

NGĀTI HĀUA
and
TE WHIRINGA KĀKAHO O NGĀTI HĀUA
and
THE CROWN

TE PUA O TE RIRI KORE
DEED OF SETTLEMENT OF
HISTORICAL CLAIMS

29 March 2025

2 *AK*

PURPOSE OF THIS DEED

This deed –

- sets out an account of the acts and omissions of the Crown before 21 September 1992 that affected Ngāti Hāua and breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles; and
- provides an acknowledgement by the Crown of te Tiriti o Waitangi/the Treaty of Waitangi breaches and an apology; and
- provides statutory pardons for Te Rangiātea and Mātene Ruta Te Whareaitu;
- specifies the cultural redress, and the financial and commercial redress, to be provided in settlement to the governance entity that has been approved by Ngāti Hāua to receive the redress; and
- includes definitions of –
 - the historical claims; and
 - Ngāti Hāua; and
- provides for other relevant matters; and
- is conditional upon settlement legislation coming into force.



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Dr *Ida*

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DEED OF SETTLEMENT

THIS DEED is made between

NGĀTI HĀUA

and

TE WHIRINGA KĀKAHO O NGĀTI HĀUA

and

THE CROWN

1 TE TŪĀPAPA – BACKGROUND

KARAKIA WHAKATUWHERA

Tū wheua te pō, tū wheua te ao.

Tū wheua ngā tātarāmoa i haria mai e koutou ki tēnei whenua kino.

Whatiwhati koa ngā parirau o Rupe, i riro rā i a Rongo.

Te whenua ko Rongo,

Ko Rongo ki te whakatupua,

Ko Rongo ki te whakatawhito,

Ko Rongo ki te maimai aroha,

Ko Rongo!

E Rongo e, whakairihia – ē hai!

Whiriwhiria ngā whenu o te ara kupu matua,

Whiriwhiria ngā muka o Te Ranga Tairunga,

Whiria ngā kākaho, e kore e whati, e kore e whati!

TE TŪĀPAPA

Ā mua, i muri ōu kōrero.

Ko Ruapehu te pou tuarongo

Ko Te Awa Tupua te tāhuhu ki te pou mua

Ko Ruatupua rāua ko Paerangi ngā maihi

Nei rā te whare o Hāua.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT

1: TE TŪĀPAPA - BACKGROUND

- 1.1. Ko te iwi o Ngāti Hāua tētehi o ngā iwi Tangata Whenua o Te Kāhui Maunga-ki-Tangaroa (ngā maunga ki te moana), i heke mai i ō rātou tūpuna takenga ingoa, mai i a Ruatupua rāua ko Paerangi, ko te hekenga mai tērā o te mana atua, o te mana whenua me te mana tangata.
- 1.2. Arā kē ngā pūtake o Ngāti Hāua, mai o te wā o mua atu i te taenga mai o ngā kāhui waka i Hawaiiki, i Rangiātea, me Tahiti. Ko te take o te mana whenua o Ngāti Hāua, he 'Take Taunaha' – ā, nā ngā tūpuna anō i kite te whenua, nā Te Kāhui Māui.

Ko Tahuārangi te waka,

Ko Rangitukutuku te aho,

Ko Piki-mai-rawea te matau,

Ko Hāhā-te-whenua te ika rō wai.

- 1.3. Ka taka ngā tau, ka hua ngā whakatupuranga o Te Kāhui Rua, ā, rite tonu ki ētehi atu iwi whai pānga ki Te Awa o Whanganui, e whakanui ana a Ngāti Hāua i tō rātou 'take tupuna' i takea mai i Ruatupua rāua ko Paerangi.
- 1.4. I mōhiotia a Ngāti Hāua i mua ko Ngāti Ruatupua o ngā takiwā o Taumarunui me Ōhura. Ka moemoe ngā uri o Ruatupua ki te hunga i tae mai mā runga i ngā waka. I noho anō a Tiatī Gudgeon, kaiwhakawā o te Kōti Whakawā Whenua Māori i roto i ngā huihuinga whakawā i ngā pānga o Ngāti Hāua ki Ōhura me Tūhūa, ā, nāna hoki i tuhi:

E mōhiotia ana e ngā uri ko ō rātou tūpuna i te noho tūturu i te Awa o Whanganui me ngā whenua i te taha i te taenga mai o Turi i te waka o Aotea, otirā, i te taenga mai o Paoa i te waka o Horouta.

- 1.5. Ko te ingoa taketake o Te Awa o Whanganui ko "Te Wainui-ā-Rua(tupua)".
- 1.6. Ko te pūtake tuarua o Paerangi ko 'Paerangi-i-Te Moungaroa'. I whānau mai a Paerangi i te whānau atua, ā, i whakanohoia e ia tana iwi i te rohe ki te tonga mā marangai o Ruapehu, me te moemoe tana iwi ki ngā kāwei whakaheke o Ruatupua, i te riu o Whanganui.
- 1.7. Ka heke mai hoki ngā aho whakapapa matua o Ngāti Hāua i ngā waka e whā o Aotea, o Tainui, o Te Arawa me Tokomaru, me kī, te hunga i tae mai i muri, i moemoe hoki ki a Ngāti Hāua. He uri a Ngāti Hāua nō ngā tūpuna taketake, nā reira ka kīa rātou ko Te Puru-ki-Tūhūa.

Mai Te Puru-ki-Tūhūa ki Te Matapihi.

- 1.8. Tā tēnei pepehā he whakataki i ngā rohenga whaka te raki, whaka te tonga hoki o ngā iwi whānui kē atu o Whanganui, engari e mōhiotia ana ko Ngāti Hāua ngā kaitiaki o te rohe ki te raki, hei kaiparepare i ngā iwi o waho.

- 1.9. Nō te takiwā o te tau 1550 ka moe a Te Hoata II, i tētehi uri o te tohunga o Tainui, o Hiaroa, tōna ingoa ko Hinewhata, ā, ka noho a Te Hoata II rāua ko Hinewhata ki Taumarunui. Ka puta tā rāua tamaiti i reira, ko Hinemata. Nā tētehi atu moenga ki a Hine-te-wai ka puta ko Te Ruaroa, ā, nā tana moenga anō ki a Marama-ki-te-rangi ka puta ko Puakakaho. Ka moe a Te Ruaroa i a Rakei (I), te tama tēnei a Tamakana. Ka puta tā rāua tamaiti ko Toakohuru, ka moe i a Hinekopa, nō te iwi o Ngāi Turi. Ka puta ā rāua tamariki, ko Tamahina rāua ko Kaupeka. Ka nohoia e Kaupeka ngā whenua i te takiwā o Waiāraia me Te Umukaimata, ā, i tapā te ingoa ika whenua “Tāwhiti Kaupeka” mō tētehi tāwhiti weka nā Kaupeka i hanga. Ko te ingoa o te tuakana o Kaupeka ko Tamahina, ka moe i a Hinengākau, ā, nā Tamahina i whakatakoto te rohe mō Hāuaroa ki Waiāraia. I puritia te ingoa nei, a Hāuaroa, e ngā uri o Tamahina rāua ko Hinengākau me ngā uri o Kaipeka hei karangatanga iwi mō rātou.
- 1.10. Nā Hakiha Tawhiao i tāpae ētehi kōrero mō te takenga mai o te ingoa o te iwi o Te Hoata (II). Ki a ia, i takea mai te ingoa o Hāuaroa i te tāhuhu o te Whare Wānanga i Hawaiki.
- 1.11. Nā Pei Te Hurinui ngā tāhuhu kōrero e whai ake nei mō te taenga ake o Te Hoata I ki te Rohe o Tūhua rāua ko Purerora:

I takea mai te ingoa o te iwi o Hāuaroa i te tupuna o Te Arawa, e mōhioia nei ko Hāuaroa. Kua heke mai te wāhanga o Te Arawa, nō taua wāhanga hoki a Hāuaroa i te rohe ki ngā roto o Rotorua, ka noho ki Maraeroa i ngā puke i te taha o te maunga o Pureora, ā, i nuku mai rātou i tērā takiwā, nāwai rā, ka nuku mai, i rā ngā riu o ngā awa o Waimiha me Ōngarue, tau rawa mai ki Taumarunui.

I whakatūria e Te Hoata II, te rangatira o aua tāngata o Te Arawa, tōna pā i te taha o te Awa o Ōngarue, arā, i te ripanga i te taha mauī, he āhua hāwhe maero pea i runga ake i te piriti nui i te huanui matua, i te pito whaka-te-raki o Taumarunui. I a ia i te rohe o Maraeroa, ka moe a Te Hoata II i tētehi uri o Ruānuku o te Kāhui Manu o Tainui e mōhioia nei ko Hiaroa. I mōhioia te pae maunga o Hurakia e te motu katoa hei karamuinga manu ngahere, i ōna wā anō o te tau e tika ana, arā, ngā manu ngahere mai i ngā pae maunga i ngā taha, mai i tawhiti hoki, mai i ngā maunga ngahere o te takutai hauāuru, o te rāwhiti anō hoki.

- 1.12. Ka kitea i roto i ngā whakapapa o Tamaaio tōna hononga ki Aotea/Tainui, ka moe ngā tūpuna ki ngā kānoi o Te Arawa, nā te moenga o te tamāhine a Te Hoata II, a Hinemata. Ka puta i konei tētehi hononga ki ngā whenua o Tūhua, nō konei hoki te ‘take tupuna’ o Ngāti Hāua, nā Te Hoata II.
- 1.13. E ai ki a Hakiha Tawhiao, ko Te Hoata II te tupuna nui o Ngāti Hāua i te tonga o Ōhura, me Rangitoto Tūhua. Ka puta i āna whakapapa te hekenga mai i a Te Hoata I ki ngā rangatira o Ngāti Hāua. Inā rā ētehi, ko Ruaroa, ko Toakohuru, ko Tamahina, ko Tapaka, ko Terekau, ko Tuhaia, ko Whakaneke, ko Te Oro, ko Topine Te Mamaku.
- 1.14. Ka moe a Te Hoata II i te wahine rangatira o Tainui i a Hinewhata. Nā konei i ngāwari ai tana hohou rongo ki tōna hoa riri kaiora o Tainui, ki a Tamaaio o Kāwhia. Nā tēnei maunga ā-rongo ka mutu te whakaeke i te pā o Te Hoata, a Whiritoa. Ko te tukunga iho ko te “Tatau Pounamu”, arā, ka tukua e Te Hoata II tana tamāhine, a Hinemata, hei wahine mā Tamaaio.

- 1.15. I a Te Hoata II ngā whenua katoa e mōhiotia nei ināiane ko Ōhura South, arā, ngā whenua katoa e takoto ana ki te tonga o te awa o Taringamotu. Nōna hoki ngā whenua i te raki o Taringamotu, otirā, ka tukua atu e ia aua whenua ki a Rangianewa, tētehi o ana mokopuna. He tamāhine a Rangianewa nā Hinemata, arā, ko Hinemata tēnei i moe i a Tamaaio, i te nohoanga o Te Hoata II i tēnei takiwā.¹
- 1.16. I mua atu i te oranga o Tamaaio, i tīmata te rohe o Te Hoata II i Te Ruaroa; rere tika mā te awa o Whakapapa ki Te Waipatukahu; rere atu ki Te Umutoi; ki Pukuweka; ki Te Rua o Hinemata; rere atu i reira ki Mangakahu; ki Te Kawakawa; atu i reira ki Mangatupoto me Ōhura; ki Koromiko i Ōhura; ki Taraunui; ki Takapau. I tukua tēnei whenua taea noatia a Koromiko, ki a Rangianewa. Ko Ōngarue te rohe o te tuku i tētehi taha, ā, ko Taringamotu me Pukuweka i tētehi.² E noho ana tēnei takiwā hei wāhi o ngā whenua o Ngāti Hāua.
- 1.17. Ki tā Hakiaha Tawhiao, i te oranga o Terekau rāua ko Tuhaia ka puta te ingoa o Ngāti Hāua-te-rangi hei ingoa tupuna mō te iwi, ā, ko Hāuaroa te hapū matua. I muri mai ka whakapotohia a Ngāti Hāua-te-rangi ki te ingoa Ngāti Hāua.
- 1.18. Nā Te Atawhai Archie Taiaroa ēnei whakamārama mō te tikanga o te ingoa Hāua-te-rangi. Ki tāna, he kupu te “Hā” mō te manawa (whakahā), ko te “Ua”, he kupu mō te ua o te rangi, ā, ko Te Rangi ko ngā rangi o runga. Ina tirohia tahitia ēnei āhuatanga ka noho te ingoa katoa hei whakaahua mō te kohu ka ara ake i muri i te hekenga o te ua, te pikinga o te kohu ki te rā, rite tonu ki te kohu ka rere i te waha o te tangata i ngā rā makariri.

NGĀ HONONGA O NGĀTI HĀUA

- 1.19. Kāore e taea te iwi o Ngāti Hāua te wehe i ō rātou whenua me ō rātou terenga wai. Ki te titiro a Ngāti Hāua, e noho ana te Awa o Whanganui i rere mai i Te Kāhui Maunga hei mea mouri ora, ko Te Awa Tupua; he mouri kotahi, he maha ōna rerenga mai, ōna āhuatanga kikokiko, āhuatanga wairua i rere mai i Te Kāhui Maunga ki te moana. E noho ana Te Awa Tupua hei pou taketake mō te toiora pūmau o Ngāti Hāua. I noho anō hei puna oranga kikokiko, oranga wairua mō Ngāti Hāua, nō mua iho, nō mua iho.
- 1.20. E noho tonu ana a Ngāti Hāua hei iwi whakakotahi i ō rātou whanaunga i roto i ngā whakapapa, i roto hoki i ngā take nui. Ka kitea tēnei i te āhua o te rohe, tūtakitakinga awa, hei tūtohu tēnei i te hononga i ngā tāngata o uta ki ngā tāngata o te takutai. Ka whakaahuatia te tū o Ngāti Hāua i roto i te whakataukī “*Wehea te muka, he taura whati, whiria kia mau, kia ū, he taura mau waka*”, mehemea he wehewehe te whiri i te muka, he ngoikore te hononga, engari ki te whiria kia ita, ka kaha mō ngā mea katoa.
- 1.21. E kī ana a Ngāti Hāua i te pupuru rātou i ō rātou whenua, me te pupuru i ngā tika me ngā kawenga hei tāngata tiaki i tō rātou rohe, tae atu ki te Awa o Whanganui, i runga anō i ā rātou tikanga, ā, kīhai i whakarērea ō rātou tika.

¹ Te Pukapuka Meneti o Ōtorohanga 37, whārangi 85.

² Te Pukapuka Meneti o Ōtorohanga 29, whārangi 123.

NGĀ TOHE ME NGĀ KERĒME A NGĀTI HĀUA I ROTO I NGĀ TAU

- 1.22. Kei tēnei wāhanga te whakarāpopototanga a Ngāti Hāua o ngā tohe me ngā kerēme hei pupuru i tō rātou rangatiratanga.
- 1.23. I mahi nui a Ngāti Hāua ki te pupuru i tō rātou rangatiratanga mā te huhua o ngā tohe me ngā rautaki mai i 1840. Ko ētehi o aua mahi ko te tautoko i ngā kaupapa pērā i Te Kīngitanga, te whāi wāhi hoki ki te Pai Mārire, i whakatūria rā hei tautoko i te pupuru whenua i roto i ngā ringa o te iwi Māori, me te tino rangatiratanga. I whakatūria e ngā tūpuna o Ngāti Hāua ō rātou niu, hei whakamaharatanga i ō rātou uri, ahakoa te uaua o ngā pakanga katoa, kia mau ki te whenua, me whakapūmau hoki tō rātou rangatiratanga. I whai hoki a Ngāti Hāua ki te tautiaki i ō rātou whenua mā te whakauru i ō rātou whenua ki Te Rohe Pōtae, hei tikanga tautiaki. I a rātou mahi pērā, i te whai a Ngāti Hāua kia puritia e rātou tō rātou mana whakahaere i ā rātou taonga, e ai rā ki tā rātou kawa me ā rātou tikanga, kia āraia atu hoki ngā kino o te tāmitanga, me ngā mahi o Te Kōti Whakawā Whenua Māori.
- 1.24. I tua atu hoki i ēnei kōkiri, i whai ngā tūpuna o Ngāti Hāua kia whakamahia ētahi atu tikanga ā-ture, kia wawaotia, kia whakapūmautia hoki tō rātou rangatiratanga. Inā koa, i hoki pūputu ngā tūpuna o Ngāti Hāua ki te Whare Pāremata i ngā rau tau 19, 20 hoki, ki te whakaū i ō rātou tika mō ō rātou whenua ki Te Awa Tupua, hei whakahē hoki ki te whakamananga o Te Kōti Whakawā Whenua Māori ahakoa kāore rātou i whakaae, me ētahi atu take. He maha ngā pitihana me ētahi atu tāpaetanga i whai mai, i tēnei takiwā. I kawea e ngā tūpuna o Ngāti Hāua ā rātou take ā-ture mō te hia ngahuru tau mō ō rātou tika ki Te Awa Tupua, tīmata mai i 1938.
- 1.25. I haere tonu ēnei mahi i te wā o te ao hou mō ngā āhuatanga pēnei me te whakatūranga o Te Rāhui ā-Motu o Whanganui, te Kīma Mahi Hiko o Tongariro, ahakoa kīhai a Ngāti Hāua i whakaae, tae atu ki te pānga o te Kīma ki te mouri o ngā rerenga wai i roto. Ko tētehi atu nawe ko te whakaurunga o Te Kāhui Maunga ki Te Rāhui ā-Motu o Tongariro. I whakatūria Te Rāhui ā-Motu o Tongariro e Te Ture mō Te Rāhui ā-Motu o Tongariro 1894, ā, i āta whakapuakina i te tau 1907. E pā ana ngā whakahē a Ngāti Hāua mō te rāhui ki te whakatūranga o te Rāhui kāore he hokinga mai ki a Ngāti Hāua ki te kimi whakaae, kāore hoki he rapunga whakaae ki a Ngāti Hāua mō ngā pānga o ngā mahi arumoni ki te Rāhui.
- 1.26. E noho ana ēnei pūtake hei take matua i ara ake ai ngā kerēme a Ngāti Hāua i raro i te Tiriti o Waitangi, me te rapunga whakaeanga i whāia ai i roto i ēnei kōrerorero tahi.

NGĀ KERĒME KI TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

- 1.27. I whai wāhi nui a Ngāti Hāua ki te huhua o ngā kerēme me ngā rangahau a Te Rōpū Whakamana i te Tiriti.
- 1.28. I tāpaetia atu te Kerēme Wai 167 e Hikaia Amohia me ngā mema o te Poari Kaitiaki o Te Awa o Whanganui ki Te Rōpū Whakamana i Te Tiriti o Waitangi, mō ngā iwi o Whanganui i te 14 Oketopa 1990. I roto i taua kerēme Wai 167 ētehi kerēme mō te awa o Whanganui, ā, i whāia mō te katoa o te hunga whai pānga ki ngā iwi o Whanganui, tae atu ki a Ngāti Hāua. I rangona ērā wāhanga o te kerēme Wai 167 e pā ana ki te Awa o Whanganui e

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT

1: TE TŪĀPAPA - BACKGROUND

Te Rōpū Whakamana i Te Tiriti o Waitangi i te tau 1994, ā, ka whakaputaina e Te Rōpū Whakamana tana pūrongo mō Te Awa o Whanganui i te tau 1999. Tērā te whānuitanga o ngā kitenga a Te Rōpū Whakamana i Te Tiriti o Waitangi, inā rā ētehi:

- 1.28.1. E ai tā ngā iwi o Whanganui Iwi, he wairua kotahi te Awa o Whanganui, kāore e taea te wehewehe ki ētehi wāhanga motuhake, tae atu ki te wai me ngā mea katoa nāna i whāngai te mouri o te Awa;
- 1.28.2. I roto i ngā ringa o ngā Iwi o Whanganui Te Awa o Whanganui, i a rātou hoki te rangatiratanga, kīhai rawa ēnei tika i hokona atu.
- 1.29. I whakataungia ngā take a Ngāti Hāua e pā ana ki Te Awa o Whanganui i te tau 2014 hei wāhanga o Ruruku Whakatupua, te whakatau o ngā Iwi o Whanganui Iwi e pā ana ki Te Awa Tupua.
- 1.30. I whai wāhi a Ngāti Hāua ki ngā uiuinga ā-takiwā o Te Rāhui ā-Motu (Wai 1130), ki ngā whenua o Whanganui (Wai 903) me Te Rohe Pōtae (Wai 898) a Te Rōpū Whakamana i Te Tiriti, ā, kua tutuki katoa ināianei. I whakaputaina *Te Kāhui Maunga: The National Park District Inquiry Report* a Te Rōpū Whakamana i te marama o Nōema 2013, ā, i whakaputaina *He Whiritaunoka: The Whanganui Lands Report* i te marama o Oketopa 2015, ā, ko *Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims* i whakaputaina i 2018.
- 1.31. I kitea e ēnei pūrongo a te Rōpū Whakamana kua takahia e Te Karauna te Tiriti o Waitangi me ōna mātāpono, mō ētehi o ngā take kerēme a Ngāti Hāua.
- 1.32. I roto i ngā kōrero i tāpaetia atu e ngā kaumātua o Ngāti Hāua ki Te Rōpū Whakamana i Te Tiriti o Waitangi i te Uiuinga mō ngā Whenua o Whanganui (Wai 903) i puta ngā whakapuaki e whai ake nei mō Te Tiriti o Waitangi:
 - 1.32.1. “He iwi manawanui a Ngāti Hāua ki te tū ki te tautiaki, ki te whakapūmau hoki i tō mātou tino rangatiratanga mai i 1840, ā, e haere tonu ana i ēnei rā. He putuputu tonu ngā tāhuhu kōrero mō te mahi ārai tāmitanga o tō mātou rohe a Ngāti Hāua, me te keringa i tō mātou tino rangatiratanga.”
 - 1.32.2. “I roto i ngā tau, kāore i tata te hononga ki te Karauna ki te wairua o Te Tiriti. Kārekau he kōtuitanga, i ētehi wā, tata kore ana he hononga. Mehemea he hononga, he mahi whakaiti a tērā taha i ā mātou, i kīa ai mātou he iwi tutū, he Hauhau, i noho rānei hei kaipitihana, hei kaituku pukapuka, hei kaiwhakahē, kua hei hoa Tiriti.”
 - 1.32.3. “Kua turakina e te Karauna tō mātou tino rangatiratanga mō ō mātou iwi, ō mātou hapū, whenua, awa, me ā mātou taonga. Mō ētahi i āta whakarite tikanga te Karauna kia kore ai mātou e pupuru i tō mātou tino rangatiratanga. Kārekau he whakatairite tika i te kāwanatanga me te tino rangatiratanga. Mai rā anō e noho ana te tino rangatiratanga kia pāpaku iho i te kāwanatanga, ā, e whakahē ana mātou i te whakaitinga o tō mātou mana.”

- 1.32.4. “Te ngaromanga, te turakinga rānei o tō mātou tino rangatiratanga ki ā mātou taonga pēnei i ngā rawa o te aotūroa, tae atu ki te hā, ki te whenua me te wai. E noho ana te hanganga o ngā tika tūmataiti ki ā mātou taonga hei nawe nui.”

NGĀ WHAKAWHITI KŌRERO KI A NGĀTI HĀUA

*Mā te maunga hei tiaki mō te katoa
Mā te awa hei tiaki mō te katoa
Mā ngā whenua hei tiaki mō te katoa*

- 1.33. I whakatūria te Tarahiti o Te Iwi o Ngāti Hāua i te tau 2001 e ngā kaumātua whai whakaaro o te iwi.
- 1.34. I te tau 2014, i whakaae te karauna kia tū ētehi rōpū māori noa o te takiwā o Whanganui hei whakatatū i ngā kerēme whenua o ngā Iwi o Whanganui.
- 1.35. I whakaae a Ngāti Hāua i reira kia tū te Ngāti Hāua Iwi Trust hei kanohi kōrero mō tētehi pukapuka whakatau ki te Karauna, i ētehi hui whakamana i te marama o Mei 2017.
- 1.36. I whakaae hoki te Karauna ki te whakaaetanga i te 27 Hune 2017.
- 1.37. Mai i taua wā, e haere tonu ana ngā kōrerorero whakatau a Ngāti Hāua ki te Karauna mō te whakataunga o ngā kerēme a Ngāti Hāua. I raro i ēnei whakawhiti kōrero whakatau i tū Te Pou Tikanga, tētehi anga whakatau ka noho hei kupu whakarite mō te āhua o te tomo a te tangata ki te rohe o Ngāti Hāua.
- 1.38. E whakairotia ana ngā kaupapa o te tiaki whenua (tangata whenua) ki Te Pou Tikanga. Hei te tomokanga mai, ka puritia tahitia aua uara e te tiaki whenua ki ngā tāngata katoa, ā, mā ngā tāngata katoa e āta whakatau tikanga kia whakaahuatia aua uara i roto i te rohe o Ngāti Hāua.
- 1.39. I pēnei ngā kaiwhiriwhiri i whakaaetia me te Karauna –
- 1.39.1. i runga i ngā ritenga takawaenga i whakaingoatia ki te rā te 14 o Hūrae 2017 ki te hōkai, ki ngā whāinga me ngā ritenga whakahaere mō ngā whakawhiti kōrero; ā,
- 1.39.2. i runga anō i te whakaaetanga i tohua i te 22 Oketopa 2022, i āta whakaritea te mātāpono, e whakaae ana a Ngāti Hāua me te Karauna ki te whakatatū i tā rātou take, e ai ki ngā ritenga i tākina atu i te whakaaetanga; ā,
- 1.39.3. mai i te whakaaetanga ki ngā mātāpono, –
- (a) i haere ngā whakawhiti kōrero i runga i te ngākau pono; ā
- (b) i whiriwhiri kōrero, i tuhia tō rātou whakaaetanga ki tētehi pukapuka whakatau.

1 TE TŪĀPAPA - BACKGROUND

KARAKIA WHAKATUWHERA

Tū wheua te pō, tū wheua te ao.

Tū wheua ngā tātarāmoa i haria mai e koutou ki tēnei whenua kino.

Whatiwhati koa ngā parirau o Rupe, i riro rā i a Rongo.

Te whenua ko Rongo,

Ko Rongo ki te whakatupua,

Ko Rongo ki te whakatawhito,

Ko Rongo ki te maimai aroha,

Ko Rongo!

E Rongo e, whakairihia – ē hai!

Whiriwhiria ngā whenu o te ara kupu matua,

Whiriwhiria ngā muka o Te Ranga Tairunga,

Whiria ngā kākaho, e kore e whati, e kore e whati!

TE TŪĀPAPA

Ā mua, i muri ōu kōrero.

Ko Ruapehu te pou tuarongo

Ko Te Awa Tupua te tāhuhu ki te pou mua

Ko Hinengākau te pou tokomanawa

Ko Ruatupua rāua ko Paerangi ngā maihi

Nei rā te whare o Hāua.

Ruapehu is the anchor connecting us to our past.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT

1: TE TŪĀPAPA - BACKGROUND

Whanganui Awa is the umbilical cord interweaving our past to our present to our future

Hinengākau is the ancestress who binds us together

Ruatupua and Paerangi are the two main rootstock

This is the ancestral house of Hāua.

- 1.1. The Ngāti Hāua tribe are one of the Tangata Whenua tribes of Te Kāhui Maunga-ki-Tangaroa (the mountains to the sea), and it is through their eponymous tūpuna, Ruatupua and Paerangi from hence mana atua, mana whenua and mana tangata originates.
- 1.2. Ngāti Hāua has origins from an era preceding the arrival of the ancestral waka fleet from Hawaiiki Rangiātea, Tāhiti. The mana whenua of Ngāti Hāua, in accordance with 'Take Taunaha' – 'right by discovery' is attributed to Te Kāhui Māui.

Ko Tahuārangi te waka,

Ko Rangitukutuku te aho,

Ko Piki-mai-rawea te matau,

Ko Hāhā-te-whenua te ika rō wai.

Tahuārangi is the waka,

Rangitukutuku is the fishing line,

Piki-mai-rawea is the hook,

Hāhā-te whenua is the fish (land mass) that rose from below the ocean surface.

- 1.3. Time evolved to the generation of Te Kāhui Rua (the Rua Clan) and as with other Iwi affiliated to Te Awa o Whanganui, Ngāti Hāua acknowledge their primary rootstock of 'take tupuna' - 'ancestral right' as stemming from Ruatupua and Paerangi.
- 1.4. Ngāti Hāua were formerly known as Ngāti Ruatupua of the Taumarunui and Ōhura districts. The descendants of Ruatupua intermarried with those who arrived in the waka migrations. Judge Gudgeon, a Native Land Court judge that presided at hearings that dealt with the Ōhura and Tūhua interests of Ngāti Hāua, also recorded that:

The ancestors of these people are well known by their descendants to have been in occupation of the Whanganui River and the adjacent country when Turi arrived in the Aotea canoe, and even when Paoa came in the Horouta canoe.

- 1.5. The original name of the Whanganui River is "Te Wainui-ā-Rua(tupua)".

1: TE TŪĀPAPA - BACKGROUND

- 1.6. The second rootstock is Paerangi also referred to as 'Paerangi-i-Te Moungaroa' or 'Paerangi from the Milky Way'. Born from cosmogonical origins, Paerangi established his people in the southeast quadrant of Mount Ruapehu, who eventually intermarried with the Ruatupua lineage within the Whanganui River valley.
- 1.7. Ngāti Hāua also trace their main whakapapa lines to the four waka of Aotea, Tainui, Te Arawa and Tokomaru, later arrivals who intermarried with Ngāti Hāua. As the descendants of pre-waka and waka ancestors, Ngāti Hāua were originally known as the people of Te Puru-ki-Tūhua.

Mai Te Puru-ki-Tūhua ki Te Matapihi.

From the Plug of Tūhua to Te Matapihi.

- 1.8. This traditional pepehā defines the northern and most southern boundaries of the wider Whanganui Iwi but highlights that Ngāti Hāua have always held the mantle of protector of the northern boundary from invasion from external tribes.
- 1.9. It was around 1550 that Te Hoata II married a descendant of the Tainui high priest Hiaroa, called Hinewhata, and they settled at Taumarunui. There they produced a child Hinemata. Another marriage to Hine-te-wai produced Te Ruaroa, and a further union with Marama-ki-te-rangi produced Puakakaho.³ Te Ruaroa went on to marry Rakei (I) who is the son of Tamakana. They had Toakohuru, who married Hinekopa of the Ngai Turi people. They went on to have Tamahina and Kaupeka. Kaupeka occupied the lands around Waiaraia and Te Umukaimata, with the range “Tāwhiti Kaupeka” named after a weka trap made by Kaupeka. The elder brother of Kaupeka was Tamahina, who marries Hinengākau, and he lays down a boundary for Hāuaroa at Waiaraia. The descendants of Tamahina and Hinengākau and those of Kaupeka as well, retained Hāuaroa as their tribal name.
- 1.10. Hakiha Tāwhiao provided an account of the origins of the tribal name for the iwi of Te Hoata (II). He states that the name Hāuaroa originates from the ridgepole of the Whare Wānanga in Hawaiki.⁴
- 1.11. Pei Te Hurinui provides the following narrative that accounts for the arrival of Te Hoata I into the Tūhua and Purerora District:

The tribal name of Hāuaroa, originated with the Te Arawa ancestor of that name. The Te Arawa colony to which Hāuaroa belonged had migrated from the lake region of Rotorua and settled at Maraeroa around the foothills of Pureora mountain and it was from that locality they moved by stages down the Waimiha River and the Ongarue River valleys to finally settle in Taumarunui.

It was on the banks of the Ongarue River, and on the left bank about half a mile above the main highway bridge, at the northern end of Taumarunui, that Te Hoata II, leader of the Te Arawa people, built his pā. Whilst in the Maraeroa district Te Hoata II had married

³ Hine-te-wai and Marama-ki-te-rangi were sisters.

⁴ Otorohanga Minute Book 29, p 120.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT

1: TE TŪĀPAPA - BACKGROUND

a descendant of the Tainui High Priest of the Bird Cult named Hiaroa. The Hurakia Range immediately to the south of Pureora mountain was famed throughout the land as the final gathering place, in season, of the forest birds from the surrounding forest ranges and from far away as the forest ranges of the coastal lands on the eastern and western seaboards.⁵

- 1.12. The identification of Tamaaio and his whakapapa lineage provides an Aotea/Tainui link, that marries into the lines of Te Arawa through the daughter of Te Hoata II, Hinemata. This then provides a connection to the lands of Tūhura and the evolution of Ngāti Hāua based on the 'take tupuna' of Te Hoata II.
- 1.13. According to Hakiāha Tāwhiao, Te Hoata II was the principal tupuna of Ngāti Hāua in Ōhura South and Rangitoto Tūhura. His whakapapa showed descent from Te Hoata I to the leaders of Ngāti Hāua. They included Ruaroa, Toakohuru, Tamahina, Tapaka, Terekau, Tuhaia, Whakaneke, Te Oro and Topine Te Mamaku.⁶
- 1.14. It was because of Te Hoata II's marriage to the Tainui chieftainess, Hinewhata, that Te Hoata II was later able to negotiate permanent peace-making with his redoubtable Tainui protagonist, the warlord Tamaaio from Kāwhia. The peace-making put an end to the siege of Te Hoata's pā, Whiritoa, and it was cemented in a "Tatau Pounamu" ceremony when Te Hoata II gave his daughter, Hinemata, in marriage to Tamaaio.⁷
- 1.15. Te Hoata II owned all the land known now as Ōhura South, which is the land lying south of the Taringamotu River. He also owned the piece of country north of the Taringamotu, but he gifted that away to Rangianewa, a grandchild of his. She being the child of Hinemata who married Tamaaio whilst Te Hoata II was in occupation of this country.⁸
- 1.16. The boundary of Te Hoata II before the time of Tamaaio began at Te Ruaroa; up the Whakapapa Stream to Te Waipatukahu; Te Umutoi; Pukuweka; Te Rua o Hinemata; thence up Mangakahu; Te Kawakawa; thence to Mangatupoto and Ōhura; Koromiko on Ōhura; Taraunui; Takapau. This land to Koromiko was gifted to Rangianewa. Ongarue was the boundary of the gift on one side and Taringamotu and Pukuweka stood on the other.⁹ This area forms part of the lands of Ngāti Hāua.
- 1.17. Hakiāha Tāwhiao states that, in the time of Terekau and Tuhaia, Ngāti Hāua-te-rangi become the hegemonic name for the iwi, with Hāuaroa being the principal hapū. Ngāti Hāua-te-rangi later became shortened to Ngāti Hāua.
- 1.18. Tā Te Atawhai Archie Taiaroa provided an account of the meaning of the name Hāua-te-rangi. He states that the "Hā" refers to the breath, "Ua" refers to the rain, and Te Rangi refers to the heavens. Together the name references the mist that follows rain fall and rises to the sky like the steam produced by one's breath on a cold day.

⁵ Te Hurinui, Pei Te Taurawhiri o Hinengakau Commemoration Booklet'.

⁶ Otorohanga NLC Minute Book 15 folio 25-29 (20 August 1892). 46 Wai 903 #A108, p. 16.

⁷ Te Hurinui, Pei. Te Taurawhiri o Hinengakau Commemoration Booklet.

⁸ Otorohanga Minute Book 37, p. 85.

⁹ Otorohanga Minute Book 29, p. 123.

NGĀTI HĀUA CONNECTIONS

- 1.19. Ngāti Hāua people are inseparable from their lands and waters. Ngāti Hāua view the Whanganui River, with its sources in Te Kāhui Maunga, as a living being, Te Awa Tupua; an indivisible whole incorporating its tributaries and all its physical and metaphysical elements from Te Kāhui Maunga to the sea. Te Awa Tupua is central to the existence and wellbeing of Ngāti Hāua. It has provided both physical and spiritual sustenance to Ngāti Hāua from time immemorial.
- 1.20. Ngāti Hāua continue to maintain their role as unifiers of their whanaunga iwi by whakapapa and for a common cause. This is reflected in their rohe being the meeting place of many waters, symbolising the joining of the upper river people with the people of the sea. The Ngāti Hāua approach is embodied in the traditional saying “*Wehea te muka, he taura whati, whiria kia mau, kia ū, he taura mau waka*” meaning “Separated flax and strands create weak links, bound tightly together would meet any challenge”.
- 1.21. Ngāti Hāua have maintained that they possessed, and exercised rights and responsibilities as tāngata tiaki in relation to their rohe, including the Whanganui River, in accordance with their tikanga and that their rights and interests have never been relinquished willingly.

NGĀTI HĀUA EFFORTS AND CLAIMS OVER TIME

- 1.22. This section contains Ngāti Hāua’s summary of efforts and claims to maintain their rangatiratanga.
- 1.23. Ngāti Hāua have sought to maintain their rangatiratanga through a range of efforts and strategies since 1840. This included support of kaupapa such as the Kīngitanga and participation in the Pai Mārire movement, which was set up to peacefully support the retention of land in Māori ownership and tino rangatiratanga. Niu were erected by Ngāti Hāua tūpuna to remind their uri of continuing, despite all the struggles, to not only retain their land but also to practice and demonstrate their rangatiratanga. Ngāti Hāua also sought to protect their whenua by including their lands in Te Rohe Pōtae as a means of protection. In doing so, Ngāti Hāua sought to retain the authority to manage their taonga in accordance with their own kawa and tikanga and to prevent the further onslaught of colonisation and the operation of the Native Land Court.
- 1.24. As well as these movements, Ngāti Hāua tūpuna sought to use legal and other mechanisms to defend and assert their rangatiratanga. For example, Ngāti Hāua tūpuna actively petitioned Parliament in the 19th and 20th centuries defending their rights in relation to their whenua, to Te Awa Tupua and the imposition of the Native Land Court against their will, among other matters. Numerous petitions and other submissions followed over this period. Ngāti Hāua tūpuna also lead legal proceedings over many decades in relation to their rights in Te Awa Tupua, commencing in 1938.
- 1.25. These actions have continued in the modern era in relation to matters such as the establishment of the Whanganui National Park and the Tongariro Power Scheme without Ngāti Hāua consent, as well as the effects of the Scheme on the mouri of the affected waterways. A further grievance is the inclusion of Te Kāhui Maunga within the Tongariro National Park. The Tongariro National Park was established by the Tongariro National

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT

1: TE TŪĀPAPA - BACKGROUND

Park Act 1894, and formally proclaimed in 1907. Ngāti Hāua's grievances in relation to the Park concern, among other matters, the Crown's establishment of the Park without consulting with Ngāti Hāua or seeking Ngāti Hāua's agreement about the effects of commercial development in the Park.

- 1.26. It is these key issues that have driven the Ngāti Hāua claims under te Tiriti o Waitangi / the Treaty of Waitangi and the redress sought through these settlement negotiations.

WAITANGI TRIBUNAL CLAIMS

- 1.27. Ngāti Hāua have been active participants in a number of Waitangi Tribunal claims and inquiries.

- 1.28. The Wai 167 claim to the Waitangi Tribunal was filed by Hikaia Amohia and the members of the Whanganui River Māori Trust Board on behalf of Whanganui Iwi on 14 October 1990. The Wai 167 claim included, among other things, claims in respect of the Whanganui River and was pursued for the benefit of all who affiliate to Whanganui Iwi, including Ngāti Hāua. Those parts of the Wai 167 claim relating to the Whanganui River were heard by the Waitangi Tribunal in 1994 and the Tribunal issued its Whanganui River Report in 1999. Among other things, the Waitangi Tribunal found that:

1.28.1. To Whanganui Iwi, the Whanganui River was a single and indivisible entity, inclusive of the water and all those things that gave the River its essential life;

1.28.2. Whanganui Iwi possessed, and held rangatiratanga over, the Whanganui River and never sold those interests.

- 1.29. Ngāti Hāua claims relating to the Whanganui River were settled in 2014 as part of Ruruku Whakatupua, the Whanganui Iwi settlement in relation to the Whanganui River.

- 1.30. Ngāti Hāua participated in the Waitangi Tribunal's National Park (Wai 1130), Whanganui Land (Wai 903) and Te Rohe Pōtae (Wai 898) district inquiries, all of which have been concluded. The Waitangi Tribunal's Te Kāhui Maunga: The National Park District Inquiry Report was released in November 2013, whilst He Whiritaunoka: The Whanganui Lands Report was released in October 2015, and the Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims was released in 2018.

- 1.31. These Tribunal reports found that the Crown breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles in relation to a number of Ngāti Hāua claim issues.

- 1.32. Evidence presented to the Waitangi Tribunal by Ngāti Hāua kaumātua during the Whanganui Land inquiry (Wai 903) included the following statements in relation to te Tiriti o Waitangi / the Treaty of Waitangi:

1.32.1. "Ngāti Hāua have been staunch in defending and asserting our tino rangatiratanga from 1840 and continuing today. There is a consistent record of Ngāti Hāua endeavouring to ward off the colonisation of our rohe and the undermining of our tino rangatiratanga."

1: TE TŪĀPAPA - BACKGROUND

- 1.32.2. “At no time in our engagement with the Crown has there been a relationship based on the terms or the spirit of Te Tiriti. There is no partnership and sometimes barely even a relationship. Where there has been a relationship we have been relegated to the role of rebels, Hauhau, petitioners, submitters and objectors rather than Tiriti partners.”
- 1.32.3. “The Crown has undermined our tino rangatiratanga in respect of our iwi, hapū, whenua, awa and taonga. In some cases the Crown has ensured we could not exercise tino rangatiratanga. There was no balancing of kāwanatanga and tino rangatiratanga. Tino rangatiratanga has been and continues to be subordinate to kāwanatanga and we reject the subordination of our mana and authority.”
- 1.32.4. The loss of or undermining of our tino rangatiratanga over our taonga such as our natural resources including air, land and water. The creation of private property rights in respect of our taonga is a particular grievance.”

NGĀTI HĀUA NEGOTIATIONS

Mā te maunga hei tiaki mō te katoa
Mā te awa hei tiaki mō te katoa
Mā ngā whenua hei tiaki mō te katoa

Let the mountain be cared and managed, for and on behalf of everyone
Let the river be cared and managed, for and on behalf of everyone
Let the lands be cared and managed, for and on behalf of everyone

- 1.33. The Ngāti Hāua Iwi Trust was established in 2001 by visionary Ngāti Hāua kaumātua.
- 1.34. In 2014, the Crown agreed to four large natural groups in the Whanganui district for the purposes of settling Whanganui Iwi land claims.
- 1.35. Ngāti Hāua gave Ngāti Hāua Iwi Trust a mandate to negotiate a deed of settlement with the Crown by a series of five mandating hui in May 2017.
- 1.36. The Crown recognised the mandate on 27 June 2017.
- 1.37. Since that time, Ngāti Hāua and the Crown have been engaged in settlement negotiations in relation to the settlement of Ngāti Hāua claims. These settlement negotiations have been underpinned by Te Pou Tikanga, a settlement framework which is a metaphor for the way through which one must pass to enter the rohe of Ngāti Hāua.
- 1.38. The kaupapa (values) of te tiaki whenua (tangata whenua) are carved into Te Pou Tikanga. Upon entering, those values are shared by te tiaki whenua with every individual who in turn makes a conscious decision to embody those same values within the Ngāti Hāua rohe.
- 1.39. The mandated negotiators and the Crown –
- 1.39.1. by terms of negotiation dated 14 July 2017, agreed the scope, objectives, and general procedures for the negotiations; and

1: TE TŪĀPAPA - BACKGROUND

1.39.2. by agreement dated 22 October 2022, agreed, in principle, that Ngāti Hāua and the Crown were willing to enter into a deed of settlement on the basis set out in the agreement; and

1.39.3. since the agreement in principle, have –

(a) had extensive negotiations conducted in good faith; and

(b) negotiated and initialled a deed of settlement.

RATIFICATION AND APPROVALS

1.40. Ngāti Hāua have, since the initialling of the deed of settlement, by a majority of –

1.40.1. 96.83%, ratified this deed and approved its signing on their behalf by the governance entity; and

1.40.2. 96.62%, approved the governance entity receiving the redress.

1.41. Each majority referred to in clause 1.40 is of valid votes cast in a ballot by eligible members of Ngāti Hāua.

1.42. The governance entity approved entering into, and complying with, this deed by resolution of trustees on 25 March 2025.

1.43. The Crown is satisfied –

1.43.1. with the ratification and approvals of Ngāti Hāua referred to in clause 1.40; and

1.43.2. with the governance entity's approval referred to in clause 1.42; and

1.43.3. the governance entity is appropriate to receive the redress.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT

1: TE TŪĀPAPA - BACKGROUND



Figure 1: Ngāti Hāua Agreement in Principle signing



Figure 2: The Trustees receiving the final settlement offer from the Crown

AGREEMENT

1.44. Therefore, the parties –

- 1.44.1. in a spirit of co-operation and compromise wish to enter, in good faith, into this deed settling the historical claims; and
- 1.44.2. agree and acknowledge as provided in this deed.

2 TE POU TIKANGA

- 2.1. Te Pou Tikanga are the innate values that underpin Ngāti Hāua aspirations for Treaty settlement and vision for a restored relationship with the Crown.

Ngāti Hāuatanga - Kia toitū te mana whakaū nā Ngāti Hāua

Our nationhood: To ensure the survival of the Ngāti Hāua Iwi identity

Riri Kore - Nā ngā tūpuna i hauroatia te maru o te tangata

To ensure the continuity of Ngāti Hāua tikanga

Rongo Niu - Tā te rino i tukituki ai, mā te rino anō e hanga

The Crown has a responsibility to enhance and uphold Te Tiriti o Waitangi relationship with Ngāti Hāua Iwi

Rangitengaue - Mā te piharau anō te piharau hei whakatika

Ngāti Hāua self-determination, Ngāti Hāua solutions for Ngāti Hāua people

Kokako - Ko te Awa te tuatahi, ko te Awa te tuarua

Uphold our inherent right of kaitiakitanga

Tapaka - He huinga wai, he huinga iwi

Te Ara Whanaunga: Maintain the integrity of our relationship with others

Tamahina - Ā mua, i muri, ōu kōrero

Make decisions based on ancestral precedent (tikanga) and values (kaupapa)

- 2.2. The Crown acknowledges and respects the importance of Te Pou Tikanga, the Ngāti Hāua innate values, to Ngāti Hāua.

- 2.3. The Crown acknowledges that Ngāti Hāua –

- 2.3.1. has a desire to have a relationship with the Crown based on Te Pou Tikanga; and

2.3.2. regards Te Pou Tikanga –

- (a) as underpinning the settlement of their claims against the Crown; and
- (b) as a basis for resetting the relationship between Ngāti Hāua and the Crown.

3 NGĀ TĀHUHU KŌRERO

UPOKO TUATAHI: TE TIRITI O WAITANGI

Puhaina Tongariro!

E rere nei Awanui,

Ko Te Wai-inuinu tēnā,

Nā Ruatupua i mua e.

- 3.1. He iwi taketake a Ngāti Hāua, i heke mai i ētehi o ngā tūpuna o tua whakarere, nō te takiwā o Whanganui: i a Ruatupua rāua ko Paerangi. Nā ēnei kāwei, ka hono a Ngāti Hāua ki te tini o ngā iwi tūtata ki a rātou. I moemoe ngā uri o ēnei tūpuna taketake ki ngā uri o Turi o te waka o Aotea, nā konei ka toro anō ngā kāwei whakapapa o Ngāti Hāua ki ō rātou whanaunga huhua i te rohe. He mea tino nui ki a Ngāti Hāua te whakamahana me te whakapakari i ngā hononga ki ōna whanaunga, mai rā anō. He uri a Tamahina nō ngā tūpuna e rua. Ko Hinengākau tētehi tūpuna mana-nui nō te kāuru o te awa o Whanganui. Ka moe a Hinengākau i a Tamahina, ka houhia te rongō, ko te ingoa o te rongomau ko *te taura whiri a Hinengākau*.



Pikitia 1: He whakairo, ko Hinengākau (nā te whakaaro atawhai o te Tarahiti o Te Iwi o Ngāti Hāua)



Pikitia 2: Ko Tamahina (i tū tēnei pou i te wāhi i tū rā Te Horangāpai, i Taumarunui)

- 3.2. Ka hora ngā whenua tuku iho o Ngāti Hāua ki roto tonu i te kāuru o te Awa o Whanganui, ko Te Kāhui Maunga ki te rāwhiti, ki te raki ko Tangitū (ko te take o taua ingoa e ai ki ngā kōrero tuku iho o Ngāti Hāua, he kōrero mō Ruapūtahanga, i tū ki te tangi i reira), ā, ko Te Mātai me Tāngarākau ki te hauāuru. Mō te nuinga, e noho ana a Ngāti Hāua i ngā whenua e mōhiotia nei ko te rohe o Tūhūa.
- 3.3. Hei ritenga ki te hira o tēnei taumata rangatira ki a Ngāti Hāua ko ngā kupu o te whakataukākī a te rangatira mananui o Ngāti Hāua, o te rau tau tekau mā iwa, a Tōpine Te Mamaku: *Unuunu te puru ki Tūhūa mā ringiringi te wai o puta* (Te tikanga o tēnei ki te unuhia te puru ki Tūhūa ka waipuketia koe e te tini ki te raki/Ki te unu koe i te puru o Tūhūa, ka mimiti te Awa o Whanganui i a koe). Ko ngā awa me ngā rerenga wai o Ngāti Hāua tō rātou mouri, e ai rā ki tō rātou pepeha:

E rere kau mai te awanui

Mai i te Kāhui Maunga ki Tangaroa

Ko au, te awa

Ko te awa, ko au

Te āhua o te noho o Ngāti Hāua i 1840

- 3.4. I te tau 1840, i te noho a Ngāti Hāua i tō rātou rohe, me Heretaunga (the Hutt valley). I ngā tau tuatahi o te rau tau tekau mā iwa, he nui te pakanga i waenga i ngā iwi Māori i te Awa o Whanganui ki te tuawhenua. I runga i te matakū kei whakaekea rātou, i rere ētehi tāngata o Ngāti Hāua ki te tonga ki ō rātou whanaunga ki Te Whanganui-a-Tara. I haere tahi mai a Te Ngārupiki I me rātou, ā, i muri mai ko Tōpine Te Mamaku rāua ko Parata, kāti, i noho ērā tāngata me tētehi terenga tangata nui kē atu ki tētehi iwi ka noho atu i

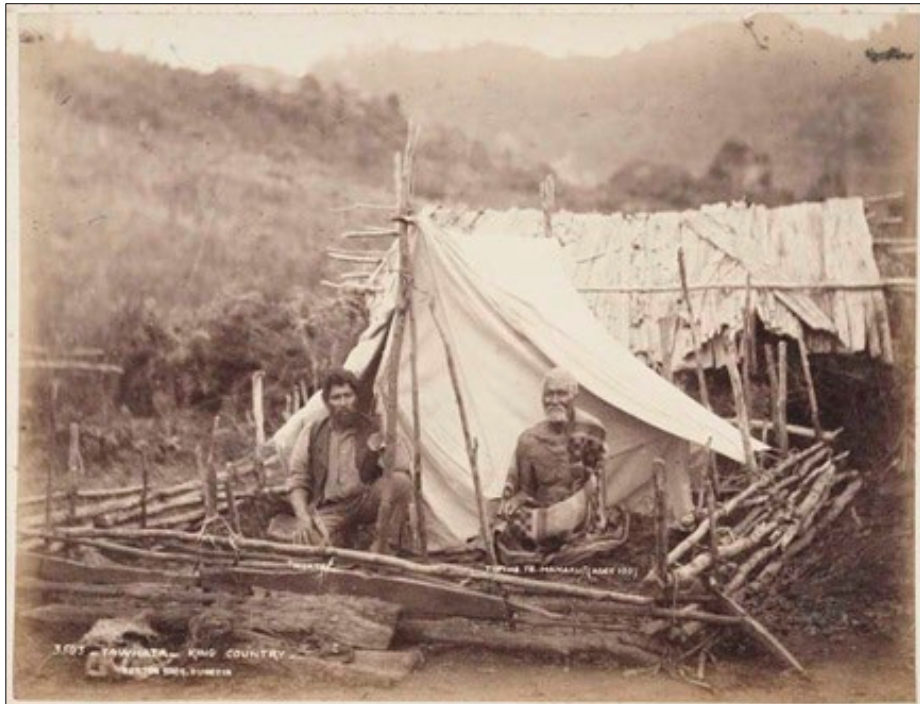
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Heretaunga i ngā tau mai i 1820. E ai ki ngā kōrero tuku iho a Ngāti Hāua he maha ngā hokinga atu, haerenga mai hoki a Tōpine Te Mamaku, mai i Heretaunga me Tūhua i roto i aua tau.



Pikitia 3: Ko Tōpine Te Mamaku i Tawhatā (Burton, Alfred Henry, 1834?-1914. Topine Te Mamaku. Te Tāhū o Te Ture (New Zealand Department of Justice), Commissioner of Patents : Collection of Burton Brothers prints. Tohutoro: PA7-36-15. Ko te whakaaetanga nā te whakaaro atawhai o Te Whare Pukapuka o Arekahānara Turnbull, Te Whanganui-a-Tara, Aotearoa <https://natlib.govt.nz/records/23132960>)

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
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Pikitia 4: Ko Tōpine Te Mamaku (taha matau) rāua ko Taiaho Ngātai (taha mauī) (Burton, Alfred Henry, 1834?-1914. Kei tēnei whakaahua ko Topine Te Mamaku rāua ko Taiaho Ngatai i Tawhatā. Bollinger, Mrs, fl 1958 :Scenic photographs of New Zealand. Tohutoro: PA7-36-16. Ko te whakaaetanga nā te whakaaro atawhai o Te Whare Pukapuka o Arekahānara Turnbull, Te Whanganui-a-Tara, Aotearoa. /records/22702341)



Pikitia 5: Ko Ngātai Te Mamaku, rangatira o Ngāti Hāua (nā te whakaaro atawhai o Te Marae o Ngāpūwaiwaha)

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

Te Hainatanga o Te Tiriti o Waitangi

- 3.5. I te 23 o Mei 1840, ka tae mai ngā mihingare ki Pākaitore ki te pūau o Te Awa o Whanganui, ki te kimi i ngā hainatanga o ngā tāngata Māori o Whanganui mō Te Tiriti o Waitangi. E iwa ngā rangatira o Whanganui i haina i Te Tiriti i te rā tonu i tae mai ai. Ahakoa rā, kua puta kē te puaki a Rūtene Kāwana Hōpihana kua tukua te mana whenua o Te Ika-a-Māui, nā te Tiriti te take, i te 21 Mei. I wehe atu te mihingare me te Tiriti i tana ringa i te 25 o Mei, i mua i te taenga atu o ngā rangatira o te tuawhenua ki tētehi hui ki Pākaitore i te 27 o Mei. I te 31 o Mei, i waitohu ētehi atu tāngata Māori o Whanganui i te te Tiriti i Waikanae.
- 3.6. Kīhai a Tōpine Te Mamaku i waitohu i te Tiriti. He ruarua noa iho ngā mahi tahitanga a Ngāti Hāua ki te iwi Pākehā i mua i te taenga mai o ngā mihingare tuatahi ki tō rātou rohe i 1839, inā hoki, kāhore te nuinga o ngā manuhiri ki te rohe o Whanganui i tino taka atu ki ngā rohe o te tuawhenua. Ko te tūtakitanga whai take tuatahi i waenga i a Ngāti Hāua me Te Karauna, i Heretaunga kē.

**UPOKO TUARUA: KO NGĀ PAKANGA I HERETAUNGA ME WHANGANUI I TE
NGAHURU TAU 1840**

Ko te Kamupene o Niu Tīreni me te Hoko o Whanganui

- 3.7. I te tau 1839, ka tukua e Te Kamupene o Niu Tīreni tētehi kanohi ki Aotearoa ki te hoko whenua. I ngā marama o Oketopa me Nōema, ka waitohutia e te kamupene ētehi tīti ki ētahi rangatira o ētehi atu iwi, e pā ana ki ētehi whenua, e rua tekau miriona eka te rahi, mai i te Puku o Te Ika ki te Tauihu o Te Waka-a-Māui. I te 16 o Nōema, i hui ētehi rangatira o Whanganui ki ētehi kanohi o te Kamupene i tō rātou kaupuke, i te *Tory*, i tōna tūnga mai i te takutai o Kapiti, ā, ka hainatia e rātou tētehi tīti mō te hoko i tētehi kotahi miriona eka i waenga i Manawatū, Pātea, me Tongariro.
- 3.8. I te marama o Hānuere 1840, i puta te whakapuaki a te Karauna e kore e whakamanaia e ia ngā hoko whenua Māori e kī nei te tangata i oti, i muri i taua rā, ā, i whakatūria he kōmihana hei wherawhera i ngā kerēme hoko whenua. I te 27 o Mei 1840, e whā rā i muri i te hainatanga i te Tiriti i Whanganui, i tū tētehi hui nui i te pūau o te Awa o Whanganui hei whakawhiwhiwhi kōrero mō te tīti hoko a te Kamupene i 1839. I te rā tonu i muri mai, 32 ngā rangatira o Whanganui i haina i te tīti.
- 3.9. I te tau 1843, ka wherawheratia e Wiremua Peina, Kaikōmihana Kerēme Whenua, te hoko a te Kamupene, me tana rongo i ngā taunaki pono katoa kīhai ngā tāngata Māori o Whanganui i whakaae kua hokona e rātou ngā miriona eka i kī rā te Kamupene kua hokona e ia. I whakapono a Peina ko te hiahia o ngāi Māori kia noho tonu te hunga manene nā rātou i whakatū tētehi tāone iti i te pūau o te awa, kia noho mai. I te tau 1844, i kī ia ki a ngāi Māori kua tatū tana whakaaro kia “whakawhiwhia” e ia tētehi 40,000 eka ki te Kamupene, me te £1,000 kāpeneheihana ki ōna rangatira Māori. Ahakoa tērā, i muri i tana whakapuaki i tēnei “whakawhiwhinga” kīhai ngā tāngata Māori o Whanganui i whakaae ki te tūtohu i taua whakatau. I te marama o Āperira 1846, i tonoa tētehi kanohi hoko whenua nō te Karauna kia takawaengatia he hoko i runga anō i te whakawhiwhinga a Peina. Ahakoa tērā, i aukatingia ngā whiriwhiri nā te toronga o te ahi o te pakanga i Heretaunga.

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Te Pakanga i Heretaunga

- 3.10. I te tau 1839, i te whai hoki te Kamupene o Niu Tīreni ki te hoko i tētehi whenua rahi i te taha o Te Whanganui-a-Tara, i kīa rā ko Pōneke, tae atu ki ngā whenua i Heretaunga, i nohongia ai e ētehi o ngā tāngata o Ngāti Hāua me ētehi atu iwi mai i ngā tau tuatahi mai i 1830. I te ngaro atu a Ngāti Hāua me ētehi atu iwi mō te wā poto i te riu o Heretaunga i te wā e whakawhiti kōrero ana te Kamupene mō te hokonga o aua whenua. I hoki mai te iwi i te tau 1841, ā, ka tiria ōna māra kai.
- 3.11. I te marama o Mei 1842, i tīmataria e Peina ōna whakawā mō te hoko o Pōneke. I te marama o Hepetema 1843, ka puta te pūrongo a Peina kāore anō te Kamupene kia hoko i te nuinga o ngā whenua i taunahatia e ia kua hokona mai, ā, kāore anō hoki a ngāi Māori kia whakaae kia hokona ō rātou pā, urupā e te tangata kē. I waenga i te marama o Pēpuere me Māehe 1844, i takawaenga a Peina me te Kaitiaki o Ngā Iwi Taketake i ētehi tīti whakawātea, i runga i te hiahia kia whakaotingia te hoko a te Kamupene. I roto i ngā eka 71,000 i raro i ēnei tīti ko ngā whenua i Heretaunga.
- 3.12. I te marama o Māehe 1844, ka tāpaetia e te Kamupene he kāpeneheihana ki tētehi iwi mō ngā pānga o taua iwi, me ō ō rātou iwi kōtui, ko Ngāti Hāua tētehi. Kātahi ka whakatakotoria taua whakaaro e te Karauna i mua i ērā atu iwi. Kāore taua iwi i whakaae ki te tango kāpeneheihana mō te whenua i Heretaunga, me te kī, kīhai ngā tangata Māori i mea ki te hoko i ēnei whenua. I te marama o Nōema 1844, ka utua he kāpeneheihana e te Kamupene ki taua iwi anō nāna i whakakāhore te utunga mō tētehi rohe whenua i kīa i taua wā ko Heretaunga. Kīhai ngā rangatira o ngā iwi i whakaae ki te utu hei kanohi mō ō rātou iwi kōtui, ā, ko tō rātou tūmanako kia wehea atu ngā whenua i nohoia rā e ō rātou iwi kōtui i te hoko.
- 3.13. I roto i ēnei whakawhiti kōrero i noho tonu a Ngāti Hāua ki te kō me te whakatō kai i ngā whenua i Heretaunga. I te marama o Nōema 1844, ka puta te kī a te Karauna he tāngata pokanoa rātou. Ki ngā whakaaro o ngā āpiha o te Karauna, me te hunga manene noho mai i Heretaunga, ko te horokukū o Ngāti Hāua ki te wehe atu i te riu he mahi tinihanga, he whai kia āraia ai te noho mai a te Pākehā. I akiaki te hunga manene i te Karauna kia tahuri ki te whawhai.
- 3.14. I te tau 1845, nā Tōpine Te Mamaku tētehi ope o Ngāti Hāua i ārahi ki te tonga ki Heretaunga ki te tautoko i te ātete o ō rātou whanaunga ki te tango pokanoa a te Karauna i ngā whenua i whakapono rātou nō rātou anō. I te marama o Pēpuere 1846, ka tae a Kāwana Kerei ki Te Whanganui-a-Tara, me tana whakahau i a Ngāti Hāua me ētehi atu iwi me wehe tika atu i Heretaunga, ki te kore, ka panaia e te Karauna.
- 3.15. I te 21 o ngā rā o Pēpuere 1846 i tīmata te unuhanga atu o Ngāti Hāua me ētehi atu iwi i Heretaunga, otirā nō te kitenga atu o ngā manene i rere rā ki te noho i te whenua, me te tango i ngā kai o ō rātou māra, i hoki tika atu rātou ki te whakamataku i te hunga manene, kia wehe atu i ō rātou whare ake. Ko te whakautu a Kāwana Kerei he tuku atu i ētehi hōia 340 ki te riu. I tāpae kōrero a Ngāti Hāua ka whakarērea e rātou te whenua, me ka utua ō rātou tāngata mō ō rātou māra kai. I huri tuarā te Kāwana me tana kī e kore ia e kōrero mō te kāpeneheihana i mua i te wehenga atu o Ngāti Hāua me ētehi atu iwi, me tana whakapuaki, ka tāria te pouputanga o te rā i te 26 o Pēpuere, kātahi ka tonoa ana hōia kia whakawātea i te takiwā.

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- 3.16. I te 25 o Pēpuere nā tētehi mihingare o Whanganui a Tōpine Te Mamaku i āki kia wehe atu i te riu o Heretaunga. I mua i te wehenga atu, ka puta te kī a Tōpine Te Mamaku me whakaae tērā taha ka tautiakina ētehi waka e whā ka waiho i muri e tana iwi. Ahakoa te kī taurangi ki te Kāwana ka tautiakina aua waka, i pāhuatia te whare me ngā māra kai e ētehi Pākehā i taua pō anō, me te tāhae i te wāhanga nui o ngā tāewa, me ō rātou waka e whā, me te turaki i te atamira kauwhau i tō rātou whare karakia. I te 27 o Pēpuere, ka whakaekea, ka tahuna hoki te pā o Maraenuku kua whakarērea ake nei. Ka toro te ahi, ka pau tētehi whare karakia me ngā taiepa huri noa i tētehi urupā te kai e te ahi.
- 3.17. Mai i te 1-3 Māehe, ka rapu utu a Ngāti Hāua me ētehi atu iwi, arā, ka murua ngā whare o ētehi whānau manene e iwa i te raki o te Pāmu o Boulcott. I te taenga ki te 3 Māehe, kua whakapuakina e Kāwana Kerei te ture hōia ki te katoa o te rohe o Pōneke, e whakatārewatia ai te haere o ngā ture o ia rā, me te tuku i te mana hōia ki te Kāwana. I puta ngā tohutohu a te kaihāmene a te Karauna ki a Kāwana Kerei e hē ana te tahuri ki te pana atu i ngā tāngata Māori i ngā whenua e mōhiotia ana i whai take tūturu rātou i reira. Ahakoa tērā, i te 3 Māehe 1846, i muri i te whiwhinga tohutohu mai i te Tiāti o te Kōti Teitei e whakahē ana ki tēnei whakatau, ka whakapuakina e Kāwana Kerei te ture hōia. Nō te 12 Māehe rā anō, kātahi anō ka hīkina, nō te kitenga atu, te āhua nei kua wehe atu a Ngāti Hāua me ētehi atu iwi i Heretaunga.
- 3.18. I ngā tuatahi o Āperira, i patua tētehi tangata manene me tana tama, hei utu mō te murunga me te tahunga a ngā hōia i ō rātou kāinga, ā, nā konei ka whakapuakina anō e Kāwana Kerei te ture hōia anō ki Pōneke i te 20 Āperira. I te 16 Mei 1846, ka arahina e Tōpine Te Mamaku ētehi tāngata 150 ki te 200 i tana kōkiri i te pā Peretānia, 50 ōna hōia, ki te Pāmu o Boulcott, i te takiwā e mōhiotia nei ko Epuni i ēnei rā. I whakatatau tata ētehi o ngā pūrongo, tokorua, tokotoru rānei ngā toa Māori i patua, ā, tekau neke atu rānei i taotū. E ono ngā hōia Pākehā i patua, tokowhā ngā taotū, ā, i mate tētehi tangata manene i ngā rā o muri, nā ngā kai ā-kiko.
- 3.19. Kotahi marama i muri mai i te 16 Hune 1846, i pakanga anō ngā toa me ngā hōia i 'Mabey's Clearing' tata ki te Pāmu o Boulcott. Kāore kau he tangata i mate, engari i taotū ētehi toa me ētehi hōia. I te marama o Hūrae, i whiwhi a Kerei i tētehi kape o tētehi reta nā Tōpine Te Mamaku i tuhi, i tuku hoki ki ētehi atu rangatira ki te kimi whakaaetanga kia heke mai ana whanaunga o te tuawhenua o Whanganui kia heke mā te Awa ki te piri mai ki a ia i Heretaunga. I te 18 o Hūrae, ka whakawhānuitia te ture hōia e Kāwana Kerei ki te katoa o te takiwā o Whanganui.

Te Whakawā Inamata i Raro i te Ture Hōia

- 3.20. I te 1 Ākuhata, ka mau i ngā hōia o te Karauna ētehi whanaunga tokorua nō Tōpine Te Mamaku, tūtata tonu ki te pā o tētehi rangatira nō te Karauna e mōhiotia nei he 'tangata tutū' i te takiwā o Pāuatahanui; ko Te Rangiātea tētehi, i kīa rā "he kaumātua he kaha rawa te māuiui, he pōauau rānei, i kore ai e kaha ki te oma atu", ā, ko Mātene Ruta Te Whareaitu tētehi, hei teina tēnei ki a Tōpine Te Mamaku. I te 14 me te 15 Hepetema, ka whakatūria he kōti hōia hei whakawā i tēnei tokorua.
- 3.21. I whakapaetia a Te Rangiātea mō te kitenga i a ia e mau tao ana, i te takiwā o te pā tūwatawata o tētehi 'rangatira tutū' i mahi tahi ia me taua rangatira, i te rā, i te takiwā rānei o te 1 o Ākuhata 1846 (te whakapae tuatahi). I whakapaetia hoki mō tana mahi, mō tana

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āwhina, mō tana tautoko hoki i tētehi pakanga tutū ki te Kuini me te kāwanatanga, me te tū i roto, te whai wāhi hoki ki te whakaeke me te patupatu o ngā hōia i te pāmu o Boulcott i te 16 o Mei 1846 (te whakapae tuarua). I kī a Te Rangiātea i hara ia mō te whakapae tuatahi, ā, i harakore anō hoki mō te tuarua. Tokowhā ngā kaitaunaki i tāpae kōrero mō te hē o Te Rangiātea.

- 3.22. I kitea e te Kōti Hōia, āe, i hara a Te Rangiātea mō te katoa o te whakapae tuatahi. Mō te whakapae tuarua, i kī te kōti āe, i hara ia mō te āwhina me te tautoko i te pakanga tutū, engari he harakore ia mō te tū i roto, me te whai wāhi ki te whakaeke i te Pāmu o Boulcott. I muri i te puaki whakawā, tokorua ngā āpiha tākuta i hora whakaaro ki te Kōti Hōia, he 'pōrewarewa te hinengaro' o Te Rangiātea. Kātahi ka whakawhiua a Te Rangiātea e Te Kōti Hōia kia herea hei wairangi mō te roanga atu o tana orange. E rua marama i muri mai, ka mate ia i roto i tētehi whare kāwanatanga. Kāore anō tōna tūpāpaku kia kitea ake mai o taua wā.
- 3.23. I whakapaetia a Te Whareaitu mō te hāpai rākau whawhai, me te mahi tutū tūturu ki te Kuini me te kāwanatanga, i te takiwā o Pāuatahanui tūtata ki te pā tūwatawata o tētehi 'rangatira tutū', i te takiwā o te 1 o Ākuhata 1846, me te tūkinu i tētehi hoa Māori i tōna hopukanga (te whakapae tuatahi). I whakapaetia hoki mō tana mahi, mō tana āwhina, mō te tana tautoko hoki i tētehi pakanga tutū, me te whawhai ki ngā hōia o te Karauna i Mabey's Clearing i te 16 o Hune 1846 (te whakapae tuarua). I puta te kī a Te Whareaitu i hara ia mō te wāhanga tuatahi o te whakapae tuatahi, engari kāore he kī mō te hara mō te kore rānei mō te roanga atu o te whakapae, i roto i te pukapuka o Te Kōti Hōia. I kī ia kāore ōna hara mō te whakapae tuarua. Tokowhā ngā kaitaunaki i tāpae kōrero mō te hē o Te Whareaitu.
- 3.24. I kitea e te Kōti Hōia, kāo, kīhai a Te Whareaitu i hara mō te katoa o te whakapae tuatahi. Mō te whakapae tuarua, i kī te kōti, āe, i hara ia mō te āwhina me te tautoko i te pakanga tutū, engari he harakore ia mō te whai wāhi ki te pakanga o Mabey's Clearing. I whakawhiua a Te Whareaitu kia tārona ia, ā, i whakamatea rawatia e rua rā i muri mai i te 17 Hepetema, i mua tonu i te puni hōia i Paremata. I puta te kī a te āpiha ngārahu o ngā ope hōia i te wāhanga ki te tonga, ko te whakaaro kia noho te whakamatenga o Te Whareaitu "hei tauira" ki ngā tāngata Māori, i reira te tini o rātou i taua wā. Iti iho i te kotahi marama i muri mai, i kitea kua hara ētehi tāngata Māori tokowhitu i mauheretia tata ki Paekākāriki me Pukerua, ā, mō te tutū, mō te whai pū, mō te kōhuru, ā, ko te whakawhiu kia kawea ki whenua kē mō te roanga atu o ō rātou rā i te ao nei.
- 3.25. I roto i ngā niupepa o Aotearoa, i puta te kī, ko te whakamatenga o Te Whareaitu 'tētehi ngakinga mate mutunga mai o te hekenga toto'. I ngā niupepa o Ahitereiria ka puta te kī ko te tāronatanga o Te Whareaitu tētehi mahi 'mutunga mai o te kōhuru', ā, he 'take whakamā' kua utaina ki te ingoa pai o Aotearoa. E kī ana ngā pukapuka o te wā nā te whakamā mō tōna tāronatanga i ara ake ai te whakaaro o "ngā tāngata o Aotearoa" kia tāpaetia ngā whenua i tāronatia ai ia ki te Karauna hei "whakatairanga i te kotahitanga o ngā iwi", ā, taro kau ake i muri i te matenga o te matua ka whānau te tamaiti a te wahine a Te Whareaitu, tapā tonutia iho ki te ingoa o Ripeka, o Rupeka rānei (mō te mea i tāronatia'). Kāore anō te tūpāpaku o Te Whareaitu kia kitea ake mai o taua wā.
- 3.26. Nā te āpiha ngārahu o ngā ope hōia o te rohe ki te tonga ngā Kōti Hōia e rua i whakatū. Kāore i tukua he rōia ki ia tangata i whakapaetia, ahakoa ko wai, ā, kīhai ngā kaitaunaki

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o te taha whakapae i uia e tētehi rōia. Ahakoa i tukua he wāhanga ki ia tangata i whakapaetia kia tāpae kōrero, ko te whakatau o ia tangata kia kauaka. I whakatauria i hara ngā mauhere e ētehi komiti, he āpiha hōia, ehara i te tekau mā rua tangata noa.

- 3.27. Iti iho i te kotahi marama i muri mai, i kitea kua hara ētehi tāngata Māori tokowaru i mauheretia tata ki Paekākāriki me Pukerua, ā, mō te tutū, mō te whai pū, mō te kōhuru, ā, ko te whakawhiu kia kawea ki whenua kē mō te roanga atu o ō rātou rā i te ao nei, engari kua e whakamatea. Ahakoa i tukua tētehi o aua mauhere, he taitamariki nōna, i tukua ētehi katoa atu ki Tāmaki, ā, e rua i mauheretia i reira, tokorima i peia ki Van Diemen's Land (Tāhimania, Ahitereiria) i te marama o Oketopa 1846. I tono a Kāwana Kerei ki te kāwanatanga o Tāhimania kia tukua ngā mauhere Māori kia mahi i ngā mahi mutunga o te taumaha, kia hau ai te rongo mō tēnei whiu taumaha mō rātou ki te ao Māori nui tonu. Ahakoa tērā, nā ngā mana o Āhitereiria rātou i tuku ki Te Moutere o Maria kē, ā, ko te mahi i hoatu ki a rātou he mahi māmā kē. I pāngia tētehi o ngā tāngata nei e te mate, ā, ka mate rawa i te Hūrae 1847. I te marama o Tīhema, ka tukua e Kāwana Kerei ngā mauhere e rua i Tāmakimakaurau, ā, i tono ia kia hoki mai ngā mauhere tokowhā i Te Moutere o Maria, ā, ka tau mai anō ki Aotearoa i te marama o Māehe 1848.

Te Pakanga i Whanganui

- 3.28. I noho anō ngā pakanga, me te āhua o te whakarite whakawā inamata a te Karauna ki a Ngāti Hāua hei take pākanga anō i waenga i a Ngāti Hāua me te Karauna i te rohe o Whanganui. Ko te hiahia o Tōpine Te Mamaku me te nuinga o ngā tāngata Māori o te tuawhenua, kia noho tonu i runga i te rangimārie, kia rongo rā anō ia mō te whakamatenga o tana teina. I te marama o Oketopa 1846, ka arahina e Tōpine Te Mamaku rāua ko tana teina a Te Oro tētehi taua o Ngāti Hāua, i rā te Awa atu ki Petre, te tāone Pākehā i te pūau o te Awa o Whanganui.
- 3.29. I te koropupū te riri mō te takiwā pea o te wiki, kātahi te ope nei ka hoki atu ki te tuawhenua, me te kī a Tōpine Te Mamaku he ope taua tamariki noa, engari anō te ope ka hoki mai, he tāne pakari katoa. Nā tētehi mihingare, nā te hunga manene, nā ngā tāngata Māori hoki o te takiwā i tono kia tukua e te Karauna ētehi hōia, hei wawao i te tāone. I te marama o Tīhema, 180 ngā hōia emepaea i tau atu ki Petre, ka tīmata ki te whakatū whare pupuhi pū.
- 3.30. Nō te taenga atu o ngā hōia ki Whanganui ka piki te āwangawanga, i reira tonu aua whakaaro i muri i te whakatuma a Tōpine Te Mamaku ka hoki mai anō me tana taua tuarua. Nō te 23 Pēpuere 1847 ka whakapuaki a Kāwana Kerei ka hīkina te ture hōia puta noa i te rohe o Whanganui, arā, i te 15 o Māehe. Ahakoa tērā, ka unuhia e te Kāpene te pānui tūmatanui, me te whakauru i tāna ake pānui ka haere tonu te ture hōia, mō tētehi wā. I inoi te Kānara ngārahu o ngā hōia o te Karauna ki a Kāwana Kerei kia whakaroatia atu te ture hōia, kia tū tika te whare pupuhi pū kia taea ai te wawao i te whawhai. I whakaae a Kāwana Kerei, ā, whakatauria e ia te ture hōia taea noatia te 1 Mei, ahakoa kāore he whawhati tata i Whanganui, ā, kāore hoki he pānga ā-kiko ki te tangata o te ture hōia. I roto i tēnei takiwā, nō te 18 o Āperira, nā tētehi tira taitama Māori i patu ētehi mema tokowhā o tētehi whānau manene, i te riu o Matarawa. I whakawākia aua taitamariki e te kōti hōia, ā, ka whakamatea rawatia i 26 Āperira. I te 27 Āperira, ka whakaroatia atu te ture hōia mō tētehi toru marama atu anō, ā, kotahi rau ngā hōia i tonoa atu ki Petre.

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- 3.31. I te marama o Mei, i arahina mai anō e Tōpine Te Mamaku tētehi atu taua mā te Awa. I te 19 Mei ka tae atu ki Petre, ka murua ngā whare o te hunga manene, ka pūhia hoki e ngā hōia mai i te whare pupuhi pū. Tokorua ngā ngārahu o te taua, ko Tūtūā (te taokete o Tōpine Te Mamaku) tētehi, i mate rawa. I roto i ētehi wiki i te marama o Mei, i whanake haere te taua ki te 400-500 toa, ā, i tae ake hoki ētehi atu hōia 200 ki Petre.
- 3.32. I te 29 Mei, i tae tētehi pūrongo ki tētehi āpiha Karauna mai i tētehi kaiwhakawā tūmatanui i Petre, kua waiho e tētehi manene tētehi pēke parāoa i pokea te huka, he tāoke arsenic i tōna kāinga, i tōna wehenga mai ki te whare pupuru pū i te wā o te pakanga. I tuhia e ia ōna whakaaro, i mea ia kia kainga e te kiore, engari, me ka haria e te taua ko “taku hiahia kia kainga e aua nanakia rā”.
- 3.33. Te taenga ki te 4 Hune, kua piki te maha o ngā hōia o te Karauna ki te 800. I haere ngā whawhai mō ētehi wiki, ā, ko te whawhai nui i waenga i te taua me te Karauna ko tērā i tū i te 19 Hūrae 1847, i Kaiherau. I haere te pakanga mō te toru hāora, ā, i whara ētehi tāngata āhua tekau mā rua i tētehi taha, āhua tekau mā rua hoki i tētehi. Nō te taenga ki te 4 Ākuhata, kua hoki te taua ki te tuawhenua. I whakaae ngā taha e rua kia houhia te rongo i te Pēpuere 1848. Ahakoa, i noho tonu ngā āwangawanga, ā, i noho tonu ngā hōia o te Karauna i Petre mō te hia tau o muri mai.
- 3.34. I te marama o Ākuhata, i whakaaturia e te mihingare o te rohe ngā āhuatanga o te tāoke parāoa o te marama o Mei ki a Kāwana Kerei. I kī ia he mahi kōhuru tēnei i āta mahia hei whakamate i ngā tangata nō te taua me tana kī, āe, i mārama ngā hōia o te ope o te Karauna he mahi tūturu tēnei, he pono. I kī tētehi o ngā manene ki te mihingare ahakoa he mahi mutunga mai o te kino tēnei, he mea e tika ana kia mahia “nā te mea e kore rātou e mōhio ki te rangimārie mehemea he tangata, he wahine he tamaiti rānei o te hunga [o te taua] i te ora mai”. I muri i te whakaputanga whakaaro o ētehi tāngata manene mō te kino o te mahi, i kī te hunga nāna i mahi, he pokerehū kē.
- 3.35. Kīhai a Kāwana Kerei i whakautu ki te reta a te mihingare me ana kōrero mō tēnei aituā, kāore hoki i wherawhera i ngā whakapae i kī rā, nā ngā manene i āta paihana, i paihana pokerehū rānei, ngā tāngata o Ngāti Hāua ki te arsenic.
- 3.36. He maha ngā āhuatanga i whai i muri i ēnei mahi, ka noho tonu hei weri mō Ngāti Hāua me te wairua o tō rātou noho, arā, kua rerekē tō rātou titiro ki ngā manene mō ake tonu atu. E ai ki ngā mahara o Ngāti Hāua he maha te hunga i mate i te paihana kai, ā, i ātete ō rātou tūpuna ki te kai nā ngā manene i taka, mō te hia ngahuru tau.

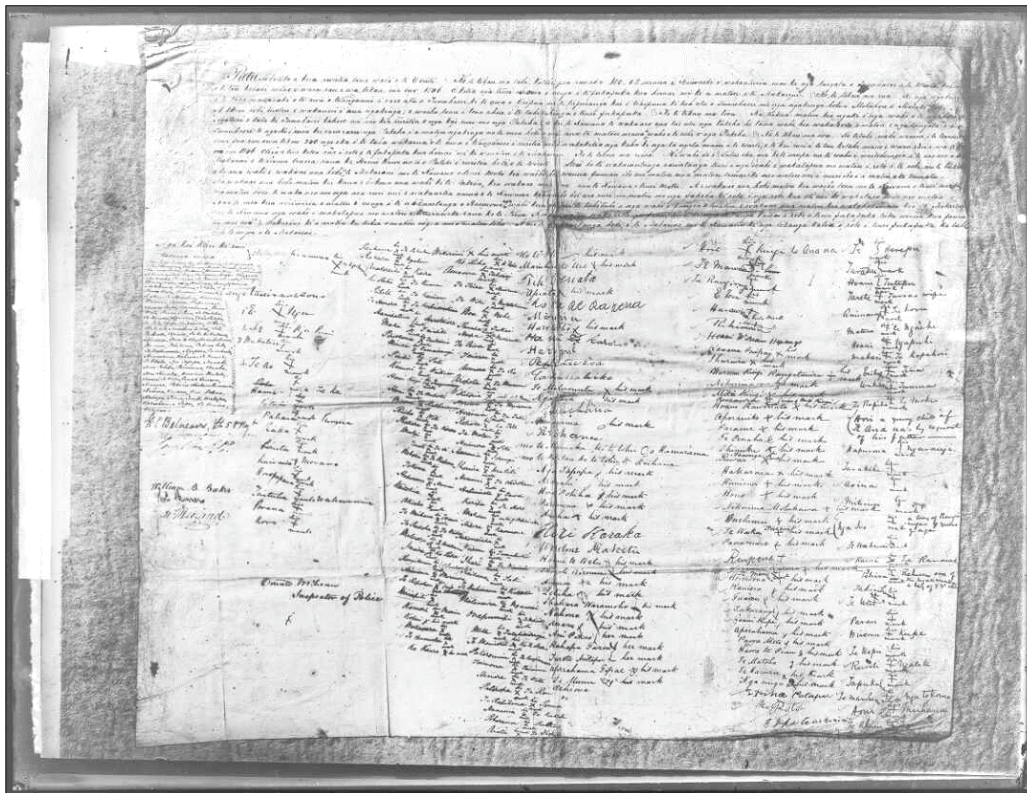
Te Whakaotinga o te Hoko o te Poraka o Whanganui

- 3.37. I te marama o Mei 1848, i whai te Karauna ki te whakatatū i te hoko nā te Kamupene o Nu Tīreni i tīmata i mua. I te 25 Mei, i muri i tētehi hui o ētehi tāngata Māori āhua 600, nō Whanganui, i roto i te Karauna ētehi hainatanga 80 ki tētehi pukapuka hoko, i whakaritea ai kia utu te Karauna i te £1,000 mō te rohe whenua 86,000 eka. I tohaina ngā moni hoko ki ētehi rangatira 22, hei kanohi ki ētehi 15 iwi/hapū 15. I whiwhi ia rōpū i ētehi wāhanga o te utunga mai i te £10 ki te £150 mō tēnā rōpū, mō tēnā rōpū. I whiwhi a Tōpine Te Mamaku i tētehi pēke kotahi, £10 hiriwa i roto, mō Ngāti Hāua. Ahakoa rā, kāore kau he rāhui i waiho mō Ngāti Hāua. I kī te Karauna ko tēnei hoko te whakaotinga o te tūtohu a

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Kaikōmihana Peina, engari kāore i whakamārama atu ki ngā kaihoko ko ngā whenua i te hoko i tōpūtia kia rua reanga ake, neke atu, i te 40,000 eka i te tūtohu o 1843.



Pikitia 6: Deed of Purchase of Whanganui, i waitohutia i te 26 Mei 1848 (Deed of purchase of Whanganui, ngā upoko me ngā waitohutanga i roto i te reo Māori me te reo Ingarihi, 26 Mei 1848. Harding, William James, 1826-1899: Negatives of Wanganui district. Tohutoro: 1/1-000087b-G. Ko te whakaetanga nā te whakaaro atawhai o Te Whare Pukapuka o Arekahānara Turnbull, Te Whanganui-a-Tara, Aotearoa. records/22913287)

UPOKO TUATORU: NGĀ PAKANGA O AOTEAROA

Te Kīngitanga

- 3.38. I ngā tau mai i 1850 kua whakawhiti whakaaro ētehi iwi, hapū hoki mō te whakatū i tētehi Kīngi Māori hei pou mō te kotahitanga o ngā tāngata Māori e whakaae ana, hei kaitiaki hoki i ō rātou whenua, kia kore ai e ngaro. Ko te whakaaro kia noho ko te Kīngitanga hei kōkiri mō ngā iwi katoa, tōpū tonu, kia tōtahi te kawē kaupapa kia noho tonu te whakahaere, te tū motuhake me te mana mō ō rātou whenua ki ngā ringa Māori. I te tau 1856 i tae atu ētehi rangatira o Whanganui ki tētehi hui i Pūkawa i te moana o Taupō ki te whakawhiti kōrero mō te kōwhiri i tētehi Kīngi Māori. Heoi anō, kīhai he Kīngi i whiria i te hui i Pūkawa, engari i whakaae te hunga i reira kia tohua tētehi 'rohe tapu,' ā, i roto i taua rohe kāore ōna whenua e hokona ki te Karauna, ki te hunga manene rānei. Ko te whakamārama mō taua whenua i muri ko Te Rohe Pōtae, ā, ko te pūtahi o taua wāhi ko Tongariro maunga, ā, kei roto pū i taua wāhi ko te rohe o Whanganui.
- 3.39. I mua atu i te whiringa o Pōtatau Te Wherowhero i te tau 1857 me tōna whakawahinga hei Kīngi i te tau 1858, i tāpaetia te whakaaro ko Tōpine Te Mamaku hei Kīngi, e ai ki ngā kōrero tuku iho a Ngāti Hāua, ki Poukaria. Ahakoa kāore i hāpainga e ia te tūranga Kīngi,

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i noho tonu a Tōpine Te Mamaku hei pou whakahirahira mō te Kīngitanga, ā, koia hoki tētehi o te hunga nāna i kawē mai te Kīngitanga ki Whanganui i 1858.

Ko ngā Pakanga i Taranaki

- 3.40. I ngā tau tata ki 1860, ka hē te whanaungatanga i waenga i te Kīngitanga me te Karauna i te kōkiri a te Karauna ki te hoko whenua i Waitara. I te marama o Māehe 1860, ka toro te ahi o te pakanga i Taranaki, i te whakaekenga a Te Karauna i Te Kohia pā. Kīhai a Ngāti Hāua i uru atu ki te pakanga tuatahi o Taranaki. I houhia te rongo i te marama o Māehe 1861.
- 3.41. Ka piri te katoa ki te rongomau mai o 1861 tae noa mai ki Māehe 1863, kātahi ka ara anō tētehi whawhai tuarua, taea noatia te marama o Nōema 1866. I Taranaki anō ētehi tāngata Māori o Whanganui i te tīmatanga o te pakanga, ā, 30 ētehi atu tāngata takitahi i rere atu ki a rātou.
- 3.42. I te marama o Oketopa 1863, ka tere atu tētehi ope o ngā tāngata Māori o Whanganui, kei roto nei ko te rangatira o Ngāti Ruru, a Rōpata Te Korowhiti rāua ko Te Ngarupiki o Taumarunui ki te tautoko i ō rātou whanaunga i Taranaki. I piri hoki a Tōpine Te Mamaku ki a rātou me tōna ake ope, huia katoatia, 400 ngā toa o roto.
- 3.43. I ū tonu a Tōpine Te Mamaku rāua ko Te Pēhi Tūroa ki te hāpai i te rongomau i te rohe o Whanganui. I tō rātou haerenga atu ki Taranaki i mahi nui a Tōpine Te Mamaku rāua ko Te Pēhi Tūroa ki te tautiaki i te hunga manene i te huarahi. Ka tukua atu e rātou he karere ki ngā manene ki te kī ki a rātou kia kati tonu ō rātou kūwaha, kei ara mai he tautohe. Mō tētehi o ēnei, ka kitea e Te Pēhi Tūroa ētehi tamariki manene, me tana tū ki te wawao i a rātou, kia pahure rā anō te katoa o te taua.
- 3.44. I whawhai te taua i Tapuaeruru me Tāpuiwaewae, engari, nō te paunga o ngā rawa mō te whawhai i hoki ki Pīpīriki i te marama o Pēpuere 1864. I tō rātou hīkoi ki te kāinga, i pahure te taua i te taha o ētehi hōia Karauna i tētehi pāmu, engari kīhai i whawhai ki a rātou. Koia anō te āhua, i tū a Te Pēhi Tūroa i tahaki i te taha o ngā hōia, kia kaua ai te ope e tīmata ki te whawhai.

Ka Toro te Pakanga ki Waikato

- 3.45. I te marama o Hūrae 1863, ka tonoa e te Karauna ana hōia ki tāwāhi o Mangatāwhiri, ā, i reira kia whakawhiti ki tua atu i te aukati whaka-te-raki o Te Rohe Pōtae. I whakatūria te aukati i te tau 1860 hei tautohu i ngā whenua Māori tuku iho i Te Rohe Pōtae, kāore kē e tomokia e te tangata, ki te kore te Kīngi e whakaae. Nō te whakawhitinga o te aukati me te korenga e whakaae, ka tīmata te Karauna i te Pakanga o Waikato.
- 3.46. I te marama o Āperira 1864, ka haere a Rōpata Te Korowhiti ki Ōrākau, engari he tōmuri rawa tana taenga atu mō te pakanga, ā, i Haurua anō a Tōpine Te Mamaku me ana toa hei āwhina i te whawhai ki tētehi whakaeke Karauna, kīhai i kōkiritia.

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Te Pakanga i Whanganui

- 3.47. I muri mai i te hokinga o Ngāti Hāua i Taranaki, ko tō rātou hiahia kia mau te rangimārie i te takiwā o Whanganui. I te marama o Mei 1863, ka tuhia e Te Pēhi Tūroa ēnei kōrero ki te *Wanganui Chronicle*:

E hoa mā he kupu atu tēnei nāku ki a koutou. Kei mahara koutou tēnei he wawai mō tō tātou awa, arā, mō Wanganui. Kauaka e whakawehia ngā Pākehā e noho ana ki runga i ō rātou whenua, waiho kia noho ana.

- 3.48. I te noho tonu ngā hōia o te Karauna i Petre mai i te tīmatanga o ngā whawhai i te ngahuru tau 1840. I te marama o Hūrae 1863, ka whakakāhoretia e ngā āpiha te tomokanga mai ki te tāone a ngā tāngata Māori kua whai wāhi ki te pakanga i Taranaki. I tono kau atu te mihingare o te rohe kia kounu te Karauna i tēnei whakahau, nā tana whakaaro, ka noho pea hei take pakanga.
- 3.49. I te marama o Hānuere 1864, ka akoako te Karauna i ngā āpiha me pēhea tā rātou whakahaere mō ngā momo "tāngata tutū" e toru o Whanganui. Arā, ko te hunga i whawhai ki te Karauna, me mauhere, ko te hunga i te noho i waenga i ngā tāngata tutū me whakahauraro, me tāpae i ā rātou rākau whawhai, me haina i tētehi oati piripono, kaua hoki e tukua kia noho i waenga i ngā "tāngata hūmārie"; ā, ko ērā i te noho i waenga i ngā "tāngata hūmārie" engari i te tautoko i ngā "tāngata tutū," me whakatūpato ērā. I te marama o Āperira ka puta te kī a Te Pēhi Tūroa heoi anō nei te tikanga e whawhai ai ngā kaitautoko Kīngitanga o Whanganui ki te Karauna, mehemea ka whakaekea rātou i ō rātou kāinga i te tuawhenua i te awa.

Te Pai Mārire

- 3.50. I te tau 1862 i roto i ngā pakanga i Taranaki, ka whakaarahia e Te Ua Haumene, tētehi kaitautoko Kīngitanga nō Taranaki, tētehi whakapono hou, i whai kia whakarērea atu te mana whakapono Pākehā, kia riro hoki i ōna tāngata piripono te rangatiratanga me te mana motuhake mō tō rātou whakapono, me ō rātou whenua. I kīa tēnei whakapono ko Pai Mārire, tōna whakapākehātanga ko good and peaceful. Taro kau ake ka toro te Pai Mārire ki te tini o te tangata, otirā i waenga i te Kīngitanga he tini anō i kapo. Ahakoa i noho ko te Pai Mārire hei whakapono matua mō te Kīngitanga, kāore i tautokona e te katoa, ā, i ōna tau tuatahi tonu, kāore i whāia e te katoa.

Te Pakanga i Te Moutere o Moutoa

- 3.51. I ngā marama whakamutunga o Āperira 1864, ka hoki mai a Mātene Rangitauira o Ngāti Te Wera, ākongā nā Te Ua Haumene, ki Whanganui me tana huri haere i te rohe ki te kimi tāngata tahuri ki te whakapono Pai Mārire. He tini ngā rangatira o Ngāti Hāua i tahuri, i anga kē atu hoki te titiro ki te kaupapa o Pai Mārire mō te mana motuhake, me te rangatiratanga. I huri ai ērā o Ngāti Hāua i tahuri ki te Pai Mārire, nā tōna kaupapa kia whakahokia te mana motuhake, nā tana tautoko hoki i te hunga i te tāmia i mua e te Karauna me āna mahi ririhau, e tāmia tonutia ana hoki i taua wā.
- 3.52. I te marama o Mei 1864, ka tatū ngā whakaaro o Rangitauira kia aratakina e ia he ope Pai Mārire ki te whawhai ki te Karauna i Petre. I roto i te taua ko ngā kaitautoko o te Pai Mārire

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o Whanganui, me ētehi atu Māori nō rohe kē. Ka tuhi reta a Te Pēhi Tūroa ki te hunga Māori i Rānana me tana tono kia aukatia te heke mai o te ope Pai Mārire mā te Awa, me tana whakahua i tana kirimana kua oti te whakarite ki te Kāwana, ka kore anō e whawhai ki te Karauna i Whanganui.

- 3.53. I whakapiria atu e Tōpine Te Mamaku rāua ko Te Pēhi Tūroa ētehi o ō rātou kaitautoko ki te hunga Māori o te awa ki tai, i ātete ki te tika o ngā toa taua Pai Mārire kia heke atu mā te Awa ki te whakaeke i te tāone. I roto i te whawhai i puta ake i muri i pakanga ngā whānau o Ngāti Hāua ki a rātou anō, ko ētehi whānau e whawhai ana ki ētehi atu whānau. I puta te kī i taua wā, “i te whawhai te tuakana ki te teina, te matua ki ana tamariki.” I hinga te ope Pai Mārire i ngā ope o te Kīngitanga me te awa ki tai i te moutere o Moutoa i te 14 o Mei, ā, ka patua a Rangitauira. 50 ngā tāngata o te ope Pai Mārire i mate, ā, i hinga ngā tāngata 12 ki te 16 o te ope o te awa o tai me te Kīngitanga, ā, 20 ki te 25 i kai ā-kikotia.

Te Pakanga i Ōhoutahi

- 3.54. Nō te mutunga o Mei 1864, ka tau ngā whakaaro o te Karauna kia tukua he pū ki ōna hoa whawhai Māori o Whanganui “hei tautiaki i te rohe o te tuawhenua o Whanganui, kei riro aua rohe i ngā iwi Māori tutū”. I utu hoki te Karauna kia whakapakaritia ngā pā o ōna hoa i Rānana, i Kauaeroa, i Koroniti, i Hiruharama, me Mairekura-Tawhitinui. Nō te taenga ki te marama o Nōema, kua whakatūria e ngā ope o te Kīngitanga tētehi pā i Ōhoutahi, tata ki Pīpīriki. Nō ngā marama whakamutunga o 1864, i tae ake ētehi karere ki te Karauna ki te kī, tērā pea e whakaekea a Petre, engari kīhai i whakaekea. I mahi nui anō a Tōpine Te Mamaku rāua ko Te Pēhi Tūroa kia kaua ai te pakanga e toro ki te rohe.
- 3.55. I ngā wiki whakamutunga o Hānuere 1865, ka arahina e Tiānara Cameron ana hōia 1,200 ki waho o Petre, ki roto i Taranaki. Muri tata tonu iho, ka tukua atu tētehi ope o ngā toa 400 o ngā hoa whawhai o te Karauna ki runga ake i te awa o Hiruharama, kotahi maero ki te tonga o Ōhoutahi. Nā te hunga piri ki a Te Pēhi Tūroa i tīmata ētehi whawhai i waenga i Hiruharama me Ōhoutahi, ko te tukunga iho, tokowhā ngā tāngata a Te Pēhi Tūroa i mate rawa. I te 24 Pēpuere 1865, ka hinga te pā o Ōhoutahi i te ope, 400 te rahi o ngā hoa whawhai o te Karauna. 27 o te ope o te Kīngitanga i whakamatea, 100 i mauheretia, tae atu ki a Te Pēhi Tūroa, ki a Tāhana Tūroa, me Tōpia Tūroa, ā, i taotū hoki ia i roto i te pakanga.

Te Pakanga i Pīpīriki

- 3.56. I te marama o Māehe 1865, ka tonoa e te Karauna tana ope hōia, e 400 hoki ana hoa whawhai Māori kia pupuru i te pā o Pīpīriki, kāinga o te Pai Mārire. I kūmea ngā hoa whawhai Māori o te Karauna kia haere kē hei ope whawhai mō te Karauna ki te pā o Weraroa, i te awa o Waitōtara, kāti, i tonoa mai anō me ētehi atu tāngata 400 ki Pīpīriki, i te kōkiritanga o te taha Kīngitanga i muri mai. Arā anō ngā whawhai i waenga i ngā ope o te Karauna me te Kīngitanga i waho i te pā i roto i ngā rā 12 i te marama o Hūrae. I te marama o Mahuru 1865 i puta te puaki a Kāwana Kerei mō te ‘hohounga o te rongo’ me tana kī, kua mutu te pakanga.

Te Murunga Whenua a Te Karauna

- 3.57. I te tau 1863, ka mana te Suppression of Rebellion Act me te New Zealand Settlements Act. Nā ēnei ture i āhei ai te Karauna ki te muru i ngā whenua Māori ina mōhio pū te Kāwana i roto i te Kaunihera "kua whai wāhi mai tētehi iwi māori, tētehi wāhanga rānei o tētehi iwi, tētehi rōpū rahi tonu o taua iwi rānei" ki ngā mahi tutū ki te mana o te Kuini. I te tau 1865, ka puakina e te Karauna ka murua tētehi rohe whenua nui, mai i Tātaraimaka i te raki o Taranaki heke noa mai ki Whanganui i raro i te New Zealand Settlements Act.

Ko Parihaka

- 3.58. Mai i te ngahuru tau 1860, e noho ana ētehi tāngata o Ngāti Hāua i Parihaka, tētehi hapori i Taranaki i whai i ngā tikanga ātete i runga i te rangimārie ki te Karauna, me te mahi māra o te ao hou. Mai i te tau 1878, i tīmata te hapori ki te hutihuti i ngā tia rūri me ngā taiepa i ngā whenua i mea rā te Karauna ki te muru, me te tīmata hoki ki te parau i te whenua. I te tau 1879, ka tīmata te mauhere a te Karauna i ēnei kaiwhakahē hūmārie, me te pupuru i te tini o rātou, kāore he whakawā. I roto i ngā tau 1879 me 1880 ka whakaarahia e te Karauna tētehi ture i whakamana whakamuri i ēnei herenga, me te whakarite tikanga e mauheretia ai te hunga parau whenua. Nā te Karauna i kawē atu te tini o ngā tāngata me ngā kaiwhakatū taiepa ki te Waipounamu, ā, i noho rātou i roto i te herehere, mō te tini, kāore he whakawā, taea noatia te tau 1881. I roto i aua herehere, i te noho apiapi noa iho, i te takakinotia, kāore i rahi te kai, i hē noa iho te hauora.
- 3.59. I te tau 1881, 174 ngā tāngata Māori o Whanganui i kīa kei Parihaka e noho ana. I te 5 Nōema 1881, ka whakaekea a Parihaka e te ope Karauna 1,500 te tokomaha, ā, ka mauheretia e ia ōna kaihautū, a Te Whiti rāua ko Tohu. I te wiki whai i muri, ka mauheretia e ngā hōia o te Karauna te hunga noho i reira me kore e peia atu i reira. I te 11 Nōema, e 26 ngā rangatira o Whanganui i mauheretia i te kāinga rā, ā, e 28 atu anō ngā Māori o Whanganui i mauheretia i te rā i muri mai. Ka patua, ka tāhaetia rānei e ngā hōia o te Karauna ētehi kararehe, i whakangaromia hoki ngā eka 45 o ngā māra tāewa, taro, kānga, witi, tupeka hoki. E ai ki ngā kōrero tuku iho o Ngāti Hāua i pāwheratia ētehi o ngā tangata noho i Parihaka e ngā hōia.
- 3.60. I muri mai i tērā ka whakatata atu te Karauna ki ngā kāinga i te takiwā, ka mauheretia ētehi tāngata Māori nō Whanganui 35, me te whakahoki i ērā ki Parihaka. I te 14 o Nōema, ka murua atu e ngā ope o te Karauna ngā mea katoa o roto i ētehi whare o Whanganui i Parihaka, me te tāhae i ngā taonga, me te turaki i ngā whare. I te rā o muri mai, ka mauheretia e te Karauna ētehi wāhine Māori 47 o Whanganui, me ētehi tamariki anō. I te 16 Nōema, i tonoa aua tāngata Māori o Whanganui i mauheretia rā kia hīkoi whakamuri ki Whanganui, me te tū tata mai o ngā kaimauhere.

UPOKO TUAWHĀ: TE WHAKAURUNGA MAI O NGĀ TURE MŌ NGĀ WHENUA MĀORI

- 3.61. I ngā tau tuatahi mai i 1860 ka whakarērea e te Karauna tāna pūnaha hoko whenua tōmua. Ka whakaurua e ia tētehi pūnaha ture whenua Māori hou, me te whai kia whakataungia ngā tautohe mō te pupuri whenua Māori, me te whakawā i te whenua Māori kia wātea ai mō te nohonga mai o te hunga o Peretānia. Ko te whai a te Karauna kia whakahāngaitia te pupuru whenua Māori ki runga i te tangata takitahi, me te akiaki i te memehatanga o te

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iwi Māori katoa ki te ao Pākehā, hei te takanga o ngā tau. Kīhai rawa a Ngāti Hāua i whakaae ki te whakaurunga o ngā ture whenua Māori, mai rā anō.

- 3.62. Nā ngā Ture e mōhiotia nei ko te Native Land Act o 1862, me 1865 i whakatū Kōti Whakawā Whenua Māori, hei whakatau ko wai rawa ngā kaupupuru tika o ngā whenua Māori i raro anō i ngā tikanga Māori, me te whakawhiwhi taitara i takea mai i te Karauna ki ngā kaupupuru takitahi. I āhei te tangata takitahi ahakoa ko wai ki te tono ki te Kōti mō tētehi whakaritenga taitara, ā, i ākina ngā tāngata whai pānga katoa ki aua whenua ki roto i te pūnaha Kōti, me i hiahia rātou ki te tautiaki i ō rātou pānga. I herea hoki a Ngāti Hāua kia mātua whiwhi taitara here-kore i takea mai i te Karauna, me i hiahia rātou ki te whakawhanake i taua whenua, kia whai wāhi hoki ki te ōhanga hunga manene e tupu ana i taua wā.

Ko ngā Utunga Karauna i mua i te Whakawhiwhinga o ngā Taitara Kōti Whakawā Whenua Māori

- 3.63. I te tau 1874, ka tīmata te whakawhiwhi kōrero a te Karauna ki a Ngāti Hāua me te whai kia hokona ngā poraka o Retāruke me Kirikau. Ahakoa tērā, kīhai ēnei hokonga i oti i te Karauna, kia mutu rā anō te whakatau a te Kōti ko wai rawa ngā kaupupuru i ēnei whenua. I te marama o Māehe 1874, i te takatūtanga mō tā rātou tono ki te Kōti, ka tono a Ngāti Hāua ki te Karauna kia rūritia te poraka o Kirikau. I te marama tonu o muri mai, i tuhia e te Hēkeretari o Raro o te Tari Māori, me ka whakaae ā-tuhi a Ngāti Hāua tērā e hokona te poraka ki te Karauna, ka ea hoki te nama mō te rūri, mā te Karauna e whakarite te rūri mō te poraka. I te tau 1876, ko ngā poraka o Retāruke me Kirikau ngā poraka tuatahi o Ngāti Hāua kia whakawākia e te Kōti. I whakawhiwhia te poraka o Retāruke nō te iwi katoa, ki ētehi tāngata takitahi 169, me te poraka o Kirikau ki ētehi tāngata takitahi 59.

Te huri tuarā ki te Kōti Whakawā Whenua Māori

- 3.64. I ngā tau tuatahi mai i 1880, ka huri a Te Kere Ngātaiērua ki te āki i te iwi kia ātete ki te Kōti. Nā Te Kere te whakapono Paetiuihou i whakatū i te ngahuru tau 1870, ā, he piri tata taua whakapono ki te Kīngitanga. Ahakoa i mōhiotia te whakapono Paetiuihou mō tōna rangimārie, i kīa tonutia a Te Kere me Ngāti Hāua whānui he “Hauhau” he “tangata tutū” hoki. Ki te titiro a ngā mana o te koroni ko ā rātou whakahē he ātete tutū ki ngā ritenga o te koroni.

UPOKO TUARIMA: TE ROHE PŌTAE ME TE REREWĒ MATUA O TE IKA-A-MĀUI

Ngā Whakariterite a te Karauna mō Te Rerewē Ara Matua o Te Ika-a-Māui

- 3.65. I te taenga ki te tau 1882, ka tatū ngā whakaaro o te Karauna he mea taketake kia hokona e ia ngā whenua i Te Rohe Pōtae mō Te Rerewē Matua o Te Ika-a-Māui. I te hiahia hoki te Karauna ki te hoko whenua hei nohonga mō te Pākehā. I mua atu i te ngahuru tau 1880 kāore anō te Karauna me te hunga manene kia āhei ki te whakanoho i a rātou ki Te Rohe Pōtae, ā, i kaha tonu te whakapūmau a Ngāti Hāua i te aukati. I te tau 1880 nā Ngātai Te Mamaku i patu tētehi kaihoko pū kua pokanoa ki roto i te rohe.
- 3.66. I ngā marama tuatahi o 1883, ka puakina e te Karauna tāna pānui muru mō ngā hara tōrangapū i ara ake i roto i ngā Pakanga o Aotearoa. Hei wāhanga taua pānui o ngā mahi

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whakapiki a Te Karauna i tana whakahoa atu ki Te Rohe Pōtae Māori. Nā te puaki i whakaahua te hiahia me te whakaponono o ngā mema o te Kīngitanga me te Karauna ki te mahi tahi mō ngā kaupapa here mahi tahi, rangimārie anō hoki. Ahakoa ēnei āhuatanga, kīhai a Ngāti Hāua i mārara mehemēa i whai wāhi a Ngātai Te Mamaku ki taua murunga hara. I te tuatahi, kāore te Karauna i whakaū mehemēa kei roto a Ngātai Te Mamaku i te rārangi ingoa mō te murunga ā-hara, kātahi anō ka whakaaetia, i Tihema 1883.

Te Ātete a Ngāti Hāua ki te Hanganga o te Rerewē

- 3.67. I roto i te tau 1883, i te whakawhiti kōrero a Ngāti Hāua ki te Karauna, hei iwi kotahi o ngā iwi e whā i mahi tahi rā ki te whakarite rohe o waho hei tautiaki i ō rātou rohe i Te Rohe Pōtae kāore anō kia uru ki ngā hoko whenua. E ai ki a rātou ko te rohe mō ō rātou whenua ka noho hei ritenga whakatakoto i ō rātou whenua tuku iho ki raro i te mana o te Kīngitanga, mō te hia tau.
- 3.68. I te marama o Māehe 1883, i tatū te whakaaetanga a ngā kaihautū o tētehi iwi tūtata, he iwi hoki nō ngā "iwi e whā" me te Minita mō ngā Take Māori, mō tētehi rūri kia kawea, hei ara tērā pea ka āhei hei hanganga mō te Rerewē. I te 16 Māehe 1883, i whakaae rātou ki te rūri, me ka tukua mai te whakaae o ngā kaihautū o Te Rohe Pōtae ki te Karauna. Ko tō rātou tūmanako hoki, mō te wāhi ki a ia, me āta whiriwhiri te Karauna i ētehi ture hei whakaū i te mana o ngā kaihautū o Te Rohe Pōtae ki ō rātou whenua. Ahakoa rā, i huatau pūputu tonu te Karauna kia tahuri ngā rangatira o te Kīngitanga ki te tono kia tūhuratia, kia rūritia ō rātou whenua.
- 3.69. I te Hune 1883, ka tonoa e 'ngā iwi e whā' tētehi pitihana ki te Pāremata, e tātaki ana i ngā mea i tūmanako rātou ka ara ake i tētehi whakaaetanga kia hīkina te aukati. I hainatia te Pitihana e ētehi rangatira 415, me te tono i te Karauna kia whakatinanatia, kia whai kiko hoki te Tiriti o Waitangi. I tono hoki ngā kaipitihana ki te Karauna kia whakamanaia, kia whakaritea ā-turetia hoki tō rātou tino rangatiratanga i roto i Te Rohe Pōtae. I karanga hoki rātou kia kapea Te Rohe Pōtae ki waho i te mana o Te Kōti Whakawā Whenua Māori, kia āhei hoki rātou ki te whakatau take mō te pupuru whenua, me te whakapūmau i aua whakatau i roto i te ture i muri. I kī ngā kaipitihana ki te Karauna "e kore mātou e ora ki te kore ō mātou whenua." Mō ngā iwi o Ngāti Hāua, i noho te pitihana hei ara hou i roto i ā rātou kōrero ki te Karauna, ā, i haere tonu hoki tō rātou hiahia kia whakahaeretia ō rātou whenua me tōna hokonga atu. Kotahi anō te tikanga e āhei ai te Karauna ki te hanga i te Rerewē, me mātua takoto he whakaaetanga kua tautokona e ngā tāngata Māori o Te Rohe Pōtae.
- 3.70. Hei urupare ki te pitihana, ka whakamanaia e te Pāremata te Ture Menemana i ngā Ture Whenua Māori 1883, kei roto rā ētehi tikanga tautiaki i ngā whenua Māori, he whāiti kē iho i ērā i hiahia rā e 'ngā iwi e whā'. Kāore i hāngai ki ngā hiahia o ngā Māori o Te Rohe Pōtae Māori, nā te mea kāore ngā ture i kape i Te Rohe Pōtae kia noho ki waho i te mana o te Kōti me ōna hātepe. I whakatairanga hoki te Karauna i te Ture mō ngā Komiti Māori 1883, i āhei ai aua Komiti Māori ki te tohutohu ki te Kōti mō te whakatau taitara. Ahakoa tērā, kāore he herenga mō te Kōti kia aro mai ki ētehi o ngā tohutohu ahakoa he aha, nā tētehi Komiti Māori.

Ngā Whakawhiti Kōrero mō te Take Whānui o te Rerewē me Te Rohe Pōtae

- 3.71. Kāore i tino rata a Ngāti Hāua me ētehi atu tāngata Māori o Te Rohe Pōtae Māori ki te urupare a te Karauna ki te pitihana, ā, i mate anō rātou ki te hoki anō ki te kōrerorero, e whakaae ai e rātou ki te hiki i te aukati. I te 30 Nōema ne te 1 Tihema 1883, i hui te Minita Māori, a Bryce, ki ngā kaihautū o tētehi iwi tūtata ki Kihikihi, i arotahi ki ngā ritenga mō te rūritanga o ngā whenua o Te Rohe Pōtae. I akiaki kau a Bryce i ia iwi, o ngā iwi e whā, kia tonu ki te Kōti mō te whakataunga taitara ki Te Rohe Pōtae. Kāore te iwi i pērā, ā, i ētehi rā i muri mai i te 19 Tihema ka tū tētehi hui nui kē atu, i whakaae ai a Ngāti Hāua me ētehi atu iwi ki tētehi rūri hei whakaae ki tō rātou rohe whakawaho. I whakaae hoki rātou ki ētehi rūri rerewē tūhura, kia haere tonu. I muri mai i tēnei hui, i whakaū a Bryce kua uru te ingoa o Ngātai Te Mamaku ki te pānui murunga hara o 1883.
- 3.72. Kua puta te kōrero hē a Bryce ki ngā rangatira i te hui o te 1 Tihema, kotahi anō te ara hei whakaoti rūri o te rohe whakawaho, me tuku tonu ki te Kōti. I kī ia ki te hunga i te hui, ka āhei ngā Komiti Māori i whakaritea rā i raro i te Ture o 1883 ki te 'wherawhera i ngā taitara', engari kāore tērā i whakatakotoria i roto i te ture. I a ia e whakatenatena ana i ngā rangatira ki te tuku tonu ki te Kōti, i kī ia, e kore e taea e ia te pupuru i ngā tonu tauwhāinga, e whakahekea ai tō rātou tūranga kia noho hei kaikerēme whakahoki noa iho.
- 3.73. I kīa te poraka tino nui i te rūritia rā ko 'Aotea', ā, kei roto rā tētehi whenua nui nō Ngāti Hāua. E ai ki ngā whakaaro o Ngāti Hāua me ētehi iwi, hei whakarewanga tēnei rūri mō ngā mahi whakaae, whakarite tikanga hoki a te Karauna mō tō rātou tino rangatiratanga mō te whakatau tikanga mō ngā whenua o ngā iwi me ngā hapū o Te Rohe Pōtae, ā, mō te whakahaere me te tohanga o ō rātou whenua. Ahakoa rā, nā ngā rūri o 1884 ka matakū a Ngāti Hāua me ērā atu iwi e noho tata ana ki Te Rohe Pōtae, ka ngaro pea ō rātou whenua, i ngā tīmatanga hātepe Kōti a ētehi atu iwi. Nā tēnei āhua ka taupatupatu ngā whakaaro o ngā iwi ki ō rātou whanaunga tata i Te Rohe Pōtae.
- 3.74. Kāore i roa i muri i te whakaaetanga kia haere he rūri i te rohe whakawaho i Tihema, i tīmata ētehi atu kairūri e ono ki te mahi, tae atu ki ētehi rūritanga tohu whenua i Te Rohe Pōtae, tae atu ki te kawenga tonutanga o te rūri rerewē wherawhera. I Hānuere 1884, ka tuhi reta a Hoani Paiaka ki te Karauna ki te āta tautoko i te rūri mō te rerewē, engari te rerewē ake, kāhore. I te marama o Āperira 1884, ka tahuri te Karauna ki te whakahoki i tōna kaupapa here mō te hoko whenua ki te Karauna anake, i riro mai ai i te Karauna te mana whakahaere mō ngā hokonga whenua Māori katoa, me te korenga e whakaae o ngā tāngata Māori o Te Rohe Pōtae. Kātahi ka mana te Native Land Alienation Restriction Act i ngā marama whakamutunga o 1884, ā, ko tana whāinga he āta kawē whakamua mārire i te nohonga tāngata manene ki Te Rohe Pōtae, me te kore e waiho i te kī, i te mana rānei mō te hātepe ki ngā rangatira o te rohe. I whakamahara ngā rangatira o Te Rohe Pōtae i te Minita mō ngā take Māori kātahi tonu ka tohua, a John Ballance, kāore anō rātou kia whakaae ki te rerewē.
- 3.75. Nā konā ka kawea tonutia e Ballance ngā kōrero ki ngā tāngata Māori o Te Rohe Pōtae Māori. I te marama o Hānuere 1885, ka puta te kī taurangi ki a Ngāti Hāua i tētehi hui ki Rānana, tērā e utua he kāpeneheihana mō ētehi whenua ka tangohia mō te hanga ara rerewē, teihana rānei. I taua hui rā, ka inoi ngā tāngata Māori o Whanganui kia āta tautuhitia ō rātou rohe, ā, kia whai mana hoki ngā Komiti Māori ki te whakatau take mō ō rātou whenua me te Rerewē. Ko te wāhanga anake i whakaaetia e te Karauna kia tukua

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he mana nui atu ki ngā Komiti Māori i roto i ngā hātepe o te Kōti. I whakaae a Ballance ka utua he kāpeneheihana mō ngā whenua ka tangohia ka pā ki te Rerewē i te rohe o Whanganui. I ngā marama o muri mai i 1885, ka puta ā-tuhi te tohutohu o te Āpiha mō ngā Take Māori ki a Ngāti Hāua ki te whakaatu, me ka whakawhiwhia he kāpeneheihana, ka tukua ki ngā kaupupuru o te whenua i whakatauria rā e te Kōti, ahakoa koinei ngā hātepe kua oti kē te whakahē e ngā "iwi e whā" i tā rātou pitihana o 1883. I tū tētehi atu hui i Kihikihi i Pēpuere me ēteahi atu tāngata Māori o Te Rohe Pōtae, ā, nā ngā āhuatanga o tēnei hui, ka whakaaetia te hanganga o te Rerewē. I hīkina te aukati e ngā rangatira o Te Rohe Pōtae i ngā marama whakamutunga o 1885, kua tata hoki te rūri o te poraka o Aotea te whakaoti i taua wā, ā, hei tohu tēnei i te whakatutuki rātou i ā rātou whakaaetanga ki te Karauna.

Ngā Tangohanga Whenua me te Hanganga o te Rerewē

- 3.76. I te marama o Āperira 1885, ka pānuitia e te Karauna ngā whenua ka hiahiatia mō te Rerewē i raro i te Ture Whakamana Mahi Rerewē 1884 me te Ture mō ngā Mahi Tūmatanui 1882. Kua marohitia he ture e te Karauna i 1884 e taea ai te hoko tōmua o te Karauna mō ngā rohe toro whakatetaha, taea noatia te 50 kiromita, ki tētehi taha, ki tētehi taha o te Rerewē. Ko te kī a te Karauna, tērā pea ka hiahia ki ētehi wāhanga whenua whānui kē atu, otirā, ka tangohia ko ngā whenua anake i hiahiatia kia haumarū, kia kakama te haere o te Rerewē, ā, ka utua he moni mō ngā whenua kīhai i takohatia e ōna kaupupuru Māori.
- 3.77. I waenga i ngā tau 1885 me 1902, i mahi te Karauna i raro i aua ture mahi tūmatanui ki te hoko whakahau i ētehi whenua hoki iti iho i 1,100 eka mō te Rerewē. I roto i ngā rohe huhua, he nui atu te rohe whenua i tangohia i tā te Minitā i kī ki ngā Māori ka hiahiatia e te Karauna, ā, he nui atu i ngā whenua i whakaae rā te Māori ki te takoha. I kī a Ballance ki tētehi hui i 1885 kotahi tīni anake ka hiahiatia mō te ara, hāunga ngā wāhi e hiahiatia ai he tapahanga whenua, engari i kī te Ōti Kaunihera o 1885 e pā ana ki te Rerewē ka hiahiatia he whānui toru tīni noa iho te toharite.
- 3.78. In te tau 1885, ka tīmata te Karauna ki te hanga i te Rerewē mā roto i te rohe o Whanganui. I te tau 1886, ka puta te kī a Ballance me kī kua ea he kāpeneheihana i te noho o te Rerewē i reira mō te hunga, pērā i a Ngāti Hāua, kua tangohia ō rātou whenua. I tae atu te Rerewē ki Taumarunui i te tau 1903, me te hoko whakahau a te Karauna i ngā whenua o Ngāti Hāua whāwhe noa i Taumarunui i te poraka o Ōhura South G4, haere he hoko, haere he hoko, i 1907, i 1915, i 1917, me 1919. Heoi anō te kāpeneheihana i utua ko tērā mō ngā tangohanga whenua i te rohe o Whanganui i waenga i 1915 me 1919.

Te Whakamahinga o te Awa o Whanganui i ngā Tau o te Hanganga

- 3.79. I whakamahia te Awa o Whanganui e te Karauna i ngā tau o te hanganga o te Rerewē. I noho ko te Awa hei huanui mō te kawenga o ngā rawa e ngā poti awa, arā, i āhei ai ngā poti nei ki te whakaterere i te awa nā te whakaamahinga o ngā paura pahū e te Kāwanatanga, me ētehi atu tikanga keri i te awa. Rite tonu ki te huakinga o Te Rohe Pōtae, i hiahia a Ngāti Hāua kia whai wāhanga mana motuhake mō te whakamahinga o te Awa o Whanganui e te Karauna mō te whakanohonga mai o ōna hangaroto. Ahakoa ēnei āhuatanga, kāore i hoki pūputu mai te Karauna ki te kōrero tahi me Ngāti Hāua mō

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tana whakamahinga i te Awa. I tua atu i tērā, i whakaū te Karauna i ngā hua tērā pea ka puta i ngā hangaroto hou, pēnei i ngā tima i te Awa.

Te Rerewē i Stratford-Ōkahukura

- 3.80. I te tau 1883, ka whiriwhiri te Karauna i tētehi ara mai i Stratford, i roto i Taranaki, ki Ōkahukura, hei ara pea mō te Te Rerewē Ara Matua o Te Ika-a-Māui. I whakahētia e ngā tāngata Māori o te tuawhenua o Whanganui te rūri tuatahi o te ara. Ka whakarautia te kairūri e ngāi Māori mai i Tāngarākau mō te 48 hāora, ā, ka whakarauoratia. I whakaotingia e ngā kairūri tā rātou pūrongo i 1884 me te kī, ahakoa pāhiwihiwi te whenua i Tāngarākau, te tōtika hei whakanohonoho tangata.
- 3.81. Ahakoa i kōwhiria te ara mai i Te Awamutu ki Tūtaenui (Marton) mō Te Rerewē Ara Matua o Te Ika-a-Māui, i petihana ngā manene i te Karauna kia hanga i te Rerewē Stratford-Ōkahukura. I te tau 1886, ka tautohutia e te Karauna tētehi ara tērā pea ka taea mō te Rerewē Stratford-Ōkahukura Railway, rā ngā poraka o Maraekōwhai me Ōhura South. I tīmata te hanga i Stratford i 1901. Nā te hanganga ka puta he whiwhinga mahi mō Ngāti Hāua, ahakoa i uaua ngā tikanga mahi. I tūtaki ngā hāwhe e rua o te Rereē i Heao, ā, ka titia te tia whakamutunga i te 7 Nōema 1932.

TE UPOKO TUAONO: TE KŌTI WHAKAWĀ WHENUA MĀORI

- 3.82. Ahakoa te whakaaetanga mō te rerewē, arā te tini anō o ngā whakaaro whakahē ki te Kōti Whakawā Whenua Māori i waenga i a Ngāti Hāua. Nā te kaihautū o Whanganui, nā Tōpia Tūroa i karanga tana hui ki Poutū i 1885, ā, kua haere tahi a Topia me Kīngi Tāwhiao ki Rānana ki te pitihana i a Kuīni Wikitōria mō ngā take whenua i 1884. Tata ki te 1,000 Māori i tae atu ki tēnei hui. I tatū ō rātou whakaaro kia kotahi, me te karanga kia whakakorea rawatia te Kōti, kia whakahoki te whakahaere o ngā whenua Māori kia noho kē ki ngā komiti Māori ā-takiwā. Ahakoa ēnei āhuetanga, kīhai te Karauna i whakarite panonitanga ki ngā ture whenua Māori. I te tau 1886, i tū tētehi hui nui ki Aramoho hei matapakī i te huringa tuarā ki te Kōti i te wā tonu o te whakataunga taitara mō te poraka o Waimarino. Kīhai ētehi rangatira o Ngāti Hāua, pēnei i a Ngātai Te Mamaku i tae atu ki te whakawā mō te poraka o Waimarino, nā te taupatupatu ki te hui i Aramoho.
- 3.83. Ahakoa ēnei āhuetanga, i tono a Ngāti Hāua kia haere ētehi whakataunga taitara mō te poraka o Ōpatu i te tau 1880, i te poraka o Kōiro i 1884 me te poraka o Maraekōwhai i 1885.

Ngā Maioro mō te Tae ā-Tinana ki Kōti Whakawā Whenua Māori

- 3.84. Nā te tawhiti atu o te rohe o Ngāti Hāua i ngā tāone i tū rā ngā whakawā ka ara ake ētehi uauatanga nui mō te taenga ake o ngā iwi. I tū ngā whakawā mō ngā poraka o Ōpatu, o Kōiro, me Maraekōwhai i Whanganui i ngā marama tuatahi o 1886, ā, ka tū te poraka o Aotea ki te raki ki Ōtorohanga i ngā marama whai i muri. He roa, he uaua hoki te haerenga ki Ōtorohanga, mō ngā tāngata o Ngāti Hāua. I te tau 1886, kāore hoki a Ngāti Hāua i haere atu ki te whakawā mō te poraka o Taurewa i tū ki Taupō, i te wā tonu o te whakawā mō te poraka o Waimarino, i Whanganui. He whā rā te roa o te haere mā runga hōiho, mō te nuinga, atu i Taumarunui ki Taupō. I te tau 1882, nā Hakiha Tāwhiao rātou ko Te Huia Te Pikikōtuku, ko Warahi te Whiutahi, ko Winiata, ko Tūao, ko Tōpine Te Mamaku, ko

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Hoani Paiaka i tāpae whakahē ki te Karauna i haere rawa rātou ki Upokongaro, tata ki te 15 kiromita i te pūau o te Awa o Whanganui, kia tae ki te whakawā kua pānuitia i mua mō te poraka o Ōpatu, kāti, nō te taenga atu, ka rongo rātou kua whakakorea e te tiāti. I whakakāhore te Karauna ki tā rātou tono mō tētehi utunga hei āwhina i ā rātou raruraru. Nō te Hānuere 1886 rā anō ka wherawheratia e te Kōti Whakawā Whenua Māori te taitara o te poraka o Ōpatu, ka tukua atu ki a Ngāti Hāua.

- 3.85. Mō te taha ki te poraka o Waimarino, he tini anō ngā tāngata Māori o Whanganui whai pānga kīhai i whakamōhiohia e tū ana tētehi whakawā mō te taitara ki ō rātou whenua. Ahakoa te pānuitanga ki te *Kāhiti* (the *New Zealand Gazette*), kāore pea i kitea e Ngāti Hāua. Nā Te Kere Ngātaierua i tuku pitihana ki te Minita Māori i te tau 1887 mō ētehi atu tāngata 560, ki te whakahē, inā hoki kāore rātou i tae atu nā te mea kīhai i tae atu he pānui ki a rātou mō te whakataunga taitara o te poraka o Waimarino.
- 3.86. I waenga i ngā tau 1886 me 1888, i haere pūputu ngā reta a Ngāti Hāua ki te Minita Māori ki a Ballance, me te kī, kāore rātou i mārama e tū ana ngā whakawākanga Kōti mō te raki o te poraka o Waimarino. Kārekau he mea kotahi o ngā kaupupuru whai mana o aua whenua o Ngāti Hāua i tae atu ki te whakawā wāwāhi poraka mō Waimarino i 1887, ā, i puta te kī i reira “ka noho te hē ki te hunga kore e hoko [sic] ki te whakanohoia rātou ki ngā pari horehore me ngā keokeonga”.
- 3.87. I ētehi wā, i wherawheratia ngā poraka i raro i ētehi ingoa tauhou ki a Ngāti Hāua. Kāore kau te iwi i mārama ki te ingoa o te poraka i kīa rā ko Pohokura, inā hoki, ki a rātou ko Ruataiko te ingoa, ā, kāore he tangata mai i te iwi i tae atu ki te whakawā whakatau taitara i 1882. E 452,196 eka te rahi o te poraka nui whakaharahara o Waimarino, ā, kei roto i taua poraka ētehi whenua he rerekē ngā ingoa ki ētehi atu iwi. I tōna pitihana o te tau 1887, ka puta te kī a Te Kere ki a Ballance, kei roto i te poraka o Waimarino ētehi atu takiwā, he ingoa kē noa atu ō aua takiwā. Me kōrero rā te poraka o Waimarino, nā te mea i uru te takiwā o Tūhua ki roto, he takiwā kāore i uru ki te rūri taketake o Aotea kāore anō kia whakawākia e te Kōti.
- 3.88. I takea mai te whakaritenga taitara o te poraka o Waimarino i tētehi tuhinga whakaahua iti anake. I takea mai ngā āhuatanga o taua tuhinnga i ētehi atu rūri whenua, ā, he kōkau noa i roto i te takiwā o Tūhua, i ātete rā a Ngāti Hāua ki ngā mahi rūri a te Karauna i te whenua. I pēnei kē ngā haporī o Ngāti Hāua i te takiwā o Tūhua he hapa noa iho te tuhinga whakaahua mō Waimarino ka whakatikaina kia oti rā anō te rūri, nā te mea ki te titiro atu kei roto i te tuhinga whakaahua ētehi whenua i whakaponu rā rātou i te tiakina i raro i tētehi whakaaetanga me te Karauna mō Te Rohe Pōtae.
- 3.89. Mō te taha ki ngā poraka o Waimarino, o Taumatamāhoe (kīhai hoki a Ngāti Hāua i tae atu ki tōna whakawā), o Pohokura me Taurewa, i tū katoa ngā whakataunga taitara i mua i te otinga o ngā rūri. Te tikanga o tēnei i te whakawhirinaki te Kōti ki ētehi mapi hē, mahi tuhi noa rānei o ngā poraka, ina whakatau pānga tuku iho rātou. Nō reira, kāore i mārama ki a Ngāti Hāua i ngā wā katoa ko ēhea ngā whenua ka uru ki tētehi taitara, ko ēhea kāore, ahakoa i mōhio tātou i te haere te whakawā a te Kōti.

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Ngā Utunga o ngā Ture Whenua Māori ki a Ngāti Hāua

- 3.90. Ina tae atu a Ngāti Hāua ki ngā whakawā a te Kōti, ka tūpono ki ngā utu ā-kiko, ā-pāpori, ā-ahumoni nui. Me ka tae ki te whakawā a te Kōti, mō ētehi, me noho i roto i ngā nohanga kino mō te wā roa. Ka haere pea ngā whakawā i te hōtoke, te wā o te makariri me te haukū. Ka haere ngā whakawā mō tētehi wā roa, mō te hia marama pea, ā, hei whakapōraru tēnei i te noho pai o Ngāti Hāua, otirā mō te whakatō me te hauhake kai, kāore rawa i pai.
- 3.91. He utu tino nui tō te haere me te noho i ngā whakawā, nā te mea me mātua whai rūma noho, me mātua kimi kai. Nāwai i uaua, ka uaua kē atu nā te mea i tawhiti rawa a Ngāti Hāua i tō rātou kāinga me ō rātou puna whiwhinga moni. I te whakatau o 1886 o te poraka o Taurewa, i whakawākia hei wāhi o te poraka o Taupōnui-ā Tia, me i hiahia te tangata ki te kerēme pānga me mātua noho mō te roa katoa o te whakawā, mō te hia marama, e mōhio ai rātou āhea ka rangona tō rātou poraka.
- 3.92. I tino pā ngā whakahaere a te Kōti ki ngā hononga o Ngāti Hāua ki ētehi atu iwi nā te mea ko ngā uiui mō te mana whenua tuku iho o tētehi poraka ka tino tauwhāingatia i waenga i ngā iwi me ngā hapū o taua takiwā. He taukumekume tonu te wairua o te hātepe o te Kōti, inā hoki, me āta tāpae mārika ngā kaikerēme i ō rātou pānga, taunkitanga rānei hei whakahē tonu i ō ērā atu kaikerēme, e whai mana ai tō rātou kerēme.
- 3.93. Ko ngā tino utunga tiketike rawa ko ērā mō ngā rūri, arā, he whenua tonu te utu, nā reira ka tahuri ētehi iwi ki te hoko whenua hei whakaea i ngā nama. He uaua kē atu ngā utunga rūri mō te hunga kāore i whakaae ki te hoko, inā hoki, kāore he hua moni hoko hei whirinakitanga atu. I te tau 1892, ka hokona e Ngāti Hāua ētehi eka 10,000 i te poraka o Ōhura South K2 hei utu i tō rātou wāhanga o ngā herenga nama £1,100 mai i te rūri mō Ōhura South i 1890.

TE UPOKO TUAWHITU: NGĀ HOKO A TE KARAUNA I TE RAU TAU TEKAU MĀ IWA ME TE PORAKA O WAIMARINO

- 3.94. I te tīmatanga o te ngahuru tau 1870, ka tīmata te hoko whenua rahi tonu i te takiwā o Whanganui “mō te kaupapa whakatū koroni, me te whakanoho tāngata i runga”. I roto ngā ngahuru tau whakamutunga e toru o te rau tau tekau mā iwā, he nui anō ngā whenua o Ngāti Hāua i hokona e te Karauna. I te tau 1890, tata ki te 40 ōrau o ngā whenua i roto tonu i ngā ringaringa Māori i te Ika-a-Māui, hei whakatairite tēnei ki tō 80 ōrau i 1860. Nō te taenga ki te tau 1910, kua hoki iho taua whika ki te 27 ōrau.

Ngā Utunga Tōmua a Te Karauna mō ngā Whenua o Ngāti Hāua

- 3.95. I roto i te ngahuru tau 1870, he rite tonu te tīmata a Te Karauna i ngā hātepe hoko whenua Māori mā te tāpae utunga tōmua mō te reti, mō ngā moni hoko mō te taitara o te whenua, i mua kē i te whakataunga taitara mō te whenua e te Kōti. I hāpainga e te Karauna tēnei tikanga i roto i tana hoko o ngā poraka o Kōiro, o Retāruke, o Kirikau me Ōpatu. Hei kahupapa te hokonga o ēnei poraka mō ā te Karauna mahere whakanoho tangata ki te rohe o Tūhua. I tuhi te Hēkeretari o Raro o te Tari Māori i ana whakaaro “mō ngā painga ka hua ake ki te koroni me ka taea te kawē i ngā whakaaro o ngā tāngata Māori kia tahuri mai i taua rohe”.

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- 3.96. I te Hūrae 1874, i tāpae a Tōpine Te Mamaku rāua ko Tāhana Tūroa i ā rāua tono motuhake kia hoko atu i te poraka o Retāruke ki te Karauna. I tukua e te Karauna ētehi utunga tōmua ki a Tōpine Te Mamaku rāua ko Tūroa. Nā aua utunga ki ngā tāngata takitahi i uaua ake ai te hātepe hoko mō te poraka o Retāruke, nā te mea kīhai ētehi o te hunga pupuru i te whenua i hiahia ki te hoatu i ō rātou pānga, engari ka mau rātou i ngā hātepe e pā ana ki ō rātou whenua. I muri i tētehi whakawā poto i Māehe 1876, ka whakawhiwhia e te Kōti te poraka ki ētehi tāngata 169 hei kaupupuru nō Ngāti Hāua.
- 3.97. I tukua atu hoki e te Karauna ētehi utunga tōmua i waenga i Oketopa me Tīhema 1874 mō ngā eka 17,491 o te poraka o Kirikau, ko te whenua katoa tērā, hāunga ētehi eka 442. I tū te whakawā o te poraka o Kirikau ki mua i te Kōti i te otinga rā anō o te rūri i 1876, ā, ka whakawhiwhia ki ngā kaitono o Ngāti Hāua. Ko Kirikau te poraka tuatahi o Ngāti Hāua i hokona, arā, i hokona e te Karauna ētehi eka 17,491, me kī, ko te katoa o te poraka, i 1881.

Te Tohanga o ngā Utunga a te Karauna mō te Poraka o Retāruke

- 3.98. Kua tukua atu e te Karauna tētehi ōwehenga iti noa o ngā moni hoko i mua i te whakawhiwhinga a te Kōti i te taitara mō te poraka o Retāruke. Nā te whakawhiwhinga a te Kōti, kua takoto he rārangi ingoa kaupupuru whenua takitahi ka āhei kia utua mō ō rātou pānga ki te whakaae rātou ki te hoko, hei whakamahi mā te Karauna. I roto i ngā tau e rima o te wherawheratanga taitara o 1876 ki te poraka o Retāruke, kua tau ngā whakaritenga o te Karauna kia hoko i ngā hea 148 o ngā hea 169 i āta tautohutia i roto i te poraka, huia katoatia aua whenua, 17,320 eka. Ahakoa tēnei āhua, i muri tata tonu iho i te wherawheratanga taitara, kua tīmata te taetae mai o ngā reta me ngā petihana whakahē mō te tohanga o ngā moni hoko. I hoatu ngā moni hoko e te Karauna ki tētehi rangatira ahurei o Ngāti Hāua engari kīhai i whakarite kia āta tohaina māiretia aua moni.
- 3.99. Nā tētehi rangatira o Ngāti Hāua, nā Hoani Paiaka ētehi reta i tuhi ki te Hēkeretari o Raro mai i 1877 ki 1889 me tana takitaki i ana “āwangawanga” mō tōna korenga i whiwhi utu mō ōna whenua i te poraka o Retāruke. I Ākuhata 1877, i ngana ia ki te aukati i ētehi atu hokonga o ngā whenua o Ngāti Hāua, me tana kī “me aukati te taetae mai o te Pākehā ki tētehi tawhiti motuhake i te awa, hei ārai i tā rātou tomo ki te whenua o Tūhua” me tana kī, me mutu ngā rūri. I kī hoki ia me tuku e te iwi ētehi hipi kia noho i te whenua, hei ārai i ngā hoko, i ngā rīhi me ngā rūri. I taua marama anō, ka tuhituhi a Te Pikikōtuku Rongonui ki te Karauna ki te whakahē i te hoko o Retāruke, me tana kī, he “hoko matahuna”, me tana kī “kua tino taimaha te noho” o te hunga i pāngia e te hoko.
- 3.100. I marama anō te Karauna i taua wā “i tino whakahipahipa te āhua” o ana utunga. Kua puta hoki ngā whakahē a ētehi atu rangatira mō te hoko, ā, kua whakaae hoki rātou i 1889 ki te tuku petihana ki te Minita Māori mō ō rātou utunga. Mō te nuinga, kīhai i arongia ā rātou reta, petihana hoki. I tuhituhi tētehi āpiha Karauna “me noho anō te hē ki te hunga Māori tonu mō ētehi mahi whakahipahipa tērā pea i pā i roto i te tohanga o ngā moni hoko”. I roto i ēnei mahi katoa, kīhai rawa te Karauna i tahuri ki te whakatikatika i ēnei āhuatanga.

Te Whakamahinga a Te Karauna i ōna Mana Tōtahi

- 3.101. I roto i ngā whakawhiti kōrero mō te whenua, mō te tino nuinga, i mahi te Karauna i āna mahi hei kaihoko mana tōtahi. I te tau 1877 ka whakatairangatia e te Karauna āna Ture i

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āhei ai ia ki te whakatū whakakāhoretanga mō ngā hokonga tūmataiti katoa o ngā whenua Māori, i muri i tāna tukunga i ētehi utunga mō aua whenua. Nā konei i āhei ai te Karauna ki te takawaenga i ana hokonga whenua, kāore he whakataetae ki ētehi atu tāngata, rōpū rānei. Ka tino pā pea ngā puaki mana tōtahi a te Karauna ki a Ngāti Hāua, nā te mea, heoi anō ngā ara i wātea ki a rātou i raro i taua puaki, kia hoko, kia rīhi rānei i te whenua ki te Karauna, me i hiahia rātou ki te tuku i aua whenua.

- 3.102. I te tau 1878, i whakaae a Meeha Paiaka me ētehi atu tāngata 26 ki te hoko i tētehi wāhanga o tō rātou whenua i te poraka o Ōpatu ki tētehi kaihoko tūmataiti. Ahakoa rā, i te Hānuere 1879, ka tīmata hoki ngā whakawhiti kōrero ki te Karauna mō tēnei whenua, me tana whakapuaki mana tōtahi mō te poraka. I hokona e te Karauna ngā hea o te tangata tūmataiti, ā, nō te taenga ki te tau 1881, kua utua e ia neke atu i te £1,300 hei utunga tōmua. Ahakoa tērā, i whakatārewatia ngā mahere whakanoho tangata mō te takiwā o Tūhua i te rarunga o ngā whakawhiti kōrero mō te poraka o Ōpatu. I taua wā anō, i te hiahia ētehi o ngā kaupupuru ki te rīhi i te whenua, engari nā te pānui mana tōtahi i aukati. Nō te taenga ki te marama o Hānuere 1886 rā anō ka whakawhiwhia he taitara e te Kōti mō te poraka o Ōpatu, ā, ka tae nei ki te marama o Āperira 1887, kua riro i te Karauna ngā pānga o ētehi kaupupuru 65 o ngā kaupupuru 67.

Te Hoko o te Poraka o Waimarino

- 3.103. I te marama o Māehe 1886 ka tīmata te hoko a te Karauna i ngā pānga ki te poraka o Waimarino, i muri iho i te whakawhiwhinga a te Karauna i tētahi poraka taitara hei whakatinana i ana mahere mō te Rerewē Matua o Te Ika-a-Māui. I ngā marama o muri mai i te whakataunga taitara o te poraka o Waimarino i 1886, ka tukua e ngā kaupupuru he tono kia tautohutia, kia rohea ngā pānga o tēnā, o tēnā o rātou. I āraia e te Karauna te whakawā a te Kōti i ēnei tono, me tana tahuri kē ki te hoko i ngā hea kāore anō kia tautohutia. Nā konei kīhai a Ngāti Hāua i mōhio kau ko ēhea ngā whenua e hokona ana ki te Karauna. Ina huia ki ngā uauatanga o te taenga ki ngā hui wāwāhi poraka, nā te hoko o ngā pānga kāore anō kia tautohutia i uaua ai te pupuru a Ngāti Hāua i ngā poraka i noho rā rātou.
- 3.104. I te 16 Āperira 1886, nā Ngātai Te Mamaku me ētehi atu tāngata o Taumarunui i tuhi atu ki te Minita Māori ki te inoi kia whakaritea he whenua tāpui mā ngā tāngata o Ngāti Hāua kei roto nei ētehi whenua i roto i te rohe whaka te raki o te poraka o Waimarino. Kāore anō kia kitea he tuinga whakaatu i te urupare a te Karauna. I te 8 Mei 1886, ka tuhi anō a Ngātai Te Mamaku ki te Minita Māori ki te whakaatu i tana whakaaro, me mutu te mahi a te Karauna i ēnei whenua nā te mea i takoto tonu i roto i Te Rohe Pōtae, ā, meāke ka wherawheratia e te Kōti Whakawā Whenua Māori. I taua rā anō nā Piripi Tūhaia me ētehi atu tāngata 39 (tae atu ki ngā rangatira ingoa-nui o Ngāti Hāua pēnei i a Te Manuauate, i a Tānoa Te Uhi, i a Te Āwhitu me Tūao) i tuhi ki te Minita Māori ki te whakahē mō te tāpae utunga a te Karauna mō te whenua me te whakatūpato, tērā e puta ētehi “hua kikino” i taua mahi.
- 3.105. Nō te taenga ki te Pēpuere 1887 kua hokona e te Karauna ētehi eka 411,196, 91 ōrau o te poraka, mai i ngā tāngata pupuru 821, tae atu ki ētehi tāngata o Ngāti Hāua. Huia katoatia i utua e te Karauna tētehi £35,000, mō ngā eka neke atu i te 410,000, ki ngā tāngata Māori o Whanganui, tae atu ki ētehi rangatira o Ngāti Hāua. Kāore te wāriu o ngā rākau i roto i ngā poraka i uru ki tēnei utu, ā, i te māmama te Karauna ka “rahi anō taua

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wāriu hei whakaea i te utu katoa o te hoko”. I te marama o Āperira, ka rohea e te Kōti Whakawā Whenua Māori te hea o te Karauna i roto i te poraka hei Waimarino 1 me tana hanga i ētehi poraka e whitu mō ngā kaipupuru 100 kīhai i hoko i ō rātou pānga. I whiwhi ētehi tāngata o Ngāti Hinewai kāore i hoko i ō rātou whenua i te poraka 1,350 eka o Waimarino 6.

- 3.106. I whakahē haere tonu a Ngāti Hāua ki te Karauna i muri i ēnei whakawhiwhinga me te petihana anō. I te 4 Mei, ka tū tahi a Te Kere Ngātaiērua ki ngā rangatira o ētehi atu iwi ki te whakahē i te hoko o ngā whenua o tō rātou iwi ki ētehi atu tāngata kāore he mōhiotanga ki ōna nekeneke. Ka puta tana kī kīhai ia i whakamōhiotia mō te whakataunga taitara, ā, kua ngaro i tana iwi ētehi wāhi mana nui i te poraka o Waimarino, tae atu ki Mangaŋiti, ki Ruatitī, me Riariaki. E rua wiki i muri mai ka tūtaki te Minita Māori ki a Te Kere, kāti, kāore anō kia kitea he tuhinga mō taua hui. I noho tonu a Te Kere ki te whakahē i te hoko, ā, ka tukua atu he ptihana pērā i 1888. Ahakoa tērā, kīhai te Karauna i urupare.
- 3.107. I te 9 Hune 1887, ka tuhi a Ngātai te Mamaku me ētehi atu tāngata 107 ki te Kāwana o Aotearoa ki te kī, i whakaurua hētia te whenua o Tūhua ki te hoko “hē, matahuna hoki” o te poraka o Waimarino, me te kī, te tikanga me waiho ki roto i Te Rohe Pōtae. I whakamārama hoki rātou kei aua whenua ō rātou kāinga, ō rātou māra, kau, hōiho, otirā i reira ō rātou mate i ngā urupā. I kī rātou i whara a Ngāti Hauaroa, a Ngāti Reremai me Ngāti Wera, i te whakaurunga atu o ō rātou whenua. I puta te whakautu a te Karauna, kua kore anō e taea te whiriwhiri kerēme ki te poraka, ki te panoni rānei i ngā ritenga kua oti kē.
- 3.108. I te 11 Hune 1887, ka tuhi reta a Tūao rātou ko Tānoa ko Taitua, nō Taumarunui, ki te Kāwanatanga, me te kī, nā tā rātou kore i tango moni mō te poraka ka noho tonu te wāhanga o Waimarino kua whakaurua ki te poraka o Aotea ki a rātou. I kī te Karauna ko ērā tāngata kāore i hoko i ō rātou pānga kua whiwhi kē i tētehi wāhanga o Waimarino 6, ā, ko ērā atu whenua o Tūhua he rawa nō te Karauna. Nō te 10 Hūrae 1888, ka tāpaetia e Ngātai Te Mamaku me ētehi atu tāngata 19 tā rātou ptihana ki te Pāremata ki te whakahē, kua tukua whakamoeketia te poraka o Waimarino ki mua i te Kōti Whakawā Whenua Māori, nā konā i tāhaetia ai ō rātou whenua.
- 3.109. I haere tonu ngā whakahē a Ngāti Hāua mō te hoko o te poraka o Waimarino mō te hia tau. I te 24 Hūrae 1899, nā Te Hika Poihipi rātou ko Katarina Te Waihanea, ko Waikura Pirihira, nō Ngāti Hāuaroa katoa ēnei, e noho ana i te takiwā o Taumarunui, i tuhi reta ki te Minita Māori ki te pātai he aha te Karauna i kore ai e whakautu i ā rātou petihana o mua. I te 30 Hūrae 1899, ka tuhi reta hoki a Ngātai Te Mamaku ki te Minita Māori ki te pātai, he aha i roa rawa ai te takaroa o ngā whakatau mō ngā petihana a te hunga kua whara i te hoko o Waimarino.

Ngā Whenua Tāpui o te Poraka o Waimarino

- 3.110. I te marama o Hūrae 1887 ka hangaia e te Karauna he tāpui mō ngā kaihoko 821 mai i te poraka o Waimarino No.1. Ka whakanohoia e te Karauna ngā pānga o Ngāti Hinewai me Ngāti Whati, tētehi atu hapū o Ngāti Hāua, ki roto i te poraka o Waimarino C, 3,130-eka te rahi. I kī te tīti hoko me whakaae tahi te Karauna me te Māori mō te nohonga o ngā tāpui kaihoko atu. I te hokonga o ō rātou hea, i whakaaro a Ngāti Hāua ka uru ō rātou kāinga me ō rātou māra ki ngā tāpui. Te tikanga, kaua tētehi anake o ngā taha e rua e

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whakataua kau i te rahi ā-eka me te wāhi mō ēnei tāpui. I puta te kī a te kanohi hoko whenua a te Karauna kua kōrero tahi ia ki tētehi kanohi takitahi o ia hapū, kāore i tatū he whakaaetanga nā ngā taha e rua.

- 3.111. Nō te otinga o te rūri i 1896, ka kitea e tētehi hapū o Ngāti Hāua, e Ngāti Whati, kua whakaurua tō rātou kāinga i Te Maire ki te poraka o Waimarino D, kua tāpuitia kētia hei whenua mō tētehi hapū o tētehi iwi kē. I te tau 1910, i tāpae pitihanga ngā tāngata o Ngāti Hāua ki mua i te Karauna mō te wāhi mō tō rātou tāpui whenua kaihoko atu, ko te poraka Waimarino C, arā, he tawhiti tonu tōna whakanohonga i ō rātou kāinga. I tana pūrongo mō te petihana, i puta te kī a te Karauna ko ngā whenua tāpui kaihoko atu, he “takoha nā te Karauna”, kāore i kīa he rohe i whakaaetia e ngā taha e rua. I te tau 1911, i whakakotahitia ngā tāpuitanga kaihoko hei hanga i te poraka o Waimarino CD.
- 3.112. Ahakoa i kī tētehi āpiha Karauna mō te poraka o Waimarino, tērā e tāpuitia ētehi eka 50,000 o te poraka mō rātou, i tāpuitia ētehi eka 33,245 noa iho mō ngā kaipupuru whenua. I tōna tohanga o ngā wāhi mō ōna ake hea, i tahuri wawe te Karauna ki ngā rohe whenua mōmona, he pai mō te whakanoho tangata i runga, me te waiho i ngā wāhi haumate, kāore e nui te hua rānei o runga, hei whenua tāpui mā te hunga kāore i hoko me ngā tāpui kaihoko. Nā reira ka riro ngā kāinga o Ngāti Hāua i Kākahi me Tawhatā hei whenua nō te Karauna. Ahakoa tērā, i noho tonu a Ngāti Hāua ki ō rātou kāinga hei tangata piri noa ki ō rātou kāinga.
- 3.113. I noho tonu a Ngāti Hāua i te kāinga o Tawhatā mō tētehi wā roa i muri i te hoko o ngā whenua i 1887. I te tau 1892, i hoki mai a Te Kere ki te noho i Tawhatā, me ētehi o te hunga piri ki a ia, neke atu i te kotahi mano, nāwai, nāwai, ā, ka kore kai, ka peia rātou ki wāhi kē. I muri i te matenga o Te Kere i 1901 ka whakarērea a Tawhatā, kia hoki mai rā anō tana tamāhine a Karanga, ki te noho i taua wāhi. I te ngahuru tau 1920, ka whiwhi taitara a Karanga ki te whenua tāpui o Tawhatā. Ahakoa tērā, nō te whiunga mai e ngā urutā o te mīhara me te rewharewha, kotahi rau noa iho ngā tāngata i noho tonu i Tawhatā. I te tau 1916, ka hokona e Ngāti Hāua tētehi wāhi o tō rātou whenua tāpui i Waimarino hei whakaara moni hei hoko i tētehi wāhanga whenua iti, i te taha o te wāhi i whakatūria rā te marae o Kākahi.

Te Hoko o ngā Whenua o te Iwi mai i ngā Kaipupuru Whenua Takitahi

- 3.114. I te whakawhiwhinga o ngā taitara e te Kōti mō ngā whenua Māori, kua āhei te Karauna ki te whakapā atu ki ia kaipupuru whenua me te whai ki te hoko i ō rātou pānga. Kua āraia te hoko whenua mai i te tangata takitahi e te Minita Māori a Bryce mai i te tīmatanga o te ngahuru tau 1870, otia nō te tahuritanga mai a te Karauna ki te hoko i te poraka o Maraekōwhai kua horapa tēnei mahi, ā, he tini ngā hoko pēnei i roto i te poraka o Waimarino. I tīmata te hoko a te Karauna i ngā pānga o ngā tāngata takitahi i roto i te poraka o Maraekōwhai mai i 1892, e ono tau i muri mai i te wherawheratanga taitara. I haere pūputu tana hoko i ngā pānga tāngata takitahi kāore i tautohutia taea noatia te tau 1899, me tana hoko i ngā eka 22,529 mai i 1892 me 1898. 26,464 ngā eka i tāpuitia mō ērā tāngata 42 kīhai i hoko.
- 3.115. Tae rawa ake ki te mutunga o te rau tau tekau mā iwa, tata ki te 107,000 eka o ngā whenua i purutia e Ngāti Hāua puta noa i ngā poraka o Kirikau, o Kōiro, o Maraekōwhai, o Retāruke me Ōpatu kua heke iho kia iti iho i te 43,000 eka.

UPOKO TUAWARU: TE TĀONE MĀORI O TAUMARUNUI

- 3.116. I te mutunga o te rau tau tekau mā iwa, i te noho tonu a Ngāti Hāua huri noa i te tāone o Taumarunui tae noa ki ngā whenua ka huri hei tāone ā tōna wā. I waho i ngā rohe o te tāone ake, i te noho tonu a Ngāti Hāua i te marae o Ngāpūwaihaha, me te papa kāinga o Taumarunui i Ngāhuinga (Cherry Grove), i te hononga o ngā Awa o Ōngaaruhe me Whanganui.
- 3.117. Nō muri kē te nohonga mai o ngā Pākehā ki ngā whenua i te rohe o Ngāti Hāua i te nohonga o te nuinga o ngā takiwā o Te Ika-a-Māui, ā, ko Te Rohe Pōtae tētehi o ngā rohe whakamutunga kia nohoia e rātou. Ahakoa tērā, i tīmata te hoko a te Karauna i ngā whenua o Te Rohe Pōtae i ngā ngahuru tau 1880, 1890 hoki, ā, i tino piki ake te noho mai a te Pākehā i aua tau. I te tau 1886, ka puta te kī a Tā Julius Vogel ki te Pāremata tērā a Taumarunui ka tupu hei tētehi tāone hira rawa o te koroni, nā te mea koirā te wāhi e whakawhiti ai te Rerewē Matua o Te Ika-a-Māui i te Awa o Whanganui.
- 3.118. Hāunga tētehi tangata noho mai i te ngahuru tau 1870 i moe wahine ki roto i te iwi, i tae mai te hunga noho mai tuatahi ki Taumarunui i 1899, me te whakarite rīhi mō ētehi whenua ki a Ngāti Hāua i te taha o Ngātai Te Mamaku rāua ko Te Manuaute Piripi Tūhaia. I taua tau anō, nā Te Manuaute rātou ko Miriama Kahukarewao, ko Hakiaha Tāwhiao i tono ki te Pirīmia kia aukatua e ia te hoko i te poraka o Ōhura South, kia tangohia hoki e ia te mana tōtahi o te Karauna, nā te mea i te hiahia kē a Ngāti Hāua ki te rīhi hāngai i ō rātou whenua ki te hunga manene, kia purutia tonutia hoki tō rātou mana whenua ki a rātou anō. Nō te taenga ki te tau 1901, kua hokona e te Karauna ngā eka 85,000 i te poraka o Ōhura South, arā, e toru koata o te whenua katoa.

Te Whakatūranga o te Tāone Māori o Taumarunui

- 3.119. I ngā tau whakamutunga o te rau tau tekau mā waru, me ngā tau tuatahi o te rau tau rua tekau, ka whakaurua e te Karauna he ritenga hou mō te whakatū tāone hunga manene i runga i ngā whenua Māori i kīa e rātou he 'native township', arā, he tāone Māori. I raro i ēnei ritenga mā te Māori e whakawhiti ō rātou whenua hei tarahiti ki te Karauna, ki te kaunihera whenua Māori ā-takiwā rānei, ki te poari pērā rānei. I reira ka riro mā te Karauna, te kaunihera, te poari rānei e kawe te haepapa mō te whakapai i te whenua hei tāone hei nohonga mai mā te Pākehā.
- 3.120. I te taenga ki te tau 1902, kua whakatakotoria e te Karauna ōna mahere mō te tāone Māori i Taumarunui, i muri i tētahi tono mai i ngā tāngata Māori o te takiwā. I Hānuere 1903, i puta te kī a ētahi tāngata Māori whā tekau o te takiwā i te tautoko rātou i te whakaaro mō tētahi tāone kia tū, engari taihoa te whakatū tāone kia oti rā anō te wāwāhi i te poraka o Ōhura South G4, te wāhanga whenua i arongia hei whakatū i te tāone, e te Kōti Whakawā Whenua Māori. I tautohetia te mana pupuru mō ētahi wāhanga o te poraka o Ōhura South, ā, ki ngā whakaaro o Ngāti Hāua ka hē kē atu tēnei āhua, ki te kore e whakatatūtia i mua i te whakatūranga o te tāone.
- 3.121. I kī tētahi āpiha Kāruna, nā te mea i aro ngā kōrero o te hui ki te hiranga o te wāwāhi i te whenua "kāore i āta wetekina te pātai mō te tōtika mō te tuku rānei i te taone hou hei tāone i raro i te Native Townships Act 1895, me i kore taua aronga, kua āhei te ruku ki taua pātai tuarua." Ehara i te mea i tautoko ngā tāngata katoa i te mahi whakatū tāone. Te āhua nei

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heoi anō nei te hui i tū i waenga i te Karauna me ngā Māori o te takiwā ko tēnei, nā reira, kāore pea ērā tāngata o Ngāti Hāua kīhai i noho i roto, i whai kanohi rānei i roto i ngā tāngata whā tekau i te hui, i whāi wāhi ki te whakaputa whakaaro mō te whakatūranga o te tāone.

3.122. I ngā marama o muri mai i tērā tau, i tono ngā rangatira o Ngāti Hāua kia tukua e te Karauna te taone ki roto i te kaunihera whenua Māori o te takiwā, ahakoa i tino hiahia rātou kia haere te wāwāhanga i mua i te whakatūranga o te tāone. Ahakoa tērā, i ngana tonu te Karauna ki te whakatū wawe i te tāone, me tana tono ki te Kaiwhakawā o te Kōti kia whakatārewatia te wāwāhanga.

3.123. I te marama o Nōema, ka puakina e te Karauna ētehi eka 342 hei Taumarunui Native Township, ā, nō muri mai ka whakapikia ki te 384 eka. Kīhai te Karauna i kimi whakaaetanga mai i a Ngāti Hāua mō te whakamananga i te tāone i mua i te wāwāhanga o te whenua.

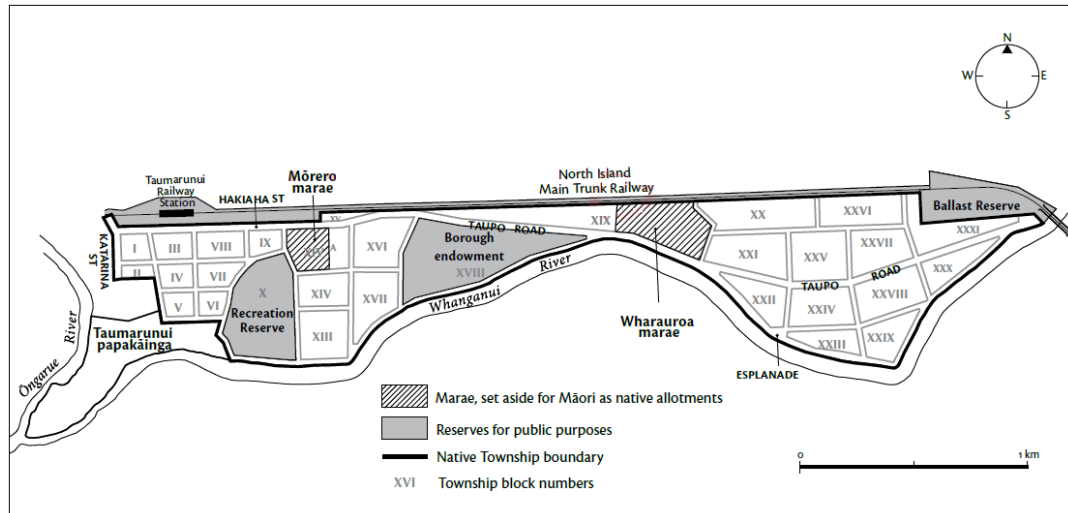
Ngā Whakahaere o te Taumarunui Native Township

3.124. I riro nā te Kaunihera Whenua ā-Takiwā o Maniapoto-Tūwharetoa i whakahaere, i whakawhanake hoki te taone, ā, nā rātou i whakamahine te mahere tāone kōkau a te Karauna, i muri i te rongonga ki ngā tāpaetanga me ngā whakahē. I hāwhetia e te Kaunihera te rahi o te whenua kua tohua rā hei wāhi mō te marae ki te tekau eka. Ka uru ki te mahere whakamutunga o 1904 ētahi wehenga whenua Māori 30 hei noho mō ngā tāngata Māori, huia katoatia, e 43 eka te rahi. Ahakoa tēnei, kāore ngā wāhi tapu me ngā urupā katoa i uru ki roto.

3.125. I uru ki te mahere ētehi wāhanga whenua nō te Karauna i marohitia: tētahi tāpui hākinakina, he Poutāpeta, me tētahi wāhanga whenua mō tētahi kura kua takohatia e ngā tāngata Māori o te takiwā, kua huakina kētia i te tau 1902. Nā ngā ture mō ngā tāone Māori i whakarite kia whakawhitia atu ngā rohe me ngā whenua tāpui i te Māori ki te Karauna, kāore he kāpeneheihana. I tangohia he whenua, he mea whakahau, mō ngā whenua tāpui tūmatanui i waenga i 1908 me 1909 mai i Ngāti Hāua, ā, ka haere te iwi ki te kimi kāpeneheihana mai i 1916 ki 1922. I puta te kōrero ki a Ngāti Hāua e kore tētahi kāpeneheihana e utua nā te mea mā te whakarohenga o te wāhi tūmatanui, te tikanga ia, ka piki pea te wāriu o ngā whenua i te taha me te reti mā ngā kaupupuru.

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Pikitia 7: Taumarunui Native Township plan, 1904 (Te Rōpū Whakamana i Te Tiriti, (2015) He Whiritauonoka, wh. 852)

- 3.126. I te tau 1904, nā ngā rangatira o Ngāti Hāua te komiti mō te kāinga o Taumarunui i whakatū, hei komiti o raro o te Kaunihera Māori o Whanganui, kua whakatūria kētia i te tīmatanga o te rau tau hei whakarite i tētahi ara rangatiratanga whāiti mō ngā tāngata Māori. I te marama o Oketopa, ka tautohutia e te Kaunihera ngā rohe o te kāinga o Taumarunui, arā, hei wāhi kei roto nei te tāone katoa, me ngā whenua Māori taitara pūmau i te taha, kei roto nei ka āhei te Kaunihera ki te whakaū tikanga ārai i te hoko waipiro, ki te kōhi tāke kurī hoki.
- 3.127. I te tau 1905 ka whakaarahia e te Karauna tana ture hei whakamana i te kāwanatanga ā-takiwā i roto i ngā native township. I whakatūria te Taumarunui Native Township Council i te tau 1906, tokowhā ōna mema Pākehā i pōtitia, kotahi te mema Māori nā te Karauna i tohu, – ko Hakiha Tāwhiao. Ka whakakorea te tūranga mō te kaikaunihera Māori i tohua e te Karauna i raro i ngā whakaritenga o te ture i 1908, ahakoa tērā, i pōtitia a Hakiha Tāwhiao hei mema i 1909.



Pikitia 8: First Native Township Council, Taumarunui, 1906 (Roll Back the Years, vol. 5, p. 765 (ref. 12889); ko te whakaaetanga nā te whakaaro atawhai a Ron Cooke)

3.128. Nō te taenga ki 1910, i te noho tōna 1,000 Pākehā i Taumarunui, ā, 130 noa iho te hunga Māori. Nā tēnei pikinga ake o te taupori, i whakakapia te Taumarunui Native Township Council e tētahi kaunihera ā-takiwā, arā, he borough council, nāna i whakahaere tētahi rohe whānui kē atu i te tāone tonu. Kāre kau he ritenga whakatū i ētahi mema Māori i te Kaunihera ā-Takiwā o Taumarunui. I taupatupatu te Borough Council ki te Kaunihera Māori o Whanganui mō te aukatinga o tēnei Kaunihera i te waipiro me te kohinga o te tāke kurī i roto i te kāinga o Taumarunui. I whakaae te Kaunihera Māori o Whanganui ki te whakawhāiti i ngā rohe o te kāinga, hei hātepe atu i ngā whenua kua rīhitia e ngā Pākehā.

Ngā Take Ahumoni kei mua i a Ngāti Hāua

3.129. Mai i te tau 1904 ka tīmata te rīhi o ngā tekihana tāone ki ngā tāngata takitahi mō te 21 tau, me tētahi tika mō tētahi whakahoutanga kotahi. Nō te taenga ki 1907, kua rīhitia tata ki te katoa o ngā tekihana tāone ki ngā manene noho mai, ko te reti katoa, e £662, i piki ki te £1,487 i te taenga ki 1915. I te tau 1910, hei urupare ki ngā kawenga a ngā kaitango rīhi, i whakaae te Karauna kia whakaritea he rīhi mutunga kore mō ngā tekihana tāone. I auau kē atu tēnei momo rīhi i roto i Taumarunui i ngā ngahuru tau whai i muri.

3.130. Ahakoa rā, i muri mai i 1915, i piki haere tonu te taupori, me te heke iho anō o ngā whiwhinga moni mā Ngāti Hāua, he maha hoki ngā take. I te tuatahi, i whakaritea ngā reti kia rima ōrau o te wāriu o te whenua, engari i tū ngā arotake reti i te mutunga o ngā rīhi rua tekau mā rua anake. Nā reira, ka tae nei ki 1916, kua heke ngā reti ki te 1.8 ōrau o te wāriu o te whenua. I raro i te pūnaha wāriu reti a te Karauna, nō te paunga o ngā rīhi tuatahi i te ngahuru tau 1920, kua tino heke iho ngā reti i te rima ōrau o te wāriu o te whenua. Ka tino kitea te wharanga o Ngāti Hāua i te pūnaha mō te whakarite i ngā reti,

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ina tirohia te ara i whāia e ngā kaitango rīhi kia wāhia ngā whenua i rīhitia e rātou hei rīhi ki te tangata kē, mō ngā taumata reti nui kē atu i tā rātou i utu ai ki a Ngāti Hāua. I whakahaua ngā tāngata pupuru whenua kia utua ngā utu whakatū i ō rātou tekiana tāone, kāti, nō te taenga ki 1911, kua eke ki te 35 ōrau o te whiwhinga moni toharite. I piki ngā utunga pūmau i te ngahuru tau 1910, nā te mea, i tino piki ngā utu mō te whakatika i te ngahorotanga o te Awa o Whanganui. Waihoki, mō ngā tekau tuatahi nā te Karauna i whakamana te poari whenua Māori kia utu mō te ahunga o ngā rori ki ngā moni reti i whiwhi rā te hunga pupuru, ahakoa mō te nuinga o ēnei tū momo tāone ka riro mā te hunga reti e utu mō ngā rori.

- 3.131. I whakarite tikanga hoki te Karauna me te kāwanatanga ā-rohe kia utu a Ngāti Hāua i ngā tāke me ngā reiti, me te mau tonu o ō rātou whiwhinga moni reti i roto i ngā rīhi wā roa. Hei tauira, i tino piki ngā tāke whenua mai i te £98 i 1914 ki te £729 i 1921. I piki haere tonu te wāhanga o ngā reti i whiwhi rā te hunga pupuru Māori i utua e rātou mō te tāke, nā te mea kāore rātou i whakaaetia kia whakapiki i ngā reti kua oti te whakamau mō ngā rīhi wā roa. I utu hoki ngā kaupupuru mō ngā rūritanga whenua tāone, i ētahi wā i whakamahia ngā whiwhinga moni reti, tae atu mō ngā wāwāhanga papakāinga kei waho noa i te tāone. Nō te whakatūranganga o te tāone, ko ngā whenua i rīhitia anake i reititia, ā, mā te kaitango rīhi hei utu. Ahakoa tērā, mai i 1908, i whakariteahe reiti mō ngā tekiana katoa, tae atu ki ngā tekiana kāore i rīhitia pēnei i ngā wehenga Māori, kua tohua hei nohoanga mō te Māori. I te tau 1918, i utu te Poari Whenua ā-Tākiwā o Maniapoto-Tūwharetoa i te £633 hei reiti, kei raro iti iho tēnei i te hāwhe o te whiwhinga moni rēti katoa.
- 3.132. Nā te taumaha o ēnei utunga mō ngā kaupupuru whenua o Ngāti Hāua ka tahuri te tini o rātou ki te hoko i ō rātou whenua. I ngā tau 1915 me 1916, i whakakāhore ētahi hui o ngā kaupupuru whenua i te tāpaetanga hoko a te Karauna mō ētahi o ngā whenua i te tāone. I puta te kī a tumuaki o te utu te Poari Whenua ā-Tākiwā o Maniapoto-Tūwharetoa, te āhua nei, i te tāmi te Karauna i te hunga pupuru whenua kia hoko i te whenua. I te tau 1915, kātahi anō ka hokona tikatia mai e te Karauna te tekiana tuatahi o ngā whenua o te tāone i ētahi kaupupuru whenua o Ngāti Hāua. I pērā ai ngā kaupupuru, he whakaaro nō rātou kāore i whai hua tōtika ngā rīhi mō ō rātou whenua i te tāone, me te whai ki te whakamahi kē i ngā moni hei whakawhanake i ō rātou whenua pāmu. I te tau 1919, ka hoki mai anō te Karauna ki te hoko anō i te whenua tāone. I taua wā, i akiakitia ngā kaupupuru e te tumuaki o te Poari kia hoko nā te mea, ka hua ake he painga ōhanga ki a rātou i te hoko. I whakakāhore hoki ngā kaupupuru i tēnei tāpaetanga a te Karauna. I te tau 1919, i whakaurua e te Karauna tētahi ture hei whakamana i tāna hoko i te whenua mō ngā kaitango rīhi kua tahuri ki te akiaki i te Karauna kia pērā.
- 3.133. Nō te 1922 rā anō ka mana te wāwāhanga o te whenua tāone i te rapua e Ngāti Hāu i te tau 1903, engari i whakatārewatia e te Karauna. I muri i te wāwāhanga o te whenua, ka uru te Karauna ki ētehi whakawhitinga kōrero mō te hoko, ki ngā kaupupuru tuku iho o ia wāhanga. I hokona e te Karauna ētehi wāhanga 37 o te tāone, ā, ka tae nei ki te tau 1937, kua riro i te Karauna 169 eka o ngā eka 384 o te tāone. I oti hoki i a ia ētehi hoko mō ngā kaitango rīhi i roto i ngā ngahuru tau 1920, 1930 hoki.
- 3.134. Nō te taenga ki te ngahuru tau 1920, kua kitea whānuitia tēnei mea te rīhi mutunga kore. I te tau 1925, ka tuhi reta te Tumaki o te poari whenua ki te Karauna, ki te whakaputa āwangawanga kāore ngā rīhi mutunga kore i noho hei painga mō ngā kaupupuru Māori,

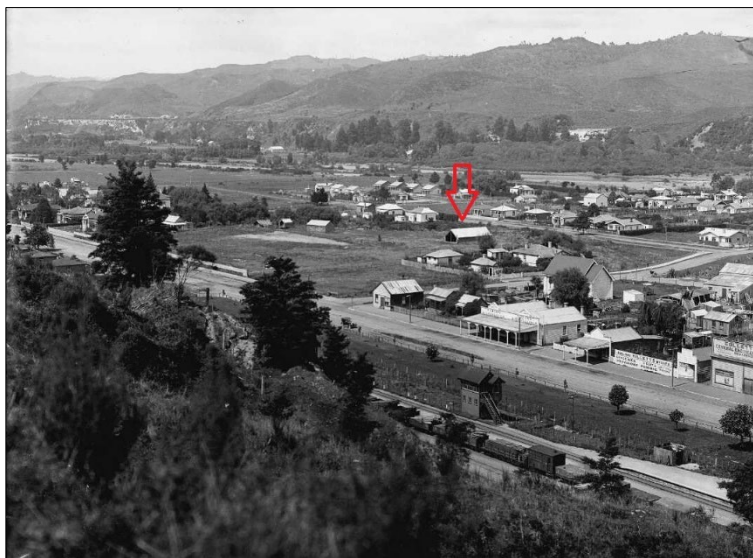
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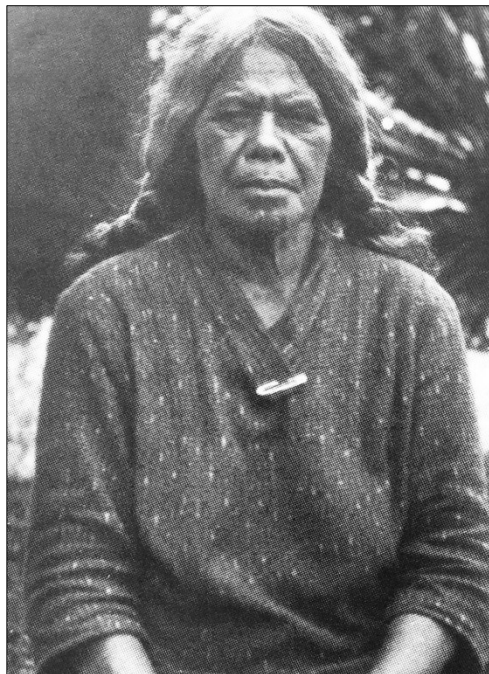
engari i kī hoki ia kāore ēnei ritenga i taea te huri, kei wheke ngā kaitango rīhi. Te taenga ki 1937, kua uru ki ngā rīhi tekau mā toru katoa e toe ana o ngā tekihana tāone o Taumarunui tētehi tika mutunga kore mō te whakahou, mā ngā kaitango rīhi. I noho tonu ngā whakaritenga rīhi mutunga kore hei take nui mā Ngāti Hāua mō ngā tau maha o te rau tau rua tekau. Nō te ngahuru tau 1990 rā anō ka whakaurua e te Karauna he ture hei tuku kāpeneheihana ki ngā kaipupuru whenua Māori, tae atu ki a Ngāti Hāua, mō ngā rēti iti iho kua whiwhi rā rātou mai i ngā rīhi mutunga kore.

Te Takiwā o te Marae o Mōrero

- 3.135. I te tau 1904, i whakaurua te rohe o te marae o Mōrero o ēnei rā ki te wehenga Māori whitu eka i kīa rā ko Section One. I whakaarotia tēnei tekihana he mea huatau mō ngā tangohanga mahi tūmatanui nā tōna noho tata ki te pūtahi, i te ara matua o te tāone hou. I waenga i ngā tau 1915 me 1917 i riro i te Karauna ētehi eka e rua me te hāwhe o te wehenga, mō ngā mahi huhua, tae atu ki ngā whare Karauna, Kaunihera hoki, hei whenua tāpui hākinakina anō hoki. I tukua rawatia atu te Section One i te taenga ki te tau 1944, nā ngā tangohanga whenua mō ngā mahi tūmatanui me ngā hoko a te Karauna.
- 3.136. Nā ngā hoko, ngā tangohanga whakahau rānei o ngā wāhanga whenua pēnei i ngā marae i whakapōraruraru te kaha o Ngāti Hāua kia noho tonu i te tāone i runga anō i tō rātou mana. I ēnei ngahuru tau tata, kua waihangatia e Ngāti Hāua ētehi whare hou, nā te whakahokinga a te Karauna i ētehi whenua kua kore e hiahiatia mō ngā mahi tūmatanui.



Pikitia 9: Looking Down Over Taumarunui in 1923 - e tohu ana te pere whero ki te whare i noho rā a Maata Tūao. I ēnei rā koinei te whenua kei reira a Mōrero Marae (Taumarunui) . Smith, Sydney Charles, 1888-1972: Photographs of New Zealand. Tohutoro: 1/2-045861-G. Ko te whakaaetanga nā te whakaaro atawhai o Arekahānara Turnbull, Te Whanga-nui-a-Tara, Aotearoa.. /records/22568665)



Pikitia 10: Ko Mata Tūao, i noho i te takiwā o te Marae o Mōrero o ēnei rā (Roll Back the Years, vol. 5, p. 754, Tomlinson Collection tohutoro. 16480, ko te whakaaetanga nā te whakaaro atawhai o Ron Cooke)

Ko te Papakāinga o Taumarunui me te Marae o Ngāpūwaiwaha

- 3.137. I waiho atu Papakāinga o Taumarunui me te Marae o Ngāpūwaiwaha ki waho i te tāone, kia noho hei kāinga motuhake mō te tangata Māori. Ahakoa tērā, kāore ērā whenua i riro ki raro i te kaunihera whenua Māori i 1903, kāore hoki i wāhia e te Poari i te tau 1922. Ko tēnei papakāinga te kāinga o ētehi rangatira o Ngāti Hāua ihorei e toru, a Manuaute Piripi Tūhaia rātou ko Hakiaha Tāwhiao, ko Miriama Kahukarewao.
- 3.138. I te tau 1920, ka wāhia te papakāinga kia 22 ōna tekihana. Ahakoa i taua wā i puta ētahi whare rūnanga e rua noa iho i te mahere petihana, ki ngā mahara o Ngāti Hāua, e toru kē: Ko Hikurangi te tuatahi (i hangaia tuatahitia, ā, nō muri kē mai ka turakina, ā, ka ora tonu tōna ingoa kei te whare i Wharauoa Marae); ko Ngāpūwaiwaha (i hangaia mō ngā hui o Te Kīngitanga, nā Te Ata, nā te tuahine o Kīngi Tāwhiao i tomo i mua atu i 1912); me Te Puru ki Tūhua (tētehi whare whakairo i turakina i muri mai, me te tohatoha i ōna whakairo i roto i ngā whānau). E ai ki ngā mahara o Ngāti Hāua i nekehia a Ngāpūwaiwaha i te tuatahi, mai i te takiwā e mōhiotia nei ko Tūmoana, i te tangohanga whakahau a Te Karauna hei hanga i te Piriti Victory i 1921. Ka turakina e Ngāti Hāua tēnei whare i muri i 1922, ko te turakitanga tuatoru pea tērā, ā, ke nekehia ki tōna tūranga o nāianeī. Ka tākina e te iwi ngā hapū nāna a Hikurangi rāua ko Ngāpūwaiwaha i hanga, arā, nā Ngāti Hinewai, nā Ngāti Onga, nā Ngāti Te Āwhitu (Whetu), nā Ngāti Pare, nā Ngāti Tama-o-Ngāti-Hāua, me Ngāti Reremai.

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Pikitia 11: Ngāpūwaiwaha and Hikurangi in the Background (Roll Back the Years, puka 1 ,wh. 135, Taumarunui Historical Society Collection, tohutoro C&S 1096, ko te whakaaetanga nā te whakaaro atawhai a Ron Cooke)



Pikitia 12: Ngāpūwaiwaha & Hikurangi (Rangikapuia Wharekai, Ngāpūwaiwaha Marae)

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Pikitia 13: Ko te Whare Rūnanga o Puru ki Tūhua, i Taumarunui. Ko te whare whakairo tuatahi tēnei mō Ngāti Hāua (Godber, Albert Percy, 1875-1949 :Collection of albums, prints and negatives, Tohutoro:PA1-q-102-166-2. Ko te whakaaetanga nā te whakaaro atawhai o te Whare Wānanga o Arekahānara Turnbull, Te Whanga-nui-a-Tara, Aotearoa /records/23105313)

<https://natlib.govt.nz/records/23105313>



Pikitia 14: Wharaurua Marae, ko te ingoa o te whare i reira ko Hikurangi (Roll Back the Years puka. 2, wh. 297, tohutoro. 12583, nā te whakaaro atawhai a Ron Cooke)



Pikitia 15: Wharawhara Ngātai, tama a Tōpine Te Mamaku, rangatira o te wharenui o Hikurangi, i tū rā i Tūmoana i Taumarunui (nā te whakaaro atawhai o tētehi kohinga tūmatanui, nā Lois Tutemahurangi)

3.139. Nā te rere tāwhangawhanga o te iwi Māori ki ngā tāone nunui i muri mai i te Pakanga Tuarua ka mimiti haere te kaha o te noho ā-marae o i te takiwā o Taumarunui Marae. I te ngahuru tau 1950, ka whakahaua te turakitanga o te tini o ngā whare e te kaunihera ā-takiwā i te papakāinga o Taumarunui. Nā te karangatanga hou o te tini o aua whenua, mai i te whenua kāinga noho kia noho hei whenua arumoni, he tini ngā whānau kāore i āhei ki te hoki ki ō rātou kāinga, ā, wehe atu ana i te rohe o Ngāti Hāua.

Te Hōhipera o Taumarunui

3.140. Mai o 1903 ka noho tētahi whare iti noa hei hōhipera mō te tāone, i muri i te whakatūranga o te tāone o Taumarunui. I te tau 1913, i whai te Poari o Te Hōhipera Taumarunui me te Āwhina Atawhai ki te whakatū i tētahi hōhipera rahi kē atu, ā, ka kōwhiria ētahi eka 38 o ngā whenua o Ngāti Hāua i te poraka o Ōhura South N2E1 hei hoko whakahau. Nā te Tari mō ngā Mahi Tūmatanui i arotake ngā mahi a te Poari Hōhipera, i runga anō i tētahi pūnaha arotake ōpaki a te Karauna mō ngā kaunihera ā-rohe.

3.141. Kei roto i te wāhanga whenua 38-eka te wāhi o Te Peka. Ko Te Peka tētahi huihuinga hira i whakatūria rā e Ngāti Hekeawai hei wāhi nō Whiritoa, tētehi pā nō Te Hoata II, tētahi o ngā tūpuna ingoa taketake o Ngāti Hāua, i noho rā i tētehi puke tiketike e tiro iho ana ki ngā Awa o Ongaaruhe me Whanganui. Kei roto i tēnei wāhi ko tētehi kāinga e mōhiotia nei ko Pongahuru, tētehi marae e kīa nei ko Te Peka me tētehi urupā, ko Titipa te ingoa.

3.142. I hangaia tētehi atu wharenui kei tāwāhi tonu o te hōhipera hei tautoko i te Kīngitanga. I huakina te hōro me te whare nui, arā, Te Kohaaruate Mutunga Tauiahi Na Mahuta, e Te Kīngi Māori i 1923.

3.143. I noho tonu a Ngāti Hāua ki te pā mō te roanga atu o te rau tau tekau mā iwa. I te tau 1888, i whakaurua a Te Peka ki roto i te rohe o te poraka o Ōhura South, i reira ka wāhia atu ki waho i te poraka o Aotea, mō ngā kaupupuru o Whanganui, tae atu ki a Ngāti Hāua.

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- 3.144. I te tau 1915 ka rūritia te whenua e te Poari, kātahi rātou ka tono ki te Karauna mō tētahi pānui tangohanga whenua. I whakahē a Ngāti Hāua i roto i tētahi reta ki te Karauna, me te kī, kua whakapaingia e rātou te whenua, kua hangaia hoki he taiepa. I tonoa e te Karauna tētahi kaupūkaha nō te Karauna anō, ā, nāna i tāpae pūrongo me te kī i roto, kua waerea ngā mauwha i te whenua, kua paraungia, ā, kua tū hoki he wharau iti, he tēpara hōiho rānei i runga. I roto i tana pūrongo tuarua, i kī te kaupūkaha o te Karauna ko taua wāhanga 38 eka he neke atu te rahi i tērā i hiahiaitia mō te kaupapa, ā, ka taea e te Poari te whakaheke i te rahi o te whenua ka tangohia, i runga anō i ngā whakahē a ngā kaupupuru. Kāore te Karauna i whakaheke i te rahi o te whenua, ā, i ngā wiki whakamutunga o Tīhema 1916, ka tangohia neke iti atu i te 38 eka o te poraka o Ōhura South N2E1, ā, ka tukua ki te poari o te hōhipera.
- 3.145. Nā te rohe o ngā whenua mō te hōhipera ka aukatia atu te urupā o Titipa ki te iwi whānui, hāunga te ara mā te hōhipera tonu, mā tētahi ara tūpoupou, mōrearea rānei. Ko tētehi here o te whakaaetanga a te Karauna mō te pānui tangohanga, me haina kirimana pūmau te Poari me ngā kaupupuru kia noho mai he tika mō rātou kia wātea he ara ki te urupā. I hainatia te kirimana i te marama o Tīhema, engari kīhai rawa i whakatutukingia. E ai ki a Ngāti Hāua kua hāparutia tō rātou urupā, nā te whakanohonga a te hōhipera i ētahi wharau taratahi mō ngā tūroto mate kahi puta noa i te rārangi taiepa, waihoki te whakatūranganga o ngā whare kaimahi, i tukua ai ngā wai mai i te whare horoi kākahu me te wharepaku ki tētahi wāhi i te taha o te urupā, tata ki ngā wāhi i tanumia ai ō rātou mate.

Te Papa Tauranga Rererangi o Taumarunui

- 3.146. I waenga i ngā tau 1963 me 1970, i hokona whakahautia e Te Kaunihera ā-Takiwā o Taumarunui ētahi eka 28 i Tūwhenua, ki te raki o Taumarunui, hei papa tauranga rererangi me tētahi rori ki reira. E rua ngā poraka takoto tahi, he 20 eka tētehi, ā, ko te mea iti iho, e waru eka. Ko te poraka iti iho i kīa ko te poraka o te marae, ā, kei runga hoki ko te marae o Tūwhenua.
- 3.147. He marae a Tūwhenua e waru eka te rahi, he mea hira ki a Ngāti Hāua me ōna hapū tūtata, inā hoki, koia tētehi o ngā wāhanga whenua whakamutunga i waiho mai ki ngā tāngata Māori i te ngahuru tau 1960. He whenua papatairite, he pai te takoto me te takiwā i tētehi taumata, i runga ake i te Awa o Ongaaruhe. I roto o Tūwhenua tētehi wharepuni, he kāinga noho, he whare kūtētē kau, me tētehi whare tapu, arā, he mea whakatapu nā te nohoanga a Te Kooti i reira i muri i tōna hinganga i Te Pōrere i 1869. I te tau 1917, i te wehewehenga o te Kōti Whakawā Whenua Māori i te whenua, kāore i whakatakotoria he rori kia tae atu ki te urupā, ā, ka waiho noa te rori, kāore he tomokanga ōkawa i muri i te hokonga o te poraka i te taha i te ngahuru tau 1960.



Pikitia 16: Ko Amelia Kereopa, rātou ko Terry Turu, ko Pauline Stafford i Tūwhenua, 2008.

He kaikerēme a Terry mō Ngāti Hira, hapū o Ngāti Hāua (Ko te whakaahua nā Maui Solomon rāua ko Susan Thorpe, Te Rōpū Whakamana i te Tiriti (2015) He Whiritaunoka – The Whanganui Land Report, p. 1260)

TE UPOKO TUAIWA: TE TĀPUI Ā-MOTU O TONGARIRO

- 3.148. Ko Ngāti Hāua tētehi iwi nō te Awa o Whanganui, i takea mai ōna āhuatanga i ngā rerenga wai o te rohe. He taura whanaungatanga hoki tō te iwi ki Te Kāhui Maunga, ki ngā maunga e noho nei ināianei i roto i te Tāpui ā-Motu o Tongariro, inā hoki, koia nei te mātāpuna o Te Awa o Whanganui me ērā atu rerenga wai hira. E tino hono ana a Ngāti Hāua ki Ruapehu i roto i tō rātou pepeha ā-iwi, ahakoa kei tēnā maunga, kei tēnā maunga tōna anō mana. I puta te kī a Tā Archie Te Atawhai Taiaroa mō tēnei pepeha me tētehi atu whakataukī e mōhiotia nuitia ana:

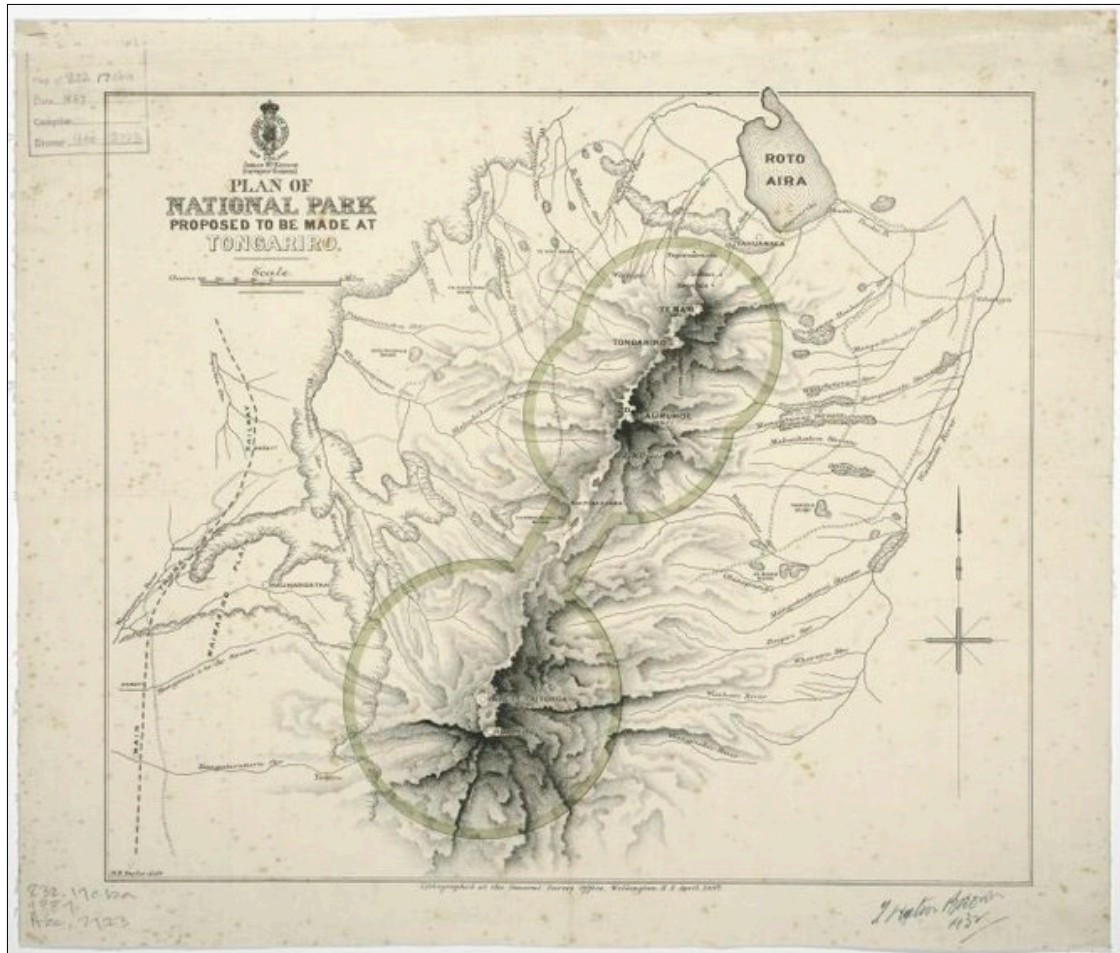
Hei whakaahua ēnei whakatauki i te kotahitanga o te tangata, o te iwi, o te whenua me te wai. E tautoko ana ēnei mea katoa i ētehi atu kia ora tonu, kāore ngā here e taea te wewete. E hono ana ō mātou tāngata me tō mātou iwi ki Te Kāhui Maunga me te Awa o Whanganui hei mea kotahi. Koia tā mātou whakataukī: Ko au te awa, ko te awa ko au. Nā reira, ko te mahi mā tātou he tautiaki, he whāngai, he atawhai i ēnei mea katoa mō ngā reanga e heke mai nei.

- 3.149. Kāore anō a Ngāti Hāua kia noho ki ngā maunga nei, nā te mea he tapu tonu ki a rātou, e whakamahia ana hei urupā, hei kōhi rawa anō hoki. Nā te noho wātea o ēnei whenua ki ngā iwi mahi ka kitea te kotahitanga me te pakari o ngā hononga i waenga i a Ngāti Hāua me ētehi atu iwi o Te Kāhui Maunga.
- 3.150. I te marama o Hānuere 1886, ka puta i te Karauna tana hiahia ki te waihanga tāpui e kore e taea te hoko whawhe noa i ngā maunga me ngā puia o Te Kāhui Maunga. I te marama o Pēpuere, ka whakawhiwhia ngā poraka o Ōkahukura me Rangipō North e te Kōti Whakawā Whenua Māori, kei roto nei ngā tihi o ngā maunga, ki tētehi atu iwi. I te tau 1887, ahakoa kāore he kōrero i te tuatahi ki a Ngāti Hāua, i whakaae te Karauna ki te

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tūtohu i tētahi whenua i whakaarotia e ia he takoha, kei roto nei ngā tihi o Tongariro, o Ngāuruhoe me tētehi wāhanga o Ruapehu.



Pikitia 17: He Mahere mō tētehi Tāpui ā-Motu e Marohitia ana mō Tongariro, 1887 (Puna:

Te Whare Pukapuka o Arekahānara Turnbull, Pōneke, MapColl 832.17cba/1887/Acc.2723 i roto i tā Te Rōpū Whakamana i te Tiriti (2013) Te Kāhui Maunga: The National Park District Inquiry Report (Wai 1130, Map Book A), slide, 20)

https://natlib-primo.hosted.exlibrisgroup.com/primo-explore/fulldisplay?vid=NLNZ&docid=NLNZ_ALMA21317297970002836&context=L&search_scope=NLNZ

- 3.151. I te tau 1894, ka whakaurua e te Karauna te Ture mō Te Tāpui ā-Motu o Tongariro. Nā tēnei ture kā āhei te Karauna ki te pānui i whakatūranga o Te Tāpui ā-Motu o Tongariro. I roto i ngā tau e rima i muri mai, ka hokona e te Karauna ngā whenua katoa i te taha o ngā tihi, hāunga ētehi eka 5,000. I te 23 Ākuhata 1907, ka puakina e te Karauna ka kīa ētehi eka 62,300, ko Te Tāpui ā-Motu o Tongariro.
- 3.152. Kīhai te Karauna i kōrero tahi ki a Ngāti Hāua mō te hanganga o Te Tāpui ā-Motu o Tongariro, kei roto nei tō rātou tupuna maunga, a Ruapehu. Nā te hanganga o Te Tāpui ā-Motu o Tongariro, kua aukatingia atu a Ngāti Hāua i ō rātou whenua tuku iho, ō rātou kāinga, rawa, me ō rātou wāhi tapu.

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Te kaha rawa o te whakawhanake i Te Tāpui ā-Motu o Tongariro

- 3.153. Nā Te Ture o Te Tāpui ā-Motu o Tongariro 1894 i whakatū poari kaitiaki tokowhā hei whakahaere i te Tāpui i mua i tōna whakamananga ōkawa i 1907. Tokotoru ana kaitiaki he kanohi nō te Karauna, ā, he mema nō tētehi iwi kē atu tētehi. I roto i te rau tau rua tekau, kāore te Karauna i tahuri ki te whakarite tūranga mō Ngāti Hāua i te Poari, ahakoa i haere ētehi hanganga hou o te Poari.
- 3.154. Mai i 1922, i whakatūria anō te poari whakahaere me tōna anga whāiti ki ngā pānga hākinakina, me te whakarite tikanga mō te Tāpui hei ‘whenua tākaro mātātoa’. I roto i ngā ngahuru tau 1920 me 1930, ka whakawhanaketia he hōpuni, he papa reti huka, me ētehi whare noho i roto i te Tāpui. I tino piki te whakawhanaketanga o ngā rawa hākinakina i ngā tau i muri i te pakanga tuarua. I mua atu i 1952 kīhai ngā whakahaere o Tāpui i aro atu ki te tautiaki i ngā rawa aotūroa, engari ki te whakarite whare, mea tākaro hoki, me te aru moni.
- 3.155. Ki a Ngāti Hāua kīhai ēnei whakawhanaketanga tūāhanga i aro ki te mana me te mouri o ngā maunga, kāore hoki i aro ki ngā hua taiao, ahurea hoki ka puta. I te ngahuru tau 1950, i tupu te āwangawanga o te poari mō te Tāpui mō te pūranga rāpihi i te taha o ngā wharau, nā ngā karapu kake maunga tūmataiti i whakawhanake. I tukua e te poari he tohutohu ki ngā karapu kia tīmata tā rātou maka atu i ā rātou rāpihi ki te riu o Whakapapanui, kāti, i pērā te mahi mō ngā tau e whā, ā, nā tētehi take Kōti i aukati tā rātou mahi. Nā te tino pikinga ake o te maha o ngā wharau i te ngahuru tau 1960 ka noho ko te kawē hamuti tētehi raruraru nui mō ngā rerenga wai i te taha o Te Kāhui Maunga. E kī ana a Ngāti Hāua i takahia ā rātou tikanga e ngā mahi kawē hamuti nei.
- 3.156. I te tau 1983, kātahi anō ka arongia ngā pānga Māori i roto i ngā whiriwhiri mō ngā kaupapa here whakahaere i te Tāpui, nā te General Policy for National Parks. Ahakoa ēnā āhuatanga, kāore he tino kōrero tahitanga ki a Ngāti Hāua taea noatia te whakamananga o te Ture mō te Taiao 1987.

UPOKO TEKAU: NGĀ HOKO WHENUA TŪMATAITI A TE KARAUNA I TE RAU TAU RUA TEKAU

- 3.157. Ko te hua o ngā hoko whenua rarahi a te Karauna i te rau tau tekau mā iwa, o ngā eka whenua 107,000 i roto i ngā poraka o Kirikau, o Kōiro, o Maraekōwhai, o Ōpatu me Retāruke blocks, iti iho i te 43,000 mano eka i puritia tonutia e Ngāti Hāua i te tīmatanga o te rau tau rua tekau. I te rau tau tekau mā iwa ko te Karauna anake i hoko whenua i roto i ēnei poraka, i raro i tana pūnaha kaihoko mana tōtahi. I āta panoni mārire te āhua o te hoko whenua mā Ngāti Hāua i roto i te rau tau rua tekau. I roto i ēnei poraka e rima, ka riro ētehi atu whenua o Ngāti Hāua ki ngā kaihoko tūmataiti, me ngā tangohanga mahi tūmatanui a te Karauna mō ngā horanga whenua ātaahua, ngā rerewē me ngā rori.
- 3.158. I te tau 1899, ka whakaurua e te Karauna tana aukati, i kīa rā te kaupapa he “taihoa”, mō ngā hoko whenua Karauna hou, hoko tūmataiti hou hoki, ahakoa, i pai noa tana whakaoti i ngā hoko kua tīmata kē te whakarite. I haere tonu te whakaoti a te Karauna i tana hoko whenua i roto i te poraka 116,152 eka te tahi o Ōhura South i roto i ngā rā o te aukati, ā, i hokona tata ki te 13,000 eka i te taenga ki 1901.

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- 3.159. I akiaki tonu te hunga manene i te Karauna kia whakawāteatia ētehi atu whenua mō te nohonga tangata, ā, i te tau 1905, ka tau ngā whakaaro o te Pirimia Seddon he kaha rawa te kaupapa taihoa, arā, “too much ‘taihoa’”, ā, ka mutu te aukati. I whakauru te Karauna i te Maori Land Settlement Act 1905, i herea ai te Karauna kia noho anō he rahinga whenua Māori tōtika ki te tangata Māori takitahi, kia whakarite hoki he utu mōkito e ai ki te wāriutanga, me mātua whakaae hoki te nuinga o ngā kaipupuru ki te hoko whenua, otirā, i whakaaetia hoki e te ture kia tīmata anō ngā hoko.
- 3.160. I te tau 1907, hei urupare ki tā ngā tāngata nohonoho mānene tonu ki ētehi whenua, ka kōmihanatia e te Karauna te Tiatī Matua Tā Robert Stout me te mema Pāremata mō te Rāwhiti a Āpirana Ngata kia tūhuratia ngā whenua Māori e toe ana, kia takoto hoki he tohutohu ki te Karauna mō ngā whenua “ka taea te nohonoho, te whakatō kai, te whakapai hoki”. I tūtohu te Kōmihana Stout-Ngata i te Karauna mō ēhea whenua e tika ana kia wehea hei nohonga mō ngā tāngata Māori, ko ēhea hoki ngā whenua me whakanoho hoki e te Pākehā. I te tau 1908, ka tūtohu a Stout rāua ko Ngata i te Karauna kia kaua e haere tonu te hoko a te Karauna i ngā whenua i te rohe o Whanganui.
- 3.161. Hāunga tētehi hoko 60 eka i te poraka o Ōpatu i 1930, i mutu noa te hoko a te Karauna mai i Ngāti Hāua i ngā poraka o Kirikau, o Kōirotia, o Maraekōwhai, o Ōpatu me Retāruke. Engari ka whakawāteatia e te Karauna te hoko whenua ki ngā kaihoko tūmataiti i raro i tana whakaurunga i te Native Land Act o 1909. I waenga i ngā tau 1911 me 1961, ka hokona e Ngāti Hāua ētehi whenua 22,000 eka te rahi i ēnei poraka ki ngā kaihoko tūmataiti. I ēnei rā, kua heke iho ngā whenua e purutia ana e Ngāti Hāua i roto i ngā poraka e rima ki te 14,908 eka, o ō rātou eka 100,000 taketake, ko te nuinga kei te poraka o Maraekōwhai. He maha ngā hokonga tūmataiti hoki i roto i te poraka o Ōhura South i te rau tau rua tekau. I waenga i ngā tau 1900 me 1973, ka hokona e ngā tāngata tūmatanui nui iti atu i te 15,560 eka mai i te poraka.
- 3.162. He maha ngā take nāna a Ngāti Hāua i kawea hoki whenua i te rau tau rua tekau, ahakoa he iti noa iho e toe ana. I te tuatahi, ko te rīhi me te hoko whenua te huarahi kotahi e toe ana, hei whakaara moni mō te hunga pupuru kia whakawhanake i ētehi atu whenua. Nā ngā tikanga wāwāhi i ngā poraka whenua iti i te wāwāhanga, kāore ētehi poraka iti i whai hua, hei whakamahi, hei whakawhanake rānei. Ko ētehi o ngā whenua e toe ana kāore i tino nui te kōunga, kāore kau he ara ki reira, he rerewē rānei. Ki te hē te tinana o te kaipupuru, ki te uaua te āhua o te noho i runga, te rawakore hoki, nā ēnei mea katoa ka tahuri pea te kaipupuru ki te hoko i ōna pānga mō ngā utunga noho taketake. I te mutunga atu, rite tonu ki te rau tau tekau mā iwhā, ko ngā hoko i te rau tau rua tekau hei utu i ngā nama katoa i te taha o te whenua mō ngā utunga rūri.
- 3.163. Nā ngā pānga maha o te hoko whenua a te Karauna, ngā hoko tūmatanui me ngā hoko whakahau, kāore i nui ngā whenua mō ō rātou hiahia, ā-iwi, ā-tāngata takitahi hoki, ahakoa taha ōhanga, taha pāpori, taha ahurea. Ko te nuinga o ngā whenua e purutia ana e Ngāti Hāua he whenua pūhore, he uaua ki te whakawhanake mō ngā kaupapa ōhanga. I te rau tau rua tekau, i waiho a Ngāti Hāua e te Karauna kia tata whenua kore.

UPOKO TEKAU MĀ TAHI: TE WHAKAWHANAKE WHENUA

- 3.164. I hoahoatia ngā tikanga a te Karauna mō te purutanga whenua Māori i runga anō i te whakaaro mō te hoko ki te Karauna. Nā te wāwāhanga o ngā taitara whenua Māori i puta

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i roto i te rau tau rau tekau, kāore i tino tōtika mō te whakawhanake ōhanga. He rite tonu hoki te kī a te Karauna ko te mahi ahuhūwhenua te whakamahinga tino pai rawa mō ngā whenua Māori, ahakoa kāore te nuinga o ngā whenua i te rohe o Whanganui i te tōtika mō te whakamahinga ōhanga. He whenua ngāhorohoro aua whenua i ngā wā o te āwhā, ka tupuria hoki e te ururua, otirā i te tuawhenua o te Awa o Whanganui he tino pērā te takoto. Ahakoa i aro nui te kōkiri mō ngā whenua whakawhiwhi ki te hunga manene Pākehā hei kaiwhakawhanake i te whenua, ka huri hoki te Karauna ki te whakahaere kōkiri i te haurua tuatahi o te rau tau rua tekau i hoahoatia kia whakawhanake te iwi Māori i ētehi atu whenua mō rātou anō.

Te Kōkiri mō ngā Whenua Tuku

- 3.165. Nō te taenga ki te mutunga o te rau tau tekau mā iwa, i piki ake te pānga o ngā mahi whakahē a te iwi Māori ki te rironga atu o te whenua, puta noa i te motu katoa. Nā konei, nā ētahi atu take hoki, ka tīmata te Karauna ki te kōrero ki ngā tāngata Māori o Whanganui i te tau 1897 me 1898 mō te whakahaere me te tautiaki whenua Māori. I muri mai i ētehi hui ki ngā tāngata Māori i roto i ngā tau whakamutunga o te rau tau tekau mā iwa, tae atu ki ngā hui i te rohe o Whanganui, ka whakaurua e te Karauna te Ture mō te Whakahaere Whenua Maori 1900. Nā tēnei Ture i āhei ai ngā tāngata Māori ki te whakawhiwhi i ō rātou whenua ki tētehi kaunihera ā-takiwā, hei whakahaere i te whenua hei painga mō ngā whakatupuranga. Nā te Karauna i whakarite ngā rohe o ngā takiwā, ā, kīhai i tino aro nui ki ngā rohe Māori tuku iho.
- 3.166. I te tau 1901, ka whakatūria e te Karauna te Kaunihera Whenua Māori o Aotea hei whakahaere i ngā whenua Māori i te nuinga o te rohe o Whanganui. I te tau 1906 ka whakakorea te Kaunihera, ā, i raro i te Maori Land Settlement Act 1905 ka whakakapia ki Aotea District Maori Land Board, me te tino hekenga iho o ōna mema Māori. I noho tonu a Taumarunui me ētehi atu whenua o te raki o Whanganui i roto i te rohe o Maniapoto-Tūwharetoa, i noho hei takiwā mō Waikato-Maniapoto i 1910.
- 3.167. I te marama o Ākuhata 1903, ka whakaurua e te Karauna te Rekureihana 78A, i te mutunga o te rīhi 21 tau tuatahi, tuarua rānei, mā te Kaunihera e “whiriwhiri anō te āhua o te whenua mā te wāriu o ngā whakapainga a te kaitango rīhi e puta ana i muri i te tāpaetanga anō kia rīhitia; tēnei rānei mā te Kaunihera e whakawhiwhi anō te whenua ki ōna rangatira Māori ina utua mō te wāriu o ngā whakapainga, me ērā atu utunga katoa e tika ana kia herea ki te whenua i raro i te ture.” I whakaae te Kaunihera ki rekureihana i te marama o Hūrae 1904. Ki te kore e taea e ngā kaupupuru whenua ngā kāpeneheihana te utu i te mutunga o te rīhi, i whakaae te Kaunihera ka rīhitia anō te whenua mō tētehi atu wāhanga 21 tau te roa. Ahakoa tērā, i taua wā anō, i whakapono ngā mema Pākehā o te Kaunihera e kore e taea e ngā kaupupuru whenua ngā kāpeneheihana e tika ana te utu, me te kī i taua wā, ka noho ai aua rīhi hei rīhi mutunga kore, nā tēnei tikanga te take.
- 3.168. I te tau 1909 ka whakaurua e te Karauna te Ture mō ngā Whenua Māori, i āhei ai te iwi Māori ki te tuku i ō rātou whenua ki tētehi poari ā-rohe kia hokona, kia rīhitia rānei. I te tau 1912, i whakaae a Ngāti Hāua i roto i tētehi hui o ngā kaupupuru kua huihui tahi kia tukua ngā eka 2,545 o ngā eka 3,265 e toe ana ki te poraka o Retāruke i te Poari Whenua Māori ā-rohe o Aotea. I pānuitia te whenua e te Poari mō tētehi rīhi mō te 22-tau, me tētehi whakahoutanga kia 23 tau atu anō, hāunga te poraka Retāruke No.3, ka hokona mā te māketē, arā, mā te auction.

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- 3.169. I te ngahuru tau 1920 ka mutu ngā rīhi 21 tuatahi, ā, ka whakaritea e te Poari ētehi rīhi hou mō te rīhi 21 tau tuarua. I takea mai te rēti mō te rīhi 21 tau tuarua i te wāriu o te whenua, me te tango i te wāriu o ngā whakapainga. I wāriutia ngā painga i te taumata i te utu i te wā tonu o te whakahoutanga o te rīhi, engari, he tini ngā whakapainga pēnei i te waere i te whenua i mahia i ngā tau o mua noa atu, i te tīmatanga o te wā o te rīhi. Nā konei i teitei kē atu te wāriu o ngā whakapainga i te utu tūturu, nā konei, ko ngā rēti i whiwhi rā a Ngāti Hāua, e 57.5% o te rēti i whiwhi rā rātou i te wāhanga rīhi tuatahi. Nā tēnei hekenga o ngā moni rīhi i raru ai te āhei o ngā kaupupuru ki te utu kāpeneheihana mō ngā whakapainga e tika ana i te mutunga o te rīhi, e hoki atu ai te rangatiratanga o tō rātou whenua ki a rātou.
- 3.170. I te tau 1924, ka tuhi reta te Kairēhita o te Poari Whenua Maori o Aotea ki te Hēkeretari o Raro o te Tari Māori mō ngā rīhi o tētehi atu o ngā poraka i tukua ki te rohe o Whanganui. I kī ia “ko tētehi āwangawanga, kua kitea i raro i tētehi wāriutanga hou kātahi anō ka whakataungia, ka puta tētehi rēti iti iho i tērā o te wā rīhi i mutu ake nei”. I puakina e te Hēkeretari o Raro ana māharahara ki te Minita mō ngā Take Māori 1926, “ka noho tēnei hei raruraru nui nā te mea, mō te nuinga, e kore te rēti mō te wā katoa o ngā rīhi hou e rahi hei whakakapi i ngā whakapainga o ngā kaitango rīhi.”
- 3.171. I te ngahuru tau 1930, i haere atu ngā kaitango rīhi ki te tāpae i ā rātou take ki te Minita Māori, me kore e whakamanaia he rīhi mutunga kore mō rātou i Whanganui. I whakahē ngā kaupupuru whenua Māori ki ēnei mahi, ā, i te tau 1935, ka tuku tāpaetanga ngā kanohi o ngā kaupupuru whenua o Whanganui ki te Pirīmia, me te whakapuaki i ā rātou take mō ngā rīhi. I tuhi rātou ki te kī, i roto i te rīhi tuarua, “nā te tino hokinga iho o te wāriu whenua kāore i whakapaingia, nā te rahi rawa hoki o ngā whakapainga, me tana tauwhare ki runga noa atu i te wāriu more, (arā, rite tonu ki te āhutanga i tākina i te reta a te Tumuaki ki te Hēkeretari o Raro, o te 13 Nōema 1934) me te mōhio ko tērā anake te puna moni hei whakaea i ngā utunga kāpeneheihana, korekore rawa e taea te whakapūranga moni e tika ana hei utu i ngā utunga kāpeneheihana.”
- 3.172. I te tau 1937, ka tuhi reta te Tumuaki o te Poari Whenua Māori o Aotea, a Tiatī Browne, ki te Hēkeretari o Raro mō te whakaaro kia whakatūria he pūtea whakaea nama mō ngā kaupupuru hei utu i ngā whakapainga. Ka tuhia e ia “mehemea i wehea te katoa o te rēti mō te 42 tau mō te utunga kāpeneheihana, e kore e whakatata atu ki te rahi e hiahia ana hei utu i ngā kerēme ka tāpaetia.” Ka whakaritea e Tiatī Browne ngā tikanga wāriu whenua ki “tētehi tikanga muru whenua”. Ka tuhi hoki ia “kua oti te wāriu kīhai i whakapainga te whakamau ki tētehi whika iti rawa ka taea, waihoki ngā whakapainga, kia whakarahia kia tiketike. Ko te hua o tēnei mā te tino pāpaku rawa o ngā rēti ka matapaetia mō ngā wāriu kīhai i whakapaingia, me ka tāpaetia te pūranga moni hei utu i te kāpeneheihana mō ngā whakapainga, i muri i te wehe atu i ngā raruraru e tika ana kia ea, te tāke whenua, te aha, te aha, e kore pea e ea te kāpeneheihana, kia taka rā anō tata ki te 150 tau.”
- 3.173. I te tau 1943, i riro rawa atu ētehi eka 155 o te poraka o Retāruke. I te tau 1957, ka hokona ētehi eka 567 o ngā whenua kua tukua ki te poari, tae atu ki ētehi atu eka 496 i te tau 1961. I te tau 1966, ka whakaurua ngā eka 1,482 kua tukua ki te poari e toe ana o te poraka o Retāruke, ki te Kāporeihana o Ātīhau-Whanganui.

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Ngā Kōkiri Ahuwhenua, Ahumahi, Āwhina Hōia hoki

- 3.174. Nō te tukunga pūrongo a te Komihana Stout-Ngata ki te Karauna i 1908, ka kitea he mea āhua hou te mahi pāmu i te raki o te rohe o Whanganui. I ngā ngahuru tau 1910 me 1920, ko te ahumahi matua i Taumarunui ko te kani rākau, arā, koirā te ahumahi whakawhiwhi mahi ki te nuinga o ngā kaimahi Māori o te takiwā. Kua whai rīhi tuatua rākau a Ngāti Hāua ki ētehi eka 7,000, neke atu o te poraka o Ōhura South i te taenga ki 1907. Ahakoa tērā, i roto i ngā rīhi whenua a Ngāti Hāua, me i kāhore he rārangi motuhake mō ngā rākau, kāore rātou i āhei kia whiwhi moni mō ngā rākau i ō rātou whenua. Mehemea kāore he ara ngāwari mō te tango atu i ngā rākau mā te ara, mā te rerewē rānei, i tahuri te hunga nohonoho mai ki te tahu i te ngahere. Nō te taenga ki te ngahuru tau 1940, kua tino ngoikore te ahumahi kani rākau.



*Pikitia 18: Te Tuatua Rākau i raro i te Public Works Department i Kakahi, North Waimarino (Tibbutt Brothers (Firm). He Whakaahua nā ngā Tibbutt Brothers i hopu. Ministry Of Works :Photographs of construction works, buildings etc. Ref: PAColl-6498-2. Ko te whakaaetanga nā te whakaaro atawhai o te Whare Pukapuka o Arekahānara Turnbull, Te Whanga-nui-a-Tara, Aotearoa. /records/22484567)
<https://natlib.govt.nz/records/22484567>*

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Pikitia 19: Pukuwheka, i te Rerewē Matua o Te Ika-a-Māui (Price, William Archer, 1866-1948 :Collection of post card negatives.

Tohutoro: 1/2-000423-G. Ko te whakaaetanga nā te whakaaro atawhai o Arekahānara Turnbull, Te Whanga-nui-a-Tara, Aotearoa. /records/23115070) <https://natlib.govt.nz/records/23115070>

- 3.175. Nā te Pakanga Tuatahi o te Ao me te Tūpuhitanga nui o te Ao o te ngahuru tau 1930 ka pā ētehi taimahatanga ki a Ngāti Hāua. I piki anō te mahi pāmu i te rohe i muri mai i te Pakanga Tuarua o Te Ao, nā te taenga mai o ngā hangarau pai ake. Nā tēnei āhua ka whānui kē atu te whakamahi o ngā whenua hohoro te tupu o te ururua, ahakoa i noho tonu te hē o te takoto o ngā whenua Māori e toe ana hei maioro mō te whakawhanake.
- 3.176. I noho anō hoki ko ngā maioro ki ngā pūtea moni hei maioro hira ki ngā mahi pāmu o Ngāti Hāua. Kāore ngā hokonga whenua ki te Karauna i te rau tau tekau mā iwa i whakawātea tētehi hua ki Ngāti Hāua hei haumi ki te whakawhanake. Ka whakaurua e Te Karauna te Advances to Settlers Act 1894, engari he rerekē ngā kaupapa here o taua kōkiri mō te arotake tono mai i ngā kaiahuwhenua Māori i ērā mai i ngā kaiahuwhenua Pākehā. Te tikanga me rīhi ngā whenua Māori ki ngā Pākehā mō tētehi pūtea, kia mōhio pū ai ka rahi ngā moni whiwhi mai i te rīhi hei utu i ngā utunga mōkete. I whakaarotia tēnei kaupapa here he kaupapa tautiaki i te Māori, kia kore ai ngā whenua Māori e hokona nā te hoko mōkete, ahakoa tērā, ko te hua mō Ngāti Hāua e kore rātou e āhei ki te tomo atu ki ngā pūtea i raro i tēnei kaupapa mō ngā whenua i hiahia rātou ki te whakawhanake mō rātou ake.
- 3.177. I muri i te Pakanga Tuarua o Te Ao, ka whakaurua e te Karauna tētehi kōkiri āwhina hōia, hei tō i ngā hōia ki roto i ngā mahi ahuhenua. Mō te nuinga, i tohaina ngā pāmu mā tētehi pūnaha rotarota, kotahi te pūnaha rotarota mō ngā whenua torowhānui, kotahi anō mō ngā whenua Māori. I āta whakatauria te pai o ia tono mō tētehi whenua, ā, he rerekē te pūnaha whiriwhiri i te pai mō ngā tāngata Māori. Ko ngā tāngata Māori āhua tautōhito ki ngā mahi ahuhenua, engari tauhou ki te whakahaere moni, i whakawhāititia ki tētehi rārangi, me te here kia whakaruruhautia e te Tari Māori tae noa ki te wā ka mōhiotia kua tino taunga ki te mahi. Ko ngā kaitono i whakawhāititia i āhei ki ngā whenua Māori anake,

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engari ngā kaitono kīhai i whakawhāititia i āhei ki ngā rotarota whenua Māori me ngā rotarota whenua torowhānui.

- 3.178. Nō te rawakoretanga o Ngāti Hāua i roto i te rau tau rua tekau, kāore i āhei kia whiwhi painga nui i ngā kōkiri āwhina a te Karauna, i aro nui ki te whakawhanake whenua. I te mutunga, ko ngā ngananga a Ngāti Hāua ki te whakawhanake i ngā whenua iti i toe ki a rātou kāore i whai hua mō ngā take huhua, ko te take matua ko te noho wehewehe, marara hoki o ngā taitara whenua Māori, te koretake hoki o ngā whenua i waiho e te Karauna ki ngā ringa o Ngāti Hāua.

UPOKO TEKAU MĀ RUA: TE AWA O WHANGANUI

- 3.179. I noho tonu te awa o Whanganui River hei mea hira, ina hoki, he ara terenga waka, poti, ā, kawē tangata, kawē taonga. I ngā ngahuru tau whakamutunga o te rau tau tekau mā iwa, i te kōkau noa iho te whatunga rori, rerewē hoki a te Karauna i te manawa o te Ika-a-Māui. Taea noatia te ngahuru tau 1890 ka noho ko te waka te momo kawē tangata i te Awa, ā, ko ngā tāngata Māori o Whanganui ki te whakatere i te tino nuinga o ngā waka mō te hunga manene. I tērā wā anō, i whai te Karauna kia ngāwari kē atu te whakaterenga o te Awa mō ngā poti tima, otirā i ōna wāhi o runga rawa, e tae ai te Awa ki Te Rerewē Matua o Te Ika-a-Māui, i Taumarunui.
- 3.180. Ka tīmata te Karauna ki te kerikeri i ngā kōhatu o ngā wai tāheke hei whakahōhonu i te Awa i te ngahuru tau 1880 ahakoa ngā whakahē a te iwi Māori me ngā whakahē mō tōna pānga kino ki ngā terenga ika, tuna hoki, o te Awa. I te tau 1889 ka tono a Tōpia Tūroa kia tiakina ngā pā auroa taea noatia a Taumarunui e te Karauna. Ahakoa tērā, i te tau 1891 ka tuku pūrongo te Kaipūkaha ā-Rohe kua turakina rawatia te nuinga o ngā pā auroa, engari i kī ia kua whakatūria anō ētehi pā auroa i ētehi tāheke wai. Ahakoa tēnei, i haere tonu te take nei, e ai ki ngā rēkoata, arā, i whakahē a Hakiha Tāwhiao ki tētehi atu āhuatanga i muri mai i pā i te tau 1902 “i te mahi a ngā poti tima i te awa, nā rātou i waere atu te tini o ngā pā haonga kai a ō mātou tūpuna”. Ahakoa i tono a Ngāti Hāua ki te Karauna kia tautiaki i taua wā, e ai ki a Hakiha Tāwhiao “kore rawa rātou i aro mai ki tā mātou tono”.
- 3.181. I te tau 1893, ka whakaurua e te Karauna he ture hei whakatū i te Tarahiti o Awa o Wanganui, i whakamanaia kia mahi i ngā mea katoa hei whakapiki i te āhei o te tangata ki te haere mā te Awa. I haere tonu te ātete me te whakahē a Ngāti Hāua ki ngā mahi takakino i ngā pā auroa me ētehi atu pā hao ika mō te kōhi kai. Tae rawa ake ki 1903, kua wātea katoa te Awa i te Tarahiti hei terenga tima, taea noatia a Taumarunui. I taua tau anō, ka whakaurua e te Karauna te Ture Menemana mō ngā Keringa Waro, i tukua ai ngā takere o ngā Awa katoa ka taea te whakatere ki te Karauna hei kaupupuru.

Ngā Tāpui Horanga Whenua o Whanganui

- 3.182. I whakamanaia hoki te Tarahiti o te Awa o Wanganui ki te tautiaki i ngā horanga whenua ātaahua o Te Awa o Whanganui i runga i ngā whenua o te Karauna. I te tau 1892 ka hangaia e te Tarahiti te Tomeina Tūmatanui o te Tarahiti o Te Awa o Whanganui, 33,000-eka te rahi, mai i ngā whenua kua hokona i mua i a Ngāti Hāua me ētehi atu tāngata Māori i ngā poraka o Waimarino, o Kirikau, o Retāruke, o Ōpatu, o Raoraomouku, me Mangapukatea. I roto i te Tomeina ētehi wāhi ingoa nui ki a Ngāti Hāua, tae atu ki

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Mangapāpapa, he wāhi tapu i houhia ai te rongō i waenga i a Te Kere Ngātaiērua rāua ko Tōpine Te Mamaku. I uru hoki ki te Tomeina ko Winter's Island, i waenga pū o te Awa o Whanganui, tata ki Ngāhuinga. Kāore a Ngāti Hāua i mōhio kua kore rātou e noho hei rangatira mō te moutere, nō te pānuitanga e te Tarahiti hei rīhi pāmu i 1912, kātahi anō ka rongō.

- 3.183. I te mānukanuka hoki te Karauna mō te pānga o te tuatua ngahere ki te ahumahi tāpoi hou, e kūmea mai ana anō hoki aua tāpoi e te ātaahua o te ngahere i te taha o te Awa. I te haurua tuarua o te rau tau tekau mā iwa, kua hurihia e te hunga manene o Whanganui te tini o te whenua mō ngā mahi ahuhūwhenua, whāngai kararehe hoki. Nā te waerenga o te ngahere me te noho māraakerake, kua ngāhorohoro ngā oneone, i hē ai te pai o te Awa hei terenga poti tima. Ahakoa i waerea te tini o ngā whenua i nohoia e te hunga manene hei mahi pāmu, i noho anō tētehi wāhi nui o ngā whenua i purutia e ngā tāngata Māori puta noa i te Awa i raro i tana korowai ngahere, nā konei ka titiro whakatau te Karauna me te Tarahiti ki aua whenua, me te whakaaro me tautiaki mārire hei rawa tirohanga tūmatanui rerehua.
- 3.184. I te tau 1903, ka whakaurua e te Karauna te Ture Tautiaki Tirohanga Rerehua, i āhei ai te Karauna ki te hoko whakahau i ētehi whenua hei tautiaki whenua rerehua, tae atu ki ētehi whenua Māori, me te whakatū i tētehi Kōmihana Tautiaki Whenua Rerehua. Nā te Kōmihana i tūtohu ngā whenua hei tāpui mā te Karauna. I te tau 1905, ka haere te Kōmihana mā te Awa o Whanganui ki Taumarunui. I whakamanuhiritia rātou e tētehi kaiwhakahaere tāpoi Pākehā, ā, kīhai i hui tahi me Ngāti Hāua. I te tau 1906, ka tūtohu te Kōmihana kia tāpuitia e te Karauna ētehi eka 29,628 i te taha o te Awa o Whanganui, tae atu ki ētehi eka 19,140 o ngā whenua Māori. I taua tau anō ka whakakapia te Kōmihana e te Poari Tohu Whenua Rerehua, kāti, i te tau 1907 ka tahuri taua Poari ki te whakaū me te tāpiri whenua hou ki ngā tūtohu a te Kōmihana. Ka tohutohu te Poari kia tāpui te Karauna i ētehi eka 46,530 i te taha o te Awa o Whanganui, me ētehi eka neke atu i te 15,356, o ngā whenua Māori.
- 3.185. I te tau 1908, i wehea e te Karauna te £8,000 hei hoko i ētehi eka 19,000 i te taha o te Awa o mō ngā mahi tautiaki whenua rerehua. Ka tīmataria e te Karauna te mahi hoko whakahau o ngā whenua whakatetai o te awa, ā, i runga i te matakū kei ngaro ō rātou whenua rerehua, ka tīmata ngā tāngata Māori o te tuawhenua o te awa i te taha o ngā kaitango rīhi Pākehā ki te tuatua i ō rātou ngahere. I reira ka mahi tahi ngā kaiwhakahaere tāpoi o te rohe me te Wanganui Scenery Preservation and Beautifying Society ki te akiaki i te Karauna i mua i te motu katoa kia whakahohorongia tana hoko i te whenua.
- 3.186. I te tau 1910, i tuku mahi te Karauna ki ētehi kairūri me te kī ki a rātou kia kaua e whakatete ki ngā tāngata Māori, engari kia whakaarotaungia te rūri o ngā whenua i hiahia rā te Māori ki te rīhi, ki te hoko rānei ki ngā manene. Mō ētehi tāngata Māori, kātahi anō rātou ka mōhio mō te āhua o te whāinga o te Karauna ki te hoko i ō rātou whenua, nā te kitenga o ngā kairūri e whakahorohoro ana i ō rātou rārangi rūri.
- 3.187. Hei urupare ki ngā ākinga tūmatanui, ka whakaurua e te Karauna te Scenery Preservation Amendment Act 1910 hei whakatū anō i ngā mana hoko tōtahi o Te Karauna, ā, hei whakamana whakamuri hoki i ngā tangohanga katoa mai o 1894, i muri i te rerenga o ngā pātai uaua mō te hōkai o ngā mana o te Karauna i raro i ngā menemana ki te Ture o 1903. Nā te Ture nei i whakarite tikanga kia whakamahi haere tonu ngā tāngata Māori i ngā

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urupā i roto i ngā tāpui whenua rerehua. Nō te whakaurunga i tēnei Ture ka tino whānui haere ngā hoko whakahau a te Karauna. I te tau 1911 me 1912, i hokona e te Karauna te nuinga o ngā whenua tāpui whenua rerehua i waenga i Whanganui me Pīpīriki.

- 3.188. I tino whakahē a Ngāti Hāua ki ngā hoko a te Karauna i ō rātou whenua mō te tautiaki whenua rerehua, nā te tuatau rākau, nā ā rātou pitihana anō hoki. I te tau 1912, nā ētehi tāngata Māori 424 o Whanganui i haina tā rātou petihana whakahē i te tangohanga a te Karauna i ngā māra kai, i ngā urupā, me ō rātou pā hei whenua rerehua. Tae rawa ake ki 1914, kua whakakāhoretia ngā hoko whakahau a te Karauna e ngā tāngata Māori katoa o Whanganui.
- 3.189. I te tau 1916 ka kopoua e te Karauna tētehi Kōmihana Roera hei wherawhera i ngā mahi tautiaki whenua rerehua i Whanganui, hei urupare ki ēnei whakahē. I te marama o Tihema, ka haere te uiui a te Kōmihana i Taumarunui, me ētehi wāhi puta noa i te Awa, ā, i haere tahi me ngā kaipupuru Māori ki te āta titiro ki ngā tāpui i marohitia. I kōrero ngā tāngata o Ngāti Hāua ki te Kōmihana mō tō rātou hiahia kia tāpuitia ētehi whenua rerehua, engari i hiahia hoki kia whakahokia ō rātou whenua ka taea te whakamahi ki a rātou, kia toroa hoki ō rātou whakaaro i mua i te rūritanga, kia utua hoki mō te wāriu rerehua o ō rātou whenua kua oti kē te tango. Ka puakina e Hakiāha Tāwhiao tana āwangawanga kua whakaurua tētehi maunga tapu, a Pukemanu, ki roto i tētehi tāpui rerehua i te poraka o Kōiro.
- 3.190. Kīhai ngā taunakitanga a Ngāti Hāua i mua i te Kōmihana i aro ki ngā tāpui rerehua anake. I te tūnga ki te kōrero ki mua i te Kōmihana ka whakaputaina e ngā kaitaunaki te huhua o ngā nawe e pā ana ki te Awa o Whanganui ki mua i te Karauna. I pēnei te whakarāpopoto a Hakiāha Tāwhiao i ngā whakaaro o te iwi:

Ehara taku tū ki mua i a koutou i te tū ki te whakawhiti kōrero, ki te whakahē rānei ki ngā tiaki ritenga whenua ātaahua, engari he tono kia whiwhi kāpeneheihana mātou mō ngā tini painga kua riro i te tangata kē i ō mātou wai o tō mātou awa, e noho nei hei take pitihana mō mātou ki te Pāremata, i runga anō i ngā ritenga o te Tiriti o Waitangi. E hiahia ana au ki te rongo i tētehi kupu marama mā te Kāwanatanga mō ana hiahia mō te āhua o ngā wai o tō mātou awa, me taku kī, nō mātou anake ēnā wai. Nō te iwi Māori te awa nei.

- 3.191. I tautokona hoki ia e Wharawhara Tōpine:

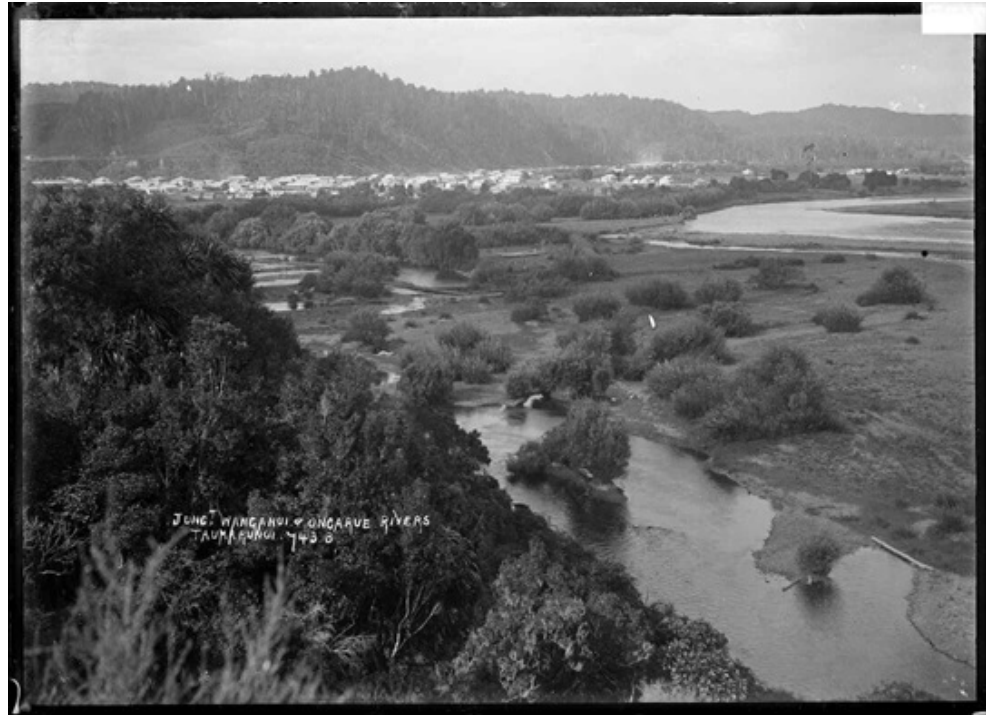
...ki a mātou, ngā kaipupuru Māori, kua noho te pātai mō ō mātou tika ki te awa hei mea taketake, kei runga noa atu i te take o ngā whenua rerehua, me tō mātou mōhio, ki te kore tēnei take e hāpainga e mātou i tēnei wā tonu, kore rawa mātou e whiwhi kāpeneheihana, whakamananga rānei o ō mātou tika ki te awa... e kore mātou e whakapōraruru i ngā mahi, ina kōrero mai te Kāwanatanga, ki te tika rā te wairua o tā tātou hui tahi... Nā runga i te mea ko te awa te pūtake o ngā mea katoa, me mātua uiui mātou

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*e koutou mō ō mātou hiahia mō te awa. Ko tēnei pātai mō ngā tika
ki te awa ka toro mai i te kāuru o te awa taea noatia tōna pūau, ā,
kei te ngākau-nui ngā hapū katoa e noho nei hei kaupupuru mō ngā
whenua i te taha ki tōna whakataunga.*

- 3.192. Ahakoa ēnei taunakitanga, i kitea e te Kōmihana i roto i tana pūrongo ko ngā whenua rerehua o te Awa o Whanganui tētehi “taonga puiaki” ehara i te mea ki ngā tāngata o Aotearoa anake, engari ki te “katoa o te ao kua whakamārietia ōna tikanga”. I kī te Kōmihana me pupuru te Karauna tata ki te katoa o ana tāpui whenua rerehua o taua wā, me ngā tāpui e marohitia ana, hāunga ētehi eka 850 i ētehi rohe hei tukunga mō te kaupapa whakararau take ki a ngai Māori. I whakaaro te Karauna he take tautohe te pūrongo a te Kōmihana, me tana whakaaro hoki, me ka tukua ngā whakawhiwhinga, ka kaha haere tonu ngā whakahē a ngā kaupupuru ki ngā mahi tautiaki whenua rerehua. Kīhai te Karauna i whakatinana i ngā whakawhiwhinga i tūtohutia e te Kōmihana mō ngā whenua Māori.
- 3.193. I waenga i ngā tau 1907 me 1917, nā te Karauna i tango ētehi eka 6,678 puta noa te roanga o te Awa o Whanganui mai i ngā tāngata Māori mō ngā tāpui whenua rerehua. I ngā tau tuatahi o te rau tau rua tekau, ka tukua hoki e te Karauna ētehi eka 14,000 kua hokona kētia e ia mai i ngā tāngata Māori i te rau tau tekau mā iwa, hei tāpui whenua rerehua.
- 3.194. I haere tonu hoki ngā whakahē a Ngāti Hāua ki ngā tangohanga mō ngā tāpui rerehua i muri i te Kōmihana Rōera. I te tau 1927, nā Te Huia Te Pikikōtuku, he māngai mō ētehi atu tāngata 125, i tuku tana petihana ki te Karauna me te kī e hiahia ana rātou ki ētehi atu kāpeneheihana mō ō rātou whenua “kua murua, me kī, mō ngā kaupapa whenua rerehua”. I puta te kupu a ngā kaipetihana, āe, ehara i te mea nō te Pākehā ngā whenua, engari ko ngā painga o te tangohanga o aua whenua kua riro i te hunga whakahaere mahi tāpoi, i te tupu haere hoki i te Awa. I whāia e ngā kaipitihana tētehi moni, e toru rau mano pauna, hei kāpeneheihana. Ehara i te mea ko tēnei moni he utu mō te ngaromanga o ngā tāpui whenua rerehua, engari mō te turakinga o ngā pā auroa, pā piharau, me ērā atu pā tuku iho nā ngā tūpuna, mātua hoki, hei “taonga nui whakahirahira”. I tua atu i te kāpeneheihana mō ngā mahi o mua, i kimi ngā kaipitihana i ētehi utunga mō ngā tau kei mua, pēnei i ngā moni tiringa ki ngā kaupupuru mō te keri kirikiri, tētehi wehenga o ngā hua moni mai i te mahi tāpoi, tētehi wāhanga hoki o ngā moni raihana hī taraute i ngā awa o Whanganui, o Manganui-o-te-ao, o Tāngarākau, o Retāruke, o Ongarue, o Taringamotu, o Pungapunga, o Whakapapa me Ōhura, me te Mangatīti, hei utu mō te haepapatanga a te taraute nāna i kai ngā momo māori pēnei i te toitoi (bully), i te pāriiri (a small native freshwater fish), i te papanoko (torrentfish), i te īnanga (whitebait), i te paneroro (grayling) me te tuna-riki (eel fry).

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Pikitia 20: Te hononga o ngā Awa o Whanganui me Ongarue i Taumarunui (Price, William Archer, 1866-1948 :Collection of post card negatives. Tohutoro: 1/2-000791-G. Ko te whakaaetanga nā te whakaaro atawhai o te Whare Pukapuka o Arekahānara Turnbull, Te Whanga-nui-a-Tara, Aotearoa.

/records/22853819) <https://natlib.govt.nz/records/22853819>

- 3.195. I whakamanaia e te Karauna te wherawhera a te Tiatī Matua o te Kōti Whakawā Whenua Māori i te kerēme, me te whakahoki pūrongo ki te Pāremata, engari kāore te Tiatī Mātua i pērā i roto i te tekau tau o muri mai. I te tau 1937, ka whakatata atu a Wharawhara Tōpine me Hekenui Whakarake ki a Titi Tihu ki te muna atu i ngā tohutohu ā-ture kua tae mai ki a rāua, kia tīmataria he tono ki te Kōti Whakawā Whenua Māori mō tētehi tūhuratanga taitara ki te takere o te awa o Whanganui. I te tau 1938, ka tono a Titi Tihu ki te Kōti mō tēnei tūhuratanga taitara, ā, koia tēnā te tīmatanga o te pakanga roa rawa i Aotearoa, mō tēnei take, te mana pupuru i te Awa. Ka noho ko tēnei te kaupapa i aro nuitia e Ngāti Hāua, nā reira, ka iti haere ngā whakahē ki ngā whenua rerehua.
- 3.196. I waenga i ngā tau 1938 me 1962, e whitu ngā kōti me tētehi kōmihana roera i noho ki te whiriwhiri i te tono a Titi Tihu mō te mana pupuru tuku iho o te Awa o Whanganui. I runga anō i ngā whakaritenga i kī, me whiriwhiri te mana pupuru i raro anō i ngā ritenga o te English common law, i herea a Ngāti Hāua me ērā atu tāngata Māori o Whanganui ki te kerēme i te takere anake o te awa, kua ko te Awa hei mea kotahi, kāore e taea te wehewehe.
- 3.197. I te tau 1949, ka whakataungia e te Kōti Matua kei te Karauna te mana o te takere o te Awa, i raro i te Coal-mines Act Amendment Act 1903. I tūtaki ngā kanohi Māori ki ētehi Minita mātāmua o te Kāwanatanga i ngā marama o muri mai i 1949 anō, i kī rātou, kua pea te Māori e herea kia kimi rongoā mā te Kōti Pīra, ka whakatūria kētia he kōmihana roera. I kī te Kōmihana Roera o 1950, mehema kāhore te Ture o 1903, he tika ko ngā tāngata Māori o Whanganui ngā kaipupuru tuku iho o te takere o te awa. I te tau 1962, ka whakatauria e te Kōti Pīra i whakamutua te mana pupuru whenua tuku iho ki te takere o te awa i te tukunga a Te Kōti Whakawā Whenua Māori i ētehi taitara pupuru here-kore mō

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te whenua i te taha o te Awa o Whanganui. Kāhore a Ngāti Hāua i whai i ētehi atu mahi ā-ture i muri i tēnei, nā te taumaha o ngā utu mō ēnā momo mahi, me tō rātou mārama mō te eke, mō te kore rānei o eke o ā rātou take ki te haria ki te ture. Engari i noho tārewa tonu te take mā Ngāti Hāua. I tahuri tātou ki te whai i ētehi kōrero hāngai ki te Karauna i te tau 1974, engari auare ake, ā, i te tau 1977 ka uru ki tētehi pitihana ki te Kuini o Ingarangi ki te muru i te mana pupuru a te Karauna ki te takere.

Te Keri Kirikiri

- 3.198. I te tau 1903, ka whakawhiwhia e te Pāremata ngā takere o ngā awa katoa ka taea te whakaterere poti i runga ki te Karauna, me ngā kirikiri, me ngā kohuke katoa i roto i aua takere. Nō te pikinga ake o ngā mahi hanga rori, hanga rerewē hoki i roto i te rohe o Ngāti Hāua i ngā tau tuatahi o te rau tau rua tekau, ka piki ake te rahi o te kirikiri me ngā kōhatu i keria i roto i te Awa o Whanganui, inarā i te takiwā o Taumarunui i tino nui te keringa. I te tau 1920, ka whakamanaia te Tarahiti o Te Awa o Wanganui kia tango me te hoko kirikiri mai i te awa, kāore he whakaritenga mō tētehi kāpeneheihana mā ngā tāngata Māori o Whanganui. I te tau 1940, ka riro nā te Ministry of Works i hāpai ēnei momo mahi, ā, i te tau 1977 ka whakawhiti atu te haepapa mō te whakahaere tangohanga kirikiri ki te Rangitikei-Wanganui Catchment Board.
- 3.199. E ai ki te pūrongo a te Kōmihana Roera o 1950 mō te mana pupuru i te Awa o Whanganui, i kī te Kōmihana te tikanga kia whiwhi kāpeneheihana ngā tāngata Māori o Whanganui. I takea mai tēnei whakatau i tana kitenga, me i kāhore te Ture o 1903, he tika kua kore te mana pupuru tuku iho o te takere o te awa e whakapokongia. I tūtohu te Kōmihana ki te Karauna kia whakaurua he ture kia āhe i te Kōti Whenua Māori ki te wherawhera ko wai mai te hunga whai mana ki te takere i 1903 me te utu kāpeneheihana ki a rātou me ō rātou uri.
- 3.200. I te tau 1951, ka hui tahi a Titi Tihu rātou ko ētahi atu rangatira o Whanganui ki te Minita mō ngā Take Māori me te tāpae tonu kia utua tētehi £19,000 kāpeneheihana, me tētehi utunga ā-tau, kia £6,500, mō ake tonu atu. I roto i āna kōrero whakaroto, ka puta te kī a te karauna “he tirou noa iho tēnei i ngā whetū o te rangi, me kī, he horihori”. I tahuri kē te Karauna ki te tuku i te take ki te Kōti Pīra, engari kāore i hoki ki ngā tāngata Māori o Whanganui me ō rātou rōia. I te atu 1962, ka kitea e te Kōti kua whakakorea ngā mana pupuru tuku iho ki te takere o te awa i te tukunga o ngā taitara e te Kōti Whakawā Whenua Māori ki ngā whenua i te taha. I tana whakaaetanga ki tēnei kitenga, ka whakatau te Kārauna kia kaua e tukua he Kāpeneheihana ki ngā tāngata Māori o Whanganui mō ngā kirikiri i huakea mai i te Awa o Whanganui.
- 3.201. Mai i te ngahuru tau 1980, he nui ngā mahi a te Rangitikei-Wanganui Catchment Board ki te ārai i ngā pānga taiao o ngā tangohanga kirikiri, nā tana whakarite paerewa kounga wai, engari kāore a Ngāti Hāua i uru ki ēnei kōrero. Kāore i te mōhiotia te katoa o ngā kirikiri i keria mai i te Awa o Whanganui, heoi anō, e mōhiotia ana i roto i te tekau tau noa iho i waenga i 1964 me 1973, tata ki te kotahi miriona mita pūtoru i tangohia.
- 3.202. E tino āwangawanga tonu ana a Ngāti Hāua mō ngā pānga e haere tonu nei o te tangohanga kirikiri i te Awa o Whanganui. Kua kitea e te iwi nā ngā tangohanga kirikiri i ētehi wāhi kua rerekē te tere o te awa, nā konā kua tere te awa ki te waipuke, kua horohoro hoki ngā taha. E āwangawanga ana a Ngāti Hāua mō te pānga o te keringa kirikiri i ngā

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Awa o Taringamotu, o Ongarue, me Ngakonui, waihoki te horonga whenua me ngā takakinotanga i ngā wāhi tapu pēnei i ngā puna (freshwater springs).

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- 3.203. I te tau 1980, ka tīmata te Karauna i ngā whakaritenga whakatū i te Tāpui ā-Motu o Whanganui i runga anō i neke atu i te 20,000 eka whenua rerehua i te roanga o te Awa o Whanganui. Muri tata tonu iho, ka whakaurua e te Karauna neke atu i te 160,000 eka i ngā poraka o Waimarino, o Taumatamāhoe, me Whakaihuwaka kua hokona e ia mai i te iwi Māori i te rau tau tekau mā iwa. I tana kaupapa tuatahi, ka whakaurua e te Karauna te takere o te awa hei wāhanga o te Tāpui ā-Motu o Whanganui. I te tau 1983, ka tīmata te Karauna i ana kōrerorero ki a ngāi Māori, ā, ka hui tahi me Ngāti Hāua i Taumarunui i Pēpuere o taua tau.
- 3.204. I uru mai ngā kōrerorero i waenga i a Ngāti Hāua me te Karauna mō te mana pupuru i te takere awa, te kāpeneheihana mō te turakinga o ngā pā auroa me te keringa kirikiri ki roto i ngā hiahia o te Karauna mō te Tāpui ā-Motu o Whanganui. I te tau 1983, ka haere a Titi Tihu, rātou ko Hikaia Amohia ko Archie Taiaroa ki te hui tahi me te Karauna i Te Whanganui-a-Tara ki te whakaputa i ō rātou whakaaro mō ngā pānga pea o te tāpui ki ō rātou kerēme mō te takere, mō te tika o ngā hoko a te Karauna i ngā whenua i te rau tau tekau mā iwa i roto i te rohe o te tāpui, ā, me pēhea hoki ngā tāngata Māori e whai wāhi ai ki ngā mahi whakahaere i te tāpui. I puta te kī a Taiaroa he whāinga wāhi hira tēnei kia āta whakaarotia, kia whakamanawatia hoki ngā whakaaro me ngā mahi a te Māori. I tētehi atu hui i te marama o Nōema, i reira a Amohia, a Taiaroa mā, ka kī tētehi āpiha o te Karauna “e kore e ngaro te awe o tēnei mea te 'maoriness' [tāna i kī ai] i roto i ngā whakahaere i te tāpui”.
- 3.205. I te marama o Pēpuere 1984, i tētehi atu hui nui i taea e ngā pakeke whai mana o te Awa, i whakaae a Ngāti Hāua mā ki te kaupapa whānui o te whakatū Tāpui me ka uru rātou ki ngā whakahaere o te Awa, me te tāpui, ki te kore hoki tō rātou kerēme ki te Awa me ngā whenua i te Tāpui e whakapōrarutia. I te marama i muri mai, ka pānuitia e te Karauna tana pūrongo mō te marohi, ā, kua hātepetia te Awa o Whanganui ki waho i te tāpui. I te marama o Nōema 1985, ka whakaae Te Rūnanga Matua o te Kāwanatanga ki te kaupapa whānui o te whakatū i te tāpui, engari kia tino heke iho ngā kanohi Māori i roto i te whakahaere i te tāpui.
- 3.206. I hui anō a Ngāti Hāua me ētehi atu tāngata Māori o Whanganui ki te Karauna i te Tīhema 1985 i Ngāpūwaiwaha marae i Taumarunui. I tū pakari ngā rangatira o Ngāti Hāua i te hui, ina rongo rātou i te kupu ka whakatinanatia te whakaaro, ahakoa ka whakaae rātou, ahakoa kore. I kī rātou kaua te tāpui e whakatūria kia tatū katoa rā anō ngā kerēme ki te Awa, kia whakaotingia katoatia hoki ngā kerēme ki ngā whenua, ā, kia noho te mana whakahaere katoa o te tāpui ki te Māori. I te tauwehe ngā whakaaro o Ngāti Hāua me ō te Karauna i muri i te hui. I te tau 1986, i ngana tonu a Ngāti Hāua kia kaha ake tō rātou whāinga wāhi ki ngā whakahaere o te tāpui, ahakoa rā, he uaua te pana whakamua i tā rātou take. I te 7 Nōema, ka tohutohungia ana rōia e Amohia kia tono rātou ki te karauna kia kaua e whakatūria te tāpui, kia oti rā anō tā rātou kerēme ki te takere.
- 3.207. I te 24 o Nōema, ka puakina e te Karauna ka whakatūria e ia te Tāpui ā-Motu o Whanganui hei te 6 Tīhema. I te aonga ake, ka tuhi reta ngā tāngata Māori o Whanganui me te kī,

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kāore i whakahē i te hanganga o te tāpui, ahakoa i tērā wā, kāore he hua o tō rātou whakaae. I huakina te tāpui i te 7 Pēpuere 1987, ā, ka uru ki roto ko ngā eka 183,428 i ngā taha, 170 kiromita te roa, o te Awa o Whanganui.

- 3.208. I te marama o Māehe 1987, ka whakatūria e te Karauna te Papa Atawhai, i riro nāna i whakahaere te Tāpui ā-Motu o Whanganui. I te tau 1988, ka whakatūria te Poari Kaitiaki Māori o te Awa o Whanganui. I raro i te Mahere Whakahaere o te Tāpui ā-Motu o Whanganui 1989, ka herea Te Papa Atawhai kia "kōrero tahi me te āta whiriwhiri mārire i ngā whakaaro o te Poari Kaitiaki Māori o te Awa o Whanganui mō ngā take whakahaere i te tāpui e noho nei hei mea hira ki te iwi Maori [sic]". Āhakoā ēnei āhuatanga, kāore i whakatauria he rārangi hui auau, kāore hoki i tautuhitia me pēhea te whakahaere toronga whakaaro ōkawa. Mai i te tau 1990, kua riro te whakahaere o te Tāpui ā-Motu o Whanganui i te Taranaki/Whanganui Conservation Board, kotahi anake tana mema Māori.

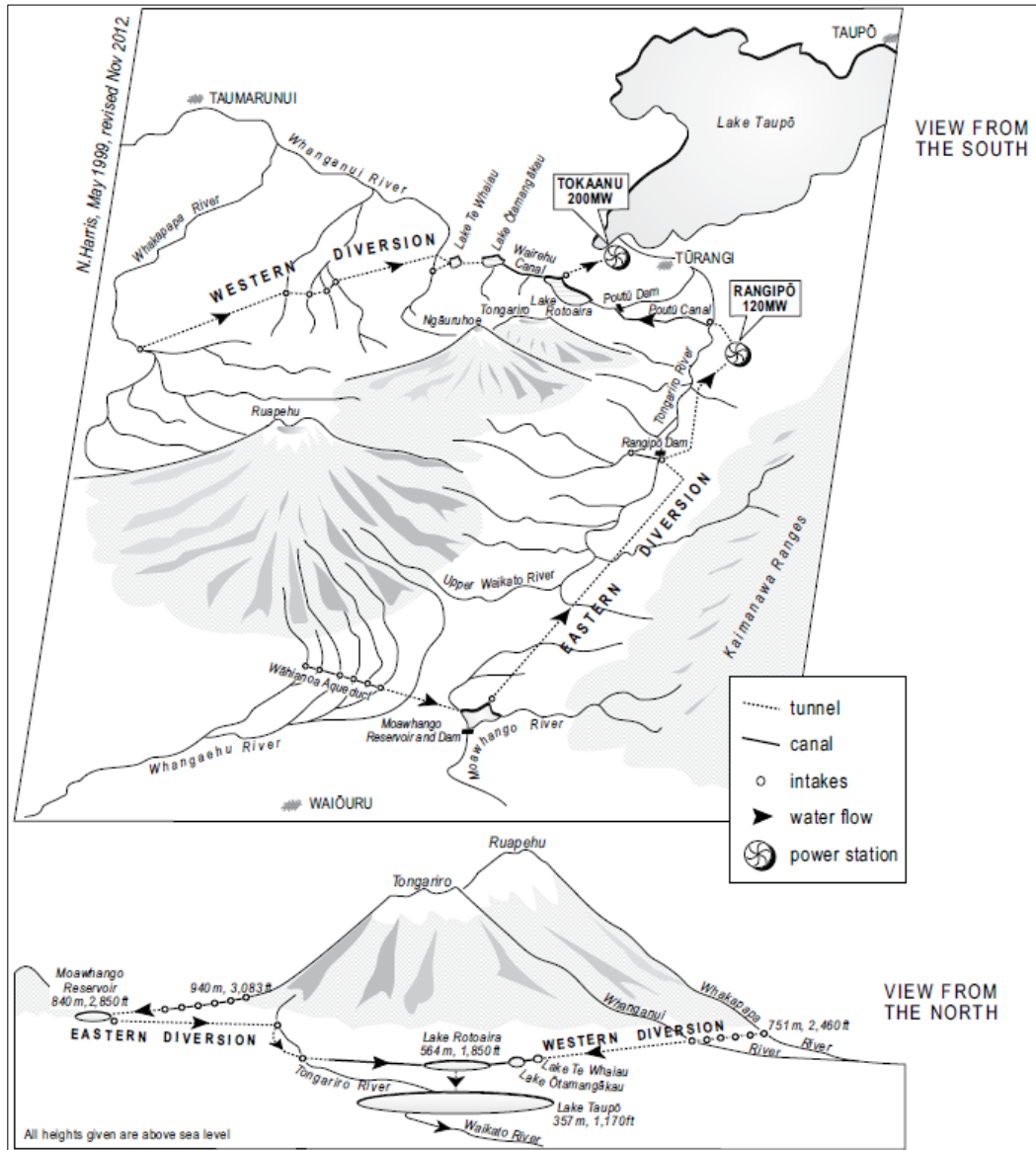
UPOKO TEKAU MĀ WHĀ: TE KAUPAPA WHAKAWHANAKE PUNAHIKO WAI O TONGARIRO

- 3.209. I riro i te Karauna te mana tōtahi hei whakamahi wai mō ngā mahi hiko i raro i te Water-power Act 1903 me te Ture mō ngā Mahi Tūmatanui 1928. Mai i te ngahuru tau 1940, kāore i mutu ngā kerēme a Ngāti Hāua mō te mana pupuru o te Awa o Whanganui mā roto i ngā Kōti, engari ka tīmata te Karauna ki te rapu tikanga e taea ai ngā rerenga wai o te takiwā o Tongariro te whakamahi hei punahiko wai, hei whakatutuki i ngā hiahia pūngao tupu tonu o te motu katoa.
- 3.210. I te tau 1955, ka tāpaetia e te Karauna tētehi kōkiri kē anō ki tētehi atu iwi o te puku o Te Ika-a-Māui. Ahakoa tana mōhio ki ngā kerēme ā-ture a Ngāti Hāua ki te Awa o Whanganui, kīhai te Karauna i hoki mai ki te kōrerorero mō te kaupapa i whakaarotia nei ki a Ngāti Hāua, ki tētehi iwi kē anō o ngā iwi o Whanganui rānei. I tua atu i tērā, kāore i noho tahi ki te kōrero ki a Ngāti Hāua i mua i tāna whakaputa Tūtohutanga Kaunihera Matua i te tau 1958, nāna i whakamana te karauna ki te whakamahi i ngā rerenga wai, tae atu ki te Awa o Whanganui, mō te kōkiri i te hiahia.
- 3.211. I te tau 1963, ka puakina e te Karauna ana mahere mō te hanganga o te kōkiri hou. Ka tīmata i konei ngā whakahē tūmatanui mai i ngā kaiahuwhenua, i ngā kaunihera, i te Karapu Rotary o te Takiwā, te hohaieti mō ngā Jet Boat, me te hunga noho i Taumarunui. E ai ki ngā mahara o ngā rangatira o Ngāti Hāua rangatira, o Tā Archie Taiaroa, kei te mahara ia ki tētehi hui kotahi anake i te ngahuru tau 1960, i reira te Karauna me ngā tāngata Māori hei whakawhiti kōrero mō ngā āwangawanga o te iwi e pā ana ki te kōkiri hou. I taua hui anō, ka tāpaetia e Tā Archie Taiaroa te take mutunga kore mō te mana pupuru i te Awa o Whanganui, me tana pātai, he aha te Karauna e tahuri ai ki te whakapeka i ngā awa, ki te kore ngā iwi o Whanganui e whakaae. Nā te urupare a te Karauna ka tau ngā whakaaro o Tā Archie Taiaroa kāore e nui ngā hua o te kōrerorero ki te Karauna mō tēnei take, nā te mea, he mārama kāore te Karauna e aro mai ki ngā nawe o te iwi.
- 3.212. I te tau 1964, nā Te Rūnanga Matua o te Kāwanatanga i whakamana te whakatūranga o te kaupapa Tongariro Power Development (TPD) Scheme. Ko te mahere whānui, he paihere i ngā kāuru wai o ngā Awa o Whanganui, o Whangaehu me Tongariro ki roto i ngā punahiko wai o Tokaanu me Rangipō. Mā ēnei ka piki te rere o te wai ki roto ki te

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moana o Taupō hei mahi hiko i ētehi punahiko wai i te Awa o Waikato. Ka kapi i tēnei rohe rerenga wai tētehi rohe nui whakahirahira, 26,000 heketea te rahi i te manawa o te Ika-a-Māui.



Pikitia 21: Ngā pā punahiko o Tongariro— ngā whakapekanga me ngā punahiko (Waitangi Tribunal (2013) Te Pūrongo Wherawhera mō Te Tāpui ā-Motu o Te Kāhui Maunga, wh. 1078)

3.213. I haere ngā mahi waihanga mō te rua tekau tau i waenga i 1964 me 1984, ā, ka oti te pekanga whakateuru hei mea tuatahi, i te tau 1971. Ka hangaia he pā wai i Te Whaiāu me Ōtamangākau, ā, ka hangaia i reira ētehi roto i āta hangaia, ā, koia nā ngā ingoa. Ka whakapekangia ngā kauru wai o te Awa o Whanganui kia rere whakateraki mā ētehi tomo huhua, me ētehi kōawaawa ki Rotoaira, mutu rawa atu i tētehi tomo ki te moana o Taupō. Nā ngā pēhanga ōhanga, ka uru ētehi o ngā tāngata o Ngāti Hāua ki ētehi mahi waihanga i te TPD, nā tō rātou noho pāhekeheke kore mahi hoki i taua wā, ahakoa ō rātou āwangawanga mō te pānga taiao o te kaupapa.

3.214. He tino nui ngā pānga ā-taiao, ā-ahurea hoki o te TPD. He mouri motuhake tō tēnā awa, tō tēnā awa, nā reira ka noho te hanumitanga o ngā wai mai i kāuru wai kē hei

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āwangawanga mā Ngāti Hāua. Nā ngā whakapekanga wai o ngā hikuawa e whitu o te Awa o Whanganui kua tino heke ngā rerenga wai. Kua mimiti ngā takere awa i raro tonu iho o ngā mominga wai, engari ka totō anō i raro iho i te awa. Nā te tangohanga wai kua heke hoki te rerenga wai ki roto i te Awa o Whakapapa. I ētehi wāhi, nā te hekenga iho o te rere o ngā wai kua kaha ake te pūrerotanga ake o ngā toka ki te rā, kua piki te mahana o te wai, e mate rawa ai te ika. Nā tēnei hekenga o te ia o te wai kua kore ētahi o ngā rua hopu tuna me ngā puna hōhonu, i mau ai te kōura i a Ngāti Hāua i mua. Tēnā ko tēnei, ina whakatuwheratia ngā kēti kati wai o TPD mō te wā poto, ka pakaru mai ngā wai. Nā ēnei pakarutanga wai ka hārongia ngā taha o te Awa o Whanganui, me te whakapūranga i te parakiwai me te paru ki roto i te awa.

3.215. I te ngahuru tau 1980, i muri i ngā whakahē i roto i ngā tau, tae atu ki ērā a Ngāti Hāua, ka whakaritea he ia mōkito tōtika mō te Awa o Whanganui. I te tau 1988 ka whakatūria he Catchment Board hou, nāna i pānui te hiahia kia tāpaetia ngā whakaaro o te tangata mō tētehi ia mōkito hou mō te Awa o Whanganui. Ka tāpaetia e Ngāti Hāua ētehi taunakitanga ki tētehi whakawā i 1988, me tā rātou whakamārama he takahi ngā whakapekangia nei i te tapu, he whakapoke hoki i te ihi o te awa me ōna tāngata. I inoi rātou kia whakahokia katoatia ngā rerenga wai ki te awa, hei homai tōna purenga ā-wairua, ā-kiko ki te rohe, hei oranga hoki mō te ika, mō te tupu (rākau), mō te tangata me te kararehe. I te mutunga nā te Catchment Board i whakarite ia mōkito mō te Awa o Whanganui kia pāpaku kē atu i tōna ia māori noa.

3.216. Nā te TPD i whakapōrarua ngā mahi tuku iho a Ngāti Hāua. I roto i ngā rau tau ka hipa, ka noho te Awa o Whanganui hei puna kohikohi tupu mō te raranga, mō te rongoā, me te rākau waihanga taonga. Mai i te hanganga o te TPD, kua kitea e Ngāti Hāua te heke haeretanga o ēnei rawa, me ngā pānga ki ā rātou kai, ō rātou whare noho, whakaruruhau anō hoki. I te tau 1989, hei urupare ki ō rātou āwangawanga mō te katinga o te hononga o te awa me te tangata, ka whakatūria e ngā tāngata Māori o Whanganui Te Tira Hoe Waka o te Awa o Whanganui, tētehi wānanga ka kawea haeretia ia tau ki te Awa o Whanganui, ā, e whakahaeretia tonutia nei i ēnei rā.

TE UPOKO TEKAU MĀ RIMA: NGĀ TAKE TAIAO

3.217. Kua noho a Ngāti Hāua i te tuawhenua o te Awa o Whanganui me ōna hikuawa mō te hia rau tau i mua atu i 1840. Kei roto i tēnei karangatanga ngā terenga wai o te rohe o Ngāti Hāua, he awa, he pūkaki, he roto tuawhenua, me ētehi rohe kōreporepo. E noho ana ēnei rohe hei puna mō ngā rawa maha mō te iwi, tae atu ki te tuna, me ētehi atu puna ika, mō te kōura, mō ngā mātaimai, mō te rongoā, ngā rawa hoki mō te hanga whare me te raranga, ngā wai inu, ngā wai rongoā, me ngā mahinga kai. He ripoinga ngā wai tere o te Awa o Whakapapa mō te whio (blue duck). Kua roa hoki a Ngāti Hāua e piki haere ana mā roto i te pūnaha awa ki ngā ngahere me ngā rerenga kiore, ngā wāhi whakamarumarua mō te whakatupu kai, ngā pā whawhai mō ngā wā o te pakanga, me te hari taonga, hari tangata ki wāhi kē.

3.218. I whakarite tikanga, i te whakahaere hoki a Ngāti Hāua i ōna tāngata me tā rātou whakamahi i te taiao. I takea mai tēnei hononga i te kaitiakitanga, te mana kaitiaki, i whai ai a Ngāti Hāua ki te tautiaki i te taiao, kia noho pūmau ai tōna mouri mō ngā whakatupuranga.

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- 3.219. Ko ētehi o ngā āhuatanga o te taiao e noho ana hei mea hira ki a Ngāti Hāua hei wāhi tapu; ina koa, te tapu a Pohoare (Lake Hawkes), te wāhi i whānau ai a Hinengākau, ā, he kaitiaki mana nui tō Pohoare. He mea taketake te hononga o Ngāti Hāua ki te taiao, nā te mea koinei te akomanga hei tuku iho i ngā mātauranga mai i tētehi whakatupuranga ki tētehi.
- 3.220. I roto i ngā tau mai o 1840, kua kitea e Ngāti Hāua te heke o ngā kounga wai i ngā awa o Whanganui, o Ongarue, o Ōhura, me te pūkaki o Ōtūnui, nā ngā mahi pēnei i te tangohanga wai, te pokenga, te horonga whenua, te parakiwai, te whakamimiti repo me ngā rohe kōreporepo, te kawenga mai o ngā ika me ngā kīrearea manene, te tangohanga kirikiri me te kinonga o ngā rua tuna.

Te Kawenga mai o ngā momo Rākau, me ngā Kararehe Manene

- 3.221. Ahakoa ehara nā te Karauna i whakahaere ngā hohaieti whakauru momo manene, i te tau 1867 ka whakatairangatia e te Karauna te Protection of Animals Act me tana whakamana i ngā mahi a ēnei rōpū, tana whakamanawa i ā rātou mahi, me te āwhina ā-pūtea i a rātou. I tīmata te mahi a Wanganui Acclimatisation Society mai i 1863, ā, ka tīmata te Waimarino Acclimatisation Society i te tīmatatanga o te rau tau rua tekau. Ko te whāinga ia o te Whanganui Acclimatisation Society “he whakauru, he whakatangata whenua, he whakararata hoki i ngā momo kararehe, i ngā momo manu, i ngā momo ika me ngā tupu, ahakoa whai take, ahakoa ātaahua noa iho”.
- 3.222. I whakaae ngā tāngata Māori o Whanganui ki te whakaurunga mai o ngā momo hou i te tuatahi, ina hoki, he momo ēnei i pai mō te hoko, pēnei i te poaka me te taewa. Hei tauira, i tīmata te whakatupu o ngā tāngata Māori o te tuawhenua i te karepe i muri i te whakaurunga mai, ā, mai i te ngahuru tau 1870, ka whiwhi tētehi kaimahi waina o te rohe i te nuinga o ana karepe i ngā tāngata Māori o te tuawhenua.
- 3.223. Mai i te ngahuru tau 1860, ka tīmata te whakauru a te Whanganui Acclimatisation Society i ētehi atu momo hei pēhi i ngā raruraru kua ara ake i muri i te whakaurunga o ētehi atu momo manene ki te taiao o Aotearoa. Hei tauira, i whakaurua te rāpeti hei pupuhi mā te tangata, ā, tahuri rawa ake kua horapa katoa puta noa i te motu, tae atu ki te rohe o Ngāti Hāua. I te tau 1881, ka whakaurua e te Karauna tētehi ture me te whai kia atawhaitia ngā momo i kīa rā ‘ngā hoariri’ o te rāpeti, pēnei i te toriura me te wheretī, me te tino tāorotanga o ēnei i ngā rākau me ngā kararehe māori. E ai ki ētehi o ngā hohaieti acclimatisation he hoariri tonu hoki ētehi momo māori tūturu, arā, he kaikonihī, pēnei i te tuna, i te kārearea, me te tāpae moni ki te tangata patu i ētehi o ēnei momo.
- 3.224. I te tau 1867, ka whakaurua e te Karauna te ture tuatahi hei whakahaere i ngā tauranga ika o Aotearoa. Nā te Ture Hāmana me te Taraute 1867 i whakawātea te ara mō te whakatupunga me te tautiaki i te hāmana me te taraute, me te whakarite tikanga mō ngā awa i tukua ai ngā ika nei. Mai i te ngahuru tau 1880, ka tukua e te Wanganui Acclimatisation Society te taraute āniwaniwa, me te taraute parauri ki te awa o Whanganui. Kāore he taunakitanga i kitea mō te kōrero ki a Ngāti Hāua mō te tukunga o te taraute ki ō rātou rerenga wai, kāhore hoki te iwi nei i whakaae. I haere tonu tēnei mahi a te Waimarino Acclimatisation Society taea noatia ngā tau i waenga i te rau tau rua tekau.

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3.225. I muri i te hokonga atu anō a te Karauna i ngā whenua kua hokona e ia mai i a Ngāti Hāua ki ngā manene Pākehā, ka tino puta kē te āhua o te taiao o te rohe o Ngāti Hāua. I korowaitia māiretia te rohe o Ngāti Hāua e te ngahere i mua i te taenga mai o te Karauna, ā, nāna i hora mai te kai me ngā rawa, pēnei i te manu, me ngā huruhuru o aua manu. He tino kaha te tuatua me te tahu ngahere a te hunga manene, hei waere i te whenua mō ngā rori, mō ngā rerewē, me te mahi pāmu i ngā whenua ngahere pukepuke o te rohe o Ngāti Hāua. Kua kitea e Ngāti Hāua nā tēnei ngaromanga o ngā ngahere kua waimeha te mātauranga o ngā tūpuna me ngā mahi tuku iho.

TE UPOKO TEKAU MĀ ONO: NGĀ PUTANGA AHUREA, PĀPORI ŌHANGA HOKI

Te Utanga Hē o te Ingoa Iwi Tutū ki a Ngāti Hāua

3.226. Nā te urunga o Ngāti Hāua ki te pakanga i ngā ngahuru tau tuatahi o te tūtakitanga a Ngāti Hāua ki te Karauna ka utaina hētia te ingoa "Hauhau", "iwi tutū" hoki ki a Ngāti Hāua. I noho tēnei ingoa hei taimahatanga nui mō ngā whakatupuranga o Ngāti Hāua. Ka matakana te tokomaha o ngā tūpuna o Ngāti Hāua ki te Karauna, mō tana whakahaunga i ana ture, inarā, ngā ture whenua Māori. Nā ēnei āhua ka tino ātete te iwi ki te Kōti Whakawā Whenua Māori. Nā ngā kōrero tuku iho o ngā pakeke o Ngāti Hāua, ka mōhiotia nā ēnei āhuatanga taumaha i pā i roto i ngā tau, ka uaua te tū tangata o ngā tāngata o Ngāti Hāua, hei uri tonu o Ngāti Hāua, i roto i te ao. Ko ētehi i huna i tō rātou tuakiri o Ngāti Hāua me ō rātou pūnaha mātauranga.

Ngā Mahara mō te Whakamate Tangata ki te Kai Paihana

3.227. Nā te āhua o te mahi paihana kai ki te arsenic o 1847, e kōrerotia tonutia ana e Ngāti Hāua i tiki kai mai i te Pākehā mō te hia ngahuru tau, me te hoki ki ngā kai o mua, inarā, te mamaku. Hokihoki ai a Ngāti Tū i Tawhatā ki te maumahara ki te pai o te mamaku hei momo kai haumaruru. Ka tū tā rātou whakaari "whakaponu ki te ahi" mō te tūtakitanga o ngā mihingare o Te Hāhi o Ingarangi me ō te Katorika, me te hākari mamaku i muri. E haere tonu ana tēnei kai me ōna whakaritenga mai o te wā o tō rātou tupuna o Te Kere Ngātaiērua, ko tōna oranga i waenga, i te mutunga hoki o te rau tau tekau mā iwa. Ka maumaharatia hoki ngā mahi paihana e Ngāti Hāua mā ngā kōwhaiwhai o Te Taurawhiri a Hinengākau, te wharenu i te marae o Ngāpūwaihaha. Ahakoa ko te ariā anake o te marae e takoto ana i te whenua i Tawhatā, ka tapaina e Ngāti Hāua tētehi wharenu ki te ingoa "Koi Te Whēwhē", he kōrero mō te kōpūpū o te kiri, mō te mariaio rānei, heitohe maumahara mō te paihana arsenic.

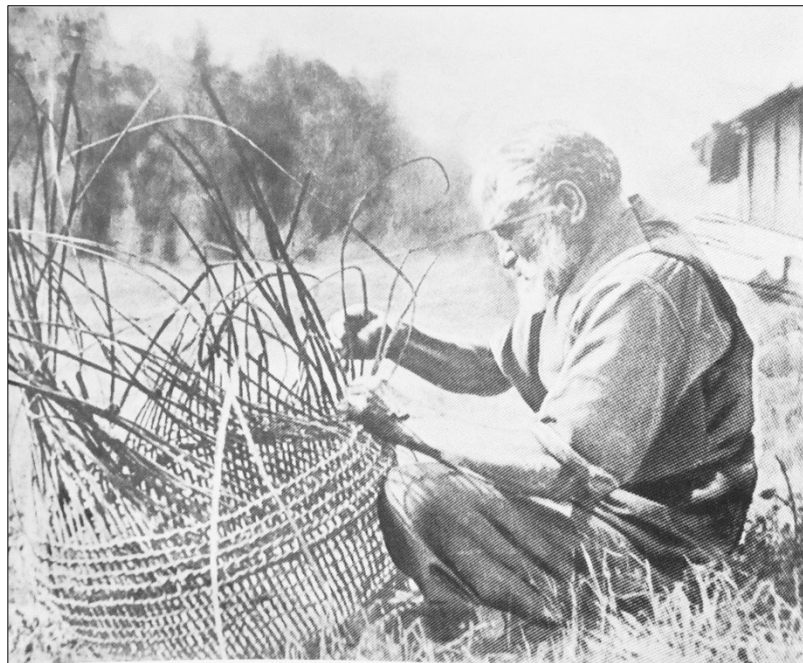
Te Ngaromanga o ngā Rawa Kai Tuku Iho

3.228. Nā ngā hokonga whenua nui a te Karauna, me ētehi atu mahi pēnei i te turakitanga o ngā pā auroa, i korekore ai te urunga ki ngā puna kai o mua mō Ngāti Hāua i roto i te rau tau tekau mā iwa. Te taenga ki te mutunga o te rau tau tekau mā iwa, kua tino iti haere ngā whenua i toe ki a Ngāti Hāua, ā, kua kore tō rātou momo noho o mua. I te noho tonu te nuinga o ngā whānau o Whanganui ki te tuawhenua, me te whakawhirinaki ki te mahi māra me ngā puna kai tuku iho, tae atu ki ngā mahi o ngā wehenga o te tau, me ngā mahi taupua mō te moni. I tino pāngia a Ngāti Hāua e te kōmae taewa o ngā tau 1905 me 1906. Ka pānui pūrongo te Herora o Wanganui kua tata rawa ngā tāngata Māori o te tuawhenua

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o te awa “te mate rawa i te kore kai”. Nā te tūpuhitanga ōhanga nui o te ao i te ngahuru tau 1930 i hē kē atu ai ēnei āhuetanga.



Pikitia 22: Tuku Making a Hīnaki (Roll Back the Years, vol. 2, p. 200, Taumarunui Press Collection, ref. 12168, ko te whakaaetanga nā te whakaaro atawhai o Ron Cooke)

Te Hē o te Hauora me ngā Whare Mamate

- 3.229. I te rau tau tekau mā waru, i kitea i roto i ngā tatauranga ko te Awa o Whanganui tētehi o ngā wāhi i tino nohoia nuitia e te tangata i Te Upoko o Te Ika-a-Māui. I te tau 1840, i matapaetia kua eke te taupori o te hunga Māori puta noa i te roanga katoa o te Awa o Whanganui, ki waenga i te 3,000 me te 5,600. Mai i te tau 1840, ka kawea mai e te taupori Pākehā, e tupu tonu ana te tokomaha, ngā mate hōrapa ki a Ngāti Hāua, kāore kē te Māori i kaha ki te karo. Tae rawa ake ki te ngahuru tau 1880 kua tino heke te taupori o ngā tāngata Māori o Whanganui ki tōna 1,330 tāngata. E maumahara tonu ana a Ngāti Hāua kua eke te taupori o tō rātou kāinga i Tawhatā ki te 1,600 i te tau 1840, engari i te mutunga o taua rau tau 10, 12 rānei te hunga noho i reira. I te tau 1912, ka puakina e te Wanganui Chronicle kua “tino pāngia a Tawhatā e te māuiui”.
- 3.230. Nā te hē o te hauora, me ngā kai hē, ngā kāinga mamate hoki, i tino ngāwari ai te pā o ngā māuiui nā te rawakore i whakatupu, pēnei i te rewharewha me te taipō. Nā ētahi atu kaupapa hauora i whakapā ētehi atu taumahatanga. Nō te tononga a te Karauna i ngā tamariki o Ngāti Hāua kia noho i ngā hōpuni me ngā whare hauora i Ōtaki me Whanganui mō te mate kōhi, nā te hē noa o te hauora whānui tonu, i uaua ai te torotoro o ngā whānau ki aua tamariki. I ētehi wā i tino uaua te āhua o te whāinga whare mō Ngāti Hāua. He maha ngā kitenga i tuhia e ngā āpiha o te Karauna i roto i te rau tau rua tekau, kua apiapi rawa ngā whare noho o ngā tāngata Māori i te rohe o Whanganui. Kei te maumahara a Ngāti Hāua ki te āhua o te apiapi o ngā kāinga noho i Taumarunui. I whakawhanaketia e te Karauna tētehi kaupapa hei whakapiki i te pai o ngā kāinga noho Māori, ahakoa tērā, i aronui kē te kaupapa ki te whāinga whare i roto i ngā tāone. Kāti e noho tonu ana ngā take mō ngā whare. Tae noa atu ki te rau tau rua tekau mā tahi, i te noho tonu te makariri,

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me te hauhau hoki i roto i ngā whare i Taumarunui, ā, he tini anō ngā whānau kāore i kaha ki te utu mō te hiko hei whakamahana i te whare.

- 3.231. Tae rawa ake ki te ngahuru tau 1960 kua heke iho te noho whakaraerae o te Māori ki ngā mate horapa, ahakoa, kāore i rite ngā tūmanako mō te hauora me te roa o te orange ki ō te Pākehā. Ko tētehi āhuatanga mutunga kore mō Ngāti Hāua i roto i ēnei āhuatanga ko ngā haere tawhiti rawa mō ngā ratonga hauora, tae atu ki ngā matawai me ngā whānautanga tamariki. Ka puta i konei tētehi pīkauranga ahumoni tino taumaha mō ētehi tāngata.

Ko Te Mātauranga me te Reo Māori

- 3.232. I tūtaki a Ngāti Hāua ki ngā momo whakaako Pākehā ki ngā kura mihingare i te ngahuru tau 1840. Tae rawa ake ki 1849, 14 rawa ngā kura mihingare i te Awa o Whanganui. Ka tae nei ki te mutunga o te ngahuru tau 1850, kua kati katoa ngā kura mihingare. I muri i te urunga o te Native Schools Act i te tau 1867, ka tīmata te tāpae a te Karauna i ōna kura māori i te rohe o Whanganui i te ngahuru tau 1870.
- 3.233. I te tau 1881, ka tāpae tikanga te Karauna kia waihangatia e ia tētehi kura i Taumarunui, engari i whakakāhoretia e Ngāti Hāua, i runga i te titiro, he nukarau tēnei nā te Karaua hei ārai i tō rātou "hauhauism". I noho tauwehe tonu a Ngāti Hāua mō taua kaupapa, taea noatia te mutunga o te rau tau. I te tau 1899, ka tukua e Ngāti Hāua tētehi whenua mō te kura Māori o Hāuaroa, ā, ka whakatuwheratia i te tau 1902, ahakoa rā, i te whakahē ētehi i roto i te iwi.
- 3.234. I runga tonu i te kaupapa here o te Karauna, i whakaū ngā kura māori i te hira o te pānui pukapuka, o te tuhituhi me te kōrero i te reo Pākehā, ka mahue te reo Māori ki waho. Ko tētehi o ngā whāinga a te Karauna i roto i tana whakatūranga o ngā kura māori he whakahohoro ki te hanumitanga o te Māori ki roto i te ahurea Pākehā. Ko te whāinga matua o ngā kura Māori he whakaako i te Māori mō ngā mahi ā-ringa.
- 3.235. I nga tau tuatahi o te rau tau rua tekau, ka pakanga ngā mātua Pākehā i Taumarunui kia whakaurua te kuranga tauwehe mō ngā tamariki Pākehā me ngā tamariki Māori. Nō te whakakāhoretanga a te Karauna i tēnei tono, ka inoi ngā mātua kia hurihia te kura hei kura poari, ā, pērātia ana e te Karauna i te tau 1910. I te tau 1921, ka tāpiritia he wāhanga kura tuarua ki te kura. I whakahētia, i whakaitingia hoki te reo me te ahurea Māori e te tini o te tangata i roto i te pūnaha kura Pākehā. Ahakoa te kī o ngā rekureihana o 1915 mō ngā kura Māori, me waiho te tarapu i ngā tamariki Māori hei mahi whakamutunga, mō muri rawa i ētehi tū mahi whakatikatika, mō te kōroiroi te take, kei te maumahara tonu a Ngāti Hāua i whakawhiua tonutia rātou mō te kōrero i te reo Māori. I whakakāhore rawa ētehi o ngā tāngata Māori i whakawhiua mō te kōrero i tō rātou reo ake i te akomanga ki te tuku i te reo Māori ki ā rātou tamariki, nā taua weri anō, arā, nā te maumahara ki tō rātou patunga, hei whiu.
- 3.236. I muri mai i te Pakanga Tuarua o Te Ao, i pai ake te urutomo a ngā tamariki o Ngāti Hāua ki te pūnaha mātauranga, nā te nukunga ki te tāone noho ai. Ahakoa, kāore i tino tiketike ngā tūmanako o te pūnaha mātauranga mō te ekenga taumata Māori, mō te nuinga o te rau tau rua tekau. He pāpaku kē iho ngā ekenga taumata mātauranga i ekea e te Māori

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tēnā i ō te Pākehā, ā, i pā ēnei āhuatanga ki tō rātou whiwhinga mahi i te roanga atu o ngā tau.

Ko ngā Putanga Whiwhinga Mahi me te Pānga o te Nukuhanga ki ngā Tāone Noho ai

- 3.237. I roto i te rau tau rua tekau, i tino piki ngā mahi mō ngā utu ā-wiki hei ara mahi orange mō Ngāti Hāua. Mō te nuinga o ngā Māori i te rohe, he mahi harangotengote noa, he mahi ā-wehenga tau noa, ā, mō te nuinga, he pāpaku te utu. Mō ētehi, me haere ngā tamariki ki te mahi, nā konei ka hē tō rātou whai i te mātauranga. I roto i te ngahuru tau 1940, nā ngā hangarau hou mō ngā mahi pāmu ka iti iho ngā mahimoni ā-wiki i ngā takiwā ahuhenua, i kaha ake ai te hekenga o te taupori ki ngā tāone. I roto i ngā tau 1936 ki 1971, kua puta kē te āhua o te taupori o ngā tāngata Māori o Whanganui, mai i te waru tekau ōrau i ngā takiwā ahuhenua, ki te whitu tekau i ngā tāone.
- 3.238. He nui kē atu ngā mahi i wātea i ngā tāone nunui, pēnei i Taumarunui. Ahakoa rā, ko tā te pūnaha mātauranga he ako i te tangata Māori mō ngā momo mahi he pāpaku noa iho te utu, i roto i ngā tau. Ka tae nei ki te tau 1958, he utu pāpaku noa te utu ā-wiki mō te waru tekau ōrau o ngā tāngata Māori o Whanganui. I roto i ngā ngahuru tau 1960 me 1970, he rite tonu te whiwhi moni iti iho o ngā tāngata Māori o Whanganui tēnā i te hunga ehara i te Māori i roto i te takiwā, ā, i ngā rohe i waho i ngā tāone he whānui kē atu te rerekētanga nei.
- 3.239. He tino hurihanga nui whakahirahira te nukuhanga o Ngāti Hāua i te rau tau rua tekau mō te iwi, me tō rātou momo noho i te ao nei. Ahakoa te tini o ngā nekehanga, kua noho tonu a Ngāti Hāua hei rōpu moroiti i Taumarunui. I noho tonu ko te ahurea o Ūropi hei mātāmua i roto i ngā rohe o te tāone, ā, i rongo te hunga Māori i ngā ākinga kia whāia ā te Pākehā tikanga. I haukotia ngā haepapa o te tukutuku i te ahurea o ngā whānau, tō rātou ū ki ō rātou hapū me tō rātou hapori hoki. I roto i ngā ngahuru tau i muri mai i te Pakanga Tuarua o Te Ao ka kitea te tino hekenga o te matatau o te tangata ki te reo, nā te wehenga o Ngāti Hāua i te wā kāinga, arā, i ngā wāhi e kōrerotia noatia ana te reo. Ka piki te ahurea kēngē i roto i te haurua tuarua o te rau tau rua tekau i roto i ngā tāone me ngā tāone nui o te rohe, hei piringa atu ēnei mā ngā taiohi Māori, kua wehe atu te nuinga i ō rātou whenua me tō rātou Māoritanga.

Te Puāwaitanga Māori

- 3.240. I roto i te ngahuru tau 1970, ka tīmata te puāwaitanga anō o te ao Māori. I roto i aua tau, ka pihipihi mai anō te reo Māori. Ahakoa tēnei pikinga o te ora o te reo, e whakaako ana ngā kura i tētehi momo reo kua oti te whakaōrite i roto i ngā iwi maha, me te aha, kua heke haere tonu te reo ā-iwi o Ngāti Hāua.
- 3.241. Ehara i te mea kua tauwehe ngā tāngata nukunuku katoa o ngā nukuhanga tāone o muri mai i te pakanga i tō rātou rohe. He rite tonu te hoki mai o ngā tāngata o te iwi ki ngā marae o waho i ngā tāone, arā, hokihoki mai ai rātou i wāhi kē i Aotearoa me Āhitereiria mō ngā whānautanga tamariki, mō ngā iririringa, mō ngā nehunga tūpapakū rānei i ō rātou whenua tuku iho. Hei āwhina ēnei hokinga mai i te ao o Ngāti Hāua i roto i tō rātou rohe.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT



Pikitia 23: Ngāti Hāua Rangatahi Wānanga, 2011, Kākahi Marae (nā te whakaaro atawhai o te Ngāti Hāua Iwi Trust)

3 TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

The Crown's acknowledgement and apology to Ngāti Hāua in part 3 are based on this historical account.

CHAPTER ONE: TE TIRITI O WAITANGI/THE TREATY OF WAITANGI

Puhaina Tongariro!

E rere nei Awanui,

Ko Te Wai-inuina tēnā,

Na Ruatupua i mua e.

Tongariro erupts!

The great river flows,

Tis the thirst quenching waters,

Belonging to Ruatupua of ancient times.

- 3.1. Ngāti Hāua are an ancient iwi who descend from two of the earliest ancestors of the Whanganui district: Ruatupua and Paerangi. Through this genealogy, Ngāti Hāua connect with many of their neighbouring iwi. The descendants of these ancient ancestors intermarried with the descendants of Turi of the Aotea waka, which further connects Ngāti Hāua to their relations across the region. Forming and maintaining their relationships have always been of principal importance for Ngāti Hāua. Tamahina was a descendant of both ancestors. Hinengākau is a revered tupuna the upper reaches of the Whanganui River. The strategic marriage of Hinengākau to Tamahina brokered peace in the region which is remembered as *te taura whiri a Hinengākau* (the plaited rope of Hinengākau).



Figure 1: Carving of Hinengākau (courtesy of Ngāti Hāua Iwi Trust)



Figure 2: Tamahina (the pou used to stand at the site of Te Horangāpai, Taumarunui)

- 3.2. The traditional lands of Ngāti Hāua spread across the upper reaches of the Whanganui River with Te Kāhui Maunga to the east, Tangitū to the north (named, according to Ngāti Hāua tradition, for the tupuna, Ruaputahanga, who stood and wept at this point) and Te Mātai and Tāngarākau to the west. Ngāti Hāua primarily occupy the land known as the Tūhua district.
- 3.3. The strategic importance of this area to Ngāti Hāua is captured in the whakatauaikī of the leading Ngāti Hāua rangatira of the nineteenth century, Tōpine Te Mamaku: *Unuunu te puru ki Tūhua, māringiringi te wai o puta* (If you withdraw the plug of Tūhua, you will be overwhelmed by the flooding hordes of the north/If you withdraw the plug of Tūhua, you empty the Whanganui River). The waterways of the Ngāti Hāua rohe are the essence of their way of life, as demonstrated through their tribal saying:

E rere kau mai te awanui

Mai te Kāhui Maunga ki Tangaroa

Ko au, te awa

Ko te awa, ko au

The great river flows from the mountains to the sea

I am the river,

the river is me.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

Situation of Ngāti Hāua at 1840

- 3.4. At 1840, Ngāti Hāua occupied their rohe and Heretaunga (the Hutt valley). In the first decades of the nineteenth century, there was warfare among Māori around the upper Whanganui River. In fear of attack, some members of Ngāti Hāua migrated south with their kin to Te Whanganui-a-Tara (the Wellington region). They were escorted by Te Ngārupiki I, and later by Tōpine Te Mamaku and Parata who, with the larger migration, eventually settled with another iwi in Heretaunga in the 1820s. Ngāti Hāua traditions record how Tōpine Te Mamaku is reported to have frequently travelled back and forth between Heretaunga and the upper Whanganui district.



Figure 3: Tōpine Te Mamaku at Tawhatā (Burton, Alfred Henry, 1834?-1914. Topine Te Mamaku. New Zealand Department of Justice, Commissioner of Patents : Collection of Burton Brothers prints. Ref: PA7-36-15. Permission courtesy of Alexander Turnbull Library, Wellington, New Zealand <https://natlib.govt.nz/records/23132960>)

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT



Figure 4: Tōpine Te Mamaku (right) and Taiaho Ngātai (left) (Burton, Alfred Henry, 1834?-1914. Photograph of Topine Te Mamaku and Taiaho Ngatai at Tawhata. Bollinger, Mrs, fl 1958 :Scenic photographs of New Zealand. Ref: PA7-36-16. Permission courtesy of Alexander Turnbull Library, Wellington, New Zealand. /records/22702341)



Figure 5: Ngātai Te Mamaku, a Ngāti Hāua rangatira (courtesy of Ngāpūwaiwaha Marae)

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

The Signing of te Tiriti o Waitangi/the Treaty of Waitangi

- 3.5. On 23 May 1840, missionaries arrived at Pākaitore at the mouth of the Whanganui River to secure the signatures of Whanganui Māori to te Tiriti o Waitangi/the Treaty of Waitangi. Nine Whanganui rangatira signed te Tiriti/the Treaty on the day it arrived. However, Lieutenant Governor Hobson had already issued a proclamation of sovereignty over the North Island by way of cession through the Treaty on 21 May. The missionary left with te Tiriti/the Treaty on 25 May, before upriver rangatira arrived for a meeting at Pākaitore on 27 May. On 31 May, more Whanganui Māori signed te Tiriti/the Treaty in Waikanae.
- 3.6. Tōpine Te Mamaku did not sign te Tiriti/the Treaty. Ngāti Hāua had rarely interacted with Europeans before the first missionary arrived in their rohe in 1839, as visitors to the Whanganui district seldom ventured very far inland. The first substantial interaction between Ngāti Hāua and the Crown occurred in Heretaunga.

CHAPTER TWO: WARFARE IN HERETAUNGA AND WHANGANUI IN THE 1840S

The New Zealand Company and the Whanganui Purchase

- 3.7. In 1839, the New Zealand Company sent an agent to New Zealand to purchase land. In October and November, the Company signed purchase deeds with the rangatira of other iwi relating to twenty million acres of land from the central North Island to the top of the South Island. On 16 November, some Whanganui rangatira met with Company representatives aboard their ship, the *Tory*, while it was anchored off the Kapiti coast and signed a deed for one million acres between Manawatū, Pātea, and Tongariro.
- 3.8. In January 1840, the Crown proclaimed that it would not recognise any alleged purchases of Māori land after that date, and a commission was established to investigate land purchase claims. On 27 May 1840, four days following te Tiriti/the Treaty signing in Whanganui, a large meeting was held at the mouth of the Whanganui River to discuss the Company's 1839 deed of purchase. The next day, 32 Whanganui rangatira signed the deed.
- 3.9. In 1843, William Spain, a Land Claims Commissioner, investigated the Company purchase and heard overwhelming evidence that Whanganui Māori did not agree they had sold the millions of acres the Company claimed to have purchased. Spain believed that Māori wanted the settlers who had already established a small town at the mouth of the River to stay. In 1844, he told Māori that he had decided to "award" 40,000 acres to the Company and £1,000 compensation to the Māori owners. However, after he announced this "award" Whanganui Māori refused to accept it. In April 1846, a Crown purchase agent was instructed to negotiate a purchase based on Spain's award. However, negotiations were halted due to the outbreak of fighting in Heretaunga.

Warfare in Heretaunga

- 3.10. In 1839, the New Zealand Company was also seeking to purchase a large area of land around Port Nicholson, including the land at Heretaunga where some members of Ngāti Hāua and other iwi had been living since the early 1830s. Ngāti Hāua and other iwi were

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

temporarily absent from the Heretaunga valley when the Company was negotiating its purchase. The iwi returned by 1841 and established cultivations.

- 3.11. In May 1842, Spain commenced hearings into the Port Nicholson purchase. In September 1843, Spain reported that the Company had not purchased the majority of land it claimed, and that Māori had not consented to the purchase of their pā and urupā. Between February and March 1844, Spain and the Protector of Aborigines negotiated deeds of release intended to complete the Company's purchase. The 71,000 acres of land subject to these deeds included the land at Heretaunga.
- 3.12. In March 1844, the Company offered compensation to another iwi for the interests of that iwi and their allies, which included Ngāti Hāua. Crown officials placed that offer before the other iwi. That iwi refused to accept compensation for land in Heretaunga, saying that Māori did not intend to sell this land. In November 1844, the Company paid compensation to the same iwi which had refused payment for an undefined piece of land described as Heretaunga. The iwi leaders did not accept the payment on behalf of their allies and expected the land that their allies occupied to be reserved from the sale.
- 3.13. During these negotiations, Ngāti Hāua had remained cultivating land in Heretaunga. In November 1844, the Crown described them as intruders. Crown officials, and settlers in Heretaunga, interpreted the reluctance of Ngāti Hāua to leave the valley as a deliberate attempt to impede European settlement. Settlers pressured the Crown to take military action.
- 3.14. In 1845, Tōpine Te Mamaku led a group of Ngāti Hāua south to Heretaunga to support their kin in resisting the Crown's encroachment onto what they considered to be their lands. In February 1846, Governor Grey arrived in Te Whanganui-a-Tara and told Ngāti Hāua and other iwi that they must leave Heretaunga immediately, or the Crown would force them to do so.
- 3.15. On 21 February 1846, Ngāti Hāua and other iwi began to vacate Heretaunga, but when they saw settlers immediately take possession of the land and crops they had left behind, they returned and intimidated settlers from their own homes. Governor Grey responded by sending a 340-strong military force into the valley. Ngāti Hāua offered to vacate the land if their people were compensated for their crops. The Governor refused to enter negotiations on compensation before Ngāti Hāua and other iwi had left and issued an ultimatum, stating that he would only wait until noon on 26 February before ordering his troops to clear the area.
- 3.16. On 25 February, a missionary from Whanganui persuaded Tōpine Te Mamaku to leave the Heretaunga valley. Before departing, however, Tōpine Te Mamaku sought reassurances that four waka his people were leaving behind would be kept safe. Despite the Governor promising they would be looked after, that night several Europeans plundered the whare and cultivations Ngāti Hāua had left behind, stole a large proportion of potatoes and two of their four waka, and overthrew the pulpit in their chapel. On 27 February, troops ransacked and burned the deserted Maraenuku pā. The fire spread and destroyed a chapel and the fences around an urupā.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

- 3.17. From 1-3 March, Ngāti Hāua and other iwi retaliated by plundering the homes of nine settler families north of Boulcott's Farm. By 3 March, Governor Grey prepared a declaration of martial law over the Wellington district, which would suspend the function of ordinary law and give the Governor military authority. The Crown's prosecutor advised Governor Grey that it was illegal to attempt to force Māori off land where they had recognised rights. However on 3 March 1846, after receiving advice from the Judge of the Supreme Court which disagreed with this opinion, Governor Grey declared martial law. It was only lifted on 12 March once Ngāti Hāua and other iwi appeared to have left Heretaunga.
- 3.18. In early April, a settler and his son were killed by another iwi in retaliation for troops' looting and burning of their property and, as a result, Governor Grey declared martial law again over the Wellington district on 20 April. On 16 May 1846, Tōpine Te Mamaku led a group of between 150 and 200 men on an attack on a British garrison of 50 soldiers at Boulcott's farm in present-day Epuni. Reports estimated two or three Māori warriors were killed and ten or more wounded. Six Pākehā soldiers were killed, four were wounded, and a settler died several days later from his wounds.
- 3.19. A month later on 16 June 1846, warriors and troops engaged in further conflict at 'Mabey's Clearing' near Boulcott's Farm. There were no fatalities, but warriors and troops alike were wounded. In July, Grey received a copy of a letter Tōpine Te Mamaku had written to other Whanganui rangatira seeking permission for his kin in upper Whanganui to travel down the River to join him in Heretaunga. On 18 July, Governor Grey extended martial law over the Whanganui district.

Summary Justice Under Martial Law

- 3.20. On 1 August, Crown troops captured two relatives of Tōpine Te Mamaku close to the pā of a chief the Crown considered a 'rebel' near Pāuatahanui; Te Rangiātea, who was an "old man either too sick or confused to escape capture", and Mātene Ruta Te Whareaitu, a younger brother of Tōpine Te Mamaku. On 14 and 15 September, a court martial was convened to try the two men.
- 3.21. Te Rangiātea was charged with having been found near Pāuatahanui armed with a spear, in the vicinity of a fortified pā of a 'rebel chief' in whose service he was engaged, on about the 1st of August 1846 (the first charge). He was also charged with acting, aiding, and assisting a rebellion against the Queen and government, and having been present at and participating in the attack and massacre of troops at Boulcott's Farm on the 16th of May 1846 (the second charge). Te Rangiātea pleaded guilty to the first charge and not guilty to the second. Four witnesses gave evidence against Te Rangiātea.
- 3.22. The Court Martial found Te Rangiātea guilty on the entirety of the first charge. On the second charge, he was found guilty of aiding and assisting the rebellion, but not guilty of being present at and taking part in the attack at Boulcott's Farm. Following the verdict, two medical officers provided opinions to the Court Martial that Te Rangiātea was of 'unsound mind'. The Court Martial then sentenced Te Rangiātea to confinement as a lunatic for the remainder of his life. He died in state care two months later. His remains have never been located.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

- 3.23. Te Whareaitu was charged with being taken in arms and in open rebellion against the Queen and government, near Pāuatahanui in the vicinity of a fortified pā of a ‘rebel chief’ about the 1st of August 1846, and wounding a Māori ally during his capture (the first charge). He was also charged with acting, aiding and assisting in rebellion, and having engaged in conflict with Crown troops at Mabey’s Clearing on the 16th of June 1846 (the second charge). Te Whareaitu pleaded guilty to the first part of the first charge, but the Court Martial record includes no plea in respect of the balance of the charge. He pleaded not guilty in respect of the second charge. Four witnesses gave evidence against Te Whareaitu.
- 3.24. Te Whareaitu was found not guilty on the whole of the first charge. On the second charge he was found guilty of acting, aiding and assisting rebellion, but not guilty of participating in the Mabey’s Clearing conflict. Te Whareaitu was sentenced to be hanged and was executed two days later on 17 September, in front of the military camp at Paremata. The commanding officer of military forces in the southern division described how Te Whareaitu’s execution was to serve as “an example to the Natives many of who were present”. Less than a month later, seven Māori arrested near Paekakariki and Pukerua Bay were found guilty of charges of rebellion, possessing guns, and murder and sentenced not to death but to transportation for the remainder of their lives.
- 3.25. In the New Zealand press, Te Whareaitu’s execution was described as a ‘most sanguinary display of vengeance’. In Australia’s newspapers, Te Whareaitu’s hanging was described as a ‘cold-blooded atrocity’, and a ‘stain’ upon New Zealand’s national character. The record describes how shame at his hanging prompted “New Zealanders” to offer the land where he was hung to the Crown for the erection of a school to “promote the union of the races”, and that Te Whareaitu’s wife gave birth to a child soon after its father’s execution, which she named Ripeka or Rupeka (‘the hung’). Te Whareaitu’s remains have never been located.
- 3.26. The two Courts Martial had been convened by the commanding officer of military forces of the southern division. Neither defendant had any legal representation, and the prosecution witnesses were not cross-examined. Although both defendants were given an opportunity to present their defences, they chose not to do so. The prisoners’ guilt was decided upon by committees comprised of officers rather than by a jury.
- 3.27. Less than a month later, eight Whanganui Māori arrested near Paekakariki and Pukerua Bay were found guilty of charges of rebellion and possessing guns, and sentenced to transportation for the remainder of their lives rather than be executed. While one of the prisoners was released on account of his youth, the Crown sent the rest to Auckland where two were detained and five were exiled to Van Diemen’s Land (Tasmania, Australia) in October 1846. Governor Grey requested the Tasmanian government keep the prisoners at hard labour so that other Māori would learn of their severe treatment. However, Australian authorities sent them instead to Maria Island where they were given light duties. One of the men became ill and died in July 1847. In December, Grey released the two prisoners in Auckland and requested the return of the four prisoners at Maria Island, they arrived back in New Zealand in March 1848.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

Warfare in Whanganui

- 3.28. The hostilities in Heretaunga and the way the Crown dispensed summary justice to Ngāti Hāua served as a catalyst for further clashes between Ngāti Hāua and the Crown in the Whanganui district. Tōpine Te Mamaku, along with the majority of upriver Māori, wanted to live in peace with the Crown until he heard of the execution of his younger brother. In October 1846, Tōpine Te Mamaku and his cousin Te Oro led a Ngāti Hāua taua down the River to Petre, the European settlement at the mouth of the Whanganui River.
- 3.29. There was significant tension for about a week before the taua withdrew upriver after Tōpine Te Mamaku threatened that this taua was one of boys but the next would be one of men. A missionary, settlers, and local Māori requested the Crown send troops to defend the township. In December, 180 imperial troops arrived in Petre and commenced construction of a stockade.
- 3.30. The arrival of the troops in Whanganui exacerbated the tension which remained following Tōpine Te Mamaku's threat of another taua. Governor Grey proclaimed on 23 February 1847 that martial law over the Whanganui district would be lifted on 15 March. However, the Captain of the troops removed the public notice and posted his own personal notice that martial law would continue until further notice. The Colonel commanding the Crown's troops appealed to Governor Grey to extend martial law until the stockade was in a defensible position. Governor Grey assented and imposed martial law until 1 May, though there was no emergency situation in Whanganui and martial law had little practical effect. During this period, on 18 April, a group of Māori youths killed four members of a settler family in the Matarawa valley. The youths were court martialled, and four were executed on 26 April. On 27 April, martial law was extended for a further three months and one hundred troops were despatched to Petre.
- 3.31. In May, Tōpine Te Mamaku led another taua down the River. On 19 May, they arrived in Petre and plundered settler houses while being fired on by the troops from within the stockade. Two of the taua leaders, including Tutua (the brother-in-law of Tōpine Te Mamaku) were killed. Over several weeks in May, the taua grew to 400-500 members and a further 200 troops arrived in Petre.
- 3.32. On 29 May, a Crown official received a report from a justice of the peace in Petre that a settler had left flour mixed with sugar and laced with arsenic in his home when he relocated to the stockade during the fighting. He wrote that it was intended for rats but had been taken by the taua and he "hoped the rascals ate it".
- 3.33. By 4 June, the Crown's forces amounted to 800 troops. There was sporadic fighting over some weeks and the largest fight between the taua and the Crown was on 19 July 1847 at St John's Wood. The fight lasted three hours and both sides suffered around a dozen casualties. By 4 August, the taua had returned upriver. The parties agreed to peace in February 1848. However, tension remained high and the Crown maintained its military presence in Petre for decades afterwards.
- 3.34. In August, the local missionary informed Governor Grey about the flour poisoning incident of May. He characterised the incident as an intentional poisoning of the taua and stated that members of the Crown's militia were aware that it had happened. One of the settlers

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

remarked to the missionary that, while the act was deplorable, it was necessary as they would “never have peace so long as a man, woman, or child of [the taua] remained”. After several settlers expressed their abhorrence at the incident, those responsible claimed that it was accidental.

- 3.35. Governor Grey never replied to the missionary’s letter detailing this awful event and never investigated the allegations that settlers, intentionally or otherwise, had poisoned members of Ngāti Hāua with arsenic.
- 3.36. These events had significant and long-term consequences for Ngāti Hāua and their relationship with settlers was irrevocably changed. Ngāti Hāua recall that there were many deaths because of food poisoning and that their ancestors refused to eat food produced by settlers for many decades.

The Completion of the Whanganui Block Purchase

- 3.37. In May 1848, the Crown sought to complete the purchase that the New Zealand Company had begun. On 25 May, after a meeting attended by approximately 600 Whanganui Māori, the Crown secured 80 signatures to a deed of purchase which provided for the Crown to pay £1,000 for an area of 86,000 acres. The purchase money was distributed to 22 rangatira representing 15 iwi/hapū. Each group received portions of the payment ranging from £10 to £150 each. Tōpine Te Mamaku was to receive one bag which contained £10 in silver for Ngāti Hāua. However, there were no reserves for Ngāti Hāua. The Crown represented the purchase as the completion of Commissioner Spain’s recommendation, but did not inform the sellers that the land included in the purchase more than doubled the 1843 recommendation of 40,000 acres.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT

3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

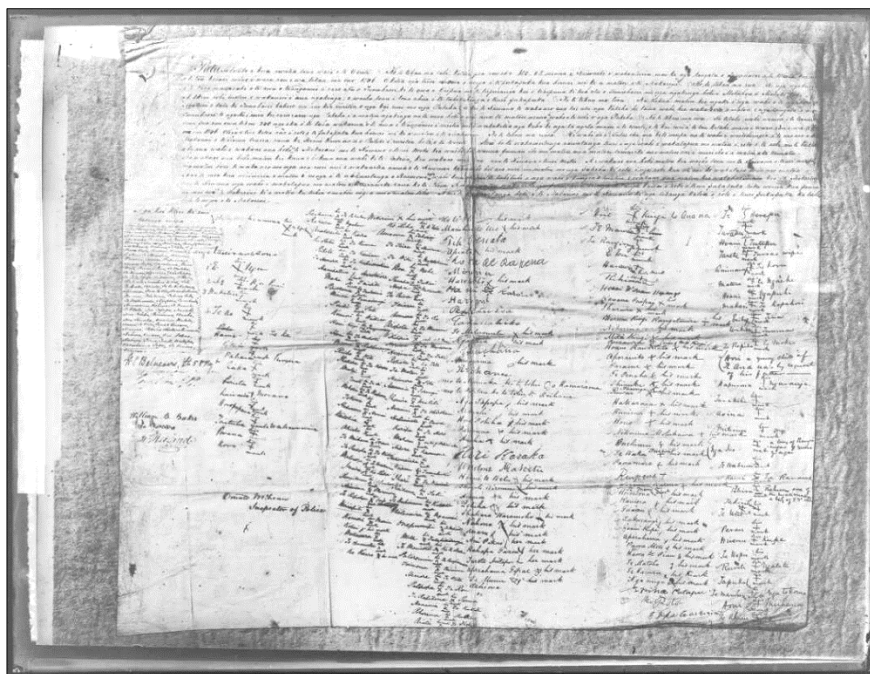


Figure 6: Deed of Purchase of Whanganui, signed 26 May 1848 (Deed of purchase of Whanganui, clauses & signatures in Maori and English, signed 26 May 1848. Harding, William James, 1826-1899: Negatives of Wanganui district. Ref: 1/1-000087b-G. Permission courtesy of Alexander Turnbull Library, Wellington, New Zealand. /records/22913287)

CHAPTER THREE: THE NEW ZEALAND WARS

The Kīngitanga

- 3.38. In the 1850s, some iwi and hapū discussed establishing a Māori King to lead a confederation of assenting Māori and protect their land from alienation. The King movement, the Kīngitanga, was intended to be a pan-tribal, politically-united movement to ensure continued Māori control, autonomy and mana over their lands. In 1856, some Whanganui rangatira attended a meeting at Pūkawa on Lake Taupō to discuss the idea of selecting a Māori King. While a King was not chosen at the Pūkawa meeting, those in attendance did agree to form a 'rohe tapu' within which no land would be sold to the Crown or to settlers. Later described as Te Rohe Pōtae, the centre point of this area was Tongariro maunga, and it included a large part of the Whanganui district.
- 3.39. Before Pōtatau Te Wherowhero was selected in 1857 and later anointed as King in June 1858, Tōpine Te Mamaku was offered the kingship at, according to Ngāti Hāua korero tuku iho, Poukaria. Despite not taking up the Kingship, Tōpine Te Mamaku was a significant champion of the Kīngitanga and is often one of those credited with introducing it to Whanganui in 1858.

The Taranaki Wars

- 3.40. In the late 1850s, relationships between the Kīngitanga and the Crown further deteriorated when the Crown attempted to purchase land at Waitara. In March 1860, war broke out in Taranaki when the Crown attacked Te Kohia pā. Ngāti Hāua avoided becoming involved in the first Taranaki war. A truce was agreed to in March 1861.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

- 3.41. The 1861 truce remained in effect until March 1863, when fighting broke out for a second time and continued until November 1866. Several Whanganui Māori were in Taranaki when the conflict began, and 30 more individuals travelled to join them.
- 3.42. In October 1863, a force of Whanganui Māori that included Ngāti Ruru rangatira Rōpata Te Korowhiti and Te Ngarupiki from Taumarunui went to support their relations in Taranaki. Tōpine Te Mamaku also joined them with a contingent of his own, giving the group a total of 400 fighters.
- 3.43. Tōpine Te Mamaku and Te Pēhi Tūroa remained committed to maintaining peace in the Whanganui district. On their journey to Taranaki, Tōpine Te Mamaku and Te Pēhi Tūroa were careful to ensure that no harm came to settlers on their route. They sent word ahead for settlers to keep their doors shut to avoid any confrontation. In one case, Te Pēhi Tūroa saw some settler children and stood with them to protect them until the entire taua had passed.
- 3.44. The taua fought at Tapuaeruru and Tāpuiwaewae but, after running out of supplies, returned to Pīpīriki in February 1864. On their return hīkoi, the taua passed by Crown soldiers on a farm and did not engage them. Again, Te Pēhi Tūroa stood by the soldiers to see that no fighting broke out.

War Spreads to the Waikato

- 3.45. In July 1863, the Crown sent forces across the Mangatāwhiri River and, in doing so, passed beyond the northern boundary, or aukati, of Te Rohe Pōtae. The aukati had been established in 1860 as a designation of Māori customary land in Te Rohe Pōtae which could not be entered without the approval of the King. By crossing the aukati without approval, the Crown began the Waikato War.
- 3.46. In April 1864, Rōpata Te Korowhiti went to Ōrākau, but arrived too late to fight, and Tōpine Te Mamaku and his followers were at Haurua to help defend against a Crown invasion that did not eventuate.

Warfare in Whanganui

- 3.47. After Ngāti Hāua returned from Taranaki, they continued to desire peace in the Whanganui district. In May 1863, Te Pēhi Tūroa wrote the following to the Wanganui Chronicle:

*Friends this is my word to you. Don't think there will be any fighting in this
our river, viz Whanganui. Do not let settlers living on their land be
frightened, let them remain where they are.*

- 3.48. The Crown had maintained a military presence in Petre since the hostilities of the 1840s. In July 1863, officials banned Māori who had been involved in the Taranaki conflict from entering the town. The local missionary unsuccessfully sought for the Crown to withdraw this order, as he thought it would lead to war.
- 3.49. In January 1864, the Crown instructed officials on how to deal with three types of “rebels” in Whanganui. Those who had fought against the Crown were to be arrested; those who

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3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

were among the rebels but denied fighting were to surrender their arms, sign a declaration of allegiance, and were not allowed to remain among the “friendlies”; and those who lived among the “friendlies” but supported the “rebels” would receive a warning. In April, Te Pēhi Tūroa indicated that Whanganui Kīngitanga would only fight the Crown again if they were attacked in their upriver homes.

The Pai Mārire

- 3.50. In 1862, during the fighting in Taranaki, Te Ua Haumene, a Kīngitanga supporter from Taranaki, had founded a new faith that sought to reject European religious authority and bring Māori that followed it control and independence over their religion and their land. The movement was called Pai Mārire, which translates to good and peaceful. The Pai Mārire soon gained a large following, particularly among the Kīngitanga. Although Pai Mārire eventually became the religion of the Kīngitanga, it did not have its universal support, especially in the early years of its inception.

The Battle at Moutoa Island

- 3.51. In late April 1864, Mātene Rangitauira of Ngāti Te Wera, a disciple of Te Ua Haumene, returned to Whanganui and travelled around the district seeking converts to the Pai Mārire faith. Many Ngāti Hāua rangatira converted and aligned themselves with the Pai Mārire vision of autonomy and control. Those from Ngāti Hāua who converted to Pai Mārire did so because it represented the possibility of mana motuhake and stood for those who had been, and were being, oppressed by the Crown and its aggressive actions.
- 3.52. In May 1864, Rangitauira decided to lead a Pai Mārire force against the Crown at Petre. The taua was made up of Whanganui Pai Mārire supporters as well as Māori from outside of the district. Te Pēhi Tūroa wrote to Māori at Rānana to ask them to prevent the passage of the Pai Mārire force down the River, citing an agreement he had already made with the Governor that there would be no fighting with the Crown in Whanganui.
- 3.53. Tōpine Te Mamaku and Te Pēhi Tūroa allied some of their supporters with lower-river Māori who contested the right of the Pai Mārire fighters to proceed down the River and attack the township. The ensuing battle pitted Ngāti Hāua whānau against one another, as they fought on opposing sides. As it was described at the time, “this fighting was between elder and younger brother, between fathers and their children.” The Kīngitanga and lower-river Māori force defeated the Pai Mārire at Moutoa Island on 14 May and Rangitauira was killed. 50 of the Pai Mārire group were killed, while the lower-river and Kīngitanga fighters lost 12 to 16 men, and between 20 and 25 were wounded.

The Battle at Ōhoutahi

- 3.54. At the end of May 1864, the Crown decided to arm its Whanganui Māori allies in order to protect “the upper Whanganui part of the district from the inroads of rebel natives”. The Crown also paid for the fortification of the pā of its allies at Rānana, Kauaeroa, Koroniti, Hiruharama, and Mairekura-Tawhitinui. By November, the Kīngitanga forces had established a pā at Ōhoutahi near Pīpīriki. Toward the end of 1864, the Crown received reports that Petre would be attacked, though this did not eventuate. Tōpine Te Mamaku and Te Pēhi Tūroa continued to avoid the outbreak of war in the district.

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3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

- 3.55. In late January 1865, General Cameron led a force of 1,200 soldiers out of Petre into Taranaki. Soon after, a force of 400 of the Crown's Whanganui Māori allies were dispatched upriver to Hiruharama, one mile south of Ōhoutahi. Te Pēhi Tūroa's followers initiated some skirmishing between Hiruharama and Ōhoutahi which resulted in the death of four of Te Pēhi Tūroa's men. On 24 February 1865, the 400-strong force of the Crown's allies captured the Ōhoutahi pā. 27 of the Kīngitanga forces were killed, and 100 were taken prisoner, including Te Pēhi Tūroa, Tāhana Tūroa and Tōpia Tūroa, who was also wounded in the battle.

The Battle at Pīpīriki

- 3.56. In March 1865, the Crown sent a force of around 200 militia and 400 of its Māori allies to occupy the Pīpīriki pā, a stronghold of Pai Mārire. The Crown's Māori allies were withdrawn to fight for the Crown at Weraroa pā on the Waitōtara River then recalled with a further 400 men to Pīpīriki when it came under Kīngitanga attack. There were skirmishes between the Crown and Kīngitanga forces outside the pā over 12 days in July. In September 1865, Governor Grey issued a 'proclamation of peace' and declared the war at an end.

The Crown's Confiscation of Land

- 3.57. In 1863, the Suppression of Rebellion Act and the New Zealand Settlements Act came into effect. These provided for the Crown to confiscate Māori land when the Governor in Council was satisfied that "any native tribe, or section of tribe or any considerable number thereof" had been engaged in rebellion against the authority of the Queen. In 1865, the Crown proclaimed the confiscation of a large area of land from Tātaramaka in northern Taranaki down to Whanganui under the New Zealand Settlements Act.

Parihaka

- 3.58. From the 1860s, some members of Ngāti Hāua were living in Parihaka, a community in Taranaki which practiced non-violent resistance to the Crown and modern agriculture. From 1878, the community began pulling out survey pegs and fences on land the Crown was attempting to confiscate, and also ploughing land. In 1879, the Crown began arresting these peaceful protesters and detained many of them without trial. During 1879 and 1880, the Crown promoted legislation which retrospectively legalised these detentions, and provided for the imprisonment of the ploughmen. The Crown transported many of the arrested ploughman and fencers to the South Island where they remained in prison, many without trial, until 1881. They experienced overcrowding, harsh treatment, insufficient rations, and ill health.

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- 3.59. In 1881, 174 Whanganui Māori were reported to be living in Parihaka. On 5 November 1881, a Crown force of over 1,500 invaded Parihaka and arrested its leaders, Te Whiti and Tohu. Over the following week, Crown troops arrested residents in an attempt to force them to disperse. On 11 November, 26 Whanganui rangatira were arrested in the settlement and 28 more Whanganui Māori were arrested the following day. Crown forces killed or stole livestock, and destroyed 45 acres of potato, taro, corn, wheat, and tobacco cultivations. Ngāti Hāua tradition is that some of the troops committed sexual violence against the residents of Parihaka.
- 3.60. The Crown then advanced on outlying settlements, arrested around 35 Whanganui Māori, and marched them back to Parihaka. On 14 November, Crown forces removed the contents of 25 Whanganui whare at Parihaka, stole taonga, and destroyed the whare. The next day, the Crown arrested 47 Whanganui Māori women including several children. On 16 November, the Whanganui Māori who had been arrested were marched back to Whanganui under a strong guard.

CHAPTER FOUR: THE INTRODUCTION OF NATIVE LAND LEGISLATION

- 3.61. In the early 1860s, the Crown abandoned its pre-emptive system of land purchasing. It introduced a new system of native land laws intended to establish a process for resolving disputes about Māori land ownership and facilitate the opening of Māori land to British colonisation. The Crown aimed to individualise Māori land tenure, detribalise Māori, and encourage their eventual assimilation into European culture. Ngāti Hāua never formally consented to the introduction of native land legislation.
- 3.62. The Native Land Acts of 1862 and 1865 established the Native Land Court to determine the owners of Māori land according to Māori custom, and award individual owners titles derived from the Crown. Any individual could apply to the Court for a title determination, and all those with interests in the affected land were forced into the Court system if they wished to protect their interests. Ngāti Hāua also required a Crown-derived freehold title if they wanted to sell their land or develop it and engage with the growing settler economy.

Crown Payments before Native Land Court Titles were Awarded

- 3.63. In 1874, the Crown began negotiating with Ngāti Hāua to acquire the Retāruke and Kirikau blocks. However, the Crown would not complete these transactions until the Court had determined the ownership of these lands. In March 1874, in preparation for their application to the Court, Ngāti Hāua applied to the Crown to have the Kirikau block surveyed. The next month, the Under-Secretary of the Native Department recorded that, as long as Ngāti Hāua agreed in writing that the block would be sold to the Crown and the survey cost would be repaid, the Crown would organise the survey of the block. In 1876, the Retāruke and Kirikau blocks were the first Ngāti Hāua blocks to come before the Court. The Court awarded the tribally-owned Retāruke block to 169 individuals, and the Kirikau block to 59 individuals.

Boycotting of the Native Land Court

- 3.64. In the 1880s, Te Kere Ngātaiērua rallied opposition to the Court. Te Kere had formed the Paetiuihou faith movement in the 1870s which was closely aligned with the Kīngitanga.

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Though the Paetiuihou faith was characterised by peacefulness, the Crown continued to label Te Kere and Ngāti Hāua more broadly as “Hauhau” and “rebels”. Colonial authorities saw their protests as rebellious opposition to colonial structures.

CHAPTER FIVE: TE ROHE PŌTAE AND THE NORTH ISLAND MAIN TRUNK RAILWAY

Crown Preparations for the North Island Main Trunk Railway

- 3.65. By 1882, the Crown considered it critically important to acquire land in Te Rohe Pōtae for the North Island Main Trunk Railway. The Crown was also intent on acquiring land for European settlement. Prior to the 1880s the Crown and settlers had been unable to establish themselves in Te Rohe Pōtae, and Ngāti Hāua had consistently enforced the aukati. In 1880 Ngātai Te Mamaku killed a gun-runner who trespassed within the boundary.
- 3.66. In early 1883, the Crown proclaimed a general amnesty for all offences of a political nature that occurred during the New Zealand Wars. The proclamation was part of a Crown push to better its relations with Te Rohe Pōtae Māori. The proclamation demonstrated willingness and trust among members of the Kīngitanga and the Crown to work towards more cooperative, peaceful policies. However, Ngāti Hāua were uncertain whether Ngātai Te Mamaku was included in the amnesty. Initially, the Crown would not confirm that Ngātai Te Mamaku was included in the amnesty, but finally agreed to in December 1883.

Ngāti Hāua Resistance to the Construction of the Railway

- 3.67. During 1883, Ngāti Hāua were engaging with the Crown as one of four tribes that collectively sought to establish an external boundary to protect their territories in Te Rohe Pōtae that had not already been subject to land dealings. The boundary they envisioned would place their customary land under the control of the Kīngitanga indefinitely.
- 3.68. In March 1883, leaders of a neighbouring iwi who also belonged to the ‘four tribes’ came to an agreement with the Native Minister for an exploratory survey of a possible route for the Railway. On 16 March 1883, they agreed to the survey on the condition that the Crown gained the consent of Te Rohe Pōtae leaders. They also expected that, in return, the Crown would carefully consider implementing laws that recognised the authority of Te Rohe Pōtae leaders over their lands. However, the Crown continually suggested that Kīngitanga rangatira have their land investigated and surveyed.
- 3.69. In June 1883, the ‘four tribes’ sent a petition to Parliament, setting out what they expected from any agreement to lift the aukati. The petition was signed by 415 rangatira and called upon the Crown to take practical measures to give effect to te Tiriti o Waitangi/the Treaty of Waitangi. The petitioners asked for Crown recognition and statutory provision for their tino rangatiratanga within Te Rohe Pōtae. They also called for Te Rohe Pōtae to be excluded from the jurisdiction of the Native Land Court and for the ability to be able to make their own decisions about land ownership that would then be confirmed by the law. The petitioners told the Crown they “could not live without our lands.” For Ngāti Hāua, the petition represented a new approach to engagement with the Crown, and they continued

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to prefer to manage their own land and its alienation. The Railway could only be built if the Crown made an agreement that was satisfactory to Te Rohe Pōtae Māori.

- 3.70. In response to the petition, Parliament enacted the Native Land Laws Amendment Act 1883 which gave some protections for Māori land that were more limited than the ‘four tribes’ wanted. Contrary to the wishes of Te Rohe Pōtae Māori, the legislation did not exclude Te Rohe Pōtae from the jurisdiction of the Court and its processes. The Crown also promoted the Native Committees Act 1883, which provided for Native Committees that could advise the Court for title determination. However, there was no legal obligation for the Court to take notice of any recommendations made by a Native Committee.

Negotiations Surrounding the Railway and Te Rohe Pōtae

- 3.71. Ngāti Hāua and other Te Rohe Pōtae Māori were not entirely satisfied with the Crown’s response to the petition, and further negotiations were required before they would agree to lift the aukati. Over 30 November and 1 December 1883, Native Minister Bryce held a meeting with leaders from a neighbouring iwi in Kihikihi that focussed on the terms under which Te Rohe Pōtae land would be surveyed. Bryce unsuccessfully encouraged each of the four tribes to make an application to the Court for title determination to Te Rohe Pōtae. The iwi did not do so, and several days later on 19 December there was a larger meeting during which Ngāti Hāua and other iwi agreed to a survey that would recognise their external boundary. They also agreed to exploratory railway surveying continuing. Following this meeting, Bryce finally confirmed that Ngātai Te Mamaku was included in the amnesty proclamation of 1883.
- 3.72. Bryce had incorrectly said to the rangatira at the 1 December meeting that the only way to have a survey completed of the external boundary was by making an application to the Court. He told those present that the Native Committees provided for in the 1883 Act would be able to ‘inquire into titles’, which was not actually stipulated by the legislation. In encouraging the rangatira to make an application to the Court, he said that he could not hold back competing applications which would relegate them to counter-claimants.
- 3.73. The vast block being surveyed was named ‘Aotea’ and included much Ngāti Hāua land. Ngāti Hāua and other iwi saw the survey as a first step the Crown in recognising and providing for their authority to determine the lands of iwi and hapū in Te Rohe Pōtae and to manage and dispose of their lands. However, the surveying in 1884 also led Ngāti Hāua and other iwi that lived close to the edge of Te Rohe Pōtae to fear that they might lose their lands through other iwi initiating Court processes. This created tension in the close kin relationships between iwi involved in Te Rohe Pōtae.
- 3.74. Shortly following the agreement for an external boundary survey in December, six additional surveyors commenced work, including on three trig surveys across the whole of Te Rohe Pōtae, along with the continuation of the exploratory railway survey. In January 1884, Hoani Paiaka wrote to the Crown to give his support for the railway survey, but not to the Railway itself. In April 1884, the Crown moved to restore its pre-emption policy that gave the Crown control over all transactions of Māori land, without the consent of Te Rohe Pōtae Māori. The Native Land Alienation Restriction Act was then passed in late 1884, the purpose of which was specifically to advance the settlement of Te Rohe Pōtae without rangatira in the rohe having any influence or control over the process. Te

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Rohe Pōtae rangatira reminded the newly-appointed Native Minister John Ballance that they had not yet consented to the Railway.

- 3.75. Ballance, therefore, continued negotiations with Te Rohe Pōtae Māori. In January 1885, Ngāti Hāua were given assurances at a meeting in Rānana that compensation would be paid for any land taken for the purposes of railway tracks and stations. At the meeting, Whanganui Māori asked that their boundaries be clearly defined and that Native Committees be given the jurisdiction to make decisions relating to their land and to the Railway. The Crown was only willing to agree to Native Committees having a greater role in Court processes. Ballance promised compensation would be paid for any takings relating to the Railway in the Whanganui district. Later in 1885, the Native Office advised Ngāti Hāua in writing that when compensation was awarded, it would be paid to owners ascertained by the Court, the processes of which the ‘four tribes’ had made clear they did not agree to in the 1883 petition. A further meeting was held in Kihikihi in February with other Te Rohe Pōtae Māori, and it was off the back of this meeting that the Railway was agreed to. Te Rohe Pōtae rangatira lifted the aukati late in 1885 when the survey of the Aotea block was near completion, providing symbolic proof that they were honouring their agreements with the Crown.

Land Takings and Construction of the Railway

- 3.76. In April 1885, the Crown proclaimed what land would be needed for the Railway under the Railways Authorisation Act 1884 and the Public Works Act 1882. The Crown had promoted legislation in 1884 that allowed for Crown pre-emption over areas that extended as far as 50 kilometres either side of the Railway. The Crown said that it may require wider sections of land, but assured that it would only take as much as was necessary to make the Railway safe and efficient, and that it would pay for any land not gifted by Māori owners.
- 3.77. Between 1885 and 1902, the Crown used public works legislation to compulsorily acquire just under 1,100 acres for the Railway. In many places, the amount taken was in excess of what the Native Minister had told Māori the Crown would need and involved more land than Māori had agreed to gift. Ballance had said at a meeting in 1885 that one chain would be required for the track except where cuttings were needed, but the Order in Council of 1885 relating to the Railway said it would have an average width of three chains.
- 3.78. In 1885, the Crown began construction of the Railway through the Whanganui district. In 1886, Ballance suggested that the existence of the Railway should in itself be enough compensation for those, like Ngāti Hāua, whose land was to be taken. The Railway reached Taumarunui in 1903, and the Crown compulsorily acquired Ngāti Hāua land around Taumarunui in the Ōhura South G4 block incrementally in 1907, 1915, 1917, and 1919. The only compensation that was paid for takings in the Whanganui district occurred between 1915 and 1919.

The Use of the Whanganui River During Construction

- 3.79. The Crown made use of the Whanganui River in the construction of the Railway. The River acted as a highway for the transportation of materials by riverboats, which were only able to navigate the River because of physical changes previously wrought by the Crown through explosives and other means of landscaping. As with the opening of Te Rohe

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Pōtae, Ngāti Hāua wished to have a degree of autonomy in dictating the use of the Whanganui River by the Crown for the instalment of infrastructure. However, the Crown did not consistently consult Ngāti Hāua regarding its use of the River. Instead, The Crown emphasised the supposed benefit of the new infrastructure, such as steamers on the River.

The Stratford-Ōkahukura Railway

- 3.80. In 1883, the Crown considered a route from Stratford in Taranaki to Ōkahukura as a possibility for the North Island Main Trunk Railway. Upriver Whanganui Māori opposed the initial survey of the route. The surveyor was captured by Māori from Tāngarākau for 48 hours until he was rescued. The surveyors completed their report in 1884 and stated that the land in the Tāngarākau section was rough but fit for settlement.
- 3.81. While the Te Awamutu to Marton route was selected for the North Island Main Trunk Railway, settlers petitioned the Crown to construct the Stratford-Ōkahukura Railway. In 1886, the Crown identified a potential route for the Stratford-Ōkahukura Railway through the Maraekōwhai and Ōhura South blocks. Construction began in Stratford in 1901. The construction provided employment for Ngāti Hāua, although the working conditions were hard. The two halves of the Railway met in Heao and the last spike was driven in on 7 November 1932.

CHAPTER SIX: THE NATIVE LAND COURT

- 3.82. Despite the railway agreement, there was still much opposition to the Native Land Court among Ngāti Hāua. Whanganui leader Tōpia Tūroa, who had travelled with King Tāwhiao on his 1884 journey to London to petition Queen Victoria over land issues, organised a meeting at Poutū in 1885. The meeting was attended by roughly 1,000 Māori. They came to a unified stance and called for the abolition of the Court and for control of Māori land to lie with local Māori committees. However, the Crown did not make any changes to the native land legislation. In 1886, a large meeting was held at Aramoho to discuss boycotting the Court at the same time as the Waimarino block title determination. Some Ngāti Hāua rangatira, such as Ngātai Te Mamaku, did not attend the Waimarino block hearing due to the Aramoho meeting.
- 3.83. Nevertheless, Ngāti Hāua applied for title determinations for the Ōpatu block in 1880, the Kōiro block in 1884 and the Maraekōwhai block in 1885.

Obstacles to Attending the Native Land Court

- 3.84. The distance of the Ngāti Hāua rohe from the townships where hearings were held created difficulties in the attendance of the iwi. The Ōpatu, Kōiro, and Maraekōwhai block hearings were held in Whanganui in early 1886, while the Aotea block hearing occurred to the north in Ōtorohanga a few months later. The journey to Ōtorohanga was a large and difficult distance for Ngāti Hāua to traverse. In 1886, Ngāti Hāua did not attend the hearing for the Taurewa block which was held in Taupō at a similar time to the Waimarino block hearing in Whanganui. A journey by horse from Taumarunui to Taupō often took four days. In 1882, Hakiha Tāwhiao, Te Huia Te Pikikōtuku, Te Warahi te Whiutahi, Winiata, Tūao, Tōpine Te Mamaku and Hoani Paiaka complained to the Crown that they had travelled all

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the way to Upokongaro, around 15 kilometres from the Whanganui River mouth, to attend a notified hearing of the Ōpatu block, only to find it had been dismissed by the judge. The Crown refused to consider their request for a payment to help cover their costs. It was not until January 1886 that the Native Land Court investigated the title of the Ōpatu block and awarded it to Ngāti Hāua.

- 3.85. In the case of the Waimarino block, many Whanganui Māori with interests claimed to have not received notice that a title determination to their land was occurring. Although notice was issued in the Kāhiti (the *New Zealand Gazette*), Ngāti Hāua may not have seen it. Te Kere Ngātaierua petitioned the Native Minister in 1887 on behalf of 560 others claiming that they did not attend the Waimarino block title determination because they had received no notice of it.
- 3.86. Between 1886 and 1888, Ngāti Hāua rangatira sent a series of letters and petitions to Native Minister Ballance, stating that they had been unaware of the Court proceedings that had occurred relating to the north of the Waimarino block. None of the few recognised Ngāti Hāua owners attended the subsequent 1887 Waimarino block partition hearing, at which the judge said that “it will be the non-sellers [sic] own fault if they are located on the precipices and pinnacles”.
- 3.87. On occasion, blocks were investigated under names that were unfamiliar to Ngāti Hāua. The iwi did not recognise the block named Pohokura at all, as their own name for it was Ruataiko, and no one from the iwi attended the Court’s title determination in 1882. At 452,196 acres, the vast Waimarino block included land known by other names to iwi. In his 1887 petition, Te Kere also told Ballance that the Waimarino block contained sixteen districts known by other names. Significantly, the Waimarino block included the Tūhua district, which had been part of the original survey of the Aotea block which had not been heard by the Court yet.
- 3.88. The title determination of the Waimarino block was based solely on a sketch. That sketch was primarily informed by other land surveys, and was incomplete in the Tūhua district where Ngāti Hāua resisted the Crown’s efforts to survey the land. Ngāti Hāua communities in the Tūhua district considered the Waimarino sketch plan to be a mistake that would be corrected when the final survey was completed, as the sketch appeared to include land they believed to be protected under an agreement with the Crown concerning Te Rohe Pōtae.
- 3.89. In the case of the Waimarino, Taumatamāhoe (which Ngāti Hāua also did not attend), Pohokura and Taurewa blocks, the title determinations were all held prior to surveys being completed. This meant that the Court sometimes relied on inaccurate or partial sketch maps of blocks when determining customary interests. As such, it was not always clear to Ngāti Hāua what land was included or excluded from a particular title determination, even if they were aware of the Court hearing.

The Costs of the Native Land Laws on Ngāti Hāua

- 3.90. When Ngāti Hāua did attend Court hearings, they incurred significant physical, social and financial costs. Participation in Court hearings could require staying for lengthy periods in difficult conditions. They could occur in winter when conditions were cold and damp.

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Hearings could also last upwards of several months, which disrupted the day-to-day life of Ngāti Hāua, particularly the planting and harvesting of their crops.

- 3.91. Having to attend hearings was financially costly for iwi, with the need for accommodation and kai being unavoidable. These were only exacerbated by the fact that Ngāti Hāua were away from home and their sources of income. In the 1886 title determination of the Taurewa block, which was heard as part of the Taupōnuiātia block, anyone wishing to claim interests needed to be present for the entirety of the hearing, which lasted months, to know when their block would be heard.
- 3.92. Court proceedings impacted Ngāti Hāua relationships with other iwi because inquiries into the customary ownership of a block could be strongly contested between neighbouring iwi and hapū. The Court process was also adversarial in nature as claimants had to assert their interests or evidence against other claimants to have their claim recognised.
- 3.93. The most significant costs were for surveys, which could be so high that sometimes iwi sold their land in order to pay them. Survey costs were made even more difficult for non-sellers, because there were no proceeds from sale to use. In 1892, Ngāti Hāua sold 10,000 acres in the Ōhura South K2 block to pay for their share of nearly £1,100 for survey liens from the 1890 Ōhura South block survey.

CHAPTER SEVEN: CROWN PURCHASING IN THE NINETEENTH CENTURY AND THE WAIMARINO BLOCK

- 3.94. At the beginning of the 1870s, the Crown commenced large-scale land purchasing in the Whanganui district “for the purpose of colonisation and settlement”. During the last three decades of the nineteenth century, the Crown purchased a significant amount of Ngāti Hāua land. In 1890, Māori held roughly 40 per cent of land in the North Island, or 11.6 million acres, compared with around 80 per cent in 1860. By 1910, that figure was less than 27 per cent.

Crown Advance Payments for Ngāti Hāua Land

- 3.95. During the 1870s, the Crown often began processes of acquiring Māori land by making advance payments of rent or purchase money before title to the land had been awarded by the Court. The Crown adopted this practice in its purchases of the Kōiro, Retāruke, Kirikau and Ōpatu blocks. The acquisition of these blocks was central to the Crown’s settlement plans in the Tūhua district. The Under-Secretary of the Native Department wrote of “the advantage which might result to the colony if the Natives could be induced to break ground in that locality”.
- 3.96. In July 1874, Tōpine Te Mamaku and Tāhana Tūroa made independent offers to sell the Retāruke block to the Crown. The Crown made separate advance payments to Tōpine Te Mamaku and Tūroa. Those payments to individuals complicated the purchase process of the Retāruke block, because some owners did not wish to alienate their interests but found themselves caught up in processes surrounding their land. After a short hearing in March 1876, the Court awarded the block to 169 Ngāti Hāua owners.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

- 3.97. The Crown also made advance payments between October and December 1874 for 17,491 acres of the Kirikau block, which was all but 442 acres of the land. The Kirikau block came before the Court once the survey was complete in 1876 and was awarded to the Ngāti Hāua applicants. Kirikau was the first Ngāti Hāua block to be purchased, with the Crown purchasing 17,491 acres, essentially the block in its entirety, in 1881.

The Distribution of Crown Payments for the Retāruke Block

- 3.98. The Crown had paid only a small proportion of the purchase money before the Court awarded a title for the Retāruke block. The Court's award provided the Crown with a list of individual owners who were entitled to payment for their interests if they agreed to sell. Within five years of the 1876 title investigation of the Retāruke block, the Crown had made arrangements to purchase 148 of the 169 identified shares in the block, amounting to 17,320 acres. However, almost immediately following the title investigation, the Crown had begun to receive letters and petitions of complaint regarding the distribution of purchase money. The Crown had given purchase money to a leading rangatira of Ngāti Hāua but failed to ensure that the payment was then appropriately distributed.
- 3.99. One Ngāti Hāua rangatira, Hoani Paiaka, wrote a series of letters to the Under-Secretary from 1877 to 1889 detailing his "anxiety" at not having received payment for his land in the Retāruke block. In August 1877, he sought to prevent any further sales of Ngāti Hāua land, stating that Europeans should "be barred from coming more than a certain distance up the river in order to prevent them from entering the Tūhua country" and that no more surveys be made. He continued that the iwi should stock the land with sheep to prevent sales, leases, and surveys. In the same month, Te Pikikōtuku Rongonui wrote to the Crown complaining about the Retāruke purchase calling it a "clandestine sale" and noting that the people affected by it "suffer acutely."
- 3.100. The Crown was aware at the time that its payments "were made in a very irregular manner". Other rangatira had similar complaints about the purchase and agreed in 1889 to petition the Native Minister regarding their payment. The letters and petitions were largely ignored. One Crown official wrote that "the Natives have themselves to blame for any irregularity which may have taken place in the distribution of the purchase money". Throughout, the Crown made no attempt to rectify the situation.

The Crown's Use of Monopoly Powers

- 3.101. During negotiations for land, the Crown nearly always operated as a monopoly purchaser. In 1877, the Crown promoted legislation which provided for it to establish a prohibition over all private alienations of Māori land once it had made any payments for that land. This allowed the Crown to negotiate land sales without private competition. The Crown's proclamations of monopoly powers could have a significant impact on Ngāti Hāua, as their only option under such a proclamation was to sell or lease land to the Crown if they wished to alienate it.
- 3.102. In 1878, Meeha Paiaka and 26 others had agreed to sell a portion of their land in the Ōpatu block to a private purchaser. In January 1879, though, the Crown also entered into negotiations for this land and proclaimed monopoly powers over the block. The Crown bought-out the private party and, by 1881, had paid more than £1,300 in advances.

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3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

However, the Crown's plans for settlement in the Tūhua district were delayed when negotiations for the Ōpatu block stalled. In this time, some of the owners wanted to lease the land but were prevented by the monopoly proclamation. It was not until January 1886 that the Court awarded title to the Ōpatu block and, by April 1887, the Crown had acquired the interests of 65 of the 67 owners.

The Waimarino Block Purchase

- 3.103. In March 1886, the Crown began purchasing interests in the Waimarino block immediately after the Court had awarded a title block to further its plans for the North Island Main Trunk Railway. In the months following the title determination of the Waimarino block in 1886, the owners submitted applications to have their interests defined and partitioned. The Crown discouraged these applications from being heard by the Court and instead proceeded to purchase undefined shares. This meant that Ngāti Hāua did not always know what land was being sold to the Crown. Combined with difficulties with attendance at partition hearings, the purchase of undefined interests meant Ngāti Hāua struggled to retain the areas of land on which they lived.
- 3.104. On 16 April 1886, Ngātai Te Mamaku and others of Taumarunui wrote to the Native Minister seeking a reserve for the Ngāti Hāua people that included some lands within the northern boundary of the Waimarino block. There is no record of the Crown's response. On 8 May 1886, Ngātai Te Mamaku again wrote to the Native Minister expressing his belief that the Crown should stop dealing with this land as it lay within Te Rohe Pōtae and the interests would be soon investigated by the Native Land Court. On the same day, Piripi Tūhaia and 39 others (including important Ngāti Hāua rangatira such as Te Manuauete, Tānoa Te Uhi, Te Āwhitu and Tūao) also wrote to the Native Minister complaining about the Crown making payments for the land and warning it would produce "evil consequences".
- 3.105. By February 1887, the Crown had purchased 411,196 acres, 91 per cent of the block, from 821 owners, including members of Ngāti Hāua. In total, the Crown paid Whanganui Māori, including Ngāti Hāua rangatira, a total of £35,000 for over 410,000 acres. This price did not take into account the value of timber in the block, which the Crown was aware would likely be enough to "repay the total cost of the purchase". In April, the Native Land Court partitioned the Crown's share of the block as Waimarino 1 and created seven blocks for the 100 owners who did not sell their interests. Three Ngāti Hinewai non-sellers received the 1,350-acre Waimarino 6 block.
- 3.106. Ngāti Hāua continued to protest and petition the Crown immediately following these awards. On 4 May, Te Kere Ngātaiērua joined with the rangatira of another iwi to protest the sale of their people's land without their knowledge. He stated that he had received no notice of the title determination and his people had lost important sites on the Waimarino block, including Mangatīti, Ruatītī, and Riariaki. The Native Minister met with Te Kere two weeks later, though a record of the hui was not kept. Te Kere remained opposed to the purchase and submitted a petition to this effect in 1888. However, the Crown did not respond.
- 3.107. On 9 June 1887, Ngātai te Mamaku and 107 others wrote to the New Zealand Governor stating that Tūhua land had been wrongly included in the "unlawful and secret" purchase

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of the Waimarino block and it should have been left in Te Rohe Pōtae. It was explained that these lands contained their homes, cultivations, cattle and horses, as well as their dead. Ngāti Hauaroa, Ngāti Reremai and Ngāti Wera were all said to have suffered from the inclusion of their land. The Crown replied, stating that it was no longer possible to consider claims to the block or change what had already been done.

- 3.108. On 11 June 1887, Tūao, Tānoa and Taitua of Taumarunui wrote to the Government claiming that as they had never taken any money for the block, they considered the portion of Waimarino included in the Aotea block still belonged to them. The Crown noted that those who had not sold their interests had received a share in Waimarino 6 and that the remaining Tūhua lands were property of the Crown. On 10 July 1888, Ngātai Te Mamaku and 19 others presented a petition to Parliament complaining that the Waimarino block had been surreptitiously passed through the Native Land Court and they were therefore robbed of their land.
- 3.109. Ngāti Hāua complaints about the Waimarino block purchase continued for many years. On 24 July 1899, Te Hika Poihipi, Katarina Te Waihanea and Waikura Pirihira, all of Ngāti Hāua living around Taumarunui, wrote to the Native Minister asking why the Crown had not responded to their previous petitions. On 30 July 1899, Ngātai Te Mamaku also wrote to the Native Minister asking why the petitions regarding the people who had suffered from the Waimarino sale were taking so long to resolve.

The Waimarino Block Reserves

- 3.110. In July 1887, the Crown created reserves for the 821 sellers from the Waimarino No.1 block. It located the interests of Ngāti Hinewai and Ngāti Whati, another Ngāti Hāua hapū, in the 3,130-acre Waimarino C block. The purchase deed stipulated that the Crown and Māori should agree on the location of the seller reserves. When selling their shares, Ngāti Hāua had understood that the reserves would include their kāinga and cultivations. Neither party should have made a unilateral decision on the acreage and location of these reserves. The Crown purchase agent reported that they had consulted with a representative of each hapū, rather than coming to a mutual agreement.
- 3.111. When the survey of their seller reserve was completed in 1896, Ngāti Hāua hapū, Ngāti Whati, found that their kāinga at Te Maire was included on the Waimarino D block which was reserved for a hapū of another iwi. In 1910, members of Ngāti Hāua petitioned the Crown about the location of their seller reserve, the Waimarino C block, which the Crown located far from their homes. In its report on the petition, the Crown described the seller reserves as “gifts from the Crown”, rather than areas agreed by both parties. In 1911, the Court combined the seller reserves and created the Waimarino CD block.
- 3.112. While a Crown official told the sellers of the Waimarino block that the Crown would reserve 50,000 acres of the block for them, it only reserved a total of 33,245 acres for the owners. When it allocated the location of its own shares, the Crown sometimes favoured areas that were resource-rich and fit for settlement, leaving more uninhabitable or unprofitable areas to be allocated as non-seller blocks and seller reserves. This resulted in the Ngāti Hāua kāinga at Kākahi and Tawhatā becoming Crown-owned land. However, Ngāti Hāua continued to live in the kāinga as squatters in their own homes.

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- 3.113. Ngāti Hāua continued to live at the Tawhatā kāinga for a long time after the 1887 purchase of the land. In 1892, Te Kere returned to live at Tawhatā and over a thousand of his followers joined him there until lack of food forced many of them to move away. After Te Kere died in 1901 Tawhatā was abandoned until his daughter, Karanga, began occupying the site. In the 1920's, Karanga obtained the title to the Tawhatā reserve. However, by the 1930s epidemics of measles and influenza meant that only one hundred people remained at Tawhatā. In 1916, Ngāti Hāua sold some of their Waimarino reserve land to purchase a small site next to where the Kākahi marae was established.

The Purchase of Tribal Lands from Individual Owners

- 3.114. Once the Court awarded title to Māori land, the Crown could approach owners individually and attempt to purchase their interests. Purchasing from individuals had been discouraged by Native Minister Bryce in the early 1870s, but by the time the Crown was ready to purchase the Maraekōwhai block the practice was more common, and had occurred on a large scale in the purchase of the Waimarino block. The Crown began purchasing interests in the Maraekōwhai block from individuals in 1892, six years following the title investigation. It continued to purchase undefined individual interests incrementally until 1899, with the acquisition of 22,529 acres occurring between 1892 and 1898. 26,464 acres were set aside for the 42 non-sellers.
- 3.115. By the end of the nineteenth century, the nearly 107,000 acres of Ngāti Hāua land owned across the Kirikau, Kōiro, Maraekōwhai, Retāruke and Ōpatu blocks, had been reduced to less than 43,000 acres.

CHAPTER EIGHT: TAUMARUNUI NATIVE TOWNSHIP

- 3.116. At the end of the nineteenth century, Ngāti Hāua continued to live around Taumarunui including on the land which would become the township. Outside of the townships boundaries, Ngāti Hāua continued to live at Ngāpūwaihaha marae and the Taumarunui papakāinga at Ngāhuinga (Cherry Grove), at the confluence of the Ōngaaruhe and Whanganui Rivers.
- 3.117. European settlement of land in the Ngāti Hāua rohe came later than most North Island districts, and Te Rohe Pōtae was one of the last areas to be settled. However, when the Crown began purchasing Te Rohe Pōtae land in the 1880s and 1890s, there was a significant surge in European settlement. In 1886, Sir Julius Vogel informed Parliament that Taumarunui would become one of the most important towns in the colony because it is where the North Island Main Trunk Railway will cross the Whanganui River.
- 3.118. Aside from one settler in the 1870s, who married into the iwi, the first settlers came to Taumarunui in 1899 and arranged to lease land from Ngāti Hāua with Ngātai Te Mamaku and Te Manuaute Piripi Tūhaia. In the same year, Te Manuaute, Miriama Kahukarewao, and Hakiha Tāwhiao asked the Premier to stop Crown purchasing in the Ōhura South block and to remove the Crown's monopoly because Ngāti Hāua preferred to lease their land directly to settlers and maintain their ownership over it. By 1901, the Crown had bought 85,000 acres in the Ōhura South block which amounted to almost three quarters of the land.

The Establishment of the Taumarunui Native Township

- 3.119. In the late nineteenth and early twentieth centuries, the Crown introduced a new regime for establishing settler townships on Māori land called 'native townships'. Under this regime, Māori would transfer their land in trust to either the Crown or the district Māori land council or board. The Crown, council, or board would then be responsible for developing the land into towns for European settlement.
- 3.120. By 1902, the Crown had developed plans for the native township at Taumarunui following a request from local Māori. In January 1903, a meeting of forty local Māori advised that they supported the proposal for a township but did not want to proceed until the Ōhura South G4 block, on which the proposed township would sit, was partitioned by the Native Land Court. The ownership over some parts of the Ōhura South block was disputed and Ngāti Hāua thought this would intensify if it were not resolved prior to the establishment of the township.
- 3.121. A Crown official noted that because the discussion at the hui centred around the importance of partitioning the land, "the question of the suitability, or otherwise of having the township under the Native Townships Act 1895, was not so fully gone into as it otherwise would have been." Support for the township was not unanimous. It appears that this was the only hui between the Crown and local Māori and so members of Ngāti Hāua who were not among or represented by the forty attendees may not have been consulted about the establishment of the township.
- 3.122. Later that year, Ngāti Hāua rangatira requested the Crown vest the township in the local Māori land council, though they continued to desire the partition to occur before the township was established. However, the Crown sought to establish the township as soon as possible and requested the Court Judge delay the partition case.
- 3.123. In November, the Crown proclaimed 342 acres as the Taumarunui Native Township, which was later increased to 384 acres. The Crown did not gain agreement from Ngāti Hāua to proceed before the land had been partitioned.

Administration of the Taumarunui Native Township

- 3.124. The Maniapoto-Tūwharetoa District Land Council took over the administration and development of the township and adjusted the Crown's preliminary town plan following a hearing of submissions and objections. The Council halved the size of the site set aside for the marae area to ten acres. The final 1904 plan included 30 native allotments for Māori occupation which amounted to 43 acres. However, not all wāhi tapu and urupā were included.
- 3.125. The plan included three proposed Crown-owned properties: a recreation reserve, the Post Office, and a native school site which had been gifted by local Māori and opened in 1902. The native townships legislation provided for roads and reserves to be transferred from Māori to the Crown without compensation. Land for public reserves was compulsorily taken in 1908 and 1909 from Ngāti Hāua who sought compensation in 1916 and 1922. Ngāti Hāua were told that no compensation would be paid because the domain should enhance the value of neighbouring lands and the owners' rent.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT

3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

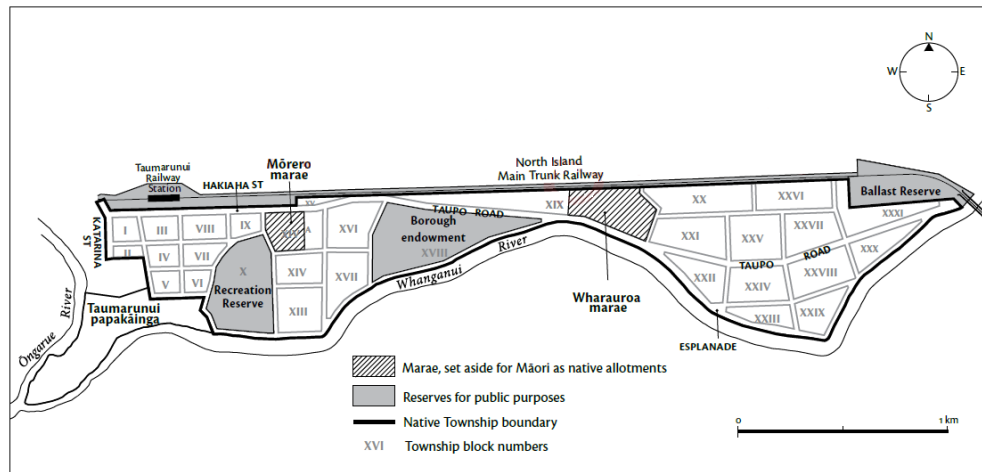


Figure 7: Taumarunui Native Township plan, 1904 (Waitangi Tribunal, (2015) He Whiritāunoka, p. 852)

- 3.126. In 1904, Ngāti Hāua rangatira established the Taumarunui kāinga committee as a sub-committee of the Whanganui Māori Council, which had been set up at the beginning of the century to provide a limited form of Māori self-governance. In October, the Council defined the boundaries of the Taumarunui kāinga as an area including the entire township and the surrounding Māori freehold land, within which the Council could enforce alcohol restrictions and collect dog tax.
- 3.127. In 1905, the Crown promoted legislation to enable local government in native townships. The Taumarunui Native Township Council was established in 1906 with four elected European members and one Crown-appointed Māori member – Hakiha Tāwhiao. The position of a Crown-appointed Māori councillor was abolished as per the legislation in 1908, though Hakiha Tāwhiao was elected as a member in 1909.



TE PUA O TE RIRI KORE – DEED OF SETTLEMENT

3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

Figure 8: First Native Township Council, Taumarunui, 1906 (Roll Back the Years, vol. 5, p. 765 (ref. 12889); permission courtesy of Ron Cooke)

- 3.128. By 1910, there were around 1,000 Europeans living in Taumarunui and only 130 Māori. Due to this increase in population, the Taumarunui Native Township Council was replaced by a borough council which administered a larger area than the township. There were no provisions for Māori representation on the Taumarunui Borough Council. The Borough Council came into conflict with the Whanganui Māori Council over the latter's restriction of alcohol and collection of dog tax within the Taumarunui kāinga. The Whanganui Māori Council agreed to reduce the boundaries of the kāinga so that it excluded land leased by Europeans.

Financial Issues for Ngāti Hāua

- 3.129. From 1904 township sections began to be leased to private individuals for 21 years with one right of renewal. By 1907, almost all of the township sections had been let to settlers with a total rent of £662 which increased to £1,487 by 1915. In 1910, in response to pressure from lessees, the Crown agreed to provide for perpetual leases of township sections. This type of lease became more common in Taumarunui over the following decades.
- 3.130. However, after 1915, the population continued to increase while rental income decreased for Ngāti Hāua for a variety of reasons. Initially, the rents were set at five per cent of the land value, but rent reviews only occurred at the end of twenty-one-year leases. Therefore by 1916, rents were only 1.8 per cent of the land value. The Crown's system of rent valuation meant that when the first leases expired in the 1920's, rents were significantly lower than five per cent of the land value. The prejudice Ngāti Hāua suffered from the system for fixing the rents they received is demonstrated by how lessees were able to informally subdivide and sublet the land they leased for much higher rentals than they were paying Ngāti Hāua. The owners were expected to pay for the set up costs for their township sections which, by 1911, amounted to 35 per cent of the average income. The ongoing costs rose in the 1910s as Whanganui River erosion became expensive to remedy. Additionally, for the first ten years the Crown authorised the Māori land board to pay for the formation of roads from the owners' rental income despite the usual model for townships having the lessees rates pay for roading.
- 3.131. The Crown and local government also required Ngāti Hāua to pay increasing taxes and rates while their rental incomes were fixed in long term leases. For example, land taxes rose steeply from £98 in 1914 to £729 in 1921. An increasing amount of the rent received by the Māori owners was put towards paying tax because they were not able to raise the rents that had been locked in for long term leases. Owners also paid for the township land surveys, sometimes using rental income, including for the papakāinga partitions which were outside of the township. When the township was established, only leased sections were rated with the lessee responsible for payment. However, from 1908, rates were levied on all sections, including unleased sections such as native allotments reserved for Māori occupation. In 1918, the Maniapoto-Tūwharetoa District Land Board paid £633 in rates, which was just under half of the total rental income.
- 3.132. The burden of these costs on the Ngāti Hāua owners contributed to the decision of many to sell their land. In 1915 and 1916, meetings of assembled owners rejected the Crown's

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

offer to buy land in the township. The president of the Maniapoto-Tūwharetoa District Land Board stated that it appeared as though the Crown was attempting to force the owners to sell. In 1915, the Crown purchased the first section of township land directly from Ngāti Hāua owners for the first time. The owners did so because the leases on their township land were not profitable and they sought to use the money for developing their farmland instead. In 1919, the Crown made another attempt to buy township land. On this occasion, the president of the Board urged the owners to sell because he thought it would be in their economic interest to do so. The owners rejected this Crown offer as well. In 1919, the Crown promoted legislation to empower it to purchase land on behalf of the lessees who had been lobbying the Crown to do so.

- 3.133. The partition of the township land that Ngāti Hāua had sought in 1903, but that the Crown had delayed, did not occur until 1922. After the land was partitioned, the Crown entered purchase negotiations with the beneficial owners of each section. The Crown purchased 37 subdivisions of the township and, by 1937, the Crown owned 169 acres of the 384-acre township. It also completed purchases on behalf of the lessees over the 1920s and 1930s.
- 3.134. By the 1920s perpetual leases were becoming increasingly common. In 1925, the President of the land board wrote to the Crown expressing concern that perpetual leasing was not in the best interests of the Māori owners but considered the terms could not be altered without angering the lessees. By 1937, all thirteen remaining leases of Taumarunui township sections included a perpetual right of renewal for the lessee. Perpetual leasing arrangements continued to be an issue for Ngāti Hāua until well into the twentieth century. It was not until the 1990s that the Crown promoted legislation to provide compensation to Māori owners, including Ngāti Hāua, for the reduced rentals they had received for land under perpetual leases.

Mōrero Marae Area

- 3.135. In 1904, the present-day Mōrero marae area was included in a seven-acre native allotment called Section One. This section was considered favourable for public works takings because of its central location on the main road of the new township. Between 1915 and 1917 the Crown acquired two-and-a-half acres of the allotment, for various uses, including Crown and Council buildings, as well as a recreation reserve. Section One was completely alienated by 1944 through a combination of public works takings and Crown purchasing.
- 3.136. The sale or compulsory acquisition of culturally important sites such as marae undermined the ability of Ngāti Hāua to maintain their presence in the town on their own terms. In recent decades, Ngāti Hāua have constructed new whare since the Crown returned land no longer needed for public works.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

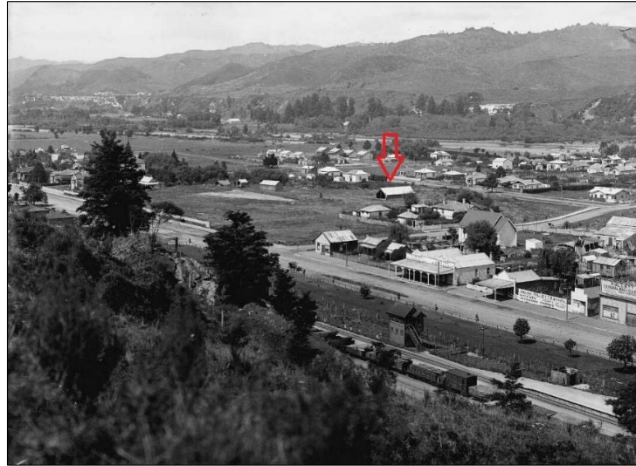


Figure 9: Looking Down Over Taumarunui in 1923 - red arrow indicates the whare where Maata Tūao resided. Today this is the location of Mōrero Marae (Taumarunui. Smith, Sydney Charles, 1888-1972: Photographs of New Zealand. Ref: 1/2-045861-G. Permission courtesy of Alexander Turnbull Library, Wellington, New Zealand. /records/22568665)

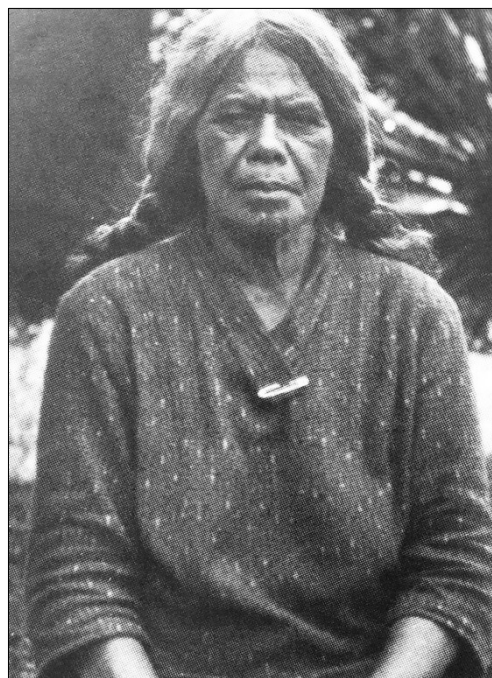


Figure 10: Mata Tuao who lived in the current Mōrero Marae area (Roll Back the Years, vol. 5, p. 754, Tomlinson Collection ref. 16479, permission courtesy of Ron Cooke)

Taumarunui Papakāinga and Ngāpūwaiwaha Marae

- 3.137. Taumarunui papakāinga and the Ngāpūwaiwaha marae were kept out of the township specifically for Māori occupation. Therefore, the land did not come under the administration of the Māori land council in 1903, nor was it partitioned by the Board in 1922. This papakāinga was the home of three leading Ngāti Hāua rangatira, Te Manuau Te Piripi Tūhaia, Hakiha Tāwhiao, and Miriama Kahukarewao.
- 3.138. In 1920, the Court partitioned the papakāinga into 22 sections. Although at the time the petition plan showed two meeting houses, Ngāti Hāua recall three: Hikurangi (built first, and although later dismantled, its name lives on in the whare at Wharau Marae);

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Ngāpūwaiwaha (built for the purposes of Kīngitanga hui and was opened by Te Ata, a sister of Kīngi Tāwhaio prior to 1912); and Te Puru ki Tūhua (a carved house later dismantled and its carving divided between whānau). Ngāti Hāua recall that Ngāpūwaiwaha was originally moved from the area known as Tūmoana when the Crown compulsorily acquired land to build Victory Bridge in 1921. Ngāti Hāua, perhaps for the third time, dismantled this whare after 1922 and moved it to its current location. The iwi recount how the hapū who built Hikurangi and Ngāpūwaiwaha were Ngāti Hinewai, Ngāti Onga, Ngāti Te Āwhitu (Whetu), Ngāti Pare, Ngāti Tama-o-Ngāti-Hāua, and Ngāti Reremai.



Figure 11: Ngāpūwaiwaha and Hikurangi in the Background (Roll Back the Years, vol. 1, p. 135, Taumarunui Historical Society Collection, ref C&S 1096, permission courtesy of Ron Cooke)



Figure 12: Ngāpūwaiwaha & Hikurangi (Rangikapuia Wharekai, Ngāpūwaiwaha Marae)

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT



Figure 13: Puru ki Tuhua Meeting House in Taumarunui. This was the first carved whare for Ngāti Hāua (Godber, Albert Percy, 1875-1949 :Collection of albums, prints and negatives. Ref: PA1-q-102-166-2. Permission courtesy of Alexander Turnbull Library, Wellington, New Zealand /records/23105313)



Figure 14: Wharauroa Marae, where the whare takes the name Hikurangi (Roll Back the Years, vol. 2, p. 297, ref. 12583, permission courtesy of Ron Cooke)



Figure 15: Wharawhara Ngātai, son of Tōpine Te Mamaku, and the owner of the wharenui, Hikurangi, which stood at Tūmoana in Taumarunui (courtesy of private collection, Lois Tutemahurangi)

- 3.139. The urban migration of Māori following the Second World War caused the tribal life based around Taumarunui marae to dwindle. In the 1950s, the borough council condemned and demolished many homes on the Taumarunui papakāinga. Due to much of the land being rezoned from residential to commercial land, many families were not able to rebuild their homes and they subsequently left the Ngāti Hāua rohe.

Taumarunui Hospital

- 3.140. From 1903, following the establishment of the Taumarunui township, a small cottage hospital served the township. In 1913, the Taumarunui Hospital and Charitable Aid Board sought to establish a larger hospital and selected 38 acres of Ngāti Hāua land in the Ōhura South N2E1 block for compulsory acquisition. The Public Works Department monitored the Hospital Board's actions according to an informal Crown monitoring system for local authorities.
- 3.141. The 38-acre site included Te Peka. Te Peka was an important place established by Ngāti Hekeawai that was part of Whiritoa, a pā of Te Hoata II, one of the founding ancestors of Ngāti Hāua, and is situated at a high prominence overlooking the Ongarue and Whanganui Rivers. It includes a kāinga called Pongahuru, a marae called Te Peka and an urupā called Titipa.
- 3.142. Another wharenui was built opposite the hospital in support of the Kīngitanga. The hall and meeting house, *Te Kohaaruate Mutunga Tauiahi Na Mahuta*, were opened by the Māori King in 1923.
- 3.143. Ngāti Hāua continued to occupy the pā throughout the nineteenth century. In 1888, Te Peka was included within the boundaries of the Ōhura South block when it was partitioned from the Aotea block for the Whanganui owners, including Ngāti Hāua.

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- 3.144. In 1915, the Board surveyed the land and applied to the Crown for a proclamation of taking. Ngāti Hāua objected in a letter to the Crown, stating that they had improved the land and built fences. The Crown commissioned a resident engineer who reported that the land had been cleared of scrub, ploughed, and had a small shed or stable built upon it. In a second report, the resident engineer noted that the 38-acre site was more than required for the purpose and that the Board could take less land in view of the owners' objections. The Crown did not reduce the size of the area and, in late December 1916, just over 38 acres of the Ōhura South N2E1 block was taken and vested in the hospital board.
- 3.145. The boundaries of the hospital land meant that Titipa urupā was made inaccessible to the public except through the hospital or via a steep and dangerous track. A condition of the Crown's approval of the taking proclamation was that the Board sign a binding agreement with the owners for a right of way to the urupā. The agreement was signed in December, but it was never honoured. Ngāti Hāua also consider that over the years their urupā had been desecrated by the hospital's placement of tuberculosis isolation huts along the fence line and later staff accommodation where water from the washhouse and toilet facilities was discharged into an area along the boundary of the urupā close to where graves were located.

Taumarunui Aerodrome

- 3.146. Between 1963 and 1970, the Taumarunui County Council compulsorily acquired 28 acres of land at Tūwhenua, north of Taumarunui, for an aerodrome and access road. The land comprised two adjacent blocks, a 20-acre block and a smaller eight-acre block. The smaller block was known as the marae block and it included the Tūwhenua marae.
- 3.147. Tūwhenua was an eight-acre marae site of importance to Ngāti Hāua and a neighbouring hapū as one of the last pieces of land left to Māori in the 1960s. It is flat land, well-positioned on a plateau above the Ongarue River. Tūwhenua included a wharepuni, a homestead, a milking shed, and whare tapu which was made sacred as the place Te Kooti sheltered after his defeat at Te Pōrere in 1869. In 1917, when the Native Land Court partitioned the land, it did not layoff a road to access the urupā and it was left without any formal access after the Council purchased the surrounding block in the 1960s.



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Figure 16: Amelia Kereopa, Terry Turu, and Pauline Stafford at Tūwhenua, 2008. Terry was a claimant for Ngāti Hira, a hapū of Ngāti Hāua (Photograph by Maui Solomon and Susan Thorpe, Waitangi Tribunal (2015) He Whiritaunoka – The Whanganui Land Report, p. 1260)

CHAPTER NINE: TONGARIRO NATIONAL PARK

- 3.148. Ngāti Hāua are an iwi of the Whanganui River whose identity is inextricably bound to the waterways. The iwi also has a close relationship with Te Kāhui Maunga, the mountains that now sit within the Tongariro National Park, as the source of the Whanganui River and other important waterways. Ngāti Hāua connect particularly to Mount Ruapehu (Ruapehu) in their tribal pepeha, though each maunga has its own importance. Of this pepeha and another well-known whakataukī, Tā Te Atawhai Archie Taiaroa has said:

These whakatauki embody the oneness of man, of iwi, of land and of water. Each is interdependent and reliant on the other for survival and is inextricably linked. Our people and our iwi are connected to Te Kahui Maunga and the Whanganui river as one. That is why we say: Ko au te awa, ko te awa ko au. Therefore, it is incumbent on us to protect, nourish and care for all these things for future generations.

- 3.149. Ngāti Hāua have not resided on the mountains, as they consider them to be sacred areas which they and their neighbouring iwi used as burial sites and for resource gathering. The sharing of these lands represented the unity and strength of relationships between Ngāti Hāua and other iwi of Te Kāhui Maunga.
- 3.150. In January 1886, the Crown expressed a desire to create an inalienable reserve around the mountains and thermal springs of Te Kāhui Maunga. In February, the Native Land Court awarded the Ōkahukura and Rangipō North blocks, which encompassed the peaks of the mountains, to another iwi. In 1887, without any consultation with Ngāti Hāua, the Crown accepted what it considered to be a gift of the peaks of Tongariro, Ngāuruhoe, and part of Ruapehu.

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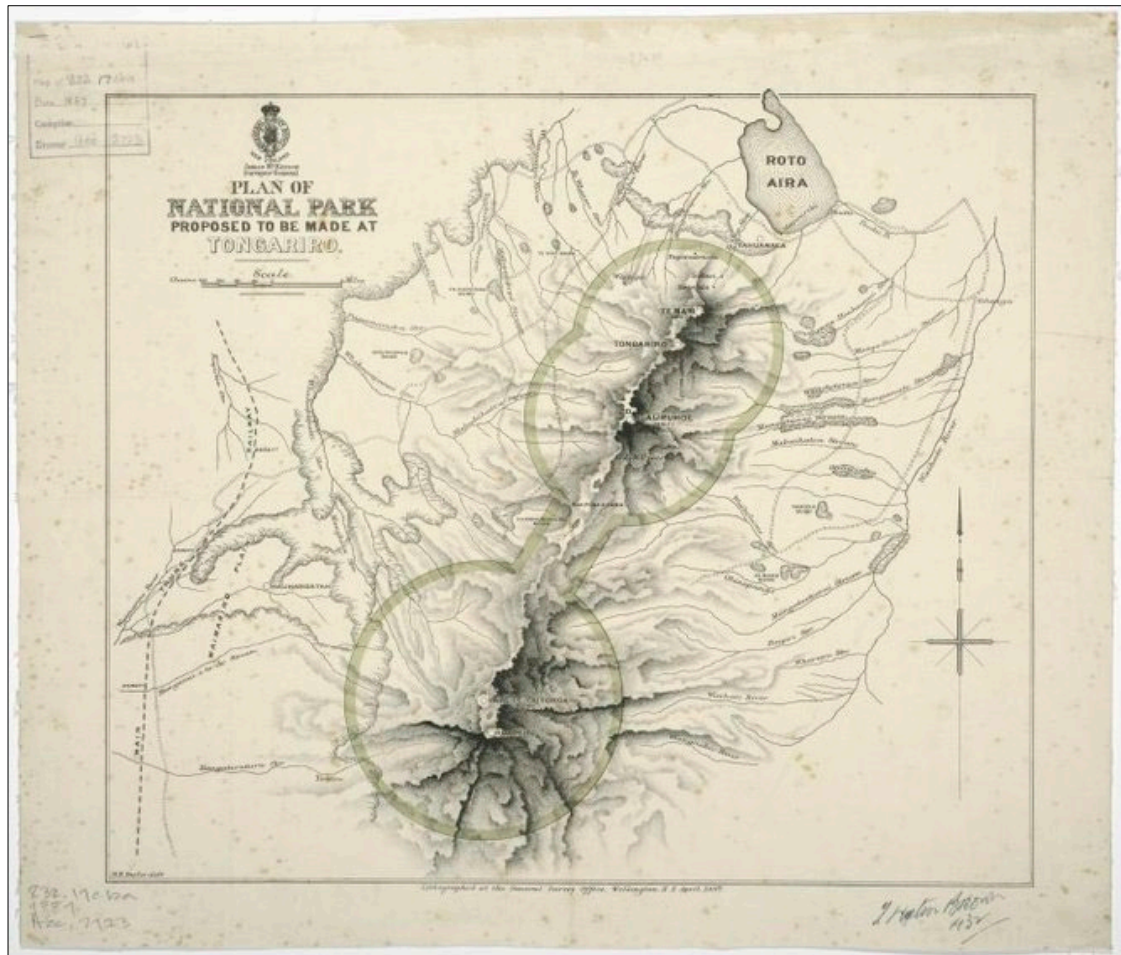


Figure 17: Plan of National Park Proposed to be Made at Tongariro, 1887 (Source: Alexander Turnbull Library, Wgtn, MapColl 832.17cba/1887/Acc.2723 in Waitangi Tribunal (2013) Te Kāhui Maunga: The National Park District Inquiry Report (Wai 1130, Map Book A), slide, 20)

- 3.151. In 1894, the Crown promoted the Tongariro National Park Act. This legislation provided for the Crown to proclaim the Tongariro National Park. Over the next five years, the Crown purchased all but 5,000 acres of land surrounding the peaks. On 23 August 1907, the Crown proclaimed 62,300 acres of land as the Tongariro National Park.
- 3.152. Ngāti Hāua were never consulted by the Crown about the creation of the Tongariro National Park, which included their tupuna maunga, Ruapehu. As a result of the creation of the Tongariro National Park, Ngāti Hāua have been dislocated from their ancestral land, kāinga, resources, and wāhi tapu.

Over-development of the Tongariro National Park

- 3.153. The Tongariro National Park Act 1894 established a board of four trustees to manage the Park after its formal establishment in 1907. Three of the trustees were Crown representatives and one was a member of another iwi. During the twentieth century, the Crown did not take steps for Ngāti Hāua to have a seat on the board, despite the Board being restructured a number of times.

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- 3.154. From 1922, the management board was reconstituted with a strong focus on recreational interests which led to the Park being developed as an ‘adventure playground’. Over the 1920s and 1930s, camping grounds, ski courses, and accommodation were developed in the Park. Development of recreational facilities increased dramatically in the post-war period. Prior to 1952, the management of the Park did not focus on protecting natural resources, but on providing facilities and attracting revenue.
- 3.155. Ngāti Hāua consider that the development of infrastructure has had no regard for the mana and mouri of the mountains, nor for the environmental and cultural consequences. In the 1950s, the Park board become concerned with the appearance of refuse around the huts developed by private alpine clubs. The board issued instructions to the clubs to discard their rubbish into the Whakapapanui canyon which they did so for four years before legal action forced them to stop. The rapid increase in the number of huts in the 1960s meant that sewage disposal became a significant environmental problem for the waterways surrounding Te Kāhui Maunga. Ngāti Hāua describe the treatment of sewage as culturally insensitive.
- 3.156. In 1983, the General Policy for National Parks recognised the place of Māori interests in the formulation of management policies for the Park for the first time. Regardless, there was no real consultation with Ngāti Hāua until the Conservation Act 1987 was enacted.

CHAPTER TEN: TWENTIETH CENTURY CROWN AND PRIVATE LAND PURCHASING

- 3.157. The Crown’s extensive land purchasing in the nineteenth century meant that, of the almost 107,000 acres of land in the Kirikau, Kōiro, Maraekōwhai, Ōpatu and Retāruke blocks, Ngāti Hāua retained less than 43,000 acres at the turn of the twentieth century. In the nineteenth century, only the Crown purchased land in these blocks under its monopoly system. Land alienation for Ngāti Hāua changed markedly in the twentieth century. In these five blocks, Ngāti Hāua lost further land to private purchasers and the Crown’s public works takings for scenery, railways, and roads.
- 3.158. In 1899, the Crown placed a moratorium, or a “taihoa”, on new Crown and private purchases, though it was still able to complete purchases already underway. The Crown continued to complete its purchase of land in the 116,152-acre Ōhura South block during the moratorium and acquired almost 13,000 acres by 1901.
- 3.159. Settlers pressured the Crown to make more land available for settlement and, in 1905, Premier Seddon concluded that there was “too much ‘taihoa’”, and the moratorium ended. The Crown promoted the Maori Land Settlement Act 1905 which, aside from allowing purchasing to recommence, required the Crown to ensure Māori individuals retained a sufficiency of land, set a minimum price according to a valuation, and land sales could only be authorised by a majority of owners.
- 3.160. In 1907, in response to continued pressure from settlers for land, the Crown commissioned Chief Justice Sir Robert Stout and member of Parliament for Eastern Māori, Āpirana Ngata, to investigate remaining Māori land and make recommendations to the Crown about what land could be “profitably occupied, cultivated and improved”. The Stout-Ngata Commission also advised the Crown about land to set apart for Māori occupation and land

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which could be made available for European settlement. In 1908, Stout and Ngata advised the Crown not to continue purchasing Māori land in the Whanganui district.

- 3.161. Aside from one purchase of 60 acres in the Ōpatu block in 1930, the Crown ceased purchasing land from Ngāti Hāua in the Kirikau, Kōiro, Maraekōwhai, Ōpatu and Retāruke blocks. It did, however, open Māori land to private purchasers following its promotion of the 1909 Native Land Act. Between 1911 and 1961, Ngāti Hāua sold almost 22,000 acres of land in these blocks to private purchasers. Currently, Ngāti Hāua's landholdings in the five blocks is reduced to 14,908 acres of their original 100,000 acres, most of which is located in the Maraekōwhai block. The Ōhura South block was also subject to extensive private purchasing in the twentieth century. Between 1900 and 1973, private parties purchased just over 15,560 acres from the block.
- 3.162. There are several reasons why Ngāti Hāua felt compelled to sell land in the twentieth century when there was so little left. Firstly, selling or leasing land was sometimes the only way owners could raise funds to develop land. Due to the way land blocks fragmented as they were partitioned, some small blocks were not economic to use or develop. Some of the remaining land was of the poorest quality and lacked road or rail access. Poor health, difficult living conditions, and poverty made it more likely that an owner would sell their interests and the purchase money used for basic living costs. Lastly, as in the nineteenth century, land was sometimes sold in the twentieth century to pay for debts against the land for survey costs, court fees, mortgages, and rates.
- 3.163. Due to the combined effect of Crown purchasing, private purchase, and compulsory acquisitions, Ngāti Hāua no longer have enough land for their collective and individual economic, social, and cultural needs. The majority of land which Ngāti Hāua have retained is marginal, and difficult, if not impossible, to develop for economic use. In the twentieth century, the Crown allowed Ngāti Hāua to become virtually landless.

CHAPTER ELEVEN: LAND DEVELOPMENT

- 3.164. The Crown system for Māori land tenure was designed with sale to the Crown in mind. Māori land titles, as fragmented and fractured as they became in the twentieth century, were not suitable for economic development. The Crown also consistently promoted farming as the best use of Māori land, even in the Whanganui district where the majority of Māori land is ill-suited for economic use. Particularly around the upper reaches of the Whanganui River, land was prone to erosion in high rainfall and reversion to scrub and weeds. While the vested lands scheme focussed on Pākehā settlers as the ones to develop the land, the Crown was also involved in schemes in the first half of the twentieth century which were designed for Māori to develop other land themselves.

The Vested Lands Scheme

- 3.165. By the end of the nineteenth century, across the country, Māori protests against the loss of land were having greater effect. This, in part, caused the Crown to engage with Whanganui Māori in 1897 and 1898 on Māori land management and protection. Following meetings with Māori over the last few years of the nineteenth century, including in the Whanganui district, the Crown promoted the Maori Land Administration Act 1900. The Act enabled Māori to vest their land in a district council which would manage the land for the

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benefit of future generations. The boundaries of the districts were established by the Crown and did not take full account of traditional Māori boundaries.

- 3.166. In 1901, the Crown established the Aotea District Maori Land Council to administer Māori land in most of the Whanganui district. In 1906, the Council was abolished and, under the Maori Land Settlement Act 1905, was replaced with the Aotea District Maori Land Board with significantly reduced Māori membership. Taumarunui and other northern Whanganui land was contained within the Maniapoto-Tūwharetoa district, which became the Waikato-Maniapoto district in 1910.
- 3.167. In August 1903, the Crown introduced Regulation 78A, which provided that, at the end of either the first or the second 21 year lease, the Council would “weight the land with the value of the improvements of the outgoing tenant on again offering it for lease; or the Council may in its discretion retransfer the land to the Native owners on payment of the value of the improvement and all other charges to which the land may be lawfully subject”. The Council adopted this regulation in July 1904. If the compensation could not be paid by the owners at the conclusion of the lease, the Council agreed that the land would be leased again for a further 21-year term. At the same time, however, European members of the Council believed that the owners would not be able to pay the compensation required, and commented at the time that this made the leases, in effect, perpetual.
- 3.168. In 1909, the Crown promoted the Native Land Act which provided for Māori to vest their land in a district board for sale or lease. In 1912, Ngāti Hāua agreed in a meeting of assembled owners to vest 2,545 acres of the remaining 3,265 acres of Māori land in the Retāruke block in the Aotea District Māori Land Board. The Board advertised the land for a 22-year lease with a renewal of 23 further years, apart from the Retāruke No.3 block, which was to be sold at auction.
- 3.169. In the 1920's, the first 21-year leases ended and the Board arranged new leases for the second 21-year term. The rent for the second 21-year lease was based on the value of the land minus the value of improvements. The improvements were valued at what they would cost when the lease was renewed, however, many of the improvements, such as clearing the land, had been carried out decades earlier, at the beginning of the lease period. This led to the value of improvements being set as higher than their cost and, as a result, the rent received by Ngāti Hāua was only 57.5% of the rent received in the first lease period. The decline in rentals compromised the ability of the owners to pay the compensation for improvements due at the end of the lease, and recover control of their land.
- 3.170. In 1924, the Registrar of the Aotea Māori Land Board wrote to the Under-Secretary of the Native Department about the leases of one of the other blocks vested in the Whanganui district. He noted that “[i]t is disconcerting to find that a re-valuation just made will justify a rental less than that paid for the expired term”. The Under-Secretary expressed concern to the Native Minister in 1926 that “the matter presents a difficult problem as in most cases the rent for the whole term of the new leases will be insufficient to cover the value of the Lessees improvements.”
- 3.171. In the 1930s, the lessees made deputations to the Native Minister in an attempt to gain perpetual renewals of their leases in Whanganui. The Māori owners resisted these

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attempts and, in 1935, representatives of the owners of the Whanganui vested lands made a submission to the Prime Minister which stated their concerns with the leases. They wrote that in the second term of leases, “the unimproved value, the only source of revenue to meet the compensation charges, was so reduced, and the value of the improvements was so high and so much out of proportion with the former (as evidenced by the case cited in the President’s memorandum to the Under Secretary, dated 13th November 1934) that the accumulation of a fund to meet the compensation charges was absolutely impossible.”

3.172. In 1937, the Aotea Māori Land Board President, Judge Browne, wrote to the Under-Secretary regarding the question of establishing a sinking fund for the owners to pay for the improvements. He stated “that if the whole of the rent for the 42 years were set aside for the payment of compensation it would not be nearly sufficient to meet the claims that will be made.” Judge Browne likened the method of valuation to a “form of confiscation”. He further wrote that the “unimproved value is fixed at the lowest possible figure and the value of improvements is set correspondingly high. The result is that any rent estimated on the unimproved value would be so low that if, after providing for the necessary incidental expenses of land tax etc, the balance were set aside to pay the compensation for the improvements, the probability is that it would be approximately about 150 years before the compensation would be satisfied.”

3.173. In 1943, 155 acres of the Retāruke block was alienated. In 1957, 567 acres of the vested land was sold, along with a further 496 acres in 1961. In 1966, the remaining 1,482 acres of vested land in the Retāruke block was included in the Ātihaui-Whanganui Incorporation.

Agriculture, Industry, and Rehabilitation Schemes

3.174. When the Stout-Ngata Commission reported to the Crown in 1908, it found that farming was relatively new in the north of the Whanganui district. During the 1910s and 1920s, the dominant industry in Taumarunui was timber milling, which employed most of the local Māori workforce. Ngāti Hāua had timber leases in over 7,000 acres of the Ōhura South block by 1907. However, when Ngāti Hāua leased land without a specific clause regarding timber, they were not entitled to any of the proceeds from the timber on their land. If there was no convenient way to remove the timber via road or rail, the settlers tended to burn the forests. By the 1940s, the timber milling industry had severely declined.

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Figure 18: Public Works Department logging at Kakahi, North Waimarino (Tibbutt Brothers (Firm). Photograph taken by the Tibbutt Brothers. Ministry Of Works :Photographs of construction works, buildings etc. Ref: PAColl-6498-2. Permission courtesy of Alexander Turnbull Library, Wellington, New Zealand. /records/22484567)



Figure 19: Pukuwheka, on the North Island Main Trunk Railway line (Price, William Archer, 1866-1948 :Collection of post card negatives. Ref: 1/2-000423-G. Permission courtesy of Alexander Turnbull Library, Wellington, New Zealand. /records/23115070)

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- 3.175. The First World War and depression of the 1930s caused increased hardship for Ngāti Hāua. Farming in the district increased following the Second World War with the advent of improved technologies. This allowed greater use of land that was prone to reversion, though the poor quality of remaining Māori land continued to be a barrier to its development.
- 3.176. Access to finance was another significant barrier to Ngāti Hāua farming. Land sales to the Crown in the nineteenth century had not provided a profit for Ngāti Hāua to invest in development. The Crown promoted the Advances to Settlers Act 1894, but the scheme had different policies for assessing applications from Māori and European farmers. Māori land had to be leased to Europeans to qualify for an advance to ensure there was a lease income to account for the mortgage repayments. The policy was intended as a protective measure to avoid the sale of Māori land through foreclosure, however, the result for Ngāti Hāua was that they could not access finance under this regime for land they wanted to develop themselves.
- 3.177. Following the Second World War, the Crown introduced a rehabilitation scheme to get returned servicemen into farming. Farms were generally allocated through a balloting system where there was one ballot for general land and another ballot for Māori land. Each application for land through the scheme was graded and there was a separate grading system for Māori. Māori who had farming experience but little financial experience were tagged and were required to be supervised by the Department of Māori Affairs until they were deemed fully capable. Tagged applicants were only eligible for Māori land ballots, whereas untagged applications were eligible for both Māori and general land ballots.
- 3.178. As Ngāti Hāua became virtually landless during the twentieth century, they were unable to derive much benefit from the Crown's assistance programmes which focussed on land development. Ultimately, the attempts by Ngāti Hāua to develop the little land they retained were unsuccessful due to a number of reasons, principal among them were the fragmented and fractured state of Māori land title and the poor quality of land the Crown left in Ngāti Hāua ownership.

CHAPTER TWELVE: WHANGANUI RIVER

- 3.179. The Whanganui River held significant importance as a navigable waterway and transport route. In the last decades of the nineteenth century, the Crown's road and railway network in the central North Island remained rudimentary. Until the 1890s, waka were the main form of transport on the River and Whanganui Māori provided the vast majority of transport for settlers. Around this time, the Crown sought to make the River easier to navigate for steamboats, particularly in its upper reaches where the River would reach the North Island Main Trunk railway at Taumarunui.
- 3.180. The Crown began clearing rapids to deepen the River in the 1880s in the face of Māori protest and complaints about the harmful effect on the Rivers' fisheries. In 1889, Tōpia Tūroa requested that the eel weirs as far as Taumarunui be protected by the Crown. In 1891, however, the District Engineer reported that most of the eel weirs had been destroyed, but noted that Māori had re-erected weirs in several rapids. The issue clearly continued, however, with Hakiaha Tāwhiao later complaining of an incident in 1902 "when the steam boats on the river carried away a lot of the workings of our forefathers". Although

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at the time Ngāti Hāua applied to the Crown for protection, according to Hakiāha Tāwhiao “no notice was taken of our application”.

- 3.181. In 1893, the Crown promoted legislation to establish the Wanganui River Trust which was empowered to do all that was necessary to improve the navigability of the River. Ngāti Hāua continued to obstruct and protest the interference with eel weirs and other constructions for food collection. By 1903, the Trust had made the River navigable for steamer services all the way to Taumarunui. In the same year, the Crown promoted the Coal Mines Amendment Act which vested the beds of all navigable Rivers in the Crown.

Whanganui River Scenic Reserves

- 3.182. The Wanganui River Trust was also empowered to conserve the scenery of the Whanganui River on Crown-owned land. In 1892, the Trust created the 33,000-acre Wanganui River Trust Public Domain from land the Crown had previously purchased from Ngāti Hāua and other Māori in the Waimarino, Kirikau, Retāruke, Ōpatu, Raoraomouku, and Mangapukatea blocks. The Domain contained important sites to Ngāti Hāua, including Mangapāpapa, a wāhi tapu where peace was made between Te Kere Ngātaiērua and Tōpine Te Mamaku. The Domain also included Winter’s Island, in the middle of the Whanganui River near Ngāhuinga. Ngāti Hāua were not aware they had lost ownership over the island until the Trust advertised it for a farming lease in 1912.
- 3.183. The Crown was also concerned by the impact of deforestation on the fledgling tourism industry which was based on the beauty of the bush scenery along the banks of the River. Over the second half of the nineteenth century, settlers in Whanganui had converted much of the landscape for agricultural and pastoral farming. Deforestation along the banks of the River caused soil erosion which impacted on the navigability of the River for steamboats. While much of the land occupied by settlers was cleared for farming, most Māori-owned land along the River remained in its natural state and thus drew the attention of both the Crown and the Trust as land which should be protected as public scenic property.
- 3.184. In 1903, the Crown promoted the Scenery Preservation Act which allowed the Crown to compulsorily acquire land for scenic preservation, including Māori land, and to establish a Scenery Preservation Commission. The Commission recommended land for the Crown to reserve. In 1905, the Commission travelled up the Whanganui River to Taumarunui. They were hosted by a local European tourism operator and did not meet with Ngāti Hāua. In 1906, the Commission recommended the Crown reserve 29,628 acres along the Whanganui River, including 19,140 acres of Māori land. In the same year the Commission was replaced by the Scenery Preservation Board which, in 1907, confirmed and added to the Commissions’ recommendations. It advised the Crown reserve 46,530 acres of land along the Whanganui River including more than 15,356 acres of Māori land.
- 3.185. In 1908, the Crown allocated £8,000 for the purchase of 19,000 acres of land along the Whanganui River for scenery preservation purposes. The Crown began compulsorily acquiring lower-river land and upriver Māori, alerted to the potential loss of their scenic land, worked with settler lessees to clear forested land. Local tourism operators rallied with the Wanganui Scenery Preservation and Beautifying Society to publicly pressure the Crown to speed up its acquisition of land.

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- 3.186. In 1910, the Crown commissioned surveyors and instructed them to avoid any friction with Māori, but also to prioritise the survey of land Māori wanted to lease or sell to settlers. For some Māori, the first they knew of the Crown's intention to acquire their land was seeing the surveyors laying out survey lines.
- 3.187. In response to increasing public pressure, the Crown promoted the Scenery Preservation Amendment Act 1910 to reinstate the Crown's compulsory acquisition powers and retrospectively legalise all takings since 1894, after amendments to the 1903 Act had raised questions about the scope of the Crown's powers. The Act also provided for Māori to continue to use urupā contained within scenic reserves. With the passage of this Act, the Crown's compulsory acquisitions increased in scale. In 1911 and 1912, the Crown acquired most of the scenic reserve land between Whanganui and Pīpīriki.
- 3.188. Ngāti Hāua actively protested the Crown's acquisition of their land for scenery preservation by continued deforestation and petitions. In 1912, 424 Whanganui Māori signed a petition which protested the Crown's taking of cultivations, urupā, and pā as scenic reserves. By 1914, the Crown's compulsory acquisitions were almost universally rejected by Whanganui Māori.
- 3.189. In 1916, in response to these protests, the Crown appointed a Royal Commission to investigate Whanganui River scenery preservation. In December, the Commission sat at Taumarunui, along with other locations on the River, and went with the Māori owners to inspect the proposed reserves. Members of Ngāti Hāua spoke to the Commission about their willingness to have scenic land reserved, but wanted their workable land returned, to have been consulted prior to the surveying, and to be paid for the scenic value of their land already taken. Hakiha Tāwhiao expressed his concern that a sacred maunga, Pukemanu, had been included in a scenic reserve on the Kōiro block.
- 3.190. Ngāti Hāua evidence before the Commission was not focused on scenic reserves only. Witnesses used the opportunity of the Commission to lay before the Crown a wide array of issues associated with the Whanganui River. Hakiha Tāwhiao summarised the position as follows:

My purpose here is not so much to discuss and object to the scenic system, as to ask that we be compensated for the benefits which so many other people are getting from the use of our river waters about which we have petitioned Parliament, basing our claims on the provisions of the Treaty of Waitangi. ... I want from the Government a clear statement as to what it proposes to do in regard to the river waters submitting that those waters belong entirely to us. The Maoris own the river.

- 3.191. Wharawhara Tōpine agreed:

...to us Native owners the question of our river rights has completely overshadowed that of scenic reserves, and we realise that if we do not press the matter now, we will get no compensation or

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recognition of our river rights... the Government will not find us unreasonable if they meet us in the proper spirit... The river being the base of the whole question we should first be asked what our desires are in regard to the river. This question as to river rights extends from the head of the river to its mouth, and all of our sub-tribes who own the abutting lands are interested in its solution.

- 3.192. Despite this evidence, the Commission found in its report that the scenery of the Whanganui River is a “precious asset” to not only the people of New Zealand but to “the whole of the civilised world”. It recommended the Crown retain almost all of its existing and proposed scenic reserves, aside from 850 acres in various locations as concessions for the purpose of conciliation with Māori. The Crown considered the Commission’s report to be controversial and thought that, if it made the suggested concessions, Māori owners would be encouraged to continue to object to scenery preservation. The Crown did not implement most of the Commission’s recommended concessions for Māori land.
- 3.193. Between 1907 and 1917, the Crown took 6,678 acres of land along the Whanganui River from Māori for scenic reserves. In the early twentieth century, the Crown also put 14,000 acres of land it had previously purchased from Māori in the nineteenth century into scenic reserves.
- 3.194. Ngāti Hāua continued to protest the scenic reserves takings after the Royal Commission. In 1927, Te Huia Te Pikikōtuku, on behalf of 125 others, sent a petition to the Crown which stated that they wanted additional compensation for their ancestral lands which were “practically confiscated for scenic purposes”. The petitioners noted that although the lands did not belong to Europeans, the benefits of the lands being taken were being accrued to those involved in the tourism that was developing on the River. The petitioners sought three hundred thousand pounds as compensation. This amount was not only for the loss of the scenic reserves but also because of the destruction of the eel, lamprey and other weirs that had been handed down by ancestors and elders as “valuable properties”. In addition to compensation for past actions, the petitioners sought future payments such as royalties for any gravel taken, a share of the money being made from the tourism trade and a portion of trout fishing licence fees in the Whanganui, Manganui-o-te-ao, Tāngarākau, Retāruke, Ongarue, Taringamotu, Pungapunga, Whakapapa and Ōhura Rivers and the Mangatītī Stream to compensate for the trout having destroyed native fish species such as toitoi (bully), pāhiri (a small native freshwater fish), papanoko (torrentfish), īnanga (whitebait), paneroro (grayling) and tuna-riki (eel fry).

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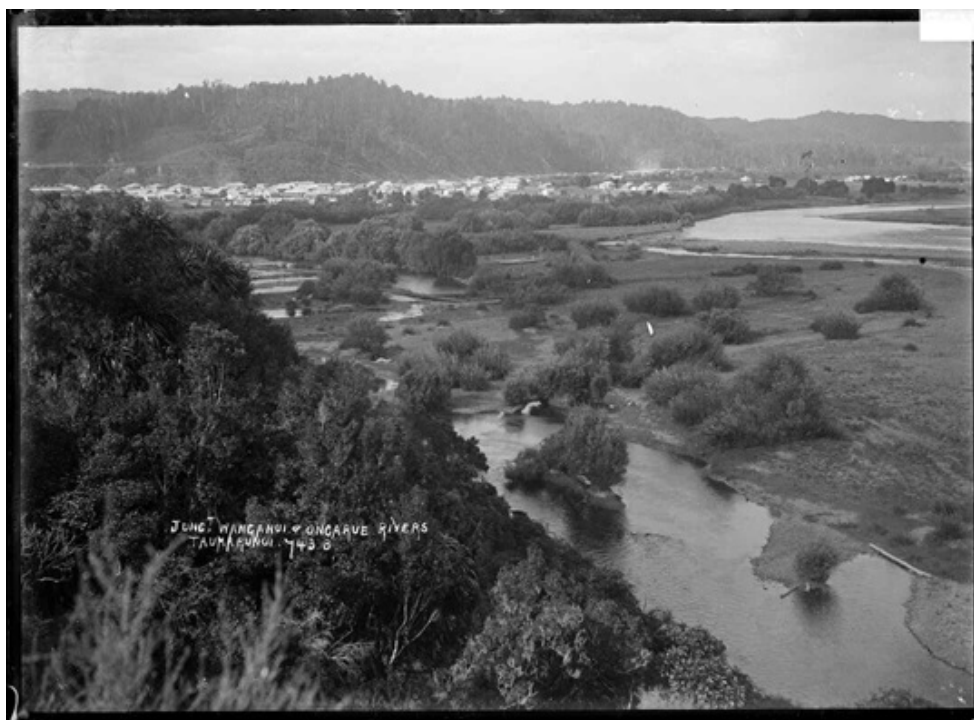


Figure 20: Junction of the Whanganui and Ongarue Rivers at Taumarunui (Price, William Archer, 1866-1948 :Collection of post card negatives. Ref: 1/2-000791-G. Permission courtesy of Alexander Turnbull Library, Wellington, New Zealand. /records/22853819)

- 3.195. The Crown authorised the Chief Judge of the Native Land Court to inquire into the claim and report back to Parliament, but the Chief Judge did not do so within the following ten years. In 1937, Wharawhara Tōpine and Hekenui Whakarake approached Titi Tihu to convey the legal advice that they had received to initiate the proceedings with an application to the Native Land Court for a title investigation to the Whanganui riverbed. In 1938, Titi Tihu applied to the Court for this title investigation which began the longest running legal battle in New Zealand over the ownership of the River. This became an all-consuming kaupapa for Ngāti Hāua and protests against the scenic reserves were less prevalent.
- 3.196. Between 1938 and 1962, seven courts and a royal commission considered Titi Tihu's application for customary ownership of the Whanganui River. As the courts only considered ownership in terms of English common law, Ngāti Hāua and other Whanganui Māori were required to claim only the bed of the River, rather than the River as an indivisible whole.
- 3.197. In 1949, the Supreme Court ruled that the Crown owned the bed of the River due to the Coal-mines Act Amendment Act 1903. Māori representatives met with senior Government Ministers later in 1949 who suggested that, instead of requiring Māori to pursue a remedy through the Court of Appeal, a royal commission would be established. The 1950 Royal Commission found that, if it were not for the 1903 Act, Whanganui Māori would be the customary owners of the riverbed. In 1962, the Court of Appeal ruled that the customary ownership of the riverbed was extinguished when the Native Land Court granted freehold titles to the land along the side of the Whanganui River. Ngāti Hāua did not pursue any further legal action after this due to the associated costs and their understanding of their likelihood for success. The issue, however, remained unresolved for Ngāti Hāua. They

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unsuccessfully pursued direct negotiation with the Crown in 1974 and joined a petition to the Queen in 1977 to remove the Crown's ownership of the riverbed.

Gravel Extraction

- 3.198. In 1903, Parliament vested the beds of all navigable rivers in the Crown, along with any gravel and minerals in those riverbeds. As road and railway construction in the Ngāti Hāua rohe developed in the early twentieth century, increasing amounts of gravel and stones were extracted from the Whanganui River, particularly in the vicinity of Taumarunui. In 1920, the Wanganui River Trust was empowered to extract and sell gravel from the river with no provision for Whanganui Māori to pursue compensation. In 1940, the Ministry of Works took on this role, and in 1977 the Rangitikei-Wanganui Catchment Board took over responsibility for managing the gravel extraction.
- 3.199. In the 1950 Royal Commission report on the ownership of the Whanganui River, the Commission considered that Whanganui Māori were entitled to compensation for gravel. This conclusion was based on its finding that, if not for the 1903 Act, customary ownership to the riverbed would not have been extinguished. The Commission recommended the Crown promote legislation to permit the Māori Land Court to ascertain who the Māori owners of the riverbed were in 1903 in order to pay compensation to them and their descendants.
- 3.200. In 1951, Titi Tihu and several other Whanganui leaders met with the Minister for Māori Affairs and proposed £19,000 in compensation and an annual payment of £6,500 in perpetuity. Internally, the Crown described the proposal as “so exaggerated as to be ridiculous”. Instead, the Crown referred the matter to the Court of Appeal without reference to Whanganui Māori or their counsel. In 1962, the Court found that customary ownership of the riverbed had been extinguished when the Native Land Court granted titles to the riparian lands. In adopting this finding, the Crown decided against compensating Whanganui Māori for the gravel extracted from the Whanganui River.
- 3.201. Since the 1980s, the Rangitikei-Wanganui Catchment Board has attempted to reduce the environmental impacts of gravel extraction by setting water quality standards, but it did not involve Ngāti Hāua in this process. The total amount of gravel extracted from the Whanganui River is not known, however in only ten years between 1964 and 1973, almost one million cubic yards of gravel was extracted.
- 3.202. Ngāti Hāua remain gravely concerned over the ongoing effects of gravel extraction on the Whanganui River. The iwi has observed that the extraction in places has changed the course of the river which in turn has caused flooding and the erosion of riverbanks. Ngāti Hāua are also aggrieved by the impact of gravel extraction on the Taringamotu, Ongarue, and Ngakonui Rivers, including erosion and damage to wāhi tapu such as puna (freshwater springs).

CHAPTER THIRTEEN: WHANGANUI NATIONAL PARK

- 3.203. In 1980, the Crown began the process to establish the Whanganui National Park based on the more than 20,000 acres of scenic reserves along the Whanganui River. Soon after, the Crown included in its plan more than 160,000 acres in the Waimarino, Taumatamāhoe,

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and Whakaihuwaka blocks which it had previously purchased from Māori in the nineteenth century. In its initial proposal, the Crown included the riverbed as part of the Whanganui National Park. In 1983, the Crown began its consultation with Māori and met with Ngāti Hāua in Taumarunui in February.

- 3.204. The continued discussions between Ngāti Hāua and the Crown over the ownership of the riverbed, as well as compensation for the destruction of eel weirs and removal of gravel, became intertwined with the Crown's proposal for the Whanganui National Park. In 1983, Titi Tihu, Hikaia Amohia, and Tā Te Atawhai Archie Taiaroa visited the Crown in Wellington to express their concerns about how the park might affect their claim to the riverbed, the legitimacy of the Crown's nineteenth century purchasing of land within the parks proposed boundaries, and how Māori might be involved in the management of the park. Taiaroa suggested that there was a great opportunity for Māori input to be noted and encouraged. In another meeting in November with Amohia, Taiaroa and others, a Crown official stated that there would be "a very large influence of maoriness [sic] in the management of the park".
- 3.205. In February 1984, at another large meeting attended by many of the respected elders of the River, Ngāti Hāua and others agreed in principle to the park as long they were involved in the management of the River and the park and that their claim to the River and land in the park would not be prejudiced. The next month, the Crown published its proposal report and the Whanganui River had been excluded from the park. In November 1985, Cabinet approved in principle the establishment of the park, but with greatly reduced Māori representation in the parks management.
- 3.206. Ngāti Hāua and other Whanganui Māori met with the Crown again in December 1985 at Ngāpūwaiwaha marae in Taumarunui. Ngāti Hāua rangatira adopted a staunch stance at the meeting in response to it being made clear to them that the proposal was moving ahead whether they consented to it or not. They stated that a park must not be established before all claims to the River and lands had been settled and that Māori should have total administrative responsibility for the park. Ngāti Hāua and the Crown's views on the park remained polarised after the meeting. In 1986, Ngāti Hāua continued to negotiate for greater involvement in the management of the park, though with very little leverage. On 7 November, Amohia instructed his solicitors to ask the Crown to not establish the park without first settling their claim to the riverbed.
- 3.207. On 24 November, the Crown announced that it would establish the Whanganui National Park on 6 December. The next day, Whanganui Māori wrote that they did not oppose the creation of the park, though by that time their consent was moot. The park was formally opened on 7 February 1987 and included 183,428 acres of land along the sides of 170 kilometres of the Whanganui River.
- 3.208. In March 1987, the Crown established the Department of Conservation which assumed control of the Whanganui National Park. In 1988, the Whanganui River Māori Trust Board was established. Under the Whanganui National Park Management Plan 1989, the Department of Conservation was required to "consult with and give full consideration to the views of the Whanganui River Maori Trust Board on park management issues of concern to the Maori [sic] people". However, the management plan did not make a provision for regular meetings or specify how any formal consultation should take place.

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Since 1990, the Whanganui National Park has been managed by the Taranaki/Whanganui Conservation Board, which only included one Māori member.

CHAPTER FOURTEEN: THE TONGARIRO HYDRO-ELECTRIC POWER DEVELOPMENT SCHEME

- 3.209. The Crown acquired the sole right to use water for electricity generation through the Water-power Act 1903 and then the Public Works Act 1928. From the 1940s, while Ngāti Hāua continued to pursue their claims to ownership of the Whanganui River through the courts, the Crown began considering how to utilise the waterways of the central plateau as hydroelectricity to meet the country's increasing energy demands.
- 3.210. In 1955, the Crown outlined the proposed scheme to another central North Island iwi. Despite its awareness of Ngāti Hāua legal claims to the Whanganui River, the Crown did not discuss the proposal with Ngāti Hāua nor any other Whanganui iwi. Furthermore, it did not consult with Ngāti Hāua before issuing an Order in Council in 1958 which authorised the Crown to use the waterways, including the Whanganui River, for the proposed scheme.
- 3.211. In 1963, the Crown announced plans for the construction of the scheme. This led to public opposition from farmers, acclimatisation societies, councils, the local Rotary Club, the Jet Boats Association, and residents of Taumarunui. Ngāti Hāua rangatira, the late Tā Te Atawhai Archie Taiaroa, only recalls one hui in the 1960s between the Crown and Māori to discuss iwi concerns relating to the scheme. At the hui, Tā Te Atawhai Archie Taiaroa raised the ongoing issue of ownership over the Whanganui River and queried why the Crown would divert water without Whanganui iwi approval. The Crown's response led Tā Te Atawhai Archie Taiaroa to conclude that there was little to be gained by engaging with the Crown on this issue as it seemed obvious that the Crown would do nothing about iwi concerns.
- 3.212. In 1964, Cabinet approved the establishment of the Tongariro Power Development (TPD) scheme. The plan was to harness the headwaters of the Whanganui, Whangaehu, and Tongariro River systems into Tokaanu and Rangipō power stations. This would increase the flow of water into Lake Taupō to generate electricity in nine power stations on the Waikato River. The catchment area covers a vast 26,000 hectares of the central North Island.

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3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT

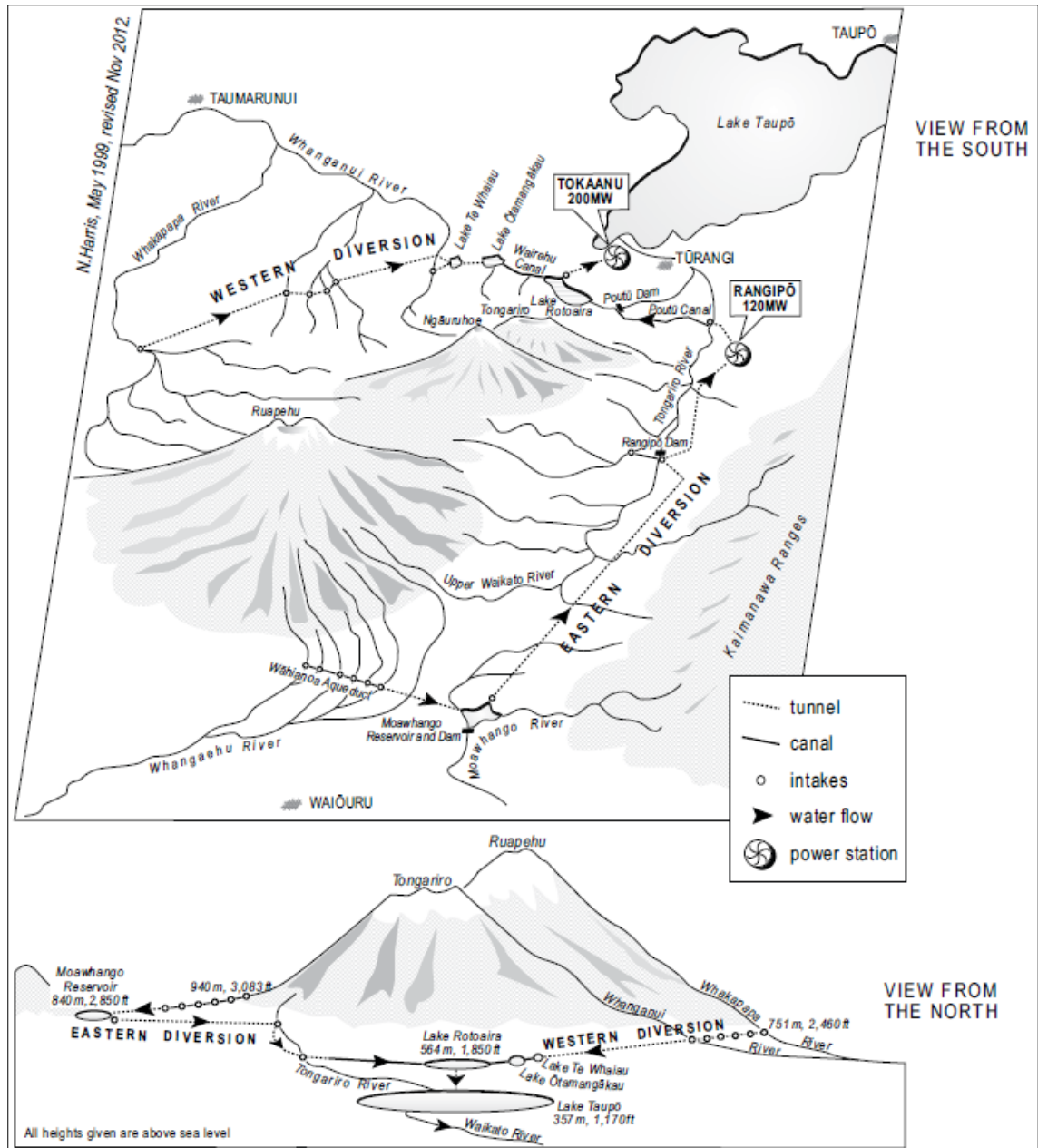


Figure 21: The Tongariro power development – diversions and power stations (Waitangi Tribunal (2013) Te Kāhui Maunga National Park District Inquiry Report, p. 1078)

- 3.213. Construction took twenty years in total between 1964 and 1984, with the western diversion first to be completed in 1971. Dams were constructed at Te Whaiou and Ōtamangākau which created two artificial lakes by the same names. The Whanganui River headwaters were diverted north through a series of tunnels and three canals to Lake Rotoaira, and then through a tunnel to Lake Taupō. Due to economic necessity, some members of Ngāti Hāua took construction jobs on the TPD despite their misgivings about the environmental impact.
- 3.214. The environmental and cultural impacts of the TPD have been significant. Each river has its own mana, mouri (life force), and identity, therefore the mixing of waters from different river systems has been a source of concern to Ngāti Hāua. The diversion of seven tributaries of the Whanganui River has resulted in decreased flows. The stream beds

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below the intakes are usually dry but they recharge further downstream. The taking of water has also decreased the flow of the Whakapapa River. In some cases, the reduced flow means that river stones are more exposed to the sun, raising the temperature of the water and killing fish. The reduced flow has also resulted in a loss of eeling holes and pools where Ngāti Hāua once caught kōura (crayfish). On the other hand, water surges occur when the TPD floodgates are temporarily opened. These surges scour the banks of the Whanganui River and deposit silt and mud into the river.

- 3.215. In the 1980s, following continued protest, including from Ngāti Hāua, a minimum acceptable flow was fixed for the Whanganui River. In 1988, a new Catchment Board was established, and it called for submissions on establishing a new minimum flow for the Whanganui River. Ngāti Hāua presented evidence to a 1988 hearing of submissions, they described how the diversion breached the laws of tapu and was an attack on the ihi (essential force) of the river and its people. They sought for the full flow to be returned as its waters provide spiritual and physical cleansing, and sustenance for fish, plants, humans, and animals. The Catchment Board ultimately set a minimum flow for the Whanganui River that was lower than its natural flow.
- 3.216. The TPD has affected Ngāti Hāua cultural practices. For centuries, the iwi relied on the Whanganui River area for gathering materials for weaving, rongoā (medicine), and timber. Since the TPD was constructed, Ngāti Hāua have found these stocks are depleting which has impacted on their food, shelter, and protection. In 1989, as a response to their concerns about the connection between river and people being interrupted by the operation of the TPD, Whanganui Māori established Tira Hoe Waka o te Awa o Whanganui, an annual wānanga on the Whanganui River which continues to the present day.

CHAPTER FIFTEEN: ENVIRONMENTAL ISSUES

- 3.217. Ngāti Hāua have lived around the upper reaches of the Whanganui River and its tributaries for centuries prior to 1840. The waterways in the Ngāti Hāua rohe include rivers, streams, inland lakes, and wetlands. These areas provide important resources for the iwi, including tuna (eel) and other fisheries, kōura (crayfish), shell fisheries, rongoā (medicine), materials for building and weaving, drinking water, healing waters, and mahinga kai. The fast-flowing waters of the Whakapapa River also provided a habitat for the whio (blue duck). The river system has long provided Ngāti Hāua access to forests and rat trapping areas, sheltered areas for crops, defensive positions in times of war, and transport.
- 3.218. Ngāti Hāua controlled and managed its people and their use of the environment. This relationship was based on kaitiakitanga, or guardianship, wherein Ngāti Hāua sought to sustain the environment and ensure it could support future generations.
- 3.219. Features of the environment are also important to Ngāti Hāua as wāhi tapu; for example, Pohoare (Lake Hawkes) is tapu as the birthplace of Hinengākau and home to a powerful kaitiaki. The relationship between Ngāti Hāua and the environment is also essential as a means of transmitting knowledge and cultural beliefs from one generation to the next.
- 3.220. In the period since 1840, Ngāti Hāua have observed a decline in water quality in the Whanganui, Ongarue, and Ōhura Rivers, as well as the Ōtūnui Stream from such things

as water extraction, pollution, erosion and siltation, drainage of swamps and wetlands, the introduction of exotic fish and pests, gravel extraction, and the destruction of tuna (eel) habitat.

The Introduction of Exotic Flora and Fauna Species

- 3.221. While the Crown did not run acclimatisation societies, in 1867 the Crown promoted the Protection of Animals Act and formally recognised acclimatisation societies, actively promoted and encouraged their work, and provided them with financial assistance. The Wanganui Acclimatisation Society had been operating since 1863 and the Waimarino Acclimatisation Society was founded at the beginning of the twentieth century. The aim of the Wanganui Acclimatisation Society was “the introduction, acclimatisation and domestication of all animals, birds, fishes, and plants, whether useful or ornamental”.
- 3.222. Whanganui Māori were initially receptive to the introduction of new species that they could trade, such as pigs and potatoes. For example, upriver Māori began growing grapes after they were introduced and, in the 1870s, a local wine producer obtained the majority of his grapes from upriver Māori.
- 3.223. From the 1860s, the Wanganui Acclimatisation Society was introducing species to deal with the earlier introduction of exotic species that were causing problems in the New Zealand environment. For example, rabbits were introduced for recreational hunting, but they quickly became a widespread pest throughout the country, including in the Ngāti Hāua rohe. In 1881, the Crown promoted legislation to reduce their numbers by protecting species that were the ‘natural enemy’ of the rabbit, such as stoats and ferrets which have since had a devastating effect on native flora and fauna. Acclimatisation societies sometimes also considered some native species as predators, such as tuna (eel) and karearea (falcons), and offered a bounty to reduce their numbers.
- 3.224. In 1867, the Crown promoted the first piece of legislation to control New Zealand fisheries. The Salmon and Trout Act 1867 provided for the propagation and preservation of salmon and trout, and introduced controls over the rivers they were introduced into. From the 1880s, the Wanganui Acclimatisation Society released rainbow and brown trout into the Whanganui River. There is no evidence that Ngāti Hāua were consulted, nor did they consent to, the introduction of trout into the waterways of their rohe. The Waimarino Acclimatisation Society continued this practice into the middle of the twentieth century.
- 3.225. After the Crown on-sold the land it had purchased from Ngāti Hāua to European settlers, the Ngāti Hāua rohe underwent a significant environmental transformation. The Ngāti Hāua rohe was heavily forested prior to the arrival of the Crown and it provided food and materials, such as birds and their feathers. Settlers undertook extensive bush felling and burning to make way for roads, railways, and farming in forested hill country of the Ngāti Hāua rohe. Ngāti Hāua have found this loss of forested areas has caused a decline in associated mātauranga and cultural practices.

CHAPTER SIXTEEN: CULTURAL AND SOCIO-ECONOMIC OUTCOMES

The Stigmatisation of Ngāti Hāua as Rebels

- 3.226. The involvement of Ngāti Hāua in warfare in the first decades of the Crown-Ngāti Hāua relationship led the Crown to label Ngāti Hāua as “Hauhau” and rebels. This label has stigmatised generations of Ngāti Hāua descendants. Many Ngāti Hāua ancestors reasonably became very distrustful of the Crown and its imposition of legislation, particularly the native land laws. This led to strong resistance to the introduction of the Native Land Court. Ngāti Hāua oral history records that, due to this difficult history, many members of Ngāti Hāua have not asserted their identity with pride. Some hid their Ngāti Hāua identity and knowledge systems.

The Memory of Food Poisoning

- 3.227. Due to the 1847 arsenic poisoning incident, Ngāti Hāua record that their ancestors refused to interact with European food sources for decades and returned to their traditional food sources, particularly mamaku (black tree fern). Every year, Ngāti Tū at Tawhatā remember the importance of mamaku as a safe food source. They re-enact a “faith to the fire” encounter between Anglican and Catholic missionaries, which is followed by a feast of mamaku. Ngāti Tū have been engaging in this ritual since the time of their ancestor, Te Kere Ngātaiērua who lived in the mid to late nineteenth century. Ngāti Hāua also remember the history of poisoning through the kōwhaiwhai patterns in Te Taurawhiri a Hinengākau, the wharehau at Ngāpūwaiwaha marae. Though only an imprint of a marae remains on the land at Tawhatā, Ngāti Hāua named a wharehau “Koi Te Whēwhē”, which means sharp blistering or abscess, to remember the arsenic poisoning.

The Loss of Traditional Food Resources

- 3.228. The Crown’s large-scale land acquisitions and other actions such as the destruction of eel weirs meant that the access of Ngāti Hāua to their traditional food sources declined substantially during the nineteenth century. By the end of the nineteenth century, Ngāti Hāua did not have enough land to sustain their traditional way of life. Most Whanganui whānau continued to live rurally, relying on subsistence agriculture and traditional food sources, as well as seasonal or temporary waged work. Ngāti Hāua were then badly affected by the potato blight of 1905 and 1906. The *Wanganui Herald* reported that upriver Māori were “practically on the verge of starvation”. The economic depression of the 1930s exacerbated this situation.

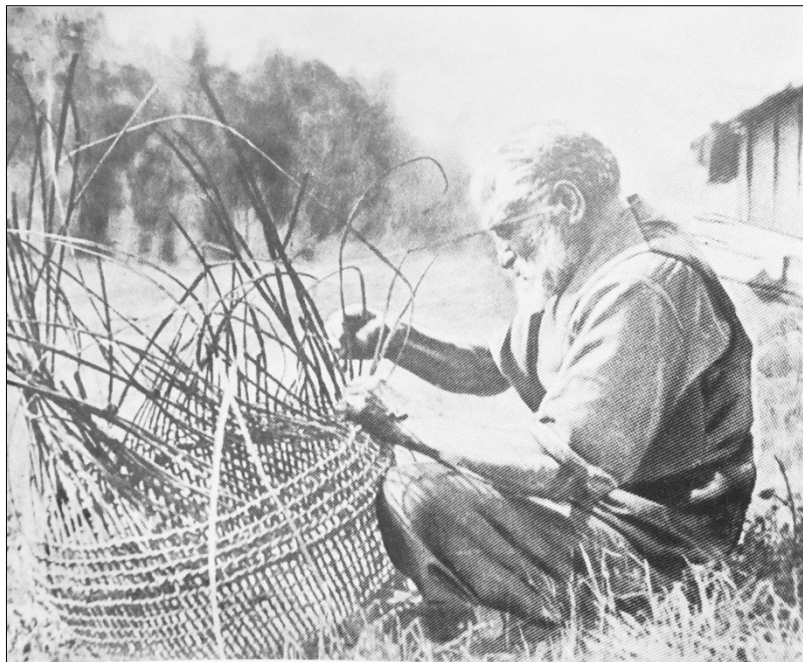


Figure 22: Tuku Making a Hīnaki (Roll Back the Years, vol. 2, p. 200, Taumarunui Press Collection, ref. 12168, permission courtesy of Ron Cooke)

Poor Health and Bad Housing

- 3.229. In the eighteenth century, the Whanganui River was recorded as one of the most densely settled areas in the lower North Island. At 1840, the population of Māori along the Whanganui River was estimated to be between 3,000 and 5,600 people. From 1840, the growing European population exposed Ngāti Hāua to infectious diseases which they had no immunity to. The population of Whanganui Māori had dramatically declined by the 1880s to around 1,330 people. Ngāti Hāua recall that the population of their kāinga at Tawhatā was around 1,600 at 1840 and by the end of the century there were only 10 or 12 residents. In 1912, the Wanganui Chronicle reported that Tawhatā was “afflicted with sickness”.
- 3.230. Poor health, combined with malnutrition and bad housing, meant that Ngāti Hāua were more susceptible to diseases of poverty like influenza or typhoid. Some health programmes inflicted further hardships. When the Crown sent Ngāti Hāua children to stay at health camps or sanatoria in Otaki and Whanganui for tuberculosis, or because of generally poor health, it was hard for their families to afford to visit them. Housing conditions for Ngāti Hāua could be poor. Crown officials noted on multiple occasions over the twentieth century that Māori housing in the Whanganui District was overcrowded. Ngāti Hāua remember living in crowded conditions in Taumarunui. The Crown developed an assistance programme to improve the state of Māori housing, however the programme focussed on housing in urban centres. Housing issues remain, however. Through to the twenty first century, houses in Taumarunui continued to be cold and poorly insulated with many whānau unable to afford power for heating.

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- 3.231. By the 1960s there had been a decline in Māori susceptibility to infectious diseases, though Māori continued to have worse health and lower life expectancy than Europeans. An ongoing issue for Ngāti Hāua in contemporary times is the need to travel long distances for many health services, including scans and births. This creates an unmanageable financial burden for some.

Education and the Māori Language

- 3.232. Ngāti Hāua were introduced to European forms of education through missionary schools in the 1840s. By 1849, there were 14 missionary schools along the Whanganui River. By the end of the 1850s, however, all the missionary schools had closed. Following the passage of the Native Schools Act in 1867, the Crown began offering to establish native schools in the Whanganui district in the 1870s.
- 3.233. In 1881, the Crown offered to build a school in Taumarunui but Ngāti Hāua rejected this offer because they saw it as a ploy to counter their “Hauhauism”. Ngāti Hāua remained divided on the topic for the remainder of the century. In 1899, Ngāti Hāua donated a site for the Hāuaroa Native school and it was opened in 1902, though there was still opposition within the iwi.
- 3.234. In accordance with Crown policy, the native schools emphasised the importance of reading, writing, and speaking English rather than the Māori language. One of the Crown’s goals in establishing the native school system was to promote the assimilation of Māori into European culture. The native schools prepared Māori primarily for manual labour.
- 3.235. In the early twentieth century, European parents in Taumarunui campaigned for segregated schooling for European and Māori children. When the Crown declined this request, the parents lobbied for the native school to be turned into a board school, which the Crown did in 1910. In 1921, a secondary department was added to the school. Māori language and culture were discouraged and often denigrated in the European schooling system. While the 1915 native school regulations stated that corporal punishment only be used as a last resort for wilful disobedience, Ngāti Hāua recall being punished for speaking the Māori language. Many Māori who were punished for speaking their own language in the classroom refused to pass the Māori language down to their children because of the trauma of that punishment.
- 3.236. Following the Second World War, Ngāti Hāua children had better access to the education system due to their urbanisation. However, the education system tended to have low expectations of Māori educational achievement for much of the twentieth century. Māori educational achievements were still less than that of Europeans which affected their employment and income in later life.

Employment Outcomes and the Impact of Urbanisation

- 3.237. During the twentieth century, working for wages was increasingly prominent for Ngāti Hāua. For most Māori in the district, the work was casual or seasonal, and usually low paid. It was sometimes economically necessary for children to work, which further limited their education. From the 1940s, the mechanisation of farming also meant that there was less waged work in rural areas, which contributed to the urban migration of the

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population. Between 1936 and 1971, the Whanganui Māori population transitioned from eighty per cent rural to seventy per cent urban.

- 3.238. There was more work available in urban centres, such as Taumarunui. However, the education system had mostly prepared Māori for the types of jobs which paid low wages. By 1958, eighty per cent of Whanganui Māori earned only a basic wage. Into the 1960s and 1970s, Whanganui Māori consistently earned less money than non-Māori in the district, and the gap was even wider in rural areas.
- 3.239. The urbanisation of the Ngāti Hāua population in the twentieth century was a significant change for the iwi and their ways of life. Despite the substantial migration, Ngāti Hāua remained a minority group in Taumarunui. European culture was dominant in urban areas and Māori felt pressure to assimilate. The intergenerational responsibilities of whānau and their sense of duty to their hapū and community were disrupted. It was the decades which followed the Second World War which saw the most severe decline in language fluency, as Ngāti Hāua were separated from their home communities where the Māori language was commonly spoken. Gang culture also rose in the second half of the twentieth century in the towns and cities of the district, filling a space for Māori youth who were largely alienated from their land and culture.

The Māori Renaissance

- 3.240. In the 1970s, a renaissance of Māori culture began. During this time there was a revitalisation of the Māori language. However, schools teach a standardised version of the Māori language and the Ngāti Hāua dialect has continued to decline.
- 3.241. Not all Ngāti Hāua migrants remained disconnected from their rohe in the post-war urbanisation. Iwi members have been consistently returning to rural marae from across New Zealand and Australia for births, baptisms, marriages, or to be buried on their ancestral lands. These homecoming journeys help reinforce the role of Ngāti Hāua in their rohe.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
3: TE TĀHUHU KŌRERO - HISTORICAL ACCOUNT



Figure 23: Ngāti Hāua Rangatahi Wānanga, 2011, Kākahi Marae (courtesy of Ngāti Hāua Iwi Trust)

4 TE HOHOURONGO - ACKNOWLEDGEMENT AND APOLOGY

NGĀ WHAKAAETANGA A TE KARAUNA

Te Tiriti o Waitangi/The Treaty of Waitangi

- 4.1. E whakaae ana te Karauna, nō te hainatanga o te Tiriti o Waitangi/the Treaty of Waitangi i te tau 1840, he tino pakari te tū a Ngāti Hāua i roto i tō rātou rohe. Ahakoa ēnei āhuatanga, kīhai te Karauna i tautiaki mārire i te tino rangatiratanga o Ngāti Hāua, he mea whakapūmau i raro i te Tiriti/the Treaty. Kāore te Karauna i whakatutuki i tāna i kī taurangi ai i raro i te Tiriti/the Treaty, ā, kīhai hoki ia i whakaea i ngā nawe mauroa o Ngāti Hāua. Nā reira, tēnei te Karauna te puaki atu nei i ngā whakaaetanga e whai ake nei:

Te Pakanga i te riu o Heretaunga 1846

- 4.2. E whakaae ana te Karauna nāna i takahi ngā Upoko 2 me 3 o te Tiriti o Waitangi/the Treaty me ōna mātāpono i mua i te pakarutanga o te riri i roto i te riu o Heretaunga 1846, ā, i tino whara te iwi i āna mahi ki te:
- 4.2.1. whakahau i a Ngāti Hāua kia whakarērea ngā whenua me ngā mahinga kai i te riu o Heretaunga, me te nukunuku atu ki runga i aua mahinga kai, i mua i tana whakaaro ki tētehi utu kāpeneheihana;
- 4.2.2. whakahapa ki te tautiaki i ngā rawa o Ngāti Hāua kei murua, kei whakangaromia hoki e te hunga manene, ā, i tūkinotia, i tahuna hoki ngā rawa o Ngāti Hāua e ngā hōia a te Karauna, tae atu ki tētehi urupā me tētehi whare karakia iti; me te
- 4.2.3. whakahau i te ture hōia mō tētehi wā i te marama o Māehe 1846.

Te whakawā o Te Rangiatea me Te Whareaitu, me te patunga o Te Whareaitu

- 4.3. E whakaae ana te Karauna ko te kino o te whakawhiu a te Karauna i a Te Rangiatea rāua ko Mātene Ruta Te Whareaitu i muri i ngā āhuatanga i pā i te rohe o Pōneke i te tau 1846 i takahi te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono, me te piringa o te hē ki te ingoa o te Karauna. E whakaae ana anō hoki te Karauna:
- 4.3.1. nā te whakawā i a Te Rangiatea rāua ko Mātene Ruta Te Whareaitu i āraia ai ngā tikanga tautiaki tika mō rāua, mehemea he kōti tangata noa kua noho anō ēnei tika ki rāua;
- 4.3.2. i kitea e te kōti i hara a Te Rangiatea, nā te mea he kaitautoko ia nō tētehi rangatira tutū, ā, i mahi, i āwhina, i whai wāhi hoki ki ngā mahi tutū ki te Karauna;
- 4.3.3. i kitea e te kōti i noho a Mātene Ruta Te Whareaitu hei kaitautoko mau patu mō tētehi rangatira tutū, ā, i whakahē, i wero hoki i tētehi o ngā taituarā Māori o te Karauna, ā, i mahi, i āwhina, i whai wāhi hoki ki ngā mahi tutū ki te Karauna;

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- 4.3.4. i whakawāteatia a Te Rangiatea rāua ko Mātene Ruta Te Whareaitu mō ngā whakapae taumaha kē atu o te whai wāhi ki te kakari ki ngā hōia o te Karauna i Heretaunga i te 16 me te 16 o Mei, me te 16 o Hune 1846;
- 4.3.5. ka whakawhiua e te Kōti Hōia a Te Rangiatea, tētehi kaumātua koroua tonu, māuiui, he pōrewarewa hoki te hinengaro, kia mauheretia mō ōna rā katoa, ā, ko whakawhiu i a Mātene Ruta Te Whareaitu, kia tāronatia te kakī kia mate rawa;
- 4.3.6. i kīa te whakamatenga a te Karauna i a Mātene Ruta Te Whareaitu mā te tārona, i te 17 Hepetema 1846 e te āpiha hōia kaihautū o taua wā, he tauira, hei aronga mai mā te iwi Māori nui tonu, ā, i kī hoki ngā niupepa o Aotearoa, ko te whakamatenga o Te Whareaitu 'tētehi ngakinga mate mutunga mai o te hekenga toto';
- 4.3.7. ka noho ēnei mahi a te Karauna hei taumahatanga nui, hei take whakamā hoki mō ngā uri o Te Rangiatea rāua ko Mātene Ruta Te Whareaitu; ā,
- 4.3.8. i nehua hohorotia ngā tūpāpaku o Te Rangiatea rāua ko Mātene Ruta Te Whareaitu, kāhore he tangihanga, he karakia nā Ngāti Hāua, ā, kāore i te mōhiotia te takotoranga whakamutunga o ēnei tūpuna tokorua. E kimi tonu ana ngā uri o ēnei tūpuna me Ngāti Hāua i ngā takotoranga o ēnei tūpuna, me tō rātou wawata kia whakahokia mai ki te wā kāinga.

Te hātepetanga atu o ngā whakarau Māori ki Tāhimanía i te tau 1846

- 4.4. Kei te whakaae te Karauna, ahakoa kāore he taunakitanga, i hē rawa tana pei atu i ētehi whakarau Māori, tae atu ki ētehi tūpuna tokowhā o Ngāti Hāua, ki Tāhimanía i te tau 1846. Kei te whakaae te Karauna kāore i tika te mahi a te Kāwana ki te whakatapeha i te āhua o ngā mahi hē a ngā mauhere ki ngā mana o Tāhimanía, me tana inoi kia taumaha tonu ngā whiu mō aua mauhere. Kei te whakaae hoki te Karauna he takahi āna mahi i te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono

Te Pānga o te Rironga o ngā Parāoa i Pokea ki te Arsenic i a Ngāti Hāua i te tau 1847, kāore i Wherawheratia Ōkawatia e te Karauna

- 4.5. Kei te whakaae te Karauna:
- 4.5.1. i roto i ngā pakanga o 1847 i tae atu he pūrongo ki a ia, kia kitea he pāraoa kua pokea ki te arsenic, e ētehi tāngata o tētehi tauā, nā Tōpine te Mamaku i hautū, i roto i tētehi kāinga kua mahue i tētehi whānau manene, ā, e rua neke atu pea ngā tāngata Māori kua paihanatia; ā,
- 4.5.2. mai rā anō e whakaponu ana a Ngāti Hāua nā aua parāoa paihana nei i māuiui rawa ai ō rātou tūpuna, me te mau tonu o te wehi ki te kai Pākehā, kāore i kāinga e rātou mō te hia ngahuru tau, tae atu ki ngā wā o te kai kore. E mau tonu ana te mamae me te nawe mō ēnei āhuatanga i roto i a Ngāti Hāua, ā, mohoa noa nei.

Ko te pakanga i Taranaki, ko tōna mutunga ko te pakanga i Whanganui

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- 4.6. E whakaae ana te Karauna ko ngā pakanga i Taranaki tētehi mahi takahi i te tika, ā, he takahi hoki i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono. E whakaae ana anō hoki te Karauna, ahakoa te hiahia o te tini o Ngāti Hāua kia mau tonu te rangimārie i roto i tō rātou rohe, nā ngā Pakanga o Taranaki ka tīmata te pakanga i te rohe o Whanganui, ā, e noho tonu ana te matenga o ō rātou tūpuna i te pakanga o Moutoa i 1864 hei nawe nui mō Ngāti Hāua.

Te Kōkiri a te Karauna ki Ōhoutahi

- 4.7. E whakaae ana te Karauna i te mutunga, nāna nei anō i tīmata te pakanga i waenga i te Kīngitanga, kei roto nei a Ngāti Hāua, me te Karauna i te rohe o Whanganui, ā, i tīmata mai i te pakanga i Ōhoutahi pā i 1865. E whakaae ana te Karauna ko āna mahi he takahi tonu i te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono.

Te Raupatu

- 4.8. E whakaae ana te Karauna ko te raupatu/confiscation o ngā pānga o Ngāti Hāua i Taranaki i 1865 tētehi mahi takahi i te tika, ā, he takahi hoki i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono. E whakaae ana anō hoki te Karauna nō te murunga o ngā whenua, i ngaro hoki te wātea o ētehi mahinga kai mā Ngāti Hāua, i noho anō aua wāhi hei manawaora mō ngā tāngata o Ngāti Hāua i tō rātou rohe.

Ko te Utanga a te Karauna i te Ingoa He Iwi Tutū ki a Ngāti Hāua i te ngahuru tau 1860

- 4.9. E whakaae ana te Karauna nā tana utanga i te ingoa hē mō Ngāti Hāua hei “iwi tutū”, “nanakia”, hei “Hauhau” anō hoki i roto i ngā Pakanga o Aotearoa, ka noho hei take whakamā mō te iwi, i whai noa iho rā kia mau tonu tō rātou tino rangatiratanga. E whakaae ana anō hoki te Karauna nā taua take whakamā mō Ngāti Hāua i whakapōraruru te whāngainga o ā rātou kōrero tuku iho ki ngā reanga, me te tū tangata o aua uri i roto i tō rātou Ngāti Hāuatanga.

Te Mauheretanga o ngā Tūpuna me te Whakangaromanga o ngā Rawa i Parihaka i 1881

- 4.10. I ngā ngahuru tau 1870 me ngā tau tuatahi mai i 1880, ka kawea te ngākau o ngā tūpuna o Ngāti Hāua, mai i ngā rohe maha, kia haere rātou ki te kāinga o Parihaka, me ngā akoranga o ngā rangatira tokorua, a Te Whiti o Rongomai rāua ko Tohu Kākahi. Ko ēnei ētehi o ngā tūpuna i tino whara i ngā tino mahi hē, me ngā hapa a te Karauna i Parihaka. Kei te whakaae te Karauna:

- 4.10.1. i uru ngā tūpuna o Ngāti Hāua ki te kāhui o ngā mauhere nā te Karauna i whakarau, i roto i ngā whare herehere kino mō te take kore noa iho, arā, ngā whare herehere o Te Wai Pounamu, mō rātou i whai wāhi ki ngā totohe ātete rangimārie i Parihaka i 1879 me 1880. Nā ēnei mahi i murua ai ngā tika tangata taketake o ngā mauhere, ā, he takahi hoki i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono; ā,

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4.10.2. ā tana whakaeke me tana pāhoru nui i Parihaka i 1881 i tino tūkino te kāinga o Parihaka, i takahi hoki ngā tika tangata o te hunga noho i reira, tae atu ki ngā tūpuna o Ngāti Hāua. I whakangaromia e te Karauna ngā whare me ngā rawa katoa o ēnei tūpuna, i tānoatia ō rātou whare tapu, i huripokina hoki ā rātou mahinga kai. Nā ngā mahi hē, whakawiri hoki a te Karauna i ēnei tūpuna i pā ai tētehi mamae tino nui, ā, he mahi takahi tēnei i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono.

Ngā Ture Whenua Māori

4.11. E whakaae ana te Karauna ko ngā whakahaere o ngā ture whenua Māori tētehi nawe nui nā Ngāti Hāua nā te mea, i herea a Ngāti Hāua kia mahi tahi me tētehi pūnaha kāore i tautokona e rātou, kei hātepengia rātou i te mana pupuru i ō rātou whenua. E whakaae ana anō hoki te Karauna he tika te kī, he taumaha tonu ngā kawenga i utaina ki runga i a Ngāti Hāua e te Kōti Whakawā Whenua Māori, nā tana kawē i te huhua o ngā whakawā mō ō rātou poraka whenua i roto i te wā poto i 1886, me te mamao rawa o tēnā whakawā, o tēnā whakawā, o tēnā whakawā.

4.12. E whakaae ana te Karauna nā ngā whakahaere me te pānga o ngā ture whenua Māori, inarā, te whakawhiwhinga o ngā whenua o Ngāti Hāua ki ngā tāngata takitahi, me te tuku mana ki te tangata takitahi ki te whakahaere tikanga mō aua whenua, kāore he aronga mā rātou ki ō rātou iwi, hapū rānei, i hohoro ai te wehewehenga, te ngaromanga me te wāwāhanga o aua whenua, me te waimeha haere hoki o ngā āhuatanga ā-iwi o Ngāti Hāua. Ka noho ko te hē a te Karauna i tana kore e tautiaki i ēnei āhuatanga taketake o te iwi, i takea mai i te mana pupuru o te hapū me te iwi i ōna whenua, hei takahanga i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono.

Ngā Kī Taurangi a Te Karauna mō te Kirimana ki Hīkina te Aukati o Te Rohe Pōtae Aukati i 1885

4.13. Kei te whakaae te Karauna:

4.13.1. i a Ngāti Hāua te rangatiratanga o ō rātou whenua i roto i Te Rohe Pōtae i mua i te kirimana i te tau he 1885 ki te hiki i te aukati, ā, i riro nā te iwi i whakahau te aukati i te rohe ki te tonga;

4.13.2. i roto i ngā whiriwhiri ki ngā tāngata Māori o Te Rohe Pōtae Māori kia hīkina te aukati hei whakangāwari i te hanganga o te Rerewē Matua o Te Ika-a-Māui, kāore te Karauna i tahuri ki te whakaae ki ngā tono a Ngāti Hāua kia kapea ō rātou whenua i Te Rohe Pōtae i te whakamananga o te Kōti Whakawā Whenua Māori;

4.13.3. i takahi te Karauna i ēnei kī taurangi i tāpaetia e ia i 1885 i roto i ngā whakawhiti kōrero ki te kimi whakaaetanga mō te hanganga o te Rerewē Matua o Te Ika-a-Māui mā roto i Te Rohe Pōtae:

(a) ka whakawhānuitia atu ngā mana o ngā Komiti Māori ā-Rohe kia nui ake ai tō rātou mana i roto i ngā hātepe o te Kōti Whakawā Whenua Māori me ngā kaunihera ā-rohe;

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- (b) heoti anō nei ngā whenua ka tangohia e ia ko ngā whenua tika mō te hanganga o te Rerewē Matua o Te Ika-a-Māui, ā,
- (c) e kore ia e āki i ngā tāngata Māori kia hoko whenua i hiahia rātou ki te rīhi noa iho.

4.13.4. kīhai te Karauna i whakatutuki i ēnei kī taurangi, nā reira, he mahi takahi tēnei i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono, nā tana wareware ki te mahi tika, nā tana kore hoki e hāpai i te rangatiratanga o Ngāti Hāua.

Te Rerewē Matua o Te Ika-a-Māui

- 4.14. E whakaae ana te Karauna nā tana korenga e utu kāpeneheihana ki a Ngāti Hāua mō ngā whenua i tangohia whakahautia mō te Rerewē Matua o Te Ika-a-Māui i takahi tētehi kī taurangi nā te Minita Māori i te tau 1885 tērā tonu aua kāpeneheihana e utua, ā, he mahi takahi tēnei i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono.
- 4.15. E whakaae ana anō hoki te Karauna i whiwhi ia i ngā painga nui whakahirahira nā tana āhei ki te waihanga i te Rerewē Matua o Te Ika-a-Māui mā roto i Te Rohe Pōtae, ki te whakatū kāinga noho hoki mō te Pākehā i roto i te rohe, engari kīhai a Ngāti Hāua i whiwhi i ngā painga mauroa i kīa rā e te Karauna ka riro i te iwi, i roto i ngā whakawhiti kōrero.

Te Hoko i Te Poraka o Waimarino

- 4.16. E whakaae ana te Karauna, i te tau 1887, ka hokona wawetia e ia neke atu i te 90% o te poraka o Waimarino, 452,196 eka te rahi, mai i ngā tāngata Māori o Whanganui 821, tae atu ki a Ngāti Hāua. I takahi te Karauna i te Tiriti o Waitangi/the Treaty of Waitangi, ā, i heke ngā taumata whakaaro me te tika o ngā whakaritenga, nā te mea kīhai a Ngāti Hāua i āta mārama ko ēhea ngā whenua i te hokona e te Karauna, waihoki, kāore rātou i kaha ki te whakaū he tika te utu mō ō rātou pānga. Inarā:
- 4.16.1. i mārama te Karauna kāore i taea e Ngāti Hāua te āta tirotiro, te tuku whakahē rānei ki te rūritanga o te poraka i mua i te whakawhiwhinga a te Kōti i te nuinga o te poraka ki te Karauna;
 - 4.16.2. i whakakāhore te Karauna i ngā tono a Ngāti Hāua kia wāhia ō rātou pānga i roto i te poraka, nā te mea, mā reira e whakaroatia ai te hoko a te Karauna;
 - 4.16.3. nā te Karauna i whakatau, ki tana titiro, ngā whāinga take o ngā tēnā, o tēnā o ngā pānga o Ngāti Hāua, me te tuku utunga māna anō e whakarite;
 - 4.16.4. kīhai te Karauna i whakamōhio i a Ngāti Hāua mō te utu mō ia eka e utua ana e ia mō te poraka o Waimarino.
- 4.17. E whakaae ana te Karauna kīhai i tika tana utu i te utu tika ki ngā kaipupuru o Ngāti Hāua i te poraka o Waimarino me ōna rawa whai hua, ā, he mahi takahi tēnei i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono.

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- 4.18. E whakaae ana te Karauna i whakahē pūputu tonu a Ngāti Hāua ki te hoko a te Karauna i te poraka o Waimarino, ā, kīhai i whai take tana whakautu ki ngā nawe o Ngāti mō tēnei hoko.
- 4.19. E whakaae ana te Karauna i ngaro i a Ngāti Hāua te mana pupuru i ōna kāinga i te poraka o Waimarino, tae atu ki Te Maire, ki Kākahi, me Rurumaiaakatea, me ngā wāhi tapu pēnei i te pīnanakitanga hauāuru me te tihi o Ruapehu, me tō rātou kore e whakaae, nā te mea, nā te Karauna, me tana takahi i te Tiriti o Waitangi/the Treaty of Waitangi me te mātāpono o te āta tautiaki mārire, i hapa i tana korenga e whakatutuki i ngā whakaritenga o te tīti hoko kia whakaaetia ngā wāhi mō ngā tāpui kaihoko ki a Ngāti Hāua, me tana tāpui hoki i ngā whenua iti iho i tana i kī taurangi ai ki a Ngāti Hāua i roto i ngā whakawhiti kōrero. Nā konei, nā ngā mahi a te Karauna ka noho pokanoa Ngāti Hāua i runga i ngā whenua o ētehi atu, nāwai ā, ka peia ki waho i ō rātou kāinga, nā te kore kai, nā ngā uauatanga o te noho kore taitara i ō rātou whenua.

Te Tāone Māori o Taumarunui

- 4.20. Kei te whakaae te Karauna:
- 4.20.1. i whakaae ētehi o ngā kaipupuru whenua o Ngāti Hāua ki te whakatūranga o Te Tāone Māori o Taumarunui ki runga i ō rātou whenua, nei ka wāhia te mana pupuru o ngā whenua o ngā whenua e whakatūria ai te tāone e te Kōti Whakawā Whenua Māori i te tuatahi;
- 4.20.2. i tono te Crown ki te Kōti Whakawā Whenua Māori kia whakatārewatia te whakarongo ki ngā tono wāwāhi whenua, ā, kīhai i hoki mai ki te kōrero ki ēnei kaipupuru i mua i tana pānuitanga i te tāone i te tau 1903, kāore anō ētehi wāwāhanga kia oti; ā,
- 4.20.3. ko tēnei korenga a te Karauna e whakaoti i ngā whakaritenga i whakaae rā ngā mema o Ngāti Hāua ki te whakatūranga o te tāone ka noho hei mahi takahi i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono.
- 4.21. E whakaae ana te Kārauna i tono a Ngāti Hāua kia whakatūria Te Tāone Māori o Taumarunui i raro i te Ture Whakahaere Whenua Māori 1900, kia tukua hoki ki te kaunihera whenua ā-takiwā, e kaha ake ai tō rātou rangatiratanga ki te tāone tēnā i te Native Township Act 1895. Ahakoa rā, i muri i tana whakatū i te tāone i te tau 1903, ka whakaurua e te Karauna tana ture i te tau 1905 hei whakakapi i te kaunihera whakahaere i te whenua, e rua ōna mema Māori, neke atu, nā te Māori i pōti, kia noho mai he poari whenua kē, kotahi anake tana mema Māori mā te Karauna hei tohu. Nā tana mahi whakawhanake kaupapa here mō ngā poari whenua, me tana kore e kōrero ki a Ngāti Hāua, ka hapa te Karauna nā tana kore e whakarite tikanga e mau ai te rangatiratanga mauroa o Ngāti Hāua, ā, he takahi tēnei i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono.
- 4.22. E whakaae ana te Karauna kīhai i tutuki ngā tūmanako o Ngāti Hāua mō Tāone Maori o Te Taumarunui, tae atu ki te tūmanako ka mau tonu tō rātou mana mō te whakahaere i te tāone, ā, ka whiwhi painga hoki i ngā whenua i purutia tonutia ai e rātou. E whakaae ana anō hoki te Kārauna i hapa tana urupare ki ngā taumahatanga ahumoni mō ngā kaipupuru,

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ā, i whakaarotautia ki mua te painga mō ngā kairīhi, ki mua rā anō i ō ngā kaipupuru o Ngāti Hāua, nā tana:

- 4.22.1. whakawātea i te Poari ki te whakamahi moni whiwhi rēti hei hanga tūāhanga, kāti, mō te nuinga mā ngā reiti ēnei hei utu;
 - 4.22.2. wareware ki te whakahau tikanga i te takanga ki muri o ngā whiwhinga rēti i ngā wāriu whenua;
 - 4.22.3. tuku i te Poari ki te whakahau rīhi mutunga kore mō ngā kaipupuru o Ngāti Hāua ahakoa kāore i hiahia, me te utu i ētehi kāpeneheihana iti mō ngā rēti pāpaku i riro i a Ngāti Hāua mai i ēnei rīhi, e hia nei ngahuru tau i muri i te whakamananga tuatahi o ngā rīhi; ā
 - 4.22.4. hoko me te hoko atu anō o ngā whenua o Ngāti Hāua i runga i ngā tono a ngā manene noho whenua.
- 4.23. E whakaae ana te Karauna nā ngā taimahatanga ahumoni mō ngā kaipupuru i muri i ēnei raruraru, i tahuri ai ētehi o ngā kaipupuru o Ngāti Hāua ki te hoko whenua i hiahia kē rātou ki te pupuru. Kīhai te Karauna i āta tautiaki mārire i ngā pānga o Ngāti Hāua i roto i Te Tāone Māori o Taumarunui, he takahi tēnei i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono.

Te Tāpui ā-Motu o Tongariro

- 4.24. E whakaae ana te Karauna, ahakoa i mōhio ia ki te hira o ngā maunga i Te Tāpui ā-Motu o Tongariro ki a Ngāti Hāua, kīhai te Karauna i kōrero tahi me rātou mō te tāpuitanga o ngā tihi maunga mō te kaupapa whakatū tāpui ā-motu, i mua, i muri rānei i tana tīmatanga ki te kōrero ki tētehi atu iwi mō taua take, ā, he takahi tēnei i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono.
- 4.25. E whakaae ana te Karauna, mai o 1907 kāore ia i tuku i a Ngāti Hāua kia uru ki ngā whakaritenga whakahaere mauroa mō Te Tāpui ā-Motu o Tongariro, ā, kīhai hoki i aro atu ki tō rātou rangatiratanga me tō rātou kaitiakitanga i te maunga, ā, he takahanga tēnei i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono.
- 4.26. E whakaae ana te Karauna he taumahatanga nui ngā panonitanga tūkinō i te taiao o Te Tāpui ā-Motu o Tongariro, nā te whanaketanga arumoni me te whakaurunga mai o ngā momo o tāwāhi, mā Ngāti Hāua, ina hoki, kīhai te iwi i kaha ki te noho hei kaitiaki i ngā taonga i roto i te Tāpui, kei tūkinotia aua taonga.

Ngā Whenua i Tukua

- 4.27. E whakaae ana te Karauna, āe, nā Ngāti Hāua i tuku te poraka o Rētāruke, i te rohe Whenua Māori o Aotea i te tau 1912 kia āhei ai te tangata te whakawhanake i aua whenua mō ngā mahi ahuwahenua arumoni, engari kia whakahokia mai ki a rātou i muri i ngā wāhanga rīhi 21 tau e rua. Ahakoa tērā, kāore i taea e Ngāti Hāua te noho anō ki aua whenua i te paunga o ngā rīhi i ngā ngahuru tau 1930 me 1950 nā te mea kāore i taea e rātou te utu kāpeneheihana mō ngā whakapainga, i noho nama rā rātou ki ngā kaitango

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rīhi. E whakaae ana te Karauna i mārama haere ia i roto i te ngahuru tau 1920 e kore kē e taea e Ngāti Hāua ēnei kāpeneheihana te utu, engari kāore i whai i ngā hipanga tika mō tēnei take, taea noatia te ngahuru tau 1950. Ka noho ko te korenga o te Karauna i tahuri ki te whakarite tikanga kia hoki anō te mana o ō rātou whenua tuku ki a Ngāti Hāua i roto i te wā ka kīa he kakama, he wā tika hoki, hei mahi takahi i te tika, ā, he takahi hoki i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono.

Ngā Mahi Tūmatanui – Te Hōhipera o Taumarunui

- 4.28. E whakaae ana te Karauna nāna i takahi Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono nā tana hoko whakahau i ētehi atu whenua i ngā whenua i hiahiaitia hei pae whakatū whare mō te Hōhipera o Taumarunui i te wā o te hokonga mō ngā mahi tūmatanui. E whakaae ana anō hoki te Karauna ki te hira ā-ahurea, ā-tāhuhu kōrero hoki o tēnei whenua ki a Ngāti Hāua, hei tūrangawaewae, ā, kua kore anō a Ngāti Hāua e āhei ki te noho tika ki Te Peka Pā me te whakamahi i Titipā urupā, nā ngā hoko whakahau o aua whenua e te Karauna.
- 4.29. E whakaae ana te Karauna e noho ana ngā tangohanga whenua o te Karauna mō ngā whenua tūmatanui hei nawe nui mā Ngāti Hāua, ā, i tāhaetia e ia ngā whenua tino hira ki ngā hapū o Ngāti Hāua.

Ngā Tāpui Tirohanga Whenua o Whanganui

- 4.30. E whakaae ana te Karauna kāore i tika tana torotoro whakaaro ki a Ngāti Hāua, kāore hoki i āta whakatairite i ō rātou pānga ki ngā pānga o te ao tūmatanui, i tana hokonga o aua whenua hei whakarauora whenua rerehua. Nā ēnei hapanga i hokona whakahautia ai e te Karauna neke atu i te 300 eka atu anō o ngā whenua o te iwi i ngā taha o te Awa o Whanganui, tae atu ki ngā wāhi tapu me ngā mahinga kai, i roto i ngā tau i uaua rawa ai te mahi a Ngāti Hāua ki te kimi orange mō rātou nā ngā ngaromanga whenua, ā, he tika kia nui atu tā te Karauna aro ki ngā whakaaro o Ngāti Hāua. He takahanga tēnei o te here i te Karauna kia āta tautiaki mārire i raro i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono.

Te Tāpui ā-Motu o Whanganui

- 4.31. Kei te whakaae te Karauna nā tana whakatūranga o te Tāpui ā-Motu o Whanganui i te tau 1987 ka hē kē atu te wharanga me te kino o te nawe mō Ngāti Hāua, mō ngā whenua i hokona e te Karauna i te rau tau tekau mā iwa, i noho rā hei takahanga i te Tiriti o Waitangi/the Treaty of Waitangi. E whakaae ana anō hoki te Karauna kua whakawhāititia te āhei o Ngāti Hāua ki te whakatinana i tō rātou kaitiakitanga ki ngā whenua me te Awa o Whanganui.

Te Pūhore o te Taiao

- 4.32. E whakaae ana te Karauna mai i te rau tau tekau mā iwa, kua hē haere ngā whenua, ngā ngahere me ngā rerenga wai i roto i te rohe o Ngāti Hāua, nā ngā mahi takakino, me ngā panonitanga tūturu nā ngā whakamahinga whenua hou. Nā te waerenga o ngā ngahere māori mō ngā omanga kararehe kia ngāhorohoro te whenua, kua kī ētehi rerenga wai maha i te parakiwai. Nā ngā tūtae, na ngā tūtae kararehe, ngā tāoke ahuahua whenua, me

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ngā puhanga wai kino, o ngā wheketere, o ngā kāinga hoki, i heke ai te pai o te wai o ētehi o ngā awa, me te heke anō i te tini o ngā ika wai māori, o te kēwai me ngā kākahi. E tino pōuri ana a Ngāti Hāua mō ēnei panonitanga ki te hauora me te toiora o ō rātou whenua, o ō rātou wai, me ngā pūnaha hauropi i roto i tō rātou rohe.

Te Noho Kore Whenua

- 4.33. E whakaae ana te Karauna nā tana korenga e hāpai tikanga e mau tonu ai he whenua tōtika ki a Ngāti Hāua hei oranga ā-ōhanga, ā-pāpori, ā-ahurea mā rātou, ka puta he takahanga i te Tiriti o Waitangi/the Treaty of Waitangi me te mātāpono o te āta tautiaki mārire, ā, nā konei he tika te kī kua tata noho whenua kore a Ngāti Hāua.

Te Reo Māori

- 4.34. E whakaae ana te Karauna i whakawhiua ngā tamariki a Ngāti Hāua i tae ake ki ngā kura nā te Karauna i whakatū mō te kōrero i tō rātou reo ake, ā, ka noho tēnei hei pūtake mō te hekenga o te reo Māori i roto i tō rātou iwi.
- 4.35. E whakaae ana te Karauna kīhai ia i noho ki te āta tautiaki, ki te whakatenatena hoki i te whakamahinga i te reo i roto i a Ngāti Hāua, me te hekenga anō o te reo i muri. Nā reira ka ngaro tētehi o ngā taonga a Ngāti Hāua i konei. E noho ana te korenga o te Karauna e āta tautiaki mārire i te reo Māori hei takahanga i Te Tiriti o Waitangi/the Treaty of Waitangi me ōna mātāpono.

Ngā Putanga Ōhanga-Pāpori

- 4.36. E whakaae ana te Karauna nā ngā pānga tōpū o āna takahanga i te Tiriti o Waitangi/the Treaty of Waitangi i raru ai te whanaketanga ōhanga, pāpori, ahurea hoki o Ngāti Hāua. E whakaae ana anō hoki te Karauna kua pā te hē o te hauora, o te kore where tōtika, o ngā ekenga taumata mātauranga pāpaku, te kore whāinga wāhi ōhanga hoki hei take i nukunuku ai te tangata ki waho i te rohe o Ngāti Hāua. E noho ana te purutanga o te ahikā me tō rātou Ngāti Hāuatanga hei tohu mō te aumangea o Ngāti Hāua.

TE WHAKAPĀHA A TE KARAUNA

- 4.37. Tēnei te Karauna te puaki nei i tana whakapāha ki te iwi tauri, ki te iwi pakari o Ngāti Hāua, ki ō koutou tūpuna kua moe nei ngā whatu, ki ā koutou mokopuna māna koutou e ārahi i roto ngā tau kei mua, inā rā ngā kupu o te whakapāha:
- 4.37.1. Tēnā koutou e Ngāti Hāua, e whakaae ana te Karauna mai anō, ko koutou tēnā i noho i ō koutou kāinga i te tuawhenua o te Awa o Whanganui, ki te whiri i te taura whiri a Hinengākau (the plaited rope of Hinengākau) mā te whakahau i te rangimārie, me te whakamahana i ngā hononga maha. I ō koutou tūpuna tā rātou ake matakite, mō te noho tahi, mō te painga mō tētehi, mō tētehi, i tā rātou waitohutanga i te Tiriti o Waitangi/the Treaty of Waitangi. Kei te tino whakapāha hoki te Karauna kāore i tutuki i a ia te kī taurangi o te Tiriti/the Treaty, ā, kawea kētia mai ana ko te tautohe, ko te mate rawa, me te tauwehe ki tō iwi.
- 4.37.2. Ka nui te whakamā o te Karauna mō ngā mahi kino, ki te patunga whakawehiwehi, mutunga mai o te hē o ō koutou tūpuna i 1846, ā, e tino pouri ana mō te āhua o tana mahi ki a Ngāti Hāua i 1840, i noho mai ai hei take whakahāwea tino nui, tino tika hoki, ki te Karauna. I ngā tau mai i 1860, nā ngā mahi a te Karauna ka tupu te pakanga i waenga i te Karauna me Ngāti Hāua. E tino ngau ana te pōuri o te Karauna mō te taumaha o ngā pānga o ngā pakanga ki a Ngāti Hāua me te whakamā take-kore e kawea tonutia nei e koutou, nā te utanga o te ingoa tutū, manawawera hoki ki a koutou.
- 4.37.3. E ū tonu ana a Ngāti Hāua ki te hāpai i tō rātou rangatiratanga mā te hono me te ārahi i ngā mahi pupuru whenua, me te tautiaki i te rohe ki te tonga o Te Rohe Pōtae. I te mutunga kāore he ara kē atu i wātea ki a Ngāti Hāua, atu i te kōrero tahi ki te Karauna mō tana whāinga i te whenua. I urutomo te Karauna ki Te Rohe Pōtae ki te whakaoti i te Rerewē Matua o Te Ika-a-Māui, nā tana puaki kī taurangi, kāore i ea i a ia. Kāpā i tangohia he whenua mō te rerewē e te Karauna, kāore he utu kāpeneheihana anake, engari i tua atu i tērā, ka hokona e ia ētehi whenua nui whakahirahira hei nohonga mō te Pākehā.
- 4.37.4. E tino pōuri ana te Karauna mōna i hoko i te tini o ngā whenua, i tata noho whenua kore ai a Ngāti Hāua, kāore he tomokanga mōna ki ōna rawa, ki ōna wāhi tapu me āna taonga. I tangohia whakahautia hoki e te Karauna ētehi atu whenua mō ngā mahi tūmatanui. Kīhai te Karauna i kōrero ki a Ngāti Hāua i mua i te whakatūranga o Te Tāpui ā-Motu o Tongariro, kāore hoki koutou i whai wāhi ki roto i ngā tikanga whakahaere, i kore ai koutou i kaha ki te tiaki i ngā wāhi tapu i roto i te Tāpui. E tino pōuri ana te ngākau o te Karauna, me tana pōuri i tino whiwhi hua nui ia i ana takahanga i te Tiriti/the Treaty, me te nui o ngā taumahatanga mā Ngāti Hāua, me te parenga atu o te tini o koutou, e ai ki ō koutou whakaaro, i roto i tōu rohe, ānō nei he iwi mana iti.
- 4.37.5. Kua roa rawa koutou e mahi nui ana ki te whakaatu i ēnei mahi takahi i te tika, ki te Karauna. Kua ako nui koutou ki te whakatere haere i ngā pūnaha me ngā hātepe o te Karauna, me te takahi tonu a te Karauna i ana kī taurangi, tana huri tuarā ki ā koutou whakahē, me te whakaparahako i a Ngāti Hāua, ahakoa he marama tonu ki te katoa ō koutou taimahatanga. Kua tino hē i ngā mahi a te

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Karauna te whanaketanga ōhanga, pāpori hoki, o tō koutou iwi. Nā te hē o te hauora, nā te kore whare tōtika, ngā putanga mātauranga pāpaku me te korenga e whai wāhi ki ngā mahi ōhanga, i kaha ake ai te wehewehe atu o te tini o tō koutou iwi i te rohe. E tino pōuri ana te Karauna mō ana takahanga katoa i te Tiriti/the Treaty me ngā wharanga kua pā ki a koutou, me tana aumihi anō ki tō koutou pakari.

- 4.37.6. Mā roto i tēnei whakataunga, me tēnei whakapāha, te tūmanako rā a te Karauna ia, ka hangaia he tūāpapa mō tētehi piringa hou, i runga tonu i te wairua o te kōtuitanga i kitea e ō koutou tūpuna i te Tiriti o Waitangi/the Treaty of Waitangi.

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ACKNOWLEDGEMENT

Te Tiriti o Waitangi/The Treaty of Waitangi

- 4.1. The Crown acknowledges that when te Tiriti o Waitangi/the Treaty of Waitangi was signed in 1840, Ngāti Hāua held a position of great strength in their rohe. However, the Crown has failed to actively protect the tino rangatiratanga of Ngāti Hāua, which was guaranteed by te Tiriti/the Treaty. The Crown has not honoured its commitments under te Tiriti/the Treaty and has failed to deal with the long-standing grievances of Ngāti Hāua. Therefore, the Crown makes the following acknowledgements:

Conflict in Heretaunga valley in 1846

- 4.2. The Crown acknowledges that it breached Article 2 and 3 of te Tiriti o Waitangi/the Treaty of Waitangi and its principles before the outbreak of conflict in the Heretaunga valley in 1846, and caused the iwi serious prejudice when it:
- 4.2.1. ordered Ngāti Hāua to abandon land and crops in the Heretaunga valley and occupied their cultivations before it would consider paying compensation;
 - 4.2.2. did not protect Ngāti Hāua property from plunder and destruction by settlers, and Crown troops ransacked and burned Ngāti Hāua property, including an urupā and a chapel; and
 - 4.2.3. unnecessarily imposed martial law for a period in March 1846.

Te Rangiātea and Te Whareaitu's Trial, and Te Whareaitu's Execution

- 4.3. The Crown acknowledges that the exceptional harshness of the Crown's punishment of Te Rangiātea and Mātene Ruta Te Whareaitu arising from events in the Wellington region in 1846 breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles and brought dishonour to the Crown. The Crown further acknowledges that:
- 4.3.1. trying Te Rangiātea and Mātene Ruta Te Whareaitu under martial law meant they were deprived of procedural protections that would have been their right at a civilian trial;
 - 4.3.2. Te Rangiātea was found guilty of being an armed follower of a rebel chief, and for having acted, aided and assisted in the rebellion against the Crown;
 - 4.3.3. Mātene Ruta Te Whareaitu was found guilty of being an armed follower of a rebel chief, of resisting and wounding one of the Crown's Māori allies and for having acted, aided and assisted in the rebellion against the Crown;

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- 4.3.4. Te Rangiātea and Mātene Ruta Te Whareaitu were respectively acquitted of the more serious charges of having participated in fighting against Crown forces in Heretaunga on 16 May and 16 June 1846;
- 4.3.5. the Court Martial sentenced Te Rangiātea, an elderly, sick and mentally-unwell man, to confinement for life, and Mātene Ruta Te Whareaitu to be hanged by the neck until death;
- 4.3.6. the Crown's execution of Mātene Ruta Te Whareaitu by hanging on 17 September 1846 was described by the commanding military officer as an example to other Māori and in the New Zealand press as "a most sanguinary display of vengeance";
- 4.3.7. the Crown's actions have resulted in ongoing intergenerational trauma and stigma for the uri of Te Rangiātea and Mātene Ruta Te Whareaitu; and
- 4.3.8. the bodies of Te Rangiātea and Mātene Ruta Te Whareaitu were interred without appropriate Ngāti Hāua ceremony and that the final resting place of both tūpuna is unknown. The uri of these tūpuna and Ngāti Hāua continue to search for their remains and still desire to return them to their ancestral homelands.

Exile of Whanganui Māori Prisoners to Tasmania in 1846

- 4.4. The Crown acknowledges that, despite a lack of evidence, it unjustly exiled five prisoners, including four Ngāti Hāua tūpuna, to Tasmania in 1846. The Crown acknowledges that the Governor acted in bad faith by misrepresenting the prisoners' offences to the Tasmanian authorities, and by asking the authorities to treat the prisoners harshly. The Crown further acknowledges that its behaviour was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

The Impact of Ngāti Hāua Acquiring Flour Laced with Arsenic in 1847 which the Crown Made No Formal Investigations Into

- 4.5. The Crown acknowledges that:
 - 4.5.1. during the fighting in 1847 it received reports that members of a tauā led by Tōpine te Mamaku had found a mixture of flour poisoned with arsenic that was left in a home evacuated by a settler family, and that at least two Māori had been poisoned; and
 - 4.5.2. Ngāti Hāua have long held the belief that poisoned flour made many of their tūpuna sick and left them afraid to consume Pākehā food for decades, including during times of food scarcity. The sense of mamae and grievance felt by Ngāti Hāua in relation to these events persists to this day.

Warfare in Taranaki Leading to Warfare in Whanganui

- 4.6. The Crown acknowledges that the wars in Taranaki constituted an injustice and were in breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles. The Crown further

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acknowledges that despite the desire of many from Ngāti Hāua to maintain peace in their rohe, the Taranaki Wars led to the outbreak of warfare in the Whanganui district and that the death of their tūpuna at the 1864 battle of Moutoa remains a considerable grievance for Ngāti Hāua.

The Crown's Attack on Ōhoutahi

- 4.7. The Crown acknowledges that it was ultimately responsible for the outbreak of warfare between the Kīngitanga, including Ngāti Hāua, and the Crown in the Whanganui district that began with the battle at the Ōhoutahi pā in 1865. The Crown acknowledges that its actions were a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

Raupatu

- 4.8. The Crown acknowledges that the confiscation/raupatu of Ngāti Hāua interests in Taranaki in 1865 was an injustice, and breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles. The Crown further acknowledges that when this whenua was confiscated, Ngāti Hāua also lost access to some mahinga kai areas which once helped to sustain the Ngāti Hāua people in their rohe.

The Crown's Labelling of Ngāti Hāua as Rebels in the 1860s

- 4.9. The Crown acknowledges that its unfair labelling of Ngāti Hāua as “rebels”, “hostile”, and “Hauhau” during the New Zealand Wars has stigmatised the iwi who sought to preserve their tino rangatiratanga. The Crown further acknowledges that the stigma Ngāti Hāua have borne for generations has had an intergenerational impact on the transmission of their kōrero tuku iho and pride in their Ngāti Hāuatanga.

Imprisonment of Tūpuna and Destruction of Property at Parihaka in 1881

- 4.10. In the 1870s and early 1880s, Ngāti Hāua tūpuna were among Māori from many rohe drawn to the village of Parihaka, and the teachings of leaders Te Whiti o Rongomai and Tohu Kākahi. These tūpuna were among those who suffered from the Crown's grievous acts and omissions at Parihaka. The Crown acknowledges that:
- 4.10.1. Ngāti Hāua tūpuna were among the protestors the Crown imprisoned, in conditions of unwarranted hardship, in South Island gaols for participating in peaceful campaigns of resistance at Parihaka in 1879 and 1880. This deprived the prisoners of basic human rights, and was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 4.10.2. in its invasion and subsequent occupation of Parihaka in 1881, it inflicted serious damage on Parihaka and assaulted the human rights of the people there, including Ngāti Hāua tūpuna. The Crown destroyed the houses and belongings of these tūpuna, desecrated their sacred buildings, and destroyed their cultivations. The Crown's unjust and unconscionable treatment of these tūpuna caused great distress, and was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

Native Land Laws

- 4.11. The Crown acknowledges that the operation of the native land laws is a source of significant grievance for Ngāti Hāua because Ngāti Hāua were required to interact with a system they did not support or risk exclusion from the ownership of their lands. The Crown further acknowledges the strain placed on Ngāti Hāua by the Native Land Court holding hearings for the majority of their land blocks in a rapid timeframe in 1886 in geographically diverse locations.
- 4.12. The Crown acknowledges that the operation and impact of the native land laws, particularly the awarding of Ngāti Hāua land to individuals and enabling individuals to deal with that land without reference to their iwi or hapū, made the land more susceptible to fragmentation, alienation, and partition, and contributed to the erosion of Ngāti Hāua tribal structures. The failure of the Crown to actively protect these tribal structures, which were based on collective tribal custodianship of land, was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

Crown Assurances Regarding the Agreement to Lift the Te Rohe Pōtae Aukati in 1885

- 4.13. The Crown acknowledges that:
- 4.13.1. Ngāti Hāua exercised rangatiratanga over their lands within Te Rohe Pōtae prior to the 1885 agreement to lift the aukati and enforced the southern boundary of that aukati;
 - 4.13.2. during negotiations with Te Rohe Pōtae Māori to lift the aukati to facilitate the building of the North Island Main Trunk Railway, the Crown was not prepared to agree to requests from Ngāti Hāua to exclude their lands in Te Rohe Pōtae from the jurisdiction of the Native Land Court;
 - 4.13.3. the Crown breached the following assurances which were made in 1885 during negotiations to obtain consent to construct the North Island Main Trunk Railway through Te Rohe Pōtae:
 - (a) it would extend the powers of Māori District Committees to have a greater role in Native Land Court processes and local government;
 - (b) it would acquire only as much land for the North Island Main Trunk Railway as would be needed for its construction; and
 - (c) it would apply no pressure on Māori to sell land they wished to lease.
 - 4.13.4. the Crown failed to uphold these assurances and thereby breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles by not acting in good faith and by failing to respect the rangatiratanga of Ngāti Hāua.

North Island Main Trunk Railway

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- 4.14. The Crown acknowledges that its failure to pay compensation to Ngāti Hāua for land compulsorily taken for the construction of the North Island Main Trunk Railway dishonoured a promise made by the Native Minister in 1885 that such compensation would be paid, and this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 4.15. The Crown further acknowledges that it derived enormous benefits from being able to construct the North Island Main Trunk Railway through Te Rohe Pōtae, and establish European settlement in the district, but Ngāti Hāua did not receive the long-term economic benefits they had been led to expect by the Crown during negotiations.

Waimarino Block Purchase

- 4.16. The Crown acknowledges that in 1887 it rapidly purchased more than 90% of the 452,196-acre Waimarino block from 821 Whanganui Māori, including Ngāti Hāua. The Crown breached te Tiriti o Waitangi/the Treaty of Waitangi and the standards of reasonableness and fair dealing because Ngāti Hāua did not know exactly what land was being purchased by the Crown, nor could they ensure they were paid a fair price for their interests. In particular:
- 4.16.1. the Crown was aware Ngāti Hāua had not been able to inspect and object to the survey of the block before the Court awarded the majority of the block to the Crown;
 - 4.16.2. the Crown discouraged Ngāti Hāua applications to have their interests partitioned from the block because it would delay the Crown's purchase;
 - 4.16.3. the Crown determined what it considered to be the strengths of individual Ngāti Hāua interests and made payments according to its own judgement; and
 - 4.16.4. the Crown did not inform Ngāti Hāua of the price it was paying per acre for the Waimarino block.
- 4.17. The Crown acknowledges that it failed to pay a fair price to the Ngāti Hāua owners of the Waimarino block and its valuable resources and this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 4.18. The Crown acknowledges that Ngāti Hāua consistently protested the Crown's purchase of the Waimarino block and that it failed to respond in an effective way to the grievances of Ngāti Hāua in relation to this purchase.
- 4.19. The Crown acknowledges that Ngāti Hāua lost ownership of kāinga in the Waimarino block, including Te Maire, Kākahi, and Rurumaiaatea, and wāhi tapu such as the western slope and peak of Ruapehu without their consent because the Crown, in breach of te Tiriti o Waitangi/the Treaty of Waitangi and the principle of active protection, did not carry out the terms of the purchase deed to agree the location of the seller reserves with Ngāti Hāua and reserved less land than it promised Ngāti Hāua during negotiations. As a result, the Crown made Ngāti Hāua squatters who eventually had to move away from their kāinga due to the lack of food and the difficulties of living on land without a legal title.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
4: TE HOHOURONGO - ACKNOWLEDGEMENT AND APOLOGY

Taumarunui Native Township

- 4.20. The Crown acknowledges that:
- 4.20.1. the consent of some Ngāti Hāua owners to the establishment of the Taumarunui Native Township on their land was given on the condition that the Native Land Court first subdivide ownership of the land on which the township would be established;
 - 4.20.2. the Crown asked the Native Land Court to delay hearing any subdivision applications and did not reengage with these owners before it proclaimed the establishment of the township in 1903 without there having been any subdivision; and
 - 4.20.3. the Crown's failure to uphold the terms on which members of Ngāti Hāua consented to the establishment of the township breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 4.21. The Crown acknowledges Ngāti Hāua requested that the Taumarunui Native Township be established under the Maori Lands Administration Act 1900 and vested in the local land council, which would have given them greater ability to exercise rangatiratanga over the township than the Native Township Act 1895. However, after establishing the township in 1903, the Crown promoted legislation in 1905 that replaced the local land council which managed the land, and had at least two members elected by Māori, with a land board, which had only one Māori member who was appointed by the Crown. By developing its policy proposals for land boards without consulting Ngāti Hāua, the Crown failed to provide for the continuing rangatiratanga of Ngāti Hāua, and this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 4.22. The Crown acknowledges that the expectations of Ngāti Hāua for the Taumarunui Native Township, including that they would retain influence over the administration of the township, and economically benefit from land retained in their ownership were not met. The Crown further acknowledges that it failed to respond to the financial challenges faced by the owners and it prioritised the interests of the lessees over Ngāti Hāua owners by:
- 4.22.1. allowing the Board to use rental incomes to fund infrastructure usually paid out of rates;
 - 4.22.2. taking no remedial action while rental incomes fell well behind land values;
 - 4.22.3. allowing the Board to impose perpetual leases on Ngāti Hāua owners against their will, and only paid some compensation for the low rentals Ngāti Hāua received from these leases many decades after the leases were first imposed; and
 - 4.22.4. purchasing and on-selling Ngāti Hāua land at the request of settlers.
- 4.23. The Crown acknowledges that the financial issues faced by the owners as a result of these problems led to Ngāti Hāua owners selling land they otherwise would have sought to

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
4: TE HOHOURONGO - ACKNOWLEDGEMENT AND APOLOGY

retain. The Crown failed to actively protect Ngāti Hāua interests in the Taumarunui Native Township and this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

Tongariro National Park

- 4.24. The Crown acknowledges that, despite being aware of the significance of the maunga in Tongariro National Park to Ngāti Hāua, it did not consult them in relation to reserving the mountain peaks for the purposes of creating a national park before or after opening discussions on that subject with another iwi, and this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 4.25. The Crown acknowledges that from 1907 it failed to include Ngāti Hāua in the ongoing management arrangements of Tongariro National Park, and failed to respect their rangatiratanga and kaitiakitanga over the maunga, and this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 4.26. The Crown acknowledges that detrimental changes to the natural environment of Tongariro National Park through commercial development and the introduction of exotic species have distressed Ngāti Hāua, who have been unable to exercise their kaitiaki obligations to safeguard taonga within the Park from degradation.

Vested Lands

- 4.27. The Crown acknowledges that Ngāti Hāua vested the Rētāruke block in the Aotea District Maori Land Board in 1912 so that it could be developed for commercial agriculture and returned to their control after being leased for two periods of 21 years. However, Ngāti Hāua were not able to reoccupy the land when the leases expired in the 1930s and 1950s because they could not pay compensation for improvements owed to the lessees. The Crown acknowledges that it became aware during the 1920s that Ngāti Hāua would not be able to afford this compensation but did not take steps to address this issue until the 1950s. The Crown's failure to make arrangements for Ngāti Hāua to regain control of their vested lands in a reasonable and timely manner was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

Public Works – Taumarunui Hospital

- 4.28. The Crown acknowledges that it breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles when it compulsorily acquired more land than was reasonably necessary for the site of Taumarunui Hospital at the time of the acquisition for the intended public work. The Crown further acknowledges the special cultural and historical significance of this land to Ngāti Hāua, as their tūrangawaewae, and that Ngāti Hāua have not been able to make proper use of Te Peka Pā and Titipā urupā according to their tikanga as a consequence of the compulsory acquisition of the land.
- 4.29. The Crown acknowledges that the Crown's takings of Ngāti Hāua lands for public works are a significant grievance for Ngāti Hāua, and that it took land of importance to Ngāti Hāua hapū.

Whanganui River scenic reserves

- 4.30. The Crown acknowledges that it did not adequately consult with Ngāti Hāua nor fairly balance their interests and the public interest when it acquired their land for scenery preservation. These failures led the Crown to compulsorily acquire more than 300 acres of iwi lands along the banks of the Whanganui River, including wāhi tapu and cultivations, in circumstances where Ngāti Hāua were struggling to sustain themselves due to significant land loss and the Crown should have done more to account for their views. This was a breach of the Crown's duty of active protection under te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

Whanganui National Park

- 4.31. The Crown acknowledges that its establishment of Whanganui National Park in 1987 exacerbated the prejudice and sense of grievance felt by Ngāti Hāua about the land the Crown acquired in the nineteenth century in breach of te Tiriti o Waitangi/the Treaty of Waitangi. The Crown further acknowledges that the ability of Ngāti Hāua to practice their kaitiakitanga over land and the Whanganui River has been limited.

Environmental degradation

- 4.32. The Crown acknowledges that since the nineteenth century, the lands, forests, and waterways within the Ngāti Hāua rohe have undergone significant detrimental changes as a result of pollution and irreversible land-use changes. The removal of native forests for pasture has led to land erosion and siltation of many waterways. Sewage, animal effluence, landfill contaminants, and industrial and domestic wastewater discharge have reduced the water quality of some rivers, resulting in a reduction in the populations of native freshwater fish, crayfish and mussels. Ngāti Hāua are profoundly distressed by these changes to the health and wellbeing of the lands, waters, and ecology within their rohe.

Landlessness

- 4.33. The Crown acknowledges that its failure to ensure that Ngāti Hāua retained sufficient land for their collective and individual economic, social, and cultural needs is a breach of te Tiriti o Waitangi/the Treaty of Waitangi and the principle of active protection and, as a result, Ngāti Hāua are virtually landless.

Te Reo Māori

- 4.34. The Crown acknowledges that Ngāti Hāua children who attended Crown-established schools were sometimes punished for speaking their own language, which contributed towards the decline of te reo Māori among their iwi.
- 4.35. The Crown acknowledges that it failed to actively protect and encourage the use of te reo among Ngāti Hāua, which has declined as a consequence. Ngāti Hāua has thereby suffered a loss of their taonga. The Crown's failure to actively protect te reo Māori is a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

Socio-economic outcomes

- 4.36. The Crown acknowledges that the cumulative impact of its breaches of te Tiriti o Waitangi/the Treaty of Waitangi has hindered the economic, social, and cultural development of Ngāti Hāua. The Crown further acknowledges that Ngāti Hāua have suffered poor health, inadequate housing, low educational outcomes, and a lack of economic opportunities that have significantly contributed to the migration away from the Ngāti Hāua rohe. The maintenance of their ahikā and Ngāti Hāuatanga is a testament to the resilience of Ngāti Hāua.

APOLOGY

- 4.37. To the ancient and resilient Ngāti Hāua, to your tūpuna who have passed and your mokopuna who will lead you into the future, the Crown makes the following apology:
- 4.37.1. Ngāti Hāua, the Crown recognises that you have maintained your place at the upper reaches of the Whanganui River for centuries, weaving together te taura whiri a Hinengākau (the plaited rope of Hinengākau) through brokering peace and fostering connection. Your tūpuna had a vision of partnership and mutual benefit when they signed te Tiriti o Waitangi/the Treaty of Waitangi. The Crown is greatly sorry that it did not live up to the promise of te Tiriti/the Treaty, and instead brought discord, death, and division to your iwi.
- 4.37.2. The Crown is deeply ashamed of and sorry for the horrific and reprehensible execution of your tupuna in 1846, and profoundly regrets that its behaviour toward Ngāti Hāua in the 1840s sowed deep and well-deserved mistrust of the Crown. In the 1860s, Crown actions led to warfare between the Crown and Ngāti Hāua. The Crown is sincerely sorry for the severe toll warfare has had on Ngāti Hāua and the intergenerational stigma you still carry from being labelled rebels and fanatics.
- 4.37.3. Ngāti Hāua have shown persistent commitment to their rangatiratanga by joining and leading land retention movements and guarding the southern boundary of Te Rohe Pōtae. Ngāti Hāua ultimately had no choice but to engage with the Crown's determined drive to obtain land. The Crown gained access to Te Rohe Pōtae to complete the North Island Main Trunk Railway by giving assurances that it did not honour. The Crown not only took land for the railway without paying compensation, but purchased extensive amounts of land for European settlement.
- 4.37.4. The Crown is truly remorseful for acquiring so much land that Ngāti Hāua became virtually landless, severed from resources, wāhi tapu, and taonga. The Crown compulsorily acquired further land for public works. The Crown did not consult with Ngāti Hāua before establishing the Tongariro National Park or include you in the management arrangements, leaving you unable to safeguard wāhi tapu within the Park. The Crown is greatly regretful and sorry that it gained so much from its breaches of te Tiriti/the Treaty at an immense cost to Ngāti Hāua and left many of you feeling marginalised in your own rohe, like second-class citizens.
- 4.37.5. You have worked tirelessly for so long to make the Crown aware of these injustices. You have had to learn and navigate the Crown's systems and processes while the Crown has broken promises, ignored your protests, and shown Ngāti Hāua a profound lack of care when you have clearly been struggling. The Crown's acts and omissions have hindered the socio-economic development of your people. Poor health, inadequate housing, low educational outcomes, and a lack of economic opportunities have contributed significantly to many of your people leaving the rohe. The Crown is unreservedly sorry for all of its breaches of te Tiriti/the Treaty and the harm they have caused you and pays tribute to your resilience.

- 4.37.6. Through this settlement, including this apology, the Crown hopes to build a platform on which we can form a new relationship, one that is based on the spirit of partnership that your tūpuna saw in te Tiriti o Waitangi/the Treaty of Waitangi.

5 TE RONGO NIU – STATUTORY PARDONS

PARDONS AND RECOGNITION OF CHARACTER, MANA, AND REPUTATION

- 5.1. The Crown will use best endeavours to facilitate the following statutory pardons of Ngāti Hāua tūpuna, Te Rangiātea and Mātene Ruta Te Whareaitu.

Whakarāpopototanga

- 5.2. I te tau 1846, ka toro te pakanga i te riu o Heretaunga i waenga i te Karauna, te hunga manene me Ngāti Hāua. I te whai te Karauna ki te hoko whenua, ā, ka tonoa e ia a Ngāti Hāua kia whakarērea ō rātou whenua me ā rātou kai i te riu o Heretaunga, nāna hoki i noho ki ā rātou mahinga kai, i mua i tana tīmata ki te whakaaro mō te utu i tētehi kāpeneheihana mā Ngāti Hāua. Ka tūkinotia e ngā hōia a te Karauna ā rātou rawa, ā, i whakahau take kore te Karauna kia mana ngā ture hōia i te marama o Māehe 1846. I ngā marama o Mei me Hune, ka arahina e Tōpine Te Mamaku tētehi taua ki te pakanga i te riu o Heretaunga, ā, i hinga he tūpākaku i tētehi taha, i tētehi taha. Ka whakawhānuitia te ture hōia ki te rohe o Whanganui, me tana whai ki te hopu i ērā i whai wāhi ki te pakanga.
- 5.3. I te 1 Ākuhata 1846, ka mau i ngā hōia o te Karauna ētehi whanaunga tokorua nō Tōpine Te Mamaku, tata tonu ki te pā o tētehi rangatira i kīa rā e te Karauna he ‘tangata tutū’ i te takiwā o Pāuatahanui; ko Te Rangiātea tētehi, i kīa rā “he kaumātua he kaha rawa te māuiui, he pōauau rānei, i kore ai e kaha ki te oma atu”, ā, ko Mātene Ruta Te Whareaitu tētehi, hei teina tēnei ki a Tōpine Te Mamaku.
- 5.4. I te 14 me te 15 Hepetema 1846, ka whakatūria he kōti hōia hei whakawā i tēnei tokorua. Nā te whakawā i a Te Rangiātea rāua ko Mātene Ruta Te Whareaitu i raro i ngā ture hōia, i kore katoa ai ō rātou kauparenga whakahaere tika, kua wātea ki a rāua me he kōti tangata noa.
- 5.5. I kitea e te Kōti i hara a Te Rangiātea mō tana hāpai rākau whawhai me te tautoko hoki i tētehi rangatira tutū, me tana mahi, tana tautoko me tana āwhina i te tutū ki te Karauna. I muri i te puaki whakawā, tokorua ngā āpiha tākuta i hora whakaaro ki te Kōti Hōia, he ‘pōrewarewa te hinengaro’ o Te Rangiātea. Kātahi ka whakawhiua a Te Rangiātea e Te Kōti Hōia kia herea hei wairangi mō te roanga atu o tana orange. E rua marama i muri mai, ka mate ia i roto i tētehi whare kāwanatanga.
- 5.6. I kitea e te Kōti i hara a Mātene Ruta Te Whareaitu mō tana hāpai rākau whawhai me te tautoko hoki i tētehi rangatira tutū, me te tūkinō i tētehi hoa Māori o te Karauna, me tana mahi, tana tautoko me tana āwhina i te tutū ki te Karauna. I whakawhiua a Te Whareaitu kia tāronatia ia, kia mate rawa. I puta te kī a te āpiha ngārahu o ngā ope hōia i te wāhanga ki te tonga, ko te whakaaro kia noho te whakamatenga o Te Whareaitu “hei tauira ki ngā tāngata Māori, i reira te tini o rātou i taua wā”.
- 5.7. I whakamatea rawatia a Mātene Ruta Te Whareaitu, nā te tārona, i 17 Hepetema 1846. I roto i ngā niupepa o Aotearoa, i puta te kī, ko te whakamatenga o Te Whareaitu “tētehi ngakinga mate mutunga mai o te hekenga toto”.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
5: TE RONGO NIU – STATUTORY PARDONS

- 5.8. I nehua hohorotia ngā tūpāpaku o Te Rangiātea rāua ko Mātene Ruta Te Whareaitu, kāhore he tangihanga, he karakia nā Ngāti Hāua, ā, kāore i te mōhiohia te takotoranga whakamutunga o ēnei tūpuna e rua. E kimi tonu ana ngā uri o ēnei tūpuna me Ngāti Hāua i ngā takotoranga o ēnei tūpuna, me tō rātou wawata kia whakahokia mai ki te wā kāinga.
- 5.9. I te 16 Hepetema 1846, i te rā i mua i tana whakamatenga, nā Mātene Ruta Te Whareaitu tēnei waiata tangi i tito:

E rere rā e te aouru, tāu hōkai ana i runga rā,

Kaikawe kōrero ki te iwi ka wehea,

Nāna te puna i tuku ki raro waka,

Rehurehu ai ngā tuku ki a Kapiti rā,

Kia tangi au, homai kia ringia,

He puna wai kei aku kamo.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
5: TE RONGO NIU – STATUTORY PARDONS

Historic summary

- 5.2. In 1846, conflict broke out in the Heretaunga valley between the Crown, settlers, and Ngāti Hāua. The Crown, seeking to purchase land, ordered Ngāti Hāua to abandon land and crops in the Heretaunga valley and occupied their cultivations before it would consider paying compensation to Ngāti Hāua. Crown troops and settlers destroyed their property and the Crown unnecessarily imposed martial law in March 1846. In May and June, a Ngāti Hāua tauā led by Tōpine Te Mamaku and the Crown engaged in conflict in the Heretaunga valley and there were fatalities on both sides. The Crown extended martial law to include the Whanganui district and sought to capture those who had been involved in the conflict.
- 5.3. On 1 August, Crown troops captured two relatives of Tōpine Te Mamaku close to the pā of a chief the Crown considered a ‘rebel’ near Pāuatahanui; Te Rangiātea, who was an “old man either too sick or confused to escape capture”, and Mātene Ruta Te Whareaitu, a younger brother of Tōpine Te Mamaku.
- 5.4. On 14 and 15 September, a court martial was convened to try the two men. Trying Te Rangiātea and Mātene Ruta Te Whareaitu under martial law meant they were deprived of procedural protections that would have been their right at a civilian trial.
- 5.5. Te Rangiātea was found guilty of being an armed follower of a rebel chief, and for having acted, aided, and assisted in the rebellion against the Crown. Following the verdict, two medical officers provided opinions to the Court Martial that Te Rangiātea was of ‘unsound mind’. The Court Martial then sentenced Te Rangiātea to confinement as a lunatic for the remainder of his life. He died in state care two months later.
- 5.6. Mātene Ruta Te Whareaitu was found guilty of being an armed follower of a rebel chief, of resisting and wounding one of the Crown’s Māori allies, and for having acted, aided, and assisted in the rebellion against the Crown. He was sentenced to be hanged by the neck until death. The commanding officer of military forces in the southern division described how Te Whareaitu’s execution was to serve as “an example to the Natives many of whom were present”.
- 5.7. The Crown executed Mātene Ruta Te Whareaitu by hanging on 17 September 1846. This event was described in the New Zealand press as “a most sanguinary display of vengeance”.
- 5.8. The bodies of Te Rangiātea and Mātene Ruta Te Whareaitu were interred without appropriate Ngāti Hāua ceremony and the final resting place of both tūpuna is unknown. The uri of these tūpuna and Ngāti Hāua continue to search for their remains and still desire to return them to their ancestral homelands.
- 5.9. On 16 September 1846, the day before he was executed, Mātene Ruta Te Whareaitu composed the following waiata tangi:

Transition the dawn within your expanse above,

Messenger to the people of my impending demise,

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
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Setting the anchor of my waka (determining my fateful departure),
Tearfully obscuring the last tributes to Kapiti afar,
Initiating my heartfelt lament, permeating in the release
Of the pool of tears from mine eyes.

Pardons and recognition of character, mana, and reputation

- 5.10. Sections 25 and 26 of the draft settlement bill and part 3 record the Crown's treatment of Te Rangiātea and Mātene Ruta Te Whareaitu under martial law, including the exceptional harshness of their punishments arising from events in the Wellington region in 1846, and the resulting intergenerational stigma and mamae experienced by their uri and by Ngāti Hāua.
- 5.11. Te Rangiātea and Mātene Ruta Te Whareaitu are pardoned for their convictions, and their character, mana, and reputation, as well as that of their uri, are recognised.

6 TE HORANGAPAI - SETTLEMENT

ACKNOWLEDGEMENTS

- 6.1. Each party acknowledges that –
- 6.1.1. the Crown has set limits on what and how much redress is available to settle historical claims;
 - 6.1.2. the negotiations were conducted in the spirit of cooperation and compromise; and
 - 6.1.3. the other party has acted honourably and reasonably in relation to the settlement; and
 - 6.1.4. it is not possible –
 - (a) to fully assess the loss and prejudice suffered by Ngāti Hāua as a result of the events on which the historical claims are or could be based; and
 - (b) to fully compensate Ngāti Hāua for all loss and prejudice suffered; and
 - 6.1.5. the significant compensation which Ngāti Hāua has forgone equates to a generous contribution to New Zealand's development that is over and above the contribution already made by Ngāti Hāua through the use of land and resources in the area of interest; and
 - 6.1.6. the settlement is intended to enhance the ongoing relationship between Ngāti Hāua and the Crown (in terms of te Tiriti o Waitangi/the Treaty of Waitangi, its principles, and otherwise).
- 6.2. Ngāti Hāua acknowledge that, taking all matters into consideration (some of which are specified in clause 6.1), the settlement is fair and the best that can be achieved in the circumstances.

SETTLEMENT

- 6.3. Therefore, on and from the settlement date, –
- 6.3.1. the historical claims are settled; and
 - 6.3.2. the Crown is released and discharged from all obligations and liabilities in respect of the historical claims; and
 - 6.3.3. the settlement is final.
- 6.4. Except as provided in this deed or the settlement legislation, the parties' rights and obligations remain unaffected.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
6: TE HORANGAPAI - SETTLEMENT

REDRESS

- 6.5. The redress, to be provided in settlement of the historical claims, –
- 6.5.1. is intended to benefit Ngāti Hāua collectively; but
 - 6.5.2. may benefit particular members, or particular groups of members, of Ngāti Hāua if the governance entity so determines in accordance with the governance entity's procedures.

IMPLEMENTATION

- 6.6. The settlement legislation will, on the terms provided by sections 16 to 24 of the draft settlement bill, –
- 6.6.1. settle the historical claims; and
 - 6.6.2. exclude the jurisdiction of any court, tribunal, or other judicial body in relation to the historical claims and the settlement; and
 - 6.6.3. provide that the legislation referred to in section 18 of the draft settlement bill does not apply –
 - (a) to a redress property, the Raurimu Station property, the shared RFR land, or any exclusive RFR land; or
 - (b) for the benefit of Ngāti Hāua or a representative entity; and
 - 6.6.4. require any resumptive memorial to be removed from any record of title for, a redress property, the Raurimu Station property, the shared RFR land, or any exclusive RFR land; and
 - 6.6.5. provide that the maximum duration of a trust pursuant to the Trusts Act 2019 does not –
 - (a) apply to a settlement document; or
 - (b) prescribe or restrict the period during which –
 - (i) the trustees of Te Whiringa Kākaho o Ngāti Hāua, being the governance entity, may hold or deal with property; and
 - (ii) Te Whiringa Kākaho o Ngāti Hāua may exist; and
 - 6.6.6. require the chief executive of the Office for Māori Crown Relations – Te Arawhiti to make copies of this deed publicly available.
- 6.7. Part 1 of the general matters schedule provides for other action in relation to the settlement.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
6: TE HORANGAPAI - SETTLEMENT

EFFECT OF TE AWA TUPUA (WHANGANUI RIVER CLAIMS SETTLEMENT) ACT 2017

6.8. In clauses 6.9 to 6.13 –

6.8.1. **bed** has the meaning as given in section 7 of the Te Awa Tupua (Whanganui River Claims Settlement Act) 2017;

6.8.2. **disposal** for the purposes of clause 6.8.5 means the transfer of the fee simple estate in the land;

6.8.3. **licensed cadastral surveyor** has the meaning as given in section 4 of the Cadastral Survey Act 2002;

6.8.4. **notation** means a notation noted on the record of title for a property in accordance with section 20(5) of the draft settlement bill;

6.8.5. **pre-transfer period** means, in respect of a deferred selection property or any RFR land, the period –

(a) commencing on the date that the governance entity and the Crown are treated as having –

(i) entered into an agreement for the sale and purchase of any deferred selection property in accordance with this deed; or

(ii) formed a contract for the disposal of any RFR land in accordance with the settlement legislation; and

(b) expiring on the date that the property is transferred to the governance entity (or any nominee, if relevant, in the case of RFR land) under this deed or the settlement legislation;

6.8.6. **Registrar-General** has the meaning as given in section 5(1) of the Land Transfer Act 2017;

6.8.7. **Te Awa Tupua** means the legal person created by section 14 of the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017; and

6.8.8. **Whanganui River** has the meaning as given in section 39 of the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017.

6.9. The settlement legislation will, on the terms provided by sections 20 and 21 of the draft settlement bill, provide that –

6.9.1. any part of the bed of the Whanganui River vested in Te Awa Tupua under the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 that is included in the description of any land to be vested or transferred under this deed or the settlement legislation will not form part of the land that is vested or transferred; and

- 6.9.2. unless specifically provided for, nothing in the settlement legislation overrides the provisions of that Act, including the status under the Conservation Act 1987 or the Reserves Act 1977 of part of the bed of the Whanganui River declared under section 42(1) of the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017.
- 6.10. A list of redress properties and deferred selection properties to which section 20 of the draft settlement bill applies as at the date of this deed, is included in part 8 of the attachments.
- 6.11. If, at any time –
- 6.11.1. during the pre-transfer period for a property; and/or
 - 6.11.2. while the governance entity (or its nominee, in the case of RFR land) is the registered owner of the property; and
 - 6.11.3. the governance entity considers that the property may not include part of the bed vested in Te Awa Tupua,
- the governance entity may, for the purposes of section 20(6) of the draft settlement bill, request in writing for the Crown to obtain a certificate from a licensed cadastral surveyor that certifies that the property does not include part of the bed vested in Te Awa Tupua.
- 6.12. If the Crown receives a written request from the governance entity in accordance with clause 6.11, the Crown must promptly advise the governance entity whether the Crown considers –
- 6.12.1. that the property may not include part of the bed vested in Te Awa Tupua (in which case clause 6.13 will apply); or
 - 6.12.2. that the property does include part of the bed vested in Te Awa Tupua (in which case no further action under this clause is required).
- 6.13. If the Crown considers that the property may not include part of the bed vested in Te Awa Tupua under clause 6.12.1, the Crown must, as soon as reasonably practicable –
- 6.13.1. engage a licensed cadastral surveyor to –
 - (a) confirm whether or not the property includes part of the bed vested in Te Awa Tupua; and
 - (b) if the surveyor confirms that the property does not include part of the bed vested in Te Awa Tupua, provide a certificate to the Crown to that effect; and
 - 6.13.2. if provided with a certificate by the surveyor under clause 6.13.1(b), provide the certificate to the Registrar-General in order for the Registrar-General to effect the

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removal of the notation from the record(s) of title in accordance with section 20(7), of the draft settlement bill.

7 MAI I TE KĀHUI MAUNGA KI TANGAROA

TE KAHUI MAUNGA, TE AWA TUPUA

E rere kau mai te Awa nui

Mai i te Kāhui Maunga ki Tangaroa

Ko au te Awa, ko te Awa ko au

The Great River flows

From the Mountains to the Sea

I am the River and the River is me

- 7.1. Ngāti Hāua view the Whanganui River, with its sources in Te Kāhui Maunga, as a living being, Te Awa Tupua; an indivisible whole incorporating its tributaries and all its physical and metaphysical elements from Te Kāhui Maunga to the sea.
- 7.2. Ngāti Hāua, together with other Whanganui Iwi, have common links in two principal ancestors, Paerangi and Ruatupua. Ruatupua draws life force from the headwaters of the Whanganui River on Mount Tongariro and its tributaries which stretch down to the sea. The connection of the tributaries to form the Whanganui River is mirrored by the interconnection through whakapapa of the descendants of Ruatupua and Paerangi.

Ngā wai inuina o Ruatupua ēnā

Ngā manga iti, ngā manga nui e honohono kau ana

Ka hono, ka tupu, hei awa

Hei Awa Tupua

Those are the drinking fonts of Ruatupua

The small and large streams which flow into one another

And continue to link, and swell until a river is formed

Te Awa Tupua

- 7.3. Ngāti Hāua have maintained consistently that they possessed, and exercised rights and responsibilities in relation to Te Awa Tupua and Te Kāhui Maunga in accordance with their kawa and tikanga and that their rights and interests have never been relinquished willingly.

“From the beginning, the River and the Mountains have been ONE.”

The late Hikaia Amohia speaking of the relationship and connection between Ngāti Hāua with Te Awa Tupua and Te Kāhui Maunga.

- 7.4. Te Awa Tupua and Te Kāhui Maunga are central to the identity and existence of Ngāti Hāua and their health and wellbeing. The Whanganui River has provided both physical and spiritual sustenance to Ngāti Hāua from time immemorial. Referring to the paramount importance of Te Awa Tupua to its people, Ngāti Hāua tupuna, Titi Tihu stated:

“Ko te Awa te tuatahi, ko te Awa te tuarua.”



Figure 26: Titi Tihu

- 7.5. Generations of Ngāti Hāua tūpuna have fought to have Ngāti Hāua's rights and responsibilities to Te Kāhui Maunga and Te Awa Tupua recognised and honoured by the Crown, including leaders such as Titi Tihu, Hikaia Amohia, Kevin Amohia and Tā Te Atawhai Archie Taiaroa.

“Whanganui Iwi have sought to preserve their rights, protested, petitioned the Crown and pursued their claims...before numerous Courts, tribunals such litigation has often seen issues narrowed such that they are almost unrecognisable in Māori terms.”

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7: MAI TE KĀHUI MAUNGA KI TANGAROA

The late Tā Te Atawhai Archie Taiaroa, (Ngāti Hāua/Ngāti Tū) describing the Whanganui Iwi perspective on their long running claims and litigation.



Figure 27: Tā Te Atawhai Archie Taiaroa



Figure 28: Hikaia Amohia (left) and Kevin Amohia (right)

- 7.6. Ngāti Hāua consider that their interests in the Tongariro National Park and the Whanganui National Park have never been adequately recognised by the Crown and that they have

not had adequate opportunity to be involved in the management of the National Parks, as envisaged by the Te Tiriti relationship.

7.7. Tā Te Atawhai Archie Taiaroa further stated:

At no time in our engagement with the Crown has there been a relationship based on the terms or the spirit of Te Tiriti. There is no partnership and sometimes barely even a relationship. Where there has been a relationship we have been relegated to the role of rebels, Hauhau, petitioners, submitters and objectors rather than Tiriti partners (Waitangi Tribunal, *He Whiritaunoka: The Whanganui Land Report*, page 341).

7.8. Ngāti Hāua consider the legal boundaries and administrative frameworks created by the Crown in relation to both Whanganui National Park and Tongariro National Park to be artificial boundaries that inhibit the exercise of the kawa and tikanga of Ngāti Hāua in respect of Te Awa Tupua and Te Kāhui Maunga.

7.9. In Ruruku Whakatupua, the Whanganui Iwi settlement in relation to the Whanganui River, the Crown acknowledged that:

7.9.1. there will be future Treaty settlements with Whanganui Iwi groups in relation to lands within the Whanganui River catchment and with other iwi with interests in the Whanganui River;

7.9.2. those settlements will include consideration of matters relating to the Whanganui National Park and the Tongariro National Park in which parts of the Whanganui River are located; and

7.9.3. the parties agree to engage with each other and with other relevant iwi at the appropriate time to discuss the potential interrelationship between Te Pā Auroa nā Te Awa Tupua and any future arrangements being considered for the Whanganui National Park or the Tongariro National Park and any related issues that need to be addressed.

Ruruku Whakatupua – Te Awa Tupua Settlement

7.10. Both Whanganui National Park and Tongariro National Park fall within the area covered by the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017.

Whanganui National Park

Aspirations for Ngāti Hāua for the Whanganui National Park

7.11. In 1980, the Crown began the process to establish the Whanganui National Park. In 1983, the Crown began consulting with Ngāti Hāua and discussions became intertwined with discussions that had been ongoing for decades about ownership of the Whanganui River and compensation for the destruction of eel weirs and the removal of gravel. Ngāti Hāua, together with other Whanganui iwi, maintained that the Whanganui River should not be included in the proposed Park until ownership of the Whanganui River was resolved.

- 7.12. Titi Tihu, together with Hikaia Amohia and Tā Te Atawhai Archie Taiaroa, met with the Minister of Lands, Jonathan Elworthy, in March 1983 to discuss concerns about the establishment of the Whanganui National Park. These concerns included the legitimacy of the Crown's title to the land proposed for the Park, Māori involvement in the running of the Park, and the effect of the Park on the river claim.
- 7.13. In regard to the Whanganui National Park, Whanganui iwi informed the Waitangi Tribunal that at one stage, Whanganui iwi proposed a board to manage the Park. Its members would include six Whanganui Māori (two from each of the three reaches of the river), who would oversee management of Māori historical sites, wāhi tapu, and urupā; protect traditional hunting, fishing, and gathering rights; and ensure Māori participation, employment, and training. Subsequent discussions centred around the inclusion of the Whanganui River in the Whanganui National Park and the role of Whanganui iwi, including Ngāti Hāua, in the management of the Park. Whanganui iwi sought for the establishment of a Māori National Park, managed by Whanganui iwi.



Figure 29: Whanganui Māori at hui with the Minister of Lands, Koro Wetere, Ngāpūwaiwaha marae, Taumarunui, December 1985

- 7.14. In 1984, Whanganui iwi, including Ngāti Hāua, consented to the establishment of the Whanganui National Park in principle as long they were involved in the management of the River and the Park and that their claim to the River and land in the park would not be prejudiced. In 1985, Cabinet approved in principle the establishment of the Park excluding the Whanganui River. In 1985, the Crown announced that the Park would be established and, the next day, Whanganui Māori removed their opposition to the creation of the Park.

- 7.15. In 1987, the Whanganui National Park was opened. Almost 7,000 acres of land included in the Whanganui National Park were lands compulsorily acquired by the Crown for scenic reserves in breach of te Tiriti o Waitangi/the Treaty of Waitangi. It also includes land the Crown purchased in the nineteenth century in breach of te Tiriti o Waitangi/the Treaty of Waitangi, including in the Waimarino block.
- 7.16. For generations, Ngāti Hāua have strived to hold the Crown to account for those acts and omissions that breached te Tiriti o Waitangi/the Treaty of Waitangi. Ngāti Hāua have filed many claims with the Waitangi Tribunal, and have had their grievances heard, reported on, and acknowledged by the Whanganui River inquiry, and the National Park (Wai 1130), Whanganui Lands (Wai 903), and Te Rohe Pōtae (Wai 898) district inquiries. In relation to the Whanganui National Park, the Waitangi Tribunal made the following findings:
- 7.16.1. that most of the Park came from three blocks, and the Crown breached te Tiriti o Waitangi/the Treaty of Waitangi in their acquisition;
- 7.16.2. that the Crown took almost 7,000 acres of Māori land for scenic reserves, many of which became part of the Whanganui National Park, and these takings breached te Tiriti o Waitangi/the Treaty of Waitangi;
- 7.16.3. a full partnership between Whanganui Māori and the Crown in the governance and management of the Whanganui National Park had not occurred, and breached te Tiriti o Waitangi/the Treaty of Waitangi.¹
- 7.17. In relation to the Whanganui National Park, the Waitangi Tribunal made the following recommendations, that:
- 7.17.1. title to the land in the Whanganui National Park be transferred to iwi for the purposes of a national park;
- 7.17.2. a plan be developed under which the Whanganui National Park transitions over a period of several years to joint governance and management by the Crown and Whanganui iwi, with tangata whenua as at least equal partners;
- 7.17.3. title to certain sites of special significance pass from the Crown to their traditional owners, with ancillary agreements and arrangements (including Crown funding) to secure environmental protection as necessary and appropriate; and
- 7.17.4. legislative change occurs as required to facilitate the new arrangements.²

¹ Waitangi Tribunal (2015) *He Whiritaunoka*, pp. 1236-37.

² Waitangi Tribunal (2015) *He Whiritaunoka*, p. 1237.

Future Whanganui National Park negotiations

- 7.18. Ngāti Hāua have significant and unbreakable tāngata tiaki responsibilities in regard to the whenua and other taonga situated within the Whanganui National Park. The Park includes numerous Ngāti Hāua wāhi tāpu, pā, kāinga, mahinga kai and sites of significant cultural and spiritual importance.
- 7.19. Ngāti Hāua consider that the Crown has not honoured its commitments to Whanganui iwi, including Ngāti Hāua, in relation to the Whanganui National Park. As quoted by the Waitangi Tribunal, the late Tā Te Atawhai Archie Taiaroa had a vision that:

“If the National Park can be jointly managed and this other land returned, and the earlier promises regarding work opportunities and development thereby fulfilled, it is my hope that opportunities will be created in tourism and other matters that will enable Māori communities up the River to be revitalised. These are the benefits that should properly be available to Whanganui iwi in return for the commitment of land to the National Park.”

The late Tā Te Atawhai Archie Taiaroa, (Ngāti Hāua/Ngāti Tū) describing the Whanganui Iwi perspective on the Whanganui National Park.

- 7.20. Ngāti Hāua have a number of aspirations with respect to the Whanganui National Park negotiations including:
- 7.20.1. the ability of hapū and iwi with interests in the Whanganui National Park to exercise tino rangatiratanga in the area; and
- 7.20.2. values-based arrangement with the Crown in regard to the future arrangements for the Whanganui National Park.
- 7.21. The Crown acknowledges the significance and critical importance of the Whanganui National Park to Ngāti Hāua and that redress associated with the Park, to be negotiated collectively in a separate negotiation, is fundamental to Ngāti Hāua.
- 7.22. The settlement legislation will settle all Ngāti Hāua claims in relation to the Whanganui National Park. However, other than Crown apology redress, this deed does not provide for cultural redress by the Crown in relation to any of the historical claims that relate to the Whanganui National Park.
- 7.23. Cultural redress focusing on current and future arrangements for the Whanganui National Park will be a separate collective negotiation with Ngāti Hāua and other iwi who have interests in the Whanganui National Park.
- 7.24. The Crown is committed to collectively negotiating redress over the Whanganui National Park in good faith. The Crown is also committed to addressing the grievances of Ngāti Hāua in relation to Whanganui National Park.

Tongariro National Park

Aspirations of Ngāti Hāua for the Tongariro National Park

- 7.25. In 1887, the Crown purchased the western slopes of Ruapehu as part of its acquisition of the Waimarino block which was carried out in breach of the Treaty of Waitangi. In the same year, without any consultation with Ngāti Hāua, the Crown accepted what it considered to be a gift of the peaks of Tongariro, Ngāuruhoe, and part of Ruapehu from another iwi. Following the enactment of the Tongariro National Park Act 1894, the Crown purchased land around the peaks to include in the Park. In 1907, the Crown proclaimed the establishment of the 62,300-acre Tongariro National Park. The Crown has acknowledged that its failure to consult Ngāti Hāua before establishing the Park and its failure to include Ngāti Hāua in the ongoing management arrangements were breaches of the Treaty of Waitangi.
- 7.26. Ngāti Hāua seek recognition of their mana motuhake, and their tino rangatiratanga over their interests within the Tongariro National Park and have a number of aspirations with respect to the Park that include:
- 7.26.1. new and appropriate arrangements for the ownership and legal status of Te Kahui Maunga that recognise the intrinsic connection between Te Awa Tupua, Te Kāhui Maunga and Ngāti Hāua; and
 - 7.26.2. tangata whenua and the Crown acting in partnership in the governance and integrated management of Te Kāhui Maunga, in accordance with the kawa, tikanga and values of Ngāti Hāua and other tangata whenua; and
 - 7.26.3. appropriate protection and conservation of Te Kāhui Maunga, in keeping with Ngāti Hāua's kawa, tikanga and values.
- 7.27. In 2013, the Waitangi Tribunal released Te Kāhui Maunga – The National Park District Inquiry Report (Wai 1130). In relation to the Tongariro National Park, the Tribunal found that:
- 7.27.1. in failing to consult with Whanganui Māori with respect to the creation and establishment of the Tongariro National Park, the Crown breached the Treaty in a number of respects including, in particular, its duty to act fairly between Māori groups;
 - 7.27.2. in legislating for the Tongariro National Park in 1984, the Crown failed to uphold its fundamental Treaty obligation to ensure that the interests of Whanganui Māori were protected, including their relationship with and kaitiakitanga of taonga, breaching its duties of good faith and active protection;

7.27.3. the Crown's failure regarding compensation for lands compulsorily acquired for the Park breached its duties of good faith, active protection, and Māori rights and privileges under Article 3.³

Future Tongariro National Park negotiations

- 7.28. The Crown acknowledges the significance and critical importance of the Tongariro National Park to Ngāti Hāua and that redress associated with the Park, to be negotiated collectively in a separate negotiation, is fundamental to Ngāti Hāua.
- 7.29. The settlement legislation will settle all Ngāti Hāua claims in relation to the Tongariro National Park. However, other than Crown apology redress, this deed does not provide for cultural redress by the Crown in relation to any of the historical claims that relate to the Tongariro National Park.
- 7.30. Cultural redress focusing on current and future arrangements for the Tongariro National Park will be negotiated separately and collectively with Ngāti Hāua and other iwi who have interests in the Tongariro National Park.
- 7.31. The Crown is committed to collectively negotiating redress over the Tongariro National Park in good faith. The Crown is also committed to addressing the grievances of Ngāti Hāua in relation to the Tongariro National Park.

³ Waitangi Tribunal (2013) *Te Kāhui Maunga: The National Park District Inquiry Report (Wai 1130)*, p. 539.

8 NGĀTI HĀUATANGA - CULTURAL REDRESS

- 8.1. Despite the efforts of Ngāti Hāua tūpuna to maintain and protect Ngāti Hāua's tribal domain and resources, today Ngāti Hāua are virtually landless. Ngāti Hāua have faced numerous challenges with upholding their obligations as tāngata tiaki across the expanse of the Ngāti Hāua rohe, and with fostering its tribal identity, reo, mita (dialect), tikanga and cultural practices.
- 8.2. The cultural redress outlined in this deed is a result of Ngāti Hāua's determination and commitment to ensure the survival of Ngāti Hāua's tribal identity – kia toitū te mana whakaū nā Ngāti Hāua.
- 8.3. The lands returned under this settlement will enable Ngāti Hāua to re-establish its footprint across its tribal domain. Furthermore, this redress will honour the legacy of Ngāti Hāua tūpuna who fought tirelessly for the return of such lands – i roho whenua atu, me hoki whenua mai – as land has been taken, so shall it be returned.
- 8.4. The Toitū te Whenua redress and partnerships will support Ngāti Hāua and will strengthen the ability of Ngāti Hāua to maintain their obligations as tāngata tiaki to the lands, rivers and mountains across their rohe – kia toitū te whenua.
- 8.5. The relationships established through Te Pua o Te Riri Kore, the restoration of names across the Ngāti Hāua landscape and cultural redress funding will support and reinvigorate Ngāti Hāua in their vision of self-determination, including thriving whānau, hapū and marae, keeping their traditions alive, celebrating who they are and preserving and maintaining their reo, kawa and tikanga. In the words of Julie Te Turi Ranginui, the importance of learning Ngāti Hāua kōrero in Ngāti Hāua reo is essential to the survival of Ngāti Hāua kōrero, traditions, kawa and tikanga. Ngāti Hāua intend that Te Pua o Te Riri Kore is a further contribution towards that vision.

CULTURAL REDRESS PROPERTIES

- 8.6. The settlement legislation will vest in the governance entity on the settlement date –

In fee simple

- 8.6.1. the fee simple estate in each of the following sites:

- (a) Former Kākahi School property;
- (b) Former Kirikau School property;
- (c) Makakote property;
- (d) Makere Te Uruweherua;
- (e) Mangatiti Landing property;

- (f) Maniniau;
- (g) Maraekōwhai property;
- (h) Ngā Wai Heke;
- (i) Ōhura River property;
- (j) Rangipuhia;
- (k) Rangiwhakarurua;
- (l) Taitua Street site A;
- (m) Taitua Street site B;
- (n) Tawhata property;
- (o) Te Whiutahi; and

In fee simple subject to an easement

- 8.6.2. the fee simple estate in Tūmoana subject to the governance entity granting Ruapehu District Council a registrable easement in gross for a right to drain sewage on the terms and conditions set out in part 8.1 of the documents schedule.

As a scenic reserve

- 8.6.3. the fee simple estate in each of the following sites as a scenic reserve, with the governance entity as the administering body:
- (a) Aorangi property;
 - (b) Awahou property;
 - (c) Hawkin's Wetland property;
 - (d) Kākahi property;
 - (e) Kauhangaaroa property;
 - (f) Kawautahi property;
 - (g) Koiro Farms property;
 - (h) Koiro property;
 - (i) Kouturoa property;

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- (j) Kururau property;
- (k) Mangaoturu property;
- (l) Matahānea;
- (m) Motutara property;
- (n) Ngamoturiki property;
- (o) Ngataumata property;
- (p) Ohinetonga property;
- (q) Opatu property;
- (r) Oruru property;
- (s) Paparoa property;
- (t) Pukeatua property;
- (u) Puketōtara site B;
- (v) Rangi property;
- (w) Reremai;
- (x) Rurumaiakatea;
- (y) Tāngarākau Forest property;
- (z) Tāngarākau property;
- (aa) Tapui property;
- (bb) Tatu site A;
- (cc) Tatu site B;
- (dd) Te Miro;
- (ee) Waipahihi property;
- (ff) Waitewhena property;
- (gg) Whakapapa Island property;
- (hh) Whangamōmona Forest property; and

As a scenic reserve

- 8.6.4. the fee simple estate in the following sites as a scenic reserve with Ruapehu District Council as the administering body (subject to the administering body changing in accordance with clause 8.13), as if appointed to control and manage the reserve under section 28 of the Reserves Act 1977:
- (a) Ōwhango Domain property;
 - (b) Puketōtara site A; and

As a scenic reserve excluding the Crown stratum

- 8.6.5. the fee simple estate in the bed of Lake Pohoare, as a scenic reserve with the governance entity as the administering body, but excluding the Crown stratum above Lake Pohoare, being part of Rotokahu Scenic Reserve, which will remain vested in the Crown, remain a reserve, classified as a scenic reserve, and forms part of the Te Pou Taiao area (as defined in clause 8.30); and

As a recreation reserve

- 8.6.6. the fee simple estate in the following sites as a recreation reserve with Ruapehu District Council as the administering body (subject to the administering body changing in accordance with clause 8.13), as if appointed to control and manage the reserve under section 28 of the Reserves Act 1977:
- (a) Matiere Domain property;
 - (b) Ōhura Bowling Club property.

As a recreation reserve subject to an easement

- 8.6.7. the fee simple estate in Ngā Huinga, as a recreation reserve which will vest in the governance entity, with Ruapehu District Council as the administering body (subject to the administering body changing in accordance with clause 8.13), as if appointed to control and manage the reserve under section 28 of the Reserves Act 1977, subject to the governance entity granting:
- (a) Ruapehu District Council a registrable easement in gross for a right to convey water on the terms and conditions set out in part 8.2 of the documents schedule;
 - (b) the Crown a registrable right of way easement in gross on the terms and conditions set out in part 8.3 of the documents schedule; and
- 8.6.8. the fee simple estate in Takahirekareka, as a recreation reserve which will vest in the governance entity, with Ruapehu District Council as the administering body (subject to the administering body changing in accordance with clause 8.13), as if appointed to control and manage the reserve under section 28 of the Reserves

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Act 1977, subject to the governance entity granting Ruapehu District Council a registrable easement in gross for a right to drain sewage on the terms and conditions set out in part 8.4 of the documents schedule; and

8.6.9. the fee simple estate in Tuku Street Domain property, as a recreation reserve which will vest in the governance entity, with Ruapehu District Council as the administering body (subject to the administering body changing in accordance with clause 8.13), as if appointed to control and manage the reserve under section 28 of the Reserves Act 1977 subject to the governance entity granting Ruapehu District Council a registrable easement in gross for the following rights on the terms and conditions set out in part 8.5 of the documents schedule:

- (a) right to drain water;
- (b) right to drain sewage.

JOINT CULTURAL REDRESS PROPERTIES VESTED IN THE GOVERNANCE ENTITY AND THE TE KOROWAI O WAINUIĀRUA TRUST

8.7. The settlement legislation will, on the terms provided by sections 126, 129 and 143 of the draft settlement bill, provide that –

8.7.1. the fee simple estates in each of the Tahorapāroa property and the Taumatamāhoe property will vest in undivided half shares, with one half share of each estate vested in each of the following as tenants in common –

- (a) the governance entity;
- (b) the trustees of the Te Korowai o Wainuiārua Trust; and

8.7.2. each of the Tahorapāroa property and the Taumatamāhoe property will vest as a scenic reserve with the reserves to be administered by a joint management body comprising equal representatives appointed by the governance entity and the trustees of the Te Korowai o Wainuiārua Trust, and the Reserves Act 1977 will apply as if the reserves were vested in the body under section 26 of that Act; and

JOINT CULTURAL REDRESS PROPERTIES VESTED IN THE GOVERNANCE ENTITY AND TE NEHENEHENUI

8.8. The settlement legislation will, on the terms provided by sections 125, 128, 130 and 142 of the draft settlement bill, provide that –

8.8.1. on the settlement date –

- (a) the fee simple estate in the Hikurangi property vests as a scenic reserve in the following entities as tenants in common:
 - (i) the governance entity as to an undivided quarter share; and

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- (ii) the trustees of Te Nehenehenui as to an undivided three quarter share; and
 - (b) the fee simple estate in the Tangitu property vests as a scenic reserve in the following entities as tenants in common:
 - (i) the governance entity as to an undivided half share; and
 - (ii) the trustees of Te Nehenehenui as to an undivided half share; and
 - (c) the fee simple estate Waihuka property vests as a scenic reserve in the following entities as tenants in common:
 - (i) the governance entity as to an undivided half share; and
 - (ii) the trustees of Te Nehenehenui as to an undivided half share; and
- 8.8.2. a joint management body will be established to be the administering body for the reserves listed in clause 8.8.1, and will be made up of members appointed by the governance entity and the trustees of Te Nehenehenui, and the Reserves Act 1977 will apply as if the reserves were vested in the body under section 26 of that Act.

JOINT CULTURAL REDRESS PROPERTIES VESTED IN THE GOVERNANCE ENTITY AND TE KĀHUI MARU TRUST: TE IWI O MARUWHARANUI

- 8.9. The settlement legislation will, on the terms provided by section 127 and 144 of the draft settlement bill, provide that on the settlement date –
- 8.9.1. the fee simple estate in the Tāngarākau marginal strip property will vest as undivided half shares, with one half share vested in each of the following as tenants in common:
 - (a) the governance entity; and
 - (b) the trustees of Te Kāhui Maru Trust: Te Iwi o Maruwharanui; and
 - 8.9.2. the Tāngarākau marginal strip property will vest as a historic reserve to be administered by a joint management body comprising representatives appointed by the governance entity and the trustees of Te Kāhui Maru Trust: Te Iwi o Maruwharanui, and the Reserves Act 1977 will apply as if the reserves were vested in the body under section 26 of that Act.

PROVISIONS IN RELATION TO CERTAIN CULTURAL REDRESS PROPERTIES

Application of the Soil Conservation and Rivers Control Act 1941 in respect of Tūmoana

- 8.10. The settlement legislation will, on the terms provided in section 82(2) of the draft settlement bill, provide that the vesting of Tūmoana does not affect the powers and responsibilities of Manawatū-Whanganui Regional Council under the Soil Conservation and Rivers Control Act 1941 to maintain, access, repair or construct, without charge, flood protection assets on the property, or access flood protection assets located on adjacent land.

Improvements in relation to specific properties

- 8.11. The settlement legislation will, on the terms provided in sections 152 and 153 of the draft settlement bill, provide that certain improvements in or on the following properties do not vest in the governance entity despite the vesting of those properties referred to in clauses 8.6.6 to 8.6.9:

- 8.11.1. Matiere Domain property;
- 8.11.2. Ngā Huinga;
- 8.11.3. Ōhura Bowling Club property;
- 8.11.4. Takahirekareka; and
- 8.11.5. Tuku Street Domain property.

RFR over Crown-owned building on Ngā Huinga

- 8.12. The settlement legislation will, on the terms provided in section 154 of the draft settlement bill, provide that if the Crown no longer wishes to own and occupy the building on Ngā Huinga identified as Area A on deed plan OMCR-006-032, it must offer it to the governance entity for purchase.

Change of administering body for certain reserve land

- 8.13. The settlement legislation will, on the terms provided in section 151 of the draft settlement bill, provide that, no later than 3 years after the settlement date, Ruapehu District Council will cease to be the administering body, and the governance entity will become the administering body, in relation to each of the following properties:
- 8.13.1. Matiere Domain property;
 - 8.13.2. Ngā Huinga;
 - 8.13.3. Ōhura Bowling Club property;
 - 8.13.4. Ōwhango Domain property;

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- 8.13.5. Puketōtara site A;
- 8.13.6. Takahirekareka; and
- 8.13.7. Tuku Street Domain property.

PROVISIONS AFFECTING CULTURAL REDRESS PROPERTIES GENERALLY

- 8.14. Each cultural redress property is to be –
 - 8.14.1. as described in schedule 3 of the draft settlement bill; and
 - 8.14.2. vested on the terms provided by –
 - (a) sections 66 to 154 of the draft settlement bill; and
 - (b) part 2 of the property redress schedule; and
 - 8.14.3. subject to any encumbrances, or other documentation, in relation to that property –
 - (a) required by clause 8.6 to be provided by the governance entity; or
 - (b) required by the settlement legislation; and
 - (c) in particular, referred to by schedule 3 of the draft settlement bill.

TOITŪ TE WHENUA – INNATE CONNECTION WITH LAND

- 8.15. Ngāti Hāua have an innate connection to the natural world, which is connected to them through whakapapa. Ngāti Hāua look upon Papatūānuku as a provider who must be protected, safeguarded and nourished. These connections to the natural world have spiritual elements and whakapapa connections that manifest through the terms and practical observances of kawa such as ihi, tapu and mana and relationships with kaitiaki and taniwha. In the words of Hikaia Amohia, this close affinity to these sacred places necessarily involves, in the case of natural resources, a strong element of conservation as tāngata tiaki, to ensure that the rules of nature remain intact.
- 8.16. Through Te Pua o Te Riri Kore, and alongside Ruruku Whakatupua, the Whanganui River settlement, Ngāti Hāua seek to strengthen their ability to exercise their obligations as tāngata tiaki across their rohe, including through partnerships with the Crown where appropriate – kia toitū te whenua, kia toitū te mana whakaū nā Ngāti Hāua. Ngāti Hāua have sought to do so through a suite of redress known as Toitū Te Whenua, comprising:
 - 8.16.1. A Partnership Framework with Department of Conservation comprising:
 - (a) Te Whenu o Te Papa Atawhai – Conservation partnership agreement;
 - (b) A sites of significance framework; and

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- (c) A cultural materials plan;
- 8.16.2. Te Pou Taiao Joint Management Committee;
- 8.16.3. Area of Interest Statement;
- 8.16.4. Membership of Tongariro-Taupō Conservation Board;
- 8.16.5. Te Tuanui – Overlay Classification;
- 8.16.6. Deed of Recognition;
- 8.16.7. Statutory Acknowledgements;
- 8.16.8. Statements of Association;
- 8.16.9. Nohoanga Entitlement;
- 8.16.10. Placement of Pou Whenua;
- 8.16.11. Mineral fossicking rights in relation to certain minerals; and
- 8.16.12. Changes to official geographic names.

PARTNERSHIP FRAMEWORK WITH DEPARTMENT OF CONSERVATION

- 8.17. The Minister of Conservation, Department of Conservation and the governance entity intend that the partnership framework will consist of –
 - 8.17.1. Te Whenu o Te Papa Atawhai - a partnership agreement to –
 - (a) enable the Department of Conservation and the governance entity to maintain a positive, collaborative and enduring relationship into the future; and
 - (b) set out the working relationship between the Department of Conservation and Ngāti Hāua; and
 - 8.17.2. a sites of significance framework under section 53 of the Conservation Act 1987 that will provide an opportunity for Ngāti Hāua to engage in the management of sites of significance to them on public conservation land; and
 - 8.17.3. a cultural materials plan allowing Ngāti Hāua to authorise permitted gathering of materials for cultural use on specified public conservation land.

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Te Whenu o Te Papa Atawhai / Conservation partnership agreement

- 8.18. The Minister of Conservation, Department of Conservation and the governance entity must, by or on the settlement date, sign a partnership agreement - Te Whenu o Te Papa Atawhai.
- 8.19. Te Whenu o Te Papa Atawhai guides the relationship and sets out how the Department of Conservation will interact with the governance entity with regard to the matters specified in it.
- 8.20. The partnership agreement will be in the form in part 1 of the documents schedule.
- 8.21. The parties acknowledge that the Department of Conservation and the governance entity will work together to maintain a positive, collaborative and enduring relationship in the future.
- 8.22. A failure by the Crown to comply with Te Whenu o Te Papa Atawhai is not a breach of this deed.

Cultural materials plan

- 8.23. The settlement legislation will, on the terms provided by sections 155 to 160 of the draft settlement bill, provide for the Minister of Conservation and the governance entity to, within five years of the settlement date (or such later date as the Minister and governance entity may agree), jointly develop and agree a cultural materials plan setting out –
- 8.23.1. how the governance entity will provide a member of Ngāti Hāua with written authorisations to collect the following cultural materials from within the area of interest:
- (a) plants:
- (b) plant materials; and
- 8.23.2. the circumstances in which Ngāti Hāua may possess dead protected wildlife.

Review and amendment

- 8.24. The governance entity may propose that new species/materials are included in the cultural materials plan on an incremental basis and the Minister of Conservation will engage with the governance entity on the feasibility of the proposal.
- 8.25. The Minister of Conservation will engage with the governance entity to amend the cultural materials plan –
- 8.25.1. if an unforeseen event (such as a fire) takes place that affects sites included in the plan;

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- 8.25.2. if, through monitoring, it is found that the impacts of a harvest under the plan is having a significant negative impact on the values for which the affected conservation land is held;
 - 8.25.3. if there is a change in the status of a species under the plan (including if it is classified as threatened or at risk); or
 - 8.25.4. from time to time by agreement of the governance entity and the Minister of Conservation.
- 8.26. The cultural materials plan will be reviewed in whole at least once every five years, but will continue to confer the ability of the governance entity to enable members of Ngāti Hāua to gather cultural materials as contemplated by clause 8.23.

Sites of significance/wāhi tapu framework

- 8.27. The Department of Conservation recognises that there are wāhi tapu and wāhi taonga and other places of cultural and historical significance to Ngāti Hāua within the area of interest.
- 8.28. The parties have agreed to work together to develop a sites of significance framework through the powers of the Director-General of Conservation under section 53 of the Conservation Act 1987 within five years of the settlement date (or such later date as the Department and governance entity may agree).
- 8.29. The framework will provide a way for Ngāti Hāua to engage in the management of sites of significance to them on public conservation land across their area of interest, excluding the Whanganui and Tongariro National Parks.

TE POU TAI AO JOINT MANAGEMENT COMMITTEE

Interpretation

- 8.30. In clause 8.31 “**Te Pou Taiao area**” means, collectively, the following:
- 8.30.1. Hunua Conservation Area (to be reclassified as a scenic reserve named Tamakehu Tuarua Scenic Reserve);
 - 8.30.2. Kokaka Conservation Area (to be reclassified as a scenic reserve named Tāhere Kākā Scenic Reserve)
 - 8.30.3. Mangaorakei North Scenic Reserve;
 - 8.30.4. Motutara Scenic Reserve;
 - 8.30.5. Neilsons Conservation Area (to be reclassified as a scenic reserve named Mākōura Scenic Reserve);
 - 8.30.6. Opatu Conservation Area (to be reclassified as a scenic reserve named Tāiki Scenic Reserve);

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- 8.30.7. Opura Conservation Area (to be reclassified as a scenic reserve named Whakahīrangī Scenic Reserve);
- 8.30.8. Papapotu Scenic Reserve;
- 8.30.9. Pukeatua Conservation Area (to be reclassified as a scenic reserve named Te Riu o Te Atua Scenic Reserve);
- 8.30.10. Pukeatua Scenic Reserve;
- 8.30.11. Retaruke Scenic Reserve;
- 8.30.12. Rotokahu Scenic Reserve;
- 8.30.13. Te Ruahine Scenic Reserve; and
- 8.30.14. Wall Scenic Reserve.

Te Pou Taiao joint management committee established

- 8.31. The settlement legislation will, on the terms provided by sections 174 to 191 of the draft settlement bill, provide –
 - 8.31.1. that the Te Pou Taiao area is described in parts 1 and 2 of schedule 4 of the draft settlement bill;
 - 8.31.2. that Te Pou Taiao be established as a joint management committee to exercise the powers and functions set out in this clause 8.31 in relation to the Te Pou Taiao area;

Purpose of Te Pou Taiao

- 8.31.3. that the purpose of Te Pou Taiao is –
 - (a) **Kia toitū te mana me te mouri o te ao tūroa e tū nei**, ensuring, as far as possible, the survival and preservation of the natural world and its relationship with its communities, by —
 - (i) maintaining and promoting the mouri ora of the Te Pou Taiao area;
 - (ii) maintaining the kawa ora in respect of the Te Pou Taiao area;
 - (iii) promoting and giving expression to the relationship of Ngāti Hāua and their kawa, tikanga, and ritenga with the Te Pou Taiao area; and
 - (b) to promote the purposes for which the scenic reserves in the Te Pou Taiao area are classified under section 19 of the Reserves Act 1977.

Core non-revocable powers and functions of Te Pou Taiao

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- 8.31.4. that the core powers and functions of Te Pou Taiao will be to:
- (a) provide strategic oversight, guidance, and advice to the Minister of Conservation, the Director-General of Conservation, and the governance entity on conservation matters affecting the Te Pou Taiao area, including:
 - (i) opportunities for enhancing Ngāti Hāua conservation outcomes and other conservation outcomes;
 - (ii) opportunities for Ngāti Hāua to exercise their responsibilities as tāngata tiaki to enhance conservation outcomes;
 - (iii) any other matters pertinent to —
 - A. the effective exercise by Ngāti Hāua of their responsibilities as tāngata tiaki; and
 - B. conservation management of the Te Pou Taiao area; and
 - (b) exercise functions in relation to the preparation of the relevant reserve management plan(s) as set out in clause 8.31.14; and
 - (c) without limiting clause 8.31.4(a) provide guidance and advice:
 - (i) on any conservation management strategy that affects the Te Pou Taiao area;
 - (ii) on the preparation of statutory planning documents prepared by the Minister of Conservation or the Director-General of Conservation that affect the Te Pou Taiao area; and
 - (iii) on annual planning, including annual conservation priorities, in relation to the Te Pou Taiao area;
- 8.31.5. that the powers and functions set out in clause 8.31.4 may not be revoked by the Minister of Conservation;
- 8.31.6. that Te Pou Taiao may provide written advice to one or more of the following persons on any conservation matter that affects the Te Pou Taiao area:
- (a) the Minister of Conservation;
 - (b) the Director-General of Conservation;
 - (c) the governance entity;

Requirements of the Minister of Conservation and the Director-General of Conservation in regard to Te Pou Taiao core powers and functions

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- 8.31.7. that the Minister of Conservation and the Director-General of Conservation will be required to consult with, and have regard to the views, decisions and advice of, Te Pou Taiao in relation to conservation matters affecting the Te Pou Taiao area;
- 8.31.8. that the Director-General of Conservation must, in particular, consult with, and have regard to, the decisions and advice of Te Pou Taiao in relation to –
- (a) the preparation of statutory planning documents (for example, conservation management strategies); and
 - (b) annual planning, including annual conservation priorities;

Secondary revocable powers and functions of Te Pou Taiao

- 8.31.9. that, within 12 months of the settlement date, the following powers in respect of the Te Pou Taiao area granted to the Minister of Conservation, administering bodies and/or the Commissioner (as that term is defined in section 2 of the Reserves Act 1977) under the following provisions of the Reserves Act 1977 will be delegated, in writing, to Te Pou Taiao:
- (a) Section 42(1) – delegation of the Minister’s power to give or decline express written consent to the cutting or destruction of trees and bush on the reserves, subject to such terms and conditions as Te Pou Taiao may determine. This delegation will apply to exotic trees and bush. For the cutting or destruction of native trees and bush on the reserves, prior approval of the Minister must be obtained by Te Pou Taiao;
 - (b) Section 46(2) – delegation of the power to grant the right to bury or inter remains of deceased Māori within ancestral burial grounds contained within the reserves, where such locations have been approved by the Minister;
 - (c) Section 49 – delegation of the Minister’s power to grant or decline to grant in writing, to any qualified person a right to take specified specimens of flora or fauna or rock mineral or soil from the reserves for scientific or educational purposes, provided the taking does not unduly deplete the number of any species, damage ecological associations, or damage the values of the reserve. This delegation would include the ability to form an opinion as to whether a qualified person has the necessary credentials to carry out a taking for scientific or educational purposes;
 - (d) Section 50(1) – delegation of the Minister’s power to authorise or decline to authorise any person to take and kill any kind of specified fauna that may be found in the reserves, including the power to impose conditions on the authorisation. This delegation includes the power to authorise the use of firearms, traps, nets or other like objects for that purpose and will only apply to non-protected exotic fauna;

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- (e) Section 51(1) – delegation of the Minister’s power to authorise or decline to authorise in writing the introduction of indigenous flora or fauna into the reserve, having due regard to the principles set out in section 19 (scenic reserves) of the Reserves Act 1977. Authorisations can only be granted, if provided for or contemplated in an approved management plan;
- (f) Section 59A – delegation of the Minister’s power to make concession decisions relating to the Te Pou Taiao area. This delegation will not extend to decisions on applications by the governance entity or any related subsidiary;
- (g) Section 45 – delegation of administering body power to, with the prior approval of the Minister, erect, or authorise any voluntary organisation or educational institution to erect, shelters, huts, cabins, lodges, and similar resting or sleeping accommodation on the reserves for the purpose stated in this provision. This delegation would only apply where the use is provided for or contemplated in an approved management plan;
- (h) Section 55(1) – delegation of the following powers of an administering body, where such decisions are provided for or contemplated in an approved management plan:
 - (i) decide it is necessary or desirable to enclose the reserves or any part(s) of the reserves to improve or allow to regenerate, and to improve the reserve or part(s) or allow them to regenerate, provided that the prior approval of the Minister must be obtained to any planting of trees or shrubs;
 - (ii) prohibit the public from entering or encroaching on any part of the reserves being improved or allowed to regenerate;
 - (iii) subject to section 42 (Preservation of trees and bush) of the Reserves Act 1977, lay out and construct footpaths and driveways necessary for the management of the reserves or enable public use and enjoyment; and
 - (iv) make, stop, divert, widen, or alter any bridges, ways or watercourses in, upon, through, across, or over any part of the reserve, subject to the payment of compensation for damage thereby to adjacent lands (subject to the Resource Management Act 1991);
- (i) Section 55(2) – delegation of following powers of an administering body to open portions of the reserves for the specified purposes, where such purposes are provided for or contemplated in an approved management plan:
 - (i) with the prior consent of the Minister, and having regard to the conservation of natural vegetation and features, enclose any open

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parts of the reserve which the administering body may decide is necessary or desirable to lay down or renew in grass or graze;

- (ii) prohibit the public from entering or encroaching on any part laid down, renewed, or grazed in accordance with (i) above;
 - (iii) subject to any lease or licence granted pursuant to section 56(1)(b) of the Reserves Act 1977, prohibit or regulate the carrying on of any trade, business, or occupation within the reserves;
 - (iv) with the prior consent of the Minister and having regard to the conservation of natural vegetation and features, set apart any areas for gardens, baths, picnic ground, camping grounds, parking, or mooring necessary for the convenience of the public using the reserves or for facilities and amenities necessary for public use, and construct or develop these facilities;
 - (v) with the prior consent of the Minister, erect buildings and other structures on such terms as to plans, size, structure, situation, and otherwise;
 - (vi) with the prior consent of the Minister, and subject to the Resource Management Act 1991, and having regard to conserve the natural beauty of any sea, lake, river or stream bounding or within the reserve, do all such things it considers necessary, including the erection of buildings and structures for public use, to enable public benefit and enjoyment; and
 - (vii) with the prior consent of the Minister, set apart and use any part of the reserve as sites for residences for officers or servants, or for rangers, and for other buildings and structures necessary for the proper and beneficial management, administration, and control of the reserves, and for the protection, maintenance, and wellbeing of the reserves;
- (j) Section 56(1) – delegation of the power to, with the prior consent of the Minister and to the extent necessary to give effect to the principles set out in section 19 (scenic reserves) of the Reserves Act 1977, and where provided for or contemplated by an approved management plan:
- (i) lease to any person, body, voluntary organisation or society any area set apart under section 55(2)(d), subject to the provisions set out in Schedule 1 of the Reserves Act 1977 relating to leases of scenic reserves; and
 - (ii) grant leases or licences for the carrying on of any trade, business, or occupation on any specified site within the reserve, subject to the provisions set out in Schedule 1 of the Reserves Act 1977 and provided that it is necessary to enable the public to obtain the benefit

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and enjoyment of the reserve or for the convenience of persons using the reserve. The Minister's prior consent shall not be required where the lease or licence is temporary with a term of less than 6 consecutive days;

- (k) Section 74(1)(b)(i) – delegation of the power to grant licences under section 74(2), provided that a licence to occupy shall not be granted without the consent of the Minister; and
- (l) Section 74(2) – delegation of the power to decide it is necessary or desirable for the management of the reserves for the purpose for which it is classified, to grant licences to occupy the reserves for grazing, gardening, or other similar purposes, or cutting, felling or removing timber or flax, or to win and remove timber or flax or to win and remove kauri gum;

8.31.10. that the powers delegated to Te Pou Taiao pursuant to clause 8.31.9 are subject always to:

- (a) the applicable reserve classification under the Reserves Act 1977 of the relevant part of the Te Pou Taiao area; and
- (b) any restriction, requirement or prior approval set out in subclauses 8.31.9(a) to 8.31.9(l) or otherwise set out in the relevant section(s) of the Reserves Act 1977 referred to in those subclauses;

8.31.11. that the Minister of Conservation will have the power to —

- (a) revoke or alter any of the delegations set out in clause 8.31.9; and
- (b) exercise a power delegated to Te Pou Taiao under clause 8.31.9,

provided that in either case, the Minister has first consulted with Te Pou Taiao and the governance entity;

8.31.12. Where the Minister of Conservation is required to consult with Te Pou Taiao and the governance entity under clause 8.31.11, the Minister will:

- (a) provide notice to Te Pou Taiao and the governance entity of the decisions to be the subject of the engagement, as soon as reasonably practicable following identification or determination of those matters;
- (b) provide Te Pou Taiao and the governance entity with sufficient information to undertake informed discussions and provide meaningful input;
- (c) provide, as far as possible, sufficient time for the effective participation of Te Pou Taiao and the governance entity; and

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- (d) approach the engagement with an open mind and genuinely consider the suggestions, views or concerns that Te Pou Taiao and the governance entity may have.

Ancillary activities

8.31.13. that Te Pou Taiao may undertake the following ancillary activities in relation to the Te Pou Taiao area:

- (a) identifying opportunities for enhancing conservation outcomes in respect of the Te Pou Taiao area, and engaging tangata whenua, the local community and others in that work;
- (b) supporting new and existing partnerships;
- (c) advocating for enhancing conservation outcomes;
- (d) provision of public information and education about the Te Pou Taiao area;
- (e) fostering community support for the Te Pou Taiao area, including community understanding of Ngāti Hāua associations and values;

Reserve management plan

8.31.14. that Te Pou Taiao must prepare a draft management plan (a reserve management plan) for the Te Pou Taiao area to submit to the Minister and the governance entity for approval;

8.31.15. that section 41 of the Reserves Act 1977 applies to the preparation and approval of the reserve management plan —

- (a) to the extent that that section is not inconsistent with this clause 8.31; and
- (b) with the necessary modifications, including that references to the Minister be read as references to that Minister and the governance entity acting jointly;

8.31.16. that the Director-General of Conservation must fund and provide administrative support for the preparation of the reserve management plan;

8.31.17. that the Director-General of Conservation and the governance entity (as the case may be) will carry out operational activities in accordance with the relevant conservation management strategy that applies to the Te Pou Taiao area until the reserve management plan is approved under this clause 8.31.

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Preparation and content of the operational plan

- 8.31.18. that the operational management of the Te Pou Taiao area will be undertaken by the Director-General of Conservation and the governance entity in respect of activities provided in clause 8.31.21;
- 8.31.19. that the Director-General of Conservation must prepare and approve a draft operational plan that indicates the priorities for operational activities over a period of up to three years in order to identify activities to implement the reserve management plan, and to identify the Crown funding available for those activities;
- 8.31.20. that before the Director-General of Conservation approves the draft operational plan, he or she must, —
- (a) within a reasonable timeframe, provide the draft operational plan to the governance entity and Te Pou Taiao for comment; and
 - (b) have regard to the views of the governance entity and Te Pou Taiao when approving the plan;
- 8.31.21. that the operational plan must identify any opportunities for the governance entity to undertake operational management activities in respect of the Te Pou Taiao area, where such activities have been agreed between the Director-General of Conservation and the governance entity;
- 8.31.22. that the Director-General of Conservation retains discretion over which operational activities are funded by the Director-General of Conservation and the amount of any funding provided by the Director-General of Conservation under the operational plan, however, Te Pou Taiao and/or the governance entity may seek funding from any source for a specific project it undertakes;
- 8.31.23. that the Director-General of Conservation, and the governance entity (if it is identified in the plan under clause 8.31.19) must carry out operational management activities in accordance with —
- (a) any current reserve management plan; and
 - (b) any current operational plan;
- 8.31.24. that the operational plan may be prepared before the reserve management plan is approved under section 41 of the Reserves Act 1977, but must not be approved before the approval of the reserve management plan;
- 8.31.25. that the Director-General of Conservation may from time to time, as the Director-General of Conservation thinks necessary, review and amend the operational plan. If the Director-General of Conservation does carry out a review or revision, clause 8.31.20 will apply, unless the revision is minor or of a technical nature, in which case the Director-General of Conservation may instead notify Te Pou Taiao and the governance entity of the change in writing;

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Appointment of members to Te Pou Taiao

- 8.31.26. that Te Pou Taiao will consist of four members to be appointed by the Minister of Conservation comprising –
- (a) two members to be nominated by the governance entity; and
 - (b) two members to be nominated by the Director-General of Conservation;
- 8.31.27. that the chair of Te Pou Taiao will be appointed by the governance entity, and that person must be an existing member of Te Pou Taiao;
- 8.31.28. that each party will consult with the other about the potential nominees before confirming their own nominees to the Minister of Conservation and reasonable consideration will be given to any feedback received on the potential nominees of the other party;
- 8.31.29. that each party will give notice in writing to the other of their nominees provided to the Minister of Conservation for any appointment under clause 8.31.26;
- 8.31.30. that each member of Te Pou Taiao:
- (a) will be appointed for a term of five years; and
 - (b) may be reappointed for further terms in accordance with clauses 8.31.26 to 8.31.30;
- 8.31.31. that where a member vacates their seat on Te Pou Taiao, Te Pou Taiao shall, as soon as reasonably practicable, notify the governance entity and the Director-General of Conservation, and the party that nominated the vacating member under clause 8.31.26, shall nominate another person to be a member, to be appointed by the Minister of Conservation, for the remainder of the vacating member's term;
- 8.31.32. that the Director-General of Conservation will give public notice of any appointment under clauses 8.31.26 and 8.31.31 by way of notice in *the Gazette*;

Requirements for operation of Te Pou Taiao

- 8.31.33. that the conduct and procedures of Te Pou Taiao will take into account Ngāti Hāua tikanga and values;
- 8.31.34. that in the exercise of its functions and powers Te Pou Taiao will work and act in good faith and will give effect to the principles of te Tiriti o Waitangi/the Treaty of Waitangi as required under section 4 of the Conservation Act 1987; for example, when preparing a relevant reserve management plan;

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Administrative support for Te Pou Taiao

8.31.35. that if an application for a concession is received after the powers set out in clause 8.31.9 have been delegated to Te Pou Taiao under section 178 of the draft settlement bill, the Director-General of Conservation must —

- (a) inform Te Pou Taiao that the application has been received; and
- (b) carry out the necessary administrative processes required by the Conservation Act 1987 (as applied by section 59A of the Reserves Act 1977) to enable Te Pou Taiao to decide the application in accordance with its delegation;

Concession revenue from activities within the Te Pou Taiao area

8.31.36. that concession revenue for an activity within the Te Pou Taiao area must be:

- (a) paid into a Crown bank account; and
- (b) be applied within and for the benefit of the Te Pou Taiao area;

Funding and remuneration

8.31.37. that the members of Te Pou Taiao are entitled to receive remuneration by way of salary, fees, or otherwise and travelling allowances or travelling expenses in accordance with the Fees and Travelling Allowances Act 1951 incurred in acting as members of Te Pou Taiao, as if Te Pou Taiao were a statutory Board within the meaning of that Act;

8.31.38. that the Crown will meet the reasonable administrative costs and expenses of Te Pou Taiao;

8.31.39. that the Crown will fund the development of the reserve management plan(s) referred to in clause 8.31.4(b). This will include funding for the reasonable costs of independent consultants who may be required to provide subject matter expertise that the governance entity or the Department of Conservation cannot otherwise provide. This could include, for example, specific natural, cultural, historic, and recreational advice or information, actual plan preparation and drafting, te reo Māori translation of part or all of the reserve management plan(s), graphics, artwork, design services, communications and engagement services, and project management and administrative support;

Procedures and meetings of Te Pou Taiao

8.31.40. that Te Pou Taiao must regulate its own procedure, subject to the following limitations:

- (a) Te Pou Taiao can only make decisions with the agreement of all of the members who are present and voting at a meeting;

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- (b) Te Pou Taiao must hold its first meeting no later than eighteen months after the settlement date;
- (c) Te Pou Taiao must meet as required to perform its functions, but no less than twice a year unless Te Pou Taiao agrees otherwise;
- (d) a person may attend a meeting of Te Pou Taiao in place of a member if appointed to do so by the member;

8.31.41. that quorum requirements at any meeting of Te Pou Taiao, are set out in part 3 of schedule 4 of the draft settlement bill;

Future management arrangements may be agreed for other scenic reserves

8.31.42. that after the settlement date –

- (a) Te Pou Taiao, the governance entity and the Minister of Conservation may, by agreement in writing, identify other scenic reserves administered by the Department of Conservation in respect of which they consider Te Pou Taiao should exercise powers and functions for the purposes set out in clause 8.31.3; and
- (b) Te Pou Taiao may apply to the Minister of Conservation to be appointed to exercise those powers and functions set out clauses 8.31.4 to 8.31.25, in relation to those scenic reserves; and
- (c) the Minister of Conservation may, by notice in *the Gazette*, appoint Te Pou Taiao to exercise those powers and functions in relation to those scenic reserves; and
- (d) upon giving notice in *the Gazette* the applicable reserve management plan and any applicable operational plan must be amended at the earliest opportunity, to include those scenic reserves;

Crown protected area names

8.32. The settlement legislation will, on the terms provided by section 189 of the draft settlement bill, provide that –

- 8.32.1. the name of Hunua Conservation Area is changed to Tamakehu Tuarua Scenic Reserve;
- 8.32.2. the name of Kokaka Conservation Area is changed to Tāhere Kākā Scenic Reserve;
- 8.32.3. the name of Neilsons Conservation Area is changed to Mākōura Scenic Reserve;
- 8.32.4. the name of Opatu Conservation Area is changed to Tāiki Scenic Reserve;

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- 8.32.5. the name of Opura Conservation Area is changed to Whakahīrangī Scenic Reserve;
- 8.32.6. the name of Pukeatua Conservation Area is changed to Te Riu o Te Atua Scenic Reserve.

AREA OF INTEREST STATEMENT

- 8.33. In clause 8.34, **specified conservation management strategy** means each existing and future conservation management strategy put in place under part 3A of the Conservation Act 1987 that affects the area of interest, including the following conservation management strategies:
- (a) Tongariro-Taupō;
 - (b) Taranaki-Whanganui; and
 - (c) Waikato.
- 8.34. The settlement legislation will, on the terms set out in section 172 of the draft settlement bill, provide that on and from the settlement date, the Director-General of Conservation will attach the Ngāti Hāua Area of Interest Statement to each specified conservation management strategy, and it must be attached to all future versions of the specified conservation management strategy.
- 8.35. The Ngāti Hāua Area of Interest Statement is set out in part 2 of the documents schedule.

Effect of Ngāti Hāua Area of Interest Statement

- 8.36. The settlement legislation will, on the terms set out in section 173 of the draft settlement bill, provide that, when exercising a statutory power, function, or duty under legislation specified in section 173(4) of the draft settlement bill, the Minister of Conservation or Director-General of Conservation (as the case may be) may, but is not required to, have regard to the Ngāti Hāua Area of Interest Statement.

Amendment of Ngāti Hāua Area of Interest Statement

- 8.37. Following the settlement date, the governance entity may approach the Crown to amend the Ngāti Hāua Area of Interest Statement, which may, with the agreement of the Crown, be given effect to under a deed to amend this deed.

MEMBERSHIP FOR TONGARIRO-TAUPŌ CONSERVATION BOARD

- 8.38. In clauses 8.38 to 8.41, –
- 8.38.1. **Tongariro-Taupō Conservation Board** and **Board** means the Board established under Part 2A of the Conservation Act 1987 whose area of jurisdiction includes part of the Ruapehu region within the area of interest; and

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- 8.38.2. **Whanganui Iwi** means the iwi or group of iwi as represented by and acting through the trustees of the following entities:
- (a) Te Tōtarahoe o Paerangi:
 - (b) the Whanganui Land Settlement Negotiation Trust, and when that entity is succeeded by a post-settlement governance entity, that post-settlement governance entity:
 - (c) the Te Korowai o Wainuiārua Trust:
 - (d) Te Whiringa Kākaho o Ngāti Hāua.
- 8.39. The Minister of Conservation must, on the nomination of the governance entity, appoint one member of the Tongariro-Taupō Conservation Board for a term of three years and for as many subsequent terms until clause 8.40 applies.
- 8.40. The term of the appointee will terminate at the earlier of –
- 8.40.1. the settlement of the historical Tiriti o Waitangi/Treaty of Waitangi claims of all Whanganui Iwi with an interest in the area within the jurisdiction of the Board; or
 - 8.40.2. the settlement of the collective Tongariro National Park negotiations, if the membership of the Board is changed as a result of those negotiations.
- 8.41. The parties consider that the most appropriate time to reconsider Whanganui Iwi representation on the Tongariro-Taupō Conservation Board is at the settlement date of the last Whanganui Iwi with interests in the area within the jurisdiction of the Board. The collective Tongariro National Park negotiations may also consider the membership of the Board.

TE TUANUI - OVERLAY CLASSIFICATION

- 8.42. The settlement legislation will, on the terms provided by sections 47 to 61 of the draft settlement bill, –
- 8.42.1. declare the following area to be Te Tuanui area subject to Te Tuanui:
 - (a) Part Tongariro Conservation Area (as shown on deed plan OMCR-006-066; and
 - 8.42.2. provide the Crown's acknowledgement of the statement of Ngāti Hāua values in relation to Te Tuanui area; and

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- 8.42.3. require the New Zealand Conservation Authority, or a relevant conservation board, –
- (a) when considering a conservation document in relation to Te Tuanui area, to have particular regard to the statement of Ngāti Hāua values and the protection principles for Te Tuanui area; and
 - (b) before approving a conservation document, in relation to Te Tuanui area, to –
 - (i) consult with the governance entity; and
 - (ii) have particular regard to its views as to the effect of the document on the statement of Ngāti Hāua values and the protection principles for the area; and
- 8.42.4. require the Director-General of Conservation to take action in relation to the protection principles; and
- 8.42.5. enable the making of regulations and bylaws in relation to Te Tuanui area.
- 8.43. The statement of Ngāti Hāua values, the protection principles, and the Director-General of Conservation's actions are in part 3 of the documents schedule.

DEED OF RECOGNITION

- 8.44. The Crown must, by or on the settlement date, provide the governance entity with a copy of the deed of recognition, signed by the Minister of Conservation and the Director-General of Conservation, in relation to the following areas:
- (a) Kawautahi Scenic Reserve (as shown on deed plan OMCR-006-074);
 - (b) Marginal Strip – Whakapapa River (as shown on deed plan OMCR-006-079);
 - (c) Motutara Scenic Reserve (as shown on deed plan OMCR-006-082);
 - (d) Part Mohakatino Conservation Area (as shown on deed plan OMCR-006-080);
 - (e) Part Tāngarākau Forest Conservation Area (as shown on deed plan OMCR-006-101);
 - (f) Part Tāngarākau Forest Conservation Area (Pūtikituna Pā) (as shown on deed plan OMCR-006-102);
 - (g) Tāngarākau Scenic Reserve (as shown on deed plan OMCR-006-103);
 - (h) Te Maire Scientific Reserve (as shown on deed plan OMCR-006-106); and

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- (i) Whangamōmona Scenic Reserve (as shown on deed plan OMCR-006-114).

8.45. Each area that the deed of recognition relates to includes only those parts of the area owned and managed by the Crown.

8.46. The deed of recognition will provide that the Minister of Conservation and the Director-General of Conservation must, if undertaking certain activities within an area that the deed relates to, –

8.46.1. consult the governance entity; and

8.46.2. have regard to its views concerning Ngāti Hāua's association with the area as described in a statement of association.

FORM AND EFFECT OF DEED OF RECOGNITION

8.47. The deed of recognition will be –

8.47.1. in the form in part 5 of the documents schedule; and

8.47.2. issued under, and subject to, the terms provided by sections 42 to 45 of the draft settlement bill.

8.48. A failure by the Crown to comply with a deed of recognition is not a breach of this deed.

STATUTORY ACKNOWLEDGEMENT

8.49. The settlement legislation will, on the terms provided by sections 33 to 41 and 43 to 46 of the draft settlement bill, –

8.49.1. provide the Crown's acknowledgement of the statements by Ngāti Hāua of their particular cultural, spiritual, historical, and traditional association with the following areas:

- (a) Hawkin's Wetland Scenic Reserve (as shown on deed plan OMCR-006-067);
- (b) Hikumutu Scenic Reserve (as shown on deed plan OMCR-006-068);
- (c) Hukapapa Conservation Area (as shown on deed plan OMCR-006-069);
- (d) Kaituna No. 2 Scenic Reserve (as shown on deed plan OMCR-006-071);
- (e) Kakahi Conservation Area (as shown on deed plan OMCR-006-072);
- (f) Kakahi Scenic Reserve (as shown on deed plan OMCR-006-073);
- (g) Kawautahi Scenic Reserve (as shown on deed plan OMCR-006-074);

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- (h) Kirikau No. 4 Scenic Reserve (as shown on deed plan OMCR-006-075);
- (i) Kirikau No. 5 Scenic Reserve (as shown on deed plan OMCR-006-076);
- (j) Kokakonui Scenic Reserve (as shown on deed plan OMCR-006-077);
- (k) Lairdvale Scenic Reserve (as shown on deed plan OMCR-006-078);
- (l) Mākōura Scenic Reserve (formerly Part Neilsons Conservation Area) (as shown on deed plan OMCR-006-083);
- (m) Marginal Strip – Whakapapa River (as shown on deed plan OMCR-006-079);
- (n) Part Mohakatino Conservation Area (as shown on deed plan OMCR-006-080);
- (o) Part Moki Conservation Area (as shown on deed plan OMCR-006-081);
- (p) Motutara Scenic Reserve (as shown on deed plan OMCR-006-082);
- (q) Ohinepane Recreation Reserve (as shown on deed plan OMCR-006-084);
- (r) Ohinetonga Scenic Reserve (as shown on deed plan OMCR-006-085);
- (s) Okahukura Scenic Reserve (as shown on deed plan OMCR-006-086);
- (t) Otunui Conservation Area (as shown on deed plan OMCR-006-088);
- (u) Owhango Domain Recreation Reserve (as shown on deed plan OMCR-006-089);
- (v) Paorae Scenic Reserve (as shown on deed plan OMCR-006-090);
- (w) Papapotu Scenic Reserve (as shown on deed plan OMCR-006-091);
- (x) Parapara Scenic Reserve (as shown on deed plan OMCR-006-092);
- (y) Puna Wai (as shown on deed plan OMCR-006-094) comprising the following:
 - (i) Heao Puna (located within Waiaraia Scenic Reserve);
 - (ii) Moetohunga Puna (located within Pokoera Scenic Reserve);
 - (iii) Pohoare Puna (located within Rotokahu Scenic Reserve);
 - (iv) Rere Taruke Puna (located within Erua Conservation Area);

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- (v) Tāngarākau Puna (located within Waitaanga Conservation Area);
- (vi) Tangitū Puna 1 (located within Tangitu Scenic Reserve);
- (vii) Tangitū Puna 2 (located within Tangitu Scenic Reserve);
- (viii) Tangitū Puna 3 (located within Tangitu Scenic Reserve);
- (ix) Tangitū Puna 4 (located within Tangitu Scenic Reserve);
- (x) Waitaangata Puna 1 (located within Mangaroa Scenic Reserve);
- (xi) Waitaangata Puna 2 (located within Mangaroa Scenic Reserve);
- (xii) Waitaangata Puna 3 (located within Mangaroa Scenic Reserve);
- (z) Rangi Scenic Reserve (as shown on deed plan OMCR-006-095);
- (aa) Rangitatea Conservation Area (as shown on deed plan OMCR-006-096);
- (bb) Raurimu Spiral Scenic Reserve (as shown on deed plan OMCR-006-097);
- (cc) Reserve E Conservation Area (as shown on deed plan OMCR-006-098);
- (dd) Retaruke Scenic Reserve (as shown on deed plan OMCR-006-099);
- (ee) Rotokahu Scenic Reserve (as shown on deed plan OMCR-006-100);
- (ff) Part Tāngarākau Forest Conservation Area (as shown on deed plan OCMR-006-101);
- (gg) Part Tāngarākau Forest Conservation Area (Pūtikituna Pā) (as shown on deed plan OMCR-006-102);
- (hh) Tāiki Scenic Reserve (formerly Part Opatu Conservation Area) (as shown on deed plan OMCR-006-087);
- (ii) Tamakehu Tuarua Scenic Reserve (formerly Hunua Conservation Area) (as shown on deed plan OMCR-006-070);
- (jj) Tāngarākau Scenic Reserve (as shown on deed plan OMCR-006-103);
- (kk) Tapui Scenic Reserve (as shown on deed plan OMCR-006-104);
- (ll) Part Taumarunui/Rangaroa Recreation Reserve (as shown on deed plan OMCR-006-105);
- (mm) Te Maire Scientific Reserve (as shown on deed plan OMCR-006-106);

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- (nn) Te Rauateti Scenic Reserve (as shown on deed plan OMCR-006-107);
 - (oo) Te Riu o Te Atua Scenic Reserve (formerly Part Pukeatua Conservation Area) (as shown on deed plan OMCR-006-093);
 - (pp) The Ratat Scenic Reserve (as shown on deed plan OMCR-006-108);
 - (qq) Toi Conservation Area (as shown on deed plan OMCR-006-109);
 - (rr) Tunnel Hill Scenic Reserve (as shown on deed plan OMCR-006-110);
 - (ss) Waimarino Scientific Reserve (as shown on deed plan OMCR-006-111);
 - (tt) Waireka Conservation Area (as shown on deed plan OMCR-006-112);
 - (uu) Whakapapa Gorge Scenic Reserve (as shown on deed plan OMCR-006-113);
 - (vv) Whangamōmona Scenic Reserve (as shown on deed plan OMCR-006-114); and
- 8.49.2. require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement; and
- 8.49.3. require relevant consent authorities to forward to the governance entity –
- (a) summaries of resource consent applications for an activity within, adjacent to or directly affecting a statutory area; and
 - (b) a copy of a notice of a resource consent application served on the consent authority under section 145(10) of the Resource Management Act 1991; and
- 8.49.4. enable the governance entity, and any member of Ngāti Hāua, to cite the statutory acknowledgement as evidence of Ngāti Hāua's association with an area.
- 8.50. The statements of association are in part 4 of the documents schedule.

STATEMENTS OF ASSOCIATION

- 8.51. The Crown acknowledges that Ngāti Hāua have an intrinsic relationship with, and assert certain spiritual, cultural, historical and traditional values in relation to the following:
- 8.51.1. the area comprising Erua Crown Forest Land and associated areas; and
 - 8.51.2. the area comprising Waikune Prison and Waimarino Stream and associated areas.

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- 8.52. The statements by Ngāti Hāua of their associations and values in relation to the sites referred to in clause 8.51 are set out in part 4 of the documents schedule.
- 8.53. The parties acknowledge that the acknowledgement in clause 8.51, and the statements referred to in clause 8.52 are not intended to give rise to any new rights or obligations.

NOHOANGA ENTITLEMENT

- 8.54. In clauses 8.54 to 8.60 –

- 8.54.1. **land holding agent** means the Minister of the Crown responsible for the department of state which manages the Nohoanga Site or the Commissioner of Crown Lands, as the case may be;
- 8.54.2. **Nohoanga entitlement** means an entitlement over a Nohoanga Site granted to the governance entity under the provisions of the settlement legislation giving effect to clauses 8.57 to 8.59;
- 8.54.3. **Nohoanga Site** means:
- (a) a site described in schedule 5 of the draft settlement bill; or
 - (b) a site granted as a replacement site under section 212 or 213 of the draft settlement bill.
- 8.54.4. **waterway** means:
- (a) a lake, being a body of fresh water which is entirely or nearly surrounded by land, or a river, being a continuously or intermittently flowing body of fresh water, and includes a stream and modified water course; and
 - (b) does not include any artificial water course such as an irrigation canal, water supply race, canal for the supply of water for electricity power generation, or farm drainage canal.

Nohoanga Sites

- 8.55. The settlement legislation will provide for the granting by the Crown to the governance entity of a Nohoanga entitlement over the Nohoanga Sites which the parties acknowledge meet the criteria set out in clause 8.56.
- 8.56. A Nohoanga Site is land –
- 8.56.1. which is owned by the Crown;
 - 8.56.2. which is not, and does not include, a national park, a marginal strip, a nature, esplanade or scientific reserve, or any part of an unformed road within 20 metres of a waterway;

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- 8.56.3. suitable for temporary occupation and, for the purposes of this deed and the settlement legislation only, up to two hectares;
- 8.56.4. situated sufficiently close to a waterway to permit convenient access to the waterway (normally land adjacent to a marginal strip, esplanade reserve or similar strip bordering the waterway);
- 8.56.5. to which practical and legal access exists;
- 8.56.6. where the existing practices and patterns of public use would not be unreasonably impaired by the granting of a Nohoanga entitlement; and
- 8.56.7. where the location of the Nohoanga Site will not unreasonably impede public access to any waterway.

Grant of and purpose of Nohoanga entitlement

- 8.57. The settlement legislation will provide that –

Nohoanga Sites

- 8.57.1. the Crown must grant to the governance entity a Nohoanga entitlement over the Nohoanga Sites;

Terms and conditions

- 8.57.2. the grant of the Nohoanga entitlement must be made on the terms and conditions set out in schedule 5 of the draft settlement bill or as those terms and conditions may be varied in accordance with clauses 8.58.1 and 8.58.2; and

Purpose

- 8.57.3. the Nohoanga entitlement is granted to the governance entity for the purpose of permitting Members of Ngāti Hāua to occupy the Nohoanga Site temporarily, exclusively, and on a non-commercial basis –
 - (a) so as to have access to a waterway for lawful fishing; and
 - (b) for the lawful gathering of other natural resources in the vicinity of the Nohoanga Site.

Other provisions of settlement legislation in relation to Nohoanga entitlement

- 8.58. The settlement legislation will provide that –

Variation of terms and conditions

- 8.58.1. the terms and conditions of the Nohoanga entitlement may be varied from those set out in part 6 of the documents schedule by –

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- (a) the addition by the land holding agency, at the time it is granted, of terms reasonably required by the Crown to protect and preserve:
 - (i) the Nohoanga Site;
 - (ii) the surrounding land; or
 - (iii) associated flora and fauna; or
- (b) agreement between the land holding agent and the governance entity;

8.58.2. any variation of the terms under clause 8.58.1 must –

- (a) be in writing; and
- (b) not be inconsistent with the provisions of clauses 8.57 to 8.60;

Settlement legislation to prevail

8.58.3. if there is inconsistency between the terms and conditions of the Nohoanga entitlement and the provisions of the settlement legislation, the provisions of the settlement legislation will prevail;

Rights and interests not affected

8.58.4. except as expressly provided in clauses 8.55 to 8.57 and in the Nohoanga entitlement, the grant and exercise of the Nohoanga entitlement does not –

- (a) affect the lawful rights or interests of any person; and
- (b) grant, create or provide evidence of an estate or interest in, or rights relating to, a Nohoanga Site;

Notification of Nohoanga Entitlement

8.58.5. the land holding agent must notify the grant, renewal, or termination of the Nohoanga entitlement in the *Gazette*; and

8.58.6. the Chief Executive of Land Information New Zealand must note in his or her records –

- (a) the grant, renewal, or termination of the Nohoanga entitlement; and
- (b) the notice in the *Gazette* relating to the grant, renewal or termination.

Application of other enactments

8.59. The settlement legislation will provide that –

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Part 3B of Conservation Act 1987 does not apply

- 8.59.1. part 3B of the Conservation Act 1987 does not apply to the grant of the Nohoanga entitlement;

Section 44 of Reserves Act 1977 does not apply

- 8.59.2. section 44 of the Reserves Act 1977 does not apply in relation to the Nohoanga entitlement granted over land subject to that Act;

Section 11 and Part 10 of Resource Management Act 1991 do not apply

- 8.59.3. section 11 and Part 10 of the Resource Management Act 1991 do not apply to the grant of the Nohoanga entitlement;

Local Government (Rating) Act 2002

- 8.59.4. to avoid doubt, sections 8(1) and 8(3) of the Local Government (Rating) Act 2002 apply to land over which a Nohoanga entitlement is granted; and
- 8.59.5. the governance entity must reimburse the person paying the rates under section 9 of the Local Government (Rating) Act 2002 for the Nohoanga Site in proportion to the period for which the governance entity is entitled to permit members of Ngāti Hāua to occupy the Nohoanga Site.
- 8.60. The parties agree that the Crown is not obliged to enforce, on behalf of the governance entity, the rights of the governance entity under a Nohoanga entitlement against any person who is not a party to this deed.

PLACEMENT OF POU WHENUA

- 8.61. In clause 8.62 **pou whenua** means a traditional boundary marker.
- 8.62. The settlement legislation will, on the terms provided by section 221 of the draft settlement bill, provide that –
- 8.62.1. the governance entity may erect a permanent pou whenua on Ohinetonga Scenic Reserve and within the Whanganui National Park at Whakahoro without the need for further authorisation under conservation legislation, provided that the Director-General of Conservation is satisfied that the erection and use of the pou whenua will have no more than a minor impact on the natural, historic, archaeological or scientific values of the reserve; and
- 8.62.2. the governance entity must –
- (a) comply with building and planning legislation and all other relevant enactments and provide evidence to the Director-General of Conservation that it has done so if requested; and

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- (b) be responsible at its cost, for the construction and ongoing maintenance of the pou whenua and with obtaining all necessary consents.

NGĀTI HĀUA MINERALS

8.63. In clauses 8.64 and 8.66, –

8.63.1. **former riverbed** means a riverbed that is dry as a result of –

- (a) natural changes in the flow of the river, tributary, stream, or other natural watercourse; or
- (b) artificial diversion of water from the river, tributary, stream, or other natural watercourse; and

8.63.2. **relevant area** means –

- (a) a riverbed and former riverbed on public conservation land that –
 - (i) is within the area of interest; and
 - (ii) is not included in Schedule 4 of the Crown Minerals Act 1991; and
 - (iii) is not part of the Whanganui River (as defined in section 39 of the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017); and
- (b) includes qualifying land added as a result of clauses 8.64.4 and 8.65; and

8.63.3. **relevant minerals** means any of the following:

- (a) kōkōwai (ochre):
- (b) pākohe (argillite):
- (c) matā / tūhua (black obsidian):
- (d) ōnewa (basalt / greywacke):
- (e) paru (black mud): and
- (f) mangaweka / pukepoto (blue clay):

8.63.4. **riverbed** means land that the waters of a river, tributary, stream or other natural watercourse cover at its fullest flow without flowing over its banks.

8.64. The settlement legislation will, on the terms provided by sections 161 to 169 of the draft settlement bill, provide –

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- 8.64.1. for the Crown to acknowledge –
- (a) the longstanding cultural, historical, spiritual and traditional, association of Ngāti Hāua with the relevant minerals; and
 - (b) the Ngāti Hāua statement of association with the relevant minerals, set out in part 4 of the documents schedule; and
- 8.64.2. for any member of Ngāti Hāua who has written authorisation from the governance entity to access a relevant area –
- (a) for the purpose of searching for and removing relevant minerals owned by the Crown by hand; and
 - (b) without authorisation under the conservation legislation; and
 - (c) without a permit under section 8(1)(a) of the Crown Minerals Act 1991; and
- 8.64.3. for the Director-General of Conservation to consult with the governance entity when exercising certain powers and functions that are likely to affect the relationship of Ngāti Hāua with any of the relevant minerals; and
- 8.64.4. for the Director-General of Conservation, in consultation with the Minister for Resources, and the governance entity to agree in writing to add qualifying land to the relevant area if that area is public conservation land that –
- (a) is believed by the governance entity to contain any of the relevant minerals; and
 - (b) is within the area of interest; and
 - (c) is not included in Schedule 4 of the Crown Minerals Act 1991; and
 - (d) is not part of the Whanganui River or its tributaries (Te Awa Tupua); and
- 8.64.5. that any person exercising a right under clause 8.64.2 must comply with all other lawful requirements, including under the Resource Management Act 1991; and
- 8.64.6. that the rights in clause 8.64.2 do not apply to any part of the relevant area that is –
- (a) an ecological area declared under section 18 of the Conservation Act 1987; or
 - (b) an archaeological site (as defined by section 6 of the Heritage New Zealand Pouhere Taonga Act 2014).

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- 8.65. The actions under clause 8.64.4 will have legal effect once the Director-General of Conservation gives notice (including a map or plan) of qualifying land.
- 8.66. The Crown will not seek the return of or assert ownership interests in the relevant minerals removed by an authorised person in accordance with clauses 8.64.2 to 8.64.6 and the settlement legislation.

Consultation in relation to relevant minerals

- 8.67. This section applies if the Minister of Conservation or the Director-General of Conservation exercises powers, or performs functions or duties, under conservation legislation or the Crown Minerals Act 1991 in a manner likely to affect the relationship of the governance entity with relevant minerals located in the relevant area.
- 8.68. The Minister of Conservation or the Director-General of Conservation must, in exercising the powers, or performing the functions or duties —
- 8.68.1. have regard to the Ngāti Hāua statements of association with relevant minerals set out in part 4 of the documents schedule; and
- 8.68.2. consult the governance entity; and
- 8.68.3. have regard to the governance entity's views.

OFFICIAL GEOGRAPHIC NAMES

- 8.69. The settlement legislation will, on the settlement date, provide for each of the names listed in the second column to be the official geographic name for the features set out in columns 3 and 4.

Existing Name	Official geographic name	Location (NZTopo50 and grid references)	Geographic feature type
Echolands	Matahānea	BG33 034 955	Locality
Heao Stream	Ōheao Stream	BH32 670 935 to BH32 618 611	Stream
Man-of-War Bluff	Kōkiri a Koinaki	BH32 719 688	Cliff
Nihoniho	Te Niho o te Kiore	BG32 773 052	Locality
Ōhura	Ōhura	BG32 720 990	Locality
Ōhura River	Ōhura River	BG33 951 203 to BH32 787 769	Stream
Ongarue	Ōngaaruhe	BG33 987 124	Locality
Ongarue River	Ōngaaruhe River	BG35 296 296 to BH33 954 928	Stream

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Existing Name	Official geographic name	Location (NZTopo50 and grid references)	Geographic feature type
Ōwhango	Ōwhango	BH34 060 806	Locality
Port Arthur (local use)	Te Kerikeri	BH33 845 924	Maunga
Retaruke	Rere Tāruke	BH33 846 676	Locality
Retaruke River	Te Awa o Rere Tāruke	BJ33 009 518 to BH32 790 692	Stream
Waitaanga	Waitaangata	BG32 601 005	Locality
Waitaanga Stream	Waitaangata Stream	BG32 612 605 to BH32 621 893	Stream

8.70. The settlement legislation will provide for the official geographic names on the terms provided by sections 62 to 65 of the draft settlement bill.

8.71. Among the changes to the official geographic names Ngāti Hāua sought change of the geographic name Lake Hawkes to Lake Pohoare. The geographic name change has been given effect to in another settlement legislation. The Crown recognises Ngāti Hāua efforts in seeking this geographic name change and the importance of Lake Pohoare to Ngāti Hāua.

CULTURAL FUND

Cultural revitalisation and social transformation

8.72. On the settlement date, the Crown will pay the governance entity \$2,542,674.00 as a contribution to a cultural revitalisation fund and social transformation strategy.

Te Wera

8.73. Through an agreement with Ngāti Maru (Taranaki) and Te Korowai o Wainuiārua in 2019, the three iwi agreed arrangements in relation to a range of whenua in which they have mutual connections. As part of this arrangement, Ngāti Hāua agreed to relinquish its claims to redress in the Te Wera Crown Forest licensed land.

8.74. On settlement date, the Crown will pay the governance entity \$1,400,000 for cultural purposes.

8.75. Ngāti Hāua record their enduring connection to and customary interests in the whenua in and around Te Wera. Although the Native Land Court awarded the lands in and around Te Wera Forest as part of the Pohokura, Mangaere, and Taumatamāhoe blocks, Ngāti Hāua's traditional western tribal boundaries run through and include Te Wera Forest. These lands were known to Ngāti Hāua as Ruataiko and were home to Ngāti Hāua hapū

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8: NGĀTI HĀUATANGA - CULTURAL REDRESS

including the descendants of Rangitengaue. Ngāti Hāua also lived at and maintained a pā, named Te Ruataiko, located on whenua now included in Te Wera Forest.

CULTURAL REDRESS GENERALLY NON-EXCLUSIVE

- 8.76. The Crown may do anything that is consistent with the cultural redress, including entering into, and giving effect to, another settlement that provides for the same or similar cultural redress.
- 8.77. However, the Crown must not enter into another settlement that provides for the same redress as set out in:
- 8.77.1. Clause 8.6 (vestings):
 - 8.77.2. Clause 8.12 (RFR at Ngā Huinga):
 - 8.77.3. Clauses 8.30 to 8.32 (Te Pou Taiao):
 - 8.77.4. Clauses 8.38 to 8.41 (Tongariro-Taupō Conservation Board):
 - 8.77.5. Clauses 8.54 to 8.60 (Nohoanga):
 - 8.77.6. Clauses 8.61 to 8.62 (Pou Whenua): and
 - 8.77.7. Clauses 8.69 to 8.71 (Place names).

9 TE TĀTAIRANGO O TE KARAUNA – RELATIONSHIP REDRESS

- 9.1. Te Pua o Te Riri Kore presents an opportunity for Ngāti Hāua to build a foundation for social transformation, to strengthen the iwi and hapū of Ngāti Hāua and to enhance all aspects of the relationship between Crown agencies and Ngāti Hāua under te Tiriti o Waitangi/the Treaty of Waitangi. Through Te Pua o Te Riri Kore, Ngāti Hāua seek:
- 9.1.1. acknowledgement of the importance of Te Pou Tikanga to Ngāti Hāua as a basis for supporting the relationship between Ngāti Hāua and the Crown;
 - 9.1.2. to establish frameworks enabling Ngāti Hāua and Crown agencies to develop and maintain positive and enduring values-based working relationships;
 - 9.1.3. to facilitate revitalisation of Ngāti Hāua through support in the development and implementation of the Ngāti Hāua social transformation strategy; and
 - 9.1.4. collective efforts which enable Ngāti Hāua, Crown agencies and other local interest groups and organisations to come together to work on cross-cutting issues collaboratively on matters of common interest within the Ngāti Hāua area of interest.
- 9.2. This vision is expressed through the concept of “Te Tātairango o Te Karauna”. Tātairango in its most simple sense refers to a ‘blanket’. From a mātauranga Ngāti Hāua perspective it refers to the korowai of ‘mentorship’ and the investment by multiple mentors to the well-being and succession of the next generation.
- 9.3. Through the relationship agreements entered into under Te Pua o Te Riri Kore, Crown agencies will have both opportunity and commitment to empower, enable, resource and support the future wellbeing of Ngāti Hāua uri. Collectively, these relationships between Ngāti Hāua and Crown agencies form the various whenu (fibres or strands) that interweave to form “Te Tātairango o Te Karauna.”
- 9.4. The Crown acknowledges the importance of Te Pou Tikanga to Ngāti Hāua and regards Te Pou Tikanga as a basis for the relationship between Ngāti Hāua and the Crown.

SOCIAL TRANSFORMATION REDRESS

- 9.5. Ngāti Hāua seeks Crown support for social transformation through a number of redress elements. The redress elements that Ngāti Hāua and Crown agencies have agreed are:
- 9.5.1. *Te Pou Rangatira*: Ministerial meetings with the governance entity post-settlement to discuss the Ngāti Hāua social transformation strategy as set out in clauses 9.6 and 9.7;
 - 9.5.2. *Ngā Whenu o Te Tātairango*: Crown agencies with responsibilities in the social and economic sectors entering into individual relationship agreements with Ngāti Hāua as set out in clause 9.8; and

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- 9.5.3. *Te Whiringa Whenu*: commitments through the individual relationship agreements with the Crown agencies set out in clauses 9.8.1 to 9.8.9 to work with Ngāti Hāua through Te Huinga (collective annual relationship hui) and a collective work plan, where priorities align and it is mutually beneficial to do so, with the first annual relationship meeting between the Governance Entity and the Crown agencies convened and facilitated by the Ministry of Housing and Urban Development – Te Tuāpapa Kura Kāinga.

TE POU RANGATIRA - MINISTERS MEETING

- 9.6. The parties agree that the following Ministers:

- 9.6.1. the Minister of Education;
- 9.6.2. the Minister of Social Development; and
- 9.6.3. the Minister for Children,

will attend a meeting with the governance entity to discuss Ngāti Hāua social transformation strategy in relation to the scope of portfolios of the attending Ministers. At the agreement of the governance entity and the Ministers, the meeting may be a joint meeting or separate meetings with the Ministers individually.

- 9.7. The meeting will occur:

- 9.7.1. following the settlement date;
- 9.7.2. at a date to be agreed between the governance entity and the attending Ministers following receipt of a written invitation to the Ministers from the governance entity; and
- 9.7.3. within 24 months of the settlement date.

NGĀ WHENU O TE TĀTAIRANGO – RELATIONSHIP AGREEMENTS

- 9.8. Crown agencies represent different whenu (fibres or strands) of Te Tātairango – Ngā Whenu o Te Tātairango, which together contribute to the whole of Te Tātairango:
- 9.8.1. Te Whenu o Te Manatū Whakahiato Ora – The Strand of Social Development;
 - 9.8.2. Te Whenu o Te Oranga Tamariki – The Strand of Children;
 - 9.8.3. Te Whenu o Te Kāinga Ora – The Strand of Homes and Communities;
 - 9.8.4. Te Whenu o Te Tūāpapa Kura Kāinga – The Strand of Housing and Urban Development;
 - 9.8.5. Te Whenu o Te Manatū Hauora me Te Whatu Ora – The Strand of Health;

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- 9.8.6. Te Whenu o Te Puni Kōkiri – The Strand of Māori Development;
 - 9.8.7. Te Whenu o Te Hīkina Whakatutuki – The Strand of Business, Innovation and Employment;
 - 9.8.8. Te Whenu o Te Tāhuhu o te Mātauranga me Te Amorangi Mātauranga Matua – The Strand of Education;
 - 9.8.9. Te Whenu o Te Tāhū o te Ture, Ara Poutama Aotearoa me Ngā Pirihimana o Aotearoa – The Strand of Justice;
 - 9.8.10. Te Whenu o Te Tatauranga Aotearoa – The Strand of Statistics; and
 - 9.8.11. Te Whenu o Te Manatū Mō Te Taiao – The Strand of Environment.
- 9.9. On or before the settlement date, the governance entity will enter into a relationship agreement with each of the Crown agencies mentioned in clause 9.8.
- 9.10. Each relationship agreement for each Crown agency will be in the relevant form set out in part 7 of the documents schedule and will include:
- 9.10.1. an acknowledgement of the importance of Te Pou Tikanga to Ngāti Hāua; and
 - 9.10.2. with respect to those Crown agencies referred to in clauses 9.8.1 to 9.8.9, a clause providing that –
 - (a) where the priorities of Ngāti Hāua and multiple of the Crown agencies mentioned in clause 9.8 align, the governance entity and those Crown agencies will seek to work together on those priorities where it is mutually beneficial to do so;
 - (b) discussions regarding collective engagement as contemplated by clause 9.10.2(a) will occur at Te Whiringa Whenu, the annual collective hui with Crown agencies provided for under the relevant relationship agreements and –
 - (i) may include development of a collective work plan; and
 - (ii) will be subject to the resourcing, work programmes and priorities of the governance entity and the relevant Crown agencies;
 - (c) with the agreement of the governance entity and the relevant Crown agencies, other Crown agencies, interest groups and organisations may participate or become a part of the collective engagement contemplated by clause 9.10.2(a); and
 - (d) the Ministry of Housing and Urban Development - Te Tūāpapa Kura Kāinga will convene and facilitate the first annual collective hui (as provided for in each relationship agreement) between the governance entity and the

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Crown agencies mentioned in clause 9.8, and will identify any agenda items that could be the subject of collective engagement as contemplated by clause 9.10.2(a).

TE WHENU O TE REREWHENUA A MOTU KI NGĀTI HĀUA - KIWIRAIL

- 9.11. On or before the settlement date, the governance entity will enter into a relationship agreement with KiwiRail. The relationship agreement will be in the form set out in part 7 of the documents schedule.
- 9.12. A failure by the Crown to comply with a relationship agreement referred to in clauses 9.9 or 9.11 is not a breach of this deed.

CROWN MINERALS PROTOCOL

- 9.13. A Crown Minerals protocol must, by or on the settlement date, be signed and issued to the governance entity by the responsible Minister.
- 9.14. The protocol sets out how the Crown will interact with the governance entity with regard to the matters specified in it.

FORM AND EFFECT OF CROWN MINERALS PROTOCOL

- 9.15. The Crown Minerals protocol will be –
- 9.15.1. in the relevant form in part 7 of the documents schedule; and
- 9.15.2. issued under, and subject to, the terms provided by section 31 of the draft settlement bill.
- 9.16. A failure by the Crown to comply with a protocol is not a breach of this deed.

TE WHENU O TE MANATŪ TAONGA: THE STRAND OF CULTURE AND HERITAGE - WHAKAAETANGA TIAKI TAONGA

- 9.17. The Culture and Heritage Parties and the governance entity must, by or on the settlement date, sign the Whakaaetanga Tiaki Taonga.
- 9.18. The Whakaaetanga Tiaki Taonga sets out how the Culture and Heritage Parties will interact with the governance entity with regard to the matters specified in it.
- 9.19. The Whakaaetanga Tiaki Taonga will be in the relevant form in part 7 of the documents schedule.
- 9.20. A failure by the Crown to comply with the Whakaaetanga Tiaki Taonga is not a breach of this deed.

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- 9.21. Appendix B of the Whakaaetanga Tiaki Taonga sets out how Manatū Taonga – Ministry for Culture and Heritage will interact with the governance entity with regard to matters relating to taonga tūturu.
- 9.22. Appendix B of the Whakaaetanga Tiaki Taonga is issued pursuant to the terms provided by section 32 of the draft settlement bill.
- 9.23. A failure by the Crown to comply with Appendix B of the Whakaaetanga Tiaki Taonga is not a breach of this deed.

LETTER OF INTRODUCTION TO RUAPEHU DISTRICT COUNCIL

- 9.24. The chief executive of the Office for Māori Crown Relations – Te Arawhiti will, on or before the settlement date, write a letter of introduction to the Ruapehu District Council, to introduce the governance entity and encourage the Council to enhance an ongoing relationship with Ngāti Hāua.

LETTER OF INTRODUCTION TO NGĀ TAONGA WHITIĀHUA ME NGĀ TAONGA KŌRERO

- 9.25. The chief executive of the Office for Māori Crown Relations – Te Arawhiti will, on or before the settlement date, write a letter of introduction in the relevant form set out in part 7 of the documents schedule to Ngā Taonga Whitiāhua Me Ngā Taonga Kōrero, to introduce the governance entity to raise the profile of Ngāti Hāua with Ngā Taonga Whitiāhua Me Ngā Taonga Kōrero in relation to their work.

LETTER OF INTRODUCTION TO NATIONAL EMERGENCY MANAGEMENT AGENCY

- 9.26. The chief executive of the Office for Māori Crown Relations – Te Arawhiti will, on or before the settlement date, write a letter of introduction in the relevant form set out in part 7 of the documents schedule to National Emergency Management Agency, to introduce the governance entity to raise the profile of Ngāti Hāua with National Emergency Management Agency in relation to their work.

LETTER OF INTRODUCTION TO NEW ZEALAND TRADE AND ENTERPRISE

- 9.27. The chief executive of the Office for Māori Crown Relations – Te Arawhiti will, on or before the settlement date, write a letter of introduction in the relevant form set out in part 7 of the documents schedule to New Zealand Trade and Enterprise, to introduce the governance entity to raise the profile of Ngāti Hāua with New Zealand Trade and Enterprise in relation to their work.

LETTER OF RECOGNITION FROM THE MINISTRY FOR PRIMARY INDUSTRIES

- 9.28. The Crown, through the Ministry for Primary Industries, recognises Ngāti Hāua, as tangata whenua —

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- 9.28.1. are entitled to have input into, and participate in, fisheries management processes that affect fish stocks in their area of interest and that are managed by the Ministry for Primary Industries under fisheries legislation; and
- 9.28.2. have a special relationship within their area of interest with all species of fish and aquatic life and all such species being taonga to Ngāti Hāua, and an interest in sustainable utilisation of all species of fish and aquatic life.
- 9.29. The Director-General of the Ministry for Primary Industries will write to the governance entity, in the relevant form set out in part 7 of the documents schedule, by the settlement date, outlining —
- 9.29.1. that the Ministry for Primary Industries recognises Ngāti Hāua as tangata whenua within their area of interest and has a special relationship with all species of fish and aquatic life within their area of interest;
- 9.29.2. how Ngāti Hāua can have input and participation into Ministry for Primary Industries' fisheries planning processes;
- 9.29.3. how Ngāti Hāua can implement the Fisheries (Kaimoana Customary Fishing) Regulations 1998 within their area of interest;
- 9.29.4. that the Ministry for Primary Industries will consult with the governance entity as representatives of Ngāti Hāua where the area of interest is directly affected by the development of policies and operational processes that are led by the Ministry for Primary Industries; and
- 9.29.5. any other matters as agreed with the Ministry for Primary Industries and Ngāti Hāua.

APPOINTMENT AS AN ADVISORY COMMITTEE TO THE MINISTER FOR OCEANS AND FISHERIES

- 9.30. The Minister for Oceans and Fisheries must, by the settlement date, appoint the trustees of the governance entity as an advisory committee to the Minister for Oceans and Fisheries under section 21(1) of the Ministry of Agriculture and Fisheries (Restructuring) Act 1995 in relation to the following catchments within Ngāti Hāua rohe:
- 9.30.1. Kaiwhakauka;
- 9.30.2. Manganui-a-te-ao;
- 9.30.3. Mangapurua;
- 9.30.4. Mangatiti;
- 9.30.5. Ōhura;
- 9.30.6. Ōngarue;

- 9.30.7. Ōtunui;
- 9.30.8. Retaruke;
- 9.30.9. Tāngārākau;
- 9.30.10. Upper Whanganui; and
- 9.30.11. Whangamomona.

RELATIONSHIPS WITH LOCAL AUTHORITIES

Partnership agreement with Ruapehu District Council

- 9.31. Separate to this deed, Ngāti Hāua and Ruapehu District Council have committed to developing a partnership agreement to be entered into by the governance entity and Ruapehu District Council. Ngāti Hāua and Ruapehu District Council intend that the future partnership agreement will enable a positive, collaborative and enduring relationship, and support co-ordinated management of assets owned by the Ruapehu District Council and located on the properties referred to in clauses 8.6.7 to 8.6.9 and 8.13.

Relationship agreement with Horizons Regional Council

- 9.32. Separate to this deed, Ngāti Hāua and Horizons Regional Council have committed to enter a relationship agreement between the governance entity and Horizons Regional Council.

10 TE PĀTAKA - FINANCIAL AND COMMERCIAL REDRESS

FINANCIAL REDRESS

- 10.1. The financial and commercial redress amount is \$19,000,000.00.
- 10.2. The Crown must pay the governance entity on the settlement date \$14,262,575.32, being the financial and commercial redress amount of \$19,000,000.00 less –
- 10.2.1. the on-account payment of \$3,800,000.00 referred to in clause 10.3; and
- 10.2.2. \$937,424.68 being the total transfer values of the commercial redress properties.

ON ACCOUNT PAYMENT

- 10.3. Within 10 business days after the date of this deed, the Crown will pay \$3,800,000.00 to the governance entity on account of the financial and commercial redress amount.

COMMERCIAL REDRESS PROPERTIES

- 10.4. Each commercial redress property is to be –
- 10.4.1. transferred by the Crown to the governance entity on the settlement date –
- (a) as part of the redress to settle the historical claims, and without any other consideration to be paid or provided by the governance entity or any other person; and
- (b) on the terms of transfer in part 6 of the property redress schedule; and
- 10.4.2. as described, and is to have the transfer value provided, in part 3 of the property redress schedule.
- 10.5. The transfer of each commercial redress property will be subject to, and where applicable with the benefit of, the encumbrances provided in part 3 of the property redress schedule in relation to that property.
- 10.6. Each of the following commercial redress properties is to be leased back to the Crown, immediately after its transfer to the governance entity, on the terms and conditions provided by the lease for that property in part 9 of the documents schedule (being a registrable ground lease for the property, ownership of the improvements remaining unaffected by the purchase):

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- 10.6.1. Manunui School site (land only):
- 10.6.2. Taumarunui District Court (land only).
- 10.7. In the event that any property (or part of any property) referred to in clause 10.6 becomes surplus to the land holding agency's requirements, then the Crown may, at any time before the settlement date, give written notice to the governance entity advising it that that property (or the relevant part of the property) is no longer available as a commercial redress property. To avoid doubt, that property (or the relevant part of the property) will become land to which the definition of exclusive RFR land in paragraph 6.1 of the general matters schedule applies.
- 10.8. If clause 10.7 applies:
 - 10.8.1. the amount referred to in clause 10.2.2 is reduced accordingly; and
 - 10.8.2. the amount the Crown must pay to the governance entity under clause 10.1 is correspondingly increased.

DEFERRED SELECTION PROPERTIES

- 10.9. The governance entity may during the deferred selection period for each deferred selection property, give the Crown a written notice of interest in accordance with paragraph 5.1 of the property redress schedule.
- 10.10. Part 5 of the property redress schedule provides for the effect of the notice and sets out a process where the property is valued and may be acquired by the governance entity.
- 10.11. Each of the following deferred selection properties is to be leased back to the Crown, immediately after its purchase by the governance entity, on the terms and conditions provided by the lease for that property in part 9 of the documents schedule (being a registrable ground lease for the property, ownership of the improvements remaining unaffected by the purchase):
 - 10.11.1. Taumarunui High School site (land only):
 - 10.11.2. Taumarunui Primary School site (land only):
 - 10.11.3. Te Kura Kaupapa Māori o Taumarunui site (land only).
- 10.12. In the event that any property (or part of any property) listed in clause 10.11 becomes surplus to the land holding agency's requirements, then the Crown may, at any time before the governance entity has given a notice of interest in respect of the property (or the relevant part of the property), give written notice to the governance entity advising it that the property (or the relevant part of the property) is no longer available for selection by the governance entity in accordance with clause 10.9. The right under clause 10.9 ceases in respect of the property (or the relevant part of the property) on the date of receipt of the notice by the governance entity under this clause. To avoid doubt, following service of a notice under this clause 10.12:

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- 10.12.1. where the notice is served in respect of part only of a property listed in clause 10.11, the balance of that property will continue to be available for selection by the governance entity in accordance with clause 10.9; and
- 10.12.2. the governance entity will continue to have a right of first refusal in relation to the property (or relevant part of the property) in accordance with clause 10.17.
- 10.13. The settlement legislation will, on the terms provided in section 236 of the draft settlement bill, provide that any marginal strip reserved from the transfer of the following purchased deferred selection property is reduced to a width of 3 metres:
- 10.13.1. Whanganui River marginal strip property.
- 10.14. The settlement legislation will, on the terms provided in section 236 of the draft settlement bill, provide that the governance entity is appointed as the manager of any marginal strip reserved by section 24 of the Conservation Act 1987 from the transfer to the governance entity of the following purchased deferred selection property on and from the date of transfer of that property:
- 10.14.1. Whanganui River marginal strip property.

SHARED DEFERRED SELECTION PROPERTY WITH TE KOROWAI O WAINUIĀRUA TRUST

- 10.15. The parties acknowledge that in December 2022, the Ngāti Hāua Iwi Trust and the Crown entered into the Deed Recording Agreement – Raurimu Station, which provided for a shared right of deferred selection over Raurimu Station property in certain circumstances. The governance entity will enter into a deed of accession to the Deed Recording Agreement – Raurimu Station.

SETTLEMENT LEGISLATION

- 10.16. The settlement legislation will, on the terms provided by sections 222 to 237 of the draft settlement bill, enable the transfer of the commercial redress properties and the deferred selection properties.

EXCLUSIVE RFR FROM THE CROWN

- 10.17. The governance entity is to have a right of first refusal in relation to a disposal of exclusive RFR land, being –
- 10.17.1. land listed in part 4 of the attachments that on the settlement date –
- (a) is vested in the Crown; or
 - (b) the fee simple for which is held by the Crown or the Crown body specified in the table in part 4 of the attachments as land holding agency for the land; and

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10.17.2. land, that on the settlement date is vested in the Crown and administered by the New Zealand Railways Corporation and forms a part of:

- (a) the Stratford - Okahukura Line located between point 1793110 mE, 5703180 mN and point 1761000 mE, 5679480 mN on SO 611727; or
- (b) the North Island Main Trunk between point 1794100 mE, 5696056 mN and point 1805840 mE, 5680605 mN on SO 611727.

10.18. The right of first refusal is –

10.18.1. to be on the terms provided by sections 238 to 270 of the draft settlement bill; and

10.18.2. in particular, to apply –

- (a) for a term of 184 years on and from the settlement date; but
- (b) only if the exclusive RFR land is not being disposed of in the circumstances provided by sections 248 to 258, or under a matter referred to in section 259(1), of the draft settlement bill.

RIGHT OF SECOND REFUSAL OVER RSR LAND

10.19. The governance entity is to have a right of second refusal in relation to the disposal of the RSR land.

10.20. The right of second refusal is –

10.20.1. to be on the terms provided in sections 271 to 286 of the draft settlement bill; and

10.20.2. in particular, only applied when RSR land is being disposed of under section 186(d) of the Te Korowai o Wainuiārua Claims Settlement Act 2025.

SHARED RFR WITH TE KĀHUI MARU TRUST: TE IWI O MARUWHARANUI AND TE KOROWAI O WAINUIĀRUA TRUST

10.21. The governance entity, the Te Kāhui Maru Trust: Te Iwi o Maruwharanui and the Te Korowai o Wainuiārua Trust are to have a shared right of first refusal in relation to a disposal of land defined as “shared RFR land” in the Ngāti Maru (Taranaki) Claims Settlement Act 2022, which –

10.21.1. is the land listed in part 5 of the attachments, that on 1 June 2025 (which is 3 years after the settlement date under the Ngāti Maru (Taranaki) Claims Settlement Act 2022) –

- (a) is vested in the Crown; or
- (b) is held in fee simple by the Crown; or

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT
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- (c) is a reserve vested in an administering body that derived title from the Crown and that would, on the application of section 25 or 27 of the Reserves Act 1977, revert in the Crown; and
- 10.21.2. includes land obtained in exchange for a disposal of shared RFR land in the circumstances specified in section 254(1)(c) or 255 of the draft settlement bill; and
- 10.21.3. includes any land that, before the settlement date, was obtained in exchange for a disposal of shared RFR land under section 135(1)(c) or 136 of the Ngāti Maru (Taranaki) Claims Settlement Act 2022 or under section 198(1)(c) or 199 of the Te Korowai o Wainuiārua Claims Settlement Act 2025; but
- 10.21.4. does not include any land within the meaning of clause 10.21.1, if, on the settlement date, the land –
 - (a) has ceased to be RFR land in any of the circumstances described in section 122(3)(a), (b) or (c) of the Ngāti Maru (Taranaki) Claims Settlement Act 2022 or in section 184(3)(a), (b) or (c) of the Te Korowai o Wainuiārua Claims Settlement Act 2025; or
 - (b) is subject to a contract formed under section 128 of the Ngāti Maru (Taranaki) Claims Settlement Act 2022 or under section 191 of the Te Korowai o Wainuiārua Claims Settlement Act 2025.
- 10.22. The shared right of first refusal is –
 - 10.22.1. to be on the terms provided by sections 238 to 270 of the draft settlement bill; and
 - 10.22.2. in particular, to apply –
 - (a) for a term of 180 years on and from 1 June 2025; and
 - (b) only if the shared RFR land is not being disposed of in the circumstances provided by sections 248 to 258, or under a matter referred to in section 259(1), of the draft settlement bill.

SHARED RFR WITH TE KOROWAI O WAINUIĀRUA TRUST OVER RAURIMU STATION PROPERTY

- 10.23. In clauses 10.24 and 10.25, **commencement date** means the earlier of:
- 10.23.1. the settlement date; and
 - 10.23.2. 14 May 2030 (being the date that is 5 years after the settlement date under the Te Korowai o Wainuiārua Claims Settlement Act 2025).

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10.24. The governance entity and the Te Korowai o Wainuiārua Trust are to have a shared right of first refusal in relation to a disposal of the Raurimu Station property, which –

10.24.1. is the land listed in part 6 of the attachments, that on the commencement date is held in fee simple by Landcorp Holdings Limited; and

10.24.2. includes land obtained in exchange for a disposal of the Raurimu Station property in the circumstances specified in sections 254(1)(c) or 255 of the draft settlement bill.

10.25. The shared right of first refusal is –

10.25.1. to be on the terms provided by sections 238 to 270 of the draft settlement bill; and

10.25.2. in particular, to apply –

(a) for a term of 182 years on and from the commencement date; and

(b) only if the Raurimu Station property is not being disposed of in the circumstances provided by sections 248 to 258, or under a matter referred to in section 259(1), of the draft settlement bill.

11 NGĀ TURE O TE PUA O TE RIRI KORE - SETTLEMENT LEGISLATION, CONDITIONS, AND TERMINATION

SETTLEMENT LEGISLATION

- 11.1. The Crown must propose the draft settlement bill for introduction to the House of Representatives.
- 11.2. The settlement legislation will provide for all matters for which legislation is required to give effect to this deed of settlement.
- 11.3. The settlement legislation will provide that Te Whiringa Kākaho o Ngāti Hāua is not a trust constituted in respect of:
 - 11.3.1. any Māori land for the purposes of section 236(1)(b) of Te Ture Whenua Māori Act 1993; or
 - 11.3.2. any general land owned by Māori for the purposes of section 236(1)(a) of Te Ture Whenua Māori Act 1993.
- 11.4. The draft settlement bill proposed for introduction to the House of Representatives –
 - 11.4.1. must comply with the drafting standards and conventions of the Parliamentary Counsel Office for Government Bills, as well as the requirements of the Legislature under Standing Orders, Speakers' Rulings, and conventions; and
 - 11.4.2. must be in a form that is satisfactory to Ngāti Hāua and the Crown.
- 11.5. Ngāti Hāua and the governance entity must support the passage of the draft settlement bill through Parliament.

SETTLEMENT CONDITIONAL

- 11.6. This deed, and the settlement, are conditional on the settlement legislation coming into force.
- 11.7. However, the following provisions of this deed are binding on its signing:
 - 11.7.1. clauses 10.3 and 11.5 to 11.11:
 - 11.7.2. paragraph 1.3, and parts 4 to 7, of the general matters schedule.

EFFECT OF THIS DEED

11.8. This deed –

11.8.1. is “without prejudice” until it becomes unconditional; and

11.8.2. may not be used as evidence in proceedings before, or presented to, the Waitangi Tribunal, any court, or any other judicial body or tribunal.

11.9. Clause 11.8.2 does not exclude the jurisdiction of a court, tribunal, or other judicial body in respect of the interpretation or enforcement of this deed.

TERMINATION

11.10. The Crown or the governance entity may terminate this deed, by notice to the other, if –

11.10.1. the settlement legislation has not come into force within 30 months after the date of this deed; and

11.10.2. the terminating party has given the other party at least 40 working days’ notice of an intention to terminate.

11.11. If this deed is terminated in accordance with its provisions –

11.11.1. this deed (and the settlement) are at an end; and

11.11.2. subject to this clause, this deed does not give rise to any rights or obligations; and

11.11.3. this deed remains “without prejudice”.

12 NGĀ KĀTŪ WHAKAMĀRAMA - GENERAL, DEFINITIONS, AND INTERPRETATION

GENERAL

12.1. The general matters schedule includes provisions in relation to -

12.1.1. the implementation of the settlement; and

12.1.2. the Crown's -

(a) payment of interest in relation to the settlement; and

(b) tax indemnities in relation to redress; and

12.1.3. giving notice under this deed or a settlement document; and

12.1.4. amending this deed.

HISTORICAL CLAIMS

12.2. In this deed, **historical claims** –

12.2.1. means every claim (whether or not the claim has arisen or been considered, researched, registered, notified, or made by or on the settlement date) that the settling group, or a representative entity, had at, or at any time before, the settlement date, or may have at any time after the settlement date, and that –

(a) is, or is founded on, a right arising –

(i) from the Treaty of Waitangi or its principles; or

(ii) under legislation; or

(iii) at common law, including aboriginal title or customary law; or

(iv) from fiduciary duty; or

(v) otherwise; and

(b) arises from, or relates to, acts or omissions before 21 September 1992 –

(i) by, or on behalf of, the Crown; or

(ii) by or under legislation; and

12: NGĀ KĀTŪ WHAKAMĀRAMA - GENERAL, DEFINITIONS, AND INTERPRETATION

- 12.2.2. includes every claim to the Waitangi Tribunal to which clause 12.2.1 applies that relates exclusively to the settling group or a representative entity, including the following claims:
- (a) Wai 764 – Piriaka School Land (Taumarunui) claim;
 - (b) Wai 1191 – Ngāti Hinewai Land claim;
 - (c) Wai 1505 – Te Patutokotoko and Ngāti Heke (Bell) claim;
 - (d) Wai 2156 – Ngāti Haauapaparangi Tangata Whenua claim; and
- 12.2.3. includes every other claim to the Waitangi Tribunal to which clause 12.2.1 applies, so far as it relates to the settling group or a representative entity, including the following claims:
- (a) Wai 48 – The Whanganui ki Maniapoto claim;
 - (b) Wai 50 – Rangitoto Tuhua 55A Block claim;
 - (c) Wai 81 – Waihaha and Other Lands claim;
 - (d) Wai 146 – King Country Lands claim;
 - (e) Wai 167 – Whanganui River claim;
 - (f) Wai 366 – Hutt Valley Lands claim;
 - (g) Wai 759 – Whanganui Vested Lands claim;
 - (h) Wai 987 – Rangitoto-Tuhua Land Block claim;
 - (i) Wai 1064 – Ngāti Rangatahi Public Works claim;
 - (j) Wai 1097 – Ohura South A (Taringamotu) Survey Block Alienation claim;
 - (k) Wai 1147 – Te Uhi Ohura South claim;
 - (l) Wai 1203 – Ohura South B and Associated Land Blocks claim;
 - (m) Wai 1299 – Ngāti Hekeāwai Land Block claim;
 - (n) Wai 1480 – Te Karu o Te Ngira claim;
 - (o) Wai 1594 – Descendants of Te Hore Te Waa Nukurarae claim;
 - (p) Wai 1605 – Albert and Sophie Ketu Whānau claim;
 - (q) Wai 1637 – Te Ātihaunui a Pāpārangi (Taiaroa and Mair) claim;

12: NGĀ KĀTŪ WHAKAMĀRAMA - GENERAL, DEFINITIONS, AND INTERPRETATION

- (r) Wai 1803 – Ngāti Hari (Turu & Canterbury) claim;
- (s) Wai 1812 – Ongarue, Ohura and Otunui River Areas claim;
- (t) Wai 1819 – King Country Māori Contemporary Health Issues (Paki) claim;
- (u) Wai 1933 – Descendants of Makara Blocks claim;
- (v) Wai 1934 – Descendants of Ngakete Parehounuku claim; and
- (w) Wai 2278 – Whanganui Mana Wahine (Waitokia) claim.

12.3. However, **historical claims** does not include the following claims –

- 12.3.1. a claim that a member of Ngāti Hāua, or a whānau, hapū, or group referred to in clause 12.7.2, may have that is, or is founded on, a right arising as a result of being descended from an ancestor who is not referred to in clause 12.7.1;
- 12.3.2. any claim a member of Ngāti Hekeāwai, Ngāti Kura, Ngāti Ruru, or Ngāti Tamakaitoa may have, to the extent that a claim is, or is founded on, a right arising from being descended from an ancestor other than Hinengākau and Tamahina;
- 12.3.3. a claim that a representative entity may have to the extent the claim is, or is founded, on a claim referred to in clause 12.3.1.

12.4. To avoid doubt, clause 12.2.1 is not limited by clauses 12.2.2 or 12.2.3.

12.5. Without limiting clause 6.4, nothing in this deed or the settlement legislation will –

- 12.5.1. extinguish or limit any aboriginal title or customary right that Ngāti Hāua may have; or
- 12.5.2. constitute or imply an acknowledgement by the Crown that any aboriginal title, or customary right, exists; or
- 12.5.3. except as provided in this deed or the settlement legislation –
 - (a) affect a right that Ngāti Hāua may have, including a right arising –
 - (i) from te Tiriti o Waitangi/the Treaty of Waitangi or its principles; or
 - (ii) under legislation; or
 - (iii) at common law (including in relation to aboriginal title or customary law); or
 - (iv) from a fiduciary duty; or

12: NGĀ KĀTŪ WHAKAMĀRAMA - GENERAL, DEFINITIONS, AND INTERPRETATION

- (v) otherwise; or
- (b) be intended to affect any action or decision under the deed of settlement between Māori and the Crown dated 23 September 1992 in relation to Māori fishing claims; or
- (c) affect any action or decision under any legislation and, in particular, under legislation giving effect to the deed of settlement referred to in clause 4.5.3(b), including –
 - (i) the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992; or
 - (ii) the Fisheries Act 1996; or
 - (iii) the Māori Fisheries Act 2004; or
 - (iv) the Māori Commercial Aquaculture Claims Settlement Act 2004.

12.6. Clauses 12.4 and 12.5 do not limit clause 6.3.

NGĀTI HĀUA

12.7. In this deed, **Ngāti Hāua** means –

- 12.7.1. the collective group composed of individuals who descend from a Ngāti Hāua ancestor; and
- 12.7.2. every whānau, hapū, or group to the extent that it is composed of individuals referred to in clause 12.7.1, including the following descent groups:
 - (a) Hāuaroa ki te Rangi;
 - (b) Ngāti Hāua;
 - (c) Ngāti Hāuaroa;
 - (d) Ngāti Hekeāwai;
 - (e) Ngāti Hinetakuao;
 - (f) Ngāti Hinewai;
 - (g) Ngāti Hira;
 - (h) Ngāti Keu;
 - (i) Ngāti Kura;
 - (j) Ngāti Onga;

12: NGĀ KĀTŪ WHAKAMĀRAMA - GENERAL, DEFINITIONS, AND INTERPRETATION

- (k) Ngāti Pareteho;
- (l) Ngāti Pareuirā;
- (m) Ngāti Pikikōtuku;
- (n) Ngāti Poutama;
- (o) Ngāti Rangitauwhata;
- (p) Ngāti Rangitengaue;
- (q) Ngāti Reremai;
- (r) Ngāti Ruru;
- (s) Ngāti Tamakaitoa;
- (t) Ngāti Tama-o-Ngāti Hāua;
- (u) Ngāti Te Āwhitu;
- (v) Ngāti Te Huaki;
- (w) Ngāi Turi;
- (x) Ngāti Tū;
- (y) Ngāti Te Wera;
- (z) Ngāti Whakairi;
- (aa) Ngāti Whati; and

12.7.3. every individual referred to in clause 12.7.1.

12.8. For the purposes of clause 12.7.1 –

12.8.1. a person is descended from another person if the first person is descended from the other by –

- (a) birth;
- (b) legal adoption; or
- (c) Māori customary adoption in accordance with the settling group's tikanga (customary values and practices); and

12: NGĀ KĀTŪ WHAKAMĀRAMA - GENERAL, DEFINITIONS, AND INTERPRETATION

12.8.2. **Ngāti Hāua ancestor** means an individual who:

- (a) exercised customary rights by virtue of being descended from:
 - (i) the union of Hinengākau and Tamahina; or
 - (ii) a recognised ancestor of any of the descent groups listed in clause 12.7.2;
- (b) exercised the customary rights in 12.8.2(a) predominantly in relation to the area of interest after 6 February 1840.

12.8.3. **customary rights** means rights according to tikanga Māori (Māori customary values and practices), including –

- (a) rights to occupy land; and
- (b) rights in relation to the use of land or other natural or physical resources.

MANDATED NEGOTIATORS AND SIGNATORIES

12.9. In this deed –

12.9.1. **mandated negotiators** means the following individuals:

- (a) Joseph George Allen Jr:
- (b) Graham Evans Bell:
- (c) Lois Jean Tutemahurangi:
- (d) Louise Raewyn Wahapa:
- (e) Brett Arthur Anderson:
- (f) Aaron Jon Rice-Edwards:
- (g) Timothy John Castle; and

12.9.2. **mandated signatories** means the following individuals:

- (a) Joseph George Allen Jr:
- (b) Graham Evans Bell:
- (c) Lois Jean Tutemahurangi:
- (d) Louise Raewyn Wahapa:

12: NGĀ KĀTŪ WHAKAMĀRAMA - GENERAL, DEFINITIONS, AND INTERPRETATION

- (e) Brett Arthur Anderson:
- (f) Aaron Jon Rice-Edwards:
- (g) Raemoana Piki Waitapu Taiaroa-Whatarangi: and
- (h) Timothy John Castle.

ADDITIONAL DEFINITIONS

12.10. The definitions in part 6 of the general matters schedule apply to this deed.

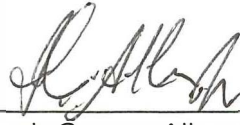
INTERPRETATION

12.11. Part 7 of the general matters schedule applies to the interpretation of this deed.

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT

SIGNED as a deed on 29 March 2025

SIGNED for and on behalf
of **NGĀTI HĀUA** by
the mandated signatories in the
presence of –

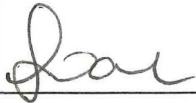


Joseph George Allen Jr



Graham Evans Bell

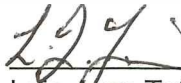
WITNESS



Name: Paramihia Walker

Occupation: Solicitor

Address: Whanganui



Lois Jean Tutemahurangi



Louise Raewyn Wahapa



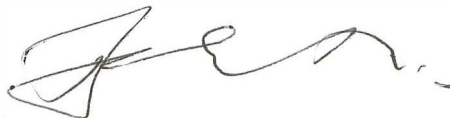
Brett Arthur Anderson



Aaron Jon Rice-Edwards




Raemoana Piki Waitapu Taiaroa-Whatarangi



Timothy John Castle

TE PUA O TE RIRI KORE – DEED OF SETTLEMENT

SIGNED by the trustees of
**TE WHIRINGA KĀKAHO O NGĀTI
HĀUA** in the presence of -



Joseph George Allen Jr



Graham Evans Bell

WITNESS




Name: Tawheta Hantapu

Occupation: Solicitor


Address: 3B Makenzie St,
Ngairi, Wellington




Lois Jean Tutemahurangi



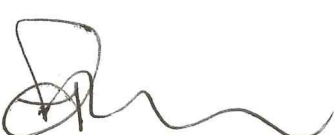
Louise Raewyn Wahapa



Brett Arthur Anderson



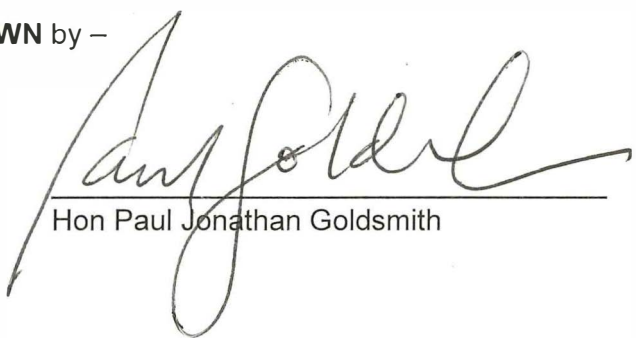
Aaron Jon Rice-Edwards



Raemoana Piki Waitapu Taiaroa-Whatarangi

SIGNED for and on behalf of **THE CROWN** by –

The Minister for Treaty of Waitangi
Negotiations in the presence of –



Hon Paul Jonathan Goldsmith

WITNESS



Name: TAMARA WILLIAM POTAKA

Occupation: MINISTER

Address: KIRIKIRIROA / RATA

The Minister of Finance
(only in relation to the tax indemnities)
in the presence of –

Hon Nicola Valentine Willis

WITNESS

Name:

Occupation:

Address: