



Te Tihi o te Rae

DEED OF SETTLEMENT BETWEEN THE CROWN AND TE KOROWAI O WAINUIĀRUA

Te Korowai o Wainuiārua is a large natural group comprising the descendants of three tūpuna – Tamahaki, Tamakana and Uenuku ki Manganui-o-te-Ao, nā Tukaihoru in central Whanganui. The area of interest covers approximately 613,000 hectares and includes large parts of the Whanganui and Tongariro National Parks, the central to upper Whanganui River area and the townships of National Park and Raetihi.

On 20 June 2016, the Crown recognised the mandate of Uenuku Charitable Trust to represent Te Korowai o Wainuiārua in negotiating a comprehensive historical Treaty settlement. The Crown signed Terms of Negotiation with Te Korowai o Wainuiārua on 20 February 2017. On 23 November 2018, the Crown and Te Korowai o Wainuiārua signed an Agreement in Principle which forms the basis for this settlement.

On 12 December 2022 Te Korowai o Wainuiārua and the Crown initialled a Deed of Settlement. The Te Korowai o Wainuiārua claimant community ratified the Deed of Settlement and the post settlement governance entity in May 2023. The deed will be signed on their behalf on 29 July 2023.

Te Arawhiti – The Office for Māori Crown Relations, with the support of Te Papa Atawhai – Department of Conservation, Toitū Te Whenua Land Information New Zealand, and other government agencies, represented the Crown in day-to-day negotiations.

The Minister for Treaty of Waitangi Negotiations, Hon Andrew Little, represented the Crown in high-level negotiations with Te Korowai o Wainuiārua.

Summary of the historical background to the claims by Te Korowai o Wainuiārua

In the mid-19th Century, the tūpuna of Te Korowai o Wainuiārua lived, cultivated and hunted on the land between the central North Island maunga and across the Whanganui River to the west. Although Tamahaki, Tamakana and Uenuku ki Manganui-o-te-Ao, nā Tukaihoru are distinct tribal entities, they are tightly connected through whakapapa and a shared history.

In 1840, a high-ranking Te Korowai o Wainuiārua rangatira and his son signed te Tiriti o Waitangi/the Treaty of Waitangi. Subsequently, Te Korowai o Wainuiārua have always considered that te Tiriti/the Treaty created an expectation of fair treatment, justice and honour by both parties.

In the 1840s, early Crown purchasing of land in the Whanganui block stalled when Māori from the Whanganui area and Crown forces clashed at Heretaunga. For a time, the Crown imposed martial law across the Whanganui district.

In the 1850s, a prominent Te Korowai o Wainuiārua rangatira declined an offer to assume the Māori kingship. However, he championed the Kīngitanga across the region and support spread quickly among the iwi of Te Korowai o Wainuiārua.

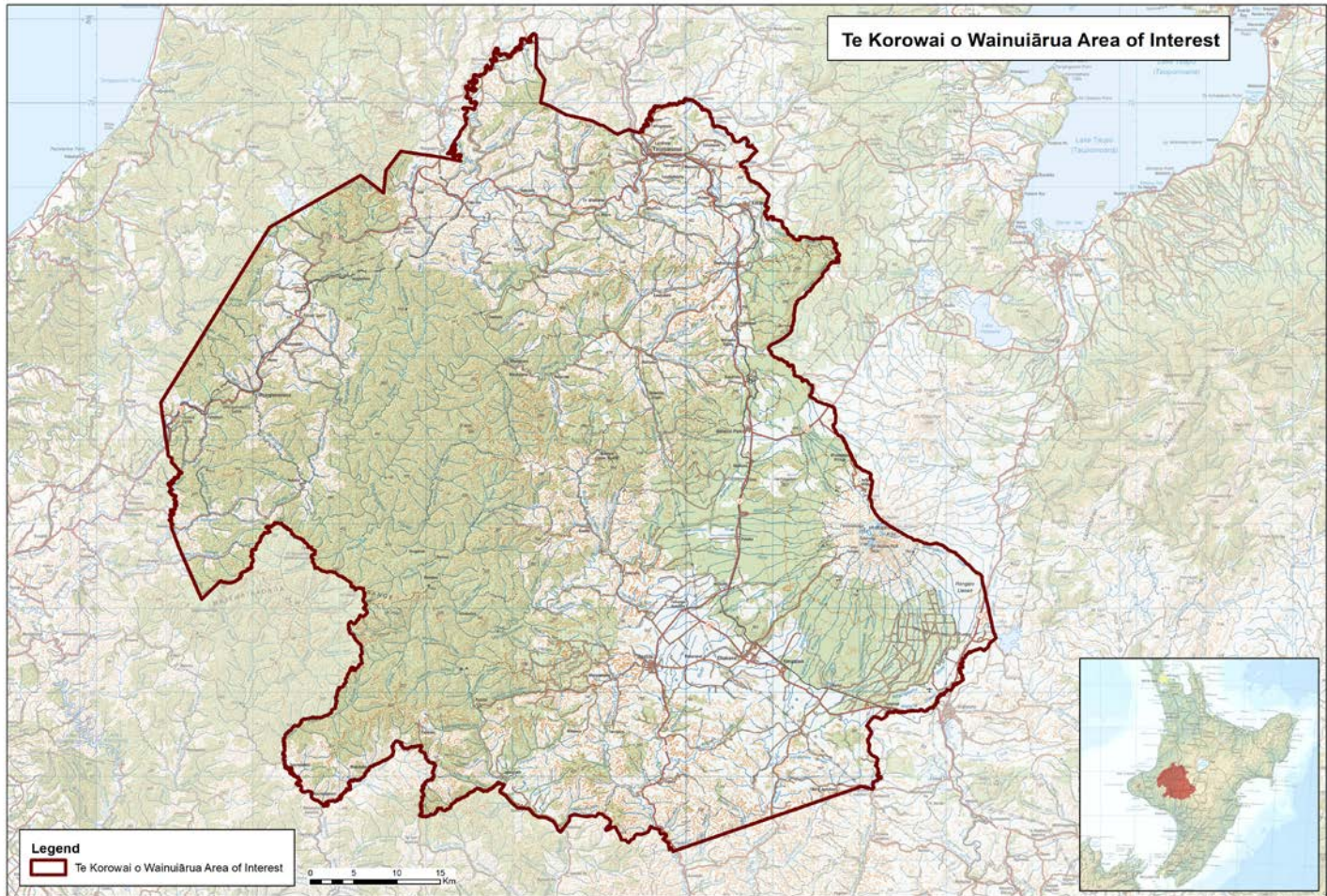
The following decade saw warfare in Taranaki draw people from Te Korowai o Wainuiārua into the conflict. When fighting reached the Whanganui area, whānau and hapū found themselves in battles at Moutoa Island and subsequent conflict at Ohoutahi and Pīpīriki pā.

Through the 1870s, the Crown initiated an intensive immigration scheme in New Zealand and identified large tracts of land between Whanganui and Taupō (including the three volcanic maunga on the central plateau) as strategically important.

In the 1880s, the Crown began to construct the North Island Main Trunk Railway line without the consent of Te Rohe Pōtae Māori. With unreasonable haste the Crown purchased the interests of individual Te Korowai o Wainuiārua sellers in the Waimarino block, including large areas of land on the slopes of Ruapehu maunga, and dishonoured its commitments to sellers regarding the location of seller reserves. When, eventually, the Crown developed policy for the establishment of the Tongariro National Park, it did so without providing for the interests of the iwi of Te Korowai o Wainuiārua.

Public works takings by the Crown through the late 19th and early 20th Centuries saw the loss of Te Korowai o Wainuiārua land for defence purposes, scenic reserves (especially along the Whanganui River), roads, the railway, and electricity generation. Today, significant parts of the Te Korowai o Wainuiārua rohe are included in the Whanganui and Tongariro National Parks and the iwi have long sought a meaningful role in management of the parks.

By the 20th Century, the iwi of Te Korowai o Wainuiārua were virtually landless. Consequently, the iwi have suffered from poor housing, low educational achievement, and a lack of social and economic development opportunities. The Crown's discouragement of te Reo Māori, along with the fragmentation of Te Korowai o Wainuiārua tribal structures and migration from ancestral lands to urban centres has severely affected the ability of the iwi to pass mātauranga Māori on to their mokopuna.



Overview

Te Tahi o te Rae – the Deed of Settlement is the final settlement of all historical te Tiriti o Waitangi/the Treaty of Waitangi claims of Te Korowai o Wainuiārua resulting from acts or omissions by the Crown prior to 21 September 1992, and is made up of a package that includes:

- an agreed historical account, Crown acknowledgments and apology
- cultural redress
- financial and commercial redress

The benefits of the settlement will be available to all members of Te Korowai o Wainuiārua wherever they may live.

Crown acknowledgements and apology

The Deed of Settlement contains Crown acknowledgements of its acts and omissions that caused prejudice to Te Korowai o Wainuiārua, and breached te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

The Deed of Settlement also includes a Crown apology to the iwi and hapū of Te Korowai o Wainuiārua for Crown acts and omissions that breached the te Tiriti o Waitangi/the Treaty of Waitangi and its principles. These actions include the outbreak of warfare in the Te Korowai o Wainuiārua rohe and the resulting social and political divisions among their people; the acquisition of large pieces of land for the North Island Main Trunk Railway line, two national parks, scenic reserves, defence purposes, and electricity generation; and the application of laws and policies that have left Te Korowai o Wainuiārua virtually landless.

Through its acknowledgements and apology, the Crown seeks to atone for the harm it has caused Te Korowai o Wainuiārua, and to begin rebuilding its relationship with its iwi and hapū based on te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

Cultural redress

The vast majority of the Crown land located within the Te Korowai o Wainuiārua tribal estate is in national parks and conservation areas. The cultural redress package recognises the ancestral, traditional, historical, cultural and spiritual associations that Te Korowai o Wainuiārua has with places and sites owned by the Crown within their area of interest. This allows Te Korowai o Wainuiārua and the Crown to protect and enhance the conservation values associated with these sites.

The Deed of Settlement also recognises the specific importance of the Whanganui National Park and the Tongariro National Park, especially the maunga of the central North Island - Ruapehu, Tongariro and Ngauruhoe - which the iwi of Te Korowai o Wainuiārua consider wairua tapu. Te Korowai o Wainuiārua will be able to negotiate cultural redress over the Tongariro National Park and the Whanganui National Park along with other iwi and hapū who have interests in those parks.

CULTURAL REVITALISATION FUND AND ON-ACCOUNT PAYMENT

Te Korowai o Wainuiārua will receive on settlement date, cultural funding of \$6.850 million less an on-account payment of \$2.750 million. The on-account payment will be paid following the introduction of settlement legislation.

SITES TRANSFERRED TO TE KOROWAI O WAINUIĀRUA

A total of 19 sites of cultural significance will be vested in Te Korowai o Wainuiārua. The settlement legislation will vest these sites in the post settlement governance entity, Te Korowai o Wainuiārua Trust, on settlement date.

The following sites will be vested in fee simple in Te Korowai o Wainuiārua:

Name of Site
Former Mangaeturoa School property
Makaranui Site A
Mangatiti Rd, Ruatiti property
Raetihi Road and Bridge property, subject to an easement
Waimarino 4A5 Urupā
SH4/Ward St, National Park property
60 Ward St, Raetihi property

The following will be vested as scenic reserves in Te Korowai o Wainuiārua:

Name of Site
Makaranui Site B
Ngapakihī property
Pipiriki property
Putikituna property
Raetihi property
Ramanui property, subject to an easement
Tangahoe property
Tāngarākau Forest property
Whangamōmona property

The following sites will be vested jointly with other iwi:

- Ohoutahi Scenic Reserve will be vested in Te Korowai o Wainuiārua and Whanganui Land Settlement as a historic reserve
- Taumatamāhoe Conservation Area will be vested in Te Korowai o Wainuiārua and Ngāti Hāua as a scenic reserve
- Tahora Scenic Reserve will be vested in Te Korowai o Wainuiārua and Ngāti Hāua as a scenic reserve to be known as Tahorapāroa Scenic Reserve

OVERLAY CLASSIFICATION

An overlay classification acknowledges the traditional, cultural, spiritual and historical association of Te Korowai o Wainuiārua with certain sites of significance. The declaration of an area as an overlay classification provides for the Crown to acknowledge iwi values in relation to that area. The site maintains its existing status, with Te Papa Atawhai – Department of Conservation required to consult Te Korowai o Wainuiārua to allow them to have input into the management of the site to avoid harming these values.

The Deed of Settlement provides for the following overlay classifications:

- Murumuru Conservation Area
- Pōkākā Area including Erua Conservation Area (to be renamed and reclassified as Ngātokoerua Scenic Reserve), Part Makatote Scenic Reserve, Manganuioteao Scenic Reserve and Pokaka Scenic Reserve

STATUTORY ACKNOWLEDGEMENTS AND DEEDS OF RECOGNITION

A statutory acknowledgement recognises the association between Te Korowai o Wainuiārua and a particular site or area and enhances the ability of an iwi to participate in specified resource management processes. A deed of recognition obliges the Crown to consult with Te Korowai o Wainuiārua on specified matters and have regard to their views regarding their special associations with certain areas.

The Crown offers statutory acknowledgements over the following 22 areas:

Name of Site
Adams Conservation Area
Part Hawkin's Wetland Scenic Reserve
Horopito-Ōhakune Rail Conservation Area
Hukapapa Conservation Area
Kawautahi Scenic Reserve
Mangapaka Conservation Area
Mangapaka Scenic Reserve
Mangatiti Conservation Area
Part Matirangi Conservation Area
Ngā Roto-o-Rangataua Scenic Reserve
Part Ohinetonga Scenic Reserve
Owhango Domain Recreation Reserve
Part Rangataua Conservation Area
Part Raukawa Scenic Reserve
Part Rotokahu Scenic Reserve
Taheke Conservation Area
Part Tāngarākau Forest Conservation Area
Taunoka Conservation Area
Tupapakuraa Conservation Area
Waimarino Scientific Reserve
Part Waitōtara Conservation Area
Whakapapa River Marginal Strip

The Crown offers a deed of recognition over the following 13 areas:

Name of Site
Adams Conservation Area
Horopito-Ōhakune Rail Conservation Area
Hukapapa Conservation Area
Mangapaka Conservation Area
Mangapaka Scenic Reserve
Mangatiti Conservation Area
Part Matirangi Conservation Area
Part Rotokahu Scenic Reserve
Taheke Conservation Area
Part Tāngarākau Forest Conservation Area
Taunoka Conservation Area
Tupapakurua Conservation Area
Waimarino Scientific Reserve

CONSERVATION BOARD SEAT

The settlement provides for the Minister of Conservation to appoint an interim member of the Tongariro-Taupō Conservation Board on the nomination of the Te Korowai o Wainuiārua post settlement governance entity.

CONSERVATION MANAGEMENT REDRESS

The Deed of Settlement recognises the significance of the area now known as Pōkākā, named long ago by Te Korowai o Wainuiārua tūpuna, because of the sheer abundance of kākā (Nestor meridionalis) that once occurred there. Te Korowai o Wainuiārua seek to establish an ecosanctuary with surrounding management zones which can bring together tikanga and traditional practices with the best scientific conservation practices based on sound research. The establishment of an ecosanctuary at Pōkākā, together with a dedicated predator-control plan, would mean that kākā and other birds will once again flourish across Pōkākā, Waimarino and Tongariro. The following redress aims to support this vision:

- Ngātokoerua Strategic Advisory Committee will be established with advisory and management responsibilities (including the development of a conservation management plan) over several reserves including the Ngātokoerua Scenic Reserve. The Committee will include Te Korowai o Wainuiārua and the Department of Conservation
- A management agreement over the potential site of the Pōkākā ecosanctuary whereby Te Korowai o Wainuiārua will undertake management activities on public conservation land to support their long term vision to establish an ecosanctuary at Pōkākā
- A Pōkākā ecosanctuary vision statement will be included in the Deed of Settlement and deemed to be included in the Tongariro-Taupō Conservation Management Strategy, with a legal weighting requiring the Minister of Conservation and Te Papa Atawhai to 'have particular regard to' that statement
- Te Korowai o Wainuiārua will co-author a Chapter in the Tongariro-Taupō Conservation Management Strategy which will be called the Ngātokoerua Chapter

PLACE NAME CHANGES

Place names recognise iwi associations with geographic areas. The following five names will be official geographic names:

Existing Name	New Official Geographic Name
Lake Hawkes	Lake Pohoare
Mount Dawson	Ōruru Maunga
Mount Humphries	Whakaihuwaka Maunga
Tahora	Tahorapāroa
Tahora Saddle	Tahorapāroa Saddle

MINERAL FOSSICKING AND PROVISION FOR CULTURAL MATERIAL PLAN

The Deed of Settlement acknowledges the longstanding cultural, historical, spiritual and traditional, association of Te Korowai o Wainuiārua with relevant minerals and provides a statement of association with the relevant minerals.

The Deed of Settlement will provide for the post settlement governance entity to authorise members of Te Korowai o Wainuiārua to search for and remove seven Crown-owned minerals from riverbeds, former riverbeds and agreed areas on public conservation land within the Te Korowai o Wainuiārua area of interest: pākohe (argillite and basaltic andesite), ōnewa (greywacke or basalt), matā tūhua (black obsidian), paru (curing mud with iron salt deposits), one-uku (clay), papa hoanga (sandstone), and kokowai uku (an iron rich clay or red ochre). The gathering of these minerals will be subject to access restrictions under Schedule 4 of the Crown Minerals Act, and collection by hand.

The Deed of Settlement provides for a cultural materials plan to be developed between the post settlement governance entity and the Minister of Conservation within 5 years of settlement date.

Relationship redress

RELATIONSHIP AGREEMENTS AND PROTOCOLS

The post settlement governance entity will enter into:

- Te Purapura o Tawhiri - a socio-economic forum agreement with the following agencies: Te Manatū Whakahiato Ora - Ministry of Social Development, Oranga Tamariki - Ministry for Children, Hikina Whakaturuki - Ministry for Business, Innovation and Employment, Te Tāhuhu o te Mātauranga - Ministry of Education, Ngā Pirihimana o Aotearoa - New Zealand Police, Te Tūāpapa Kura Kāinga - Ministry of Housing and Urban Development, Kāinga Ora - Homes and Communities and Te Puni Kōkiri - Ministry of Māori Development
- Te Purapura o Taiao - an environmental forum agreement with Manatū Mo Te Taiao - Ministry for the Environment, KiwiRail Holdings and Horizons Regional Council
- Whakaaetanga Tiaki Taonga - a relationship agreement - with Te Tari Taiwhenua - Department of Internal Affairs - the agency responsible for Te Puna Mātauranga o Aotearoa - National Library and Te Rua Mahara o Te Kāwanatanga - Archives New Zealand, Te Papa Tongarewa - Museum of New Zealand, Pouhere Taonga - Heritage New Zealand, and Manatū Taonga - Ministry for Culture and Heritage
- Relationship agreements with Manatū Mō Te Taiao - Ministry for the Environment, Waka Kotahi - NZ Transport Agency, KiwiRail Holdings Ltd, Te Manatū Whakahiato Ora - Ministry of Social Development, Ngā Pirihimana o Aotearoa - New Zealand Police, Oranga Tamariki - Ministry for Children, Te Tāhuhu o te Mātauranga - Ministry of Education, and Horizons Regional Council (to be established post settlement)

- A partnership agreement with Te Papa Atawhai – Department of Conservation
- Letters of introduction to Ngā Taonga Sound & Vision and National Emergency Management Agency
- A letter of commitment with Hikina Whakatutuki – Ministry of Business, Innovation and Employment in relation to Crown Minerals
- A letter of recognition and appointment as an advisory committee to the Minister of Fisheries with Manatū Ahu Mātua – Ministry for Primary Industries
- A Crown Minerals Protocol with Hikina Whakatutuki – Ministry of Business, Innovation and Employment in relation to Crown Minerals
- A kaitiaki plan (iwi management plan under the Resource Management Act 1991) to guide environmental planning and decision-making within the Te Korowai o Wainuiārua rohe (to be developed post settlement)

Financial and commercial redress

This redress recognises the losses suffered by Te Korowai o Wainuiārua arising from breaches by the Crown of its obligations under te Tiriti o Waitangi/the Treaty of Waitangi. The financial and commercial redress is aimed at providing Te Korowai o Wainuiārua with resources to assist them to develop their economic and social well-being.

FINANCIAL REDRESS

Te Korowai o Wainuiārua will receive financial and commercial redress valued at \$21.700 million. Two on-account payments will be made after deed signing.

COMMERCIAL REDRESS

Te Korowai o Wainuiārua will receive the right to purchase:

- Erua Crown forestry licensed land on settlement date
- 11 Treaty Settlement Landbank properties (including the former Waikune prison site) on settlement date
- 1 Pāmu – Landcorp farm on a deferred selection basis for 2 years, plus a shared deferred selection purchase right with Ngāti Hāua for 1 year (subject to certain conditions being satisfied)
- 39 Toitū Te Whenua Land Information New Zealand managed properties on a deferred selection basis
- 3 Te Papa Atawhai – Department of Conservation managed properties on a deferred selection basis
- National Park School and Raetihi Primary School (both land only) on a deferred selection basis, to be leased back to the Crown
- National Park Police Station and Raetihi Police Station (both land only) on a deferred selection basis, to be leased back to the Crown

Te Korowai o Wainuiārua will receive:

- Rights of first refusal for 182 years from the settlement date, over 82 listed Crown-owned properties within the Te Korowai o Wainuiārua area of interest
- Rights of first refusal for 182 years over Crown-owned properties within the exclusive RFR area (in and around the township of Raetihi)
- Shared right of first refusal for 182 years over 1 Pāmu – Landcorp farm
- Shared rights of first refusal for 180 years over 7 listed properties

Questions and Answers

1. What happens next?

Once the Deed of Settlement is signed by Te Korowai o Wainuiārua and the Crown, the Crown will then introduce legislation to Parliament to give effect to the settlement.

2. What is the total settlement package?

- Crown acknowledgement and apology for historical breaches of the te Tiriti o Waitangi/the Treaty of Waitangi
- An agreed historical account
- Cultural redress including the return of several sites throughout the Te Korowai o Wainuiārua area of interest and a cultural revitalisation fund of \$6.850 million
- Financial and commercial redress of \$21.700 million
- Commercial redress involving a right to purchase Erua Crown forestry licensed land and sites from the Treaty Settlements Landbank

3. Is there any private land involved?

No.

4. Are the public's rights affected?

Public access, recreational use, reserve status and existing third party rights are maintained.

5. Are any place names changed?

The following place names will change:

- Tahora to Tahorapāroa
- Tahora Saddle to Tahorapāroa Saddle
- Mount Humphries (Whakaihuwaka) to Whakaihuwaka Maunga
- Mount Dawson to Ōruru Maunga
- Lake Hawkes to Lake Pohoare

6. What are statutory acknowledgements and deeds of recognition?

Statutory acknowledgements recognise areas or sites with which iwi have a special relationship and will be recognised in any relevant proceedings under the Resource Management Act. These provisions aim to avoid past problems where areas of significance to Māori, such as urupā, were simply cleared or excavated for public works or similar purposes without permission or consultation with iwi. Statutory acknowledgements do not convey a property right and are non-exclusive.

Deeds of recognition set out an agreement between the administering Crown body (the Minister of Conservation) and the iwi in recognition of their special association with a site and specify the nature of their input into the management of the site.

7. What is an overlay classification?

An overlay classification acknowledges the ancestral, cultural, spiritual and historical associations of an iwi with certain sites of significance administered by Te Papa Atawhai – Department of Conservation.

An overlay classification requires the Minister of Conservation and the settling group to develop and publicise a set of principles that will assist the Minister to avoid harming or diminishing values of the settling group with regard to that land. The New Zealand Conservation Authority and relevant Conservation Boards will also be required to have regard to the principles and consult with the iwi.

8. What happens to memorials on private titles?

The legislative restrictions (memorials) placed on the title of Crown properties and some former Crown properties now in private ownership will be removed once all Treaty claims in the area have been settled.

9. When will the settlement take effect?

The settlement will take effect following the enactment of the settlement legislation, which comprises the settlement bill passing through Parliament and gaining Royal Assent.

10. Does Te Korowai o Wainuiārua have the right to come back and make further claims about the behaviour of the Crown in the 19th and 20th centuries?

No. When the Deed of Settlement is signed and settlement legislation is passed, it will be a final and comprehensive settlement of all historical te Tiriti o Waitangi/the Treaty of Waitangi claims of Te Korowai o Wainuiārua (relating to events before 21 September 1992). The settlement legislation, once passed, will prevent the iwi re-litigating the claim before the Waitangi Tribunal or the courts.

The settlement will still allow Te Korowai o Wainuiārua to pursue claims against the Crown for acts or omissions after 21 September 1992 including claims based on the continued existence of aboriginal title of customary rights. The Crown also retains the right to dispute such claims or the existence of such title rights.

11. Who benefits from the settlement?

All members of Te Korowai o Wainuiārua wherever they may live.

This and other settlement summaries are also available at www.govt.nz



Te Kāwanatanga o Aotearoa
New Zealand Government