

**Initialling version for presentation to Ngāti Ruapani mai Waikaremoana for ratification purposes**

## NGĀTI RUAPANI MAI WAIKAREMOANA

and

**[NGĀTI RUAPANI MAI WAIKAREMOANA GOVERNANCE ENTITY]**

and

## THE CROWN

# DEED OF SETTLEMENT OF HISTORICAL CLAIMS

[*date*]

T. Ranshau

Dr. R.T.

Mr. Buxton

Rafahie

Swainson

Bill Hunt

## DEED OF SETTLEMENT

- sets out an account of the acts and omissions of the Crown before 21 September 1992 that affected Ngāti Ruapani mai Waikaremoana and breached the Treaty of Waitangi and its principles; and
- provides an acknowledgement by the Crown of the Treaty breaches and an apology; and
- 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 Ruapani mai Waikaremoana to receive the redress; and
- includes definitions of –
  - the historical claims; and
  - Ngāti Ruapani mai Waikaremoana; and
- provides for other relevant matters; and
- is conditional upon settlement legislation coming into force.

*(Handwritten signatures and names)*

T. Ranghan Ngawini  
G. Hall  
L. Kahine.  
D. L. Se  
P. R. T  
H. P. Z  
J. J. S  
M. Buxton J. W.  
K. H. L. L. L.  
N. K. M. h.  
M. Y.  
Hua Ruscha.  
B. G. machine  
I. L. L. L. L.

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**SCHEDULES**

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6. Terms of transfer for commercial redress and purchased deferred selection properties
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**ATTACHMENTS**

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**DEED OF SETTLEMENT**

**THIS DEED** is made between

**NGĀTI RUAPANI MAI WAIKAREMOANA**

**and**

***[NGĀTI RUAPANI MAI WAIKAREMOANA GOVERNANCE ENTITY]***

**and**

**THE CROWN**

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**1 BACKGROUND**

**TE OROKOHANGA O WAIKAREMOANA**

**Maahu-tapoanui, Haumapuhia**

- 1.1 Ko tētahi koroua o neherā, ko Maahu-tapoanui. Tokorua ngā wāhine a te koroua nei, ko Kauariki rāua ko Te Urutīnui. Ko tō rātau kāinga noho ko Te Waikotikoti i Wairaumoana. Ko ngā tamariki a te koroua nei, ko Haumapuhia, ko Tokouri, ko Tokotea, ko Mapuna, ko Kaiure, ko Tūmatauenga, ko Tāwhirimatea, ko Te Rangitaupiri. E ai ki ngā kōrero ko te whakapākanga anake o ngā tamariki a te koroua nei i tangata pēnei i a tātau nei. Ko ētahi katoa rā, he tipua.
- 1.2 Nā, he puna tapu i taua kāinga nei, ā, koinei te wāhi i mahia ai ngā mahi o neherā e te koroua nei. Koia i kīia ai ko Te Waikotikoti-ā-Maahu. I tua atu i te puna tapu, ko te puna wai māori, arā, ko Te Puna-a-Taupara.
- 1.3 I tētahi wā, ka tonoa e Maahu ana tamariki kia haere ki te tiki wai hai inu māna. Kātahi ka haere ngā tamariki rā, engari kāore a Haumapuhia rāua ko Te Rangitaupiri i haere. I haere kē atu ngā tamariki ki te tiki wai i te puna tapu, kua i te puna noa. Nō te mōhiotanga o te koroua rā nō te puna tapu kē te wai a ngā tamariki, ka riri ia, ā, ka whakakohatuhia e ia ngā tamariki rā. Ko aua kohatu, kei te taha o Wairaumoana, ko te ingoa o taua wāhi ko Ngā Whānau-ā-Maahu.
- 1.4 Kātahi ka tonoa e Maahu tana tamāhine, a Haumapuhia, ki te tiki wai i Te Puna-ā-Taupara. Engari, kāore a Haumapuhia i aro ake, ā, ka haere tonu ko Maahu. Nā te kore aro mai o tana tamāhine ki a ia, ka whakaaro te koroua rā me patu e ia tana tamāhine. Nā te roa o te koroua rā i te puna, ā, ka haere ake a Haumapuhia ki te kimi i tōna matua. Nō te putatanga atu o Hau i muri, ka tipu te riri o tōna matua, ka hopua atu e Maahu, ka rumakina ki Te Puna-ā-Taupara kia toromi. I reira, ka taniwha tonu atu a Haumapuhia, ā, he tūoro taua taniwha. Ko tēnei momo taniwha, kāore e pai kia pā ki te awatea.
- 1.5 I muri i tēnei, ka haere atu te koroua rā i taua wāhi rā, āka whakarērea atu ko Haumapuhia ki reira. Kātahi ka tīmata te kōtiro rā ki te kimi huarahi hei whakaora i a ia. Nā, ka kori a Haumapuhia i raro o te whenua, ka wāhia e ia te whenua i tana rapa i tētahi putanga ki Te Moana-nui-a-Kiwa. Ka poua e ia ngā mānia o Waikaremoana. Ka rukea e ia ngā hiwi, ā, ko ētahi i tanuku i ia. Ka poua e ia ki te raki, engari nā te pae maunga o Huiarau kāore i puta mā reira, ā, ko te whanga o Whanganui tēnā. Ka poua e ia ki te rāwhiti, ā, ka aukatia e te haere i te pae maunga o Ngāmoko, ko Te Whanganui-o-Pārua tēnā.
- 1.6 Ko tōna whakamātauranga whakamutunga ko te puta atu mā Te Wharawhara, he wāhi tēnei e tata ana ki Te Onepoto. I aia i reira ka rongo ia i ngā ngaru o te moana e whati mai ana i tawhiti, ā, ka whakamātau ia kia tae atu ia ki reira i te wā e pouri tonu ana. Ā,

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ka kuhu a Hau mā ngā rua i Te Whāngaromanga, ka tomo atu ia mā reira ki Te Waikaretāheke.

- 1.7 Engari, i aia e puta atu ana i Te Whāngaromanga ka whitia mai ia e te rā, ā, ka whakakohatuhia ia. I reira ka puta te auē o Haumapuhia, ā, ka rongo mai tōna matua i tōna reo. Ka aroha atu te koroua rā ki tana tamāhine, ā, ka tonoa e ia he kai māna. Ko aua kai, he korokoro, he kōkopu. Ka tonoa anō e te koroua rā he kōiro, he tuna, me ētahi mātaitai. Ko te kōiro kāore i pai ki te wai māori, engari ko ngā korokoro, kōkopu, tuna, kākahi, me ngā koura, ka kitea tonutia i ngā awa, i Waikaremoana me Waikareiti hoki.
- 1.8 Ko Haumapuhia I whakakohatuhia i te whitinga mai o te rā, kei reira tonu ia e takoto ana, ko tōna pane e pou ana ki te whenua, ā, ko ōna waewae e toro whakarunga ana. Ko ngā wai rere mai i Waikaremoana ka rere mā runga i aia e takoto mai ana i te awa o Waikaretāheke.
- 1.9 Koinei ngā whakamārama o neherā mō Waikaremoana. Ko te tino iho o Waikaremoana ko Te Puna-a-Taupara. Katoa ngā wāhi i whakamātauria e ia ki te kimi putanga mōna, i whai atu te wai i muri i a ia. Nō te hōkaritana o ngā ringa me ngā waewae o Haumapuhia, ka pōkarekare te wai, ā, nā taua pōkaretanga ka puta te ingoa o tō tātau moana ko Waikaremoana.
- 1.10 Koinā te tīmatanga o tō tātau hono ki Waikaremoana, ki Maahu-tapoanui, ki Haumapuhia, nāna i waihanga tō tātau moana. Ko te tūhonotanga o Ngāti Ruapani, o Ngai Tūhoe me Ngā Pōtiki ko Te Rangitaupiri me ōna uri i moe i ngā uri o Ruapani, o Tūhoe me Pōtiki. Koinā ō tātau hononga ki Waikaremoana, ko te orokohanga tēnei o Waikaremoana.

**Ruapani connection with Pōtiki and Tūhoe-pōtiki**

- 1.11 Ko ngā whiti e whai ake nei e whakaatu ana i ngā kāwai mai i a Ruapani te tipuna ki a Pukehore, ki a Hinekura me Tūwai. E whakaatu ana hoki i ō tātau tino hononga ki a Tūhoe me Pōtiki, ā, kāore e uru mai ngā kāwai o ngā uri o Ruapani i noho atu ki waho o Waikaremoana me Te Urewera.
- 1.12 Ka heke mai i a **Maahu-tapoanui** ko Te Rangi-taupiri, ko Tamakā, ko Wairere, ko Te Rangi-hine-pi ka moe i a Tāne-potakataka.
- 1.13 Ka heke mai i a **Ruapani** ko Haua nāna ko Tāne-potakataka ka moe i a Te Rangi-hine-pi. Ka heke mai i a rāua ko Kāpiti, ko Tope, ko Hoputaua, ko Te Waipuna, ko Hine-te-moa, ko Hine-kahu, ko Te Amotawa, ko Wairamoana ka moe i a Manunui-taraki.
- 1.14 Ka heke mai i a **Pōtiki 1** ko Tūhouhi, ko Tāne-te-kohurangi, ko Te Rangitiri-ao, ko Te Aotawhena, ko Pōtiki 2, ko Parahaki, ko Whitiaua, ko Manunui-taraki i moe i a Wairaumoana. Nā rāua ka puta ko Takataka-pūtea ka moe i a Tuturi. Nō koinei te hapū o Ngāti Manunui i Te Kūhā me Te Umuroa.

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- 1.15 Ko Tuturi he mokopuna nā **Tūwai**, anei tōna hekenga mai i a Ruapani ki a **Tūwai**. Ko **Ruapani**, ko Ruatapunui, ko Kahuturi, ko Tū-rumakina, ko Tū-takamaiwaho, ko Rongotauhanga, ko Tamateao, ko Tamatahu, ko Kahupāka, ko **Tūwai**, ko Te Haenga ka moe i a Whakamoengā-ika, nā rāua ko Tuturi.
- 1.16 Nā Parahaki anō ko Te Kiato, nāna ko Whakamoengā-ika ka moe i a Te Haenga, ka puta ko Tuturi ka moe i a Takataka-pūtea.
- 1.17 Koirā tō tātau hekenga mai i a **Maahu-tapoanui** ki a Takataka-pūtea ka moe i a Tuturi, te mokopuna a **Tūwai**. Ka whakaatu ana hoki tētahi kāwai heke mai i a **Pōtiki 1**.
- 1.18 Nā, ka hoki atu ki a Ruapani. Mai i a Ruapani, ko Ruatapunui, ko Kahuturi, ko Kauakapu, ko Mokoia, ko Manaia, ko **Pukehore**, ā, nānā ko Te Amohanga, tana tamāhine.
- 1.19 Ko te korero i tukuna e ō mātau kaumātua ko **Pukehore**, te rangatira o Ngāti Ruapani rangatira i Waikaremoana, ā, i tētahi rā i haere ia ki Huiarau ki te tao manu i tētahi wāhi pātata ki Te Puna-ā-Houmea, i reira ka tūtaki ia ki a Te Uoro, he rangatira nō Ngā Pōtiki, i te hopu manu anō ia. He hoariri a Ngāti Ruapani me Ngā Pōtiki i mua noa atu i te wā o ēnei rangatira. Kātahi houhia e rāua te rongo). I whakairia e Te Uoro hung tana patu ki tētahi rākau i reira, ā, ko te ingoa o taua wāhi ināianei ko Te Whakairinga-o-te-patu-ā-Te Uoro.
- 1.20 Ko tā **Pukehore**, i pōhiri i a Te Uoro ki tōna kāinga i Waikaremoana ka tukuna e ia tana tamāhine a Te Amohanga hei wahine mā Te Uoro. Ko hapū o Te Urewera ngā uri o tēnei hononga. I puta tā rāua tamāhine, ko Tūraki-o-rauru. I tōna pakeketanga ka moe i a i a Tā-whakamoe o te hapū o Te Urewera, he uri nō Tūhoe-pōtiki rāua ko Paretaranui. Ka heke mai i a rāua ko Murakareke, ko Tamapōkai, ko Te Whanapeke, ko Tama-ōna, ā, ko Tā-whakamoe.
- 1.21 I te hapū a Tūraki-o-rauru me te tamaiti a Tā-whakamoe i tōna patutanga i Te Rotoiti, i tētahi pakanga i weanga i a Tūhoe me tētahi atu iwi. Ka ūhia e ētahi o Tūhoe tōna tinana ki te wīwī kia kore ai ia e kitea, e tūkinotia hoki e te hoariri, ka mutu kia pai ai te whakahoki ka tanu atu ki te wā kāinga i te mutunga o te pakanga. Nō muri mai ka moe a Tūraki i a Te Arohana, nō te hapū o Te Urewera anō, ka whānau mai te tamaiti a tana tāne i mate, ka tapaia ko Kahu-wī, e whakamaumahara ana i tērā āhuatanga i Te Rotoiti.
- 1.22 Ka moe a Kahu-wī i a Te Aopaerangi, he maha ā rāua tamariki. Ko te nuinga o ā rātau uri ko ngā whānau e noho ana, e hono ana rānei ki ngā marae e toru i te rohe o Waikaremoana rohe; ko Te Waimako, Te Kūhā and me Te Pūtere.
- 1.23 He uri anō a Te Arohana nō Tūhoe Pōtiki rāua ko Paretaranui. Ka heke mai i a rāua, ko Murakareke, ko Murakehu, ko Te Anuanu, ā, ko Te Arohana.

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- 1.24 He pānga ō ngā uri katoa a Te Arohana rāua ko Tūraki-o-rauru ki Waikaremoana, me tētahi, te katoa rānei o ēnei marae e toru. Kei Waikaremoana tonu ētahi e noho ana, ā, kua marara atu ētahi ki ērā o ngā whārua i Ruatāhuna, Ruatoki me Waimana.
- 1.25 Nā, ka hoki atu ki a **Pukehore**. Mai i a ia ko Ngārara, ka moe i a Hine-ao, nā rāua ko Hounga, ka moe i a Hine-tu Ruahine-tīrangi, te tamāhine a **Hinekura** rāua ko Kōau. Ko **Hinekura** te tamāhine a Te Rurehe rāua ko Whāre-paka.
- 1.26 Koinā ngā tūhonotanga o Ngāti Ruapani ki a Ngai Tūhoe me Ngā Pōtiki, koinā i haria ai ā tātau kēreme i raro i a Ngāti Ruapani mai Waikaremoana. Koinā hoki ka kīia ko tātau o Waikaremoana he taharua. Ko tētahi taha ko Ruapani, ko tētahi taha ko Tūhoe. Heoi anō, ka ngātahi tō tātau anga whakamua mō Waikaremoana.

**TE OROKOHANGA O WAIKAREMOANA**

**Maahu-tapoanui, Haumapuhia**

- 1.1 An ancestor of ancient times was Maahu-tapoanui. This old man had two wives, Kauariki and Te Urutīnui. Their home was at Te Waikotikoti in Wairau Moana (refer to the Topomap W18. Te Waikotikoti is at the southeast end of Wairau Moana). The children of this old man were Haumapuhia, Tokouri, Tokotea, Māpuna, Kaiure, Tūmatauenga, Tāwhirimātea, and Te Rangitaupiri. The traditions say that only the youngest of this old man's children grew up to be a person as we are. All the rest are spiritual beings.
- 1.2 Now this place had a sacred spring where sacerdotal rites were performed by this old man. Which is why it was called Te Waikotikoti-ā-Maahu. Beyond this sacred spring was the freshwater spring, Te Puna-ā-Taupara.
- 1.3 One day, Maahu told his children to fetch some water for him to drink, so the children went, but Haumapuhia and Rangitaupiri didn't go. The children who went to get the water got it from the sacred spring and not the freshwater spring. When the old man discovered the water the children brought him was from the sacred spring he was so angry that he turned those children to stone. Those stones are on the shore of Wairau Moana and that place is called Ngā Whānau-ā-Maahu.
- 1.4 So Maahu told his daughter Haumapuhia to fetch some water from Te-Puna-ā-Taupara. However, Haumapuhia paid no heed to Maahu, so Maahu went himself. Because his daughter paid no heed to his instruction, the old man thought that he should kill his daughter. That old man was taking so long at the spring that Haumapuhia went to seek her father. When Haumapuhia appeared behind him, her father's rage so grew that he grabbed her and immersed her in Te-Puna-ā-Taupara to drown her. In there, Haumapuhia turned into a taniwha, the tūoro type of taniwha. This type of taniwha cannot survive in the daylight.



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- 1.5 After this, the old man went away from that place and left Haumapuhia there. So that girl started to look for a way out to save herself. She struggled furiously below the land. Broke open the land in search of an outlet to the ocean, Te Moana-nui-a-Kiwa. She punched out the arms of Waikaremoana. She threw the hills about, and some crumbled in her endeavours. She punched to the north, but because of the Huiarau Range, she couldn't go that way, that created the Whanganui Bay. She punched her way East, but the Ngamoko Range stopped her, that Bay is Te Whanganui-ō-Parua.
- 1.6 Her final endeavour was to escape by Te Wharawhara, this is a place close to Te Onepoto. When she got there she heard the waves breaking in the distance, so she tried to escape from there while it was still dark. So Haumapuhia entered through the holes at Te Whāngaromanga to come out at Te Waikaretāheke. (Te Wharawhara is the overland outlet for the lake, and Te Whāngaromanga is underneath.)
- 1.7 But when she emerged from Te Whāngaromanga it was into the rays of the sun and she was turned to stone. At that Haumapuhia wailed, and her father heard her cry out. The old man felt pity for his daughter, and so he sent some kai up to her. Those kai were korokoro and kōkopu. The kōroua also sent kōiro, tuna, and seafood. The kōiro did not like the freshwater, but korokoro, kōkopu, tuna, kākahi and kōura can still be found in the rivers and in Waikaremoana, and Lake Waikareiti.
- 1.8 Haumapuhia being turned to stone by the rays of the sun, she still lies there. With her head to the ground and her legs pointing upwards. The waters of Waikaretāheke flow over her as she lies in the river.
- 1.9 These are the explanations of the ancestors for Waikaremoana. The source of Waikaremoana is Te Puna-ā-Taupara. All the places where she tried to find her way out, the water followed behind her. When she thrashed about with her arms and legs the waters were all agitated. From the agitation of the waters came the name of our lake, Waikaremoana, the "Sea of dashing waters".
- 1.10 That is the beginning of our connections to Waikaremoana, to Maahu-tapoanui, and to Haumapuhia, she who created our lake. The connections for Ngāti Ruapani, Ngai Tūhoe, and Ngā Pōtiki being Te Rangitaupiri the brother of Haumapuhia, the youngest child of Maahu-tapoanui. The descendants of Te Rangitaupiri marrying into the descendants of Ruapani, of Tūhoe, and of Pōtiki. This is our link to Waikaremoana, being the beginning of Waikaremoana.

**Ruapani connection with Potiki and Tūhoe Pōtiki**

- 1.11 The following paragraphs are to show the descent lines from Ruapani tipuna to Pukehore, Hinekura and Tūwai. They are also to show our strong connections to Tūhoe and Pōtiki, which descent lines do not include the descendants of Ruapani outside of Waikaremoana and Te Urewera.

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- 1.12 From **Maahu-tapoanui** we have Te Rangi-taupiri, who had Tamakā, who had Wairere, Who had Te Rangi-hine-pi who married Tāne-potakataka.
- 1.13 From **Ruapani** we have Haua, who had Tāne-pōtakataka who married Te Rangi-hine-pī. They had Kāpiti who had Tope, who had Hoputaua, who had Te Waipuna, who had Hine-te-moa, who had Hine-kahu, who had Amotawa, who had Wairauamoana who married Manunui-taraki.
- 1.14 From **Pōtiki 1**, we have Tūhouhi, who had Tāne-te-kohurangi, who had Te Rangitiri-ao, who had Te Ao-tawhena, who had Potiki 2, who had Parahaki, who had Whitiaua, who had Manunui-taraki who married Wairauamoana. They had Takatakapūtea, who married Tuturi. This is the hapū of Ngāti Manunui at Te Kūhā and Te Umuroa.
- 1.15 Tuturi was a grandchild of **Tūwai**, here is her descent from Ruapani. From Ruapani, we have Ruatapunui, who had Kahuturi, who had Tū-rumakina, who had Rongotauhanga who had Tamateao, who had Tamatahu, who had Kahupāka, who had **Tūwai**, who had Te Haenga who married Whakamoengā-ika. They had Tuturi.
- 1.16 From Parahaki, we have Te Kiato, who had Whakamoengā-ika, who married Te Haenga, they had Tuturi who married Takatakapūtea.
- 1.17 That is our descent from **Maahu-tapoanui** to Takatakapūtea, who married Tuturi, the granddaughter of **Tūwai**. It also shows one of the descent lines from **Pōtiki 1**.
- 1.18 Now, let us return to **Ruapani**. From **Ruapani** we have Ruatapunui, who had Kahuturi, who had Kauakapu, who had Mokoā, who had Manaia, who had **Pukehore**, and he had Te Amohanga, his daughter.
- 1.19 The kōrero given to us by our kaumātua was that **Pukehore**, the Ngāti Ruapani rangatira at Waikaremoana, one day went up to Huiarau on a bird-catching trip near Te Puna-ā-Houmea, where he met Te Uoro, a rangatira of Ngā Pōtiki, who was also there catching birds. Ngāti Ruapani and Ngā Pōtiki had been enemies in the times before these two rangatira. They decided there to make peace between themselves. Te Uoro hung his patu on a tree there, and right to this time, that place is known as Te Whakairinga-o-te-patu-ā-Te Uoro.
- 1.20 For his part, **Pukehore** invited Te Uoro to his kainga by Waikaremoana and gave the hand of his daughter Te Amohanga as wife to Te Uoro. Te Urewera hapū are descended from this pair. They had a daughter, Tūraki-ō-rauru. When she came of age, she married Tā-whakamoe of Te Urewera hapū, a descendant of Tūhoe-pōtiki and Paretaranui. From them came Murakareke, who had Tamapōkai, who had Te Whanapeke, who had Tama-ōna, who had Tā-whakamoe.
- 1.21 Tūraki-ō-rauru was hapū with Tā-whakamoe's child when he was killed at Rotoiti in a battle between Tūhoe and another iwi. Other Tūhoe there covered his body with wiwi so

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his body wouldn't be found and desecrated by their enemies. They determined to retrieve his body and bury him after the battle was over. Tūraki then married Te Arohana, also of Te Urewera hapū, and soon after gave birth to her deceased husbands child, a son who she named Kahu-wī in memory of the incident at Rotoiti.

- 1.22 Kahu-wī married Te Aopaerangi, and they had several children. Many of their descendants are families who live at or identify with the three marae in the Waikaremoana rohe: Te Waimako, Te Kūhā and Te Pūtere.
- 1.23 Te Arohana was also descended from Tūhoe Pōtiki and Paretaranui. From them came Murakarereke, who had Murakehu, who had Te Anuanu, who had Te Arohana.
- 1.24 The descendants of Te Arohana and Tūraki-ō-rauru all identify themselves with Waikaremoana and one or more of the three marae. Many still live at Waikaremoana, others are scattered through-out the other three whārua at Ruatāhuna, Ruatoki and Waimana.
- 1.25 Now, let us return to **Pukehore**. From him came Ngārara, who married Hine-ao. They had Hounga, who married Hine-tū Ruahine-tīrangi, the daughter of **Hinekura** and Kōau. **Hinekura** was the daughter of Te Rurehe and Whārepaka.
- 1.26 Those are the links of Ngāti Ruapani to Ngāi Tūhoe and Ngā Pōtiki, and that is why we carry our claims under Ngāti Ruapani mai Waikaremoana. That is why it is said that we of Waikaremoana are 'tāharua'. One side Ruapani, one side Tūhoe. And so, we go forward together for Waikaremoana.

### NEGOTIATIONS

- 1.27 Ngāti Ruapani mai Waikaremoana gave the mandated negotiators a mandate to negotiate a deed of settlement with the Crown over a series of eight mandating hui between 9 December and 15 December 2018.
- 1.28 The Crown recognised the mandate on 29 October 2019.
- 1.29 The mandated negotiators and the Crown –
  - 1.29.1 by terms of negotiation dated 19 March 2020, agreed the scope, objectives, and general procedures for the negotiations; and
  - 1.29.2 by agreement dated 27 August 2022, agreed, in principle, that Ngāti Ruapani mai Waikaremoana and the Crown were willing to enter into a deed of settlement on the basis set out in the agreement; and
  - 1.29.3 since the agreement in principle, have –

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- (a) had extensive negotiations conducted in good faith; and
- (b) negotiated and initialled a deed of settlement.

**RATIFICATION AND APPROVALS**

- 1.30 Ngāti Ruapani mai Waikaremoana have, since the initialling of the deed of settlement, by a majority of –
  - 1.30.1 [percentage]%, ratified this deed; and
  - 1.30.2 [percentage]%, approved its signing on their behalf by [the governance entity][a minimum of [number] of] the mandated signatories]; and
  - 1.30.3 [percentage]%, approved the governance entity receiving the redress.
- 1.31 Each majority referred to in clause 1.30 is of valid votes cast in a ballot by eligible members of Ngāti Ruapani.
- 1.32 The governance entity approved entering into, and complying with, this deed by [*process (resolution of trustees etc)*] on [*date*].
- 1.33 The Crown is satisfied –
  - 1.33.1 with the ratification and approvals of Ngāti Ruapani mai Waikaremoana referred to in clause 1.30; and
  - 1.33.2 with the governance entity's approval referred to in clause 1.32; and
  - 1.33.3 the governance entity is appropriate to receive the redress.

**AGREEMENT**

- 1.34 Therefore, the parties –
  - 1.34.1 in a spirit of co-operation and compromise wish to enter, in good faith, into this deed settling the historical claims; and
  - 1.34.2 agree and acknowledge as provided in this deed.

**OFFICIAL OR RECORDED GEOGRAPHIC NAMES**

- 1.35 The place names referred to in this deed that are not official or recorded geographic names, within the meaning of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008, are listed in paragraph 5.5 of the general matters schedule.

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## 2 HISTORICAL ACCOUNT

- 2.1 The Crown's acknowledgement and apology to Ngāti Ruapani mai Waikaremoana in part 3 are based on this historical account.

### NGĀTI RUAPANI KI TE TAU 1865

#### Ngā Pakanga ā Iwi o ngā rau tau tekau mā iwa

- 2.2 Noho ai a Ngāti Ruapani mai Waikaremoana ki Waikaremoana. Nō te tipuna Ruapani tō rātau ingoa. He uri whakaheke a Ruapani nō te tipuna a Paoa, te ariki o te waka o Horouta, i whakawhiti mai ki Aotearoa. Ko Tūranganui-a-Kiwa te kāinga i noho ai Ruapani mō e hia tau, ā, nā tōna koroua me tōna kuia ia i whakatipu. Ka pakeke ia, ka arahina e Ruapani tētahi ope ki te tonga o Waikaremoana, ā, ka moe haere ana uri ki ngā tāngata whenua o reira i roto i ngā whakatipuranga. Nāwai, ā, ka noho ngā uri whakaheke o Ruapani ki te rohe o Waikaremoana, ā, kei reira tonu i tēnei wā.
- 2.3 I te mutunga o ngā tau o te 1820, i puta a Ngāti Ruapani i ngā riri o reira ki ngā iwi me ngā hapū o ēnei rohe whenua me te whakatau i ngā tatau pounamu me ngā whakapākūhā hei whakamoe i ngā riri.

#### Te Tiriti o Waitangi me te tūtakitaki Pākehā

- 2.4 Kāore a Ngāti Ruapani i haina i te Tiriti o Waitangi. I te pito o Mei me te tīmatanga o Hune o te tau 1840, i kawea atu e ngā āpiha a te Karauna te Tiriti ki Whakatāne, kāore i heria mai ki roto o Te Urewera, ki Te Wairoa ki roto o Waikaremoana rānei. Kāore pea a Ngāti Ruapani i kite i te Tiriti.
- 2.5 Ahakoa kua tīmata kē te tauhokohoko a ētahi atu hunga o Te Urewera ki te Pākehā, te āhua nei kāore anō rātau kia tae ki roto o Waikaremoana. Kīhai a Ngāti Ruapani i whakarite tauhokohoko ki te Pākehā. Heoi anō, i te tau 1841 i te whakatipu ngā tāngata o Waikaremoana i tētahi huawhenua hou, arā, ko te taewa.
- 2.6 Ko te Pākehā tuatahi pea i tae atu ki Waikaremoana ko tētahi mihingare CMS i noho ki roto o Tūranganui-ā-Kiwa. I te Noema o te tau 1840, i takahia e ia ngā whenua o Te Urewera me tana kite kua huri kē ngā Māori ki te whakapono Karaitiana. I roto i ana tuhituhinga, i tūtaki ngā Māori o Onepoto ki tētahi reimana Māori nō te Mīhana o Rotorua, ā, ka waiho iho nā kape o te Kawenata Hou ki a rātau. Nā te whakapono Karaitiana i mōhio ai ki te tuhituhi me te pānui. Ko Mākarini Tamarau tētahi tipuna nō Ngāti Ruapani, i a ia e rangatahi ana ka tukuna ia e tana pāpara ki te kura mīhana i Ōpōtiki i ngā tau 1840 kia akona ki te pānui me te tuhituhi. I ngā tau o te 1840, i whakamanuhiritia e ngā Māori o Waikaremoana, kāore e kore me Ngāti Ruapani hoki, ngā mihingare nō hāhi Katorika me te Porotehana. I ngā tau 1843-1844 i whakahaerehia e tētahi atu mihingare CMS tētahi tauranga whānui o ngā tangata o Te Urewera, ā, 165 ngā tāngata i tatauhia i roto o



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Waikaremoana. He maha ngā mea hou me ngā akoranga Karaitiana i whaki i ngā Māori o Waikaremoana ka whakaurua atu ki ā rātau tikanga.

- 2.7 I mua i ngā tau o te 1860, kāore anō te Karauna kia tae atu ki roto o Te Urewera, i noho mana tonu ko ngā tikanga me te kawa o te iwi. I te tau 1862 i tae atu te Kaiwhakawā ā-Rohe o Te Wairoa ki Waikaremoana. Ko te kaupapa matua o te haere he whakamārama me te rapu tautoko mō te kaupapahere te Karauna ki te whakatū rūnanga, me te āta tiroiro i te whenua hei nōhanga mō te Pākehā. Engari i kī ia kāore ia i tae atu ki Waikaremoana. Nā te āhua torehape o te whenua me whai kaiārahi ia, ka mutu nā te kaha o te pitonga kāore i taea te whakawhiti te moana. I kī ngā Māori i ārahi i a ia, āhua 80 ngā tāngata e noho ana i Waikaremoana. Nō te tau 1860, ko Te Wairoa te wāhi tauhokohoko mō Waikaremoana, ka mutu, i haere anō ngā tāngata ki Te Matau-a-Māui ki te kimi mahi.

**Ngā Pakanga ki Waikato, ki Taranaki**

- 2.8 I ngā rau tau 1860, i kōkiritia e te Karauna te riri ki ngā Māori o Taranaki me Waikato.
- 2.9 I te Hūrae o te tau 1869, whai muri i te urutomo a te Karauna ki te Kīngitanga ki te pū o Waikato, i tae te tiwha ki Te Urewera kia pākatia atu ngā hōia a te Karauna. I te Hūrae o te tau 1863 ka hui ngā rangatira o Tūhoe ki Ōpūtao, heoi, i tauwehewehe rātau mō te āhua o te whakautu ki tēnei urutomo. Ko ētahi i āhua aroha atu ki te Kīngitanga me te hiahia ki te tautoko i a Waikato ki te whawhai ki te Karauna, kia noho atu te riri ki Waikato, kia kaua e tae mai ki Te Urewera. I reira hoki atu ki te tāwharau i Te Urewera ki te pakaru mai te riro ki reira. I roto i ngā kōrerorero, i puta ngā tātai hononga me ngā whakaritenga kōrero o mua ki te hunga i tono āwhina.
- 2.10 I te taunga o ngā kōrero, tokoiti noa nā Māori o Te Urewera i tae atu ki te pakanga o Ōrākau i te Āperira o te tau 1864. Āhua 70 ngā tāngata o te ope taua o Te Urewera, ko ētahi nō Waikaremoana, Ko Te Mākarini Tamarau he uri nō Ngāti Ruapani me tana hoa rangatira a Hineana i whai atu. He nui rawa te hunga o Te Urewera i mate ki tēnei pakanga. Ko ētahi atu o tēnei ope, ko Mānuera nō Te Waimako, i mate atu i te pakanga, a Paerau, a Paraki rātau ko Tāpiki i hoki ki Te Urewera. I mate a Hineana, heoi i ora a Te Mākarini, ā, i ora ia i tana patu i te iri ki tana tātua i ārai atu i te matā. Ka taunutia e ngā pouaru te ope taua i hoki atu ki Te Urewera mō te hunga i mate ki te pakanga i Ōrākau. Ka titoa he manawawera, kia puta ai tō rātau riri.

**Te Riri, Te Raupatu me te Tukunga Whenua 1865–1867**

- 2.11 I te Tīhema o te tau 1865, he maha ngā Māori nō wāhi ke i rere mai ki Waikaremoana whai muri i te whakaeketanga o te Karauna ki ngā Pai Mārire i noho ki Waerenga-a-Hika i Tūranganui-ā-Kiwa. I whakatūria te Pai Mārire i te tau 1862 ki Taranaki, ko tōna kaupapa he hāpai i te rongopai me te rangimārie. Ko tā rātau kī taurangi kia mau te iwi Māori ki tō rātau tino rangatiratanga me te turaki i te mana whakahaere o te Pākehā. Nā te kōhurutana o te mihingare a Carl Völkner e nā Pai Mārire, i kino te riri o te Karauna me ngā kainoho ki a rātau. I te tuarua o Hānuere o te tau 1866, i kōkiri ngā hōia a te Karauna mā te awa o

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Waikaretāheke ki te whai i ngā Pai Mārire. I te noho a Ngāti Ruapani ki Tukurangi, ka oma whakarunga mā te awa, kātahi ka whakawhiti i Waikaremoana mā runga waka kia kore ai e mau.

- 2.12 I whakahaukore ngā hōia a Te Karauna me te taruweku i ngā rawa katoa ahakoa i te whawhai ngā rangatira, kāore rānei. I mua i tō rātau hokinga atu ki Te Wairoa i te rā 4 o Hānuere, neke atu i te tekau ngā pā kāinga i tūkinotia, i tahuna e ngā hōia me ngā kūpapa Māori a te Karauna ki roto o Waikaremoana. He rahi anō ngā kau, ngā hōiho me ngā pū kākano i pāhuatia mai i ēnei whenua, ā, ko te kōrero 'he rawa nui ēnei'.
- 2.13 I te 10 o Hānuere o te tau 1866 i wehe atu ngā hōia me nā kūpapa a te Karauna ki Waikaremoana ki te whawhai. E rua rā te roa o tā rātau hīkoi ki Te Kōkako (ko Te Kōpani te ingoa e mōhiotia ana ināiane) i hīkoi mā te awa o Te Waiau me Waikaretāheke, āhua ono kiromita te tawhiti mai i te taitonga o Waikaremoana. I ngā wiki o mua ka rere ētahi o ngā uri o Ngāti Ruapani me ētahi atu Māori ki te moana. Kāore e kore he nui anō ngā wāhine me ngā tamariki.
- 2.14 I Te Kōkako, i whawhai a Ngāti Ruapani me ētahi atu Māori ki te Karauna mō ō rātau whenua, ā, ka kari rua ki te whenua ka huna ki ngā ururua kia haupapatia te hoariri e kōkiri mai ana. Heoi, ka tahuna ngā ururua e ngā hōia a te Karauna, kātahi ka pūhia te hunga nei. Ka rere whakarunga atu a Ngāti Ruapani me ētahi Māori i ora ki te taha moana ki te pā kāinga i Onepoto. I rere ētahi ki te ngahere, i whakawhiti ētahi i te moana mā runga waka.
- 2.15 I Onepoto i te rā 12 o Hānuere, 14 ngā tāngata i mauherehia e te Karauna, tokorima o rātau he wāhine. I te rā o muri mai, tokowhā ngā tāngata i mauherehia e rātau, ā, i whakamatea 'tiripapatia' rātau. I tuhia i muri mai, e ai ki nā āpiha a te Karauna 'kāore i tika tēnei, ā, he takahi i te ture', ā, 'he mahi weriweri, ā, ehara i te mahi a te tangata tika'. I tono atu ki te āpiha o te Karauna kia whakamārama mai i ana mahi kōhuru, ā, he mea riri ia he kore nōna i aukati tēnā mahi kino. Heoi, kāore i hāmenetia he tangata mō tēnei hara.
- 2.16 Arā anō ngā kōrero a tēnā, a tēnā mō te nui o ngā tāngata i kōhurutia e te Karauna i ngā rā o te 12-13 o Hānuere. I kī te āpiha a te Karauna e 25 ngā Māori i whakamatea, hāunga ngā tuhituhinga o ngā nūpepa, e kī ana e 40 ki te 50 ngā tāngata i patua.
- 2.17 I te mutunga o te whakamate o ngā tāngata, ka whakahoroa katoatia e te Karauna ngā pā kāinga i Onepoto, ā, ka tahuri rātau ki te whai haere i ngā Māori i rere atu. Tokotoru ngā tāngata i patua e te Karauna i tō rātau tūtakahanga i te ngāhere, i rere atu ngā mōrehu ki runga o te moana mā runga waka.
- 2.18 I te mutunga o ngā riri i te marama o Hānuere, ka puta te rongu mō tētahi huihuinga a ngā Pai Mārire ki Waikaremoana. I te tau 1866, ka uru atu anō he ope taua a te Karauna ki te rohe. I te pānga o Mangarua, āhua rima kiromita te tawhiti mai i te moana, i whakaekehia e rātau ngā tāngata 200 i te whakahaere i ngā karakia a te Pai Mārire. I pūhia rātau e ngā hōia a te Karauna i a rātau e rere ana, ā, ka mate he kuia me ngā tāngata tokowhā, ko

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tētahi 'he tamaiti kē'. Ka whakamatea 'he koroua ngākau māhaki e kore rawa nei e patu i tētahi atu', ahakoa tōna tuku i a ia ki raro me te inoi kia kaua ia e patua; haunga tērā, ka whakamatea te koroua rā. Ko te kōrero a ētahi āpiha a te Karauna i muri he 'he mahi kōhuru mārike tēnei i ngā mauhere.

- 2.19 I tuku katoa ngā Pai Mārire i roto i te takiwā o Waikaremoana ki raro i ngā marama o muri mai. I te mutunga o Mei, 300 katoa ngā tāne i tuku ki raro e ai ki tētahi āpiha a te Karauna. Te āhua nei kāore a Ngāti Ruapani i roto i tēnei kohinnga tāngata, i whakawhiti atu rātau i Waikaremoana, ā, ka rere atu ki roto o Te Urewera. Ka mauherehia e te Karauna te nuinga o rātau ki Wharekauri me te kore whakawā, me te aha he kino ngā āhuatanga i reira. Nō te tau 1868 ka rere mai rātau i Wharekauri i raro i a Te Kooti. Ko Ēria Raukura tētahi, he uri nō Ngāti Ruapani, ko ia tētahi i mauherehia i te hinganga o ngā Pai Mārire i Ōmarunui (pātata ki Ahuriri) i te marama o Oketopa o te tau 1866.
- 2.20 I te tau 1866, ka raupatuhia e te Karauna ngā whenua i Te Wairoa hei hāmene i te hunga i whawhai ki a rātau. I raupatuhia e te Karauna ngā whenua i raro i te 1863 New Zealand Settlements Act i mua. Heoi, ko te whakahau a te Kāwanatanga o Pirirata Nui kia tika te whai a te Kāwanatanga o Niu Tīreni i ngā whenua, kia kaua te raupatu, kaua hoki e tango i ngā whenua o ngā kūpapa me ētahi atu i roto i ngā rohe whenua raupatu nui i raro i te New Zealand Settlements Act. I te tau 1866, ka whakaarahia e te Karauna te ture te the East Coast Land Titles Investigation Act East Coast Land Titles Investigation Act, kia taka mai i raro i tēnei ture ngā whenua i te rohe o Te Wairoa tae noa ki te tonga o Waikaremoana, i raro i ngā tikanga raupatu a Te Kooti Whenua Māori. Nā tēnei ture i āhei ai Te Kooti Whenua Māori ki te whakatau nō wai ake ngā whenua i roto i tōna takiwā, ā, kia taea ai e te Kooti Whenua Māori te kī nō te hunga i riri ki te Karauna ngā whenua, ā, ka raupatuhia e te Karauna.
- 2.21 Ka māharahara ngā āpiha a te Karauna, he whenua rawakore ka puta mai i te Ture o te tau 1866, me whai i ngā rohe whenua whānui kē. I te marama o Āperira o te tau 1867, i whakaae ngā Māori i tētahi hui i Te Hātepe kia tukuna te poraka o Te Kauhouroa ki tētahi whenua neke atu i te 42,000 eka te nui ki te Karauna, ā, ko te utu he £800 me ētahi whenua rāhui. Kāore a Ngāti Ruapani i whai wāhi ki tēnei hui, ahakoa i roto ngā whenua o Ngāti Ruapani i te poraka. Heoi ko te kī oati a te Karauna ka unuhia ana kerēme i raro i te Ture o te tau 1866, ki ngā whenua i te rohe o Wairoa-Waikaremoana i waho o Kauhouroa. I roto i te whakataunga i waitohua i Te Hātepe ka murua ngā whenua o ngā Māori ka whawhai ki te Karauna, ā, ka riro i ngā kūpapa. Heoi kāore i kī i raro i taua whakataunga kāore he whakamārama ka pēhea te whakatutuki i tēnei whakatau.

**TE WHAI I A TE KOOTI ME TE WHAKAHAUKORE 1868–1872**

**Ngā whakaritenga tatau pounamu tōmua**

- 2.22 I te Noema o te tau 1867, i te mutunga o ngā riri i Te Urewera, āhua 400 ngā tāngata o Te Urewera i hui ki Waikaremoana, ka tohua ko Paerau Te Rangikaitupuake hei māngai kōrero ki te Karauna ki te whakamoe i te riri. Ko te hiahia o te hui kia kaua ngā whawhai e

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pakaru atu ki roto o te manawa o Te Urewera, kia kua hoki te Karauna e kawē atu i ngā mauhere ki Wharekauri. Ko ngā whakaritenga o te tatau pounamu a te Karauna kia kī taurangi te iwi o Te Urewera, e tukua ētahi o ā rātau pū ki raro 'hai tohu i tā rātau whakahauraro', me te whakawhiti atu i te hunga nā rātau i whakamate ētahi tāngata. Ko te utu, kua kore e Karauna e whakawhiu i te hunga i te whawhai ki a rātau, e kawē atu rānei i te tangata mai i Te Urewera. I whakaaetia e te iwi o Te Urewera tēnei i tētahi hui i Ahikererū (tātata ki Te Whaiti), engari kīhai i anga whakamua te take.

**Te rerenga a Te Kooti me ngā Whakarau, me te riri ki Mōhaka**

- 2.23 I te Hūrae o te tau 1868, i rere a Te Kooti Arikirangi me ngā Whakarau mai i Wharekauri ka ū ki Whareongaonga i te tonga o Tūranganui-a-Kiwa. Ko tō rātau hiahia kia haere atu ki Taupō noho ai engari i whāia rātau e ngā hōia a te Karauna. I hinga i a Te Kooti me ngā Whakarau ngā hōia a te Karauna i ngā marama o te Hūrae me Ākuhata o te tau 1868, ā, ka noho ki Puketapu i te taha-rāwhiti o te rohe o Te Urewera. I te marama o Oketopa o te tau 1868, i tono a Te Kooti ki ngā rangatira o Te Urewera kia kuhu atu rātau ki roto o Te Urewera, engari kāore i whakaaetia.
- 2.24 I te marama o Noema, ka whakaekea e Te Kooti me ngā Whakarau tētahi pā kāinga ki Matawhero e pātata ana ki Tūranganui-a-Kiwa, ā, āhua 50 ngā tāne, ngā wahine me ngā tamariki Māori, Pākehā anō hoki i whakamatea. I te Tihema, ka rere atu rātau ki te pā o Ngātapa. I whakapaea e ngā hōia maha a te Karauna a Ngātapa mō ngā rā e rima, ā, ka rere atu a Te Kooti me ngā Whakarau ki roto o Te Urewera. He nui hoki ngā tangata o Ngātapa i mauherehia e ngā hōia a te Karauna, kātahi ka whakamatea kinotia rātau, i runga hoki i te whakaae a ētahi āpiha me ngā āpiha tūmatanui. Kore rawa te Karauna i tūhura i tēnei mahi kōhuru i Ngātapa ahakoa ngā tuinga kōrero ki ngā nūpepa e kōrero ana mō te maha o rātau i whakamatea i muri i te horotanga o Ngātapa.
- 2.25 I te Maehe o te tau 1869, whai muri i te whakaae tahi ki ngā rangatira o Te Urewera, i kuhu a Te Kooti ki roto o Te Urewera. Kātahi ka haere whakateraki ki Whakatāne, ā, i reira ka tukuna e ia ētahi rangatira maha o Te Urewera, arā ko Te Mākarini tētahi i mauheretia e te Karauna ki roto o Whakatāne i te tau 1867. I te Āperira o te tau 1869, i whakawhiti atu a Te Kooti i Waikaremoana me ngā Māori piripono ki a ia, āhua 200-300 te nui me ētahi Ngāti Ruapani hoki, ki te whakaeke i a Mōhaka; he maha te hunga i mate otirā he wahine he tamariki hoki i mate. I muri mai o te horonga, ka hoki a Te Kooti ki Waikaremoana. Ka tukuna e te Karauna ana tana ope hōia ki Waikaremoana ki te patu, ki te hopu rānei i a Te Kooti.

**Te Whakaekenga Tuatahi ki Waikaremoana**

- 2.26 I te Mei o te tau 1869, ka taka te whakaaro ki te Karauna kia kuhu ki Te Urewera mā ngā ara e toru ki te hopu i a Te Kooti. Ko ngā mahi tupenga te whāinga kia noho rawakore a Te Kooti, ā, me te whakawhiu i te hunga tiaki i a ia, arā ko te iwi o Te Urewera. I te 24 o Mei, i haere tētahi ope mā Te Wairoa, ā, kia tae atu ai ki Onepoto. I reira ka whakatūhia e rātau he pā whawhai ki Te Ūpoko-o-te-Ao i te taha uru o Waikaremoana, me te hanga

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waka me ngā kahupapa hei whakawhiti i te moana. Ko tā rātau i whakarite ai kia whakaekea te pā o Tikitiki. Engari i te waenganui o Hune, i tae atu te kōrero ki ngā hōia a te Karauna i Taupō kē a Te Kooti. Nō te tuawaru o Hūrae ka wehe atu te ope hōia ki Taupō.

**Te Tatau Pounamu me te whakahaukore i Waikaremoana**

- 2.27 I te Māehe o te tau 1870, i kōkiritia anō e te Karauna ngā ope taua e toru ki roto o Te Urewera ki te hopu i a Te Kooti (kua wehe kē atu ia i Te Urewera). Nō te Mei rā anō ka tae tētahi o ngā ope taua nei ki te taha moana.
- 2.28 I te paunga o Maehe o te tau 1870, ka whakawhitiwhiti kōrero tētahi rangatira o Te Urewera me tētahi rangatira kūpapa a te Karauna ki te whakatakoto i te tatau pounamu, nāna hoki i ārahi tētahi o ngā ope a te Karauna. Heoi kāore ngā rangatira o Waikaremoana me Ngāti Ruapani i whai wāhi atu ki ēnei whakaritenga kōrero. Kāore te rangatira kūpapa a te Karauna i whakawhiti kōrero me ngā rangatira matua o te kāwanatanga i mua i te whakatakoto i te rongomau. Ko ngā whakataunga o te tatau pounamu, kia 'kaua e raupatuahia, e murua rānei ngā whenua' e te Karauna, kia kaua hoki e tuku ope taua ki roto o Te Urewera, engari ia mēnā i reira a Te Kooti ki.
- 2.29 Kāore ngā rangatira o te Karauna i te ārahi i ngā ope taua ki Waikaremoana i te mōhio mō te tatau pounamu. Heoi, nō te Āperira mai i te pito o Mei ka huri te whāinga o ngā hōia a te Karauna, he 'āwhina kē ki te turaki i ngā iwi' i Waikaremoana 'me te whakawātea atu' i ngā kāinga i te moana. I te marama o Mei, i kuhu atu ngā hōia a te Karauna ki Waikaremoana mā te tonga, ā, ka pau te marama he pāhua i ngā māra kai me ngā pā kāinga. I te 2 me te 3 o ngā rā o Mei, ka whakaekea e ngā hōia a Karauna ngā pā kāinga o Whataroa me Ōhiwa, ka whakamatea a Hēmi te tama a Wī Tīpuna, me te hopu i te tamaiti a Wī Paretipua rāua ko Rīwai. Kua rere noa atu a Hēmi Tihi rāua ko Harawira me ētahi atu uri o Ngāti Ruapani. Ko te kōrero a te rangatira o te ope taua "ahakoa te iti o ngā mea i whakamatea, he mahi tino nui tēnei" i te mea ko te hunga i patua he rangatira whai mana."
- 2.30 Nō te Mei o te tau 1870 rā anō ka whakapāhōtia e David McLean (te Minita Take Māori me te Minita Take Riri) i te hiahia o te Karauna ki te whakatau i te rongomau. Heoi, me tuohu katoa ngā rangatira o Te Urewera, ā, ka mauria katoatia ngā hapū o Te Urewera ki ngā whenua rāhui i tai. I te pito o te marama o Mei, i whakatenetene te whakaae a ētahi o Te Urewera ki ēnei whakatau, engari i whakahē ngā rangatira o Waikaremoana.
- 2.31 I te tuawhiti o Hune, ka whakaekea e ngā hōia a te Karauna ngā pā kāinga o Ngāti Ruapani i te taha raki o Waikaremoana, ko te pā o Mātuahu tētahi, engari kua wehe atu te iwi i taua kāinga. Ko Mihi-ki-te-kapua tētahi uri o Ngāti Ruapani i noho ki Te Mātuahu, ko ia te kaitito o te waiata "Engari te Titi", he waiata kauhau mō ēnei tūāhuatanga. Ka wāwāhia e ngā hōia a te Karauna ngā pā kāinga i ngā tahataha o te moana. Ko ngā tohutohu a te Karauna ki te rangatira o ana hōia kia kaha tonu ki te whāngai i ana hōia ki ngā putunga kai a te "hoariri".



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- 2.32 Ahakoa kāore i tino ātetetia ngā hōia a te Karauna, he whakahaukore tonu te mahi a ngā hōia a te Karauna me te hoepapa i ngā pā kāinga me ngā kai o te rohe o te moana. I te mutunga iho, kāore he tino kiko o ngā mahi kino a te Karauna, he whakatōmuri noa i te tuohu a te hunga e noho ana i te moana ki raro, me te maha kāore i whai whakaaro ki te hunga kāore i uru ki ngā mahi whawhai. I tuhia e te rangatira o ngā hōia a te Karauna, e hia kē ngā tana rīwai i tūkinotia e te Karauna mai i ngā mārāma neke atu i te 100 i te taha moana. Hei tana, 1,000 ngā tāngata ka ora i ngā kai i tūkinotia e ngā hōia a te Karauna mō te tekau mā rima marama.
- 2.33 I te Hune o te tau 1870, e toru ngā hui a Te Mākarini me ētahi atu o Te Urewera me te rangatira o ngā hōia a te Karauna. I whakahē a Te Mākarini ki te whakatau a te Karauna kia tūturu te tuohu a tōna iwi ki te Karauna. I ngana ia ki te tono ki te Karauna kia whakaae rātau ki te whakatau i te rongō, ka mutu kia wehe atu rātau i Te Urewera. Engari, i whakahē te rangatira o ngā hōia a te Karauna ki te rongopai, me te āki i a Te Mākarini kia tuku ia ki raro. I mōhio a Te Mākarini ki raruraru o tēnei, arā ka mokaikaitia ia. Ahakoa tērā, i runga i ngā mahi taruweku a te Karauna ki ngā kāinga me ngā mārā kai i Waikaremoana, tekau ngā tangata i tuohu i te taha o Te Mākarini, o Mokouiarangi, me Hōri Wharerangi me ētahi atu.
- 2.34 I te Hūrae o te tau 1870, ka taruwekutia e te Karauna ngā mārā kai i mua i tō rātau wehenga atu i Waikaremoana. I roto i te tuinga a tētahi āpiha a te Karauna i muri mai, nā ngā mahi a ngā hōia, 'kua kore he take o te noho a Te Urewera ki te moana i te takurua, ā, nā te tūkino i ngā mārā kai, kua kore tino kore nei e nohia e rātau.'
- 2.35 I te roanga o te tau, i tuohu anō ētahi atu o Te Urewera, me ētahi atu o Waikaremoana, kei panaia rātau mai i Te Urewera. I ngā marama o Hepetema me Oketopa o te tau 1870, i tuohu hoki a Te Whenuanui rāua ko Paerau. I te marama o Tihema o te tau 1870, i mutu te whakahau a te Karauna ka wehe te hono tuohu i Te Urewera engari i whakanohotia rātau ki ētahi wāhi i roto o Te Urewera. Engari, i te marama o Hānuere o te tau 1871, 32 atu anō ngā tāngata o Waikaremoana i haere ki Te Wairoa ki te tuku ki raro.
- 2.36 I te Āperira o te tau 1871, i hoki atu a Te Kooti ki Te Urewera, engari i panaia mai ia i Waikaremoana e ngā tāngata o Te Urewera. I te tīmatanga o Hūrae o te tau 1871, i hoki atu anō a Te Kooti ki te rohe. I a ia i te pā o Te Mārau he maha ngā tāne a Te Mākarini Tamarau i mau i a ia. I tuhi atu a Te Mākarini ki te ngārahu o ngā pirihihi mau pū i Te Wairoa mō te taenga atu o Te Kooti. I te marama o Hūrae i te tau 1871 i kōkiritia he ope taua tuatoru a te Karauna. I te p o Hūrae, 50 ngā hōia a te Karauna i whakatū pā whawhai ki Onepoto, engari kua wehe kē atu a Te Kooti i te rohe.
- 2.37 I te pito o Ākuhata, i kuhu anō ngā hōia a te Karauna ki Waikaremoana, ka whakawhiti ki te taha raki ki te pā o Te Mārau ka mauherehia ngā tāne, ngā wāhine me ngā tamariki i runga i te whakapae i te manaaki rātau i a ia. 'I pau katoa ngā kai' i ngā hōia, ā, ka wāwāhitia ngā kāinga o taua whenua. I mua o te wehenga atu o Te Kooti mai i Te Urewera i te tau 1872, i āwhina ngā tāngata o Ngāti Ruapani i ngā hōia a te Karauna ki te kimi i a Te Kooti tae noa ki te tīmatanga o te tau 1872 i tōna wehenga atu i te rohe.

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- 2.38 He nui te whakatoihara a ngā mahi riri a te Karauna ki a Ngāti Ruapani, ā, ko te mutunga atu he nui ō rātau mate me te noho momotu mai i ō rātau whenua. Nā te whakahaukore a te Karauna, he maha ngā tāngata o Ngāti Ruapani i mate i te mate kai me te makiriri. Nā ēnei riri a te Karauna i Waikaremoana, he nui te pā kino ā-pāpori, ā-ōhanga, ā-ahurea hoki ki ngā whakatipuranga maha o Ngāti Ruapani.

**Te Whitu Tekau**

- 2.39 I te tau 1871, i hiahia anō te Karauna ki te hohou i te rongo ki te iwi o Te Urewera, ā, i hui te Karauna ki a Te Whenuanui rāua ko Paerau Te Rangikaitupuake ki te whakawhitiwhiti kōrero. I te Noema o te tau 1871, ka hua ake te “tatau pounamu” i ngā rangatira o Te Urewera rātau ko Te Mākarini, Te Whenuanui, a Paerau me ētahi atu rangatira. I whakaae a Donald McLean, te Minita Māori me te Defence Minister kia whakawāteahia ana hōia mai i Te Urewera ka waiho mā rātau anō rātau e whakahaere i roto i ō rātau rohe. I whakaae rātau kia tukuna atu e rātau a Te Kooti ki te Karauna ki te mau i a rātau.
- 2.40 I te Hune o te tau 1872, i hui ngā rangatira o Te Urewera ki Ruatāhuna i reira ka whakaaturia e rātau Te Whitu Tekau hei whakapūmau i tō rātau te mana motuhake ki roto o Te Urewera. Ko Te Whenuanui, ko Paerau, ko Te Mākarini, ko Hetaraka Te Wakaunua, ko Te Ahikaiata, me ētahi atu rangatira o Tūhoe i whakamōhio atu ki te Karauna mā rātau anō rātau e whakahaere, me te whakatau i tō rohe rohe nā rātau katoa i whakaae. I whakahē a Te Whitu Tekau ki te hanga rori, te rūri, te hoko whenua, me te tuku whenua ki Te Kooti Whenua Māori.
- 2.41 Nā Te Whitu Tekau i whakaara i ngā pou rāhui mō tōna rohe whenua, me tētahi haki. I te Oketopa o te tau 1872, i tuhi reta a Te Whenuanui rāua ko Paerau ki te Karauna ki te whakahē i te hanga rori ki runga i ō rātau whenua, me te kī anō i whakaae te Karauna ki tō rātau mana motuhake: ‘...’*ko te ture hei titiro i ā tātau kōrero ināianeī*. Ko Hetaraka anō tētahi o Te Whitu Tekau i tuhi kōrero atu ki te Karauna mō ētahi atu o ā rātau whakatau me ngā tikanga, i tētahi hui a Te Whitu Tekau i te marama o Maehe o te tau 1874, i ētahi atu wā rānei tae noa ki ngā tau o te 1890. I roto hoki i aua kōrero ko te tono a te Karauna e tono ana ki Te Urewera kia hangaia ngā rori i roto i tō rātau rohe. Engari, i eke te whakahē a Te Whenuanui me ētahi atu rangatira kia kaua te hanga rori, ā, ka mau tonu tikanga a Te Whitu Tekau kia kaua te hanga rori.
- 2.42 I te Maehe o te tau 1874, i hui Te Whitu Tekau me te kaiwhakawā ā-rohe o Ōpōtiki. I kī atu rātau ko tō rātau hiahia kia noho hoahoa tonu ki te Karauna. Nā Te Ahikaiata i whakatakoto i ngā kaupapa o te hui ko ‘Te aukati i te hanga rori, ngā rīhi, ngā kaiwhakawā me ngā mea kino’. I te mutunga o te hui, i tuhi te kaiwhakawā ā-rohe i whakaae te nuinga o ngā rangatira o Te Whitu Tekau ki ēnei whakataunga kia aukatia atu te Karauna mai i tō rātau rohe. I kī hoki te kaiwhakawā ā-rohe, i te tōtara wāhirua rātau i runga i ngā take rīhi whenua.
- 2.43 Ahakoa kāore i whakamanatia e te Karauna te mana o Te Whitu Tekau, i whakaae rātau ki te whakahē a Te Whitu Tekau i te tuatahi mō te hanga rori ki roto i tōna rohe. Engari,

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kāore te Karauna i aro atu ki ngā whakahē mō te rūri whenua, Te Kooti Whenua Māori, me te take hoko whenua. Ko te manako o te Karauna, mā te āta rīhi me te hoko i ngā whenua e pae ana i te rohe me roto hoki ka karoa e rātau ngā whakahē a Te Whitu Tekau mō ngā take whenua me Te Kooti Whenua Māori. I tohua hoki e te Karauna tētahi kaihoko whenua ki te hoko i ngā whenua e pae ana i Te Urewera, ko te mutunga atu ko te takahi i te rohe i whakatūria e Te Whitu Tekau.

**Te Raupatu: Ngā Poraka e Whā i te Taha Tonga**

- 2.44 I te Ākuhata o te tau 1872, i eke te whakaae tahi a te Karauna me ngā Māori o Te Wairoa ki te waihanga i ngā poraka e kīia ana ko ngā poraka e whā i te taha tonga. Tata ki te 178,000 eka te nui o ēnei poraka (Tukurangi, Ruakituri, Taramarama me Te Waiau), ā, i whai pānga a Ngāti Ruapani ki ēnei poraka ki te tonga o Waikaremoana. I pōhēhē ngā āpiha a te Karauna, koinei ngā toenga whenua o te ture raupatu o te Tairāwhiti o te poraka Kauhauroa. I kī taurangi atu te Karauna ki ngā rangatira 'kūpapa' i te wā o te whakaaetanga o Te Hātepe i te tau 1867, ka tukuna ētahi whenua o te poraka ki a rātau.
- 2.45 18 ngā rangatira i waitohu i te whakaaetanga i te Ākuhata o te tau 1872, ā, kotahi noa iho te tangata nō lwi kē. Ko Te Mākarini anake te rangatira o Ngāti Ruapani i waitohu, i kī ia i muri mai kia mau ai te mana o Te Urewera nō rātau kē aua whenua. Nā tēnei whakaaetanga ka whakawhiwhia ngā tāngata 206 ki ngā poraka e whā, i runga anō i te tikanga e kore e taea te hoko atu. He tokoiti noa rātau o Ngāti Ruapani i whiwhi taitara. I te marama o Hepetema, i whakamōhiotia atu a Hetaraka Te Wakaunua ki te Karauna, he rangatira nō Te Urewera kāore whakaurua atu ki roto i te whakaaetanga, i te whakahētia te whakaaetanga, i kī ia '...kāore a Te Urewera i te rata ki a Te Mākarini mōna i tuku atu a Waikaremoana'.
- 2.46 I roto i te whakaaetanga o te tau 1872, ko te whakaaetanga ka mau tonu i te Karauna ngā poraka e rua i roto i a Ngāti Ruapani. Arā: 250 eka ngā whenua i Onepoto, i reira te pā whawhai o te Karauna, ka mutu e rua ngā pā whakahirahira (ko Te Pou o Tūmatawhero, me Tukutuku o Heihei) me tētahi urupā; me te 50 eka i riro ki te awa o Waikaretāheke. I roto anō i te whakaaetanga i whakaaetia kia āhei te Karauna ki te tope i ngā rākau o ēnei whenua. Kāore he taitara ā-ture a te Karauna ki ēnei whenua.
- 2.47 Kāore te Karauna i tuku wawe i ngā taitara i whakamanahia e te whakaaetanga o te tau 1872. Ahakoa tērā, i te tau 1873 i rīhitia ngā poraka e ētahi i roto i te whakaaetanga ki ētahi Pākehā. I kaha te whakahē a Wī Hautaruke rāua ko Te Mākarini ki te rīhitanga o ngā poraka Tukurangi me Taramarama. I kī rāua, nō rātau kē te nuinga o te poraka whenua o Taramarama. I unuhia e Te Mākarini tana tautoko i te whakaaetanga 1872, nāna hoki i waitohu.
- 2.48 I te Noema o te tau 1873 me te Maehe o te tau 1874, i toro atu te Karauna ki ngā Māori he pānga ō rātau ki ngā poraka kia whakaaehia ngā rohenga whenua me rātau. Kāore i taea he whakaaetanga, ā, i te Āperira o te tau 1874 i kī atu te Karauna ki ngā Māori kia

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haria ā rātau kerēme mō ngā taitara ki Te Kooti Whenua Māori kia whakatauhia te taitara e tohea ana.

- 2.49 I muri mai i kōrero a Hūrae Puketapu o Ngāti Ruapani, mō tētahi hui i tū i te tau 1874 i waenga i a Ngāti Ruapani me ētahi atu, i reira ka kōrerohia ngā rohenga o ō rātau pānga i roto i ngā poraka e whā o te taha tonga. Ko tana kōrero, i whakaae te hunga whai pānga ki ngā poraka e whā o te taha tonga ki te whakatakoto i te rohe ki te taha tonga e tohu ana i ō rātau pānga, ā, ka tiakina ēnei whenua i roto i te rohe kia kore ai e hokona atu.
- 2.50 I te Mei o te tau 1874, i tuku tonono ngā Māori o Ngāti Ruapani me ētahi atu Māori ki te Kooti kia āta tiroirohia ngā poraka e whā. I te Noema o te tau 1874, i mua i te whakawā a te Kooti Whenua Māori i taua tonono, heoi, ka haotia e te Karauna ngā poraka e whā ahakoa ngā whakaaetanga o te tau 1872 kia kaua e riro ki tētahi atu. Kātahi ka tīmata te Karauna ki te hoko i ngā rīhi mai i ngā kairīhi. Ka tuku pūtea taurewa te Karauna ki ngā Māori mō ngā poraka. I te Hune o te tau 1875, i haere atu tētahi āpiha a te Karauna ki Waikaremoana ki te tonono ki a Ngāti Ruapani kia haere ki Te Wairoa ki te kōrerorero mō te hoko whenua. I tētahi hui i Ahuriri i te Hūrae o te tau 1875, i tino whakahē a Ngāti Ruapani ki te Karauna mō te kōrero ki ētahi atu iwi mō ngā poraka e whā. I riri te hoki āpiha, ā, i kī atu ia ki te Minita Māori a Mclean, nāna te kōrero ki ngā rangatira o Te Urewera, o Ngāti Ruapani ‘nā tō aroha i ora ai rātau’. I runga i tērā, ‘whakaae’ rātau ki te hoko a te Karauna.
- 2.51 I te Oketopa o te tau 1875, i whakapāhotia e te Kooti Whenua Māori ngā mahi ki te tūhura i ngā taitara o ngā poraka e whā. E rua ngā wiki i mua atu, i kī tētahi āpiha a te Karauna kua oti i a ia ngā whakaritenga ki te hoko atu i te poraka. Heoi, i te 28 o Oketopa i tuwhera te kooti i Te Wairoa, me te aha ka whakatārewa tonutia ngā mahi tūhura.
- 2.52 Tata ki te 700 ngā tāngata o Te Urewera i hui tahi me te Karauna ki te kōrero mō ngā poraka e whā e tohea ana. I kī atu te āpiha a te Karauna ki a rātau i raupatuhia ngā whenua tae noa ki Waikaremoana i te mea i whai ngā rangatira ake o ngā whenua ‘i ngā hoariri o te Kāwanatanga’. Ka mutu, i tuku te Karauna i tētahi wahanga nui o te whenua ki ngā Māori ‘kūpapa. Waihoki, kua tahuri te Karauna ki te hoko mai i ēnei whenua, ko te pātai ki te hui kei a wai te mana ki te tuku i ēnei whenua ki te Karauna. Ko te kōrero a Hōri Wharerangi, ‘Ko ēnei poraka e whā e tohea ana he whenua raupatu kē’. Ko tāna whakahoki ki te hiahia te Karauna ki te hoko i ngā whenua, ‘ka whakahokia e au ngā pūtea a te Karauna: arā, e kore au tuku i te whenua’.
- 2.53 Tata ki te rima hāora te roa o ngā kōrero, kātahi ka kī atu te āpiha a te Karauna ki a rātau ‘... Ka nui te whakaaro nui o te Kāwanatanga ki te tuku ki te iwi o Te Urewera kia tūhuratia tā rātau take kerēme, i te mea ‘i whawhai kē rātau ki te Karauna i te wā i raupatuhia te whenua’. Kātahi ka puta te kōrero a tētahi mema Pāremata Māori a Karaitiana Takamoana ‘... Kaua rawa te Kāwanatanga e whakawehi i ēnei Māori, mā te kī atu nō rātau te whenua me te whakahau i a rātau kia rīhitia, i te mea kāore he mana o te Kāwanatanga ki konei.’ I whakahē te āpiha ki te whakapae i te whakatuma te Karauna i ngā Māori. Kāore i eke i te hui te take hoko whenua.

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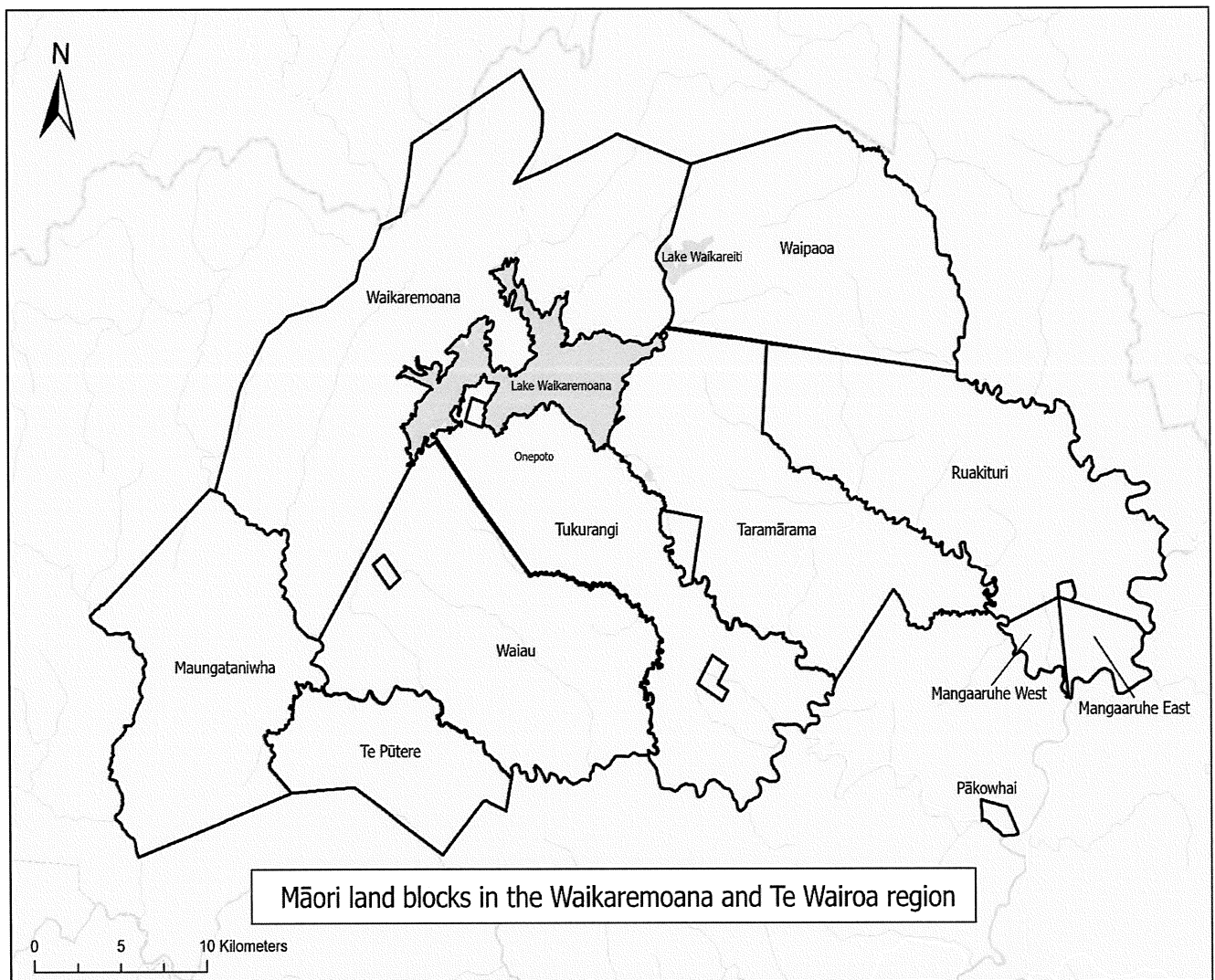
- 2.54 I tū ngā tūhuratanga a Te Kooti Whenua Māori i ngā taitara o ngā poraka e whā i waenga o te 4 me te 6 o Noema. I te 4 o Noema ko Tukurangi te poraka tuatahi i tūhuratia, whai muri iho ko te poraka o Ruakituri i taua rā anō, ā, ko ngā poraka o Taramarama me te Waiau i te 6 o Noema. I te rā tuatahi, ka uia e te kaiwhakawā o te Kooti mēnā i raupatuhia ēnei poraka whenua. I te rangirua ngā kōrero mō te take, ka whakaae atu te āpiha a te Karauna i raupatuhia e te Karauna, me te aha, 'i puritia e te Kāwanatanga ngā whenua i te ngutuawa o Te Waiau [hapa] i Kauhouroa, i waenganui o Te Wairoa me Te Waiau'. I kī anō te āpiha, 'i whakarerea e te Karauna ngā toenga whenua i waenga i Te Waiau me Ruakituri ki ngā Māori nō rātau te whenua', ahakoa tana kōrero ki te hui, i mua tonu o ngā whakawātanga o te kooti, ka whakahokia ngā whenua ki ngā kūpapa Māori.
- 2.55 I te 6 o Noema, i tae atu te karere ā-wāea ki te āpiha a te Karauna mai i te Minita Māori. Ko te whakaaro o te rōia, kāore i raupatuhia ēnei whenua, ā, i raro i te Ture o Te Tai Rāwhiti 1868 ka whai mana te kooti ki te whakatau taitara me ngā pānga whenua ki te hunga whai kerēme. I whakakapi te Ture i te Tūhura Taitara o Te Tai Rāwhiti 1866 o mua, engari ka taea tonu e te Karauna te raupatu ngā whenua i runga i ngā whakatau a te Kooti Whenua Māori nō ngā hoariri Māori ki te Karauna ēnei whenua. Nō te 8 o Noema ngā karere ā-wāea i tae atu ki te Kooti.
- 2.56 I te rā tuaono o Noema, i kī te Kaiwhakawā he rerekē ngā kōrero a ngā kaikerēme me ngā kaiwhakahē, he tukituki tētahi ki tētahi, ā, he uaua, he taupatupatu. Whāia ka whakatārewahia e te Kooti te kēhi kia rūritia rā anōtia ngā poraka.
- 2.57 Ko te whakaaro o te Karauna, neke atu pea i te toru marama te roa ki te rūri, me te aha i te māharahara tonu rātau ki tētahi whakataunga i waho o te kooti. I whakatakotohia atu e te Karauna ki a Ngāti Ruapani tētahi utu me ētahi whenua rāhui i roto o ngā poraka, ā, ko te utu kia unua mai e rātau ā rātau kerēme. I te rā 12 o Noema, ka whakaae atu a Ngāti Ruapani ki tērā i whakatakotoria atu e te Karauna, ā, ka tuku kōrero ki te Kooti ka unuhia ā rātau kerēme ki ngā poraka e whā. Kāore he tuhinga kōrero o ēnei whakariterite, engari i kī a Ēria Raukura he rangatira nō Ngāti Ruapani i ngā tau o te 1870, 'nā te Kāwana te kōrero ki te kore e hokona atu e mātau ngā whenua, ka raupatuahia'.
- 2.58 Āhua 60 ngā tāngata o Te Urewera i waitohu i tētahi whakaaetanga me te Karauna, ā, e kī ana kei te tukuna katoatia e rātau tō rātau 'mana', taitara, pānga hoki ki te Karauna i roto i ngā poraka e whā. I utu te Karauna i te £11,250 me ngā whenua rāhui o te 2,500 eka. Kātahi ka tukuna kē atu e te Kooti ngā taitara ki ngā kaiwhakahē mō te £19,700, i mau tonu i a rātau te 8,400 eka o ngā whenua rāhui.
- 2.59 I te tau 1876, i wehea mai e te Karauna te 2,500 eka o ngā whenua rāhui i oaitia e rātau ki a Ngāti Ruapani mā ngā whenua rāhui e whā: ko Whareama (300 eka), ko Te Kōpani (800 eka), Te Heiotāhoka (1,100 eka), me Ngāputahi (298 eka). I te tau 1889 ka whakawhiwhia ngā taitara ki ngā tāngata 60 nā rātau i waitohu i te whakaaetanga, kaua ki ngā tāngata katoa nō rātau te whenua. Kīhai he huarahi whaimana ki ngā whenua rāhui i Ngāputahi me Whareama, ā, i te tau 1921, ka tangohia e te Karauna ēnei whenua rāhui i raro i te Urewera Consolidation Scheme.



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2.60 Me kī, āhua 157,000 eka te whānui o ngā poraka e whā, engari i te rūritanga ka kitea he 178,226 eka kē te nui i te wā o ngā whakawhitinga. I tangohia mai e te Karauna ngā whenua i Onepoto me te awa o Waikaretāheke i roto i ēnei whakawhitinga, ā, kāore i utua a Ngāti Ruapani mō ngā whenua me ngā rākau i topea. I te Akuhata o te tau 1877, i puta te whakapuaki a te Karauna he ‘Whenua Muru nō te Karauna ēnei’.



**Te Kooti Whenua Māori me te hao whenua a te Karauna**

2.61 I te tīmatatanga o te tau 1862, i whakaara te Karauna i te ture whenua Māori hei whakatau nō wai ake ngā whenua Māori “e ai ki ngā tikanga tuku iho”. Ko tēnei tikanga hou he whakawhiti i te taitara Māori ki raro i te taitara Karauna, kātahi ka whakaaturia e te Karauna he whakawātanga hei whakatau nō wai ake te whenua. Kāore te Karauna i kōrero ki a

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Ngāti Ruapani mō te Ture Whenua Māori hou nei, ā, kāore hoki ngā Māori i whai kanohi atu ki rō Pāremata i tōna whakaturetanga.

- 2.62 Ko te hiahia o te Karauna mā te Ture Whenua Māori e wāwāhi mai i ngā whenua Māori hei nohoanga mō ngā Pākehā. Nā tēnei ture i whakakore i te tikanga hoko tuatahi a te Karauna, e āhei ai ngā Māori ki te hoko atu, te rīhi rānei i ngā whenua ki ngā kainoho Pākehā tonu. Ko te Kooti Whenua Māori anake te tikanga i āhei ai a Ngāti Ruapani ki te whai taitara mōna, ki te hoko, te rīhi, te whakamahi rānei i te whenua hei puna mō te whakawhanake i te whenua.
- 2.63 I raro i te tikanga tuku iho, ka taea ngā momo whakamahinga whenua matatini, ngāwari hoki, otirā he maha pea te hunga i roto i te whenua kotahi. Engari, i raro i ngā ture hou, me tautuhi me te pūmau aua mana, ka mutu ehara i te mea i whai whakaaro ki ngā tāngata whai pānga katoa ki te whenua. I riro ngā taitara whenua i raro i te ture whenua Māori ki te tangata takitahi, ā, i te nuinga o te wā i wehewehea ngā pānga o te hapū. Ko te whāinga nui o ngā ture whenua he turaki me te whakapākehā i te Māori kia noho Pākehā ai rātau.
- 2.64 Ka āhei tētahi tangata Māori kotahi ki te tono ki te Kooti kia tūhuratia te taitara o tētahi whenua. Kāore he here kia whiwhi whakaaetanga mai i ngā rangatira katoa nō rātau taua whenua, ā, ina whakaaetia e te Kooti tētahi tono, me mātua whakauru katoa mai te hunga katoa he pānga o rātau ki taua whenua, ki te kore e whakauru atu, ka riro o rātau pānga. Me mātua rūri te whenua e tūhuratia ana i mua i te tukutanga o tētahi taitara.
- 2.65 I whakahē a Ngāti Ruapani, i raro i Te Whitu Tekau, ki te Kooti Whenua Māori. Heoi, mai i te tau 1868 ki te 1890, kāore i taea e rātau ngā whenua neke atu i te 100,000, eka e kī ana rātau he whenua tuku iho nō rātau, te aukati i te rūri me te tuku atu ki raro i te Kooti Whenua Māori.
- 2.66 He nui te utu ki te haere ki ngā hui a te Kooti Whenua Māori, ka mutu he roa hoki. He tino nui ngā utu rūri me ētahi atu utu ki a Ngāti Ruapani ki te whai i ngā taitara i te Kooti Whenua Māori. I riro katoa i te Karauna te whakahaere o ngā mahi rūri, ā, i ētahi wā ka riro te whenua hei utu i ngā rūri. He tawhiti rawa te haere a Ngāti Ruapani ki ngā hui kooti i waho atu o Waikaremoana. I mate a Ngāti Ruapani ki te utu i te kai me te wāhi noho, i tua atu i ngā utu o te kore haere ki te mahi. I te tau 1894, i amuamu a Ngāti Ruapani i Te Kūhā ki te Pirimia mō te “kino o ngā utu rūri me te Kooti Whenua.” He “tino kino” tēnei āhuatanga ki ā rātau, ka mutu “i riro te whenua hei utu i ngā whakapaunga”.

**Ngā whakawākanga tuatahi a te Kooti Whenua Māori**

- 2.67 I te Hepetema o te tau 1868, i tīmata ngā rangahau tuatahi o ngā taitara a te Kooti Whenua Māori ki Te Wairoa ki te tiroiro i ngā pānga whenua o Ngāti Ruapani. I taua wā anō i te mataara katoa te iwi kei pupū ake te whawhai, kātahi ka whakatū maioro ki reira.
- 2.68 I te tau 1867, ko te mahi tuatahi i mua o te Kooti, he whakamana i te whakaaetanga o Te Hātepe. I kī atu te āpiha a te Karauna ki te Kooti, e 600 eka ngā whenua i waiho iho mō

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ētahi Māori i raro i te whakaaetanga o Te Hātepe. I muri iho i ngā rā e rima, i tirohia e te Kooti te poraka o Pākōwhai (600 eka), ā, i reira hoki ētahi hunga i whakauru atu ki te whakaaetanga o Te Hātepe. I kī atu rātau ki te Kooti, i te wā i tangohia e te Karauna ngā whenua mō te pā hōia i roto i te rohe i raupatuhia, i whakahokia hoki te poraka o Pākōwhai ki a rātau. I waiho e te Karaunamā rātau anō e whakatau ko wai te hunga whai pānga ki te taitara. Kāore i whakaurua atu a Ngāti Ruapani.

- 2.69 I te rā tuarua o ngā whakawātanga ki Te Wairoa mō ngā kerēme a ētahi atu Māori ki te poraka o Mangaaruhe. I wehea e te Kooti ngā taitara ki ngā wāhanga e rua: ko te Rāwhiti o Mangaaruhe (3,878 eka) me te Uru o Mangaaruhe (2,267 eka), ā, tekau noa ngā rangatira whenua i whakawhiwhia ki ia wāhanga. Kāore i whakaurua a Ngāti Ruapani ki ngā taitara. I raro ngā whakahaere o te Kooti i taua wā i te ture i āhei ai rātau ki te raupatu i ngā whenua o te “hoariri”.
- 2.70 I te Noema o te tau 1875, i Te Wairoa, i raupatuhia e te Kooti Whenua Māori te taitara o Te Pūtere (18,323 eka), he poraka i whai pānga a Ngāti Ruapani. I taua wā tonu, i te mana tonu te ture raupatu mō ngā whenua o ‘ngā hoariri’. Kāore te rangatira o Ngāti Ruapani, a Hōri Wharerangi, i tuku kerēme mō te poraka, engari nāna i whakahaere te take mō Ngāi Tarapāroa, he hapū nō roto o Waikaremoana, e hono ana ki a Ngāti Ruapani. I tukuna e te Kooti te taitara ki ngā rangatira whenua 26, ko te nuinga nō Ngāi Tarapāroa, me ētahi e hono ana ki Waikaremoana. I muri mai, i hokona te nuinga o ngā whenua o Te Pūtere, ā, i ēnei rā, he iti noa iho ngā whenua Māori e toe ana i reira. Arā, kei runga te marae o Te Pūtere i aua whenua.
- 2.71 I te 28 o Hune i te tau 1879, i Te Wairoa, i tūhuratia e te Kooti Whenua Māori te poraka o Maungataniwha (36,140 eka). I tukuna e Paora Puketapu o Waikaremoana kerēme mō Ngāi Tarapāroa, a nā Hōri Wharerangi ia i tautoko, engari kāore i whakaaetia e te Kooti. I tōmuri rawa te tono a Mihaere Puketapu kia whakawātia anōtia te whakatau a te Kooti. I tukuna te taitara ki ētahi atu Māori tokowhitu, nā rātau i rīhi atu tae noa ki te tau 1883, ā, hokona mai e te kairīhi.

**Waipaoa**

- 2.72 Kei te rāwhiti o Waikaremoana te poraka o Waipaoa (39,000 eka). Kei roto i tēnei poraka ko Waikareiti, he wāhi whakahirahira ki a Ngāti Ruapani mō ā rātau kōrero tuku iho me te taha wairua. E ai ki a Ngāti Ruapani, e hono ana te tipuna a Ruapani me Waikareiti i roto i ngā whakapapa. E rua ngā motu kei roto i te roto nei, ko Te Kaha-a-Tūwai me Te One-a-Tahu ngā ingoa i tapaina e ngā uri o Ruapani. E rua hoki ngā repo me ngā roto iti e mau ana i ngā ingoa o ngā mokopuna a Ruapani: ko Puna-hōkio, Puna-te-ao, me Hine-rere. I tapaina hoki tētahi roto ki a Hine-waho, te tuahine o Tūwai.
- 2.73 I te tau 1879, ka tīmata te Karauna ki te hoko whenua ki te raki o Waipaoa. I tukua e te Karauna he moni taurewa ki ētahi atu rōpū e rua, ā, nā tērā i tahuri ētahi atu Māori ki te tono kia rūritia, me te tono kia tūhuratia ngā taitara o ngā whenua i te tohea.

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- 2.74 I te matakū ētahi atu Māori kei uru te poraka o Waipaoa ki roto i aua whenua e tohea ana. I te tau 1882, ka tīmata rātau ki te tono kia rūritia a Waipaoa. Kāore a Ngāti Ruapani i whai wāhi atu. I te tau 1888, i tono ētahi atu Māori ki te Kooti Whenua Māori mō te taitara, ā, i te o muri mai i tū ai ngā whakawātanga ki Te Wairoa.
- 2.75 I tau he kōrero i waenga i a Ngāti Ruapani me ngā kaitono i waho o te Kooti. I raro i taua whakaaetanga, i tukuna e rātau kia whakahaerehia tā Ngāti Ruapani take e ngā kaitono ki te aroaro o te Kooti, ā, tokorua noa iho i tae atu ki te whakawātanga — ko Te Hapi Tūkahara rāua ko Wī Hautaruke (e mōhiotia anō ko Whakamoe). Ko te take pea kāore i tae atu te nuinga o rātau nā ngā kaupapa a Te Whitu Tekau, arā, te whakahē i ngā mahi a te Kooti Whenua Māori, tae atu ki te rūri me te hoko whenua.
- 2.76 I tukuna e te Kooti ngā pānga ki te poraka o Waipaoa ki ngā kaitono. Nā runga i te whakaritenga i waho o te Kooti, i uru anō ētahi tāngata takitahi o Ngāti Ruapani ki roto i te taitara.
- 2.77 I te tau 1882, i whakaaetia e te Karauna me ētahi tokorua nō tētahi atu rōpū kia utua te rūri ki te whenua, arā, kotahi eka mō ia rua hereni o ngā utu rūri. I tohua hoki he wāhanga motuhake o te poraka, i te taha o te awa o Ruakituri, ki te taha whakarunga o te kāinga o Erepeti, hei tuku i raro i taua whakaaetanga. Kāore a Ngāti Ruapani i whai wāhi ki ēnei whakaritenga, ā, kāore hoki te Karauna i kōrero atu ki a rātau mō tēnei kaupapa, engari i murua tonutia ō rātau whenua. Kāore a Ngāti Ruapani i aukati i te rūri i te wā i rūritia, engari i te 1889 i whakaatu a Wī Hautaruke ki te aroaro o te Kooti Whenua Māori i whakahē tahi rāua ko Hōri Wharerangi ki aua whakataua.
- 2.78 I tukuna e te Kooti ngā poraka o Waipaoa 1 (2,911 eka) me Waipaoa 2 (2,911 eka) ki te Karauna, ā, i roto te poraka o Waipaoa 2 i te taha tonga o te papamoana o Waikareiti, hei utu i ngā utu rūri. Tata ki te 15% te nui o taua poraka. Nā tērā, i riro ai ngā pānga o Ngāti Ruapani ki te tonga o Waikareiti.
- 2.79 Atu i te tau 1898, i tīmata te Karauna ki te hoko mai i ngā pānga takitahi o ngā rangatira o te poraka o Waipaoa mō te toru hereni i te eka. I hiahia te Karauna ki te hoko i ngā whenua i te taha o Waikareiti hei tiaki i te taiao, ā, ko te hiahia o te Karauna mō Waipaoa koinei te mea “hira” hei “whakatūwhera mai” i te rohe e tata ana ki Te Urewera. I mahi pōturi te hoko i ngā whenua, me te aha he mahi huna. I te motu whānui, i aukatia te hoko whenua a te Karauna i raro i te Ture Menemana Whenua Māori 1899; ahakoa tērā, i haere tonu ngā mahi hoko a te Karauna i ngā pānga takitahi o Waipaoa i te wā e mana tonu ana te Ture.
- 2.80 I te tau 1903, i tono te Karauna ki te Kooti kia tapahia mai ngā pānga whenua i riro mai i a ia. I tono te Karauna kia whakakorehia ngā wāhanga whenua, i whakamana i ngā pānga motuhake o ngā hapū, ā, kia whakamoanatia ngā pānga o te Karauna ki roto i ngā poraka e rua. I whakaae tētahi rangatira nō tētahi atu rōpū ki tēnei wāhanga, ā, nā tērā i whiwhi pānga ai a Ngāti Ruapani ki Waipaoa 5 (19,490 eka), i te taha o rātau kāore i hoko. Kāore rātau i noho ki tēnei whenua, ā, kāore hoki i tino kaha ō rātau pānga ki reira. I tukuna atu e te Kooti a Waipaoa 3 me Waipaoa 4 (13,990 eka katoa) ki te Karauna. I roto o Waipaoa

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4 ko te roto o Waikareiti, nō reira, i riro katoa ngā pānga o Ngāti Ruapani ki te roto me ngā wāhi pātata i noho ai rātau, ahakoa kāore i hokona atu e rātau aua whenua. I tino pāmamae rātau i tēnei.

**Waipaoa me te Poari Whenua Māori o Te Tairāwhiti**

- 2.81 I te tau 1900, i whakaaturia e te ture te Kaunihera Whenua Māori o Te Tairāwhiti, ā, he Māori te haurua o ngā mema o te kaunihera. I te tau 1905, i raro i te the Māori Land Settlement Act, ka whakahoutia te kaunihera ko te the Tairāwhiti Māori Land Board. I raro i tēnei ture hou, mā te Karauna e tohu ngā mema tokotoru o te poari, ā, kotahi noa iho te mema me Māori. Ko te mahi matua o ngā Poari Whenua i mua o te tau 1932, he whakahaere i ngā rīhi me te hoko whenua Māori (atu i te tau 1909). I raro i te wāhanga 8 o te Māori Land Settlement Act 1905, ka taea te tuku whenua i te rohe o Te Tairāwhiti ki te poari hei whakahaere, mēnā ka whakaaro te Minita Māori 'kāore he take, kāore rānei i tika hei kāinga mō ngā Māori'. I tukuna he mana ki te poari ki te wāwāhi me te rīhi i ngā poraka i riro i a ia, atu ki te 50 tau te roa.
- 2.82 I te tau 1906, i raro i te Māori Land Settlement Act 1905 i tukuna atu a Waipaoa 5 e te Karauna kia riro mā te Tairāwhiti District Māori Land Board. I whakaae tētahi rangatira nō tētahi iwi kē i raro i te tikanga kia rāhuihia e te Poari te 8,000 eka mō ngā rangatira o *Waipaoa 5*. Heoi anō, i muri mai ka whakatūria e te Poari he rāhui 2,000 eka anake mō ngā rangatira o ngā whenua, engari i te taha rāwhiti o te whenua, he tino tawhiti mai i ngā whenua ake o Ngāti Ruapani. I mōhio te Poari kāore taua rāhui i whai hua mō Ngāti Ruapani, engari kāore i whakaritea he whenua kē atu mō rātau. Nā reira, kāore he mana ā-ture o ngā rangatira whenua o Ngāti Ruapani ki te noho ki runga i ō rātau whenua tuku iho, ā, kāore hoki rātau i whai pūtea hei utu i te rīhi mai i te Poari. Tae rawa ki te tau 1910, kāore i tutuki i te Poari te rīhi i tētahi wāhanga o *Waipaoa 5*, nō reira ka noho noa iho te whenua, kāore he hua i puta, ā, kīhai hoki a Ngāti Ruapani i whiwhi utu rīhi.
- 2.83 I te tau 1909, ka whakarerekētia te ture kia āhei ai te Karauna ki te hoko i ngā whenua kua rēhitatia ki raro i te Poari, pēnei i a *Waipaoa 5*. I raro i ngā whakaritenga o te Ture Whenua Māori 1909, i whakaaetia anake te hoko whenua mēnā i tautokona e te nuinga o te hui a ngā rangatira whenua. Tokorima noa iho ngā tāngata i hiahia kia mana ai te hui. I te tau 1910, i tono ētahi o ngā rangatira whenua o *Waipaoa 5* ki te Minita Māori kia hokona e te Karauna ō rātau pānga whenua. I whakaae te Poari, engari me whakaae rā anō te Karauna.
- 2.84 E 342 ngā rangatira whenua o *Waipaoa 5*, ā, 55 o rātau i tae atu ki te hui. I whakaae te nuinga kia hokona atu ngā poraka me te whakaae ki te wāriu a te kāwanatanga o te 1 pauna i te eka, ā, tokorua ngā kaiwhakahē. Nā taua whakaaetanga, i herea te 84 ōrau o ngā rangatira whenua kāore i tae atu ki te hui ki taua whakatau. I takaroa te hoko nā te wāwāhi mai i ngā pānga o te tokorua i whakahē, tae noa ki te tau 1913, i te wehenga mai o ngā pānga o te Karauna ka kīia ko poraka whenua *Waipaoa 5B* (16,785 eka).

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- 2.85 I te tau 1913, i heke te wāriu a kāwanatanga mō te poraka, ā, nā te Kaiwhakatau Wāriu Matua i tuku i tētahi aromatawai hou, he wāriu tino iti rawa (16,785 eka mō te £11,000, arā, neke paku atu i te 13 hereni i te eka). He tata ki te toru hauwhā te iti iho o tēnei wāriu hou ki tērā i whakaaetia. Kātahi ka kī atu te Karauna ki ngā rangatira whenua kia whakaaetia te wāriu iti iho, mēnā i hiahia kia utua rātau mō ō rātau whenua. I hui ngā rangatira whenua ki te whiriwhiri i te take. Nā ō rātau raruraru ā-pūtea, tae atu ki tētahi “takurua uaua” me ngā nama nui o te toa, i uaua te whakaae a ngā rangatira whenua.

**Te Takiwā Rāhui Māori o Te Urewera**

- 2.86 I waenganui i te tau 1894 me te tau 1896, i tū ngā kōrero i waenganui i te Pirimia a Richard Seddon, te Minita Kāhui a Timi Kara, me ngā rangatira o Te Urewera, i roto a Ngāti Ruapani i tērā. I te tau 1894, i haere ngātahi aua kōrero i te wā e hāereere ana te Pirimia i Te Ika-a-Māui ki te whakarongo ki ngā whakaaro o te Māori mō te kaupapahere e pā ana ki te whakatūwheratanga o ngā toenga whenua hei nohoanga. I taua haerenga, i kōrero atu a Te Pukeiotu ki a Seddon, i ngā tau tekau o te 1870, i whakaae a McLean kia “haumaruhia” te rohe o Te Whitu Tekau, ā, ka whakatūria tētahi kaitiaki hei tiaki i ngā Māori o Te Urewera kia kaua e kuhu mai ngā Pākehā ki roto i te rohe. I te mutunga o te haerenga a te Pirimia, ka hui ngā Māori me te tira o te Karauna i Te Kūhā, i te whenua rāhui o Te Kōpani, e pātata ana ki te moana o Waikaremoana. I whakamaharatia atu e Hōri Wharerangi rāua ko Hapi Tūkahara te Pirimia, kāore e taea te whakamahi te nuinga o ō rātau whenua hei mahi ahuhenua, me te aha i runga rātau i ngā whenua rāhui iti e noho ana, kāore hoki he ‘toenga’ whenua.

**Te Rūri me te Mautohe**

- 2.87 I te Hānuere o te tau 1895, i whakamōhio atu te iwi o Te Urewera ki te Kairūri Matua kāore rātau i te hiahia kia rūritia a Te Urewera, i runga i te matakau ka riro ō rātau whenua. Ahakoa tēnei, i tīmata ngā mahi rūri a te Karauna i te marama o Āperira. I te marama o Mei me te tīmatanga o Hune 1895, i aukatia e ngā Māori o Te Urewera ngā kairūri e hanga rori ana i roto i te rohe. Nā tēnei, i tukuna atu e te Karauna ngā hōia, ā, ka whai atu a Kara i muri mai, ki te whakatau i te rongo. E ai ki a Hūrae Puketapu, i kī taurangi a Kara ka tiakina e te ture motuhake ngā Māori o Te Urewera me te tiaki i ō rātau whenua. Ka whakakorehia e ngā Māori o Te Urewera tā rātau whakahē. Heoi, kāore a Ngāti Ruapani o Waikaremoana i te mōhio mō taua whakatau, ā, aukatia e rātau ngā kairūri. I te 20 o Hune 1895, i tae atu a Kara ki Waikaremoana, i reira ka kōrero ia ki te whakaminenga nui, i tautoko hoki i ngā whakaaetanga o mua i whakaritea e ia, ā, ka mutu te aukati i Waikaremoana. I te Hūrae 1895, i tīmata ngā kairūri ki te whakatakoto i te rori mai i Te Whaiti ki Waikaremoana, ā, nā ngā hōia rātau i tiaki.

**Ngā Kōrero Rangatira me te Ture**

- 2.88 I te marama o Ākuhata 1895, i tae atu ētahi rangatira nō Te Urewera ki Pōneke, arā ko Hōri Wharerangi rāua ko Hūrae Puketapu, ki te whakatau i ngā take whānui e pā ana ki Te Urewera me te Mana Motuhake. I whakaritea e ngā rangatira ‘te rongomau’ i

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waenganui i Te Urewera me te Karauna, e whakahou ana i te whakaae a ngā Māori ki te mana o te Karauna, me te whakamana me te whakaae a te Karauna ki te tiaki i te mana motuhake o Tūhoe.

2.89 Ko ngā kōrero rangatira o te tau 1895 e whitu ōna mātāpono matua:

2.89.1

2.89.2 Ka whakatūria he whenua rāhui mō ake tonu, hei whakamaru i ngā iwi o Te Urewera, wō rātau whenua, te ngahere, ngā manu, ngā tāonga, ngā tikanga me te āhua o tā rātau noho;

2.89.3 Kāore e uru mai te Kooti Whenua Māori ki roto i te rohe rāhui, ka hangaia he tikanga anō mō ngā taitara whenua a te Karauna;

2.89.4 Ka tukuna ngā taitara whenua ki ngā hapū mā tētahi āhuatanga e hāpai ana i te mana o ngā hapū me te iwi;

2.89.5 Ka noho ko te iwi o Te Urewera hei mana whakahaere i a rātau anō i raro i ngā komiti hapū, ā, mā rātau e whakahaere i ngā whenua me ngā kaupapa a te iwi, e rite ana te mana o te Komiti Nui ki te mana kāwanatanga ā-rohe;

2.89.6 Ka whakaae te iwi o Te Urewera ki te Kuini me te Kāwanatanga, ā, ka ū hoki rātau ki te ture;

2.89.7 Ka tiaki te Kāwanatanga i te iwi, te hapai i tō rātau orange e pā ana ki ngā mea katoa, me te tuku mai i tētahi kaupapa āwhina pāpori me te ōhana;

2.89.8 Ka haere tonu ngā kaupapa whanaketanga i roto i te rohe rāhui, kia u ai ki te kaupapa ake o te rohe rāhui. Ko te whanaketanga koia tērā ko: te hanga rori, te tāpoi, te keri kōura me te ahuwhenua.

2.90 Ko te kōrero rangatira o te tau 1895 te pūtake mō te Pire Rāhui Māori o Te Takiwā o Te Urewera 1895. I te Hune o te tau 1896, i tae atu he tira tuarua nō Te Urewera ki Pōneke, tae atu ki a Te Mākarini, kia whai wāhi atu rātau ki te pānuitanga o te Pire i whakahoutia i roto i te Pāremata, tae atu ki te Komiti Take Māori. I taua wā anō ka whakarerekētia te Pire me te whakauru atu i ngā whakaritenga kia hopukia ngā pānga ake o te tangata, me te whakauru atu kia āhei te Karauna ki te rīhi me te hoko whenua i roto i te rohe rāhui. Ahakoa nā te Komiti Nui te mana ki te hoko atu i ngā whenua, ā, ka noho i raro i te mana o ngā rangatira o Te Urewera, kīhai te tira i hiahia kia hokona te whenua.

2.91 I ngā kauhau i te tau 1896, i whakaae Seddon ki te kupu kōrero a McLean kia tukuna mā te iwi tonu o Te Urewera e whakahaere i ōna anō whenua, engari puehu noa wana kōrero. Ā, nō te Oketopa o te tau 1896, ka whakamanatia e te Pāremata te Ture Rāhui Māori o Te Takiwā o Te Urewera hei whakamana i ngā kōrero rangatira. Ko tā te ture anō he

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whakaara i tētahi āhuatanga kē atu i tua atu i Te Kooti Whenua Māori hei whakatau i te mana tuku iho o ngā whenua i roto o Te Urewera, arā ko tētahi rohe rāhui o te 656,000, engari kāore a Waikaremoana i whakaurua atu ki roto.

- 2.92 I raro hoki i te ture ka āhei ki te whakatu i tētahi kōmihana o Te Urewera. Tokorima ngā kaikōmihana he Tūhoe, tokorua he Pākehā, ā, ko te mahi a te kōmihana he wāwāhi i te takiwā ki ngā whenua poraka, ā, i runga i te manako o ngā rohenga whenua ā-hapū. Ka tūhuratia hoki te mana o ia poraka 'i raro i ngā tikanga me ngā whakamahinga taketake' me te ū ki te tika me te mana ōrite. Tokorima ngā kaikōmihana he Tūhoe, tokorua he Pākehā. Ka āhei ngā rangatira o ngā whenua ki te pōti i ngā mema o ngā komiti ā-rohe hei māngai mō rātau, ā, mā ngā māngai o ngā komiti ā-rohe e pōti i ngā mema o te Komiti Nui, ka riro i a rātau te mana whakahaere o ngā whenua o ngā Māori o Te Urewera i roto i te rohe rāhui.

**Te Tuatahi o Ngā Kōmihana o Te Urewera**

- 2.93 I te tau 1896, ka tū ngā pōti ā-rohe mō ngā Māori o Te Urewera ki te tohu i ō rātau māngai hei kaikōmihana. Ko Hūrae Puketapu te kaikōmihana i tohungia mō Waikaremoana. I te tau 1898, i whakatūria te kōmihana tuatahi o Te Urewera. E ai ki ngā whakaritenga o te Kōmihana me Pākehā tonu te tiamana, ā, kia tokowhā ngā kōmihana kia whai korama ai te hui. Mā ngā kōmihana anō e hanga i ā rātau ake ture, tikanga hoki hei whakahaere i te uiui.
- 2.94 I te tau 1899, i tīmata ngā hui a te Kōmihana Tuatahi o Te Urewera ki te whakatau i ngā poraka. He mahi uaua tēnei, ka mutu he tino roa. I whakahaua e te Ture 1896 kia wehea ngā whenua rāhui ki ngā rohenga ā-hapū. Engari, i uaua ki ngā Kōmihana te whakatutuki i tēnei, nā ngā uauatanga o ngā pānga tukituki o ngā hapū ki ngā whenua i roto i te takiwā. Nō reira, ka whāia e rātau tētahi tikanga māmā ake o te whakarōpū i ngā hapū ki ngā poraka motuhake. Nā te uaua hoki ki te whakatau i ngā rohenga poraka, kātahi ka tirohia e rātau ngā pānga ki te rohe katoa i mau i te whakatau i ngā rohenga o ngā poraka. Kāore te tikanga tūhura a te Kōmihana i whakarite tukuna ngā taitara whenua ki te hapū, e ai ki te hiahia o te whakaaetanga o te tau 1895. Engari i tukuna kētia atu e ngā kaikōmihana ngā taitara ki ngā hapū me ngā tāngata tauwhāiti i raro i te ture o te 1896. I whakahētia tēnei whakatau e tētahi Kōmihana o muri mai i te mea kāore i ū ki ngā tikanga o te iwi o Te Urewera.
- 2.95 I waenga i te 3 me te 6 o Aperira o te tau 1899, i tū te Kōmihana Tuatahi o Te Urewera ki Te Waimako i Waikaremoana, ki te tūhura i te taitara ki ngā whenua o taua rohe. I taua hui, ka kī ake a Hōri Wharerangi, ehara ia i te kaikōmihana mō taua wā, me te kī kei te hiahia a Ngāti Ruapani ki te unu mai i ngā whenua o Waikaremoana mai te mana o te Kōmihana. Hei tā Wharerangi '... i muri i te tūhura i te taitara, ka haotia e te Kāwanatanga ngā whenua. Kei te whakahē ahau i tēnei [tūhuratanga] he matakū nōku ka noho whenua kore mātau. I kī anō a Wharerangi, i hiahia a Ngāti Ruapani ki te unu i ō rātau whenua i te mea 'i tino raru' rātau i ngā mahi a te Karauna e pā ana ki te poraka o Waipaoa. I kī atu ngā kaikōmihana ki te whakaminenga 'kāore e whakaaetia' tēnei tonu, ahakoa kāore i



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mārama he aha ai. I te rā o muri mai, i runga i te mataku kei tukuna te poraka o Waikaremoana ki ētahi atu, ka tukuna e Wharerangi tana rārangi ingoa o ngā rangatira whenua mō te poraka o Waikaremoana.

- 2.96 Nō te tau 1900, i tau te whakaaro o te Karauna, he nui te pānga o ngā kaikōmihana o Tūhoe ki ngā poraka e tūhuratia ana, nā te āhua hoki o ngā take mana whenua ā-hapū, ā-whānau i roto i te rohe. Nā, ka menemanatia te Ture Rāhui Māori o te Takiwā o Te Urewera kia kua ngā kaikōmihana o Tūhoe e whai wāhi atu ki ngā whakatau e pā ana ki ō rātau ake whenua kia kua ngā kaikōmihana o Tūhoe e whakauru ki ngā whakatau mō ngā whenua he pānga ō rātau. Mēnā ka kitea he pānga ō ngā kaikōmihana katoa o Tūhoe, ka riro mā ngā kaikōmihana Pākehā anake e whakatau nō wai te whenua, ā, ka kua kore e pā te here o te korama. Waihoki, i raro i te mana o te Minita Māori, ka āhei ngā kaikōmihana Pākehā ki te tohu i ētahi Māori tokorua atu anō ehara nō Tūhoe, hei kaikōmihana mō tētahi wā poto.
- 2.97 Nā te takaroa ki te whakatau i ngā taitara whenua, ka whakamanahia ngā kaikōmihana i raro i te ture menemana ki te whakahaere i ngā take katoa i raro i te Komiti Nui. I whakararu tēnei i te mana kāwanatanga ā-rohe i wawatatia ai mō te iwi o Te Urewera i roto i te ngā kōrero rangatira me te Ture 1896.
- 2.98 I te Āperira o te tau 1901, e rua tau i muri mai i te hui i Te Waimako, ka tuwhera anō te take mō Waikaremoana ki Te Whāiti. I reira ka puta te whakaaro kia whakarerekēhia ngā rārangi ingoa i tukuna e Wharerangi, me ngā pānga o Ngāti Ruapani me ētahi atu o Te Urewera. Kāore i taea e te Kōmihana te whakatau ngā pānga o ngā rangatira whenua, nā reira ka hikina te take kia āta whiriwhiria i te tau o muri mai. I te 20 o Huitanguru 1902, ka whiriwhiria e te Komihana ngā rārangi ingoa me ngā wāriu o ia tangata me te waitohu i tētahi whakatau e whakamana ana i ngā tāngata e 729 i te rārangi hei rangatira takitahi mō te poraka o Waikaremoana. Ā, i ngā marama o muri mai, ka tohua he komiti ā-rohe takitaro ki te poraka o Waikaremoana, kia tohua rā anōtia he komiti ā-rohe tūturu. Ko ngā mema o taua Kōmiti ko Hōri Te Mataa (arā, ko Hōri Wharerangi), ko Te Wao Ihimaera, ko Māhaki Tāpiki, ko Wī Mutu Matiaha, ko Rāwaho Winitana, ko Te Kaaho Te Kaaho, me Mātaamua Whakamoe.

**Te Kōmihana Tuarua o Te Urewera**

- 2.99 I oti ngā mahi tūhura a Te Kōmihana Tuatahi o Te Urewera i ngā taitara whenua i te tau 1902. I waenganui i ngā tau 1899 ki te 1906, e 172 ngā pīra i tukuna mō ngā whakataunga taitara o ngā poraka matua o te rohe. Nō te paunga o te tau 1906, ka tohua e te Minita Māori tētahi Kōmihana Tuarua o Te Urewera hei whakawā i aua pīra, ā, i whakahaerehia ngā whakawātanga i ngā tau 1906 me te 1907. Nā te whakatau i whakamanatia e te Kōmihana Tuatahi, te whakarōpū i ngā hapū maha ki ngā poraka motuhake, ka puta te hiahia o ngā hapū hapū kia wāhia ngā poraka. I tōmuri te tīmata o te whakawā i ngā pīra, ā, i whakararu e ngā mahi a te Karauna mō ngā menemana ki te ture. Nā te tōmuri o ngā whakawā, ka tōmuri hoki te whakatū i ngā komiti whakahaere ā-rohe mō te iwi o Te Urewera.

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- 2.100 I whiwhi Te Kōmihana Tuarua i ngā pīra e whakahe ana i ngā whakatau a Te Kōmihana Tuatahi o Te Urewera mō te poraka o Waikaremoana. E rua ngā kaikōmihana Pākehā i tohua e te Karauna, me tētahi kaikōmihana Māori nō tētahi iwi kē i waho atu o Te Urewera ki te whakawā i ngā pīra. Ahakoa i te tau 1907, i whakaū te Kōmihana Tuarua i te whakatau a Te Kōmihana Tuatahi mō ngā tāngata 729 i whakaingoatia hei rangatira whenua o te poraka, ā, ka tāpirihia anō e rātau ngā tāngata 117 mai i tētahi atu rōpū kāore i whakaurua atu ā rātau kerēme ki te kōmihana tuatahi. I tohua e Te Kōmihana Tuarua ngā komiti ā-rohe hou mō Waikaremoana, arā ko Waipatu Winitana, ko Hūrae Puketapu, ko Wāhia Paraki, ko Tuahine Noa, ko Mei Erueti, ko Hape Te Wao, rātau ko Mātaamua Whakamoe.
- 2.101 Ahakoa i muri i ngā whakatau a te Kōmihana Tuarua, ā, neke atu i te tekau tau mai i te whakamanatanga o Ture Rāhui Māori o Te Takiwā o Te Urewera 1895, kāore tonu i tohua he Komiti Matua e te ture. Kāore hoki i whakatinanatia te whāinga o te ture mō te mana motuhake o Tūhoe mō Te Urewera mā ngā komiti ā-rohe me tētahi Komiti Nui i te tau 1906 me te 1908, i pōti te iwi o Te Urewera i wō rātau ake komiti nui i te tau 1906 me te tau 1908, engari kāore i whakaae te Karauna ki aua komiti. I te tau 1908, i tuhi atu ngā tāngata o ngā hapū o Ngāti Hinekura, Te Whānau Pani, Pākitua, Ngāti Manunui, Ngāti Tāwhaki, Ngāti Koura, me Te Urewera ki te Pirimia me te Minita Māori. I kī atu rātau, kei te 'ū tonu ēnei hapū ki te ture' (arā, ko te Ture 1896), ahakoa ētahi atu o te iwi o Te Urewera i te hiahia ki te whakarere i te ture mā te whakaae ki te hoko whenua ki te Karauna.
- 2.102 Kātahi ka whakaitia ngā whai wāhitanga mō te mana motuhake, i te menematanga o Te Ture Rāhui Māori o Te Takiwā o Te Urewera 1896 e te Ture Menemana Ture Whenua Māori 1908, ā, e whakatau ana ka noho ngā komiti ā-rohe takitaro hei komiti ā-rohe tūturu. I raro i ngā wāhanga o te Ture 1908, i whakaitihia te tokomaha o te Komiti Matua, mai i te 33 ki te 20, ā, kāore i pōtitia ēnei māngai, engari nā te Kāwana i tohu. I takahia e tēnei te mana o te iwi o Te Urewera ki te tohu i ō rātau ake māngai. Heoi, i te tau 1906 i tōtika ake ngā māngai o te Komiti Nui o Te Urewera, e 94 ngā mema o taua komiti, ā, ko Hōri Wharerangi tētahi runga i tēnei komiti.
- 2.103 I te tau 1909, ka pāhitia he Ture hou e whakarerekē ana i te Ture 1896. Ka tino whakaitia e tēnei ngā whai wāhitanga mō te mana motuhake, mā te whakamana i te Kāwana ki te tohu i ngā mema whakakapi mō te Komiti Nui ehara i te komiti ā-rohe. I tua atu i ēnei wāhanga ture, i tāpirihia poka noatia e te Karauna ngā mema 14 atu anō ki te Komiti Nui, nō Te Urewera rātau, ā, i hiahia rātau ki te hoko whenua. I hui te Komiti Nui i ngā tau 1909 me 1910, ā, ka noho tārewa ngā hui mō te whā tau, kia hui rā anō i te tau 1914, ko te hui whakamutunga i te tau 1914. I te tau 1922, i whakakorehia Te Ture Rāhui Māori o Te Takiwā o Te Urewera 1896 me ōna menemana e te Ture Whenua o Te Urewera 1921–22.

**Te Poraka o Waikaremoana me Te Whakamoanatanga o Te Urewera**

- 2.104 Nō te tau 1910, i tīmata te Karauna ki te hoko i ngā pānga takitahi i roto i ngā poraka o Te Ture Rāhui Māori o Te Takiwā o Te Urewera i te taha raki o Waikaremoana, mai i ētahi o ngā uri o Ngāti Ruapani i whai pānga ki ētahi atu wāhi o Te Urewera.

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- 2.105 I te tau 1913, i whakamātau te Karauna ki te hoko i ngā pānga takitahi i te poraka o Waikaremoana (73,667 eka), he hao whenua hei tiaki i tōna ātaahua me te mahi hiko. Heoi, kāore a Ngāti Ruapani me ētahi atu rangatira o ngā poraka i whakaae ki te hoko. I taua wā anō, i raro i te ture, kāore te Karauna i āhei ki te hoko pānga takitahi i roto o Te Ture Rāhui Māori o Te Takiwā o Te Urewera, ki te kore te whakaae a te Komiti Nui. I te tau 1915, i tuku petihana ētahi tāngata o Ngāti Ruapani ki te Karauna ki te tono kia whakamutua te hoko pānga takitahi i roto o Te Ture Rāhui Māori o Te Takiwā o Te Urewera.
- 2.106 Heoi, i te tau 1916, i whakatairangatia e te Karauna tōna mana ki te hoko i ngā pānga takitahi i roto o Te Ture Rāhui Māori o Te Takiwā o Te Urewera, ā, kāore i whai i te whakaaetanga a te Komiti Nui. Nā tēnei i āhei ai te Karauna ki te hoko i ngā pānga whenua takitahi o Ngāti Ruapani me te kore whai i ngā whakaritenga whakamaru e pā ana ki te hoko whenua Māori pērā i ngā utu e ōrite ana, neke atu rānei ki te wāriu a te Kāwanatanga. I whakamanahia hoki e tēnei ture te hoko o mua a te Karauna i ngā pānga takitahi i roto o Te Ture Rāhui Māori o Te Takiwā o Te Urewera.
- 2.107 I pūhore ngā whakamātau a te Karauna ki te hoko i te poraka o Waikaremoana. Mai i te tau 1918 ki te tau 1919, ka tukuna e ngā rangatira o Ngāti Ruapani, me ētahi atu rangatira o Te Urewera, tētahi pitihana ki te Karauna, kia whakamutua te hoko i ngā whenua i Waikaremoana. I kī atu rātau ki te Karauna i hiahia rātau ki te pupuri i ngā whenua o Waikaremoana kia nōhia e rātau me te kī atu he hipi, he kau, me ētahi atu kararehe ā rātau i runga i te whenua, i pāmutia e rātau 'hei painga hoki mō te Tominiana'. I whai hoki rātau ki te tohu anō i te Komiti Nui me ngā komiti ā-rohe takitaro hei whakahaere i Te Ture Rāhui Māori o Te Takiwā o Te Urewera e pā ana ki te poraka o Waikaremoana me ētahi atu whenua.
- 2.108 Kāore te Karauna i tautoko i te tono a Ngāti Ruapani kia tohu anō i te Komiti Nui. I te hiahia tonu te Karauna i ngā whenua i Waikaremoana hei tiaki i te ātaahua o te taiao me te mahi hiko engari kāore i taea e te Karauna te hoko ngā pānga whenua o te poraka o Waikaremoana i mua o te tau 1921.
- 2.109 Nō te tau 1920, i whakawhitiwhiti kōrero te Karauna ki te iwi o Te Urewera mō te whakamoana i ngā pānga whenua o Te Urewera. Ko tā tēnei kaupapa he whakatika i te tiwehewehe o ngā pānga whenua i hua mai i ngā hoko takitahi a te Karauna i ngā poraka maha o Te Urewera. I ahu mai te whakamoanatanga i te wāriu: arā, i wāriutia ngā maramara pānga whenua o ngā whānau i ngā poraka rerekē, ā, ka whakamoanatia ō rātau pānga ki roto ki ngā poraka tūtata e rite ana te wāriu. I hiahia hoki te Karauna i te kaupapa whakamoana, i runga i te whakaaro ka nui ake tōna mana mō te wāhi kei reira ōna pānga i hokona mai e ia, tēnā i te whai i te whakawātanga a Kooti Whenua Māori.
- 2.110 I te Ākuhata o te tau 1921, ka whakamōhio atu te āpiha o te Karauna ki ngā māngai o Ngāti Ruapani me Te Urewera, e hiahia ana te Karauna kia wehea mai te poraka o Waikaremoana mai i te whakamoanatanga. I puta hoki te whakamataku a te Karauna mō tana ki te hao i ngā whenua o Waikaremoana i raro i te ture hei tiaki i tōna ātaahuatanga.

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Ko te whakautu a ngā māngai o ngā rangatira whenua, kāore rātau i te tautoko i te Whakamoanatanga o Te Urewera. I whakaae noa rātau ki tētahi atu kaupapa a te Karauna, arā, mō te hunga anō e whakaae ana, ki te whakawhiti i ō rātau pānga i Waikaremoana mō ngā pānga o te Karauna i ngā poraka o Te Urewera mō te 6 hereni i te eka. I oti anō he whakaritenga mō ērā Ngāti Ruapani kāore i hiahia ki te whakawhiti i ō rātau pānga mā tērā āhuatanga.

- 2.111 I te Hepetema o te tau 1921, i tū te māngai rongonui o te Whare Paremata, a Apirana Ngata, hei māngai mō te Karauna, me Ngāti Ruapani i roto i ngā whakariterite mō te poraka o Waikaremoana. I hiahia a Ngāti Ruapani ki te whakawhiti i ō rātau whenua i te poraka mō tētahi whenua ōrite te rahi, i runga i te tikanga eka mō te eka, engari kāore te Karauna i whakaae me tana whakahau tonu kia whakawhitia i runga i te utu mō ia eka.
- 2.112 Nā Ngata tonu i whakariterite i te hokonga o ngā toenga pānga o Ngāti Ruapani i roto i te poraka o Waikaremoana, me ngā whenua rāhui o Whareama me Ngāpūtahi. I whakaae a Ngata ki tā Ngāti Ruapani, mā te Karauna anō e whakamahi ngā moni hei hoko i te 883 eka o ngā whenua tūmataiti i Te Kōkako hei whenua mahi māra. I whakaae a Ngāti Ruapani kia utua rātau ki te monimanamana (he momo monihere penapena) kia ea ai te toenga o te wāriu o te whenua i tukuna atu e rātau me te whenua i whiwhi rātau.
- 2.113 Kāore te poraka o Waikaremoana i wāriutia motuhaketia Ahakoa te kī a te Karauna, ‘tērā te wā he wāriu nui tō ngā papa rākau’, o te poraka, kāore i hua mai i te Karauna tētahi wāriua o te poraka. Nō muri i te whakaae horokukū ki te wāriu o ō rātau pānga toenga i te poraka, ka tukuna e Ngāti Ruapani te wāriu o te 20 hereni (1 pauna rānei) i te eka. Ahakoa tērā, i hiahia a Ngata kia tukuna e Ngāti Ruapani ki a ia te mana whakatau i te utu ki te Karauna o te 16 hereni i te eka. I kī Ngata, kīhai a Ngāti Ruapani i hiahia ki te tuku i ō rātau whenua, engari i ākina rātau e ia kia tuohu mō te painga o te marea whānui.
- 2.114 I muri i tana wehenga atu i te rohe, i whakariterite a Ngata ngā here hoko me tētahi āpiha a te Karauna. I whakamōhio atu a Ngata ki te Karauna, ahakoa kāore ia i kōrero ki a Ngāti Ruapani, nāna tonu i whakaiti i te kerēme a Ngāti Ruapani ki te 15 hereni mō te eka. I kī atu a Ngata, nāna tēnei i mahi i runga i te whakaaro he “pai ngā whakaritenga e pā ana ki ngā whenua rāhui o Ngāti Ruapani i te taha raki o te takutakimoana o Waikaremoana.
- 2.115 Ko te “pai o ngā whakaritenga” e kīia ana a Ngata, i “whakaae tahi rāua ki te wāwāhi” i te poraka o Waikaremoana hei hoko, kia waiho te 607 eka i te taha moana hei whenua rāhui mō Ngāti Ruapani. I kī te āpiha a te Karauna i roto i tana pūrongo, o ngā eka 31,607 o Ngāti Ruapani, “ka rāhuitia e Ngāti Ruapani te 607 eka mō rātau anō”. Engari, kāore i mākahia te 607 i runga i te whenua me te whakatūpato a Ngata ka whānui ake pea ngā whenua rāhui ki tērā i rūritia. Kāore a Ngāti Ruapani i whai wāhi ki ngā kōrero a Ngata mō ngā eka whenua, ā, ka whakaaturia mai e te āpiha a te Karauna ngā whenua rāhui nui ake. Kāore i kitea he tuinga whakaaetanga e whakaatu ana i whakaae a Ngāti Ruapani ki ngā whenua rāhui o te 607 eka.

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- 2.116 I kī atu a Ngata ki te Karauna, i whakaae tahi rāua ko te āpiha a te Karauna ki te utu o te 20 hereni i te eka mō ngā whenua rāhui o Whareama me Ngāpūtahi. Ko te wāriu mō Whareama he 20 hereni i te eka i te tau 1910, engari mai i taua wā i tino piki ake te wāriu o ngā whenua. Ko Ngāpūtahi tērā i wāriutia ki te takiwā o te 40 hereni mō te eka, i te wā i rīhitia tūmataititia. I tono anō ngā Māori kia utua te Karauna te Kaunihera mō ngā reiti o ēnei whenua rāhui e noho tāwewē ana.
- 2.117 I te mutunga o Oketopa i te tau 1921, i takoto ngā whakaritenga i roto i te Pūrongo mō Te Whakamoanatanga a te Karauna, me te whakahau kia whakamanahia e te ture. I whakahē a Ngāti Ruapani he mea tuhi te pūrongo ki te reo Pākehā anake. I kī te pūrongo i whakaae ētahi o ngā rangatira o ngā poraka me ētahi o Ngāti Ruapani kia whakawhitia ō rātau pānga i Waikaremoana mō ngā pānga o te Karauna i te taha raki mā te ono hereni mō ia eka. E ai ki te pūrongo, 15 hereni i te eka te utu mā te monimanamana hei hoko i ngā toenga whenua i Waikaremoana. I kī te pūrongo ka utua e ngā monimanamana te itarete ki te 5 ōrau i te tau. I whakatakoto anō te pūrongo i te whakaaro kia whakauruhia ngā whenua rāhui 11 ki te poraka o Waikaremoana. Heoi, i te mōhiotia kāore anō kia whakatauhia te wāhi me te nui o ngā whenua rāhui e te rūri.
- 2.118 I te 11 o Pepuere o te tau 1922, ka whakaturea te Ture Whenua o Te Urewera 1921-22 hei whakatutuki i ngā whakaritenga. I whakamanahia e te Ture ngā kaikōmihana a te Karauna ki te tuku atu i ngā whenua poraka o Waikaremoana e i runga i tā rātau i whakaaro ai. I whakakorehia e te Ture Whenua o Te Urewera 1921-22 te Ture Rāhui Māori o Te Takiwā o Te Urewera 1895. Nā tēnei i wetewetehia i raro i te ture Te Ture Rāhui Māori o Te Takiwā o Te Urewera me te Komiti Nui.
- 2.119 I te 17 o Pepuere i te tau 1922, i hui a Mātaamua Whakamoe rātau ko ētahi anō o Ngāti Ruapani ki ngā kaikōmihana i Te Waimako, me te kōrero atu mō tō rātau kia unu mai rātau i te kaupapa me te pupuri tonu i a Waikaremoana i te mea kāore i ū ki ngā whakaritenga tuatahi. I whakahē a Ngāti Ruapani i te whakaheke a te Karauna i te wāriu o ō rātau pānga i Waikaremoana ki te 15 hereni mō te eka, me te kore kōrero ki a rātau mō te whenua tūmataiti e pātata ana ki Kōkako, me te utu o taua whenua. He tāpara te utu o ngā whenua tūmataiti ki te wāriu i whakatauria, ka mutu nui ake i te utu i hiahia a Ngāti Ruapani ki te utu.
- 2.120 I tono ngā kaikōmihana kia tukuna e Ngāti Ruapani ētahi kaiārahi hei tohu i ngā rohenga o ngā whenua rāhui. I tohua ko Mātaatua Whakamoe hei māngai mō rātau me te kī atu, i tā rātau whakaaroaro anō i te take, kua mutu mai rātau i te kaupapa, ā, kua kore rātau e anga whakamua me tērā.
- 2.121 I kī ngā Kaikōmihana i pau te rā o muri mai “i runga i te moana” ki te whakatika i ngā rohenga o ngā whenua rāhui i Waikaremoana. He mea ārahi rātau e ngā kainoho tokorua o reira, me tā rātau kī kia whakaitihia te rahi o te whenua rāhui o Mārau. I muri mai ka tuku pūrongo tētahi kairūri ki a Ngata i haere atu a Mātaamua Whakamoe rāua ko Pita Taoho i tō rātau taha, engari “kāore ō rāua mana”. I tono a Mātaamua Whakamoe kia whakawhitia ōna pānga i waenga i ngā whenua rāhui. Ko te tono a Pita Taoho, kia rāhuitia he whenua

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ki Waipai, me te whenua i te pūaha o te awa o Aniwaniwa. I tuhi atu te kairūri ki a Ngata, ahakoa ngā whakaritenga ka tau me Ngāti Ruapani mō ngā rāhui whenua, “ko te iti iho ko te painga atu tērā”. I tuhi ngā Kaikōmihana ka waiho ake ētahi o ngā whenua e nōhia ana e Ngāti Ruapani, ā, ka utua a Ngāti Ruapani mō aua whenua.

- 2.122 I waenga i te tau 1922 ki te 1923, i hokona mai e tētahi kaikōmihana mā te Karauna ētahi pānga whenua mai i ngā rangatira whenua o Ngāti Ruapani, i te hiahia rātau i te moni kua te monimanamana, kia 6 hereni i te eka.
- 2.123 I te takiwā o Hepetema 1922, i tuhi atu a Tikareti Iriwhiro me ētahi atu ki te Pāremata ki te whakahē i te whakaurunga atu o Whareama me Ngāputahi ki roto i te whakamoanatanga. I kōrero atu a Pōmare (Pineeri Hori), he pānga hoki ōna ki ngā poraka o Te Urewera i waho o Waikaremoana, i tana whakahē ki ngā Kaikōmihana mō te kaupapa me te rironga o ōna pānga i Waikaremoana. I kī atu ia “E kore au e wehe i Waikaremoana.”
- 2.124 I te Maehe o te tau 1923, i hui te Karauna me Ngāti Ruapani ki Windy Point i Waikaremoana. Ka unuhia e Ngāti Ruapani tā rātau whakahē ki te whakamoanatanga kia pai ai te āwhina i te kaupapa mahi hiko a te Karauna i Waikaremoana. I whakaae a Ngāti Ruapani ki te 15 hereni i te eka mō ō rātau pānga ki te poraka whenua. I whakaae te Karauna kia utua te katoa o te poraka me te whakahoki ki a Ngāti Ruapani ngā whenua rāhui i Waikaremoana, ā, ka taea te rūri mō te koreutu me te kore utu rēti. I whakaaetia kāore i te whakaurua ngā whenua i hokona e te Karauna i Te Kokako ki ēnei whakaritenga. I whakahē a Ngāti Ruapani ki tēnei, nā te nui o te utu i utua e te Karauna. I whakaaetia hoki kia whakatūria ngā whenua rāhui atu anō ki roto o te poraka o Waikaremoana, ko tētahi mō tētahi tangata (Timi Taihoa) nō tētahi rōpū kē. Tekau mā toru ngā whenua rāhui i ināiane, 12 o aua whenua rāhui nō Ngāti Ruapani. Otirā, he tino iti rawa te wāriu o tēnei whakaritenga ki a Ngāti Ruapani tēnā i te whakaritenga tuatahi i whakamanatia. Nā te tangohanga o ngā whenua tūmataiti mai i te kaupapa, i noho pōhara anō a Ngāti Ruapani ki te whenua tōtika hei mahi moni mā rātau.
- 2.125 I te Pēpuere o te tau 1925, ko te pūrongo a ngā kaikōmihana, i whakaaturia e Ngāti Ruapani ngā whenua rāhui ki ngā tahataha o Waikaremoana, ki ngā kairūri. Ko tā Ngāti Ruapani ki ngā kaikōmihana, i te hiahia a Ngāti Ruapani ki te rāhui i ngā rākau o “ngā kōhanga kererū”, he wāhi ērā e tū ana ngā wharepuni me ngā urupā, ka mutu he wāhi mahinga kai. I roto i ngā rohenga whenua i whakaaturia e Ngāti Ruapani ko tētahi wāhi o te 3,200 eka te nui. Ka kī atu ngā kaikōmihana ki a Ngāti Ruapani “kāore e tika” ēnei rohenga whenua, me te kī atu kia mau tonu ki te “whakaaetanga o mua”, kia utua e te Karauna a Ngāti Ruapani me e whakahoki ki a rātau ngā whenua rāhui o te 600 eka. Engari, kāore i kitea he “whakaaetanga o mua”. Me te aha, kāore he tuhituhinga e whakaatu ana, i whakaae a Ngāti Ruapani ki ngā whenua rāhui, 600 eka te rahi. Hāunga tērā, ka whakatauhia e ngā kaikōmihana, kia 13 ngā whenua rāhui, 600 eka te nui, ki a Ngāti Ruapani i roto i te poraka o Waikaremoana (he mea wehe tētahi o ngā whenua rāhui kotahi kia rua).

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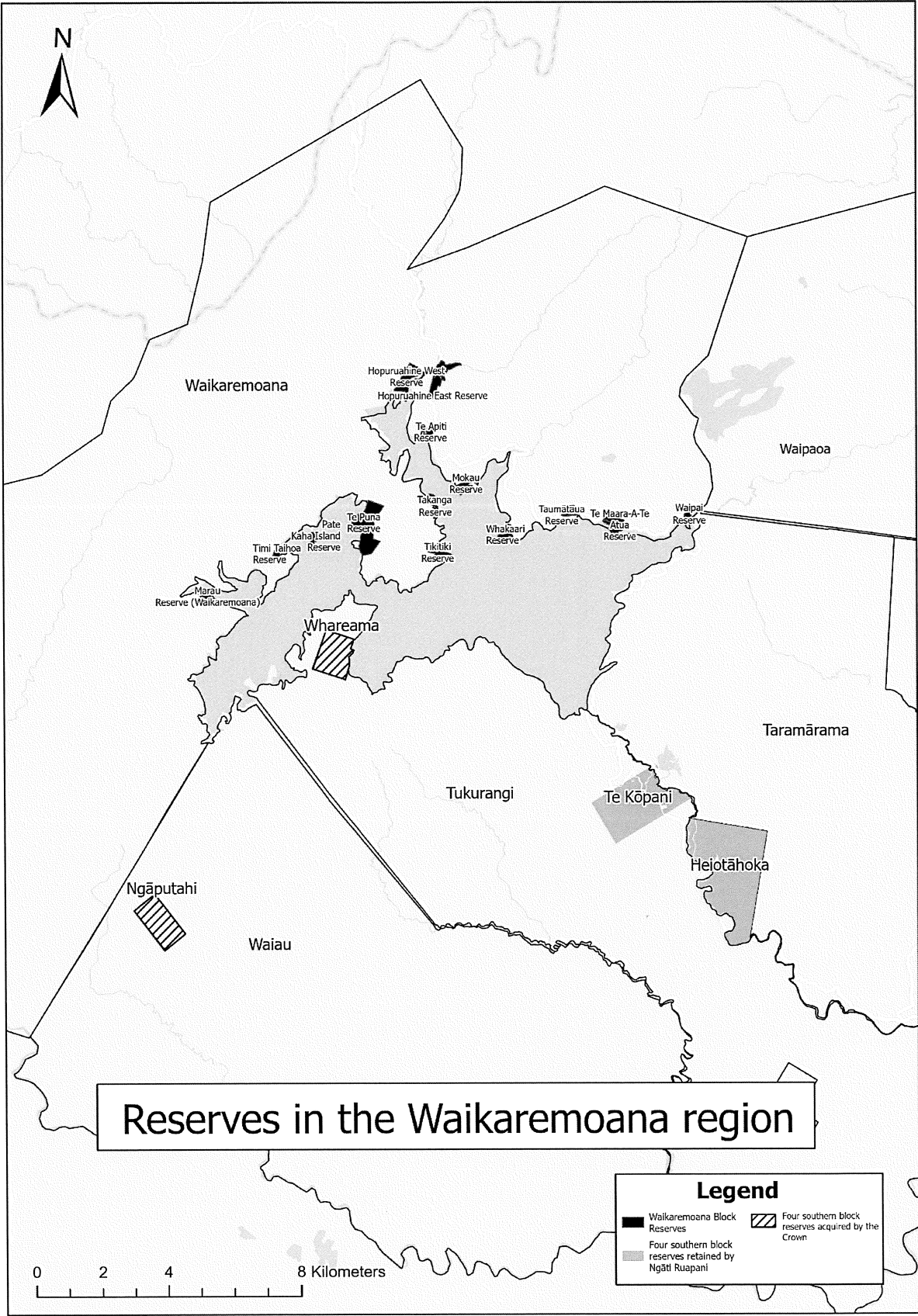
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2.126 I te Maehe, ka tono atu a Ngāti Ruapani kia ‘whakakorehia’ ngā whakataunga ki te hoko atu i a Waikaremoana, nā te mea kāore i whāia ngā whakataunga. Hāunga tēnā, i uru atu te poraka o Waikaremoana ki te kaupapa whakamoana.

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- 2.127 Nā te kaupapa whakaōpu, tata i riro katoa i te Karauna te katoa ngā whenua o te poraka o Waikaremoana (tata ki te 73,000 eka) me ngā whenua rāhui o Whareama me Ngāputahi (tata ki te 600 eka).
- 2.128 Nō te tau 1932 ka hua ngā monimanamana. Heoi anō, nā ngā Paheketanga Ohaoaha, ā, i tino kino rawa i te tau 1932, ka whakaroatia e te Karauna te wā mō ngā utunga taurewa ki te 10 tau engari kāore i kōrero atu ki a Ngāti Ruapani. I ētahi wā kāore ngā kaipupuri monimanamana o Ngāti Ruapani i whiwhi itarete. I te tau 1933, ka whakaroatia tūturutia e te Karauna te wā utu, kia rite ki ngā nama katoa a te kāwanatanga. I whakahekea hoki e te Karauna ana utu itarete ki ana nama, tae atu ki ngā monimanamana o Waikaremoana. I huria ēnei monimanamana ki te monihere Kāwanatanga e utu ana i te whā ōrau, i raro iho tēnei i te rima ōrau, te utu i whakaaetia i te tuatahi. me te aha he iti ake i te whakaaetanga kia 5 ōrau te utu. Mai i te tau 1933, i utua ngā monihere ki ngā utu o te, he iti iho i te whā ōrau i te nuinga o te wā. Mai i te tau 1937, ka tākehia ētahi o ngā itarete. I pā mai te taumahatanga ki a Ngāti Ruapani i ēnei huringa a te Karauna ki ngā here monimanamana. Ahakoa ā rātau tonono kia wawe te utu i a rātau, nō te tau 1957 rā anō ka utu katoatia ngā monimanamana. I te tau 1958 i tuku petihana a Ngāti Ruapani mō ngā itarete kāore rātau i whiwhi nā te whakahekenga o te utu itarete mai i te rima ōrau, ā, ka whakaarahia te take ki te Pirimia i tētahi hui i Ruatāhuna i te tau 1959, engari auare ake.

**Ngā Whenua Rāhui o Ngāti Ruapani**

- 2.129 Nā te hao whenua a te Karauna mō te 50 tekau tau i noho whenuakore a Ngāti Ruapani. I te tau 1925, 2,490 eka te rahi o ngā whenua o Ngāti Ruapani, i roto i ngā whenua rāhui 13 i roto o te poraka o Waikaremoana, me ngā whenua rāhui ki te tongao te moana, ko Te Kōpani me Te Heiotāhoka. I mau tonu i a rātau ō rātau i Te Pūtere i te taha o ētahi atu. He tino iti noa ēnei mai i ō rātau rahinga whenua o mua. I te roanga atu o te rau tau rua tekau, ka whakatauhia e te Karauna ngā here ki ngā toenga whenua o Ngāti Ruapani, ā, i tino mimiti haere tō rātau kaha ki te whai orange.

**Ngā Whenua Rāhui o Waikaremoana**

- 2.130 Mō ngā tau maha mai i te tau 1929, kāore i taea e Ngāti Ruapani te mahi mai i ngā whenua rāhui o Waikaremoana i runga i ngā mahi a te Karauna ki te tiaki i te ātaahua o te ngahere me te wai. I te tau 1929, i whakamātau ngā rangatira whenua rāhui o te rāwhiti o Hopuruahine ki te rīhi i ō rātau whenua. Ko te whakautu a te kairēhita o te Kooti Whenua Māori, “kāore he painga ka puta ki ngā rangatira whenua te tuku i ngā whenua rāhui o Waikaremoana”. I roto i te rua marama, ka whakatauhia e te Karauna he rāhui wā poto kia kaua e tukuna atu ngā rāhui poraka o Waikaremoana. I taua wā, i raro i te ture i āhei te Karauna te aukati i te hoko, te rīhi, te mōkete rānei a ngā rangatira whenua i ō rātau pānga ki tētahi hunga engari ki te Karauna anake, te hoko rānei i te mana o tētahi rawa, pērā i ngā rākau. I raro i te Ture Take Māori 1931, ka rārangihia te Karauna ngā whenua rāhui o Waikaremoana kia pūmau te pākati atu i te rirohanga o ngā whenua rāhui i te Tihema o te tau 1932.

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- 2.131 I ngā whā tekau tau, i aukati te Karauna i te rīhi a ngā rangatira whenua rāhui i ō rātau whenua. I hangaia e te Karauna ngā wāhi nohoanga i te moana i te tau 1903, me te hiahia ki te tiaki i ana moni whiwhi. I ngā tau o te 1930, ka puta te hiahia ki te hanga whare hī ika me ngā whare whakatā ki Waikaremoana. I uru a Ngāti Ruapani ki roto i ētahi whakaritenga ōpaki me ngā Pākehā ki te whakatū hopuni, ā, i whiwhi utu pea rātau mō ēnei hopuni. I hiahia te Karauna ki te aukati i ēnei whakaritenga, engari i tētahi kaiwhakawā o te Kooti Whenua Māori, ka āhei a Ngāti Ruapani ki whai utu mō ōna whenua, i te mea “e pēhia ana rātau e te rawakore, kaua hoki e poke i a rātau mō te mana o tō rātau tūrangawaewae... Kia nui rawa ēnei mahi ārai ā tatau, nō reira me waiho ki konā”. I whakahē te Karauna i ngā tono ki te rīhi hei whakatū whare ki Te Puna i te tau 1951, ki Whakaari i ngā tau 1961 me 1969.
- 2.132 Nā te whakatau aukati i te hoko a te Karauna i aukatia te tope rākau a ngā rangatira whenua i runga i ō rātau whenua. I waenga o ngā tau 1930, i uiui atu tētahi āpiha o te Poari Whenua Māori i a Wharetōtara Amai, i te mahi pou rākau ia hei hoko atu kia ora ai tōna tōna whānau i te poraka taha uru o Hopuruahine. I whakatūpatohia ia e te āpiha mō te whakatau kore hoko a te Karauna, ka kī atu ia ka rapu whakaae ia mō ēnei mahi ā muri ake. I te tau 1945, i uiui a Wiremu Mātaamua mō te tope rākau i ngā whenua rāhui o Waikaremoana. Ko te whakautu a te āpiha a te Karauna, kāore i whakaaetia i raro i te Ture Whenua Māori 1931, ki te kore e whakaaetia e ngā rangatira whenua katoa ko te whiu he whaina, ka mauheretia rānei. I te tau 1951, i tono hoki a Robert Amai ki te tope rākau i ngā whenua poraka o te uru o Hopuruahine. I kī kairēhita o te kooti, ko te Karauna anake ka āhei ki te hoko whenua, ā, ka whakararu ngā mahi tope rākau i te “mana” o te Karauna, engari kāore i whakamāramahia atu he aha aua mana. I muri i ēnei tuhinga kōrero, te āhua nei kāore i kōkiritia e ia tana tono tope rākau.
- 2.133 I te tau 1954, ka whakaara te Karauna i Te Rohe Pāka o Te Urewera, arā, e noho ana ngā whenua rāhui o Waikaremoana ki waenganui o te Rohe Pāka. Mō te rua tekau tau, i whakamātau te Karauna ki te tango i ngā whenua rāhui, i pēhia e rātau a Ngāti Ruapani engari i peia e rātau. I taua wā tonu, i tarai anō te Karauna ki te tango i te takere o Waikaremoana. I te marama o Ākuhata o te tau 1961, i haere he tira ki te kite Tari Māori ka kī atu rātau ki te murua e te Karauna ngā whenua rāhui, ka noho ‘whenua kore’ ngā rangatira o ngā whenua.
- 2.134 I te tau 1961, i runga i ngā kōkirikiri a te marea whānui kia tiakina te taiao o Te Urewera, i herea e te Karauna ngā mahi ka taea i runga i ngā whenua rāhui i raro i te Soil Conservation and Rivers Control Amendment Act 1959,. Nā tēnei i mutu ai ngā mahi mira rākau i Te Urewera.
- 2.135 I te nuinga o te rau tau rua tekau, i hōhā a Ngāti Ruapani ki ngā manuhiri i Waikaremoana i taruweku i ngā urupā, i tūkino me te whakakore i ngā whare me ngā taonga. I whānakotia anō ngā taonga.
- 2.136 I te tau 1964, i tīmata Te Kaunihera o Te Wairoa ki te reiti i ngā whenua rāhui o Waikaremoana. I mua, kāore ngā whenua rāhui i utu reiti i raro i te Ture Whenua o Te

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Urewera 1921 I whāia e te Kaunihera tēnei ahakoa kāore kāore he ratonga o ngā whenua rāhui, ā, kāore he hiko, he wai, he pūnaha parakaingaki o ngā whenua rāhui.

- 2.137 I trunga i te āki a te Karauna, i whakaurua atu e Te Karauna Kaunihera o Te Wairoa ngā whenua rāhui o Waikaremoana ki roto i te Rohe Pāka o Te Urewera, ki roto i tana Mahere ā-Rohe hukihuki i te tau 1971. Nā tēne, i aukatia a Ngāti Ruapani ki te whakatū kāinga me te rapu orange mōna i runga i ō rātau whenua rāhui.
- 2.138 I te tau 1972, i whakatairangatia e te Karauna he ture e tango ana i ngā here mō te hoko i ngā whenua Māori. Ko te pōhēhē o te Karauna me ngā rangatira whenua i unuhia e tēnei ture ngā here i runga i ngā whenua rāhui o Waikaremoana i te tau 1971. Engari, nā te āhua o te tuhi i te the Māori Purposes Act 1972 i noho tonu aua here ki runga i ngā whenua rāhui.
- 2.139 I te tau 1974, i tono te Poari o Tūhoe Waikaremoana kia whakarōpūhia ngā poraka whenua rāhui o Waikaremoana hei whenua Māori, kia kaua e utu reiti. Ko tō rātau māharahara kei riro ngā whenua i ngā reiti, i runga i te whakaaro he mea ngā here te tango whenua. Nā John Rangihau i whakatakoto atu i te take ki Kooti Whenua Māori, i tohe kāore e taea e ngā rangatira whenua te mahi moni mai i ngā whenua rāhui, nō reira kāore e tika kia utu reiti. Ka whakatauhia e te Kooti aua whenua he whenua rāhui Māori, “ko te kaupapa he wāhi tuku iho, he wāhi whakakitekite, ewe whenua hoki,” i raro i te Māori Purposes Act 1953, ā, whakaurua atu ki raro i te Poari Māori o Tūhoe Waikaremoana hei kaitiaki. Ko te mahi whai ake mā te Poari, he tono kia kaua e reitihia ngā whenua rāhui. Kāore i te mōhiotia nōnahea i tutuki ai engari kua kore e reitihia ēnei whenua rāhui.

**Ngā whenua rāhui o Te Kōpani me Te Heiotāhoka**

- 2.140 I tua atu i ō rātau whenua rāhui o Waikaremoana, i mau tonu i a Ngāti Ruapani ngā whenua rāhui e rua, ko Te Kōpani me Te Heiotāhoka, whai muri i te hokotanga o ngā poraka o te tonga e whā. I whakatauhia e te Karauna ngā here mō te hoko me te whakawhiti me te tango i ngā whenua mō ngā rori me te whakatū teihana hiko.
- 2.141 I te tau 1885 i whakatauhia ngā poraka o Te Kōpani me Te Heiotāhoka hei whenua rāhui. I taua wā, i tangohia e te Karauna he whenua mai i ngā poraka nei hei hanga rori ki roto o Te Kōpani (13 me te toru hautau eka), kotahi te rori ki roto o Te Heiotāhoka (rima eka me te 5.4 pāti). I te mutunga atu kāore i hangaia ngā rori, i whakamahia kētia te whenua hei utu i ngā mahi papariki.
- 2.142 I te Oketopa o te tau 1917, i hiahia a Te Waaka Hatata rāua ko Pukaru Waiwai ki te rīhi i te poraka o Te Heiotāhoka. Whai muri i ngā tōmuritanga a te Karauna, i whakaae ngā rangatira whenuaki ki te rīhi i ngā whenua, engari i hikina i te mea kua tīmata te Whakamoanatanga o Te Urewera. Nā te Whakamoanatanga a te Karauna ka aukatihia te tuku i Te Kōpani me Te Heiotāhoka, tae noa ki te tau 1924.

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- 2.143 I te rā 21 o Pēpuere i te tau 1925, ka tono atu ngā ngatira whenua ki te Kooti Whenua Māori kia wāwāhia ngā whenua o Te Kōpani me Te Heiotāhoka nā runga i te whakamoanatanga. E ono ngā wawaenga o Te Kōpani, ā, i haurutia a Te Heiotāhoka.
- 2.144 I te tau 1925, i tīmata te Papariki ki te kari kōhatu mai i tētahi o ngā poraka o Te Kōpani mō ngā rori me te kore rapu whakaaetanga. I whakahē haere tonu te Papariki ki te tuku kapeneheihana, hei tā rātau he uaua rawa te tohatoha i ngā moni (£3.6.8) ki ngā rangatira whenua maha, me te aha kua tino roa te wā.
- 2.145 I waenganui o te tau 1937, i roto i ngā mahi hanga i te teihana hiko o Piripāua kāore te Karauna i whakamōhio atu ki ngā rangatira whenua o Te Heiotāhoka 2, i kimi whakaae rānei kia kuhu atu ngā kairūri. I tīmata rātau ki te tūhura i ngā mahi rūri, me te whakawātea me te tope i te ururua. I hui ētahi rangatira whenua me ngā kaimahi a te papariki me te tuku whakaae ā-tuhi ki runga i te whenua, ā, i whakahē ētahi. I te marama o Hānuere o te tau 1938 i whakamōhio atu ētahi rangatira whenua o Ngāti Ruapani ki te Minita Māori, i te whakahē rātau ki te hoko, engari i te whakaae rātau ki te rīhi.
- 2.146 I te Hune o te tau 1938, i whakatūria e te Karauna tētahi hopuni papariki 18 eka te nui ki te taha uru o Te Heiotāhoka. I kī Karauna he whakaaetanga rēti tāna me ngā rangatira whenua, £8 ia tau. I taua Hūrae, i tuku amuamu a Mokai Hine mō te whakamahi a ngā kaimahi a te papariki i tōna whenua, i hangaia he rori mā tana uru huarākau me ana taiapa māra rīwai, te whakatū tāwharau, me te whakatakoto i ngā paipa. I kī ngā kaimahi i whai mana rātau ki runga i te whenua i raro i te ture o te Papariki ki te whakahaere i ngā mahi i runga i te poraka, ā, “kāore he take o te whakamōhio atu ki ngā rangatira whenua takitahi o ngā whenua Māori”. Kia tae rā anō te kōrero a te rōia i te kuhu poka noa ngā kaimahi ki ngā whenua kātahi ka tahuri te Karauna ki te whai kia tika te eke ki runga i ngā whenua.
- 2.147 I te tau 1939, i karia mai e ngā kaimahi a te Karauna ngā kōhatu mai i Te Kōpani 1. Nō te amuamutanga a Wiremu Mātaamua rāua ko Samuel Rūrehe, i kī te Karauna ka tangohia te whenua mō te teihana hiko o Piripāua – koinei te rongo tuatahi o Ngāti Ruapani i te tangohia ēnei whenua.
- 2.148 I te Pēpuere o te tau 1941, ka whakamōhiohia e te Karauna tana hiahia ki te tango mai i te waru eka mai i Te Heiotāhoka 2, hei hanga rori i raro i te Ture Papariki. I whakahē a Heni Te Waaka me ngā tāngata tekau mā tahi atu anō mō tēnei muru whenua, engari i panaia e te Minita Papariki tā rātau take i runga i te pōhēhē i te whai kapeneheihana kē a Ngāti Ruapani, ehara ko te rironga o te whenua. Heoi, nō te whakahē o ngā rangatira whenua Pākehā ki te rironga o ō rātau pānga i te taha o te awa, ka whakaitihia e te Karauna te nui o te whenua i tangohia mai i a rātau. I te marama o Hune, i puta te kōrero a te Karauna ka tangohia he 31 eka atu anō mai i Te Heiotāhoka 2, 1 eka mai i Te Kōpani 1 mō te Teihana Hiko ki Piripāua.
- 2.149 I tono atu ngā rangatira whenua o Te Heiotāhoka i te £786 hei kapeneheihana, me te £100 mō ngā rironga o te whenua, ngā rākau i topea, me te tūkinu i te whenua. I te 25 o Pēpuere o te tau 1942, i noho tahi te Papariki me ngā rangatira whenua me ō rātau rōia, kaiwāriu

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anō hoki ki te whakariterite i te kapeneheihana. I tuhia e te Karauna he £275 mō ngā rangatira whenua o Te Heiotāhoka 2 me te £4 ki ngā rangatira whenua o Te Kōpani 1. I whiwhi hoki ngā rangatira whenua o Te Heiotāhoka i te rima eka me te 5.4 pāti o tētahi te rori pepa ahakoa kāore i hangaia te rori. I whakaae te Karauna kia whakatūria he taiapa ki te awa o Waikaretāheke, i te nekehanga i root i ngā mahi. Ko te āhua nei, i roto te kapeneheihana ko ngā rēti tāwewē mō te hopuni.

- 2.150 I te 25 o Pēpuere o te tau 1942, i tono Te Kooti Whenua Māori kia utua te kapeneheihana ki te Poari Whenua Tairāwhiti District Maori Land Board. I te marama o Ākuhata, i runga i te hiahia o ngā rangatira whenua o Te Kūhā me Te Waimako, i tono te Karauna ki te Poari mā te kapeneheihana e utu i te ratonga wai (ka tautokohia e te Tari Hauora); me utu i te utu ngā reiti kei te nama ki te Kaunihera o Te Wairoa; me whakahou i ngā whare tīpuna, Te Poho o Ruapani me Te Poho o Hinekura. Tata ki te toru tau i muri te tuku i te kapeneheihana, kātahi anō ka utua e te Poari ki te Pā o Te Waimako mō te wai.
- 2.151 He maha ngā marama i muri mai kātahi anō ka taiapatia e te Karauna te awa o Waikaretāheke. I te Hūrae o te tau 1943, i te tono tonu ana a Ngāti Ruapani mō ngā taiapa hei ārai atu i ngā hōiho me ngā kau e tūkinu ana i ā rātau māra.
- 2.152 I whakamahia tonutia e te Karauna te hopuni papariki tae noa ki te tau 1955, engari i mutu tana utu rēti i muri i te tau 1942. I te tau 1955, i whakaae ngā rangatira whenua ko te ratonga wai o te hopuni hei utu i ngā nama katoa.
- 2.153 I raru ētahi o Ngāti Ruapani i te rironga atu anō o ō rātau whenua i raro i te muru ā-ture a te Kaitiaki Māori. I te tau 1953, i runga i ngā māharahara mō te wehewehenga o ngā whenua Māori i tahuri te Karauna ki te whakaara i te ture e whakamana ana i te Kaitiaki Māori ki te tango ā-ture i ngā whenua e kīia ana i raro te ture he 'tōtōā. Nō te tau 1974 i whakakorehia te mana o ngā Kaitiaki Māori. E whā ngā wā i riro i te Kaitiaki Māori ngā pānga whenua o ngā rangatira whenua o Te Heiotāhoka me Te Kōpani i mate. Nā tēnei, i momotu te whai pānga o ngā whakatipuranga o muri mai ki ō rātau whenua tuku iho.
- 2.154 I roto i ngā rau tau rua tekau, ko te raru nui o ngā poraka whenua o Te Kōpani me Te Heiotāhoka ko ngā reiti. I te tau 1925, ka wāhia e Te Kooti Whenua Māori ngā poraka o Te Kōpani 3 me te 6 hei urupā, nō reira ka whakakorehia ngā nama reiti i raro i te Ture Reiti Whenua Māori 1924. Ko te whakahau a Te Kooti Whenua Māori kia whakatauhia ngā whenua papakāinga o Te Kōpani 2 me Te Kōpani 5 hei whenua rāhui Māori, me te kore utu reiti. Engari, ahakoa i kāhititia ngā poraka hei whenua rāhui Māori, mate tonu rātau ki te utu reiti. I utaina e Te Kaunihera o Te Wairoa ngā reiti ki runga i ētahi atu poraka whenua o Te Kōpani me Te Heiotāhoka, ahakoa kāore he ratonga i te tae atu ki te whenua, ā, kāore te whenua i te mahi moni. I te tau 1942, i whakaae te Kaunihera ki te utu iti iho o te £10 for £74.9.6 mō ngā reiti i te nama ki Te Heiotāhoka, engari i tuku nama reiti tonu, me te whakahē kia whakaitia ngā utunga. Mai I te tau 1960 ki te tau 1980 i raru tonu ngā rangatira whenua i ngā nama reiti. I tono a Ngāti Ruapani kia whakakorehia ngā reiti, ā, nō ngā tau o te 1980 rā anō i whakaae te Kaunihera. Ahakoa tēnei, he raru ngā reiti i ngā tau maha o muri mai.

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**Te Kura Māori o Te Kōkako ki Te Kōpani**

- 2.155 I te tau 1896, ka whakatūhia e te Karauna Te Kura Māori o Te Kōkako ki Te Kōpani. Ko te tikanga a te Karauna mā ngā rangatira whenua Māori e tuku i te whenua hei tūnga mō te kura Māori. Engari, i te tau 1896 ka whakatauhia e ngā rangatira whenua o Te Kōpani me te Karauna, kia rīhihia te whenua mō te 21 tau mō te utu kongakonga. I te tau 1920, ka kitea e te Karauna kāore ōna taitara ki te whenua o te kura, ka mutu kua whā tau mai i te mutunga o tana rīhi. I hohoro tonu tana tango i te 4 eka whenua i raro i te Ture Papariki i te tau 1921, te tau 1921 mō tētahi kura Māori. Kāore i whakamōhiotia atu e te Karauna ngā rangatira whenua o Te Kōpani mō tana tango i te whenua. Ka mutu, kāore i utua e te Karauna he kapeneheihana ki ngā rangatira whenua i runga i te pōhēhē nō te Karauna tonu te whenua mai i te wā i hokona ngā poroka e whā o te tonga.
- 2.156 Nō te tau 1943, ka whakawhitiwhiti kōrero te Karauna me Ngāti Ruapani kia kimihia he wāhi hou mō Te Kura o Te Kōkako. I te marama o Maehe i te tau 1945, i hui ngā āpiha o te Karauna me ngā rangatira whenua o Te Kōpani 1 ki Te Waimako ki te tiroiro whenua mō te kura. Whai muri i te hui, ka whakatārewahia e te Karauna te take nei mō ngā marama e ono nā runga i ngā whakahē a ētahi rangatira whenua. Kāore i whakakorehia e ngā āpiha a te Karauna ngā tohutohu tango whenua, ā, i te marama o Āperira tata ki te 5 eka me te hāwhe i tangohia i raro i te Ture Papariki me te kore utu kapeneheihana ki ngā rangatira whenua. Kāore i whakatūhia he kura ki runga i ngā whenua i tangohia, ā, kei tōna whenua tuatahi tonu Te Kura o Te Kōkako e tū ana. Nō te tau 1967 rā anō ka tono te Karauna ki Te Kooti Whenua Māori kia whakahoki Te Kōpani 1 ki ōna rangatira whenua.

**Waikaremoana**

- 2.157 E ai ki ngā kōrero tukui ho a Ngāti Ruapani, mai anō i onamata ko rātau ngā kaitiaki o te mauri o Waikaremoana, ōna wai me ngā mea ora katoa. E hono ā-wairua a Ngāti Ruapani ki ngā wai, e ai ki ngā whakatauākī a Ngāti Ruapani: “Te Waikaukau o ngā mātua tīpuna”; “Te Waitukukiri o ngā mātua tīpuna”, ā, ko te kōrero a Hōri Wharerangi i tana haerenga atu i Waikaremoana ki Maungapōhatu i te rironga atu o ngā poraka e whā o te tonga, “Waiho hei manaaki i te iti, i te pani, i te rawakore”).
- 2.158 Kāore i whakaurua atu te moana i te wā i hangaia Te Takiwā Rāhui o Te Urewera i te tau 1896. I ngā tau o muri mai, i tīmata te uru mai o ngā o te hunga whakaterere waka, te tāpoi me te hī ika (ngā ika o tāwāhi). I te tau 1905, i hiahia a Hōri Wharerangi rāua ko Te Reneti Hāwira o Ngāti Ruapani ki te whakatau anō i te mana o te moana me ōna ika, ā, ka tono atu ki te Minita Māori ki te aukati i ngā mahi hī ika me ngā mahi tāpoi i reira. Engari, i whakahētia e te Karauna tēnei tono, ā, i te tau 1911 i tīmata te Karauna ki te tūhura i ngā kaha o te mahi hiko o te moana. I te tau 1913 me te tau 1916 i pūhore te tono a ngā ahikā i tētahi uiui ki ngā rohenga whenua o te Takiwā Rāhui o Te Urewera i Waikaremoana,, i hiahia rātau ki te whakauru atu i te moana ki te Takiwā Rāhui. I noho mai te moana ki waho o te Takiwā Rāhui.

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- 2.159 Nā ngā tono ki Te Kooti Whenua Māori i te tau 1913 e te hunga i kerēme pānga i roto i te moana, i tūhuratia e te Karauna ki te papamoana o Waikaremoana i waenga i te tau 1915 ki te tau 1918. I te marama o Hune o te tau 1918, i tukuna e Kooti te 73 ōrau o ngā pānga ki te papamoana ki ngā rangatira whenua 194, ko te maha o rātau he uri nō Ngāti Ruapani. I tukuna te 27 ōrau o ngā pānga ki ngā rangatira whenua 160 nō tētahi atu rōpū. Kāore te Karauna i whai wāhi ki ēnei whakawātanga. Tere tonu te pīra a te Karauna i te whakatau a te Kooti Whenua Māori o te tau 1918 ko tā rātau take ehara te papamoana i te whenua Māori tuku iho nō reira kāore he mana o te kooti ki te whakatau i tana taitara. Engari, i te tau 1912 i whakaū te Kooti Pīra he whenua tuku iho ngā papamoana, ka mutu, he mana tō te Kooti Kooti Whenua Māori ki te whakatau i te taitara. Tekau mā tahi atu anō ngā pīra i whakatakotohia atu e Ngāti Ruapani me ētahi atu hunga whai pānga.
- 2.160 Nā ngā whakahaere me ētahi atu tōmuritanga i noho tārewa te pīra a te Karauna mō te 26 tau. Ko ngā whakapōrearea ko te kore rōia, te Paheketanga Ohaoha, ā, i muri i ngā tau o te 1920, ehara tēnei i te kaupapa matua te Karauna. Puta noa i ngā tau o te 1930, i tuku peitihana a Ngāti Ruapani ki te Karauna kia whakawāhia tana pīra. I te tau 1932, i tuhi a Waipatu Winitana (uri nō Ngāti Ruapani) ki te Minita o ngā take Māori, “kia tukuna mai ngā kōrero e pā ana ki tā mātau kēhi mō te moana o Waikaremoana”. I te tau 1938, 104 ngā uri o Ngāti Ruapani i waitohu i tētahi reta ki te Pirimia, e tono ana kia utaina he taitara tūturu ki runga i a Waikaremoana. Ahakoa i nanga ngā ariki o te moana me Te Kooti Pīra Māori kia aro mai te Karauna ki te pīra, kīhai te Karauna i aro mai, i whakatāweratia rānei e rātau te take. I muri i tētahi hui o ngā ariki o te moana i Waikaremoana i whakahau rātau kia haere tonu te pīra, i whakaae te Karauna ki tēnei.
- 2.161 I te tau 1944 i tū tētahi hui ki te whakawā i te pīra, i whakahē tonu te Karauna ki te whakatau a Te Kooti Whenua Māori, ā, ka tohea e te Rōia Matua a te Karauna i hē te whakatau a te Kooti i te tau 1918, he “manakore” rānei. Heoi anō, i te mutunga i mana tonu te whakatau a Te Kooti Pīra i te tau 1918.
- 2.162 Whai muri i te whakatau o te tau 1944, i whakaaroaro e te Karauna ki te pīra, ā, ka whakahauhia e te Karauna ana āpiha kia kaua e tukuna ngā mahere, ngā mapi rānei ka whakatutuki pea i te taitara. I te tau 1947, i kī te Pirimia i te hē te whakatau a te Kooti ki ōna whakaaro nō reira ‘me whakatika, ā, me whakatau’. Nā ngā tūmomo āhuatanga, kāore i paku aha mō ētahi tau. I te tau 1954, ka whakatau te Karauna kāore e pīrahia te taitara ki te moana, ā, ka hikina ngā rāhui mō te tuku mahere ki te kooti hei whakatau i te taitara. I taua tau anō, i hangaia e te Karauna Te Rohe Paaka o Te Urewera, e karapotia ana te papamoana o Waikaremoana e te nuinga o te pāka. I tīmata te Karauna ki te whakamahi i te moana i roto i ana whakahaere o te pāka me te kore rapu whakaae ahakoa kāore i roto i te pāka.
- 2.163 Ko te wairua o te Karauna nōna te papamoana. I te wā e tāria ana te take mō te papamoana mō te kooti, i hangaia e te Karauna te teihana hiko o Waikaremoana i roto i ngā putanga e toru, ki te taha paeroa o te moana mā ngā wahanga e toru. I oti ngā teihana hiko o Tūwai i i te tau 1929 me te tau 1943. I tono ngā āpiha o te Karauna ki ngā kaumātua o Ngāti Ruapani kia whakaingoatia ngā mīhini kapowai. I te whakatūwheratanga i

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whakatauhia e Ngāti Ruapani ngā manuhiri whai mana, ā, ka tukuna he “whāriki ātaahua” ki te Kāwana-Tianara. Ka whakaingoahia e Ngāti Ruapani ngā mīhini kapowai, ko Pukehore, ko Ruapani. I muri i te tekau tau ka whakaingoatia he mīhini kapowai anō, ko Tūhoe Pōtiki te ingoa.

- 2.164 He maha ngā huringa ki te whenua o Waikaretāheke, tae atu ki te moana hou i hangaia, ko Whakamarino. Nā ēnei mahi i ngaro ngā mahinga kai i te awa o Kāhui Tangaroa me ngā kōawa e pātata ana. I te wā o ngā mahi i te kaupapa i tāpukehia e tētahi horo te takotoranga whakamutunga o Haumapuhia. I te whakatūhanga o ngā whare noho mō te kaupapa, ka huraina ngā kōiwi o te tipuna o Ngāti Ruapani a Tūwai.
- 2.165 I ngā tau 1940 me ngā tau 1950 i whakatinanahia te wahanga tuatoru o te kaupapa – te teihana hiko o Kaitawa. I roto i ngā mahi ko te whakamahi me te whakarerekē i te papamoana me te whakaheke i te teitei o te moana mā te rima mīta, ā, ka horo te papamoana i rewa mai, te tūkinu i ngā mātaitai, te iti haere o ika me te aukati i te heke o te tuna ki te moana.
- 2.166 Kāore ngā rangatira whenua o te roto i whakaae ki ngā kaupapa whakamahi me te whakarerekē i te papamoana, ā, he maha ngā māharahara i puta. I pā mai te hoto ki a Ngāti Ruapani i te tino rerekē o te moutere o Pātekaha hei pukerae. He urupā kei runga o Pātekaha ki a Ngāti Ruapani, ā, he wāhi tapu.
- 2.167 I te tau 1959 i tīmata ngā kōrero whakariterite i waenga i te Karauna me ngā ariki o te moana mō te whakamahi me te whakahaere a te Karauna i te moana. I ngā tau o muri mai i hiahia te Karauna ki te hoko i te moana o Waikaremoana, ngā moutere me ngā whenua rāhui. I whakahē ngā rangatira whenua ki te hoko i te moana, engari i hiahia rātau i tētahi utu ā-tau kē. He rerekē anō ngā uara ohaoha o ngā rangatira whenua me te Karauna.
- 2.168 I te tau 1967, i whakaae te Karauna ki te wāriutia te moana. \$143,000 te wāriu o te moana, hāunga ngā whakapaipai papamoana whakarae (he \$4000 te wāriu). Kāore i uru ki te wāriu ko te hiko ka puta i te teihana hiko o Kaitawa, me te wāriu o ētahi atu whakamahinga o mua a te Karauna i te papamoana. I whakaae tahi te Karauna me ngā rangatira whenua ki tētahi rīhi mauroa ki te Karauna e ai ki te wāriu, i taea tēnei whakaaetanga i raro i te Ture Waikaremoana 1971
- 2.169 Kāore i uru ki tēnei whakaaetanga ko ngā kapeneheihana mō te whakamahi a te Karauna i te moana i mua o te tau 1967, he kapeneheihana mō te whakarerekē i te papamoana me te kore whakaae a ngā ariki o te moana, tana whakamahi hoki i te moana mō te mahi hiko. I hangaia e te Karauna ngā rori, he hopuni motukā, tētahi mōtēra ki runga tonu i te papamoana whakarae. Kīhai ngā ariki o te moana i whakaae ki ēnei mahi i runga i ō rātau whenua.
- 2.170 Tata ki te 50 tau, i runga i ngā mahi tāpori i te moana ngā wai i kino te wai i ngā parakaingaki o te tangata, ā, he tapu hoki te moana ki a Ngāti Ruapani. I whakamātau kia



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whakapaihia ngā pūnaha mō te whakapai me te whakore i te parakaingaki i te hōpuni motuka me te mōtera i te tau 1979. Nō te tau 1990 rā anō, ka whakapaihia ngā wharepaku o ngā hōpuni me ngā puni huri i te moana.

**Ngā Take Taiao me Te Rohe Pāka o Te Urewera**

- 2.171 I te wā o ngā whakawhitinga kōrero me te Karauna i te tau 1895, i whakatūria te Ture Takiwā Rāhui o Te Urewera 1896, ā, ko te hiahia o Ngāti Ruapani kia whakatauhia ētahi kaupapa tiaki i te taiao. I tono anō a Ngāti Ruapani ki te Karauna kia tiakina ana pātaka kai, me te whakauru mai i ngā mea hou. I uru atu ō rātau rangatira ki tētahi tira i kī kia whakatūria he wāhi mō te whakauru mai i ngā ika me ngā kararehe i Waikaremoana, ā, kia whakaakona ngā tāngata whenua o te rohe ki te whakahaere. I whakaae a Seddon ki tēnei tono.
- 2.172 I roto i ngā kōrero rangatira i waenga i ngā rangatira me te Karauna i te Hepetema o te tau 1895, i tahuri te Karauna ki te tiaki i ngā tikanga me te āhua noho a te iwi o Te Urewera. I tāpirihia he wāhanga ki te ture 1895. E kī ana tēnei ture, ahakoa te rāhui mō te patu kererū ka āhei tonu te iwi o Te Urewera ki te patu kererū. Ahakoa he tikanga tuku iho te hopu manu i Te Urewera i mahia ēnei mahi i raro i ngā tikanga, i whakaurua haerehia mai e te Karauna ngā here mō te patu kererū me ētahi atu manu o Te Urewera. I te tau 1898, ka rāhuita e te Karauna ngā mahi hopu kararehe Pākehā ki roto o Waikaremoana me ngā whenua pātata, otirā tētahi wāhanga nui o te poraka o Waikaremoana. I te tau 1903, i whakawhānuitia te rāhui o te aruaru kararehe ki te aruaru i ngā kararehe māori. I te tau 1910, i whakaaetia e te Karauna te hopu kererū i roto i te Takiwā Rāhui o Te Urewera, engari i te marama o Āperira o te tau 1911, ka whakakāhorehia anō e te Karauna ngā mahi hopu kererū i roto o Te Urewera. I te tau 1922, i raro i ngā ture hou ka whakamanahia te rāhui i te hopu kererū me ētahi atu manu māori.
- 2.173 I tukuna e te Karauna ngā kararehe māori ki roto o Te Urewera. Ko te tau 1896 te tau tuatahi i tukuna e te Karauna ngā taraute ki roto o Waikaremoana. Atu i te tau 1897, ka tukuna e te Karauna ngā tia me ngā paihamu ki roto o Te Urewera. Nō te tau 1909, ka riro mā te Karauna ngā mahi whakatangata whenua i ngā kararehe Pākehā mai i ngā rōpū i whakahaere i ēra mahi.
- 2.174 Nā ēnei kararehe Pākehā, i tūkin i ngā tipu o te wao, ko ēnei tipu he tino hei kai nā Ngāti Ruapani. I ngā tau o te 1890, i kāinga ngā manu o Te Urewera e ngā kararehe Pākehā pēnei i ngā tokiura, ngā paihamu me ngā kiore Pākehā, nā tēnei, i ngaro ai te tīti i roto o Waikaremoana. I patua ngā kiore māori e ngā kiore pākeha, nā ngā tīpuna o ngā Māori i tuku i ngā kiore māori ki reira. I kāinga ngā ika māori pēnei i ngā maehe, ngā koaro, ngā koura, e ngā taraute. Ka tūkinotia ngā tipu o te wao e ngā tia, nō te tau 1920 i pūmau te tia ki roto o Te Urewera. Nō te tau 1922, ka mōhio te Karauna ki ngā tūkinotanga o te tia, engari kāore i tahuri ki te whakatika.
- 2.175 I tuku pūtea āwhina te Karauna te tuku taraute ki roto o Waikaremoana, kia piki ake ai ngā kai ki ngā Māori o Te Urewera. Engari, i utaina ngā ture raihana o te motu ki runga o

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Waikaremoana. Kāore a Ngāti Ruapani i aro atu ki ēnei ture raihana. I te tau 1926, nā Māhaki Tāpiki i takawaenga i te whakatū a te Karauna whare whakatipu taraute ki Te Waimako. I te tau 1929, i tono rēti, ngā raihana hī ika koreutu rānei a Ngāti Ruapani ki te Karauna hei utu mō te whakamahi i te whenua, i whakakāhoretia e te Karauna tēnei tono, ā, nekehia te whare whakatipu taraute ki ngā whenua o te kāwanatanga.

- 2.176 Ahakoa i whakaarahia e te Karauna he ture tiaki kererū, kāore i pērā anō te tiaki i te kawau. I kē te Karauna he “riha” kē te kawau, ā, ka whakamātau te Karauna ki te whakamate. Ka whakahau te Karauna kia pūhia ngā kawau i runga i te pōhēhē i te whaiwhaihia ngā taraute. I te tau 1920, i tohua e te Karauna he kaimahi hei patu i ngā kawau, tae noa ki ngā tau o te 1950. Engari ki a Ngāti Ruapani he taonga, he kaitiaki te kē kawau.
- 2.177 I mua o ngā tau o te 1940, he tino wāhi a Waikaremoana ki a Ngāti Ruapani mō te hī ika Engari nā te whakatūhanga o te teihana hiko o Kaitawa i ngā tau o te 1940, i aukatihia te ara whakawhiti o ngā tuna mai i Waikaremoana ki Te Moananui-a-Kiwa. I kōrero a Ngāti Ruapani mō te korenga atu o te tuna hei kai me te ngaronga ā-wairua, ā-tikanga i pā mai, i te maroketanga o ngā puna wai nā te pā hiko. He tino taonga te tuna ki a Ngāti Ruapani, ā, e mau tonu ana a Ngāti Ruapani ki ngā tikanga hī tuna. Nō taua wā i te whakahekenga o te wai o Waikaremoana ka tipu haere ngā momo tarutaru hou i te taha moana, i ora ai ngā kararehe hou i ngā kai i ngā manu māor, pērā i te kiwi.
- 2.178 I te tau 1954, ka whakatauhia e te Karauna te Rohe Pāka o Te Urewera ka mutu kāore i kōrerorero tahi ki a Ngāti Ruapani. 117,000 eka te nui o te pāka i riro i te Karauna i raro i te Whakamoanatanga o Te Urewera i ngā tau o te 1920. I roto i tēnei ko ngā whenua o Ngāti Ruapani i riro i te Karauna i mua, tae atu ki Waikareiti. I te tau 1957, kāore te Karauna i kōrero atu ki a Ngāti Ruapani mō te whakawhānui a te Karauna i te nui o te pāka, tata ki te 334,000 eka ngā whenua i whakaurua atu ki te pāka. I taua wā, I taua wā anō i tata ki te katoa o te pāka i karapotī i te papamoana o Waikaremoana me ngā toenga whenua o o Ngāti Ruapani. I whakamātau hoki te Karauna ki te tango i ēnei whenua, me ērā atu toenga whenua o Ngāti Ruapani hei whakauru atu ki te pāka, engari i kīhai a Ngāti Ruapani i hoko. Tae noa ki ngā tau o te 1970, i hokona mai e te Karauna ētahi atu whenua mai i ētahi atu hunga pāka ka whakaurua atu te papamoana o Waikaremoana mā tētahi whakaritenga rīhi. Nō te tau 1999, ā, 526,000 eka te nui o te pāka.
- 2.179 Nā te ture i āhei ai te Karauna ki te whakatu i te pāka, te Ture Pāka ā-Motu 1952, kāore i whai kanohi Māori ki te poari o te pāka. Mai I te tau 1961 ki te tau 1980, i runga i te kōrero a te Minita, ka tohua e ia tētahi tangata, ētahi tokorua rānei nō Te Urewera ki runga i te poari. I te tau 1980, ka whakakorea e te Karauna te poari, kia whakaarahia tētahi rūpu-ā-rohe, ā, iti ake tōna mana whakahaere i te rohe pāka. I whai kanohi kotahi te iwi o Te Urewera ki tōna poari i raro i tēnei whakahaere. Ahakoa tērā, kāore i mana ēnei māngai i runga i ēnei poari i raro i te ture.
- 2.180 Nō ngā tau o te 1950, he whakangau poaka me te tia te orange o ngā whānau o Te Urewera hei kai, hei hoko hoki. Mai i ngā tau o te 1950, i whakatenatenatia ngā aruaru kararehe arumoni, ā-rēhia hoki kia kore ai e maha rawa ēnei kararehe hou, engari me

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whai Raihana ngā kaiaruaru. Engari, kāore i whai whakaaro ngā kaupapahere amotu me ngā rautaki patu kīrearea i te hira o te whakangau kararehe hou ki ngā hapori mō te oranga o ngā whānau o Waikaremoana.

- 2.181 I raro ngā tikanga whakamahi a Ngāti Ruapani i ngā ture o te Ture Pāka ā-Motu 1952. Kāore i āhei ki te pupuhi kararehe, te kōhi tipu, rākau i roto i te pāka, me whakaae rā anō te poari o te pāka. Nō reira, ahakoa he tikanga tuku iho te kato pikopiko, kiekie, pūhā, me ngā momo rongoā nā te iwi o Te Urewera, he hara tēnei i raro i te ture te whai i ēnei tikanga i roto o te Pāka o Te Urewera ki te kore e whakaaetia e te poari o te pāka.
- 2.182 I te tau 1962, i tuku petihana a Wiremu Mātaamua me ētahi atu o Ngāti Ruapani ki te Karauna e tono ana kia āhei tonu rātau ki te whai i ā rātau tikanga, pērā i te kato pikopiko. Nā tēnei petihana, ka tukuna e te Poari o Te Rohe Pāka o Te Urewera he mana ki ana āpiha kaitiaki ki te whakariterite me ngā tāngata whenua ki te mahi kai me ōna here i runga, engari i āki tonu me te “whakaako” i a rātau ki te whakarere i ā rātau tikanga mahi kai. I te tau 1964, i whakaaetia e te kaupapahere a te poari te kato tipu mō ngā kaupapa pūtaiao me te mātauranga, engari kaua mō ngā tikanga tuku iho.
- 2.183 Nō ngā tau o te 1970, i whakaae noa te kaupapa kia āheitia te kato pikopiko me ētahi atu tipu māori, ahakoa kāore kāore i whakaaetia e te ture. I ngā tau i te 1980, i āhei i raro i te kaupapahere a te poari o te pāka ngā mahi kato tipu i raro i ētahi āhuetanga whāiti. I te tau 1985, i te aukati ngā āpiha kaitiaki o te pāka ētahi tāngata mai i te kato tipu mēnā kāore i whakaaetia rātau. I te tau 1986, i tau ngā whakaaro i waenga i ngā kaimahi pāka me ngā Komiti Māori o Waikaremoana mō te kato pikopiko me te rongoa.
- 2.184 I te tau 1987, i whakaturehia e te Pāremata te Conservation Act hou, ko tōna kaupapa he tiaki i te taiao, me ngā mahi ā-rēhia i roto i te pāka. Ahakoa i kī te Ture ‘me ū ngā mahi me ngā whakahaere ki ngā mātāpono o Te Tiriti o Waitangi’, kāore i tiakina, i hāpai rānei te Ture i ngā āhuetanga o te Māori ki tō rātau whenua tuku iho. He wāhanga i raro i te Ture e kī ana me kōrerorero tahi ki te Māori mō te waihanga kaupapahere mō te pāka, engari kāore he wāhanga e kī ana kia āta whai wāhi atu te Māori ki te poari, ngā whakahaere me ngā mahi o ia rā o te pāka.

**Te Pūhoretanga o Ngāti Ruapani mai Waikaremoana**

- 2.185 Puta noa i ngā rau tau o te 1900, i raru haere tonu a Ngāti Ruapani nā te rawakore. I roto i ngā tau maha, i riro i te Karauna te nuinga o ngā whenua o Ngāti Ruapani, ā, āhua noho whenua kore nei rātau mai anō i tau 1895. He uaua ngā mahi ahuwahenua i runga i ō rātau toenga i noho ai rātau. Nā te iti o te whenua i pōhara ai Ngāti Ruapani i te rau tau rua tekau.
- 2.186 I tāmi te Karauna i a Ngāti Ruapani me tōna kaha ki te whai moni i runga i ōna toenga whenua. I whakaara te Karauna i ōna ake wawata tāpoi, kia mau ai tōna mana nui ki ngā mahi tāpoi, i aukatihia e te Karauna te hoko rākau a Ngāti Ruapani mai i ngā whenua rāhui o Waikaremoana, te whakawhanake rānei i ngā whenua rāhui mō te ahuwahenua me ngā

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kaupapa tāpoi. I aukati hoki te Karauna i te whiwhi moni a Ngāti Ruapani mō ana kaupapa mahi ki runga o Waikaremoana, ngā rēti o ngā hōpuni tūmatanui i Te Heiotāhoka, me ngā painga whānui o ngā pūtea monimanamana o te poraka o Waikaremoana.

- 2.187 Nā te iti noa o ōna whenua me te iti o ngā moni whiwhi i raru te hauora orange o Ngāti Ruapani. I ngā tau o te 1880 me te 1890, he tino iti te kai i Te Urewera. Nā te kore kai, i kino ake te pohokore o Ngāti Ruapani, i kaha te pāngia e ngā tūmomo mate. I te tau 1898, nā te kore kai, he tau nihoroa i tau ki Waikaremoana, i muri i te tauraki me te hukapapa ohore i patu i ngā māra kai. E ai ki te pūrongo a te pirihimana, 28 ngā tāngata i mate i Te Kōpani i roto i te 16 marama, ko te nuinga he tamariki. Ko te nuinga o ngā matenga, nā te rewharewha me te kohi, ā, tokorima ngā tamariki kāore i tino mōhiotia te take i mate ai rātau, ā, whakaaro ia he matekai. I puta te kōrero a tētahi kaitirotiro kura i muri mai, 33 ngā tamariki i mate. I te tau 1900, i kī tētahi pūrongo a te Kāwanatanga, he uaua rawa ki ngā mātua te whāngai i ā rātau tamariki. He pōturi rawa te kāwanatanga ki te tuku āwhina, ahakoa iwi, i runga i ngā pūrongo a ana āpiha mō te matekai me ngā tūmomo mate katoa.

**Te whai mahi me ngā kāinga noho**

- 2.188 Nā te iti o te whenua me te kore moni hei whakawhanake i te whenua, i whai a Ngāti Ruapani i ngā mahi ahuhenua, te hī ika, te aruaru kararehe, me te whai mahi utu hei orange mō rātau.
- 2.189 I te haurua tuatahi o te rau tau 1900, he iti noa ngā mahi i Waikaremoana, ka mutu, he mahi ā-marama, he mahi poto noa, he iti te utu. Arā atu anō ētahi mahi rori, mahi tāpoi i whakaritea e te Karauna, engari he iti noa, he wa poto noa ēnei mahi. I uru hoki a Ngāti Ruapani ki ngā mahi ahuhenua, pēnei i te kuti hipi, te kari awarua, te tope ururua me te mira rākau. I te wā o te Pakanga Tuatahi o te Ao, neke atu i te tokorima ngā uri o Ngāti Ruapani i uru atu ki Te Hokowhitu-a-Tū.
- 2.190 Atu i te tīmatanga o ngā tau o te 1920 ki ngā tau o te 1950, i whiwhi mahi ētahi o Ngāti Ruapani i roto i ngā mahi hiko o Waikaremoana. Kāore e kore i riro i ngā kaimahi Māori ngā tūmomo mahi ringa raupā, pērā i te wāwāhi toka me te hangahanga, ā, i riro i ngā Pākehā ngā mahi ā-ringa pūkenga me e pūkaha. He piki, he heke te āhua o ngā mahi rerekē o ngā wāhanga hangahanga i te wātea, me te tino heke o ngā mahi i te wā o te Paheketanga Ohaoa o ngā tau o te 1930.
- 2.191 I ngā tau o te 1930, i tino whakamahia e te Karauna ngā kaupapa whakawhanake whenua kia whai mahi ai ngā Māori, ā, i tonono a Ngāti Ruapani i tētahi kaupapa whakawhanake i runga i ō rātau whenua. Heoi anō, ko te whakaaro o te Karauna kāore he whenua tōtika o Ngāti Ruapani mō aua kaupapa, ā, ka whakakāhoretia tā rātau tonono.
- 2.192 I tino kino rawa te noho rawa kore a Ngāti Ruapani i te wā o te Paheketanga Ohaoa. I te wā o te Paheketanga Ohaoa, kāore te Karauna i utu i ngā itarete mō ana nama ki a Ngāti Ruapani mō ngā monimanamana o te poraka o Waikaremoana. I amuamu ētahi kaipānga o Ngāti Ruapani, i te mea neke atu i te rua tau kāore anō rātau kia whiwhi utu reiti. I te tau

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1932, i utua e te Karauna ētahi reiti engari he iti iho te itarete i utua, me te aha i utaina he tāke o te 10 ōrau ki ngā moni whiwhi katoa mai i ngā moni puna a te kāwanatanga. He tino iti rawa ngā mahi mā Ngāti Ruapani i te wā o te paheketanga ohaoha, ahakoa i whai mahi ētahi i te kaupapa koremahī, kāore te Karauna i utu i a rātau i te mea kāore a Ngāti Ruapani i utu i ngā rewi koremahī. I te tau 1933, ko te kōrero a te kaiwhakawhā mō ngā kaipānga monimanamana i te “noho rawakore rātau i te wā o te hōtoke”.

2.193 I te Hune o te tau 1934, ko te whakatau a te kaitirotiro tūpāpāku he maha ngā matenga i Waikaremoana i pā mai nā te āhua matekai. Ko te whakautu a te Karauna he tuku kirimana koremahī mō te kari awakeri me te mahi taiapa, engari he wā poto noa iho te roa o ēnei mahi. I te Hepetema, i tono atu ngā kaipānga monimanamana ki te kāwanatanga kia utu wawetia ngā moni itarete ki a rātau, i te mea kāore i ea i a rātau he puehu parāoa me te huka. Ahakoa i pai haere te ōhanga o Aotearoa mai i te Paheketanga Ohaoha, i te noho rawakore tonu a Ngāti Ruapani. I te tau 1938, ka puta te kōrero a te kairēhita ā-rohe, “kātahi rā te kino o te pūranga paru” (tino rawakore).

2.194 I tua atu i tō rātau tino rawakore, he kino anō ngā kāinga noho o Ngāti Ruapani. I ngā tau o te 1930, i te mōhio te Karauna mō te pīrau o ngā whare noho me te kōpāpā o tā rātau i Waikaremoana, tae atu ki tētahi whānau i noho ki tētahi whare kānga (he whare putu kānga). Kāore he paku āwhina a te Karauna. Kāore ngā āpiha a te Karauna i whakaae ki te tuku moni taurewa hei whakatū whare i runga i ngā whenua he maha ōna rangatira, i runga whenua rānei tē taea te hoko, ki te hunga e kī ana rātau e kore e ea te nama. Tērā tētahi āpiha kāore i hiahia ki te whakapai ake i ngā whare noho i te mea kei hiahia ngā rangatahi ki te hoki mai ki te rohe he itiiti nei te whai mahi.

**Mātauranga**

2.195 Ko tētahi huarahi i ngana a Ngāti Ruapani ki te hāpai i a rātau anō ko te mātauranga. I te tau 1894, i tono a Ngāti Ruapani kia whakatūria he kura, ā, i te tau 1895 ka kī tētahi rangatira o Ngāti Ruapani ki te Pirimia “ko te mātauranga te tikanga hei tuku i te mōhiotanga ki te iwi... kia pai ake ai ngā āhuatanga mō rātau”. I te tau 1897, ka whakatūria e te Karauna Te Kura Māori o Te Kōkako ki runga i ngā whenua i rīhitia atu e Ngāti Ruapani i te tuatahi. E tohu ana te kōrero “Nā ngā kaumātua i homai te whenua hei mātauranga mō ngā tamariki mokopuna”, i te hono o te whenua ki te mātauranga.

2.196 Whai muri mai i te wā korekai me ngā aituā i Te Kōpani i te tau 1898, i heke te rārangi ākonga i Te Kura Māori o Te Kōkako, ā, ka katia te kura i te tau 1900. I te tau 1906 ka tuwhera anō te kura, engari i heke anō te rārangi ākonga nā te iti o te kai, nā te mate urutā me ngā whakaaweawe a tētahi poropiti o te rohe. I katia te kura i te tau 1907, ka tuwhera anō i te tau 1911, engari i pā tonu mai te kore kai tae rā anō ki te 1932, i te matenga o ētahi tamariki tokotoru nā te “kore kai tōtika”.

2.197 I whakatūria ngā Kura Māori e te Karauna i runga i te hiahia kia whakapākehātia ngā tamariki Māori. Atu i ngā tau o te 1920, i patua ngā tamariki e ngā kura māhita o Te Kura Māori o Te Kōkako he kōrero Māori nō rātau, me te aha i wepua rātau ki te tarapu, ki te

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rākau inanga, me te whāngai ki te hopi. Nā tēnei mahi patu tamariki i haumate haere ai te reo Māori, kāore ngā pakeke i patua i tō rātau tamarikitanga mō te kōrero Pākehā i hiahia ki te tuku i te reo Māori ki ā rātau tamariki.

- 2.198 I te haurua tuatahi o te rau tau 1900, kāore i tino tiakina ngā whare o te Kura Māori o Te Kōkako. Hei tauira, i te tau 1919 i amuamu ngā mātua he koretake te wai me te rori ki te kura. I kōrero hoki tētahi āpiha a te Karauna he nui ngā whakatikatikatanga o te kura me whakatika.
- 2.199 I te Āperira o te tau 1900, ka whakatuwherahia e te Karauna Te Kura o Tūwai i runga i ngā hiahia o ngā kaimahi punawai hiko. He tino rawakore Te Kura o Te Kōkako i te taha o te kura hou. E ai ki tētahi pūrongo i te tau 1930 mō Tūwai “ka rawe kē te hanga me tōna āhua”, he mīhini whakamahana me tētahi taika parakaingaki. I taua tau anō, i whakamōhio atu te kura māhita o Te Kōkako ki te Tari Mātauranga i te purukati te ratonga wai, me te aha ka mate hoki rātau ki te neke i ngā wharepaku. I aukatihia e ngā Pākehā o Tūwai te haere atu o ngā tamariki o Ngāti Ruapani ki Te Kura o Tūai. Tae noa ki te tau 1935, kāore tonu pea he ākonga Māori i rēhita ki Te Kura o Tūwai.
- 2.200 I te tau 1941, i whakaaetia e te Rūnanga Matua o te Kāwanatanga te whakahou i te Kura o Te Kōkako. Ahakoa tērā, i te wā o te Pakanga Tuarua o te Ao, i whakapau kētia ngā moni ki te pakanga, ā, ka takaroa ngā mahi whakahou i te kura, ka whakaaroaro a Ngāti Ruapani kia hikina te kura ki wāhi kē atu. I te Pēpuere o te tau 1949, i whakahē te komiti ki te tuku i ngā tamariki ki te kura kia tīmata rā anō ngā whare hou o te kura. I hoki atu ngā tamariki i muri i te kotahi wiki i te tīmatanga anō o ngā mahi hangahanga, engari kāore i whakatuwherahia te kura nō te 1 o Pēpuere rā anō o te tau 1950, kāore i oti katoa ngā mahi whakahou i te kura.
- 2.201 He iti noa ngā kōwhiringa o te pūnaha Mātauranga a te Karauna mō ngā whānau o Ngāti Ruapani i hiahia ki te tuku i ā rātau tamariki ki te kura tuarua nā te tawhiti me te utu. Mai i te tau 1921, i tuwhera Te Kura Tuarua o Te Wairoa, engari he 50 kiromita te tawhiti i ngā rori kokikoki. He rite tonu te pakaru o te pahi, i tōmuri rānei te tae atu ki te kura. Mai i te tau 1944 ki te tau 1951, i whai kura tuarua a Tūwai; 15 noa iho ngā ākonga o te kura, ā, tokorua noa iho he Māori. I tukuna e ētahi mātua ā rātau tamariki ki ngā kura noho engari he nui rawa te utu o tērā, ka mutu he roa te wā e ngaro ana ngā tamariki i te kāinga.
- 2.202 I mua o te Pakanga Tuarua o te Ao, ko te aronga o ngā kura a te Karauna i roto o Te Urewera he whakapakari i ngā akonga mō ngā mahi ringa raupā, te ahuwhehenua rānei. I muri o te pakanga, i haere tonu tērā kaupapa, engari i te nui haere o te tāngata kāore i nui ngā tūranga mahi i te wātea, ā, ka tonoa te hunga i wehe i te kura ki roto i ngā mahi kore pūkenga i roto i ngā ahumahi tawhiti mai i te kāinga.
- Te wehenga nui ki ngā tāone, te waihanga whare i muri i te Pakanga Tuarua**
- 2.203 I ngā tekau o te 1930 i tīmata ētahi o Ngāti Ruapani ki te wehe i te kāinga nā ngā āhuatanga o te kore mātauranga me te whai mahi, te koretake o ngā kāinga noho, me ngā

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whakapōrearea o te ahu i ō rātau whenua. I te tau 1940, ka kī atu te kairēhita o te Kooti Whenua Māori o Turanganui-a-Kiwa, i tua atu i te teihana hiko 'he tino iti noa ngā mahi' i te rohe, ā, me āki te Karauna i a Ngāti Ruapani ki wehe atu rātau i ō rātau whenua tipu.

- 2.204 Neke atu i te tekau mā rua ngā tāne o Ngāti Ruapani i uru ki te Ope Rua Tekau mā Waru i te Pakanga Tuarua. Whai muri i te pakanga, i tuku pūtea taurewa te Karauna ki ngā hōia Māori hei whakatū whare. Ko John Waiwai tētahi uri o Ngāti Ruapani i whai pūtea taurewa, i mate ia ki te wehe mai i te whenua mai i te poraka o Te Kōpani. Ko te rerekē o ngā utu taurewa a ngā hōia Pākehā me ngā hōia Māori o te rohe o Waiariki, i tukuna he pūtea taurewa o te 20 tau te roa kaua te 30 tau i tukuna ki ngā ika-a-whiro Pākehā, ā, he nui ake tana utu ki tērā e taea ia te whakaea.
- 2.205 I ngā tau o muri mai o te Pakanga Tuarua, i whakahau te Karauna kia neke ki ngā tāone, he wāhi pai ake mō ngā whare noho me te whai mahi. Atu i te tau 1956, i tuku āwhina te Karauna me ētahi atu āwhina ki ngā tāngata o Te Urewera i hiahia ki te neke ki te whai mahi me ngā whare noho pai ake, ā, i muri tonu mai ka mana tēnei hei kaupapahere. I whakahau hoki ngā kaumātua me ngā mātua kia neke ngā rangatahi ki te rapu mahi me ngā kāinga noho pai ake. I tino tokoiti haere te hunga noho i te Waikaremoana i muri o te pakanga, ā, i pērā tonu te heke haere tae noa ki ngā tau o te 1970. Nā te wehenga nui i Waikaremoana i kaha ake ai te ngaro o te reo me ngā tikanga.
- 2.206 Mō te hunga i noho ki Waikaremoana, ko ngā mahi i reira mai i ngā tau o te 1940 me te 1950, ko te ahuwhehenua, he kuti hipi, te hanga rori, te mira rākau me ngā mahi i ngā teihana hiko. I kōrero ngā pākeke o Ngāti Ruapani, i wehea ngā mahi i te teihana hiko i waenga i ngā Pākehā i whai i ngā tūranga whai pukenga me ngā Māori i whai i ngā mahi ringa taupā, pērā i ngā mahi whakapai me te tautiaki i te teihana me te mahi māra me te tautiaki i te pā noho. Mai i ngā tau tuatahi o ngā tau o te 1970, i whakahau ngā kaumātua o Ngāti Ruapani kia whakangungu rātau mō ngā tūranga whai pukenga, pērā i te mahi i ngā waea hiko me ngā kaiwhakahaere mīhini.
- 2.207 Puta noa i ngā tekau o te 1960 me te 1970, i whakamātau a Ngāti Ruapani ki te whakatū kāinga pātata ki ō rātau kāinga o Te Kūhā me Te Waimako engari nā Te Tari Māori me te kaunihera rātau i aukati. I kī te Karauna me ana āpiha o te rohe he pai ake tētahi wāhi pātata ki Tūwai, i te mea he tata atu ki ngā rori, nō reira he iti iho te utu. I muri i te rima e whiriwhiria ana te take, i kī te Karauna kāore i tuku pūtea taurewa hei whakatū kāinga ki te wāhi i hiahia a Ngāti Ruapani. Ka āwhina anake te Karauna mēnā i whai taitara takitahi a Ngāti Ruapani ki ngā wāhi e pīrangi te Karauna, ā, mēnā ka whakarohetia anō e te kaunihera te whenua hei whenua noho. I kī te Karauna me neke ngā tāngata o Ngāti Ruapani mēnā i te hiahia pūtea āwhina rātau. Nā ngā here o taua kaupapa, mai i te tau 1967 ki te tau 1975, kāore i tukuna e te kaunihera ngā whakaaetanga hanga whare i Te Waimako me Te Kūhā.
- 2.208 I te tau 1977, i whakahoutia e Te Kaunihera o Te Wairoa tana kaupapa ā-rohe me te whai wāhanga motuhake mō te whakatū ki Te Kūhā me Te Waimako. I raro i tēnei kaupapa, ka whai wāhi a Ngāti Ruapani mai Waikaremoana ki te hanga whare hapori e ai ki ō rātau

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hiahia. I whakakotahitia e rātau me te wāwāhi anō i ngā poraka whenua maha i raro i te Kooti Whenua Māori. I whakaurua atu e te Kooti a Te Kōpani 7 me te 11 ki raro i te Kaitiaki Māori, arā, ka whakawhitia ngā poraka ki te Karauna mō ngā whare kaumātua. I taua wā anō, i whakatūria e tētahi rōpū rangatahi e noho ana i Te Whanganui-a-Tara i te Rōpū o Waikaremoana-i-roto-Pōneke, ka mutu i whiwhi pūtea āwhina rātau mai i te Poari Whenua Māori ā-rohe ki te whakatū i ngā whare kaumātua 18 i runga i ō rātau werawera anō. I wehea hoki ētahi atu poraka whenua, ā, ka nekehia ngā whare Papariki mai i Tūrangi mō ngā whare papakāinga.

- 2.209 Mai i taua wā, i mate a Ngāti Ruapani ki te haere rā anō ki Te Wairoa kia āhei atu ai ki ngā ratonga kanohi ki te kanohi. I kōrero ai a Ngāti Ruapani mō te katinga o te toa i Tūwai i taua wā.
- 2.210 Nō muri i ngā pakanga kino me ngā raupatu a te Karauna o te rau tau tekau mā iwa, i raru te noho a Ngāti Ruapani i te rawakore i te rau tau rua tekau. I ngana te Karauna ki te whakapākehā i a Ngāti Ruapani ki roto i te ao Pākehā me te whakahau i a Ngāti Ruapani kia wehe atu i ō rātau whenua tuku iho whai muri i te Pakanga o te Ao Tuarua. Ahakoa tēnei pōharatanga me te noho momotu mai, i ora tonu a Ngāti Ruapani. He pakari me te maukaha ki ō rātau hononga ki Waikaremoana.



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### **NGĀTI RUAPANI TO 1865**

#### **Impact of nineteenth century inter-tribal conflict**

- 2.2 Ngāti Ruapani mai Waikaremoana are a group living at Waikaremoana. They are named for the eponymous ancestor Ruapani. Ruapani was a descendant of Paoa, the primary leader of the Horouta waka during its journey to Aotearoa. Ruapani lived at Tūranganui for a number of years, where he was raised by his grandparents. As an adult, Ruapani led an ope south to the southern shores of Lake Waikaremoana, where his descendants intermarried with nearby groups over successive generations. Over this time, the uri of Ruapani came to inhabit the area around Lake Waikaremoana and surrounding valleys and continue to reside there.
- 2.3 In the late 1820s, Ngāti Ruapani emerged from a period of conflict having resolved historic rivalries and grievances with the iwi and hapū neighbouring them through a combination of military engagements and tataua pounamu (peace agreements), which were often accompanied by chiefly marriages.

#### **Te Tiriti o Waitangi and contact with Europeans**

- 2.4 Ngāti Ruapani did not sign the Treaty of Waitangi. Crown representatives took the Treaty to Whakatāne in late May-early June 1840 but did not take it to Te Urewera, to Te Wairoa or the Waikaremoana area. It is unlikely that Ngāti Ruapani had the opportunity to consider the Treaty.
- 2.5 While other groups in Te Urewera had established trade with Europeans by 1840, European traders do not appear to have ventured further inland to Waikaremoana. Ngāti Ruapani had little opportunity to trade with Pākehā. Nevertheless, by late 1841 Māori at Waikaremoana were already cultivating potatoes, a newly introduced vegetable at the time.
- 2.6 A CMS missionary based in Tūranganui-a-Kiwa was likely the first European to see Lake Waikaremoana. In November 1840, he travelled through the interior of Te Urewera and observed that some Māori had already adopted the Christian faith. He wrote that the inhabitants of Onepoto village had contact with a Māori lay preacher from the mission at Rotorua who left them copies of the New Testament. With the Christian faith came literacy. As a young man in the 1840s, the influential Ngāti Ruapani tupuna, Mākarini Tamarau, was sent by his uncle to an Anglican mission school at Ōpōtiki so he could learn to read. Māori in Waikaremoana, almost certainly including Ngāti Ruapani, hosted a number of other missionaries during the 1840s, from Catholic and Protestant denominations. Another CMS missionary conducted a census of the Māori population in Te Urewera between 1843-1844 and counted a population of 165 in the Waikaremoana area. Waikaremoana Māori adapted the many new ideas and Christian teachings into their traditional practices.

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- 2.7 Prior to the 1860s the Crown had no official presence in Te Urewera, and Māori customary law and practice continued to prevail. The soon to be Wairoa Resident Magistrate visited the Waikaremoana area in 1862. The visit had as its principal objective, explaining, and seeking support for, the Crown's policy of rūnanga, and, in addition, assessing the suitability of the land for European settlement. However, he reported that he could not visit Lake Waikaremoana. The rugged nature of the country required a local guide, and the strong south-east wind, had prevented a canoe crossing of the Lake. Māori assisting him in his travels estimated that 80 people resided at Waikaremoana at that time. By the 1860s, the Te Wairoa valley had become the natural outlet for trade from Waikaremoana and people also travelled into the Hawke's Bay to find work.

**The Waikato and Taranaki Wars**

- 2.8 In the early 1860s the Crown initiated wars against Māori in Taranaki and later in Waikato.
- 2.9 After the Crown's unjust invasion of the Kīngitanga's Waikato heartland in July 1863, Te Urewera Māori received a tiwha (an appeal for assistance in war by gift or waiata) to help resist the Crown's forces. Urewera leaders met at Oputao in January 1864 but were divided as to how to respond. There was some sympathy for the Kīngitanga and a desire to support the people of Waikato in their conflict with the Crown, while containing the war to Waikato, lest Te Urewera eventually suffer a similar fate. There was also a desire to ensure that Te Urewera could be defended if the war spread. During discussions, Te Urewera Māori recalled the close whakapapa ties and past pacts they held with those asking for their assistance.
- 2.10 After much debate, a small taua of Urewera Māori joined in the unsuccessful defence of Ōrākau in April 1864. Amongst the at least 70 strong Urewera contingent were fighters from Waikaremoana, including Te Mākarini Tamarau of Ngāti Ruapani, who travelled with his wife Hineana. During the battle, the Urewera taua suffered significant loss of life. Other Ngāti Ruapani in the ope included Mānuera of Waimako, who was killed in the battle, and Paerau, Pareihe, Paraki and Tāpiki who returned to Te Urewera. Hineana died and Te Mākarini narrowly avoided death when a bullet struck a patu which was hanging in his belt. When the survivors from the taua returned to Te Urewera, they were strongly criticised by the pouaru (widows) of those who were killed for having fought. The pouaru composed a manawa wera (a highly emotive haka without formalised actions) to demonstrate their anger.

**WARFARE, CONFISCATION, AND CESSION 1865–1867**

- 2.11 In December 1865, a number of Māori from other groups fled to the Waikaremoana district following the Crown attack on Pai Mārire who had occupied a pā in Tūranganui-a-Kiwa at Waerengaahika. Established in 1862 in Taranaki, the Pai Mārire religion sought a world based on goodness and peace. It promised the achievement of Māori autonomy and deliverance from European control. The role of Pai Mārire emissaries in the killing of missionary Carl Völkner in Ōpōtiki in March 1865 aroused great hostility toward the religion

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on the part of the Crown and settlers. On 2 January 1866 Crown forces advanced up the Waikaretāheke River towards Lake Waikaremoana in pursuit of the Pai Mārire group. Ngāti Ruapani at Tukurangi, along the river, avoided conflict by crossing Lake Waikaremoana in their waka.

- 2.12 Crown forces employed scorched earth tactics and destroyed a large amount of property without regard to whether the owners had been involved in the fighting or not. Before returning to Te Wairoa on 4 January the large Crown force, including troops from iwi who decided to fight on the side of the Crown, destroyed 'no fewer than ten settlements' in the Waikaremoana district. They took large numbers of cattle and horses and cereal crops from the 'immense cultivations' in the district, said to be worth 'a large sum of money'.
- 2.13 On 10 January 1866 Crown forces departed Te Wairoa for Waikaremoana accompanied by reinforcements from iwi who decided to fight with the Crown. After two days of travel up the Waiau and Waikaretāheke Rivers, the 520-strong force reached Kōkako (which later became known as Te Kōpani), six and a half kilometres south of Lake Waikaremoana. In the preceding weeks an unknown number of Ngāti Ruapani and other Māori had retreated towards the lake. It is likely that this group included a significant number of women and children.
- 2.14 Ngāti Ruapani defending their land and other Māori fighting the Crown exploited earthworks and dense scrub at Kōkako to ambush the Crown troops advancing up the valley. In response, the Crown forces fired the scrub cover and began shooting at the group. Ngāti Ruapani and the other defenders remaining fled north-east towards the lake and Onepoto village. Some escaped into the bush and others used waka to cross the lake.
- 2.15 On 12 January at Onepoto, Crown forces took 14 prisoners, 5 of whom were women. The next day, four of these prisoners in Crown custody were summarily executed 'one after the other'. Writing later, Crown officials considered this to be an 'unnecessary and unlawful execution', which was 'repugnant to the feelings and customs of civilised people'. The commanding officer of the Crown forces was asked to explain the executions, and was admonished for not preventing them. However, there was no further investigation and no one was punished for this crime.
- 2.16 There are varying accounts of how many people were killed by Crown forces on 12-13 January. The Crown's commanding officer reported that at least 25 Māori had been killed, while newspaper reports gave numbers of between 40 and 50 killed.
- 2.17 Following the executions, Crown forces destroyed Onepoto village and scoured the area for any Māori who had escaped from the conflict. After encountering a small group in the bush, Crown forces killed three of them before the remainder escaped across the lake in waka.

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- 2.18 Following the conflict in January, rumours began circulating of a Pai Mārire gathering at Lake Waikaremoana. A further Crown expedition entered the area in March 1866. At the village of Mangarua, about five kilometres from the lake, they surprised a group of 200 occupants engaged in Pai Mārire karakia. The Crown forces fired upon the occupants as they fled, killing an elderly woman and four men, one of whom was 'a mere lad... a boy'. An 'old man who could not have done the slightest harm to anyone' was summarily executed, despite surrendering and having 'prayed hard to have his life spared'. Crown officials later described these actions as the 'murder of prisoners in cold blood'.
- 2.19 All the Pai Mārire in the Waikaremoana district surrendered over the following months. At the end of May, a Crown official reported that a total of 300 men had surrendered. It does not appear that Ngāti Ruapani were among the surrendered, they having fled across Lake Waikaremoana into Te Urewera. The Crown detained many of the prisoners without trial and in harsh conditions on the Chatham Islands until Te Kooti led them in an escape in 1868. Among the group was Ēria Raukura of Ngāti Ruapani who was captured in the defeat of Pai Mārire forces at Omarunui (near Napier) in October 1866.
- 2.20 In 1866, the Crown decided to confiscate land at Te Wairoa to punish those who had fought against it. The Crown had previously confiscated lands under the 1863 New Zealand Settlements Act. However, the British Government had urged the New Zealand government to obtain voluntary cessions, rather than sweep up loyalist interests in large confiscation districts under the New Zealand Settlements Act. In 1866 the Crown promoted the East Coast Land Titles Investigation Act which made a large district including Te Wairoa and lands south of Lake Waikaremoana, subject to a confiscatory process through the Native Land Court. This legislation provided for the Native Land Court to determine the ownership of land situated in the district which was brought before it, and for the interests of any owners the Crown showed had been in rebellion to be forfeited to the Crown.
- 2.21 Crown officials were wary that the 1866 Act might yield a patchwork of blocks unsuitable for settlement and instead sought the cession of a large contiguous block. In April 1867 the Crown persuaded Māori at a hui at Te Hātepe, to cede the Kauhoroa block of more than 42,000 acres to the Crown in return for £800 and reserves. No Ngāti Ruapani participated in this hui, even though the block included land within the Ngāti Ruapani area of interest. The Crown promised to relinquish any claims it had under the 1866 Act to land in the Wairoa-Waikaremoana district outside of Kauhoroa. The deed signed at Te Hātepe provided for the interests of Māori in this district deemed to be rebels to be forfeited to those deemed loyal. However, the deed did not include any provision describing how this would occur.

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**THE PURSUIT OF TE KOOTI AND SCORCHED EARTH, 1868–1872**

**Early Peace negotiations**

- 2.22 Following the conflicts in Te Urewera, in November 1867 about 400 Urewera Māori met at Waikaremoana and sent Paerau Te Rangikaitupuake as a messenger to negotiate a peace settlement with the Crown. Those at the meeting wanted to prevent war spreading into the interior of Te Urewera and to ensure the Crown sent no more detainees to the Chatham Islands. The terms of peace offered by the Crown were for Urewera Māori to come in and take an oath of allegiance, give up some of their arms 'in token of submission', and hand in those wanted for specific killings. In return, the Crown would not punish those involved in previous hostilities or exile any more Te Urewera Māori. A hui of Te Urewera Māori at Ahikererū (near Te Whaiti) endorsed the agreement but it did not proceed any further.

**Escape of Te Kooti and the Whakarau and the attack on Mōhaka**

- 2.23 In July 1868 Te Kooti and te Whakarau (his followers) escaped from the Chatham Islands and landed at Whareongaonga on the coast south of Tūranganui-a-Kiwa. They sought to travel west to seek refuge at Taupō and were pursued by Crown forces. Te Kooti and te Whakarau defeated Crown forces in several engagements in July and August 1868 and then took shelter inland at Puketapu on the eastern boundary of Te Urewera. In October 1868, Te Kooti sought permission from Te Urewera rangatira to enter Te Urewera but was not allowed in.
- 2.24 In November Te Kooti and the Whakarau attacked the settlement of Matawhero near Tūranga, killing more than 50 men, women and children, both Māori and Pākehā. In December they retreated to Ngātapa Pā. After a large military force assembled by the Crown had besieged the pā for 5 days, Te Kooti and some of the Whakarau escaped into Te Urewera. A large number of the prisoners taken by the besieging force were summarily executed with the acquiescence of senior military and civilian officials. The Crown never investigated these killings despite newspaper reports describing a large number of executions after Ngātapa was captured.
- 2.25 In March 1869, following a pact made with Te Urewera rangatira, Te Kooti freely entered Te Urewera. Te Kooti then continued north towards Whakatāne where he liberated a number of Te Urewera rangatira, including Te Mākarini, who had been held there at the request of the Crown since 1867. In April 1869 Te Kooti led 200-300 followers, including members of Ngāti Ruapani, across Lake Waikaremoana on a raid on Mōhaka, which led to many deaths, including women and children. After the raid, Te Kooti's force retreated north, back to Waikaremoana. The Crown sent forces to Waikaremoana to kill or capture him.

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**The First Waikaremoana expedition**

- 2.26 In May 1869, the Crown launched a three-pronged attack into Te Urewera to capture Te Kooti. The expedition also aimed to deprive Te Kooti of any infrastructure or support and punish the peoples of Te Urewera. One branch of the Crown's forces approached from Te Wairoa, arriving at Onepoto, near Lake Waikaremoana, on 24 May. Once there, the forces began to construct a redoubt at Te Ūpoko-o-te-Ao on the western side of Waikaremoana, as well as boats and rafts in which to cross the lake. They planned to cross and attack the pā at Tikitiki. However, by mid-June Crown forces at Waikaremoana learnt that Te Kooti was at Taupō and gave up on the expedition. The forces withdrew from Waikaremoana on 8 July and departed for Taupō.

**The Rongopai and scorched earth at Waikaremoana**

- 2.27 In March 1870 the Crown launched a new three-pronged expedition into Te Urewera, hunting for Te Kooti (who had already left the region). One of these expeditions travelled to Waikaremoana but did not reach the lakeshore until May.
- 2.28 Later in March 1870, one rangatira representing almost all Te Urewera Māori negotiated a rongopai (peace agreement) with a Crown-allied Māori leader who led one of the other expeditions organised by the Crown. Notably, neither side had been able to consult with the chiefs of Waikaremoana, including Ngāti Ruapani, before making the agreement. The Crown-allied Māori leader had not consulted senior government leaders before making the rongopai. The terms of the rongopai included that the Crown would not 'occupy or take possession of land', nor send its forces into Te Urewera unless Te Kooti was present.
- 2.29 The leaders of the Crown's expedition, which conducted operations at Waikaremoana, were not aware that the rongopai had occurred. Instead, from late April the objective of the Crown expedition was to 'assist in disposing of the tribes' at Waikaremoana and 'clear out' kāinga at the lake. In early May, Crown forces entered the Waikaremoana district from the south and spent the rest of the month destroying cultivations and kāinga. On 2nd and 3rd of May, Crown forces attacked the villages of Whataroa and Ōhiwa, killing Hēmi (the son of Wī Tīpuna) and capturing the child of Wī Paretipua and Riwai. Other Ngāti Ruapani escaped, including Hēmi Tihi and Harawira. The leader of the expedition reported that "although the number killed was small it is considered a great achievement" as those killed were of high rank.
- 2.30 It was not until late May 1870 that the Native Minister and Defence Minister, Donald McLean, first publicly proposed terms on which the Crown would agree to peace. However, unlike the rongopai, these terms included the unconditional surrender of all Te Urewera leaders and the exile of all Urewera communities to small coastal reserves. From the end of May groups in other parts of Te Urewera began to reluctantly accept the Crown's terms but not rangatira from Waikaremoana.

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- 2.31 On 7 June, Crown forces attacked the Ngāti Ruapani settlements on the northern shores of Lake Waikaremoana, including Matuahu Pā, which was found empty after its occupants escaped. Matuahu was the pā of the Ngāti Ruapani composer Mihi-ki-te-Kapua and she composed the waiata tangi “Engari te Tītī” about these events. The Crown forces proceeded to destroy the various kāinga around the lake. The Crown instructed the leader of the expedition to feed his troops from the supplies of the “enemy” as much as possible.
- 2.32 Despite meeting almost no resistance, Crown forces again proceeded to implement scorched earth tactics and destroyed all pā, kāinga and food supplies in the lake region. In the end the Crown’s destruction served no useful strategic purpose as it only delayed surrender of those living around the lake and was done without consideration for the non-combatants in the area. The leader of the Crown expedition recorded that the Crown had taken tons of potatoes from over 100 separate cultivations around the lake-edge. He estimated that the food destroyed by Crown forces would have fed 1,000 people for fifteen months.
- 2.33 On three occasions in mid-June 1870 Te Mākarini Tamarau and other Ngāti Ruapani met with the leader of the Crown expedition. Te Mākarini opposed the unconditional surrender of Ngāti Ruapani sought by the Crown. He tried to convince the Crown to accept the rongopai and withdraw from Te Urewera. However, the leader of the Crown expedition refused to accept the rongopai, and insisted Te Mākarini surrender. Te Mākarini feared the consequences, lest he be made a ‘Mokaikai’ (‘gaol-bird’). However, the Crown’s destruction of all crops at Waikaremoana left Te Mākarini and 10 others, including Mokonuairangi and Hōri Wharerangi, with little choice, but to surrender.
- 2.34 In July 1870 the Crown withdrew its forces from Waikaremoana, but not before further destruction of food. A Crown official wrote that the expedition would ‘render the Lake District useless to the Urewera as a place of resort during the present winter, and by destroying the food, make it out of the question that it should become so.’
- 2.35 Over the rest of the year further Te Urewera Māori, including some from Waikaremoana, came in and surrendered before being removed from Te Urewera. This included Te Whenuanui and Paerau who surrendered in September and October 1870. In December 1870 the Crown stopped insisting that those surrendering leave Te Urewera and instead concentrated them at specified locations within Te Urewera. However, in January 1871 a further group of 32 people from Waikaremoana came in and surrendered at Te Wairoa.
- 2.36 In April 1871 Te Kooti returned to Te Urewera but Te Urewera Māori sent him away from Waikaremoana. At the beginning of July 1871 Te Kooti again returned to the area. While at Te Mārau Pā on the shores of Lake Waikaremoana, he captured a number of Te Mākarini Tamarau’s men. Te Mākarini wrote to inform the Armed Constabulary commander at Te Wairoa of Te Kooti’s presence and ask the commander for assistance. A third Crown expedition launched in July 1871. By the end of July, a group of 50 Crown troops had established a redoubt at Onepoto, though Te Kooti had already departed the area.

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- 2.37 At the end of August, a Crown force entered the district again. They crossed to the northern shores of Lake Waikaremoana and took Te Mārau Pā, capturing men, women and children who they considered had assisted Te Kooti. The forces “[ate] all the...food” and destroyed the kāinga there. Members of Ngāti Ruapani assisted Crown forces with the hunt for Te Kooti until early 1872 when Te Kooti left the area.
- 2.38 The Crown’s acts of war caused great prejudice to Ngāti Ruapani who suffered loss of life and dislocation from their lands. The Crown’s scorched earth tactics resulted in starvation and exposure that contributed to many deaths among Ngāti Ruapani. The Crown’s acts of war at Waikaremoana caused Ngāti Ruapani social, economic and cultural harm across multiple generations.

**TE WHITU TEKAU**

- 2.39 During 1871, the Crown sought to repair its relationship with Te Urewera Māori and Te Whenuanui and Paerau Te Rangikaitupuke met with the Crown to discuss peace proposals. In November 1871, these discussions, and correspondence with Te Mākarini, Te Whenuanui, Paerau and other Te Urewera rangatira, resulted in a “peace compact” in which, the Native Minister and Defence Minister, Donald McLean agreed the Crown would withdraw its forces from Te Urewera and leave them to manage their own affairs in their districts. They agreed to hand over Te Kooti to the Crown if they captured him.
- 2.40 In June 1872, at Ruatāhuna, a hui of Te Urewera leaders formed Te Whitu Tekau (the Union of Seventy) to assert their mana motuhake in Te Urewera. Te Whenuanui, Paerau, Te Mākarini, Hetaraka Te Wakaunua, Te Ahikaiata, and other Te Urewera rangatira advised the Crown that Te Whitu Tekau would conduct their affairs and they defined the boundaries of their united district. Within these boundaries, Te Whitu Tekau objected to roads, surveys and land dealings, including taking land to the Native Land Court.
- 2.41 Te Whitu Tekau established pou rāhui (boundary markers) for their territory and adopted a flag. In October 1872, Te Whenuanui and Paerau wrote to the Crown about their decision to oppose the building of roads in their territory and stating their conviction that the Crown had recognised their authority: ‘... ‘ko te ture hei titiro i tatau korero inaianei’ (the law will look at our talk (decision) now). Hetaraka was amongst those from Te Whitu Tekau who communicated further resolutions and policies to the Crown through correspondence, during a Te Whitu Tekau hui in March 1874, or on other occasions through to the 1890s. Some of this communication related to the Crown asking Urewera Māori if it could build roads through their rohe. However, opposition of Te Whenuanui and other rangatira to the building of roads prevailed and Te Whitu Tekau policy opposing roads held firm.
- 2.42 In March 1874, the Resident Magistrate for Ōpōtiki met with Te Whitu Tekau. They told him they wished to maintain friendly relations with the Government. Te Ahikaiata announced that the agenda for the hui would include ‘The forbidding of roads, leases, Magistrates, and other bad things (mea kino)’. After the hui, the Resident Magistrate



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reported that Te Whitu Tekau were 'almost unanimous' in their wish to keep these Crown measures out of their rohe. The Resident Magistrate also noted that they were divided on the issue of leasing land.

- 2.43 Although the Crown avoided formally recognising Te Whitu Tekau, it initially respected the opposition of Te Whitu Tekau to roads within its territory. However, the Crown had little regard for its repeated opposition to surveys, the Native Land Court and land dealings. The Crown hoped that its strategic leasing and purchasing of land on the borders and immediately within Te Urewera would circumvent the opposition of Te Whitu Tekau to land dealings and the Native Land Court. The Crown had already appointed a land purchase agent who expected to negotiate purchases on the edge of Te Urewera which would lead to the setting aside of the boundary established by Te Whitu Tekau.

**THE THREAT OF CONFISCATION: THE FOUR SOUTHERN BLOCKS**

- 2.44 In August 1872 the Crown entered into a deed of agreement with Māori in Te Wairoa which provided for the creation of what came to be known as the four southern blocks. These blocks (Tukurangi, Ruakituri, Taramarama and Waiau), comprised about 178,000 acres, and were located in the south of Lake Waikaremoana where Ngāti Ruapani had interests. Crown officials incorrectly assumed this was the remainder of the land subject to the East Coast confiscation legislation that had not been included in the Kauhauroa block. The Crown promised to grant some of the land in the four blocks to 'loyal' rangatira at the time of the Te Hātepe deed in 1867.
- 2.45 All but one of the 18 rangatira who signed the August 1872 deed were from one iwi. The only Ngāti Ruapani rangatira to sign was Te Mākarini, who later said that he had done so in order to ensure that the 'Urewera' were acknowledged as being owners. The deed provided that titles to the four southern blocks would be granted to 206 named individuals, and were inalienable in terms of sale and mortgage. A small number of those to be granted title were from Ngāti Ruapani. In September, the Ngāti Ruapani rangatira, Hetaraka Te Wakaunua, who had not been included, informed the Crown there was opposition to the deed saying, '... the Urewera are dissatisfied with Te Mākarini for his having parted with Waikaremoana'.
- 2.46 Included in the 1872 deed, was an agreement that the Crown would retain possession of two blocks within which Ngāti Ruapani had interests. These were: 250 acres at Onepoto, where the Crown maintained a redoubt and where two pā of historical importance (Te Pou o Tumatawhero and Te Tukutuku o Heihei) and an urupā were situated; and 50 acres on the Waikaretāheke River. The deed also provided the Crown with rights to fell timber on the land. The Crown had no legal title to this land.
- 2.47 The Crown did not immediately issue the titles that were provided for in the 1872 deed. Nevertheless, in 1873, the four southern blocks were leased to settlers by some of those involved in the 1872 agreement. This drew protest from Wī Hautaruke and Te Mākarini of Ngāti Ruapani, who objected to people from other groups leasing the Tukurangi and

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Taramarama blocks. They stated that a greater proportion of the Taramarama block was their land. Te Mākarini, who had signed the deed, withdrew his assent.

- 2.48 In November 1873 and March 1874, the Crown approached Māori with interests in the blocks to get agreement on the boundaries within them. No agreement could be reached, and in April 1874 Crown officials advised Māori to take their claims to the Native Land Court to settle the disputed title.
- 2.49 Hūrae Puketapu, of Ngāti Ruapani, later recalled a meeting held in 1874, between Ngāti Ruapani and other groups, where the boundaries of their interests in the four southern blocks were discussed. He said that at the meeting it was decided that Ngāti Ruapani and other groups with interests in the northern part of the blocks would establish a southern boundary line marking the area in which their interests fell, and would protect all land within the boundary from being surveyed or sold.
- 2.50 In May 1874 Ngāti Ruapani and other Māori lodged applications with the Court for an investigation of title for each of the four blocks. However, in November 1874, before the Native Land Court had considered the applications, the Crown decided to acquire the four blocks, despite having agreed in 1872 that the titles were inalienable. It started by buying out leasing arrangements from the settler lessees. The Crown also proceeded to make cash advances to Māori for the blocks. In June 1875, a Crown agent went to Waikaremoana to try to persuade Ngāti Ruapani to travel to Te Wairoa to discuss the proposed purchase. At a meeting with a Crown official in Napier in July 1875, Ngāti Ruapani criticised the Crown for dealing with other iwi over the four blocks without their presence and assent. The official responded aggressively, and reported to the Native Minister McLean that he had told Ngāti Ruapani and other Urewera rangatira 'they owed everything to your clemency.' As a result, they had 'given in' to the Crown's purchase.
- 2.51 The Native Land Court's title investigation of the four blocks was advertised to commence on 28 October 1875. Two weeks in advance, a Crown agent reported that he had completed arrangements to purchase the block. Although the Court opened on 28 October, at Te Wairoa, the title investigation was immediately adjourned.
- 2.52 The Crown met with about 700 Māori, including Ngāti Ruapani, the following day to discuss the disputed claims to the four blocks. The Crown agent told the gathering that the land up to Lake Waikaremoana had been confiscated, because its principal owners had allied themselves with 'the enemy of the Government.' He added that the Crown had relinquished its hold on a large tract of this country in favour of 'loyal' Māori. Furthermore, the Crown now sought to purchase the lands but the question for the hui was who had the right to convey these lands to the Crown. Hōri Wharerangi responded by saying, 'When our dispute touches upon the four blocks, we tread upon confiscated land.' Regarding the Crown's purchase of the land he said, 'I am going to return the money the Government advanced on account of these blocks: that is to say, I will not part with the land'.

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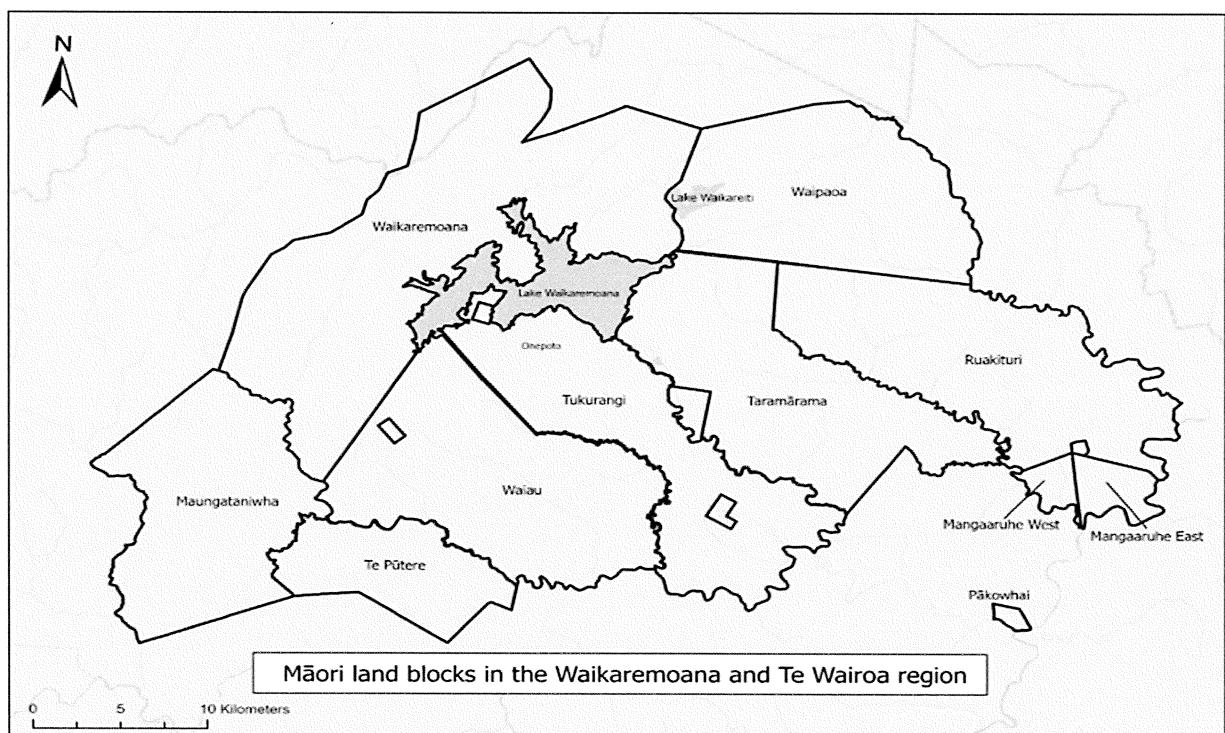
- 2.53 After nearly five hours of discussion, the Crown agent told those gathered that ‘... The Government were evincing no small consideration for the Urewera Natives in sanctioning at all the investigation of the claim put forth by them’ given that they had been ‘in rebellion when the land was confiscated and dealt with’. This drew a reaction from a Māori Member of Parliament present at the meeting, Karaitiana Takamoana, who said ‘... The Government should not intimidate the Maoris in this manner, by telling them that they hold the land, and inducing them to lease it, when really the Government has no power at all.’ The Crown agent denied the Government was intimidating Māori. The meeting failed to progress the land transactions.
- 2.54 The Native Land Court’s title investigations of the four blocks took place between 4 and 6 November 1875. On 4 November the Tukurangi block was the first of the four blocks to be investigated, followed by Ruakituri block on the same day and the Taramarama and Waiau blocks on 6 November. On the first day, the Judge questioned whether the land before the Court had ever been confiscated. There was some confusion, with the Crown agent initially responding that it had been, and that ‘the Govt had retained a portion at the mouth of Waiaua [sic] at Kauhauroa, situated between the Wairoa and Waiau’. The agent continued that ‘the remainder of land between Waiau and Ruakituri was abandoned by the Government to the original owners’, despite having told the hui, immediately before the court hearings, that the land would be returned to loyal Māori.
- 2.55 On 6 November, the Crown agent received a telegram from the Native Minister. In the telegram he conveyed the opinion of the Solicitor General that the lands had not been confiscated and the Court had jurisdiction, under the East Coast Act 1868, to inquire into titles to the land and determine the rights of the parties claiming interests. The Act replaced the earlier East Coast Titles Investigation Act 1866, but still provided for the Crown to confiscate any interests the Native Land Court concluded were held by ‘rebel’ Māori. The information in the telegram was provided to the Court by 8 November.
- 2.56 On 6 November, the Judge also noted that the statements made by claimants and counter claimants were at variance with each other and difficult and contradictory. The Court decided to adjourn until the blocks had been surveyed.
- 2.57 The Crown considered the surveys would take at least three months and was still anxious to reach an out-of-court settlement. It offered Ngāti Ruapani a payment and some reserves in the blocks in exchange for withdrawing their claims. On 12 November, Ngāti Ruapani formally agreed to the Crown’s offer and informed the Court they were withdrawing their claims to the four blocks. There is no record of the negotiation, but Ēria Raukura, a Ngāti Ruapani leader in the 1870s, later said that ‘[t]he Govt. told us we would have to sell or else it would be taken from us’.
- 2.58 Approximately 60 members of Ngāti Ruapani, and other Urewera groups, signed a deed with the Crown yielding up all their ‘right’, title and interest in the four blocks to the Crown. In return the Crown agreed to pay £1,250 and promised 2,500 acres of reserves. The

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Court then issued title to the counter-claimants, who conveyed the four blocks to the Crown for £9,700, retaining 8,400 acres of reserves.

- 2.59 In 1876, the Crown set aside the 2,500 acres in reserves it had promised to Ngāti Ruapani and other Urewera groups in the form of four reserves: Whareama (300 acres), Te Kōpani (800 acres), Te Heiotāhoka (1,100 acres) and Ngāputahi (298 acres). Title to these reserves was not awarded until 1889 and was granted to the 60 signatories of the 1875 deed rather than all owners. There was no legal access to the Whareama and Ngāputahi reserves, and in 1921, these two reserves were acquired by the Crown as part of the Urewera Consolidation Scheme.
- 2.60 The total acreage of the four blocks was estimated to be 157,000 acres at the time of these transactions, but was determined to be 178,226 acres upon being eventually surveyed. The Crown swept up the land at Onepoto and on the Waikaretāheke River in these transactions, without making any payment to Ngāti Ruapani for this land or its timber resources. In August 1877, the Crown declared the four southern blocks to be 'Waste Lands of the Crown'.



### THE NATIVE LAND COURT AND CROWN LAND ACQUISITION

- 2.61 Beginning in 1862, the Crown promoted native land legislation to determine the owners of Māori land "according to native custom". This new system converted customary title into title derived from the Crown and established a Native Land Court to hear evidence and determine who owned the land. The Crown did not consult with Ngāti Ruapani about the

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new Native Land Laws and Māori were not represented in Parliament when the first Acts were enacted.

- 2.62 The Crown intended that the Native Land Acts would facilitate the opening up of Māori customary lands to Pākehā settlement. Through the legislation, the Crown set aside its pre-emptive right of purchase, allowing Māori to sell and lease their lands directly to Pākehā settlers. Ngāti Ruapani had no alternative but to use the Native Land Court if they wanted a legally recognised title in order to sell, lease, or use their land as security to raise capital for development.
- 2.63 Customary tenure allowed for complex and fluid land uses and could generally accommodate multiple and overlapping interests to the same land. However, the new land laws required those rights to be defined and fixed, and did not necessarily accommodate all those with an interest in the land. The titles available under the Native land legislation were awarded to individuals and often resulted in fragmentation of communal interests. A long-term objective of the land laws was to help detribalise and assimilate Māori into Pākehā society.
- 2.64 The Court's investigation of title for land could be initiated by an application from any individual Māori who claimed interests in the block to be investigated. There was no requirement to obtain consent from the wider group of customary owners, and once an application was accepted by the Court all those with customary interests were obliged to participate in the investigation of title or risk being excluded from the title. A registered survey of the land being investigated was required before it could pass through the Court.
- 2.65 Ngāti Ruapani, through Te Whitu Tekau, were opposed to the Native Land Court. Yet, from 1868 to 1890 they were unable to prevent just over 100,000 acres of land in which they asserted customary interests, sometimes alongside other groups, from being surveyed and put through the Native Land Court.
- 2.66 Attending and participating in often protracted Native Land Court hearings could be expensive for Māori. Survey charges and other costs involved in securing title through the Native Land Court were a burden to Ngāti Ruapani. The Crown took full control of regulating surveying processes and sometimes acquired land to discharge survey costs. Ngāti Ruapani had to travel large distances to attend hearings outside their takiwā. Ngāti Ruapani incurred expenses for food and accommodation, in addition to the opportunity costs of lost working time. In 1894, Ngāti Ruapani at Te Kūha complained to the Premier about the "terrible expense we are put to for surveys, and for Land Court expenses". Their experience was "disastrous" and "the land has been swallowed up in expenses."

**Early Native Land Court hearings**

- 2.67 The Native Land Court first investigated titles to land in which Ngāti Ruapani asserted interests when it sat at Te Wairoa in September 1868. This sitting occurred amidst the threat of war in the district, which prompted the building of fortifications there.

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- 2.68 The first business before the Court was the ratification of Te Hātepe agreement of 1867. The Crown's agent confirmed to the Court that 600 acres of land, which lay within the area covered by the Hātepe agreement, had been reserved for some of those Māori party to the agreement. When the Pākowhai block (600 acres) came before the Court five days later, some of those who had been party to the Hātepe agreement were present. They told the Court that when the Crown had taken land for a military settlement within the confiscation boundary, it had given the Pākowhai block back to them. The Crown had left it to them to decide who would be included in the title. Ngāti Ruapani were not included.
- 2.69 The second day of the Te Wairoa hearings related to the claim of other Māori to the Mangaaruhe block. The Court ultimately awarded the title in two divisions: Mangaaruhe East (3,878 acres) and Mangaaruhe West (2,267 acres), each of which was awarded to 10 owners. Ngāti Ruapani were not included in the titles. The Court was then operating under legislation which provided for the confiscation of "rebel" interests.
- 2.70 In November 1875, the Native Land Court at Te Wairoa investigated title to Te Pūtere (18,323 acres), another block in which Ngāti Ruapani assert interests. Legislation providing for the confiscation of "rebel" interests, was still in force. Ngāti Ruapani rangatira Hōri Wharerangi did not make a claim to the block but conducted the case for Ngai Tarapāroa, who are affiliated with Ngāti Ruapani mai Waikaremoana. The Court awarded title to 26 owners, most of whom were Ngai Tarapāroa, including some who lived at Waikaremoana. Much of the land in Te Pūtere was subsequently sold, though some land in Te Pūtere remains in Māori ownership today. This land includes the location of Te Pūtere marae.
- 2.71 Title to the Maungataniwha block (36,140 acres) was investigated by the Native Land Court at Te Wairoa on 28 June 1879. Paora Puketapu of Waikaremoana made a counter-claim for Ngai Tarapāroa, which was supported by Hōri Wharerangi but was not upheld by the Court. Mihaere Puketapu's application for a rehearing of this decision was lodged too late to be considered. Title was awarded to seven other Māori who leased it until in 1883, it was purchased by the lessee.

**Waipaoa block**

- 2.72 The Waipaoa block (39,000 acres) was located to the east of Lake Waikaremoana. The block included Lake Waikareiti, a place of historical and spiritual significance to Ngāti Ruapani. Ngāti Ruapani consider that the tipuna Ruapani and Lake Waikareiti are intricately connected through their whakapapa. Ruapani ancestors, Tūwai and Tahu, are referred to in the names of two islands in the lake: Te Kaha-a-Tūwai and Te One-a-Tahu. Additionally, two nearby wetlands and two small lakes proudly bear the names of Ruapani's grandchildren: Puna-hōkio, Puna-te-ao, and Hine-rere. Tūwai's sister, Hine-waho, is also honoured with a lake named after her.

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- 2.73 In 1879 the Crown began negotiating to purchase land to the north of Waipaoa. The Crown paid cash advances to two other groups, prompting many more to file rival applications for surveys and title investigations of the contested lands.
- 2.74 Other Māori feared that the neighbouring Waipaoa block would be caught up in these disputed claims. In 1882 they began making applications for the survey of Waipaoa. Ngāti Ruapani had no part in these applications. In 1888 other Māori applied to the Native Land Court for title and hearings took place in Te Wairoa the following year.
- 2.75 Some Ngāti Ruapani made an agreement with the applicants out-of-Court. As part of the agreement, they let the applicants conduct the Ngāti Ruapani case in Court and only two among them, Te Hapi Tūkahara and Wī Hautaruke (also known as Whakamoe) attended the hearings. In part, their absence may have been due to their commitment to Te Whitu Tekau, which opposed the Native Land Court, surveys, and land sales.
- 2.76 The Court awarded interests in the Waipaoa block to the applicants. Due to the out-of-court arrangement with the applicants before the judgement, Ngāti Ruapani individuals were also included in the award.
- 2.77 The Crown and two members of another group had made an agreement in 1882 that the costs of the survey would be paid in land at a rate of one acre for every two shillings of survey costs. A specific portion of the block next to the Ruakituri River and upstream of Erepeti kāinga, was identified in the agreement to be given up. Ngāti Ruapani played no part in these arrangements and the Crown did not consult them about the proposal but their land was alienated as a result. Ngāti Ruapani did not obstruct the survey when it took place but Wī Hautaruke testified in the 1889 Native Land Court hearing that he and Hōri Wharerangi had objected to it.
- 2.78 The Court awarded the Crown Waipaoa 1 (2,911 acres) and Waipaoa 2 (2,911 acres), the latter including the southern portion of the bed of Lake Waikareiti, in satisfaction of survey costs. This amounted to nearly 15% of the block. As a result, Ngāti Ruapani lost any interests in the southern section of Lake Waikareiti.
- 2.79 From 1898 the Crown began purchasing individual interests in the Waipaoa block from the owners at three shillings an acre. The Crown was interested in acquiring the land around Lake Waikareiti for scenery preservation and also saw Waipaoa as “the key” to “opening up” the adjoining Te Urewera district. The purchasing was a slow process conducted in some secrecy. Nationally, Crown purchasing was halted by the Native Land Laws Amendment Act 1899, but the Crown continued purchasing individual interests in Waipaoa while the Act was in effect.
- 2.80 In 1903, the Crown applied to the Court to cut out the interests it had acquired. The Crown asked the Court to abolish the existing subdivisions, which had recognised distinct hapū interests, and to instead consolidate the Crown’s interests into two complete blocks. One owner from another group consented to this subdivision, and as a result Ngāti Ruapani

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were allocated interests in Waipaoa 5 (19,490 acres), alongside other non-sellers. They did not live on this land or have strong customary interests in it. The Court allocated the Crown's interests in Waipaoa 3 and 4 (13,990 acres in total). Waipaoa 4 contained Lake Waikareiti, meaning that Ngāti Ruapani lost all their interests in the Lake and the adjacent lands on which they lived, despite not having sold them. This was a heavy blow to them.

#### **Waipaoa block and the Tairāwhiti Māori Land Board**

- 2.81 In 1900, legislation provided for the establishment of the Tairāwhiti Māori Land Council, on which at least half of the council members would be Māori. In 1905, the Māori Land Settlement Act reconstituted the council as the Tairāwhiti Māori Land Board. Under the new legislation, the Crown appointed all three board members, only one of whom was required to be Māori. The principal business of the Land Boards before 1932 was to oversee the leasing and (from 1909) selling of Māori land. Under section 8 of the Māori Land Settlement Act 1905, land in the Tairāwhiti district which the Native Minister considered 'is not required or is not suitable for occupation by the Māori owners' could be compulsorily vested in the board to administer. The board was given powers to subdivide and lease, for up to 50 years, blocks vested in it.
- 2.82 In 1906 the Crown compulsorily vested Waipaoa 5 in the Tairāwhiti District Māori Land Board under the provisions of the Maori Land Settlement Act 1905. A rangatira from another group had agreed to this arrangement on the proviso that the Board reserve 8,000 acres for the Waipaoa 5 owners. The Board did eventually reserve 2,000 acres for the owners but this land was located in the east, far from where Ngāti Ruapani held customary interests. The Board acknowledged that this reserve did not provide for Ngāti Ruapani but it did not reserve any other land for them. Ngāti Ruapani owners in Waipaoa had no legal right to occupy their traditional land, and could not afford the cost to lease it from the Board. By 1910, the Board had not succeeded in leasing any of the Waipaoa 5 sections, meaning the land remained "idle and unproductive", and Ngāti Ruapani received no rental income.
- 2.83 In 1909 the law was amended to allow the Crown to purchase vested lands, such as Waipaoa 5, from the Board. The Native Land Act 1909 provided that land could only be sold with the consent of a majority of a meeting of the assembled owners. The quorum required for this meeting was only five people. In 1910 some owners in Waipaoa 5 asked the Native Minister to purchase their interests in the land. The Board agreed, subject to the Crown obtaining consent.
- 2.84 Waipaoa 5 had at least 342 owners, of whom 55 attended the meeting. All but two of those present agreed to sell the block and accept the government valuation of £1 per acre as the price. This bound the 84% of owners not in attendance to the purchase. The partitioning out of the interests of the two dissentients at the meeting of owners delayed completion of the purchase until 1913, when the Crown's interests were partitioned out as Waipaoa 5B (16,785 acres).



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- 2.85 By 1913 the government valuation for the block had decreased and the Valuer General provided a new, significantly lower valuation (16,785 acres for £11,000 – a little over 13 shillings per acre). This new valuation was roughly one third less than the price previously agreed. The Crown gave the owners an ultimatum to accept the lower valuation, if they wished to receive payment for their land. The owners met to consider the matter. Due to their dire economic circumstances, which included a “trying winter” and large store debts, the owners reluctantly agreed.

**UREWERA DISTRICT NATIVE RESERVE**

- 2.86 Between 1894 and 1896 a series of discussions took place between Premier Richard Seddon, Cabinet Minister James Carroll and Te Urewera leaders, including Ngāti Ruapani rangatira. Discussions in 1894 coincided with the Premier’s tour of the North Island to hear the views of Māori on policy associated with opening up ‘surplus’ land for settlement. During the tour, Te Pukeiotu recalled to Seddon that, in the early 1870s, it had been agreed with McLean that the Te Whitu Tekau district ‘should be kept inviolate’. He also recalled to Seddon that there had been a ‘protectorate’ in place to safeguard Te Urewera Māori from European advances into the area. At the end of the Premier’s tour, Māori met with the Crown party at Te Kūha on the Te Kōpani Reserve near Lake Waikaremoana. Hōri Wharerangi, and Te Hapi Tūkahara reminded the Premier that the bulk of their land could not be used for agricultural production and they were living on small reserves with no ‘surplus’ lands.

**Surveys and Protests**

- 2.87 In January 1895, Te Urewera Māori told the Surveyor-General they did not want any surveying of Te Urewera, as they feared surveys would lead to land loss. Despite being aware of this, the Crown commenced surveying in April. In May and early June 1895, Te Urewera Māori obstructed surveyors working on road lines in Te Urewera. The Crown sent in armed forces, followed by Carroll to negotiate a peaceful resolution. According to Hūrae Puketapu, Carroll promised that Te Urewera Māori would be protected by special legislation reserving the lands for their owners. Te Urewera Māori who were present withdrew their resistance. However, Ngāti Ruapani at Waikaremoana, who were unaware that a resolution had been reached, obstructed surveyors. On 20 June 1895, Carroll arrived at Waikaremoana, where he spoke to a large hui, which endorsed the earlier arrangements he had negotiated, and the obstruction at Waikaremoana ended. In July 1895, surveyors started to lay out a road, from Te Whaiti towards Waikaremoana, protected by armed forces.

**Compact and Legislation**

- 2.88 In August 1895, a deputation of leaders from Te Urewera, including Hōri Wharerangi and Hūrae Puketapu, arrived in Wellington to negotiate a settlement of wide-ranging issues with the Crown related to the governance of Te Urewera. The delegation negotiated a ‘solemn compact’ between Te Urewera Māori and the Crown by which they renewed their

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acknowledgement of the authority of the Crown, and the Crown acknowledged and agreed to respect the mana motuhake of Te Urewera Māori.

- 2.89 The 1895 compact comprised seven core principles:
- 2.89.1 an inalienable reserve would be established to provide protection permanently for the peoples of Te Urewera, their lands; their forest, birds and taonga; and their customs and way of life;
  - 2.89.2 the Native Land Court would be excluded from the reserve, and an alternative process would be developed to create Crown-derived land titles;
  - 2.89.3 the land titles would be awarded at hapū level, in a form that enabled hapū and tribal control;
  - 2.89.4 the peoples of Te Urewera would be self-governed by hapū committees, which would manage their lands and tribal affairs, and a General Committee having powers of local government;
  - 2.89.5 the peoples of Te Urewera acknowledged the Queen and the Government and would obey the law;
  - 2.89.6 the Government would protect the people, promote their welfare in all matters, and would provide a social and economic assistance package; and
  - 2.89.7 development should take place in the reserve, in a manner consistent with the primary nature of the reserve. Development included: roads, tourism, gold mining and farming.
- 2.90 The compact provided the basis for the Urewera District Native Reserves Bill 1895. In June 1896, a second Urewera delegation, including Te Mākarini, travelled to Wellington to be present during the passage of the revised Bill through Parliament, including the Native Affairs Committee. Changes were made to the Bill around this time including the insertion of requirements for the identification of relative shares of ownership listed at an individual level and the inclusion of a Crown right to lease or purchase land within the proposed reserve. Although power to alienate land was to reside with the proposed General Committee, and would therefore be under the control of Te Urewera Māori leadership, the delegation had not wanted the land to be sold at all.
- 2.91 During speeches, in 1896, Seddon acknowledged that McLean had pledged to allow Te Urewera Māori to administer their own lands, and this pledge had not been honoured. In October 1896, Parliament enacted the Urewera District Native Reserve Act to give effect to the compact. The legislation provided for a legal alternative to the Native Land Court to determine the ownership of Māori customary lands in the Urewera District, which would comprise a Native Reserve of 656,000 acres, but excluded Lake Waikaremoana.

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- 2.92 The legislation also provided for the establishment of an Urewera commission. This commission was to consist of five Tūhoe and two Pākehā commissioners, and would divide the district into blocks based, as far as possible, on hapū boundaries. It would investigate the ownership of each block ‘with due regard for Native customs and usages’ and to justice and equity. The ownership of any block could be investigated and determined on a sketch plan, paid for by the Crown. Owners of the blocks could then elect the members of local committees to represent them, and local committee representatives would elect the membership of a General Committee which would have ultimate control of Te Urewera Māori lands within the reserve.

**The First Urewera Commission**

- 2.93 In 1896, local elections were held for Te Urewera Māori to choose their representatives as commissioners. Hūrae Puketapu was chosen as the commissioner for Waikaremoana. In 1898 the First Urewera Commission was established. The commission’s regulations specified that the chair had to be one of the two Pākehā commissioners, and that four commissioners were required to constitute a quorum. Commissioners could make their own rules and procedures on how their inquiry should proceed.
- 2.94 In 1899, the First Urewera Commission began hearings to determine title of the blocks. This proved to be a difficult and drawn-out process. The 1896 Act required the division of the reserve into blocks based on hapū boundaries. However, the commissioners found this challenging in practice, due to the complexities of overlapping hapū rights in the district. Therefore, they adopted a simpler process of grouping a number of hapū together in separate blocks. As the commissioners also experienced difficulties with defining block boundaries, they decided to investigate the interests in the whole district before determining these boundaries. The Commission’s investigation process did not ensure that land titles were awarded at hapū level, as envisaged in the 1895 compact. Instead, the commissioners awarded title to named family groups and individuals in relative shares, in accordance with the 1896 Act. This decision was criticised by a later Commission as not being in accordance with Te Urewera Māori custom.
- 2.95 Between 3 and 6 April 1899, the First Urewera Commission sat at Waimako, Waikaremoana, to investigate the title to land in that area. During the hui, Hōri Wharerangi, who was not acting in his capacity as a commissioner at the time, announced that Ngāti Ruapani wanted to withdraw the Waikaremoana lands from the Commission’s jurisdiction. Wharerangi explained that ‘... after the investigation of title the Government will dig out the land interests. I am defying this [investigation] because of my fear of becoming landless’. Wharerangi further explained that Ngāti Ruapani wanted to withdraw the lands because they had ‘suffered heavily’ through the Crown’s dealings in relation to the Waipaoa Block. The commissioners told those assembled that this request ‘could not be allowed’, although their rationale remains unclear. The following day, faced with the risk that the Waikaremoana block might be awarded to others, Wharerangi submitted his lists of owners for the Waikaremoana block.

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- 2.96 By 1900, the Crown concluded that the Tūhoe commissioners often had personal interests in the blocks being investigated, due to the complex and overlapping rights in the district. Therefore, in 1900, the Urewera District Native Reserve Act was amended to specify that Tūhoe commissioners should not take part in decisions affecting land where they had personal interests. If all Tūhoe commissioners were found to have interests then the ownership should be decided by the votes of the Pākehā commissioners alone, and the quorum limitation would not apply. Furthermore, Pākehā commissioners could, with the approval of the Native Minister, appoint up to two Māori who were not Tūhoe to act as commissioners for the time being.
- 2.97 Due to the delay in settling titles, the commissioners were empowered under the amended legislation to take on all matters which the General Committee might deal with. This affected the local government control that had been envisaged for Te Urewera Māori in the compact and in the 1896 Act.
- 2.98 In April 1901, two years after the hearing at Waimako, the case for Waikaremoana opened in Te Whaiti. Changes were proposed to the lists submitted by Wharerangi, including adjustments to the relative interests of Ngāti Ruapani and other Te Urewera Māori groups in the block. The commissioners could not reach a decision on the proportion of relative interests, and the case was adjourned until the next scheduled meeting of the Commission the following year. On 20 February 1902, the commissioners considered a list of names with relative shares and signed an order declaring the 729 individuals listed to be the owners of the Waikaremoana block. A few months later a provisional local committee was appointed to the Waikaremoana block, pending the election of a permanent local committee. It included Hōri Te Mataa (otherwise known as Hōri Wharerangi), Te Wao Ihimaera, Māhaki Tāpiki, Wī Mutu Matiaha, Rāwaho Winitana, Te Kaaho TeKaaho, and Mātaamua Whakamoe.

**The Second Urewera Commission**

- 2.99 The First Urewera Commission finished its title investigations in 1902. Between 1899 and 1906, there were 172 appeals made in relation to its title determinations of the main blocks in the district. In late 1906, the Native Minister appointed a Second Urewera Commission to hear the appeals, with hearings being held in 1906 and 1907. The solution that the First Urewera Commission had previously adopted, of grouping a number of hapū together in separate blocks, had resulted in many hapū appeals for partition. The appeals process was late to start, and was subsequently interrupted by the Crown's work on legislative amendments. The delay in addressing appeals, in turn, delayed the establishment of local governance committees for Te Urewera Māori.
- 2.100 The Second Urewera Commission received appeals against the First Urewera Commission's decisions on the Waikaremoana block. The Crown appointed two Pākehā commissioners and one Māori representative from an iwi outside Te Urewera to hear the appeals. Although, in 1907, the Second Urewera Commission upheld the decision of the former commission regarding the 729 individuals listed as owners in the block, it added a

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further 117 individuals from another group who had not put their claims to the first commission. The Second Urewera Commission appointed new provisional local committees. The new Waikaremoana provisional committee comprised Waipatu Winitana, Hūrae Puketapu, Wāhia Paraki, Tuahine Noa, Mei Erueti, Hape Te Wao, and Mātaamua Whakamoe.

- 2.101 Even after the Second Commission reached its findings, and more than a decade had passed since the enactment of the Urewera District Native Reserve Act 1895, no General Committee had been formally appointed. The Act's aim to provide for Te Urewera Māori self-governance through local committees and a General Committee had also not eventuated. Te Urewera Māori elected their own general committees in 1906 and 1908, however, the Crown did not recognise these committees. In 1908 Ngāti Ruapani members of the hapū of Ngāti Hinekura, Te Whānaupani, Pākitua, Ngāti Manunui, Ngāti Tāwhaki, Ngāti Koura, and Te Urewera were among the 392 Te Urewera Māori who wrote to the Premier and Native Minister. They told him these hapū 'remained fast to the law' (meaning the 1896 Act), in contrast to some in Te Urewera who proposed departing from the law by agreeing to land purchase offers from the Crown.
- 2.102 Opportunities for local self-government were further reduced, when the Urewera District Reserve Act 1896 was amended by the Māori Land Laws Amendment Act 1908, which stipulated that provisional local committees become permanent local committees. Under the provisions of the 1908 Act, the General Committee's membership was also substantially reduced from 33 to 20 members, who were to be appointed by the Governor rather than being elected. This undermined the authority of Te Urewera Māori to appoint their own representatives. By comparison, the membership of the 1906 Te Urewera Māori General Committee was more representative, with the committee having 94 members. Hōri Wharerangi was included on this committee.
- 2.103 In 1909 a new Act was passed amending the 1896 Act. This further limited opportunities for local self-government, by enabling the Governor to appoint replacement members for the General Committee who were not local committee members. Separate to these legislative provisions, the Crown informally added a further 14 members to the General Committee's membership who were from a group of Te Urewera Māori willing to sell land. The General Committee met during 1909 and 1910, after which meetings lapsed for four years until they met one final time in 1914. In 1922, the Urewera District Native Reserve Act and its amendments were repealed by the Urewera Lands Act 1921-22.

**WAIKAREMOANA BLOCK AND THE UREWERA CONSOLIDATION SCHEME**

- 2.104 From 1910 the Crown began purchasing undivided individual interests in Urewera District Native Reserve blocks north of Waikaremoana from Ngāti Ruapani whanaunga who held interests in other parts of Te Urewera.
- 2.105 In 1913, the Crown began trying to purchase individual interests in the Waikaremoana block (73,667 acres) to acquire land for scenery preservation and power generation.

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However Ngāti Ruapani and other block owners would not agree to sell. At this time it was illegal for the Crown to purchase individual interests in the Urewera District Native Reserve without the consent of the General Committee. In 1915, members of Ngāti Ruapani sent a petition asking the Crown to stop purchasing individual interests in the Urewera District Native Reserve.

- 2.106 In 1916, though, the Crown promoted legislation which empowered the Crown to legally purchase individual interests in the Urewera District Native Reserve without the consent of the General Committee. The Crown was now able to legally purchase land from Ngāti Ruapani individuals without the usual protective measures applying to the purchase of Māori land such as paying a price at least equal to the Government valuation. This legislation also retrospectively validated any previous Crown purchases of individual interests made in the Urewera District Native Reserve.
- 2.107 The Crown continued unsuccessful attempts to purchase in the Waikaremoana block. From 1918 to 1919 Ngāti Ruapani rangatira and other Te Urewera Māori petitioned the Crown to stop trying to purchase interests in Waikaremoana. They told the Crown they wanted to retain the land in the Waikaremoana block to live on and that they had sheep, cattle and other stock on the land, which they were able to farm 'for the benefit of the Dominion'. They also sought the re-appointment of the General Committee and provisional local committees to administer the Urewera District Reserves Act in connection with the Waikaremoana block and other lands.
- 2.108 The Crown did not support the request from Ngāti Ruapani to re-appoint the General Committee. The Crown still wanted to acquire land at Waikaremoana for scenery preservation and power generation, but was unable to acquire any interests in the Waikaremoana block before 1921.
- 2.109 By 1920, the Crown was in discussion with Te Urewera Māori on a consolidation scheme for Te Urewera. This was seen as a means of addressing the fragmentation of land interests, which had been exacerbated by the Crown's purchase of multiple individual interests in a number of blocks in Te Urewera. Consolidation was based on valuation: the fragmented interests of whānau members across different blocks were valued, and then their interests were consolidated into contiguous blocks of land equal to the same value. The Crown also favoured a consolidation scheme as it considered this would give it more influence over where the interests it had purchased were located than a Native Land Court hearing.
- 2.110 In an August 1921 hui a Crown official informed representatives of Ngāti Ruapani and other Te Urewera Māori that the Crown intended to exclude the Waikaremoana block from the scheme. The Crown then threatened to compulsorily acquire land in the Waikaremoana block for scenic preservation purposes. The representatives of the owners responded by warning that they would not proceed with the Te Urewera Consolidation Scheme. They agreed to an alternative proposed by the Crown. This was, for those who were willing, to exchange their interests in the Waikaremoana block for Crown interests in

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other Te Urewera blocks at six shillings per acre. Another arrangement was to be made with those Ngāti Ruapani who did not wish to exchange their interests in this way.

- 2.111 In September 1921, Apirana Ngata, a prominent member of the House of Representatives, acted for both the Crown and Ngāti Ruapani in negotiations over the Waikaremoana block. Ngāti Ruapani sought to exchange their land in the block on an acre for acre basis but the Crown would not agree and insisted on an exchange based on a price per acre.
- 2.112 Ngata negotiated an arrangement with Ngāti Ruapani for the purchase of the remaining Ngāti Ruapani interests in the Waikaremoana block and the Whareama and Ngāputahi reserves. Ngata agreed with Ngāti Ruapani that the Crown would use some of the purchase money to purchase 883 acres of privately owned land at Kōkako on behalf of Ngāti Ruapani which was suitable for cultivation. Ngāti Ruapani agreed to receive payment in debentures (a type of savings bond) for the difference in value between what they agreed to give up and what they agreed to receive.
- 2.113 The Waikaremoana block was never independently valued. Although Crown officials had previously noted that the timber in the block would be of 'great value some day', the Crown had not accorded it any monetary value. After reluctantly agreeing to a value basis for their remaining interests in the block, Ngāti Ruapani eventually submitted a price of 20 shillings (or £1) per acre. However, after further debate Ngata persuaded Ngāti Ruapani to authorise him to accept a minimum price of 16 shillings per acre from the Crown. He emphasised in his report to the Crown that Pākehā landowners would have asked for a higher price than the Waikaremoana owners were seeking. Ngata reported that Ngāti Ruapani did not wish to part with their ancestral lands, but were persuaded that they must give way to the public interest.
- 2.114 After leaving the district Ngata negotiated the terms of the purchase with a Crown official. Ngata reported to the Crown that, without consulting Ngāti Ruapani, he had taken it upon himself to reduce the Ngāti Ruapani claim to just 15 shillings per acre. Ngata stated that he had done this due to what he considered to be "satisfactory arrangements made in respect of the reserves for the Ngāti-Ruapani on the northern Lake foreshore".
- 2.115 These "satisfactory arrangements" were, Ngata reported, that he and the Crown official "have agreed to divide" up the Waikaremoana block for purchase so as to leave 607 acres of lakefront land as reserves for Ngāti Ruapani. The Crown official recorded in his own report that of the 31,607 acres owned by Ngāti Ruapani, "the N'Ruapanis reserve the 607 acres for themselves". However, the 607 acres had not been marked out on the ground and Ngata cautioned that the reserves might be found to be larger once they were surveyed. Ngāti Ruapani were not present when the acreage was discussed by Ngata and the Crown official and later pointed out much larger reserves. No written record of an agreement in which Ngāti Ruapani agreed to accept reserves of 607 acres has been found.

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- 2.116 Ngata reported to the Crown that he and the Crown official had agreed a price of 20 shillings per acre for the Whareama and Ngāputahi reserves. Whareama had been valued at 20 shillings an acre in 1910, but, since that time, land values had risen appreciably. Ngāputahi had been valued in 1920 at approximately 40 shillings per acre, when it was leased to private interests. Māori had asked that the Crown also pay outstanding rates due on these reserves to the County Council.
- 2.117 At the end of October 1921, the arrangements were set out in the Crown's Consolidation Scheme Report, along with a recommendation that they be finalised through legislation. Ngāti Ruapani protested that the report was printed in English only. Some block owners, including members of Ngāti Ruapani, were listed in the report as having agreed to exchange their Waikaremoana interests for Crown interests in land to the north on the basis of six shillings per acre. The report recorded that the remaining Waikaremoana interests would be purchased from owners at 15 shillings per acre in the form of debentures. The report specified that the debentures would pay interest at a rate of five per cent per annum. The report also proposed that 11 reserves would be included in the Waikaremoana block. It noted, though, that the location and area of the reserves were still to be defined by survey.
- 2.118 On 11 February 1922, the Urewera Lands Act 1921-22 was enacted to facilitate the completion of the arrangements. The Act empowered commissioners, appointed by the Crown, to award portions of land within the Waikaremoana block as they saw fit. The Urewera Lands Act 1921-22 repealed the Urewera District Native Reserve Act 1895 and its amendments. This officially disestablished the Urewera District Native Reserve and the General Committee.
- 2.119 On 17 February 1922, Mātaamua Whakamoe and others of Ngāti Ruapani met with the commissioners at Waimako, telling them they wanted to withdraw from the scheme and retain the Waikaremoana block as the original arrangements had been departed from. Ngāti Ruapani objected to the Crown unilaterally lowering the valuation of their interests in Waikaremoana to 15 shillings per acre and not consulting them on the suitability of the private land adjoining the Kōkako settlement, nor the price paid for it. The price of the private land was double a valuation that had been done and more than Ngāti Ruapani wished to pay.
- 2.120 The Commissioners then asked Ngāti Ruapani to provide them with guides to show them the boundaries of the reserves. Mātaamua Whakamoe replied that he had been deputed to state that, on reconsidering the matter, they decided to have nothing to do with the scheme and did not wish to proceed further with it.
- 2.121 The Commissioners reported that they spent the next day "on [the] lake", fixing the boundaries of the Waikaremoana reserves. They were accompanied by two local settlers on whose advice the commissioners significantly reduced the size of Mārau Reserve. A surveyor who also attended, later reported to Ngata that Mātaamua Whakamoe and Pita Taoho came with them, "unofficially of course". Mātaamua Whakamoe requested to



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exchange his interests between reserves. Pita Taoho requested land be reserved at Waipai and land at the mouth of the Aniwaniwa River. The surveyor wrote to Ngata that whatever he fixed with Ngāti Ruapani regarding the areas of the reserves, “the smaller the better”. The Commissioners recorded that some areas being occupied by Ngāti Ruapani were to be excluded from the reserves and that Ngāti Ruapani would be compensated for these excluded lands.

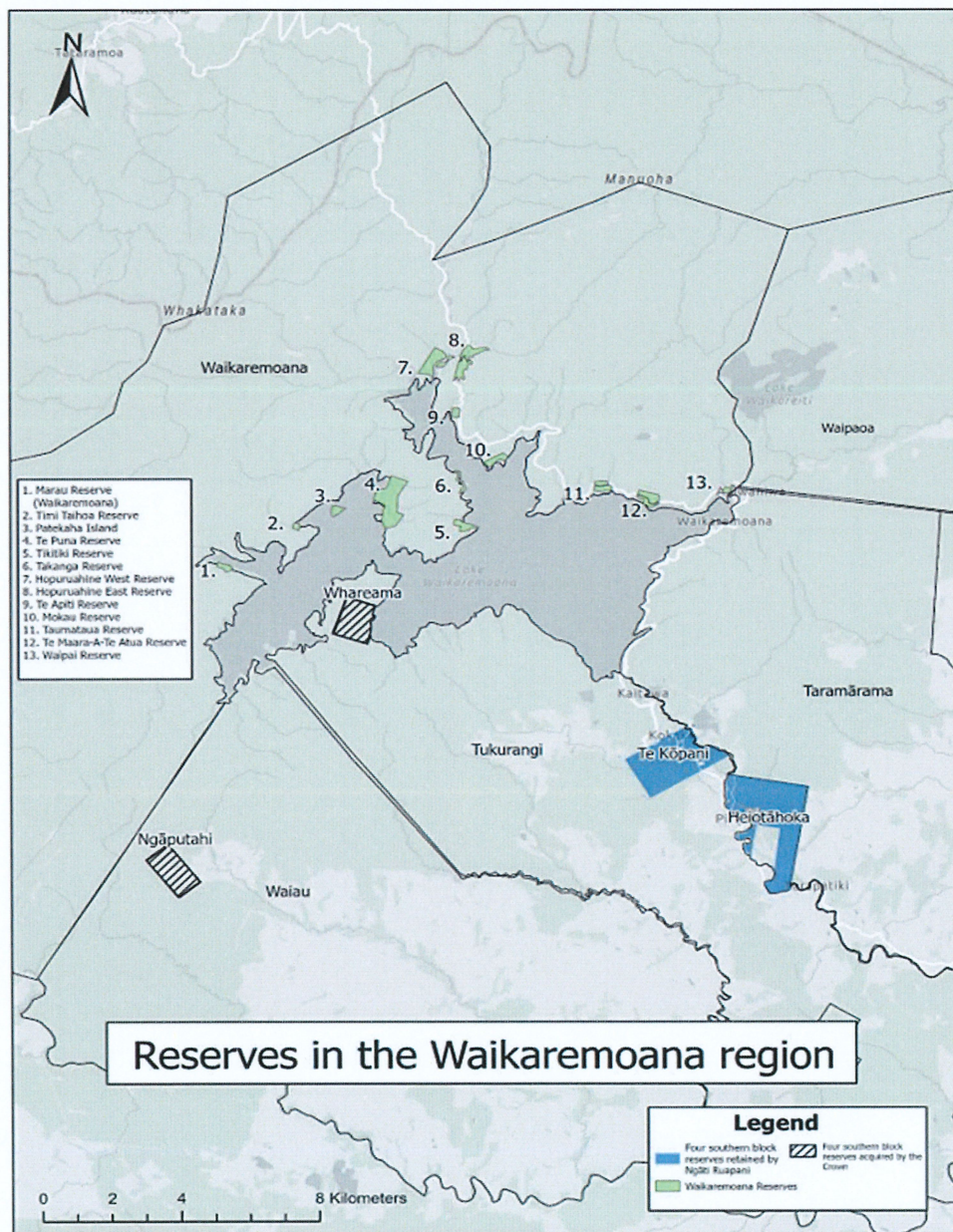
- 2.122 Between 1922 and 1923, one of the commissioners on behalf the Crown purchased some interests from Ngāti Ruapani owners, who preferred to receive cash rather than debentures, at a rate of only 6 shillings per acre.
- 2.123 Around September 1922, Tikareti Te Iriwhiro and others wrote to Parliament expressing their opposition to the scheme and the inclusion of Whareama and Ngāputahi. Pomare (Pineeri Hori), who also had interests in Te Urewera blocks outside Waikaremoana, told the Commissioners of his opposition to the scheme and to the loss of his interests in Waikaremoana. He stated that ‘I won’t evacuate Waikaremoana.’
- 2.124 In March 1923, Ngāti Ruapani met with the Crown at Windy Point, Waikaremoana. After a lengthy debate, Ngāti Ruapani withdrew their opposition to the scheme in order to assist the hydro-electricity project the Crown planned at Lake Waikaremoana. Ngāti Ruapani agreed to accept 15 shillings per acre for their interests in the block. The Crown agreed to pay for the total area of the block and return to Ngāti Ruapani reserves at Waikaremoana, which would be surveyed free of charge and exempted from rates. It was agreed that the private land at Kōkako the Crown had purchased on behalf of Ngāti Ruapani would no longer be part of the arrangements. Ngāti Ruapani refused to accept it because of the high price the Crown had paid for it. It was also agreed to create two small additional reserves in the Waikaremoana block, one of which (Timi Taihoa) was for a member of another group. This increased the number of reserves to 13, 12 of which were for Ngāti Ruapani. Overall, this new arrangement was worth significantly less to Ngāti Ruapani than the original arrangement they had entered into. The removal of the private land from the package meant that Ngāti Ruapani were, once again, left with little useable land from which to generate an income.
- 2.125 In February 1925, the Commissioners reported that Ngāti Ruapani pointed out the reserves they sought beside Lake Waikaremoana to surveyors. Ngāti Ruapani told the Commissioners they wanted to reserve “pigeon trees”, areas on which meeting houses and urupā were situated, and areas for cultivation and grazing. The boundaries which Ngāti Ruapani pointed out included an area of 3,200 acres. The Commissioners told Ngāti Ruapani these boundaries were ‘unreasonable’, and insisted that they keep to what the Commissioners described as the “original agreement” for the Crown to pay for and return to Ngāti Ruapani 600 acres of reserves. However, no written record of the “original agreement” has been located. Nor is there any written record of Ngāti Ruapani themselves expressing their agreement to reserves of 600 acres. Nevertheless, the Commissioners fixed a total area of 600 acres for 13 small reserves set aside for Ngāti Ruapani in the

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Waikaremoana block (one of the initial 11 Ngāti Ruapani reserves having been divided into two).

- 2.126 In March, Ngāti Ruapani sought to 'repudiate' their agreement to sell Waikaremoana because the arrangements had 'not been adhered to'. However, the Waikaremoana block was already included in the consolidation scheme.



- 2.127 As a consequence of the consolidation scheme, the Crown acquired almost all of the Waikaremoana block (approximately 73,000 acres) and the Whareama and Ngāputahi reserves (approximately 600 acres in total).



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- 2.128 The debentures were to have matured in 1932. However, due to the economic pressure of the Depression, which was at its height in 1932, the Crown unilaterally extended the term for the repayment of the debentures for a further 10 years. At times, Ngāti Ruapani debenture holders received no interest payments. In 1933, the Crown extended the repayment period indefinitely, in common with all government debt. The Crown also reduced interest rates payable on all money it owed internally, including the Waikaremoana debentures. These debentures were converted into Government stock paying four per cent, which was lower than the five per cent rate originally agreed. From 1933, the stock was paid out at the then prevailing rates, which were usually less than four per cent. From 1937, some of the interest became subject to income tax. The Crown's alteration of the terms of the debentures caused considerable hardship for Ngāti Ruapani debenture holders. Despite their repeated requests to be paid out earlier, they did not receive the capital payment on the debentures until 1957. In 1958 Ngāti Ruapani petitioned for compensation for the interest income they had lost when the interest rate was reduced from five percent, and raised the matter with the Prime Minister at a hui in Ruatāhuna in 1959, to no avail.

**NGĀTI RUAPANI MAI WAIKAREMOANA RESERVES**

- 2.129 Crown land acquisition over five decades from 1872 left Ngāti Ruapani virtually landless. By 1925, they retained 2,490 acres comprising 13 small reserves in the Waikaremoana block and two reserves south of the lake, Te Kōpani and Heiotāhoka. They also retained shared interests in land at Te Pūtere. This was a fraction of their previous landholdings. Over much of the twentieth century, the Crown imposed restrictions on Ngāti Ruapani's remaining lands, further diminishing their ability to sustain themselves.

**Waikaremoana block reserves**

- 2.130 For several decades after 1929, Crown actions for scenery and water preservation effectively prevented Ngāti Ruapani from deriving an income from the Waikaremoana block reserves. In 1929, the owners of the Hopuruahine East reserve attempted to lease their land. The Native Land Court registrar replied that "no alienation whatever of Waikaremoana Reserves is in the interests of the owners". Within two months, the Crown placed a temporary prohibition order on alienation of the Waikaremoana block reserves. At this time, legislation provided for the Crown to temporarily prevent the owners of Māori land from selling, leasing or mortgaging their interests to any party other than the Crown, or selling rights to a specific resource, such as timber. The Crown soon promoted a clause specific to the Waikaremoana lands in the Native Purposes Act 1931 so it could issue an order permanently prohibiting alienation of the reserves in December 1932.
- 2.131 For four decades, the Crown used the alienation order to prevent reserve owners formally leasing land. The Crown had built accommodation at the lake in 1903 and wanted to protect its revenue. In the 1930s, there was demand for fishing lodges and holiday homes at Lake Waikaremoana. Ngāti Ruapani entered informal arrangements with Pākehā for semi-permanent camps on the reserves for which they probably charged informal fees.

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The Crown wanted to prevent these arrangements, but a Native Land Court judge advised that Ngāti Ruapani should be able to charge fees, as they were in “distressingly poor circumstances and they should not be harassed in the ownership of their birth-right... We have gone far enough in prohibiting alienations and the matter should there rest”. The Crown denied requests to lease land for buildings on Te Puna in 1951 and Whakaari in 1961 and 1969.

- 2.132 The Crown also used the alienation order to prevent reserve owners cutting timber on their land. In the mid-1930s, a Maori Land Board officer interviewed Wharetōtara Amai, who was cutting a small amount of posts for sale to support his family on the Hopuruahine West block. The officer warned him about the order restricting alienation and he said he would seek permission for this activity in the future. In 1945, Wiremu Mātaamua inquired about cutting timber on the Waikaremoana reserves. A Crown official replied that felling timber for sale was not permitted under the Native Land Act 1931 and doing so without the permission of all of the owners was punishable with a fine or prison time. In 1951, Robert Amai also enquired about cutting timber on the Hopuruahine West block. The local registrar replied the land could only be alienated to the Crown, so cutting the timber would interfere with the Crown’s ‘rights’, although he did not specify what those rights were. After this correspondence, it appears he did not proceed with the request to fell timber.
- 2.133 In 1954, the Crown established the Urewera National Park, which almost completely surrounded the Waikaremoana block reserves. The Crown immediately tried to acquire the reserves and continued to apply pressure over the following two decades, which Ngāti Ruapani resisted. At the same time, the Crown was attempting to acquire the Waikaremoana lakebed. In August 1961, a deputation to the Minister of Māori Affairs stated that if the Crown took the reserves, the owners would be ‘completely landless’.
- 2.134 In response to public lobbying for the preservation of Te Urewera forests, in 1961 the Crown further restricted use of the reserves through a notice under the Soil Conservation and Rivers Control Amendment Act 1959. This effectively prevented any milling in Te Urewera.
- 2.135 For most of the twentieth century, Ngāti Ruapani had to endure visitors to Lake Waikaremoana who desecrated urupā, damaged or destroyed whare and taonga. There were also thefts of taonga.
- 2.136 In 1964, the Wairoa County Council began rating the Waikaremoana block reserves. Previously, the reserves had been exempt from rates under the Urewera Lands Act 1921. The council took this step, despite the reserves receiving almost no services, with the majority not having road access and none having access to a water supply, sewage or power.
- 2.137 At the Crown’s urging, the Wairoa County Council designated the Waikaremoana block reserves as proposed additions to the Urewera National Park in its draft District Plan in 1971. The designation prevented Ngāti Ruapani from building and living on their reserves.

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- 2.138 In 1972, the Crown promoted legislation that removed many restrictions on alienation over Māori land. The Crown and reserve owners believed this legislation removed the restrictions imposed on the Waikaremoana reserves in 1931. However, the drafting of the Maori Purposes Act 1972 was such that restrictions on these reserves stayed in place.
- 2.139 In 1974, the Tūhoe-Waikaremoana Trust Board applied to have the Waikaremoana block reserves classified as Māori reserves to exempt them from rates. They were concerned the land would be taken for rates because they believed that the alienation order had been lifted. John Rangihau presented the case to the Maori Land Court, arguing that the owners could not earn any income from the reserves and should not have to pay rates. The Court classified the lands as Māori reservations, “for the purpose of a place of historical and scenic interest and of special emotional association” under the Maori Affairs Act 1953 and vested them in the Trust Board as the responsible trustee. The Board then needed to apply to have the reserves exempt from rating. It is unclear when or how this happened but these reserves are no longer rated.

**Te Kōpani and Heiotāhoka reserves**

- 2.140 In addition to their Waikaremoana reserves, Ngāti Ruapani retained two reserves, Te Kōpani and Heiotāhoka, following the purchase of the four southern blocks. The Crown placed restrictions on these reserves on alienation as well and took land for roads and hydroelectric power generation.
- 2.141 Te Kōpani and Heiotāhoka blocks were proclaimed as reserves in 1885. By this time, the Crown had already taken land from the blocks for roading, routing two roads through Te Kōpani (13 acres and three roods), and one through Heiotāhoka (five acres 5.4 perches). The Heiotāhoka road was never formed and later used by the Crown as compensation for public works takings.
- 2.142 In October 1917, Te Waaka Hatata and Pukaru Waiwai, part owners of Heiotāhoka reserve, attempted to lease the Heiotāhoka block. After several delays by the Crown, the owners agreed to the lease, but it was deferred as the Urewera Consolidated Scheme had begun. As part of the Scheme, the Crown prohibited alienations of Te Kōpani and Heiotāhoka until 1924.
- 2.143 On 21 February 1925, a meeting of owners asked the Native Land Court to partition Te Kōpani and Heiotāhoka as part of the consolidation scheme. The Native Land Court partitioned Te Kōpani into six subdivisions and Heiotāhoka into two.
- 2.144 In 1925, the Public Works Department quarried gravel without permission from one of the Te Kōpani blocks for roadworks. The Department repeatedly refused to provide compensation, reasoning that it was too difficult to distribute the monies due (£3.6.8) to many owners and then because too much time had passed.

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- 2.145 In mid-1937, as part of the construction of the Piripaua power station, government surveyors entered Heiotāhoka 2 without the owners' knowledge or permission. They began investigative surveys, including cutting and burning scrub. Some owners met with public works staff and gave written permission to access the land, while other owners declined. In January 1938, several Ngāti Ruapani owners, informed the Native Minister they would not sell but would agree to lease.
- 2.146 Around June 1938, the Crown began setting up an 18-acre public works camp on the western-most point of Heiotāhoka. The Crown later claimed there was a rental agreement with the owners for £8 a year. In July, Mokai Hine complained that public works employees were using her land, putting a road through her orchard and potato crop paddocks, erecting huts, and installing a pipeline. The workers claimed that they had full powers of entry under Public Works legislation to carry out works within the block and that it was "often impractical to advise individual owners of native lands" of their intentions. Only when legal advice confirmed that Crown employees were trespassing did the Crown take steps to ensure their access to the land was within the law.
- 2.147 In 1939, Crown employees removed gravel from Te Kōpani 1. When Wiremu Mātaamua and Samuel Rūrehe complained, the Crown said it would take the land for the Piripaua power station – the first indication Ngāti Ruapani had that the Crown would take this land.
- 2.148 In February 1941, the Crown notified its intent to take almost eight acres from Heiotāhoka 2 for a road under the Public Works Act. Heni Te Waaka and eleven others objected to the takings, but the Minister of Works, thinking the objections were based on whether Ngāti Ruapani would receive compensation rather than the loss of land, dismissed it on a technicality. In contrast, when the neighbouring Pākehā landowners objected to the taking of their river flats, the Crown reduced the amount of land to be taken. In June, the Crown announced it would take a further 31 acres from Heiotāhoka 2 and just under 1 acre from Te Kōpani 1 for the Piripaua power station.
- 2.149 The owners of Heiotāhoka requested £786 in compensation, including £100 for the land and the remainder for loss of timber and cultivations and damage to the land. On 25 February 1942, the Public Works Department met with the owners, their solicitors and valuers to discuss compensation. The Crown recorded the outcome as £275 for the Heiotāhoka 2 owners and £4 for Te Kōpani 1 owners. The owners of Heiotāhoka 2 also received five acres 5.4 perches of a paper road, which the Crown had taken in 1885, but not returned previously even though no road was ever formed. The Crown agreed to fence the Waikaretāheke River, when it was diverted as part of the works. It appears the compensation included the outstanding rent on the camp.
- 2.150 The Native Land Court also made an order on 25 February 1942 for the compensation to be paid to the Tairāwhiti District Māori Land Board. In August, the Court, having heard the wishes of the owners, ordered that the Board use the compensation money to provide water at Waimako and Kūha (subsidised by the Department of Health); pay a compromise settlement to Wairoa County Council for outstanding rates; and restore the whare tipuna

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Te Poho O Ruapani and Te Poho O Hinekura. Nearly three years after compensation was awarded, the Board paid the water supply monies and made a payment to Waimako Pā.

- 2.151 There was a delay of several months before the Crown fenced the Waikaretāheke River. In July 1943, Ngāti Ruapani were still asking for fencing as horses and cattle had damaged their cultivations.
- 2.152 The Crown continued using the public works camp until 1955, but did not pay rent after 1942. In 1955, the owners received the camp's water supply in full settlement of all claims.
- 2.153 Some Ngāti Ruapani suffered further land loss through compulsory acquisition by the Māori Trustee. In 1953, continued concern about the fragmentation of Māori land led the Crown to promote legislation empowering the Māori Trustee to compulsorily acquire any shares in land that the legislation defined as 'uneconomic'. The Māori Trustee would retain this power until 1974. On at least four occasions during this period, the Māori Trustee acquired the interests of a deceased Ngāti Ruapani owner in the Heiotāhoka and Te Kōpani blocks. As a result, their descendants lost interests in their ancestral land.
- 2.154 Throughout the twentieth century, rates were an ongoing issue for Te Kōpani and Heiotāhoka blocks. In 1925, the Native Land Court partitioned Te Kōpani 3 and 6 as urupā blocks and they were therefore exempt under the Native Land Rating Act 1924. The Native Land Court recommended the papakāinga blocks Te Kōpani 2 and 5 be declared native reserves and exempt from rates. However, while the Crown gazetted the blocks as native reserves, it did not declare the lands exempt from rates. The Wairoa County Council imposed rates on other Te Kōpani and Heiotāhoka blocks, despite providing no services and the land generating little to no income. In 1942, the Council agreed to a compromise payment of £10 for £74.9.6 rates owing on Heiotāhoka 2, but continued to charge rates, and refused any further compromise payments. Arrears in rates continued to be an issue through the 1960s and into the 1980s. Ngāti Ruapani campaigned to have the rates remitted and the Council finally did so in the 1980s. Despite this, rates were an issue during the following decades.

**Kokako Native School in Te Kōpani block**

- 2.155 In 1896 the Crown established Kokako Native School at Te Kōpani. The Crown usually required Māori landowners to gift the land required for a native school. However, in 1896 the Crown arranged to lease the land for the school from the owners of Te Kōpani for 21 years for a peppercorn rent. In 1920 the Crown realised it had no title to the land on which the school was located as its lease had expired 4 years earlier. It urgently took 4 acres under the Public Works Act in 1921 for the purposes of a Native School. The Crown did not consult Te Kōpani owners over the taking. The Crown also did not pay any compensation to the owners because at the time it mistakenly believed that the site had been Crown land since the four southern blocks purchase.

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- 2.156 From 1943 the Crown and Ngāti Ruapani discussed finding a new site for Kōkako school. In March 1945 Crown officials met at Waimako with the owners of the proposed new school site in Te Kōpani 1 site. After the meeting, the Crown agreed to hold the matter over for six months due to objections from some owners. However, officials failed to cancel the instructions to take the land and in April almost 5 and a half acres was taken under the Public Works Act without any compensation paid to the owners. No school was ever built on the land taken and Kōkako school remained on the original site. It was not until 1967 that the Crown applied to the Māori Land Court for Te Kōpani 1 to be revested in the owners.

**LAKE WAIKAREMOANA**

- 2.157 Ngāti Ruapani tradition records that they have long been kaitiaki of the mauri or life force of Lake Waikaremoana, its waters, and species. They also have a solid spiritual connection to the waters, which is reflected in three Ngāti Ruapani whakatauākī: “Te Waikaukau o ngā mātua tīpuna” (the bathing waters of the ancestors); “Te Waitukukiri o ngā mātua tīpuna” (the cleansing waters of the ancestors) and, as Hōri Wharerangi said of the lake as he left Waikaremoana for Maungapōhatu after losing the four Southern blocks “Waiho hei manaaki i te iti, i te pani, i te rawakore” (let it care for the few, the orphans, and those with no resources).
- 2.158 The Crown excluded the Lake from the Urewera District Native Reserve when it was created in 1896. Over the subsequent years, began making the lake available for boating, tourism and fishing (especially of introduced species). In 1905 Hōri Wharerangi and Te Reneti Hāwira of Ngāti Ruapani sought to reassert control over the Lake and its fisheries and asked that the Native Minister stop tourists from fishing there. However, the Crown denied this request and in 1911 the Crown began to investigate the hydro-electric power potential of the Lake. In 1913 and 1916 local Māori unsuccessfully sought an inquiry into the boundary of the Urewera District Native Reserve at Waikaremoana, seeking to include the Lake in the Reserve. The Lake itself remained excluded from the Reserve.
- 2.159 As a result of applications to the Native Land Court in 1913 by those claiming interests in the lake, the Court investigated the title to the bed of Lake Waikaremoana between 1915 and 1918. In June 1918 the Court awarded 73 percent of the shares in the lakebed to 194 owners, many of whom had Ngāti Ruapani whakapapa. It awarded 27 percent of the shares to 160 owners from another group. The Crown did not participate in any of these hearings. The Crown immediately appealed the 1918 award on the basis that the bed of the Lake was not customary Māori land so the Native Land Court could not determine title to it. However, in 1912 the Court of Appeal had held that lakebeds were customary land, and that the Native Land Court could determine their title. Eleven other appeals against the decision were also filed by Ngāti Ruapani and other interested parties.
- 2.160 Procedural and other delays meant the Crown’s appeal was not heard for 26 years. Obstacles included a lack of legal representation, the Great Depression, and, after the mid-1920s, Crown reluctance to prioritise the case. Throughout the 1930s Ngāti Ruapani



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petitioned the Crown to have the appeal heard. In 1932 Waipatu Winitana wrote to the Native Minister on behalf of Ngāti Ruapani asking “that you give us information in regard to our Waikaremoana lake case”. In 1938, 104 signatories of Ngāti Ruapani sent a petition to the Prime Minister, seeking permanent title to the Lake. Despite many attempts by both the Lake’s owners and the Native Appellate Court to bring the appeal to the Crown’s attention, the Crown ignored or delayed all attempts. It was only in 1943, after a hui of 300 Lake owners at Waikaremoana urged that the appeal proceed, that the Crown agreed to this.

- 2.161 When the appeal was finally heard in 1944, the Crown continued to oppose the Native Land Court’s award and the Solicitor General emphatically argued that the 1918 Court decision was either wrong or “a nullity”. However, in its final decision the Native Appellate Court upheld the 1918 award.
- 2.162 In the aftermath of the 1944 judgment, the Crown considered appealing the case and Crown officials were instructed to withhold any plans or maps that might finalise title. In 1947 the Prime Minister said he thought the decision was wrong and ‘would have to be dealt with and solved’. For various reasons, little happened for some years. By 1954, the Crown had decided not to further appeal the title to the Lake and lifted its ban on supplying plans to the Court to allow finalisation of title. In the same year, the Crown created the Urewera National Park, the boundaries of which almost completely surrounded the Waikaremoana lakebed. The Crown began using the Lake as part of the park without permission even though it was not technically part of the park.
- 2.163 Throughout this period the Crown acted as if it owned the lakebed. While the lakebed case waited before the courts, the Crown constructed the Waikaremoana power scheme along outlets to the southeast of the Lake in three stages. The Tuai (Tūwai) and Piripaua power stations were completed in 1929 and 1943 respectively. Crown officials asked Ngāti Ruapani kaumātua to name the turbines at Tuai Powerhouse. When it opened, Ngāti Ruapani welcomed dignitaries with a pōhiri and gifted the Governor General with a “handsome native mat”. Ngāti Ruapani named the first two turbines after the tīpuna Pukehore and Ruapani. The third turbine installed ten years later was named Tūhoe Pōtiki.
- 2.164 The scheme resulted in many changes to the landscape in the Waikaretāheke valley, including the formation of an artificial lake, Lake Whakamarino. The works meant Ngāti Ruapani lost mahinga kai at the Kāhui Tangaroa River and surrounding streams. During the works on the scheme a landslip also buried the final resting place of the taniwha Haumapuhia. During construction of worker accommodation for the scheme, the kōiwi of the Ngāti Ruapani tipuna Tūwai were unearthed.
- 2.165 During the 1940s and 1950s the third stage of the scheme was implemented – the Kaitawa power station. This involved use and modification of the lakebed and lowering of the Lake level by over 5 metres, leading to erosion of exposed lakebed, destruction of shellfish, reduction in fish stocks and restriction of the migration of tuna (eels) to the Lake.

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- 2.166 The Lake's owners did not consent to the use or modification of the lakebed and raised concerns about a number of these impacts. Ngāti Ruapani in particular were alarmed at the transformation of Patekaha Island into a peninsula. Patekaha is home to a sacred urupā and is a wāhi tapu of significance to Ngāti Ruapani.
- 2.167 In 1959 the Crown commenced negotiating with the Lake's owners over compensation sought for the Crown's use and management of the Lake some years after 1959 the Crown sought to purchase the Lake, its islands and the reserves adjacent to it. The Lake's owners declined to sell seeking instead an annual payment. The owners and the Crown ascribed widely divergent economic values to the Lake.
- 2.168 In 1967 the Crown agreed to have the lakebed formally valued. It was valued at \$143,000, excluding the value of improvements on the exposed lakebed (valued at \$4,000). The valuation did not include the value of the electricity generated by the Kaitawa Power Station, nor the value of other past uses made of the lakebed by the Crown. The Crown and the Lake's owners accepted the valuation as the basis for the initial rental to be paid under a long-term lease of the Lake to the Crown, an agreement that was provided for by the Lake Waikaremoana Act 1971.
- 2.169 The agreement did not include any compensation for the Crown's use of the Lake prior to 1967, compensation for the modification of the lakebed without the consent of the owners, or its use of the Lake for Hydroelectricity. The Crown had constructed roads, a motor camp, and motel units on the exposed lakebed. The Lake's owners did not consent to these developments on their land.
- 2.170 For approximately 50 years, tourism developments around the Lake led to the pollution of its waters, which Ngāti Ruapani considered sacred, by human waste. Attempts at improved systems for the treatment and disposal of sewerage at the motor camp and motel units were introduced from 1979. It was not until the 1990s that improvements were made to toilet facilities at National Park campsites and huts around the Lake.

**ENVIRONMENTAL ISSUES AND TE UREWERA NATIONAL PARK**

- 2.171 During the 1895 negotiations that lead to the Urewera District Native Reserve Act 1896, Ngāti Ruapani wanted the forthcoming arrangements to address environmental issues. They wanted the Crown to protect their customary food sources and introduce new ones. Their leaders were part of a delegation which suggested that breeding facilities for imported fish and game birds be established at Waikaremoana and local Māori be taught how to manage them. Seddon agreed to this request.
- 2.172 In the compact, which was agreed between the delegation and the Crown in September 1895, the Crown undertook to protect the customs and way of life of the peoples of Te Urewera. A provision was added to 1895 legislation which provided for Te Urewera to be excluded from a proposed periodic ban on the hunting of kererū. Although the harvesting of birds in Te Urewera was a customary practice strictly controlled by tikanga, the Crown

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gradually imposed restrictions on the hunting of kererū and other native birds in Te Urewera. In 1898, the Crown established a game reserve in which the hunting of imported game was prohibited on Lake Waikaremoana and adjacent land, including a large portion of the Waikaremoana block. In 1903, the prohibition on hunting in the game reserve was extended to include the hunting of native game. In 1910, the Crown permitted Māori to harvest kererū within the boundaries of Te Urewera District Native Reserve, but from April 1911 the Crown no longer permitted harvesting of kererū in Te Urewera. In 1922, kererū and various other native game were provided with absolute protection under new legislation and their hunting was banned.

- 2.173 The Crown had prominent role in the introduction (acclimatisation) of non-native species in Te Urewera. In 1896, the Crown subsidised the first successful release of trout into Lake Waikaremoana. From 1897, the Crown actively participated in the release of deer and possums. By 1909, the Crown had taken over the administration of acclimatisation in Te Urewera from acclimatisation societies.
- 2.174 Introduced species have had a destructive effect on indigenous flora and fauna, which were important food sources for Ngāti Ruapani. From the 1890s, introduced animals, such as stoats, possums and European rats preyed on native birds in Te Urewera, and had already decimated tītī (muttonbirds) in the area. The European rat was also killing off kiore, which Māori ancestors had introduced earlier. Trout ate native fish, including maehe (koaro or mountain trout) and kōura (fresh-water crayfish) and competed for food with other native fish as well as whio (blue ducks). Deer damaged indigenous flora, and were well established in Te Urewera by 1920. By 1922, the Crown was aware that that deer were having a destructive effect on indigenous forest, however, took no action.
- 2.175 The Crown had subsidised the introduction of trout, to Lake Waikaremoana, partly with the intention of supplementing the food supplies of Te Urewera Māori. However, the lake was put under the same regulations and licencing regime as elsewhere in the country. Ngāti Ruapani disregarded the regulations and the licensing requirements and protested against them. In 1926, Māhaki Tāpiki facilitated the Crown's establishment of a trout hatchery at Waimako Pā. However, in 1929, when Ngāti Ruapani asked for rent or free fishing licences as payment for the use of the site, the Crown declined this request and relocated the hatchery to government-owned land.
- 2.176 Although the Crown introduced legislation to protect kererū, it did not similarly protect kawai (black shags). It referred to them as "pests" and attempted to eliminate them. The Crown encouraged the shooting of kawai at Waikaremoana, as it perceived that the kawai were preying on trout. From the 1920s, the Crown employed a culler at Waikaremoana and continued to cull kawai into the 1950s. However, Ngāti Ruapani regarded kawai as taonga and revered them as kaitiaki.
- 2.177 Prior to the 1940s, Lake Waikaremoana was an important source of fish for Ngāti Ruapani. However, the Crown's construction of the Kaitawa power station in the 1940s cut off the lake from the sea, making it impossible for tuna to migrate. Ngāti Ruapani have recalled

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the loss of tuna as a food source as well as the spiritual and cultural loss they experienced, when the power scheme caused water sources to run dry. Ngāti Ruapani regarded tuna as taonga and upheld their tikanga when fishing for them. Over the long term, the lowering of Lake Waikaremoana caused the growth of new forms of shoreline vegetation around the edge of the lake, which created favourable habitat for introduced animals to prey on native birds, including kiwi.

- 2.178 In 1954, the Crown established the Urewera National Park without consulting Ngāti Ruapani. The park initially comprised of a core of 117,000 acres awarded to the Crown as part of the Urewera Consolidation Scheme in the 1920s. This included lands the Crown had previously acquired from Ngāti Ruapani as well as Lake Waikareiti. In 1957, the Crown expanded the park with the addition of approximately 334,000 acres of Crown land, without consulting Ngāti Ruapani. At that time the park almost completely surrounded the Waikaremoana lakebed and the remaining Ngāti Ruapani lands near the Lake. The Crown sought to acquire these lands, and Ngāti Ruapani's other remaining lands for the park, but Ngāti Ruapani resisted pressure to sell. By the 1970s, the Crown had purchased other lands for the park from other groups and had included the Waikaremoana lakebed through a lease arrangement. By 1999, the park had grown to approximately 526,000 acres in size.
- 2.179 The legislation empowering the Crown to establish the park, the National Parks Act 1952, did not provide for any Māori representation on the park board. From 1961 to 1980, there were always one or two Te Urewera members appointed to the park's management boards at the discretion of the Minister. In 1980, the Crown replaced the board with a regional body with a less direct role in the running of the park. The relevant board under this body included a Te Urewera representative. None of the Te Urewera appointments on these boards were statutorily guaranteed.
- 2.180 By the 1950s, some Te Urewera Māori were reliant on hunting wild pigs and deer as a source of food and income. From the 1950s, commercial and recreational hunting was encouraged in the park as a means of controlling these and other wild introduced animals, providing that hunters obtained permits. However, the national policy on pest control and the park's pest eradication strategies did not take account of how important the hunting of introduced animals had become to local communities at Waikaremoana.
- 2.181 Ngāti Ruapani's customary use of the park's resources was restricted under the National Parks Act 1952. It was illegal to shoot any animal, or take plants or trees in a national park, unless the park board gave permission. Therefore, despite the gathering of pikopiko, kiekie, puha, and rongoā species being traditional practices of Te Urewera Māori, it became an offence for them to undertake these practices in the Urewera National Park without the park board's permission.
- 2.182 In 1962, Wiremu Mātaamua and others from Ngāti Ruapani petitioned the Crown for the continuance of local traditions, including the harvesting of pikopiko. As a result of this petition, Te Urewera National Park Board decided that the best approach would be for

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rangers to make arrangements with local Māori for limited harvesting, but also persuade and “educate” them to abandon their harvesting traditions. In 1964, the board’s policy permitted the taking of plants for scientific and educational purposes, but not for customary use.

- 2.183 By the 1970s, the park board adopted an informal policy allowing limited customary harvesting of pikopiko and other native plants, despite this still being prohibited under legislation. During the 1980s, national park policy allowed customary gathering of plants under certain circumstances. In 1985, rangers were stopping some people from gathering plants if they were not authorised. From 1986, there was an informal understanding between park staff and the Waikaremoana Maori Committee over the gathering of pikopiko and rongoā.
- 2.184 In 1987, Parliament enacted a new Conservation Act, which provided for environmental preservation, conservation and recreational use of the park. While the Act was to be ‘so interpreted and administered as to give effect to the principles of the Treaty of Waitangi’, the Act did not provide for the protection or promotion of Māori interests in their ancestral land. The Act contained formal provisions for Māori to be consulted about the development of park policy, but still did not provide for Māori to be actively involved in the governance, management and day to day running of the park.

#### **THE UNDER-DEVELOPMENT OF NGĀTI RUAPANI MAI WAIKAREMOANA**

- 2.185 Throughout the twentieth century Ngāti Ruapani suffered from the lack of an economic base. Over successive decades, the Crown had acquired so much of Ngāti Ruapani’s lands that their land base was severely eroded and they were virtually landless as early as 1895. Their remaining lands were difficult to farm and they were living on the small amount of land they had retained. Their depleted land base limited Ngāti Ruapani’s options to earn an income during the twentieth century.
- 2.186 The Crown restricted Ngāti Ruapani’s ability to earn an income from their remaining lands. To protect its monopoly on tourism, the Crown prevented Ngāti Ruapani from selling timber from the Waikaremoana reserves or developing the cleared land for agriculture or tourism. The Crown also denied Ngāti Ruapani income they should have received from the Crown’s use of Lake Waikaremoana, rent from a public works camp in the Heiotāhoka block, and the full benefit of the Waikaremoana block debentures.
- 2.187 Ngāti Ruapani’s depleted land base and restricted earnings affected their health and wellbeing. In the 1880s and 1890s, there were food shortages across Te Urewera. The limited food supply resulted in malnutrition and made Ngāti Ruapani more susceptible to infectious diseases. In 1898, shortages escalated to a famine at Waikaremoana, after drought and unseasonal frosts destroyed crops. Police reported that 28 people had died at Te Kōpani in 16 months, predominately children. Most of the deaths were recorded as influenza or tuberculosis and five children from ‘unknown causes of a declining nature’, suggesting malnutrition and starvation. Reporting on the deaths later, a school inspector

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said 33 children died. In 1900, a government report stated it was difficult for the parents to find sustenance for their children. The Crown was slow to provide even a small amount of assistance in response to the officials' reports of famine and disease.

**Employment and housing**

- 2.188 With little land and no capital to develop it, Ngāti Ruapani were dependent on subsistence farming, fishing and hunting, and paid employment.
- 2.189 In the first half of the twentieth century, employment opportunities at Waikaremoana were limited and the work was seasonal, uncertain, temporary, and low paid. The Crown provided some employment in roading and tourism at Lake Waikaremoana, but it was small scale and occasional. Ngāti Ruapani also engaged in farm work, such as shearing, ditch digging and scrub cutting, and timber milling. During World War One, at least five Ngāti Ruapani men served in the New Zealand Māori Pioneer Battalion.
- 2.190 From the early 1920s to the 1950s, some Ngāti Ruapani worked on the Waikaremoana power scheme. It is likely that Māori labourers generally undertook manual labour, such as rock crushing and construction, while Pākehā had the skilled labouring and engineering jobs. The amount of work available fluctuated with the different phases of construction, including a substantial decrease during the Great Depression of the 1930s.
- 2.191 In the 1930s the Crown often used land development schemes on Māori land to provide employment for Māori, and Ngāti Ruapani applied for a land development scheme on their land. However, the Crown did not consider Ngāti Ruapani retained any land suitable for such a scheme and rejected their application.
- 2.192 The Great Depression worsened the dire economic circumstances in which Ngāti Ruapani lived. During the Depression, the Crown did not pay Ngāti Ruapani all the interest it owed on the Waikaremoana block debentures. Some Ngāti Ruapani beneficiaries complained that they had no 'rent' for Waikaremoana for more than two years. In 1932 the Crown paid some of the interest it owed but paid a lower interest rate, and its payments were subject to a recently imposed tax of 10% on interest income from government securities. There was little work for Ngāti Ruapani during the depression and, although some worked on an unemployment relief scheme, the Crown would not pay them for this work because the Ngāti Ruapani workers had not previously paid unemployment levies. By 1933, a local judge said the debenture beneficiaries were "facing Winter practically destitute".
- 2.193 In June 1934, the coroner attributed several deaths at Waikaremoana to semi-starvation. In response, the Crown provided unemployment contracts for drain digging and fencing, but this provided only temporary relief. In September, debenture beneficiaries asked the government to pay their interest immediately, as they could not buy flour and sugar. Even when New Zealand's economy started to recover from the Depression, economic conditions did not improve for Ngāti Ruapani. In 1938, the local registrar described the situation as an "appalling state of indigence" (extreme poverty).

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- 2.194 In addition to their poor economic status, Ngāti Ruapani also suffered from extremely poor housing conditions. In the 1930s, the Crown was aware of the sub-standard housing and overcrowding in Waikaremoana, including a family living in a corn crib (generally used for crop storage). The Crown, however, provided little assistance for housing. Crown officials refused to grant loans for houses on collectively-owned or inalienable land or to people they perceived would be unable to pay back a loan. At least one official was reluctant to improve housing as it might encourage younger people to return to the district where there were few employment opportunities.

**Education**

- 2.195 One means by which Ngāti Ruapani tried to improve their economic circumstances was through education. In 1894, members of Ngāti Ruapani requested a school for their area and in 1895, a Ngāti Ruapani leader told the Premier "Education is the means of imparting knowledge to the people... and better their position". In 1897, the Crown established the Kokako Native School on land that was initially leased from Ngāti Ruapani. The saying "Nā ngā kaumātua i homai te whenua hei mātauranga mō ngā tamariki mokopuna" (The old people gave the land for educating the children and grandchildren) illustrates the connection of land with education.
- 2.196 Following the 1898 famine and deaths at Te Kōpani, attendance at Kokako Native School declined and the Crown closed the school in 1900. It reopened in 1906, but attendance again declined, impacted by food shortages, disease and the influence of a local prophet. The school closed in 1907 and reopened in 1911, but food shortages continued until at least 1932 when three children died from "a lack of proper food".
- 2.197 The Crown intended Native Schools to promote the assimilation of Māori children into European culture. From at least the 1920s, teachers at Kokako Native School used corporal punishment on students for speaking te reo Māori at school, including strapping students, hitting them with bamboo and forcing them to eat soap. The use of corporal punishment contributed to the decline of te reo Māori, as some children who were punished grew up unwilling to pass te reo Māori onto their children.
- 2.198 During the first half of the twentieth century, Kōkako school suffered from poorly maintained facilities and supporting infrastructure. For example, in 1919, the parents complained the school's water supply and road access was inadequate. A Crown official also noted the school buildings required extensive repairs.
- 2.199 In April 1930, the Crown opened a new school in Tūwai in response to demand from hydroelectric workers. Kōkako school compared poorly to the new school. A report from 1930 described Tuai (Tūwai) school as 'excellently built and finished', with electric heating and a septic tank. In the same year, the teacher at Kōkako school advised the Education Department that the school's fresh water supply was constantly blocked and they needed to urgently move the outhouses. Ngāti Ruapani children were discouraged or prevented

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from attending Tuai school by members of the pākehā community. By 1935, it appears no Māori students were enrolled at Tuai school.

- 2.200 In 1941, Cabinet approved rebuilding Kōkako. During World War Two, however, the Crown expended funds that might have been used for the school on the war effort and further delayed the rebuild while it and Ngāti Ruapani considered moving the school to an alternative site. In February 1949, the school committee refused to send their children to school until the new buildings were started. Children returned to school a week later once construction commenced, but the new school building did not open until 1 February 1950 and still required further improvements.
- 2.201 The Crown's education system provided few options for Ngāti Ruapani families who wanted to send their children to secondary school due to distance and cost. From 1921, Wairoa District High School offered secondary education, but it was a 50km journey on a winding road. The bus service frequently broke down or arrived late at school. Tūwai had a small secondary school from 1944 to 1951; it had just 15 pupils in 1951 and only two of those students were Māori. Some parents sent their children to boarding schools but these were expensive and required children to be far from home for long periods.
- 2.202 Before World War Two, the schooling provided by the Crown in Te Urewera primarily focussed on preparing students for work in manual or agricultural jobs. After the war, this trend continued, but as population increased and put pressure on the few local jobs available, school leavers were channelled into unskilled jobs in industries further from home.

**Post war urban migration and housing**

- 2.203 During the 1930s some Ngāti Ruapani began migrating from their traditional lands due to such factors as limited education and employment opportunities, substandard housing, and obstacles to developing their remaining lands. In 1940, the registrar of the Gisborne Native Land Court advised that aside from power station construction, there was 'very little employment' in the area and the Crown should encourage Ngāti Ruapani to migrate away from their traditional lands.
- 2.204 At least twelve Ngāti Ruapani men served in the 28th Māori Battalion during World War Two. After World War Two, the Crown provided housing loans to returned servicemen. John Waiwai of Ngāti Ruapani successfully applied, but had to partition land from Te Kōpani block to build. A discrepancy between the loans offered to Māori and Pākehā returned servicemen in the Waiariki area meant John Waiwai was issued a 20-year loan instead of the 30-year loans offered to Pākehā servicemen, increasing the cost of repayments to more than he could afford.
- 2.205 In the years following the Second World War, the Crown encouraged migration to urban areas, where there was better housing and job opportunities. From 1956, the Crown offered housing and other assistance to people in Te Urewera who wanted to migrate and



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soon adopted this as an official policy. Kaumātua and parents also encouraged rangatahi to migrate for employment opportunities and better quality accommodation. The Māori population at Waikaremoana declined substantially in the decade after the war and continued in a downward trend until at least the 1970s. The migration away from Waikaremoana contributed to the loss of te reo and tikanga.

- 2.206 For those that remained at Waikaremoana, available employment from the 1940s to the 1950s included farm labouring, shearing, roadworks, timber milling, and labouring for the power station. Ngāti Ruapani elders recall that the work at Tuai power station was generally divided between Pākehā having the skilled jobs and Māori undertaking manual labour, such as cleaning and maintenance at the station and gardening and maintenance at the village. From the early 1970s, Ngāti Ruapani kaumātua encouraged their young people to train for skilled jobs, such as line maintenance and machine operators.
- 2.207 Throughout the 1960s and 1970s, Ngāti Ruapani tried to develop housing near their marae of Te Kūha and Waimako but were prevented by the Department of Maori Affairs and local council. Crown and local officials preferred a site at Tūwai which was closer to existing roads and therefore considered more cost-effective. After five years of deliberation, the Crown said it would not lend money to build houses on Ngāti Ruapani's preferred site. The Crown would only provide assistance if Ngāti Ruapani secured individualised titles to the relevant sites and the county council rezoned the land as residential. The Crown advised that members of Ngāti Ruapani would have to relocate if they wanted financial assistance. Due to restrictions under the district scheme, from 1967 to 1975 the county council issued no building permits for Waimako or Te Kūha.
- 2.208 In 1977, the Wairoa County Council introduced a revised district scheme with special provision for papakainga housing at Te Kūha and Waimako. Under this scheme, Ngāti Ruapani mai Waikaremoana could develop their community buildings in accordance with their needs. They amalgamated and repartitioned several of their land blocks via the Maori Land Court. The Court vested Te Kōpani 7 and 11 in the Māori Trustee, which then transferred the blocks to the Crown for kaumātua flats. At the same time, a group of young Ngāti Ruapani living in Wellington formed the Waikaremoana-ki-roto-Poneke Association and received financial assistance from the local Maori Land Board to build 18 kaumātua flats using primarily volunteer labour. Other land blocks were subdivided and Public Work Department houses relocated from Tūrangi for papakainga housing.
- 2.209 In the mid-1980s, the Crown began privatising government services. The privatisation of the Ministry of Electricity, as well as the automation of the Waikaremoana power scheme, resulted in job losses at Waikaremoana. In February 1988 the Tūwai post office closed and Ngāti Ruapani lost access to banking facilities. After this date, Ngāti Ruapani had to travel to Te Wairoa to access in-person services. Ngāti Ruapani recalled that the general store in Tūwai also closed at this time.
- 2.210 In the aftermath of aggressive Crown military action and land acquisition in the nineteenth century, Ngāti Ruapani endured socio economic deprivation in the twentieth century. The

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Crown sought to assimilate Ngāti Ruapani into European culture and encouraged Ngāti Ruapani to migrate from their traditional lands following World War Two. Despite this deprivation and disconnection, Ngāti Ruapani have endured. They are resolute and tenacious in their connections to Waikaremoana.

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### 3 ACKNOWLEDGEMENT AND APOLOGY

#### NGĀ MEA E WHAKAAE ANA TE KARAUNA MŌ NGĀTI RUAPANI

##### Te Tiriti o Waitangi

- 3.1 E whakaae ana te Karauna kāore i waitohua e Ngāti Ruapani mai Waikaremoana Te Tiriti o Waitangi i te tau 1840. Ko te mana o te Karauna ki Aotearoa i ahu mai i ngā here Tiriti o te Karauna, tae atu ki ngā whakataurangi whakamaru, i uru ai a Ngāti Ruapani mai Waikaremoana ki raro i ērā. E whakaae ana te Karauna kāore i eke i a ia te maha o ōna here Tiriti ki a Ngāti Ruapani mai Waikaremoana. Ahakoa ngā mahi o mua a Ngāti Ruapani mai Waikaremoana ki te whakamaumahara i te Karauna ki ōna here, kāore i tutuki i te Karauna te whakarite i ngā nawe mauroa, tōtika hoki a Ngāti Ruapani mai Waikaremoana mā tētahi tikanga whaitake, ka mutu he roa rawa te wā e tāria ana kia whakaaetia aua nawe. Kei te pā tonu mai te pōuri me te mamae nui ki a Ngāti Ruapani mai Waikaremoana me te pānga o ngā ngoikoretanga o te Karauna i tēnei rā.

##### Te Pakanga me te 'Whakahaukore'

- 3.2 E whakaae ana te Karauna ko ia te take i pakaru mai ai te riri i te rohe o Waikaremoana, ā, ko ētahi o āna mahi i te rohe o Waikaremoana i te tau 1866 ki te 1872 ko:
- 3.2.1 tōna ngoikore ki te āta tirotiro me te whakahaere tika i ngā mahi a ana ope taua, ā, ko te hua o tērā ko te whakamate kino i ngā mauhere kore pū i Onepoto i te tau 1866;
- 3.2.2 te whakamātau a te Karauna ki te whakakore atu i a Ngāti Ruapani mai Waikaremoana mai i te roto o Waikaremoana mā te kaupapahere 'whakahaukore', ā, ko te mutunga atu ko te urupatu katoa i ngā pā kāinga, ngā māra, ngā pātaka kai, ngā kararehe, ngā wāhi tapu me ngā taonga, me
- 3.2.3 ngā whakaekenga i ngā kāinga, pērā i Te Kōpani i te tau 1866, i whawhai ai a Ngāti Ruapani mai Waikaremoana mō ō rātau whenua, tae atu ki a Whataroa me Ōhiwa i te tau 1870, i patua e ngā hōia a te Karauna tētahi tipuna o Ngāti Ruapani mai Waikaremoana me te hopu i tētahi tamaiti.
- 3.3 E whakaae ana te Karauna ko te utu o ēnei mahi ki a Ngāti Ruapani mai Waikaremoana ko te mate kai katoa o ngā tāngata me te nui o ngā tāngata i mate. He mauroa, he kino hoki te pānga o ngā mahi a te Karauna ki tō rātau mana, te hanganga pāpori, oranga hoki. E whakaae ana te Karauna kāore rawa atu ia i aro atu ki te ora me te oranga o Ngāti Ruapani mai Waikaremoana, i tino kino tana mahi haukore, ā, nā āna mahi i heke iho te whētuki me te korekore i roto i ngā reanga mai anō, he takahi tērā i te Tiriti o Waitangi me ōna mātāpono.

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**Te mauhere ki Wharekauri**

- 3.4 E whakaae ana te Karauna i mauheretia tētahi tangata, neke atu rānei o Ngāti Ruapani mai Waikaremoana, ā, kāore hoki i whakawā tika i a rātau mō tētahi wā roa, ka mutu i noho rātau i roto i ngā āhuatanga weriweri i Wharekauri. I roto i tēnei mahi tūkinō kāore i tika te manaaki i a rātau, me te aha kāore i taea e te ture ēnei mahi kino te whakawā nā runga i ngā ture maha e tiaki ana i aua mahi. E mōhio ana te Karauna, nā runga i tērā, i takahia e ia Te Tiriti o Waitangi me ōna mātāpono.

**I kīia he hoariri**

- 3.5 I hē te whakatau a te Karauna he hoariri a Ngāti Ruapani mai Waikaremoana i tana whakauru hē mai i ngā whenua o Ngāti Ruapani mai Waikaremoana ki te whakataunga tango whenua o te tau 1867, ahakoa ehara rātau i te hoariri.

**Te raupatu me te tango whenua i te tau 1867**

- 3.6 E whakaae ana te Karauna i hē tana whakauru i ngā whenua o Ngāti Ruapani mai Waikaremoana ki ngā whakataunga tango whenua o te tau 1867 me te kore rapu i tō rātau whakaae, ā, kāore hoki i kōrerorero ki a rātau. I tino hē te raupatu i ngā whenua o Ngāti Ruapani mai Waikaremoana, ā, i takahi i Te Tiriti o Waitangi me ōna mātāpono. Nā tērā, kāore i paku aro atu te Karauna ki te mana o Ngāti Ruapani mai Waikaremoana, me te aha i kino kē atu te mamae me te tūkinō i pā ki a rātau.

**Kāore i tuku kapeneheihana**

- 3.7 E whakaae ana te Karauna he taumaha rawa tana kawē i te riri ki Waikaremoana, ā, i kino, i hohoro te pā o te mamae ki a Ngāti Ruapani mai Waikaremoana. I pēhia a Ngāti Ruapani mai Waikaremoana e ngā pānga mauroa o tēnei mamae mai anō i ngā reanga o mua, ā, kāore i whiwhi kapeneheihana mai i te Karauna.

**Onepoto**

- 3.8 E whakaae ana te Karauna i murua e ia ngā whenua o Ngāti Ruapani mai Waikaremoana i Onepoto me ētahi atu whenua i te awa o Waikaretāheke, tae atu ki ngā papa rākau i te tau 1872 me te tuku kapeneheihana, ā, i takahi tēnei i Te Tiriti o Waitangi me ōna mātāpono.

**Ngā Poroka e Whā i te Taha Tonga**

- 3.9 E whakaae ana te Karauna i riro i a ia ngā whenua katoa o Ngāti Ruapani mai Waikaremoana i te tau 1875 mai i ngā poroka e whā i te taha tonga, he tata ki te 178,000 eka te nui, me Onepoto hoki, whai muri i te whakamataku i a rātau ka raupatuhia ō rātau pānga i roto i tēnei whenua. He mauroa, he tino kino ngā mahi tāmi me te uruhi o te tango i ngā whenua i tēnei rohe ki ngā pānga tuku iho, te mana me te orange o Ngāti

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Ruapani mai Waikaremoana me te takahi i Te Tiriti o Waitangi me ōna mātāpono, i heke iho ai te mamae me te tūkino nui i roto i ngā reanga.

**Ngā Poroka e Whā i te Taha Tonga – Ngā Whenua Rāhui**

3.10 E whakaae ana te Karauna:

- 3.10.1 ko ngā taitara i whiwhi a Ngāti Ruapani mai Waikaremoana me tētahi atu iwi mō ngā whenua rāhui i Whareama, Te Kōpani, Te Heiotāhoka me Ngāputahi i tukuna kētia atu ki ngā tāngata 60 kaua ki ngā rangatira whenua katoa;
- 3.10.2 nō te tau 1889 rā anō i whakawhiwhia te taitara o ngā whenua rāhui e whā, ka mutu kāore tonu he kuhunga ā-ture mō ngā whenua rāhui i Whareama me Ngāputahi; ā,
- 3.10.3 I whakaurua mai a Whareama me Ngāputahi i muri mai ki roto i te Whakamoanatanga o Te Urewera ahakoa ngā tohe a Ngāti Ruapani mai Waikaremoana, ā, i riro i te Karauna i te tau 1921.

**Ngā Ture Whenua Māori**

3.11 E whakaae ana te Karauna kāore ia i kōrerorero ki a Ngāti Ruapani mai Waikaremoana mō te whakaurunga mai o ngā ture whenua Māori.

**Te Whitu Tekau**

3.12 E whakaae ana te Karauna:

- 3.12.1 kāore i whakamanatia e ia Te Whitu Tekau hei kaupapa tōrangapū i muri i te whakatūtanga e ngā rangatira o Te Urewera i te tau 1872 hei kaunihera whakahaere pupuri i te mana motuhake o Tūhoe whai muri i te "tatau pounamu" o te tau 1871;
- 3.12.2 I whakahē Te Whitu Tekau ki ngā whakaritenga whenua, ngā rori, me te mahi a Te Kooti Whenua Māori i roto tō rātau rohe i whakatauhia e rātau; ā,
- 3.12.3 ahakoa ngā tikanga a Te Whitu Tekau, i tīmata ngā mahi pēhi a te Karauna ki te whakatuwhera i Te Urewera mō ngā rori, te rurī me ngā whakawātanga a Te Kooti Whenua Māori.

**Te Kooti Whenua Māori me te Ariki Takitahi o te Taitara**

3.13 E whakaae ana te Karauna nāna i whakauru mai i Te Kooti Whenua Māori ki ngā whenua o Ngāti Ruapani mai Waikaremoana ahakoa te whakahē a Te Whitu Tekau, ā, nā ngā whakahaere me te pānga o ngā ture whenua Māori, otirā te whakawhiwhi i ngā

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taitara ki te tangata takitahi kua ki te hapū, ki te iwi rānei, i noho tuwhera ai ngā whenua o Ngāti Ruapani Mai Waikaremoana kia wāwāhitia, kia wehewehetia, kia riro atu hoki. I tautoko hoki tēnei i te takahi i ngā hanganga ā-iwi, ā, i ahu mai tēnei mai i te mana o te iwi me ngā hapū. Kāore i whakamarutia e te Karauna ēnei hanganga, ā, i takahi tēnei i Te Tiriti o Waitangi me ōna mātāpono.

**Te Takiwā Rāhui Māori o Te Urewera (UDNR)**

- 3.14 E whakaae ana te Karauna i te tau 1894, ki te 1895, i whakariterite a Ngāti Ruapani mai Waikaremoana i runga i te ngākau pono, i te taha o ētahi atu hunga, kia whakaae te Karauna ki tētahi whakaritenga pono, ā, i tūkinotia a Ngāti Ruapani mai Waikaremoana e te Karauna nā te āhua o tana whakatinana i te Ture Takiwā Rāhui Māori o Te Urewera 1896.
- 3.15 E whakaae ana te Karauna:
- 3.15.1 i tino tōmuri i a ia te whakatū i te whakamana whakahaere ā-rohe e ai ki te Ture Takiwā Rāhui Māori o Te Urewera. Kātahi ka tino hē kē atu nā ngā tōmuritanga korekiko o te whakatū i tētahi rōpū hei whakawā i ngā pira ki ngā whakatau a te Kōmihana o Te Urewera;
  - 3.15.2 kāore i tuku ara kia noho ai ko te tangata whenua o Te Urewera te nuinga o te Kōmihana o Te Urewera i ngā whakawātanga;
  - 3.15.3 kāore i tukuna he wāhanga ki ngā tangata whenua o Te Urewera ki te rōpū pira o te Kōmihana o Te Urewera;
  - 3.15.4 kāore i tautokona e ia te whakaaetanga i roto i roto i te whakaritenga kia whakawhiwhia ngā taitara whenua i roto i te Takiwā Rāhui Māori o Te Urewera ki ngā hapū;
  - 3.15.5 i whakararua te mātāpono matua o te Ture, te mana motuhake nā tana whakatau i te tau 1909 kia whakarerekēhia ngā mema o te Komiti Nui, i raro i te Ture ka pōtitia rātau; ā,
  - 3.15.6 kāore i whakatūria e ia tētahi tikanga tōtika mō te whakahaere me te mana whakahaere o ngā whenua o te rohe, ā, i takahi tēnei i Te Tiriti o Waitangi me ōna mātāpono.
- 3.16 E whakaae ana te Karauna i takahia e ia tana whakaritenga me Ngāti Ruapani mai Waikaremoana me ētahi atu hunga mā te whakatairanga i āna ake huringa ki te Ture 1896, ā, i takahi tēnei i Te Tiriti o Waitangi me ōna mātāpono.
- 3.17 E whakaae ana hoki te Karauna:

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- 3.17.1 nāna i whakatairanga ngā ture aukati i te Takiwā Rāhui Māori o Te Urewera mai i ngā wāhanga ā-ture kia kore ai e noho whenua kore me te whakarite ka whiwhi a Ngāti Ruapani mai Waikaremoana me ētahi atu hunga i te utu tino iti mō te wāriu a te Kāwanatanga mō ō rātau pānga whenua;
- 3.17.2 ko te Karauna anake te kaihoko, ā, i tohe a Ngāti Ruapani mai Waikaremoana he iti rawa ana utu hoko whenua i te Takiwā Rāhui Māori o Te Urewera; ā,
- 3.17.3 kāore i whakaurua e ia te wāriu o ngā rākau i tana whiriwhiri i ngā utu mō ngā whenua o te Takiwā Rāhui Māori o Te Urewera.

**Te Poraka o Waipaoa 5**

- 3.18 E whakaae ana te Karauna ko tana tuku i a Waipaoa 5 ki roto i te Poari Whenua Māori o Te Tairāwhiti i te tau 1906 i takahi tēnei i Te Tiriti o Waitangi me ōna mātāpono.
- 3.19 E whakaae ana te Karauna:
- 3.19.1 Nāna anō te whakatau ki te whakaheke i te utu i whakaaetia e ngā rangatira whenua o Waipaoa i tētahi hui o ngā rangatira whenua i te tau 1910, kāore he huringa atu mō ngā rangatira whenua pōhara i tua atu i te whakaae ki te utu i whakaheketia e te Karauna i te tau 1913; ā,
- 3.19.2 ko ngā mahi a te Karauna he takahi i Te Tiriti o Waitangi me ōna mātāpono.

**Waikareiti**

- 3.20 E whakaae ana hoki te Karauna he nawe nui tonu te rironga o te moana o Waikareiti, tae atu ki te wāwāhi me te rūri i te poraka o Waipaoa, mō Ngāti Ruapani mai Waikaremoana.

**Te Poraka o Waikaremoana**

- 3.21 E whakaae ana te Karauna:
- 3.21.1 i tāmia e ia a Ngāti Ruapani mai Waikaremoana kia whakaurua atu ōna pānga i roto i te poraka o Waikaremoana ki te Whakamoanatanga o Te Urewera mā te whakamataku i a rātau ka murua e ia te whenua i raro i te ture;
- 3.21.2 i riro mai i a ia ētahi o ngā pānga o Ngāti Ruapani mai Waikaremoana i roto i te poraka o Waikaremoana mā te utu i te ono hereni i te eka mō ētahi atu whenua, kātahi ka whakawhitia ērā mō ō rātau whenua i Waikaremoana;
- 3.21.3 i riro mai i a ia ētahi atu o ngā pānga o Ngāti Ruapani mai Waikaremoana i Waikaremoana mā te utu i te 15 hereni i te eka ahakoa i whakaae ngā rangatira whenua ki te 16 hereni te utu hoko;

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- 3.21.4 i riro mai i a ia ētahi atu o ngā pānga o Ngāti Ruapani mai Waikaremoana i Waikaremoana mā te utu i te ono hereni i te eka ahakoa i whakaaetia kētia te utu o te 15 hereni i te eka;
- 3.21.5 he nui te rawakore i pā mai i tēnei ki ngā rangatira whenua o Ngāti Ruapani mai Waikaremoana nā te whakaae kia utua rātau mō ō rātau pānga i Waikaremoana mā ngā monimanamana, kāore te Karauna i whakarite ka utua rātau mō te itarete e nama ana ki a rātau mai i ā rātau monimanamana. Nō te 25 tau rā anō i muri mai o te tatūtanga kātahi anō ka ea i te Karauna te wāriu pūrawa o ngā monimanamana;
- 3.21.6 kāore ia i whakarite ka whai whenua a Ngāti Ruapani mai Waikaremoana mō ō rātau hiahia onāiane, o anamata hoki; ā,
- 3.21.7 nā ēnei mahi me ngā hapa, i takahia e ia Te Tiriti o Waitangi me ōna mātāpono.

**Ngā whenua rāhui o Waikaremoana**

- 3.22 E whakaae ana te Karauna nāna i whakaiti i ngā whai wāhitanga ōhanga ki a Ngāti Ruapani mai Waikaremoana mā te aukati i te rīhi a ngā rangatira whenua o ngā whenua rāhui o Waikaremoana i ō rātau whenua me te aukati i te turaki a ngā rangatira whenua i ngā rākau i runga i ō rātau whenua. He takahi ēnei mahi i Te Tiriti o Waitangi me ōna mātāpono.
- 3.23 E whakaae ana te Karauna kāore he here utu reiti o ngā whenua rāhui o Waikaremoana i raro i te Ture Whenua o Te Urewera 1921-1922. Engari, i te tau 1964, i whakakorehia e te Karauna tēnei here kore utu reiti ahakoa kāore i taea e Ngāti Ruapani mai Waikaremoana te mahi moni mai i ngā whenua rāhui nā ngā here a te Karauna.
- 3.24 E whakaae ana te Karauna i te tau 1971, i tahuri ia ki te tautapa i ngā whenua rāhui o Waikaremoana hei āpitihanga ki te Rohe Pāka o Te Urewera i roto i te mahere takiwā, e aukati ana i te whakatū, te noho rānei a Ngāti Ruapani mai Waikaremoana ki runga i ngā whenua rāhui.

**Te papamoana o Waikaremoana**

- 3.25 E whakaae ana te Karauna, he maha ngā tau i muri i te whakatau a te Kooti Whenua Māori o te tau 1918, kāore i whakamanatia e te Karauna te mana o Ngāti Ruapani mai Waikaremoana ki te papamoana o Waikaremoana, ā, i nui te raruraru ki a Ngāti Ruapani mai Waikaremoana nā tana whakahaere i te papamoana ānō nei nā te Karauna ake. Otirā, e whakaae ana te Karauna:
- 3.25.1 ahakoa he mana tō Ngāti Ruapani mai Waikaremoana ki te papamoana kāore te Karauna i kōrerorero ki a Ngāti Ruapani mai Waikaremoana i mua i tana



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tīmata ki te hanga i te Teihana Hiko o Kaitawa, ā, nā tērā i maroke ai he wāhanga o te papamoana, ā, i mate hoki ngā ika;

- 3.25.2 i hangaia ngā rori me ngā hanganga nunui ki te papamoana maroke me te kore whakaae a ōna rangatira whenua;
- 3.25.3 nō te tau 1971 rā anō kātahi anō te Karauna ka utu rēti ki a Ngāti Ruapani mai Waikaremoana mō tēnei whenua, ā, kāore anō kia utua e ia a Ngāti Ruapani mai Waikaremoana mō tana whakamahi i te papamoana i mua o te tau 1967; ā,
- 3.25.4 i roto i tana whakahaere i te papamoana kāore i whakaaronuitia e te Karauna te rangatiratanga o Ngāti Ruapani mai Waikaremoana, ka mutu i takahia e ia te Tiriti o Waitangi me ōna mātāpono.

**Whenua kore**

- 3.26 Nā te ngoikore o te Karauna ki te whakarite ka mau tonu i a Ngāti Ruapani mai Waikaremoana he whenua rawaka mō ōna hiahia onāiane me ā muri ake he nui te tūkinō i pā mai ki a Ngāti Ruapani mai Waikaremoana, ā, i riro te nuinga o ngā whenua tuku iho o Ngāti Ruapani mai Waikaremoana me tō rātau kaha ki te tiaki i a rātau anō. Kāore i eke i te Karauna ōna here i raro i Te Tiriti o Waitangi me ōna mātāpono ki te āta tiaki i a Ngāti Ruapani kia kore ai rātau e noho whenua kore.

**Te Rohe Pāka o Te Urewera**

- 3.27 E whakaae ana te Karauna he hononga motuhake tō Ngāti Ruapani mai Waikaremoana ki Te Urewera, me ngā rawa, ngā wāhi tapu me ngā taonga i roto.
- 3.28 E whakaae ana te Karauna:
- 3.28.1 kāore ia i kōrerorero ki a Ngāti Ruapani mai Waikaremoana mō te whakatūtanga o Te Rohe Pāka o Te Urewera i te tau 1954, mō te whakawhanuitanga rānei i te tau 1957;
- 3.28.2 i tino whakaitia e te poari whakahaere o te pāka te kaha o Ngāti Ruapani mai Waikaremoana ki te whakamahi me te whakawhanake i ngā rawa o ō rātau whenua e pātata ana, e karapotia ana rānei e te Pāka;
- 3.28.3 i whakaurua ngā pānga o Ngāti Ruapani mai Waikaremoana i te moana o Waikaremoana ki roto i te Pāka i te tau 1954 me tā rātau kore whakaae; ā,
- 3.28.4 nā tōna ngoikore ki te tino tiaki i ngā pānga o Ngāti Ruapani mai Waikaremoana i te whakatūtanga me te poari whakahaere o te Rohe Pāka o Te Urewera i takahi ia i Te Tiriti o Waitangi me ōna mātāpono.

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**Te Kura Māori o Te Kōkako**

3.29 E whakaae ana te Karauna:

- 3.29.1 i te tau 1896, i rīhitia e te Karauna he wāhi mō tētahi kura Māori i Te Kōkako mai i ngā rangatira whenua o Ngāti Ruapani mai Waikaremoana mō te 21 tau i te rēti tino iti rawa, engari kāore i whakahoutia te rīhi i tōna mutunga. Engari, i te tau 1921, i murua e te Karauna ngā eka e whā o te whenua i reira te kura e tū ana me te kore utu kapeneheihana ki ngā rangatira whenua, ka mutu i takahi tēnei i Te Tiriti o Waitangi me ōna mātāpono; ā,
- 3.29.2 nō te tau 1945, ko tāna i whakatau ai i runga ngā māharahara hauora kāore i tika a Te Kōkako hei kura, kātahi ka murua e te Karauna he rima eka atu anō o tētahi whenua e pātata ana ki te pā o Te Waimako kia pai ai te neke i te kura ki reira. Ahakoa ko te whakatau a te Karauna, i te tau 1946 ka noho tonu te kura ki Te Kōkako, nō te tau 1967 rā anō i mana ai tana whakahoki i te whenua, ka mutu kāore ia i utu kapeneheihana ki a Ngāti Ruapani mai Waikaremoana mō te muru i te whenua.

**Te Papariki**

3.30 E whakaae ana te Karauna:

- 3.30.1 kāore ia i whakamōhio atu ki a Ngāti Ruapani mai Waikaremoana mō te whakatū i te Teihana Hiko o Piripāua me te tango i ētahi o ngā whenua i mua i tana uru atu ki ō rātau whenua mō ngā rūri tuatahi, me tō rātau kore mōhio, kore whakaae rānei, ā, kāore i aro atu ki tō rātau mana me tō rātau rangatiratanga;
- 3.30.2 i kuhu poka noa ia ki ngā whenua o Ngāti Ruapani mai Waikaremoana me te takahi i ō rātau mana, oranga hoki mā te tūkino i ngā māra me ngā uru huarākau me te kari poka noa i ngā kōhatu;
- 3.30.3 i whakahāweatia a Ngāti Ruapani mai Waikaremoana, ka mutu i whara kino rātau i te kaupare a te Karauna i ā rātau whakahē tika ki te muru a te Karauna i ō rātau whenua mō te papariki, me te whakaiti i te rironga o ngā whenua o ngā Pākehā nā runga i ā rātau tonu;
- 3.30.4 ko te tikanga me kōrerorero tika tonu ki a Ngāti Ruapani mai Waikaremoana e pā ana ki te tango whenua mō te Teihana Hiko o Piripāua engari kāore i tutuki tērā, kāore hoki i ōrite te manaaki i a rātau pērā i ētahi atu rangatira whenua; ā,
- 3.30.5 i takahia Te Tiriti o Waitangi me ōna mātāpono nā runga i te āhua o tana tango whenua mō te Teihana Hiko o Piripāua, i mauroa ai te mamae ki a Ngāti Ruapani mai Waikaremoana me tō rātau hononga ki ō rātau whenua.

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**Te Muru Whenua ā-Ture i Ngā Pānga Kore Hua Ohaoha**

- 3.31 E whakaae ana te Karauna i waenga i te tau 1953 me te 1974, i whakamanatia e ia te Kaitiaki Māori ki te muru ā-ture i ngā whenua o Ngāti Ruapani mai Waikaremoana i runga i te whakaaro o te Karauna kāore i te puta he hua ohaoha i aua whenua, ā, he takahi tēnei i Te Tiriti o Waitangi me ōna mātāpono me te momotu atu i te hono tika o Ngāti Ruapani mai Waikaremoana ki tō rātau tūrangawaewae.

**Te Haere ki te Pakanga**

- 3.32 E whakaae ana, e mihi atu hoki te Karauna ki a Ngāti Ruapani mai Waikaremoana mō tā rātau tautoko i ngā pakanga a Aotearoa o te rau tau rua tekau, tae atu ki te whawhai i ngā pakanga e rua o te ao.

**Te Reo o Waikaremoana**

- 3.33 E whakaae ana te Karauna kāore i āta tiakina e ia te reo o Waikaremoana me te whakatairanga kia whakamahia te reo i waenganui i a Ngāti Ruapani mai Waikaremoana. E whakaae anō hoki te Karauna nā tēnei ngoikoretanga i heke te matatau o Ngāti Ruapani mai Waikaremoana ki te reo o Waikaremoana, ā, i uaua ai te tuku haere i te mita o Waikaremoana ki ngā reanga hou. E whakaae ana te Karauna he takahi tēnei i Te Tiriti o Waitangi me ōna mātāpono.

**Te Noho Rawakore me te Wehenga Atu**

- 3.34 E whakaae ana te Karauna kei waho te nuinga o ngā tāngata o Ngāti Ruapani e noho ana i ō rātau whenua tuku iho nā runga i ana kaupapahere, e noho momotu mai ai rātau mai i ā rātau tikanga, tō rātau tūrangawaewae me ō rātau whānau.
- 3.35 E whakaae ana te Karauna i noho rawakore te hunga i mahue mai ki runga i ngā whenua, me te kino o ngā pānga hauora, te koretake o te mātauranga me ngā whare noho, ka mutu he roa e noho pērā ana, ā, kāore i ōrite ō rātau whai wāhitanga kia pai ai te noho pērā i te maha atu o ngā tāngata o Aotearoa.

**Aukatitanga**

- 3.36 E whakaae ana te Karauna he mahi tino hē te whakawehenga me te aukatitanga i pā ki ngā ākonga Māori o Te Kura Māori o Te Kōkako i ngā tau o te 1920 me te 1930. E whakaae ana hoki te Karauna i pā mai ētahi atu momo aukatitanga ki a Ngāti Ruapani mai Waikaremoana i roto i te wā i runga hoki i ō rātau whenua, he takahi tērā i tō rātau mana tangata whenua. Kāore i tika ēnei mahi kaikiri, ā, i mauroa te mamae ki ngā reanga o Ngāti Ruapani mai Waikaremoana.

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**Ngā tauārai mātauranga**

3.37 E whakaae ana te Karauna:

- 3.37.1 ko tētahi o ngā whāinga matua o te pūnaha mātauranga mō te maha o ngā mahi ko te whakapākehā i ngā tamariki o Ngāti Ruapani mai Waikaremoana ki raro i ngā tikanga Pākehā;
- 3.37.2 Kāore i uaratia ngā tirohanga a Ngāti Ruapani mai Waikaremoana e te pūnaha mātauranga;
- 3.37.3 He nui te whakamamae i pā ki ngā tamariki o Ngāti Ruapani mai Waikaremoana mai i ngā patunga me te whakaiti i a rātau mō te kōrero Māori i ngā kura a te Karauna. I tautoko tēnei i te pēhi a Ngāti Ruapani mai Waikaremoana i tōna tuakiri, reo, ahurea hoki;
- 3.37.4 I uaua ki ngā tamariki o Ngāti Ruapani mai Waikaremoana e noho ana i runga i ō rātau whenua tuku iho te whai mātauranga kura tuarua, ā, i te nuinga o te wā i mate rātau ki te puta atu ki waho o te takiwā ki te kura tuarua. Nā tēnei i tau mai ai ngā taumahatanga ki a rātau me ō rātau whānau i tautoko i a rātau;
- 3.37.5 he pāpaku noa ngā tūmanako o te pūnaha mātauranga mō ngā ākonga Māori, ā, kāore rawa atu i kātata ngā whakataenga mātauranga a ngā tamariki o Ngāti Ruapani mai Waikaremoana ki ētahi atu o Aotearoa; ā,
- 3.37.6 ko ngā whakataenga mātauranga pāpaku tētahi āhuatanga i noho rawakore ai a Ngāti Ruapani mai Waikaremoana mō ngā reanga maha.

**Te Mana Tuku Iho, te Whakapākehātanga me te Tū Māia**

3.38 E whakaae ana te Karauna:

- 3.38.1 I te tau 1840, i a Ngāti Ruapani mai Waikaremoana tonu te mana tuku iho o ō rātau whenua me ā rātau rawa me te torotoro hoki ki te ao hou;
- 3.38.2 i te rau tau tekau mā iwa, ā, tae atu noa ki te rau tau rua tekau, i whakatairanga te Karauna i ngā ture me te waihanga kaupapahere hei whakapākehā i te Māori kia noho Pākehā ai;
- 3.38.3 nā ngā ture me ōna tāhapatanga, i hāpai ai te Karauna i te haumatetanga o te rangatiratanga, ngā hanganga ā-iwi me te mātauranga o Ngāti Ruapani mai Waikaremoana me te mana tuku iho o ō rātau whenua, rawa hoki; ā,
- 3.38.4 ahakoa tēnei i tū māia tonu a Ngāti Ruapani mai Waikaremoana me te mau tonu ki tō rātau tuakiri me tō rātau mana tae noa ki tēnei rā.

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**ACKNOWLEDGEMENT**

**Te Tiriti o Waitangi/The Treaty of Waitangi**

- 3.1 The Crown acknowledges that Ngāti Ruapani mai Waikaremoana did not sign te Tiriti o Waitangi/the Treaty of Waitangi in 1840. The Crown's authority over New Zealand rested in part on the Treaty and the Crown's Treaty obligations, including its protective guarantees, applied to Ngāti Ruapani mai Waikaremoana. The Crown acknowledges that it has failed to meet many of its Treaty obligations to Ngāti Ruapani mai Waikaremoana. Despite the previous efforts of Ngāti Ruapani mai Waikaremoana to remind the Crown of its obligations, the Crown has failed to deal with the long-standing and legitimately held grievances of Ngāti Ruapani mai Waikaremoana in an appropriate way, and recognition of those grievances is long overdue. The sense of grief and loss suffered by Ngāti Ruapani mai Waikaremoana and the impact of the Crown's failings endure today.

**War and scorched earth**

- 3.2 The Crown acknowledges that it was ultimately responsible for the outbreak of conflict in the Waikaremoana district and that its conduct during its attacks on the Waikaremoana district in 1866 and 1869 to 1872 included:
- 3.2.1 the failure to properly monitor and control the actions of the armed forces, resulting in the execution of unarmed prisoners at Onepoto in 1866; and
  - 3.2.2 the Crown's attempt to dispose of and clear out Ngāti Ruapani mai Waikaremoana from around Lake Waikaremoana by using a scorched earth policy, which resulted in the widespread destruction of kāinga, pā, cultivations, food stores, animals, wāhi tapu, and taonga; and
  - 3.2.3 attacks on kāinga, such as Te Kōpani in 1866, where Ngāti Ruapani mai Waikaremoana fought to defend their lands, and Whataroa and Ōhiwa in 1870, where Crown forces killed a tipuna of Ngāti Ruapani mai Waikaremoana and captured a child.
- 3.3 The Crown acknowledges that the impacts of these actions on Ngāti Ruapani mai Waikaremoana included widespread starvation and extensive loss of life. The Crown's actions had an enduring and devastating effect on the mana, social structure, and well-being of Ngāti Ruapani mai Waikaremoana. The Crown acknowledges that its conduct showed ruthless disregard for the survival and well-being of Ngāti Ruapani mai Waikaremoana, went far beyond what was necessary or appropriate in the circumstances, and left a legacy of intergenerational trauma and was in breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

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**Detention on Chatham Islands**

- 3.4 The Crown acknowledges that it detained at least 1 member of Ngāti Ruapani mai Waikaremoana without trial for an unreasonable length of time and in harsh conditions on the Chatham Islands. This injustice involved deprivation of basic human rights and could not be legally challenged because of several indemnity acts. The Crown acknowledges that, in doing so, it breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

**Labelling as rebels**

- 3.5 The Crown unjustly treated Ngāti Ruapani mai Waikaremoana as rebels when it wrongfully included lands in which Ngāti Ruapani mai Waikaremoana held interests in the 1867 deed of cession, even though they had not been in rebellion.

**Confiscation and deed of cession**

- 3.6 The Crown acknowledges that it unjustly included Ngāti Ruapani mai Waikaremoana lands in the 1867 deed of cession without their consent and without any consultation. The effective confiscation of Ngāti Ruapani mai Waikaremoana interests was fundamentally wrongful and a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles. In doing so, the Crown demonstrated a blatant disregard for the rights and mana of Ngāti Ruapani mai Waikaremoana, further compounding the harm and injustice inflicted upon them.

**Failure to compensate**

- 3.7 The Crown acknowledges that its military conduct at Waikaremoana was excessive and caused catastrophic and immediate prejudice to Ngāti Ruapani mai Waikaremoana. Ngāti Ruapani mai Waikaremoana have had to endure the lasting impacts of this prejudice for many generations without compensation from the Crown.

**Onepoto**

- 3.8 The Crown acknowledges that, in 1872, it took Ngāti Ruapani mai Waikaremoana land at Onepoto and other land beside the Waikaretāheke River, including its timber resources, without providing compensation and that this was in breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

**The four southern blocks**

- 3.9 The Crown acknowledges that, in 1875, it acquired all of Ngāti Ruapani mai Waikaremoana interests in approximately 178,000 acres in the four southern blocks in southern Waikaremoana, including Onepoto, after threatening to confiscate their interests in this land. The aggressive and coercive measures undertaken to acquire land

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in this district had lasting and devastating effects on the customary interests, mana, and well-being of Ngāti Ruapani mai Waikaremoana and breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles, causing intergenerational harm and profound injustice.

**The four southern blocks: reserves**

3.10 The Crown acknowledges that:

- 3.10.1 the titles Ngāti Ruapani mai Waikaremoana and another tribal grouping received for 4 reserves at Whareama, Te Kōpani, Te Heiotāhoka, and Ngāputahi were granted to 60 individuals rather than to all owners; and
- 3.10.2 the title to the 4 reserves was not awarded until 1889 and Whareama and Ngāputahi remained with no legal access; and
- 3.10.3 Whareama and Ngāputahi were subsequently included in the Urewera Consolidation Scheme, against the wishes of Ngāti Ruapani mai Waikaremoana, and were acquired by the Crown in 1921.

**Native land laws**

3.11 The Crown acknowledges that it did not consult Ngāti Ruapani mai Waikaremoana about the introduction of native land laws.

**Te Whitu Tekau**

3.12 The Crown acknowledges that:

- 3.12.1 it did not formally recognise Te Whitu Tekau as a political institution after the leaders of Te Urewera established it in 1872 as a governing council to uphold mana motuhake in Te Urewera following the "peace compact" in 1871; and
- 3.12.2 Te Whitu Tekau objected to land dealings, roads, surveys, and the Native Land Court operating within the boundaries it had established; and
- 3.12.3 despite Te Whitu Tekau policies, the Crown eventually exerted pressure to open up Te Urewera to roads, surveying, and Native Land Court sittings.

**The Native Land Court and individualisation of title**

3.13 The Crown acknowledges that it introduced the Native Land Court to Ngāti Ruapani mai Waikaremoana lands despite the opposition of Te Whitu Tekau and that the operation and impact of the native land laws, in particular the awarding of titles to individuals rather than to hapū or iwi, made Ngāti Ruapani mai Waikaremoana lands more susceptible to

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partition, fragmentation, and alienation. This contributed to the undermining of their tribal structures, which were based on collective tribal and hapū custodianship. The Crown failed to protect these structures and this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

**Urewera District Native Reserve**

- 3.14 The Crown acknowledges that, in 1894 and 1895, Ngāti Ruapani mai Waikaremoana negotiated in good faith, alongside other groups, to secure Crown agreement to a solemn compact, and the Crown caused Ngāti Ruapani mai Waikaremoana severe prejudice by the manner in which it implemented the Urewera District Native Reserve Act 1896 (the **1896 Act**).
- 3.15 The Crown acknowledges that:
- 3.15.1 it caused significant delays in the establishment of the local government provided for under the 1896 Act. This was compounded by unreasonable delays in the establishment of a body to hear appeals from decisions of the Urewera Commission; and
  - 3.15.2 it failed to provide options to ensure majority Te Urewera Māori participation in the Urewera Commission when it sat; and
  - 3.15.3 it failed to provide any role for Te Urewera Māori on the Urewera Commission appellate body; and
  - 3.15.4 it failed to uphold the agreement in the compact that land titles in the Urewera District Native Reserve would be awarded to hapū; and
  - 3.15.5 it undermined the 1896 Act's core principle of self-government by intervening in 1909 to change the membership of the General Committee, which that Act had provided would be elected; and
  - 3.15.6 it ultimately failed to establish an effective system of local land administration and governance, and this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 3.16 The Crown acknowledges that it breached its compact with Ngāti Ruapani mai Waikaremoana and other groups by promoting unilateral changes to the 1896 Act and that this breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 3.17 The Crown also acknowledges that:
- 3.17.1 it promoted legislation that exempted the Urewera District Native Reserve from statutory provisions intended to prevent landlessness and ensure that Ngāti



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Ruapani mai Waikaremoana and other groups were paid a minimum of Government valuation for their land interests; and

3.17.2 it was a monopoly purchaser and paid prices for Urewera District Native Reserve land that Ngāti Ruapani mai Waikaremoana protested were too low; and

3.17.3 it excluded the value of timber when calculating prices for Urewera District Native Reserve lands.

**Waipaoa 5 block**

3.18 The Crown acknowledges that the compulsory vesting of Waipaoa 5 in the Tairāwhiti District Māori Land Board in 1906 was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

3.19 The Crown acknowledges that:

3.19.1 it unilaterally reduced the price that the owners of Waipaoa 5 had agreed to accept at a meeting of the assembled owners in 1910, and the impoverished owners had little choice but to accept the reduced price offered by the Crown in 1913; and

3.19.2 its actions were a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

**Lake Waikareiti**

3.20 The Crown also acknowledges that the alienation of Lake Waikareiti, including through the partition and survey of the Waipaoa block, remains a major grievance for Ngāti Ruapani mai Waikaremoana.

**Waikaremoana block**

3.21 The Crown acknowledges that:

3.21.1 it pressured Ngāti Ruapani mai Waikaremoana into allowing their interests in the Waikaremoana block to be included in the Urewera Consolidation Scheme by threatening to compulsorily acquire the land; and

3.21.2 it acquired some Ngāti Ruapani mai Waikaremoana interests in the Waikaremoana block by paying 6 shillings an acre in the form of other land that was exchanged for their Waikaremoana land; and

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- 3.21.3 it acquired some of the other Ngāti Ruapani mai Waikaremoana interests in Waikaremoana by paying 15 shillings an acre despite the owners having agreed to sell at a price of 16 shillings an acre; and
- 3.21.4 it acquired other Ngāti Ruapani mai Waikaremoana interests in Waikaremoana by paying 6 shillings an acre despite previously agreeing to pay 15 shillings an acre; and
- 3.21.5 it caused considerable hardship to Ngāti Ruapani mai Waikaremoana owners who accepted payment for their Waikaremoana interests in the form of debentures, by not ensuring that they were paid the interest due on their debentures. The Crown did not finally pay off the capital value of the debentures until 25 years after it first became due; and
- 3.21.6 it failed to ensure that Ngāti Ruapani mai Waikaremoana retained sufficient land for their present and future needs; and
- 3.21.7 by these acts and omissions, the Crown breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

**Waikaremoana reserves**

- 3.22 The Crown acknowledges that it restricted the economic opportunities of Ngāti Ruapani mai Waikaremoana by preventing the owners of the Waikaremoana reserves from leasing their land and by taking steps to prevent the owners from felling timber on their land. These actions were in breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 3.23 The Crown acknowledges that the Waikaremoana reserves had been exempt from rates under the Urewera Lands Act 1921–1922. However, in 1964, the Crown lifted the rates exemption even though Ngāti Ruapani mai Waikaremoana were unable to earn any income from the reserves due to Crown restrictions.
- 3.24 The Crown acknowledges that, in 1971, it took steps to ensure the Waikaremoana reserves were designated as additions to the Urewera National Park in the local district plan, preventing Ngāti Ruapani mai Waikaremoana from building or living on the reserves.

**Waikaremoana lakebed**

- 3.25 The Crown acknowledges that, for many years following the 1918 Native Land Court decision, the Crown did not recognise Ngāti Ruapani mai Waikaremoana rights in the bed of Lake Waikaremoana, and caused great prejudice to Ngāti Ruapani mai Waikaremoana by administering the lakebed as if it were Crown property. In particular, the Crown acknowledges that:

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- 3.25.1 despite Ngāti Ruapani mai Waikaremoana's interest in the lakebed, the Crown did not consult Ngāti Ruapani mai Waikaremoana before commencing the construction of Kaitawa Power Station, which ultimately led to some of the lakebed becoming dry land and the degradation of fishing stocks; and
- 3.25.2 it constructed roads and significant structures on the exposed lakebed without the consent of its owners; and
- 3.25.3 it did not pay Ngāti Ruapani mai Waikaremoana rent for this land until 1971, and it has never paid Ngāti Ruapani mai Waikaremoana for its use of the lakebed before 1967; and
- 3.25.4 in its administration of the lakebed, the Crown failed for many years to respect Ngāti Ruapani mai Waikaremoana rangatiratanga and breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

**Landlessness**

- 3.26 The Crown's failure to ensure that Ngāti Ruapani mai Waikaremoana retained sufficient lands for the present and future needs of their people caused enduring harm to Ngāti Ruapani mai Waikaremoana and deprived Ngāti Ruapani mai Waikaremoana of nearly all of their customary lands and the ability to sustain their people. The Crown did not meet its duty under te Tiriti o Waitangi/the Treaty of Waitangi and its principles to actively protect Ngāti Ruapani mai Waikaremoana from becoming virtually landless.

**Te Urewera National Park**

- 3.27 The Crown acknowledges that Ngāti Ruapani mai Waikaremoana have a special relationship with Te Urewera and the resources, wāhi tapu, and taonga that lie within it.
- 3.28 The Crown acknowledges that:–
  - 3.28.1 it did not consult Ngāti Ruapani mai Waikaremoana about the establishment of Te Urewera National Park in 1954, or about the expansion of the park in 1957; and
  - 3.28.2 the governance of the park severely restricted the ability of Ngāti Ruapani mai Waikaremoana to use and develop the resources of their land adjoining or enclosed by the park; and
  - 3.28.3 Ngāti Ruapani mai Waikaremoana interests in Lake Waikaremoana were included in the park in 1954 without their consent; and

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- 3.28.4 its failure to adequately provide for the interests of Ngāti Ruapani mai Waikaremoana in the establishment and governance of Te Urewera National Park breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

**Kokako Native School**

- 3.29 The Crown acknowledges that,—

- 3.29.1 in 1896, the Crown leased a site for a native school at Kokako from Ngāti Ruapani mai Waikaremoana owners for 21 years at a peppercorn rental but did not renew the lease after it expired. Instead, in 1921, the Crown compulsorily took the 4 acres of land on which the school continued to operate without paying any compensation to the owners, and this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles; and
- 3.29.2 by 1945, it had concluded that, due to health concerns, the site at Kokako was unsuitable for a school, and it compulsorily took a further 5 acres of land near Waimako Pā so that the school could be relocated. Although the Crown decided, in 1946, that the school would remain at Kokako, it did not formally return the land until 1967 and never paid any compensation to Ngāti Ruapani mai Waikaremoana for this taking.

**Public works**

- 3.30 The Crown acknowledges that it:

- 3.30.1 failed to inform Ngāti Ruapani mai Waikaremoana of the proposed Piripaua Power Station and the possible taking of some of their lands before the Crown entered their lands for preliminary surveys, without their knowledge or consent, disregarding their mana and rangatiratanga; and
- 3.30.2 trespassed unlawfully on Ngāti Ruapani mai Waikaremoana lands and blatantly disrespected their rights and livelihood by damaging crops and orchards and quarrying gravel without permission; and
- 3.30.3 discriminated against Ngāti Ruapani mai Waikaremoana and caused clear prejudice by inequitably dismissing their legitimate objections to the taking of their lands for public works, while reducing the amount of land taken in response to requests from neighbouring European landowners; and
- 3.30.4 was required to consult adequately with Ngāti Ruapani mai Waikaremoana in relation to the taking of land for the Piripaua Power Station but failed to do so and to treat them equally with other landowners; and

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- 3.30.5 breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles in the manner in which it took land for the Piripaua Power Station, causing lasting harm to Ngāti Ruapani mai Waikaremoana and their connection to their whenua.

#### **Compulsory acquisition of uneconomic interests**

- 3.31 The Crown acknowledges that, between 1953 and 1974, it empowered the Māori Trustee to compulsorily acquire interests in Ngāti Ruapani mai Waikaremoana lands that the Crown considered uneconomic, and this was in breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles and deprived some Ngāti Ruapani mai Waikaremoana of a direct link to their tūrangawaewae.

#### **War service**

- 3.32 The Crown acknowledges and pays tribute to the Ngāti Ruapani mai Waikaremoana contribution to New Zealand's 20th century war efforts, including military service during both World Wars.

#### **Te reo o Waikaremoana**

- 3.33 The Crown acknowledges that it failed to actively protect te reo o Waikaremoana and promote its use among Ngāti Ruapani mai Waikaremoana. The Crown further acknowledges that this failure contributed to a decreased fluency in te reo o Waikaremoana among Ngāti Ruapani mai Waikaremoana and has made it harder to pass on the Waikaremoana mita to new generations. The Crown acknowledges that this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

#### **Socio-economic deprivation and migration**

- 3.34 The Crown acknowledges that its policies have contributed to most individuals from Ngāti Ruapani living outside of their traditional lands, which has disconnected them from their tikanga, tūrangawaewae, and whānau.
- 3.35 The Crown acknowledges that those who remained on the whenua have endured socio-economic deprivation, including poorer health outcomes and inadequate education and housing, for far too long and have not had the same opportunities in life that many other New Zealanders have enjoyed.

#### **Discrimination**

- 3.36 The Crown acknowledges the appalling segregation and discrimination suffered by Māori students attending Kokako Native School during the 1920s and 1930s. The Crown also acknowledges that Ngāti Ruapani mai Waikaremoana have, at times, suffered from other forms of discrimination within their own lands — an affront to their mana and rights as

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tangata whenua. These acts of racial prejudice were inexcusable and caused lasting harm to generations of Ngāti Ruapani mai Waikaremoana.

**Educational disadvantage**

3.37 The Crown acknowledges that:–

- 3.37.1 one of the key goals of the education system for many decades was to assimilate Ngāti Ruapani mai Waikaremoana children into European culture; and
- 3.37.2 Ngāti Ruapani mai Waikaremoana perspectives were not valued by the education system; and
- 3.37.3 Ngāti Ruapani mai Waikaremoana children suffered significant harm when they were physically punished and humiliated for speaking te reo Māori in Crown-established schools. This contributed to suppressing Ngāti Ruapani mai Waikaremoana identity, language, and culture; and
- 3.37.4 Ngāti Ruapani mai Waikaremoana children living on their traditional lands have experienced difficulties accessing secondary education and have often needed to travel outside the takiwā to attend secondary school. This has placed a burden on them and on their families who have supported them; and
- 3.37.5 the education system long had lower expectations for Māori students and the educational achievements of Ngāti Ruapani mai Waikaremoana children lagged far behind those of other New Zealanders; and
- 3.37.6 low educational achievements have been a factor that contributed to poor socio-economic outcomes for Ngāti Ruapani mai Waikaremoana over several generations.

**Customary control, assimilation and resilience**

3.38 The Crown acknowledges that,–

- 3.38.1 in 1840, Ngāti Ruapani mai Waikaremoana retained full customary control over their lands and resources while engaging with te ao hou; and
- 3.38.2 during the 19th century and well into the 20th century, the Crown promoted laws and developed policies that were intended to facilitate the eventual assimilation of Māori into European culture; and
- 3.38.3 through its acts and omissions, the Crown contributed to the erosion of the rangatiratanga, tribal structures, and mātauranga (traditional knowledge) of

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Ngāti Ruapani mai Waikaremoana and their customary control over their lands and resources; and

- 3.38.4 despite this, Ngāti Ruapani mai Waikaremoana have remained resilient and retained their identity and mana to the present day.

**NGĀ WHAKAPĀHA A TE KARAUNA KI A NGĀTI RUAPANI MAI WAIKAREMOANA**

- 3.39 E ngā uri o Ngāti Ruapani mai Waikaremoana, ngā tamariki mokopuna, ngā pākeke, kaumātua, koinei te tino whakapāha tino tōmuri a te Karauna. Ka nui te whakapā a te Karauna mō ngā takahitanga maha o Te Tiriti o Waitangi i roto i ngā whakatipuranga maha mō ngā mahi kino i puta i tēnei ki a koutou—nō mātau te hē.
- 3.40 Nā ngā mahi a te Karauna kāore i whai wā a Ngāti Ruapani ki te waitohu i te Tiriti, ā, i mua o te tau 1860 i te mau tonu i ō tīpuna te mana o ō rātau whenua me te kore whakapōrearea a te Karauna. Ko te mahi tuatahi a te Karauna i roto o Waikaremoana he kawē mai i te riri ki te rohe mai i te tau 1866 ki te 1872.
- 3.41 Ka nui te pōuri o te Karauna mō ana mahi kino, te whawhai me te whakahaukore i a koutou. I kōhuritia, i whara hoki i te Karauna koutou me te tūkino i ō mahinga kai me ō pā kāinga. Kāore i tahuri ki te tuitui i te whanaungatanga e ai ki te Tiriti, engari i tāmia kētia koutou e te Karauna “ānō he hoariri” koutou me te raupatu i ō whenua. I runga ēnā mahi whakamamae nui ki a Ngāti Ruapani, e whakapāha ana te Karauna mō ēnā mahi kino.
- 3.42 E whakapāha hoki te Karauna mō te maha o ngā wā kīhai i kōrerorero tahi ki a koutou, kāore hoki i aro atu ki te hiahia o Ngāti Ruapani mā koutou anō koutou e whakahaere. I takahia e tēnei wairua te kaupapa ake o te Ture Rāhui Māori o te Takiwā o Te Urewera, kia mau ai te mana whakahaere ki roto o Te Urewera engari i whakahīhi te Karauna ki te takahuri i te Ture i runga i tōna anō hiahia. Mai anō he raweke te mahi e te Karauna i te moana o Waikaremoana ānō nei nōna ake, ā, kāore i aro atu ki ō hiahia i te whakatūtanga o te Pāka Rāhui o Te Urewera. I aukatia koe e te Karauna mai i te poari whakahaere. He maha ngā wā, i whakamahia e te Karauna ō whenua mō āna ake kaupapa ahakoa kāore ō whakaae ki tērā, nō reira ka whakapāha mō te takahi i tō rangatiratanga.
- 3.43 Ka nui te āwhiti o te Karauna mō ana mahi me ōna ngoikoretanga, i riro ai te nuinga o ngā whenua o Ngāti Ruapani. Kia riro mai ai ō whenua, he maha ngā mahi tinihanga a te Karauna ki te whakaiti i tō rangatiratanga, ā, ko te mutunga atu i mauroa te pāmamae nei ki a koe. I riro mai ngā Poraka e Whā o te Tonga i a mātau mā te werowero ka raupatuhia e te Karauna ki te kore e tukuna mai e koe tēnei whenua, me te aha me te whakatumatuma anō i a koe kia riro mai ai ō pānga i roto i te poraka o Waikaremoana. Ahakoa i riro te nuinga o ō whenua i ēnei mahi, i tangohia tonutia e te Karauna ō whenua rāhui iti noa mō ngā mahi papariki. Kei te mōhio te Karauna nā te kore whenua i noho rawakore ai koe, ā, i pā kino tēnei ki te ahurea o Ngāti Ruapani.

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- 3.44 Mā tēnei whakataunga Tiriti, e rapu ana te Karauna i te ara e mauru ai te mamae me te whakatoihara i pā ki a koe me te whakatipu anō i te pono hei hoa Tiriti tōtika. Kei te mōhio te Karauna he tino mārāma ake a Ngāti Ruapani ki ō koutou hiahia, whenua hoki. I a koe e whakapau kaha ana kia pai ake ai te anamata, e pūmau ana te tautoko a te Karauna i tō matakitenga mā tētahi whanaungatanga hou i raro i Te Tiriti o Waitangi me ōna mātāpono.

**APOLOGY**

- 3.39 To Ngāti Ruapani mai Waikaremoana, ki ō tamariki, ō mokopuna, ki ō kaumātua, the Crown offers this long overdue apology. The Crown unreservedly apologises for its many breaches of te Tiriti o Waitangi/the Treaty of Waitangi over successive generations and for the harm that this has caused to your people—nō mātou te hē.
- 3.40 The Crown never gave Ngāti Ruapani the opportunity to sign te Tiriti/the Treaty and, before 1860, your tīpuna maintained control of their lands with little influence from the Crown. The Crown's first direct actions in Waikaremoana were military assaults that brought war to the district between 1866 and 1872.
- 3.41 The Crown is profoundly sorry for its aggressive acts of war and for the scorched earth tactics it employed against you. The Crown killed and injured your people and destroyed your cultivations and villages. Instead of forming a partnership with you based on te Tiriti/the Treaty, the Crown oppressed you as “rebels” and effectively confiscated your land. For these acts that caused so much injury to Ngāti Ruapani, the Crown wholeheartedly apologises.
- 3.42 The Crown apologises for the numerous times it did not consult you and ignored Ngāti Ruapani desire for control over your own affairs. It undermined the original intention of the Urewera District Native Reserve Act, which provided for tribal control of Te Urewera, and promoted unilateral changes to that Act. The Crown wrongfully treated Lake Waikaremoana as its own for many years, and it failed to respect your interests when it established Te Urewera National Park. The Crown excluded you from its governance. In many instances, the Crown used your land for its own purposes without your consent, and it apologises for failing to respect your rangatiratanga.
- 3.43 The Crown deeply regrets its acts and omissions, which have left Ngāti Ruapani virtually landless. To obtain your land, the Crown used many methods that overrode your rangatiratanga and caused unnecessary and long-lasting prejudice. It acquired the four southern blocks by threatening confiscation if you did not agree to give up this land, and it employed aggressive tactics to obtain your interests in the Waikaremoana block. Despite rendering Ngāti Ruapani virtually landless, the Crown still took further land for public works from the small reserves you had retained. The Crown recognises that losing control of your whenua has had a devastating impact on your economic well-being and ability to connect to your cultural identity as Ngāti Ruapani.



**Initialling version for presentation to Ngāti Ruapani mai Waikaremoana for  
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**DEED OF SETTLEMENT**

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**3: ACKNOWLEDGEMENT AND APOLOGY**

- 3.44 Through this Treaty settlement, the Crown seeks to atone for the hurt and prejudice it has caused you and to earn your trust as an honourable Treaty partner. The Crown recognises that Ngāti Ruapani understand the needs of your people and whenua better than anyone. As you work toward a better future, the Crown commits to be there to tautoko your vision through a new relationship based on te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

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DEED OF SETTLEMENT

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## 4 SETTLEMENT

### ACKNOWLEDGEMENTS

- 4.1 Each party acknowledges that –
- 4.1.1 the other parties have acted honourably and reasonably in relation to the settlement; but
  - 4.1.2 full compensation of Ngāti Ruapani mai Waikaremoana is not possible; and
  - 4.1.3 Ngāti Ruapani mai Waikaremoana intends their foregoing of full compensation to contribute to New Zealand’s development; and
  - 4.1.4 the settlement is intended to enhance the ongoing relationship between Ngāti Ruapani mai Waikaremoana and the Crown (in terms of the Treaty of Waitangi, its principles, and otherwise).
- 4.2 Ngāti Ruapani mai Waikaremoana acknowledge that, taking all matters into consideration (some of which are specified in clause 4.1), the settlement is fair in the circumstances.

### SETTLEMENT

- 4.3 Therefore, on and from the settlement date, –
- 4.3.1 the historical claims are settled; and
  - 4.3.2 the Crown is released and discharged from all obligations and liabilities in respect of the historical claims; and
  - 4.3.3 the settlement is final.
- 4.4 Except as provided in this deed or the settlement legislation, the parties’ rights and obligations remain unaffected.

### REDRESS

- 4.5 The redress, to be provided in settlement of the historical claims, –
- 4.5.1 is intended to benefit Ngāti Ruapani mai Waikaremoana collectively; but
  - 4.5.2 may benefit particular members, or particular groups of members, of Ngāti Ruapani mai Waikaremoana if the governance entity so determines in accordance with the governance entity’s procedures.

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**4: SETTLEMENT**

**IMPLEMENTATION**

- 4.6 The settlement legislation will, on the terms provided by sections 15 to 21 of the draft settlement bill, –
- 4.6.1 settle the historical claims; and
  - 4.6.2 exclude the jurisdiction of any court, tribunal, or other judicial body in relation to the historical claims and the settlement; and
  - 4.6.3 provide that the legislation referred to in section 17 of the draft settlement bill does not apply –
    - (a) to any land within the removal of resumptive memorials area; or
    - (b) for the benefit of Ngāti Ruapani mai Waikaremoana or a representative entity; and
  - 4.6.4 require any resumptive memorial to be removed from any record of title for any allotment that is solely within the removal of resumptive memorials area; and
  - 4.6.5 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 the [name] Trust, being the governance entity, may hold or deal with property; and
      - (ii) the [name] Trust may exist; and
  - 4.6.6 require the chief executive of the Office of Treaty Settlements and Takutai Moana – Te Tari Whakatau to make copies of this deed publicly available.
- 4.7 Part 1 of the general matters schedule provides for other action in relation to the settlement.

DEED OF SETTLEMENT

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## 5 CULTURAL REDRESS

### CULTURAL REDRESS PROPERTIES

- 5.1 The settlement legislation will vest in the governance entity on the settlement date the fee simple estate in each of the following sites:
- 5.1.1 Kaitawa property:
  - 5.1.2 Turi-o Kahu property.
- 5.2 Each cultural redress property is to be –
- 5.2.1 as described in schedule 1 of the draft settlement bill; and
  - 5.2.2 vested on the terms provided by –
    - (a) sections 26 to 34 of the draft settlement bill; and
    - (b) part 2 of the property redress schedule; and
  - 5.2.3 subject to any encumbrances, or other documentation, in relation to that property –
    - (a) required by the settlement legislation; and
    - (b) in particular, referred to by schedule 1 of the draft settlement bill.

### OFFICIAL GEOGRAPHIC NAMES

- 5.3 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.

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**DEED OF SETTLEMENT  
5: CULTURAL REDRESS**

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Existing Name	Official geographic name	Location (NZTopo50 and grid references)	Geographic feature type
Tuai	Tūwai	BG40 601 960	Locality
<i>Unnamed</i>	Ngā-Hina-o-Te-Pūrewa	BG40 486 011	Historic site
Puna Hokoi	Puna-hōkio	BG40 605 067	Wetland
Puna Teao	Puna-te-ao	BG40 607 062	Wetland
Hopuruahine Landing	Hopuāruahine	BG40 523 072	Historic site
Hopuruahine Stream	Hopuāruahine Stream	BG40 545 184 to BG40 526 064	Stream

- 5.4 The settlement legislation will provide for the official geographic names on the terms provided by sections 22 to 25 of the draft settlement bill.

**HAWKE’S BAY REGIONAL PLANNING COMMITTEE**

- 5.5 The parties record that, as the Crown has approved [*insert name of governance entity*] as a governance entity for Ngāti Ruapani ki Waikaremoana, then with effect from the date of this deed the governance entity is the “appointer for Ngāti Ruapani ki Waikaremoana” under section 5(3) of the Hawke’s Bay Regional Planning Committee Act 2015.

DEED OF SETTLEMENT

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## 5A ADDITION OF LAND TO TE UREWERA

### BACKGROUND

- 5A.1 Ngāti Ruapani mai Waikaremoana have an innate connection with Te Urewera. A key aspiration for Ngāti Ruapani mai Waikaremoana is to see Crown-owned land in their area of interest returned into Te Urewera where it will be protected for future generations of Ngāti Ruapani mai Waikaremoana.
- 5A.2 In recognition of Ngāti Ruapani mai Waikaremoana's aspirations, the provisions outlined in this part and in the settlement legislation will enable specified Crown-owned land to be added into Te Urewera on behalf of Ngāti Ruapani mai Waikaremoana.

### DEFINITIONS AND OPERATIVE PROVISIONS

- 5A.3 In this part –
- 5A.3.1 **additional Te Urewera land** means the land described in schedule 2 of the draft settlement bill; and
- 5A.3.2 **Te Urewera** means the legal entity created by section 11 of the Te Urewera Act 2014 or, as the context requires, the place encompassing Te Urewera land.

### ADDITION OF LAND

- 5A.4 The settlement legislation will, on the terms provided by the draft settlement bill, provide that:
- 5A.4.1 the fee simple estate in the additional Te Urewera land is to be vested in Te Urewera on the settlement date;
- 5A.4.2 the land will be held under, and in accordance with, the Te Urewera Act 2014; and
- 5A.4.3 the land will be vested on the terms provided by sections 35 to 42 of the draft settlement bill.

### PROCESS IN RELATION TO CONDITION OF LAND

- 5A.5 The parties acknowledge that –
- 5A.5.1 it has not been possible at the time of signing this deed to fully assess the condition of the additional Te Urewera land;

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**DEED OF SETTLEMENT**

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**5A: ADDITION OF LAND TO TE UREWERA**

5A.5.2 Te Urewera Board and the Director-General have agreed that they will jointly carry out condition assessments of the additional Te Urewera land;

5A.5.3 if Te Urewera Board identifies an issue in relation to the condition of the land (**condition issue**) -

- (a) the chief executive of Te Uru Taumatua and the Director-General may, with the consent of Te Urewera Board, agree to address the condition issue through the annual operational plan process set out in the Te Urewera Act 2014; or
- (b) if the chief executive of Te Uru Taumatua and the Director-General do not agree to follow the process set-out in clause 5.5.3 (a) or Te Urewera Board does not consent then Te Urewera Board and the Crown will undertake a process to discuss -
  - (i) what type of investigations, reports or other information may be required to better understand the condition issue;
  - (ii) what options are available to address the condition issue; and
  - (iii) what contributions may be made by the Crown towards the costs of the processes referred to in clauses 5A.5.3(b)(i) and (ii) and to the costs of addressing the condition issue.

DEED OF SETTLEMENT

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## 6 FINANCIAL AND COMMERCIAL REDRESS

### FINANCIAL REDRESS

- 6.1 The Crown must pay the governance entity on the settlement date \$20,676,750, being the financial and commercial redress amount of \$24,000,000 less –
- 6.1.1 \$2,465,750, being the transfer value of the Crown interest in Patunamu Forest Limited; and
- 6.1.2 \$857,500, being the transfer values of the commercial redress properties.

### FORMER TUAI HOSTEL (LAKE WHAKAMARINO LODGE)

- 6.2 The parties record that –
- 6.2.1 in 1993, Ngāti Ruapani mai Waikaremoana applied to have the former Tuai Hostel (Lake Whakamarino Lodge) site recognised as a wāhi tapu and the Crown to resume the land pursuant to section 27D of the State-Owned Enterprises Act 1986; and
- 6.2.2 it was agreed by the parties that the resumption of the land by the Crown was in part settlement of Ngāti Ruapani mai Waikaremoana historical Treaty of Waitangi claims; and
- 6.2.3 the land was revested in Ngāti Ruapani mai Waikaremoana pursuant to section 134 of Te Ture Whenua Maori Act 1993 and Orders of the Māori Land Court in 1996.
- 6.3 The value of the former Tuai Hostel (Lake Whakamarino Lodge) is in addition to the financial and commercial redress.

### PATUNAMU FOREST LIMITED

- 6.4 The following terms, used in clause 6.5 and 6.6 have the meaning given to them in section 78 of the Iwi and Hapū of Te Rohe o Te Wairoa Claims Settlement Act 2018:
- 6.4.1 Crown interest:
- 6.4.2 other Patunamu claimants:
- 6.4.3 licensed land entity, being Patunamu Forest Limited:
- 6.4.4 Patunamu Forest Trust:



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**DEED OF SETTLEMENT**

**6: FINANCIAL AND COMMERCIAL REDRESS**

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6.4.5 shareholders' agreement and trust deed.

6.5 The parties record that the Crown has consulted with the other Patunamu claimants and the claimants and the Crown agree that all of the Crown interest, being a 50% interest in the licensed land entity and Patunamu Forest Trust, be transferred to the governance entity.

6.6 On the settlement date –

6.6.1 the Crown must transfer the Crown interest to the governance entity; and

6.6.2 the Crown and the governance entity must do all things required under schedule 1 and schedule 2 of the shareholders' agreement and trust deed to give effect to the transfer.

**COMMERCIAL REDRESS PROPERTIES**

6.7 Each commercial redress property is to be –

6.7.1 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

6.7.2 as described, and is to have the transfer value provided, in part 3 of the property redress schedule.

6.8 The transfer of each commercial redress property will be –

6.8.1 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; and

6.8.2 in the case of Tuai Main Road Valley Road, Tuai, subject to the governance entity providing to the Wairoa District Council by or on the settlement date a registrable easement in gross for a right of way, right to convey electricity and right to convey water on the terms and conditions set out in part 1.2 of the documents schedule.

**[Note: the terms of the easement will be agreed and a copy inserted prior to signing this deed.]**

6.9 Te Kura o Waikaremoana site (land only), being the property described by that name in part 3 of the property redress schedule, is to be leased back to the Crown, immediately after its transfer to the governance entity, on the terms and conditions provided by the

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**6: FINANCIAL AND COMMERCIAL REDRESS**

lease for that property in part 4 of the documents schedule (being a registrable ground lease for the property, ownership of the improvements remaining unaffected by the purchase).

6.10 In the event that the school site (or part of it) 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 the school site (or the relevant part of it) is no longer available as a commercial redress property. To avoid doubt, the school site (or the relevant part of it) will become land to which the definition of RFR land in paragraph 6.1 of the general matters schedule applies.

6.11 If clause 6.10 applies:

6.11.1 the amount referred to in clause 6.1 **Error! Reference source not found.** is reduced accordingly; and

6.11.2 the amount the Crown must pay to the governance entity under clause 6.1 is correspondingly increased.

**DEFERRED SELECTION PROPERTY**

6.12 The governance entity may during the deferred selection period, give the Crown a written notice of interest in accordance with paragraph 5.1 of the property redress schedule.

6.13 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.

**SETTLEMENT LEGISLATION**

6.14 The settlement legislation will, on the terms provided by sections 43 to 49 of the draft settlement bill, enable the transfer of the commercial redress properties and the deferred selection property.

**RFR FROM THE CROWN**

6.15 The governance entity is to have a right of first refusal in relation to a disposal of RFR land, being –

6.15.1 land listed in part 3 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; and

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**6: FINANCIAL AND COMMERCIAL REDRESS**

- 6.15.2 any land that has ceased to be a commercial redress property under clause 6.10 if on the settlement date it is –
- (a) vested in the Crown; or
  - (b) held in fee simple by the Crown.
- 6.16 The right of first refusal is –
- 6.16.1 to be on the terms provided by sections 50 to 78 of the draft settlement bill; and
- 6.16.2 in particular, to apply –
- (a) for a term of 185 years on and from the settlement date; but
  - (b) only if the RFR land is not being disposed of in the circumstances provided by sections 61 to 67, or a matter referred to in section 68(1), of the draft settlement bill.
- 6.17 The Crown wishes to record the following in relation to Part Onepoto Conservation Area:
- 6.17.1 The scope and extent of any landfill areas and contamination will be investigated so that these areas can be excluded from any future disposal. This ensures that contaminated land, with its inherent liabilities, is not transferred to iwi but remains held by the Crown and administered by the Department of Conservation.
- 6.17.2 The Department of Conservation has a national approach to investigating and managing contamination and this landfill is not currently in the short-to-medium term priorities for investigation or remediation.
- 6.17.3 The inclusion of an RFR over this property does not commit the Department of Conservation to bringing forward the priority for investigation and management of this contaminated land. If disposal is to be considered, this work would be a pre-requisite for determining which areas were available for disposal.

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DEED OF SETTLEMENT

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**7 SETTLEMENT LEGISLATION, CONDITIONS, AND  
TERMINATION**

**SETTLEMENT LEGISLATION**

- 7.1 The Crown must propose the draft settlement bill for introduction to the House of Representatives.
- 7.2 The settlement legislation will provide for all matters for which legislation is required to give effect to this deed of settlement.
- 7.3 The settlement legislation will, on the terms provided by section 20 of the draft settlement bill, provide that [the governance entity] is not a trust constituted in respect of:
- 7.3.1 any Māori land for the purposes of section 236(1)(b) of Te Ture Whenua Maori Act 1993; or
  - 7.3.2 any general land owned by Maori for the purposes of section 236(1)(a) of Te Ture Whenua Maori Act 1993.
- 7.4 The draft settlement bill proposed for introduction to the House of Representatives –
- 7.4.1 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
  - 7.4.2 must be in a form that is satisfactory to Ngāti Ruapani mai Waikaremoana and the Crown.
- 7.5 Ngāti Ruapani mai Waikaremoana and the governance entity must support the passage of the draft settlement bill through Parliament.

**SETTLEMENT CONDITIONAL**

- 7.6 This deed, and the settlement, are conditional on the settlement legislation coming into force.
- 7.7 However, the following provisions of this deed are binding on its signing:
- 7.7.1 clauses 7.5 to 7.11:
  - 7.7.2 paragraph 1.3, and parts 4 to 7, of the general matters schedule.

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**DEED OF SETTLEMENT**

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**7: SETTLEMENT LEGISLATION, CONDITIONS AND TERMINATION**

**EFFECT OF THIS DEED**

7.8 This deed –

7.8.1 is “without prejudice” until it becomes unconditional; and

7.8.2 may not be used as evidence in proceedings before, or presented to, the Waitangi Tribunal, any court, or any other judicial body or tribunal.

7.9 Clause 7.8.2 does not exclude the jurisdiction of a court, tribunal, or other judicial body in respect of the interpretation or enforcement of this deed.

**TERMINATION**

7.10 The Crown or the governance entity may terminate this deed, by notice to the other, if –

7.10.1 the settlement legislation has not come into force within 30 months after the date of this deed; and

7.10.2 the terminating party has given the other party at least 40 working days’ notice of an intention to terminate.

7.11 If this deed is terminated in accordance with its provisions –

7.11.1 this deed (and the settlement) are at an end; and

7.11.2 subject to this clause, this deed does not give rise to any rights or obligations; and

7.11.3 this deed remains “without prejudice”; but

7.11.4 the parties intend that the on-account payment is taken into account in any future settlement of the historical claims.

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DEED OF SETTLEMENT

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## 8 GENERAL, DEFINITIONS, AND INTERPRETATION

### GENERAL

- 8.1 The general matters schedule includes provisions in relation to –
- 8.1.1 the implementation of the settlement; and
  - 8.1.2 the Crown's –
    - (a) payment of interest in relation to the settlement; and
    - (b) tax indemnities in relation to redress; and
  - 8.1.3 giving notice under this deed or a settlement document; and
  - 8.1.4 amending this deed.

### HISTORICAL CLAIMS

- 8.2 In this deed, historical claims –
- 8.2.1 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 Ngāti Ruapani mai Waikaremoana, 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

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**DEED OF SETTLEMENT**

**8: GENERAL, DEFINITIONS, AND INTERPRETATION**

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(ii) by or under legislation; and

8.2.2 includes every claim to the Waitangi Tribunal to which clause 8.2.1 applies that relates exclusively to Ngāti Ruapani mai Waikaremoana or a representative entity, including the following claims:

- (a) Wai 144 – Ruapani lands claim:
- (b) Wai 945 – Ngāti Ruapani ancestral lands, forests and waterways claim:
- (c) Wai 1033 – Te Heiotahoka 2B, Te Kopani 36 and 37 Trust claim:
- (d) Wai 1342 – Mātiria Ruawai-Taoho Wills Whānau Trust claim:
- (e) Wai 2245 – Te Wiremu Waiwai and Ngāti Ruapani Lake Waikaremoana (Thoms and Waiwai) claim; and

8.2.3 includes every other claim to the Waitangi Tribunal to which clause 8.2.1 applies, so far as it relates to Ngāti Ruapani mai Waikaremoana or a representative entity, including the following claims:

- (a) Wai 542 – Te Kapuamatotoro Lands Claim:
- (b) Wai 937 – Noa Tiwai Lakes, Lands and other resources claim:
- (c) Wai 1013 – Pere Kaitiakitanga claim.

8.3 However, **historical claims** does not include the following claims:

8.3.1 a claim that a member of Ngāti Ruapani mai Waikaremoana, or a whānau, hapū, or group referred to in clause 8.6.2, 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 8.6.1:

8.3.2 a claim that a representative entity may have to the extent the claim is, or is founded, on a claim referred to in clause 8.3.1.

8.4 To avoid doubt, clause 8.2.1 is not limited by clauses 8.2.2 or 8.2.3.

8.5 To avoid doubt, this settlement does not affect applications by any group for the recognition of customary interests under the Marine and Coastal Area (Takutai Moana) Act 2011.

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**DEED OF SETTLEMENT**

**8: GENERAL, DEFINITIONS, AND INTERPRETATION**

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**NGĀTI RUAPANI MAI WAIKAREMOANA**

8.6 In this deed, **Ngāti Ruapani mai Waikaremoana** means –

8.6.1 the collective group composed of individuals who descend from a Ngāti Ruapani mai Waikaremoana ancestor; and

8.6.2 every whānau, hapū, or group to the extent that it is composed of individuals referred to in clause 8.6.1, including the following groups:

- (a) Ngāti Ruapani:
- (b) Ngāti Hinekura:
- (c) Whānau Pani:
- (d) Ngāi Tarapāroa; and

8.6.3 every individual referred to in clause 8.6.1.

8.7 For the purposes of clause 8.6.1 –

8.7.1 a person is **descended** from another person if the first person is descended from the other by –

- (a) birth; or
- (b) legal adoption; or
- (c) customary adoption in accordance with Ngāti Ruapani mai Waikaremoana tikanga (customary values and practices); and

8.7.2 **Ngāti Ruapani mai Waikaremoana ancestor** means an individual who –

- (a) exercised customary rights by virtue of being descended from:
  - (i) Ruapani and 1 or more of **Hinekura, Pukehore, or Tūwai**; or
  - (ii) any recognised ancestor of a whānau, hapū, or group referred to in clause 8.6.2; and
- (b) exercised customary rights predominantly in relation to the Ngāti Ruapani mai Waikaremoana area of interest after 6 February 1840.



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**DEED OF SETTLEMENT**

---

**8: GENERAL, DEFINITIONS, AND INTERPRETATION**

8.7.3 **customary rights** means rights according to Ngāti Ruapani mai Waikaremoana tikanga (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**

8.8 In this deed –

8.8.1 **mandated negotiators** means the Ngāti Ruapani mai Waikaremoana Negotiating Group, comprising the following individuals:

- (a) *[name, town or city of residence, occupation]*;
- (b) *[name, town or city of residence, occupation]*; and

8.8.2 **mandated signatories** means the following individuals:

- (a) *[name, town or city of residence, occupation]*;
- (b) *[name, town or city of residence, occupation]*.

**ADDITIONAL DEFINITIONS**

8.9 The definitions in part 6 of the general matters schedule apply to this deed.

**INTERPRETATION**

8.10 Part 7 of the general matters schedule applies to the interpretation of this deed.

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DEED OF SETTLEMENT

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**SIGNED** as a deed on *[date]*

SIGNED for and on behalf  
of **NGĀTI RUAPANI**  
**MAI WAIKAREMOANA** by  
the mandated signatories in the  
presence of –

\_\_\_\_\_  
**[name]**

\_\_\_\_\_  
**[name]**

**WITNESS**

\_\_\_\_\_

Name:

Occupation:

Address:

SIGNED by *[appropriate signing  
provisions for the governance  
entity]* in the presence of -

\_\_\_\_\_  
**[name]**

\_\_\_\_\_  
**[name]**

**WITNESS**

\_\_\_\_\_

Name:

Occupation:

Address:

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DEED OF SETTLEMENT

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**SIGNED** for and on behalf of **THE CROWN** by –

The Minister for Treaty of Waitangi  
Negotiations in the presence of -

\_\_\_\_\_  
Hon Paul Jonathon Goldsmith

**WITNESS**

\_\_\_\_\_

Name:

Occupation:

Address:

The Minister of Finance  
(only in relation to the tax indemnities)  
in the presence of –

\_\_\_\_\_  
Hon Nicola Valentine Willis

**WITNESS**

\_\_\_\_\_

Name:

Occupation:

Address: