

**BEFORE THE COMMISSIONERS
TARANAKI REGIONAL COUNCIL
NEW PLYMOUTH DISTRICT COUNCIL**

MATTER notice of requirement and resource consent applications to
construct a bypass at Mount Messenger, Application ID:
DSN17/44711 and LUC18/47193

BETWEEN **NEW ZEALAND TRANSPORT AGENCY (NZTA)**

Applicant

TE KOROWAI TIAKI O TE HAUĀURU IINCORPORATED (TE KOROWAI)

Submitter

**STATEMENT OF ALLEN POTETE WHITE ON BEHALF OF Te Korowai Tiaki o te
Hauāuru Incorporated SOCIETY**

DATED 12/ July 2018

1. INTRODUCTION

1. My name is Allen Potete White. I was born on October 29th 1943 I am the eldest Son of Bruce Whakaterere White and Moari Maude Pomare. I have three siblings. Haumona Rodney White, Paki Godfrey White and Matehuirua Katherine Limmer. When we were very young our parents divorced and my two brothers and my sister were raised in loving caring homes of close relatives.. As a 5 year old I was put in the care of Miss Molly Trim an Anglican missionary until I was twelve years old.
2. I live at 10b Bell Road Whatawhata Hamilton NZ with my family..
3. I have been designated as a Kaumatua of Ngati Tama a position that bears a lot of responsibility and it does not sit lightly with me. I am in regular contact with a family group of Ngati Tama beneficiaries totalling in excess of 700-800 members of Ngati Tama.
4. I am a member of the Te Korowai Tiaki o te Hauāuru Incorporated (Te Korowai).
5. I am authorised to write this statement of evidence and to present this submission by my fellow Kaumatua Mr Amos White. Mr Amos White is not presenting this as he is a principal witness in a high Court case to commence in the High Court Auckland on the 20th August 2018 and his time and energy is focused on that case.

2. BACKGROUND

6. The first three years of my life I was raised by my Grandparents, Hotu Potete White and Matehuirua White (nee Horomona) at Pukearuhe. My memory of this time is non existent and was related to me by my mother. My Grand Mother passed away in 1946
7. When I turned five our family disintegrated and I went to live with Molly Trim. I never saw my Grandfather much again until I was 14 when he came to live with my mother and I in Wellington with Queeny McClutchy and her daughter Marcia. My Grandfather related a lot of stories to me during that period. On reflection he was broken hearted from the loss of his wife and being dispossessed of the farm where he lived.
8. During my time in the care of Molly Trim; or Mere as she was affectionately known, she always ensured I had contact with family members. I recall sitting at the feet of Roimata at Urenui or with my maternal Grandmothers Sister Tuku Bailey. Although the stories they told were not grasped in there entirety at the time. They now flood back with with poignant memories.
9. Mere also ensured I spent time with my Brothers and Sister so school holidays were spent either at Pukearuhe with Matehuirua and Uncle Bert and Aunty Ruby Lake. Or at Mokau with my brother Haumona and Uncle Jim Bertrand or at PioPio with my youngest brother Paki and Uncle Dave and

Aunty Mary White. These were wonderful times full of adventure and stories to fill a young child's head.

10. The first job I ever had was with my uncle Bert Lake when I was 11. Uncle Bert milked cows by hand separated the milk into cans and delivered them to the front gate on an old dray. He would then saddle the horse up and ride off to shear the neighbour's sheep. That year I was his rousy and would climb up behind him on the horse and off we would go. Along the way he would point out landmarks and tell me stories. All wonderful memories. So my affinity with Pukearuhe is one of deep enduring memories of a time long gone. Of people with strength, character and finely tuned values systems, people who had Mana who knew they were a people respected and renowned for their gallantry in the face of adversity. But sadly caught in the traps of colonialism.

3. MEMBERSHIP

11. The current list of members/beneficiaries does not reflect the true depth and breadth of Nga Uri o Ngati Tama. Some have been totally forgotten and/or purposely excluded to strengthen the ties of one particular segment of the family.

12. It is unsure whether there is a workable database driving the gathering and distribution of information or, merely a mailing list that is only updated when needs arise. There is a concern that the numbers quoted by Michael Dreaver and what is on a list dated 2012 do not match. There are concerns relating to membership and voting eligibility being extended beyond the recommendations of the Deed of Trust. There has been no request for current information to be updated. There are concerns those charged with developing the list being influenced by individuals with a contrary agenda.

13. I am lead to believe the original membership list came from the Taranaki Maori Trust Board and some 435 individuals supported the Whanau Whanui group led by Alan Robson, Alan Batley to put an argument of discontent to the Select Parliamentary Group with the way in which the Treaty claim was being progressed. (**See Attachment 1 Ngati Tama Claims Settlement Bill**)

14. The list is unavailable to members and is closely guarded under the pretext of confidentiality yet this list has been used by people outside of TRONT Runanga Trustees to serve injunctions on members with contrary points of view. A request to view this list by members of TRONT Trustees was also denied.

15. Sadly, there is also an element of exclusion within this grouping that needs to be addressed. Driving this discriminatory exclusion is a misconstrued interpretation of 'Ahikaa' that colours the view-point of some, and acts as a divisive discriminatory pressure point that is used by some of the leadership of TRONT and by Government agencies.

16. The devastation caused by the land confiscation Act coupled with the ensuing burning of Pah and homes by the Messenger commanded forces

who were domiciled at Pukearuhe. Achieved exactly what they wanted. A complete disenfranchisement of the people. It meant that these once thriving communities were forced to leave to seek safety for their families and a livelihood to support them.

17. In later times this alienation of tangata whenua meant Kaumatua going to Maori land court hearings cap in hand telling their stories to Judges who either patronised or ignored them and in some instances ridiculed them. They made token payments that would never meet the losses incurred and never ever reflected the magnitude of true cost. The very select and discriminatory nature of these payments perpetuated the divisiveness that continues today.

18. A realisation that becoming a part of the solution was the only way to bring about change. Brings into view the cavalcade of Tupuna that in my minds eye is inspiringly impressive. Each have added to the tapestry that is us. Ta Maui Pomare - Ta Te Rangi Hiroa - Ranihera Ellison - Waitaora. All were casualties of a war of disenfranchisement that we could not win, a war we are still fighting today. I say over time we have moved from being gallant defenders of the gateway to the rich farmlands of Taranaki to being refugees in our own land and now to being ostracized and excluded by Ahika.

4. NOTIFICATION

19. I was first made aware of the road realignment when Conrad O 'Carroll advertised on a closed Facebook page that there would be a Hui a Iwi to discuss the NZTA proposal. i wrote to him pointing out that what he had done was highly unusual and out of kilter with the Deed of Trust. Within in a couple of days there was an announcement on the same closed Facebook page that the Hui was cancelled and I was subsequently blocked from the page. The next notification was for a Hui a Iwi in the TDN for the 10th of December 2017, I was made aware of this by Amos White. I attended to hear what was going on. I was shocked to be told at the Hui that this was the fourth Hui a Iwi that they had held. I was also shocked that they had accepted an offer of \$5m and the gifting of 120ha on Gilberts Road. And were preparing to send a neutral acceptance to NZTA it was stated by Mr. Hovell that a neutral position would allow Ngati Tama to then take NZTA to court to pad the payments out. He also said "we cant lose" my response to him was; "I have heard that one before". Before leaving this Hui I asked Tama Hovell for all the minutes of the previous meetings. These were never supplied. Myself and others followed up with written requests for minutes but none were ever sent. **(see attachment 2 letters and dates requesting info)** When i reported back to my whanau what had happened they formulated a proposal to establish an Incorporated Society Te Korowai to give a voice to the beneficiaries of Ngati Tama and to hold the remnant of TRONT accountable for their actions. TRONT's secrecy and lack of accountability is driven by pure unadulterated greed. It is destroying what little is left of the Mana Ngati Tama built up over century's by our brave, gallant Tupuna. We

once fought off invaders now sadly we fight the enemy within and Government agencies who see these four (4) Trustees as easy prey and offer bribes in the form of contractual services provided to get what they want. Yet a search of documents on the NPDC/NZTA web site show no significant input into the project.

EFFECTS OF THE APPLICATION

20. The consequences of having this application go ahead as negotiated by individuals who are only concerned with the immediate financial situation they are in means the long term effects could only be described as catastrophic. **(see attachment 3 Financial Statements submitted AGM on 28th July)**

21. Te Korowai is committed to provide for the future generations of Ngati Tama by arranging a transaction for using the only substantial asset left to Ngati Tama in such a way as to ensure future generations will view the transaction as meeting their needs and that it is equitable, justifiable and sound; and a transaction that reflects the strategic position of Paraninihi in the transport sector of New Zealand society by placing Ngati Tama in the centre of the economic future of Taranaki.

22. New Zealand's history is replete with unfair inequitable outcomes negotiated by generations of the ill-informed and viewed as a position of right by successive Government agencies as sound business practice. When looked at in isolation today one can only conclude theft takes many forms. However, theft by Government Agencies is the most despicable form of theft because it is written into law, it is written into history and impacts on many, many generations. Accepting this as the best outcome for Ngati Tama would make us complicit in another theft. NZTA actions of deceit and secrecy highlights and demonstrates a complete lack of leadership throughout this whole process has been divisive and discriminatory and contrary to the Treaty of Waitangi. The cultural assessment is lacking in depth and is largely a cut and paste from the original ToW claim. There is more to write of this.

5.TREATY SETTLEMENT.

25. Ngati Tama obtained a treaty settlement of \$14.5 million dollars together with some of the land that was stolen by the Crown (Its as if the Crown stole our Rolls Royce car and gave us back the hubcaps).

26. Land that was earmarked for return in the settlement in exchange for a marine reserve was never consummated. I want that to be resolved.

27. Ngati Tama Iwi is a large group and the settlement of the treaty matter in 2003 was on behalf of the whole tribe. Foretold at the time was a power imbalance in tribal members and settlement matters. The power within Ngati Tama has remained in the hands of a few

28. There were 18 children of Potete Hotu White and Matehaurua Horomona who married on the 12 February 1906.

29. This matter of the closed family group was raised in the House of Representatives and mentioned in the second reading of the Settlement Act

in the evidence of Tariana Turia. It was also the matter of a subsequent Court case by the Batley Family. - The difficulty has not been resolved.

30. Those seeking to resolve it by litigation as in the High Court matter referred to hereafter are facing the resources of TRONT used against them in Court.

6.CULTURAL ASSESSMENT.

35. I and Te Korowai adopt the Ngati Tama Cultural values assessment in regard to the NZTA proposed bypass through Paranihi, as far as it is correct, but claim it is not comprehensive, and fails to fully and comprehensively address the impact of the activity on the cultural values Taonga and Tikanaga of Ngati Tama.

36. The Crown have from the first coveted the lands of Taranaki including Ngati Tama. Additionally and more importantly recognised and craved the security offered by the Paranihi, the ancestral domain of Ngati Tama. When the Crown could not get the land by one means or another, the Crown simply took it – that is stole it. The systemic theft of Maori land in the name of progress must stop, the Crown merely took it. The treaty claim that settled with Ngati Tama gave back only a small portion of the land, not all that was confiscated, and then the land that was returned was burdened with covenants and restrictions. These covenants and restrictions were designed to protect the unique pristine environment we know as Paranihi it is the home of of our ancestral beings; endangered species of vertebrates and invertebrate's the unseen fragile Taonga of the Paranihi that weeps for our protection.

37. The building of the Mt Messenger road breached the tenure of Ngati Tama and compromised the security of Paranihi resulting in Ngati Tama and its people being disadvantaged yet again. The security of Paranihi was compromised by the Mt Messenger road.

38. Notwithstanding our adoption of the cultural values assesment that has been prepared by the **four (4) Trustees Te Korowai** requires a comprehensive Ngati Tama cultural values assessment to be completed in relation to Paranihi and the associated resource consent/s and related activities. That assesment will first fully describe the cultural values of the area of Paranihi affected; determine the cultural values involved; and then condition by condition assess the project works proposed by NZTA against the Ngati Tama values; finally coming to a conclusion.

39. There is significant costs involved in this Cultural Values Assessment, and Ngati Tama and Te Korowai expect those funds to come form the applicant in advance.

40. An inquiry among similar projects and similar cultural value assesments indicate a period of 6 – 8 months full time work is involved in this work.

7.CONULTATION WITH IWI

44. The Trust has not properly met; and the defaulting Trustees who, without the involvement on any level of the excluded trustees have been meeting with NZTA, have not consulted widely to Ngati Tama Iwi in order to establish the wider Iwi views:

1. on the sale of Ngati Tama Land;
2. whether use of the land is acceptable to Ngati Tama;
3. any cultural redress that might take place.

45. The excluded trustees have been updated with arrived at positions, but those positions have been arrived at in the absence of their preliminary input, developed argument and input of wider consultation.

9. AUTHORITY OF TRONT IS DENIED – MANA LOST

49. It is now widely accepted that consultation with a wider Iwi and hapu is a component of consultation with Maori. Despite assurances from NZTA that has not happened here.

50. My whanau extended whanau and Te Korowai reject the proposed deal by the NZTA and the 4 defaulting trustees.

51. Te Korowai is committed to provide for the future generations of Ngati Tama by arranging a transaction for using the only substantial asset left to Ngati Tama in such a way as to ensure future generations will view the transaction as meeting their needs and that it is equitable, justifiable and sound; and a transaction that reflects the strategic position of Paraninihi in the transport sector of New Zealand society. New Zealand's history is replete with unfair inequitable outcomes negotiated by generations of the ill-informed and viewed as a position of right by successive Government agencies as sound business practice. When looked at in isolation today one can only conclude theft takes many forms. However, theft by Government Agencies is the most despicable form of theft because it is written into law and impacts on many generations.

52. New Zealand's history is resplendent with unfair bargains in relation to land transactions with Māori when looked at subsequently. For example, the payment for Whanganui consisted of "*muskets and gunpowder, tomahawks, clothing, red blankets, tobacco, jew's-harps, fish-hooks, beads and a variety of other trade goods*". Auckland similarly. The Crown paid £341 for the original land handed over for the settlement (3000 acres).

Peka Peka saw the theft of land from Maori and council then leasing stolen lands back to the original owners. Hardly a just or equitable position. One land owner stated:

Heoi taku kupu tuturu: Kaore he hoko tahae, 'e hoko whakariterite, kaore 'e hoko muru tahae, 'e hoko whakapatipati e iri ki rung a ki tekiona 118 - 75 eka 0 poraka 1, Opunake - ka herea mai au mo roto i nga tau maha, tomo atu ki roto ki te kotahi miriona tau (E: 150).

This is my considered opinion: What a thieving deal, a manipulative deal! What a plundering thieving deal, a deceitful deal over Section 118 (75 acres of Block 1, Opunake) which binds me throughout the years ahead, right up until a million years from now!

The Way Forward

54. I do not want Ngati Tama to sell any land to the Crown or to anyone else.
55. I believe that Ngati Tama could allow the use of the land by the Crown on a perpetual lease
56. Te Korowai wants the proposed NZTA Paraninihi Road named to reflect the Ngati Tama ancestral being that Paraninihi is. Name to be decided by the Iwi.
57. **Return of Mt Messenger Road.** Te Korowai believes that the old road named as Mt. Messenger, should be returned to Ngati Tama.
58. **Signage at waypoints and resting stations:** Te Korowai believes the way-points and rest stations on the NZTA Paraninihi Road should have interactive sign-age that tells the story of the Ngati Tama world view; and the confiscation and tragedy that was and is Ngati Tama.
59. **Lease – perpetual v/s sale of land:** Te Korowai does not want to see any more of Paraninihi (Lands) pass out of Ngati Tama hands, neither for money nor for exchange or at all. Te Korowai may be prepared to allow the use of the land in a similar manner that the Anglican Church allows the use of the land around St Helliers, Mission Bay and Meadowbank in Auckland – A perpetually renewable lease. Te Korowai does not require any money to change hands other than a reimbursement of the costs involved in setting the transaction into place, and the subsequent payment of the ongoing lease.
60. **Reimbursement of Costs:** In dealing with the Crown over the NZTA proposal, Ngati Tama expects its full costs to Ngati Tama be remunerated by the Crown.
61. **Economic value benefit to be determined at outset:** Te Korowai requires an economic analysis of the increased value of the improved road to be determined and from that value the first annual rate of remuneration to Ngati Tama to be set, with payments to be in advance, the first payment on signing.
62. **Lease value at start to be determined based upon economic value:** Te Korowai claims that the first rate of annual payment for any lease should be a market value reflection of the economic benefit of the use of the Ngati Tama lands to the Crown and the communities of Taranaki and New Zealand.
63. **Lease review and ratchet provisions:** Te Korowai claims that the lease rate reviewed every 3 calendar years provided that failure to review at the

calendar year does not bar future claims against the lease, and backdating of the same to the calendar year. The lease should be ratcheted so that it is indexed upwards by whichever is the greater of the rate of increase in the consumer price index, or the rate of economic benefit increase to New Plymouth and New Zealand.

64. **Stockpile of timbers for Ngati Tama future use:** Te Korowai claims that usable timbers found in the NZTA road constructions are removed, and stored so that they are protected from deterioration for Ngati Tama use.

65. **To conclude, our first position as Te Korowai is that the road should be declined.** It is only if that is refused that Te Korowai will consider other options but this requires more engagement and assessment of the cultural effects.

Allen Potete White

11/07/2018