
DEED OF RECOGNITION

DEEDS OF RECOGNITION

THIS DEED is made by **THE CROWN** acting by the Minister of Conservation and the Director-General of Conservation

1 INTRODUCTION

- 1.1 The Crown has granted this deed as part of the redress under a deed of settlement with Ngāi Takoto (the **settling group**) and Te Rūnanga o Ngāi Takoto (the governance entity).
- 1.2 In the **deed of settlement**, the settling group made statements of the settling group's particular cultural, spiritual, historical, and traditional association with the following areas (the statutory areas):
- 1.2.1 Lake Rotoroa (as shown on OTS-073-02);
 - 1.2.2 Lake Heather (Wai Te Huahua) (as shown on OTS-073-03);
 - 1.2.3 Lake Waikaramu (as shown on OTS-073-04);
 - 1.2.4 Kowhai Beach (as shown on OTS-073-05);
 - 1.2.5 Whangatane Spillway (as shown on OTS-073-06);
 - 1.2.6 Awanui River (as shown on OTS-073-07);
 - 1.2.7 Rarawa Beach Campground (as shown on OTS-073-08);
 - 1.2.8 Southern part of Waipapakauri Conservation Area (as shown on OTS-073-09);
and
 - 1.2.9 Lake Ngatu Recreation Reserve (as shown on OTS-073-01).
- 1.3 Those statements of association are:
- 1.3.1 in the documents schedule to the deed of settlement; and
 - 1.3.2 copied, for ease of reference, in the schedule to this deed.
- 1.4 The Crown has acknowledged the statements of association in the Ngāi Takoto Claims Settlement Act 2015, being the settlement legislation that gives effect to the deed of settlement.

2 CONSULTATION

- 2.1 The Minister of Conservation and the Director-General of Conservation must, if undertaking an activity specified in clause 2.2 in relation to a statutory area, consult and have regard to the views of the governance entity concerning the settling group's association with that statutory area as described in a statement of association.

- 2.2 Clause 2.1 applies to each of the following activities (the identified activities):
- 2.2.1 preparing a conservation management strategy, or a conservation management plan, under the Conservation Act 1987 or the Reserves Act 1977:
 - 2.2.2 preparing a national park management plan under the National Parks Act 1980:
 - 2.2.3 preparing a non-statutory plan, strategy, programme, or survey in relation to a statutory area that is not a river for any of the following purposes:
 - (a) to identify and protect wildlife or indigenous plants;
 - (b) to eradicate pests, weeds, or introduced species;
 - (c) to assess current and future visitor activities; and
 - (d) to identify the appropriate number and type of concessions.
 - 2.2.4 preparing a non-statutory plan, strategy, or programme to protect and manage a statutory area that is a river:
 - 2.2.5 locating or constructing structures, signs, or tracks.
- 2.3 The Minister and the Director-General of Conservation must, when consulting the governance entity under clause 2.1, provide the governance entity with sufficient information to make informed decisions.

3 LIMITS

- 3.1 This deed:
- 3.1.1 relates only to the part or parts of a statutory area owned and managed by the Crown; and
 - 3.1.2 does not require the Crown to undertake, increase, or resume any identified activity; and
 - 3.1.3 does not prevent the Crown from not undertaking, or ceasing to undertake, any identified activity; and
 - 3.1.4 is subject to the settlement legislation.

4 TERMINATION

- 4.1 This deed terminates in respect of a statutory area, or part of it, if:
- 4.1.1 the governance entity, the Minister of Conservation, and the Director-General of Conservation agree in writing; or
 - 4.1.2 the relevant area is disposed of by the Crown; or
 - 4.1.3 responsibility for the identified activities in relation to the relevant area is transferred from the Minister or the Director-General of Conservation to another Minister and/or Crown official.

- 4.2 If this deed terminates under clause 4.1.3 in relation to an area, the Crown will take reasonable steps to ensure the governance entity continues to have input into any identified activities in relation to the area with the new Minister and/or Crown official responsible for that activity.

5 NOTICES

- 5.1 Notices to the governance entity and the Crown are to be given under this deed in accordance with part 4 of the general matters schedule to the deed of settlement, except that the Crown's address where notices are to be given is:

Pewhairangi / Bay of Islands Office
34 Landing Road,
Kerikeri 0230

Or

PO Box 128
Kerikeri 0245

Phone (09) 407 0300
Facsimile: (09) 407 7938

6 AMENDMENT

- 6.1 This deed may be amended only by written agreement signed by the governance entity and the Minister of Conservation and the Director-General of Conservation.

7 NO ASSIGNMENT

- 7.1 The governance entity may not assign its rights under this deed.

8 DEFINITIONS

- 8.1 In this deed:

Crown has the meaning given to it by section 2(1) of the Public Finance Act 1989; and

deed means this deed of recognition as it may be amended from time to time; and

deed of settlement means the deed of settlement dated 27 October 2012 between the settling group, the governance entity, and the Crown; and

Director-General of Conservation has the same meaning as Director-General in section 2(1) of the Conservation Act 1987; and

governance entity has the meaning given to it by the deed of settlement; and

identified activity means each of the activities specified in clause 2.2; and

lake

(a) means:

- (i) a body of fresh water which is entirely or nearly surrounded by land, including a lake controlled by artificial means:

MS Y

- (ii) the bed of the lake; but
- (b) does not include:
 - (i) any part of the bed of the lake which is not in Crown ownership or control; or
 - (ii) with respect to a lake not controlled by artificial means, any land which the water of the lake do not cover at its highest level without exceeding its margin; or
 - (iii) any river or watercourse, artificial, or otherwise, draining into or out of the lake; and

Minister means the Minister of Conservation; and

person includes an individual, a corporation sole, a body corporate, and an unincorporated body; and

settling group and Ngāi Takoto have the meaning given to them by the deed of settlement; and

settlement legislation means the Act referred to in clause 1.4; and

statement of association means each statement of association in the documents schedule to the deed of settlement and which is copied, for ease of reference, in the schedule to this deed; and

statutory area means an area referred to in clause 1.2, the general location of which is indicated on the deed plan referred to in relation to that area, but which does not establish the precise boundaries of the statutory area; and

writing means representation in a visible form on a tangible medium (such as print on paper).

9 INTERPRETATION

- 9.1 The provisions of this clause apply to this deed's interpretation, unless the context requires a different interpretation.
- 9.2 Headings do not affect the interpretation.
- 9.3 A term defined by:
 - 9.3.1 this deed has that meaning; and
 - 9.3.2 the deed of settlement, or the settlement legislation, but not by this deed, has that meanings where used in this deed.
- 9.4 All parts of speech and grammatical forms of a defined term have corresponding meanings.
- 9.5 The singular includes the plural and vice versa.
- 9.6 One gender includes the other genders.

- 9.7 Something, that must or may be done on a day that is not a business day, must or may be done on the next business day.
- 9.8 A reference to:
- 9.8.1 this deed or any other document means this deed or that document as amended, novated, or replaced; and
- 9.8.2 legislation means that legislation as amended, consolidated, or substituted.
- 9.9 If there is an inconsistency between this deed and the deed of settlement, the deed of settlement prevails.

SIGNED as a deed this 2nd day of February 2016

SIGNED by the
Minister of Conservation
In the presence of

)
)
)

M. Barry
Honourable Maggie Barry ONZM

[Signature]
Signature of Witness

Brent Beaven
Witness Name

Private Security
Occupation

cf - Parliament, Wellington
Address

SIGNED by the
Director-General of Conservation
In the presence of

)
)
)

[Signature]
Lou Sanson

[Signature]
Signature of Witness

SANDRA GRIFFITHS
Witness Name

EA
Occupation

CF DOC Wgtn
Address

Schedule

Copies of Statements of Association

LAKE WAIKARAMU (as shown on OTS-073-04)

This shallow inland lake is named after the tupuna Waikaramu. Like the person it was named after, "when you needed it the lake was never around". In the summer it dried up at a time when the iwi required the water. That behaviour was likened to the traits of the tupuna Waikaramu who when needed also could not be found. When the lake dried up the iwi were forced to rely upon a number of puna (spring) nearby which provided an alternative ongoing water supply through the year.

Koiwi that were exposed near the beach were reinterred in urupa near the lake to provide them with a more secure resting place. The rangatira Paora was also buried beside the lake.

An orchard was established near the lake and sustained by its waters to provide fruit for those living at nearby settlements. NgāiTakoto obtained fish from the lake including species of mud fish and eels as well as wild fowl.

LAKE ROTOROA AND LAKE HEATHER (WAI TE HUAUA) (as shown on OTS-073-02 and OTS-073-03)

Except Rotoroa these small lakes are isolated. They were important sources of eel, fish and various bird life. Kuta was also collected from these lakes and used in weaving. In many instances small whānau groups settled around the lakes and were sustained by them. NgāiTakoto wāhi tapu are scattered around the lakes.

LAKE NGATU RECREATION RESERVE (as shown on OTS-073-01)

Ngatu is one of three lakes in the same area, the others being Rotokawau and Waiparera, which are located at the northern end of Te Make. Ngatu provided fresh water and food gathering opportunities and other resources as the iwi travelled throughout its rohe, especially as Ngatu is on the main route for iwi travelling to and from Te Oneroa-a-Tōhē.

The lake derives its name from the hill situated at its northern end which was called Puke Ngatu. After a nearby battle, another iwi retreated towards the beach assisted by their NgāiTakoto relatives, stopping at the lake on the way to wash the bodies of the dead killed during that battle. The wounded also washed there. The name of the maunga has over time been applied to the lake.

Various papakainga were sustained by the lake's resources. Other NgāiTakoto lakes were a food resource as eel, various fish species and birds were collected there but Ngatu was also renowned for the kuta (like many other NgāiTakoto lakes) which grew in the lake and was used to make cloaks. The association with clothes and the body also made it an appropriate place to wash and bathe.

RARAWA BEACH CAMPGROUND (as shown on OTS-073-08)

NgāiTakoto has continuously maintained associations with the beaches on the Houhora Peninsula including Rarawa Beach. NgāiTakoto consider the Rarawa Beach campground is the contemporary boundary with other iwi.

A major NgāiTakoto kainga (fishing village) was located at Houhora on the Rangaunu Harbour and along various access sites of the peninsular were other settlements. These places were occupied year round as well as seasonally to take advantage of the substantial fishing resources within and outside the Rangaunu Harbour that supported the NgāiTakoto settlements at Houhora.

The area of the traditional rohe of NgāiTakoto included the Houhora Peninsula and its beaches which were areas used to access the traditional fishing grounds. The peninsula was the launching point for waka that would take NgāiTakoto on their seasonal deep sea fishing trips to catch whales, hapuka, and other fish. Sea going waka were necessary for these fishing expeditions. Among other kaimoana were significant shell fish stocks such as cockles, mussels, oysters, and many species of fish were caught using nets and hand lines with baited hooks and lures.

NgāiTakoto residing on the Houhora Peninsula also harvested the kai moana in the inner Rangaunu Harbour. The water drains out of the harbour during low tide and the pipi beds in the middle of the harbour were substantial. Porpoises, seals penguins and whales also came into the harbour during certain seasons and they also contributed to the local NgāiTakoto tribal diet. The presence of these fish species is reflected in the traditions encapsulated in NgāiTakoto histories. Maunga Tohoraha also features prominently in the iwi's tribal histories as the maunga of significance to NgāiTakoto living in the Houhora area.

KOWHAI BEACH (as shown on OTS-073-05)

NgāiTakoto has continuously maintained associations with the beaches on the Houhora Peninsula including Kowhai Beach.

A major NgāiTakoto kainga (fishing village) was located at Houhora on the Rangaunu Harbour and along various access sites of the peninsular were other settlements. These places were occupied year round as well as seasonally to take advantage of the substantial fishing resources within and outside the Rangaunu harbour that supported the NgāiTakoto settlements at Houhora.

The area of the traditional rohe of NgāiTakoto included the Houhora Peninsula and its beaches including Kowhai Beach which were areas used to access the traditional fishing grounds. The peninsula was the launching point for waka that would take NgāiTakoto on their seasonal deep sea fishing trips to catch whales, hapuka, and other fish. Sea going waka were necessary for these fishing expeditions. Among other kaimoana were significant shell fish stocks such as cockles, mussels, oysters, and many species of fish were caught using nets and hand lines with baited hooks and lures.

NgāiTakoto residing on the Houhora Peninsula also harvested the kai moana in the inner Rangaunu Harbour. The water drains out of the harbour during low tide and the pipi beds in the middle of the harbour were substantial. Porpoises, seals penguins and whales also came into the harbour during certain seasons and they also contributed to the local NgāiTakoto tribal diet. The presence of these fish species is reflected in the traditions encapsulated in NgāiTakoto histories. Maunga Tohoraha also features prominently in the iwi's tribal histories as the maunga of significance to NgāiTakoto living in the Houhora area including Kowhai Beach.

SOUTHERN PART OF WAIPAPAKAURI CONSERVATION AREA (as shown on OTS-073-09)

The Waipapakauri ramp is acknowledged as a key papakainga and access point for NgāiTakoto onto Te Oneroa a Tohe. NgāiTakoto went there at particular times of the year to collect toheroa and other shellfish and fished from the beach using hand lines and nets.

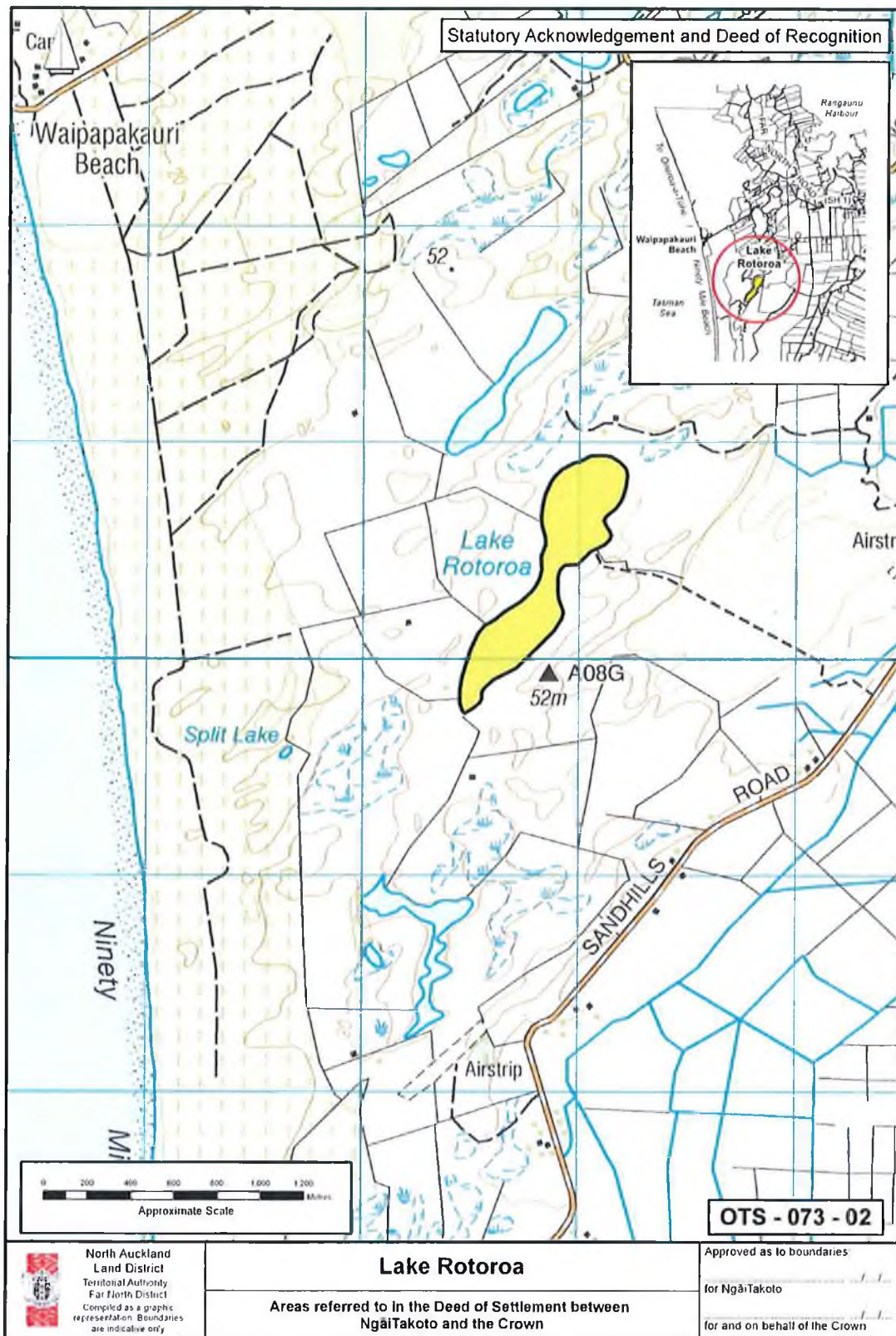
Waipapakauri ramp is part of an area known to some iwi including NgāiTakoto as Ngapae with Waipapakauri located further inland. When the ancestor Tohe arrived at Ngapae, during his hikoi along the beach to the south in search of his daughter Raninikura, he found whales stranding and named the place after that event. Ngapae refers to the event of a whale stranding.

The origins of Te Oneroa a Tohe are found at Maunga Piko where Tohe departed on his hikoi when he followed his daughter Raninikura south. As he passed along the beach, he named areas and places and these names have been preserved through many generations. This area is situated within the NgāiTakoto rohe and forms the beach front area associated with Te Make, the place of Tikiahi, a NgāiTakoto tupuna.

NGĀITAKOTO DEED OF SETTLEMENT
ATTACHMENTS

2.1: STATUTORY AREAS

LAKE ROTOROA (OTS-073-02)

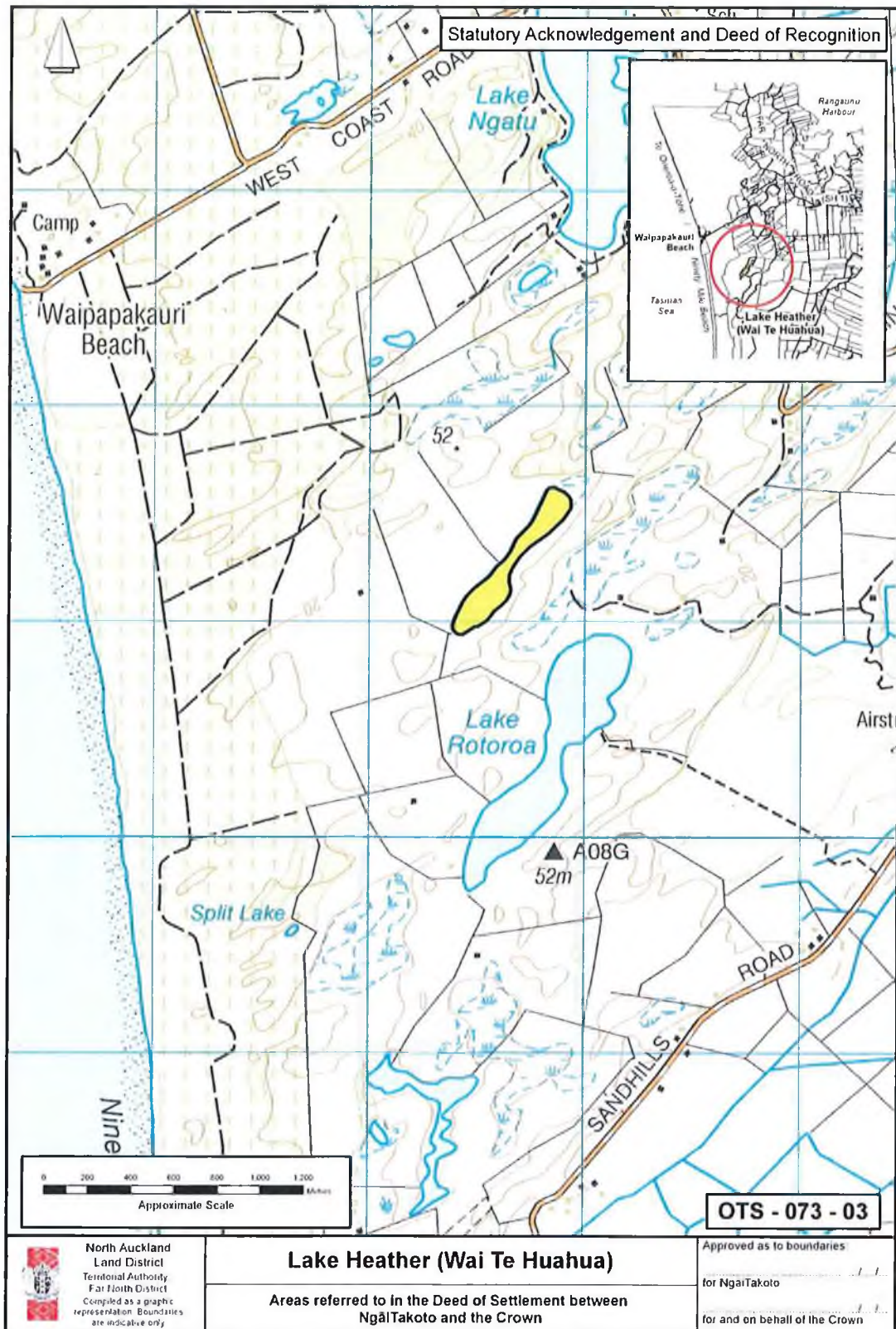


MS Y

**NGĀITAKOTO DEED OF SETTLEMENT
ATTACHMENTS**

2.1: STATUTORY AREAS

LAKE HEATHER (WAI TE HUAHUA) (OTS-073-03)

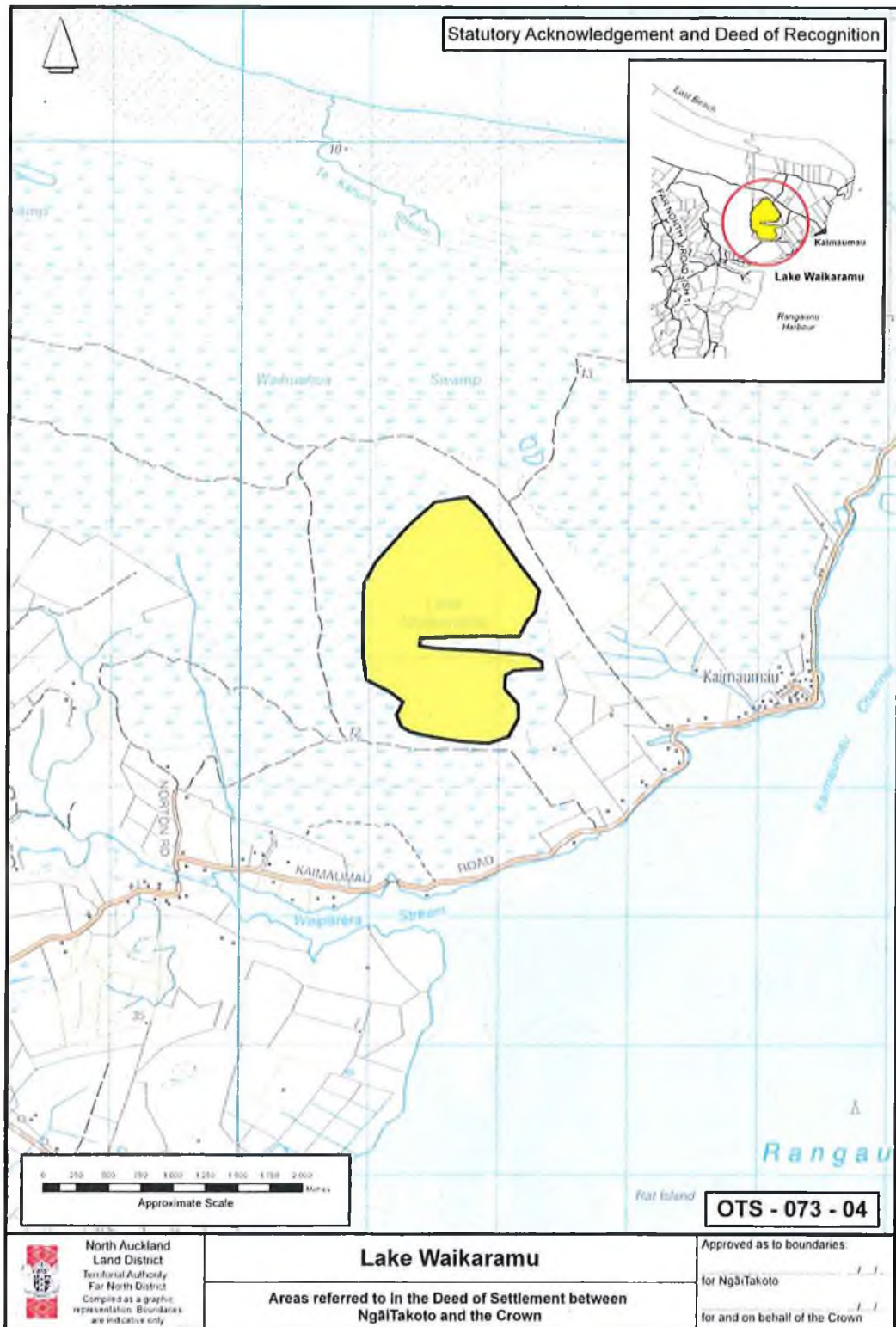


ms y

NGĀITAKOTO DEED OF SETTLEMENT
ATTACHMENTS

2.1: STATUTORY AREAS

LAKE WAIKARAMU (OTS-073-04)



MS J

NGĀITAKOTO DEED OF SETTLEMENT
ATTACHMENTS

2.1: STATUTORY AREAS

KOWHAI BEACH (OTS-073-05)

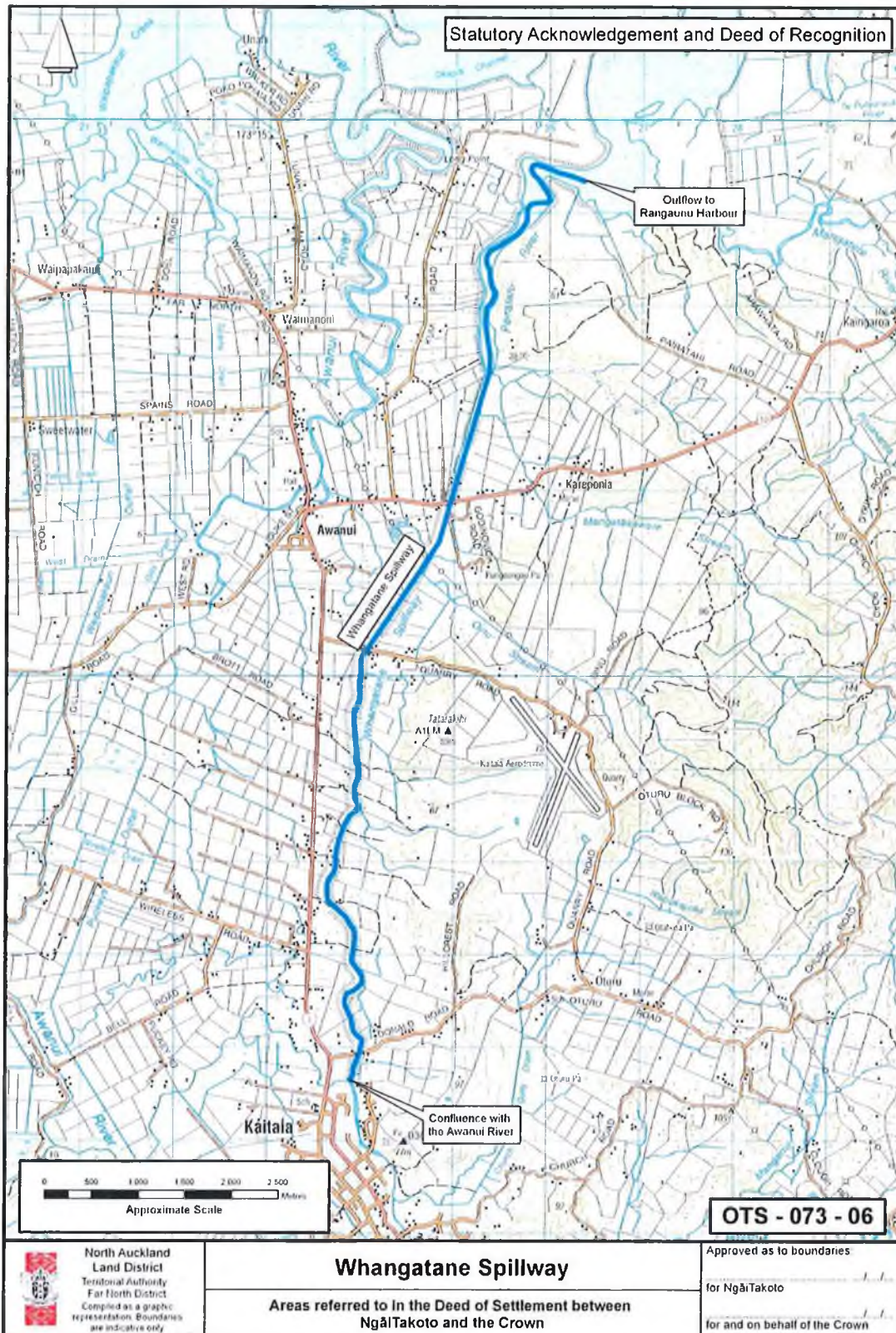


MS Y

NGĀITAKOTO DEED OF SETTLEMENT
ATTACHMENTS

2.1: STATUTORY AREAS

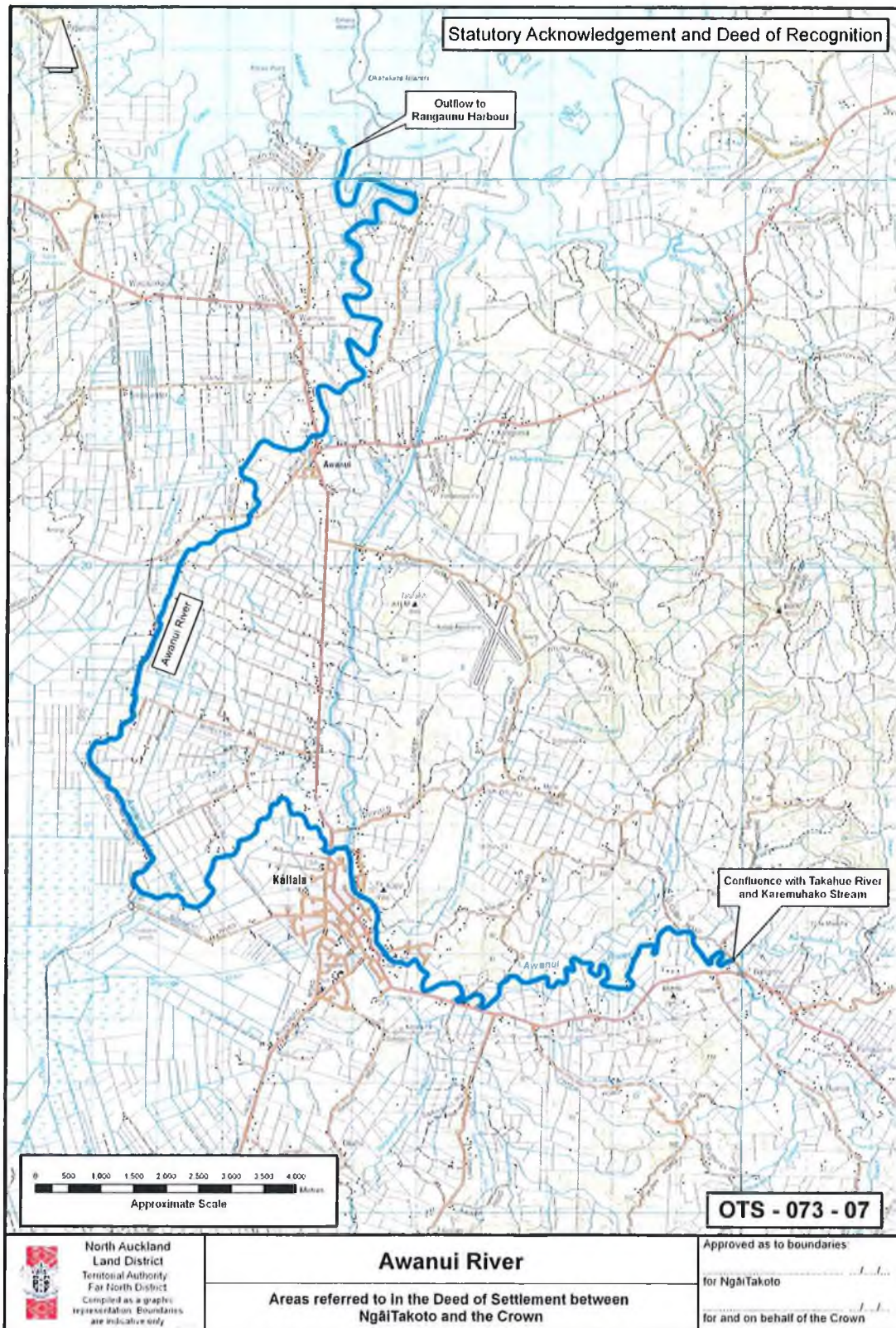
WHANGATANE SPILLWAY (OTS-073-06)



NGĀITAKOTO DEED OF SETTLEMENT
ATTACHMENTS

2.1: STATUTORY AREAS

AWANUI RIVER (OTS-073-07)

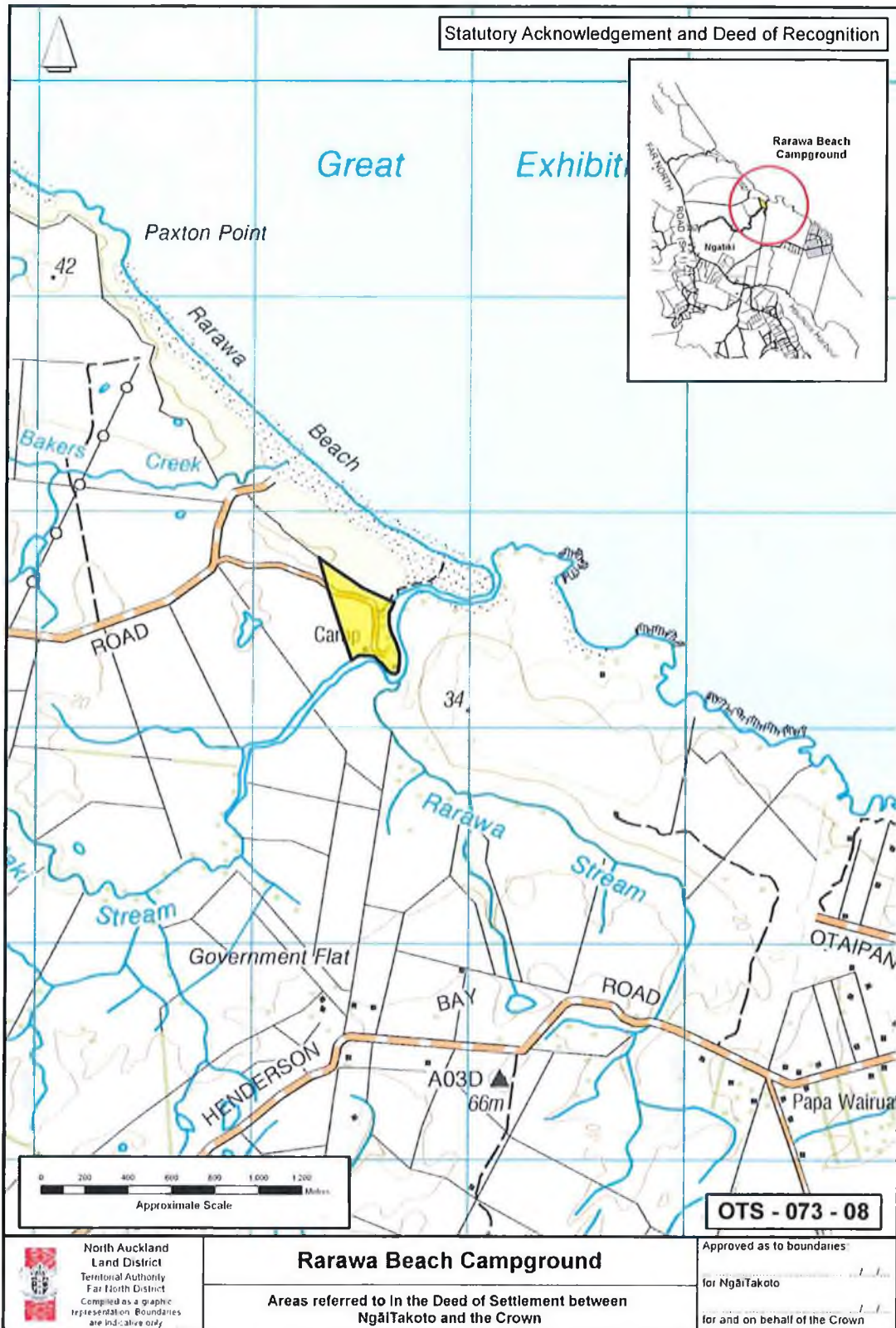


MS Y

**NGĀITAKOTO DEED OF SETTLEMENT
ATTACHMENTS**

2.1: STATUTORY AREAS

RARAWA BEACH CAMPGROUND (OTS-073-08)

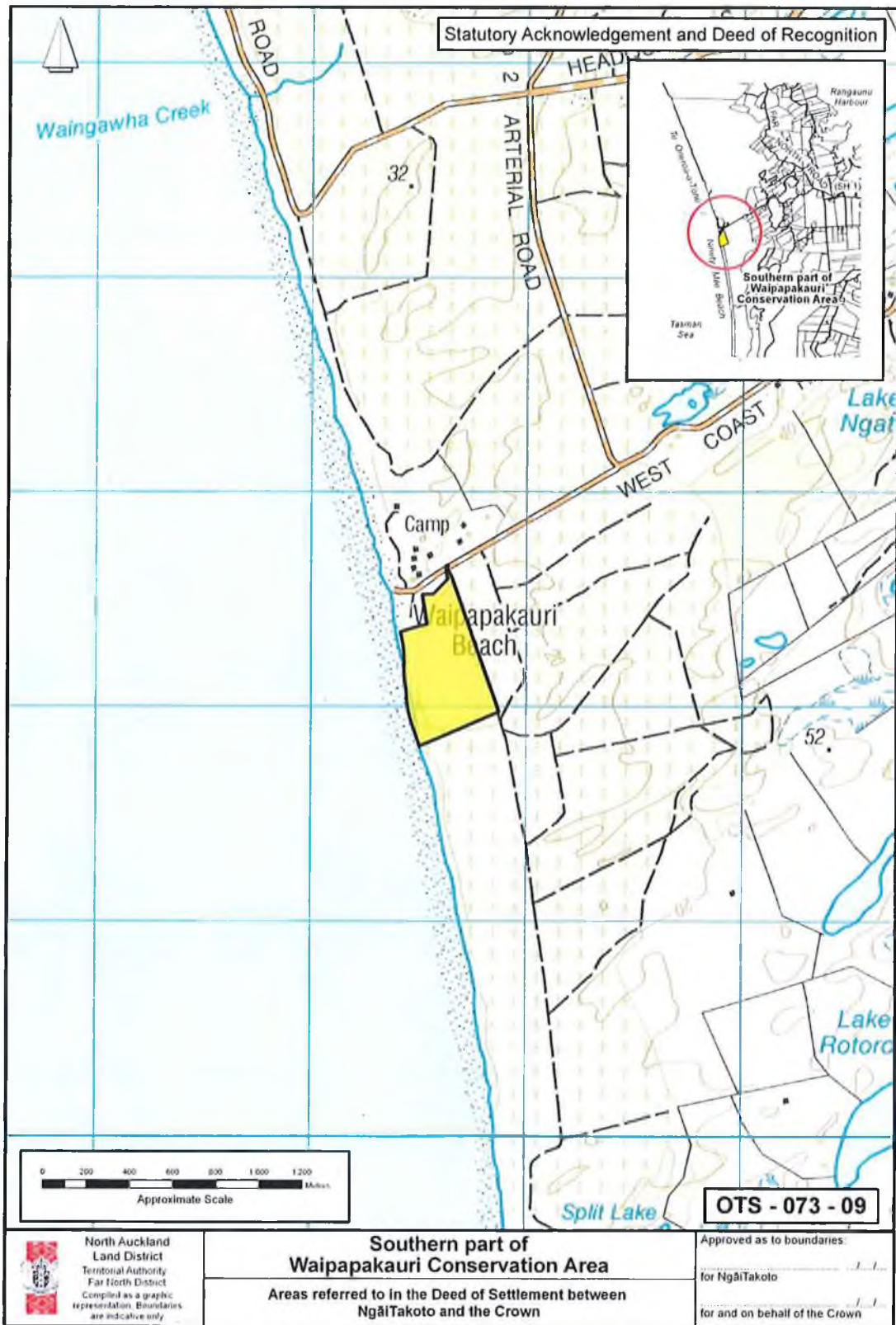


MS y

NGĀITAKOTO DEED OF SETTLEMENT
ATTACHMENTS

2.1: STATUTORY AREAS

SOUTHERN PART OF WAIPAPAKAURI CONSERVATION AREA (OTS-073-09)

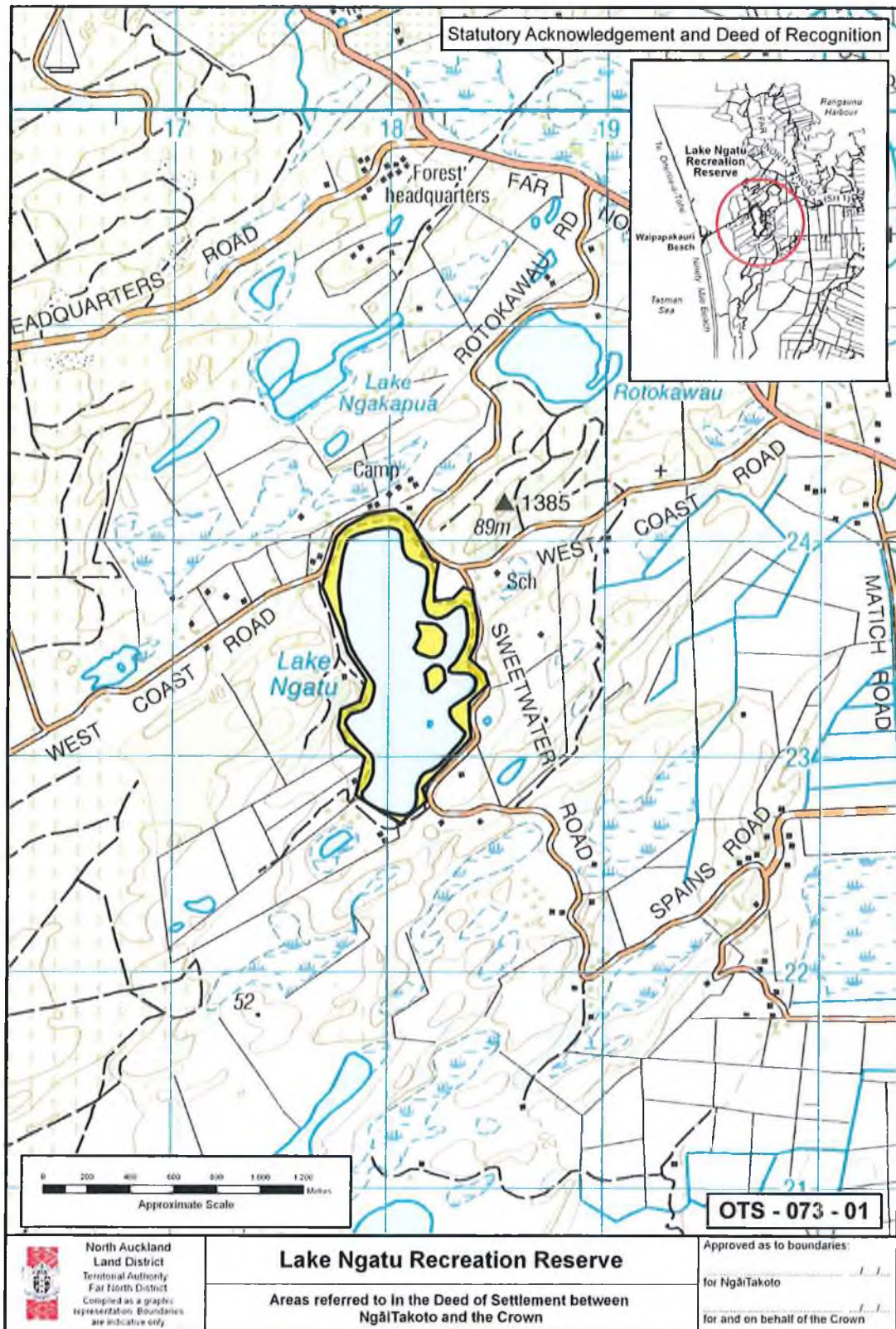


NS Y

NGĀITAKOTO DEED OF SETTLEMENT
ATTACHMENTS

2.1: STATUTORY AREAS

LAKE NGATU RECREATION RESERVE (OTS-073-01)



Handwritten initials: MS and Y