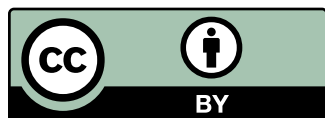


GRAND NARRATIVES



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MIHI

Associate Professor Te Maire Tau,
Ngāi Tūāhuriri Historian and Deputy Chair Matapopore,
Director of the Ngāi Tahu Research Centre

Tēnā koutou katoa

Following the devastating earthquakes in Christchurch in 2010 and 2011 the city commenced one of the greatest and most significant rebuilds of an urban area in post-war history.

From the devastation, opportunities emerged. Central government, local government, Māori and community leaders recognised the opportunity to create a new city using a partnership approach, informed and shaped by public consultation and participation. It was an opportunity to recognise, embrace and acknowledge our shared history and a shared future.

From that recognition has emerged a new narrative for Christchurch, one that recognises the heritage of settler culture, and the mana whenua of Ngāi Tahu hapū, Ngāi Tūāhuriri.

The following pages record the process of uncovering and revealing our stories and how we intend to weave them into the fabric of our new city.

These gathered stories of Christchurch are a gift for future generations to discover, interpret and enjoy.

GRAND NARRATIVE FOR CHRISTCHURCH

Written by Associate Professor Te Maire Tau, Director of the Ngāi Tahu
Research Centre, University of Canterbury,
includes the essay 'Principles of Partnership' by Freelance Writer Jane England

Kia atawhai ki te iwi – Care for the people
Pita Te Hori, Upoko – Ngāi Tūāhuriri Rūnanga, 1861





Image Credit: Damon McPhail

Ka tahuri te riu o Te Waka a Māui ki raro. Ka mate, ka hika a Kaiapoi, ka mate kā rakatira kaumātua, kā rakatira taitamariki, me kā tohuka mōhio nui ki te kōrero whakapapa, i kā take mai o te takata.

The South Island – the Canoe of Māui – was conquered and its destruction was complete. Kaiapoi had fallen and the elders, leading chiefs and their sons along with the High Priests who knew the traditions and the genealogies and tales of creation – all were killed.

Natanahira Waruwarutu – Ngāi Tūāhuriri

INTRODUCTION

If there is one horror that our ancestors knew and understood well enough, it was the destruction of the very world they lived in and the death of loved family and friends. The fall, capture and burning of Kaiapoi Pā was an event that utterly changed the world of the people who lived in it and the world their descendants would inhabit. The idea that their known world had come to an end was captured in the proverb from the tohunga, Natanahira Waruwarutu:

Ka tahuri te riu o te waka a Māui ki raro - the canoe of Maui was capsized and cast asunder.

Kaiapoi Pā fell after the defenders had held their ground during a siege that lasted four to five months. The leading chiefs from Kaiapoi were taken as captives to Kapiti Island, leaving the survivors to seek refuge with their relations to the south. The destruction of this pā site was recalled in an old Ngāi Tahu saying:

Kāore nā hoki Kaiapoi, Te Tuahiwi tō kīkī no . . . Ko te wai anake o Whakahume to au ana.

Kaiapoi is no more, Tuahiwi is silent . . . It is only the Whaka-hume that moves.¹

This saying tells us that the only thing that moved upon the land was the Whakahume River (the Cam River), which ran through Tuahiwi. The Whakahume was a specific reference to the hapū Ngāti Rakiamoa, to whom the Cam River belonged and whose ancestors were buried along this river. Ngāti Rakiamoa had been the leading family of Ngāi Tahu; however, with the deaths of Te Maiharau, Tawaka, the capture of Iwikau, Momo and Paora Tau at Kaiapoi, the river like the pā was silent.

For the next decade Ngāi Tahu engaged in a series of hard-won battles against Ngāti Toa based at the top of the South Island. Traditionally Ngāi Tahu had been a collective of hapū, tribal groups whose relationships with each other ran hot and cold, depending on the leaders. It was the Ngāti Toa attempt to invade the South Island that consolidated the tribe into a functioning iwi group. From this period, individuals such as Tūhawaiki, Karetai and Taiaroa emerged as iwi leaders rather than local war chiefs.

At the same time, southern Ngāi Tahu had been arming themselves during their trade in Port Jackson, New South Wales, and as a result were able to provide the vanguard against Ngāti Toa during battles in the Marlborough Sounds. It was these battles that stopped any further North Island raids into the South Island. Ngāti Toa were forced behind the tribal borders and a peace settlement followed.

While historians concern themselves with outlining explanations about why the wars occurred, of more concern to Ngāi Tahu and to our elders are the lessons that we can learn from the past and the values that are important to the community as we move forward.

During his later years, the Kaiapoi elder, Natanahira Waruwarutu, looked back at the tragedy of Kaiapoi Pā, the flight of the survivors to their southern relations and eventually their victory to secure their homelands. He shared his memories and involvement in the story with his student, Thomas Eustace Green. That story was published in 2011.

Halfway through the account the old man brought the story to a halt as he was talking of how one of their own villages had been less than charitable to their kin who had arrived seeking aid. The event was highlighted because the offending village was now requesting help from Waruwarutu and his people.

The event was a breach of tradition and it clearly affected the old man, who paused and delivered this message:

E hoa mā, e kā uri whakatipu i muri nei . . . atawhaitia kā oraka mai o ētahi kāika, whakaputa mai ana kia koutou, koi pēnei ki a koutou; ahakoa pākehātia koutou, kia raketira e whakahaere mā koutou.

My friends and my descendants who follow after me... Always care for those who come to you from their villages seeking your charity lest this happen to you; even though you may become the same as the Pākehā, always conduct yourselves as rangatira, with grace and charity.

Waruwarutu is simply telling his descendants that the measure of ‘rangatira’ is their capacity to show kindness and charity to one another. Hospitality, the provision of food, shelter and care, is a mark of leadership.¹

Waruwarutu narrated this story as an old man in the 1880s. He had seen his world turned upside down and transformed. His family and people were facing absolute poverty. Māori were seen as a dying people with those in power believing that all they could do was to “smooth the pillow of a dying race”. This circumstance was outlined to a Royal Commission held in 1879, with the details of the devastation that Ngāi Tahu was forced to endure being quite breathtaking.

The Kaiapoi elder, Hoani Uru, told that same Commission:

All the people who have families have a great struggle to maintain them. Better be dead and out of the way, as there did not appear to be any place for them in the future.²

It was not just Ngāi Tahu people that were suffering but also their lands and natural habitat. Their old eeling lagoons, the places where they took whitebait, the flounder beds and estuaries were all subject to the demands of the colonising culture and drained. Tikao Wira from Te Muka spoke about the destruction of their mahinga kai:

All the old mahinga kai are gone, and owing to trout having been put in all the rivers we are unable to catch flounders, inanga, or eels without risking the chance of being fined or imprisoned. Some of us were nearly put in gaol for catching wekas on some of the runs. Donald McFarlane, of Hakateramea, and Mr. Hoare, of Station Peak, turned us off while catching wekas. Put a notice in a newspaper that Natives would not be allowed to catch wekas on their runs; wanted to preserve wekas for game, and to kill the rabbits; but afterwards the wekas were killed on these runs by dogs and poison. Have seen the wekas lying dead on the runs in numbers, but the station-owners would not allow the Natives to kill or catch them; they threatened to shoot us if we went on their land.



1. T.M. Tau, *‘I Whanau au ki Kaiapoi: The Story of Natanahira Waruwarutu’*, as recorded by Thomas Green, University of Otago Press (2011).
2. A. Mackay, *‘Middle Island Native Claims, Report by Commissioner A. Mackay of the Royal Commission to Investigate the Condition of the South Island Māori’*, *AJHR 1891 G7*, p 58.



Image Credit: Damon McPhail

3. *Ibid*, p 51.
4. *Ibid*, p 56.
5. H. Evison, *Ngāi Tahu Land Rights and the Crown Pastoral Lease Lands in the South Island of New Zealand*, Ngāi Tahu Māori Trust Board 1987, p 32.
6. A. Mackay, 'Middle Island Native Claims, Report by Commissioner A. Mackay of the Royal Commission to Investigate the Condition of the South Island Māori', *AJHR 1891 G7*, p 58.
7. *Ibid*, p 51.

All our old mahinga kai are destroyed, and we are left without the means of obtaining the food we used formerly to depend on.³

Pita Mutu gave a similar scenario:

We cannot obtain eels from these easements now; formerly we use to get them in quantities. Waimakariri is the only river that fish can be got in, and we are now barred from going there.⁴

It is this historical devastation that has given Ngāi Tahu an understanding of the concern that New Zealanders now have for their environment. For Māori, the 'hau' (energy and life) had left the land. The proverb for this destruction is "Haha whenua, haha tangata – desolate land desolate people". The land had lost its breath and the social consequences were devastating.

Not only were Ngāi Tahu facing the environmental destruction of their traditional lands but they were also facing poverty brought about by land purchases and settlements.

While Ngāi Tahu received an average of 10 acres per head, the Canterbury Lands Act 1851 stipulated that a minimum allocation for Pākehā was to be 50 acres per head.⁵ In practice, it was closer to 100 acres. The outcome was wholly predictable. For Ngāi Tahu, without enough land to cultivate and farm, and facing the drainage of customary fishing grounds, and the clearance of the bush and grasslands where forest fowl and weka could be taken, poverty followed.

Another Ngāi Tahu contributor to the Commission, Hoani Maaka, spoke about his family members, who survived by fishing, "but many get afflicted with illness through exposure to the wet and cold".⁶ Women who were not allocated land were "helpless... as they had no one to support them, and were dependent on the goodwill of their relatives".⁷

Those who opted out and subsisted on the remaining fishing grounds were forced to “eke out a living by getting fish, but illness is often contracted through being exposed to the weather”.

The tragedy of this was that leaders of the day such as Hoani Uru and H.K. Tairaro actually felt that it was better ‘to be dead and out of the way’ because they could not see a future for themselves. It was against these odds that, Māori survived.

What was it that sustained our tribe through their ‘mamae’? Historians will talk about intermarriage, the improving economy and the assimilation of Māori into wider New Zealand society. Those explanations are external and peripheral to the explanation our own people have. Hoani Matiu, the elder who gave us the pepeha, “Kurakura Ngāi Tahu”, explained the situation when he said:

Do not know how a great many of the old people live, except by the hospitality of others (te aroha o te Māori).

In short, Ngāi Tahu survived because of their basic values of manaaki and atawhai – “aroha ki te tangata”. These values are important not just to Ngāi Tahu but also to the wider community and they must be reflected by the design teams. The architectural design of the buildings and landscape setting are important, but only if they reflect values that our ancestors held to be important.

Those values are reflected in the warning given to us by Waruwarutu and by the first Upoko Rūnanga of Ngāi Tūāhuriri, Pita Te Hori, in 1861.

Ko taku ture i ahu mai i toku tupuna i a Tūāhuriri nana i mea, “Kia atawhai ki te Pākehā”. Muri iho, ka pērā ano hoki te kupu a Tūrākautahi.

My laws commenced with my ancestor, Tūāhuriri, who said, “Care for your people”.





Image Credit: Damon McPhail

This pepeha is a statement of mana. By 1861, Christchurch was dominated by the values and drivers of the Canterbury Association. Ngāi Tahu were marginalised and impoverished. Yet when Pita Te Hori and his people met with the city leaders in Christchurch, he had the courage to deliver strong words about his and his ancestors' values. Pita Te Hori declared his mana-motuhake (independence and autonomy) and signalled the authority Tūāhuriri held.

The values contained in this pepeha must be considered by the design teams that are visioning our new future:

- whakapapa: identity
- mana-motuhake: independence and autonomy
- manaakitanga: charity
- ture-wairua: faith.

INITIAL OBSERVATIONS

This document is a narrative of Ngāi Tahu values, customs and traditions. It is not a design manual. The expectation is that the values and principles within the narrative will be converted into design guidelines. There are, however, a number of observations that need to be made.

While Ngāi Tahu have a solid understanding of western/New Zealand identity, heritage, values and customs and how these ideas have been configured into Christchurch, it is apparent that the design teams have very little understanding of things Māori. It also appears that the designers have little knowledge of Christchurch's European heritage or culture and this does concern us – as we wonder how the design teams will incorporate and interpret European history, let alone Ngāi Tahu history.

The design teams must have Ngāi Tahu involved in all aspects of the design – to ensure that they accurately represent the values outlined.

As a result of this perception, Matapopore has been reluctant to give definitive statements on future city aesthetics and design. We want to encourage city planners, designers and artists to engage in dialogue and undertake research into areas that we highlight in our documents. It is only by doing this that we will end up with a result that truly incorporates Ngāi Tahu culture, history and aesthetics.

Matapopore may also need to be more hands on and prescriptive over design matters to ensure Ngāi Tahu heritage, identity and values are recognised.

PRINCIPLES

COMMUNITY

Future design for Christchurch must demonstrate concern with community. This is an absolute priority.

HISTORY

When the Crown set aside our reserves in 1848, it had very little problem in directing our people about what to incorporate and how to design our village. In the establishment of our Rūnanga,

Walter Buller, the Native Commissioner for the Canterbury Purchase, took a role that exceeded his powers and encouraged the Rūnanga to adopt the following rules for its land and reserve.

1. That the primary sub-division and apportionment of the land should be arranged by them in Rūnanga.
2. That as a fundamental condition of the proposed grants, the estates and interests created thereby should be entailed, so as to make them inalienable to persons of other than the Māori race.
3. That the power of leasing, if allowed, should be modified by certain conditions or limitations.
4. That the whole of the attendant expenses should be borne by the Natives themselves—a sufficient portion of the land being set apart for that purpose.
5. That suitable endowments should be made for the several objects of churches, school, and hospitals.
6. That the arrangements contemplated in the two foregoing clauses should be carried out prior to the apportionment of the land (i.e. whilst it is common property).⁸
7. Rūnanga were essentially local councils for Māori. They were to have their own authority within their villages. The Rūnanga were, in Buller's eyes, "... a general meeting of shareholders, met for a common object, all enjoying the same privileges, and amendable alike to rules of discipline".⁹

The first principle that the land was to be individualised and apportioned by the Rūnanga was an expectation from the people of Ngāi Tūāhuriri.

The second principle that no land was to be 'alienated' outside of the tribe was contrary to the subsequent Native Land Court legislation of 1862 that permitted land to be sold to Pākehā.

The critical point here, and one that must be understood by all local authorities within the Canterbury region, is that the Ngāi Tūāhuriri Rūnanga was the tribal entity that held management rights over reserve land and that the land owners gathered as shareholders to make decisions as a collective.

The rules that followed essentially required our people to set aside lands for a church, schools and hospitals. Our people did just this with the expectation that the Crown would provide the institutions. The Crown did not keep its end of the bargain.¹⁰ As a result, throughout our villages, Ngāi Tahu built their own schools and tribal members paid for the churches. The Crown did not provide hospitals.

As stated at the start of this section, the first principle is that a community is designed. Just as the Crown saw it fit to advise Ngāi Tahu how to develop a community, Matapopore thinks it appropriate to do the same. Tuahiwi is not just a community because it set aside areas for the school, church and hospital. It also has:

- (i) ... people
- (ii) ... urupā
- (iii) ... a wharenuī

8. *A. Mackay, A Compendium of Official Documents Relative to Native Affairs in the South Island. Volume Two. (1879), pp 96–98.*

9. *Ibid.*

10. *Waitangi Tribunal, Ngāi Tahu Report, 1991, Vol. 1, pp 171–172.*

- (iv) . . . a marae
- (v) . . . designated areas of mahinga kai
- (vi) . . . an area where tribal members can place their whenua
- (vii) . . . places that are recognised as wāhi-tapu

The church and school have been important institutions that have added and contributed to the community. However, the most important place within the community is the marae and its wharenuī, Maahunui. All formal events occur at the Tuahiwi marae. It is the focal point for communal activity.

The Christchurch design must incorporate a similar community centre. Matapopore does not expect a wharenuī and a marae because the view of the Ngāi Tūāhuriri Rūnanga is that there are enough marae and whare in Christchurch and that nothing should undermine the role of Tuahiwi marae as the principal marae.

However, there has been no attempt to incorporate the aesthetics, values and purpose of a marae and wharenuī into something that speaks to contemporary New Zealand and also holds to the traditions and heritage of Christchurch. The design teams need to start with a community centre – a gathering place for civic functions and events that merges both European and Māori traditions. This will be a combination of wharenuī and great hall that incorporates the traditions of both communities.

It is necessary to spend some time considering the heritage of both cultures so that a synthesis of values creates a communal focal point. Drawing an empty space and calling it a “square/plaza/marae” is not enough. It needs to incorporate the values of a marae rather than the design principles of a marae.

The marae is where the community gathers to celebrate, mourn and host. It is where manuhiri gather. Today, manuhiri are defined as ‘visitors’. However, an equally appropriate term is ‘strangers’. It is easy for us to welcome people we know and understand – people with the same cultural identity. This is a relatively easy form of hospitality. It is entertaining our guests. The challenge is to show the same charity to those whom we do not know – those who are unknown: strangers. In a modern context this can mean migrants from cultures that are alien and challenging to us.

The moral duty to welcome visitors from afar is also balanced by the need to offer charity and hospitality to those within our own communities who we also treat as ‘strangers’. The custom among Ngāi Tahu is that the community eats in common inside the whare-kai (dining room). To this end, proper hospitality should not be confused with entertainment. In the Christian tradition, the homeless and vulnerable should all receive hospitality and care because they are “the least”.¹¹

Extending hospitality and kindness to those other than our family and friends is a challenge and can create tensions but the design teams must take this principle into consideration when developing concepts.

It is a concept that is well reflected in this statement by Waruwarutu:

E hoa, mā, e kā uri whakatipu i muri nei . . . atawhaitia kā oraka mai o ētahi kāika, whakaputa mai ana kia koutou, koi pēnei ki a koutou; ahakoa pākehātia koutou, kia raketira e whakahaere mā koutou.

11. *Matthew 25:40; Luke 14:13-14*

My friends and my descendants who follow after me... Always care for those who come to you from their villages seeking your charity lest this happen to you; even though you may become the same as the Pākehā, always conduct yourselves as rangatira, with grace and charity.¹²

Following the fall of Kaiapoi Pā, Waruwarutu and the Kaiapoi people journeyed to their relations at Te-wai-a-te-rua-a-ti, Te Muka, where their kin, Ngāti Huirapa, resided. The wharenuī where they found sanctuary was called Te Huatake. Ngāti Huirapa then built a larger whare called Kohikohi to hold our people. The names of the whare are valued today amongst our people because they represent the hospitality from Ngāti Huirapa.

All our wharenuī in Ngāi Tahu act as the gathering places for the people.

The question that we ask of the design teams is – where is the centre for Christchurch? Is there a place of sanctuary, hospitality and celebration that truly reflects these principles?

WHAKAPAPA: OUR IDENTITY

Ko te maunga tapu o Ngāi Tahu, ko Te Kani-o-Takirau

WHAKAPAPA

The single most important custom or value that has kept Ngāi Tahu together is our whakapapa. Whakapapa means the laying of one generation upon another. Others understand whakapapa as genealogy. Without whakapapa it is doubtful that Ngāi Tahu would still exist as a people. Whakapapa establishes Ngāi Tahu identity. Our genealogy can be traced from our descent from the atua and ancestors or can be traced across the tribe where we can identify brothers and sisters, first and second cousins or more distant relations.

This basic point is important for Pākehā to understand because Ngāi Tahu does not define itself on the basis of race, ethnicity or religion but on whakapapa.

12. T. M. Tau, 'I Whanau au ki Kaiapoi: The Story of Natanahira Waruwarutu', as recorded by Thomas Green, University of Otago Press (2011), p 22.

E tuku ana koe i a
 Raki e tu nei
 E whakemi ana koe i
 te uri - ā haere mai
 tuā
 A iti atu ko Hounuku
 ko Houraki ko Houatea
 Na Haumia ia Uenuku
 ā ai atu ko Paikea
 nana ko Whatiua te rama-
 rama, ko Porouraki
 ko Tawhiri o te raki
 ko Rangi-Popo ki a
 Tane, koe Rakitane,
 ko Hine-matiroo e tu
 mai ra i Turanga To
 Ariki Tapu, Ngāi-tahu.

I give to you the Heavens above

*That draws within you the descent lines
of those who come from afar*

Followed the deities

Hounuku

Houraki

Houatea

Haumia

Uenuku, whose child was

*Paikea, the whale rider who journeyed to
Te Ika a Māui and begat*

*Whatiua Te Ramarama, the father of
Porou raki of Ngāti Porou*

*From Ngāti Porou we have the son,
Tawhiri-ki-te-raki*

and then, Raki popo ki a Tāne

followed by Rakaitane

*and finally Hine mati oro, our
ancestress,*

*who stood at Turaki on the East Coast
as the*

'ariki tapu' of Ngāi Tahu.

Identity is one of the most basic questions we can ask of a person. It is a question that most communities understood and were able to answer until relatively recently. New Zealanders went to the Great War because their families lived in the United Kingdom and were spread throughout the Empire.

When Māori seek to know someone, they ask, "No whea koe - where do you come from?". In this sense, Māori are asking what mountain, river and land does one hail from because these land features are all ancestral and the answer will reflect identity.

Today, Ngāi Tahu say their mountain is Aoraki and their river Waitaki. Yet this is a very modern response. A century ago, Ngāi Tahu would have referred to their mountains along the Torlesse Range or to those further inland. Descendants of Tūrākautahi would have claimed Kura-tāwhiti (Castle Hill), while the descendants of his brother Tāne Tiki would have turned to Whata-a-rama (Torlesse Range). Likewise, the descendants of Moki would have claimed Tawera (Mt Thomas). In citing their mountain, the community knew their descent lines and the connection to the land.

When Paora Tau claimed the inland area from Maungatere to Maunga atua, in negotiating the 1848 Canterbury Purchase with Henry Tacy Kemp, he did so because these mountains were his ancestors. For Paora Tau, his ancestors could not be sold and he made this clear when he established the tribal boundary at Te Parinui-o-whiti.

This concept is important in the context of design principles for Christchurch.

Landmarks act as identity markers for Māori. In Christchurch, the Kaiapoi hapū and whānau understood where their ancestral connections were and, accordingly, their responsibilities. As early as 1848, Ngāi Tahu elders such as Wiremu Te Uki and Te Muru, from Kaiapoi, were explaining their people's rights to Christchurch and its waterways along the Ōtākaro/Avon River outwards to the New Brighton-Sumner estuary to Godley Head.

August 9 1849

Hei Onepoto timata ai tēnei pukapuka, te hetu paina o Tumataroa, Ohikaparuparu, Te Ana-korora, Opatuhaere, Ohikaparuparu, Tuawera, Otuhinapo, Ohineteraki, Omanuhiri, Te Awa-mokihi, Moanui, Otuhapai, Manukaitakotako, hei kōnei tū ai i toku rohe . . .

This document starts from One-poto, heading out to the head point O-tu-mataroa, O-hika-paruparu, Te Ana-korora, O-patu-haere, O-hika-paruparu, Tuawera, O-tu-hina-po, O-hine-te-raki, O-manuhiri, Te Awa-mokihi, Moanui, O-tu-hapai, Manu-kai-takotako. This is my area, my land.¹⁴

When Te Uki said that the Ōtākaro/Avon River was his, he was not just making a claim, but also declaring his identity. When Māori ask, “Ko wai koe – who are you?” they do not expect a business card reply. They expect a reference to a mountain or a statement that connects to the land.

For Ngāi Tahu, a simple answer to the question of identity is best captured in a waiata taught by my great grandmother, Manakore Pitama, to her children. The song is known among the people of Tuahiwi as ‘E Tuku Ana’ and it is possibly the most important chant that Ngāi Tahu has. ‘E Tuku Ana’ was sung to a child so that, once learnt, the child could respond to the basic question, “Who am I?” and in the opening lines the mother says to the child:

I give to you, the Heavens that stand above...

The mother then recites the descent lines from Raki, the Sky itself, and the descent lines that follow down to Paikea. Most New Zealanders will know Paikea as the whale rider from the movie of the same name. The chant finishes by tracing the descent lines from Paikea down to the famous ancestress on the East Coast, Hine-mati-oro, who stood at Turaki as the ‘ariki-tapu’ (supreme leader) of Ngāi Tahu.

Extract from Waitangi Tribunal¹³

8.5.19 The claimants strenuously and consistently maintained that, notwithstanding the evidence of the deed and the attached map, the western boundary of the Kemp purchase ran from Maungatere (Mount Grey) in the north, then along the foothills to Maungaatua and Kaihiku in the south. Mr Evison, for the claimants, relied on the evidence of the following witnesses in relation to the inland boundary of the Kemp purchase

Natanahira Waruwarutu, who states that Paora Tau, after some argument said:

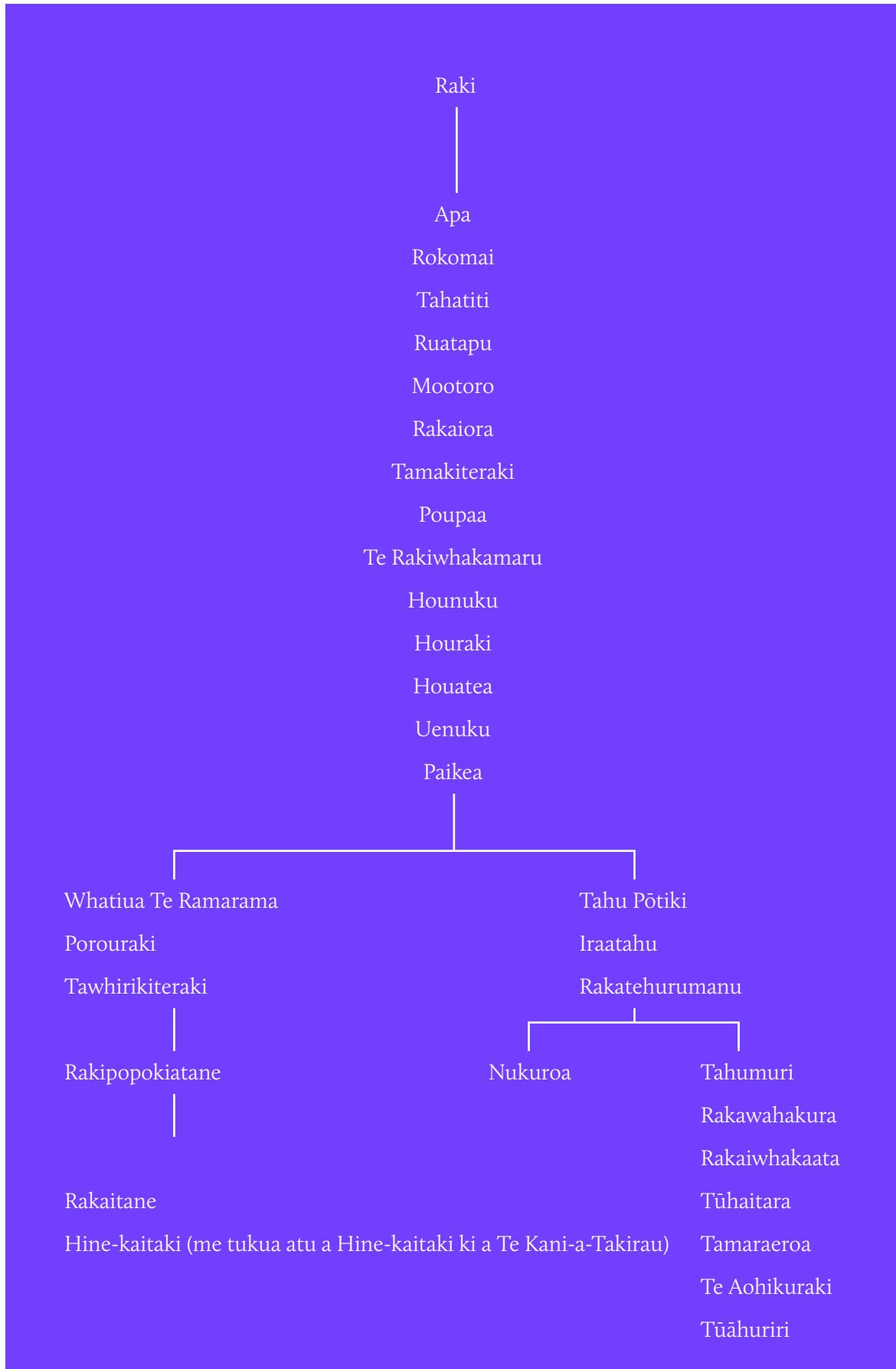
This is what I agree to; the boundary is from Kaiapoi to Purehurehu, the inland boundary from Maungatere to Maungaatua. The Māoris agreed to this...

Matiaha Tiramōrehu:

Paora spoke again. He said “Let the boundary be from Maungatere to Maungaatua”. That gave rise to a long discussion... It was the Māoris who proposed there should be a boundary between Maungatere and Maungaatua.

13. Waitangi Tribunal, *Ngāi Tahu Report, 1991, para, 8.5.19.*

14. W.B.D. Mantell, *Notebook 15, Alexander Turnbull Library, Class 091 [1530].*



This waiata is an absolute gem and one that our people enjoy singing to a more modern tune taken from ‘The Impossible Dream’. The traditional chant has been forgotten simply because the Tuahiwi people enjoy the more modern chant and its additional lines, which are sung to the tune of ‘Bali Ha’i’ from *South Pacific*.

What this chant establishes is the tāhuhu of Ngāi Tahu identity. Tāhuhu means the backbone, but the word is also used to describe the main ridgepole of the meeting house from which the tribe traces its main descent lines. The rafters (heke) spreading downwards are seen as the ribcage leading to the different ancestors that stand along the walls of the meeting house. These ancestors signal the hapū and whānau that stem out from the tāhuhu of the iwi.

The critical point here is that the song explains to the child the principal descents between itself, their ancestors and eventually their atua. It gives the child meaning by declaring its identity. ‘E Tuku Ana’ runs from Paikea down to Hine-mati-oro who we refer to as the supreme head (ariki-tapu) of Ngāi Tahu. Hine-mati-oro was a chieftainess who lived among the East Coast tribes and who we refer to today as Ngāti Porou, although in the past the tribal distinctions were not that significant.

The whakapapa of this song is outlined on the left.

As stated above, Paikea is the key ancestor because the second child was Tahu Pōtiki, the brother to Whatiua-te-ramarama. Ngāi Tahu takes its name from Tahu Pōtiki. From Tahu Pōtiki the descent line goes directly to Tūāhuriri, the ancestor for Ngāi Tūāhuriri. Because this whakapapa deals with the mainline, it traces the lines from Whatiua Te Ramarama down to Hine-mati-oro. Porou-raki is the son to Whatiua Te Ramarama and is known as the founding ancestor for the East Coast tribe, Ngāti

Porou. Of all the tribes in the North Island, Ngāi Tahu shares a deep relationship with Ngāti Porou.

Often outsiders to our whakapapa refer to the earlier tribe, Ngāti Māmoe, as being in the South Island before Ngāi Tahu. As a result, we have uninformed views that Ngāi Tahu were simply a conquering tribe. However, whenever our people spoke about Ngāti Māmoe, they were essentially speaking about their kin from Porou-raki who had migrated into the South Island a generation earlier. We shall discuss these connecting lines later in this chapter.

The only way to understand our traditions is by way of whakapapa. The key ancestors to consider for any design concerning heritage and identity are:

- Paikea and his son, Tahu Pōtiki
- Tūhaitara
- Tūāhuriri.

A brief biography of each follows.

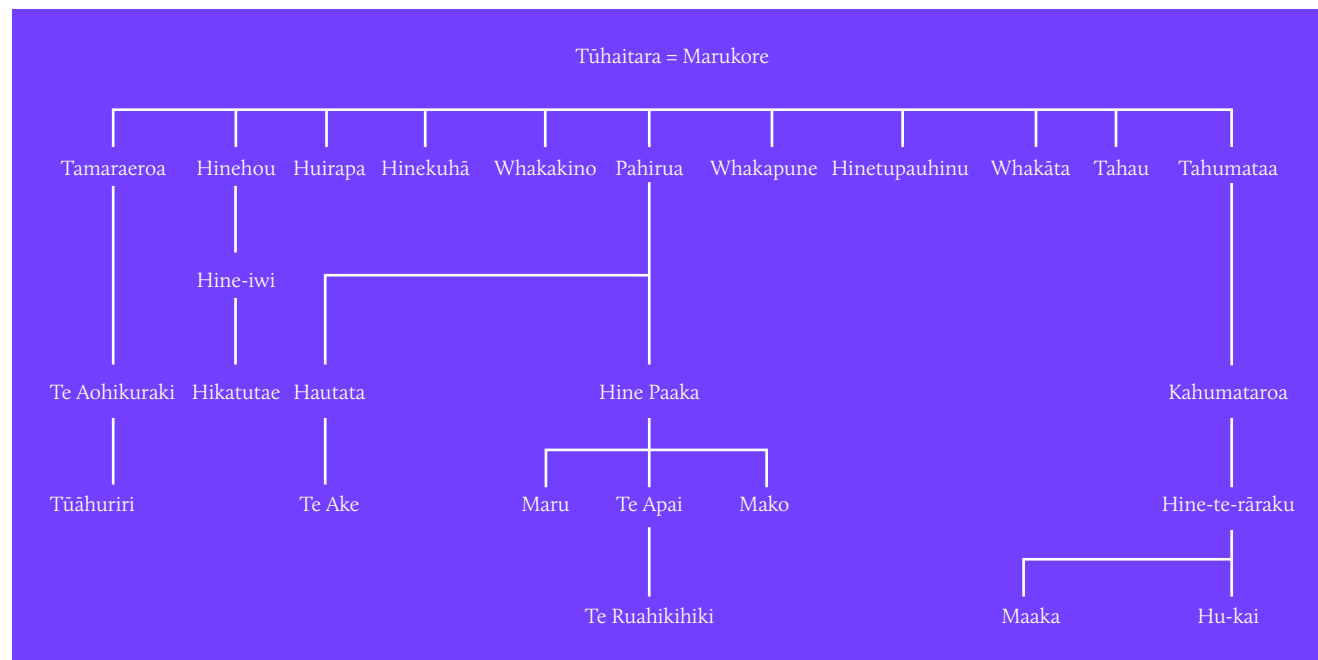
PAIKEA

A good place to start with the origins of Ngāi Tahu is with the story of Paikea, his half-brother Ruatapu and their father Uenuku. The story starts in Hawaiki, which Māori consider as their primal homeland in the Pacific, and with Uenuku, who possessed a hairpiece that was sacred to him and used in important tribal rituals.

All within the village were aware that for anyone other than Uenuku to use it would cause offence. However, Uenuku's oldest son, Ruatapu, believed he was senior enough to wear the hairpiece so took the ornament and wore it before his people. His father saw the actions of his son and humiliated him in public with the words, "Kāore e tika mähau mā te tama memehea moenga hau moenga rau-kawakawa nei." This insult implied that while Ruatapu was the oldest son, he was not from a union approved by the people and that his younger brother, Paikea, was senior because of his mother's lines.

Shamed in public, Ruatapu planned the deaths of all his siblings. We are told that Ruatapu prepared a large canoe that would hold 140 of the leading sons within the village. When Ruatapu announced the launch of his canoe, all the leading aristocrats set off with Ruatapu on the canoe. Once out to sea, Ruatapu slew each leader with a spear. The only leader that escaped was Paikea, who then took to the sea. After chanting his incantations to the gods, Paikea was saved by a whale who brought the young chief to New Zealand upon his back. Paikea settled with the local people at Whangara on the East Coast of New Zealand and the house that he established was named Whiti-reia. It is from this ancestor that the two tribes, Ngāi Tahu and Ngāti Porou, stem. Tahu Pōtiki was the son of Paikea.

- The story of Paikea is about identity and good relationships.



TŪHAITARA

Tūhaitara was the ancestress for the hapū Ngāi Tūhaitara that led the Ngāi Tahu conquest of Canterbury. Tūhaitara lived and died on the East Coast of the North Island. Her main descent line traced down to Tūāhuriri and her sons, Tāne Tiki, Tūrākautahi and Moki. Tūhaitara was half Ngāti Māmoē and half Ngāi Tahu, and her husband Marukore was properly part of the Ngāti Māmoē collection of tribes along the East Coast.

The importance of Tūhaitara is that all the hapū and rūnanga from Canterbury and Banks Peninsula claim descent from her. In the whakapapa on the left, Tūāhuriri features from the first line of Tamaraeroa. Ngāti Huirapa of Te Muka and South Canterbury features as the third child of Tūhaitara. Pahirua is shown as the ancestor of Hine Paaka from which Te Ruahikihiki of Taumutu and Mako of Wairewa claim descent. Finally, we have the line of Huikai of Port Levy descending from Tahumataa. Another important name is Te Ake, who settled Sumner and Akaroa. Likewise, Maaka, the brother of Huikai is referred as he was the captain of the canoe, Makawhiua that brought Ngāi Tūhaitara to Canterbury.

- The story of Tūhaitara is about family – whanaungatanga

TŪĀHURIRI:

An important chapter in Ngāi Tahu's history began when Tūāhuriri and his brother-in-law Tūtekawa fell into disagreement, with Tūtekawa killing two of Tūāhuriri's wives. Fearing reprisal, Tūtekawa escaped south to settle amongst the Ngāti Māmoē who lived at Waikakahi, near Wairewa (Little River).

As part of a larger wave of Ngāi Tahu migrating south, Tūāhuriri's sons Tāne Tiki, Tūrākautahi and Moki crossed Cook Strait. This migration was known as

‘Te Tauatuawhitu.’ It was during this crossing that Tūāhuriri died along with his eldest son Hamua. It was then left to the middle son Tūrākautahi and the youngest Moki to take utu (revenge) for their father’s wives’ deaths. While the toa or warrior role would usually have fallen to Tūrākautahi, he was waewae-hape (afflicted with a club foot) and Moki became the warrior. Moki led his people of Ngāi Tūhaitara in their campaign southward; with himself in the famous war canoe *Makawhiu*. The migration rested at Kahutara south of Kaikōura and Moki led a tauā (war party) down to Waikakahi, where Tūtekawa was eventually killed.

It was during this period of the campaign that Ngāi Tūhaitara leaders claimed the mountain regions, inland from Canterbury. This event is one of the more well-known events in our traditions recalled in story and pepeha as each chief claimed a mountain famed for the Kākāpō, whose feathers were used to make maro – a kilt or loincloth worn by the leading daughters. According to tradition, Tūrākautahi, his brothers Tāne Tiki and Moki and elder cousin Hikatautae claimed the mountains along the Torlesse Range. The pepeha we use to recall this event stems from Tūrākautahi who claimed the mountain Kuratāwhiti for his daughter and is as follows:

Ko Kuratāwhiti, te maunga, ko au te takata – Kuratāwhiti is the mountain and I am its claimant.

Likewise Tāne Tiki claimed the mountain Whataarama, declaring:

Mōku tēnā maunga, kia maro ai a Hinemihi rāua ko Hutika i te maro-kākāpō – Whataarama is to be mine, to clothe my daughters Hine-mihi and Hutika in kilts made from Kākāpō.

Pepeha and narratives such as this are indicators of customary claims and rights to regions, mountains, valleys and waterways. Following the claim to the inland area, Moki and his warriors quickly set about conquering Banks Peninsula in their war canoe, *Makawhiua*. Their last battle was at Waikakahi, where Tūtekawa was eventually slain and the children, Te Atawhiua, Tutepiriraki and Te Rakitamau, ordered to work the gardens at Tuahiwi and to prepare a new fortified village that was to become Kaiapoi Pā.

Tūāhuriri’s sons who led the campaign were:

- Tāne Tiki
 - Hamua
 - Tūrākautahi
 - Moki.
-
- This story tells us about mana-tipuna

This chapter shares our whakapapa and talks of our key ancestors. The question it raises is, how will the designers incorporate Ngāi Tahu identity to sit alongside the European historical identity that is reflected in statues like Godley and Fitzgerald and buildings like the Cathedral and the Bridge of Remembrance. These are all statements of the city’s identity and heritage that should be retained and celebrated just as those of Ngāi Tahu should be.

WHAKAMANUHIRITANGA

Mā te manaaki ki te tangata, ka mōhio koutou, he iwi.

You may know a people by the hospitality they provide for others.

Te Aritaua Pitama

Most New Zealanders will be aware of the word 'pōwhiri' and many will have participated in a pōwhiri. Today they are relatively common affairs, particularly among government departments. Most observers of pōwhiri are aware that a 'karanga' is given by a female elder who leads the dignitaries to their seats to be welcomed. A series of speeches by the tribal leaders follows: eventually a line is formed where the hongi takes place and the event concludes with a meal. The whole affair is understood as ritual transplanted from the marae to our modern culture. There is, however, a difference between what actually happens upon the marae and what happens outside, whether it be at schools or governments departments. On the tangata whenua side, areas are marked for the host people as well as an area for the leading speakers, kai-karanga and accompanying ope.

The term used by Ngāi Tahu for this ritual is 'whakamanuhiri'. Whakamanuhiri concentrates on the ideas of welcoming and hospitality. There is a possibility that there is too much emphasis on the ritual rather than the purpose of the ritual. The purpose is to ensure the visitors are welcomed, that courtesies are extended and, most importantly, that the guests are provided with a formal meal.

Whether the rituals are simple 'meet and greet occasions', elaborate and formal hui on marae or ministerial functions, the occasion stands and falls upon the food provided.

Food is important because tribal groups are often identified by the foods that come from their land. The people of Rāpaki are known for their 'pioke', a dried shark that they take in early February. The Ngāti Irakehu of Wairewa were famous for their eel, as were the Ngāti Ruahikihiki of Taumutu.

The Waitangi Tribunal commented on the relationship between food and hospitality in its Manukau Report:

The Harbour [Manukau] is a major source of seafood for the Waikato people. Seafood is gathered from the Harbour to supply Waikato Maraes from the Mangare Marae on the northern boundary to Ngaruawahia, the Marae of the Māori monarch. Many visiting dignitaries are welcomed here, and are offered the food of the Manukau as part of the traditional hospitality. Contributions of seafood at the same time symbolise loyalty to the Māori Queen. The mana (prestige) of the Māori is based, in part, on this ability to contribute the share.¹⁵

A similar statement that links identity, prestige and mana to food was explained by Ngāi Tahu elder Wiremu Te Uki, in 1879, when he said:

We use to get food from all over our Island; it was all mahinga kai. And we considered our island as in a far superior position to any other, because it is called Waipounamu, the greenstone island; the fame thereof reaches all lands.¹⁶

The problem with emphasising the pōwhiri and the rituals that occur on the front of the marae is that they overshadow the equally important aspect of manaaki. Too much emphasis is focused on ritual and not enough on the provision of hospitality and care. To reflect this appropriately in modern design is to ensure provision of adequate facilities for the provision of hospitality by way of the marae, the wharenuī and the whare-kai. Too often the whare-kai is mistakenly left out of the design

15. *Manakau Report*, p 55.

16. *W. Te Uki NA/MA/ 67/4: 295*

phase, compromising the critical ability to enable 'manaaki', which is the provision of food and the requirement that visitors and hosts eat in common. This is where the manuhiri enter the realm of 'noa' and, in modern terms, where they are able to relax into the community.

The largest part of the marae complex at Tuahiwi is, in fact, the whare-kai. This is an indicator of the importance of hospitality to Ngāi Tahu. Likewise, the area known as the marae is much smaller than the area where the cooking by the women and food preparation by the men are overseen.

Māori would tend to see New Zealand hospitality as too informal and casual. 'Helping yourself' is lazy hosting. Failing to bless food and simply saying, "Dig in" is unacceptable. For Māori, the basic formalities of greeting a visitor, providing food and saying grace before a meal are important.

We hope this chapter provides the design teams with a sense of the importance of manaaki. It is essential. The challenge for the design teams is to understand hospitality within their own cultural backgrounds and how to express that as a modern concept.

QUESTIONS FOR THE DESIGN TEAMS

- Where are the entry points for manuhiri and what are the semiotics that indicate the relationship between visitor and host?
- Where does the Christchurch community collectively share a meal?
- Where do the Christchurch community and its people collectively gather to cook, host and entertain?
- Where does the Christchurch community collectively gather to welcome its dignitaries and how does this incorporate Ngāi Tūāhuriri and Ngāi Tahu?
- How does the design of the city take into account the city entrances, gateways and village complex that Māori instinctively know from their own communities?

HOW CAN DESIGN RESPOND TO THESE QUESTIONS?

- The critical point to acknowledge is that formal rituals are led by the 'tangata whenua', the people of the home community, with ahi-kaa and mana whenua to the land. The Ngāi Tūāhuriri Rūnanga represents the tangata whenua and home people of that community. Formal ceremonies of welcome should always be held upon the Tuahiwi marae rather than in the city precinct itself. In fact, until the 1980s most formal welcoming ceremonies for dignitaries visiting Christchurch occurred at Tuahiwi – and this was a matter generally understood by the Christchurch City Council and other councils surrounding Christchurch. The list of visiting dignitaries to Tuahiwi is significant. The more important point, however, is that they were welcomed to Tuahiwi first.
- The way in which this matter is resolved is through design and the use of semiotics. Marae are designed in a way that enables rituals to be undertaken. The most basic distinction between manuhiri and tangata whenua concerns the areas defined as tapu and noa. The tangata whenua sit in the area marked as noa and manuhiri locate themselves in the tapu area – hence the term, waewae-tapu (newcomer) for manuhiri.

NGĀI TŪĀHURIRI HAVE AUTHORITY FOR PŌWHIRI

Whakamanuhiri is the Ngāi Tahu word to explain the ritual of welcoming and greeting visitors. 'Pōwhiri' is used more often today; however, the Ngāi Tahu term resonates more strongly with Ngāi Tūāhuriri and Ngāi Tahu values. Today the process of welcoming and hosting visitors, guests and dignitaries has become an elaborate affair that event planners love coordinating. Modern exponents of pōwhiri believe there needs to be a karanga that becomes an official address and lengthy rows of orators invoke a myriad of gods and spirits to watch over the proceedings. The ritual is hardly considered complete without a wero, and the laying of koha upon the marae has become an art-form.

Virtually none of this has anything to do with how Ngāi Tahu and how Ngāi Tūāhuriri welcome their visitors. What we do is manaaki – whakamanuhiri.

MANA-MOTUHAKE

No, sir, the object which the colonists of New Zealand have given their energies to obtain, and which they will obtain, if they be true to themselves, is . . . political power; the power of virtually administering their own affairs, appointing their own officers, disposing of their own revenues, and governing their own country.

By means of the municipal institutions lately granted to New Zealand, the colonists will have the power of managing their own local affairs without interference. (Canterbury Association, 'Canterbury Papers', Association for Founding the Settlement of Canterbury in New Zealand by John W. Parker, 1850, p 7)

There is another King of this island, he is Tū-āhu-riri. Although he is dead his authority remains with us, his descendants. We have great mountains on this island, Tapuae-o-Uenuku, Kai-taurau, Maunga-tere, Ahu-patiki, Tarahoua, Mihi-waka and Rakiura. (Pita Te Hori, first Upoko Rūnanga of the Ngāi Tūāhuriri Rūnanga)

He Kīngi anō ō tēnei motu, ko Tū-āhu-riri, ahakoa kua mate ia, kei te mau anō tōna mana, i runga i a mātou, ā, ē mōhio nei anō ōna uri. He maunga nunui ana ō tēnei motu, ko Tapuaenuku, ko Kaitaurau ko Maungatere, ko Te Ahupatiki, ko Turahaua, ko Mihiwaka, ko Rakiura.

Mana-motuhake has been the responsibility of every Upoko Rūnanga of Ngāi Tūāhuriri and is the single political kaupapa that unites Māori. The importance should not be underestimated. Mana-motuhake means the right of tribal groups to maintain their chieftainship, authority and independence over their resources. It is not incompatible with the western notion of sovereignty. The Treaty of Waitangi confirms the sovereignty of the Crown on the condition that the mana of Māori is confirmed over their "lands, estates and fisheries" – taonga.

When the Pākehā settlers arrived in Canterbury, self-government and independence were their goals. John Robert Godley's writings make it clear that he wanted New Zealand to be the first colony with its own sovereignty. He had little time for representative arguments, which he saw as little more than provincial debating clubs. He also found it "ridiculous and inexplicable" that New Zealand could not pass legislation that England found "repugnant" to the laws of England. Yet Godley was conflicted. He also saw New Zealand as part of the British Empire, and in fact a colony. His view was that New Zealand was to be "pre-eminent and alone among the colonies". Much of Godley's reasoning was a reaction against Sir George Grey's role as Governor. However, despite Godley's demand for self-government, he was less capable of applying his argument to Māori, who he saw as having little role in any representative government. On that matter Godley's politics were as despotic as his antagonists. Godley wrote:

As the case now stands, I regard by no means without uneasiness the possibility of the constituencies being utterly "swamped" by Māoris. I do not know exactly how the law may come to be worked, but if it be worked fairly and impartially, I foresee that in the Northern Island almost any amount of Māori votes may be created among a population wholly incapable of understanding the simplest rudiments of the questions on which their votes will be brought to bear.¹⁷

For Māori, the visions of Godley and Grey were much the same. Their settlement was, in this context, rooted deep in the swamp of double standards.

On the other hand, Māori simply understood the need to regulate and have authority over their lands and world, while also fitting within the larger imperial world. This was

the point, after all, to the Flag of the United Tribes and the Treaty of Waitangi. Māori would manage and run their own trade while fitting within international law.

Our ancestors understood mana-motuhake as a political matter and as an economic issue.

For Māori, less government has always been represented in the Treaty of Waitangi, wherein the Crown's right to govern was qualified by its right to protect not just the property of Māori but also their 'tino rangatiratanga', best summarised as their chieftainship. At any basic glance, the Treaty of Waitangi is a perfect statement of liberal policy.

The notion of a people free to trade with a government whose role is to protect those rights and to maintain the basic institutions required for a civilised society reflects Māori aspirations. What Māori would never have imagined is some sort of state ownership of all assets, where national wealth is distributed equally, among all citizens who held no 'take' or rights to the resource or property.

The idea of a centralised, all-powerful government whose sovereignty superseded their customary chieftainship was beyond their imagining. In fact, the complete lack of understanding of a centralised government holding sovereignty was best represented by Nopera Panakareao, the Te Rarawa chief who signed the Treaty and declared, "Only the shadow of the land passes to the Queen. The substance stays with us, the Māori people".¹⁸ When Panakareao said that the "shadow" of the land would pass to the Queen, he was reaching for a metaphor to explain a concept that had an abstract, undefined quality about it. For Panakareao, sovereignty was a shadow: an undefined idea without substance. For Māori, substance remained with the land, their fisheries, forests, estates and other 'taonga'.

17. J. E. Fitzgerald, *A selection from the writings of John Robert Godley*, Press Office, 1863, pp 160.

18. A. Ballara, 'Pana-kareao, Nopera', from the *Dictionary of New Zealand Biography*. *Te Ara - the Encyclopedia of New Zealand*, October 2012.

The role of the Queen and her Government was to protect these rights. And when one reads Lord Normanby's instructions to Hobson you would find it hard to see it as anything but classic liberal humanitarian policy. As Peter Adams outlined in *Fatal Necessity*, British policy towards New Zealand and Māori was underpinned by a strong liberal tradition. Despite Captain Cook's proclamation of sovereignty, the proclamation ran counter to his instructions and was never confirmed by the British Government nor followed through with occupation. Adams explains how Britain's policy and statutes tended to confirm New Zealand as an independent county and that Māori were the legitimate owners of New Zealand soil.

The question that must be asked is: how is the concept of mana-motuhake given place in Christchurch and Canterbury?

This is a joint partnership document and, just as Christchurch is the centre for Canterbury, so our marae and Rūnanga are the centre points for our hapū. Legislation by the Crown and policy among the regional councils is required to recognise our mana-motuhake upon our own lands and reserves that the Crown allocated to us last century.

Our marae have suffered a loss of community because of council decision-making. From the 1960s through to the present, the councils of Christchurch, Banks Peninsula, Selwyn and Waimakariri have all passed policies that stopped our people from building upon their tribal lands. They have all used the Town and Country Planning Act 1958 and the Māori Affairs Amendment Act 1967 to rezone our traditional marae and reserves as rural land – and these policies stopped our people from living upon their land. Our marae did not suffer because of urbanisation. They suffered because of council policy.

What council staff and Pākehā bureaucracy fail to understand is how decision-making has impacted Māori. They would never imagine the possibility of rezoning Christchurch as rural land and they would not consider the notion of converting land with fewer than three owners on the title into Māori land. Yet this is exactly what they did to Ngāi Tahu land – as recently as 2006.

Between 1969 and 1971 Ngāi Tahu land owners in Canterbury, where there were fewer than three co-owners, were all informed that their land was no longer in Māori title, but was instead held in general title. The conversion of title was allowed under the Māori Affairs Amendment Act 1967, which was designed to allow rural farmers easier access to purchasing Māori land. The authoritarian nature of this legislation is breath-taking. The idea of converting Pākehā owners' land into Māori land would simply be unacceptable among New Zealanders. The rezoning of Māori villages as rural land so as to prohibit Māori from building upon their family lands was managed by the councils through the Māori Affairs Amendment Act 1969 and the Town and Country Planning Act 1958.

Our villages and marae currently lack strength as a result of Pākehā planners' and councils' decision-making. Ngāi Tahu do not live at Ōnuku, Opukutahi, Rāpaki, Wairewa and other reserves because they are prohibited from building there. Yet this runs directly against the 1848 Canterbury Purchase, which declared that the reserves would be set aside for the people to live upon.

Māori understand the sovereignty of the Crown. The Crown has yet to understand the mana-motuhake of Māori.

The design teams can make representative decisions that demonstrate an understanding of these concepts and support for redress by incorporating symbols in the structure – the Flag of the United Tribes.

THE NGĀI TAHU FLAG OF INDEPENDENCE AND ITS POSITION AMONG CIVIL AUTHORITIES

To put the debate about the flag in context, it is important to first of all remove peripheral discussion about republicanism and post-colonial rhetoric.

Usually the week leading up to Waitangi Day is preceded by a fairly aimless debate about the future of the New Zealand Flag. However, any discussion about a flag is hindered by two side issues: the republican debate and the idea that New Zealand is a post-colonial country.

The debate over the flag should not be confused with any debate about New Zealand being a republic, at least from the position of Ngāi Tahu. Ngāi Tahu's commitment to the monarchy runs deep, not because of the monarchy but because our ancestors made a commitment. Taiaroa, Tūhawaiki, Iwikau, Tikao and the other signatories to the Treaty of Waitangi all committed to the Queen and the Treaty of Waitangi. The monarchy has never been a threat to Ngāi Tahu.

The settler government and its nation state have always been far more dangerous. If the Treaty had never been signed, the tools of the settler state would have been used far more ruthlessly and without any regard for Māori. The Aboriginal people of Australia were colonised by the same settler nation and suffered much more because they did not have a relationship with the Crown. The settler state has always resented those rights and have always seen tribes as a threat to their sovereignty. To this day, the Canterbury councils, including the Christchurch City Council, continues to prohibit tribal members from living on the land that was originally set aside for them to live upon in the 1840s.

Likewise, there is also far too much discussion about post-colonial New Zealand. Post-colonial countries and nations are those places where the British Empire and the settler government departed and left the original people in charge of their nation. India is the most obvious example. New Zealand is not post-colonial because the colonisers (Pākehā) and the colonised (Māori) remain in this country.

So, with the republic and post-colonial rhetoric off the table, the debate about the flag becomes clearer.

New Zealanders took our current flag into the Great War and the wars that followed. The Māori Battalion marched under the flag and our sports heroes have draped it over their shoulders. The Union Jack signifies New Zealand's colonial history, its ties with the mother country and the people whom Māori signed a Treaty with. For these reasons it is not something to be discarded lightly, and Māori tend to look with suspicion on people who do just that.

However, if the decision is made to replace our current flag, then Ngāi Tūāhuru have an opinion on that – and a flag.

Ngāi Tahu has had its own flag for some time. That flag is the Flag of the United Tribes, first gifted to Māori in 1834. It is the flag New Zealand flew before it became a colony. From recollection, each Ngāi Tahu hapū had the flag and simply had their hapū name sewn across it. There have been Ngāti Irakehu, Ngāti Rakitamau, Ngāti Rakiamoa and Ngāti Ruahikihiki flags flown on all our marae.

19. *Hawera & Normanby Star*, Volume LXXII, 21 April 1917, p 2
(*Papers Past*, www.paperspast.natlib.govt.nz).

EXCHANGE OF GREETINGS.

The following greetings have passed between the Maoris of Tuahiwi and Viscount Jellicoe, Admiral of the Fleet:—

To Admiral Lord Jellicoe, H.M.S. *New Zealand*.—The Maoris of Tuahiwi and Kaiapoi, from whence sprung the greatest warriors of old, welcome your Lordship, Lady Jellicoe, officers, men, and ship to the shores of our ancient forefathers. We have noted with pride that in the Jutland Battle the flag presented by the Maoris of Tuahiwi was flown at your masthead. May your sojourn amongst us be full of happiness. Haere Mai, Haere Mai, Haere Mai—Te Hau, of Tuahiwi.

To the Maoris of Tuahiwi and Kaiapoi.—We thank you for the greetings and good wishes you send on behalf of the Maoris of Tuahiwi and Kaiapoi. Lady Jellicoe, officers, and men of H.M.S. *New Zealand*, and I, are proud of H.M.S. *New Zealand*, and are proud to receive such a message from the descendants of the gallant and chivalrous warriors of the past. The Navy will ever remember that your flag was flown aboard at the Battle of Jutland. Kia Ora.—Jellicoe, Admiral of the Fleet.

The Flag of the United Tribes was flown before the Treaty of Waitangi – when the tribes retained their independence. The flag was replaced with the Union Jack when New Zealand became a colony, although it was retained for some time, possibly as late as 1869. The great irony, of course, is that this flag was also flown by the New Zealand Company until Lt Governor Hobson instructed it be pulled down and replaced with the new national flag.

Its significance did not end in the 19th century. Following the visit of HMS *New Zealand* to Lyttelton, Thomas Eustace Green, the Upoko Rūnanga of Kaiapoi, sent the Royal Navy the Flag of the United Tribes for the battle cruiser, with a request that it be flown on holidays and other significant occasions. Captain John Green of HMS *New Zealand* sent a message to the Kaiapoi Rūnanga letting them know that the flag would be flown “in action”.¹⁹

In fact, Lord Jellicoe wrote to Te Hau Korako, who had just become the new Upoko Rūnanga, thanking him and the people of Tuahiwi for the gift of the flag. He finished by saying, “the Navy will ever remember that your flag was flown aboard at the Battle of Jutland – Kia ora.— Jellicoe, Admiral of the Fleet”.

In short, if there was ever a flag for Christchurch and New Zealand, the Flag of the United Tribes is the most appropriate and it should definitely be reflected in the design concepts for Christchurch and Canterbury. This is as opposed to the tino rangatiratanga flag, which does not have a place within Ngāi Tahu at any official or traditional level. It is not our flag. The Flag of the United Tribes is the flag of Ngāi Tahu.

Note: For additional information on the Flag of the United Tribes, see the chapter prepared by Dr Te Maire Tau for the Justice and Emergency Services Precinct design component.





Crew of HMS New Zealand, dressed as Māori.

PRINCIPLES OF PARTNERSHIP

by Jane England, Freelance Writer

The Ngāi Tahu Research Centre requested that this essay be prepared for this report. Jane England was a journalist for *The Press* during the mid 1980s through to the early 1990s. She was a member of the original 'A-Team' during the early years of the Ngāi Tahu Claim and watched the evolution of the tribe and how it engaged with the wider Christchurch community.

The story tells how Ngāi Tahu elders and community leaders of Christchurch, its lawyers, historians and journalists shared common values of justice and the most important New Zealand value – a fair go.

This essay is a modern history of Ngāi Tahu and deserves some attention from the design teams because the Ngāi Tahu Claim and its status within Christchurch is due to a set of common shared values. Those values created Te Rūnanga o Ngāi Tahu, which now sits as a statutory partner within the Canterbury Earthquake Recovery Act 2011.

It is important that those values are considered and understood because communities must share a common vision and all visions must rest on their beliefs, shared identity and ideals, if they are to have real meaning for its people.

In a family, stories from the family history – where people came from, what they did, who they knew, where they moved, what they lost and what they gained – grow into the stories of their city and flow into the narrative of their nation. Like the mountain water that splashes over boulders, gushes into waterfalls, rests in pools and tumbles into streams that merge and entwine in a river to the sea, the narrative grows.

For Ngāi Tahu the stories begin at the source of the whānau and the hapū. The knowledge and names of mountains and rivers, resting places and streams formed a collection of geographical features and economic resources. People knew where to go, what had happened there and where to return. They understood the rhythms of seasons and the areas where, throughout the year, they gained sustenance from their mahinga kai: plants and eels, fish and birds. The people in each local area knew their own lagoons and habitats and they cultivated these places through conservation and planning. When they lost their land, they lost their water and resources; they suffered that loss in chilling ways.

When New Zealanders, Māori and Pākehā, signed the Treaty of Waitangi, there was a sense of common destiny. While some Māori were skeptical – rightly as history has shown – others signed the Treaty in good faith, confident that their rights, lands, forests and fisheries would be protected. In the South Island, for the ancestors of the people of Ngāi Tahu, including Ngāi Tūāhuriri, this was their truth, the certainty that they would not be forced to part with anything they didn't choose to sell along with the sure knowledge that, when they did sell any part of their land, they would be granted the hospitals, schools and reserves they requested in return. We now know that the rights of Ngāi Tahu to the security of fair negotiations, for a fair sale and an honouring of the conditions and terms were breached by the Government. The Government did not follow the rules of partnership outlined in the Treaty of Waitangi.

Stories that do not fit with the preferred local or national narrative will not become part of the local or national history. Any inconvenient tributary of truth will not be absorbed into the

local or national account of settlement. The South Island Pākehā narrative was based around colonial settlements. Until recently Pākehā sealers and whalers who settled in the South Island prior to 1840 were not considered worthy of inclusion in the stories of settlement. Ngāi Tahu in and around Christchurch, Tūāhuriri, are remote in the mainstream story of the Christchurch settlement, far off in the realm of another existence; they haven't been noticed or incorporated into the history of place and space.

Where they were visible, they didn't fit into the colonial narrative. From colonial times through to 1958 – when their settlement on the Ōtākaro/Avon and the estuary was taken for Pākehā settlement and sewerage outflow – they suffered the loss of lands and economic resources they rightfully owned. Even recent council Acts prohibited them from building on their own land. The urban migrations by Ngāi Tahu into the city were not just evidence of their desire to move to the city; the shift stemmed from the Christchurch City Council's rule prohibiting Ngāi Tūāhuriri from building on their own land.

Ngāi Tahu had believed in the Treaty of Waitangi. Its leaders had viewed it as an inspirational document that would guarantee peace in the island and allow for their own economic growth without losing any of their spiritual or traditional values. They were willing to sell parts of the island but not the whole. This was a truth they maintained till the day they died and the torch of their injustice was handed down from generation to generation along with the consequence of those losses. Even in the 1980s a few kaumātua and kuia were confident that the Queen would give them a fair deal as soon as she learnt that Ngāi Tahu had been wronged.

The song of injustice against Ngāi Tahu wove its way as a narrative through Ngāi Tahu whānau and hapū. It was known in their settlements in Christchurch and the Canterbury countryside. The truth of that narrative still lives in the brush and bush and bracken and lakes and ocean, in the hearts of the people – Ngāi Tahu and others who worked on the Ngāi Tahu Claim.

On the Ngāi Tahu side, the losses had never been forgotten by older people. The older people at Tuahiwi were children who tried to stifle their own cries as they shivered in sackcloth, their stomachs gnawed by hunger, their families riddled with tuberculosis. These people experienced in hard, cold terms the reality of the loss of their mahinga kai – their economic resources. They attended tangi for those who did not survive and they were warmed by the fire in the bellies of kaumātua and kuia who stayed up all night talking about Te Kerēme, the Claim.

Pākehā children and their parents tend to show knowledge about only one narrative of the settlement of Canterbury and Christchurch, the Pākehā story. In one way, this lack of knowledge could be viewed as a positive. Imagine that one of the largest claims to the Waitangi Tribunal in New Zealand came from these people, Ngāi Tahu. Imagine if, rather than the outcome of the Claim causing a storm as some predicted, it moved across the city and the landscape causing barely a ripple, leaving in the wake of that change neither a wound nor a scar but a success story. That is exactly what happened. Many people are unaware of this Christchurch story of a group of Ngāi Tahu and Pākehā who worked together to remedy injustice.

Ngāi Tahu have upheld the spirit of partnership. Rather than displaying bitterness or longing for separatism, they worked with Pākehā to form the Claim. The Claim was based on the search for justice stemming from truth rather than a sense of victimhood or burning anger. The anger often developed more on the part of Pākehā who came to know the truth and that it had been extinguished from the narrative of the city, its environs and the nation as a whole.

One of the stories interwoven through Ngāi Tahu experience is the loss of land and economic resources. The other is the narrative of Te Kerēme, the decades spent on the Claim for justice and the settlement for restoration.

It is time now for that narrative, that tributary of truth, of the two Treaty partners to be woven into the national narrative of Christchurch. The Claim was forged by hard-working, respectable people who challenged the prescribed, colonised view of the South Island.

The heroes and heroines of the Claim were ordinary men and women who believed in truth and justice. They included Pākehā who had come to know Ngāi Tahu and recognised that Ngāi Tahu in all dealings held the values of integrity and honesty as integral to all relationships. This team of people responsible for running the ‘engine’ of the Claim came to be known as the A-team.

The Pākehā members were made up of a group of historians, an accountant, a lawyer and a journalist. New Zealand isn’t a nation that worships historians as its heroes. But historians have climbed many mountains and those who helped move mountains in Christchurch and other parts of the South Island are not well known beyond academic circles. Their names, like those of the Ngāi Tahu ancestors and their descendants, do not roll off the tongues of school children or their parents. They are simply not famous. But the legacy of their commitment and dedication to detail and evidence lives on in the outcome of the Ngāi Tahu settlement and the choices available to Ngāi Tūāhuriri and Pākehā who live in Christchurch and its environs today.

Harry Evison's heart and words beat to the drum of justice. As a young man, he stayed up nights straining his eyes over deeds and details. He was excited by the thrill of the new in the midst of the old. He found explanations and reasons for the demise of Ngāi Tahu in terms of economic and physical health and it had nothing to do with one culture being superior to the other. This notion of superiority was fashionable at the time. Known as ‘culture clash’, it suggested conveniently to settlers that the demise of indigenous people was inevitable because their culture was not strong enough to survive.

Evison found evidence – and plenty of it – that the real truth lay in the loss of land belonging to Ngāi Tūāhuriri, the loss of mahinga kai, their natural economic resources, and the failure of the Crown to play fair, or as Kiwis say, to give people ‘a fair go’. The values that would later be upheld in every good rugby match in Christchurch, that were expected of Canterbury sports competitors nationally and overseas, had not been honoured by the Government in its dealings with Ngāi Tahu.

Evison could not find any previous works that postulated this theory and he justifiably expected that a thesis on this might stir the winds of excitement and debate in academic and social circles. Instead his paper lay on a desk, untouched, gathering dust. After 30 years of work he had become a lone wolf that has found a path not followed by the pack; his words, empty howls in the dark.

Evison’s evidence of economic deprivation through loss of land sat uncomfortably with more than a few Pākehā who preferred the cultural clash theory, which supposed that the invading group was stronger than the indigenous and that the latter would conveniently die out.

But in 1986, when Evison heard that Ngāi Tahu was laying a claim before the Waitangi Tribunal, he knew it was time to come to the fore and sit with Ngāi Tahu.

The man who had laid the Claim, Henare Te Rakihiia Tau, known to his friends as Rik, was the Deputy Chairman of the Ngāi Tahu Māori Trust Board. Steeped in the world of the marae, where seasons delivered up the food that fed the whānau and hapū, where kai was shared and no one went hungry at another's expense, Rik was as good at seeking the truth and justice as he was at hunting prey.

Rik's strength lay primarily in his determination, his ability to hide his talents and pull them out at the right time. His values were derived from his knowledge of the traditional Māori world and his Rātana faith, a faith founded on the pillars of the Bible and the Treaty. He would become known as one of the best people at explaining in an honest, accessible way to the Pākehā public that they had nothing to fear and everything to gain from the Ngāi Tahu struggle for restorative justice.

The Rangitira, Jim Te Aika, known as 'Jimo', gave Rik an anchor to the lines that stretch far back into Tuahiwi and Ngāi Tūāhuriri people. Jim linked to the senior line of male leadership in the whakapapa histories of Tuahiwi. Highly respected, intelligent and resourceful, with a ready smile, he held the Claim secure in the rope of descendants that bind people to history.

In Wellington, the renowned Ngāi Tahu Māori Trust Board Chair Tipene O'Regan kept tabs on the political scene, handling media skilfully and mustering the troops with inspiring oratory and an analytical mind. O'Regan, with his pursuit of justice, a legacy from both his Irish and Ngāi Tahu ancestry, and Riki Tau are perhaps the best-known characters behind the Claim.

Rik Tau would later describe his son, Te Maire, as 'always being there'. From performing traditional practices, such as being the warrior who scooped up the koha, to researching the Claim, Te Maire Tau's young life was shaped by the drive for evidence and the search for a factual basis in all things.

Jim McAloon was in his mid-twenties when he joined the Claim research and evidential team. His vigour and determination to find the truth and reveal it fuelled the team. A lively young historian with a bushy beard, he seemed to bounce through the corridors of the University of Canterbury. His work was rooted in the values of truth and justice and his research was meticulous. Under cross-examination by the Crown, he would not back down because his evidence was built on solid ground.

Ann Parsonson had been called into the Claim by Rik Tau. One of the few historians to show an early interest in Evison's work, she had a quiet, intelligent presence and astute eye for historical detail. Her skills and values showed in her expertise and calm strength in presenting evidence during the Claim and during her lectures as a historian and historical author based at the University of Canterbury.

David Palmer, the Christchurch lawyer for the Claim, was diligent, committed and passionate and he found meaning in his life through the cause of the Claim. A conservative man and a cousin of the then Minister of Justice Geoffrey Palmer – who would later have a short spell as Prime Minister – he delighted in the chance to take on a case, examine it and win. There was nothing more important to him than winning the Claim. Remembered for roving around in his yellow MG, he would lose his established clientele in pursuing the cause and die of cancer before seeing the settlement through to fruition.

A prominent yet extremely humble lawyer who has dedicated his working life to advocating for Ngāi Tahu is the Christchurch lawyer Michael Knowles. He is described by Ngāi Tūāhuriri

people as someone who has given his heart to the people. Knowles became an integral part of the machinery that fuelled the Claim even if he was fulfilling other vital tasks relating to justice rather than being directly in the 'engine room' of the Claim.

That engine room was kept in a shining state by Sid Ashton, the accountant for Ngāi Tahu, a man who worked with Ngāi Tahu from 1963 and who served a crucial financial management role from the early days when he ensured that Ngāi Tahu developed and maintained a decades-long relationship with the ANZ Bank. This honest, up-front relationship between Ngāi Tahu and the bank kept Ngāi Tahu from bankruptcy as it sold its assets and scraped the barrel to support the costs of the Claim.

Besides ensuring the Claim was kept afloat financially, before, during and after the settlement Ashton helped Ngāi Tahu invest wisely and served as a highly reliable Chief Executive for Te Rūnanga o Ngāi Tahu. Ashton's faith in Ngāi Tahu throughout the years was well placed. He describes his life's work as a privilege, that it was an honour to work with Ngāi Tahu.

Another important ally, the energetic Hamish McKenzie, supported Rik and the A-team with invaluable assistance from providing stationery to building contacts and giving friendly advice. Serving as a clerk for the Rangiora County Council from the 1950s to 1986, McKenzie developed a strong relationship with the Tuahiwi community and became a friend of Ngāi Tūāhuriri people. He kept the relationship between the people and the Council alive and provided a strong link between Rik and other community leaders in the Rangiora region, who mostly came from a rural background. Later, from the Chatham Islands, McKenzie also provided assistance for the Ngāi Tahu fisheries claims.

Other vital members of the A-team who worked on the Claim were the men who came to be known as the 'two Trevors'. Trevor Marsh, a kind man with a robust sense of humour and unstinting desire to care for others, was a 'jack of all trades'. He voluntarily drove people to and from Waitangi Tribunal hearings around the South Island and photocopied documents long into the night. Trevor Howse, a former truck driver, became a mentor to many. A perceptive and astute archivist and highly capable organiser, he also remained conscious of the spiritual values behind the Claim.

Growing from youth to manhood through the Claim, the insightful Anake Goodall became a gifted leader. Humbly and perceptively, he followed the path laid out by his father Dr Maarire Goodall. Goodall senior was another respected member of the A-team and the former Deputy Chairman of the Waitangi Tribunal. His life was infused with Ngāi Tahu experiences and knowledge and he gained a reputation as an intuitive and intellectual academic with an array of doctorates.

The A-team and the Claim itself were also driven by Ngāi Tahu women. At every marae there were esteemed kuia, aunties, who ruled the roost with their strength and kindness. These women included Rima Bell, Kera Brown, Wharetutu Stirling and Magda Wallscott among others. At every hearing these warrior women took up their role. If they thought something was amiss, they were quick to point it out. Together they provided hospitality, reassurance and protection to friends and visitors who attended the hearings.

Strongly rooted in the Tuahiwi community and traditions of Ngāi Tūāhuriri, Rima Bell took special care of Rik and the others in the A-team. Putting an arm around them or signalling to the seat beside her, this noble woman groomed those unaccustomed to Ngāi Tahu traditions and bound them in Ngāi Tahu values of honesty and dignity. Her strong, rich voice singing 'Whakaria Mai', 'How Great Thou Art', and her gentle guidance still resonate in the hearts and minds of those she nurtured.

Widening the lens of knowledge, the historians Evison, McAloon, Parsonson and Atholl Anderson from Otago systematically used evidence to dispel myths that had been nourished by the system of assimilation. In doing so they showed that our history has been woven by two strands in the partnership rather than one. It was their job to prove how the strand created by the Pākehā partner to the Treaty had blocked the flow of fair trade in Te Waipounamu with knots that needed to be untied so that the flow of economic growth could be resumed. It was the Crown's job to prove otherwise if that was possible. It was the Waitangi Tribunal's job to find the truth and to report that to the Crown. Based on those findings, the Crown – in effect, the Government – would negotiate a settlement with Ngāi Tahu.

Rather than displaying any bitterness towards Pākehā for their losses, Ngāi Tahu have always reached out and used valuable interchangeable skills for their needs and purposes. Their generosity to Pākehā is legendary. Pākehā who have worked with Ngāi Tahu describe the experience in glowing terms. Ngāi Tahu values are values of 'togetherness', of working 'with' rather than against.

The A-team worked on the intricacies and details of the losses in Canterbury and other areas to show how those losses transformed the ability of Ngāi Tahu to compete equally with Pākehā in education, health and work. The A-team worked in both the Māori and Pākehā worlds. While the injustices were known to Ngāi Tahu, it was important to reveal them, prove them and attack them in every aspect possible so that they would hold up as evidence.

When a group of people is not seen in the mainstream of society, their language and stories are not cultivated by those in the mainstream. There is a need for the mainstream that did not 'see' or experience the other to catch up and explore the truths of the other, to see and to listen and examine the history from more than one perspective.

The Ngāi Tahu leaders of old were real people made of flesh and blood; their histories were as exciting as any adventure story and far more interesting because they were true. Evison had discovered a different truth about the history of Ngāi Tahu, one known to Ngāi Tahu but not to the Pākehā who barely saw them or who only saw people who had a different skin colour and understood nothing else about their language, their culture or their losses.

Evison, McAloon, Parsonson, Atholl Anderson and Te Maire Tau have been as important to the revision of the history of the South Island of New Zealand as Michael King and James Belich were to the North Island.

They were far more integral to a change in perception and a recasting of the past in the South Island than either of these historical authors. Whether their stature failed to expand to the same extent in the national eye because their research and conclusions concerned the South Island or whether it was because the South preferred to look to the North for information relating to Māori, is a matter only for speculation.

To list the people involved in the A-team in separate strands as Māori and Pākehā risks losing sight of their interconnection and togetherness. Ngāi Tahu did not work separately from the Pākehā members of the A-team; they joined together, merged their ideas together, worked hard together, celebrated success together and still have the occasional reunion, although their numbers are ever decreasing due to age and health.

The Pākehā and Ngāi Tahu people working on the Claim developed separately like the strands of the Waimakariri or Rakaia, each one shining, each travelling from ice to ocean, through dust storms and floods, to join forces in a flowing union.

*At right: Mau Mahara,
by Morehu Flutey-Henare*



The Waitangi Tribunal was also a panel of Māori and Pākehā working together. Just as the A-team was made up of astute people with high-level skills, so too was the Tribunal.

In Christchurch, Canterbury and other parts of the South Island the Crown bought some land and seized other parts that had never been sold. These areas included great rafts of coast and inland countryside, various lakes including Waihora (Ellesmere), settlements along the Ōtākaro/Avon River and land at Tuahiwi. The seizure of land that was not included in sales continued through other parts of the South Island across the east and west coasts and from Blenheim to Bluff. The seizure of land from Ngāi Tahu lasted from the signing of the Treaty to at least the late 1950s.

The Waitangi Tribunal found overwhelmingly in favour of Ngāi Tahu, the Crown apologised and the settlement, which is now history, can be viewed on Te Rūnanga o Ngāi Tahu website along with other more detailed information about the Claim.

Dr Evison who died in Christchurch in October 2014, aged 90, was hard of hearing but his great mind and warrior-like courage showed in his determination to set the record straight. Dr Parsonson is constantly busy on projects and writing books and Dr McAloon is an award-winning writer and Associate Professor in History at Victoria University. Dr Te Maire Tau is also the author of many impressive books and Associate Professor and the Director of the Ngāi Tahu Research Centre at the University of Canterbury.

The contrast between Ngāi Tahu of old and Ngāi Tahu today is anchored by a new story, one of justice and dignity. The standing of Ngāi Tahu in Christchurch is firmly established and, since its settlement with the Government, Ngāi Tahu has headed a major business enterprise that is integral to the ongoing story of success in the growth and reconstruction of the city. Ngāi Tahu values will be reflected in the life of the city, the heart of the city, the beat of its business world, in the stories and journeys of people who are uniting their talents to create a new, exciting space for generations to come.

The fact that this turn-around came gently from beginning to settlement without the predicted discord or disruption to Pākehā is due to the assurances given by Rik Tau, the man who first laid the Claim. It is testament to the values that Ngāi Tahu adhered to throughout the decades-long process of preparing proof of losses, through to the restoration that has led to economic growth and success.

In this city, differences will be celebrated and embraced. Ngāi Tahu arts will flourish and the environment that shapes the city will reflect the mahinga kai – the bush that cloaks the hills and mountains, the grasses that allow the wetlands to thrive, the plants that enable the water to flow clear and free so that children can look down from a bridge and watch the fish wriggling their way through the city. The city will harbour a habitat of growth in Ngāi Tahu arts and rituals, reflecting a settlement of harmonious diversity.

The Kiwi value of a fair deal for all has never just belonged to Pākehā. It is a value that has been demonstrated by Ngāi Tahu, as shown in its tradition of partnership. Now that Ngāi Tahu's energies are no longer being consumed by the Claim, it is showing that the way forward lies in successful investments for the future and in commercial gains that it vows will not come at the expense of the environment.

Ngāi Tahu have always worked in partnership with Pākehā and Pākehā have had their lives enriched by their relationship with Ngāi Tahu.

Ngāi Tahu in and around Christchurch and other areas have gone from a people made up of whānau and hapū having to prove that much of their land was seized rather than sold, to being the largest private owner in the South Island.

Ngāi Tūāhuriri are present in the bright economic business world, in the sense of tradition, in the values of this place, this city. Pākehā in Christchurch are still coming to terms with this 'other' history that is the narrative of Ngāi Tūāhuriri.

Of course, some Pākehā have been happy to trundle along under the illusion that they were almost the only people who had ever existed in the South Island and have sought little evidence to the contrary. They had never been required to know about their – by now, rather distant – neighbours. A few still feel threatened by anything that requires them to think to the contrary. The Ngāi Tahu success story of growth and development has not been force fed to Pākehā; it drips like water on a rock to form a hollow that resembles an upturned hand.

That the Ngāi Tahu cash settlement has grown substantially is due again to its reliance on leaders who show commitment and values to form a structure and organisation that can maintain a solid ethical base and function. The Ngāi Tahu success story employs the best skills of Ngāi Tahu and Pākehā, who work together to create and sustain relentless fluid growth – growth that will flow rather than ebb.

While the cash settlement and related 'bolt ons' may seem to make little difference to the average Ngāi Tahu person, the advantages lie in access to higher education through grants and scholarships, and a greater range of work opportunities to increase the economic position of the people.

A young Ngāi Tahu man of today will likely live in the city but he could spend holidays near Ōnuku Marae, the home of his ancestors. After skateboarding around Akaroa, he will visit an uncle out at the marae and play a game of cards. The next week he will be at school playing rugby with his mates. The following weekend he will be at the Maahunui, the Tuahiwi Marae, cooking kai for visitors or washing the dishes in a pavilion.

A young Ngāi Tahu woman will also probably live and attend school in Christchurch. She regularly plays netball and goes to the movies with her friends. She works at the local supermarket two days a week and is learning administrative tasks for the Rūnanga.

On the surface it might seem that little has changed, but young Ngāi Tahu might choose to set up a tourism business or fly commercial aeroplanes; they might become doctors or lawyers, accountants or farm managers. The dreams that might have remained just dreams now form realistic and accessible goals. The ability of young Ngāi Tahu to make a selection from a wide range of choices and take a decision from an array of possibilities is enhanced by economic strength – their access to an economic base. The widening of choices, the array of possibilities in education and workplaces is one of the values Ngāi Tahu is committed to delivering to its young people in Christchurch and around the South Island.

For Pākehā too, the cultural landscape is shifting; many Pākehā, like those first involved in the A-team, are aware of the benefits of partnership, which arise in areas ranging from university to conservation and care for the environment; from business to sport, from rugby to art.

Christchurch buckled under the severe earthquakes of 2010 and 2011 and the thousands of earthquakes that reminded people time and again that this could be the next – or the next 'Big One'.

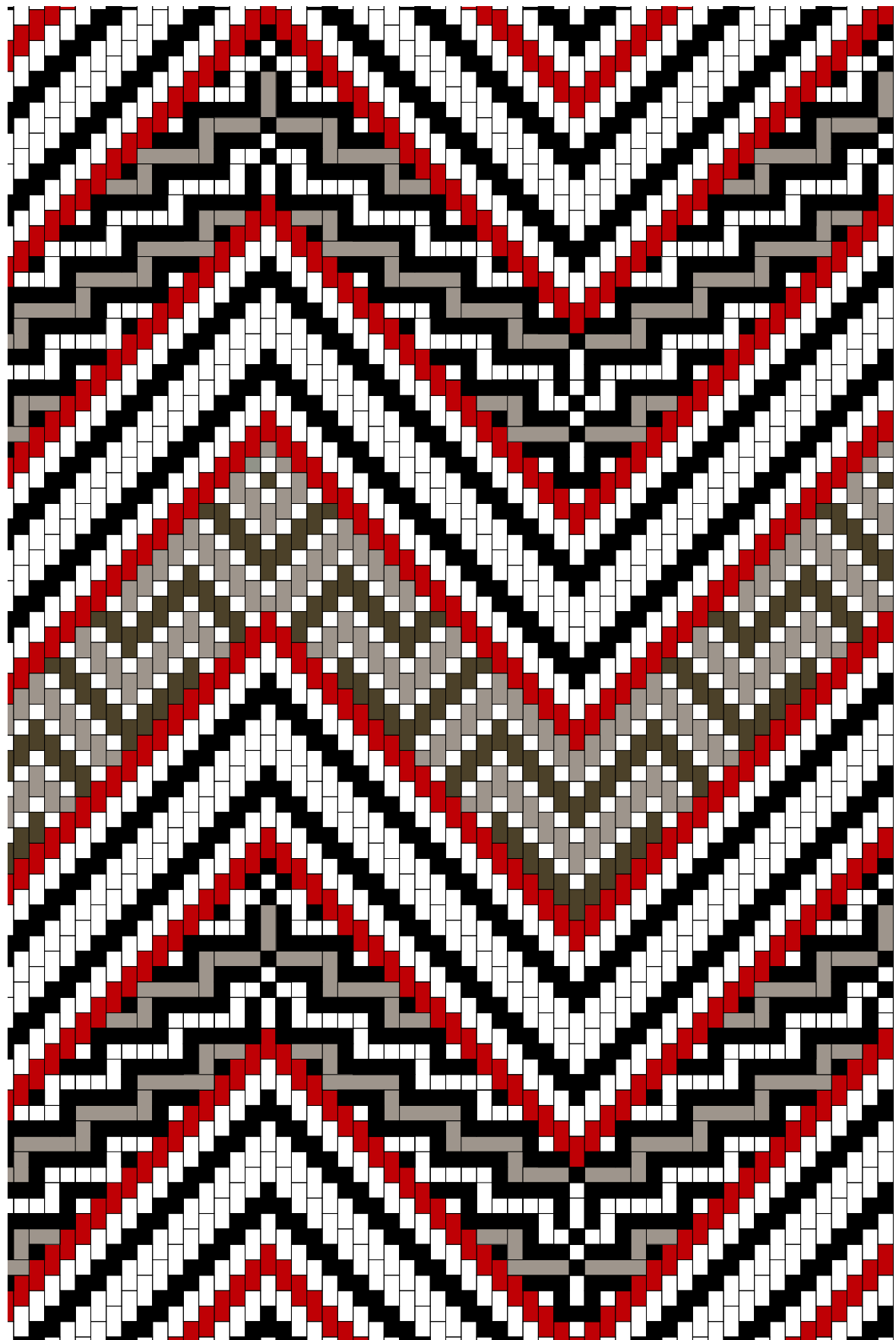
The strain sometimes took its toll; the grief for those who lost loved ones will always be hard to manage. But out of the darkness there came some light. It was the light of people who could not drive down their driveways when they left home in the morning and who came home to an army of people surrounding a newly cemented drive and a lawn cleared of muck and rubble. It was the gleam in the eye of the person who showed up with gumboots and pitched mud for hours to clear the front yard of a stranger. It showed in the people who offered accommodation to Christchurch people all around the country.

The earthquakes struck at the lives of all Christchurch people. Coming through the grief and trauma has been difficult and people have learnt the value of being united, of caring for friends, neighbours and community. They learnt that values matter more than shattered porcelain, that growth depends on the spirit of people. They learnt the real meaning of hope and dreams and of people pitching in together.

The courage and values shown in the feats of survival and recovery are the same values exhibited by Ngāi Tahu through their own periods of loss and recovery. These values lie in the dream of the impossible made possible and the transition from struggle to a place in life that is better and easier. Ngāi Tahu and Pākehā values together are like the bridge that fords a river.

Pākehā do not live fully in the Māori world and many Ngāi Tahu choose not to live wholly in this world either. Ngāi Tūāhuriri had been the significant people in this area prior to the signing of the Treaty of Waitangi. They continue to form their own roles in Christchurch as part of a partnership with Pākehā and in the recognition of their original settlement in Christchurch and their economic and spiritual use of resources.

The narrative that will come out of the rebuilding of the settlement of Christchurch



will be of Pākehā and Ngāi Tūāhuriri working together as they have in the past and as they do in the present. This is the essential truth of all success stories: a river forged from two sources and many strands is stronger than a river forged by one stream alone. Māori and Pākehā skills are complementary because they connect and intertwine. While they may move in parallel paths, they also combine to move forward.

*At left: Putake Aronga,
by Morehu Flutey-Henare*

THE VALUES AND HISTORY OF THE ŌTĀKARO AND NORTH AND EAST FRAMES

Written by Associate Professor Te Maire Tau, Director of the Ngāi Tahu
Research Centre, University of Canterbury,
includes the essay 'Early European Settlement' by Dr Matt Morris

Kia atawhai ki te iwi – Care for the people
Pita Te Hori, Upoko – Ngāi Tūāhuriri Rūnanga, 1861





INTRODUCTION

This chapter has been written to provide guidance for the design of Te Papa Ōtākaro/Avon River Precinct. It gives historical documentary and analysis of the cultural significance of this section of our city. The research strongly reflects Ngāi Tūāhuriri knowledge and historical perspectives of Te Papa Ōtākaro/Avon River Precinct.

We have drawn on our links with Ngāi Tūāhuriri Rūnanga and relied on significant consultation with Rūnanga members to assist with the development and ultimate endorsement of this document. I thank them for their significant time commitment in arriving at this point.

The redevelopment of Te Papa Ōtākaro/Avon River Precinct provides the city with an exciting challenge and an opportunity to truly reflect on and represent the rich history and cultural significance of this area that has been central to both Māori and European settlement. We have the chance to develop and leave a lasting legacy for future generations. It is my hope that the outcome is a contemporary design that excites, energises and astounds but yet appropriately reflects our shared history and past. It should be a design that our children and their children feel truly proud of and that provides them with a window to link back into the history of our city.

This chapter is not prescriptive and is by no means complete in its analysis. We believe that the best outcome will be one where there is a mutually agreed version of our shared values, history and culture. We look forward to working with the design team to further interpret this and provide ideas of how to incorporate this into the rebuild.

What is certain are the main-stay concepts that must anchor this project. The design must pay tribute to the historical significance of the river as a travel corridor and centre of trade for both Māori and Pākehā. It must reflect the richness of the native growth and species that provided sustenance for the city's inhabitants. Te Papa Ōtākaro/Avon River Precinct has always been an area of mahinga kai and mahi kai (food gathering). This productive aspect should be reflected in the design and there must be some element that pays tribute to that concept. It must recognise the rich history of our ancestors and the role so many played in the growth and development of the city. Finally it must recognise and appropriately accommodate the cultural role of Ngāi Tahu and Ngāi Tūāhuriri in the future of the city.

Ngāi Tūāhuriri looks forward to working with the design team to develop a plan that reflects the concepts articulated in this chapter and pays tribute to our links with the past.

Kia atawhai ki te iwi – ‘Care for your people’

Associate Professor Te Maire Tau

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NGĀI TAHU

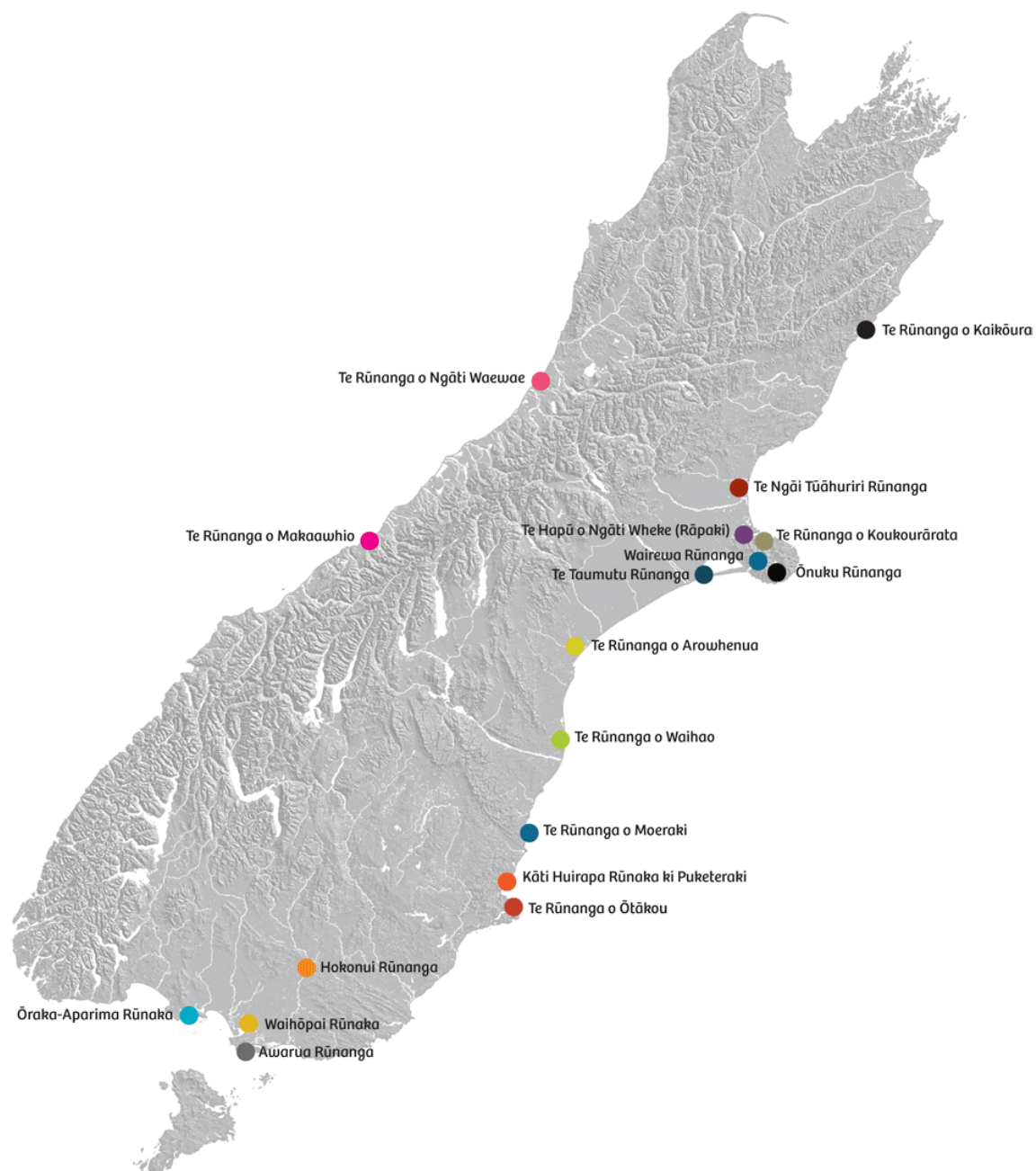
Ngāi Tahu is the tribe that occupies the greater portion of the South Island of New Zealand. The tribe claims descent from Tahu Pōtiki and by custom intermarried with the tribes who previously occupied the area, Ngāti Māmoe and Waitaha. As a result Ngāi Tahu is an ascription that includes all three tribes. Thus it was Ngāi Tahu that signed the Treaty of Waitangi in 1840, although many of the chiefs also claimed descent from Waitaha and Ngāti Māmoe.

In 1996 Ngāi Tahu was recognised as a legal entity and as a corporate body under the Te Rūnanga o Ngāi Tahu Act. This body corporate was composed of the 18 traditional Rūnanga ‘village councils’ that defined Ngāi Tahu. The Act also recognised the five principal hapū or sub-tribes of Ngāi Tahu: Ngāti Kuri, Ngāi Tūāhuriri, Ngāti Irakehu, Ngāti Huirapa and Ngāti Ruahikihiki.

Each Rūnanga falls within a takiwā or boundary described in the Act and each is acknowledged as the traditional authority for that region. Also governing the actions of Te Rūnanga o Ngāi Tahu is a Charter. One of the principles to the Charter declares:

The Kaupapa Whakakotahi is that the poupu of the House of Tahu are the Papatipu Rūnanga of our people each with their own mana and woven together with the tukutuku of our whakapapa. In them resides the tino rangatiratanga of Ngāi Tahu. Its collective voice is Te Rūnanga o Ngāi Tahu.

As the Charter states, the mana and ‘tino rangatiratanga’ rests with each Rūnanga according to their boundaries. The Rūnanga’s collective voice, however, is Te Rūnanga o Ngāi Tahu, which is the body corporate and political representative of the iwi.



*Te Rūnanga o Ngāi Tahu
Ngā Papatipu Rūnanga map*

Decision making regarding Christchurch falls within the boundary of Ngāi Tūāhuriri Rūnanga. That Rūnanga is located at Tuahiwi. Ngāi Tūāhuriri's earlier name was Ngāi Tūhaitara. Ngāi Tūāhuriri's traditional village was Kaiapoi Pā until its destruction in 1831.

Because Te Rūnanga o Ngāi Tahu is the collective voice and political representative of Ngāi Tahu, it is Te Rūnanga o Ngāi Tahu that is referred to in legislation, including the Canterbury Earthquake Recovery Act 2011 (CER Act). Section 11(4) of that Act states:

The Recovery Strategy must be developed in consultation with Christchurch City Council, Environment Canterbury, Selwyn District Council, Waimakariri District Council, Te Rūnanga o Ngāi Tahu, and any other persons or organisations that the Minister considers appropriate.

Likewise s 17 (2) states:

CERA, Environment Canterbury, and Te Rūnanga o Ngāi Tahu must have the opportunity to provide an input into the development of the Recovery Plan for the CBD.

The Rūnanga with mana whenua and customary right over Ōtautahi is Te Ngāi Tūāhuriri Rūnanga. Ngāi Tūāhuriri Rūnanga has mandated the Ngāi Tahu Research Centre of the University of Canterbury to fulfil its obligations with regard to the Canterbury Earthquake Recovery Act 2011. It is led by its Director, Associate Professor Te Maire Tau, a Ngāi Tahu history expert who lives in Tuahiwi with his whānau.

ŌTAUTAHI

The Christchurch City Council website refers to Te Pōtiki Tautahi as the ancestor of “Ōtautahi”. This is wrong and it has been repeated more than once.¹ The ancestor from whom Ōtautahi takes its name was Tautahi,

the son of Huikai of Port Levy. The confusion comes when Te Aritaua Pitama named the Ōtautahi Māori Club after Pōtiki Tautahi, ‘a mythic figure born to a virgin’. When Te Aritaua Pitama told his mother which Tautahi he had chosen, his mother replied, “Kua moumoutia e koe tōu tipuna”, (How cheap you make your ancestor).² Her point was that ancestral names should not be used lightly in public forums. This is a word of caution and a point that needs to be carefully considered when dealing with ancestral names in the city; it also explains why some Ngāi Tahu used to refer to Christchurch as ‘Karaitiana – Christian’ and not Ōtautahi.

Huikai, the father of Tautahi from whom Christchurch takes its name, was one of the rangatira who came to Canterbury under the leadership of Tūāhuriri's sons, Moki and Tūrākautahi. The hapū or sub-tribe from which their campaign was led was called Ngāi Tūhaitara. This chapter is not a history lesson so, for the sake of brevity, the key issue to note is that once Banks Peninsula was conquered by Moki and Tūrākautahi, the tribe built and located themselves at Kaiapoi Pā, which fell under the mana of Ngāi Tūhaitara and its leader Tū-rākau-tahi. It was during this period that the chiefs who led the campaign to Canterbury settled the region. One of the key leaders of this campaign was Maka, the captain of their war-canoe *Makawhiua*. Maka was the brother to Huikai, the father of Tautahi.³ Our whakapapa indicates that Maka did not have descendants so his mana passed to his brother and nephew. As always there is a subtlety in the language, in that while Maka was the kaihautū⁴ of the *Makawhiua*, the waka itself belonged to Moki and was in fact his gift to his wife Marewa. Not always known is that the *Makawhiua* was carved from a tōtara log felled in the Wairarapa.⁵ The reason I make this point is because mana whenua is also configured in the same manner. That is, the mana of the land fell under Tūrākautahi and Moki just as the waka had.

1. Beattie also refers to Pōtiki Tautahi as the ancestor for Christchurch in *Canterbury Place Names, 1954*, pp 117–118.
2. This is an important point for designers and tribal members to take into account when dealing with Māori place names in Christchurch. Te Aritaua's elder, Manakore Pitama, simply made the point that ancestral place names should not be used lightly. Her point was that an ancestor deserved better status than having their name used for a cultural group (*Te Aritaua Mss B-2*, p 220).
3. T. E. Greene, 'Whakapapa MS' Vol 1, p 266, R. T. M. Tau, Private Archives.
4. Captain or navigator of a canoe.
5. A. Anderson and T.M. Tau, *Ngāi Tahu: A Migration History, 2008*, pp 109–110.

These oral traditions were given weight when Hakopa Te Ata o Tū stood as claimant on behalf of the Kaiapoi people to the mahinga kai site ‘Tautahi’ in the Native Land Court in 1868. There was no contest from other Ngāi Tahu to the claim by Hakopa and the Kaiapoi people. Nonetheless, the Native Land Court dismissed the claim by Hakopa because the land had already been granted to Pākehā.

The claim by Hakopa has since been resolved by way of the Ngāi Tahu Claims Settlement Act 1998. However, if we are concerned with the values and traditions of this area, its history should be considered and incorporated into the overall design of the river. The key points to note are as follows.

1. Hakopa was the claimant on behalf of Kaiapoi Ngāi Tahu to the Ōtautahi site. The list of claimants is the same as those to the Ihutai Native Reserve.
2. Hakopa’s claim on behalf of his people was based on their ancestral right to Maka and Huikai who were part of the Ngāi Tūhaitara campaign into Canterbury that was led by Tūrākautahi and Moki.
3. Ōtautahi was a mahinga kai site. Its waters were not sacred.

It needs to be noted here that Hakopa was and is still a significant elder of Ngāi Tahu. He was a known warrior of Ngāi Tahu right through to the fall of Kaiapoi Pā. And, when taken as a captive by Ngāti Toa warriors, continued fighting with his captor, Wiremu Kingi Te Rangitake of Te Āti Awa.⁶ When the wars between Ngāi Tahu and Ngāti Toa had finished and the peace settlements had been negotiated by the southern chiefs Taiaroa, Karetai, Te Rakiwhakatia and Whakaka, Hakopa Te Ata o Tū was among the first leading chiefs released along with Iwikau, Momo, Kaukau and Paora Tau. All of these chiefs took a leading role in the

signing of the Treaty of Waitangi or the 1848 Canterbury Purchase.

The claim by Hakopa is significant. It is with Hakopa where history and design need to converge. The details of his claim and his right can be configured further into the planning stage and we look forward to working with you on how to make this a reality.

MAHINGA KAI

One of the key values for Ngāi Tahu is ‘mahinga kai’. Mahinga kai properly refers to Ngāi Tahu in traditional food and other natural resources and the places where those resources are obtained. The area now occupied by Christchurch city has always been a food gathering space for Ngāi Tahu. Its water and rich soils meant an abundance of birds and fish gathered in seasonal rounds by Waitaha, Ngāti Māmoē and Ngāi Tahu. Mahinga kai is a term that originates from the 1848 Canterbury Purchase, which was a deed of purchase devised by Henry Tacy Kemp on behalf of the Crown to acquire a huge tract of land in the Canterbury region, over which Ngāi Tahu held mana whenua. Under the terms of the deed, the Crown acquired 20,000,000 acres of land running from Maungatere to Maunga Atua outside of Dunedin along the hinterland to Lake Whakatipu for the paltry sum of £2,000.

One of the conditions of sale was that the purchase document promised Ngāi Tahu that all its “mahinga kai” would be reserved for them. The relevant part of the text stated:

Ko o matou kainga nohonga, ko a matou mahinga kai, me waiho marie mo matou tamariki, mo muri ihi ia matou, a ma te kawana e whakarite mai hoki tetahi wahi mo matou a mua ake nei, a te wahi a ata ruritia te whenua e nga kai ruru.⁷

6. *The Press*, Volume XXXIX, Issue 5630, 4 October 1883, p 2 (*Papers Past*, www.paperspast.natlib.govt.nz).

7. *A. Mackay vol 1: 238*.



The Crown interpreted the above text thus:

... our places of residence and cultivations must still be left to us, for ourselves and our children after us. And the Governor must appoint a quantity of land for us hereafter when the land is surveyed.⁸

The problem with the interpretation of these texts is primarily with the word “mahinga kai”, which was accorded different interpretations by the Crown and Ngāi Tahu. The Crown’s interpretation confines mahinga kai to a narrow meaning. In their first attempt at contesting their claim with the Crown, Ngāi Tahu took their case to the 1868 Native Land Court which sat in the Council Chambers in Christchurch or Puāri.

In this case, Fenton CJ declared that:

... Mahinga kai does not include Weka preserves or any hunting rights, but local and fixed works and operations.⁹

Fixed works were held to mean gardens and eel weirs. On the other hand, Ngāi Tahu had taken a wider approach to defining the term to mean ‘all food producing places’. So how does this history tie in with our current analysis of Te Papa Ōtākaro/Avon River Precinct? The alignment lies in the fact that Ngāi Tahu claimed a number of mahinga kai sites along the Ōtākaro/Avon River out to the estuary and in fact throughout Christchurch. Two specific sites named were Puāri and Ōtautahi. Neither of these Ngāi Tahu mahinga kai sites was approved by Chief Justice Fenton because the land had already been alienated and gone to the new settlers. The only site that was approved by the Native Land Court was Ihutai, which was granted as a fishing easement in the estuary. That site was later taken by the Crown in 1958 under the Public Works Act for what is now the Bromley sewage treatment ponds.

Thus it can be seen that Ngāi Tahu disputed the terms of the purchase from its inception as well as the narrow interpretation accorded



to the term mahinga kai by the courts. In 1998 this claim, among others, was settled with the Crown by way of the Ngāi Tahu Claims Settlement Act. That the historical claims are settled is not to be questioned. The Treaty of Waitangi is, however, a living document and as a result its principles are still relevant, particularly in regard to the need to consult and actively protect Ngāi Tahu interests. In recognition of this, the Waitangi Tribunal ruled that in matters concerning the environment:

... remedial action be taken by government in these four fields:

- (a) amendment to statutes to ensure that Māori values are made part of the criteria of assessment before the tribunal or authority involved;
- (b) proper and effective consultation with Māori before action is taken by legislation or decision by any tribunal or authority;
- (c) representation of Māori on territorial authorities and national bodies; and
- (d) representation of Māori before tribunals and authorities making planning and environment changes.¹⁰

The CER Act gives effect to the Tribunal's views. For this reason it is important that Ngāi Tahu (Ngāi Tūāhuriri) outlines its views on mahinga kai. Today Ngāi Tahu's concern is not with claiming ownership rights over these sites, but with preserving the values associated with them. For the values to be outlined, the Ngāi Tahu tradition and history with the river need to be outlined with a review of what are now referred to as Ōtautahi, Puāri and Ōtākaro.

8. *Ibid*

9. *Waitangi Tribunal, Ngāi Tahu Land Claim 1991, para, 892.*

10. *Ngāi Tahu Land Claim 1991, para, 25.3.*

11. *Papers Past: Star, Issue 7289, 30 December 1901, p 1.*

ŌTĀKARO

The name of the Avon River is 'Ōtākaro' after the tipuna, 'Tākaro'. While one text refers to Tākaro as a Ngāi Tahu tipuna, I suspect the tribal affiliations were Waitaha. It should be noted that Ngāi Tahu have a tendency to refer to specific sites and bends that run along the river, as opposed to an actual river name. Larger places names such as mountains, coastlines and major waterways tend to be anchored in Waitaha tradition. Local sites such as river bends and localities bear Ngāi Tahu names, with specific trees and rocks bearing the names of family ancestors. This is an ongoing point of confusion for cartographers and historians.¹¹ The research team is currently working on mapping these place names, but is not able to complete these within the given timeframes. These will be provided to the project team upon completion.

The connection between Ōtākaro and the people of Tuahiwi was made clear when Wiremu Te Uki stood before the Smith-Nairn Commission of 1880 and declared:

Ōtākaro is the name of the Avon. The land belongs to me. It is the place where I used to obtain eels.

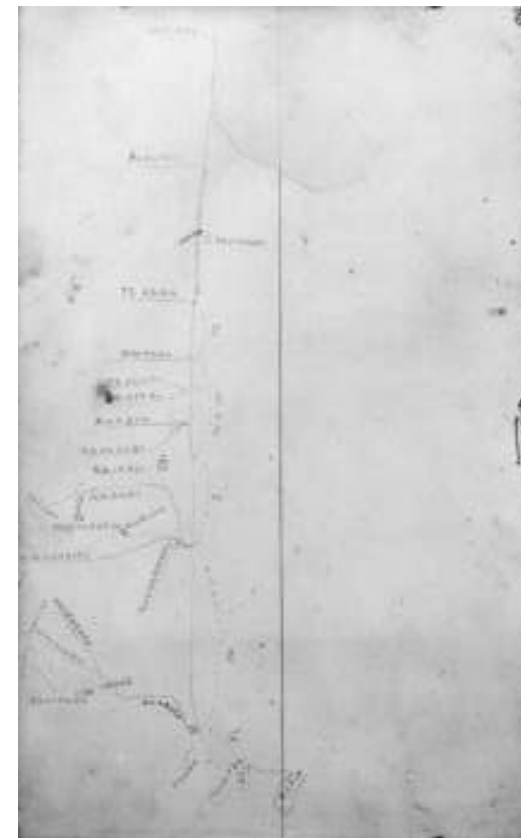
Wiremu Te Uki was an important figure within Ngāi Tahu, who worked with Paora Tau in securing Ngāi Tahu interests within the Canterbury region. When Te Uki claimed the land as his, he was acting as rangatira on behalf of the Kaiapoi people. Te Uki continued to explain his connection to the river in more detail with reference to the burial sites and other mahinga kai out towards the estuary and along the Ōpawa River. What needs to be understood is that Ōtākaro is the generic name of the Avon River and that its traditional importance was its value as a mahinga kai site. One of Te Uki's great statements that he left to us described the meaning behind the term mahinga kai as follows:

We use to get food from all over our Island; it was all mahinga kai. And we considered our island as in a far superior position to any other, because it is called Waipounamu, the greenstone island; the fame thereof reaches all lands.¹²

Te Uki made this statement during cross-examination before the Smith Nairn Commission hearing in Kaiapoi in 1879, a year before he outlined his people's connection to the Ōtākaro. Not only does he tell us about the waterfowl, fish and vegetation taken for food along the river, he also tells us of the burial sites along the river and the kaitiaki for these sites. Like all historical material, it needs to be placed within its cultural context and its appropriate whakapapa setting.

What should be noted is that there is very little mention of 'sacred waters' along this waterway and it seems that despite the modern rhetoric of 'sacred springs', the river was primarily a food gathering site. The waterways that were used for spiritual purposes are more likely to be located along the upper end of the river along the tributaries. However, it is important to note that by the late 19th century the Tuahiwi people had located all their 'wahi tapu' and water sites for 'pure' rituals in Tuahiwi along the Whakahume (Cam River).

From my notebook in the 1980s an elder aunt made it clear that the three streams that ran into the Ōtākaro/Avon River were Waiwhetu, Wairarapa and O'Rakipaoa. A map by Walter Mantell, drawn in 1848, refers to the streams Waimaru, Wairarapa and Rakipawa running into the Ōtākaro.¹³ The oral tradition aligns with Mantell's recording with the exception that Waiwhetu runs off the Wairarapa Stream. The proper spelling of the Waimaru is 'Waimairiiri' which according to my aunt referred to the fact that the stream was used for blessing rituals.¹⁴



Walter Mantell's map referring to the streams Waimaru, Wairarapa and Rakipawa running into the Ōtākaro.

12. *Evidence of Wiremu Te Uki, National Archives /MA/ 67/4, p 295.*

13. *Walter Baldock Durrant Mantell, 1820–1895 :[Diagram of rivers discharging onto coast from Waiau to Lyttelton. 1848]. Reference Number: E-334-086 (<http://mp.natlib.govt.nz>).*

14. *I have written about the connection between the Waiwhetu and Wairarapa streams in an earlier publication for the opening of Te Puna Waiwhetu Christchurch Art Gallery.*

The key mahinga kai sections of the Ōtākaro/Avon River within the city centre are Puāri and Ōtautahi. It should be noted that both sections have been subjected to speculative history from both Māori and Pākehā historians.

In the 1880s our elders gathered in their ancestral meeting house, Tū-te-kawa, in Tuahiwi with the intention of relaying to H.K. Taiaroa all their oral traditions relating to their food gathering places within the Canterbury region stretching from Maungatere south to Maunga-atua outside Dunedin. The foods taken, the vegetation of the area, the types of settlements and burial grounds were all noted. One gathering by our elders commenced on the night of 3 June 1880 and was led by Taare Te Ihoka, the successor Ūpoko of Te Ngāi Tūāhuriri Rūnanga to Pita Te Hori. Te Ihoka listed 92 sites running from the edges of Te Waihora (Lake Ellesmere) across to Godley Head. Ōtākaro features as the 85th site. However, it is apparent that the site is one of many along that river. The manuscript reads:

Ōtākaro, E kainga mahinga kai, e kainga nohoanga e kainga tuturu. Ona kai e tuna e inaka e kokopu o uta kai e maara taura e pora e kumara e aruhe nga manu e parera e raipo, putakitaki e pateke e taata.

Ōtākaro: A permanent settlement and food production site. The food sourced here are tuna (eel), inaka (whitebait), kokopu (native trout); the food found ashore are cultivated in gardens such as pora (turnip), kūmara (sweet potato) and aruhe (fernroot). The birds are the parera (grey duck), raipo (black teal duck), pūtakitaki (paradise duck) pāteke (teal) and the tataa (brown duck or shoveller).

It should be noted that when our elders refer to inaka, they are speaking about the inaka that they take in February rather than the

whitebait taken in the spring, which they call marearea or mata.

Because this paper is focused on Te Papa Ōtākaro/Avon River Precinct, I keep within the boundaries rather than outline the river as a complete mahinga kai. However, one area to note that stands on the outer edges of the upper ends of the river is Pūtārikamotu – Riccarton Bush or ‘Deans Bush’ and the sites Ōhikahuruhuru (Upper Fendalton), Motu-iti (Bryndwyr) and Wairarapa.¹⁵ Pūtārikamotu is the upper end of the Ōtākaro/Avon River and needs to be included in this report.

PŪTARIKAMOTU

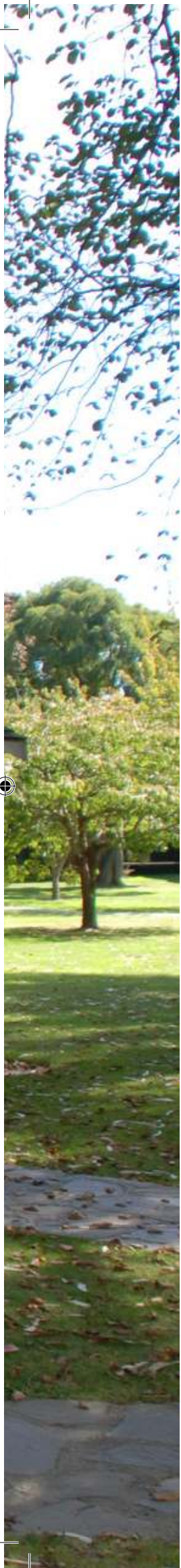
The name Pūtārikamotu has been subject to a good deal of speculation by historians and elders, all centring on the word ‘tarika’, which means ‘ear’. Most historians of Māori have a basic knowledge of Māori and ‘tarika’ is an obvious word to focus the attention because ‘pū’ and ‘motu’ do mean a clump of trees. As a result the most common translation is that that the area was ‘the place of the severed ear’.¹⁶

However, the text below gives a better indication of the true meaning of the name. Pūtārikamotu was a site where our elders snared forest fowl such as pigeon, the South Island kākā and the tūi, which we call kōkō. ‘Pū’ describes a bush or clump of trees. ‘Tari’ is a noose used to snare birds, as in ‘Ka tae ki runga ki te maunga, ka taria e ia te kiwi, ka mau’ (upon reaching the mountains, snares were set to catch the kiwi).¹⁷

‘Motu’ can mean the island of trees, but it also refers to how fowlers would cut the snares for their birds. Therefore, Pū-tari-kamotu is likely to mean ‘the forest where the snares were cut’, – that is the forest where the birds were taken after they had been snared. There is no certainty about this name, but this interpretation aligns with the fact this site was a place to take forest fowl.

15. *Herries Beattie, Māori Place Names of North Canterbury 1945, pp 58–59.*
16. *W.A. Taylor, Lore and History of the South Island Māori, Bascands Ltd, 1950 p 46. Herries Beattie gives the generic name of Rhombosolea to these species except for the moho-ao which he named Rhombosolea retiaria (black flounder). The description of these flounders varies although the moho-ao tends to be the one with a spotted back that lives in the estuary while the whaiwhai has a white belly as opposed to the patotara which has a yellow belly H. Beattie, Traditional Lifeways of the Southern Māori, ed. Atholl Anderson, Otago University Press, 1994, pp 579–605, 152–153.*
17. *Herbert Williams, A Dictionary of the Māori Language, 1957, p 391.*





The list that follows was recorded on 2 June 1880 and outlines the recollections of Tuahiwi elders such as Wiremu Te Uki, Taare Te Ihoka, Hakopa, Arapata Kooti and 30 others. Fifty sites are recorded. Pūtarikamotu is site 41. The list gives an indicator of the birdlife along the river. The manuscript tells us:

E kainga nohoanga, e kainga mahinga kai, e pa tuturu on kai, he tuna, he kanakana, he aruhe o te ngahere, ona kai, he whinau, he matai, pokaka,¹⁸ he kahika, nga manu he kereru, he kaka, he koko, he koparapara, he mohotatai.

A settlement and food gathering site with a proper fort. Its foods were eel, lamprey, fernroot and its foods of the forest were from the hinau, black pine, pōkākā, white pine and the forest fowl were native pigeon, South Island kākā, Parson bird (tūi), cockabully and flounder.

Pūtarikamotu is traditionally seen as just the forest. However, the list also includes food from the Ōtākaro/Avon River nearby, such as the kanakana (blind eel) and the flounder we refer to as the 'moho-tatai'.

Moho-tatai does not appear in other areas of the river and the name suggests a particular type of flounder that Māori generally refer to as pātiki. The problem in understanding what type of flounder is referred to here is that Māori taxonomy is ordered along the lines of appearance, taste, smell and even the season or location in which it is taken. For example, in Te Waihora (Lake Ellesmere) our elders list four types of flounders: mohoao, raututu, whaiwhai and patotara (yellow bellied flounder).¹⁹ While a more thorough discussion can be had on how Māori ordered these species, the important point is that moho-tatai is a unique word and description for the flounder in this area of the Ōtākaro/Avon River. Kanakana is another fish that is interesting because Māori spent

a considerable amount of time fishing kanakana along with the eel.

The site for Ohikahuruhuru, the stream in the Upper Fendalton area, is described by the elders as follows:

E kainga nohoanga, e kainga mahinga kai, e pa tuturu, ona kai, tuna, kanakana, he koukoupāra, he inaka, he mahinga maara kumara, he arhe, nga manu, he parera, he putakitaki. He urupa tupapaku kei taua kainga.

A settlement and food gathering site with a proper fort. Its foods were eel, the lamprey, native trout, inaka and gardens with kūmara and fernroot. There were also grey ducks and paradise ducks. There is also a burial site.

Also of note is that in the Wairarapa Stream, the foods listed are:

E kainga nohoanga, e kainga mahinga kai e pa tuturu ona kai he kauru, he aruhe, he inaka, he tuna, he kiore.

A settlement and food gathering site with a proper fort. Its foods were the cabbage tree, fernroot, whitebait, eels and the native rat.

What should be noted is that just outside of this area, our elders observed the existence of koreke (native quail), tiroki and tutukiwi (snipe).²⁰ The native quail and South Island snipe are now extinct. The records do indicate, however, that they were in this region during the 1840s. I cannot identify the tiroki. I suspect it is the New Zealand little bittern – otherwise known as kaoriki. During this period there is also a change in the landscape as our people captured the kiore or native rat on the greater plains. It is quite apparent that the native rat infested much of the landscape, with our people placing their snares along named trails.

The importance of these texts is that it gives an indication of the foods taken by Māori

18. *Whinau is the hinau (Elaeocarpus dentatus) and pōkākā is Elaeocarpus hookerianus, (Beattie, 1994, pp 581, 595).*

19. *E. Best, Fishing Methods and Devices of the Māori, Govt Printer, 1929 (1986), p 231.*

20. *Herries Beattie translates the tutu-kiwi as a snipe (Coenocorypha aucklandica). (Beattie, Traditional Lifeways, 1994, p 603).*

before settlement occurred. To that end, the Opus Design Team may find this information useful in its plans for the river. A healthy river and surrounding areas that allowed for cultivation of native species would truly reflect the sense of history of this space and enable the sharing of that history with the wider community.

PUĀRI

The name Puāri is of relatively recent origins. It is not rooted in early Waitaha or Ngāi Tahu tradition. The sole Māori manuscript seen by the writer that explains Puāri states that the name stems from a tipuna called Te Korotū who died at Kaihope, a place inside Port Levy bay. The text reads:

Katata, the husband, named the area Puāri after Te Korotū he looked over to where she died.

Given the timeframe in which this research was conducted, there was not sufficient time to fully research this whakapapa and oral tradition; however, it is likely that the Katata referred to was the elder named in Edward Shortland's *Southern Districts*.²¹ There is simply a lack of certainty about the name and its meaning and much of what has been written is unreliable. What is important, however, is that Puāri was a mahinga kai and was claimed as such by the Upoko Rūnanga, Pita Te Hori, in 1868 before the Native Land Court. Like Hakopa before him, Pita Te Hori claimed on behalf of the Kaiapoi Rūnanga. There was no contest to his claim by other Ngāi Tahu.

Kua huihui tatou kia kotahi ai to tatou ritenga. Kei te whakarite koutou i nga ture o te Kawana. He ture ano hoki o matou. Ko taku ture i ahu mai i toku tupuna i a Ahuriri nana i mea, 'Kia atawhai ki te Pākehā', muri iho, ka pera ano hoki te kupu a Tūrākautahi. No reira tonu ano kahore he kino i roto i o matou, ngakau kua noho marie tatou.²²

Like Hakopa, Te Hori is an important Ngāi Tahu ancestor. In 1858 Te Hori was appointed by the Crown as Native Assessor²³ and he was also the first Upoko Rūnanga of the Ngāi Tūāhuriri.²³ Te Hori was a defender of Kaiapoi Pā and for that reason he is considered to be one of the leading elders. There is no shortage of oral traditions about this Upoko. The importance of Te Hori is that he, along with many of his generation, established the nature of the relationship Ngāi Tahu would have with Pākehā and North Island Māori. For this reason, Te Hori needs to be configured into the design of Market Square. In 1861, Te Hori and the Kaiapoi elders met with the Christchurch leaders to discuss the wars that were raging in the North Island and their loyalty to the Crown. Te Hori told the Christchurch community:

This meeting is held that we may have but one plan. You are following the laws of the Governor we have also had, laws. My laws commenced with Ahuriri he said, Be kind to men. After him Tūrākautahi said the same. So from thence to the present time we have had no evil in our hearts.

In order to establish the Ngāi Tahu relationship with the Pākehā community, Te Hori looked back to his ancestor Tūāhuriri, who on his deathbed told his sons to follow the path of peace rather than warfare. Despite the intention, this advice was not followed. However, during the building of the Kaiapoi Pā, Tūrākautahi, like his father, told his descendants that Kaiapoi was to be free of warfare. His words were, "Kia atawhai ki te iwi – Care for the people". Tūrākautahi understood his kin were warriors (ngākau toa), but that their fighting was to be directed away

21. Edward Shortland, *Southern Districts*, Longman, Brown, Green and Longmans, 1851, London, p 289.

22. *Te Manuhiri Tuarangi and Māori Intelligencer*, 15 March 1861, vol. 1, p 7 (*Niuepepa Māori Newspapers*, www.nzdl.org).

23. *New Zealand Gazette*, 1858, p 110.

24. *Again, this report does not have the time to cover the history of the Rūnanga within New Zealand and Ngāi Tahu. What is important is that the Kaiapoi Rūnanga, which later became Ngāi Tūāhuriri Rūnanga, was established in 1859. It is quite possible that the Kaiapoi Rūnanga was established much earlier by the tribal leadership. 1859 is generally accepted as the date of establishment because it appears as such in formal records starting with Walter Buller who visited Tuahiwi in that year.*

from Kaiapoi Pā, which explains why it was the central pā for all Ngāi Tahu. Despite the battles that ran through the tribe, what is significant is that more often than not these same leaders were also found in Kaiapoi Pā. Until the attacks of Ngāti Toa, Kaiapoi was a zone exempt from warfare.²⁵

It was this tradition that Te Hori turned to in 1861 when he made his position clear to the people of Christchurch. Te Hori had essentially used the saying from Tūāhuriri and his son to include Pākehā, which is why the Māori passage says, “Kia atawhai ki te Pākehā – Care for the Pākehā”. If Market Square, and indeed Christchurch as a city, are to be guided by particular values, then Te Hori’s declaration is obviously important for Ngāi Tahu, hence the subtitle of this report Kia atawhai ki te iwi – which best translates as ‘Care for your people’. If there is a central Ngāi Tahu (Tuahiwi) value that needs to be noted, the idea of care or atawhai is critical. How will the design show care for its citizens? How will a cultural centre encourage strangers to treat each other with warmth and its local inhabitants to welcome visitors and guests from afar? If this cannot be shown, then support of Ngāi Tūāhuriri for a Māori presence in the centre will be in doubt.

MARKET SQUARE

One of the best indicators of the elders' attitude to this area of the city and to the idea of commerce was expressed by Hone Paratene (John Patterson) of Tuahiwi, who addressed Governor Gore-Browne in 1860 at Lyttelton. In his address, Paratene told the Governor:

Our friend Governor Browne, we salute you. Welcome, Governor, Welcome! Welcome! Welcome! Welcome thou, the head of New Zealand assemblies, both European and Māori. We salute you.

Listen to our cry of welcome – from the people of Kaiapoi, of Rāpaki, of Purau, of Port Levy, of Akaroa, of Wairewa, and of Taumutu. Give ear also to our sayings. We come unto you with our complaint as unto a doctor, that he may administer relief. It is this. We are without house or land in this Town for the purpose of a Market-place.

We are like unto a Cormorant sitting on a rock. The tide rises, it flows over the rock, and the bird is compelled to fly. Do thou provide a dry resting place for us that we may prosper. These are the articles (of trade) we pro-pose to bring to town: — Firewood, potatoes, wheat, pigs, fish, and other things. We want this place also as a landing place for our boats.²⁶

Ngāi Tahu was well acquainted with trade ever since the arrival of the whalers and sealers through to the drive to acquire muskets. All Ngāi Tahu villages understood the importance of Market Square and were anxious to participate in the local economy. And while Rāpaki and Tuahiwi were the closest villages to the city, the other villages on Banks Peninsula obviously saw the market as important, which is why they requested a landing for their canoes in the city.²⁷ What is interesting, however, is that by 1864 Taumutu Ngāi Tahu were facing challenges to their role in supplying flounder for the city market when Pākehā operators took a larger role in fishing the lake, despite the Ngāi Tahu view that the lake was theirs.²⁸ This problem turns back on the Treaty of Waitangi and the 1848 Canterbury Purchase where Ngāi Tahu claimed Waihora and the waterways as mahinga kai.

Nonetheless, Paratene’s address to Governor Gore-Browne illustrates that Ngāi Tahu understood the importance of this site and that, in order to participate in the new world, they needed an area to reside. Their two mahinga kai sites that they claimed as an area to camp had been

25. *Too often historians make the mistake of assuming that Kaiapoi Ngāi Tahu had split from those on Banks Peninsula and our kin further south. This is simply wrong. During its fall, Taiaroa was at Kaiapoi, the home of his wife Marewa. Likewise Te Muka chiefs resided in the pā during the raid.*
26. *The Māori Messenger, Te Karere Māori, 1860, Vol. 7, (20).*
27. *Waitangi Tribunal, Ngāi Tahu Sea Fisheries Report, 1992, para 5.6.*
28. *Ibid, para 5.7.*

declined by the Native Land Court and this presented a problem. This is the meaning behind Paratene's pepeha, which compares Ngāi Tahu to a cormorant sitting on a tide without a place to reside. The tide he alludes to represents the migrants from England, who ironically enough Ngāi Tahu referred to as 'takata-pora – boat people'.

The need for a site in the city to camp and occupy has been maintained since the request from the Kaiapoi elders in 1860 for a site through to the 1970s when the Council set aside an area of land at Pages Road for Māori. However, it also needs to be noted that, while Ngāi Tahu wished to participate in the market economy, they made two other requests. The first was that their lands be subdivided into individual title and the second request was that the Crown loan the Port Levy Ngāi Tahu enough money to build a mill. This is a fascinating insight into the way our elders understood their world. The petition from Paora Tau and others read as follows:

... we seek your approval to the erection of a (flour) mill at Port Levy, and we ask your assistance in the same manner that you have aided the people of the Northern Island in the construction of their mills, and that you will send us a wise man (a mill-wright) to superintend the work, that it may be properly done. All the machinery has arrived and we have paid for it the sum of three hundred and eighty pounds fifteen shillings and three pence. The assistance we ask of you is, to erect a house, to set up the mill, and to dig an aqueduct. And when the proceeds of the mill are sufficient we will repay your advance. Let this be made a proof of your regard for us.

Here is another subject for us to speak of, O Governor! The voice of all the

people is, that our land Reserves be subdivided, so that each may have his own portion. We ask you to give to each man a title in writing to his own allotment. But we leave the matter in your hands, O Governor. Our reason for urging the subdivision of our land is, that our difficulties and quarrels may cease, that we may live peaceably, and that Christianity and good works may thrive amongst us.

Ngāi Tahu elders understood the new economy that was emerging and were anxious to develop their own capital to develop individually and as villages along the same lines that Christchurch was developing. Mills were an example of industry and the need to develop in order to trade in the city. Equally clear is that they saw the arrangement as a financial loan rather than as a welfare benefit. Ngāi Tahu understood that while they needed to participate in Market Square to actively trade, their villages would also become areas of settlement and industry, which is why they also wanted the right to subdivide the land with the right to exchange among themselves, rather than only with Pākehā. In short, they understood the idea of capital. The exact opposite has occurred over recent years by way of the Urban Plan initiated by the local councils in 2007. In these plans, the councils zoned Māori land as rural and denied them the right to subdivide land for owners if it is less than 10 acres. In fact, their plans do not include any of the principles that our elders presented to the Governor in 1860, despite requests that they do so.

Despite the requests by Ngāi Tahu for land in the city where they could participate in the market, no allocation was made. Ngāi Tahu remained in their villages. By the 1960s Ngāi Tahu were no longer allowed to build upon their traditional land because the local councils had rezoned Māori land in Tuahiwi,





Image Credit: Paul Shackleton

Taumutu, Wairewa, Ōnuku and Rāpaki as rural land by way of the Town and Country Planning Act 1958. The same situation occurred throughout the North Island. This meant that, despite the fact that our people had land in their villages, they were not allowed to live there. The consequence was a mass urban migration by Māori into Christchurch and other cities.

One of Ngāi Tahu's most important cultural leaders was Te Aritaua Pitama (1906–1958). Te Aritaua had been taken by the Rev. Charles Fraser and educated at Christ's College. In the main he lived in Christchurch. It is with Te Aritaua Pitama that the request of Pita Te Hori and Paora Tau for a site or hostelry to be established in Christchurch for Ngāi Tahu was reignited. Te Aritaua changes the nature of the debate, however, by asking for a wharenuī to be built in Christchurch.

Te Aritaua Pitama had then evolved the idea of a Christchurch wharenuī from its original concept first raised in the 1860s, where it was meant to have been a lodging place for Ngāi Tahu moving from Banks Peninsula to Kaiapoi and those Ngāi Tahu working in the Christchurch markets.

Te Aritaua had petitioned the Government to gift to the South Island Māori a wharenuī that had been built at Wellington as part of the centennial celebrations in 1940. Little Hagley Park near the Carlton Bridge was seen by Te Aritaua as the best place for the marae and whare. In 1941 the Christchurch City Council supported the Centennial Meeting House as a gift from the Government. However, within a year the Council rescinded its decision because of pressure from other local bodies. These local bodies objected for two reasons. The first was that the costs for transportation and the erection of the building were too high. The second reason was that more attention should be paid to the Canterbury Museum

and Robert McDougall Art Gallery. Māori culture at that time was limited to decorating the Canterbury Museum.

There were also quite racist sentiments expressed by borough councillors. One councillor remarked, “We are putting down an ancient Māori house in one of our best suburbs. It will be quite out of keeping.” Another apologetically said, “I understand that it will be looked after properly so that it will not deteriorate into a Māori whare or anything of that sort.”²⁹ The overall feeling, however, was that a carved meeting house should have been sited on one of the Ngāi Tahu kainga at either Tuahiwi, Te Muka or Arahura. This was the feeling of not only Pākehā but also of some Ngāi Tahu. One Ngāi Tahu from Tuahiwi, Hilda Trail, argued that the wairua of the carvings should be cared for in a Māori environment, where they would be welcomed. The overall view for Pākehā Christchurch seemed to be ‘out of sight, out of mind’. For Ngāi Tahu, the response came as no surprise. One of Tuahiwi’s great leaders and politicians, Hoani Uru, once said in the 1890s that the Pākehā attitude to Māori was “Better be dead and out of the way”.³⁰

In the end, what eventuated was Ngā Hau E Whā National Marae on Pages Road, which was built in the 1980s. Te Aritaua Pitama had passed away in 1958 and his idea was realised by Mr Hori Brennan of Te Arawa. Ngā Hau E Whā has not had a good history in Christchurch. Its past has been difficult for successive Trustees, the City Council, Ngāi Tahu and Tuahiwi. The situation has only recently managed to resolve itself under the leadership of Mr Norm Dewes and Te Rūnanga o Ngā Maata Waka. With hindsight, we can assess the lessons to be learnt from Ngā Hau E Whā, which should be heeded if the proposed Te Puna Ahurea is to be successful.

1. The location of Ngā Hau E Whā displayed the racism of the Council members at the time. Rather than placing the marae in Hagley Park, the council located the marae near the treatment plant for Christchurch sewage.
2. The point by the Tuahiwi elder, Hilda Trail was valid in that the traditional kainga of Tuahiwi, Rapāki etc were the ideal places for marae and whareniui.
3. Despite the fact that Ngā Hau E Whā was located in Bromley rather than Hagley Park, the problems would have remained in that the marae was not designed to create a sense of community and its aesthetic nature jarred too much with the background. The marae was neither Ngāi Tahu in its āhua nor conducive to the landscape.
4. A whareniui like Ngā Hau E Whā would have been too challenging to the aesthetic values of Christchurch. If Ngā Hau E Whā had been located in Hagley Park, it would have simply emphasised its ‘museum’ design and would not have had any graceful integration into the city’s traditional appearance.

The design team must ensure that the same mistakes are not repeated in the proposed rebuild. We look forward to working with you to ensure that this does not occur.

29. 16 July 1940.

30. AJHR 1891 G-7, p 58.

THE NGĀI TAHU AESTHETIC

The question is what is the aesthetic nature of Ngāi Tahu and Ngāi Tūāhuriri? The interesting aspect to this question is that it can be partially answered by what it is not. Until recently, most Ngāi Tahu communities had very few carvings – at least of ancestral figures. Yet, for any outsider who spent time within the villages, there was an aesthetic design that differentiated it from the Pākehā rural communities.

Ngāi Tahu design should not be an import from the North Island. Neither should the design restrict us to 'Museum Māori' decorative themes. Ngā Hau E Whā – as wonderful as it is – does not represent Ngāi Tahu.

The traditional carving style of Ngāi Tahu did exist in some houses, yet to an outsider this would not have been apparent. While many of our halls, houses and whare did not have carvings, they did have pounamu near the doorways. The houses that most Ngāi Tahu whānau would recognise as theirs would have been the typical settler cottages and bungalows which they modified to suit their needs. Elders may have done their cooking outside or separated the cooking fire from the domestic fire. *continued...*

31. John Cookson, 'Pilgrim's Progress', *Southern Capital Christchurch, Towards a City Biography 1850-2000*, (eds, John Cookson and Graeme Dunstall), 2000, p 27.

TE PUNA AHUREA CULTURAL CENTRE

Te reo karanga

Pōwhiri mihi koe

Ki te tuarangi

O te paremata

O Niu Tireni

Te Roopu Reipa

Kia ora ra koe

The proposed plan notes that Te Puna Ahurea Cultural Centre will be a place of welcome and pōwhiri. The plan also notes that it will be a place for interactive celebration, exhibition for taonga, the celebration of performing arts, a place to relax and an area to complement the Convention Centre.

The sole area of concern for Ngāi Tūāhuriri is the view that pōwhiri will occur at this site. Pōwhiri require marae and the endorsement of the local rūnanga. Ngāi Tūāhuriri would find it difficult to support another marae or whareniui in Christchurch city, particularly along Te Papa Ōtākaro/Avon River Precinct. The reason is purely tikanga. Tuahiwi is the principal marae for Christchurch and there are two marae we acknowledge: Rēhua Marae on Springfield Road and Ngā Hau E Whā National Marae on Pages Road. All dignitaries who visit Christchurch for the first time and are accorded a welcome should be welcomed at Tuahiwi. Avoiding marae is simply bad etiquette.

The waiata cited above was composed by Hutika Manawatu in 1974 when the people of Tuahiwi welcomed the Prime Minister, Norman Kirk, onto their marae. This was the last Prime Minister to be welcomed at Tuahiwi. Traditionally it was quite clear to the Pākehā community and Christchurch City Council leadership that pōwhiri to Canterbury and Christchurch by Māori occurred at Tuahiwi. Ngāi Tūāhuriri have welcomed Governors-General, Prime Ministers and other dignitaries. Its last significant role within Ngāi Tahu was that it was the host marae for the Ngāi Tahu Claim before the Waitangi Tribunal. The irony is that while there is talk of a post-colonial city, the older leadership of Christchurch did acknowledge the role and position of Tuahiwi. The same courtesy is rarely displayed today.

Since the 1980s there has been a gradual movement towards Ngāi Tahu and city officials undertaking pōwhiri within Christchurch. The great problem with Ngāi Tahu (Ngāi Tūāhuriri) pōwhiri in the city is that it is nearly impossible for the activity to have meaning or to be carried out in a proper manner. The landscape, the icons and semiotics simply do not lend themselves to pōwhiri. The results are contrived rituals. Ngāi Tahu feel that the occasion has not occurred in the manner that it should and Pākehā simply follow without a full understanding of the situation. One historian accurately summarised the situation: "Ngāi Tahu's participation in civic occasions was important to Ngāi Tahu, but merely colourful to most of the rest of the population".³¹

Ngāi Tūāhuriri would prefer that all significant occasions of welcome be undertaken at Tuahiwi rather than within the city. That means that for any first visit by a Royal, Governor-General, Prime Minister or overseas visitor, Tuahiwi should be their first point of welcome.

Māori understand this tradition. The challenge is not necessarily to design a greater Māori presence into Christchurch city, but to ensure Christchurch is able to look outside itself to the traditional marae, whether it is Tuahiwi, Taumutu or Rāpaki. The tendency of recent rhetoric that Christchurch must become more Māori is acknowledged, but for significant rituals, particularly pōwhiri, the designers need to design outwards rather than reflect the insecure cultural narcissism that tends to dominate this discussion. How will the design satisfy Ngāi Tūāhuriri that their mana motuhake is anchored in the manner that the Charter of Te Rūnanga o Ngāi Tahu states? We look forward to working with you to resolve this.

Nonetheless the original point that Hoani Uru understood and Te Aritaua Pitama tried to resolve indicates an apprehension. Christchurch does not reflect Māori. An illustration of the absence of Māori from the Christchurch landscape is evident in a lack of representation in the Bridge of Remembrance. It is well known that many Ngāi Tahu and other Māori died in their loyalty to the Crown; however, their service to New Zealand is not reflected there. The tension exists and it is clear that the city design needs to reflect Ngāi Tahu, Māori and the fact that New Zealand is within the Pacific region.

Eruera Prendergast of Ngāi Tahu noted in *The Press*:

My dad's English, so it's not that I don't like them. But we're at the bottom of the Pacific. If you look at the marketing for Christchurch – the punting, the Wizard – our community soul is seen as English.

But you've got to believe it comes at a social cost for Māori youth to be growing up in an environment where your culture's alien, where it's invisible – not just marginalised, not even there.³²

That view is not shared by all. Amiria Reriti told *The Press*:

Being a Christchurch girl, born and bred, I was used to the environment and what it looked like. Mostly white and an older age group. I was comfortable with that because that was my home.

Amiria's belief probably aligns with the Tuahiwi view as most of her whānau were active in their marae. In a sense, it was understood that Ngāi Tahu traditions and community lived in their homes and communities while Christchurch was for Pākehā. The distinction was not necessarily a problem because for Māori, their marae is the centre point. However, the largely enforced urbanisation of the 1960s, which was caused by the councils' rezoning of villages and marae as 'rural', created a tension in culture that needs to be resolved.

This does not mean that the city's 'English' character needs to be downplayed or forgotten. Ngāi Tahu understands the importance of the Cathedral and the symbols and signs of the settler culture. That identity needs to be restored and celebrated. Tuahiwi and many of our marae are designed along the lines of what are called 'Church Pā'. That is, the wharenui and marae were closely connected to the church. In turn, the church was closely aligned to the cemetery and the local wāhi tapu. While there have been views that this created tensions within the community, Māori have generally managed this tension. A common feature of Church Pā is that their wharenui do not have ancestral carvings. The older whare in Canterbury do not have carvings, except for Ōnuku and Rāpaki. That does not mean carved figures should not appear. What is more important, however, is that the values are identified and incorporated into the design.

The wharenui or community halls sometimes took second place to the whānau houses such as Te Awhitu House at Taumutu or 'Okaihau' at Tuahiwi. These were typically larger settler houses owned by leading whānau who hosted manuhiri. What the community understood was that these houses were located within a cluster of semiotics that made the whole coherent. The community knew which trees, streams and lands fitted into the larger narrative that the house represented. The point here is that buildings and objects in a community have meaning when the community understands the stories and symbols that they represent.

How whānau operated within these houses and how their interior design differed need to be considered.

A good example of the Ngāi Tahu aesthetic is the Moeraki Church, Kotahitanga, which is clearly a design typical of its day. While many Pākehā may see a stained glass window as a reflection of English settler culture, Ngāi Tahu accept this culture as theirs. The Ngāi Tahu community understands it is Māori; a carved pou is not required. Likewise, many houses in Tuahiwi have their own way of expressing the Ngāi Tahu identity. Often the designs were subtle and influenced by the Anglican and the Rātana Church. The influence of these two institutions should not be underestimated. *continued...*

32. *The Press*, 19 January 2013 (www.stuff.co.nz).

Colour is also important. Ngāi Tahu and Tuahiwi were heavily influenced by the Anglican Church and Rātana faith. Colour, especially in Tuahiwi, was important in giving the community a sense of meaning.



*Moeraki Church Kotahitanga.
Photo: Neil Pardington*

The challenge is to successfully integrate Māori design with the traditional English character of the city. This does not mean the erection of ancestral pou across the city like those found along Barbadoes Street. A subtle approach is required to incorporate Māori design into the city. To do this, some reflection is needed on the following.

1. Ngāi Tahu and Māori design is not limited to what we see as the 'traditional' arts. Ngāi Tahu has many modern artists, designers and architects.
2. The most contemporary Tuahiwi/Ngāi Tahu artistic expression has been the new whare, Mahunui II at Tuahiwi. It does not conform to an orthodox style, yet is clearly Māori.
3. The designers /artists should reflect the values of the people, ancestors, iwi and hapū but not restrict themselves to the prescribed genre.
4. Three areas that have influenced Māori design have been the role of the Anglican Church, the role of the Rātana faith and the early settler culture.

The challenge for designers is the proposal that Market Square becomes the centre for the cultural activities – Te Puna Ahurea. The challenge will arise because Ngāi Tūāhuriri will not support the area as a marae; nor would they support a wharenuī because too often their process of welcome is converted into a ritual that does not resemble the actual practices at Tuahiwi. The events become a charade with players strutting upon the stage signifying very little.

Ngāi Tūāhuriri do accept, however, that an attempt needs to be made by the Pākehā community and its leadership to jointly participate in activities that foster cultural development and engagement. This is where the joint interest lies. There is a general acceptance that both parties need a workable solution.

This means that if Te Puna Ahurea is to have some meaning and is to be a cultural centre, it has to be integrated into the wider city design. That means the Cultural Centre must incorporate the Christchurch community and how they wish to participate. For Māori, cultural activities occur within a community context of their marae, church and wharenuī. Their sacred sites, urupā (cemeteries), schools, gateways and landscape all play a role. Within Christchurch, if Te Puna Ahurea is to have meaning, the natural question for Māori would be, what role do the Cathedral and Convention Centre have in this project? Where are the sacred sites and symbols and how are they acknowledged? Would it be better to locate the proposed Earthquake Memorial in the green zone behind the church as Māori would?

How do the designers impose some kind of order on rituals where all groups understand their meaning?

These questions are not difficult to resolve because Christchurch does have its traditions and rituals. The Cathedral and the statues of Queen Victoria, Captain Cook, Godley, Fitzgerald and Robert Falcon Scott are all important. This report has outlined their Ngāi Tahu equivalents as Taiaroa, Wiremu Te Uki, Paora Tau Hakopa Te Ata o Tū and Pita Te Hori. The Square was until the 1990s a community plaza similar to a marae for the Christchurch public. If the focus is to be on Market Square as the proposed Te Puna Ahurea, then where is the whare? Would the Convention Centre be a modern version of the great hall that features in the old English universities and the old Arts Centre?

The question would therefore be how would one integrate the values of Māori into the design

of 'the Great Hall/Convention Centre' and how would this building interface with the Cultural Centre and the Cathedral?

This section of the report raises more questions at the moment because Ngāi Tūāhuriri needs to be assured that the principal values underlying Christchurch are maintained. Obviously a discussion needs to occur at a wider level so that the Cultural Precinct can occur. But if Market Square or Puāri is to be the area of activity, Pita Te Hori's adage must set the scene for Tuahiwi's discussion:

This meeting is held that we may have but one plan. You are following the laws of the Governor we have also had, laws. My laws commenced with Ahuriri.

The overriding value that Ngāi Tūāhuriri would reference is how does any activity/planning or design give effect to the core value, "Kia atawhai ki te iwi – Care for the people"?

1. Te Ngāi Tūāhuriri Rūnanga will not support a marae nor a wharenuī. This turns back on the first principle that the principal marae and whare lay in our kāinga. There are two marae-wharenuī in Christchurch (Ngā Hau E Whā and Rēhua) that Ngāi Tūāhuriri support. Ngāi Tūāhuriri believes that there are enough marae and whare within the city and region and that one within the city centre will detract from the traditional centre points.
2. Ngāi Tūāhuriri support the idea that there needs to be a central place of welcome where Ngāi Tahu and the Crown (local councils etc) are able to welcome and host dignitaries and manuhiri. The guiding principle for Ngāi Tahu marae is "Aroha ki te tangata, tētahi ki tētahi – have regard for each other".
3. The tangata whenua are the Kaiapoi Ngāi Tahu land owners of Tuahiwi. This means the descendants of those who come from the original owners allocated land in the Kaiapoi Māori Reserve 873 and the land owners to the Ihu-tai Native Reserve. This Memorial of Owners has the same status as the commemorative inscription that cites the passengers who arrived on the first four ships at Lyttelton.



Rakihia Tau, Ūpoko, Ngāi Tūāhuriri, 2012.

NGĀ TIKANGA: VALUES FOR DESIGN

I hereby claim upon the principles of justice, truth, peace and goodwill for and on behalf of my peoples within the principles of the Treaty of Waitangi.

Rakihia Tau, Ūpoko, Ngāi Tūāhuriri

This statement by Rakihia Tau is the best place to start when dealing with Ngāi Tahu values and their relationship with the people of Christchurch. Rakihia Tau was the claimant for Ngāi Tahu to the Waitangi Tribunal in 1986 for what is now known as 'Te Kerēme, the Claim'. What the above statement indicates is that Ngāi Tahu has always seen the Treaty of Waitangi as the document that cements its relationship with the Crown and with the wider Pākehā community. In a sense, Tau simply echoed what every other Ngāi Tahu leader that had gone before him had said, with the additional contemporary reference to the principles of the Treaty of Waitangi.

The statement was made just after the ruling by the Court of Appeal in *New Zealand Māori Council v Attorney General* [1987] where the Court of Appeal President, Sir Robin Cooke, outlined what he saw to be the principles that underpinned the Treaty of Waitangi. Those principles were:

1. the acquisition of sovereignty in exchange for the protection of rangatiratanga
2. that the Treaty established a partnership, and imposes on the partners the duty to act reasonably and in good faith
3. the freedom of the Crown to govern
4. the Crown's duty of active protection
5. the duty of the Crown to remedy past breaches
6. that Māori are to retain rangatiratanga over their resources and taonga and to have all the privileges of citizenship
7. the duty to consult.³³

These principles are reflected in the Canterbury Earthquake Recovery Act 2011. How we incorporate them into this project should be a matter for ongoing discussion, but at this stage it is important to note that they need consideration as these principles have been a feature of Ngāi Tahu rhetoric since the Treaty of Waitangi was signed in 1840. For Ngāi Tūāhuriri and Ngāi Tahu there is no debate about principles 1, 2, 3, 5 and 7. Ngāi Tahu understands the Crown's right to govern and our duty to act towards one another both reasonably and in good faith. How we actively protect Ngāi Tahu's role in the rebuild and retain our rangatiratanga over our resources is a matter for discussion as citizens and tangata whenua of Christchurch.

The feature that underpins the Ngāi Tahu/Ngāi Tūāhuriri approach to the Treaty of Waitangi is acknowledgement that 'sovereignty' was passed to Queen Victoria. In return Ngāi Tahu was assured of their 'tino rangatiratanga'. This understanding indicates why the 'sovereignty' argument made in the North Island does not resonate with Ngāi Tahu or Tuahiwi. Ngāi Tahu tend towards the view that the Crown's role confirms Ngāi Tahu mana to their area. 'Mana Motuhake' is a word better understood by Ngāi Tūāhuriri than 'sovereignty' as it indicates independence and authority within the gambit of the Crown's right to govern on behalf of all New Zealanders.

33. *New Zealand Māori Council v Attorney General* [1987]
1 NZLR 641.

The idea of Ngāi Tahu maintaining its own mana is indicated as early as 1862 when the leading Ngāi Tahu chief, Te Matenga Taiaroa, delivered his 'ōhākī' or death speech to his iwi, tribe and son. Taiaroa told his people:

To all my tribe, to my hapū and to my son,

Let me bring these words to your remembrance, that they may be impressed on your memory. In the future, after I am dead and gone, that you may understand and judge for yourselves respecting the lands that I sold to the Europeans. The European land purchases made certain statements in all purchases of land. Firstly, be good to my nation, to the Pākehā, for it was I that brought them to this Island, to Te Wai Pounamu, in former years.

It was I and some other chiefs that went to Port Jackson (Sydney), and arranged a covenant there, in which we placed the whole of the Island of New Zealand under the sovereignty of the Queen, and the covenant was drawn up there, and the Governor of that Colony gave a token of honor, also the Queen's flag to me, and to Tuhawaiki. The Governor also gave us all authority (mana), and to us was the authority over the whole of our Island, Te Wai Pounamu. The Queen was also to be our parent (protector), that no other of Her Majesty's subjects, or any foreign nation should interfere, or take, or sell, or otherwise dispose of our land, without our consent given to any other nation.

We agreed to these arrangements of the Governor of New South Wales, and that covenant was established.

After that was the Treaty of Waitangi, and I and my tribe agreed a second time.³⁴

The ideas that underpin this speech are a commitment to Queen Victoria and the Crown's right to govern in return for recognising their authority. Tūhawaiki, Taiaroa and Karetai had made this commitment because they had just emerged from over a decade of warfare with the Northern tribes and were prepared to negotiate with the British Empire, not only for the Queen's protection, but also because they believed the Queen and Crown embodied the law and Christian ideals and values.

As Taiaroa tells us, a flag was gifted to Tūhawaiki and Taiaroa as a 'token of honor'. We can't be certain which flag was given, but it is likely that the flag gifted was the Flag of the United Tribes originally designed by King William IV for Māori in 1835. The flag is certainly important in Tuahiwi and featured in the old Tuahiwi Hall before it was demolished for the new Maahunui II.

In terms of symbols and important icons, the Ngāi Tahu Flag of the United Tribes is significant. The other flag that holds an equivalent value is the flag gifted to Tuahiwi by the Waitangi Tribunal. However, whichever flag was referred to, both feature the Union Jack which returns us to the ōhākī by Matenga Taiaroa and the notions of sovereignty resting with the monarchy/Crown in return for tribal authority and mana being recognised. Within this broad ideal sit the principles of the Treaty of Waitangi referred to by Rakiihia Tau.

Like Taiaroa's commitment to the Crown/monarchy and its right to govern, Tau's reference to the ideals of justice, truth, peace and goodwill simply echo what our elders from Ngāi Tahu (Ngāi Tūāhuriri) believed, starting with Matiaha Tira Morehu who petitioned the Queen in 1857 with the following words:

This was the command thy love laid upon these Governors ... that the law be made one, that the commandments be made one, that the nation be made one, that the white skin be made



34. Translation of copy of statement made by H. T. Taiaroa's father, on 13 February, 1862 which was handed in on 27 September, 1872, AJHR, 1872, H-9, pp 8-9.



35. H. Evison, *Te Waipounamu*, Aoraki Press, 1993, p 364.

36. Katie Pickles, 'A Natural Break from our Colonial Past', (www.stuff.co.nz), *The Press*, 8 April, 2011.

The Flag of the United Tribes of New Zealand, 1835.

just equal with the dark skin, and to lay down the love of thy graciousness to the Māori that they dwell happily ... and remember the power of thy name.³⁴

Faith, trust, justice and a commitment to the Crown represented by Queen Victoria run throughout the language of Ngāi Tahu. There is very little distance in language between Matiaha Tiramōrehu, Rakihia Tau and Taiaroa in their commitment to Queen Victoria. The challenge for the design teams of this project is to incorporate these ideals so that Pākehā and Māori fully understand the ideals expressed by our ancestors.

During the early stages of the rebuild there were discussions about a post-colonial city. The problem with post-colonial arguments is that they do not represent how Ngāi Tahu and Ngāi Tūāhuriri view their relationship with Pākehā and the Crown. Māori were colonised by Pākehā.³⁶ It is simply wrong to say New Zealand is a post-colonial society and to compare the New Zealand situation with that of India, Malaysia or Rhodesia/Zimbabwe. These countries became post-colonial once the Crown devolved its authority to the indigenous peoples who had organised themselves into a nation state. The decolonisation process has not occurred in New Zealand, because the British settlers and their descendants are here by way of the Treaty of Waitangi.

The resolution of the Ngāi Tahu Claim and the admission of wrongdoing by the Crown, however, has changed the relationship between Pākehā and Ngāi Tahu and allows fully for a celebration of our joint heritage under the Treaty of Waitangi. Here the argument by Eddie Durie, former Chief Judge of the Waitangi Tribunal, deserves serious consideration:

We must also not forget that the treaty is not just a bill of rights for Māori. It is a bill of rights for Pākehā, too.

It is the treaty that gives Pākehā the right to be here. Without the treaty, there would be no lawful authority for the Pākehā presence in this part of the South Pacific.

The Pākehā here are not like the Indians in Fiji, or the French in New Caledonia. Our Prime Minister can stand proud in Pacific forums, and in international forums, too, not in spite of the treaty, but because of it.

We must remember that if we are the tangata whenua, the original people, then the Pākehā are the tangata tiriti, those who belong to the land by right of that treaty.³⁷

By way of the Treaty of Waitangi, the colonial past is something to be celebrated. The fact that the settler government was dishonest in its dealings with Māori is not something to be forgotten. However, the Ngāi Tahu Claims Settlement Act 1998 was designed to settle historical wrongs. The Crown's apology to Ngāi Tahu on behalf of Pākehā resolves the moral burden. Ngāi Tahu is also aware that the burden for providing the historical evidence to the Waitangi Tribunal was taken on by Pākehā Christchurch historians such as Harry Evison, Jim McAloon and Ann Parsonson. These historians committed to the Claim because they believed in the idea of justice.

In a sense, then the Ngāi Tahu Claims Settlement Act 1998 was the reset button for Crown–Māori relationships. On that basis, post-colonial arguments are irrelevant to the Crown and Ngāi Tahu and have no place in the Christchurch rebuild. In fact, the settlement asks both parties to consider two fundamental questions:

1. What is the role of the Treaty of Waitangi in our future development?
2. What is the relationship between tangata whenua and tangata-tiriti.

The CER Act needs to be seen as a way to ensure both the Crown and Ngāi Tahu are vigilant in their commitment to Treaty principles outlined by Sir, Robin Cooke.

The principles require:

1. the Crown's duty of active protection
2. the duty of the Crown to remedy past breaches
3. Māori to retain rangatiratanga over their resources and taonga and to have all the privileges of citizenship
4. the duty to consult.

The challenge is to design their beliefs into the Te Papa Ōtākaro/Avon River Precinct in a manner that signifies more than a quaint language from the past and instead has relevance to Māori and Christchurch citizens.

37. *Address by Chief Judge Eddie Durie, Waitangi Day 1989, NZ Church Leaders Statement 1990, p 10.*

EARLY EUROPEAN SETTLEMENT

by Dr Matt Morris

The conditions that first attracted Ngāi Tahu to the area were also attractive to European settlers as the water and soils meant good gardens, even if the swampiness meant suburbanisation would be difficult. Thus just as Māori communities had created settlements on the margins of waterways, so too did Europeans due to the intrinsic value of the waterways, the soils near them, and the flora and fauna they supported.

When Christchurch was founded in 1850, the city blueprint that was to be implemented over the top of this space contained clues both about the Canterbury Association's values, and the values of their investors. The church, the university, the industrial area, Market Square, government buildings and a 'botanical' gardens were all included, as well as neatly surveyed parcels of land where families could be raised and working men could gain an 'independency'. These components of the plan express a system of values that were intended to reinforce each other. The values around religion, education, productivity, trade, democracy, horticulture and working with the land, respectability, family life and social mobility were fundamental to how the new settlement was conceptualised.

Cutting across each of these values are the virtues of civilising, improvement and prosperity. Each of these can be understood through the lens provided by the mythological template of Christchurch as a Garden City. Gardening should not simply be understood in this context as growing a lawn, or bedding plants and a vegetable garden, though of course that is what our gardens have often looked like. Rather, gardening is a process that involves and nurtures the whole person and the whole environment. Gardening connects people to a place, and it sustains them. Christchurch's history as a Garden City, and a city of gardeners, therefore encapsulates those values held in highest regard by the first Pākehā colonists. However, it also speaks to Ngāi Tahu values and to the values of many young people who are eager to see what the next iteration of the Garden City is going to look like.

ABUNDANCE

Incredibly, the suburban lifestyle envisaged by the city's founders was within the reach of most working men, and enabled family units to achieve what Trevor Burnard described as a "limited, co-operative self-sufficiency"³⁸

Like Māori, European settlers were attracted to the waterways. Even before the 'first wave' of colonists arrived in Christchurch in 1850, the pioneering Deans brothers had established productive orchards and vegetable gardens at Pūtaringamotu ('A place to catch birds'), close to the Ōtākaro, with the blessing of Ngāi Tūāhuriri. The gardens here were the first colonial focal point, because they demonstrated that food could be produced in abundance.

Further downstream, another Ngāi Tahu site, Ōtautahi, was also re-created as an important model garden. It is a significant, though often overlooked fact that food production was a major plank of the Canterbury Association's plans. They planned a Botanic Gardens in what was later called the Avon Loop and paid for a gardener to maintain it. In fact, this was a nursery garden for the edible crops that were intended to transform the entire region into a land of plenty. The gardener, William 'Cabbage' Wilson, was such a local hero that he became the city's first mayor, in 1868.

38. T. Burnard, *An Artisanal Town: The Economic Sinews of Christchurch in Southern Capital: Christchurch. Towards a City Biography 1850–2000*, J. Cookson and G. Dunstall, Canterbury University Press, 2000, p 123.

BEAUTY

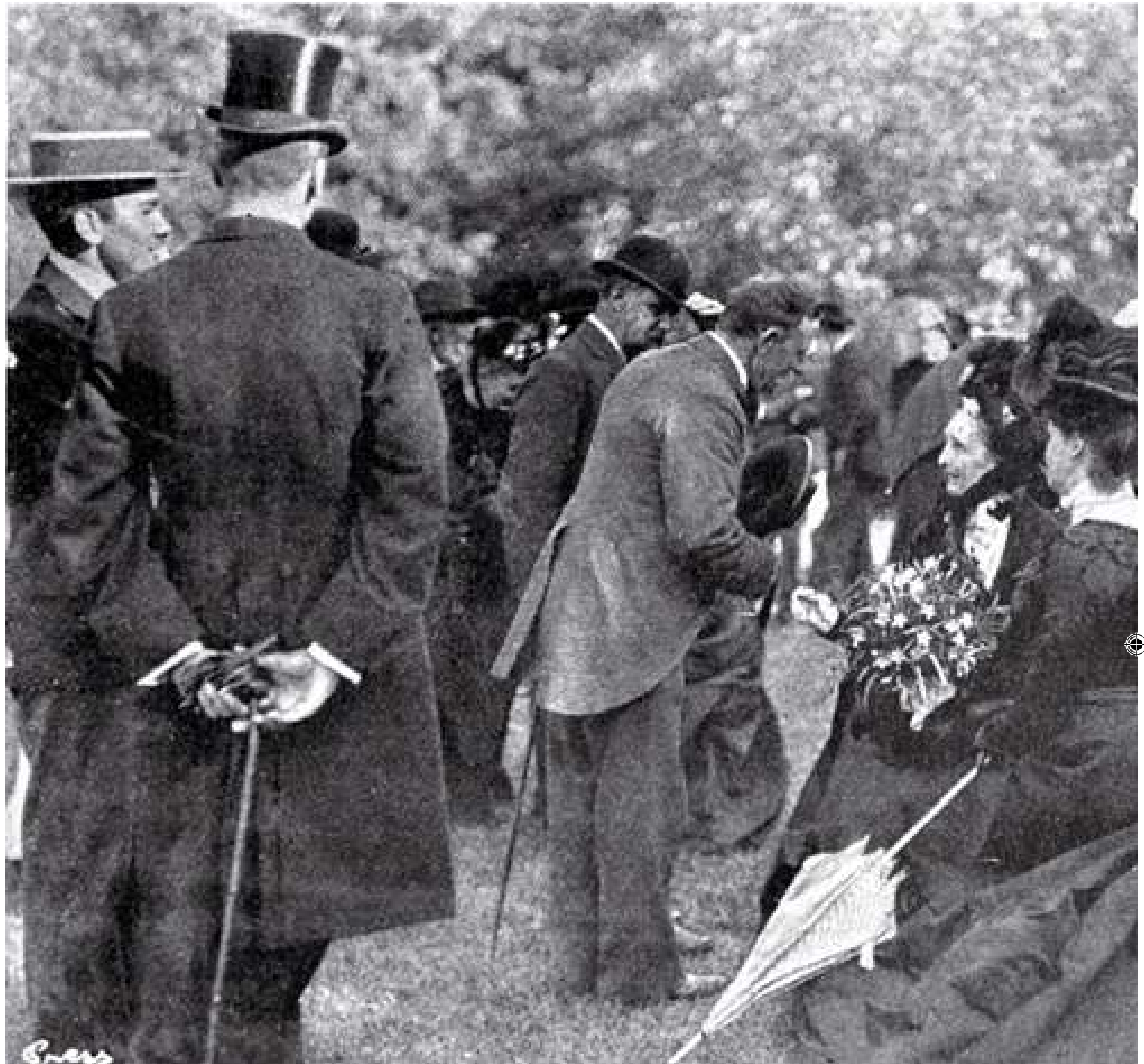
Another important value in regard to gardening in Christchurch was that of beautification: introducing garden designs that started to de-emphasise productivity or natural abundance in favour of flowers, shrubs and lawns. Public discourse around flower gardening began to take a firm hold in the 1870s, although there is strong evidence to suggest that for most people orchards remained the most important garden element until after World War One.

The interwar period is where we really need to look to see the sudden ascendancy of concepts such as the Garden City and the City Beautiful (which became the name of the Horticultural Society's publication).

Beautification of the home environment, as well as public spaces, certainly became important for many Christchurch householders and is one of the features the city is known best for. A low front fence, a tidy lawn, a concrete path to the front door edged with flowers was (and still is) a common sight from the road. Critics have argued that this form has been oppressive or limiting, or simply boring. However, the social significance of this domestic configuration is that it signalled shared values in a street or neighbourhood. Taking care of one's home like this showed respectability and respectfulness. It was also a welcoming sight for visitors.

PRESERVATION

Just as beautification became a focus for ordinary people in Christchurch during the interwar period, so too did an interest in environmental protection and in gardening with native plants. The two ideas were often closely intertwined as gardeners started to learn more about the beauty of the alpine plants they were seeing more of as a result of the opening of the Ōtira Tunnel in 1923, and





the increasing availability of motorcars. This experience opened the eyes of many Christchurch people to environmental degradation in the high country and helped people to discover a new affinity with the Southern Alps (and especially the Arthur's Pass area, where some of the more affluent residents had holiday homes), which had always distantly framed the Garden City on the Plains. With this also came an appreciation of native birds and the vital role gardeners could play in enhancing their habitat, viewed as especially pressing given what could now be observed first hand of the deforestation in the hinterland. The sense of connection between people in the city and the wider environment around them deepened during the 1920s and 30s, and Christchurch is often thought of as a place that breeds environmentalists.

SUSTENANCE

World War Two saw a renewed focus on vegetable gardening in the print media, although for many people this simply validated what they already did anyway. The Civic Vegetable Campaign (later rebranded as part of the Government's Dig for Victory campaign) emphasised above all else the nutritive qualities of vegetables grown in good soils. Good soils meant soils fed with humic matter, which paved the way for the new composting movement to take a hold. Thus the old values around the home as a place for growing food to feed the family and the neighbours were brought to light once more.

PROVISION

The Garden City has continued to represent these ideals in various ways. Since the mid 1990s Christchurch has seen a proliferation of community gardens as well. The number of these has tripled in the last 10 years. Community gardens serve a wide variety of purposes, but largely exist to meet people's needs for food that cannot otherwise be met, because of lack of money, lack of available land (as subdivisions have got increasingly smaller) and lack of knowledge about gardening. Community gardens are urban food gathering places that enable communities to come together, share their knowledge freely with each other, restore and enhance pockets of urban space with organic gardening practices, grow and share food and also strengthen community connections.

Amidst this sudden growth of these food spaces a new voice, which harks back to older ideas, is asserting itself: it talks about the importance of reintroducing food resilience into the city. This is partly to ensure the people of Christchurch can have their food needs provided for in case of any future disasters (such as the recent earthquakes), but also to enhance Christchurch's ability to feed its visitors well. A local food economy that could be a tourist attraction has been touted. Integral to this notion is the rehabilitation of degraded natural ecosystems, starting with Christchurch's waterways (both in-stream and riparian zones), which are severely degraded and cannot currently be easily used for food gathering.

Old gardens right along the Ōtākaro/Avon River margins tell the story of our people as outlined above, and are still abundant with food even where the houses themselves have been demolished. They embody our shared histories and values and could be a tremendous story-telling device and new food provisioning space. Ōtautahi, the site of 'Cabbage' Wilson's garden and thus the launching pad of Christchurch as Garden City, took up a significant piece of the Avon Loop. But before Wilson it was of course Tautahi's place, a place to gather food, and it remained as such at least as late as the 1840s. From here out to the estuary our history, with its

orchards, market gardens, beautiful gardens, and of course native vegetation, is written in the land.

REFLECTION

In thinking about our shared values, we should ask what does it mean to civilise, to improve and to prosper in the Christchurch context? Again, our garden histories provide a clue. A civilised Christchurch implies one where all people have their basic needs met. This means that all Christchurch residents should have access to good food, a value strongly present in our local traditions but sadly not presently a reality. This could mean a rehabilitation of waterways so they can support mahinga kai, or it could mean the planting of food plants in public spaces, or it could mean the redevelopment of a food-growing culture in suburban homes.

Again, an improved Christchurch might refer to the ability of the city's social, economic and ecological systems to recover from disasters or simply to function according to the principles of sustainability as we collectively proceed into an increasingly unpredictable future. Gardening for ecosystem resilience – as we did in the interwar period – would be a useful starting point here.

Finally, a prosperous Christchurch invokes the ideals of cooperative self-sufficiency: the idea of a strong local food economy, involving activity around the production, distribution, marketing, preparing and selling of locally grown food (not to mention education about it). However, there is also a tremendous reputational opportunity for Christchurch to position itself, through its gardens and its Garden City image, as being not just able to take care of its own people, but also able to play host to visitors from far and wide because it can feed them. Our values are reflected back to us in our gardens, and our gardens will define who we are as a people in this next stage of Christchurch's story.

CONCLUSION/RECOMMENDATIONS

This piece of work provides a starting point for the design team involved with the concepts for Te Papa Ōtākaro/Avon River Precinct. There is much to be considered and much more work to be done to ensure that the history, views and beliefs of both Ngāi Tahu and Pākehā are accurately captured and reflected in the design. We look forward to working with you to more fully explore this shared sense of history and to translate it into a design that can be celebrated and acclaimed as a treasure of our modern times.

Note: The Ngāi Tahu Research Centre contribution does not include transfer of ownership or unauthorised use or use by unauthorised parties of the narrative or any part of the narrative.



THE JUSTICE AND EMERGENCY SERVICES PRECINCT NARRATIVE

Written by Associate Professor Te Maire Tau, Director of the Ngāi Tahu
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Sacha McMeeking,

Te Marino Lenihan, Director, K4 Cultural Landscape Consultants, Aaron Rice-Edwards,
includes the essay 'A Historian's View of Christchurch' by Dr Jim McAloon, Victoria
University of Wellington

Ko taku ture i ahu mai i toku tupuna i a Tūāhuriri

My Laws stem from my ancestor, Tūāhuriri.

Pita Te Hori, Upoko – Ngāi Tūāhuriri Rūnanga

Kia atawhai ki te iwi – Care for the people

Pita Te Hori, Upoko – Ngāi Tūāhuriri Rūnanga, 1861

KUPU WHAKATAKI

Tirohia mai nei tātou

He mōrehu tangata

I puta i Patu-nui-o-aio tuauriuri

I heke i Rangiatea whāioio

He maunga hau-huka ki uta

He ururoa mārohirohi ki tai

He toka tū moana

He pou whakaaraara

He pīwakawaka tauwhetawheta

He pari tū kārangaranga

He puna roimata

He pare rau kawakawa mōteatea

He manu korokī i te ata

Ka uru mai, ka uru mai

He kahukura tiwhanawhana ki te rangi

He ope mata-popore ki te whenua

Huia te rangiora

Hara mai te toki

Haumi e

Hui e

Tāiki e

Look at us

Descendants of the many Pacific Isles

Formed by our forebears as ice clad mountains

Modelled as the shark, stubborn and relentless

An island steadfast in raging seas

A sentry, alert and guarded on the edge of the world

A fantail challenging your path

A cliff echoing voices of past, present and future

A deep spring of tears

A songstress of memories woven into a laurel of kawakawa leaves

An orator singing in the dawn

It comes

It appears

A rainbow illuminating the heavens

A congregation of guardians alert below

United in spirit and intent

Tools at hand

Prepare well

Let it be done

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EXECUTIVE SUMMARY

Ngāi Tūāhuriri have valued the opportunity to engage with the design team leading the Christchurch Justice and Emergency Services Precinct (CJESP). We wish to acknowledge the open, constructive nature of the engagement and express our confidence in the design team. We also commend the Ministry of Justice's (the Ministry's) commitment to having a transformative precinct.

Ngāi Tūāhuriri was invited by the Ministry to provide advice for the detailed design phase of the CJESP, which has involved:

- direct engagement with the design team
- the provision of written advice (this report).

This advice has been provided over a period of four weeks, from 15 October to 11 November 2013.

Ngāi Tūāhuriri's objectives for providing advice on the CJESP, and the other anchor projects in the Christchurch rebuild, include:

- restoring the visibility of Ngāi Tūāhuriri values, histories and aspirations on the recreated city
- encouraging the incorporation and reflection of the identities of Christchurch
- identifying functional spaces, layouts and related elements of the Precinct that enhance the experiences of individuals, families and professionals using the Precinct
- supporting innovative approaches to sustainable building design.

We believe that our engagement in the Precinct has contributed to outcomes that will benefit the community as a whole, and note that it would have been desirable to initiate engagement in the early concept design stage to achieve optimal outcomes.

This report is structured in six parts.

- Part One: Background – this part provides context on the engagement programme.
- Part Two: Historical narratives – this part provides an overview of Ngāi Tūāhuririri and Ngāi Tahu's experience with the justice system over time, and the narratives, values and design features that could be incorporated into the precinct design.
- Part Three: Environmental and cultural performance – this part summarises a range of environmental and cultural building performance standards and makes recommendations for the Precinct.
- Part Four: Jurisprudence – this part records some of the key judicial decisions relevant to the Treaty of Waitangi.
- Part Five: Iwi Māori user feedback– this part provides a thematic summary of engagement with Iwi Māori end users of the Precinct and sets out recommendations for particular areas/functions within the Precinct.
- Part Six: Further engagement – this part provides recommendations for continued engagement in the design and development of the Precinct.

The key recommendations contained in the report are as follows:

DESIGN AESTHETIC

The design aesthetic will have a material impact on how Ngāi Tahu and Māori experience their use of the precinct. We strongly recommend that visual cues of the bicultural heritage of the city are integrated throughout the Precinct. We believe integration is an important symbolic recognition of the Treaty partnership between the Crown and Ngāi Tūāhuriri. Our engagement with end users also strongly suggests that integration will enhance the sense of 'ownership' Iwi Māori users have of the Precinct, which in turn will encourage more positive and respectful engagement with the justice system.

The key recommendations for integrating Ngāi Tūāhuriri elements into the design aesthetic are to incorporate:

- Ngāi Tūāhuriri narratives – as set out in Part Two, the historical narratives we believe are most important for the Precinct include:
 - narratives associated with the Ngāi Tahu Claim (Te Kereme), 1848 Canterbury Purchase (Kemp's Deed) and Ngāi Tahu Claims Settlement Act 1998, particularly including the reflection of mahinga kai
 - the Flag of the United Tribes, and associated value of mana-motuhake;
- Ngāi Tūāhuriri tikanga and kawa, including:
 - the values of atawhai, tika, pono and aroha that have melded with early Anglo heritage and the principles of justice
 - exploring courtroom layout that reflects Ngāi Tūāhuriri kawa
 - incorporating functional water and plant features into the Precinct that enable 'cleansing' after traumatic experiences
- Ngāi Tūāhuriri design elements, including:
 - reference to the colours of the Flag of the United Tribes and the Rātana movement
 - exploring design elements of marae, including the incorporation of ātea spaces, photographs and other design cues that contribute to a sense of progression through the Precinct.

We strongly encourage the design team to commission Ngāi Tahu artists to lead the design of agreed elements of the Precinct. We consider that Ngāi Tahu artists are best placed to interpret Ngāi Tūāhuriri narratives, tikanga/kawa and design elements in an authentic manner. As discussed with the design team, we consider that the following areas within the Precinct are suited to one or more Ngāi Tahu artists:

- Māori Land Court
- paving designs around the Precinct
- walls in public spaces of the Precinct
- windows of the Precinct

- agreed elements within all courts
- planting designs for the courtyard.

For the purposes of clarity, we consider that Ngāi Tahu artists should lead the design of functional elements of the building in partnership with the design team: we do not believe that it is appropriate for Ngāi Tūāhuriri design elements to be solely in art works decorating the Precinct. We also note that Ngāi Tūāhuriri has developed a selection process for the engagement of Ngāi Tahu artists on anchor projects.

ENVIRONMENTAL AND CULTURAL PERFORMANCE

Ngāi Tūāhuriri places importance on sustainable building design. Recognising that the design team has deep expertise in this area, we recommend consideration of the following principles to enhance the environmental and cultural performance of the Precinct:

- reference (symbolic or otherwise) to previous areas of habitation (Puāri Pā and Tautahi Pā) and food gathering (mahinga kai) within Te Papa Ōtākaro/Avon River Precinct including Victoria Square through telling the stories; utilising Ngāi Tahu names; the placement of markers, the opening of view sheds and the incorporation of art works by Ngāi Tahu artists
- the incorporation of indigenous flora into the vegetation mix within the Precinct's open spaces and inclusion of water management systems that support and enhance opportunities for mahinga kai restoration in the Ōtākaro/Avon River
- the acknowledgement of the names of Kaiapoi Ngāi Tahu on whose behalf claims to mahinga kai in Christchurch were brought by Hakopa Te Ata o Tū and Pita Te Hori in 1868 to the Native Land Court – for example, the inclusion of these names on the walls of the precinct or within a prominent commissioned artwork which references Ngāi Tahu's long association with the courts and legal system
- the application of Ngāi Tahu cultural sustainability indicators as assessment criteria on the Precinct design and development
- protection and enhancement of the Ōtākaro/Avon River through upgraded, best-practice stormwater treatment and disposal and other low-impact urban design requirements to improve water quality, and provide for improved native flora and fauna and mahinga kai values.

FUTURE TRENDS IN JUSTICE

We recognise that the Precinct may have a functional life of 100 years. Accordingly, we believe it is important to explore in the design, as far as is possible, potential trends for the performance of justice over a contemporaneous time span. The following are two trends we believe are significant.

- Increasing incorporation of tikanga and kawa – over the last 20 years, a number of novel justice processes have been developed that draw on tikanga and kawa, including Family Group Conferences and other restorative justice processes. We believe that this trend of restorative justice is likely to continue and that tikanga/kawa will remain an important catalyst and inspiration for the evolution of restorative and alternative dispute resolution. These processes are likely to be more dialogical and facilitative than existing court

procedures. We encourage consideration of flexible design principles that will enable spaces to be adapted for future uses.

- Possible devolution of justice – we note that community-based justice processes are gaining prominence, through such institutions as Community Justice Panels. We believe that justice may become increasingly devolved to community and local levels. If so, the ‘centralised headquarters’ nature of the Precinct will need to evolve to recognise the complementarity of community-based processes and ‘talk’ to community facilities.

AREAS WITHIN THE PRECINCT

- **Integrated Precinct**

We recognise that the integrated Precinct, bringing together police and courts, is unlikely to change. However, we believe it is important to express strong reservations about the appropriateness of an integrated precinct. As will have been extensively discussed during the concept development, New Zealand’s constitutional architecture is founded on judicial independence. We are deeply concerned that the co-location of police and judiciary will compromise the perceived and actual independence of the judiciary, with corresponding injury to the trust and confidence Iwi Māori have in the transparency and legitimacy of the justice system.

- **Public spaces**

As discussed with the design team, we recommend that public spaces within the Precinct have the following features.

- Spaces are created that give whānau a sense of privacy within the public areas to enable whānau to have discreet discussions amongst themselves. We encourage exploration of layout and auditory approaches to creating a sense of privacy, including the use of running water in the courtyard. We believe it is important for these spaces to be available in addition to ‘breakout rooms’, and located on the mezzanine floor, in the courtyard and around all the courts.
- Spaces for service providers are created to meet whānau they are working with, and hot desks or other usable spaces for service providers to be able to work within the Precinct are explored.
- Ngāi Tūāhuriri design elements are prominent in public spaces to enhance the sense of ‘ownership’ and comfort Iwi Māori have within the Precinct.

ALL COURTS

We recommend that all courts incorporate Ngāi Tūāhuriri design elements and, as possible and appropriate, explore tikanga/kawa based layout options. We strongly encourage the design team to replicate as far as is possible the design elements that contributed to the positive experiences of locating the Youth and List courts at Ngā Hau E Whā marae following the earthquake. We understand that the marae location contributed to more respectful and positive engagement with the justice system. We believe that the contributing factors were:

- a sense of ownership in the space
- less hierarchical layout of the judicial proceedings

- more visual stimulus in the space, diffusing some of the inherent tensions in judicial proceedings.

Accordingly, we strongly encourage subtle and overt integration of Ngāi Tūāhuriri design elements. We also recommend the use of photo walls in key areas of the Precinct. Photos are an important design element of marae, which contribute to people's sense of ownership, familiarity and comfort. We encourage the design team to explore creating ICT-enabled photo walls that have changing photo imagery and messaging that is appropriate to the space. For example, adjacent to the Youth Court, there could be imagery of youth who have 'turned their life around'. We also note reservations regarding the shared accessways (stairs and lifts) for the Criminal, Family and Coronial courts. Whānau engaging in family and coronial proceedings are likely to feel vulnerable, and shared accessways may make them feel criminalised and/or otherwise traumatised.

MĀORI LAND COURT

As discussed with the design team, the design principles for the Māori Land Court (MLC) should include:

- accessible design so that Taua and Poua can easily access the MLC
- recognition that the MLC minute books and other records contain whānau whakapapa, and that design elements that provide visual cues for that sense of ownership should be embraced
- that whānau accessing the MLC should not feel 'criminalised'
- that whānau access the MLC most often to source information, rather than to engage in hearings
- that the MLC, while headquartered at the Precinct, should be encouraged to explore periodic sittings at Tuahiwi
- that the detailed design and layout of the MLC should be discussed in depth with whānau.

YOUTH COURT

As discussed with the design team, the Youth and Rangatahi courts have a pivotal role in the future pathways of youth. We strongly share the objective that the design of the Youth Court should positively encourage different life choices. We believe that design features such as photo walls and messaging (described above) could be valuable contributors. We also encourage the Youth Court to explore tikanga/kawa-based layout.

FAMILY COURT

As discussed with the design team, users of the Family Court are likely to want separate entry and exit points.

ENVIRONMENT COURT

The Environment Court may also be suitable for tikanga/kawa-based layout, particularly as Iwi Māori are regularly engaged in these proceedings.

CORONIAL COURT

As discussed with the design team, the following elements should be considered for the Coronial Court:

- usable water feature for people to cleanse themselves after leaving the court
- space that allows the symbolic representation of tūpāpaku during the proceedings
- increased 'privacy spaces' to allow whānau to wait for proceedings with dignity.

DISTRICT AND HIGH COURTS

As for general courts recommendations above.

POLICE

We strongly encourage subtle and overt incorporation of Ngāi Tūāhuriri and Māori design elements into the police area of the Precinct. We believe it is important for Māori accessing the police to have strong visual cues of the bicultural foundations of New Zealand.

FURTHER ENGAGEMENT

We recommend that further engagement occurs between Ngāi Tūāhuriri and the design team as the design continues to become more detailed. We consider it is particularly important for the following to occur:

- exploratory engagement on the layout of the MLC
- engagement on naming the Precinct and areas within it
- participation of Iwi Māori in the various 'mock-ups' scheduled to occur to ensure that the finalised layout serves Iwi Māori interests
- the commissioning of Ngāi Tahu artists through the selection process Ngāi Tūāhuriri have established for the anchor projects
- regular (fortnightly or monthly) engagement with the design team to explore and test elements of the design as they are refined
- any other processes as agreed with/requested by the design team.







PART ONE: BACKGROUND

INTRODUCTION

The Ministry of Justice (the Ministry) is developing the Christchurch Justice and Emergency Services Precinct (CJESP). The Precinct will include facilities for the courts, police and emergency services. The concept design for the Precinct has been completed and construction commenced in early 2014.

In September 2013, the Ministry approached Ngāi Tūāhuriri to request advice on incorporating Ngāi Tūāhuriri values into the detailed design of the Precinct. This report provides that advice. The scope of advice is summarised further below.

NGĀI TŪĀHURIRI INTERESTS IN THE CJESP

Ngāi Tūāhuriri engagement in the design of the CJESP is framed by Ngāi Tahu holding statutory partner status in the earthquake recovery in Canterbury (as set out in the Canterbury Earthquake Recovery Act 2011). This partnership status reflects the growing civic leadership of Ngāi Tahu within Canterbury, and the maturity of the Treaty of Waitangi partnership between the iwi and the Crown. The civic leadership of Ngāi Tahu was demonstrated after the February 2011 earthquake, when Ngāi Tahu led a recovery network that reached 10,000 families in the worst-affected suburbs, providing food, water, transport and other support to all whānau and families in need. Ngāi Tahu has continued to support and advance the Canterbury recovery, both supporting our own tribal members and contributing to the community as a whole. The anchor projects are an important opportunity to continue contributing to the recovery and transformation of the city.

Ngāi Tūāhuriri has interests in the anchor projects, individually and collectively, to return the visibility of Ngāi Tūāhuriri in our ancestral landscape: over the course of history, the bicultural foundations of Canterbury have obscured the place, values and contributions of Ngāi Tūāhuriri to the city and its communities. The anchor projects are a significant opportunity to re-weave Ngāi Tūāhuriri, Pākehā, Māori and multicultural identities into a positive, enhancing outcome for all people. Ngāi Tūāhuriri is committed to providing advice on the anchor projects to achieve the following outcomes.

- Anchor projects reflect, embody and express Ngāi Tūāhuriri narratives, histories and aspirations in their design aesthetic.
- Anchor projects provide functionally for current and future uses of the spaces/buildings by Iwi Māori.
- Anchor projects meet cultural and environmental performance standards in their design and materials.

Ngāi Tūāhuriri is confident that our contributions to the anchor projects will provide wider benefits for the community as a whole by encouraging deeper exploration of our shared histories as a city and designing buildings that have people at their centre.

In respect of the CJESP, Ngāi Tūāhuriri has distinct interests drawn from:

- the profound influence of the legal and justice system on Ngāi Tahu and Ngāi Tūāhuriri's histories and experiences, as a vehicle of both oppression and liberation
- the disproportionate representation of Māori within the criminal justice system, creating distinct user needs that should inform the Precinct design and functionality
- the progressive incorporation of Māori approaches to dispute resolution and restoration, a trend that is likely to continue and similarly impact on how the Precinct is utilised over its life
- the Māori Land Court.

SCOPE OF SERVICES

The scope of engagement included:

1. direct engagement with the design team to discuss the concept for the Precinct, which has involved fortnightly meetings. Ngāi Tūāhuriri has deeply valued the relationship with the design team and has high confidence in the ability of the design team
2. a comprehensive report to inform and guide the design and build of the Precinct.

The scope for this comprehensive report was agreed as including the following.

- Cultural and historical material – to inform the design aesthetic for the Precinct, we will provide a report on Ngāi Tahu's experiences with the justice system from 1840 until the present. The content for this section of the report will be drawn from oral histories and archival records. On the basis of this material we will make recommendations for how the design aesthetic could reflect Ngāi Tahu narratives and values.

Comprehensive advice on design and construction of Precinct

Design aesthetic

Cultural and historical content

Review and analysis of Ngāi Tūāhuriri and Ngāi Tahu experiences and associations with justice from 1840 until the present.

Environmental performance

Environmental standards

Practical interpretation of Ngāi Tahu environmental values as relevant to building performance standards and green space/public realm design.

User functionality

Evaluation of needs and aspirations of mana whenua and user groups

Advice on iwi and Māori user needs for the Precinct, informed by engagement with hapū members and iwi/Māori opinion leaders and service providers connected to the justice system.

- Environmental standards – to inform the building services approach, we will review existing Ngāi Tahu precedents for sustainable buildings and provide recommendations on building performance approaches that reflect Ngāi Tahu environmental values.
- User need and aspirations – to inform detailed design of the Precinct, including the nature of spaces suited to iwi and Māori needs, we will engage with key opinion leaders and service providers to explore how they hope to use facilities within the Precinct. The outcomes of the engagement process will be reported on, with accompanying recommendations for the design and build.

This content is depicted on the previous page.

PROCESS FOR DEVELOPING ADVICE

This advice was developed through:

- archival research to inform the historical narratives
- desktop research to explore precedents for environmental and cultural performance
- direct engagement with Iwi Māori on the functional elements of the design.

The findings of the research were discussed directly with the design team through a series of meetings that allowed for open and constructive exploration. All content contained in this report was discussed with the design team through these discussions.

This report therefore serves as reference material for the design team, to complement the direct engagement.

PART TWO: HISTORICAL NARRATIVES

SUMMARY AND RECOMMENDATIONS

This part of the report provides a review of Ngāi Tūāhuriri and Ngāi Tahu experiences with the legal and justice system, with particular emphasis on:

- the values underpinning justice within Ngāi Tūāhuriri traditions
- Ngāi Tūāhuriri philosophical approaches to understanding the Treaty of Waitangi, which we emphasise are different to the approaches of other iwi
- the relationship between the Treaty, Canterbury Purchase (Kemp's Deed), the Ngāi Tahu Claim (Te Kereme) and the Ngāi Tahu Claims Settlement Act 1998
- significant elements of Ngāi Tūāhuriri identity and values that should be incorporated into the design aesthetic of the Precinct.

The key recommendations are to incorporate into the design aesthetic and narrative:

- the values and principles of Māori that are also inherent in early Anglo heritage, such as atawhai, tika, pono, aroha and forgiveness melded with principles of justice. This requires a new and modern take on these values that clearly reflects the blended culture and is appropriate for modern times
- the underlying principles of Kemp's Deed and their shaping role in the future of Ngāi Tahu, Māori and the Crown. Two important values within the Deed are the idea of the Crown reserving land for us to live upon that was 'kāinga nohoanga' and attached to these reserves would be mahinga kai. It is important for Ngāi Tūāhuriri that the judicial community acknowledges the importance of Ngāi Tahu communities, their kāinga nohoanga and that the basic principles within Kemp's Deed be acknowledged. For the design team this means acknowledging that Ngāi Tahu communities and villages are important and must be fostered
- that mahinga kai is becoming a value in as much as it was a traditional practice. Mahinga kai is slowly developing into a philosophical view in how we see and engage with the world, just as we have developed values in how we deal with each other on a daily basis. The challenge for the design team is to build this value into the design
- the Flag of the United Tribes, which signifies mana-motuhake
- how to reflect the Treaty of Waitangi and in particular, from a Ngāi Tahu perspective, the Flag of the United Tribes and the Principles to the Treaty of Waitangi as outlined in the 1987 Court of Appeal case, *New Zealand Maori Council v Attorney General*
- the Rātana movement, the influence that it has on Ngāi Tahu and the values that it represents.

NGĀI TAHU AND SETTLER VALUES UNIQUE TO CHRISTCHURCH

The great danger in declaring the values of Ngāi Tūāhuriri and Ngāi Tahu within design documents such as this is that they are immediately subject to criticism by non-Ngāi Tahu; this is despite the fact that Pākehā design teams are not necessarily subject to the same levels of scrutiny. Just why this is the case is not clear. After all, it's not as if architects and designers are culturally neutral, secular or free of any particular community values. Designers and architects will design from a basis of what is important to them and their community.

We know that Ngāi Tahu and their values are not known to the wider community and it is this lack of awareness that makes a document such as this necessary. This document is presented to inform, with the hope that the values and cultural discussion we have included will provide a reference point for design work within the CJESP.

This report is simply a starting point for discussion. Just as many Pākehā New Zealanders have a tendency to see Māori culture as being represented by carvings of ancestors, canoes and fish-hooks (all of which are embellished by a koru), Ngāi Tahu and Māori could equally frame the culture of Pākehā New Zealand around its old English background. Christchurch in particular is a playground for this type of argument. The Canterbury Association made its views quite clear on how the city would be and look when it declared:

We intend to form a settlement to be composed entirely of members of our own church, accompanied by an adequate supply of clergy, with all the appliances requisite for carrying out her discipline and ordinances.

The purchasers of land will have the selection of labourers to be recommended for a free passage; such labourers to be also exclusively bona fide members of the English Church.¹

Māori barely feature in these papers.

By the same token when determining what constitutes a Pākehā identity, Ngāi Tahu could also simply refer to Austen Mitchell's *Half Gallon, Quarter Acre, Pavlova Paradise* or worse, David Ausubel's *The Fern and the Tiki* if they wanted to refer to contemporary Kiwi-ana. The challenge is of course to recognise the partial truths as warnings, but not to be trapped by either.

Values and culture do shape design, and design in turn forms and reinforces the beliefs and values of the community.

The worst aspect of the Canterbury Association was that it was a closed society and blind to its double standards. From the outset the Association declared its close-minded vision of who would be part of Christchurch:

The Committee of Management will have the power of refusing to allow any person of whom they may disapprove to become an original purchaser of land, and as that power will be carefully exercised, it is hoped that ineligible colonists may be almost entirely excluded, and that the new community will have at least a fair start in a healthy moral atmosphere.²

Christchurch would not have survived and developed as a city if the Association had been successful with this stance. As it is, Christchurch has always struggled with its provincial reputation, deserved or not. That reputation was seeded at the start and continued on through

1. *The Cyclopaedia of New Zealand: Volume 3 Canterbury Provincial District, The Cyclopaedia Company, Limited, Christchurch, 1903, p 68*

2. *Ibid*

to the last century. An early example of that is the work of Jan Morris, the journalist and British historian who accompanied Hillary during his ascent of Mt Everest. He probably best captured Christchurch in the first part of his trilogy on the empire, *Heaven's Command*, when he said:

The truth was that settlement colonies were essentially for poor men. Educated people would find nothing in a place like New Zealand, except escape from personal troubles at home, and the ideals of the Colonial Reformers mostly faded in time. 'No person who has ever enjoyed a life in England would, I think, profess to prefer a colonial life', wrote E. B. Fitton in 1856, and for ever afterwards most educated Englishmen found New Zealand, though kind and beautiful, fundamentally a bore. Still, though Christchurch grew more egalitarian and less Tractarian over the years, it remained by colonial standards always a conservative city: its Cathedral arose as ordained among the plane trees, its Christchurch Club became alarmingly exclusive, and there were always citizens to recall, referring to rectory water colours upon the drawing room wall, or indecipherable sepias of tennis-parties in family albums, that their forebears were those Mr Wakefield really had in mind, when he spoke of choiceness.³

Thankfully, Christchurch had more depth than described by Morris during his visit. While it was provincial and pretended to elitist ideals, the city has also benefited from the more radical leaders of Christchurch who challenged the status quo. This included individuals like Kate Sheppard and Elsie Locke. In fact, it's very hard to imagine the Ngāi Tahu Claim without the input of rational socialists such as Harry Evison, progressive Catholics such as Mike Knowles, or David Palmer who simply rebelled against the establishment despite his St Andrew's background. Likewise, university historians such as Ann Parsonson and Jim McAloon, who supported the claim, were driven by a social consciousness and the need to escape the Ivory Tower charges against the academic world. The University of Canterbury could be and was socially relevant and Ngāi Tahu have always been grateful for their efforts to see another world, different to the "rectory water colours upon the drawing room wall".

In this rebuild, we need to escape the clichéd images of what traditionally constitutes Christchurch. While communities are complex, they do have unique characteristics. We can contrast the mythic image of English Christchurch against the more radical leaders of Christchurch, just as we can compare traditional Ngāi Tahu values and its more modern practices. It may be that little difference exists between the groups. For this reason, this report includes a paper from an independent historian to discuss the values that have shaped Christchurch without becoming trapped in its mythologised roots, in which its critics and adherents often find themselves entangled.

3. Jan Morris, *Heaven's Command*, p 146.



THE NGĀI TAHU AESTHETIC

A traditional account of what we would now call a ‘Ngāi Tahu aesthetic’ was captured in the following passage, which recorded the Ngāi Tahu attendance at the ‘Hinana ki uta, Hinana ki tai’ Conference of 1857, where iwi gathered to discuss the Kingi-tanga. The prose is absolutely stunning Māori.

Reflecting and weaving the narrative of language in design

E ka perea taku pere, ka kaa i te Tuahiwi ki Raukawa.

*E ka titia taku pere ki te tihī ō Tapuaenuku, kia Tairaroa, kia Tūhawaiki, kia Te Maiharoa,
E tā e! Kia huri mai te taringa ki te whakarongo ki te tangi ā te Matuhi, e tangi nei tui a,
tuia, tuituia.*

*Rauna noa Te Waipounamu, te waahi i takoto ai te Kuru-auhunga, te Kuru-tongarerewa,
te Tiki Pounamu, te Taramea, te Tikumu, te Rau ā Titapu,*

*Ngā taonga whakapaipai ō mua, ngā tohu rangatira ō te Māori, titia ki runga i te ūpoko,
te Piki Kōtuku, te Pikihuia, te Raukura, te Tikumu,*

Whakakaitia ki te taringa, te Poho i Toroa, te Kuruauhunga, te Kurutongarerewa,

Heia ki kakī te Hei Taramea, te Tiki Pounamu,

Hei aha?

*Hei whakapaipai rā, hei whaka-tākunekune kia pai ai, kia hurō ai, kia rawe pai mai ai, kia
mate mai ai ngā tamāhine ataahua, ngā whaiaipō, ngā kare-ā-roto, ngā putiputi
whakapaipai ō Aotearoa, ko te whakamāoritanga tēnei ō ngā manu mōhio e toru, e
kōrero nei i runga i Aotearoa.*

My dart is cast and ignites at Tuahiwi beyond the sea of Raukawa.

My dart adorned the peak of Te Tapuae o Unenuku, the mountain of Tairaroa, Tūhawaiki and Te Maiharoa.

Friends! Turn your ears to listen to the song of the Fernbird calling: “Unite, unite, unite”.

All through the South Island, the land of precious pendants and ornate greenstone; the Tiki Pounamu, the scented spear grass, taramea and tikumu, the cotton plant – plumes of chieftainship.

These are the adornment of our ancestors, the symbols of leadership: wherein the topknot is ornamented with the plume of the white heron; the plume of the huia; the headband of the scented taramea.

Adorn the ear with the albatross feather, the greenstone jewels, and pendants

Fastened to the neck is the scent-bag of the scented tikumu spear and the Tiki Pounamu.

For what purpose?

To display beauty, to adorn and to arouse the interest of, to become suitable to, to arouse the desires of the beautiful daughters, of the sweethearts, the inner-most desires of the beautiful flowers of the North Island

This absolutely stunning Māori prose is replete with metaphor that Māori orators appreciate and that the Māori communities anticipate upon marae. The composer refers to our (Ngāi Tūāhuriri) mountains and the taonga (treasures) that our people value – the tiki pounamu, the plumes of the white heron and now extinct huia, the scented grasses from beneath the mountains. These are all taonga for which Ngāi Tahu were known. The South Island was celebrated as an island famous for its resources, whether it be the foods, pounamu or the mountains.

DESIGN INTERPRETATION

The challenge for the design team is how to interpret the narrative that is such an essential part of Ngāi Tahu and incorporate the imagery into design features.

BLENDING ANGLO HERITAGE, THE TREATY AND NGĀI TAHU AESTHETIC

The challenge for any design in the CJESP is to blend the aesthetic ideals of Ngāi Tahu and Māori with the Anglo heritage that has defined Christchurch for the last century and a half. To be successful, this will require a contemporary New Zealand reflection. This is not about accommodating a traditional Ngāi Tahu whare with an example of neo-gothic architecture but it is about finding a new and fresh aesthetic that blends that early Anglo-Christchurch heritage with Ngāi Tahu design to create a contemporary vision that will speak to New Zealanders of the present and the future.

Matapopore is primarily concerned that the aesthetic emerges from the values we consider important for and specific to the CJESP. This report has primarily concentrated on Ngāi Tahu values, but we recognise it is equally important that the Anglo values that have shaped New Zealand's judicial system are also incorporated.

The laws of New Zealand stem from a Judeo-Christian heritage, which were shaped by the philosophers and artists of the Age of Enlightenment. How those values are incorporated needs to be considered, despite the reluctance of our modern secular world to do so.

Alain de Botton, who once spoke on the architecture of Christchurch, writes that the cardinal virtues underpinning morality of the West are prudence, fortitude, temperance and justice, which are followed by the Christian virtues of faith, hope and charity. These virtues have meaning when placed against their vices of folly, inconstancy, anger, injustice, infidelity, envy and despair. De Botton goes on to explain how the Florentine artist Giotto was commissioned to decorate the walls of the Scrovegni Chapel with frescoes. There were 14 niches, within which Giotto portrayed each of the seven virtues facing its respective vice.⁴



4. *Alain de Botton, Religion for Atheists: A Non-believer's Guide to the Uses of Religion, Hamish, 2012.*



5. *From Marquis Normanby to Captain Hobson, RN, 14 August 1839, British Parliamentary Papers, Correspondence with the Secretary of State relative to New Zealand, 1840, (238), pp 623–628 (www.parlipapers.chadwyck.co.uk).*

De Botton's concerns were not so much with the virtues or vices, but that in our modern world, there is a view that public spaces should be kept neutral. The libertarian argument is that it is not the role of the state to meddle with the inner morality of its members. Morality is a matter of individual conscience and anything else arouses distrust of the nanny state. But as de Botton argues, public spaces are not neutral. All public spaces are littered with commercial advertisements without any consent from the public. The argument here is that we should not avoid placing imagery within the Precinct, or pursuing design, that polarises views.

For Māori, the view that a public forum such as the CJESP should be kept neutral or amoral in its design is ignoring the reality and the basic principles on which Christchurch was established.

In his letter to Hobson, Lord Normanby essentially outlines a series of moral directions that underlie the Treaty of Waitangi:

All dealings with the Aborigines for their Lands must be conducted on the same principles of sincerity, justice, and good faith as must govern your transactions with them for the recognition of Her Majesty's Sovereignty in the Islands.⁵

Ngāi Tahu endorses these principles, albeit with additional values.

The idea of charity is clearly understood by Māori to be 'atawhai' or 'aroha' and the Christian message of faith, hope and charity, 'te tika, te pono me te aroha', is heard on all marae. Justice has long been the dream for Ngāi Tahu and Māori despite adversity in the early political and judicial systems in New Zealand.

Quite often, when we speak of Māori values, we fail to mention the values that our

ancestors adopted with the arrival of Christianity to Te Waipounamu. Our ancestors quickly realised the importance of ‘forgiveness’ as opposed to the old idea of ‘utu’, which they identified and recognised in the Old Testament. They also understood the importance of the law and the notion of justice and how this was connected to Christian ideals. Possibly the best example or illustration of how these ideas were melded together and understood by our ancestors is a letter sent by the Ngāi Tahu leader, Matiaha Tiramōrehu, to Queen Victoria in 1857.

The letter declares:

This was the command thy love laid upon these Governors ... that the law be made one, that the commandments be made one, that the nation be made one, that the white skin be made just equal with the dark skin, and to lay down the love of thy graciousness to the Māori that they dwell happily ... and remember the power of thy name.⁶

This text is worthy of further analysis and consideration when determining how best to reflect Ngāi Tahu aesthetics in the CJESP.

Matiaha Tiramōrehu took his name Mathias (Matiaha), from the last of the apostles, chosen for his diligence.⁷ The text and the adoption of the apostle’s name indicate how our ancestors incorporated Christian values. The question is whether the design team is able to do the same.

Here is a Ngāi Tahu leader, committed to the Queen, with a basic understanding of how the commandments and the law were connected. Matiaha understood that the relationship ultimately relied on goodwill. And, in fact, most iwi had similar views. For instance, Te Kooti, the great prophet of the North Island, had this to say about the law and the idea of justice:

Ka kuhu au ki te ture, hei matua mo te pani – I bring myself to the law so that it be the saviour for the people.

Te Kooti made this statement after his surrender to the Crown. He understood, like Matiaha Tiramōrehu, that justice would prevail eventually – and that it, like the commandments, transcended their daily struggle. Both Matiaha Tiramōrehu and Te Kooti understood the virtue of fortitude because their lives were often lived in despair.

The letter quoted above and filed by Matiaha in 1857 was not resolved until 1998 through the Ngāi Tahu Claims Settlement Act. While the central part of the Act confirmed the transfer of capital, cash and other assets from the Crown to Ngāi Tahu, the moral issues that Matiaha spoke of were only resolved when the Crown apologised to Ngāi Tahu. That apology featured in Part 1 of the Ngāi Tahu Claims Settlement Act and is attached as Appendix 1.

DESIGN INTERPRETATION

The design team must think of how to incorporate imagery that captures the values and principles of Māori that are also inherent in early Anglo heritage – principles such as atawhai, aroha and forgiveness melded with principles of justice. This requires a new and modern take on these values that clearly reflects the blended culture and is appropriate for modern times.

6. *Ngāi Tahu Claims Settlement Act 1998*, s 6.

7. *Harry Evison, The Long Dispute: Māori Land Rights and European Colonisation in Southern New Zealand, 1997*, p 120.



ACKNOWLEDGING THE RĀTANA MOVEMENT

One important aspect of Ngāi Tahu and its claim against the Crown is the role of the Rātana movement. This is a matter of particular importance to Ngāi Tūāhuriri and the Ngāi Tahu villages that were also heavily aligned to the movement.

Wiremu Tahu Pōtiki Rātana (1873–1939) was a prophet who came to the fore as a spiritual leader for Māori during the early part of the 20th century.

Māori prophets had traditionally been attracted to the Old Testament because the stories of oppression suffered by the Jews were something with which Māori identified. Likewise, the Jehovah of the Old Testament was also closer to how Māori understood and engaged with their atua. Rātana stressed the Gospels and the importance of the New Testament. Where Rātana

differed from the 19th century prophets, such as Te Kooti and Te Whiti, was that he believed that while spiritual truths (ture wairua) were important, Māori also needed to firmly master the laws of man, which meant managing the political and legal realities of the day. It was this driver and influence that propelled Rātana to pursue a political strategy through the movement. In 1932 the Rātana movement was successful in challenging for the South Island Māori seat in Parliament, and then in 1939 Rātana took all four Māori seats.

In 1936 Rātana created a formal alliance with the Labour Party and the Prime Minister, Michael Savage. The alliance was confirmed among Māori when Rātana gave the Prime Minister four gifts: a potato, a broken gold watch, a pounamu tiki and a huia feather. The potato signified the loss of Māori land and the ability of Māori to sustain themselves. The broken watch represented the Treaty of Waitangi; and the pounamu, the mana of Māori. The huia feather signified the status of Savage as a rangatira. The huia feather is referred to in the account on page 89. The meaning of these gifts was that if he repaired the watch, returned the land and restored the Treaty of Waitangi, he would earn the right to wear the feather.

One of the reasons that Rātana is referred to in this report is that some of New Zealand's most interesting architecture from the early 20th century comes from Rātana and the other prophet movements. The Dome of Rock re-created by the followers of Rua Kenana in Hiruharama Hou, the Rātana Church at Raetihi and the Rātana Pā at Whanganui are all sources of potential inspiration that the design team should consider.

However, not only is the architecture important, but so too are the colours. The prophet movements often took their colour scheme and symbols from the Old Testament and this is best depicted in the tohu or whetū marama of the church.

The symbolism of the crescent and star is obvious enough. The star is known as the whetū marama and the significance can be explained at a later stage by ngā mōrehu.

It is absolutely essential that, in reflecting the Treaty and concepts of justice among Ngāi Tahu and the people of Ngāi Tūāhuriri, the design team reflects and interprets the role and physical representation of the Rātana faith.

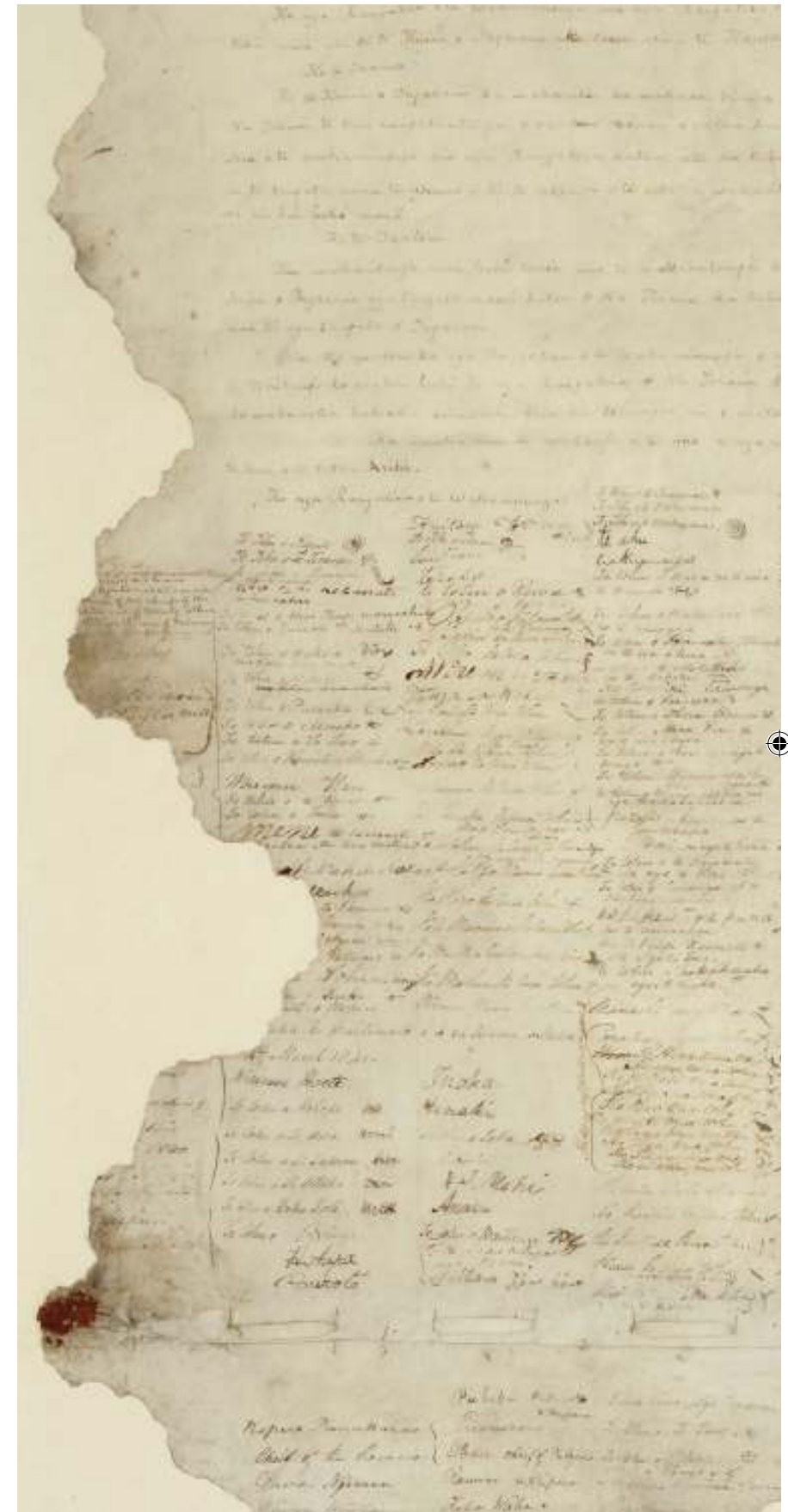
SUMMARY

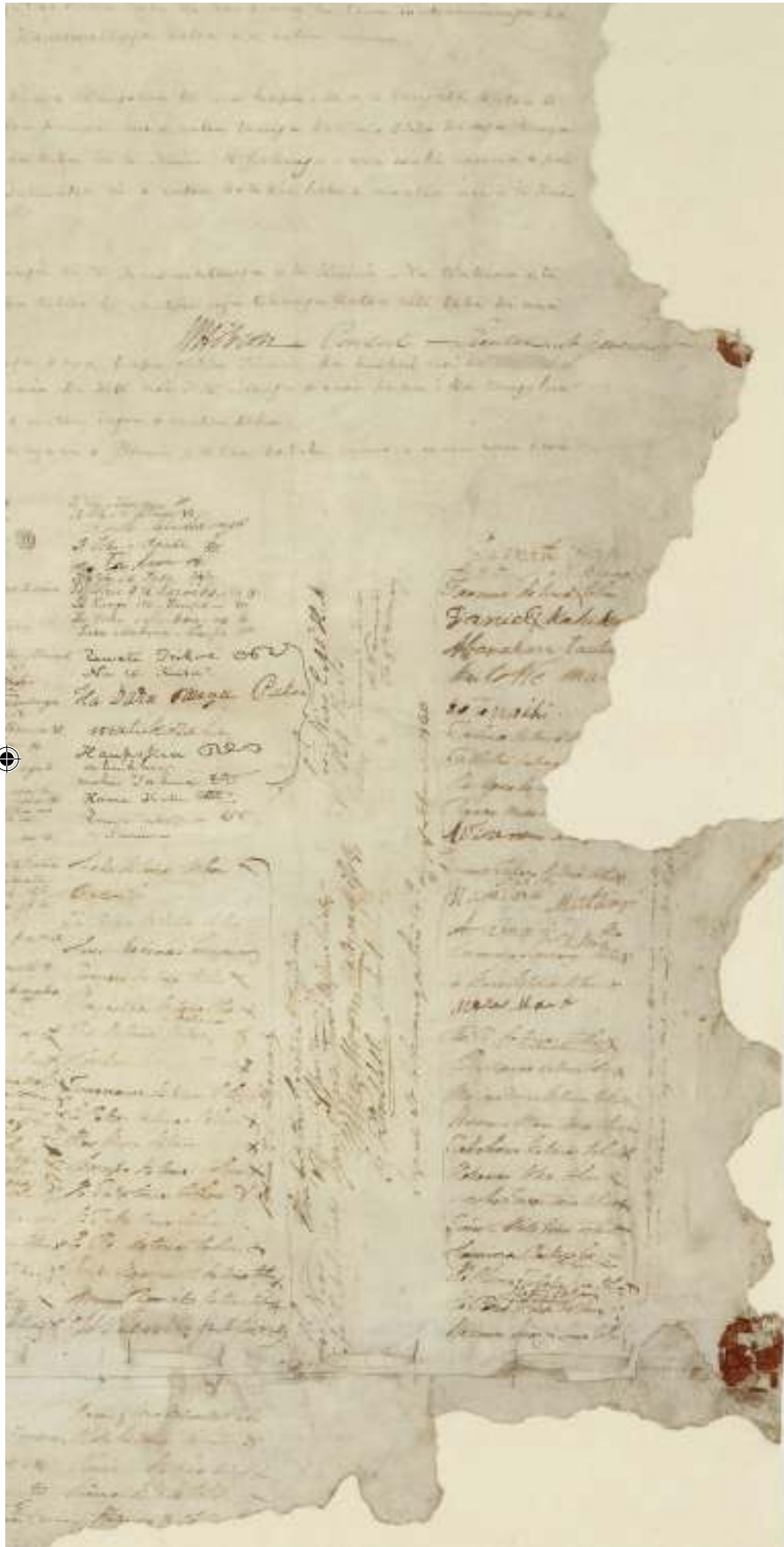
An aesthetic that does not resonate with values the community holds close is a sheen on an empty house. The CJESP must not only reflect the values held dear to Ngāi Tahu but must also provide the basic virtues that underpin the core western virtues outlined above.

How the artists represent these ideals is a matter for discussion. What is important is the alignment of values and design.

DESIGN INTERPRETATION

How are the strong sense of commitment to the Rātana movement, the influence that it has on Ngāi Tahu and the values that it represents reflected in the design?





THE TREATY OF WAITANGI

The Treaty of Waitangi is the basis of New Zealand as a nation state and as such should take centre stage for any design team. What is important to understand is that the Treaty should not be seen as a solely Māori document. Rather than outline the history of the Treaty of Waitangi and Ngāi Tahu, it is more important that the design team focuses on two ideas: first, the Flag of the United Tribes; and second, the principles to the Treaty of Waitangi as outlined in the 1987 Court of Appeal case, *New Zealand Māori Council v Attorney General*. This case was presided over by Sir Robin Cooke, who outlined what he saw to be the principles that underpinned the Treaty of Waitangi.

Those principles were:

- the acquisition of sovereignty in exchange for the protection of rangatiratanga
- that the Treaty established a partnership, and imposes on the partners the duty to act reasonably and in good faith
- the freedom of the Crown to govern
- the Crown's duty of active protection
- the duty of the Crown to remedy past breaches
- Māori to retain rangatiratanga over their resources and taonga and to have all the privileges of citizenship
- the duty to consult.

Most of these principles were based on the instructions from Lord Normanby, Secretary of State for the Colonies, to Captain William Hobson, the first Lieutenant Governor of New Zealand. It was these instructions that underpinned the Treaty of Waitangi, and Lord Normanby at least had noble intentions. The instructions are significant because they provide a glimpse of how Normanby imagined the relationship between Māori and British settlers would be. It is a highly idealised and essentially humanitarian document.

These principles are reflected in the Canterbury Earthquake Recovery Act 2011. How we incorporate them into this project is a matter for discussion. At this stage it is important to note that they need consideration. What is important to understand is that the principles have been a feature of Ngāi Tahu rhetoric since the Treaty of Waitangi was signed in 1840. For Ngāi Tūāhuriri and Ngāi Tahu there is no debate about principles 1, 2, 3, 5 and 7. Ngāi Tahu understand the Crown's right to govern and our duty to act towards one another both reasonably and in good faith. How we actively protect Ngāi Tahu's role in the rebuild and retain our rangatiratanga over our resources is a matter for discussion as citizens and tangata whenua of Christchurch.

DESIGN INTERPRETATION

The design team must consider how it reflects the Treaty of Waitangi and, in particular, from a Ngāi Tahu perspective, the Flag of the United Tribes and the principles to the Treaty of Waitangi as outlined in the 1987 Court of Appeal case, *New Zealand Māori Council v Attorney General*.

PRINCIPLES OF KEMP'S DEED

Our friend Governor Browne, we salute you. Welcome, Governor, Welcome! Welcome! Welcome! Welcome thou, the head of New Zealand assemblies, both European and Māori. We salute you.

Listen to our cry of welcome – from the people of Kaiapoi, of Rāpaki, of Purau, of Port Levy, of Akaroa, of Wairewa, and of Taumutu. Give ear also to our sayings. . . . We are like unto a Cormorant sitting on a rock. The tide rises, it flows over the rock, and the bird is compelled to fly. Do thou provide a dry resting place for us that we may prosper.⁸

The previous section referred to the 1987 Court of Appeal case and the principles of the Treaty of Waitangi. This section is more concerned with the principles of 'Kemp's Deed', which is specific to Canterbury and the arrival of the early settlers.

One effect of the Treaty was that it was meant to allow the Crown to facilitate the purchasing of the land from Māori, with the Crown then on-selling to settlers or commercial interests. From 1844 to 1863 Ngāi Tahu sold their lands to the Crown in a series of nine purchases. The largest of these was the Canterbury Purchase of 1848, which saw 20,000,000 acres sold for £2,000. The Canterbury Purchase is known as 'Kemp's Deed' after the Native Secretary who was appointed to negotiate the Canterbury Purchase for the Crown. The Canterbury Purchase was then followed by the Port Cooper and Port Levy purchases of 1849 and the Akaroa Purchase of 1856.

These purchase deeds were all contested by Ngāi Tahu throughout the 19th and 20th centuries. All of the South Island purchase deeds eventually formed the Ngāi Tahu Claim which was formally settled in 1998 under the Ngāi Tahu Claims Settlement Act. This section is not a historical review of the Ngāi Tahu Claim, but more of a commentary on the values that underpinned the principal land purchase, the 1848 Canterbury Purchase Deed.

What should not be forgotten is the absolute poverty faced by Ngāi Tahu throughout the 19th century and the fortitude and resilience of our leadership in seeing this 'hara' resolved. The harrowing poverty inflicted upon our people by the Crown and the settler government must be included in the design. One elder, Hoani Uru, recalled in 1890 the hopelessness his people felt, when he told a Royal Commission:

All the people who have families have a great struggle to maintain them. Better be dead and out of the way, as there did not appear to be any place for them in the future.⁹

This was not simply his view. Mackay noted elsewhere it was a belief other Ngāi Tahu:

Some of the younger men, when testifying as to the insufficiency of the acreage owned by them for the support of their families, remarked that it would be better for them all to die, as there appeared to be no future for them; every year they found it more difficult to find employment, and if the labour-market was closed against them it would be impossible to live on the small parcels of land they possessed.⁷

And in fact Pākehā who had lived with Ngāi Tahu and the Ngāi Tūāhuriri in Banks Peninsula communities also recognised the tragedy of the Crown's failings. The Rev. J.W. Stack, of St Stephen's Church Ngāi Tūāhuriri wrote:

8. *The Māori Messenger, Te Karere Māori, 1860, Vol. 7 (20), pp 5–9.*

9. 'Middle Island Native Claims by MR. Commissioner Mackay,' *Appendices to the House of Representatives, 1890, G-II, p 58.*

10. *Ibid, p 3.*

I lived to feel the tingling blush of shame whom these deludes of Māoris wary of waiting charged me with complicity in a fraud, charged me with taking a bribe from the Government to deceive them. In vain I appealed to my life work amongst them and into the proofs I have given of disinterested friendships for Ngāi Tahu, they scorned my claim to be regarded as a friend, and publicly in their tribal gatherings branded me as a deceiver, the aider and abettor of those who had deliberately broken their most solemn pledges. The old chiefs are now dead, their last years so many of them having been embittered by the want of the common necessities of life, such as food, clothing and firing, of which they were deprived by those who took away their native sources of wealth, and failed to supply them with the European equivalent which they had agreed to give in exchange.¹¹

DESIGN INTERPRETATION

That the Ngāi Tahu Claim and Canterbury Purchase were settled under the 1998 Ngāi Tahu Claims Settlement Act does not mean our past should be forgotten and irrelevant to our present. For that reason, it is important for the design team to have some understanding of our past as well as the values that we attach to the 1848 Canterbury Purchase.

Equally important is that the underlying principles of Kemp's Deed be understood so that they shape and redefine a future for Ngāi Tahu, Māori and the Crown. Two important values within the deed are the idea of the Crown reserving land for us to live upon that was 'kāinga nohoanga' and attached to these reserves would be mahinga kai.

11. *Supporting Papers to: The Evidence of Tony Walzl (Wai 27 M-15, Stack to Stevens 11 July 1888 Māori Affairs MA 67: (23), 204), Ngāi Tahu Archives, University of Canterbury.*

KĀINGA NOHOANGA

The Canterbury Purchase is quite clear in the intention that land was to be reserved for Ngāi Tahu as 'kāinga nohoanga' and mahinga kai. The purchase deed is quite explicit on this matter:

Ko o matou Kāinga nohoanga ko a
matou mahinga kai, me waiho marie
mo matou, mo a matou tamariki, mo
muri iho i a matou

Our places of residence and our
cultivations are to be reserved for us
and our children after us.

There are three clear intentions underlying this deed. First, the Crown was to set aside land for our people to reside upon. Second, the Crown was to set aside land that would be reserved as 'mahinga kai'. The final point was that these promises were to be kept for future generations.

The Crown did in fact set aside reserves for tribal members, throughout Canterbury, as places of 'residence'. These lands were known as 'Native Reserves' or in later years, 'Māori Reserves'. The largest of these reserves in Canterbury was the Kaiapoi Māori Reserve 873. However, most traditional kāinga of villages of Ngāi Tahu were located on reserved land at Kaiapoi, Te Muka, Taumutu, Waihao, Moeraki and Puketeraki. Throughout the 19th century through to the middle of the 20th century, these villages existed as Ngāi Tahu centre points where the culture and identity of the tribe were maintained and fostered. That we exist as a tribe is due to the fact that these villages were essentially Māori – and were seen by tribal members as the places where Māori custom and tradition could exist without the intrusion of Pākehā assimilation policy.





12. Alexander Mackay, *Compendium of Official Documents Relative to Native Affairs in the South Island, Vol 2, Govt Printer, 1872, pp 95–103.*

In order for Ngāi Tahu to occupy these reserves in an ordered manner, our people constituted the first Rūnanga in the South Island and possibly in all of New Zealand. The task of the Rūnanga was to act as a tribal council for land owners, and chief among the tasks was the subdivision of land and the allocation of individual title. Ngāi Tahu elders had the very clear view that they were to have individual title that could be subdivided. This discussion was observed by Walter Buller, who Grey had sent to Kaiapoi in 1859 to oversee the survey of the Kaiapoi Māori Reserve. Buller reported that the Rūnanga agreed to the following motions:

1. That the primary sub-division and apportionment of the land should be arranged by them in Rūnanga.
2. That as a fundamental condition of the proposed grants, the estates and interests created thereby should be entailed, so as to make them inalienable to persons of other than the Māori race.¹²

And this idea was again placed before the Crown when Governor Gore-Brown visited Ngāi Tahu in 1860. The Kaiapoi and Rāpaki elder, Paora Tau, echoed the views of his Rūnanga when he told Gore-Brown:

The voice of all the people is, that our land Reserves be subdivided, so that each may have his own portion. We ask you to give to each man a title in writing to his own allotment. But we leave the matter in your hands, o Governor. Our reason for urging the subdivision of our land is that our difficulties and quarrels may cease, that we may live peaceably, and that Christianity and good works may thrive amongst us.

The right to possess individual title and to subdivide was to occur in the following decade.

It was in these villages that our Rūnanga were established and exist today. The reason

that this issue appears in this report for the design team is that despite the Treaty relationship the Crown acknowledges, it has fundamentally failed to protect these villages and the rights that were promised for Ngāi Tahu and future generations. Quite simply, if these areas and zones of Ngāi Tahu identity are not protected, then the identity of the tribe is threatened. Contemporary Crown legislation and council policies have slowly eroded these villages and this fundamentally attacks the core identity of the tribe.

The start of this erosion process can be traced to the Town and Country Planning Act 1958 and the Māori Affairs Amendment Act 1967. The Town and Country Planning Act essentially gave local councils the right to rezone Māori land and the 1967 Māori Affairs Amendment Act allowed the council to regulate Māori land. In fact the 1967 Act was the catalyst for the Māori Land March of 1975. The Act also introduced the compulsory conversion of Māori-owned land into general land. This allowed the Government as the 'Māori Trustee' to acquire perceived uneconomic lands and pay a simple fee to the collective Māori owners. This amendment alone resulted in over 1.5 million acres of Māori land being seized and transferred over to the Māori Trustee.

What this Act did in practice was to allow local councils to rezone Māori land into a rural zone, which had the effect of limiting housing density to one house per 10 acres. The tragedy here was that most Ngāi Tahu had been allocated less than 10 acres well over a century earlier, which automatically placed a ceiling on how many homes could be built on Māori land. The outcome of this Act was that once the local councils rezoned our traditional villages or kāinga, our people were no longer allowed to build upon their family lands. Before the Act, parents simply allocated land to their children to build upon because the land had been designated as 'a place of residence' or kāinga nohoanga under the 1848 Canterbury Purchase.

Historians and anthropologists often refer to the ‘urban drift’ of Māori from the traditional villages after World War Two. However, the traditional push–pull arguments to explain urbanisation tend to take second place to the simple fact that legislation prohibited Māori from building upon their tribal lands. Māori communities could not keep their whānau on their land, despite the fact that Māori parents had land to allocate to their children. Urbanisation of Māori occurred because local council planners actually ‘planned’ the destruction of Māori villages and Ngāi Tahu kāinga nohoanga by rezoning them. The reason why Ngāi Tahu live on the east side of Christchurch is because they were prohibited from building next to their parents.

The village of Ngāi Tūāhuriri, or the Kaiapoi Māori Reserve, is the largest reserve in the Canterbury Purchase. However, all other Ngāi Tahu villages suffered the same fate. The loss of tribal members from their communities occurred between the 1950s and 1970s, and this was solely due to Crown legislation and council policies.

Despite the fact that the Crown acknowledged the problems of the Māori Affairs Amendment Act 1967 and removed the offending clauses in 1974, the councils have retained their role in rezoning Māori land regardless of the basic promises to Ngāi Tahu in the 1848 Canterbury Purchase. Even as late as 2005 the Waimakariri District Council still maintained the rural zone imposed in 1967 by way of the Māori Affairs Amendment Act. Furthermore, no consultation occurred with the Māori community– counter to a basic Treaty principle declared nearly three decades earlier.

Underpinning this behaviour is a fundamental lack of awareness of how the Treaty of Waitangi is still relevant today and the view that the wrongs committed upon Māori were a phenomenon of the 19th century and the early settlers. This inability by New Zealanders to

see culturally persistent behaviour that resembles that of the early settlers is a matter of concern and should be incorporated into the design values.

The whole Christchurch rebuild is centred on restoring and retrieving the identity of Christchurch, which Ngāi Tahu endorse. Christchurch was a city founded under the leadership of John Godley and the Canterbury Association. The building of the Anglican Cathedral and the establishment of a Bishop were both statements of identity that made Christchurch a principal New Zealand city. Christchurch is the way it is because of how it was planned by its founding fathers.

What is important for Ngāi Tūāhuriri is that the judicial community acknowledges the importance of Ngāi Tahu communities, their kāinga nohoanga and the basic principles within Kemp’s Deed. For the design team, this means acknowledging that Ngāi Tahu communities and villages are still important and that they must be fostered.

Christchurch was designed around the values of the power culture of the 19th century and the centre point of those values was the Anglican Church and the Cathedral. No one would have imagined placing the Catholic Cathedral at the centre of the city and it is no mistake that it sits on the margins of the city’s four avenues. The central dominance of the Anglican Cathedral should come as no surprise. Christchurch was after all designed to be a ‘vertical’ slice of England. The problem was that Ngāi Tahu were peripheral to this grand vision. The very fact that Ngāi Tahu were not allocated any reserves in Christchurch other than on the Heathcote Estuary, which was then compulsorily taken under the Public Works Act in 1956 for the building of the Bromley Sewage Ponds, is a good indicator of how Ngāi Tahu were viewed in the scheme of the city.

The reason bureaucrats and policy planners

can simply ignore Ngāi Tahu communities and villages is that they are not visible and are beyond immediate urban concerns. The villages, people and Rūnanga of Ngāi Tūāhuriri, Taumutu, Rāpaki, Port Levy-Koukourārata, Wairewa and Ōnuku must be designed into the city plan and the CJESP is central to this design plan.

Māori are often seen as a social concern rather than as a people with specific rights promised to them by the settler state. And, although those rights challenge the democratic ideals modern nations imagine all peoples to have, Christchurch exists on the basic fact that in the 19th century our people were relocated away from Christchurch to reservations with specific rights promised to them and their descendants. One of those promises is that, just as Christchurch would exist and flourish, so too would our local villages. In fact, this is what Governor Sir George Grey said:

Of course I imagined that Native Gentleman would arise in the country – men living with comfort. I did not imagine setting up a servile race, with fourteen acres a head. That was never my intention... I should say generally this: that the impression upon my mind was, that each chief would have as much property kept for him as would enable him hereafter to live comfortably as a European gentleman, and that every native farmer should have a farm kept for him, with sufficient land to run their stock on besides. That was decidedly my conception of what should be done, at the least.¹³

While the language is difficult to accept (Native Gentleman) and we can also be skeptical about Grey's recollection, it would be reasonable to assume that he never wished to see Ngāi Tahu impoverished. Likewise, it's difficult to imagine that he ever imagined the Crown actually prohibiting Ngāi Tahu from building upon land his Office had confirmed. The judicial system needs to be aware of Ngāi Tahu and more recent urban-Māori communities – that they exist and matter.

DESIGN INTERPRETATION

1. Despite the Treaty relationship the Crown acknowledges, it has fundamentally failed to protect the allocated villages and the rights that were promised for Ngāi Tahu and future generations. Quite simply, if these areas and zones of Ngāi Tahu identity are not protected, then the identity of the tribe is threatened. Contemporary Crown legislation and council policies have slowly eroded these villages and this fundamentally attacks the core identity of the tribe.
2. What is important for Ngāi Tūāhuriri is that the judicial community acknowledges the importance of Ngāi Tahu communities, their kāinga nohoanga and the basic principles within Kemp's Deed. For the design team, this means acknowledging that Ngāi Tahu communities and villages are important and must be fostered. The very fact that Ngāi Tahu were not allocated any reserves in Christchurch other than on the Heathcote Estuary, which was compulsorily taken under the Public Works Act in 1956 for the building of the Bromley Sewage Ponds, is a good indicator of how Ngāi Tahu were viewed in the scheme of the city.
3. The reason bureaucrats and policy planners can simply ignore Ngāi Tahu communities and villages is that they are not visible and are beyond immediate urban concerns. The villages, people and Rūnanga of Ngāi Tūāhuriri, Taumutu, Rāpaki, Port Levy-Koukourārata, Wairewa and Ōnuku must be designed into the city plan and the CJESP is central to this design plan.

13. D. Armstrong, *Te Arawa Land and Politics: A Report for the Crown Forest Rentals Trust*, November 2002, p 73.

MAHINGA KAI

In 1879 at Kaiapoi, Wiremu Te Uki stood before the Smith–Nairn Commission and declared:

We used to get food from all over our Island; it was all mahinga kai. And we considered our island as in a far superior position to any other, because it is called Waipounamu, the greenstone island; the fame thereof reaches all lands.¹⁴

Te Uki had an obvious pride in his mahinga kai that was more than economic. Mahinga kai identified who he was and where he was from. There is a cultural connection here associated with mahinga kai that needs consideration. Usually mahinga kai has been discussed in functional terms represented in phrases such as “the seasonal round”, used to describe the migratory habits of Ngāi Tahu. Rarely, if ever, has a cultural connection been made to mahinga kai.

As stated earlier, mahinga kai is a reference to a phrase taken out of the 1848 Canterbury Purchase. One of the conditions of sale was that the document promised Ngāi Tahu that all its “mahinga kai” would be reserved for them. The relevant part of the text stated:

Ko o matou Kāinga nohonga, ko a matou mahinga kai, me waiho marie mo matou tamariki, mo muri ihi ia matou, a ma te kawana e whakarite mai hoki tetahi wahi mo matou a mua ake nei, a te wahi a ata ruritia te whenua e nga kai ruru.¹⁵

The Crown interpreted the above text thus:

... our places of residence and cultivations must still be left to us, for ourselves and our children after us. And the Governor must appoint a quantity of land for us hereafter when the land is surveyed.¹⁶



14. W Te Uki NA /MA/ 67/4: 295

15. Alexander Mackay, *Compendium of Official Documents Relative to Native Affairs in the South Island, Vol 2, Govt Printer, 1872, p 238.*

16. *Ibid*



Image Credit: Paul Shackleton

The shape of the problem was the interpretation of that term “mahinga kai”. Mahinga kai is given different interpretations by the Crown and by Ngāi Tahu. The Crown’s interpretation confines mahinga kai to its minimal definition, which is cultivations. In 1868, at a Native Land Court hearing in Christchurch, Fenton ruled that he was bound to accept the Crown’s interpretation of mahinga kai. Fenton declared:

The court is of the opinion that Mahinga kai does not include Weka preserves or any hunting rights, but local and fixed works and operations.¹⁷

Fixed works were to mean gardens and fixed eel weirs. On the other hand, Ngāi Tahu has given mahinga kai several definitions. In 1879 at the Smith–Nairn Commission, Wiremu Te Uki defined mahinga kai as:

Places where we used to obtain food, the natural products of the soil.¹⁸

Later Te Uki added that mahinga kai meant:

Places where we used to catch birds. The places where we used to catch ducks – paradise ducks ... we used to get food from all over our island; it was all mahinga kai.¹⁹

Under further questioning Te Uki added that mahinga kai also referred to “eel weirs”. Other Ngāi Tahu witnesses continued to confirm and enlarge upon what Te Uki had stated.

In a petition in 1891 by Te Ngāi Tūāhuriri Rūnanga, the Rūnanga interpreted the original passage of Kemp’s Deed as follows:

Our food producing places or places where we might expect to obtain future supplies of food and all fisheries are to be reserved for us and our children after us, and it shall be for the Governor hereafter to set apart some portion for us.²⁰

The contrast in interpretations is obvious. One party, the Crown, takes a limited approach. The other (Ngāi Tahu) has a wider, more general interpretation to mahinga kai. However, much of this dispute, which lasted right through to the 1998 Ngāi Tahu Claims Settlement Act rested on the narrow and limited view that the judiciary took on this matter.

17. *Minutes of the Native Land Court 1868 National Archives, LE /1880 /6: The Petition of Te Oti Pita Mutu to the Native Affairs Committee.*

18. *Evidence of Wiremu Te Uki #11, National Archives, Māori Affairs Ms, 67 /7, 14 May 1879. Also Ngāi Tahu Archives, Te Rūnanga o Ngāi Tahu.*

19. *Evidence of Wiremu Te Uki #11, National Archives, Māori Affairs Ms, 67 /7, 14 May 1879. Also Ngāi Tahu Archives, Te Rūnanga o Ngāi Tahu.*

20. *R. T. M. Tau: Wai 27 H6*



Maahunui II, Te Ngāi Tūāhuriri's new wharehau was officially opened 1 December, 2012, replacing Te Maahanui opened in 1912



MĀORI LAND COURT

A key question that needs to be considered during the design phase of the CJESP is whether the Māori Land Court should be located within the Precinct. In its original guise, the Native Land Court was established under the 1865 Native Land Act to “extinguish native title”. Legislation passed by the Crown and the role of the Court right through to the present have hardly been of benefit to Māori.

The question is whether the Māori Land Court is cognisant of Ngāi Tahu concerns and values and the differences between it and other iwi.

The only previous time the role of the Māori Land Court and its location have been raised formally with Ngāi Tūāhuriri and Ngāi Tahu was in the 1980s during the Royal Commission on Social Policy. One of the clear views among Ngāi Tahu at that stage was that the Māori Land Court was poorly situated and that perhaps it should be located at Kaiapoi where it had traditionally been located.

This matter was not pursued further. However, there does need to be consultation on this matter. This matter is raised because Ngāi Tūāhuriri recently hosted consultation on where the Rangatahi Court should be located and the clear view of the Māori community was that Ngā Hau E Whā was the best place.

DESIGN INTERPRETATION

Stakeholder engagement and consultation are required around the most appropriate place for the Māori Land Court to be situated.

MANA MOTUHAKE – INDEPENDENCE AND AUTHORITY

By means of the municipal institutions lately granted to New Zealand, the colonists will have the power of managing their own local affairs without interference.

Canterbury Association, 'Canterbury Papers', Association for Founding the Settlement of Canterbury in New Zealand by John W. Parker, 1850, p 7

There is another King of this island, he is Tūāhuriri. Although he is dead his authority remains with us, his descendants. We have great mountains on this island, Tapuae-o-Uenuku, Kai-taurau, Maunga-tere, Ahu-patiki, Tarahoua, Mihi-waka and Rakiura. (*Pita Te Hori, first Upoko Rūnanga of Te Ngāi Tūāhuriri Rūnanga*).

The idea of self-governance or even self-management for Māori has always challenged the Crown, despite the fact that the United Kingdom has managed to accommodate its own distinctive brand of devolution for some time. Likewise when New Zealand became a colony, John Godley had a distinct view on the matter of self-government. When Sir George Grey proposed his Bill for a New Zealand Constitution, Godley took the position that self-government was the sole option for Christchurch. In rejecting Grey's proposal, Godley declared:

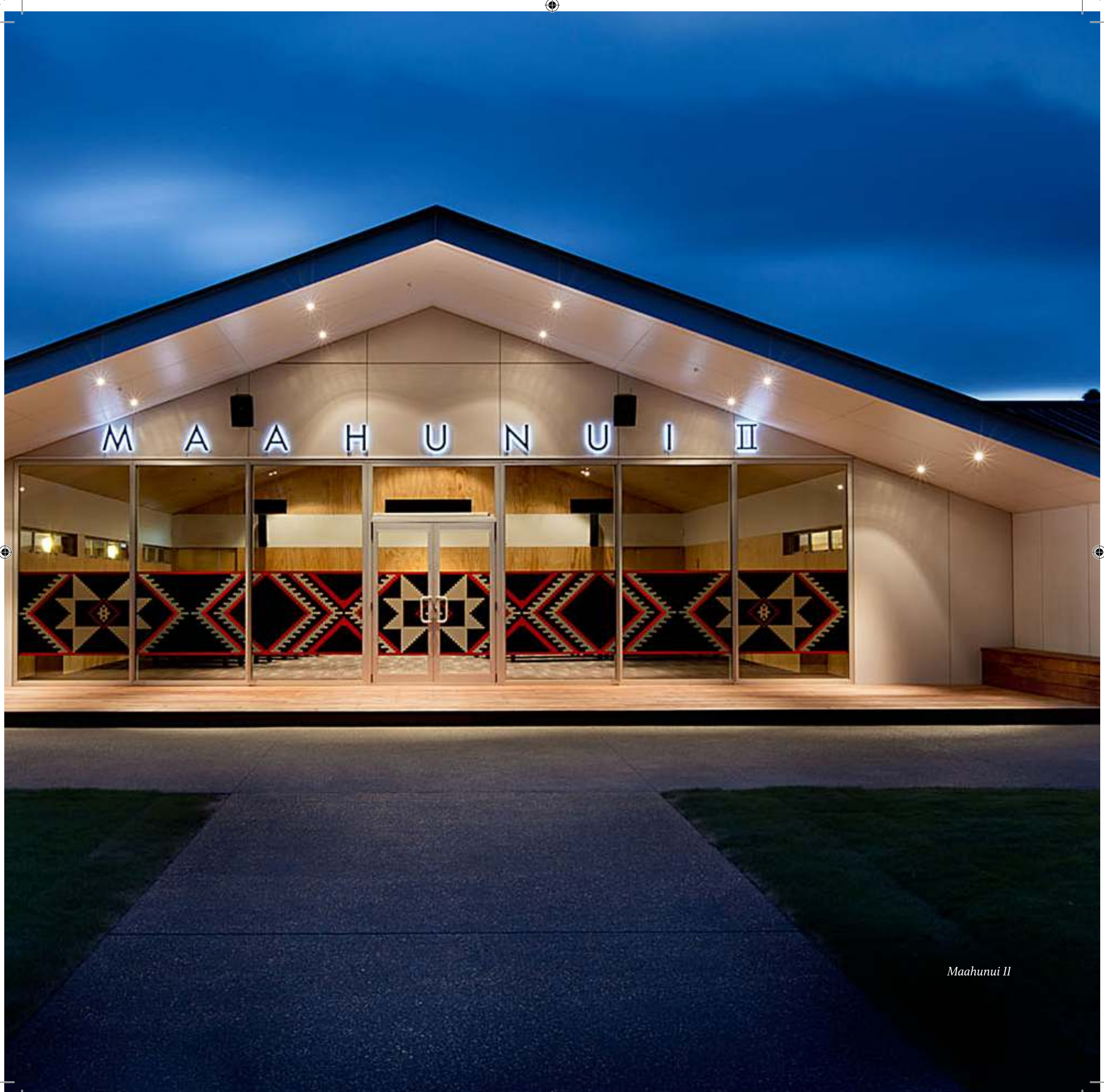
No, sir, the object which the colonists of New Zealand have given their energies to obtain, and which they will obtain, if they be true to themselves, is . . . political power; the power of virtually administering their own affairs, appointing their own officers, disposing of their own revenues, and governing their own country.

A quick scan of Godley's writings makes it clear that he wanted New Zealand to be the first colony with its own sovereignty. He had little time for representative arguments which he saw as little more than provincial debating clubs. He also found it "ridiculous and inexplicable" that New Zealand could not pass legislation that England found "repugnant" to the laws of England. Yet, Godley was conflicted, and at the same time saw New Zealand as part of the British Empire, and in fact a colony. His view was that New Zealand was to be "pre-eminent and alone among the colonies". Much of Godley's reasoning was a reaction against Grey's role as Governor. However, despite Godley's demand for self-government, he was less capable of applying his argument to Māori, who he saw as having little role in any representative government. On that matter, Godley's politics were as despotic as his antagonists. Godley wrote:

As the case now stands, I regard by no means without uneasiness the possibility of the constituencies being utterly "swamped" by Māoris. I do not know exactly how the law may come to be worked, but if it be worked fairly and impartially, I foresee that in the Northern Island almost any amount of Māori votes may be created among a population wholly incapable of understanding the simplest rudiments of the questions on which their votes will be brought to bear.

In regard to Māori, John Robert Godley and Sir George Grey held much the same view. Their settlement was, in this context, rooted deep in the swamp of double standards. Yet what is fascinating is that the idea of mana-motuhake (independence and authority) was less antagonistic to rule from Downing Street. Māori simply understood the need to regulate and





Maahunui II

have authority over their lands and world, while also fitting within the larger imperial world. This was the point, after all, of the Flag of the United Tribes. Māori would manage and run their own trade while fitting within international law.

This idea of Ngāi Tahu maintaining their own mana is indicated in our earliest petitions to the Crown, where leaders insisted on the Crown confirming their mana to their traditional lands and mahinga kai. This was evident in 1862 when the leading Ngāi Tahu chief, Te Matenga Taiaroa, delivered his 'ōhākī' or death speech to his iwi, tribe and son. 'Ōhākī' by tribal leaders are often given before their death so that successive generations maintain the values, principles and agreements reached in their lifetimes. Matenga Taiaroa spans the 19th century as the principal rangatira of Ngāti Ruahikihiki and defender of Kaiapoi Pā. Taiaroa then led a series of successful campaigns against Ngāti Toa in the Wairau-Port Underwood region, which eventually led to a peace settlement between the two tribes. Following this period of warfare Taiaroa acted as a signatory to the Treaty of Waitangi at Ōtākou and then took a leading role in the major land purchases of the South Island with the Crown, which included the 1844 Otago Purchase and the 1848 Canterbury Purchase. Matenga Taiaroa died in 1863, leaving behind a significant legacy for his son and representative for Southern Māori, H.K. Taiaroa. As his death drew closer, Taiaroa was anxious that Ngāi Tahu commit themselves to their relationship with the Crown, but that they also maintain their mana. To ensure the relationship was maintained, Taiaroa dictated his ōhākī to his son, H.K. Taiaroa. Taiaroa told his people:

To all my tribe, to my hapu and to my son,

Let me bring these words to your remembrance, that they may be impressed on your memory In the future, after I am dead and gone, that you may understand and judge for yourselves respecting the lands that I sold to the Europeans. The European land purchases made certain statements in all purchases of land. Firstly, Be good to my nation, to the Pākehā, for it was I that brought them to this Island, to Te Wai Pounamu, in former years.

It was I and some other chiefs that went to Port Jackson (Sydney), and arranged a covenant there, in which we placed the whole of the Island of New Zealand under the sovereignty of the Queen, and the covenant was drawn up there, and the Governor of that Colony gave a token of honor, also the Queen's flag to me, and to Tuhawaiki. The Governor also gave us all authority (mana), and to us was the authority over the whole of our Island, Te Wai Pounamu. The Queen was also to be our parent, (protector), that no other of Her Majesty's subjects, or any foreign nation should interfere, or take, or sell, or otherwise dispose of our land, without our consent given to any other nation.

We agreed to these arrangements of the Governor of New South Wales, and that covenant was established.

After that was the Treaty of Waitangi, and I and my tribe agreed a second time.²¹

Taiaroa is specifically referring to the negotiations on 14 February 1840 between Tūhawaikai and Governor Sir George Gipps of New South Wales. The flag that was gifted to Tūhawaiki would have been the Flag of the United Tribes of New Zealand or, as it is sometimes known, the Flag of Independence.

The ideas that underpinned Taiaroa's ōhākī were commitment to Queen Victoria and the Crown's right to govern in return for recognising their authority. Tūhawaiki, Taiaroa and Karetai

21. *Translation of copy of statement made by H. T. Taiaroa's father on 13 February, 1862 and handed in on 27 September, 1872, AJHR, 1872, H-9, pp 8-9.*

had made this commitment because they had just emerged from over a decade of warfare with the Northern tribes and were prepared to negotiate with the British Empire, not only to gain the Queen's protection but also because they believed in the Queen and incorporated the values of the law and Christian ideals.

What Taiaroa also tells us is that the relationship established his mana over the island. The point to be noted is that these leaders did not see a contest between the covenant established with the Crown and the belief that the covenant confirmed their mana to the island. This is possibly why iwi tend towards the view that the Treaty confirmed upon them 'mana motuhake', which indicates that while the Crown possessed its sovereignty, its duty was to also ensure tribal 'mana' that was distinct and separate (motuhake) from the Crown.

The mana motuhake spoken of by Taiaroa was not directed solely at the Crown. It was simply a statement of Ngāi Tahu authority in regard to the Crown and other iwi. This situation is seen again in 1860 when Taiaroa attended the Kohimarama Conference. Taiaroa essentially outlined his position to the Kingitanga when he stated his tribe's loyalty was to the Queen, eventually finishing with the statement:

Taiaroa,. . . Kihai au i haere mai ki te Kingi: i haere mai au ki te Kuini; kahore aku kupu ke. Mate Kingi ta te Kingi e mahi. Otira me Kingi katoa tatou e tu nei! Taiaroa, (Ngāi Tahu)
Otago: I did not come to support the King: I came to support the Queen. I have no other subject to speak on. Let the Māori King do his own work; but let all of us here assembled be Kings.²²

Taiaroa's saying, "me Kingi katoa tatou e tu nei", simply establishes the mana of all iwi as being equivalent and equal. Despite the modern use of 'kingi', the idea behind the proverb is traditional and is probably better understood among other iwi through pepeha such as "Waikato, taniwha rau" or "Ngā Puhī, kōwhao rau".

One important point to note is that whenever Māori spoke of their mana in relationship to other iwi, they used the mountain as a basis from which to display their mana, independence and ancestral authority. Like Taiaroa, the Upoko Rūnanga of Ngāi Tūāhuriri, Pita Te Hori, made Ngāi Tahu's authority and mana clear when he wrote to his people explaining why the people of Ngāi Tūāhuriri had jailed a North Island Māori for what they called "sedition" against the Queen. Te Hori wrote to members of the tribe explaining the reasons for his Rūnanga's actions and the nature of Ngāi Tahu mana:

Friends, my dearest friends, to the people who live in this island, listen here. Those of you from one point of this land, to the other point, to those that dwell in between, to all white people, to those who live in Te Waipounamu, and all who inhabit the Island where the fire's of Mahuika burns. To the Māori, you must all listen.

Raukawa is the boundary. Let not the people of the Northern Island come across to this island and treat the law with contempt; neither the people of this island lay down and allow it. There is a large dividing space between them and us, like unto that between Jacob and Laban, which leaves this to continue as a perpetual testament for us. That island has been divided for your King. There is another King of this island, he is Tūāhuriri. Although he is dead his authority remains with us his descendants. We have great mountains on this island, Tapuae-o Uenuku, Kai-taurau, Maunga-tere, Ahu-patiki, Tarahoua, Mihi-waka and Rakiura.

22. *Nga Mahi o te Runanga in Maori Messenger, No 13-18, Manei 6, Akuhata, 1860, p 14.*

Friends, let not the people of that Island no longer come over to this and work deceitfully.
December 7th 1863.

E hoa mā, e ōku hoa aroha, e ngā tāngata e noho ana ki tēnei motu, whakarongomai, e tētahi pito o te motu nei, e tētahi pito, e waenganui, e ngā iwi Pākehā, e noho ana ki Te Wai Poenu (Pounamu), me ngā tāngata hoki e noho ana ki tērā moutere i te ahi ā Mahuika. E ka Māori, ki a rongomai koutou.

Ko Raukawa, te rohe. Kia kua te tangata o tērā motu, e whiti mai, ki tenei motu, takatakahi ture ai, me ngā tāngata hoki ō tēnei motu, kia kua e whakatakatoria. He takiwā nui, ki waenganui ō koutou, ō mātou, pēra hoki me tā Hakopa, rāua ko Rapana, kua waiho tenei hei kawenata mau tonu, mō koutou, mō mātou. Kua rohea atu tēnā motu mō to koutou Kīngi. He Kīngi anō ō tenei motu, ko Tūāhuriri, ahakoa kua mate ia, kei te mau anō tōna mana, i runga i a mātou, ā, ē mōhio nei anō ōna uri. He maunga nunui ana ō tēnei motu, ko Tapuaenuku, ko Kaitaurau ko Maungatere, ko Te Ahupatiki, ko Turahaua, ko Mihiwaka, ko Rakiura.

E hoa mā, kāti te tangata o tēna motu te haere mai ki konei, timanga ai.

Na,

Pita te Hori.²³

This letter provides a fascinating insight into how Ngāi Tahu saw their relationships with others, whether it be Māori or the Crown. There is much material for the design team to work from.

First, for Ngāi Tahu, Raukawa – Cook Strait – is the boundary line between Ngāi Tahu and the other iwi. However Te Hori, who was literate in the Bible and was to become a lay reader at St Stephen's Church at Ngāi Tūāhuriri, also uses the Old Testament story of Jacob and Laban to make clear that even though there was a disagreement between themselves and although relations may not be friendly, they were at least peaceful. This was of course a reference to the Land Wars of the North Island and the fact that Ngāi Tahu had aligned itself with the Crown, as opposed to the Kingitanga. Te Hori was also referring to the peace that had been arranged between themselves, Ngāti Toa and their allies.

To emphasise the mana motuhake of Ngāi Tahu and its distinction from other iwi, Te Hori then makes the authority of Ngāi Tahu clear by aligning Tūāhuriri, the ancestor of Ngāi Tūāhuriri, with the mountains of Te Waipounamu, the South Island. Te Hori tells his people:

He takiwā nui, ki waenganui ō koutou, ō mātou, pēra hoki me tā Hakopa, rāua ko Rapana, kua waiho tenei hei kawenata mau tonu, mō koutou, mō mātou. Kua rohea atu tēnā motu mō to koutou Kīngi. He Kīngi anō ō tenei motu, ko Tūāhuriri, ahakoa kua mate ia, kei te mau anō tōna mana, i runga i a mātou, ā, ē mōhio nei anō ōna uri. He maunga nunui ana ō tēnei motu, ko Tapuaenuku, ko Kaitaurau ko Maungatere, ko Te Ahupatiki, ko Tarahoua, ko Mihiwaka, ko Rakiura. E hoa mā, kāti te tangata o tēna motu te haere mai ki konei, timanga ai.

There is a large dividing space between them and us, like unto that between Jacob and Laban, which leaves this to continue as a perpetual testament for us. That island has been divided for your King. There is another King of this island, he is Tūāhuriri. Although he is

23. W. A. Taylor papers: Maori History, Box 2, Folder 9, Canterbury Museum.

dead his authority remains with us his descendants. We have great mountains on this island, Tapuaeouenuku, Kai taurau, Maunga tere, Ahu patiki, Tarahoua, Mihiwaka, Rakiura.

At the most basic level, Te Hori is simply saying that the authority of Te Waipounamu rests with Tūāhuriri (Ngāi Tahu) and their descendants. Likewise, Te Hori confirms the mana of Ngāi Tahu to Te Waipounamu by citing the mountains who are all in effect ancestors, starting with the northern-most ancestor/mountain Te Tapuae-o-Uenuku along the Kaikōura Range. Te Hori then moves southwards, citing the other mountain that Ngāi Tahu acknowledged as theirs such as Maunga-tere of North Canterbury, Te Ahu Patiki of Banks Peninsula, Kai-tarau of North Canterbury, Tarahoua of Te Muka, Mihi waka of Ōtākou and finally Rakiura (Stewart Island). However, Te Hori has also assimilated the Old Testament story of Jacob and Laban, who built two pillars, Jegar Sahadutha and Galeed, to witness the agreement to keep the peace between each other. The text from Genesis makes it easier to see how Te Hori aligned what in some ways are two disparate traditions. This passage starts with Jacob establishing the terms of peace between himself and Laban:

- 44 Now therefore come thou, let us make a covenant, I and thou; and let it be for a witness between me and thee.
- 45 And Jacob took a stone, and set it up for a pillar.
- 46 And Jacob said unto his brethren, Gather stones; and they took stones, and made an heap: and they did eat there upon the heap.
- 47 And Laban called it Jegar-sahadutha: but Jacob called it Galeed.
- 48 And Laban said, This heap is a witness between me and thee this day. Therefore was the name of it called Galeed;
- 49 And Mizpah; for he said, The Lord watch between me and thee, when we are absent one from another.
- 50 If thou shalt afflict my daughters, or if thou shalt take other wives beside my daughters, no man is with us; see, God is witness betwixt me and thee.
- 51 And Laban said to Jacob, Behold this heap, and behold this pillar, which I have cast betwixt me and thee:
- 52 This heap be witness, and this pillar be witness, that I will not pass over this heap to thee, and that thou shalt not pass over this heap and this pillar unto me, for harm.

For Te Hori, the mountains are the equivalent of the pillars built by Jacob and Laban. Te Hori is letting his people know that the mountains are similar in that they represent the covenant among the iwi and that each iwi possesses its own mana to its lands and boundaries.

DESIGN INTERPRETATION

See notes under the Flag of the United Tribes of New Zealand.

THE FLAG OF THE UNITED TRIBES OF NEW ZEALAND

The Flag of the United Tribes, also referred to as the Flag of Independence, is an obvious symbol for the design team and one that should be incorporated into the concept plan. Because it forms an important narrative in our history, its history deserves some attention.

A version of the Flag of the United Tribes is held by Ngāi Tūāhuriri and featured in their previous whareniui, Mahunui. That flag had been approved by King William IV in response to a petition from Ngā Puhi chiefs in 1831 wanting a closer trading relationship with the United Kingdom. In 1830 a trading ship, *Sir George Murray*, which was part owned by Northland Māori, was seized in Port Jackson, New South Wales for not being internationally registered.

New Zealand was not part of the British Empire and therefore could not fly under a British Flag and neither could it register.

As a result, James Busby was appointed as the British Resident in 1832, “partly to protect British commerce, and partly to repress the outrages of British subjects on the natives”.

On that basis, James Busby then proposed “a national flag for tribes of New Zealand”. James Stephen, the British Under-secretary of State for the Colonies, outlined how the flag’s design evolved:

General Bourke transmitted to Lord Stanley a proposal from Mr. Busby, for establishing a national flag for tribes of New Zealand, “in their collective capacity,” and advised that ships built in the Island, and registered by the Chiefs, should have their registers respected in their intercourse with the British possessions. Sir R. Bourke reported that he had sent three patterns of flags, one of which had been selected by the Chiefs, that the Chiefs had accordingly assembled, with the commanders of the British and three American ships, to witness the inauguration of the flag at which the officers of H.M.S. “Alligator” were also present. The flag had been declared to be “the National Flag” of New Zealand, and being hoisted, was saluted with twenty-one guns by the “Alligator,” a British ship of war. On the 21st of December, 1834, a despatch was addressed to Sir R. Bourke by Lord Aberdeen, approving all those proceedings in the name of the King, and sending a copy of a letter from the Admiralty, stating that they had instructed their officers to give effect to the New Zealand Registers, and to acknowledge and respect the national Flag of New Zealand.²⁴

Stephen was outlining the events to emphasise that, before the Treaty of Waitangi had been signed, British policy was clear that New Zealand was not seen as “part of the British dominions; and, secondly, that King William IV made the most public, solemn, and authentic declaration, which it was possible to make, that New Zealand was a substantive and independent State”.²⁵ For all intents and purposes James Busby had recommended to the Colonial Office and the Admiralty that all New Zealand built ships be registered in New South Wales. In March 1834, Busby gathered the principal chiefs from Northland, British residents, missionaries and the commanders of 13 ships to decide upon a flag. The gathering chose what is now known as the Flag of the United Tribes.

However, the flag was essentially an early ‘New Zealand Flag’ before New Zealand became a colony in 1840, at which time the Union Jack became the official flag. Once the Union Jack





became the New Zealand Flag, Hobson quickly had the ‘United Tribes’ flag removed from the Bay of Islands. Likewise, in Wellington Hobson had the flag pulled down from the Office of the New Zealand Company. We also know that Tūhawaiki flew the flag on Ruapuke Island until his death in 1844.

That the New Zealand Company also saw the New Zealand Flag as theirs gives us some insight into how we should view the Flag of United Tribes. In the eyes of colonial officials, New Zealand’s independent status was to change in 1840 when it became a colony. However, it is likely that Māori had a more subtle view.

The ‘United Tribes’ flag had confirmed to Māori their autonomy and independence – their mana motuhake – and this is why Taiaoroa refers to the flag. Māori did not challenge the sovereignty of the Queen, but they equally did not accept the Queen’s sovereignty as impacting upon their mana. On that basis, Ngāi Tahu has not endorsed the Tino-rangatiratanga Flag but has retained the Flag of the United Tribes. This brings us back to the discussion about mana-motuhake. It would not be until the 1987 Court of Appeal case, *New Zealand Māori Council vs Attorney General*, that this tension would at least be examined and partially resolved.

DESIGN INTERPRETATION

The purpose of this section was to outline the story behind the Flag of the United Tribes and why it is of significance to Ngāi Tahu and Ngāi Tūāhuriri.

The flag signifies mana-motuhake and should be incorporated into CJESP design principles.

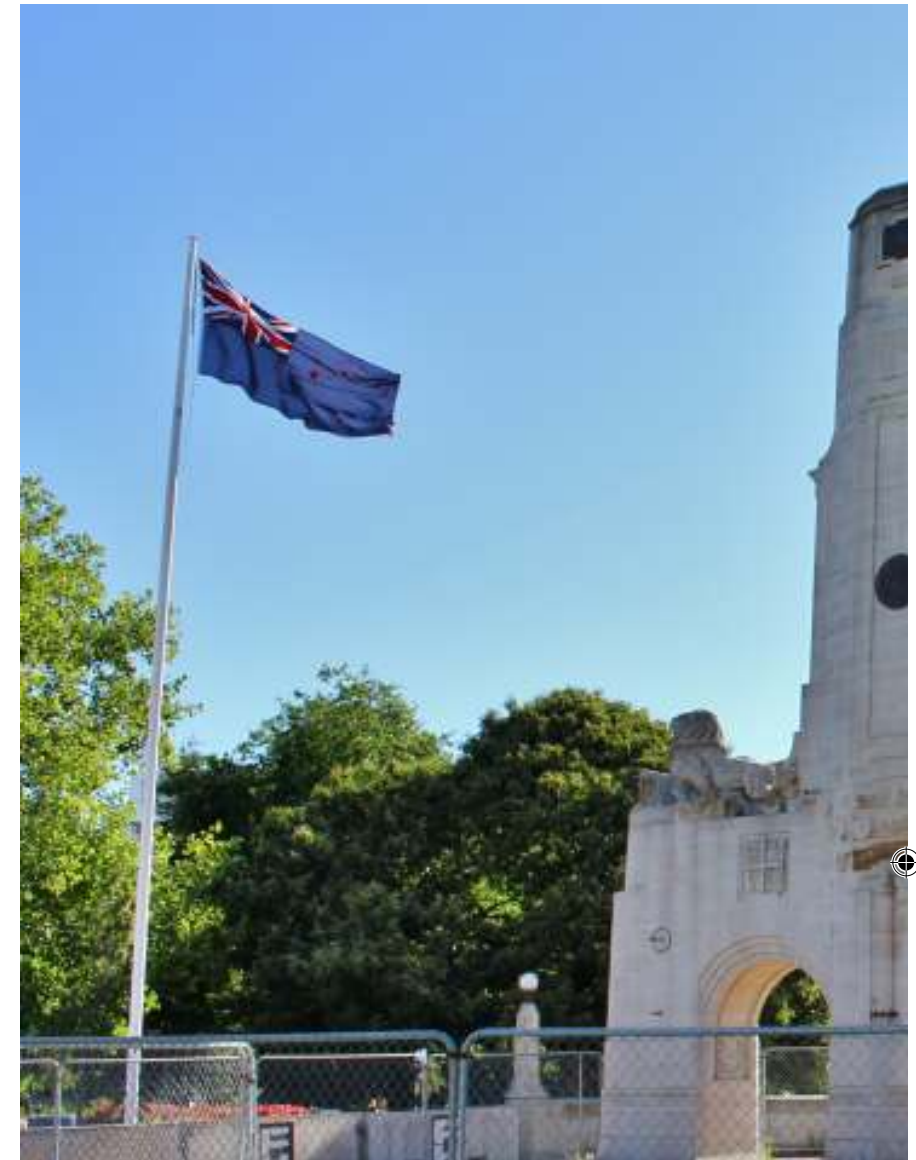
A HISTORIAN’S VIEW OF CHRISTCHURCH

by Dr Jim McAloon, Victoria University of Wellington

A discussion of a city’s values will inevitably be shaped by personal experience and perceptions as well as being informed by historical reflection. Thinking about a city’s values quickly leads to thinking of people, events, episodes and organisations where these values have been especially evident.

To begin at the beginning. It’s worth emphasising that Christchurch was part of the expanding world of British overseas settlement in the mid-19th century. The legacy is here still; in New Zealand’s parliamentary system, in the legal and judicial system. British constitutional arrangements evolve according to pragmatic and empirical considerations; so do those in New Zealand. The right to vote expanded incrementally in both Britain and New Zealand during the 19th century; the difference is in how quickly this happened. In neither Britain nor New Zealand does the prime minister operate in a quasi-presidential fashion. In both countries, local government has developed in an ad-hoc way, always in terms of what the central government has allowed or ordained. New Zealand’s provinces are expressions of identity and region, not contracting parties to a federal arrangement like Australian states or Canadian provinces. Similarly, British counties have been organised and reorganised at various times in the last two centuries.

Structures are not values. Values emerge in context, and the context is an evolving settler world. If the ‘First Four Ships’ dimension of Christchurch has been sometimes excessively mythologised



24. *The House of Commons, Report from the Select Committee on New Zealand, Govt Printer, 3 August, 1840, p 43.*
25. *Thomas Lindsay Buick, The Treaty of Waitangi, how New Zealand became a British Colony, Thomas Avery and Sons Limited, 1993, Great Britain.*



(both by its adherents and its critics), the Godley vision combined an attachment to social hierarchy with a considerable emphasis on social responsibility. It was not only the responsibility of the wealthy to contribute to the wider economic and social welfare, but also the belief (common to all the early New Zealand settlements) that self-government and involvement in public affairs by an active citizenry – a strong civil society as we would now say – were good things. If Godley was to a degree hierarchical, he accepted the inevitability of democracy and thought it essential that strong educational and cultural institutions, public and voluntary, shape the new democracy.

Christchurch had been planned as a particularly Anglican settlement and much of the 'establishment' adhered to the beliefs of the Anglican Church. Many of the early settlers were notable philanthropists. The Rhodes family were examples of the acquisitive, lower-middle-class immigrants who prospered greatly, took on some of the trappings of the gentry, and made many and large benefactions to health, religious and community facilities. Such people dedicated a good deal of time to the institutions of culture and learning, like the museum and the university college, as well as independent scientific research. Another early settler, Joseph Kinsey, a shipping agent, was a significant supporter of Antarctic exploration and of botanical research in New Zealand.

Some members of genteel society were openly nonconformist in their views, espousing social reform to the extent that they were sometimes called traitors to their class. The best-known example is William Pember Reeves, whose brief and spectacular career as a Liberal MP (1887–95) included appointment as the first Minister of Labour in the British Empire. Explicitly, Reeves sought to use state power to benefit working people: regulating hours and conditions

of employment, advancing workplace safety legislation, and above all establishing the system of industrial arbitration that gave legal recognition to trade unions, established the specialist labour jurisdiction of the Arbitration Court, and lasted almost a century. The progressive milieu of the late 1880s and early 1890s was a powerful base for women's suffrage. Kate Sheppard is immortalised on the \$10 banknote but her Christchurch base and network of "plain living and high thinking" (to quote Margie Lovell-Smith) are less well remembered. Sheppard's reformism didn't stop with winning the vote for women; she advocated economic independence for women, equality in marriage, and a loosening of stifling convention around dress and physical exercise. Welsh-born Evelyn Cunningham had been educated to university level in England, and rubbed shoulders with Kate Sheppard and other feminists in the Canterbury Women's Institute in the 1890s. With a strong Anglican faith, Cunningham attached particular importance to prison reform and relieving female poverty. By 1914 Cunningham was arguing that socialism was the economic expression of Christianity and frequently worked with, and lobbied, trade union leaders. At its most basic, Cunningham's socialism amounted to the proposition that 'all must share in the good things in life, not only a privileged few'.

Through the 1860s and 70s, working men agitated when unemployment threatened their position, and in 1890 – the colony's first general election under one man, one vote – working-class candidates like William Tanner, a shoemaker, believed that "this new democracy looked ultimately to a rearrangement of society on the basis of a true commonwealth, eliminating the individualism of the present materialistic age". Tanner's politics emphasised rational persuasion, democratic process, and a belief in the dignity of labour as well as the right of all to share in the nation's wealth. These beliefs shaped labour activism in Christchurch for many decades, and when the new Labour Party achieved a parliamentary breakthrough in 1919, three of its eight MPs represented Christchurch seats: Dan Sullivan (Avon), James McCombs (Lyttelton) and Ted Howard (Christchurch South). Howard's columns in the radical *Maoriland Worker* after 1911 consistently mocked privilege and pretension. As he once said, "every time that I get a chance from the public platform I preach to the workers one story, and one story only – have respect for yourselves, and demand that you shall have conferred on you just as much as the other fellow gets".²⁶

Nationally, social and economic policy became more egalitarian after 1935. If some labour radicalism became moderated during the years in government, conservative accommodation to the managed economy and the welfare state ensured that a degree of consensus around ends and means prevailed after the National party took office in 1949. It is not always remembered that the principal architect of National's rise was a Christchurch parliamentarian – Sidney Holland, Prime Minister 1949–57, whose father had also been a parliamentarian as well as Mayor of Christchurch. Whatever the balance between principle and political calculation, Holland accepted the managed economy and espoused prosperity and opportunity for all. National under Holland claimed, with some justice, to adhere to an older colonial tradition of progressive reform along with individual freedom and responsibility.

If the 1950s and 60s are seen as conservative years, progressive activism never disappeared. In the late 1950s older and younger pacifists came together in the formation of the New Zealand Campaign for Nuclear Disarmament, which sought to persuade the Government to withdraw from the Anzus military alliance and promote a nuclear-free zone in the South Pacific. A key figure in the CND organisation was the socialist Elsie Locke, who had left the Communist party in 1956 "looking for answers" as her 1957 *Landfall* article put it.²⁷ By the time of her death in 2001 Elsie Locke became widely recognised for her writing, as well as her activism around

26. J. McAloon, Howard, Edwin John, from the Dictionary of New Zealand Biography Te Ara - the Encyclopedia of New Zealand, updated October, 2013 from www.teara.govt.nz/en/biographies/3h37/howard-edwin-john.

27. M. Birchfield, *Looking for Answers: A life of Elsie Locke*, Canterbury University Press, 2009.

environment, peace and social justice. For over a decade, from the later 1960s, protest was in the air. In Christchurch and elsewhere a broad progressive humanism shaped much of the public discussion around apartheid, discrimination, war and nuclear disarmament, and brought together rationalists, socialists and Christians of many denominations. For over 20 years a small and lively magazine, the *New Zealand Monthly Review*, espoused an independent and socialist viewpoint, aiming explicitly to discuss “the problems that face us in our country and that affect us as a people living in the Pacific area”.

Also during the 1970s the national network of Trade Aid shops began as a community initiative in Christchurch, seeking to move beyond the practice of aid and into the establishment of partnerships for development. This approach was also increasingly advocated by Corso, at that time also based in Christchurch and with a high national profile.

Perhaps the most enduring of the ‘new social movements’ of the 1970s was the modern environmental movement. Christchurch had no monopoly on that, but community networking around the broad range of environmental issues – transport, energy, recycling, urban development as well as preserving wild ecosystems – was often centred around the Canterbury Environmental Centre, headquartered in the Arts Centre (the conversion of the old university, which was itself a notable exercise in urban development). Not that environmental concern was a new phenomenon nor trademarked to the progressive left: one of the city’s more important green spaces, Riccarton (Deans) Bush, owes its preservation to those doughty early Scottish settlers, the Deans and McIlraith families.

In May 1981, as thousands converged into Cathedral Square to protest against the forthcoming Springbok tour of New Zealand, the Anglican Bishop, Allan Pyatt, had the Cathedral bells ringing and the evening newspaper featured a photograph of him and his Catholic counterpart Brian Ashby at the head of the parade.

At best, one can identify some common ground across many shades of political opinion and social background. Like all cities, Christchurch has many communities and many histories that intersect and diverge – like the braided streams of the Rakaia and the Waimakariri. But in the diversity some common ground can be established. That common ground combines a sense of responsibility to a wider common good – however that is perceived. It emphasises reason, persuasion and patience. It is literate, humane and creative. It understands that individual self-interest is not a sound basis for social life, and mutual support is important.

So, why is this type of discussion important for a Ngāi Tahu concept design for the CJESP?

Underpinning the notion of justice is a set of values and morals that have shaped the judicial system in New Zealand and by extension Christchurch. Those values are simply part of the Anglo heritage of New Zealand and this city. Too often we imagine the law to be neutral, open and secular, representing universal human values. The law, we believe, is unencumbered with religious values. New Zealanders believe there is and should only be one law for all.

Yet this has never been a truth. Two laws have always operated in New Zealand. One was specifically designed for Māori and the acquisition of their land. The first Native Land Act of 1862 was designed for the purpose of “regulating the disposal of Native Lands”. Although the 1862 Native Land Act also allowed for a court to facilitate the purposes of the Act, it was clearly not enough and the subsequent 1865 Native Land Act provided for a Native Land Court. The preamble to the 1865 Act made its direction clear when it stated its purpose:

... to encourage the extinction of [Māori] proprietary Customs and to provide for the conversion of such modes of ownership into titles derived from the Crown.

New Zealand legislation is full of Acts that directly target Māori, their property, education and social wellbeing. The very fact that Ngāi Tahu were allocated reserves in which to live means New Zealand was established as a segregated society. Ngāi Tahu who live in their traditional villages have lived segregated lives. That this is still the case is neither a negative nor a positive. It simply belies the fact that in New Zealand, there have always been two laws.

The contemporary response from modern New Zealanders is to acknowledge that this was so, but it was also a consequence of an Imperial legacy to which modern New Zealand is no longer attached, as a post-colonial nation. The modern response would be, 'those laws were in the past, but no longer apply today'.

Yet for Māori, the response is also wrong for several reasons. First, Māori are still affected by legislation that dates from as late as the 1967 Māori Affairs Amendment Act which allowed Māori land to be rezoned by local councils. Even today the Ture Whenua Māori Act 1993 still imposes restrictions on Māori land that do not apply to general land owners.

Secondly, New Zealand is not a post-colonial nation. New Zealand's modern history commences with the Treaty of Waitangi, which made New Zealand a colony. Māori were colonised by the Crown and that relationship rests upon the Treaty of Waitangi.

PART THREE: ENVIRONMENTAL AND CULTURAL PERFORMANCE

SUMMARY AND RECOMMENDATIONS

There is increasing evidence and literature to demonstrate that the application of mana whenua environmental values into the design of civic buildings and public spaces supports and enhances sustainable design and building performance. This part of the report reviews existing Ngāi Tahu and Māori precedents or frameworks for the integration of Ngāi Tahu environmental values into the design and construction of the Christchurch Justice and Emergency Services Precinct (CJESP).

The key recommendations are as follows.

- Interpret, develop and integrate the concept of the ātea (the place where visitors are welcomed in the pōwhiri ritual) into the design brief.
- Ensure the design of the Precinct provides references to and acknowledgement of surrounding culturally significant natural features, through the provision of ‘view shafts’ where possible to peaks such as Te Ahu Pātiki, Mauka Tere and Te Tihi o Kahukura, as well as to Kā Tiritiri o Te Moana (Southern Alps).
- Refer (symbolic or otherwise) to previous areas of habitation (Puāri Pā and Tautahi Pā) and food gathering (mahinga kai) within the Te Papa Ōtākaro/Avon River Precinct including Victoria Square through telling the stories; utilising Ngāi Tahu names; placing markers, opening view sheds and incorporating art works by Ngāi Tahu artists.
- Incorporate indigenous flora into the vegetation mix within the Precinct’s open spaces and include water management systems that support and enhance opportunities for mahinga kai restoration in the Ōtākaro/Avon River.
- Acknowledge the names of the Kaiapoi Ngāi Tahu on whose behalf claims to mahinga kai in Christchurch were brought by Hakopa Te Ata o Tū and Pita Te Hori in 1868 to the Native Land Court – for example, include these names on the walls of the Precinct or within a prominent commissioned artwork that references Ngāi Tahu’s long association with the courts and legal system.
- Protect and recognise traditional places and place names, enhance and restore these areas and their associated resources, acknowledge traditional uses, and interpret and incorporate these values into future developments, networks, spaces and the built environment. This may include but is not be limited to: specific native plant restoration (species of traditional significance), archaeological surveys, information panels and artwork/sculpture.
- Apply Ngāi Tahu cultural sustainability indicators as assessment criteria for the Precinct’s design and development.
- Protect and enhance the Ōtākaro/Avon River through upgraded, best-practice stormwater

treatment and disposal and other low impact urban design requirements to improve water quality, and provide for improved native flora and fauna and mahinga kai values.

INTRODUCTION

Ngāi Tahu have had and continue to have a significant association with the Christchurch central city – from early settlements such as Puāri and Ōtautahi, through to prolonged stays at Little Hagley for Native Land Court sittings, through to the ownership of key commercial properties. These associations with the area remain important to Ngāi Tahu, particularly Ngāi Tūāhuriri, and form a central part of ongoing cultural identity and wellbeing. The future management and development of the area therefore offer an opportunity to recognise and provide for these relationships and connections through the protection, enhancement and interpretation of traditional sites, mahinga kai species, place names and other cultural values. Both as a statutory partner in the earthquake recovery and as a property owner, Ngāi Tahu will continue to have an enduring presence in and connection to the central city.

This part of the report summarises the key Ngāi Tahu cultural and environmental values relevant to urban design and applicable to the development of the CJESP. It concludes by recommending ways to incorporate Ngāi Tahu values into the Precinct.

We have identified several precedents for a kaupapa Māori values-based framework to inform the environmental standards relevant to the design and development of the Precinct:

1. the Mauri Model and similar frameworks based on common or generic Māori values and principles
2. the House of Tahu cultural assessment framework
3. Ngāi Tahu design principles and environmental values based on Ngāi Tahu input into the 100-day Blueprint Plan and Christchurch Central Recovery Plan
4. Te Aranga Māori Design Principles – included in the Auckland City Council Design for Auckland Manual.

To varying degrees, all of these frameworks provide an insight into relevant Ngāi Tahu environmental and cultural values that could be integrated into the design and environmental standards for the development of the Precinct. (Refer to Appendices pp 159–160.)

MĀORI VALUES AND URBAN DESIGN

There is increasing awareness among Māori that traditional environmental knowledge, values and concepts may be critical to fully resolving the contemporary sustainable development dilemmas being faced in New Zealand. This is particularly evident in the area of urban environmental management, where iwi and hapū are attempting to reassert traditional authority and values in an effort to influence the design and impact of civic buildings and spaces.

Key to this realisation and reassertion is the perpetuation of core Māori beliefs, concepts and customs (ie, values) and the use of such by Māori to inform and influence the modern built environment within their ancestral areas. The applicability and relevance of these traditional values have been recognised in New Zealand's major environmental management and urban planning statutes as a matter of national and regional importance.²⁸





28. S. Awatere, C. Pauling, R. Hoskins, and S. Rolleston, *Tū Whare Ora: An Assessment tool for Papakāinga*. Landcare Research, Hamilton, 2008.

29. *Ibid*

30. S. Rolleston, *Māori Perspectives of Urban Design: Preliminary Findings*. Centre for Urban Ecosystem Sustainability, University of Auckland, 2006.

31. M. Marsden, 'God, Man and Universe', in King, M. *Te Ao Hurihuri: Aspects of Māoritanga*. Reed, Auckland, 1992.

32. M. Durie, *Whaiora: Māori Health Development*. Oxford University Press, Wellington, 1998.

Notwithstanding this acknowledgement, due to a lack of working models, examples and frameworks, governments, planners, developers, communities and Māori alike continue to struggle with the meaningful integration of Māori knowledge and values. As stated by Awatere:

The urban built environment...offers an important area of study that not only demonstrates unique Māori tradition and cultural capability, adaptation, historical loss, and a lack of recognition, integration and application in mainstream practice, but also a recent recovery of self-determination in design and development that is challenging conventional approaches, particularly with regards to sustainability.²⁹

In recent years, there has been an increase in research, case studies and literature confirming that a distinct and unique Māori built environment tradition exists and is increasingly being recognised in urban design in order to inform a burgeoning Aotearoa design aesthetic, particularly for iconic civic projects³⁰. As recognised in the Christchurch Central Recovery Plan, *mātauranga Māori* (or, more accurately, *mātauranga Ngāi Tahu*) derived from both contemporary and traditional knowledge has the potential to influence the way key anchor projects such as the Precinct are designed.

THE MAURI MODEL DECISION- MAKING FRAMEWORK – A TIKANGA MĀORI FRAMEWORK FOR SUSTAINABLE DESIGN

Intensification of urban settlements has not only affected the natural and built environment, but also severely affected the relationship of Ngāi Tahu to traditional resources, landscapes and other sites of significance in the central city. Important cultural sites and resources are damaged, modified, transformed or destroyed through development. Modern urban expansion has a propensity to overlay landscapes, natural features, resources, settlements, land use and activity with little recognition or acknowledgement of what was there before.

The Mauri Model, developed by Professor Kepa Morgan in 2004, is a decision-making framework that seeks to enhance the ability for traditional Māori values to inform urban developments and management of natural resources. Mauri (wellbeing, essential life force) is the central concept that the Mauri Model uses to interpret hapū values in the context of contemporary development. In a traditional Māori worldview, the land, forests, waters, and all the life they support, together with natural phenomena such as mist, wind and rocks, possess mauri.³¹ Mauri is the binding force between the physical and the spiritual,³² and is a holistic concept central to Māori thinking due to its representation in the genealogy of creation. Thus mauri is the conceptual basis chosen for the tool, called the Mauri Model.

The Mauri Model provides us with an assessment guide to better understanding the degree to which the Precinct design proposal might align with Ngāi Tahu values and aspirations. As demonstrated by the House of Tahu project and Te Hononga (Christchurch Civic Building), Ngāi Tahu want to support and promote sustainable urban developments. Whilst in the past there has been a dearth of culturally based methods for assessing sustainability, the Mauri Model assessment tool (and those similar) provide a potential option to better measure design

proposals against Ngāi Tahu environmental and cultural values.

New Zealand legislation indicates that sustainable development should be holistic and promote social, economic, environmental and cultural wellbeing. To assess each of these wellbeing criteria using mauri as the measure of sustainability, it is necessary to identify physical representations of those dimensions for which the impact upon mauri can be evaluated. These representations have been identified as the mauri of the community (social), whānau (economic), ecosystem (environmental) and hapū (cultural) dimensions.

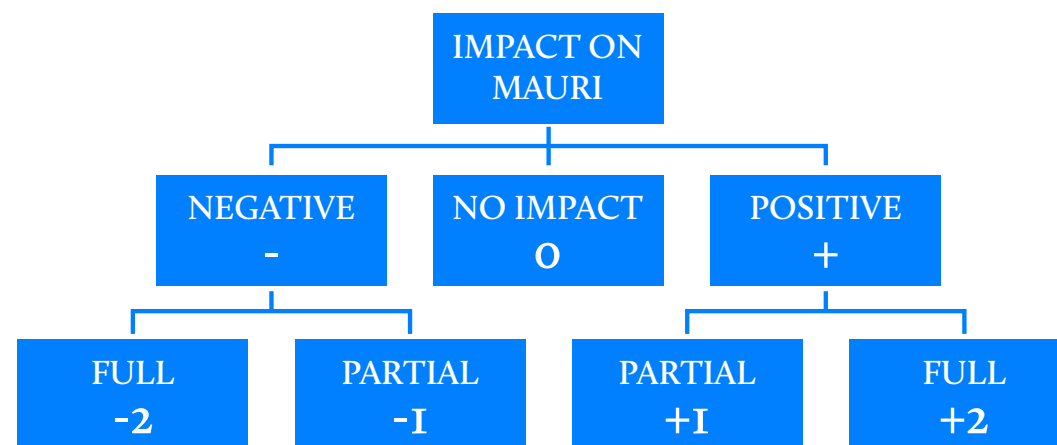
It is important to develop criteria or indicators that reflect these wellbeings and assess the particular proposal against these criteria using a sustainability barometer. The Mauri Model Sustainability Barometer – mauriOmeter – is a five-point scale ranging from -2 to +2 that allows an assessment of a proposal in relation to its ability to either denigrate or restore mauri (or wellbeing) against the chosen indicators.

The mauriOmeter assessment tool is available to use – free of charge – at:

www.mauriometer.com

Building on the Mauri Model, Rolleston has formulated seven cultural design qualities have been developed to help consider how Māori values might be incorporated or integrated into the urban design and development process³³. These design qualities, we submit, are useful in guiding the design of the Precinct.

- **Mātauranga – knowledge and understanding:** The role of history, genealogy, mythology and cultural traditions has been important in shaping Māori attitudes, beliefs, values and behaviours toward environmental



management.³⁴ Knowledge and understanding promote, facilitate and build community identification of local mana whenua history and the importance of underlying cultural heritage values of Ngāi Tūāhuriri that relate to the central city (particularly given its proximity to the Ōtākaro/ Avon River). The development of the Precinct should reflect an understanding and awareness of Ngāi Tahu and post-contact history through design.

- **Whakapapa – relationships and connections:** Identification and connectedness of people to people, and people to place were traditionally maintained through marriage, occupation and the use of traditional resources. Design of the Precinct should assist and enable Ngāi Tahu and the wider community to build social and environmental connections.
- **Whanaungatanga – participation and membership:** Ngāi Tahu and Māori generally value collective participation and membership. These notions recognise common interests to encourage and build community pride,

33. R. Rolleston, 2006. *An Indigenous Cultural Perspective to Urban Design*. University of Auckland.

34. Te Rangī Hiroa, *The Coming of the Māori*, Wellington, Maori Purposes Fund Board, 1952.

identification and ownership. Buildings and public spaces of the Precinct should encourage community participation and inclusion and not result in isolation of any section of the Waitaha/Canterbury community.

- **Kaitiakitanga – conservation and protection:** The conservation and protection of natural resources is a valuable cultural sustainable management mechanism. Conservation and protection of the natural environment promote community awareness of inherent values contained within the environment. Important natural resources should be identified and protected as taonga (treasure) for current and future generations.
- **Rangatiratanga – recognition and acknowledgement:** Ngāi Tahu have developed a unique relationship with the local environment underpinned by specialised protocols and values. Recognition and acknowledgement within the Precinct design will enhance community awareness of fundamental Ngāi Tahu cultural values pertaining to the environment and landscape.
- **Tikanga – sustainable management and use:** Sustainable management seeks to not only protect and conserve natural resources and energy, but also provide for their utilisation and development. Where natural resources are identified, urban design should provide for their sustainable management.
- **Mana whakahaere – access and admission:** Māori restricted and regulated access to certain areas through the use of tapu, rāhui and noa.³⁵ Identified cultural sites of significance should be protected, encouraging community ownership of and responsibility for important natural resources and features found within a community.

In a similar vein, Awatere has adapted the Mauri Model to create a broad evaluation tool to assist the assessor of any proposal to evaluate a development or activity against values framed within a mātauranga Māori environmental context.³⁶ The tool demonstrates in a practical sense how mātauranga Māori – and in this case mātauranga Ngāi Tahu – can inform environmental design standards for the Precinct.

Under Awatere's evaluation tool, using a Likert-type scale, a proposal can be evaluated against Māori values to determine which elements of the proposal are seen positively or negatively from a mana whenua perspective. Additional qualitative comments can provide observations on how proposals could be improved from an iwi/hapū perspective. An inherent aspect of the tool is the requirement for a mana whenua assessor in addition to a self-assessment undertaken by a project's design professionals. This information can be used to demonstrate support for or changes or opposition to the proposal. In Awatere's model, values are scored between 0 and 5, where 0 does not address any Māori values, 3 addresses some values, and 5 addresses all values. The following are the questions to assess each value.

- **Mana whenua (authority):** Does the proposal acknowledge, recognise and provide for tangata whenua involvement?
 - 5: Working relationship with mana whenua, mana whenua are involved in the design and implementation and their participation is adequately compensated.
 - 0: No working relationship with mana whenua.
- **Ngā Wai Tupuna (natural waterways):** Does the proposal protect and/or enhance natural

35. M. Durie, *Nga Kāhui Pou: Launching Māori Futures*. Huia, Wellington, 2003.

36. Awatere et al, *Tū Whare Ora*.

- waterways, and consider the appropriate use/reuse, treatment and disposal of water?
- 5: Protects and enhances natural waterways, ie, sustainable water use, and there is no discharge into waterways.
 - o: Waterways are befouled and/or unsustainable water use.
- **Ngā Otaota Māori (indigenous flora and fauna):** Does the proposal protect and/or enhance native flora, fauna, habitats, ecosystems and biodiversity (particularly waterways and wetlands)?
 - 5: Ecosystems are protected and enhanced, biodiversity is enhanced, landscaping and riparian zones use native plants.
 - o: Ecosystems are destroyed, biodiversity loss occurs, landscaping and riparian zone use non-native plants.
 - **Wāhi Tapu/Taonga (culturally significant sites):** Does the proposal acknowledge, protect, enhance and/or appropriately interpret culturally significant sites?
 - 5: Wāhi tapu/taonga are identified, protected and enhanced.
 - o: Wāhi tapu/taonga are not identified and are destroyed.
 - **Kaitiakitanga (sustainable resource management):** Does the proposal consider the reduction of waste and pollution (to air, land, water and coastal environments) as well as minimise the reliance on and/or improve existing infrastructure (eg, sewerage, storm water and energy systems)?
 - 5: Low-impact urban design solutions are used, sustainable transport options are utilised, and kaitiaki have access to mahinga kai.
 - o: Urban design is unsustainable and access to mahinga kai is prohibited.
 - **Tohungatanga (expert knowledge):** Does the proposal consider investment in technology, knowledge, product, and systems that are energy, water and resource efficient, and involve ongoing monitoring and reporting?
 - 5: Most buildings have a Green Star rating of 5 or a Homestar rating of 10, recycled timber is used, renewable energy is utilised, and raw materials are sourced locally.
 - o: The majority of buildings have poor, if any, Green Star or Homestar ratings, non-renewable energy is utilised, and raw materials are sourced externally.
 - **Whakapapa (cultural identity):** Does the proposal provide a connection to, and/or protect and enhance the local landscape and iwi/hapū identity and integrity?
 - 5: Recognises and provides for mana whenua tikanga, history, and identity through artwork, pouwhenua, appropriate street names, reserves for wāhi tapu, whare taonga, whare karakia, and involvement in ceremonies.
 - o: Does not recognise and provide for mana whenua tikanga, history and identity.
 - **Whanaungatanga/Manaakitanga (community development):** Does the proposal provide

work and business environments and practices that are uniquely Māori, and places where iwi/hapū and manuhiri alike are welcome, encouraged and proud to be involved?

- 5: Utilises the local labour force, local businesses are preferred retailers and suppliers, provides for recreational areas (eg, waka ama) and community centres.
 - o: Does not utilise the local labour force, local businesses are not the preferred retailers and suppliers, no recreational areas or community centres are provided for.
- **Rangatiratanga (empowered communities):** Does the proposal implement management systems that encourage clients, employees and suppliers to identify and act upon opportunities to protect biodiversity, prevent pollution and continually improve environmental performance?
 - 5: Clients, employees and suppliers are empowered to protect biodiversity, prevent pollution, and continually improve environmental performance.
 - o: Clients, employees and suppliers are not empowered to protect biodiversity, prevent pollution and continually improve environmental performance.

Unique to this matrix is the framing of Māori concepts within a Māori environmental paradigm. It can be used to balance environmental, social, cultural and economic aspirations while meeting mana whenua expectations. Given the challenge of applying mātauranga Māori to the financial and construction criteria for a project such as the Precinct, a mātauranga Māori values evaluation tool provides an information source to complement standard or 'orthodox' project assessments as a cost-benefit analysis.

HOUSE OF TAHU – CULTURAL SUSTAINABILITY ASSESSMENT CRITERIA

In 2006, a cultural sustainability assessment was undertaken by Te Rūnanga o Ngāi Tahu in relation to the development of a proposed tribal headquarters building to be built within the Christchurch city centre.³⁷ This development is known as the House of Tahu and the proposed site was the site of the former King Edward Barracks (on the block bounded by Durham Street, Hereford Street, Cashel Street and Montreal Street). The site proposed for the House of Tahu has some proximity to the site for the Precinct and, we would posit, raises some similar environmental and cultural issues in terms of design (less so for function).

The House of Tahu assessment involved a review of relevant tribal policy, planning, design, interview and survey information as well as the facilitation of a cultural design assessment workshop, using the Mauri Model.

Issues identified by Ngāi Tahu as critical for the development of the House of Tahu, included those relating to:

- mana whenua inclusion
- water management
- waterway, mahinga kai and wāhi tapu protection and enhancement
- the restoration of cultural landscapes.

Current Ngāi Tahu policy positions also support an aspiration for urban developments to decrease the overall impact on existing infrastructure, and to find and implement alternative, low-impact and self-sufficient solutions for water, waste, energy and biodiversity issues. Solutions specifically mentioned within Ngāi Tahu environmental policy,³⁸ as well as at the House of Tahu assessment workshop, included:

- the use of composting or waterless toilet/sewerage systems
- rainwater collection and greywater recycling
- land- or wetland-based stormwater and sewage treatment and disposal systems
- solar- or wind-based energy generation
- the protection and enhancement of native flora, fauna and habitats, with a focus on potential
- mahinga kai and cultural use.

The issues of restoring cultural landscapes through native restoration, enhancing views and connections to landscape features, historical interpretation and the use and incorporation of traditional materials, design elements and artwork within developments were also outlined.

The cultural sustainability assessment for the House of Tahu identified a list of Ngāi Tahu cultural sustainability indicators that provide a checklist for guiding future urban design,



37. C. Pauling, and K. Morgan, *Te Kaupapa o Te Whare: House of Tahu Cultural Sustainability Assessment*. Ngāi Tahu Property Ltd, Christchurch, 2006.

38. *Te Rūnanga o Ngāi Tahu*, 2007.



Image Credit: Paul Shackleton

including the Precinct.³⁹ These indicators, like Awatere's above, include:

South-West Christchurch Area Plan

- **Ngā Wai Tupuna (ancestral waters):** protection of natural waterways and the appropriate use/reuse, treatment and disposal of water (particularly on-site and/or land-based systems for stormwater, greywater and wastewater)
- **Ngā Otaota Māori (indigenous habitats):** protection and enhancement of native flora, fauna, habitats and ecosystems (particularly waterways and wetlands).
- **Wāhi Tapu/Taonga (sites of significance):** acknowledgement, protection, interpretation and enhancement of culturally significant sites
- **Kaitiakitanga (stewardship):** reduction of pollution emissions (air, land, water, coast) and reliance on existing infrastructure (sewerage, stormwater, energy)
- **Tikanga (best practice):** sustainable buildings that are energy efficient and have ongoing monitoring and reporting in design, construction and operation
- **Whakapapa/Mātauranga (traditional knowledge):** use of native, local, recycled and/or renewable resources that provide a connection to and protect/enhance the local landscape and Ngāi Tahu identity/integrity
- **Whanaungatanga/Tūrangawaewae (sense of belonging):** providing a place where Ngāi Tahu are welcome, encouraged and proud to visit
- **Manaaki (hospitality):** the ability of the built environment to manaaki (care for) manuhiri (guests) and provide a healthy, inspiring environment for all people

39. Pauling and Morgan, *Te Kaupapa o Te Whare*.

- **Rangatiratanga (leadership):** the expression of te reo, kawa, tikanga, history, identity, cultural symbols and artwork of Ngāi Tahu whānau, hapū and iwi
- **Tohungatanga (expertise):** cost-effective and efficient construction and operation and the ability to provide a return on investment – balancing economic, social, cultural and environmental wellbeing
- **Mana whenua (customary authority):** acknowledgement and recognition of and provision for tangata whenua kawa, tikanga, history and ongoing mana

These principles serve as a rudimentary assessment matrix that might be applied to the design proposal for the Precinct in order to ascertain alignment, synergies and inconsistencies with Ngāi Tahu environmental and cultural standards.

Whilst obviously requiring some degree of self-assessment from the Precinct designers and project management, application of such a Ngāi Tahu values matrix to the Precinct design proposal would necessitate assessments from mana whenua and Ngāi Tahu design and environmental experts.

However, in general, these principles might illicit questions and issues such as those in the following table.

Principle	Issues
Mana Whenua	How does the Precinct design proposal (the proposal) acknowledge, recognise and provide for Ngāi Tūāhuriri kawa, tikanga, history, identity and ongoing mana and ensure the appropriate expression and interpretation of te reo Māori, kawa, tikanga, history, cultural symbols and artwork?
Ngā Wai Tupuna/ Waimāori	How does the proposal protect and/or enhance waterways, particularly the Ōtākaro/Avon River, and consider the appropriate use/reuse, treatment and disposal of water?
Ngā Otaota Māori/ Mahinga Kai	How does the proposal protect and/or enhance native flora, fauna, habitats, ecosystems and biodiversity and promote enhanced mahinga kai outcomes (in the river)?
Wāhi Tapu/Taonga	How does the proposal acknowledge, protect, enhance and/or appropriately interpret culturally significant sites such as the Bridge of Remembrance and neighbouring Pūari Pā?
Kaitiakitanga	How does the proposal consider the reduction of waste and pollution (to air, land, water and coastal environments) as well as minimising the reliance on and/or improving existing infrastructure (such as sewerage, stormwater and energy systems)?
Tohungatanga	How does the proposal consider investment in technology, knowledge, products and systems that are energy, water and resource efficient, and involve ongoing monitoring and reporting of results?
Whakapapa/ Mātauranga	How does the proposal encourage the use of native, local, recycled and/or renewable resources and products that provide a connection to, and/or protect and enhance Te Waipounamu landscape and Ngāi Tahu identity and integrity?
Whānaungatanga/ Manaakitanga	How does the proposal provide places where Ngāi Tahu and manuhiri alike are welcome, encouraged and proud to be involved?
Rangatiratanga/ Tikanga	How does the proposal implement management systems that encourage clients, employees and suppliers to identify, and act upon opportunities to protect biodiversity, prevent pollution, and continually improve environmental performance?



TE HONONGA – CHRISTCHURCH CITY COUNCIL CIVIC BUILDING

In 2010, Ngāi Tahu Property Ltd, in partnership with the Christchurch City Council (CCC), re-developed the former New Zealand Post Building on Hereford Street to create Te Hononga – the new CCC civic office. The building is a salient example of the application of Ngāi Tahu environmental standards to achieve world-class environmentally sustainable design. Te Hononga demonstrates how the commonalities shared between Ngāi Tahu environmental values and western sustainable ‘green’ design standards can come together to develop iconic civic projects. Sustainability was a paramount design objective which coincided with Ngāi Tahu environmental standards. As such, Te Hononga provides a relevant precedent for the Precinct development.

In February 2010, prior to completion, Te Hononga was awarded the highest possible rating for environmental design by the New Zealand Green Building Council (NZGBC), who awarded the Civic Building New Zealand’s first six Green Star Office Design rating, achieving a record 83 points under the Green Star rating system⁴⁰ – making Te Hononga the ‘greenest’ building in New Zealand.

In order to align with and promote Ngāi Tahu environmental standards, such as kaitiakitanga, tikanga and tohungatanga, the key green and sustainable features integrated into the design of the Civic Building include the following.

- A tri-generation energy system enables the building to generate its own electricity from a renewable energy source – biogas. This is piped from the CCC’s Burwood landfill site – and in future years will be from the city’s wastewater treatment plant – and converted into electricity. This process is used to heat and cool the building with annual energy savings of about \$1.3 million.⁴¹
- Additional energy savings come from energy-efficient light fittings, automatic daylight dimming, occupancy controls and sensors on the escalators, which will activate only when people approach, and regeneration capabilities on the lifts.
- To the north, the building has a double-skin façade and between the layers is a thermal and solar buffering zone. This façade is also used to vent air and heat from the building, enhancing its thermal properties. Within the office floors a monitoring system detects when carbon dioxide (CO₂) has reached a certain level and automatically introduces fresh air through floor vents.
- All materials used in the building have been chosen for their low environmental impact, such as low emission paints, carpets, adhesives and sealants, and use of PVC has been reduced by 60 per cent, contributing to a healthy working environment.
- Rainwater harvesting provides about one million litres of water annually. It is used to flush the toilets for landscape irrigation and a water feature (thus reducing dependencies on potable water supply).
- Solar power provides approximately 85 per cent of the building’s hot water.

The decision to redevelop an existing building rather than construct from scratch results in an energy saving of an estimated 65,700 gigajoules – equivalent to a saving of 6,440 tonnes of CO₂ emissions (or 12,800 return flights from Christchurch to Auckland).⁴²

40. Green Star is a comprehensive, national, voluntary environmental rating scheme that evaluates the environmental attributes of New Zealand’s buildings using a suite of rating tool kits developed to be applicable to different building types and function. The rating tools are developed by the NZGBC in partnership with the building industry.

41. <http://ngaitahu.iwi.nz/new-zealands-greenest-building>

42. *Ibid.*

NGĀI TAHU DESIGN PRINCIPLES AND ENVIRONMENTAL VALUES FOR THE CHRISTCHURCH CENTRAL RECOVERY PLAN

As a statutory partner in the Christchurch central city recovery, Ngāi Tahu has sought to influence and inform key recovery instruments to ensure increased recognition of and provision for Ngāi Tahu values in the process of urban renewal and reinvention.⁴³

In May 2012, a hui of key individuals was convened to discuss how Ngāi Tahu could support and inform the Christchurch Central Development Unit and the Boffa Miskell-led consortium in the development of the 100-day Blueprint Plan. The hui included representatives from Ngāi Tūāhuriri; representatives from key organisations including Te Awheawhe Rū Whenua (the earthquake recovery sub-committee of Te Rūnanga o Ngāi Tahu), Mahaanui Kurataiao Ltd, Ngāi Tahu Property Holdings Ltd; and Ngāi Tahu professional in planning, architecture, landscape architecture, design, engineering, ecology and environmental management.

The hui participants sought recognition and articulation of the following principles in the Blueprint Plan and, subsequently, in the Christchurch Central Recovery Plan.

- **Tūrangawaewae – Sense of belonging:** This principle is primarily about recognising and giving expression to Ngāi Tahu’s place of standing/tūrangawaewae in Christchurch/ Ōtautahi. It is about acknowledging those who connect by whakapapa (blood lines) to the many wakawaka (places of settlement) in the area, having particular regard to their cultural knowledge, needs and aspirations.
- **Mana Atua, Mana Tangata – Designing with and within the environment:** This principle advocates for low-impact and sustainable approaches to urban design that seek to protect and enhance the natural environment, particularly in regard to water. The hui also noted a number of other environmental considerations to be taken into account within the Blueprint Plan. These included: the wind/te hā o Tāwhiri (eg, protections from the easterly), the mountains/ngāmaunga kōrero (eg, sight lines to enshrine their majestic stories), the sun/Tama-nui-te-rā (eg, capturing warmth and energy) and land/whenua (eg, efficient use of space).
- **Manawhenua:** Ngāi Tūāhuriri as mana whenua should underpin a collaborative narrative for the future Ōtautahi/Christchurch central city. The expression of Ngāi Tahutanga in the central city shall enhance the city’s connection to mana whenua/hapū/kāinga centres.
- **“Ko au te Awa”:** Ngāi Tahu advocated for the conceptual re-orientation of the city’s ‘centre’ from Cathedral Square to the Ōtākaro/Avon River, articulated through a river corridor. For those Ngāi Tahu at the May 2012 hui, the river provides ‘tāhuhu’ (backbone) or linear heart, along which to locate and orient key anchor projects of the central city re-development. Ngāi Tahu advocated for consideration of the concept ‘Ki uta – ki tai’ – ‘from source to the sea’, which refers to the flow-on effects downstream and includes the treatment of stormwater before entering the Ōtākaro/Avon River.

43. Section 17(2) of the Canterbury Earthquake Recovery Act 2011 required that Te Rūnanga o Ngāi Tahu be given the opportunity to have input into the development of the Christchurch Central Recovery Plan.

- **Mahinga Kai:** Ngāi Tahu wished to ensure that indigenous planting within the city demonstrates a level of ecological and landscape integrity pertaining to the original flora and fauna of the Ōtautahi/Christchurch area and to see a commitment to explore opportunities for re-establishment of mahinga kai along the Ōtākaro/Avon River corridor and other central city green spaces.
- **Ngā Tūpuna:** This principle refers to Ngāi Tahu aspirations for wāhi tapu and sites of cultural significance to be connected and acknowledged within the central city and respectfully integrated into a contemporary urban environment. Significant geographical features locate Māori within the realm of myth and tribal histories and therefore must be acknowledged through spatial connections in the form of pedestrian ways, view shafts and place/street names. These spatial connections will support the weaving of a coherent, physical and connected narrative in the new compact core.
- **Ngā Ngutu:** Ngutu/gateways were proposed as cultural markers that provide entry points at different locations in the central city and correspond and make reference to mana whenua. Accordingly, Victoria/Market Square becomes the key northern gateway to the city and the beginning of the city's narrative, starting with the story of mana whenua. Market Square is the poutokomanawa (central pole) of Te Papa Ōtākaro/Avon River Precinct where visitors are first welcomed to the city through the pōwhiri ritual.
- **Ngā Ahuatanga o te Whare:** Ngāi Tahu advocated to ensure that the built form within the central city, particularly in the anchor projects such as the Precinct, attempts to reflect the culture and landscape of Ōtautahi/Christchurch and express a local vernacular through the use of materials, artworks, place names and referencing the natural landscape. As part of this principle, civic buildings/spaces should, wherever possible, accommodate the performance and re-enactment of key Māori rituals such as the pōwhiri (ritual of welcome).

TE ARANGA MĀORI DESIGN PRINCIPLES – AUCKLAND DESIGN MANUAL

Te Aranga Māori Design Principles are a set of outcome-based principles founded on intrinsic Māori cultural values and designed to provide practical guidance for enhancing outcomes for the design environment. The principles were developed by a forum of Māori professionals – Te Aranga – in consultation with Tamaki (Auckland) mana whenua. The aim of the principles is to enable Auckland urban planners and developers to enhance mana whenua presence, visibility and participation in the design of the physical realm.

DESCRIPTION

The key objective of the principles is to enhance the protection, reinstatement, development and articulation of mana whenua cultural landscapes, enabling all of us (mana whenua, matawaka, tauiwi and manuhiri) to connect to and deepen our 'sense of place'.

The principles seek to foster and guide both culturally appropriate design processes and design responses that enhance everyone's appreciation of the natural landscape and built environment.

The principles are intended as an enabling strategic foundation for iwi/hapū to adopt, customise and further develop in response to local context. The principles also provide other stakeholders and the design community with a clearer picture as to how iwi/hapū are likely to view, value and wish to participate in the design and development of the built environment within their ancestral rohe.

The use of the principles is predicated on the development of high-quality, durable relationships being developed between iwi/hapū, their mandated design professionals and local and central government. Robust relationships between these groups provide opportunities for unlocking a rich store of design potential.

CORE MĀORI VALUES

Core Māori values have informed the development of Te Aranga Māori Design Principles. These process-oriented values provide the foundation for and underpin the application of the outcome-oriented design principles. These core values are the same as those that underpin the Mauri Model and were incorporated into the House of Tahu assessment matrix:

- Rangatiratanga: the right to exercise authority and self-determination within one's own iwi/hapū realm
- Kaitiakitanga: managing and conserving the environment as part of a reciprocal relationship, based on the Māori worldview that we as humans are part of the natural world
- Manaakitanga: the ethic of holistic hospitality whereby mana whenua have inherited obligations to be the best hosts they can be
- Wairuatanga: the immutable spiritual connection between people and their environments

- Kotahitanga: unity, cohesion and collaboration
- Whanaungatanga: a relationship developed through shared experiences and working together that provides people with a sense of belonging
- Mātauranga: Māori/mana whenua knowledge and understanding.

Design principle	Outcome	Attributes	Application
Mana – rangatiratanga, authority	The status of iwi and hapū as mana whenua is recognised and respected.	<p>Recognises Te Tiriti o Waitangi / the Treaty of Waitangi and the Wai 262: Ko Aotearoa Tēnei framework for Treaty Partnerships in 21st Century Aotearoa New Zealand as the basis for all relationships pertaining development.</p> <p>Provides a platform for working relationships where mana whenua values, worldviews, tikanga, cultural narratives and visual identity can be appropriately expressed in the design environment.</p> <p>High-quality, Treaty-based relationships are fundamental to the application of the other Te Aranga principles.</p>	<p>The development of high-level, Treaty-based relationships with mana whenua is essential prior to finalising design approaches and will maximise the opportunities for design outcomes.</p> <p>Important to identify any primary mana whenua groups as well as wider mana whenua interests in any given development.</p>
Whakapapa – names and naming	Māori names are celebrated.	<p>Recognises and celebrates the significance of mana whenua ancestral names.</p> <p>Recognises ancestral names as entry points for exploring and honouring tūpuna, historical narratives and customary practices associated with development sites and their ability to enhance sense of place connections.</p>	<p>Mana whenua consultation and research on the use of correct ancestral names, including macrons.</p> <p>Recognition of traditional place names through signage and wayfinding.</p> <p>Use of appropriate names to inform design processes.</p>
Tohu – the wider cultural landscape	Mana whenua significant sites and cultural landmarks are acknowledged.	<p>Acknowledges a Māori worldview of the wider significance of tohu/landmarks and their ability to inform the design of specific development sites.</p> <p>Supports a process whereby significant sites can be identified, managed, protected and enhanced.</p> <p>Celebrates local and wider unique cultural heritage and community characteristics that reinforce sense of place and identity.</p>	<p>Recognition of tohu, including wāhi tapu, maunga, awa, puna, mahinga kai and ancestral kāinga.</p> <p>Allows visual connection to significant sites to be created, preserved and enhanced.</p> <p>Wider cultural landmarks and associated narratives able to inform building/spatial orientation and general design responses.</p> <p>Heritage trails, markers and interpretation boards.</p>

Design principle	Outcome	Attributes	Application
Taiao – the natural environment	The natural environment is protected, restored and/or enhanced.	<p>Sustains and enhances the natural environment.</p> <p>Local flora and fauna that are familiar and significant to mana whenua are key natural landscape elements within urban and/or modified areas.</p> <p>Natural environments are protected, restored or enhanced to levels where sustainable mana whenua harvesting is possible.</p>	<p>Re-establishment of local biodiversity.</p> <p>Creating and connecting ecological corridors.</p> <p>Planting of appropriate indigenous flora in public places, strategies to encourage native planting in private spaces.</p> <p>Selection of plant and tree species as seasonal markers and attractors of native bird life.</p> <p>Establishment and management of traditional food and cultural resource areas, allowing for active kaitiakitanga.</p>
Mauri Tū – environmental health	Environmental health is protected, maintained and/or enhanced.	<p>The wider development area and all elements and developments within the site are considered on the basis of protecting, maintaining or enhancing mauri.</p> <p>The quality of wai, whenua, ngahere and air is actively monitored.</p> <p>Water, energy and material resources are conserved.</p> <p>Community wellbeing is enhanced.</p>	<p>Daylighting, restoration and planting of waterways.</p> <p>Contaminated areas of soil are remediated.</p> <p>Rainwater collection systems, greywater recycling systems and passive solar design opportunities are explored in the design process.</p> <p>Hard landscape and building materials that are locally sourced and of high cultural value to mana whenua are explored in the design process.</p>
Mahi Toi – creative expression	Iwi/hapū narratives are captured and expressed creatively and appropriately.	<p>Ancestral names, local tohu and iwi narratives are creatively re-inscribed into the design environment including the landscape, architecture, interior design and public art.</p> <p>Iwi/hapū-mandated design professionals and artists are appropriately engaged in such processes.</p>	<p>Mana whenua assist in establishing design consortia that are equipped to translate iwi/hapū cultural narratives into the design environment.</p> <p>Civic/shared landscapes are created to reflect local iwi/hapu identity and contribute to a sense of place.</p> <p>Iwi/hapū narratives are re-inscribed into the environment through public art and design.</p>

Design principle	Outcome	Attributes	Application
Ahi Kā - the living presence	Iwi/hapū have a living and enduring presence and are secure and valued within their rohe.	<p>Mana whenua live, work and play within their own rohe.</p> <p>Acknowledges the post-Treaty of Waitangi settlement environment where iwi living presence can include customary, cultural and commercial dimensions.</p> <p>Living iwi/hapū presence and associated kaitiaki roles are resumed within urban areas.</p>	<p>Access to natural resources (weaving species, mahinga kai, waterways, etc) facilitates, maintains and /or enhances mana whenua ahi kā and kaitiakitanga.</p> <p>Civic-iwi joint venture developments ensure ahi kā and sense of place relationships are enhanced.</p> <p>Iwi-private sector joint venture developments enhance employment and ahi kā relationships.</p>

TE ARANGA DESIGN PRINCIPLES IN PRACTICE

The principles that emerged from Te Aranga and other Māori urban design strategy work have since been tested and refined through a series of large-scale urban infrastructure projects within greater Auckland, the process of which has guided further refinement of the principles and established widespread Tāmaki mana whenua support.

Auckland Transport's Auckland Manukau Eastern Transport Initiative is the first significant post-Te Aranga development, providing opportunities to engage meaningfully with mana whenua and to test the principles on a real project. Through the engagement process, the principles were applied and worked through to a point of appropriate design resolution, in particular in relation to the Panmure Railway Station precinct.

With the development of the Auckland Transport's City Rail Link (CRL) project in 2012, the principles began to be more formally applied. The CRL will link Britomart to the existing western line near Mt Eden and is a key project in an integrated transport programme to improve public transport as the city grows. As part of the mana whenua engagement process, each iwi wrote a cultural values assessment, the majority of which referred to Te Aranga Māori design principles.

The next significant project was the Quay Street project, which included consultation with six mana whenua groups and further demonstrated the value of retaining and refining the principles.

These pilot projects all demonstrated the critical need for mana whenua engagement from the outset. It has also been proposed that the Auckland City Urban Design Panel – a forum of nominated design practitioners that assess and provide guidance to large public developments pre-resource consent – also adopt these principles as key assessment criteria.

PART FOUR: JURISPRUDENCE

SUMMARY AND RECOMMENDATIONS

This part of the report provides a summary of some of the major cases involving Māori rights at law. The succession of case law and corpus of Treaty jurisprudence, in our view, serve to highlight the role of the justice system in recognising and upholding Ngāi Tahu's rights and interests. The relationship of Māori with the courts in recent decades is something that we believe should be taken into consideration in the CJESP design – as that relationship is an integral part of our shared histories and evolving national identity. Furthermore, these cases affirm the role that the courts have had in elevating the status of the Treaty of Waitangi as our nation's founding document and template for a shared future.

The key recommendation is to consider jurisprudence in exploring narratives within the Precinct, particularly the evolving partnership between Ngāi Tahu and the Crown.

OVERVIEW

The key sources of law New Zealand courts engage with in recognising Māori rights are: the Treaty of Waitangi, aboriginal title and tikanga Māori (Māori customary law).

The Treaty of Waitangi holds an obscure status in New Zealand law: it is simultaneously recognised as our 'founding constitutional document' and as holding no legal status. The Treaty is interpreted according to two approaches: literally according to its terms; or purposively according its 'spirit and intent', through the aid of contemporary constructs known as the 'principles of the Treaty'. The 'principles' approach has been judicially crafted to fulfil three distinct purposes: first, to give effect to the 'spirit and intent of the Treaty'; secondly, to provide a means to reconcile the textual differences between the Māori and English versions in which it was executed; and finally, to ensure the Treaty retains continued application in contemporary New Zealand.

The principle of partnership has clothed the Treaty relationship between the Crown and Māori in a variety of analogies, comparing it to marital, fiduciary and fraternité relationships. The common essence is to act honourably, reasonably, cooperatively and in good faith towards one another. As a matter of practice, it amounts to procedural obligations, requiring the Crown to undertake open-minded consultation with Māori Treaty partners to inform policy decisions and directions. The principle of active protection does provide substantive protection by imposing positive obligations on the Crown to undertake measures necessary to protect and preserve Māori interests falling within the meaning of the Treaty. The class of interests protected includes property rights to resources listed in Article II, namely lands, forests, fisheries and estates. It has also been interpreted as applying to a wider class of Māori interests necessary for cultural integrity, including rangatiratanga (customary authority) and an increasingly diverse range of taonga (treasures).

The degree of protection conferred upon Treaty-protected interests is, however, relative and depends on the wider responsibilities of the Crown to govern in the national interest.





The guiding objective is to ensure that the cultural and spiritual values of both Treaty partners are respected, and that neither attains pre-emptive standing. Translated into a test, it is reduced to an exercise in proportionality, balancing the significance and/or vulnerability of the Treaty interest against all other competing interests. In protecting the Treaty interest, the Crown is not obligated to go beyond taking such action as is reasonable in the prevailing circumstances.

Aboriginal title is a common law doctrine with roots in Roman imperial expansion, which recognises the existing property rights of indigenous inhabitants as at the time sovereignty was acquired by a foreign power. Tikanga Māori (Māori customary law) is to some extent recognised as an operative ‘third strand’ of law in New Zealand (in addition to statutory and common law); however its scope and operation are somewhat unclear.

The meaning and consequence of these sources of law for Māori rights have progressed through a number of discernible eras, from initial recognition in the Treaty of Waitangi and associated agreements, discussed earlier in this report, through close to 100 years of judicial obscurity and into watershed cases from the 1970s that began to recalibrate the nature and strength of Māori rights.

Lagging behind international trends, New Zealand was jolted into recognising and engaging with Māori rights in the late 1980s. In all jurisdictions, the judiciary dominated as arbiter of indigenous rights for a period, upholding claims in what has been described as a “highly indeterminate and inchoate manner”. Even in New Zealand, where some form of statutory hook is required to found the courts’ jurisdiction, their pronouncements, and arguably activism, are largely responsible for giving life and content to the body of rights now recognised.

As the body of rights grew, becoming increasingly unwieldy in a political and legal sense, the legislatures were forced to enter the rights integration phase, developing legal mechanisms to give modern expression and protection to the judicially recognised rights. The major challenge was, and remains, to coherently integrate indigenous rights with multiple private, public and Crown rights. In New Zealand, the challenges of integration have been largely addressed within the Treaty redress and settlement process. Despite fluctuating political discomfort with Treaty settlements, by the mid 1990s rights recognition and integration were largely formulaic and Treaty settlements had become the institutionalised pattern of Crown–Māori relations. That relationship, for Ngāi Tahu, is embodied in the Ngāi Tahu Claims Settlement Act 1998.

Some of the significant judicial decisions are summarised below to illustrate both the oppressive and liberating roles the courts have played in the recognition of Māori rights, and the evolution of the framework for our bicultural nation within a multicultural society.

CASE SUMMARIES

Wi Parata v Bishop of Wellington (1877) 3 NZ Jur (NS) SC 72

Wi Parata is one of the most notorious decisions of the early colonial era that positioned Crown sovereignty as absolute, and Māori property rights as subservient interests imposing moral rather than legal obligations on the Crown.⁴⁴ The most quoted excerpt is:

The supreme executive Government must acquit itself as best it may, of its obligations to respect native proprietary rights, and of necessity must be the sole arbiter of its own justice.⁴⁵

Wi Parata provided the legal baseline for the Treaty of Waitangi for over 100 years.

Te Weehi v Regional Fisheries Officer [1986] 1 NZLR 680

A significant turnaround in the recognition of Māori rights came with *Te Weehi* in 1986. This case tested the notion of customary Māori fishing rights when a Māori was charged with being in possession of pāua smaller than the minimum size permissible under the Fisheries Regulations 1983. Guided by a growing body of Canadian case law recognising aboriginal title, Williamson J in the High Court held that customary rights continued to subsist and continued to have the protection accorded by the aboriginal title doctrines of the common law unless clearly and plainly extinguished by statute or other lawful means.

Accordingly, based on the facts before him, Williamson J found that the appellant was exercising a customary Māori fishing right within the meaning of section 88(2) of the Fisheries Act 1983, and it followed that the other provisions of the Fisheries Act did not affect his right to take the pāua.

This case was of particular relevance to Ngāi Tūāhuriri, as the matter occurred within the Ngāi Tūāhuriri rohe and involved customary fishing rights recognised, authorised and exercised by mana whenua.

New Zealand Māori Council v Attorney-General [1987] 1 NZLR 641

This landmark case was brought to the High Court by the New Zealand Māori Council who contended that, despite section 27 of the State-Owned Enterprises Act 1986 (SOE Act) (which

44. *Tomas and Johnson supra note 118 at 822.*

45. *Wi Parata cited in Williams, David Wi Parata is Dead, Long Live Wi Parata, Paper presented to the Foreshore and Seabed Conference, "Foreshore and Seabed the New Frontier", 10 December 2004 at 22.*

dealt with land subject to claim under the Treaty of Waitangi Act 1975), the Crown was able to transfer to state-owned enterprises lands that were subject to claims to the Waitangi Tribunal lodged after 18 December 1986 (as well as claims that were not yet lodged) and that this was contrary to section 9 of the SOE Act, which provided that:

Nothing in this Act shall permit the Crown to act in a manner that is inconsistent with the principles of the Treaty of Waitangi.

The Court found in favour of the New Zealand Māori Council. In doing so, the Court of Appeal was required to determine the principles of the Treaty with which the Crown's actions had been inconsistent. Considering that sovereignty was acquired in exchange for the protection of rangatiratanga, the Court asserted the following principles:

- that the Treaty established a partnership, and imposes on the partners the duty to act reasonably and in good faith
- the freedom of the Crown to govern
- the Crown's duty of active protection
- the Crown duty to remedy past breaches
- that Māori retain rangatiratanga over their resources and taonga and have all the rights and privileges of citizenship
- the duty to consult.

Tainui Māori Trust Board v Attorney-General [1989] 2 NZLR 513

The issue at question in this case was whether the granting of coal mining rights by the Crown to Coalcorp represented a transfer of Tainui's 'interests in the land' subject to the protection of the Treaty of Waitangi (State Enterprises) Act 1988. Furthermore, the case considered whether the proposed transfers of land direct to third parties would be inconsistent with the principles of the Treaty of Waitangi and the Crown's obligation to evolve a system for safeguarding Māori claims before the Tribunal.

The Court of Appeal found in favour of Tainui on both matters. The Court acknowledged that coal did not seem to have been of particular importance to Tainui at the time of the land confiscations (in the 1860s) and that what mattered to them was the general use of their land. However, it qualified this observation by noting that any attempt to shut out in advance a claim by Tainui to be awarded some interests in the coal would not be consistent with the Treaty. Accordingly, the Court upheld the interim order made by the High Court for Crown action to cease until the matter was resolved by the Waitangi Tribunal.

New Zealand Māori Council v Attorney-General [1989] 2 NZLR 142

Following the Court of Appeal's decision regarding the transfer of state assets to state-owned enterprises in 1987, the Crown proposed to sell forestry rights but not the ownership of land on which exotic forests are planted. The New Zealand Māori Council subsequently applied to the Court of Appeal that the Government's proposal to dispose of forestry assets was inconsistent with the judgment delivered by the Court of Appeal in 1987.

In ruling on the matter and in considering the significance of the Treaty principles, the Court of Appeal in 1989 held that for the Government to present Māori with a forestry proposal that was a 'fait accompli' "would not represent the spirit of partnership which is at the heart of the principles of the Treaty of Waitangi" (page 513).

Te Runanga o Muriwhenua v Attorney-General [1990] 2 NZLR 641

In this case, the Court of Appeal had its first chance to consider the modern relevance of aboriginal title rights since the *Te Weehi* case. The actual decision of the Court related to procedural matters and the evidential value of the Tribunal's Muriwhenua Fishing Claims Report in High Court proceedings.

However, the Court seized the opportunity to reaffirm that, in line with decisions of the Privy Council, Māori rights under the doctrine of aboriginal title survived the cession of sovereignty in the (English version of the) Treaty of Waitangi.

Te Rūnanganui o Te Ika Whenua Inc Society v Attorney-General [1994] 2 NZLR 20

In 1994, a case was brought in the Court of Appeal by Te Rūnanganui against the transfer of property rights in the Rangataiki River and the Wheao River to the Bay of Plenty Electric Power Board and the Rotorua Electricity Authority, pending the resolution of a claim to the rivers lodged by Māori with the Waitangi Tribunal.

The Court dismissed the appeal, finding Māori rights under the Treaty or the doctrine of aboriginal title do not include the right to generate electricity by the use of water power.

However, in setting these limits to customary title, the Court admitted that the Treaty does protect some Māori rights in water. In particular, the Court advised that if control over the rivers for the dams had been assumed by the Crown without Māori consent, that may well be the basis for a breach of the Treaty – for which the claimant iwi could pursue a claim in the Waitangi Tribunal or commence court-based action regarding Māori customary title or the Crown's fiduciary duty.

Taiaroa v Minister of Justice unreported, 29 August 1994, McGechan J, HC Wellington cp 99/94

This case to the High Court concerned the 'Māori option', which required Māori, over a limited period in 1994, to choose between enrolment on the Māori electoral and general roll. This choice and the results of the option would carry repercussions for the number of Māori constituency seats in the first mixed member proportional Parliament in 1996. Māori who brought the case to the High Court (and the subsequent appeal to the Court of Appeal) claimed that the policy was conducted unlawfully in that it was held without adequate notice, and without adequate Crown resources devoted to informing voters.

The Court found that reasonable notice had been given and rejected the claimants' arguments. However, Justice McGechan stated that while he would not attempt to state the full content of tino rangatiratanga preserved in Article 2 of the Treaty, he would "readily accept it encompassed a claim to an ongoing distinctive existence as a people, albeit adapting as time passed and the combined society developed". In particular, Justice McGechan advised that with regard to the Māori seats in Parliament and the so-called 'Māori option':

there is no doubt Treaty principles impose a positive obligation on the Crown, within

constraints of the reasonable, to protect the position of Māori under the Treaty and the expression from time to time of that position . . . It is a broad obligation of good faith. Māori representation – Māori seats – have become such an expression. Adding this together, for my own part I consider the Crown was and is under a Treaty obligation to protect and facilitate Māori representation. (page 69)

In drawing on the principle of redress, Justice McGechan found that, “The Crown, as a Treaty partner acting in good faith, should recognise past error when it comes to light, and consider the possibility of remedy under present conditions” (page 70).

New Zealand Maori Council v Attorney-General [1994] 1 NZLR 513

This was an appeal to the Privy Council against the decision by the Court of Appeal and the High Court in New Zealand that the Crown could transfer broadcasting assets to Radio New Zealand and Television New Zealand under the State-Owned Enterprises Act.

In making the appeal, the New Zealand Māori Council argued that the proposed transfer was illegal with regard to section 9 of the State-Owned Enterprises Act, which requires that the Government not act in a manner inconsistent with the principles of the Treaty of Waitangi. The Council submitted that the transfer was inconsistent with the Treaty’s principles because it indicated that the Crown was not taking necessary steps to protect the Māori language (as a taonga protected in Article 2 of the Treaty) with respect to television and radio in New Zealand. While the appeal was unsuccessful, it prompted the courts to further develop the principle of active protection.

In considering the case, Lord Woolf of the Privy Council acknowledged that:

Foremost amongst [the] principles are the obligations which the Crown undertook of protecting and preserving Māori property, including the Māori language as part of taonga, in return for being recognised as the legitimate government of the whole nation by Māori. (page 517)

He said also that:

This relationship the Treaty envisages should be founded on reasonableness, mutual cooperation and trust. It is therefore accepted by both parties that the Crown in carrying out its obligations is not required in protecting taonga to go beyond taking such action as is reasonable in the prevailing circumstances. (page 517)

Ngāi Tahu Māori Trust Board v Director-General of Conservation [1995] 3 NZLR 534

In December 1992, the Ngāi Tahu Māori Trust Board challenged the Director-General of Conservation’s intention to issue a further permit for commercial whale-watching (and other activities) by boats off the Kaikōura coast. In the first instance, the High Court admitted that the Director-General ought to have consulted Ngāi Tahu interests, but dismissed the applicants’ claim for entitlement by virtue of the Treaty or applications of the principles of the Treaty, to a period of operation protected from competition. Ngāi Tahu appealed and Justice Cooke, in the Court of Appeal, made the following observations in his ruling.

First, it was noted that the Conservation Act 1987 required that the Director-General administer the Marine Mammals Protection Act 1978 so as to give effect to the principles of the Treaty. In acknowledging that both active protection and consultation were appropriate principles for the Court to consider in this case, the question remaining was whether the right to conduct

commercial boat tours was within the scope of the Treaty or aboriginal title. On this matter, the Court ruled that the development right was not unlimited:

however liberally Māori customary title and Treaty rights may be construed, tourism and whale watching are remote from anything in fact contemplated by the original parties to the Treaty. Ngāi Tahu's claim to a veto must be rejected. (page 543)

Nevertheless, the judge found in favour of Ngāi Tahu on the basis that, although a commercial whale watching business is not a taonga:

certainly it is so linked to taonga and fisheries that a reasonable Treaty partner would recognise that Treaty principles were relevant. Such issues are not to be approached narrowly . . . [and] the Crown is not right in trying to limit those principles to consultation . . . since . . . it has been established that principles require active protection of Māori interests. To restrict this to consultation would be hollow. (page 544)

Attorney-General v Ngāti Apa [2003] 3 NZLR 643

In this case, the Court of Appeal ruled that the Crown was wrong to contend that certain statutes affecting the foreshore and seabed had had the effect of extinguishing Māori customary title (as it might exist). The Court also ruled that the Māori Land Court had the requisite jurisdiction, under Te Ture Whenua Māori Act 2003, to determine whether any part of the foreshore and seabed was still Māori customary land (for the purposes of that Act).

In essence, the Court of Appeal reinstated the principle, settled by decisions of the Privy Council and accepted by the Supreme Courts of the United States and Canada, the Constitutional Court of South Africa and the High Court of Australia, that indigenous custom forms part of the common law of the state.

Within days of the Court of Appeal decision, the then Labour-led Government controversially moved to ensure ownership in the foreshore and seabed was vested in the Crown, resulting in the enactment of the Foreshore and Seabed Act 2004.

Regina v Saxton, Christchurch District Court, 25 October 2007

This case is of particular relevance to Ngāi Tahu as it concerns ownership of pounamu, a tribal taonga that was returned to tribal ownership through the Ngāi Tahu (Pounamu Vesting) Act 1997. The case concerned criminal charges of theft of pounamu. In making his decision, Macaskill J found that customary rights to taonga such as pounamu are not individual rights, but collective rights exercised and held by the wider hāpu or tribal grouping. The Court found that under the 1997 Act, those collective rights to pounamu are, ultimately, to be managed and authorised by Te Rūnanga o Ngāi Tahu in the interests of the whole tribe.

Takamore v Clarke

The Supreme Court's *Takamore v Clarke* decision addresses whether New Zealand law entitled Ms Clarke (the partner and executrix of Mr James Takamore) to determine the disposal of his body. After his death, Mr Takamore's body had been taken by members of his family and buried. The judges unanimously dismissed the appeal and gave Ms Clarke the right to proceed to have Mr Takamore's body reburied in a place of her choosing.

This decision is significant in at least two respects. It is important because the Supreme Court settles the position in New Zealand about how decisions are made in regard to body disposal. This judgment is also significant, however, because of the Supreme Court's approach to tikanga Māori (the customary law and practices of the Māori people). Particularly surprising was the manner in which the Court treated tikanga, in this case Tūhoe burial customs.

The majority judgment of Tipping, McGrath and Blanchard JJ placed primacy on the rights held by the personal representative. Māori burial customs were seen as being a relevant consideration to be weighed among others in considering how to exercise those rights.

Chief Justice Elias and William Young J disagreed that the personal representative of the deceased has the role of "first-decider". However, they concurred that the common law imports tikanga as a value and matter to be weighed.

This approach of treating tikanga as a relevant consideration was, however, adopted without explicitly addressing how tikanga could itself be recognised as law. The Supreme Court decision therefore sidestepped, without explanation, addressing when and how tikanga has the status of law as part of the common law.

The Court's lack of discussion on this point means that it is not entirely clear what this decision means for the recognition of tikanga as law in burial matters and the recognition of tikanga within Aotearoa/New Zealand's common law more generally.

PART FIVE: IWI MĀORI USER FEEDBACK

SUMMARY AND RECOMMENDATIONS

This part of the report provides a thematic review of Iwi Māori user feedback on the Precinct concept. Ngāi Tūāhuriri engaged with a number of Iwi Māori stakeholders in the CJESP to gain practical insights into and recommendations on how the Precinct would likely be used in the short, medium and longer term. Ngāi Tūāhuriri considered this engagement to be important as a show of respect to Iwi Māori stakeholders, and also to give effect to our obligation to manaaki Iwi Māori and the wider community in our rohe (traditional territory). It is noted that this engagement was completed within a compressed time span, and that Ngāi Tūāhuriri sees value in continuing to engage with Iwi Māori stakeholders as the design progresses.

This part has a large number of recommendations, which are set out in the following pages.

OVERVIEW

Ngāi Tūāhuriri engaged with Iwi Māori stakeholders from the following sectors:

- Māori community leaders
- Māori social service providers
- Māori involved in corrections
- Māori with roles inside the New Zealand Police
- Māori engaged in the legal profession.

The discussions and associated recommendations are set out below according to the various aspects of the Precinct. The comments are not attributed.

DISCUSSION AND RECOMMENDATIONS

FUTURE TRENDS IN JUSTICE

DISCUSSION

Most stakeholders we engaged with considered that the future evolution of justice was relevant to the design of the Precinct. Two key trends were identified by most stakeholders.

- Increasing incorporation of tikanga and kawa: Over the last 20 years, a number of novel justice processes have been developed that draw on tikanga and kawa, including Family Group Conferences and other restorative justice processes. Stakeholders believe that this trend of restorative justice is likely to continue and that tikanga/kawa will remain an important catalyst and inspiration for the evolution of restorative and alternative dispute resolution. These processes are likely to be more dialogical and facilitative than existing court procedures.
- Possible devolution of justice: Community-based justice processes were identified as gaining prominence, through such institutions as Community Justice Panels. Stakeholders

believe that justice may become increasingly devolved to community and local levels. If so, the 'centralised headquarters' nature of the Precinct will need to evolve to recognise the complementarity of community-based processes. Interviewees also spoke about whakamā as an important tikanga that some of them incorporate into their process and that should be more comprehensively integrated into justice processes. Whakamā on one level means shame or embarrassment. Understood in context, however, whakamā is about affirming the values of the community and encouraging those who transgress community values to feel a sense of accountability to the community. Whakamā is an important element of the community justice processes.

Stakeholders also emphasised the profound difference of locating the Youth and List courts at Ngā Hau E Whā following the earthquake. People commented that proceedings were calmer and more respectful and that they considered the outcomes were significantly better. Stakeholders attributed these positive changes to a range of factors including that:

- the marae kawa of respect was accepted by all: offenders who may otherwise have been disrespectful of proceedings in a Crown facility recognised the kawa of the marae as legitimate
- the marae lessened demonstrations of hierarchy, which contributed to more constructive engagement with justice
- the marae created a sense of 'ownership for and by all'
- the visual aesthetic of the marae diffused tensions within the proceedings: there were more things to look at rather than focusing solely on the various protagonists within the proceedings.

RECOMMENDATIONS

We recognise that the Precinct may have a functional life of 100 years. Accordingly, we believe it is important to explore in the design, as far as is possible, potential trends for the performance of justice over a contemporaneous time span. In practical terms, we believe it is important to consider the following:

- Community ownership and public service: Stakeholders emphasised that this Precinct is a public institution that serves the community, and that accordingly visual cues in the Precinct should affirm a sense of community ownership. Stakeholders were forthright in encouraging the design team to replicate as far as is possible design elements from the marae setting, with the goal of achieving a comparable degree of trust and respect as was achieved at Ngā Hau E Whā.
- Flexible spaces: If tikanga and kawa are increasingly incorporated into justice processes, spaces will need to accommodate dialogical processes that have less overt hierarchy in the layout.
- Dispersed spaces: If community-based processes do continue to gain prominence, the Precinct should be able to 'talk' to facilities that are located in communities.

INTEGRATED PRECINCT DISCUSSION

We recognise that the integrated nature of the Precinct, bringing together police and courts, is unlikely to change. However, we believe it is important to highlight the strong reservations stakeholders expressed about the appropriateness of an integrated precinct. As will have been extensively discussed during the concept development, New Zealand's constitutional architecture is founded on judicial independence. Stakeholders are deeply concerned that the co-location of police and judiciary will compromise the perceived and actual independence of the judiciary, with corresponding injury to the trust and confidence Iwi Māori have in the transparency and legitimacy of the justice system. In practical terms, stakeholders commented that the public will inevitably see prosecutors and the judiciary socialising together, which will undermine the perceived independence of the judiciary.

RECOMMENDATIONS

- As far as is possible, the Precinct design contributes to separation between the police and judiciary, including separate cafeteria and any other functional arrangements that can lessen 'social' interaction.

PUBLIC SPACES DISCUSSION

Stakeholders placed high importance on the look, feel and functionality of the public spaces in the Precinct. They noted a number of challenges related to the current facilities, including the following:

- Meeting whānau: Providers and professionals currently meet whānau they are working with on the street and have private discussions in corridors and other awkward spaces, which impairs the sense of dignity and privacy whānau have within the facilities, as well as compromising the confidentiality of some discussions.
- Whānau alienation: The current design aesthetic elevates the sense of disenfranchisement whānau have from the justice system, as the design aesthetic draws almost exclusively on anglo-heritage values. This sense of alienation was strongly contrasted with the experiences at Ngā Hau E Whā.

RECOMMENDATIONS

- Spaces are created that give whānau a sense of privacy within the public areas to enable whānau to have discreet discussions amongst themselves. We encourage exploration of layout and auditory approaches to creating a sense of privacy, including the use of running water in the courtyard. We believe it is important for these spaces to be available in addition to 'breakout rooms', and available on the mezzanine floor, in the courtyard and around all the courts.
- Spaces for service providers are created to meet whānau they are working with, and also hot desks or other usable spaces for service providers to be able to work within the Precinct are explored.

- Ngāi Tūāhuriri design elements are prominent in public spaces to enhance the sense of ‘ownership’ and comfort Iwi Māori have within the Precinct (as identified above in Parts Three and Four).
- Usable water features are incorporated at entry/exit points to allow whānau to ‘cleanse’.

ALL COURTS

DISCUSSION

The stakeholders discussed their experiences at Ngā Hau E Whā as described above as the basis for the recommendations below.

RECOMMENDATIONS

We recommend that all courts incorporate Ngāi Tūāhuriri design elements and, as possible and appropriate, explore tikanga/kawa-based layout options.

We strongly encourage the design team to replicate as far as is possible the design elements that contributed to the positive experiences of locating the Youth and List courts at Ngā Hau E Whā marae following the earthquakes. We understand that the marae location contributed to more respectful and positive engagement with the justice system. We believe that the contributing factors were:

- a sense of ownership in the space
- less hierarchical layout of the judicial proceedings
- more visual stimulus in the space, diffusing some of the inherent tensions in judicial proceedings.

Accordingly, we strongly encourage subtle and overt integration of Ngāi Tūāhuriri design elements.

We also recommend the use of photo walls in key areas of the Precinct. Photos are an important design element of marae, which contribute to people’s sense of ownership, familiarity and comfort. We encourage the design team to explore creating ICT-enabled photo walls that have changing photo imagery and messaging that is appropriate to the space. For example, adjacent to the Youth Court, there could be imagery of youth who have ‘turned their life around’.

We also note reservations regarding the shared accessways (stairs and lifts) for the Criminal, Family and Coronial courts. Whānau engaging in family and coronial proceedings are likely to feel vulnerable, and shared accessways may make them feel criminalised and/or otherwise traumatised.

MĀORI LAND COURT

DISCUSSION

Discussion was held with Matapopore on whether the Māori Land Court (MLC) should be located within the Precinct or at Tuahiwi (given the historical location of the MLC). It was agreed that the MLC should be located within the Precinct, and that the MLC should be encouraged to explore holding sittings at Tuahiwi as appropriate. The discussions on the

design of the MLC facilities were at a high level, and we note that it will be critical to hold more detailed discussions with Ngāi Tūāhuriri, Ngāi Tahu and Iwi Māori as the design progresses to ensure that the facility is well supported by those who will use it. We were reminded through these discussions that the relocation of the MLC to its current location was accompanied by vigorous frustration and opposition due to perceived flaws in the process associated with the relocation.

RECOMMENDATIONS

As discussed with the design team, the design principles for the Māori Land Court (MLC) should include:

- accessible design so that Tāua and Pōua can easily access the MLC
- recognition that the MLC minute books and other records contain whānau whakapapa, and that design elements that provide visual cues for that sense of ownership should be embraced
- that whānau accessing the MLC should not feel ‘criminalised’
- that whānau access the MLC most often to source information, rather than to engage in hearings
- that the detailed design and layout of the MLC should be discussed in depth with whānau, through a structured engagement programme that ensures the facilities attract as much support as possible from the user base.

YOUTH COURT

DISCUSSION

The Youth and Rangatahi courts have a pivotal role in the future pathways of youth. Stakeholders placed high importance on the Youth Court area being filled with visual cues for youth to make life changes and view their future as has having wide possibilities.

Stakeholders also considered that Rangatahi Courts should be able to move around marae within the catchment, holding sittings as appropriate.

RECOMMENDATIONS

- Design features such as photo walls and messaging are incorporated into the Youth Court area, potentially including a photo wall where whānau can ask to have their images displayed as ‘social proof’ of that they are turning their life around.
- The Youth Court explores tikanga/kawa-based layout that lessens overt suggestions of hierarchy.
- There is subtle and overt recognition of Ngāi Tūāhuriri design elements.

FAMILY COURT

DISCUSSION

Stakeholders identified Family Court proceedings as occasions when whānau are particularly vulnerable, particularly when proceedings concern domestic violence.

RECOMMENDATIONS

The key recommendations included:

- users of the Family Court are likely to want separate entry and exit points
- as above, access to the courts via shared lifts and stairways may make the proceedings more difficult.

ENVIRONMENT COURT

DISCUSSION

The Environment Court was not discussed as extensively by stakeholders, but it was noted that Iwi Māori are regularly engaged in these proceedings.

RECOMMENDATION

- The Environment Court may also be suitable for tikanga/kawa-based layout, particularly as Iwi Māori are regularly engaged in these proceedings.

CORONIAL COURT

DISCUSSION

Coronial proceedings were identified as highly traumatic for whānau and some specific experiences were recalled.

RECOMMENDATIONS

As discussed with the design team, the following elements should be considered for the Coronial Court:

- usable water feature for people to cleanse themselves after leaving the Court
- space that allows the symbolic representation of tūpāpaku during the proceedings
- increased 'privacy spaces' to allow whānau to wait for proceedings with dignity
- exploration of air flow in the surrounding areas as whānau often feel 'suffocated' after these proceedings.

DISTRICT AND HIGH COURTS

DISCUSSION

It was noted that Iwi Māori are most regularly engaging with the District Court through criminal proceedings. The High Court is accessed less due to the severity of criminal cases and the lower participation of Iwi Māori in civil proceedings. It was noted that, as the Māori economy continues to grow, Māori are likely to increasingly be party to civil proceedings.

RECOMMENDATIONS

Recommendations are as for the general courts above, with particular emphasis on prioritising the District Courts for overt incorporation of Māori design elements.

POLICE

DISCUSSION

Stakeholders noted the importance of the police facilities incorporating Māori design elements.

RECOMMENDATIONS

We strongly encourage subtle and overt incorporation of Ngāi Tūāhuriri and Māori design elements into the police facilities in the Precinct. We believe it is important for Māori accessing the police to have strong visual cues of the bicultural foundations of New Zealand.

PART SIX: FURTHER ENGAGEMENT

Ngāi Tūāhuriri have valued the opportunity to engage with the design team leading the CJESP. We wish to acknowledge the open, constructive nature of the engagement and express our confidence in the design team. We believe that it is important to continue the engagement as the design process continues, to support the design team to integrate the recommendations made at this stage of development, as well as to explore more detailed aspects of the design. We note that the design team has indicated there is value in ongoing engagement and hope that the Ministry of Justice will confirm ongoing arrangements.

We consider it is particularly important for the following to occur.

- Exploratory engagement on the layout of the MLC: As noted above, there is a high risk of Iwi Māori opposition to the MLC design unless there is constructive engagement on the detailed design. Matapopore can facilitate this engagement process.
- Engagement on naming the Precinct and areas within it: we believe there is value in spaces within the Precinct being named by Ngāi Tūāhuriri. It would be desirable for dialogue on naming to commence so that the metaphors underpinning naming can be aligned with and inspire the detailed design process.
- Participation of Iwi Māori in the various ‘mock-ups’ will ensure that the finalised layout serves Iwi Māori interests: We understand that the design team is intending to develop a number of ‘mock-ups’ that will be used to test elements of the design. We believe there is value in Matapopore facilitating Iwi Māori to engage with the mock-ups. We would particularly value:
 - facilitating users of the Ngā Hau E Whā court facilities to engage in a discussion with the design team about their experiences of the marae setting and how that relates to the mock-up experience
 - engaging Māori service providers and whānau in the customer experience mock-up
 - any other mock-up processes that may be of value to the design team.
- The commissioning of Ngāi Tahu artists through the selection process Ngāi Tūāhuriri have established for the anchor projects: We believe it is critical for Ngāi Tahu artists to lead the design of key elements that incorporate Ngāi Tūāhuriri narratives. While it is valuable providing advice to the design team, we believe key visual references that are incorporated into the materials of the Precinct (eg, glass, paving, walls) should have an appropriately skilled person seconded onto the design team to ensure the authenticity of the interpretation. Matapopore has established a selection process for design teams to access Ngāi Tahu artists with the appropriate skills and expertise and would welcome the opportunity to work with the design team to:
 - identify specific areas of the Precinct that could be led by a Ngāi Tahu artist (eg, X wall space, X paving area, X window)
 - identify suitable artists to work with the design team.
- Regular (fortnightly or monthly) engagement with the design team to explore and test elements of the design as they are refined: We believe that the most valuable element of this

compressed engagement programme has been the direct engagement with the design team. While this report is useful as a reference document, it is inevitably a static instrument. Face-to-face discussions have enabled exploratory discussions.

- Any other processes as agreed with/requested by the design team: We are acutely aware that we have incomplete information about the design process over the next 24 months, and that there may be additional or alternative modes and timing of engagement that would be of value to the design team. Ngāi Tūāhuriri is committed to delivering the most value possible to the re-creation of Ōtautahi and would welcome recommendations for when and how engagement could best occur on this Precinct.





Image Credit: Paul Shackleton

APPENDIX 1

NGĀI TAHU CLAIMS SETTLEMENT ACT – CROWN APOLOGY

The text of the apology in English is as follows:

“1 The Crown recognises the protracted labours of the Ngāi Tahu ancestors in pursuit of their claims for redress and compensation against the Crown for nearly 150 years, as alluded to in the Ngāi Tahu proverb ‘He mahi kai takata, he mahi kai hoaka’ (‘It is work that consumes people, as greenstone consumes sandstone’). The Ngāi Tahu understanding of the Crown’s responsibilities conveyed to Queen Victoria by Matiaha Tiramōrehu in a petition in 1857, guided the Ngāi Tahu ancestors. Tiramōrehu wrote: ‘This was the command thy love laid upon these Governors ... that the law be made one, that the commandments be made one, that the nation be made one, that the white skin be made just equal with the dark skin, and to lay down the love of thy graciousness to the Maori that they dwell happily ... and remember the power of thy name.’

The Crown hereby acknowledges the work of the Ngāi Tahu ancestors and makes this apology to them and to their descendants.

“2 The Crown acknowledges that it acted unconscionably and in repeated breach of the principles of the Treaty of Waitangi in its dealings with Ngāi Tahu in the purchases of Ngāi Tahu land. The Crown further acknowledges that in relation to the deeds of purchase it has failed in most material respects to honour its obligations to Ngāi Tahu as its Treaty partner, while it also failed to set aside adequate lands for Ngāi Tahu’s use, and to provide adequate economic and social resources for Ngāi Tahu.

“3 The Crown acknowledges that, in breach of Article Two of the Treaty, it failed to preserve and protect Ngāi Tahu’s use and ownership of such of their land and valued possessions as they wished to retain.

“4 The Crown recognises that it has failed to act towards Ngāi Tahu reasonably and with the utmost good faith in a manner consistent with the honour of the Crown. That failure is referred to in the Ngāi Tahu saying ‘Te Hapa o Niu Tireni!’ (‘The unfulfilled promise of New Zealand’). The Crown further recognises that its failure always to act in good faith deprived Ngāi Tahu of the opportunity to develop and kept the tribe for several generations in a state of poverty, a state referred to in the proverb ‘Te mate o te iwi’ (‘The malaise of the tribe’).

“5 The Crown recognises that Ngāi Tahu has been consistently loyal to the Crown, and that the tribe has honoured its obligations and responsibilities under the Treaty of Waitangi and duties as citizens of the nation, especially, but not exclusively, in their active service in all of the major conflicts up to the present time to which New Zealand has sent troops. The Crown pays tribute to Ngāi Tahu’s loyalty and to the contribution made by the tribe to the nation.

“6 The Crown expresses its profound regret and apologises unreservedly to all members of Ngāi Tahu Whānui for the suffering and hardship caused to Ngāi Tahu, and for the harmful effects which resulted to the welfare, economy and development of Ngāi Tahu as a tribe. The Crown acknowledges that such suffering, hardship and harmful effects resulted from its failures to honour its obligations to Ngāi Tahu under the deeds of purchase whereby it acquired Ngāi Tahu

lands, to set aside adequate lands for the tribe's use, to allow reasonable access to traditional sources of food, to protect Ngāi Tahu's rights to pounamu and such other valued possessions as the tribe wished to retain, or to remedy effectually Ngāi Tahu's grievances.

“7 The Crown apologises to Ngāi Tahu for its past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries, and, in fulfilment of its Treaty obligations, the Crown recognises Ngāi Tahu as the tangata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui.

“8 Accordingly, the Crown seeks on behalf of all New Zealanders to atone for these acknowledged injustices, so far as that is now possible, and, with the historical grievances finally settled as to matters set out in the Deed of Settlement signed on 21 November 1997, to begin the process of healing and to enter a new age of co-operation with Ngāi Tahu.”

APPENDIX 2: MĀORI SETTLEMENT DESIGN QUALITIES

– S. ROLLESTON (2006)

Quality		Description	Purpose	Response
Mātauranga	Knowledge and understanding	Knowledge and understanding of history, people and environment	To promote and facilitate community understanding of local history and the importance of underlying cultural heritage and values	Community heritage information boards, recognition of traditional place names through signage, recognition of history in common spaces
Whakapapa	Relationships and connections	Understanding of the relationships and connections between people and place	To promote the relationships between people and place that reflect social connections with the environment	Recognition and protection of sites of significance, protection of view shafts
Whanaungatanga	Participation and membership	Participation and membership in the community and social setting	To encourage community participation and pride through building and emphasising community identity	Communal facilities (community centre), common and civic spaces reflecting local identity
Kaitiakitanga	Conservation and protection	Protection of significant landscape features important to the local community	To support the protection of important environmental and cultural features through community ownership and collective responsibility	On-site mitigation for three waters, recognition and protection of spiritual guardians, restoration of waterways
Rangatiratanga	Recognition and acknowledgement	Recognition of community relationships with the surrounding environment	To promote the recognition and awareness of community relationships with natural environment and landscape	Heritage markers (pou)
Tikanga	Sustainable management and use	Sustainable use and management of resources important to the local community	To facilitate and promote the sustainable use of natural and physical resources	Connecting ecological corridors, ecological restoration projects
Mana Whakahaere	Access and admission	Community access to natural resources found within the community	To provide and encourage community access to and sustainable use of natural and physical resources	Indigenous plantings, linking walkways with natural areas

APPENDIX 3: RESPONSES TO ACHIEVE SEVEN ESSENTIAL DESIGN QUALITIES CONSISTENT WITH MĀORI SETTLEMENT DESIGN QUALITIES

– S. ROLLESTON (2006)

		MAORI SETTLEMENT DESIGN QUALITIES						
		Mātauranga	Whakapapa	Whanaungatanga	Kaitiakitanga	Rangatiratanga	Tikanga	Mana Whakahaere
SEVEN DESIGN QUALITIES	Context	Development should recognise the natural and cultural heritage of a particular site as a means to establish the design context	Recognition and protection of sites of significance, protection of view shafts	Communal facilities (community centre), common and civic spaces reflecting local identity				
	Character	Community heritage information boards, recognition of traditional place names through signage, recognition of history in common spaces						
	Choice					Promote and facilitate cultural design options and choice		

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THE CONVENTION CENTRE NARRATIVE

Written by Associate Professor Te Maire Tau, Director of the Ngāi Tahu
Research Centre, University of Canterbury,
includes the essay 'The Great Hall' by Dr Chris Jones, University of Canterbury

Kia atawhai ki te iwi – Care for the people
Pita Te Hori, Upoko – Ngāi Tūāhuriri Rūnanga, 1861





INTRODUCTION

This narrative is written to outline Ngāi Tūāhuriri values and narrative so that architects and design teams may incorporate these values into the proposed Convention Centre for the Christchurch rebuild.

From the outset, this report has required much research and reference to traditional concepts, simply because for Māori there is no real equivalent to a convention centre. The notion of a convention centre is a relatively modern idea originating from an American innovation that in turn evolved from exhibition centres of the 19th and early 20th centuries. The most famous exhibition centre was the Crystal Palace, which was built to house Prince Albert's Great Exhibition in 1851.

The old Christchurch Convention Centre had little relevance to Māori and it was hardly an enjoyable place to visit. The design did not reflect any notion of tribal values and it certainly had no alignment to tribal practices as outlined in our Grand Narrative. We are now presented with a significant opportunity to design and develop a new convention centre that is not only a world-class facility, but is also without precedent because of its reflection of unique Ngāi Tahu cultural values.

From the position of Matapopore, the new Convention Centre has to commit itself to the core values outlined in the Grand Narrative. Those values are:

- whakapapa: identity
- mana-motuhake: independence and autonomy
- manaakitanga: charity
- ture wairua: faith.

This report is based on recognition of, and provision for, two key principles in the design of the Convention Centre:

- (1) the articulation of our values outlined in the Grand Narrative and summarised above, into a functional operative design – not just one of decorative purpose
- (2) outlining the basic principles behind a wharenuī and the great hall so that designers can configure a building that resonates with New Zealanders and Māori, rather than building an American construct in Christchurch.

In particular, the proposed Centre must reflect and incorporate our values of manaakitanga. This is discussed in more detail on the following pages. How will you look after and host our guests in a way that reflects traditional values?

The Centre must also reflect the design components of our wharenuī and the whakapapa encapsulated in such design. Again this is outlined in more detail in this report.

We also ask the designers to give appropriate recognition to the early Pākehā concepts of a great hall, which we believe are more appropriate for Christchurch than a 'Convention Centre'.

NGĀI TAHU VALUES

The new Convention Centre has to commit itself to the core values outlined in the Grand Narrative. Those values are:

- whakapapa: identity
- mana motuhake: independence and autonomy
- manaakitanga: charity
- ture wairua: faith.

Implementation of these values in the design phase means more than simply asking an artist to provide some decorative example of mana-motuhake or the hanging the Flag of the United Tribes along the wall. The real question that must be addressed and resolved is: *How will Ngāi Tūāhuriri and Ngāi Tahu Whānui practise manaaki in this building with a degree of mana-motuhake?*

Secondary to that, designers must also consider the following issues.

- How does the design enable ringa wera (people from our different marae) to feel comfortable in hosting events when they are using the facilities?
- How would our ringa wera use these facilities?
- When we deal with issues of ture wairua and faith, how will an architect place Ngāi Tahu and New Zealand spirituality at the front and centre of the building so that it imposes some disciplines on visitors and hosts when they gather, engage, debate and eat together? How will this be achieved in a way that does not relegate kaupapa Māori and ture-wairua to a back or side room? How will this be done so that visitors do not aimlessly wander around the building but are appropriately hosted and feel comfortable as guests?
- A significant test for this Convention Centre is whether Māori would feel comfortable hosting wānanga (seminars), hui-a-hapū (sub-tribal meetings), hui-a-iwi (tribal meetings) and hui-a-rūnanga (hapū or iwi council meetings) in this building. And just as importantly, how will Convention Centre management feel in overseeing these events?
- When Māori undertake a ritual/blessing/whaka moemiti/pōwhiri, how will the designers create a space to ensure these events are given prominence while at the same time accommodating and managing visitors who may be wandering aimlessly around the Precinct?

This series of questions is challenging and there is no easy or simple resolution. There are few if any precedents for convention centre design that incorporate these values and this makes us question whether the city is constructing a venue that is essentially an American or European concept (ie, a convention centre) with little that resonates with Ngāi Tahu and the citizens of Christchurch?

Māori do not do business in 'convention centres'. Māori meet on marae where matters are formally discussed and, usually, business takes place over shared food either during the hākari in the dining hall or in tribal headquarters – where they feel free to host and discuss issues of the day. In simple terms, Ngāi Tahu wealth was created on marae such as Tuahiwi, in the old

Te Waipounamu House on 127 Armagh Street and in the homes of tribal leaders. A convention centre will need significant ‘indigenising’ to surpass these places as areas where Māori choose to do business.

Furthermore, notions of taking Māori business away from our traditional venues for undertaking business and politics will be seen as an attempt to assimilate Māori business into western models. This is hardly the direction in which Māori wish to head.

For these reasons, Matapopore suggests that what Christchurch may need more than a convention centre is a building that aligns with who and what Ngāi Tahu and the Christchurch community are – rather than developing a building that positions us as an economic outpost of the American economy. Maybe all this highlights is a case of terminology and what we should really be talking about, and referencing, is a modern and expanded version of the great hall that dominated most English communities throughout their history through to the 19th century. Matapopore believes there is more alignment with this notion than there is with a convention centre.

To help facilitate this discussion, I have asked Dr Chris Jones, medieval historian at the University of Canterbury, to prepare a paper on the history and purpose of the great hall. It is an interesting read that explains how the idea of a great hall eventually became a common feature within towns and universities. The idea of a great hall was incorporated into the old university and, while it is no longer suitable for conferences, there are aspects of the great hall and the old university layout that resonate better with both Ngāi Tahu and, I suspect, Christchurch citizens. This paper is incorporated at the end of this chapter and Matapopore encourages the design team to read the work and consider how to incorporate the vision into the Convention Centre concept.

NGĀI TAHU MARAE

Our core concern is, how will the Convention Centre articulate Ngāi Tahu tribal values other than in simplistic forms of artistic decoration?

To understand this concern and work towards a solution, you need to have some awareness of our history in Christchurch, and the design team must also look to the concepts outlined in the Grand Narrative.

A HISTORY

Before its destruction, Kaiapoi Pā was the principal fort for Ngāi Tahu where the different hapū gathered and for kaihaukai, wānanga, hohou-rongo or any range of tribal activities. The principal reason for the emergence of Kaiapoi as the dominant pā lay in its leadership, location and – for want of a better word – its economic value location in the South Island. From its foundation, Kaiapoi was established as the main fort for Ngāi Tahu, particularly for the hapū in Canterbury (Ngā pakihi-whakatekateka-o-Waitaha) and the West Coast (Te Tai Poutini). Yet even the Ōtākou and Murihiku leaders retained their strong relationships with Kaiapoi and resided inside this fort whenever they were in the region.

Kaiapoi Pā was established by Tūrākautahi once his younger brother, Moki, had secured the region and avenged the deaths of their father, Tūāhuriri, at Waikakahi, along Lake Ellesmere (Te Waihora). Tūrākautahi chose Kaiapoi Pā because it was surrounded by swamp and could only be entered from one direction. The name itself came about when peers asked Tūrākautahi

where the food would come from and, according to the Rev Canon Stack, the food would be swung into the pā from all the villages throughout the region. Stack explains the story as follows:

The pā got its name Kaiapoi, or rather Kaiapohia, (meaning “food depot”) from the answer given by Tūrākautahi to those who criticised his choice of the site for it, and who asked him how he expected the inhabitants of a place so situated to escape starvation, seeing that they were too far removed from the permanent sources of food supply. ‘Kai’ must be ‘poi’ or swung to the spot, ‘Kai-a-poi-ed’ “potted birds from the forests of Kaikoura in the north; fish and mutton birds from the sea-coasts of the south; kiore and weka and kāuru from the plains and mountain ranges of the west.” Ready wit of the chief silenced the objections of his critics, and his pā was henceforth known as Kaiapoi,...

There has been some criticism over the years as to the authenticity of the story, but there is a wealth of evidence to support the notion that Tūrākautahi did indeed separate his colleagues and senior chiefs of his tribe into their own areas within Canterbury and that these villages did indeed swing their food towards Kaiapoi. Te Muka elder, Hoani Kaahu, outlined the story of Kaiapoi towards the end of the 19th century:

Nō waiti a ka nui haere te tangata
ka tupu hoki he ngakau toa nō rātou
ka tahuri rātou ki te riri kia rātou nā
reira ka tirohia te wāhi hei painga mō
rātou. Ka puta te kupu a Tūrākautahi
kia wehea ngā tangata o ia hapū o ia
hapū. Ko Ngāti Hinekakai me Ngāti
Hurihia kua wehea mai ki Tuahiwi
nei, noho ai hanga ai i to ratou pa. No
muri iho nga wehewehea nga tangata
i reira a Turakipo ki o Pawaho a

Manuhiri ki Koukourarata haere ki Te
Whakaraupo. Ko Makoo i wehea mai
ki Wairewa naere atu ki Hakaroa. Me
Te Ruahikihiki raua ko tana hunonga
ko Kaweriri i wehea mai ki Taumutu
nei noho ai. Ko te Ariki i wehea mai
ki Arowhenua nei me tōna nuinga me
Ngāti Huirapa rātou. Ko te nuinga ia o
nga hapū i noho ano ki roto i Kaiapoi
ko etahi i haere atu ki Kaikoura. I
wehea atu ki reira a Ngāti Tuteahuka
me ngā mano o Teiha. Ko ngā mano o
Hikawaikura i noho rātou ki Omihī¹

There are different versions of this tradition, but they all roughly confirm the idea that the principal chiefs, who led the Ngāi Tahu migration into Waitaha, separated into different areas, but referenced back to Kaiapoi as their chief fort and in fact Kaiapoi remained the central Ngāi Tahu pā right through to its sacking in the early 1830s.

The tradition of swinging food into Kaiapoi is really a statement of the growth of Kaiapoi as a meeting point for the exchange of food and taonga. As a result, Kaiapoi became the central meeting place for the different whānau and hapū of Ngāi Tahu and Ngāti Māmoe. Goods were swung towards Kaiapoi and this is where the people met. The role of Kaiapoi as a trade centre became more obvious when the Kaiapoi chief Tuhuru left his village at the Kaikanui, along the Waimakariri River, and gained mana over Te Tai Poutini. Now, rather than pounamu being traded north via Whakatū (Nelson), trade was now redirected through Kaiapoi. It is likely that the underlying reason for the Ngāti Toa attack on Kaiapoi was more to do with securing pounamu than any imagined slight.

Before we go further we need to understand what we mean by trade. The closest equivalent term within Ngāi Tahu to trade is the practice of ‘kaihaikai’. Ngāi Tahu elder Tikao, whose family was from Kaiapoi, explained ‘kaihaikai’ as follows:

1. Hoani Kaahu Manuscript, Ngai Tāhu Archives, University of Canterbury.



The people would send word of a proposed kaihaukai some weeks before hand. The people from Kaiapoi might go to Rapaki carrying tuna (eel), kiore (rat), kāuru (cabbage tree), kuri (dog), aruhe (fernroot), kūmara (sweet potato), and so on, while the home people would prepare pipi or kuku (shellfish), shark, marakai (dried fish) and other sea products as a return gift ... In two or three years' time the Rapaki people would carry food to a kaihaukai at Kaiapoi and bring back inland food in exchange.²

In this case, Tikao refers to kaihaukai as a system of exchange of foods between two kāinga (villages). Within Ngāi Tahu there are countless examples of inter-hapū and inter-iwi exchanges of food. Kaiapoi is the better known example of this tikanga.

The principal foods that Kaiapoi traded in were kūmara and kāuru. The kūmara or sweet potato was the sole crop among Māori and it would only grow as far south as Kaiapoi. Kāuru was the trunk of the tī (cabbage tree), which was baked in umu (earth ovens) and then dried and left as a sweetener or as a relish to be had with other food. According to tribal manuscripts and early settler reports, the cooking process allowed the saccharine to crystallise along the trunk of the tī tree. It was then separated into strips which were torn apart, mixed in water and chewed.³

Trade and economics, however, should not be seen as an activity in themselves. Trade occurred because the political groundwork had been established for Kaiapoi to become the centre point of Ngāi Tahu. One of the more intriguing aspects of Kaiapoi is that it was the home base for Ngāi Tahu leadership, wherever they were. At the fall of Kaiapoi, Taiaroa of Ngāti Ruahikihiki and Te Rakiwhakatia of Ngāti Huirapa were inside the pā and were eventually released by

Ngāti Toa. Equally important is that Kaiapoi was also the home of Ngāti Ruahikihiki chiefs to the south such as Tūhawaiki, Te Whakatupuka and Topi. In fact, both Tūhawaiki and Te Whakataupuka, our principal chiefs in Murihiku, were products of a peace settlement arranged at Kaiapoi Pā, where many of their family elders remained.

After the fall of Kaiapoi Pā, the Murihiku chiefs took the lead role in the fight against Ngāti Toa. The reason for these connections stretches back to the tradition of Tūrākautahi and the underlying principles of Kaiapoi Pā. Stack writes that Tūrākautahi ‘...had established a reputation for hospitality – a virtue which on his deathbed he enjoined his posterity to continue the practice forever.’⁴ Tūrākautahi’s directions to his descendants while he lay resting on his deathbed is known as an ‘ōhākī – a final farewell speech. In Māori, the pepeha he left was “Kia atawhai ki te iwi” which roughly translates as “Care for the people” although it also means to show and demonstrate hospitality. This saying was the same pepeha left by Pita Te Hori in the 1860s when he spoke to the Christchurch leaders:

...I ahu mai toku ture i a Tūāhuriri, kia atawhai ki te iwi...

Again, the great tohunga of Ngāi Tahu, Natanahira Waruwarutu, instructed his descendants after the fall of Kaiapoi Pā:

E hoa, ma, e ka uri whakatipu i muri nei, koi pēnei koutou; atawhaitia kā oraka mai o ētahi kaika, whakaputa mai ana kia koutou, koi pēnei ki a koutou; ahakoa pākehatia koutou, kia rakatira e whakahaere mā koutou.

To you my friends and my descendants who follow after me. . . always offer kindness and hospitality to those who come to you deprived of their homes, lest this may happen to you. And although you may become as the

2. H. Beattie, *Tikao Talks, Whitcombe and Tombs, 1939, p 130.*

3. James Cowan, *The Māori Yesterday and Today, Whitcombe and Tombs, 1930, p 174.*

4. Rev. James West Stack, *South Island Māoris: A Sketch of Their History and Legendary Lore, 1898, p 72.*

White-man, always let your standard of conduct be as gentlemen, be chivalrous.⁵

This is more than a flippant statement of being kind to one another. The reason Kaiapoi Pā became the tribal headquarters is that fighting was not allowed inside the pā. Kaiapoi was to be a place where the ideas of ‘atawhai’ and ‘manaaki’ were to dominate. This is the underlying reason why Tūrākautahi separated his leading chiefs into their different regions, as explained by Hoani Kaahu from Te Muka. The pepeha also explains why the only attack that occurred at Kaiapoi Pā was that undertaken by Te Rauparaha. In addition, it explains why sometimes quite different clashing personalities could be found inside Kaiapoi Pā during its years as the principal headquarters. Kaiapoi became the tribal headquarters because the underlying values of ‘atawhai’ and ‘manaaki’ established the conditions upon which trade and kaihaukai could occur – making Kaiapoi a place for all to convene.

With the fall of Kaiapoi, a new tribal centre was needed. Te Muka, Otakou and Ruapuke Island all became central gathering points for the tribe until the late 1840s when Tuahiwi took over the role of Kaiapoi Pā as the central gathering place for Ngāi Tahu.

The role of Tuahiwi as the central gathering place evolved from the 1870s when it became the tribal headquarters for the Ngāi Tahu Claim. This was because it was located close to Christchurch where the Native Land Court meetings were held and it was the largest Ngāi Tahu village. The size of Kaiapoi meant that it was able to host tribal members from as far away as Ruapuke on the marae and in family houses. Again, this brings us back to the basic message laid down by Tūrākautahi – kia atawhai ki te iwi. These ideas of manaaki and atawhai are evident in the economic support Kaiapoi was able to provide to the Ngāi Tahu Claim by way of the ‘Ngāi Tahu Fighting Fund’ – the tribal account set up to fight the Ngāi Tahu Claim. From June 1907–1908 Ngāi Tahu fundraisers raised £277. The contribution from Kaiapoi was £120, close to half the total contribution and by far the largest contribution by a kāinga. This contribution is evidence of the political and economic commitment of Ngāi Tūāhuriri.⁶

The 1879 Rūnanga minutes at Tuahiwi, where all Ngāi Tahu–Ngāti Māmoe Rūnanga gathered, explain how the Rūnanga organised themselves to fight the Ngāi Tahu Claim. Two committees were created. The first committee was the ‘Executive Committee’ (Komiti Whakatikatika) and the second committee was a council of kaumātua who had signed the various purchase deeds. The Executive Committee was the functional arm of the tribe represented by members from papatipu marae from the Kaikōura region south to Murihiku. As with the raids of Te Rauparaha, Ngāi Tahu had managed to drop hapū loyalties in favour of iwi unity. The pan-hapū view is confirmed in the Tutekawa minutes, which state:

Ko te whakaaro o tēnei Rūnanga ki te tū he hui mo te mahi a Nutireni⁷ e haere ake nei me tū ano ki Kaiapoi nō te mea ko waenganui tenei o Tewaipounamu kia hui ai ngā tangata ka waenganui pērā hoki me te Paremata o Nutireni Kei Poneke Ko waenganui tērā o tērā motu o tēnei motu...

The thought of this Rūnanga was to hold a meeting concerning te mahi o Nutireni and that it should always be held here at Kaiapoi because this is the centre of the South Island where people will gather like the Parliament of New Zealand at Wellington that is the centre of that island and this island...

Tuahiwi became the focal point for Ngāi Tahu because the Kaiapoi Reserve was in the centre of Te Waipounamu, making it the gathering point for Ngāi Tahu. That the Kaiapoi Māori Reserve

5. *Rawiri Te Maire Tau, I Whānau au ki Kaiapoi, Otago University Books, 2010.*

6. *W. T. Pitama Ms, A-17.*

7. *Te mahi o Nutireni refers to the work that faced the tribe in completing the promises inherent in the Ngāi Tahu Claim.*

was the largest in the South Island and that the Ngāi Tūāhuriri hapū was, along with Ngāti Ruahikihiki and Ngāti Huirapa, one of the more politically and economically active hapū of Ngāi Tahu would have confirmed Kaiapoi as the centre of Ngāi Tahu. Its proximity to Christchurch would have further confirmed Tuahiwi as the centre of Ngāi Tahu.

The 1881 decision to see Kaiapoi as the centre point of Ngāi Tahu was reconfirmed at a Te Muka meeting in 1907, from which the minutes stated that Kaiapoi was to be, “... te tari mo te Iwi o Ngāi-tahu rāua ko Ngāti-mamoe” (the department for the tribes of Ngāi Tahu and Ngāti Māmoe). The reasons for Kaiapoi becoming the centre point are similar to those of the 1870s.

Tuahiwi retained its role as the tribal headquarters well into the 1980s, although the movement of the Ngāi Tahu Māori Trust Board from Kaiapoi into Christchurch occurred in 1981, when the first Te Waipounamu House was built on Armagh Street by the Trust Board. The movement had occurred because by the 1980s, the journey from Bluff to Christchurch on a train by Trust Board members was far too long. Bob Whaitiri, the Murihiku representative for the Trust Board, would have to travel by train from Bluff and then catch a train to Kaiapoi and then on to Tuahiwi where he would stay at the home of Whitu Pitama. It was simply easier for the southern members to meet in Christchurch.

However, the transition into Christchurch, while functionally easier and logical, has never been fully accepted as ‘tika’ by tribal members. Christchurch is a place for Pākehā. It was designed for Pākehā, not Māori. It is where our people were forced to locate because they were never allowed to build on their reserved lands. In fact, the hostility of Pākehā towards Māori has always simmered beneath the surface. When the idea of a

meeting house in Christchurch was raised, quite racist sentiments were expressed by borough councillors. One councillor remarked, “We are putting down an ancient Māori house in one of our best suburbs. It will be quite out of keeping.” Another apologetically said, “I understand that it will be looked after properly so that it will not deteriorate into a Māori whare or anything of that sort.”⁸

This is not to say that Christchurch today is still hostile to Māori. But while not being hostile, neither does the city acknowledge or show any real appreciation of Ngāi Tahu. To counteract this perspective, it is essential that the Convention Centre articulates our tribal values in ways other than in artistic decoration.

We are not asking that a wharenuī be built. That would be a simple response to a difficult dilemma that needs real discussion. The reality is that for our people to feel comfortable in holding a conference and convening a meeting, they must feel that they have a sense of ownership when they provide manaaki and atawhai (kindness, generosity) to our manuhiri.

The new building must translate our values outlined in the Grand Narrative into a functional operative design, rather than one of decorative purpose, and interpret the basic principles behind a wharenuī and the concept of a great hall so that designers can configure a building that resonates with New Zealanders and Māori, rather than constructing an American-style convention centre in Christchurch.

8. *The Press*, 16 July 1940.

THE WHARENUI

Te Ao Marama
Te Ao Marama
Ko Hine Titama
He tauira
Te Whiwhi a Nuku
Te Whiwhi a Rangi
Taka mai a Tama-nui-a-Rangi
E toki ana
E tokia e Tāne Mahuta
I nukunukutia
I nekeneketia
Te Whare a te tangata

This chapter is not written with the purpose of requesting a wharenuui. We are simply providing a conceptual idea and framework for the design teams to better understand the creation mythology behind the wharenuui.

For Māori, the wharenuui is a statement of identity. It is a declaration of who one is and where one comes from. Today, identity is taken for granted, where one can simply state one is a New Zealander. For Māori and the early settlers, statements such as this were meaningless. Identity went straight to the matter of who one was and for Māori that meant declaring one's descent lines and ancestral connections. Identity was a statement of whakapapa.

The connection to the wharenuui is that at a community level there were two symbols of tribal identity: the waka and the wharenuui. Both were seen as the most prestigious assets of the community and were therefore consecrated during their tapu-lifting rituals as significant ancestors of the iwi.

When Māori gather upon a marae, they greet the whare as an ancestor, not a meeting house.

How the tribal identity was designed into the wharenuui or canoe can be seen in the architecture of the wharenuui. Once the iwi confirmed the ancestor whose mauri they wish to imbue into the building, the tohunga then designed the whare along the lines of the ancestor. The tipuna for the whare would be carved as the tekoteko who would stand upon the very apex of the wharenuui facing the marae-ātea.

The whakapapa or descent lines would run along the tāhuhu of the meeting house, or the ridgepole. For Māori, the ridgepole was the tāhuhu (spine) of the ancestor that represented the senior descent line. From the main descent line, the rafters that reached down from the tāhuhu were known as heke, which our people saw as the ribcage of the ancestor. The heke or rafters that ran downwards would themselves drop down to particular poupou or carved pillars of ancestors standing along the walls of the wharenuui.

When other iwi visited, the identity of the home people was made clear when both parties gathered upon the marae (courtyard) to engage in tribal activities and affairs. Internally, the wharenuui reinforced the ideas of tribal traditions and customs by way of the carved ancestors that lined the walls and the tukutuku panels that connected each family line.