
Cultural Values Assessment and Analysis by Tahu Potiki

August 2016

Tahu Potiki, of Portobello, Dunedin, Cultural Advisor and Director, state:

1. Qualifications and experience

- 1.1. I have a Diploma for Graduates (DipGrad) from the University of Otago.
- 1.2. I belong to the iwi of Ngāi Tahu and Ngāti Mamoe. I am not affiliated to any iwi associated with this application.
- 1.3. Much of my career has been spent involved in Māori development in a range of capacities. I am also an experienced company director, with a background in corporate governance having held numerous directorships in a range of corporate entities.
- 1.4. Some of the more notable positions I have held are:
 - 1.4.1. From 1997 to 2001 I was kaiarahi and head of Māori Studies at Christchurch Polytechnic Institute of Technology.
 - 1.4.2. I was chief executive of Te Runanga o Ngai Tahu for 6 years from 2002 to 2007.
 - 1.4.3. I am now the representative of the Otakou people on the governing body of Te Rūnanga o Ngāi Tahu.
 - 1.4.4. I am currently a director and board member of the Institute of Environmental Science and Research Ltd.
 - 1.4.5. From 2006 to 2014 I held positions as board member and deputy chairman of Māori Television on appointment by Te Pūtahi Paoho (the Māori TV Electoral College).
 - 1.4.6. I am director of Ngai Tahu Tourism Ltd which manages tourism assets across New Zealand including Shotover Jet, Agrodome, Franz Josef Guided Tours and Rainbow Springs.
 - 1.4.7. I was a board member of the Southern District Health Board. I have served on four South Island District Health Boards including appointment to the Canterbury, West Coast, Otago and Southland DHBs before being appointed to the Southern District Health Board.

- 1.4.8. From 2009 to 2012 I was a board member of the New Zealand Council for Educational Research.
- 1.5. I am also the author or co-author of numerous published books, articles, manuscript and papers.
- 1.6. I have expert knowledge of Ngāi Tahu history and tradition and am fluent in te reo Māori.
- 1.7. I am familiar with, and participated in, cultural assessments and associated research activities.
- 1.8. I have considerable experience in dealing with complex cultural issues having worked for several iwi across the North Island in relation to a number of matters all of which have required a significant degree of objectivity. Most recently, in 2013, I adjudicated a series of land disputes among several Ngāti Tūwharetoa hapū; during 2014 I was an adjudicator for the Central North Island Iwi regarding allocation of disputed forest estates within the Kaingaroa Forest as part of their Treaty settlement process; and in 2015 I acted as an expert witness on cultural matters relative to the Rena wreck and Astrolabe Reef.
- 1.9. I have also been an expert witness before the Waitangi Tribunal (WAI 785) and have provided expert cultural evidence regarding landscape and whakapapa in hearings before the Otago Regional Council.
- 1.10. I have provided cultural leadership and interpretation for my iwi for several years. From a young age I was guided by elders including senior kaumatua who were born in the 19th century and very early in the 20th century. I have participated in cultural rituals alongside leading tohunga (ritual experts) from other iwi, as well as leading karakia for several significant events within Ngai Tahu.
- 1.11. I was raised in a traditional coastal village and have been involved in the gathering of seafood since I was a child. I also traded coastal foods gathered from other areas thus making them available to those living locally.

2. Scope of statement and summary

- 2.1 My statement addresses the following issues;
- a. Methodology used in the Cultural Values Assessment (CVA) including challenges in gathering all information;

- b. Who are tangata whenua;
- c. Cultural Issues raised by Tangata Whenua Relating to Iron Sands Mining;
- d. Maori Perspective on Cultural Issues Relating to Large Scale Development.

2.2 Summary

2.3 My opinion and conclusions are:

- a. Ngati Ruannui that hold mana whenua in the coastal area being considered. Therefore it has been proposed that Ngati Ruanui take a leadership role in monitoring and communication with regards to the ongoing impact of the proposal;
- b. The Maori world view is comprehensive and is difficult to reconcile with the general requirements of a formal consent process;
- c. Engagement with Ngāti Ruanui has been difficult given their position on the applications. Ngati Ruanui have not provided specific information on their views as to the cultural impact of the mining proposal. However, they have raised a series of concerns that have been responded to by TTR and provided information as part of the previous applications, which has assisted in considering measures to avoid, remedy or mitigate the effects on Ngāti Ruanui.
- d. Every effort will be made to ensure that the spiritual integrity and the customary fisheries of Ngati Ruanui are not compromised. If specific cultural breaches were to occur Ngati Ruanui have the skills available to mitigate or repair them. This would be done with the full support of TTR.
- e. My view on Trans Tasman Resource's proposed response to issues raised are that they address the concerns that have been raised and those that might be raised by Ngati Ruanui.
- f. The monitoring and communication proposals that place Ngati Ruanui in a leadership position is important to recognising their mana moana and existing interests in the moana. It should be supported by a MoU agreement where expectations of both parties are clear.
- g. I consider that the proposed conditions avoid, remedy or mitigate effects of the proposal on Ngāti Ruanui.

3. Methodology and Information Used

- 3.1 I was engaged in March 2016 to consider cultural issues raised by Ngai Ruanui regarding the TTR proposal for iron sands mining off the Taranaki Coast.
- 3.2 The primary source of information has been analysis of iwi submissions identifying issues of importance from a cultural perspective. Other publications and available documentation has also been used.
- 3.3 Ideally, the process would have been informed by a cultural impact assessment report directly from Ngāti Ruanui. With this cultural values assessment, ideally it would have included extensive communication with primary source informants. However, neither of these has been possible in this case. I was engaged to produce this independent report due to the difficulties that TTR was having engaging a cultural impact assessment from Ngāti Ruanui. Despite approaches to Ngati Ruanui authorities, spokes people and knowledge holders it has not been possible to meet or obtain a cultural impact assessment.

4. Key Resources

- 4.1 As explained earlier the sources used are all published or official documents that are able to be validated.
- 4.2 The full list of publications and documents drawn upon are outlined in an appendix
- 4.3 All the submissions of evidence were also available to the author and have been researched and drawn upon where appropriate

5. World View and Maori Concepts

- 5.1 In this section I will consider the Maori world view and associated concepts. This view affects the perspective of all things Maori. It is important to note that such a view is tantamount to a religious philosophy and is not a scientific fact. Its impact is psychological for both the individual and the collective. As explained below it relates to a spiritual force as distinct from the physical world.
- 5.2 The Maori world view is considered important when development projects or major earth works are under consideration. A modern sensitivity to cultural concepts and landscapes means that organisations must take such matters in to consideration as part of their planning processes and upon their project implementation.

- 5.3 This is a complex matter as these concepts, as they traditionally influenced Maori lives, are not necessarily interpreted in the same manner as the concepts are recognised in law. Subject to successive interpretation by the courts and tribunals, their original meaning has been redefined as something quite different to suit modern requirements. This has meant that Maori, who are the originators of the term, often argue the interpretation of their own language as the legal definitions are accepted by the courts. Meanwhile the concept as defined by iwi experts borne of the Maori world in some cases is not recognised.
- 5.4 As Turvey states, "*In the context of the legal frameworks into which these concepts have been transplanted, these words have come to take on meanings of their own. Whether these new meanings and functions have replaced the pre-legislative meanings, whether the traditional meanings still operate alongside these new forms, or whether these concepts have been fundamentally altered as part of a wider post-colonial process in the restructuring of Māori cultural identity through adaptation to new contexts are open-ended and culture-defining questions for Māori*".¹
- 5.5 For the purposes of cultural interpretation and the application of concepts in this document I have only used a traditional view. I have avoided using the modern codified legal terms.
- 5.6 My personal understanding of the Maori world has been drawn from time on the marae, learning from my elders as well as drawing on key texts written by graduates of the traditional whare wananga. I acknowledge that I am not an expert in Ngāti Ruanui tikanga and they will have their own aspects that are specific to them. As such, the purpose of this report is not to purport to convey the view of Ngāti Ruanui in any way. Rather, it outlines general Māori values and concepts in the hope to provide some understanding of the potential impacts of the TTR application on Ngāti Ruanui and to assist in considering measures to mitigate impacts on Ngāti Ruanui should the application be granted.
- 5.7 Below is a generic account of the world view that is understood across all iwi. It is based in whakapapa and tells a linear tale from a void through until the creation of humankind. There are subtle differences in different iwi versions but the central themes and characters are consistent. Ngati Ruanui is no different and I have included a creation waiata source to Ngati Ruanui that was collected in the mid-nineteenth century.

¹ Turvey 2009

5.8 This section also includes an overview of key concepts that emerge from the Maori spiritual realm.

6. Whakapapa

6.1 At the core of everything Maori is whakapapa . Descent from the gods to all living things and all elements of the universe are genealogically inter-related. From creation ultimately all things in the universe are interconnected and they share a single source of spiritual authority. This spiritual force is also the origin of mana and tapu.

6.2 In the beginning there was nothing (Te Kore), and from that came the night (Te Po) and then the light (Te Ao). From this void came a union that gave rise to the principal gods. Depending on the version cited then the primary whakapapa explains the appearance of certain celestial bodies and natural events but ultimately Rangi and Papa are central to the creation.

6.3 Their connection and separation leads to sky and earth and the various deities that control the natural world.

6.4 From these primary gods or atua such as Rangi, Papatuanuku, Tane, Tangaroa, Rongo, Tumatauenga, Tawhirimatea etc come all elements in the known universe. Everything from weather events, the stars, planets and clouds, fish, birds, trees and flowers, stones and volcanic events, wellbeing, life, illness and death can be explained as a result of the creation narrative interlinking all of these components in a web of whakapapa. ²

6.5 From within this web also came humankind. Depending on the version of creation the basic threads are a crossover from godly beings to flesh and blood. Tane copulates with a daughter having already slept with the female element created from his mothers womb. From these unions comes Tiki who is the first human element and his descendants become mankind. This is remembered in such whakatauki as “Te Aitanga a Tiki,” and “Te Manu Pirau a Tiki.” The first refers to the descendants of Tiki and the other is in regard to the fleshly frailty of humans as simply a vessel for the spirit. ³

6.6 Milroy and Kaa refer to this notion of the creation period and godly realm descending to human life as Kawai Tupuna. This literally means a genealogical descent line from

² Mead 2003

³ Grove & Mead 2003

the ancestors. This clearly illustrates a continuum from the beginning of time, Te Kore, through to modern existence.⁴

- 6.7 This whakapapa and these creation stories refer to the period of the atua or gods. The next period is the time of the demi-gods or tipua.
- 6.8 Most common local tradition from that period is the well known story of Taranaki maunga.
- 6.9 The earliest accounts associated with Taranaki iwi ancestors precede the coming of Taranaki with Te Kāhui Ao, Kāhui Rangi, Kāhui Pō and Kāhui Atua, collectively called Te Kāhui Maunga. Taranaki appeared later joining them and becoming part of the Kahui.
- 6.10 Taranaki was in love with another mountain, Pihanga, as was Tongariro and they fought over her. After the battle Taranaki withdrew whilst his companions entered the sea. After a chase and more fighting Taranaki stood alongside Pouakai Mountain and their offspring became the trees, plants, birds and rivers that flow from their slopes.
- 6.11 From this story arises the Taranaki saying *Tū kē Tongariro Motu kē a Taranaki He riri kia Pihanga Waiho i muri nei Te Uri ko au ee!*⁵
- 6.12 Taranaki iwi also recount the stories of Maui and his several deeds. This is nearly identical to the stories told by other iwi and known throughout the Pacific. As he recited karakia he fished up the North island consolidating his relationship with the ocean.
- 6.13 Then the traditions are recounted from Hawaiki. They tell the ancestor stories of Turi and his relations and the origin of Aotea waka. The details are told by several ancestors and remembered in waiata and karakia.
- 6.14 Below is one of the karakia of Aotea which also associates with Tangaroa.

*Tenei hoki taku taketake
E Rongo-ma-Rua-whatua—e—
I runga i te pu-whakamaroro-hau.
Amo ake au i taku toke nei,
I a Awhio-rangi, Wai-o-rua.
I hoki ki runga,*

⁴ Milroy & Kaa

⁵ <http://taranakiiwi.org.nz>

*I hoki ki raro,
Ki te whai-ao,
Ki te ao-marama,
Maru! a ka hura,
Tangaroa! unuhia!*⁶

- 6.15 When one traces the descent and the associated korero tawhito, or ancient stories, in their traditional form they are very formulaic and easily recognisable as whakapapa based.
- 6.16 Although they are Aotea and Taranaki in origin the same tradition style is nearly identical to all other waka Hawaiki origin stories and primogeniture ancestor whakapapa.
- 6.17 The whakapapa below is sourced from Ngati Ruanui and clearly follows the general Polynesian creation narrative. It is actually much longer with additional verses but this is important for noting the origin of water (*Ka tipu te Wai*) and of Tangaroa god of the oceans.

*I tipu i te Po
I kune i te Po
I whiwhi i te Po
I hoake i te Po
Hoake ki te Ao-marama
Ka tipu te Wai
Ka tipu te Whenua
Ka tipu te Atua
Ka tipu te Tangata
Na te atu i whakatipu
Ko Tura-kanga
Ko Hinganga
Ko Takotoranga
Ko Tuturitanga
Ko Pepeketanga
Ko Wherohanga
Ko Hunenga
Ko Rekanga
Ko Pia*

⁶ Tautahi 1900

Ko Ware
Ko Hua
Ko Waka-ki-ipuipu
Ko Waka-rahirahi
Ko Wai-waho
Ko Ao-marama
Ko Te-atua Ko
Te-rangi-e-tu-nei
Ka noho i a Papa-tu-a-nuku
Ka puta a Tane-whakarongo
Ko Tu
Ko Tangaroa...⁷

- 6.18 This line of descent is important as it outlines a spiritual relationship between Ngati Ruanui and Tangaroa, the origin of water and the sea. This, in effect, establishes a mauri to the sea and the waterways of Ngati Ruanui

7. Concepts

- 7.1 All things come from the original point of creation which is a source of divine power. This power, that finds its source with the gods, is mana.
- 7.2 If there is a personified entity be it man, woman, fish, bird, plant or mountain then they are seen to have inherited some of this original power. Mankind and other earthly manifestations are not the mana itself. They are merely a vessel or channel for the god's mana.
- 7.3 The residual impact of mana is tapu. Where there is mana, which is god power, the influence creates an effect that is holy or tapu – the residue of gods. Important ancestors were not only tapu as a result of their descent but also their other works that required them to be a vessel or channel for godly activities such as controlling weather, volcanic activity and the seas. Where they ventured, places they named or built would become tapu thanks to the power of their mana.⁸
- 7.4 Behaviour associated with tapu is one of the most culturally persistent beliefs amongst Māori meaning that certain places are avoided or treated with reverence because of traditional associations with powerful ancestors.

⁷ White, AHM Vol 8, unpublished MS

⁸ Mead 2003

- 7.5 The Māori view of the universe also places a hierarchy on descent. This means that those with a more senior whakapapa inherit greater status of power.
- 7.6 Tapu was the most omnipresent spiritual influence in pre-Christian Māori society and controlled the behaviour of all regardless of their whakapapa status. It is not surprising then that its influence has extended beyond Christian thought and modern science to still affect Māori thought in today's world.
- 7.7 **Taonga**
- 7.8 Taonga are another culturally persistent Maori concept. The term has found its way in to the modern Kiwi vernacular as a means of describing anything that is precious or of value. Traditionally the term was employed to determine something treasured in the whakapapa based Maori world. All taonga also had a kawai tupuna or whakapapa that connected it to a kaitikai or atua.⁹ In modern times the concept of taonga has been redefined by the Courts and the Waitangi Tribunal. It has a legal status that continues to be debated and is, arguably, distant from the original Maori use of the word.¹⁰
- 7.9 Traditionally taonga were objects such as houses, canoes, weapons, adornments, sacred places and, arguably, people. More recently new ideas and technology have emerged and they have also been defined as taonga. Te reo Maori is a taonga but it only becomes so in relation to the presence of another dominant language otherwise it was the only means of conversing. Similarly genetic material and usable chemicals extracted from the breakdown of indigenous plants are also considered taonga as defined in WAI262.
- 7.10 It is one of the terms that currently suffers from institutional capture and legalistic redefinition. As discussed earlier Maori concepts have found their way in to legislation and have been the subject of court battles as high as the Privy Council. These once wholly traditional concepts, and their definition, now belong to the state who is able to define its appropriate use for the interpretation and implementation of policy.
- 7.11 The battle fought for recognition of te reo Maori was argued based on the Treaty of Waitangi purporting to ensure Maori rangatiratanga, enjoyment and possession, of all of their taonga. Te reo Maori was the taonga in this instance.
- 7.12 In WAI 262 an explanation of the term taonga was suggested, "*A taonga work is a work, whether or not it has been fixed, that is in its entirety an expression of mātauranga*

⁹ Milroy & Kaa

¹⁰ WAI 262

Māori; it will relate to or invoke ancestral connections, and contain or reflect traditional narratives or stories. A taonga work will possess mauri and have living kaitiaki in accordance with tikanga Maori."¹¹

8. Wahi Tapu

- 8.1 Wahi Tapu are a form of taonga. As was stated in the Te Roroa Claim WAI 38 "*They include the land, sea fronts, forests, lakes and rivers; also places and things associated with life and death. Although the degree of tapu varies, all these taonga touch the "heart", the manawa pa (desires) of the people.*"¹²
- 8.2 Wahi Tapu are sites that were considered sacred for a number of different reasons but primarily due to their association with an ancestor or ancestral events that caused the area to become affected by tapu.
- 8.3 To determine exactly what creates wahi tapu and what does not is somewhat problematic. If it was merely ancestral association or connection with an ancestor then the entire country could be considered a wahi tapu but instead there are certain activities or events that lend themselves to this character and, it would be fair to say, in a hierarchical manner.
- 8.4 Although the primary gods were well known and were responsible for the general creation of the universe there was a myriad of deities that were godly agents on a local level or protectors of one particular genealogical grouping. Many of these atua, like Kahukura and Maru, had areas dedicated to their worship or, more properly perhaps, a place where they resided and could be called upon. These places were known as tuahu and could only be visited by those with the appropriate status (tohunga).
- 8.5 Tuahu were wahi tapu and were to be avoided by the rank and file iwi members. Even following the adoption of Christianity there was a strong belief that they continued to exist. This infuriated some missionaries as it represented the fact their new converts still held residual beliefs drawn from a Māori worldview. As modern illness struck the Māori population many were of the belief that was due to ignorance of the old tuahu and mauri stones and that the population was unknowingly walking through sacred areas.
- 8.6 As a response to the people becoming sick and dying a movement emerged known as Kaingarara. "[T]he purpose of the movement was to whakanoa or remove the tapu from

¹¹ WAI262, p.96

¹² WAI38, 6.2

*such spots.*¹³ This was conducted by a new found Taranaki prophet, Tamati Te Ito, who was a follower of another Taranaki prophet Te Ua Haumene. To clear sacred spots the prophets conducted rituals that were similar to ancient karakia that were drawn from the Māori world.

- 8.7 This type of movement and associated whakanoa or cleansing ritual was continued by the likes of Tohu and Te Whiti. Even today where tuahu were known to have existed once they are treated with great respect and, on the whole, avoided by Māori.
- 8.8 Nohoanga Kaitiaki or residences of a guardian were certainly areas that were to be avoided by all but those with the ability to interact with familiar gods. Kaitiaki took many forms such as eels, sharks, lizards and birds. Some were merely carriers of a message or warning whilst others were dedicated to protect certain areas or individuals.
- 8.9 The extent of their mana or the level of dedication to one particular location determined the levels of restriction. Kaitiaki not only protected people but also resources often being the first to be seen at the beginning of a hunting season for example.
- 8.10 Where they were known to reside then the area had a wahi tapu status. To the extent these areas are still known then they continue to dictate levels of ritualistic behaviour amongst Māori.
- 8.11 Burial Sites such as urupa, rua tupapaku and tomo were also considered important wahi tapu. Their association with the dead, particularly those who were of importance or died in important events, meant these areas were not freely accessible. Once again those who were of certain status were dedicated to interring or concealing human remains. This sometimes meant mokai were employed for certain functions because, as captives, they were free from some aspects of tapu.
- 8.12 The general location of these areas would be known by the people but the laws of tapu would control their behaviour in terms of accessing them.
- 8.13 In modern times most urupa have become publicly accessible although certain behaviours in relation to tapu are still expected. In most iwi there remains culturally persistent behaviours and knowledge surrounding ancient burial areas that include sites of battles, mass influenza deaths, caves holding bodies of ancestors or chiefly interments that are avoided or registered as wahi tapu.

¹³ Elsmore 1999.

- 8.14 Kainga Tawhito or ancient occupation sites were also considered wahi tapu. A village or fortified site abandoned by the people was often avoided for a generation or longer. This was due to the residual ancestral tapu associated with the area and the potential for harm to come to the unwitting.
- 8.15 Certain beliefs and behaviours continue through until today that see iwi members conducting karakia and cleansing rituals on entering and leaving certain sites.
- 8.16 Maunga Tapu or sacred mountains are also considered wahi tapu but the levels of restriction appear to vary across iwi. Some required absolute reverence whilst others were proud identity markers imbued with cultural story and personification.
- 8.17 Although maunga tapu are still widely known and respected today many have been compromised by farming activities, European structures and modern ownership outside of iwi hands. That said there is also ample evidence that vilages and hunting were able to coexist upon the lower slopes of maunga tapu.
- 8.18 Puna Waiariki, Awa, Roto, Toka, Motu, Mahinga Kai, Ngaherehere, hot springs, rivers and waterways, rock features, islands, hunting grounds, forests and many other geographical features were also imbued with wahi tapu status dependent on ancestral association and activities. They were often recognised as holding such status but activities surrounding them were less restrictive. More people had greater access to them although some sites may have also been dedicated purely to one family or one chief.
- 8.19 Nowadays many of these sites are known and recorded but there is very little formality due to layers of compromise and shifting values over the past two centuries.

9. Wahi Tapu ki te Moana

- 9.1 Wahi Tapu ki te Moana or sacred sites on the water and coast were also a common occurence. There is much evidence to suggest that certain ocean features had a status assigned to them and in some instances a wider importance is suggested.
- 9.2 For example Airini Loader states that the entire Cook Strait was a sacred sea.¹⁴
- 9.3 *Raukawa moana was also a tapu waterway. In his manuscript about the life of his father Tamihana Te Rauparaha relates the procedure that was followed which involved*

¹⁴ Loader 2013.

blindfolding the eyes of those who were crossing Raukawa for the first time with karaka leaves.

- 9.4 Burns adds that, —After a safe crossing – safe only because none of those blindfolded had tried to see – the newcomers were carried ashore and their blindfolds laid on a tuahu or ceremonial place named Tuhinapo.
- 9.5 Further to Loader and Burns other sources refer to the very sacred nature of the Nga Whatu rocks, known now as The Brothers, and that the purpose of the blindfold was so that none of them could lay their eyes upon this landmark. Most likely it was a means of ensuring that the steersman was totally in control as they navigated the most treacherous part of the strait.
- 9.6 What is of importance to note is that despite the entire waterway being considered tapu it did not preclude fishing or utilisation of the ocean space. There is reference to other rituals being observed and kaitiaki within the strait as well.
- 9.7 Aotea waka apparently made landfall in the north and was carried overland to the place that Turi named Kawhia.
- 9.8 Like nearly every step of its journey Turi performed karakia as they approached land. By way of example this is the final verse of the karakia recited after Aotea made landfall to protect the crew members

*Ko te pou o te whakatina
Ko te pou o te whakatoka
Ko te pou o Rangitawhi
Ko te pou o tenei matua iwi
Tahi ki a Rehua
Ki a Tama i te Ao Marama
E Rongowhakairihia¹⁵*

- 9.9 The use of ritual and karakia associated with ocean travel was very common and part of normal life.
- 9.10 There are also a myriad of sacred stones, rocks and reefs that dominate the coastline. They often serve a purpose rather than create an obstacle. They mark traditional

¹⁵ Houston 1935

boundaries, they are points to stop and pray on a journey, markers to direct travellers or hunters, or they make up part of a map that recalls an ancestral tale.

10. Mauri

- 10.1 There are also references to named and carved rocks and petroglyphs along the Ruanui coast. As is explained below the named rocks all hold a mauri whilst many will also act as a mauri for hunting ground, tuahu and other wahi tapu.
- 10.2 Paritutu and several rocks and reefs (Motu-o-tamatea, Motumahanga, Pakaraki, Mataora, Wareumu, Moturoa and Mikotahi) immediately adjacent to it act as sentinel rocks.
- 10.3 Meanwhile Te Toka o Rauhoto is another prominent rock with a significant heritage. It has certainly held a very tapu status due to its connection to Taranaki on its journey. Some say that the tapu has been lifted. Regardless it holds a mauri from the land.
- 10.4 Mauri is the actual life force connection between gods and earthly matter. It is stated that all things have a mauri including inanimate objects so it can be found in people, animals, fauna, fish, waterways, rocks, mountains. The mauri is, as a life force, is also the generator of the health of a person or place. If a mauri is damaged then the owner or the seat of that mauri is vulnerable or also damaged.
- 10.5 Mauri belongs to the gods and it is a force that is transportable by the experts familiar with the appropriate protocols. Inanimate objects can hold a mauri and be protected or hidden further protecting the owner from damage.
- 10.6 Mead states, " *Everything has a mauri, including people, fish, animals, birds, forests, lands, seas, and rivers; the mauri is the power which permits these living things to exist within their own realm and sphere.*"¹⁶
- 10.7 Whilst Kahotea and Rolleston state, "*Ko te mauri he mana atua, he mana hei whakahua i te kai, hei pupuri i te kai, kei riro ki etahi atu wahi; mauri ki uta, mauri ki te wai, ki nga awa, ki nga roto, mehemea he maunga kore manu, he ngahere kore manu, a he awa kore kai (ika, tuna, aha ranei) ka whakanohoia he mauriora.*"¹⁷
- 10.8 Loosely translated this passage suggests that mauri is godly power that can affect food gathering and can be found inland and in waterways. If there is a mountain or forest

¹⁶ Mead 2003, p83

¹⁷ Kahotea & Rolleston 2014

with no birds or a river with no fish then the mauri is depleted. This can be restored unless the place is dead.

- 10.9 Traditionally hunting areas were dedicated to lesser, familial deities and their mana could be utilised to create a mauri to protect the hunting ground. So long as the mauri was healthy then the hunters or fishers could expect to find an abundance of fish or birds. If it was damaged then the evidence would be in the absence of prey and the disappearance of guardian entities or kaitiaki.
- 10.10 In some instances mauri could be supplanted. To establish the mauri a ritual would be performed to imbue an object with the life force of a hunting ground. This could be hidden or transported to protect it from desecration or sorcery. Below Elsdon Best describes how this might occur in fishing grounds.
- 10.11 *The mauri of the sea is sometimes a stone, which is imbued with the productiveness of the ocean by the karakia of the priests, that is it represents the same. Together with it is concealed the gills of a kahawai, or whatever the principal fish of that sea is. This mauri preserves the productiveness of the ocean, causes fish to be plentiful, and the fishers to catch many.*¹⁸
- 10.12 In modern times explanations of mauri have evolved and are regularly drawn upon for environmental and physical models of health. The framework is essentially an environmental management tool that supplants established Western ideas with familiar Maori concepts. Although of some value it does not rely on spiritual or religious authority to repair the mauri. Instead it is dependent on human intervention.
- 10.13 A Western interpretation allows for modern Western interventions. If one accepts the traditional view of mauri then the only possible intervention is one drawn from a Maori world view. It is a religious intervention that recognises Maori gods.
- 10.14 This is important to note as many technical issues have been raised under the guise of cultural concerns associated with mauri. Technical issues can be addressed through conventional Western interventions without any requirement to draw on spiritual rituals. Spiritual or religious interventions are discussed further below.

11. Mauri and its Restoration

¹⁸ Best 1901

- 11.1 If one considers the coast from a purely traditional cultural perspective as a series of toka and fishing grounds imbued with mauri and tapu the question is then whether mining activity has or will affect the mauri.
- 11.2 If the fisheries have abandoned the reef and other life, including kaitiaki, are noticeably absent then the mauri is considered to be damaged. There are other signs of a depleted mauri but tohunga are best placed to assess the state and consider remedies.
- 11.3 Ngati Ruanui have many taniwha kaitiaki such as Mokonui, a large lizard who guarded Patea and Aromanga, who resided at Kaupokonui and would herd fish to Patea. Another is Toi that protected the reefs off Tangahoe. There are several more but in general the details are known by the elders and other iwi knowledge holders.
- 11.4 Best states that, "*should the mauri of a forest be desecrated by man then assuredly that forest becomes tamaoatia - the sacred mauri is contaminated and all bird denizens of such a forest will at once migrate to other lands.*"¹⁹
- 11.5 There are also many examples of fishing mauri amongst Ngati Ruanui, "*the mauri-kohatu, or stone emblems sacred to the gods of the fisheries, are preserved and are used to-day as they were centuries ago. At Taumaha, in South Taranaki, in 1921, the veteran warrior, Tu Patea te Rongo, head of the Pakakohi tribe, told me that he had two of the sacred stones called "Nga whatu a Turi" which were brought from Hawaiki in the canoe Aotea. These stones... ..were hidden not far from his house. He made use of them when the fishing season came round. When it was time for the piharau or lamprey he took the mauri down to the bank of the Patea River, to ensure the success of the fishing. These whatu, sacred to Tangaroa, had never been known to fail in bringing large catches if they were used with the proper forms of invocation.*"²⁰
- 11.6 Similarly the catching of fish as dependent on spiritual intervention which implies the presence of mauri and tapu. When Ngati Ruanui would go eel-fishing at night the tohunga would perform a karakia ritual. He would be completely naked and is the first to the river. "*Scooping some water up in his hand he throws it into the air, crying out "E hura, e hura Tangaroa! Tenei au e tu nei.*"²¹ He would then spear an eel and make it a tapu offering to Tangaroa.
- 11.7 These are signs that the mauri is healthy.

¹⁹ Best 1899

²⁰ Cowan 1930

²¹ *ibid*

- 11.8 However, if these resources were affected then measures could be taken to restore the mauri using traditional methods. I am not aware of any evidence that suggests that the presence of a foreign activities along the coast line would not allow the mauri to be re-established.
- 11.9 Mead considers that the only time a mauri abandons the traditional seat permanently is at point of death. *"Once the life principle is extinguished, which is signalled by one last breath, all body systems stop and the body becomes cold. The Maori view is that the mauri has left the body and the person dies. When the body dies the mauri ceases to exist. It vanishes completely."*²²
- 11.10 Once vanished it is somewhat problematic to restore. As discussed elsewhere there are ritual solutions that allow for damaged mauri to be strengthened such as the rahui but it seems the point of death is final for the mauri and the owner or seat of the mauri.
- 11.11 That said, mauri is now subject to a series of modern interpretations. This is problematic as it strays into more subjective territory as mauri is not a scientific fact and cannot be proven to exist. In a contemporary context the tendency adopted by several professionals and academics is to treat mauri as a framework for considering the health of people and the health of the environment.²³ These models are loosely based on traditional concepts but as Dr Kahotea and Mr Rolleston state:
- 11.12 *In contemporary Māori environmental management, tangata whenua have the role of kaitiaki (or guardians) of their coastal resources. As such they have assumed the responsibility to ensure that the mauri (or life essence) of these resources is safeguarded.*²⁴
- 11.13 The modern environmental model of mauri draws on such things as water flow, stock assessments, pollution measures and riparian health as indicators of mauri strength. Although portrayed as modern Māori models imbued with elements of cultural knowledge, they are essentially environmental models of measurement.
- 11.14 A contemporary interpretation of mauri needs to be considered in the context of environmental mitigation. This is an appropriate response to the modern mauri analysis. The basic premise is that mitigation of environmental effects are claimed to be cultural mitigation that draws on Western interventions.

²² Mead 2003

²³ For example, Dr Keepa Morgan, Gail Tipa and Mason Durie have all developed "mauri" models for understanding and managing environment and health from a Māori perspective

²⁴ Kahotea & Rolleston 2015

11.15 In contrast, in my view, if one was to adhere strictly to the traditional metaphysical or spiritual approach to mauri, remedies exist within a Māori world view that would also allow for its restoration.

11.16 Mead gives an explanation of the primary traditional means by which violated natural resources are repaired.

11.17 "*[The conservation rahui] is.....the one over which the karakia whakaoho (incantations to awaken) are recited. Its purpose is apparently not to destroy but rather to restore the productivity of the land (Best 1904: 86). In this case, the kapu together with the mauri of the land are taken periodically to a sacred fire (ahi taitai) and there special invocations are recited 'in order to restore and retain the productiveness, health, welfare etc. of the food products, as also of the land and the people.*

In recent times, the rituals that restore to tired and misused earth and water their vitality and essence have been rarely if ever performed.

*The conservation rahui was used to protect the products of the land and water. Best (1904:83) mentions forest products (berries, birds, fish, cultivated crops, fern root, flax) and places where red ochre was obtained. What is interesting is that the list is not confined to food resources alone but includes other products."*²⁵

11.18 Ngati Ruanui still employ the rahui ritual as is evidenced in 2013 and 2016 following the death of whales on Patea Beach. Local iwi placed a rahui for the period of one month thus restricting certain activities in the area.

11.19 It is important to note that mauri can be restored. In fact it is arguable that it cannot be extinguished at all merely diminished or caused to lie dormant. Awanuiarangi Black, a tohunga of Ngati Pukenga, in giving evidence to the Environment Court made the following observation, "*The underlying reason [for establishing a rahui] is to ensure the full restoration of the whole environment in which kai moana lives for instance, and in this case also protect the mauri of humans who might partake of the ocean bounty and suffer untoward effects. This practice is designed to reinvigorate the mauri of a resource and allow for any pollutants to be dealt with naturally.*"²⁶

²⁵ Mead 2003, p197

²⁶ Black 2011.

- 11.20 It is my understanding that local tohunga continue to monitor the coastline and ocean resources and perform karakia to protect the spiritual integrity and ensuring the ongoing health of the mauri.
- 11.21 There is now abundant sea life and recent sightings of the traditional kaitiaki, the whai or stingray. These are clear indications of a healthy mauri.

12. Consideration of Application

- 12.1 As recorded in several places including the Ngati Ruanui Deed of Settlement, 19th Century writings in White's Ancient History of the Maori and Tony Sole's work *Ngati Ruanui*, Ngati Ruanui are descended from two primary original ancestors known as Ruanui
- 12.2 The first is Ruanui-a-Pokiwa, who was the grandfather of Rongorongo Tapairu, the wife of Turi Ariki, Kaihautu of the Waka Aotea
- 12.3 The other, from whom the iwi is named, is Ruanui-a-Taneroroa, the son of Taneroroa. Taneroroa was the daughter of Turi and Rongorongo, who married Uhenga Puanake; Ngati Ruanui originated from the marriage of Uhenga Puanake and Taneroroa. As the whakatauki states, "*Ka puta a Ngati Ruanui i roto i a Taneroroa.*"
- 12.4 These ancestors are generally accepted as key founders of modern Ruanui although there are many other strands of whakapapa that contribute to the ancestral mosaic of Ngati Ruanui. Although they also have an independent identity Pakakohi and Tangahoe are also generally considered to be included in the karangatanga of Ngati Ruanui. Many strands of whakapapa are also shared with other Taranaki iwi, particularly Nga Ruahine, who share the overall Taranaki takiwa.
- 12.5 In the 1800s Ngati Ruanui suffered war, land loss and poverty through no unjust action of their own. They have struggled for over a century to regain recognition and status within their own tribal lands and are currently in the strongest position they have been since 1870. Despite that they still face many challenges other New Zealanders do not and the impact of land loss continues to have an impact on modern Ngati Ruanui.
- 12.6 The boundaries of Ruanui are also well defined and recognised on the coast as extending from the mouth of the Waingongoro River to the mouth of the Whenuakura River. This incorporates the culturally significant Patea River and several important fishing reefs and wahi tapu adjacent to the coastline.

- 12.7 Historical account of Ngati Ruanui use of the coastline are detailed and show an intimate knowledge the resources the coast had to offer. It was a means of sustainability, a travel highway and a place of ritual or the kaitiaki and atua.
- 12.8 These coastal taonga supplied the people of Ngati Ruanui with a constant supply of food resources. Reefs provided koura, paua, kina, pupu, papaka, pipi, tuatua, and many other species of reef inhabitants. Whilst more mobile species such as hapuka, moki, kanae, mako, and patiki swim between the reefs off the Ruanui coastline.
- 12.9 Names such as Rangatapu, Ohawe Tokotoko, Waihi, Waokena, Tangahoe, Manawapou, Taumaha, Manutahi, Pipiri, Kaikura, Whitikau, Kenepuru, Te Pou a Turi, Rangitawhi, and Whenuakura depict the whereabouts of either a fishing ground or reef.
- 12.10 All along the shoreline from Rangatapu to Whenuakura food can be gathered and the people were skilled in catching and gathering seafood. Apparently the Ruanui fishermen were very resilient and would stay at seas for days at a time. Food gathering and mahinga kai practices have been maintained and continue amongst present day Ngati Ruanui.
- 12.11 Traditions of taniwha and sacred rocks abound and it led the Ruanui people to be regularly involved in spiritual rituals in an effort to protect the people from misfortune and to assure bountiful harvests from the ocean
- 12.12 Ngati Ruanui have submitted that TTR have not paid regard to the taonga status of the Ngati Ruanui fishery. I understand TTR consider recognition and protection of sacred areas and taonga species to be a priority where they are provided with the information from key Ngati Ruanui knowledge holders so as to protect these areas. In the absence of any direct engagement by Ngati Ruanui TTR have had regard to the information provided by the TTHFF to have fulfilled this objective. There are recommendations of a kaitiaki group as part of the conditions to the applications which will also assist in transferring this information.
- 12.13 There have been several other concerns raised by Ngati Ruanui including matters of a technical nature, fisheries impact and consultation. There are proposals for monitoring, detailed scientific analysis provided where available and opportunities for Ngati Ruanui to take a leadership role in monitoring and communication. [See Appendix 1] I believe the proposals advanced by TTR provide a genuine transparent commitment to meet the concerns raised by Ngati Ruanui

- 12.14 One of the major concerns left unaddressed is the cultural impact assessment that one might expect see raised in a submission process such as this mining application.
- 12.15 Despite attempts from TTR to obtain a cultural impact assessment from Ngati Ruanui, this has not been possible. As I noted above this document is an attempt to provide a comprehensive view of cultural concerns one would expect to be considered in decision making regarding the impact of large scale development and resource extraction.
- 12.16 One that has been difficult to assess is the potential for a damaged mauri. I am unaware of any submission or evidence from Ngati Ruanui raising specific issues regarding mauri of particular fishing grounds or fishing reefs. That said it would be understandable for the iwi to be concerned about such things and to seek reassurance as to what mitigations might be available.
- 12.17 It is my view that the knowledge of mauri can be considered in two parts. Firstly there is the general religious philosophy of mauri as a life force principle as outlined above. It represents health and vitality and is the key indicator of the state of a fishing ground or hunting area. Secondly is the knowledge held locally about the personal atua, the protective kaitiaki and the form they are known to take and the general observation of the state of taonga species through the seasonal calendar. My understanding is that the iwi certainly hold the requisite skills to competently administer appropriate spiritual interventions in relation to mauri.
- 12.18 This means as they venture out on the ocean to catch fish they observe the rituals such as saying a karakia and recognising tapu in honour of Tangaroa or making offerings to a protective deity like Potoke rock at the Waingongoro River. And they are adept at the use of rahui as a means of managing breaches of tapu across fishing grounds to protect the resources.
- 12.19 That said there is currently no indication that any specific traditional fishing grounds have been identified as being threatened by the proposal. In fact the general monitoring of recreational and commercial fisheries is a comprehensive response to overall fisheries management.
- 12.20 I consider that the measures proposed as part of the conditions, such as the kaitiaki group, will enable these measures to be implemented as part of the project.
- 12.21 I also appreciate that there will be cultural effects on Ngāti Ruanui as the mana whenua of this area that are more difficult to address solely through the kaitiaki group mechanism and ritual methods such as karakia. I consider that the proposal to

establish an annual fund for the term of the applications is a positive and practical means of addressing these effects on Ngāti Ruanui (and possibly any other tāngata whenua groups). In all the circumstances, I consider that the effects of the project on Ngāti Ruanui and other tāngata whenua can be appropriately addressed through these measures.

APPENDIX 1 - Proposed Consent Conditions Regarding the Relationship with Tangata Whenua taken from Attachment 1 of the TTR Impact Assessment

33.	<p>The relationship of tangata whenua, including but not limited to Ngati Ruanui, with the South Taranaki Bight is to be recognised and provided for by the Consent Holder through:</p> <ul style="list-style-type: none"> a. Provision for the establishment and maintenance of a Kaitiakitanga Reference Group (Condition 34); b. Provisions for involvement of the Kaitiakitanga Reference Group, in accordance with their defined role, in: <ul style="list-style-type: none"> i. Technical Review Group (Condition Error! Reference source not found.); and ii. Kaimoana Monitoring Programme (Condition 38).
34.	<p>Within one (1) month of the commencement of these consents, the Consent Holder shall provide to tangata whenua, including but not limited to Ngati Ruanui, a written offer to establish and maintain a Kaitiakitanga Reference Group, the purpose of which is to:</p> <ul style="list-style-type: none"> a. Recognise the kaitiakitanga of tangata whenua, including but not limited to Ngati Ruanui, and their relationship with the South Taranaki Bight; b. Review and advise the Consent Holder on the suitability of the Kaimoana Monitoring Programme (Condition 38); c. Provide for the on-going involvement of tangata whenua, who have a relationship with the South Taranaki Bight as kaitiaki, in monitoring the effects of the activities authorised by these consents, including a process for considering any future change to the membership of the Kaitiakitanga Reference Group; d. Provide for kaitiaki responsibilities and values to be reflected in the monitoring of the iron sand extraction area and of the surrounding marine environment undertaken under these consents, including: <ul style="list-style-type: none"> i. To advise the Consent Holder on monitoring for change to risk, or threat to the cultural values of the South Taranaki Bight; ii. To evaluate the data obtained from physical monitoring insofar as it relates to the cultural values of the South Taranaki Bight and the effects on those values from the iron sand extraction and, in the event that changes to effects are identified, advise the Consent Holder on possible monitoring or operational responses; iii. To advise the Consent Holder on the appropriateness of any operational responses as they relate to cultural values, proposed by others; iv. To provide a means of liaison between tangata whenua, including but not limited to Ngati Ruanui, and the Consent Holder through providing a forum for discussion about the implementation of these consents; and e. Be responsible for receiving requests for, and facilitating the provision of, any cultural ceremonies by tangata whenua, including but not limited to Ngati Ruanui, and other tangata whenua groups who have a relationship with the South Taranaki Bight. <p><i>Advice Note: The Consent Holder records its commitment to implementing this condition in good faith and to using the services of an independent mediator, as necessary in doing so.</i></p>
35.	<p>Once the Kaitiakitanga Reference Group is formed the Consent Holder shall provide details of its membership, and any subsequent changes, to the EPA.</p>

36.	<p>The Consent Holder shall:</p> <ol style="list-style-type: none"> a. Be entitled to appoint one member of the Kaitiakitanga Reference Group b. Facilitate and fund the administration of each formal meeting of the Kaitiakitanga Reference Group. The first Kaitiakitanga Reference Group meeting shall convene within three (3) months of the formation of the Kaitiakitanga Reference Group. As a minimum, meetings shall be held at a sufficient frequency to ensure that the obligations of the Kaitiakitanga Reference Group are met, but in any event shall not be less than one time per year. c. Take minutes of the Kaitiakitanga Reference Group meetings, which shall be forwarded to members and the EPA, within twenty (20) working days of each meeting being held. d. Give members at least twenty (20) working days' notice of the date, time and location of the next Kaitiakitanga Reference Group meeting. e. Ensure that, where appropriate, the agreed outcomes from the Kaitiakitanga Reference Group meetings are available to other tangata whenua groups and the wider public.
37.	<p>The Consent Holder shall meet the actual and reasonable costs incurred by the Kaitiakitanga Reference Group for providing the services required of it by these consents, subject to normal business practice of invoicing and accounting.</p>
38.	<p>At least one month prior to the commencement of any iron sand extraction activities authorised by these consents, the Consent Holder shall prepare a Kaimoana Monitoring Programme following consultation with the Kaitiakitanga Reference Group.</p> <p>The objective of the Kaimoana Monitoring Programme is to provide for the monitoring of species important to customary needs, including from customary fishing grounds around the site, of Maori who have a relationship to the site and shall identify as a minimum:</p> <ol style="list-style-type: none"> a. The roles and responsibilities of parties who are to conduct the kaimoana monitoring; b. The methodology to be employed in the kaimoana monitoring, including to minimise the risks to health and safety, and the environment; c. The kaimoana indicators to be monitored and any thresholds for desired actions that may arise from monitoring as a result of effects from the activities authorised by these consents; d. Any components of the EMMP that provide information on the kaimoana values and indicators; and e. A reporting mechanism for results of the kaimoana monitoring to the Consent Holder, who shall provide them to the EPA. <p>The Kaimoana Monitoring Programme may be amended at any time during the term of these consents. Any proposed changes to the Kaimoana Monitoring Programme shall be prepared by the Consent Holder following consultation with the Kaitiakitanga Reference Group.</p> <p>The Consent Holder shall ensure that the EPA has a copy of the most update version of the Kaimoana Monitoring Programme at all times.</p>
39.	<p>With regard to Condition 38, where practicable the Consent Holder shall use its best endeavour to engage tangata whenua representatives, including but not limited to Ngati Ruanui and Te Tai Hauauru Regional Fishing Forum representatives, to undertake the monitoring identified in the Kaimoana Monitoring Programme.</p>

	The Consent Holder shall meet the actual and reasonable costs related to implementing the Kaimoana Monitoring Programme subject to the receipt of itemized invoices.
40.	Following the commencement of iron sand extraction activities, the Consent Holder shall provide Ngati Ruanui an annual fund of [XXX] per year to be used for environmental initiatives and/or for the cultural well-being of Ngati Ruanui.
41.	In the event that a Kaitiakitanga Reference Group has not been established four (4) months following the date of the offer made by the Consent Holder required by Condition 34, and the Consent Holder has demonstrated, to the satisfaction of the EPA, that it has acted in good faith, the Consent Holder shall have no further obligation under Conditions 34 – 40.

APPENDIX 2 – List of Authored and Coauthored Material

Publications

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Nga Kaihautu Tikanga Taiao, *Report on Ironsands Mining Marine Consent Application*, February 2014

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APPENDIX 3 – List of Authors Publications

Publications

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