes area and which developers should be familiar with are:

Section 7.1 - Towards Environmental Enhancement

Section 8.1 – Consent Terms – Precautionary Approach

Section 10.5 - Collaboration and Consistency - Resource management, use and activities within the Waikato-Tainui rohe are consistent Whakatupuranga 2050.

Section 11.7 - Te Ture Whaimana prevails

Section 13.3 - Papakainga development in rural and urban areas is enabled, sustainable and supported

Section 14.3 - Waikato-Tainui able to access and undertake customary activities

Section 15.3 - Indigenous biodiversity

Section 16.3 -Site management protocols, managing waahi tapu and waahi tuupuna, discovery of taonga (including archaeological sites), discovery protocols, protection of sites.

Section 19.4 – The relationship between Waikato-Tainui and water, water quality, integrated catchment management, water quantity and allocation.

Section 20.3 - Wetland mauri and condition, protection and enhancement, access

Section 21.3 – Effectively manage soil erosion, life supporting capacity of land and soils, effectively manage land contamination, achieve integrated catchment management, including floodplain and drainage management

Section 22.3.2 – taonga species are protected, restored and managed, consistent with the tikanga, kawa, maatauranga, and mana whakahaere of Waikato-Tainui.

Section 22.3.3 Fisheries management tools protect, restore, and manage taonga species.

Section 23.3 – Air Discharge quality and amenity. The quality and amenity of discharge to air is such that the life supporting capacity and quality of air within the rohe is retained at a level that does not compromise human health, amenity values, or property.

Section 25.3 – Approach to land use and development

Section 26.3 – Waikato-Tainui engagement in infrastructure development, upgrade and maintenance.

Section 26.3.4 – Transportation infrastructure is developed and managed in a manner that provides for social, cultural, spiritual, economic, and environmental needs.

Section 27.3.2 – Alternative electricity generation sources – Solar.

Section 29.3 – Recreation and Tourism. Adverse environmental effects of tourism or recreation activities are managed to a level acceptable to Waikato-Tainui.

5.2.4 Ngaati Hauaa Environmental Management Plan

This environmentally focused plan was developed by Ngaati Hauaa Iwi Trust in partnership with their five marae: Rukumoana, Kai a Te Mata, Raungaiti, Te Iti o Hauaa and Waimakariri. Ngaati Hauaa have developed the plan to articulate their values, aspirations and position statements in relation to the taiao (environment). The plan covers topics such as the health and wellbeing of the land, air, water, wetlands and fisheries as well as urban development in the rohe, cultural heritage and use of development of Maaori land including marae, urupa and papakainga. Provisions of the Plan that are relevant to the Peacocks development proposal are:

Objective 9.2 – Sustainable land use and development.

Objective 10.2 – Ngaati Hauaa Cultural, social and economic interests are recognised and enhanced. Ngaati Hauaa are prepared and resilient to natural hazards, disasters and climate change.

Objective 11.2 – Wai Maaori – The mauri of freshwater is restored and protected. Recognition of Ngaati Hauaa values, interests and maatauranga. Protection and revitalisation of traditional knowledge and practices.

Objective 12.2 – Ngaa Repo (Wetlands) – Protect, restore and enhance the mauri of wetlands and ecosystems.

Objective 13.2 – Maahinga Kai/Fisheries – Freshwater fisheries are restored, sustainably managed and enhanced. Traditional knowledge and practices are restored and revitalised.

Objective 14.2 – Te Ararangi/Air – Protect and enhance the mauri of air.

Objective 15.2 – Cultural Heritage – Ngaati Hauaa sites of significance

Objective 16.2 – Cultural Activities – Recognition of culture and traditions

Objective 17.2 – Ngaati Hauaa Kaitiaki – Empowered, prepared and provided with opportunities. Traditional knowledge collated and protected.

5.2.5 National Policy Statement for Freshwater Management

The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises: the health and well-being of water bodies and freshwater ecosystems; the health needs of people (such as drinking water); the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future in the following policies:

Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.

Policy 2: Tangata whenua are actively involved in freshwater management (including decision making processes), and Maaori freshwater values are identified and provided for.

Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.

Policy 4: Freshwater is managed as part of New Zealand's integrated response to climate change.

Policy 5: Freshwater is managed through a National Objectives Framework to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.

Policy 6: There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.

Policy 7: The loss of river extent and values is avoided to the extent practicable.

Policy 8: The significant values of outstanding water bodies are protected.

Policy 9: The habitats of indigenous freshwater species are protected.

Policy 10: The habitat of trout and salmon is protected, insofar as this is consistent with Policy 9.

Policy 11: Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.

Policy 12: The national target (as set out in App 3) for water quality improvement is achieved.

Policy 13: The condition of water bodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends.

Policy 14: Information (including monitoring data) about the state of water bodies and freshwater ecosystems, and the challenges to their health and well-being, is regularly reported on and published.

Policy 15: Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement.

5.2.6 Waikato Regional Policy Statement

Several of the objectives detailed in this Statement are applicable to the planned Peacocks development:

Objective 3.4 - The health and wellbeing of the Waikato River is restored and protected and Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) is achieved.

Objective 3.9 - The relationship of Tangata Whenua with the environment is recognised and provided for, including:

- b) the use and enjoyment of natural and physical resources in accordance with tikanga Maaori, including maatauranga Maaori; and
- c) the role of Tangata whenua as kaitiaki.

Objective 3.14 - Maintain or enhance the mauri and identified values of fresh water bodies including by:

- a) maintaining or enhancing the overall quality of freshwater within the region;
- b) safeguarding ecosystem processes and indigenous species habitats;
- c) safeguarding and improving the life supporting capacity of freshwater bodies where they have been degraded as a result of human activities, with demonstrable progress made by 2030;
- d) establishing objectives, limits and targets, for freshwater bodies that will determine how they will be managed;
- e) enabling people to provide for their social, economic and cultural wellbeing and for their health and safety;
- f) recognising that there will be variable management responses required for different catchments of the region; and
- g) recognising the interrelationship between land use, water quality and water quantity.

Objective 3.18 - Sites, structures, landscapes, areas or places of historic and cultural heritage are protected, maintained or enhanced in order to retain the identity and integrity of the Waikato region's and New Zealand's history and culture.

Objective 3.19 - The full range of ecosystem types, their extent and the indigenous biodiversity that those ecosystems can support exist in a healthy and functional state.

5.2.7 Hamilton City Council's District Plan

The HCC District Plan has a series of Objectives and associated Policies designed to give effect to those Objectives. Those applicable to the Waikato River are as follows.

Objective 2.2.8 The health and wellbeing of the Waikato River is restored and protected and the River is celebrated as being at the heart of the region's identity and a feature of national importance.

Policy 2.2.8a - The natural character of the Waikato River, gully system and its margins is preserved and protected from inappropriate subdivision, land use and development.

Policy 2.2.8b - The natural, cultural, heritage and amenity values of the Waikato River are protected, enjoyed and enhanced.

Policy 2.2.8c - Access and connections with the Waikato River are maintained and enhanced.

Policy 2.2.8d - The relationship of Waikato-Tainui with the Waikato River is recognised and provided for, including through a Joint Management Agreement.

Policy 2.2.8e - Communities' relationships with the Waikato River, including their economic, social, cultural and spiritual relationships, are restored and protected.

Those applicable to the partnership between HCC and Waikato-Tainui:

Objective 2.2.9 - Resource management priorities are developed in partnership with Tangata whenua.

Policy 2.2.9a - The relationship Tangata whenua have with the City is recognised and promoted. Policy

2.2.9b - Development considers effects on the unique Tangata whenua relationships, values, aspirations, roles and responsibilities with respect to an area.

Policy 2.2.9c - As part of the development process, decisions on land use, subdivision and development include ongoing consultation and collaboration with Tangata whenua where appropriate. Policy

2.2.9d - Development and the decisions associated with developments where required are to consider any relevant Iwi Management Plan.

Objective 2.2.10 - The health and wellbeing of the Waikato River is restored and protected so that it may sustain abundant life and prosperous communities

Policy 2.2.10a - Provide programmes of action to achieve targets to improve the health and wellbeing of the Waikato River. Policy

2.2.10b - Promote an integrated, holistic and coordinated approach to the management of the natural, physical, cultural and historic resources of the Waikato River. Natural Environment

Objective 2.2.12 - Protect and enhance natural character, natural features and landscapes, ecosystems and indigenous biodiversity.

Those applicable to the Waikato River Corridor and Gully Systems:

Objective 21.2.1 - The ecological, amenity, landscape and cultural values of the river corridor and gully system are restored and protected.

Objective 21.2.2 - The river corridor and gully system is used in a way that recognises and is sensitive to its social, cultural, spiritual and historical character.

Objective 21.2.4 - The health and wellbeing of the Waikato River and gully systems shall be restored and protected.

5.2.8 Heritage New Zealand Pouhere Taonga Act 2014

The purpose of this Act is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand. Section 4 (Principles) defines that all persons performing functions and exercising powers under this Act must recognise:

(a) the principle that historic places have lasting value in their own right and provide evidence of the origins of New Zealand's distinct society; and

(b) the principle that the identification, protection, preservation, and conservation of New Zealand's historical and cultural heritage should:

(i) take account of all relevant cultural values, knowledge, and disciplines; and

(ii) take account of material of cultural heritage value and involve the least possible alteration or loss of it; and

(iii) safeguard the options of present and future generations; and

(iv) be fully researched, documented, and recorded, where culturally appropriate; and

(c) the principle that there is value in central government agencies, local authorities, corporations, waahi tuupuna, waahi tapu, and other taonga.

Section 7 of the Act defines necessary recognition of the Treaty of Waitangi:

Part 3 - Protection of places and areas of historical and cultural value

Part 4 - Recognition of places of historical, cultural, and ancestral significance

APPENDIX 6

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