

NGĀTI MARU
and
TE KĀHUI MARU TRUST: TE IWI O MARUWHARANUI
and
THE CROWN

**TE HIRINGA TAKETAKE
DEED OF SETTLEMENT OF
HISTORICAL CLAIMS**

**Ko hiringa nuku,
Ko hiringa rangi,
Ko hiringa te kōrero,
Ko hiringa te wānanga,
Ko hiringa tau
Ko hiringa taketake!**

27 February 2021

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PURPOSE OF THIS DEED

This deed –

- sets out an account of the acts and omissions of the Crown before 21 September 1992 that affected Ngāti Maru 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 Maru to receive the redress; and
- includes definitions of –
 - the historical claims; and
 - Ngāti Maru; and
- provides for other relevant matters; and
- is conditional upon settlement legislation coming into force.

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DEED OF SETTLEMENT

THIS DEED is made between

NGĀTI MARU

and

TE KĀHUI MARU TRUST: TE IWI O MARUWHARANUI

and

THE CROWN

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1 KUPU WĀWAHI / BACKGROUND

He Ruruku

Ruruku te rangi
E Rongo tēnei te rangi ka ruruku
Piere te rangi
E Rongo tēnei te rangi ka pierē
Ngātata te rangi
E Rongo tēnei te rangi ka ngātata
Tēnei te rangi ka ū ka mou
Ko te ruruku i rukutia ai
Ko Ranginui e tū nei
Tēnei te ruruku ka ū ka mou
Ko te ruruku o tēnei whenua
I rukutia kutikuti pekapeka
Ko Papatūānuku e takoto nei
Tēnei te ruruku ka ū ka tāmoua ki ngā tauira
He ruruku ki tēnei matua iwi
He ruruku ki a Ngāti Maruwharanui e hai!
Tūruturu o whiti, whakamaua kia tina, hui e, tāiki e!

Matua te pō, matua te ao
He aroha nō te ngākau i hoki whakamuri ki a rātou ngā kura whakaingoingō
Papaki kau ana te tuakiri o te whare, kei whea te mea e uaratia nei e taku kurupounamu
Kua riro te mūmū, kua riro te āwhā, kua tere te parata, kua maunu te ika i tōna rua, wātea ana
te tūranga kau o Rehua

Ko te rohe o Ngāti Maruwharanui

Kua tāmoua te rohe o Ngāti Maruwharanui ki ngā tongi whenua ki ngā tongi kōrero.

Waitaraiti kei raro
Mangaehu kei runga
Tatū ki te raki
Te Ihuwaka ki te tonga

Ngā awa honohono i ēnei tongi, ko Taramoukou, ko Manganui, ko Pātea ki te hauāuru, ko
Tāngahoe ki uta, ko Whanganui, ko Tāngarākau, ko Heao ki te rāwhiti.

Te tipuna tuitui ko Waewaeroa. Kei roto i ēnei huahanga ngā whenua, ngā awa, ngā wairere,
ngā puke teitei, ngā kōiwi o ngā tipuna me ngā tāonga katoa o Ngāti Maruwharanui – Whiti kia
tina, hui e tāiki e!

Mai i te punawai o te Awaroa ki tōna hononga ki Maikaikatea, haere whenua mai i te punawai o
Maikaikatea tika tonu ki ēnei puke tapu, ki Hīnau, ki Tangitū, ki Pouiatua me Tuipakē.

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

1: KUPU WAWAHI / BACKGROUND

Ka heke mai i Tuipake i te punawai o Taramoukou awa ki tōna putanga ki te Awaroa ki tōna hononga ki te awa o Manganui. Ka huri ki te tonga, ka whai i te awa o Manganui ki te ara whenua o Te Ahurangi.

Mai i te Ahurangi ki te awa o Pātea ki tōna hononga ki te awa o Mangaehu. Mai i te awa o Mangaehu, ka haere whenua ki te tihi o Mate a Ongaonga.

Ka heke iho i te lhuwaka ki Tāngahoe ki uta ki tōna putanga ki te awa o Whanganui.

Ka piki i te awa on Whanganui ki tōna hononga ki te awa o Tāngarākau. Ka piki i te awa o Tāngarākau ki tōna hononga ki te awa o Heao. Ka piki atu i te awa o Heao, tae atu ki tōna punawai, ka haere whenua ka piki ki te tihi o te Tatū.

Ka heke iho i te Tatū ki te Rerepahupahu, ka whiti atu ki Waitaraiti.

Te Iwi o Ngāti Maruwharanui

E rua ngā huarahi o te iwi o Ngāti Maruwharanui, ko te ara tuawhenua i a Monoa i Te Kāhui Maru — kei te hikahika matua tēnei huarahi. Ko te huarahi tuarua, ko ngā uru waka i haere mai i Hawaiki; ko te huarahi ki a Tokomaru me Aotea.

Ko Maruwharanui te tupuna matuaiwi o Ngāti Maruwharanui. Koia te tamaiti mātāmua ha Pito-Haranui rāua ko Manauea. Tokowha ha rāua tamariki, ara, ko Maruwharanui rātou ko Marukopiri, ko Mihirawhiti, ko Hinepango.

Ngāti Maruwharanui has two lines of origin, that of the *tuawhenua*, through Monoa and Te Kahui Maru (The Maru dynasty) — which is the origin by natural birth from the land. The second line of origin is that of the migrations from Hawaiki, with lines of descent to Tokomaru and Aotea.

Maruwharanui is the eponymous ancestor of Ngāti Maruwharanui from which Ngāti Maru takes its name. He is the eldest child of Pito-Haranui and Manauea. They had four children, Maruwharanui, Maru-Kopiri, Mihirawhiti and Hinepango.

MARU ORA

Maru Hāhā
Hāhā te whenua
Hāhā te tangata

Tēnei a Maru te kune nei i uta,
te weu nei i uta, te aka nei i uta,
te tāmōre nei i uta, te hihiri nei i uta
Ko hiringa nuku,
Ko hiringa rangi,
Ko hiringa te kōrero,
Ko hiringa te wānanga,
Ko hiringa tau
Ko hiringa taketake ki te whai ao ki te ao mārama!

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

1: KUPU WAWAHI / BACKGROUND

Pūpūwha manawa o tama
Whakaeaea manawa o tama ki te rangi
Rangi-nui, Rangi-roa, Rangi-tahua
Tahua-a-nuku, Tahua-a-rangi
E Tū e, hōmai tō wairua ora, he ora!

Whakaeaea mai he manawa nui, he manawa ora
He manawa ū, he manawa tina, he manawa toka
Tēnei tō manawa ka poutāikitia, ā noho tō manawa, he manawa ora!
He manawa ki mihia, he manawa ki rawea
Tūruturu o whiti, whakamaua kia tina, hui e, tāiki e!

Tihei a Maru Ora!
Behold the vitality of Maru!

Maru is our founding ancestor. Maru means power and authority.
It also means to shelter, protect and to safeguard from harm or injury (Wharanui).

- 1.1 The vision for settlement of Te Rūnanga o Ngāti Maru Trust is to create a strategic and durable settlement for uri of Ngāti Maru, and in doing so, ensure the iwi achieves –
 - 1.1.1 a comprehensive, robust and fair settlement of historical claims of Ngāti Maru; and
 - 1.1.2 a settlement within as short a time as possible but consistent with clause 1.1.1; and
 - 1.1.3 a settlement that provides appropriate recognition and redress in accordance with the Ngāti Maru settlement framework, Te Maru Ora.
- 1.2 Te Maru Ora follows the guiding principles of –
 - 1.2.1 **Utu/Whakaaronui** – balance and reciprocity, including the accompanying value of manaakitanga, and requiring respect, empathy and generosity; and
 - 1.2.2 **Future Prosperity/Tirohangaroa** – commitment to negotiating outcomes that are to the greatest possible benefit of Ngāti Maru; and
 - 1.2.3 **Good Faith/Te Pono** – honesty and sincerity, mutual trust and confidence between the parties and transparency.
- 1.3 Te Rūnanga o Ngāti Maru Trust's values, principles and aspirations are –
 - 1.3.1 **Maru Mua** – Ko te whakapikitanga o te ōhanga o Ngāti Maru. Strengthening Ngāti Maru's future prosperity; and
 - 1.3.2 **Maru Pae** – Kia tau te tāmōre more nui nō Papa nō Rangi. Connection to place (our whenua, awa, marae, ngā wāhi tapu); and

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

1: KUPU WAWAHI / BACKGROUND

- 1.3.3 **Maru Roto** – Kia matomato te tupu o Ngāti Maru tangata, Ngāti Maru ahurea. Strengthening Ngāti Maru within. Ngāti Maru are healthy and flourishing physically, spiritually, emotionally and culturally; and
- 1.3.4 **Maru Taha** – He whakapūmau i ngā hononga. He tuitui i te whanaungatanga. He taketake Rongo. Strengthening relationships and building connections; and
- 1.3.5 **Maru Muri** – Ko te aro ki ngā kōrero taketake o Ngāti Maru. He whakatau i ngā mahi o nehe kia mārire te noho. Understanding the learning from our history and experience; and
- 1.3.6 **Maru Tiketike** – Kia puāwai ai a Ngāti Maru i roto i ōna kawenga katoa. Reaching for the heavens – innovation and outstanding achievement.

NEGOTIATIONS

- 1.4 Ngāti Maru gave the trustees of Te Rūnanga o Ngāti Maru Trust a mandate to negotiate a deed of settlement with the Crown in August 2015.
- 1.5 The Crown recognised the mandate on 29 March 2016.
- 1.6 The mandated negotiators and the Crown –
- 1.6.1 by terms of negotiation dated 27 July 2016, agreed the scope, objectives, and general procedures for the negotiations; and
- 1.6.2 by agreement dated 20 December 2017, agreed, in principle, that Ngāti Maru and the Crown were willing to enter into a deed of settlement on the basis set out in the agreement; and
- 1.6.3 since the agreement in principle, have –
- (a) had extensive negotiations conducted in good faith; and
- (b) negotiated and initialled a deed of settlement.

RATIFICATION AND APPROVALS

- 1.7 In April 2018 Ngāti Maru approved the governance entity receiving the redress, including an on-account payment, by a majority of 85%.
- 1.8 Ngāti Maru have, since the initialling of the deed of settlement, by a majority of –
- 1.8.1 92.1%, ratified this deed; and
- 1.8.2 92.2%, approved its signing on their behalf by the governance entity.
- 1.9 Each majority referred to in clauses 1.7 and 1.8 is of valid votes cast in a ballot by eligible members of Ngāti Maru.

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

1: KUPU WAWAHI / BACKGROUND

1.10 The governance entity approved entering into, and complying with, this deed by resolution of trustees on 21 December 2020.

1.11 The Crown is satisfied –

1.11.1 with the ratification and approvals of Ngāti Maru referred to in clause 1.8; and

1.11.2 with the governance entity's approval referred to in clause 1.10; and

1.11.3 the governance entity is appropriate to receive the redress.

AGREEMENT

1.12 Therefore, the parties –

1.12.1 in a spirit of co-operation and compromise wish to enter, in good faith, into this deed settling the historical claims; and

1.12.2 agree and acknowledge as provided in this deed.

OFFICIAL OR RECORDED GEOGRAPHIC NAMES

1.13 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.

2 MARU MURI / HISTORICAL ACCOUNT

Ka rongo te motu
Ka rongo te ao
He kōrero pūata
He kōrero pūmana
He kōrero whakaputa ki te whai ao ki te ao mārama!

Our experience resonates nationally and globally
Enlightening
Authoritative

A narrative to be understood by all!

- 2.1 He pūtakenga kōrero tēnei i te tūāpapa o te whakaaetanga me te whakapāha a te Karauna ki ha Ngāti Maru, ka kitea i te wāhanga 3.
- 2.2 Ka kino te ngau o te murunga, te peinga me te kounutanga o Ngāti Maru ki whenua kē mai i te raupatu poka noa a te Karauna i tōna haurua o tō rātou rohe taketake. Ka kino kē ake te mamaetanga o te murunga whenua nā ngā wehewehenga i waenga i te iwi i te wā ka whakawhiti kōrero te Karauna mō ngā “whakaaetanga tuku”, hei whakaū i te rironga o ngā whenua i raupatungia rā kia wātea ai hei nohoanga mō te manene Pākehā. Ko te whakatakitahitanga o te whenua papatupu i hua mai nā te kawenga o ngā take mō ngā whenua i mau tonu rā i ha Ngāti Maru ki Te Kooti Whenua Māori, me te aha ka māmā ake te rironga o ngā whenua, ka mutu ka kino ake anō te tītāritaritanga o te iwi. Kīhei nei i whai take ngā whakaritenga hei whakatika ake i te kore haeretanga o ngā whenua o Ngāti Maru, ā, he maha ngā whenua i te mau tonu rā i te iwi ka noho i raro i ngā whakahaere a te Kaitiaki o te Motu, ka mutu i āhei te pūmautanga o te rīhi.

Te Rohe o Ngāti Maru

- 2.3 Ka toro atu te rohe o Ngāti Maru i Waitaraiti, i te mātāpuna o te awa o Waitara, ka whakateuru atu ki ngā pae mouna o Taramoukou, ki te pūtahitanga o ngā mātaawaawa o Waitara me Manganui. Atu i reira ka rere whakateuta ki Te Ahurangi kei ngā pīnakitanga o Mouna Taranaki. Atu i te mātāpuna o te awa o Pātea, ka rere ki te tonga-mā-rāwhiti ki te pae mouna o Matemateonga, i reira ki te roma o Tāngahoe, ka rere whakarunga ki te awa o Whanganui. Ka whakateraki atu kia hono rā ki te awa o Tāngarākau, ka rere tonu taea noatia te hikuwai o Heao, ka rere whakararo tonu ki Maraekōwhai, ki Tatū hoki, ā hoki mai anō ki Waitaraiti. He pānga hō Ngāti Maru e tauhiuhi ana, e whakawhiti ana hoki ki hō hērā o iwi kē kei ngā tahataha o hō rātou rohe. He hononga ā-whakapapa hō Ngāti Maru ki hētehi o haua iwi pātata rā.
- 2.4 He mea ngaki e Ngāti Maru te whenua i ngā mania awa, ā, ka whakamahia ngā hua mōmona o ngā ngahere, o ngā awa, o ngā manga me ngā hūhi. I tauhokohokona ngā hua o te ngahere, tae atu ki te kererū huahua, ki ngā iwi e noho ana i tai. I taea e ngā waka iti te awa o Waitara te tere ki te mataratanga o te rohe o Ngāti Maru, ā, ka waihangatia mai tētehi ara tauhokohoko e whakahirahira ana. Ko ngā noninga kumu me ngā pā matua o Ngāti Maru e pātata ana ki te awa o Waitara, i hōna tahataha rānei. He maha tonu ngā ara e huapae ana ki te rohe o Ngāti Maru, ko te mea rongonui katoa, ko te ara o Taumatamāhoe. Ka whakawhiti taua ara i te awa o Waitara i Pukemāhoe me

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

2: NGĀTI MARU / HISTORICAL ACCOUNT

Pūrangi, ā, ka puta ki te awa o Whanganui e tata ana ki te huihuinga ki te awa o Tāngarākau.

Te Tūtaki ki te Pākehā, 1840-1860

- 2.5 He iti noa ngā wā i tūtaki ai te iwi noho-koukouoro i te tuawhenua, ha Ngāti Maru, ki te tauhokohoko me te kāinga Pākehā i waenga i te tekau tau 1840 me te tekau tau 1850. Heoi anō, i taea e rātou te whai ngā kātū kai hou, tae atu ki te poaka, ki te taewa, ki te kānga, ā, he nui tonu ngā uru huarākau i whakatōngia kia tata ki hētehi kāinga.
- 2.6 Kīhei nei ha Ngāti Maru i tukuna kia whai wāhi atu ki te hainatanga o te Tiriti o Waitangi. Kīhei rātou i whai wāhi atu ki te rironga o tētehi wāhanga nui o ngā whenua o Taranaki i te tau 1839 me te 1840, i kī rā te Kamupene o Niu Tirenī he mea hoko ki ha ia, ā, kāore hoki ha Ngāti Maru i whai wāhi atu ki ngā uiuitanga i whai mai e pā ana ki taua kōrero a te Kamupene, i whakahaeretia rā e te Kaikōmihana, e William Spain, i te tau 1844. Kāore he whenua o Ngāti Maru i riro ki te Pākehā, ki te Karauna rānei, taea noatia te tekau tau 1870.
- 2.7 Ko ngā mihingare Karaitiana hētehi o ngā Pākehā tuatahi ka toro ki te rohe o Ngāti Maru. Nā Reverend Henry Govett i whakatū tētehi mīhana me tētehi whare karakia (e mōhiotia nei ko Tū-ki-te-Aero) ki tētehi noninga kumu o te iwi, ki Pukemāhoe, i te tekau tau 1850. He wā poto i noho ai te Kaikōmihana Hoko Whenua o te Karauna, ha Donald McLean rāua ko tōna hoa, ko William King, ki tērā o ngā noninga kumu o Ngāti Maru, ki Tarata, i te takiwā o Pūrangi, i te marama o Mei, i te tau 1850. Ko tētehi o ngā mahi a McLean, ko te whakamārama i ngā painga i kī rā ha ia ka hua ake me ka kūpapa ha Ngāti Maru ki te ture Pākehā. E ai ki ha King, he iwi 'hūmārire' te iwi o Ngāti Maru.

Te Pakanga me te Raupatu

- 2.8 I te marama o Maehe, i te tau 1860, ka pakū te pū, ka katoro te ahi ki te rohe o Taranaki i muri mai i tētehi tohe mō te hokotanga a te Karauna i hētehi whenua ki Waitara. Nā te rangaawatea o te marama o Maehe, i te tau 1861, ka mau te rongo, tae atu ki te marama o Maehe, i te tau 1863, kātahi ka hika anō te ahi. Ka toro anō te pakanga, tae atu ki te marama o Noema, i te tau 1866. I taua wā tonu rā, i te marama o Tīhema 1863, ka mana i ha Pāremata te New Zealand Settlements Act. Nā te Ture nei i whakamana ai te murunga me te raupatutanga o ngā whenua o te iwi (o 'te hia nei iwi' rānei 'i raro i tēnei āhuatanga') e whakapātaritari ana i te mana o te Kuīni mai i te 1 o Hānuere, i te tau 1863.
- 2.9 Kīhei ha Ngāti Maru i uru ki ngā mahi hokohoko whenua i hua mai ai te pakanga i te tau 1860, kāti kīhei hoki rātou i āta uru atu ki te whawhai i waenga i ngā tau 1860 ki te tau 1866. Mai rā anō te whakahē a Ngāti Maru i te kōrero e mea ana he iwi whakapātaritari riri ki te Karauna rānei, ki ngā manene Pākehā rānei i waenga i te tau 1860-1866. Heoti anō tā rātou mahi i taua wā, ko te whakaae kia whai punanga ha Wiremu Kingi Te Rangitāke i tō rātou rohe i muri i te tau 1860, i hō rātou noninga mohao, i Te Nau me Manutangihia. Nā ngā tikanga tuku iho mō te whanaungatanga i kore ai e tika kia kaiponu rānei ha Ngāti Maru i tā rātou manaakitanga, kia papare rānei i hō rātou whanaunga.

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

2: NGĀTI MARU / HISTORICAL ACCOUNT

- 2.10 I te tau 1865, ka pānui te Kāwana i te noho o hētehi wāhi nui o Taranaki hei 'takiwā muru raupatu'. E ai ki ngā whakataunga o te New Zealand Settlements Act 1863, i whai mana te Kāwana ki te pānui i te noho o te whenua 'o te Iwi Māori kotahi rānei, o tētehi Wāhanga rānei o te Iwi, o te hia nei iwi rānei i raro i tēnei āhuatanga', i whakaarotia ai e ia kua whai wāhi atu rātou ki tētehi whakapātaritari tohe, hei "takiwā" e ai ki ngā aronga o te Ture, ā, kātahi ka whakawehea he 'papa wātea' i haua takiwā rā mō ngā manene hōia 'ka whakamarumarū i ha rātou anō, ka whai hoki kia mau te rangimārie ki te Whenua'. Kāore te tikanga o te kupu 'te hunga tautohe' i roto i te Ture, engari i roto rā te kōrero e mea ana e kore te paremata e tukuna ki ngā tāngata e whai wāhi ana rānei, e whai tāngata ana rānei, e whakatutū puehu ana rānei ki te pakanga atu ki te Kuīni mai i te 1 o Hānuere, i te tau 1863, ki te hunga hoki e tautoko ana i haua kātū mahi, e whakanau ana rānei ki te tuku i hā rātou pū ki raro me i tonoa e te Kāwana.
- 2.11 Ko tētehi o haua takiwā rā, ko te takiwā o 'Ngāti Awa', e 400,000 eka nei tōna rahi i ngā taha e rua o te awa o Waitara. I te marama o Hepetema, i te tau 1865, ka pānuitia e te Kāwanatanga ko te 'Takutai o Ngāti Awa' tētehi 'papa wātea', nō reira ka raupatungia taua wāhi katoa i ngā tāngata nō rātou kē te whenua mai rā anō. Ahakoa te hapanga o te taunaki e kī nei i te 'whana' te iwi o Ngāti Maru, i kuhu atu rānei rātou ki ngā mahi hāpai riri ki te Karauna, ki ngā manene Pākehā rānei, i kokoti noa te pae o te poraka muru o te Takutai o Ngāti Awa i te manawa tonu o tō rātou rohe, ahakoa kāore he hāngai o tērā ki ngā tongi whenua o te iwi, me te aha ka riro atu ki reira te maha o hō rātou kāinga, o hō rātou urupā me hō rātou wāhi tapu –ko hētehi o hērā kāore anō kia whakahokia– me te nui hoki o hō rātou whenua. Kei tōna 50% te whakapae mō te nui o te rohe o Ngāti Maru i riro rā ki te raupatu.
- 2.12 Mai i te puku o te tekau tau 1860, ka tīmata tā te Karauna wea i ngā whenua i murua rā i te tonga o Taranaki, ā, ka whakawātea haerengia mō te hunga hōia. He tukanga tēnei e tupu ake ai te rahi i te hipanga o te wā, kua kīia he 'raupatu ngaoki'. Ka tohe te rangatira o Ngāti Ruanui, ha Tītokowaru, ki te take nei i runga i te maungārongo, engari ka hika te ahi i te marama o Hune, i te tau 1868, ka mutu i eke ki tōna kotahi tau te roa. Ka tautoko hētehi o Ngāti Maru i ha Tītokowaru nā runga i te pākūwhā me hētehi atu pārangā.
- 2.13 I toa ha Tītokowaru i hētehi pakanga ki ngā hōia o te Karauna. I te wā o tōna tōnuitanga, nōna te mana ki tētehi whenua rahi o te rohe, e 80 maero te nui, mai i te awa o Waingongoro ki te awa o Whanganui. Ka rere te matakū ki te hunga manene, ka puta te whakaaro o te Karauna ki te whakahoki i ngā whenua i murua rā. Kāore anō ngā whakamārama o ngā take kia āta whākina, engari ka wawā te ope a Tītokowaru i te marama o Pēpuere, i te tau 1869, ā, ka maunu ha ia ki uta ki tērā o ngā kāinga o Ngāti Maru, ki Te Kawau, i mārire rā tana noho tae noa ki te tau 1871.

Ngā Whakaaetanga Tuku

- 2.14 E ai ki te ture, nā te pānui o te tau 1865 mō te raupatu, i whakakorengia te mana whenua tuku iho o Ngāti Maru ki te rohe i pānuitia ai. Ahakoa tērā, i nohongia tonutia e Ngāti Maru hō rātou whenua i te mutunga o ngā pakanga. Nā ngā whakarerekētanga me ngā tauākī ōkawa e taupatu ana mō te āhua ki ngā whenua i murua rā, nā te korenga hoki o haua whenua i āta riro ki ngā ringaringa tonu o te Karauna, ka whēnei ha Ngāti Maru (me hētehi atu iwi o Taranaki) kua whakarērea e te Karauna te raupatu.

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- 2.15 Nā te kaitiaki pūtea, nā Julius Vogel, i whakarite tētehi kaupapa mātātoa mō te manenetanga me ngā mahi tūmatanui i te puku o te tau 1870. Ko te whāinga, he whakatutuki i te kaupapa whānui o te mahi rori, o te mahi arawhiti, o te mahi ara tereina hoki, me te whakawātea i ngā wāhi rarahi o te whenua Māori hei kāinga mō te Pākehā. I te kaikā ngā mana o te Porowini o Taranaki ki te whai wāhi atu ki te kaupapa a Vogel, engari i te nohongia tonutia e ngā Māori o Taranaki, tae atu ki ha Ngāti Maru, tētehi wāhi nui o ngā whenua i murua ai o roto i te porowini, ka mutu i whēnei te tokopae kua whakarērea te muru raupatu.
- 2.16 I te tīmatanga o te tau 1871, nā te Kaiwhakahaere ki Taranaki i āta whakaatu te korenga i taea e te porowini te whai wāhi atu ki te kaupapa a Vogel kia 'whakakorengia' rā anōtia ngā kerēme a te Māori ki ngā whenua i raupatungia ai, ā, ka ākina e ia te Karauna kia tere tonu tana kōkiri i te take nei. I kīia atu ha ia, kua mōhio ngā Minita ki te hiranga o te whakatau i tēnei take, ā, he mea oati ki ha ia ka tīmata tērā mahi i muri tata mai. Ko te Minita mō ngā Iwi Taketake, ko Donald McLean i tohutohungia kia rapu i tētehi rongoā.
- 2.17 Ko te whakatau a McLean i roto i ngā āhuatanga o taua wā, tae atu ki te whakaaro whānui o te Māori kua whakarērea te muru raupatu, e kore e nahanaha, e hūmārire rānei tā te manene Pākehā whakanohonoho ki ngā whenua i murua rā i te tohe nō te Karauna te whenua – nā taua huarahi hoki i tata hua ai te mate nunui i te tau 1868-1869 – engari mā te tuari paremata kē mō ngā mana i whakakorengia rā e te pānuitanga. Ka tutuki tēnei i raro i te ari i mōhiohia rā i muri mai ko ngā 'whakaaetanga tuku'. Kāore hēnei whakaaetanga i whakaatu i te mahi hoko i runga i te herekore o te whakawhitihiti kōrero. Kāore i tino neke atu i te puka whakamana utu e whakaū ana kua utua te paremata ki hērā Māori i waitohu i ngā whakaaetanga.
- 2.18 I te mea i kīia nā te muru raupatu kua whakakorengia kētia te mana whenua tuku iho i murua rā, kāore i whakahaeretia e Te Kooti Whenua Māori tētehi whakawātanga i ngā taitara. Nā tēnei i kore ai e hāngai ngā whakamarumarutanga ka tukuna pea e Te Kooti Whenua Māori, ā, kāore he wāhi motuhake i whakaritea e whai huarahi ai te hunga whai take o Ngāti Maru ki te tautuhi i hō rātou pānga, ki te whai utu hoki. I tua atu i tērā, kāore i āhei tā hērā o Ngāti Maru, kāore nei i pīrangi ki te uru atu ki ngā whakaaetanga tuku, tono ki Te Kooti Whenua Māori ki te wāwāhi i hō rātou pānga.
- 2.19 I te marama o Hānuere, i te tau 1872, ka whakahau ha McLean i te Kaikōmihana ā-Iwi ki Taranaki, i ha R. Parris kia whai ki te whakatika i te kohuki me te kōripo o te hinengaro kua ara ake e pā ana ki te āhua o ngā whenua i murua rā. I whakahaungia ha Parete kia whakaotia he whakaritenga e tukuna ai e te Māori ngā whenua kei te taha whakararo o te awa o Waingongoro hei kāinga mō te Pākehā. I te tīmatanga, i whakahaungia te Kaikōmihana kia kaua e neke i te 5 herengi te nui o te paremata mō ia eka, kia kaiponutia hoki he utu i runga i tāna i whakatau ai hei 'take matua' hei 'take whaihua' rānei. I taua wā, i paku kō atu i te 2 herengi te utu mō ia eka i utua ai mō ngā whakaaetanga tuku e ono i whai wāhi rā ha Ngāti Maru.
- 2.20 I te marama o Mei, i te tau 1872, ka hui ha Ngāti Maru ki Oropūriri ki te kōrero i ngā take riro whenua. I hiahia hētehi, i arahina rā e Te Rangihēkeiho rāua ko Mangu Peneha, ki te akiaki kia paiaka te noho a te Pākehā, kia whakaritea hoki he hononga ki te Karauna. He rangatira ha Mangu e whai whakapapa whānui ana. I hētehi wā, i whakaatu ha ia ko ia tētehi rangatira o Ngāti Maru, i hētehi atu wā ka whai ha ia i hōna tātai whakapapa ki

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hētehi atu iwi pātata. Nā ngā rangatira, nā Te Amo rāua ko Ihakara Rangawhenua i ārahi tētehi rōpū i tino whakahē i ngā take riro whenua. Ahakoa kāore te katoa i whakaae, nō muri tata mai ka hui ngā rangatira e rima o Ngāti Maru, tae atu ki ha Te Rangihekeiho rāua ko Mangu, ki ha Kaikōmihana Parris i Ngāmotu, ā, ka tono rātou kia whai ha ia i ha rātou ki tō rātou takiwā ki te kōrero i tētehi 'whakaaetanga tuku' i te poraka whenua o Kōpua. Nō tōna haerenga atu i taua wā ki ha Ngāti Maru, ka rongo te Kaikōmihana e takuna ana rātou ko Mangu, ko Te Rangihekeiho kia mate e hērā i ātete rā i ngā mahi hoko whenua. I Te Kawau, i te marama o Hune, i tētehi hui i tutū rā te puehu, ka mutu tā Te Amo mā ātete atu, mehemea kāore ngā whenua e tukuna ana i Kōpua i 'whakararu' i hā rātou ake kerēme. He mea waitohu te whakaaetanga tuku, i whai wāhi rā ngā eka e 3,140, i te 1 o Ākuhata, 1872. I te taha uru o te tautika o te poraka whenua, i te awa o Waitara tētehi whenua i rāhuitia rā mō tētehi urupā pakupaku.

- 2.21 Nō te mutunga o te tau 1872, kua utua e te Kaikōmihana he paremata ki hētehi o ngā rangatira o Ngāti Maru, ki hētehi uri hoki o tētehi atu iwi, mō te poraka whenua o Waitara-Taramouku i 12,800 eka te nui, e kāpīpiti ana ki te poraka whenua o Kōpua. E toru ngā whenua rāhui i whakaahuatia i te whakaaetanga; ko Aotawa, e 330 eka te nui, me ngā haurua-eka e rua i rāhuitia rā hei urupā.
- 2.22 Ahakoa te mōhio o te Karauna ki te korenga o te katoa o Ngāti Maru i pīrangi ki ngā moni a te Karauna hei utu i hō rātou pānga, ahakoa tā ngā whakaaetanga tuku whakawehewehe i te iwi o Ngāti Maru, ki te nohonga hoki o Parihaka e hētehi o Ngāti Maru, ka whai tonu te Kaikōmihana ā-lwi ki Taranaki i ngā whakaaetanga tuku me tētehi rōpū iti o roto o Ngāti Maru. He mea 'utu' hoki hērā Māori i āwhina rā ki te whakamāmā i te whakatutukihanga o ngā whakaaetanga tuku i ngā whenua o Ngāti Maru e ngā āpiha ki te kupu taurangi ka whakawhiwhia rātou ki te utu maioha me te koha. Hei tauira, i te tau 1873, ka takohangia e te Karauna tētehi kāta me ngā pūru e rua ki tētehi tangata i tohe i mua rā ki ngā whakaaetanga tuku, ā, i oati hoki ha ia ki hētehi rangatira o Ngāti Maru ko rātou ka 'whakanuia anō ... ā tōna wā'. I hētehi wā anō, ka tāpaengia e ngā āpiha he mai, he moni, me hētehi 'utu tāpiri' ki hērā i tuku whenua rā hei utu i tā rātou 'āwhina nui', i tā rātou whakakore rānei i te 'ātete take-kore'.
- 2.23 E rua atu anō ngā whakaaetanga i waitohua i te marama o Pēpuere, i te tau 1874. I whai wāhi atu te poraka whenua o Ruapekapeka, e 400 eka te nui, me te poraka whenua o Pukemāhoe, 1000 eka te nui. Ko te eka kotahi i rāhuitia rā hei urupā i unu i te hoko o Pukemāhoe. Ko Ngāti Maru tētehi o ngā iwi e rima i hoko atu i te poraka o Onaero-Urenui-Taramouku, e 36,000 eka te nui, i te marama o Maehe, i te tau 1874. He mea rāhui ngā whenua e rua, e 500 eka te nui o tētehi, e 200 eka te nui o tētehi. Kāore ha Te Amo i waitohu i te whakaaetanga mō Onaero-Urenui-Taramouku, ā, kāore tōna ingoa i whai wāhi ki ngā whenua i rāhuitia rā. He mea tāpui ki ha ia me tōna iwi tētehi wāhanga kāore i te mōhiohia nō taua whenua i rāhuitia rā, engari i te tau 1877, ka noho kē rātou ki wāhi kē i te poraka whenua, ki Ōkawa. I te tau 1884, ka mana tētehi Ture e riro ai ki ha Te Amo me ngā tāngata tekau mā rima atu anō ngā eka e 357 i Ōkawa. I roto i te Ture e āta mea ana nā te whakataunga o taua karāti i whakakore ngā pānga o Te Amo me tōna iwi ki ngā whenua rāhui i Onaero-Urenui-Taramakou, 'tae atu ki hā rātou kerēme i te Takiwā o Ngāti Maru [me] Waitara ki raro' hāunga hō rātou 'pā me ngā wāhi tapu'.
- 2.24 I te marama o Mei, i te tau 1874, i muri i te tukunga o hētehi pānga nui o Ngāti Maru ki te Karauna, ka whakamāramatia e te Kaikōmihana ā-lwi te āhua o te tōtara-wāhi-rua o te

noho a Ngāti Maru, ko tētehi wāhanga hoki me hōna takitahi e whai ana kia tukuna te whenua ki te Karauna – ‘e whakapau kaha ana [rātou] kia whakawhitingia te motu ki te Kāwanatanga e nui ake ai te hua i te nohoanga o te whenua’ – me tētehi atu rōpū e ‘arahina atu rā nā te whakaawenga pūmau a Te Whiti’ (tētehi o ngā rangatira Māori nō Taranaki nāna nei i kōkiri tētehi kaupapa e mutu ai te pakanga me te muru raupatu a te Karauna i Taranaki mā te ū kia tohe i runga i te maungārongo me te rangimārie). Ko ngā tangata kāore nei i whai wāhi atu ki ngā whakawhitinga kōrero mō te tuku whenua, kīhei i whakawhiwhia ki tētehi wāhanga o te utu i hua mai i ngā whakaaetanga tuku.

- 2.25 Ahakoa te mōhiotanga ki te tino korenga o Ngāti Maru i whakaae tahi ki te whai wāhi atu ki ngā whakaaetanga tuku, ka mahi tonu te Kaikōmihana me tētehi kāhui rangatira e hiahia ana ki te mahi tahi. I waitohungia he whakaaetanga mō ngā eka e 6,320 o te poraka whenua o Te Wera i te marama o Hepetema, i te tau 1874. I te pito whenua i te rāwhiti-mā-raki o te poraka whenua, i te taha o te awa o Waitara, tētehi whenua rāhui, e 50 eka te nui, e kīia nei ko Mangaoapa.
- 2.26 I tōna 60,000 te nui o ngā eka i whai wāhi atu ki ngā whakaaetanga tuku e ono, i āta whai wāhi rā ha Ngāti Maru, i mahia ai i waenga i te tau 1872 ki te marama o Hepetema, i te tau 1874. Ko te 1,380 eka noa iho te nui o ngā eka i āta rāhuitia rā (o Te Kawau, o Aotawa me Mangaoapa) mō Ngāti Maru anake rānei, mō rātou rānei i te nuinga o te wā. Kāore anō kia kitea he taunakitanga e whakaatu ana i te arotake a ngā āpiha o te Karauna i hō te iwi hiahia o taua wā, o ngā rā hoki ka tū mai, i te whakaarotanga rānei ki te nui o te whenua me pupuri e whai take ai tā rātou whai wāhi atu ki te whanaketanga o te ōhanga o Taranaki.
- 2.27 He whakaaetanga anō i waitohua i te marama o Noema, i te tau 1874, i whai wāhi atu rā te poraka o Huiroa, e 25,000 eka te nui. Kāore ha Ngāti Maru i whai wāhi atu ki te whakaaetanga tuku, i waitohua rā e hētehi tāngata nō iwi kē atu. Heoi anō, inā kē te mārō o te hononga o Te Amo me hāna apataki ki te whenua o Huiroa. He wāhi tapu, he urupā hoki i reira, ka mutu ko tētehi kāinga whakahirahira o Ngāti Maru, ko Te Kawau, i te uru-mā-raki o taua poraka whenua. Heoi anō rā, i tukuna ki ha Te Amo me tōna iwi te whenua rāhui, 1,000 eka te nui, i runga i te poraka whenua, ā, ko te kāinga o Te Kawau i whai wāhi atu ki reira.

Te Kooti Whenua Māori me te Hokonga a te Karauna me te Hunga Tūmataiti

- 2.28 Ka noho i raro i te mana ā-ture o Te Kooti Whenua Māori ngā whenua o Ngāti Maru e takoto ana i waho i te aukati muru raupatu. He mea whakatū ko Te Kooti Whenua Māori i raro i ngā Native Lands Act o te tau 1862 me te tau 1865. Ko tana mahi matua he whakatau i te mana pupuri i te whenua Māori ‘e ai rā ki te tikanga Māori’, he huri hoki i te whenua papatupu nei hei taitara takitahi i ahu mai rā i te Karauna. I parea hoki e ngā Ture te mana hoko tuatahi o te Karauna ki rahaki, me te aha ka wātea te whenua Māori hei hokotanga mā wai rānei.
- 2.29 I matapae te Karauna mā te whakatakitahitanga o te taitara e wātea ai te whenua Māori hei kāinga mō te Pākehā. Kāore te Māori i whai reo i te Pāremata i te whakamanatanga o ngā Ture o te tau 1862 me te tau 1865, ka mutu kāore te Karauna i whakapā atu ki ha Ngāti Maru e pā ana ki hēnei whakaritenga.

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- 2.30 Nā te ture mō te whenua Māori, mō Te Kooti Whenua Māori hoki i puta ai hētehi rerekētanga nui. Ko te mana tuku iho o Ngāti Maru mō runga mō te whenua he mana takitini. Nā tēnei kātū whakaritenga pupuri whenua i taea ai ngā take tauuhihi me te pūtahitanga o ngā mana me ngā pānga. Ehara i te mea i whai wāhi te katoa o hērā he mana, he pānga rānei hō rātou ki te huringa o ngā pānga tuku iho hei taitara takitahi, ka mutu nō te takitahitanga o te taitara i riro ai te whenua nā te whakararuraru i te mana whakahaere o te iwi. Nā ngā tauatanga e hia nei hoki ki ngā pānga takitahi i poroa ai ngā taitara hei hea hua kore ā-ōhanga nei. Ka puta hoki pea i te tukanga whakawā i te taitara he nama nui tonu whēnei i te utu, i ngā nama hoki e hāngai ana ki te haerenga ki Te Kooti, me ngā weatanga hei pīkau mā ngā kaikerēme Māori.
- 2.31 Kāore he huringa kē mō Ngāti Maru atu i te whai i Te Kooti Whenua Māori me i pīrangi rātou ki tētehi taitara e whakamanatia ana e te ture, e whakamarumarutia ana hoki i ngā kerēme a hētehi atu Māori. Me mātua whai taitara ā-ture hoki ha Ngāti Maru mehemea i hiahia ki te rīhi atu, ki te hoko atu rānei i te whenua.
- 2.32 Nā ngā ture whenua Māori i āhei ai tā te Māori takitahi, tā tētehi rōpū Māori rānei tāpae tonu ki Te Kooti. Nō reira, i wātea te Māori, ahakoa ko wai, ki te tonu kia whakawāngia tana whai taitara, ahakoa rā hōna karangatanga ā-iwi, ka mutu ka tūpono riro whenua atu i hērā kīhei nei i whai wāhi atu ki te whakawākanga. Nā ngā utu tōmua, i utua rā e ngā kaimahi hoko o te Karauna i mua i tā Te Kooti Whenua Māori whakataunga mō ngā taitara, i kipakipa ake anō ngā tāngata takitahi o Ngāti Maru kia tāpae tonu.
- 2.33 I te wā o ngā whakaaetanga tuku, i waenga i te tau 1872 ki te tau 1874, ka kino rawa atu te takahia o te kotahitanga me te piringa o te iwi o Ngāti Maru, ka mutu ka kino kē atu te takahia nā te tukanga o Te Kooti Whenua Māori. Ka hia nei te roa o te maumaharatia o hēnei rīri kino, i mate rā tētehi rangatira o Ngāti Maru i tētehi o haua wā rīri i tana korenga i hoko whenua atu. I te tekau tau 1930, ka hoki ngā mahara ki te puku o te tekau tau 1870, i te wā kua 'tītāritaria' ha Ngāti Maru 'ki ngā wehenga nā ngā taupatupatutanga i waenga i hērā i pīrangi rā ki te hoko whenua atu ki te Kāwanatanga me hērā i tohe ki ngā hokotanga atu'.
- 2.34 I kerēme hētehi tangata o Ngāti Maru i ngā pānga tuku iho ki hētehi poraka whenua o waho i te aukati muru raupatu, ka mutu e whā ngā wā (mō Mangaere, mō Mangaotuku, mō Pohokura me Pahautuhia) i angitu ai te whai kia motuhake rānei hō rātou pānga, kia nui rānei te mana o hō rātou pānga, i tōna 81,000 te nui o ngā eka. I riro atu ki te Karauna te poraka whenua o Mangaere me Mangaotuku, ā, i hokona ki hētehi hunga tūmataiti ngā poraka whenua o Pohokura me Pahautuhia. Nā te matara o tō rātou rohe, he wā kāore ngā pānuitanga mō ngā whakawākanga i puta, ka mutu nā te hekenga o hētehi o ngā uri ki Parihaka i kore ai ha Ngāti Maru e tae atu ki hētehi o ngā whakawākanga whakahirahira e pā ana ki ngā whenua i tō rātou rohe, me te aha ka uaua ki ha rātou te whawhai i Te Kooti Whenua Māori kia pupuri tonu rātou i hō rātou pānga katoa. I hētehi atu wā, he mea tukituki te whai wāhi a Ngāti Maru nā te whakamahinga o ngā mahere wea i whakaritea rā e ngā āpiha engari kāore i āta tohua ki te papa, i kore ai ha Ngāti Maru e mōhio ki hōna whenua e kerēmetia ana. He wā hōna, i tutū anō ai te puehu, i rere anō ai hoki te rangirua i waenga i ha Ngāti Maru nā te pūhore o te kounga o ngā weatanga.

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Mangaotuku

- 2.35 Ko te take tuatahi i tāpaea ai ki Te Kooti Whenua Māori e ngā tangata o Ngāti Maru mō te poraka whenua o Mangaotuku. I te tīmatanga o te tau 1873, ka tukuna e tētehi kaimahi o te Karauna he utu tōmua e £70 ki ha Rangihekeiho, ā, he utu anō i tua atu o te £130 i tukuna ki ha Mangu mā, i kīia rā 'he utu kaimahi, he wea, i tangohia mai i te wāriu o te whenua. I te marama o Maehe, i te tau 1875, he mea tāpae e Mangu mā tētehi tono mō te whakatau taitara ki Te Kooti Whenua Māori.
- 2.36 I whakahē te rangatira o Ngāti Maru, ha Ihakara Rangawhenua, i te hokotanga atu o Mangaotuku. I te marama o Āperira, i te tau 1875, ka kōhurutia ha ia e tētehi o te hunga o Ngāti Maru e hoko whenua atu ana. E mea ana te pūrongo a te Kaikōmihana ā-lwi, i hāngai pea te mate kōhurutanga o Te Rangawhenua ki tētehi tohe e pā ana ki te wahine a te rangatira ko ia nei te kaipatu, engari, i te āhua nei, ko te tautohe mō te hokotanga atu o Mangaotuku te take matua. E ai ki ha Ngāti Maru, ko te mate kōhurutanga o Te Rangawhenua tētehi tūāhua matua i te hītori o tō rātou iwi; nā tērā i ngoikore ai te hunga kāore e hoko whenua ana, i ākina ai hoki hētehi o rātou kia hūnuku ki Parihaka, me te aha, i te ngaromanga o taua hunga, ka haere hētehi atu ki Te Kooti ki te whai taitara, ki te whakatutuki hokotanga hoki.
- 2.37 I te marama o Noema, i te tau 1875, ka tāpaea te take mō te poraka whenua o Mangaotuku ki Te Kooti i Pātea. I taua wā tonu, ka tukuna anō e te Karauna he utu tōmua, e £530, ki ha Mangu Peneha mā. Kāore i tika te huahua o te mahere i tāpaea ai ki Te Kooti i whakaatu rā e 61,200 eka te nui o te poraka. Inā kē te tūhene o tērā whakapae. I te mutunga iho, e 47,400 eka kē te nui o taua poraka whenua. I muri i te whakawākanga o ngā taunakitanga a Mangu, ka hinga whērā atu te whakatau rangitahi a Te Kooti ki hērā nō rātou ngā ingoa i karangatia rā e Mangu. I manakotia te putanga o te whakahau whakamutunga i te wā ka oti tētehi mahere e āta whai mana ana. Ka waitohungia tētehi whakaaetanga i te 16 o Tihema, i te tau 1875, ā, i utua te toenga o te nama hoko e tētehi āpiha o te Karauna ki hērā i kīia ai e Te Kooti nō rātou te whenua. E £7,650 te utu tapeke o tētehi poraka whenua i whēnei ai ngā āpiha o te Karauna he nui ake i te 60,000 eka.
- 2.38 I muri tata mai i tērā ka tāpaetia e hētehi atu iwi tētehi tono e tū anō ai he whakawākanga. Nō konā ka whakaaetia te whakawākanga anō mā tētehi Whakahau ā-Ture mai i te 12 o Tihema, i te tau 1876. Ko ngā kōkiri whakawā katoa o mua a Te Kooti Whenua Māori i 'whakakāhoretia', arā, ka hoki ngā whenua ki te āhua o te whenua papatupu kāore anō i whakawāngia mō te Māori.
- 2.39 Nō te taunga anō o te take ki Te Kooti i te marama o Hepetema, i te tau 1877, kāore tonu i wātea tētehi mahere wea e whakaaetia ana, me te aha ka hīkina te take. Kāore ngā iwi nā rātou nei te whakawākanga anō i tonu i tae atu ki te whakawākanga a Te Kooti i te marama o Hepetema, i te tau 1877, ka mutu kīhei rātou i whai wāhi atu anō ki te whenua i muri mai. Kāore tētehi whakawākanga anō i tū. Ka whakahokia anō te poraka whenua o Mangaotuku hei whenua papatupu mō te Māori nā te Whakahau ā-Ture o te marama o Tihema, i te tau 1876.
- 2.40 Ka noho tārewa te take nei taea noatia te marama o Māehe, i te tau 1880, i te pātaitanga a te Hekeretari-Turuki o te Tari Hoko Whenua Māori i te take kāore anō te poraka o

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Mangaotuku, i tōna tikanga kua hokona e te Karauna mō te utu nui o te £7,650, kia pānuitia ki te kāhiti hei whenua mō te Karauna. Ko te pūrongo a ngā āpiha e mea ana nā te Whakahau ā-Ture o Tīhema, i te tau 1876, ka whakahokia te whenua hei whenua papatupu mō te Māori, i whakakorengia ai, me kī, te whakahau rangitahi me te hokotanga i muri mai, ā, me mātua whai kia whakawāngia tētehi tonu i tētehi taitara hou.

- 2.41 I te marama o Hanuere, i te tau 1881, ka whakahaungia ngā āpiha o te Karauna kia whakaritea tētehi tonu hou kia whakawāngia te taitara, hei waitohutanga mā Mangu rātou ko Tuanini, ko Tihirua, ko Pokau, ko hērā atu nō rātou ngā ingoa i te 'Whakahau a Te Kooti mai i te marama o Noema, i te tau 1875', ā, kia tukuna tēnei ki te Kaiwhakawā Matua. Ka whakaritea e tētehi āpiha o te Karauna, engari ka kitea ake kua mou ha Tuanini rāua ko Tihirua ki te herehere i taua wā nā hā rāua mahi i Parihaka, ā, kua mate ha Pokau. Kua 'hoto' hoki hētehi atu kaikarāti mai i te tau 1875 ki ngā hokotanga. Heoti anō, i te marama o Hanuere, i te tau 1881, i tukuna te tonu i waitohungia rā e Mangu mā ki Te Kooti, me te aha ka whakaritea kia tū ki Pātea, i te marama o Ākuhata, i te tau 1881, te whakawākanga mō te poraka whenua.
- 2.42 He mea whakawā te take i te 16 o Ākuhata, i te tau 1881. Nā te mahere i takoto rā ki Te Kooti i kitea ai e 47,400 eka te nui o te poraka whenua, he iti noa ake i tērā i maharatia tuatahitia ai. I taua wā, ka tukuna e Te Kooti te taitara ki ha Mangu me hērā atu i kīia rā nō rātou te whenua i te tau 1875, me ngā uri o tētehi atu iwi kāore nei i kīia nō rātou te whenua i te tau 1875, kāore nei hoki i waitohu i te whakaaetanga a te Karauna. Nā konā i wāwāhingia ai te poraka whenua kia rua hōna wāhanga; he poraka whenua e 38,860 eka tōna nui, i mau tonu ki te ingoa o Mangaotuku, me tētehi poraka whenua e 8,540 eka te nui, i tapaina ko Huiakama, i tukuna rā ki hērā i kīia rā nō rātou te whenua i te tau 1875. Nō muri mai, ka tukuna te poraka whenua o Mangaotuku ki te Karauna nā te kaha o tana hokotanga i te tau 1875. Nō tētehi rā i muri tata mai, ka hokona te poraka whenua o Huiakama ki tētehi manene Pākehā. Nō reira, he iti noa ake tā te Karauna i whiwhi ai i tāna i utu ai i te tau 1875.
- 2.43 I te whakawākanga i te marama o Ākuhata, i te tau 1881, ka whakamōhiotia Te Kooti ki te ngaromanga o hētehi o te hunga nō rātou te whenua, tae atu ki hētehi e noho ana ki Parihaka. Nā te Wāhanga e 23 o te Native Land Court Act 1880, me mātua puta i Te Kooti te whakatau mō te taitara a ngā kaitono 'a hētehi atu Māori hoki' ahakoa 'kua puta ki Te Kooti, kāore rānei'. Kei te Wāhanga e 25 e kī ana ko ngā ingoa o hērā i whakatauria ai e tika ana kia whai taitara, tae atu hoki ki hērā kāore i Te Kooti, me mātua whai wāhi atu ki te Tiwhikete o te Taitara. Kāore hēnei herenga i whāia i tēnei take.

Mangaere

- 2.44 I waenga i te tau 1876 ki te tau 1879, ka tukuna e te Karauna ki hētehi tāngata takitahi o Ngāti Maru te £285 hei utu tōmua mō te poraka whenua o Mangaere, e 6,259 eka te nui. I te marama o Hepetema, i te tau 1878 ka pānuitia te poraka whenua i raro i ngā whakataunga o te Government Native Land Purchases Act 1877. He mea hoahoa te Ture hei whakamarumaruru i ngā pānga o te Karauna mā te kati atu i ngā mahi hoko a hunga kē i ngā wā e rere ana ngā whakawhitinga kōrero mō te whenua, i ngā wā rānei kua tukuna kētia he utu tōmua.

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2.45 E rua ngā rōpū rerekē o Ngāti Maru i tono kia whakawāngia he taitara i te tau 1877 me te tau 1878. Ka tāpaea te take mō te poraka whenua o Mangaere ki Te Kooti Whenua Māori i Pātea, i te marama o Hūrae, i te tau 1880. Ka whakatauria e Te Kooti te rārangi ingoa o hērā nō rātou te poraka whenua i tukuna ai e Mangu. Ka oti te hoko a te Karauna i te poraka whenua o Mangaere i te 25 o Ākuhata, i te tau 1881, ā, ko te toenga o te utu e hapa ana i tukuna ki hērā nō rātou te poraka whenua. Ko te nui o te utu ko te £781/5/-. He mea rēhita te nama o te here nui o te £264/8/8 mō te weatanga kia tangohia i te wāriu o te poraka whenua. I paku kō atu tērā i te hautoru o te nui o te utu hoko.

Pahautuhia

2.46 Ka tāpaea te take mō te poraka whenua o Pahautuhia, e 6,700 eka te nui, ki Te Kooti Whenua Māori i te marama o Hune, i te tau 1882. He mea kerēme te whenua e ngā uri o Ngāti Kōpū o tētehi hapū o Ngāti Maru. Ko Mangu tētehi o ngā kaikerēme matua. Kīhei i tohea te take a Ngāti Maru, ā, ka oti i Te Kooti tētehi whakahau rangitahi, i runga tonu i te tāpaetanga o tētehi mahere wea e whai mana ā-ture ana, e whakaatu ana i ngā ingoa o ngā tāngata 18 o Ngāti Maru nō rātou te whenua. Nō konā, ka mea ha Mangu e hiahia ana kia 'rāhuitia kautia' tētehi wāhanga o te poraka, ka mutu i whakaaetia tērā e te katoa i Te Kooti i taua wā. I runga i te Tiwhikete o te Taitara e mea ana e 2,000 eka ka noho hei 'rāhui pūmau mō te iwi'. Ka riro mā hērā nō rātou te whenua e tohu te rāhui ki te kaiwea.

2.47 Ka takoto tētehi tono kia hokona atu te whenua o Pahautuhia ki te Karauna i te marama o Noema, i te tau 1889. I whakaae ngā āpiha koia ko te hiahia, kia riro te whenua ki te Karauna, ka mutu ka whakaritea tētehi weatanga e oti ai te whakahau a Te Kooti, kia tukuna hoki tētehi Tiwhikete o te Taitara ki te hunga nō rātou te whenua, ā, kātahi ko te hokotanga. I tuhia ki te mahere ngā paenga o waho o Pahautuhia i te marama o Hepetema, i te tau 1890, engari kāore i te hunga nō rātou te whenua te moni e ea ai te utu i te weatanga o te whenua rāhui. Ka puta i ngā āpiha te whakaaro me ka whakaritea te whenua rāhui 'ki tētehi o ngā kokonga tonu o te poraka whenua' ka taea te 'tātai' tētehi rārangi i te tari wea. Nō hētehi rā ruarua i muri mai, ka tukuna tētehi mahere whenua e whakaatu ana i te whenua rāhui e 2,000 eka te nui, kua 'haukotia e hētehi rārangi tātai', ki Te Kooti Whenua Māori.

2.48 Ka tae te mahere whenua mō Pahautuhia ki te aroaro o Te Kooti i Ngāmotu, i te marama o Noema, i te tau 1890. Kāore he take nui i whakaarahia e pā ana ki taua mahere, engari nā tētehi tangata kotahi, kāore nei tōna ingoa i whai wāhi ki te rārangi ingoa o hērā nō rātou te whenua i te tau 1882, nāna i tohe ngā here hokohoko i tau ki runga i te whenua rāhui e 2,000 eka te nui. Ka urupare te Kaiwhakawā kua kore i taea e Te Kooti te aha e pā ana ki te take nei, engari i wātea te huarahi kia tono te hunga whakahē i te herenga ki te Kāwanatanga kia wetekina ai. Kātahi te mahere whenua ka whakaūngia e Te Kooti. I taua wā anō, e tāpaea ana e tētehi manene Pākehā ki te hunga nō rātou te whenua te rima ki te ono herengi mō ia eka. I whakaae te Karauna ki te utu i te 2 herengi noa iho mō ia eka, oti noa, i te āhua nei, i tana korenga i hiahia ki te whakataetae atu ki taua tāpaenga utu nui ake, ka mutu tāna whai tonu i te huarahi kia riro ki ha ia te whenua.

2.49 I whakawāngia tētehi tono mō tētehi wāhanga o te poraka whenua e Te Kooti Whenua Māori i Whanganui, i te marama o Tihema, i te tau 1891. Ko ngā wehenga iti e toru te

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hua – ko Pahautuhia No. 1 (te whenua rāhui e 2,000 eka te nui); ko Pahautuhia No. 2 (e 4,410 eka); me Pahautuhia No. 3 (e 290 eka). Kāore i mau tonu te herenga nō te tau 1882 i tau rā i runga i te hokonga o te whenua rāhui e 2,000 eka te nui. Nā ngā whakahounga ki ngā ture whenua Māori i āhei ai tā Te Kooti unu i ngā here e aukati ana i te hokohoko. Nā ngā wehenga whenua iti o te tau 1891, ko hētehi anake o ngā hea o hētehi tāngata takitahi i te whenua rāhui ka herea.

- 2.50 Kātahi Te Kooti ka wāwāhi i ngā pānga herekore ki te whenua rāhui e 2,000 te nui (o Pahautuhia No.1), ka tuha haere atu ai. He mea whakatōpū hēnei, kātahi ka tapaina ki tōna ingoa o Pahautuhia No. 1A. E 983 ngā eka o tēnei wehenga iti. Ko te toenga o taua whenua rāhui, i herea tonutia rā, i mau tonu ki te ingoa o Pahautuhia No. 1. I waenga i te marama o Hune ki te marama o Noema, i te tau 1892, i takoto hētehi atu tono kia wetekina ngā here o Pahautuhia No. 1. I te āhua nei, i whakaaetia hēnei tono nā te mea ko tētehi wāhanga nui o Pahautuhia, tae atu ki te whenua rāhui, i riro ki ngā manene Pākehā. Kāore he aha kotahi o taua poraka whenua e 7,400 eka te nui kei te ringaringa o te Māori i tēnei rā.

Pohokura

- 2.51 I te marama o Maehe, i te tau 1876, ka tuku ha Rangihekeiho me hētehi atu o Ngāti Maru ki te hoko atu ki te Karauna tētehi wāhanga nui o te whenua, tae atu ki Pohokura. I whakaū te Kaikōmihana ā-lwi ki Taranaki e whai take ā-ture ana a Rangihekeiho i te rohe, ā, ka tūtohu ha ia kia whakaaetia taua tuku hoko. I waenga i te marama o Pēpuere ki te marama o Maehe, i te tau 1879, ka tukuna e ngā kaimahi hoko whenua o te Karauna he utu tōmua ki hētehi tāngata takitahi, tae atu ki hētehi uri takitahi o Ngāti Maru i kīia rā ko ngā 'tāngata matua nō rātou te whenua' o Pohokura.
- 2.52 I whakaritea kia tāpaea te taitara mō te poraka whenua o Pohokura ki mua i te aroaro o Te Kooti Whenua Māori i Ngāmotu, i te 31 o Hūrae, i te tau 1880. E toru rā i mua i te tīmatanga o te whakawākanga, ka tono whakaaetanga te kaimahi hoko whenua o te Karauna kia tukuna he utu tōmua o te £20 ki hērā ka tae ki te whakawākanga hei āwhina i ha rātou ki te whakaea i ngā utu o te noho. I whakaaetia te tono i runga i te whakaritenga ka tangohia haua nama i te wāriu o te poraka whenua.
- 2.53 Ka tāpaea e te Kaiwea Matua ki Te Kooti te huahua o tētehi mahere whenua i runga i te tūmanako ka ea i tērā ngā paearu e whakaaetia ai e Te Kooti tētehi whakahau rangitahi. Heoi anō, i te korenga o tētehi mahere wea e whai mana ana, i te mauheretanga hoki o Tuanini rāua ko Tihirua ki Ōtepoti nā tā rāua whai wāhi atu ki ngā mautohe i Parihaka, kāore te Kaiwhakawā i whakaae kia whakawāngia tonutia te take nei. I whakatau ha ia ko te āhua i pā ki ha Tuanini rāua ko Tihirua he 'ngaronga whai here, ka mutu me mātua wātea te huarahi e puta mai ai rāua'. Ahakoa te haere tonutanga o ngā whakawākanga i ngā wā ka whakatau ngā uri o Ngāti Maru e whai ana i ha Te Whiti, e whakahē ana hoki i Te Kooti me ngā mahi hoko whenua, kia ngaro rātou, engari i tēnei wā, i rongo te Kaiwhakawā i te hē o te tuku taitara i ngā wā kua āta mauheretia ngā kaikerēme.
- 2.54 I te 26 o Mei, i te tau 1882, ka tuhi atu ha Tamarua rātou ko Mangu Peneha, ko hētehi atu o Ngāti Maru ki te Minita mō ngā Take Māori. Ko tā rātou i miramira ai ko te korenga tonutanga o te wea, ka mutu ahakoa tāna tuku i ngā utu tōmua i eke rā ki te £350, kāore te Karauna i paku aha ki te whakatutuki i te hokotanga. Kua pīrangi rātou i tēnei wā ki te

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tuku i te whenua ki tētehi manene Pākehā i te rohe e whakaatu ana i tōna hiahia ki te hoko i te poraka whenua, ka mutu i whakaae ha ia ki te whakahoki i ngā utu tōmua a te Karauna.

- 2.55 Ka tāpaea anō e ngā kaikerēme tētehi atu tonu kia whakataungia te taitara, ā, i whakaritea kia takoto ki te aroaro o Te Kooti Whenua Māori i te 7 o Hune, i te tau 1882. I taua rā anō, ka puta tētehi pānuitanga a te Karauna hei aukati i ngā mahi hoko tūmataiti e pā ana ki te poraka whenua, e 50,000 eka te nui e ai ki tana whakapae. Ka takoto te take mō Pohokura ki mua i Te Kooti Whenua Māori i te 10 o Hune. Ko te kaikerēme matua, ko Tapanui Tamarua nō Ngāti Maru. Ka tāpaea tētehi rārangi ingoa nō ngā tāngata nō rātou te whenua. Kāore he tohe i puta, me te aha ka puta i Te Kooti tētehi whakahau rangitahi e mea ana ka puta tētehi tiwhikete o te taitara i te wā kua tukuna 'tētehi mahere [wea] e pai ana' ki Te Kooti, ā, kua whakaaetia hoki e ia.
- 2.56 Ka whakamōhio atu tētehi āpiha matua o te Karauna i te manene Pākehā e pīrangi ana ki te hoko i te poraka whenua, nei ka whakahokia e hērā nō rātou te whenua ngā utu tōmua a te Kāwanatanga me ngā nama, ka unuhia te aukatinga. I te marama o Hepetema, i te tau 1882, ka whakahokia e ngā Māori nō rātou te whenua te utu £359/5/- ki te Karauna. I paku kō atu i te wiki te roa i muri mai, ā, ka unuhia e te Karauna tana pānuitanga. Kua wātea te manene Pākehā ki te whakatutuki i tana hokotanga. Ka waitohua tētehi whakaaetanga e ngā Māori nō rātou te poraka whenua o Pohokura i te 15 o Noema, i te tau 1882. E ai ki te whakaaetanga, e 60,000 eka te nui o te poraka whenua i utua ai hērā nō rātou te whenua ki te £2,000, tae atu ki te utu o te £359/5/- i whakahokia rā ki te Karauna.
- 2.57 Puta rawa ake tētehi mahere whenua tika tonu mō te poraka whenua o Pohokura i te tau 1885, i tino rerekē i te huahua o te mahere i whakatakotoria rā ki Te Kooti i te tau 1882, ka mutu e 29,500 eka kē te nui – he iti ake i te haurua o te whakapae o mua. I te marama o Hune, i te tau 1886, ka whakatakotoria te mahere ki Te Kooti Whenua Māori, i wātea ai kia mātaungia mō ngā rā e whitu anake. Nā konei i tino poto ai te wā ki ha Ngāti Maru ki te whakatakoto tohe. Nā reira, i te korenga o tētehi tohe, ka whakaaetia te mahere. Ko te whakahau whakamutunga a Te Kooti Whenua Māori e whakaū ana i tukuna te taitara i te 22 o Tihema, i te tau 1886, ā, ko te Tiwhikete o te Taitara mō ngā Māori nō rātou te whenua i tuhia ki tētehi rā o mua, arā, ki te 10 o Hune, i te tau 1882. I whai wāhi ki te tiwhikete whakamutunga o te taitara te kōrero e mea ana kua hokona te whenua mai i hērā nō rātou te whenua i te marama o Noema, i te tau 1882, e te manene Pākehā.
- 2.58 I waenga i te tau 1875 ki te tau 1895, i kerēme pānga ai ha Ngāti Maru ki ngā poraka whenua e waru, i eke rā ki tua o te 225,000 eka te nui, i Te Kooti Whenua Māori. He pānga motuhake rānei, he pānga tōpū rānei i tukuna ki ha rātou i ngā poraka e ono o hua poraka katoa. I te mutunga iho, kāore i puritia e Ngāti Maru he whenua i hērā i tukuna ai ki ha rātou e Te Kooti Whenua Māori. Nō konā, nō te tau 1896, ka takoto te take mō te poraka whenua nui o Taumatamahoe i Te Kooti Whenua Māori, me te aha ka tukuna ki iwi kē, ka mutu, i te āhua nei kāore ha Ngāti Maru i mōhio ki te whakawākanga.

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2: NGĀTI MARU / HISTORICAL ACCOUNT

Taumatamahoe me Whitianga

- 2.59 I te tekau tau 1870, ka tukua e hētehi rangatira o Ngāti Maru he whenua e toro ana ki tērā ka mōhiohia i muri mai ko te poraka whenua o Taumatamahoe hei hokotanga atu. I te marama o Ākuhata, i te tau 1872, ka whakamōhiohia tētehi āpiha o te Karauna ki tētehi 'takiwā tino rawe' i waenga i ngā awa o Waitara me Whanganui. I kīia rā tēnei he whenua 'ngātahi' nō Ngāti Maru me hētehi atu iwi. I te marama o Hune, i te tau 1874, ka pānuitia e tētehi niupepa ko te whenua e hokona atu ana e te rangatira o Ngāti Maru, e Te Rangihekeiho (i whakapaetia i tōna 60,000-100,000 eka te nui), i toro i ngā poraka whenua o Huiroa me Te Wera ki te rāwhiti-mā-raki. I te marama o Āperira, i te tau 1875, ka tukua anō e tētehi rōpū o Ngāti Maru, 12 tāngata te nui, i ārahina rā e Te Rangihekeiho, i tētehi atu wāhi nui 'e toro whakararo ana ki Taumatamahoe me Tahoraparoa i te rāwhiti, e ahu atu ana ki te awa o Whanganui'. Kei te uru-mā-raki o te whenua ha Tahoraparoa i kīia rā i muri mai ko te poraka whenua o Taumatamahoe.
- 2.60 Ka takoto te take mō te poraka whenua rarahi o Taumatamahoe, 155,300 eka te nui, ki te aroaro o Te Kooti Whenua Māori i Whanganui i te marama o Pēpuere, i te tau 1886. He mea pae te poraka nā te rārangi muru raupatu i te uru-mā-raki, nā ngā poraka hoki o Pohokura me Whitianga i te tonga (i tukuna rā ki hētehi tāngata takitahi o Ngāti Maru e Te Kooti Whenua Māori i te marama o Hune, i te tau 1882). I te korenga o hētehi tohe, i muri hoki i te rā kotahi noa iho e whakawāngia ana, ka tukuna ha Taumatamahoe ki hētehi tāngata takitahi nō iwi kē.
- 2.61 Heoti anō, e ai ki ngā taunakitanga, kāore he māngai kotahi mō Ngāti Maru i reira hei tohe i hō rātou take ki te poraka o Taumatamahoe. I maumahara tētehi kaikōrero o Ngāti Maru i tētehi atu whakawākanga kōti kē, ki te korenga o tētehi pānui mō te take whakatau i te hunga nō rātou te poraka whenua o Taumatamahoe i tāngia ki te Kahiti, ka mutu kīhei hoki ngā āmiki a Te Kooti Whenua Māori e whakaatu ana i te taenga atu o ngā māngai mō Ngāti Maru ki te whakawākanga mō te whenua o Taumatamahoe (tērā pea i Parihaka kē rātou). Waihoki, kīhei tētehi mahere wea i whakatakotohia ki Te Kooti, ahakoa me mātua pērā e ai ki te Native Land Court Act 1880.
- 2.62 I ngā tau ka hipa ake, ka mārama mai te āhua me te whānui o ngā take o Ngāti Maru ki te wāhanga i te rāwhiti-mā-raki o tō rātou rohe. Hei tauira, i te marama o Hune, i te tau 1886, e 36 ngā tāngata takitahi o Ngāti Maru i whai ki te hoko whenua atu i te poraka whenua o Taumatamahoe ki te Karauna, i runga pea i te korenga o te iwi i mōhio ki te whakataunga mō te taitara kua oti kē i Te Kooti i taua tau tonu. Nā te tiroiro a te Kaiwea Matua ki Taranaki i mōhiohia ai kei te poraka o Taumatamahoe te whenua i tukuna rā e ngā rangatira hei hokotanga atu, kātahi anō ka whakawāngia e Te Kooti Whenua Māori. Nā te mea kua tukuna te poraka whenua ki ngā uri o iwi kē, ehara nō Ngāti Maru te whenua hei hokotanga atu, ā, kāore he mahi atu anō i whai mai.
- 2.63 Ka kitea anō te āhua me te whānuitanga o ngā take o Ngāti Maru ki Taumatamahoe i ngā whakaritenga e pā ana ki te poraka whenua o Whitianga, e 26,400 eka te nui. Ka takoto tuatahitia te taitara mō Whitianga, e kāpīpiti ana ki te tongi tautika whakararo o Taumatamahoe, ki Te Kooti i Whanganui i te marama o Ākuhata, i te tau 1894, nā te tonono ha Mangu me hētehi atu tāngata takitahi o Ngāti Maru. I tētehi hīkinga o te whakawātanga, ka whakaae ha Ngāti Maru me hētehi atu iwi e kerēme ana i te poraka whenua kia rite te nui o te wehenga o te whenua ki tēnā, ki tēnā. Nā tēnei whakaritenga,

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

2: NGĀTI MARU / HISTORICAL ACCOUNT

ka tukuna ki ngā tāngata takitahi e 47 o Ngāti Maru te taha uru o te poraka whenua, 13,200 eka te nui. Nawhi nāwai ā, ka tohe hētehi uri o hērā atu iwi i kī rā ko rātou kē me whai wāhi ki te whakaaetanga nei, me tā rātou whakatau ko te hunga i whakaritea te whakaaetanga o Ākuhata kāore i whai mana ki te whērā. I tono rātou kia tū tētehi anō whakawākanga, ā, ka tū tērā ki Whanganui i te marama o Oketopa, i te tau 1895.

- 2.64 Nō muri i te whakawākanga i ngā kōrero taunaki e roa ana, e whai taipitopito ana hoki nā ngā hunga e tautohe ana, ka whakatau tuatahinga e te kaiwhakawā te wāhi o te rohenga ā-iwi i waenga i ha Ngāti Maru me hērā atu kaikerēme. I whakatauria e ia ko te 'tongi whenua tūturu' i waenga i ngā iwi nei i te poraka o Taumatamahoe e takoto ana, ka mutu ko ngā noninga kumu o Ngāti Maru i kei te taha uru o tēnei tongi whenua, 'i runga hoki o ngā poraka o Pohokura, o Mangaotuku me hērā atu poraka i te tonga me te uru o te pae mouna o Matemateaonga'. Nō reira, ko tā Te Kooti i whakatau ai i nui ake te tukunga atu ki ha Ngāti Maru e pā ana ki te poraka whenua o Whitianga i tērā e tika ana. Nā konā, ka tukuna te poraka whenua o Whitianga ki ngā uri o hērā atu iwi, engari i kī hoki Te Kooti ka whai wāhi hoki ko ngā uri o Ngāti Maru e whakapapa ana ki ha rātou, me te hunga ko rātou hoki kei ha rātou ngā taunaki e whakaū ana i tō rātou take ahi kā ki te poraka whenua. Nā tēnei whakatau i whakakorengia ai te tikanga o te tukunga atu o tētehi haurua o te poraka whenua o Whitianga ki ha Ngāti Maru.
- 2.65 Heoti anō, nā ngā taunakitanga i tāpaea ai i te whakawākanga anō mō te poraka whenua o Whitianga, ka whakatau hoki Te Kooti 'nō' Ngāti Maru 'tūturu' te whenua i te taiuru o te poraka whenua o Taumatamahoe, i tukuna katoatia rā ki tētehi atu iwi i te tau 1886. Heoti anō, i te korenga o hētehi huarahi ā-ture hei whakatika i tēnei 'hīanga', ka āki te kaiwhakawā i ngā kaikerēme i te poraka whenua o Whitianga i angitu rā kia tukuna tētehi wāhanga o te poraka ki ha Ngāti Maru hei 'mahi whakamāmā', hei paremata mō te rironga o tō rātou whenua i Taumatamahoe.
- 2.66 I whakaaetia tēnei, ka mutu ko tētehi wāhi iti, ko te 1,200 eka o te poraka whenua o Whitianga i tukuna ki ngā tāngata takitahi e rua, ki ha Tuanini rāua ko Tutanuku Tume. I noho nama ha Ngāti Maru nā ngā utu ā-ture me hētehi atu utu i eke rā ki te £475 te nui e hāngai ana ki te whakawākanga anō mō te poraka whenua o Whitianga. Nāwai, ā, ka mate ha Tuanini rāua ko Tutanuku ki te hoko atu i hō rāua pānga ki Whitianga ki te Karauna e ea ai taua nama. I waitohu ha Tuanini i te tukunga whenua nōna i te whare herehere i Te Whanganui a Tara, i herehere ai ha ia mōna i tohe ki tā te Kaitiaki Tūmatanui whakahaere i ngā whenua Māori i rāhuitia rā.

Ngāti Maru me Parihaka

- 2.67 I te tau 1866, ka noho tētehi hapori Māori ki ngā whenua i raupatungia rā i Parihaka, e takoto ana i te mātotorutanga o te motumotu i te taiuru o te rohe o Ngāti Maru. I raro i te mana o Te Whiti o Rongomai rāua ko Tohu Kākahi, ka hāpainga e tētehi hapori Māori o Taranaki, tae atu ki ha Ngāti Maru, e kāinga-kore ana nā te muru raupatu me te pakanga, ngā tikanga o te maungārongo me te rangimarie hei ātete i te rironga tonutanga o ngā whenua, hei whakatairanga hoki i te mana motuhake o te Māori. Ka noho ko Parihaka hei pā whakaruru mō ngā Māori rawakore, ka mutu tere ana te tupu o te pā i te whai ha te hunga o reira i ngā tikanga ahuwhenua hou me tā rātou whakatū i tētehi wāhi e pakari nei te ōhanga.

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2: NGĀTI MARU / HISTORICAL ACCOUNT

- 2.68 I tukuna e Te Whiti rātou ko Tohu ko hētehi atu rangatira Māori kia weangia e te Karauna ngā whenua i te tonga o Taranaki i te tau 1878 hei kawainga mō te nohonga e te Pākehā. I te korenga i tohua e ngā kaiwea ngā whenua rāhui i oatingia ai, ka tohutohu ha Te Whiti rāua ko Tohu i ngā taitamatāne o Parihaka kia parautia ngā whenua o te hunga manene Pākehā puta noa i Taranaki. I waenga i te 30 o Hune ki te 31 o Hūrae, i te tau 1879, ka hopuhopukina ki te herehere ngā kaiparau whenua 102 i Taranaki. Tokowaru o rātou nō Ngāti Maru, i hopuhopukina ki te herehere mō runga mō te parau i ngā whenua i Te Hua me Huirangi. Ko haua tamatāne nei, ko Te Hemara Tuanini rātou ko Tihirua Tumounga, ko Tukirikau, ko Totara Pue, ko Te Ngatiri Te Ngohi, ko Taukawau Te Reitu, ko Tokotaua, ko Rerekopua. I waenga i te marama o Hūrae ki tētehi o ngā rā tuatahi o Ākuhata, i te tau 1880, tokowhā ngā tamatāne o Ngāti Maru i mauheretia rā i Pungarehu – ha Te Whetū Tume rātou ko Wiremu Te Korowhiti, ko Tainui Te Warihi, ko Wiroa – me te 153 atu anō mō te whakatū taiapa nā rātou hei whakamarumarū i hā rātou ngakinga me ngā kararehe.
- 2.69 Kāore tētehi tangata kotahi o te hunga parau o Ngāti Maru, kāore hoki tētehi tangata kotahi o te hunga taiepa o Ngāti Maru i hopuhopukina ki te herehere rā i whakawāngia, ā, i tukuna rātou katoa ki ngā whare herehere i Ōtepoti me Ōhinehou. I whiua te tokopae o hērā i hopuhopukina ki te herehere rā ki te mahi papatoiake, me te aha ka pāngia hētehi e te māuiui nā ngā āhuatanga whakawiriwiri. I waenga i te tekau marama ki te rua tau te roa o te mauheretanga o hētehi o ngā herehere o Ngāti Maru. Nō te marama rā anō o Hune, i te tau 1881, te whakamutunga o hērā ka tukuna kia puta i te whare herehere. I whakaae ngā āpiha o te Karauna i kaha ake te ākina o te mauheretanga o hēnei tamatāne e te āhua tōrangapū i roto o Taranaki tērā i ngā hara i hāmenetia ai rātou. Me kī, he mauhere tōrangapū rātou. I te marama o Ākuhata, i te tau 1880, ka whakatau te Kōmihana o Te Tai Hauāuru i kopoutia ai e te Karauna e mauheretia ana ngā Māori o Taranaki 'kaua mō ngā hara, engari nā te hē ā-tōrangapū kāore nei hōna tohu kotahi o te whakamaunga taihara'.
- 2.70 I te marama o Noema, i te tau 1881, nā te Minita mō ngā Take Māori, nā John Bryce, i ārahi ngā hōia 1,500 o te Karauna kia whakaekengia, kia turakina te pā o Parihaka. He mea pāwhera ngā wāhine, ā ka pāhuatia te pā. He mea pana tōna 1,600 tāngata – tāne mai, wahine mai, tamariki mai, ehara i ha Parihaka taketake ake nei, tae atu ki ngā uri o Ngāti Maru, i te pā ka ākina ai kia hoki ki hō rātou anō wā kāinga. I te 10 o Noema, i te tau 1881, ka mauheretia ha Te Rangipūahoaho nō Ngāti Maru he kore nōna i wehe i Parihaka i te wā i whakahaungia ai ha ia kia whērā, me tana 'whakapātaritari i ngā Māori kia tohe i ngā mahi a te Kāwanatanga'. E ono marama te roa o te mauheretanga o Te Rangipūahoaho, ā i tukuna ha ia nā runga anake i te korenga o ngā taunakitanga a te Karauna i tōna whakawākanga.
- 2.71 I te tau 1897, ka mau anō ngā ringaringa o te iwi o Parihaka ki te parau hei tohe i tā te Kaitiaki Tūmatanui whakahaere, i tāna whakarite hoki i ngā whenua rāhui o te Māori. I te paunga o hētehi rāngi, i neke atu i te 90 te hunga parau i hopuhopukina ki te herehere, ā, i te korenga i whakaae ki te utu i te whiu o te tekau herengi, ka mou rātou ki te herehere mō te tau kotahi. O haua herehere parau e iwa he uri nō Ngāti Maru i mou ki te herehere rā i waenga i te 29 o Oketopa ki te 1 o Noema, i te tau 1897, i Onaero, i Waitara me Te Hua: arā ko Tohe Pakanga rātou ko Te Wharerangi, ko Tapapa Hetaraka, ko Tunga Paekawa, ko Tainui, ko Pue Motunui, ko Te Ikatere Patuwairua, ko Te Hemara Tuanini, ko Tumounga, ko Putakarua.

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

2: NGĀTI MARU / HISTORICAL ACCOUNT

Ngā whenua Rāhui mai i ngā Whakataunga i te Taihauāuru

- 2.72 Nā te New Zealand Settlements Act 1863 (me hōna whakahounga i muri mai) i āhei ai te whakaritenga o tētehi kōti hei paremata ki ngā Māori 'pono' nō rātou nei ngā whenua e takoto ana ki te takiwā muru raupatu. I whakaritea kia whakawāngia te taitara mō te poraka whenua o te Takutai o Ngāti Awa e te Kōti Paremata i Ngāmotu, i te tau 1866. Nā tētehi whakataunga o waho i te kōti i tukuna ai tētehi wāhanga o ngā eka e 26,000 o ngā whenua o te takutai ki ngā tāngata takitahi e 575 nō ngā iwi e rima, tae atu ki ha Ngāti Maru. Kāore te āhua me te whānui o tā Ngāti Maru whai wāhi atu ki tēnei whakaritenga i te makoha i ngā kōrero o mua. Nō te tau 1880, nō te hipanga o tōna tekau mā whā tau, i paku kō atu i te rima ōrau noa iho o taua whenua kua tukuna hei takuhe ki te Māori. E ai ki ngā kōrero kua whakaūngia, kāore i riro ki ha Ngāti Maru tētehi wāhanga kotahi nei o taua wāhi iti rā.
- 2.73 I te marama o Hānuere, i te tau 1880, ka kopoutia tētehi Kōmihana ki te Taihauāuru hei mātai i ngā amuamu a te Māori mō te korenga o te Karauna i tuku i ngā whenua rāhui i oatingia ai e ia ki ngā iwi o Taranaki. He tokoiti noa iho ngā kaikōrero Māori i tae atu ki te Kōmihana o te tau 1880. Tokorua noa iho ngā uri o Ngāti Maru i tuku kōrero taunakitanga ki te Kōmihana – ko Mangu Peneha rāua ko Piupiu. Kīhei ngā uri o Ngāti Maru e noho ana ki Parihaka i tae atu.
- 2.74 I whakatau te Kōmihana he moroiti noa iho te whenua i whakahokia rā, i oatingia ai ki ngā Māori o Taranaki i raro i te kaupapa paremata, kua whakahokia e te Karauna – i muri mai ka whakapaetia ko te whā ōrau noa iho. Kāore he urupā kotahi, kāore hoki he whenua rāhui kotahi i wātea rā e ai ki ngā whakaaetanga tuku i whai wāhi ai ha Ngāti Maru, i weangia, i tukuna rānei hei karāti.
- 2.75 I tūtohu te Kōmihana kia whakatūria he kōmihana tuarua ki te whakatinana i hana tūtohunga. Nā konā, ka kopoutia te tuarua o ngā Kōmihana ki te Taihauāuru i te marama o Tihema, i te tau 1880. I te tau 1884, ka takoto i ha ia tētehi āpitianga whai karāti kua tūtohungia, tae atu ki ngā karāti ki ha Ngāti Maru. I roto i hēnei karāti ko ngā whenua rāhui i kōrerotia ai i ngā whakaaetanga tuku, ko hētehi whenua i rāhuitia ai hei urupā, ko te whenua rāhui o Okawa, e 357 eka te nui, me hētehi atu anō noninga kumu. I eke ki tōna 2,167 eka te tapeke o te whānui o ngā whenua rāhui i tūtohungia ai e te Kōmihana hei wāhi noho mō Ngāti Maru. Ko taua wāhi rā te katoa o ngā whenua i waenga i ngā aukati muru raupatu e toe ana ki ha Ngāti Maru. Kāore he whakaritenga e āhei ai te tohe a Ngāti Maru, a hētehi atu Māori hoki o Taranaki i ngā tūtohunga a te Kōmihana. He mea whakatau te taitara ā-takitahi mō te nuinga o hēnei whenua rāhui e Te Kooti Whenua Māori i te tau 1895 me te tau 1896.

Te Urupā o Pohohītoa

- 2.76 I te tau 1880, ka kitea ake e te tuarua o ngā Kōmihana ki te Taihauāuru kāore anō tētehi urupā e tika ana kia rāhuitia i waho mai i tā te Karauna hokotanga o Pukemāhoe i te tau 1874, i tukuna hei karāti nā te mea kāore anō i weangia. I te tau 1884 ka kitea ake e te Kōmihana kāore tonu anō te whenua rāhui i weangia, engari i matapaetia 'i te taenga atu o ngā ruri kāinga ki hēnei takiwā, ka tohua, ā, ka tukuna e te Karauna hei karāti.' Heoi anō, nō te taenga ki te tau 1892, kāore tonu anō te wāhi rā kia tukuna hei karāti ōkawa.

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

2: NGĀTI MARU / HISTORICAL ACCOUNT

- 2.77 I te tau 1892, ka whakaritea he mahere hei mahi rori puta i te rohe. Kātahi anō te whenua rāhui o te poraka whenua o Pohohītoa ka weangia i taua wā, nā te mea e takoto ana taua poraka whenua rā i te wāhi i tohua ai hei rori. I te tau 1894, ka tukuna e te Karauna tētehi whakahau kia noho ai te urupā, e noho tonu ana i te ringaringa o te Karauna e ai rā ki te ture, i raro i te mana ā-ture o Te Kooti Whenua Māori. I te tau 1896, ka tirotingia e Te Kooti te poraka whenua, ka tukuna hoki te taitara ki ngā tāngata tokorima o Ngāti Maru nō rātou te whenua. Heoti anō, ko ngā wāhanga noa iho i te tahataha o te rori i whai wāhi atu ki te whenua i tukuna rā hei karāti.
- 2.78 Nō muri tata mai i tīmata ai te mahinga o te rori. I te tau 1927, ka kōrero ha Kapua Keepa nō Ngāti Maru ki te Kōmihana a Sim e pā ana ki te āhua o te 'pokanga' o tētehi rori i te urupā o Pohohītoa, ā, ko ngā kōiwi kua 'hahua hei whakaaturanga'. E ai ki ngā tuhinga a Ngāti Maru o hēnei o ngā rangi, ko aua kōiwi 'he mea whakaatu i roto i ngā tari kaunihera'.

Ngā whakaritenga a te Kaitiaki Tūmatanui i ngā Whenua Rāhui o Te Taihauāuru

- 2.79 Ko ngā whenua rāhui i whakatauria rā e te Kōmihana ki Te Taihauāuru, kīhei i whakahokia hei mahinga mā te Māori i runga i tāna i pai ai, engari i tukuna kētia kia whakahaerehia e te Kaitiaki Tūmatanui. Kāore ha Ngāti Maru i whai wāhi ki ngā whakawhitinga kōrero. Ko te nuinga o te whenua i raro i ngā whakaritenga a te Kaitiaki Tūmatanui i rīhingia atu ki ngā kaipāmu Pākehā me te korenga i whai whakaaetanga i hērā nō rātou te whenua, ka mutu he wā hōna ka oti i ha ia he whakatau mō ngā whakaritenga e pā ana ki ngā whenua rāhui i whai hua ai ngā Pākehā pupuri rīhi. He mea tuku ki ngā Pākehā ngā rīhi wā-roa mō ngā whenua rāhui i āhei ai tā rātou mōkete, heoti anō kāore i whērā te pūmau o ngā rīhi wā-poto me ngā 'raihana noho whenua' i tukuna ai ki te Māori, kāti i āhei te whakakorenga i te wā poto noa iho i muri i te whakamōhiotanga atu ka whērā.
- 2.80 Nā te West Coast Settlement Reserves Act 1892 i unuhia ai te ture e whakahaere ana i te rīhitanga o ngā whenua rāhui i Taranaki. I manako te Pāremata mā te Ture hou e mutu ai te rangirua me te kumukumu ā-ture i hua ake rā i te whakatinanatanga o ngā ture ārahi i whai whakahounga e hia nei te Ture o te tau 1881 i ngā tau tekau. Heoti anō, nā te West Coast Settlement Reserves Act o te tau 1892 i āhei ai tā ngā kaipāmu Pākehā huri i ngā rīhi wā-uka hei rīhi whakahou-pūmau ā pau noa te 21 tau. Ko te kātū tikanga whenua nei, e tino pīrangitia nei e ngā kaipupuri rīhi, e ai ki ngā āpiha o te Karauna i kī rā he nui noa atu ngā whenua o ngā Māori i tērā me mātua whai e rātou, ka mutu mehemea ka tāpaetia he momo wā-pupuri rawa e pai ake ana te āhua ki ngā kaipupuri rīhi, ka piki ake pea te wāriu o ngā utu rīhi. Ko ngā utu o te rīhi ka hāngai ki te wāriu kōkau, ā, ka arotakehia i ia 21 tau. I whai painga te nuinga o ngā kaipupuri rīhi i hēnei rerekētanga.
- 2.81 Kīhei ha Ngāti Maru i whai wāhi ki ngā whiriwhiringa kōrero i mua i te whakamanatanga o te Ture o te tau 1892. I te mutunga iho, ka noho whakaraerae hētehi wāhanga o ngā whenua rāhui e whā o Ngāti Maru (e eke rā ki te 1,259 eka) hei rīhi whakahou-pūmau. I taua wā, e amuamu ana ha Ngāti Maru i te hōrapatanga haeretanga o te whenua koretanga, ā, i te āki rātou i te Karauna kia whakawehea mai he whenua hei noninga mō rātou i waenga i te takiwā raupatu ki Purangi.

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2: NGĀTI MARU / HISTORICAL ACCOUNT

- 2.82 Ānō ko te kaupapa rīhi i whakaritea ai e te Karauna i muri i te tau 1892, he kaupapa e pūmau ai paiaka o te Pākehā ki runga i ngā whenua rāhui o te Māori, ka mutu he tokopae ngā Māori o Taranaki, tae atu ki ngā uri o Ngāti Maru, i whēnei ko te kaupapa o te rīhi whakahou-pūmau tētehi whakawhānuitanga ake o tā te Karauna muru raupatu i te tau 1865. Kāore e kore, i te huringa o te wā, nā ngā pānga o te tāmi ahumoni i heke ai ngā huamoni mai i ngā rīhitanga, ā, i whai wāhi nui ngā whakahaeretanga a te Kaitiaki Tūmatanui i hō rātou whenua ki te parenga ā-pāpori, ā-ōhanga hoki o Ngāti Maru ki rahaki.
- 2.83 I te tau 1893, ka amuamu ha Ngāti Maru mō te korenga o hētehi o hō rātou urupā i whai wāhi ki ngā tūtohunga a te Kōmihana ki te Taihauāuru. Nā te kaikōrero matua o Ngāti Maru i te Kōmihana o te tau 1880, nā Mangu Peneha, i whakatakoto kōrero mō runga, mō te āhua o hētehi urupā, engari i kōrerotia noa ihotia hērā i āta mōhiotia rā e ia, ka mutu kīhei nei ha ia i whai wā ki te whiriwhiri kōrero ki te iwi (ko hētehi rā i Parihaka) e pā ana ki hētehi atu anō. Ka whakahaeretia e ngā āpiha o te Karauna tētehi uiui, me te aha ka kitea ake ko haua urupā kīhei nei i uru atu ki ngā tūtohunga a te Kōmihana i ngā whenua kua kore i noho i raro i te mana pupuri o te Karauna. Ahakoa te kī a ngā āpiha e whakahirihiri ana ngā Māori ki tā te Kōmihana oati e mea ana 'ka rāhuitia ngā urupā katoa mō rātou', i mahara tonu rātou ka 'hē ā-tōrangapū' nei te whakarite whenua rāhui kāore nei i tūtohungia e te Kōmihana.
- 2.84 I puta hētehi atu anō uauatanga ki ha Ngāti Maru, i te tau 1895, i tā Te Kooti Whenua Māori tautuhi i ngā pānga whenua o hērā tāngata e 34 nō rātou te whenua rāhui o Te Kawau, 1,000 eka te nui, i whakaurua rā e te Kōmihana ki te Taihauāuru ki te rārangi ingoa. Ka tīmata te rangatira o Ngāti Maru, ha Tuihu, nōna nei tētehi o ngā ingoa o te hunga nō rātou te whenua, ki te tautohu i ngā kerēme a hērā kāore nei hō rātou ingoa i te rārangi o te hunga nō rātou ngā whenua engari 'he mana tika tonu hō rātou' ki haua whenua. Ko te urupare a te Kooti e mea ana he mea muru ngā whenua o Te Kawau i tukuna rā e te Karauna hei takuhe, ka mutu kua herea te mana ā-ture o te Kooti ki te tautuhi i ngā mana o hērā i whai wāhi rā ki te rārangi ingoa i te tau 1884. I āta kōrero hoki tētehi kaikōrero mō hētehi o Ngāti Māru kāore nei hō rātou whenua i whea ake rānei, ka mutu kāore hoki i whai wāhi ki te rārangi ingoa o te hunga whai takuhe i Te Kawau e noho ana, ā, ka noho mōrearea pea rātou mehemea ka rīhingia atu te whenua rāhui ki te Pākehā e te Kaitiaki Tūmatanui. Kāore he āwhina i te kaiwhakawā, engari ka mea ha ia e wātea ana hērā kāore hō rātou nei whenua ki te 'whakaatu i ngā āhuatanga e pā ana ki ha rātou ki te Pāremata'. I te tau 1898, ka pānuitia e te Kaitiaki Tūmatanui ngā eka e 666 o Te Kawau hei rīhitanga i raro i te Ture o te tau 1892, i āhei ai te mana kia pūmau tōna whakahoutanga.
- 2.85 I te tau 1905, ka tuhia, ka tukuna haeretia hoki tētehi petihana e mea ana he mea 'tūkinō' ha Ngāti Maru me hētehi atu iwi e te Kaitiaki Tūmatanui. Ko te amuamu matua e mea ana kua whakawehea katoatia ngā iwi i ngā whenua e noho whakaraerae ana ki ngā rīhi whakahou-pūmau, ka mutu mehemea ka pīrangi te Māori ki te noho rānei, ki te huri rānei i hō rātou whenua hei pāmu ka taea noa ihotia mā ngā 'raihana noho whenua' motuhake, i mate ai rātou ki te utu rīhi. I hiahia te hunga nāna i tuku haere te petihana nei kia whakahokia anō ki ngā Māori o Taranaki te mana whakahaere o hō rātou whenua, kia nohongia anō hoki e rātou. I hiahia hoki rātou kia tōmua te tukunga o ngā pūtea taurewa e ngā pokapū tuku pūtea taurewa o te Kāwanatanga hei āwhina i te Māori i roto i ngā hinonga mahi pāmu. I whai hoki te petihana kia whakatūria he Kura Ahumahi

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'ki hētehi o hō mātou pā kāinga' kia ako ai te iwi i ngā mahi ā rehe me ngā pūkenga mahi pāmu.

- 2.86 I tana tuku taunakitanga ki tētehi Uiu i te Kōmihana (te uiui a McArthur-Kerr), ka kōrero tētehi rangatira Māori o Taranaki i te āhua e pā ana ki te hanganga o tētehi 'Tōpūtanga' o ngā iwi o Taranaki, tae atu ki ha Ngāti Maru, e whakahē rawa atu ana i te Ture o te tau 1892 me ngā whakaritenga a te Kaitiaki Tūmatanui. I ki ha ia ko te ture o te tau 1892 tētehi 'takahanga o te Tiriti o Waitangi', ka mutu i amuamu ha ia mō tā taua ture whakakaha i te Kaitiaki Tūmatanui ki te 'tuku pokere noa i hō mātou whenua kia rīhingia mō ake tonu, ahakoa e rawaka ana rānei hō mātou hei tiakanga mā mātou... Nā taua ture i tuku mana ki te Kaitiaki Tūmatanui, i noho ai taua āpiha hei rangatira whakawiri'. I mau hoki tana kōrero e mea ana he 'makihuhunu', he 'whakawiriwiri' hoki te āhua o te Ture i tukuna ai ngā whenua Māori hei whakahaere mā te Kaitiaki Tūmatanui. Kāore i āhei te paku aha ha te Kōmihana o te tau 1912 nā te mea i waho kē hēnei take i hāna tikanga ārahi. Heoi anō, i tautohua e ngā Kaikōmihana ngā āhuatanga whakahirahira e rua i te matapakitanga o te Ture o te tau 1892 me ngā whakaritenga a te Kaitiaki Tūmatanui: 'Ko te tuatahi, mō ngā kaupupuri rīhi te painga i ia tikanga ā-ture; ā, ko te tuarua, kāore he wā kotahi i whai wāhi ai te Māori nōna te whenua ki te kōrero e pā ana ki tētehi ture kotahi e hou ana'.
- 2.87 Nā te Native Land Amendment Act o te tau 1913 i āhei ai tā te Karauna (mehemea i whakaaetia e ngā tāngata nō rātou te whenua) tango whenua e whai rīhi whakahou-pūmau ana, ka hokona atu ai ki te Pākehā e pupuri ana i te rīhi. I ngā tautohe i Pāremata, ka mea hētehi mema e rite tonu ana tā te Karauna mahi ki tā te kaimahi hoki mā ngā kaupupuri rīhi, he nui hoki rātou i rikarika kia mau i ha rātou he taitara herekore. I te tau 1920, ka tangohia e te Karauna tētehi wāhi e 373 eka te nui, i paku kō atu tērā i te hautoru o te whenua rāhui o Kawau, ka hokona atu ai ki tētehi tokorua Pākehā e pupuri rīhi ana i te tau 1921.
- 2.88 I te tau 1925, ka haria e Kapua Keepa nō Ngāti Maru tana petihana ki Pāremata, e mea ana ko tana iwi

'kāore e mōhio ana ki tētehi take kotahi i raupatungia ai hō mātou whenua i waenga o Purangi me Tarata... kāore mātou e maumahara ana ki te tukitukinga o [Ngāti Maru] ki te Pākehā e tika ai tēnei muru raupatu. Ahakoa e whakaaetia ana te rironga o ngā wāhanga i hokona atu ai i raro i te ture, kāore i tika te raupatu o hētehi atu whenua kāore nei i hokona atu'.

- 2.89 Hei urupare ki tēnei me te huhua noa atu o hētehi atu petihana me ngā amuamu mō te raupatutanga o Taranaki, ka whakatūria e te Karauna te Kōmihana Sim, i te tau 1926. Ko te whakatau a te Kōmihana e mea ana kāore ngā Māori o Taranaki i whana i te mana o te Kuīni, engari ahakoa tērā i 'panaia i te whenua, i turakina hō rātou pā, i tahuna hō rātou whare ki te ahi, ā, i hōkarikaria hā rātou ngakinga kai'. Nā hēnei tūāhuatanga, kāore he mahi i tua atu i te whawhai hei wawao i ha rātou anō, i te 'tārukenga mō te whare me te kāinga'. Ko te whakatau hoki a te Kōmihana, nā hēnei tūāhuatanga 'ko ia eka i tangohia rā i Taranaki i hipa atu i te nui e tika ana, e pono ana'.
- 2.90 He mea whakamōhio te Kōmihana ki te wāhi katoa i raupatungia tuatahitia ai i Taranaki i eke rā ki te 1,275,000 eka te nui, engari i muri i te hokotanga a te Karauna i ngā eka e

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557,000, i te whakahokinga anō hoki o ngā eka e 256,000 ki te Māori, ko te katoa o te whenua i raupatungia i te mutunga iho i eke rā ki te 462,000 eka te nui. I tūtohu te Kōmihana kia pūmau te tukuna o tētehi pūtea ā-tau – e £5,000, me tētehi utu kotahi nei e £300 tōna nui – hei utu whakatika i ‘te hē i utaina atu ki ngā Māori i Parihaka’. Kāore he taunakitanga e whakaatu ana i te whakaaetanga a ngā Māori o Taranaki ki tēnei pūtea hei utu paremata e ea ai hō rātou nawe. I pīrangi hoki te tokopae ki te whenua, kua ki te moni; ‘kāore mātou i te pīrangi ki te moni engari me whenua’. I tūtohu hoki te Kōmihana i te whakatūnga o tētehi Rōpū Kaitiaki ki te whakarite i ngā utu. He mea whakatū te Poari Kaitiaki Māori o Taranaki mō tēnei take i te marama o Hepetema, i te tau 1930.

- 2.91 I tīwekaweka te nui o ngā utu i tukuna ai, ka mutu tīpakopako ana ngā wā i tukuna ai i ia tau tae noa ki tā te ture o te Taranaki Māori Claims Settlement Act 1944 whakarite kia tukuna te utu e £5,000 i ia tau ki te Poari Kaitiaki Māori o Taranaki. I riro i te Poari te haepapa ki te tuku i te pūtea ā-tau ki waenga i ha Ngāti Maru me hētehi iwi kē o Taranaki.
- 2.92 Nā te Māori Reserved Land Act 1955 i rere tonu ai te pūnaha o ngā rīhi whakahou-pūmau, i whai mana ai te Kaitiaki Māori ki te huri i ngā rīhi wā-uka e toe ana hei rīhi whakahou-pūmau, ki te hoko whenua hoki hei hokotanga atu ki ngā kaupuri rīhi. I tawhiti ake te panaia o ngā Māori i hō rātou whenua i te tau 1963, i te wā i whakatōpūngia ngā Whenua Rāhui hei Kāinga i Te Taihauāuru. Kua kore te hunga nō rātou te whenua e whai pānga motuhake ki tōna wāhi o te whenua e tika ana. I riro kē i ha rātou he wāhanga pānga ki ngā whenua rāhui katoa e marara ana puta noa i Taranaki. Nā te whakahounga o te tau 1967 i te Māori Reserved Land Act 1955 i āhei ai hētehi atu anō hokotanga. Tae rawa ake ki te tau 1974, ka hokona ko te 63.5% o ngā whenua rāhui puta noa i Taranaki i tukuna rā hei whakahaere mā te Kaitiaki Tūmatanui, ka mutu e 26% atu anō i noho mōrearea ki te rīhi whakahou-pūmau. I te tau 1974 me te tau 1975, ka tiroiro te Kōmihana Sheehan i te kaupapa rīhi i ngā whenua rāhui o te Māori, ā, ko tētehi o hana whakatau e mea ana ko ngā Māori nō rātou te whenua i ‘whērātia ānō he tamariki rānei, he tangata hauā rānei’, ka mutu kāore hoki hō rātou mana hei whakaawe i ngā ture e hāngai ana, i ngā tikanga rīhi rānei. Ko tētehi o ngā tūtohunga a te Kōmihana e mea ana kia whakaritea te rīhitanga o ngā whenua rāhui o te Māori e hērā nō rātou te whenua mā tētehi whakahaere ka tū hei māngai mō rātou. Ka waihangatia mai ko te Kaporeihana o Paraninihi ki Waitōtara i te tau 1976 hei whakahaere i te toenga o ngā whenua e whakahou-pūmautia ana te rīhi i tukuna rā ki ha ia e te Kaitiaki Māori. Kāore tonu hō hērā nō rātou te whenua pānga torotika atu ki hō rātou whenua tūpuna e toe ana.

Te Korenga o ngā Whenua o Ngāti Maru

- 2.93 Nō te marama o Noema, i te tau 1891, kātahi anō te korenga o ngā whenua o Ngāti Maru ka mōhio ōkawatia nā te whākitanga ki te Minita mō ngā Take Māori e hē ā-ture ana te nohongia o Pūrangi e hētehi tāngata 19 nō Ngāti Maru kāore hō rātou nei whenua, e arahina nei e te rangatira, e Tutanuku Tume. Nā tētehi tiroiro a tētehi āpiha o te Karauna i tūhurangia ai te kōrero e mea ana ko te wāhi e nohongia ana e rātou i tohua e te Karauna hei wāhi mō tētehi tāone, ka mutu i kīia atu e ia ‘te hunga e noho hē ā-ture ana’ kia wehe i mua i te paunga o ngā marama e ono. I kī atu hoki te āpiha kua tau i te Kōmihana ki te Taihauāuru te tuhatuhanga o ngā whenua ki ha Ngāti Maru me hētehi atu

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Māori o Taranaki, ka mutu ka hē ā-tōrangapū nei te whakatuwhera anō i taua take. Nā konā te Minita mō ngā Take Māori i kore ai e whakawehe whenua mai ki Pūrangi nā te tohua o taua wāhi hei tāone.

- 2.94 I te tau 1892, ka tuku petihana ha Tutanuku Tume mā ki Pāremata, mō runga mō te whai taitara ki 'tētehi poraka whenua e iti ana i te takiwā o Taranaki e mōhiotia nei ko Pūrangi'. Nā te Komiti mō ngā Take Māori te petihana i hari ki Pāremata kia uiuitia. I taua wā anō ka tautohua e ngā āpiha tētehi poraka, 1,000 eka te nui, i te taha whakararo o te takiwā o Waitara, e kīia nei ko Kaweka, ka pai pea mō ngā Māori nō ngā iwi maha kāore hō rātou nei whenua, taea noatia hērā o Ngāti Maru e noho ana ki Pūrangi i taua wā. I tukuna tētehi rōpū Māori ki te mātai i te whenua o Kaweka, engari kāore i kitea e rātou. Nō reira, ka whakarērea te tono nei.
- 2.95 Ahakoa kua whakatau kē te noho a hētehi Pākehā i ha rātou anō ki Pūrangi, ehara i te mea i wawe te waihangaia o tētehi tāone. E ai ki tētehi pūrongo niupepa o te marama o Tihema, i te tau 1894, mā te taura waea e toro ana i te awa o Waitara i tae ai te tangata ki te 'pā Māori'. Tae rawa ake ki taua wā, 'kotahi rānei te hāpu, e rua rānei' e tū ana ki Pūrangi, ā, he hāpu tapahi mīti hoki i reira. E ai ki tētehi pūrongo niupepa i te marama o Hānuere, i te tau 1895, ko te whenua o Pūrangi, kāore anō i whakawehewehea ki hōna wehenga ā-tāone, i whakatōngia ki te māra e ngā Māori o taua wāhi i noho rā ki tētehi 'pā pai' i reira. E ai ki te kōrero, i hua te mauāhara nā ngā mahi a Ngāti Maru ki te aukati i tā ngā manene Pākehā eke hōiho i tō rātou pā me hā rātou māra.
- 2.96 I muri tata mai, ka weangia te taone o Pūrangi i tohua rā. E waru ngā whare o Ngāti Maru i kitea i te wāhi i tohua rā hei papa mō te kura. I kīia atu anō ha Ngāti Maru kia whakawātea i te whenua. I matapae te kaiwea ka neke rātou ki te whenua rāhui pātata o Puketui, e 46 eka te nui.
- 2.97 Ahakoa te manako o ngā āpiha o te Karauna, kāore ha Ngāti Maru i whakawātea i te wāhi mō te papa o te tāone o Pūrangi. I te tau 1896, ka tāpaea tētehi atu anō petihana e Tutanuku Tume me hētehi atu tāngata e 31 o Ngāti Maru. I kī rātou ko rātou kē te 'hunga e tika ana nō rātou te whenua' i Pūrangi. I tohe rātou ki te whakatūnga o te tāone, ka mutu i hiahia rātou ki te pupuri ki te whenua:

'Ko Pūrangi tētehi noninga pūmau o mātou. Mai i te wā i hō mātou tūpuna ki te wā i hō mātou mātua, ā, tae mai ki ha mātou nei, kua noho tonu mātou ki taua whenua, ka mutu i hua tau tini rā i taua whenua anō hō mātou whare e tū ana, hā mātou māra e takoto ana, hā mātou kararehe hoki e haere ana... E petihana ana mātou nā te mea e hiahia ana te Kāwanatanga ki te tango i taua whenua, me te kore i paku whakaaro, ka hurihia ai hei tāone. Ko te āki whakamutunga a hō kaipetihana e whai ake nei - e kore mātou e whakaae kia tutuki tērā. E tono ana hoki mātou kia mutu tā te Kāwanatanga whakapōrearea i tō mātou wā kāinga'.

- 2.98 I te marama o Noema, i te tau 1898, ka whakaae te Minita mō ngā Whenua kia whakawehewa he whenua mō Ngāti Maru ki Pūrangi, ā, ka whakahau ha ia i ngā āpiha kia tīmata te mahi tautohu i te hunga kāore hō rātou nei whenua, ā, ka whakatau i ha rātou ki te whenua. Nā konā ka hoatu e Tutanuku Tume tētehi rārangi ingoa o ngā uri e 66 o Ngāti Maru kāore hō rātou nei whenua. I whakaū ha ia i te korenga o rātou i whakawhiwhia e te Kōmihana ki te Taihauāuru ki tētehi paku pānga ki tētehi mea kotahi

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nei o ngā whenua rāhui e nui ake ana i te tahataha o te awa o Waitara. He tokoiti noa iho rātou i whai pānga ki Puketui me hētehi atu whenua rāhui e pakupaku ana, ā i te whakatūnga o te tāone o Pūrangi 'kāore he wāhi hei haerenga' mō rātou. I whakaū tētehi āpiha nō te Tari Wea i Taranaki nā tētehi 'hapanga' i tino kore ai rānei ha Ngāti Maru i paku whai wāhi atu ki ngā whenua rāhui i whakahaeretia ai e te Kōmihana ki te Taihauāuru, i nui rawa atu rānei te korenga o rātou i arongia, engari i mea hoki ha ia mā te wā e tohu me ko te tika te kī ōkawa e 66 ngā tāngata kāore hō rātou nei whenua. I whakatakoto ha ia i te whakaaro me whakawehe te whenua o te Karauna, ko tōna wāhanga e aro atu ana ki te awa o Waitara, me hōna wāhi papatahi e pai ana hei ngakinga. He mea whakahau hoki ngā āpiha kia whakahaere uiui ki te whakatau i te korenga rānei o ngā whenua o ngā tāngata e 66 nō rātou ngā ingoa i hoatu rā e Tume. Ko tā rātou he rapu i ngā kōrero kia mōhiotia ai te nui o te whenua o tēnā, o tēnā i hōna kātū whenua rāhui, te āhua o te whenua, te pai rānei o te whenua, 'te korenga rānei i pai hei whenua e mahi moni ai rātou kia ora ai rātou'.

- 2.99 Nō te taenga ki te upoko o te tau 1907, ka whakaū ngā āpiha i te tapeke o te 48 eka noa iho i ngā pāhake 19 o Ngāti Maru i hētehi whenua rāhui e takoto marara ana. I whakakorehia hētehi o ngā ingoa i te rārangi i hoatu ai e Tume i te tau 1898 nā te mea kāore i ea i ha rātou te paearu e kīia ai 'kāore he whenua' ho rātou. I tūtohungia kia whakawhiwhia ki hērā i takoto tonu ki te rārangi ingoa ngā eka e 50 mō ia pāhake 'ka mutu ka whai wāhi atu ki hērā o ngā whenua i ngā ringa kē o te tangata e pupuri ana, nō reira mehemea e 25 kē rānei, e 30 kē rānei ngā eka o te tangata i hea rānei, e 25 noa iho rānei, e 20 noa iho rānei ngā eka ka whakawhiwhia ki ha ia hei wāwāhitanga'. I te marama o Pēpuere, i te tau 1907, ka whakahau te Hekeretari-Turuki mō ngā Whenua kia whakaritea he ture, tae atu ki tētehi āpitianga whai ingoa me te whenua e tika ana kia tukuna ki ha rātou.
- 2.100 Ka hui ngā āpiha ki ha Tume i Ngāmotu i te marama o Māehe, i te tau 1907, ki te matapaki i ngā tuhanga kua tūtohungia. Ahakoa te paerunga o te 50 eka ka tukuna hei takuhe ki ia pāhake, i mōhio tonu rātou kāore pea he hua ā-ōhanga e puta nā te mea he iti noa ngā whenua kua wātea e pai ana hei ngakinga. I tūtohu ngā āpiha kia whakatōpūngia ngā kerēme ā-takitahi hei mea 'ā-whānau' nā te mea mā reira e nui ake ai ngā hua ā-ōhanga i te whakamahinga o te whenua. I whakaae ha Tume, me te aha i tohua ngā wehenga whenua ki ngā whānau e whitu. Nō konā, ka tonu ha Tume kia 19 eka te whakawehenga o tētehi wāhi iti 'ā-kāinga' i te whenua, ā, kia kotahi te eka ki tēnā, ki tēnā nō rātou te whenua hei papa mō te whakatū whare, 'hei noninga hoki mō te iwi'. I whakaae ngā āpiha ki te tūtohu kia whakatutukingia tēnei, 'mehemea ka taea'. Heoti anō, kīhei he kāinga whērā i hua mai i reira.
- 2.101 Ko tētehi pire e kīia nei ko te Purangi Landless Natives Bill i huahuatia i muri mai, i tuhaina ai ngā eka i paku kō atu i te 901 ki ngā uri o Ngāti Maru e 19 kāore hō rātou nei whenua. Me whai kāinga hoki tētehi atu rōpū me hōna uri o Ngāti Maru e 28 kāore hō rātou nei whenua e noho ana i Parihaka engari nō mua tata rā i whakapuaki ai i hō rātou hiahia ki te hoki ki tō rātou ake rohe, me te aha ka whakaritea tētehi Pire tuarua (te Ngāti Maru Landless Natives Bill). Nō konā, ka whakamanatia e Pāremata haua āhuatanga e rua. Nā hēnei Ture e rua i tukuna ai ngā eka i paku kō atu i te 2,482 hei karāti ki ngā tāngata e 47 katoa nō rātou ngā ingoa i ngā rārangi āpitianga ki te ture. Kāore hō te Rōia Matua āwangawanga mā hēnei āhuatanga ka 'whakatau i tētehi uaua ukiuki e pai ana ki ngā Māori kua whai wāhi mai, ā, e rangatira ana hoki ki te Tominiana'. Kua hia tau

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hoki te take rā e tārewa ana. Kua hipa i te tekau mā ono ngā tau mai i te whakaaranga tuatahitanga o te take i te tau 1891.

- 2.102 Nā te Ngatimaru Landless Natives Act i 50 eka ai te paerunga i whakawhiwhia rā ki ngā pāhake, i 25 eka ai ki ngā tamariki. He aha rā te take, kāore he ritenga motuhake mō ngā tamariki i te Ture mō Pūrangi. Heoti anō tāna i kī rā e tika ana kia tukuna ki ngā uri o Ngāti Maru kāore hō rātou nei whenua tētehi wāhi e 50 hōna eka, tae atu ki ngā whenua e puritia kētia ana. I herea e ngā Ture e rua ngā mahi hoko whenua, hāunga ia ngā rīhi ko te 21 tau te paerunga o te roa o te wā.
- 2.103 I mate Te Kooti Whenua Māori ki te whakahaere i tētehi uiui ki te whakatau i te nui kē o ngā whenua (mehemea rā i whai whenua) o hērā tāngata nō rātou ngā ingoa i ngā āpitianga, ka tangohia ai i ngā tohanga i whakaritea ai mō rātou. Nā Te Kooti tētehi uiui i whakahaere i te marama o Hūrae, i te tau 1908. I wātea ki Te Kooti ngā pepa i whakaritea rā e ngā āpiha e whakaatu ana i ngā whenua kē o hērā nō rātou ngā ingoa i te āpitianga o te Ture mō Purangi. Heoti anō, he amuamu i puta ake mō te korenga i whai wāhi atu o hētehi o te hunga kīhai nei i uru hō rātou nei whenua ki te āpitianga. Ko te whakamārama a te kaiwhakawā e mea ana i āhei noa tā Te Kooti whakarite tohanga ki hērā nō rātou ngā ingoa e rārangi ana i ngā Ture e rua, ā, mehemea he whakahounga e pīrangitia ana me haere atu ki te Kāwanatanga, ki Pāremata rānei. I tērā, ka tirohia e Te Kooti ngā ingoa kua tuhia ki te āpitianga o te Ture mō Ngāti Maru, engari kīhai i āhei te haere tonu nā te mea kāore anō ngā kōrero e pā ana ki hērā atu whenua e puritia kētia ana e haua tāngata kia takoto ki ha ia. Nā kona, ka hiki Te Kooti i te wā e whakahaeretia ana hētehi atu anō uiuitanga.
- 2.104 Ka takoto anō te take nei ki te aroaro o Te Kooti i te whiore o te tau 1909. Ko tā te kaiwhakawā whakatau, o ngā whenua o waenga i te aukati muru raupatu, 'kore rawa atu nei he whenua' o te katoa nō rātou ngā ingoa i ngā āpitianga o ngā Ture e rua, hāunga rā tētehi tangata kotahi e rua nei hōna eka i ngā poraka whenua motuhake e rua. I paku kō atu i te 2,071 eka te nui o te oneone i whakawhiwhia ki ngā uri o Ngāti Maru kāore hō rātou nei whenua, i 'toe' mai ai ko tōna 400 eka kāhore anō kia tuhaina atu.
- 2.105 I wea takitahingia ngā wehenga whenua i te tau 1911, ā, he tiwhikete taitara i tukuna. Heoti anō, kāore i whakatōpūngia e ngā weatanga ngā pānga ā-whānau, i pohewatia ai e ngā āpiha me Tume i te marama o Māehe, i te tau 1907. I te marama o Oketopa, i te tau 1911, ka amuamu ha Tume mō te whakawehenga o ngā whānau, ā, i hiahia ha ia kia whakarerekētia ngā mahere 'kia kotahi ai ia whānau'. Kāore i whakarerekētia te mahere, i whakaaetia rā i te marama o Hānuere, i te tau 1913, ā, kāore te mahere rā i whakatika i ngā raruraru i tūhuraina rā e Tume. I te marama o Tihema, i te tau 1915, ka tāpaea e Ngāti Maru tētehi tono ki Te Kooti Whenua Māori kia whakakotahingia, kia whakawhitingia hoki ngā pānga e whakaritea ai ngā whenua e puritia ana e ngā whānau kia nui ake ai te whai hua ā-ōhanga, engari i waiho kia whērā tonu ngā whakahau mō te wāwāhitanga. I whai Te Kooti i te ture ki te whakatōpū i te whenua, ka wāwāhingia ai ki ngā wehenga e ono: 'A-F'. He fitōhea te nuinga o te whenua, me hōna puke poupou, tae atu ki hōna 'ngahere māori, ki te kōhi me te ururu'. Ahakoa te tokopae o ngā uri o Ngāti Maru kāore hō rātou nei whenua e noni ana, e ngaki ana hoki i ngā whenua papatahi haumako i Pūrangi, kāore ngā whenua nei i tuhaina ki ha rātou e ai ki ngā wāhanga o ngā Ture.

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- 2.106 I mua i te Pakanga Tuatahi o te Ao, i tōna 50 ngā uri o Ngāti Maru e noho ana ki Pūrangi. I mate hētehi nā te urutā rewharewha i te mutunga o te pakanga, ka mutu nō tōna tau 1919, i heke ki tōna tekau ngā mōrehu.
- 2.107 Kīhei nei i tutuki ngā whakahau a Te Kooti o te tau 1915 kia wāwāhingia, kia whakatōpūngia hoki ngā poraka A ki te F. I te tau 1935, ka haria e Te Kapua Rangataua mā te petihana ki Pāremata kia whakatōpūngia ngā pānga whenua o Ngāti Maru kua roa e takaroa ana. I mea ngā kaipetihana, nā ngā āhuatanga o taua wā i 'wehe ai ngā kauaemua tāne i hō rātou kauaemuri o te whānau kotahi... e tuki nei ki te tikanga Māori o te noho tahi a te whānau'. I tukuna tā rātou petihana ki te Kāwanatanga hei whakaaroarotanga. I te wā i tonoa hana kōrero, ka whakaae tētehi kaiwhakawā o Te Kooti Whenua Māori kua tukuna hētehi wehenga whenua hei karāti 'me te kore i whai whakaaro kia whakatōpūngia ngā whānau kia kotahi ai', ka mutu ka āhua nui tonu te painga ki hērā nō rātou te whenua mehemea ka whakatōpūngia hō rātou pānga ki te wāhi kotahi. I tūtohu ha ia kia whakaritea tētehi tono hei tāpae ki Te Kooti kia whakatōpūngia ngā pānga o hērā nō rātou te whenua. Nā konā, i te marama o Noema, i te tau 1936, ka mahia e te Minita mō ngā Take Māori tētehi tono, i raro i te s.161 o te Native Lands Act 1931, kia whakaritea tētehi kaupapa whakatōpūtanga. I whakaaro hoki te Tari Māori ko te 'toenga' hoki o ngā eka e 400 kāore anō kia tuhaina, i ngā ringaringa tonu o te Karauna i taua wā, me uru atu hoki ki taua whakatōpūtanga whenua.
- 2.108 E rua atu anō ngā petihana i tāpaea i muri mai. Ko te tuatahi i waitohungia e Wiremu Tume rātou ko Kapua Keepa me hētehi atu tāngata 12. I hiahia rātou kia whakaritea te whenua hei whenua kē mō ngā whānau e taea rā pea te mahi kia whai hua ā-ōhanga ai, ā, i kōrerotia hoki hētehi o ngā uri o Ngāti Maru kāore nei i whai wāhi atu ki ngā rārangi ingoa o te wā i mau rā ngā ingoa o hērā nō rātou te whenua. I pīrangi rātou kia wawe tonu te whakatika i te take nei, 'nā te mea, i raro i ngā āhuatanga o te wā nei, kāore he take ki ha wai rānei te whenua.' I waitohu ha Whakarake me hētehi atu tāngata e 22 tētehi petihana tuarua. I tua atu i hētehi atu take, ka amuamu hoki rātou mō te korenga o hētehi uri o Ngāti Maru kāore hō rātou nei whenua i whai wāhi ki te rārangi ingoa nā te hē, nā te hapanga rānei. Nā hēnei hapa i mea ai ngā kaipetihana kua pāngia rātou e 'tētehi tūkinō ā-ture e pākaha ana'.
- 2.109 I tukuna hēnei petihana ki Te Kooti Whenua Māori hei pūrongo i raro i te s.23 o te Native Purposes Act 1938. Nō te marama o Noema, i te tau 1942 rā anō i whakatutukingia ai e Te Kooti. I matapaki ha Whakarake i te pūtakenga kōrero o te take, ā, nāna hoki ngā kōrero mō te hītori o te noho a Ngāti Maru ki Pūrangi. I whakatau te kaiwhakawā, kātahi anō ka whakaoti i tētehi pūrongo mō te take i te tau 1946, kīhei nei te ture i kapi i te katoa o ngā uri o Ngāti Maru kāore hō rātou nei whenua, engari mō hērā anake ko hō rātou ingoa i te āpitihanga. I tūtohu ha ia kia kaua ngā karāti e wetekina, ka mutu nei he hunga i reira kāore hō rātou nei whenua kīhei nei i whai wāhi atu, e āhei ana kia whakawhiwhia ki ha rātou ngā whenua wātea o te Karauna e toe ana i taua wāhi.
- 2.110 I te marama o Oketopa, i te tau 1946, ka tuhi atu ha Whakarake ki te Minita mō ngā Take Māori. I kōrerotia e ia te tūtohunga a te kaiwhakawā i tana kīnga, me he whenua wātea hō te Karauna i taua wāhi rā e taea rā te whakawehe mō rātou, 'me tutuki tonu tērā'. Ka mea hoki ha ia kāore he whenua o tōna 50 o ngā uri o Ngāti Maru, kua 'tata rawa atu rānei te whērā'. Ki tana mōhio, he whenua hō te Karauna e wātea ana i reira 'i te tuawhenua i tua i ngā whenua i whakawhiwhia i mua rā ki hētehi o ngā uri o Ngāti Maru'.

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I māharahara te Hekeretari-Turuki mō ngā Take Māori mā reira e para tētehi huarahi kāore e pīrangitia, i runga hoki i te whakaaro arā kē noa atu te tini o ngā Māori puta noa i Aotearoa ka kerēme pea i runga i te mahara e rite ana hoki hō rātou nā mana ki te whērā. Ki hōna whakaaro, 'uaua kē ana ki te Karauna te rapu whenua mō ngā take māori noa iho nei, hāunga rā ia ngā take motuhake, ka mutu tē aro i a nge au te tikanga e tukuna ai te whenua ki ngā Māori kāore hō rātou nei whenua hei rōpū kotahi'. Nō konā, ka whakamōhiotia ha Whakarake ki te kōrero e mea ana ahakoa te aroha o te Kāwanatanga, ahakoa hoki 'ehara te hē i ha rātou', i ngā Māori tokopae kāore nei hō rātou whenua, kāore he karāti atu anō e tukuna ki ha Ngāti Maru. Ka tohutohu te Minita mō ngā Take Māori i ha Whakarake 'kāore he hua o te aru i ngā tino tūmanako kia whai karāti i te Karauna', engari 'ka maumaharatia te take nei mō te tūpono ka taea ā tōna wā'.

- 2.111 Tae rawa ake ki taua wā, kua 55 tau mai i te mōhiotanga tuatahitanga o te Karauna ki te take nei e pā ana ki ngā uri o Ngāti Maru kāore hō rātou nei whenua. Ahakoa ngā mahi i ngā tekau tau i hipa rā, kāore i whai hua e tika ana, e ai ki ha Ngāti Maru.
- 2.112 I tōna tikanga, ko te 'toenga' o te wāhi me tōna 400 eka me whai wāhi atu ki te whakatōpūtanga o ngā pānga o te hunga nō rātou te whenua i te tau 1937, engari kīhei i tatū te whakatōpūtanga. I te tau 1969, ka whai tētehi tangata o Ngāti Maru ki te hoko i tēnei whenua. I whakamārama ha ia i te āhua o te murunga o ngā whenua o Ngāti Maru, ā, mā te tohanga o ngā whenua ki ha ia, ki te iwi rānei e 'paku māmā ake ai te ngākau kawa i waenga i te Kāwanatanga me Ngāti Maru'. Ka mea hoki ha ia '[k]i te Māori, ko te whenua tōna mana tuku iho. Kua mōhiotia rātou hei tangata whenua. Ko te Māori kāore hōna whenua, kāore hōna pūtake.'
- 2.113 Heoti anō, ka hoko atu te Karauna i te poraka whenua ki tētehi rōpū kaitiaki o tētehi whānau Pākehā. Ahakoa i whakaae ngā āpiha kāore anō te rōpū kaitiaki nei 'kia whakawhanake i ngā whenua i ha ia kē e pupuri ana ahakoa kua hia tau e puritia ana e ia, e kīia ana i ha ia ngā rawa me 'ngā pūkenga e mōhiotia ana' hei whakawhanake i te wāhi rā, engari i arokoretia te kaitono o Ngāti Maru, i hiahia rā 'ki te whai wā e whakaatu ai a nge au i taku kaha ki te whakawhanake i tēnei whenua', i runga i te whakatau 'ehara' ia 'i te kaupāmu tūturu', nō reira kīhei nei ha ia i tukuna kia whai wā ki te whakaariari i tōna kaha.

Ngā Rawa o te Taiao

- 2.114 Mai i te wā i tō rātou tupuna matuaiwi, i ha Maruwharanui, kua noho ha Ngāti Maru i te taha o te awa o Waitara, ā, kua whai orange i taua wai, ka mutu ki hō rātou whakaaro he tupuna tapu te awa. I te tau 1848, ka whakamārama tētehi āpiha matua o te Karauna i te āhua o te 'tāngaengae motukore' o te iwi ki tō rātou wai. Kāore i iti iho i te 18 ngā pā me ngā noninga o Ngāti Maru i hōna tahataha, whēnei i Autawa, i Kawau, i Kerikeringa, i Kōpua, i Maikatea, i Mangahau, i Manutangihia, i Ngākōrako, i Paihau, i Paritutu, i Pukekakamaru, i Pukemāhoe, i Pūrangi, i Te Araitī, i Te Whaititanga, i Te Nau, i Waituhi hoki. Ko te piharau (he taonga ki ha Ngāti Maru), ko te tuna hoki o te awa hētehi o ngā kai matua. He tino wāhi hoki ngā kauanga mō te hī piharau i te awa o Mangaoapa. I te tekau tau 1870 i te tiaki te hapu o Ngāti Hinemōkai ki Ngāti Maru tētehi pā tuna rongonui i Kawau ki te awa o Waitara. He mea hī hoki ngā tuna i ngā awa o Mangaotuku, o Tāngarākau me Tututawa.

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- 2.115 Hoesa mai ai nga waka iti i te awa o Waitara ki uta rawa, ki te rohe o Ngāti Maru, kāti, i tōna wā, koirā hoki tētehi ara tauhokohoko e whakahirahira ana. E maumahara ana tētehi kaumātua o Ngāti Maru ki te wā i noho ai te awa 'hei ara matua mō ngā uri o Ngāti Maru. Ka hoesa hō rātou waka i te roanga o hōna wai, ka whakatūria hoki hō rātou pā, ka whakatōngia hoki ha rātou māra ki reira'. Ka maumahara tētehi atu kaumātua o Ngāti Maru ki te wā tae noa atu ki ngā tau tōmua o te rautau rua tekau, i whai waka motuhake ia whānau e noho ana i ngā tahataha o te awa, i whakamahia rā hei kawae i te tangata, hei kawae hoki i te rawa.
- 2.116 Kua tino raru te toronga o Ngāti Maru ki ngā wai, ki ngā hūhi, ki ngā roto me ngā ngahere nā te nui o te rironga whenua me te hōrapatanga o ngā kāinga Pākehā. I te nui haeretanga o te rironga atu o ngā whenua e kāpīpiti ana ki ngā wai, taea noatia te awa o Waitara, ka aukatingia te toronga a ngā uri o te iwi ki hā rātou mahinga kai me ngā tauranga waka. Ka kino kē atu te te toronga ki haua wāhi i te rukenga o te para me te heke haeretanga o te ora o ngā wai, i te whakatahenga hoki o ngā hūhi, nā te korenga rānei, nā te kawhakinga rānei o ngā tupu me ngā kīrehe taketake i hua mai i muri.
- 2.117 Nāwai, nāwai kua tino heke rawa atu te ora o te taiao nā te tuangahere me ngā wai rere noa i ngā pāmu kau, nā ngā ruapara me ngā rawa whakanao i roto i ngā hikuwai whānui o te awa. Nā te unuhanga o te kirikiri i kino ake ai te whenukutanga, i tino raruraru rawa atu ai te hurihanga o tā te piharau whakaputa hua. Taea noatia ki te whiore o te tekau tau 1970, i te hanganga o tētehi rukenga para ki te moana, inā kē te kino o te parahanga i te awa o Waitara nā te parakaingaki me ngā para o te wai tukanga-kore, nā ngā parapara hoki i te whare patu kararehe he rite tonu te 'rerenga wherowhero' o te awa.
- 2.118 Nā te nui rawa atu o te murunga whenua, me te tino kurukurunga o te paiheretanga me te kotahitanga o te iwi, i tīmata rā i te tekau tau 1870, ā, i hē kē atu ai nā te takitahitanga o ngā taitara mō te whenua i whakamanatia ai e Te Kooti Whenua Māori i ngā tekau tau kāpīpiti i muri mai, i tino herea te kaha o Ngāti Maru ki te kōkiri tahi i ngā mahi kaitiaki e pā ana ki ngā rawa o te taiao. Nā te hekenga o te ora o te taiao, nā te whāiti iho hoki o te huarahi atu ki ngā wāhi mahinga kai me hētehi wāhi whai take nui ā-ahurea i mimiti haere ai ngā puna mātauranga tawhito e pā ana ki te rongoa, ki te raranga me te whatu, ki te mahinga kai, tae atu ki ngā tikanga me ngā mahinga toi e hāngai ana ki haua tikanga rā. Kua pā kino mai haua tūāhuatanga ki te mouri me te tuakiri o Ngāti Maru, ā, inā kē te tūkinotanga mai ki ngā taonga tuku iho me te mouri o te iwi.

Ngāti Maru i Tēnei Rā

- 2.119 Nā te nui o te rironga o ngā whenua o Ngāti Maru i aukatingia ai hoki te iwi i ngā mahinga kai me hētehi atu rawa o te taiao, nā te kore haeretanga hoki o ngā tūranga me ngā hononga ā-iwi i te tekau mā iwa me te rua tekau o ngā rautau, i pā kinotia ai ngā āhuatanga katoa o te ao o Ngāti Maru, ā, kua whakawhāitihia ngā huarahi e whai wāhi ai te iwi ki ngā mahi whakawhanaketanga o te rohe o Taranaki nā ngā taupā me nga here. Kua hia tau nei ha Ngāti Maru e raruraru ana i ngā hua o te pōharatanga, o te koremahī, o te whare pūwhāwhā me te takahanga o te hauora ā-tinana, ā-wairua hoki. E ai ki ngā tatauranga a Ngāti Maru, nō te taenga ki te tau 1920, kua neke atu i te haurua o te iwi kāore hā rātou tamariki e ora tonu ana. Kua mate te tokopae o ngā uri o Ngāti Maru ki te wehe i te takiwā ki te kimi mahi, me te aha kua hē kē atu tō rātou hapori. Ko te nui o te

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mamae i te rironga o hō rātou whenua me te motunga o te here ki reira ka whakapuakina mā roto i te tangi a Ngāti Maru e whai ake nei:

Maru Hāhā

Hāhā te whenua

Hāhā te tangata

- 2.1 The Crown's acknowledgements and apology to Ngāti Maru in part 3 are based on this historical account.
- 2.2 The dispossession, displacement and dislocation suffered by Ngāti Maru began with the Crown's unjustified confiscation of almost half their traditional rohe. The damage caused by the loss of Ngāti Maru lands was compounded by the divisions created within the iwi when the Crown negotiated 'deeds of cession', as a means of securing possession of the confiscated land to make way for European settlement. The subsequent passage of remaining Ngāti Maru land through the Native Land Court individualised their customary land title, making the land more susceptible to alienation, and further damaging tribal cohesion. Measures taken to ameliorate growing Ngāti Maru landlessness were ineffective, and much of the tribe's remaining land later came under Public Trustee administration and was subject to perpetual leases.

The Ngāti Maru rohe

- 2.3 The Ngāti Maru rohe extends from Waitaraiti, the source of the Waitara River, westward to the Taramoukou Range and on to the confluence of the Waitara and the Manganui Rivers. From there it follows upstream to Te Ahurangi on the slopes of Mount Taranaki. From the source of the Patea River it follows it south-east to the Matemateaonga Range, then onto the Tangahoe Stream, from there down to the Whanganui River. Heading north it joins the Tāngarākau River and carries on until it meets the Heao Stream, continuing north to Maraekōwhai, then west to Tatu and Waitaraiti. Ngāti Maru customary interests overlapped and intersected with those of other tribes on the margins of their rohe. Ngāti Maru shared whakapapa connections with a number of these neighbouring tribes.
- 2.4 Ngāti Maru cultivated land on the river flats, and utilised the rich bounty of the forests, rivers, streams and wetlands. Forest resources, including preserved pigeons, were traded with coastal tribes. The Waitara River was navigable for smaller canoes for some distance into Ngāti Maru territory, and formed an important trade route. The main Ngāti Maru kāinga and pā were located near the Waitara River or on its banks. Ngāti Maru territory was criss-crossed by several important tracks, the most famous being the Taumatamāhoe track. It crossed the Waitara River at Pukemāhoe and Purangi, and emerged on the Whanganui River near its confluence with the Tāngarākau River.

Contact with Europeans, 1840-1860

- 2.5 The inland forest-dwelling Ngāti Maru tribe had limited contact with European commerce and settlement during the 1840s and 1850s. They were, however, able to access new food sources, including pigs, potatoes and maize, and orchards were established near several kāinga.
- 2.6 Ngāti Maru were not afforded an opportunity to sign the Treaty of Waitangi. They were not involved in the New Zealand Company's purported purchases of an extensive area of Taranaki land in 1839 and 1840, and did not participate in the subsequent inquiry into

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the Company's claims carried out by Commissioner William Spain in 1844. No Ngāti Maru land was alienated to Europeans or the Crown until the 1870s.

- 2.7 Christian missionaries were among the first Europeans to visit Ngāti Maru territory. The Reverend Henry Govett established a mission station and church (known as Tū-ki-te-Aero) at the tribe's Pukemāhoe kāinga in the 1850s. Crown Land Purchase Commissioner Donald McLean and a companion named William King stayed briefly at Ngāti Maru's Tarata kāinga, in the Purangi district, in May 1850. Among other things McLean explained the advantages which he claimed would follow if Ngāti Maru accepted English law. King observed that Ngāti Maru were 'peaceable' people.

War and raupatu

- 2.8 In March 1860 war broke out in Taranaki following a dispute over the Crown purchase of land at Waitara. A March 1861 truce ended the conflict until March 1863, when fighting erupted for a second time. Hostilities continued until November 1866. In the meantime, in December 1863, Parliament passed the New Zealand Settlements Act. This Act permitted confiscation of the land of any tribe (or a 'considerable number thereof') engaged in rebellion against the authority of the Queen since 1 January 1863.
- 2.9 Ngāti Maru were not involved in the land dealings which led to war in 1860, and were not directly involved in the fighting between 1860 and 1866. Ngāti Maru have always denied carrying out any hostile acts against the Crown or settlers during the period between 1860-1866. Their involvement was limited to permitting Wiremu Kingi Te Rangitāke to take refuge in their territory after 1860, at their remote Te Nau and Manutangihia kāinga. The customary requirements of whanaungatanga did not permit Ngāti Maru to withhold their hospitality or turn their kin away.
- 2.10 In 1865 the Governor declared a number of large areas in Taranaki to be 'confiscation districts'. Under the provisions of the New Zealand Settlements Act 1863, the Governor was empowered to declare the land of 'any Native Tribe or Section of a Tribe or any considerable number thereof' that he deemed to have been in rebellion as a "district" for the purposes of the Act, and then to set apart 'eligible sites' within such districts for the use of military settlers who would 'protect themselves and preserve the peace of the Country'. The Act did not include a definition of 'rebel', but it did state that no compensation would be given to persons engaged in, levying for, or making war against the Queen since 1 January 1863, to anyone who support such activities, or who refused to give up their arms when asked to by the Governor.
- 2.11 One such district was the 'Ngāti Awa' district, which spanned approximately 400,000 acres either side of the Waitara River. In September 1865 the Governor proclaimed the 'Ngatiawa Coast' to be an 'eligible site', thereby confiscating the entire area from its traditional owners. Despite a lack of evidence that Ngāti Maru as an iwi had been in 'rebellion', or had been involved in hostile acts against the Crown or settlers, the Ngāti Awa Coast block confiscation line, which bore no relationship to tribal boundaries, cut through the heart of their territory, taking in many of their main kāinga, urupā and wāhi tapu – some of which have never been returned – and much of their best land. It is estimated that about 50% of Ngāti Maru's territory was included in the confiscation.

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- 2.12 From the mid-1860s the Crown began to survey confiscated land in south Taranaki and make it available for military settlers. This was an incremental process which has been described as 'creeping confiscation'. The Ngāti Ruanui chief Titokowaru at first resisted this in a peaceful way, but fighting broke out in June 1868 and lasted for about a year. Titokowaru was joined by a number of Ngāti Maru, with whom he had marriage and other connections.
- 2.13 Titokowaru was victorious in several engagements with Crown forces. At the peak of his success he controlled an 80-mile tract of territory from the Waingongoro River to the Whanganui River. There was widespread panic among the settler community, and the Crown considered returning the confiscated land. For reasons that have never been fully explained, Titokowaru's force disintegrated in February 1869, and he retreated to the Ngāti Maru kāinga at Te Kawau, where he lived peacefully until 1871.

Deeds of cession

- 2.14 The 1865 confiscation proclamation had legally extinguished Ngāti Maru customary title within the area proclaimed. Despite this, Ngāti Maru remained in occupation of their lands after the wars ended. Changing and contradictory official statements about the status of the confiscated land, and the failure of the Crown to take physical possession of it, led Ngāti Maru (and other Taranaki tribes) to believe that the Crown had abandoned the confiscation.
- 2.15 Treasurer Julius Vogel instituted an ambitious immigration and public works scheme in mid-1870. The aim was to carry out an extensive programme of road, bridge and railway construction and open up extensive areas of Māori land for European settlement. The Taranaki Provincial authorities were eager to participate in the Vogel scheme, but Taranaki Māori, including Ngāti Maru, still occupied a large area of confiscated land within the province and, many believed that the confiscation had been abandoned.
- 2.16 In early 1871 the Taranaki Superintendent pointed out that it was impossible for the province to participate in the Vogel scheme unless Māori claims in the confiscated lands were 'extinguished', and he urged the Crown to take immediate steps. He was advised that Ministers were aware of the importance of settling this question, and was given an assurance that action would soon be taken. Native Minister Donald McLean was instructed to come up with a solution.
- 2.17 McLean concluded that under the current circumstances, including a widespread Māori belief that the confiscation had been abandoned, orderly and peaceful European settlement of confiscated lands could be achieved not by insisting that the Crown owned the land – an approach which had almost led to disaster in 1868-1869 – but rather by distributing compensation for rights extinguished by the proclamation. This was to be achieved under the guise of what became known as 'deeds of cession'. These deeds did not represent freely-negotiated transactions. They were little more than receipts confirming that compensation had been paid to those Māori who affixed their signatures to the deeds.
- 2.18 Because customary title in the confiscated land was deemed to have already been extinguished by the confiscation, there were no title investigations by the Native Land

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Court. This meant that that such protections as might have been afforded by the Native land laws did not apply, and there was no independent forum within which all Ngāti Maru right-holders would have an opportunity to define their interests and seek payment. In addition, those Ngāti Maru who did not wish to participate in deeds of cession could not apply to the Native Land Court for a partition of their interests.

- 2.19 In January 1872 McLean instructed the Taranaki Civil Commissioner R. Parris to take steps to address the confusion that had arisen about the status of confiscated lands. Regarding lands north of the Waingongoro River, Parris was instructed to make arrangements with Māori to relinquish land that could then be used for European settlement. The Commissioner was initially instructed to compensate Māori at a rate not exceeding 5 shillings per acre, and to make such reserves as he deemed 'requisite' or 'expedient'. In the event, the six deeds of cession that involved Ngāti Maru involved payments of just over 2 shillings an acre.
- 2.20 In May 1872 Ngāti Maru met at Oropūriri to discuss land dealings. Some, led by Rangihekeiho and Mangu Peneha, wished to encourage European settlement and build a relationship with the Crown. Mangu was a rangatira with wide whakapapa connections. In some situations, he acted as a Ngāti Maru rangatira while in others he drew upon his affiliations to other neighbouring iwi. The chiefs Te Amo and Ihakara Rangawhenua led a group strongly opposed to any land dealings. Despite this lack of unanimity, five Ngāti Maru chiefs, including Rangihekeiho and Mangu, met Commissioner Parris at New Plymouth shortly afterwards and asked him to accompany them to their district to discuss a 'cession' of the Kopua block. During his subsequent journey to the Ngāti Maru country the Commissioner heard that death threats had been made against himself, Mangu and Rangihekeiho, by those who opposed land dealings. During a heated June hui at Te Kawau, Te Amo and others eventually withdrew their opposition, so long as the Kopua land under offer did not 'interfere' with their own claims. The Kopua deed of cession, involving 3,140 acres, was signed on 1 August 1872. A small urupā reserve was located on the western boundary of the block, on the Waitara River.
- 2.21 By the end of 1872 the Commissioner had paid compensation to some Ngāti Maru chiefs, and members of another tribe, for the 12,800-acre Waitara-Taramouku block, adjoining the Kopua block. Three reserves were described in the deed; Aotawa, consisting of 330 acres, and two half-acre urupā reserves.
- 2.22 Despite the Crown's knowledge that Ngāti Maru were not unanimous in their desire to accept the Crown's money for their interests, that the deeds of cession caused division among Ngāti Maru, and that there was a Ngāti Maru presence at Parihaka, Taranaki's Civil Commissioner continued to pursue the deeds of cession with a small group of Ngāti Maru individuals. Officials also 'rewarded' Māori who helped facilitate the deeds of cession for Ngāti Maru land with promises of gratuities and gifts. For example, in 1873 the Crown gifted a cart and a pair of bullocks to an individual previously opposed to deeds of cession, and promised several Ngāti Maru chiefs 'further recognition ... at some future time'. In other instances, officials offered clothing, cash, and 'bonus payments' to those who ceded land as payment for their 'valuable assistance' or for removing 'unreasonable opposition'.

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- 2.23 Two further deeds were signed in February 1874. They involved the 400-acre Ruapekapeka block and the 1,000-acre Pukemahoe block. A one-acre urupā reserve was excluded from the Pukemahoe transaction. The 36,000-acre Onaero-Urenui-Taramouku block was transacted in March 1874 by five tribes, including Ngāti Maru. Two reserves, of 500 acres and 200 acres respectively, were set aside. Te Amo did not sign the Onaero-Urenui-Taramouku deed, and was not mentioned in connection with the reserves. An undefined portion of the reserved land was subsequently earmarked for him and his people, but in 1877 they took up residence elsewhere on the block, at Ōkawa. In 1884, an Act was passed granting Te Amo and fifteen others 357 acres at Ōkawa. The Act specified that the provision of this grant extinguished the interests of Te Amo and his people in the Onaero-Urenui-Taramouku reserves, 'together with all their claims in the Ngatimaru District [and] Upper Waitara' except for their 'pas and sacred places'.
- 2.24 In May 1874, following the cession of significant Ngāti Maru interests to the Crown, Taranaki's Civil Commissioner described how Ngāti Maru were riven in two, with a section of individuals who sought to cede land to the Crown – 'exerting [themselves] to get the country transferred to the Government for more profitable occupation' – and another group being 'led away by the prevailing influence of Te Whiti' (one of the Māori leaders from Taranaki who led a campaign to bring an end to the conflict and the Crown's confiscation in Taranaki through acts of non-violent resistance). Individuals who elected not to participate in cession negotiations did not receive a share of the payments made through deeds of cession.
- 2.25 Despite an awareness that Ngāti Maru were far from unanimous in their desire to participate in deeds of cession, the Commissioner continued to deal with a group of cooperative chiefs. A deed for the 6,320-acre Te Wera block was signed in September 1874. A 50-acre reserve named Mangaoapa was located in the north-eastern extremity of the block on the Waitara River.
- 2.26 The six deeds of cession directly involving Ngāti Maru, executed between 1872 and September 1874, involved a total of around 60,000 acres. Occupation reserves set aside exclusively or predominantly for Ngāti Maru (Te Kawau, Aotawa and Mangaoapa) totalled only 1,380 acres. No evidence has been located to show that Crown officials carried out any assessment of the present and future needs of the tribe, or that there was any consideration of the amount of land needed if they were to participate meaningfully in the developing Taranaki economy.
- 2.27 A further deed involving the 25,000-acre Huiroa block was signed in November 1874. Ngāti Maru did not participate in the deed of cession, which was signed by people representing other tribes. However, Te Amo and his followers had a particularly strong association with Huiroa. It contained wāhi tapu and urupā, and a significant Ngāti Maru kāinga named Te Kawau was located in the north-western part of the block. Te Amo and his people were, however, given a 1,000-acre reserve within the block, which included their Te Kawau kāinga.

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The Native Land Court and Crown and private purchasing

- 2.28 Ngāti Maru lands outside the confiscation boundary came within the jurisdiction of the Native Land Court. The Native Land Court was established by the Native Lands Acts of 1862 and 1865. Its main role was to determine the owners of Māori land 'according to Native custom', and convert this customary title into an individual form of title derived from the Crown. The Acts also set aside the Crown's pre-emptive right of purchase, creating an open market in Māori land.
- 2.29 The Crown anticipated that title individualisation would facilitate the opening up of Māori land for European settlement. Māori were not represented in Parliament when the 1862 and 1865 Acts were passed, and the Crown did not consult Ngāti Maru about these measures.
- 2.30 The Native land laws and the Native Land Court introduced profound changes. Ngāti Maru customary tenure was collective in nature. This form of tenure was able to accommodate a range of overlapping and intersecting rights and interests. The conversion of customary interests into individual entitlements was carried out in a manner which did not necessarily include all those with a customary right or interest, and title individualisation contributed to land alienation by undermining tribal control. Multiple succession to individual interests also had the effect of fragmenting titles into uneconomic shares. The title adjudication process could also result in significant expenditure by Māori claimants in the form of fees, expenses associated with attending the Court, and surveys.
- 2.31 Ngāti Maru had no alternative but to use the Native Land Court if they wanted a title that could be legally recognised and protected from claims by other Māori. A legal title was also necessary if Ngāti Maru wished to lease or sell land.
- 2.32 The Native land laws permitted any individual Māori or group of Māori to make an application to the Court. Any Māori person was therefore free to seek a title adjudication, irrespective of tribal preferences, and those who did not participate risked losing their land. Advance payments made by Crown purchase agents before title had been determined by the Native Land Court further encouraged applications to the Court by Ngāti Maru individuals.
- 2.33 Ngāti Maru tribal unity and cohesion had been dealt a serious blow during the deeds of cession period between 1872 and 1874, and further significant damage was inflicted through the Native Land Court process. These bitter conflicts, which on one occasion appears to have resulted in the death of a non-selling Ngāti Maru chief, were long remembered by the tribe. In the 1930s it was recalled that in the mid-1870s Ngāti Maru were 'torn into factions by the dissensions of those who wanted to sell land to the Government and those who opposed sales'.
- 2.34 Ngāti Maru individuals claimed customary interests in a number of blocks outside the confiscation boundary, and in four cases (Mangaere, Mangaotuku, Pohokura and Pahautuhia) succeeded in obtaining exclusive or substantial recognition of their interests, amounting to a total of approximately 81,000 acres. The Crown subsequently acquired Mangaere and Mangaotuku, while Pohokura and Pahautuhia were purchased by private

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parties. The remote nature of their territory, sometimes limited advertisement of hearings, and the migration of some members to Parihaka, meant that Ngāti Maru also missed some crucial hearings for land in their rohe, and therefore struggled to defend all of their interests in the Native Land Court. In other cases, Ngāti Maru participation was undermined by the use of survey plans that had been drafted by officials but not marked out on the ground, leaving Ngāti Maru unaware that lands were being claimed. In some cases, the poor quality of surveys contributed to further conflict and uncertainty within Ngāti Maru.

Mangaotuku

- 2.35 Mangaotuku was the first block brought before the Native Land Court by Ngāti Maru individuals. In early 1873 a Crown agent had made an advance payment of £70 to Rangihekeiho, and a further payment of over £130 to Mangu and others, characterised as 'wages, survey', which was also charged against the land. In March 1875 an application for a title determination was submitted to the Native Land Court by Mangu and others.
- 2.36 The Ngāti Maru chief Ihakara Rangawhenua objected to the sale of Mangaotuku. In April 1875 he was murdered by a member of the land-selling section of Ngāti Maru. The Civil Commissioner reported that Rangawhenua's murder may have related to a dispute concerning the wife of the chief who killed him, but disagreement over the pending Mangaotuku sale appears to have been the fundamental issue. Ngāti Maru believe that Rangawhenua's murder was a pivotal event in the history of their tribe; it weakened the non-selling party and encouraged some of them to move to Parihaka, thus enabling others to obtain titles from the Court and effect sales in their absence.
- 2.37 Mangaotuku came before the Court at Patea in November 1875. At around the same time the Crown made a further down-payment of £530 to Mangu Peneha and others. The map before the Court was an inaccurate sketch plan which showed the block to contain 61,200 acres. This was a significant over-estimate. The block was ultimately found to contain 47,400 acres. After hearing Mangu's evidence, the Court made an interlocutory (provisional) award in favour of those named by him. It was anticipated that a final order would be made when a properly certified plan was produced. A deed was signed on 16 December 1875, and the balance of the purchase price was paid by a Crown official to those named as owners by the Court. The total price was £7,650 for a block which Crown officials thought consisted of more than 60,000 acres.
- 2.38 Shortly thereafter an application for a rehearing was made by other tribes. A rehearing was subsequently permitted by an Order in Council dated 12 December 1876. All prior Native Land Court proceedings were 'annulled', meaning that the land reverted to the status of unadjudicated Māori customary land.
- 2.39 When the case came before the Court again in September 1877, an approved survey plan was still not available and the case was adjourned. The tribes which had applied for the rehearing did not appear at the September 1877 Court hearing, and had no further involvement in the land. No rehearing ever took place. Mangaotuku retained the status of Māori customary land as a result of the December 1876 Order in Council.

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- 2.40 The matter remained in abeyance until March 1880, when the Native Land Purchase Department Under-Secretary inquired why Mangaotuku, which had ostensibly been purchased by the Crown in December 1875 for the considerable sum of £7,650, had not yet been gazetted as Crown land. Officials reported that because of the December 1876 Order in Council the land had reverted to customary Māori land, which effectively voided the 1875 interlocutory order and subsequent purchase, and a fresh title adjudication was necessary.
- 2.41 In January 1881 Crown officials were instructed to prepare a fresh application for a title adjudication, to be signed by Mangu, Tuanini, Tihirua, Pokau and others named 'in Order of Court dated November 1875', and to forward this to the Chief Judge'. A Crown official prepared a new application, but found that Tuanini and Tihirua were incarcerated at this time as a result of their activities at Parihaka, and that Pokau had died. Other 1875 grantees were now said to be 'averse' to sales. Nevertheless, in January 1881, an application signed by Mangu and others was forwarded to the Court, and the block was set down to be heard at Patea in August 1881.
- 2.42 The case was heard on 16 August 1881. The plan before the Court revealed that the block consisted of 47,400 acres, considerably less than first thought. On this occasion the Court awarded title to Mangu and others who had been named as owners in 1875, and members of another tribe who had not been named as owners in 1875 and had not signed the Crown's deed. The block was therefore partitioned into two parts; a 38,860-acre block, which retained the appellation Mangaotuku, and an 8,540-acre block named Huiakama, awarded to those who had not been named as owners in 1875. Mangaotuku was subsequently awarded to the Crown on the strength of its 1875 purchase. Huiakama was purchased a few days later by a settler. The Crown thus obtained considerably less than it had paid for in 1875.
- 2.43 During the August 1881 hearing the Court was made aware that a number of owners were not present, including some who were living at Parihaka. Section 23 of the Native Land Court Act 1880 required the Court to ascertain the title of the applicants 'and of other Natives' whether 'appearing in Court or not'. Section 25 stipulated that the names of all those determined to be entitled, including those not present in the Court, must be included in the Certificate of Title. These requirements were not followed in this case.

Mangaere

- 2.44 Between 1876 and 1879 the Crown made advance payments of £285 for the 6,259-acre Mangaere block to several Ngāti Maru individuals. In September 1878 the block was proclaimed under the provisions of the Government Native Land Purchases Act 1877. The Act was designed to protect the Crown's interests by prohibiting third party dealings in cases where the land was under negotiation or advance payments had been made.
- 2.45 Applications for title investigations were made by two different Ngāti Maru groups in 1877 and 1878. Mangaere came before the Native Land Court at Patea in July 1880. The Court confirmed a list of owners provided by Mangu. The Crown's purchase of Mangaere was concluded on 25 August 1881, and the remaining balance of the payment was handed over to the owners. The total price was £781/5/-. A large survey lien of

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£264/8/8 was registered as a charge against the block. This represented slightly more than a third of the total purchase price.

Pahautuhia

- 2.46 The 6,700-acre Pahautuhia block came before the Native Land Court in June 1882. The land was claimed by members of the Ngāti Kopu hapu of Ngāti Maru. Mangu was one of the principal claimants. The Ngāti Maru claim was unopposed, and the Court made an interlocutory order, pending the provision of a certified survey plan, naming 18 Ngāti Maru owners. Mangu then stated that he wished for a part of the block to be 'restricted absolutely', and all those present in the Court agreed. The Certificate of Title recorded that 2,000 acres would form 'a perpetual reserve for the people'. The reserve was to be pointed out to the surveyor by the owners.
- 2.47 An offer to sell Pahautuhia land to the Crown was made in November 1889. Officials agreed that a Crown acquisition was desirable, and arranged a survey so that the Court's order could be finalised and a Certificate of Title could be issued to the owners, followed by a purchase. The external boundaries of Pahautuhia were mapped in September 1890, but the owners could not afford to pay for a survey of the reserve. Officials then suggested that if the owners could locate the reserve 'in some particular corner of the block' it would be possible to 'compute' a line in the survey office. A few days later a plan showing the 2,000-acre reserve, 'cut off by computed lines', was sent to the Native Land Court.
- 2.48 The Pahautuhia plan came before the Court at New Plymouth in November 1890. No significant issues were raised in connection with the plan, but one individual, who was not named as an owner in 1882, objected to alienation restrictions placed on the 2,000-acre reserve. The Judge replied that the Court could do nothing in this regard, but those who objected to the restriction were free to apply to the Government to have it removed. The plan was then confirmed by the Court. In the meantime, the owners had been offered five to six shillings per acre by a settler. The Crown was only prepared to pay 2 shillings per acre and, apparently unwilling to compete with this higher offer, took no further steps to acquire the land.
- 2.49 An application for a partition of the block was heard by the Native Land Court at Whanganui in December 1891. Three subdivisions were created – Pahautuhia No. 1 (the 2,000-acre reserve); Pahautuhia No. 2 (4,410); and Pahautuhia No. 3 (290-acres). The restriction on alienation imposed on the 2,000-acre reserve in 1882 was not maintained. Recent changes to the native land laws enabled the Court to remove restrictions against alienation. Through the 1891 subdivisions, the shares of only some individuals in the reserve were restricted.
- 2.50 The Court then proceeded to partition out the unrestricted interests in the 2,000-acre reserve (Pahautuhia No. 1). These were grouped together and given the appellation Pahautuhia No. 1A. This sub-division consisted of 983 acres. The balance of the reserve, over which restrictions were maintained, retained the appellation Pahautuhia No. 1. Between June and November, 1892, there were further applications to have the restrictions on Pahautuhia No. 1 removed. These applications appear to have been

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approved, as much of Pahautuhia, including the reserve, was later acquired by settlers. None of the original 7,400-acre block remains in Māori ownership today.

Pohokura

- 2.51 In March 1876 Rangihekeiho and others of Ngāti Maru offered to sell a large tract of land, including Pohokura, to the Crown. The Taranaki Civil Commissioner confirmed that Rangihekeiho had rights in the area, and recommended that the offer be accepted. Between February and March 1879, Crown purchase agents made advance payments to individuals described as 'the principal owners' of Pohokura, including Ngāti Maru individuals.
- 2.52 The Pohokura block was scheduled to come before the Native Land Court at New Plymouth on 31 July 1880. Three days before the hearing was to begin, the Crown's purchase agent sought permission to provide an advance of £20 to those attending the hearing to assist them meet the costs of living. Permission was granted on the condition the advance was charged against the block.
- 2.53 The Chief Surveyor provided the Court with a sketch plan, which it was hoped would be sufficient for the Court to grant an interlocutory order. But in the absence of a certified survey plan, and because Tuanini and Tihirua had been imprisoned in Dunedin following their involvement in the Parihaka protests, the Judge declined to proceed with the case. He considered that Tuanini and Tihirua were 'compulsorily absent and ought to have an opportunity of attending'. While Court adjudications might proceed where the Ngāti Maru followers of Te Whiti who opposed the Court and land dealings chose to absent themselves, in this case, the Judge felt it was inappropriate to award title in cases where claimants had been forcibly detained.
- 2.54 On 26 May 1882, Tamarua, Mangu Peneha and others of Ngāti Maru wrote to the Native Minister. They pointed out that there was still no survey, and despite making advance payments totalling £350, the Crown had taken no steps to complete the purchase. They now wished to convey the land to a local settler who had expressed an interest in acquiring the block, and offered to refund the Crown's advances.
- 2.55 The claimants made a further application for title determination, and the block was scheduled to come before the Native Land Court on 7 June 1882. On the same day, the Crown issued a proclamation to prohibit private dealings over the block, which it estimated to contain 50,000 acres. Pohokura came before the Native Land Court on 10 June. The main claimant was Tapanui Tamarua of Ngāti Maru. A list of owners was submitted. There was no objection, and the Court proceeded to issue an interlocutory order, noting that a certificate of title would be issued when 'a sufficient [survey] plan' was deposited and approved by the Court.
- 2.56 A senior Crown official informed the settler who was interested in acquiring the block that if the owners refunded the Government's advances and expenses, the prohibition would be withdrawn. In September 1882 the Māori owners repaid a sum of £359/5/- to the Crown. The Crown's proclamation was lifted a little over a week later. The settler was now free to complete his purchase. A deed was signed by the Māori owners of the Pohokura block on 15 November 1882. The deed recorded that the block comprised

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60,000 acres, for which the owners were paid £2,000, including £359/5/- refunded to the Crown.

- 2.57 When an accurate plan of the Pohokura block was finally produced in 1885, it was substantially different to the sketch plan submitted to the Court in 1882, and was found to include 29,500 acres – less than half the previous estimate. In June 1886 the plan was submitted to the Native Land Court, which made it available for inspection for only seven days. This provided very little time for any objections to be lodged by Ngāti Maru. The plan was subsequently approved in the absence of any objection. The final Native Land Court order confirming the title was issued on 22 December 1886, and a Certificate of Title for the Māori owners was backdated to 10 June 1882. This final certificate of title noted that the settler had purchased the block from the owners in November 1882.
- 2.58 Between 1875 and 1895, Ngāti Maru claimed interests in eight blocks in the Native Land Court, totalling over 225,000 acres. They were awarded either exclusive or shared interests in six of these blocks. Ultimately, Ngāti Maru did not retain any of the land awarded to them by the Native Land Court. Then in 1896, the huge Taumatamahoe block went through the Native Land Court and was awarded to other iwi, apparently without Ngāti Maru being aware of it.

Taumatamahoe and Whitianga

- 2.59 During the 1870s some Ngāti Maru chiefs offered to sell land extending into what later became known as the Taumatamahoe block. In August 1872 a Crown official was informed that there was 'a very fine district' between the Waitara River and the Whanganui River. This was said to be owned 'conjointly' by Ngāti Maru and other tribes. In June 1874 a newspaper reported that land offered for sale by the Ngāti Maru chief Rangihekeiho (estimated to contain 60,000-100,000 acres), extended from the Huiroa and Te Wera blocks in a north-easterly direction. In April 1875 a party of 12 Ngāti Maru, led by Rangihekeiho, made a further offer involving an extensive area 'extending northwards towards Taumatamahoe and Tahoraparoa; eastward, towards Wanganui River'. Tahoraparoa is located in the north-western part of the land which later became the Taumatamahoe block.
- 2.60 The vast 155,300-acre Taumatamahoe block came before the Native Land Court at Whanganui in February 1886. The block was bordered by the confiscation line in the north-west and by the Pohokura and Whitianga blocks (both awarded to Ngāti Maru individuals by the Native Land Court in June 1882) in the south. In the absence of any objections, and after a hearing lasting only one day, Taumatamahoe was awarded to individuals belonging to other tribes.
- 2.61 However, evidence suggests that representatives of Ngāti Maru were not present to defend their interests in the Taumatamahoe block. A Ngāti Maru witness at another title investigation recalled that no notice of determination of ownership for the Taumatamahoe block had been published in the Māori Gazette (Kahiti), nor do the Native Land Court's minutes record the presence of Ngāti Maru representatives at the Taumatamahoe hearing (they may have been absent at Parihaka). Furthermore, no survey plan had been provided to the Court, as required by the Native Land Court Act 1880.

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- 2.62 In later years, the nature and extent of Ngāti Maru interests in the north-eastern portion of their rohe became apparent. For example, in June 1886, 36 Ngāti Maru individuals sought to sell land within the Taumatamahoe block to the Crown, possibly because the iwi were still unaware of the Court's title determination earlier that year. An investigation by the Taranaki Chief Surveyor revealed that the land offered by the chiefs was within the Taumatamahoe block which had recently passed through the Native Land Court. Because the block had been awarded to members of other iwi, it was no longer Ngāti Maru's to sell, and no further action was taken.
- 2.63 The nature and extent of Ngāti Maru interests in Taumatamahoe came up again in connection with the 26,400-acre Whitianga block. Whitianga, which abutted the northern boundary of Taumatamahoe, first came before the Court at Whanganui in August 1894 on the application of Mangu and other Ngāti Maru individuals. During an adjournment Ngāti Maru and other tribes claiming the block agreed that it would be divided equally between them. Through this arrangement 47 Ngāti Maru individuals were awarded the western half of the block, consisting of 13,200 acres. Members of the other tribes which were ostensibly parties to this agreement later objected, claiming that those who had made the August agreement had not been authorised to do so. They applied for a rehearing, which took place at Whanganui in October 1895.
- 2.64 After hearing lengthy and detailed evidence from all the contending parties, the judge first addressed the location of a tribal boundary between Ngāti Maru and the other claimants. He found that the 'true boundary' between the tribes ran through the Taumatamahoe block, and Ngāti Maru settlements were located in the area west of this boundary, 'and on the Pohokura, Mangaotuku and other blocks to the south and west of the Matemateaonga range'. The Court therefore found that Ngāti Maru had received more than it was entitled to in Whitianga. The Whitianga block was therefore awarded to members of the other tribes, although the Court also stated that members of Ngāti Maru who were related to them and who could prove they had occupied the block would also be admitted. This judgment meant that the earlier award of half the Whitianga block to Ngāti Maru no longer applied.
- 2.65 However, as a result of the evidence presented in the Whitianga rehearing, the Court also concluded that land in the western part of the Taumatamahoe block, which had been awarded wholly to another tribe in 1886, 'rightfully belonged' to Ngāti Maru and should have been awarded to them. However, because no legal means were available to remedy this 'mischief', the judge urged the successful Whitianga claimants to hand over a part of the block to Ngāti Maru as a 'graceful act' to compensate them for their lost Taumatamahoe land.
- 2.66 This was agreed, and a small area of 1,200 acres of Whitianga was given to two Ngāti Maru individuals, Tuanini and Tutanuku Tume. Ngāti Maru had incurred legal and other costs associated with the Whitianga rehearing totalling approximately £475. Tuanini and Tutanuku were later required to sell their Whitianga interests to the Crown in order to satisfy this debt. Tuanini signed the conveyance in the Wellington lock-up, where he was incarcerated as a result of his protest against Public Trustee control of Māori reserved land.

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2: NGĀTI MARU / HISTORICAL ACCOUNT

Ngāti Maru and Parihaka

- 2.67 In 1866 a Māori community was established on confiscated land at Parihaka, situated in dense bush to the west of the Ngāti Maru rohe. Under the leadership of Te Whiti o Rongomai and Tohu Kākahi, a community of Taranaki Māori displaced by confiscation and war, including Ngāti Maru, employed non-violent measures to resist further land loss and promote Māori independence. Parihaka became a haven for dispossessed Māori, and the settlement grew rapidly as its inhabitants adopted modern agricultural techniques and established a strong economic base.
- 2.68 Te Whiti, Tohu, and other Māori leaders allowed the Crown to survey lands in south Taranaki in 1878 as a precursor to its occupation by Europeans. When promised reserves were not marked out by the surveyors, Te Whiti and Tohu directed Parihaka men to plough settlers' land throughout Taranaki. Between 30 June and 31 July 1879, 182 ploughmen were arrested in Taranaki. Eight of them belonged to Ngāti Maru, who were arrested ploughing at the Bell Block and Huirangi. These Ngāti Maru men were Te Hemara Tuanini, Tihirua Tumounga, Tukirikau, Totara Pue, Te Ngatiri Te Ngohi, Taukawau Te Retiu, Tokotaua, and Rerekopua. Between July and early August 1880, four Ngāti Maru men – Te Whetū Tume, Wiremu Te Korowhiti, Tainui Te Warihi, and Wiroa – were arrested at Pungarehu, along with 153 others, for repairing fences to protect their crops and livestock.
- 2.69 None of the arrested Ngāti Maru ploughmen or fencers received a trial, and all were sent to prisons in Dunedin and Lyttelton. Many of those imprisoned performed hard labour, and some fell ill as a result of harsh conditions. The Ngāti Maru prisoners served between ten months and two years in prison. The last of them were not released until June 1881. Crown officials acknowledged that the detention of these men was determined more by the political situation in Taranaki than the offences they were charged with. In other words, they were political prisoners. In August 1880 the Crown-appointed West Coast Commission concluded that Taranaki Māori were being imprisoned 'not for crimes, but for a political offence in which there is no sign of criminal intent'.
- 2.70 On 5 November 1881, more than 1,500 Crown troops, led by Native Minister John Bryce, invaded and destroyed Parihaka. Women were raped and the settlement was pillaged. Approximately 1,600 men, women and children not originally from Parihaka, including people belonging to Ngāti Maru, were expelled from the settlement and made to return to their home districts. On 10 November 1881, Te Rangi Puahouho of Ngāti Maru was arrested for refusing to leave Parihaka when directed to do so, and 'exciting the natives to oppose the action of the Government'. Te Rangi Puahouho was detained for six months, and was released only when the Crown brought no evidence at his trial.
- 2.71 In 1897 Parihaka people resumed ploughing as a protest against Public Trustee control and administration of Māori reserved land. Over the course of several days, more than 90 ploughmen were arrested and, after refusing to pay a ten shilling fine, they were imprisoned for a year. The ploughmen included nine Ngāti Maru individuals arrested between 29 October and 1 November 1897 at Onaero, Waitara, and the Bell Block: Tohe Pakanga Te Wharerangi, Tapapa Hetaraka, Tunga Paekawa, Tainui, Pue Motunui, Te Ikatere Patuwairua, Te Hemara Tuanini, Tumounga, Putakarua.

West Coast Settlement reserves

- 2.72 The New Zealand Settlements Act 1863 (and subsequent amendments) provided for a court to be set up to compensate 'loyal' Māori whose lands were included within the confiscation boundaries. The Ngāti Awa Coast block was set down to be heard by the Compensation Court at New Plymouth in 1866. An out-of-court settlement resulted in the award of an area of 26,000 acres of coastal land to 575 individuals belonging to five tribes, including Ngāti Maru. The nature and extent of Ngāti Maru involvement in this arrangement is not disclosed in the historical sources. By 1880, some fourteen years later, only a little over five per cent of this land had actually been granted to Māori. As far as can be ascertained Ngāti Maru did not receive any of this small area.
- 2.73 The West Coast Commission was appointed in January 1880 to inquire into Māori complaints about the Crown's failure to provide promised reserves to Taranaki tribes. Only a small number of Māori witnesses appeared before the 1880 Commission. Only two people belonging to Ngāti Maru provided evidence to the Commission – Mangu Peneha and Puipiu. Those Ngāti Maru residing at Parihaka did not attend.
- 2.74 The Commission found that the Crown had returned very little of the land – later estimated at only four per cent – promised to Taranaki Māori under the compensation scheme. With regards to the urupā and other reserves that had been provided for in the deeds of cession involving Ngāti Maru, none had been surveyed or granted.
- 2.75 The Commission recommended that a second commission be established to implement its recommendations. In December 1880 a second West Coast Commission was duly appointed. In 1884 it provided a schedule of recommended grants, including grants to Ngāti Maru. These grants included reserves mentioned in deeds of cession, a number of urupā reserves, the 357-acre Okawa reserve, and several additional occupation areas. The total extent of occupation reserves recommended for Ngāti Maru by the Commission was approximately 2,167 acres. This area was all the land remaining to Ngāti Maru within the confiscation boundaries. There was no provision for Ngāti Maru or other Taranaki Māori to appeal the Commission's recommendations. Individual title to most of these reserves was determined by the Native Land Court in 1895 and 1896.

Pohohītoa Urupā

- 2.76 In 1880, the second West Coast Commission noted that an urupā at Pohohītoa, which was supposed to have been reserved from the Crown's 1874 Pukemahoe purchase, had not yet been granted because it had not been surveyed. In 1884 the Commission noted that the reserve had still not been surveyed, but anticipated that 'when settlement surveys reach these districts [it] will be marked out and Crown granted.' However, by 1892 the area had still not been formally granted.
- 2.77 In 1892, plans were drafted to build a road through the area. The Pohohitoa reserve was finally surveyed at this time, because it lay in the path of the proposed road. In 1894, the Crown issued an order bringing the urupā, which technically remained in Crown ownership, under the jurisdiction of the Native Land Court. In 1896, the Court investigated the block and issued title to five Ngāti Maru owners. However, the area granted only included the areas to the side of the road.

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- 2.78 Construction of the road began soon after. In 1927, Kapua Keepa of Ngāti Maru told the Sim Commission how a road had been 'cut through' Pohohītoa cemetery, and that skeletons had been 'taken up for exhibition'. Contemporary Ngāti Maru records allege that these remains were 'put on display in the council offices'.

Public Trustee administration of the West Coast Reserves

- 2.79 The reserves made by the West Coast Commission did not revert to Māori to do with as they pleased, but were instead vested in the Public Trustee. Ngāti Maru were not consulted. Most of the land under Public Trustee administration was leased to European farmers without the consent of the owners, and the Public Trustee also invariably made decisions about reserves administration which benefitted the European leaseholders. Europeans were granted long-term leases of reserves which they could mortgage, while Māori were granted less secure, short-term leases and 'occupation licenses' terminable at short notice.
- 2.80 The West Coast Settlement Reserves Act 1892 repealed the legislation governing the leasing of reserves in Taranaki. Parliament hoped the new Act would address the confusion and legal uncertainty that had come to characterise the application of leasing regulations after a decade of amendments to the 1881 Act. However, the West Coast Settlement Reserves Act 1892 enabled Pākehā farmers to convert fixed-term leases to perpetually-renewable leases of 21-year terms. This form of tenure, highly desired by lessees, was considered appropriate by Crown officials who claimed that Māori owned more land than they needed and, if lessees were offered a more attractive form of tenure, rentals might be increased. Rent was based on unimproved value, assessed every 21 years. Most leaseholders took advantage of these changes.
- 2.81 Ngāti Maru were not consulted prior to the passing of the 1892 Act. Parts of four Ngāti Maru reserves (totalling 1,259 acres) were ultimately subject to perpetually renewable leases. At this time Ngāti Maru were complaining of widespread landlessness, and were urging the Crown to set aside land for them to occupy within the confiscation boundary at Purangi.
- 2.82 The leasing regime established by the Crown after 1892 had the effect of creating permanent European settlement on Māori reserved land, and many Taranaki Māori, including Ngāti Maru, considered the perpetual leasing regime an extension of the Crown's 1865 confiscation. It is likely that over time the effects of inflation eroded rental returns, and the Public Trustee's administration of their lands significantly contributed to the social and economic marginalisation of Ngāti Maru.
- 2.83 In 1893 Ngāti Maru complained that a number of their urupā had been omitted from the West Coast Commission's recommendations. The main Ngāti Maru witness at the 1880 Commission, Mangu Peneha, had described some urupā, but only those he personally knew about, and he had not had time to consult the tribe (some of whom were at Parihaka) about others. Crown officials carried out an inquiry, and found that the urupā omitted from the Commission's recommendations were on land which had passed out of Crown ownership. Despite officials noting that Māori had relied on the Commission's commitment that 'all burial places would be reserved for them', they still considered it 'impolitic' to create reserves that the Commission had not recommended.

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2: NGĀTI MARU / HISTORICAL ACCOUNT

- 2.84 Further difficulties faced by Ngāti Maru were illustrated in 1895, when the relative interests of the 34 owners of the 1,000-acre Te Kawau reserve named by the West Coast Commission in 1884 were defined by the Native Land Court. The Ngāti Maru chief Tuihu, who was a named owner, began to identify the claims of those who were not listed as owners but 'had a good right' to the land. The Court responded that Te Kawau was confiscated land which had been Crown-granted, and the Court's jurisdiction was limited to defining the rights of those named in 1884. Another witness pointed out that a number of Ngāti Maru people who did not possess land elsewhere and were not named in the grant were living at Te Kawau, and they could be placed in a precarious position if the reserve was leased to a European by the Public Trustee. The judge was unable to assist, but observed that landless people were free to 'represent their condition to Parliament'. In 1898, the Public Trustee advertised 666 acres of Te Kawau for lease under the 1892 Act, which provided for perpetual rights of renewal.
- 2.85 A petition was drawn up and circulated in 1905, stating that Ngāti Maru and other tribes had suffered 'injustice' at the hands of the Public Trustee. The main complaint was that the people were completely separated from land subject to perpetually renewable leases, and if Māori wished to occupy or farm their land they could do this only under special 'occupation licences', which required the payment of rent. Those who circulated this petition wanted Taranaki Maori to resume control and occupation of their lands. They also wanted Government lending agencies to advance loans to assist Māori in farming enterprises. The petition also called for the establishment of Industrial Schools 'at our several settlements' so the people could learn trades and farming skills.
- 2.86 When giving evidence to a 1912 Commission of Inquiry (the McArthur-Kerr inquiry), a Taranaki Māori leader described the formation of a 'Union' of Taranaki tribes, including Ngāti Maru, which was bitterly opposed to both the 1892 Act and Public Trustee administration. He stated that the 1892 legislation is a 'violation of the Treaty of Waitangi' and complained that it empowered the Public Trustee to 'arbitrarily lease our lands for all time, regardless of whether we have sufficient for our maintenance... It conferred powers upon the Public Trustee, placing that official in the position of a tyrant'. He was also quoted as describing the Act that vested Māori land in the Public Trustee as 'iniquitous and cruel'. The 1912 Commission could do nothing as these matters lay outside its terms of reference. The Commissioners did, however, identify two salient features when discussing the 1892 Act and Public Trustee administration: 'The first is that every legislative measure has been in favour of the lessees; and the second, that on no occasion has the Native owner been consulted in reference to any fresh legislation'.
- 2.87 The Native Land Amendment Act 1913 permitted the Crown (with the owners' consent) to acquire perpetually leased land and on-sell it to the European lease-holder. During Parliamentary debates, several members suggested the Crown was effectively acting as an agent for lessees, many of whom were eager to obtain freehold title. An area of 373 acres, representing a little over a third of the Kawau reserve, was acquired by the Crown in 1920 and on-sold to two European lessees in 1921.
- 2.88 In 1925, Kapua Keepa of Ngāti Maru petitioned Parliament, stating that his tribe was

'not aware of any reasons for the confiscation of our lands situate between Purangi and Tarata... we know of no engagement between [Ngati Maru] and the

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Europeans which should justify such confiscation. That while recognition was given to those portions of land legally sold, the confiscation of other lands which were not sold was not justified'.

- 2.89 In response to this and many other petitions and complaints about the Taranaki raupatu the Crown established the Sim Commission in 1926. The Commission concluded that Taranaki Māori had not rebelled against the Queen's authority, but nevertheless had been 'driven from the land, their pas destroyed, their houses set fire to, and their cultivations laid waste'. Under these circumstances they had no alternative but to fight in their own self-defence, in a 'struggle for house and home'. The Commission further found that under these circumstances 'every acre that was taken in Taranaki exceeded in quantity what was fair and just'.
- 2.90 The Commission were informed that the total area originally confiscated in Taranaki was 1,275,000 acres, but that after the Crown purchased 557,000 acres and returned 256,000 acres to Māori, 462,000 acres had been finally confiscated. The Commission recommended a permanent annuity – £5,000, plus a one-off payment of £300 – as atonement for 'the wrong that was done to the Natives at Parihaka'. There is no evidence that Taranaki Māori accepted this figure as full compensation for their grievances. Many also wanted land, not cash; 'kaore matou i te pirangi ki te moni engare me whenua'. The Commission also recommended the establishment of a Trust Board to administer the payments. The Taranaki Maori Trust Board was established for this purpose in September 1930.
- 2.91 Payments were delivered in irregular sums and at irregular intervals each year until the Taranaki Maori Claims Settlement Act 1944 provided for a regular annual payment of £5,000 to the Taranaki Maori Trust Board. The Board was charged with distributing the annuity among Ngāti Maru and other Taranaki tribes.
- 2.92 The Maori Reserved Land Act 1955 continued the system of perpetual leases, empowering the Māori Trustee to convert any outstanding fixed term leases to leases in perpetuity, and to purchase land for on-sale to lessees. Māori were further distanced from their lands in 1963, when titles to all the West Coast Settlement Reserves were amalgamated. Owners no longer had a specific interest in a particular piece of land. Instead they possessed a proportional interest in all the reserves scattered throughout Taranaki. A 1967 amendment to the Maori Reserved Land Act 1955 facilitated further sales. By 1974 some 63.5% of reserved land originally vested in the Public Trustee throughout Taranaki had been sold, and a further 26% was subject to perpetual leases. In 1974 and 1975, the Sheehan Commission investigated the lease regime over Māori reserved lands and concluded, among other things, that Māori owners were 'treated as children or persons under disability' and had almost no power to influence the relevant laws or leasing arrangements. One of the Commission's recommendations was that the leasing of Māori reserves should be administered by the owners through a representative organisation. The Paranihinihi ki Waitotara Incorporation was formed in 1976 to administer remaining perpetually leased lands transferred to it by the Māori Trustee. The owners still have no direct interest in their remaining ancestral lands.

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Ngāti Maru landlessness

- 2.93 Ngāti Maru landlessness first came to official attention in November 1891, when the Native Minister was told that a group of 19 landless Ngāti Maru, led by the chief Tutanuku Tume, were squatting on confiscated land at Purangi. An investigation by a Crown official revealed that the area they were occupying had been earmarked by the Crown for a township site, and he told the Ngāti Maru 'squatters' to leave within six months. The official added that the allocation of land to Ngāti Maru and other Taranaki Maori had been settled by the West Coast Commission, and it would be impolitic to reopen the matter. The Native Minister subsequently declined to set aside any land at Purangi as it was a designated township site.
- 2.94 In 1892 Tutanuku Tume and others petitioned Parliament, seeking title to 'a small block of land in the Taranaki District, known as Purangi'. The Native Affairs Committee referred the petition to Parliament for an inquiry. At around the same time officials identified a block of 1,000 acres in the Upper Waitara District, known as Kaweka, which might be suitable for landless Māori belonging to various tribes, including those Ngāti Maru currently living at Purangi. A party of Māori was sent to inspect the Kaweka land, but they were unable to locate it. This proposal was then abandoned.
- 2.95 Although a few Europeans had established themselves at Purangi, the creation of a township did not immediately go ahead. According to a December 1894 newspaper report, access to the 'Native settlement' at Purangi was via wire ropes stretched across the Waitara River. By this time Purangi contained a 'store or two' and a butcher's shop. According to a January 1895 press report, Purangi, which had not yet been sub-divided into township sections, was planted in crops by the local Māori, who lived in a 'good settlement' there. Some ill-feeling was said to have been engendered by Ngāti Maru efforts to stop settlers from riding horses through their settlement and cultivations.
- 2.96 Shortly afterwards the proposed Purangi township was surveyed. Eight Ngāti Maru whare were found to be located on the designated school site. Ngāti Maru were told once more to vacate. The surveyor anticipated that they would move onto the nearby 46-acre Puketui reserve.
- 2.97 Despite the expectation of Crown officials, Ngāti Maru did not vacate the Purangi township site. In 1896 Tutanuku Tume and 31 others of Ngāti Maru submitted a further petition. They stated that they were the 'rightful owners' of Purangi. They objected to the township and wished to retain the land:

'Purangi is a permanent settlement of ours. Beginning from the time of our ancestors down to our own parent's time and to our own time we have continuously occupied the said land, and during those many years our houses and cultivations and cattle have been on the land...The reason why we petition you is because the Government intend to take, without any consideration, the said land for a township. The ultimatum of your petitioners is as follows - we cannot agree to this being done. We also request that the Government cease interfering with our dwelling place'.

- 2.98 In November 1898 the Lands Minister agreed to set aside land for Ngāti Maru at Purangi, and instructed officials to begin the process of identifying landless people and placing

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them on the land. Tutanuku Tume subsequently provided a list of 66 landless Ngāti Maru people. He confirmed they had been given no interests in any of the larger reserves along the Waitara River by the West Coast Commission. Only a few of them possessed interests in Puketui and other small reserves, and when the Purangi township was formed they had 'nowhere to go'. An official from the Taranaki Survey Office confirmed that a number of Ngāti Maru had, through some 'oversight', been wholly or substantially left out of reserves dealt with by the West Coast Commission, but said that it remained to be seen whether as many as 66 people could be officially classed as landless. He suggested that Crown land with a frontage on the Waitara River, with small flat areas suitable for cultivation, should be set aside. Officials were also directed to carry out inquiries to confirm whether the 66 people named by Tume were landless. They were to ascertain how much land each person owned in the various reserves, the character of the land, and if it was sufficient 'or not fit for the owner to make a living off'.

- 2.99 By early 1907 officials confirmed that between them, 19 Ngāti Maru adults owned only 48 acres in a number of scattered reserves. A number of names provided by Tume in 1898 had been struck off the list because they did not qualify as 'landless'. It was recommended that those remaining on the list receive 50 acres for each adult, 'inclusive of what each person already holds, so that if a Native holds 25 or 30 acres in any place, he or she will get only 25 or 20 acres of the area to be subdivided'. In February 1907 the Lands Under-Secretary directed that legislation be prepared, including a schedule of names and the land to which they were entitled.
- 2.100 Officials met with Tume at New Plymouth in March 1907 to discuss the proposed allocations. They were aware that even a maximum grant of 50 acres per adult might not result in an economic landholding, as very little of the available land was suitable for cultivation. Officials recommended that individual claims should be aggregated into 'family groups' as this would permit better economic use of the land. Tume concurred, and sections were assigned to seven family groups. Tume then requested that a small 'village' section of 19 acres should be set aside on the land, with each owner having one acre on which to build a house, 'and where the small community would live'. The officials agreed to recommend that this be carried out, 'if possible'. No such settlement was subsequently formed.
- 2.101 A Purangi Landless Natives Bill was then drafted, allocating a little over 901 acres to 19 landless Ngāti Maru. A further group of 28 landless Ngāti Maru, who were currently residing at Parihaka but had recently expressed a wish to return to their own tribal area, also needed to be accommodated, and a second Bill (the Ngatimaru Landless Natives Bill) was prepared. Both measures were subsequently enacted by Parliament. Together these Acts provided for a maximum of a little over 2,482 acres to be granted to a total of 47 people named in schedules attached to the legislation. The Attorney-General had no doubt that these measures would 'settle a long-standing difficulty in a manner satisfactory to the Maoris concerned and honourable to the Dominion'. The matter had indeed been longstanding. Sixteen years had passed since the matter was first raised in 1891.
- 2.102 The Ngatimaru Landless Natives Act provided for awards of up to 50 acres for adults and 25 acres for children. For unknown reasons the Purangi Act did not include any separate provision for minors. It merely stated that landless Ngāti Maru were entitled to

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an area of 50 acres, including existing landholdings. Both Acts imposed restrictions on alienation, save for leases with a maximum term of 21 years.

- 2.103 The Native Land Court was required to carry out an inquiry to determine the amount of land (if any) already owned by those listed in the schedules, and deduct it from their allocations. The Court carried out an inquiry in July 1908. Material prepared by officials showing other land owned by those named in the Purangi Act schedule was made available to the Court. There were, however, a number of complaints that some landless people were not included in the schedule. The judge explained that the Court was only able to make allocations to those listed in the two Acts, and if any changes were desired an approach should be made to the Government or Parliament. The Court then considered those named in the schedule to the Ngatimaru Act, but was unable to proceed because no information concerning other land held by these people had been provided. The Court then adjourned while further inquiries were carried out.
- 2.104 The matter came before the Court again in late 1909. The judge found that, with the exception of one person who possessed less than two acres in two separate blocks, everyone named in the schedules to both Acts was, within the confiscation boundaries, 'entirely landless'. The total area awarded to landless Ngāti Maru individuals totalled a little over 2,071 acres, leaving an unallocated 'residue' of approximately 400 acres.
- 2.105 Individual sections were surveyed in 1911, and certificates of title were issued. The surveys had not, however, grouped whānau interests together, as envisaged by officials and Tume in March 1907. In October 1911 Tume complained that families had been separated and he wished the plans altered 'so as each family will be together'. The plan, which was approved in January 1913, was not altered and did not remedy the problems identified by Tume. In December 1915, Ngāti Maru submitted an application to the Native Land Court for a consolidation and exchange of interests to enable the establishment of more economically-viable whānau holdings, but the partition orders were left unchanged. The Court duly consolidated the land and partitioned it into six divisions: 'A-F'. The land was generally of poor quality, with steep hills and 'native bush, gorse and scrub'. Despite many landless Ngāti Maru living on and cultivating the better quality flat land at Purangi, this land was not allocated to them as part of the Acts.
- 2.106 Before World War I there were approximately 50 Ngāti Maru people living at Purangi. Several died in the influenza pandemic at the end of the war, and by around 1919 as few as ten remained.

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2: NGĀTI MARU / HISTORICAL ACCOUNT



Figure 1: Purangi kainga c1910. J. McAllister. 1/1 005879-G, ATL

- 2.107 The Court's 1915 orders to partition and consolidate the A to F blocks were never completed. In 1935, Te Kapua Rangataua and others petitioned Parliament seeking the long-delayed consolidation of Ngāti Maru land interests. The petitioners stated that under current circumstances 'elder brothers were separated from their younger brothers and sisters belonging to the one family... contrary to the Maori custom of one family being together'. Their petition was referred to the Government for consideration. When asked for his comments, a Native Land Court judge agreed that several sections had been granted 'without reference to grouping the different families together', and it would be of considerable benefit to the owners if their interests were located in one place. He recommended that an application be made to the Court to carry out a consolidation of owner interests. In November 1936 an application was accordingly made by the Native Minister, under s.161 of the Native Land Act 1931, to prepare a scheme of consolidation. The Native Department considered that the remaining unallocated 'residue' of approximately 400 acres, which remained in Crown ownership, should also be included in this consolidation.
- 2.108 Two petitions were subsequently submitted. The first was signed by Wiremu Tume, Kapua Keepa and 12 others. They wished the land to be organised into family holdings which could be worked economically, and referred to a number of landless Ngāti Maru not included in the present ownership lists. They wanted the matter rectified urgently, 'as under present conditions the land is useless to anyone'. Whakarake and 22 others signed a second petition. They also complained, among other things, that landless Ngāti

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Maru people had been omitted from the list through error or oversight. Because of these mistakes the petitioners claimed to have suffered 'a grievous injustice'.

- 2.109 These petitions were referred to the Native Land Court for a report under s.23 of the Native Purposes Act 1938. They were finally dealt with by the Court in November 1942. Whakarake discussed the background to the case, and provided an account of the history of Ngāti Maru occupation at Purangi. The judge, who finally reported on the issue in 1946, found that the law did not provide for all landless Ngāti Maru, but only those named in the schedule. He recommended that the grants should not be disturbed, and if there were landless people who had missed out they could be awarded remaining vacant Crown land in the area.
- 2.110 In October 1946 Whakarake wrote to the Native Minister. He referred to the judge's recommendation, that if there was any vacant Crown land in the vicinity which could be set aside for them, 'then this should be done'. He added that there were about 50 Ngāti Maru people who were landless 'or practically so'. To his knowledge there was Crown land available 'in the back country behind the lands previously awarded to some members of the Ngatimaru tribe'. The Native Under-Secretary feared that this would establish an unwelcome precedent, given that there were many other Māori throughout New Zealand who could claim to be equally entitled. In his view it was 'difficult enough to find Crown land for ordinary purposes, let alone for special purposes, and I cannot see how land could be provided for landless Maoris as a class'. Whakarake was subsequently informed that while the Government was sympathetic, and Māori many were landless 'through no fault of their own', there would be no additional grants to Ngāti Maru. The Native Minister advised Whakarake that he 'would not be wise to entertain very high hopes of getting a grant from the Crown', but that 'the matter will be kept in mind in case it becomes possible in the future'.
- 2.111 By this time, it had been 55 years since the matter of landless Ngāti Maru had first come to the Crown's attention. Decades of activity had, from a Ngāti Maru perspective, failed to deliver a satisfactory outcome.
- 2.112 The 'residue' area of approximately 400 acres was supposed to have been included in a consolidation of owner interests in 1937, but no consolidation had taken place. In 1969 a Ngāti Maru individual attempted to purchase some of this land. He explained how Ngāti Maru land had been confiscated, and the allocation of land to him, or the tribe, would 'do a little to ease the bitterness which exists between the Government and [Ngati Maru]'. He added that '[t]o a Maori the land is his heritage. They were known as Tangata Whenuas. A Maori without land has no roots.'
- 2.113 The Crown, however, sold the block to a European family trust. Although officials admitted that this trust had 'not as yet developed all the land it already owns although it has held it for a number of years', it was considered to have the resources and 'proven ability' to develop the area, whereas the Ngāti Maru applicant, who wanted 'an opportunity to prove I can develop this country', was dismissed as 'not a bona fide farmer', and was therefore deprived of the opportunity to prove his ability.

Natural resources

- 2.114 From the time of the eponymous ancestor Maruwharanui, Ngāti Maru have lived alongside and drawn sustenance from the Waitara River (Te Awaroa), and consider the awa to be a sacred ancestor. In 1848 a senior Crown official described the 'inalienable attachment' of the people to their river. There were at least 18 Ngāti Maru pā and kaingā along its banks, including Autawa, Kawau, Kerikeringa, Kōpua, Maikatea, Mangahau, Manutangihia, Ngākōrako, Paihau, Paritutu, Pukekakamaru, Pukemāhoe, Pūrangi, Te Araitī, Te Whaititanga, Te Nau, and Waituhi. Piharau (lampreys, a fish highly prized by Ngāti Maru) and tuna (eels) from the River were a vital food source. Fords on the Mangaoapa River were also favourite places for catching piharau. In the 1870s the Ngāti Maru hapu Ngāti Hinemōkai maintained a renowned pā tuna on the Waitara River at Kawau. Tuna were also caught in the Mangaotuku, Tāngarākau and Tututawa Rivers.
- 2.115 The Waitara River was navigable for smaller waka for a considerable distance into Ngāti Maru territory, and once formed an important trade route. A Ngāti Maru kaumatua recalls that the river was once 'an arterial route for the Ngati Maru people. Along its waterways they paddled their canoes, built their pas and planted their crops'. Another Ngāti Maru kaumatua recalled that up until the early years of the twentieth century, almost every whānau living on the river had its own waka, used for the transportation of people and goods.
- 2.116 Ngāti Maru access to waterways, wetlands, lakes and forests has been seriously affected by extensive land loss and European settlement. As lands abutting waterways, including the Waitara River, were increasingly alienated from them, tribal members were prevented from accessing traditional mahinga kai and tauranga waka. This diminishing access was exacerbated by the degradation and pollution of waterways, the drainage of swamps, and the resulting loss or displacement of indigenous flora and fauna.
- 2.117 Over time, deforestation and run-off from dairy farms, landfills and industrial plants within the wider river catchments has resulted in serious environmental degradation. The removal of gravel has contributed to erosion, which has seriously affected the reproductive cycle of the piharau. Until the late 1970s, when an ocean outfall was constructed, the Waitara River was grossly polluted by sewage and untreated wastewater, and effluent from a local meat works often made the river 'run red'.
- 2.118 Massive land loss, and a serious erosion of tribal cohesion and unity, which commenced in the 1870s and was exacerbated by land title individualisation effected by the Native Land Court during succeeding decades, has severely limited the ability of Ngāti Maru to collectively exercise vital kaitiaki functions relating natural resources. Environmental degradation and reduced access to mahinga kai areas and sites of cultural significance has also resulted in an erosion of traditional knowledge systems relating to rongoā, raranga and whatu, mahinga kai and the rituals and art forms associated with them. This has impacted negatively on the mauri and identity of Ngāti Maru, and has inflicted serious damage on the cultural fabric and mauri of the tribe.

Ngāti Maru Today

2.119 The extensive loss of Ngāti Maru lands, reduced access to mahinga kai and other natural resources, and the erosion of tribal structures and cohesion during the nineteenth and twentieth centuries, has negatively impacted on all aspects of Ngāti Maru life, and has significantly limited the ability of the tribe to participate in the development of the Taranaki region. Ngāti Maru have continued to suffer from the effects of poverty, unemployment, poor housing, and degraded physical and spiritual health. Ngāti Maru calculate that by 1920, more than half of their people had no surviving children. Many Ngāti Maru people have been forced to leave the district in search of employment, resulting in further damage to their community. An intense sense of loss and disconnection from their whenua is expressed in the following Ngāti Maru lament:

Maru of extreme loss and breathlessness

The land is deserted

The people are gone and gasping for breath.

3 TE PŪEATANGA KI TE AO / ACKNOWLEDGEMENTS AND APOLOGY

Tēnei au e te motu
Ko te kī mai a te ao nei
Kia hoatu hōna hara ki te rangi
Hau tina!
Haere mai te taonga!

Here I am
The world instructs us
To release the burdens of the past
To the cleansing winds
Bring forth the blessings and opportunities of the future!

- 3.1 E whakaae ana te Karauna ko te whakaahuatanga o te hononga i waenga i ha Ngāti Maru me te Karauna, ko te rironga – o te whenua, o te tuakiri, o te mana motuhake hoki. Nā hēnei rironga i mahue mai ki a Ngāti Maru ko te panatanga ki whenua kē me te rawakoretanga. Nā reira e whakatakotohia nei e te Karauna ki a Ngāti Maru hēnei whakaaetanga e whai ake nei.
- 3.2 E whakaae ana te Karauna he tūkinō ā-ture ngā pakanga i Taranaki, ka mutu he takahanga hēnei i te Tiriti o Waitangi me hōna mātāpono.
- 3.3 E whakaae ana te Karauna:
- 3.3.1 ahakoa kāore ha Ngāti Maru i tū ki te whakapātaritari, i tūkinō te Karauna i a Ngāti Maru ānō nei he kaiwhakapātaritari;
- 3.3.2 i kino rawa atu te pānga o tana muru raupatu i te haurua o ngā whenua o Ngāti Maru i te tau 1865 ki te mana, ki te oranga, ki te ōhanga, ki te ahurea, ki te whanaketanga ā-pāpori hoki o te iwi;
- 3.3.3 nā ngā muru raupatu, i panaia ai te tokomaha o Ngāti Maru ki whenua kē, ka mutu kāore he huarahi hei haerenga mō rātou ki hō rātou wāhi tapu me ngā wāhi tuku iho mai i ngā tūpuna, ki ngā wāhi tuku iho mō te kai me hētehi atu rawa o taua whenua;
- 3.3.4 nāna i puta ai te rangiruatanga, i kino ai hoki te wehewehe o Ngāti Maru mā te whakarite whakaaetanga tuku mō ngā whenua i te takiwā raupatu ahakoa te tohe a te tokomaha o te iwi ki te rironga o ngā whenua kua muru raupatu kētia e te Karauna; ā,
- 3.3.5 matapōkere ana te whānui me te kawenga o te raupatu, ā, he makihuhunu, he tūkinō ā-ture, ka mutu he takahanga i te Tiriti o Waitangi me hōna mātāpono.
- 3.4 E whakaae ana te Karauna i kino kē atu ngā pānga mai o te pakanga me ngā raupatu nā ngā takarepatanga o te tukanga o te Kōti Utu Paremata, oti noa nā te korenga o tā te Kōti whakaea i ngā oati i kī rā i ngā tau e hia nei ka whakahokia te whenua ki a Ngāti Maru.

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- 3.5 E whakaae ana te Karauna:
- 3.5.1 nā tana kore i whakahoki wawe i ngā whenua ki a Ngāti Maru i ngākaurua ai, i āwangawanga ai te iwi mō te korenga o te whenua hei kāinga mō rātou; ā,
- 3.5.2 i kino ake tēnei rangiruatanga nā ana takoha ki a Ngāti Maru, kāore nei i whai wāhi atu tētehi whakatewhatewha tika i ngā mana tuku iho o te Māori, ka mutu ko te pūmautanga o te taitara kāore i āta whakaaturia.
- 3.6 E whakaae ana te Karauna:
- 3.6.1 kāore ia i whakamōhio i ha Ngāti Maru i mua i tana whakatau ture whenua i te rautau tekau mā iwa i hangaia mai ai Te Kooti Whenua Māori;
- 3.6.2 kāore ā Ngāti Maru kōwhiringa atu i te whai wāhi ki te pūnaha o Te Kooti Whenua Māori hei aukati i te kokorahotanga o hō rātou whenua e wai kē atu;
- 3.6.3 nā te pānuitanga me te rerenga o ngā whakawā a Te Kooti Whenua Māori e tawhiti kē ana i te rohe o Ngāti Maru, kāore te iwi i whakamōhiohia ki te whakawākanga o ngā taitara ki hō rātou whenua, me te aha i riro atu te wā hirahira e tiaki ai rātou i hō rātou pānga; ā,
- 3.6.4 nā te whakatakitahtanga o ngā taitara i whakaraerae ake ai ngā whenua ki te wāwāhitanga, ki te porohanga, ki te rironga hoki, ka mutu nā reira i ngahoro ai ngā tūranga o te iwi o Ngāti Maru. Ko tō te Karauna kore i tiaki i hēnei tūranga tētehi takahanga i te Tiriti o Waitangi me hōna mātāpono.
- 3.7 E whakaae ana te Karauna he haraki ki ngā uri o Ngāti Maru nō rātou te whenua te taimaha o ngā utu o te wea e hāngai ana ki te poraka o Mangaere, ā, ko tana korenga i āta tiaki i ha Ngāti Maru kia kua ai e pēnei tana taimaha tētehi takahanga i te Tiriti o Waitangi me hōna mātāpono.
- 3.8 E whakaae ana te Karauna nā ngā ture mō te whenua Māori i kore ai e puta, taea noatia te tau 1894, tētehi taitara ā-iwi e whai take ana kia mau ai i ha Ngāti Maru te mana o hōna ake whenua, ka mutu he takahanga tēnei i te Tiriti o Waitangi me hōna mātāpono.
- 3.9 E whakaae ana te Karauna:
- 3.9.1 i whāiti rawa ngā tirohanga a te Kōmihana ki te Taihauāuru, me te aha kāore i āta ea i ha rātou ngā tūkino ā-ture i hua mai i ngā raupatu;
- 3.9.2 ko ngā kōrero mō ngā whenua rāhui i whakaritea ai e ngā Kōmihana i te tekau tau 1880 e pēnei ana:
- (a) tata tonu ko te katoa i noho i raro i te taitara takitahi kāore nei i tukuna iho;
- (b) ko te nuinga i te ururutanga o te ngahere kāore i taea e wai rānei; ā,
- (c) kāore i rawaka e ora ai ngā uri o Ngāti Maru o nāianeī, o muri ake nei hoki;

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3.9.3 nā ngā mahi a te Karauna e pā ana ki ngā Whakataunga Whenua Rāhui ki te Taihauāuru, i te whakatōpūtanga, tae atu ki te kawenga o tētehi kaupapa mō ngā rīhi whakahou-pūmau me te hokotanga o ngā whenua o Ngāti Maru e te Kaitiaki Tūmatanui me te Tumu Paeroa:

- (a) i unuhia ai, i te mutunga iho, te mana whakahaere, me te mana pupuri o Ngāti Maru i ngā whenua i rāhuitia rā mō rātou i Taranaki;
- (b) i whai wāhi atu ki te pōharatanga o Ngāti Maru; ā,
- (c) i takahia rā te Tiriti o Waitangi me hōna mātāpono

3.10 E whakaae ana te Karauna:

3.10.1 i mauhere ia i ngā uri o Ngāti Maru me hētehi atu Māori o Taranaki, mō rātou i whai wāhi ki te kaupapa o te papare i runga i te rangimārie i tīmata rā i Parihaka i te tau 1879 me te tau 1880;

3.10.2 he ture i whakamanatia i “tārewa ai te rerenga māori o te ture”, me te aha ko ngā mauhere katoa o Ngāti Maru kāore i whakawāngia;

3.10.3 nā te haraki o te roa o te wā i kore ai e whakawāngia aua mauhere o Ngāti Maru rā, ānō ka pēnei rātou i te mauheretanga mutunga kore;

3.10.4 nā te mauheretanga o ngā tāne 12, neke atu rānei i tērā, o Ngāti Maru ki ngā whare herehere i Te Waipounamu i runga i ngā take tōrangapū i pokerenoa ai te taimahatanga i utaina rā ki a rātou, ki ērā o hō rātou whānau, o hō rātou hapū hoki; ā,

3.10.5 ko ngā āhuatanga i pā ki hēnei mauhere ā-tōrangapū

- (a) e hē ana, e takahi ana i te mātāpono me te tika, ka mutu, nā reira i unuhia ai hō rātou mana ā-tangata nei; ā,
- (b) he takahanga i te Tiriti o Waitangi me hōna mātāpono.

3.11 E whakaae ana te Karauna:

3.11.1 i tino pāhua kinotia e ia te pā o Parihaka, ka mutu i tūkinia ia i ngā mana tangata o te iwi e noho ana ki reira i te pāhuatanga o te pā e ia, i tōna nohonga hoki ki te pā i muri mai;

3.11.2 i kawhakina e ia ngā tāngata tokomaha e noho ana ki reira, i hoepapatia, i hāparutia hoki e ia hō rātou whare me hō rātou whare tapu, i tāhaetia ngā taonga tuku iho, i āta whai mahere ki te hoepapa i ngā māra nui me ngā kararehe, ka mutu i whakahaere ia i te tomokanga ki te pā o Parihaka.

3.11.3 ko ana mahi te mutunga kē mai o te takahi i te mana o te Māori ki te whakawhanake, ki te taupua hoki i ngā hapori e whai ana i te mana motuhake i runga i te maungārongo; ā,

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- 3.11.4 kīhei i tika, he tūkinō ā-ture hoki tana mahi ki te iwi o Ngāti Maru ki Parihaka, ka mutu he takahanga hēnei mahi i te Tiriti o Waitangi me hōna mātāpono.
- 3.12 E whakaae ana te Karauna kāore ia i whakawehe i te urupā ki Pohohitōa i rāhuitia ai i te whakaaetanga hoko mō Pukemahoe i te tau 1874. E whakaae ana hoki te Karauna i te tekau tau 1890 i wea ha ia, i mahi hoki ha ia i tētehi rori kia takoto i taua wāhi i runga i te mōhio i reira tētehi urupā. Kāore tērā i āta tiaki i ngā pānga o te Māori, ka mutu he takahi tērā i te Tiriti o Waitangi me hōna mātāpono. E whakaae ana anō hoki te Karauna i hahua ngā kōiwi o ngā tūpāpaku o Ngāti Maru i te hanganga, me te aha i pā te mamae nui rawa atu ki a Ngāti Maru.
- 3.13 E whakaae ana te Karauna:
- 3.13.1 i iti iho i te kotahi ōrau o ngā whenua i hokona ai e ia i te tekau tau 1879, ka rāhuitia mō Ngāti Maru, ā, nō te taenga mai ki te tīmatanga o te rautau rua tekau kua kore he whenua o te tokomaha o Ngāti Maru;
- 3.13.2 he pōturi tana urupare ki te kino o korenga o ngā whenua o Ngāti Maru, ā, i muri i tā Pāremata whakamana i te ture e whai whakaritenga ana mō te korenga o ngā whenua o Ngāti Maru, nō te tau 1915 rā anō te Karauna tuku ai i te 2,000 eka i raupatua ai e ia i mua;
- 3.13.3 inā kē te kino o te pānga o te korenga o ngā whenua ki te oranga ā-pāpori, ā-ahurea, ā-wairua hoki o Ngāti Maru, me te aha kua rongo te iwi i te taimaha e pā ana ki te oha-pori; ā,
- 3.13.4 ko tana korenga i whai kia rawaka i ngā whenua i mau tonu rā i ha Ngāti Maru ngā hiahia matua o te wā, o muri ake nei hoki he takahanga i te Tiriti o Waitangi me hōna mātāpono.
- 3.14 E whakaae ana te Karauna he tupuna te awa o Waitara ki te iwi o Ngāti Maru, ā, tae noa atu ki te whiore o te tekau tau 1970, inā kē te kino o te parahanga i te awa o Waitara nā te para o te wai tukanga-kore mai i ngā rawa whakanao me ngā pāmu kau, ka mutu nā ngā parapara i te whare patu kararehe he rite tonu te 'rerenga wherowero' o te awa. E whakaae ana hoki te Karauna nā te unuhanga o te kirikiri i te awa o Waitara, nā te tuangahere hoki i tana hikuwai i whai wāhi ki te hekenga o te kounga o te hauropi o te awa, o te kounga o te wai, me hētehi kai o te wai, ka mutu nā ērā i nui ai te āwangawanga o Ngāti Maru.
- 3.15 E whakaae ana te Karauna, ko ana takahanga i te Tiriti o Waitangi me hōna mātāpono i te rautau tekau mā iwa me te rautau rua tekau i tino tukituki ki ngā āhuatanga tuku iho o Ngāti Maru e pā ana ki te rangatiratanga me te mātauranga, ki ngā tikanga me ngā mahinga toi e hāngai ana ki te oranga tonutanga me te whanaketanga o aua tikanga rā, i whakararuraru hoki i tō rātou kaha ā-ōhanga, i tuku anō hoki kia whakaraerae te oranga ā-tinana, ā-ahurea, ā-wairua hoki o te iwi. E whakaae ana te Karauna ko tana korenga i tiaki i te rangatiratanga o Ngāti Maru tētehi takahanga i hōna herenga e ai ki te Wāhanga Tuarua o te Tiriti o Waitangi, me te aha inā kē te roa me te kaha o tā Ngāti Maru rongo i te korenga rānei o hō rātou whenua taurikura, i te motunga rānei o tō rātou here ki reira.

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3.16 E whakaae ana te Karauna kua tino whai wāhi atu ngā whenua me hētehi atu rawa i raupatua ai i ha Ngāti Maru ki te whairawa me te whanaketanga o te rohe o Taranaki, o Aotearoa whānui hoki.

HE WHAKAPĀHA

3.17 Ko te whakaahuatanga o te hononga i waenga i ha Ngāti Maru me te Karauna, i ngā whakatupuranga e hia nei, ko te rironga o te whenua, o te tangata, o te tuakiri hoki.

3.18 Nā ngā takahanga maha a te Karauna i te Tiriti o Waitangi i haere manene ai a Ngāti Maru i tō rātou anō kāinga tupu.

3.19 Nō reira, e whakapuaki ana te Karauna i tēnei whakapāha tōmuri rawa e whai ake nei ki ngā tūpuna, ki ngā uri whakatupu, ki ngā hapū, ki ngā whānau hoki o Ngāti Maru:

3.20 E whakapāha ana te Karauna mō hāna mahi i pakaru ai te pakanga ki Taranaki, ā, e whakapāha ana hoki ia mō te orotā me te whakakiwakiwa o ngā pānga mai i hēnei mahi ki ngā tāngata o Ngāti Maru.

3.21 E whakapāha kau ana te Karauna mō te tūkinō ā-ture o tana raupatu i Taranaki. Matapōkere ana te raupatu kurī noa o tētehi haurua o te rohe o Ngāti Maru, ā, e tino whakapāha ana te Karauna i tēnei 'raupatu take kore'.

3.22 Inā kē te hinapōuri o te Karauna, ā, e whakapāha ana ia mō te tārewatanga o te rerenga māori noa o te ture, mō te tūkinō ā-ture o tana mahi, o tana whakamanene hoki i ngā uri o Ngāti Maru i mauheretia ai mō tā rātou whai wāhi atu ki ngā kaupapa o te papare i runga i te maungārongo.

3.23 E tino whakapāha rawa atu ana te Karauna mō ana mahi tūkinō i Parihaka, mō ngā uauatanga me ngā mamaetanga hoki i pā rā ki ngā uri o Ngāti Maru i muri mai nā aua mahi rā.

3.24 E houtupu ana te whakapāha a te Karauna mō aua mahi nā reira tō koutou iwi i tata kore ai e whai whenua, i motu ai tō koutou hononga ki ō koutou whenua, i pā kinotia ai te hia nei whakatupuranga o tō koutou iwi e te uaua me te ngau kino ā-ōhanga.

3.25 E whakapāha ana te Karauna i runga i te ngākau whakaiti mō te āhua o tā ngā takahanga a te Karauna i te Tiriti o Waitangi whakatumatuma i tō koutou Marutanga, mō ana hara ki ō koutou tūpuna, mō tana tukituki ki ō koutou hapori me ō koutou rangatira, mō te whakararuraru hoki i te oranga ā-ahurea me te oranga ā-wairua.

3.26 E whakaae ana te Karauna ko te kaha o te iwi o Ngāti Maru ki te whakaora anō i ha ia e tino whai hononga ana ki te whenua, ki te awa me ngā taonga o tō rātou rohe. Mā tēnei whakataunga, mā tēnei whakapāha hoki, ka ū te Karauna ki te tuitui i tētehi hononga taimau ki a Ngāti Maru i runga i te pono o tētehi ki tētehi, i te whakaaro nui me te mahi tahi, i runga hoki i te Tiriti o Waitangi me hōna mātāpono.

ACKNOWLEDGEMENTS

- 3.1 The Crown acknowledges that Ngāti Maru's relationship with the Crown has been one characterised by loss – of land, of identity, and of autonomy. For Ngāti Maru, this loss has left a legacy of dislocation and dispossession. Accordingly, the Crown makes the following acknowledgements to Ngāti Maru.
- 3.2 The Crown acknowledges that the wars in Taranaki constituted an injustice and were in breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 3.3 The Crown acknowledges that –
- 3.3.1 even though Ngāti Maru were not in rebellion, the Crown unfairly treated Ngāti Maru as being in rebellion; and
 - 3.3.2 its 1865 confiscation of half of Ngāti Maru's land had a devastating effect on the mana, welfare, economy, culture, and social development of the iwi; and
 - 3.3.3 as a result of the confiscations, many Ngāti Maru were displaced and deprived of access to their wāhi tapu and sites of ancestral significance, traditional sources of food and other resources on that land; and
 - 3.3.4 it created confusion and damaging division among Ngāti Maru by negotiating deeds of cession for lands in the raupatu district despite the opposition of many of the iwi to alienating land the Crown had already confiscated; and
 - 3.3.5 the confiscation was indiscriminate in extent and application, unconscionable, and unjust, and was in breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 3.4 The Crown acknowledges that the prejudicial effects of the war and confiscations were compounded by the inadequacies of the Compensation Court process, especially the Court's failure to fulfil promises to return land to Ngāti Maru for a number of years.
- 3.5 The Crown acknowledges that –
- 3.5.1 its failure to return lands to Ngāti Maru in a timely manner caused uncertainty and distress for the iwi about where they were to live; and
 - 3.5.2 it compounded this confusion by making informal cash payments (takoha) to Ngāti Maru which did not involve proper investigation of Māori customary rights, and no clear definition of the land supposedly being secured.
- 3.6 The Crown acknowledges that –
- 3.6.1 it did not consult Ngāti Maru before introducing land laws in the nineteenth century which established the Native Land Court; and

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

3: TE PŪEATANGA KI TE AO / ACKNOWLEDGEMENTS AND APOLOGY

- 3.6.2 Ngāti Maru had no choice but to participate in the Native Land Court system to protect their land against the claims of others; and
- 3.6.3 because Native Land Court hearings were frequently held and advertised at places distant from the Ngāti Maru rohe, the iwi did not always receive notice that titles to their land were under determination and thereby lost important opportunities to defend their interests; and
- 3.6.4 the individualisation of title made Ngāti Maru's land more susceptible to partition, fragmentation, and alienation, and this led to the erosion of Ngāti Maru's tribal structures. The Crown's failure to protect these structures was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 3.7 The Crown acknowledges that the survey costs associated with the Mangaere block were an unreasonable burden on its Ngāti Maru owners, and that its failure to actively protect Ngāti Maru from this burden was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 3.8 The Crown acknowledges that the native land laws failed to offer an effective form of tribal title to facilitate Ngāti Maru's tribal control over their lands until 1894, and that this was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 3.9 The Crown acknowledges that –
- 3.9.1 the West Coast Commissions were inadequate in their scope and therefore did not fully address the injustices perpetrated by the confiscations; and
- 3.9.2 the reserves created by the Commissions in the 1880s were –
- (a) virtually all returned under uncustomary individualised title; and
 - (b) mainly situated in rough inaccessible bush; and
 - (c) not sufficient for the present and future needs of Ngāti Maru; and
- 3.9.3 the Crown's actions with respect to the West Coast Settlement Reserves, considered cumulatively, including the imposition of a regime of perpetually renewable leases and the sale of Ngāti Maru land by the Public and Māori Trustee –
- (a) ultimately deprived Ngāti Maru of the control and ownership of the lands reserved for them in Taranaki; and
 - (b) contributed to the impoverishment of Ngāti Maru; and
 - (c) were in breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 3.10 The Crown acknowledges that –

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3: TE PŪEATANGA KI TE AO / ACKNOWLEDGEMENTS AND APOLOGY

- 3.10.1 it imprisoned members of Ngāti Maru and other Māori of Taranaki for their participation in the peaceful resistance campaign initiated at Parihaka in 1879 and 1880; and
- 3.10.2 legislation was enacted which “suspended the ordinary course of law”, and as a result, all Ngāti Maru prisoners were detained without trial; and
- 3.10.3 the detention of those Ngāti Maru without trial for an unreasonably lengthy period assumed the character of indefinite detention; and
- 3.10.4 the imprisonment of at least 12 Ngāti Maru men in South Island gaols for political reasons inflicted unwarranted hardships on them and on members of their whānau and hapū; and
- 3.10.5 the treatment of these political prisoners:
- (a) was wrongful, a breach of natural justice, and deprived them of basic human rights; and
 - (b) was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 3.11 The Crown acknowledges that –
- 3.11.1 it inflicted serious damage on Parihaka and assaulted the human rights of the people residing there during its invasion and subsequent occupation of the settlement; and
- 3.11.2 it forcibly removed many inhabitants, destroyed and desecrated their homes and sacred buildings, stole heirlooms, systematically destroyed large cultivations and livestock, and regulated entry into Parihaka; and
- 3.11.3 its actions were a complete denial of the Māori right to develop and sustain autonomous communities in a peaceful manner; and
- 3.11.4 its treatment of Ngāti Maru people at Parihaka was unconscionable and unjust, and that these actions constituted a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 3.12 The Crown acknowledges that it failed to set aside the Pohohitoa urupā that was reserved from the Pukemahoe deed of purchase in 1874. The Crown further acknowledges that in the 1890s it surveyed and then built a road through this site in the knowledge that it was an urupā. This was a failure to actively protect Māori interests and was a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles. The Crown further acknowledges that the remains of Ngāti Maru tūpāpaku were exhumed during construction, and that this caused profound anguish for Ngāti Maru.
- 3.13 The Crown acknowledges that –

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- 3.13.1 it reserved less than one per cent of the land it purchased in the 1870s for Ngāti Maru, and that by the beginning of the twentieth century many Ngāti Maru were landless; and
- 3.13.2 it was slow to react to the plight of landless Ngāti Maru, and after Parliament enacted legislation to provide for landless Ngāti Maru, the Crown took until 1915 to provide 2,000 acres it had previously confiscated; and
- 3.13.3 landlessness has had a devastating impact on the social, cultural, and spiritual well-being of Ngāti Maru, and has led to socio-economic hardship for the iwi; and
- 3.13.4 its failure to ensure that Ngāti Maru retained sufficient land for their present and future needs is a breach of te Tiriti o Waitangi/the Treaty of Waitangi and its principles.
- 3.14 The Crown acknowledges that Ngāti Maru consider the Waitara River an ancestor, and that until the late 1970s, this river was grossly polluted by untreated wastewater from industrial plants and dairy farms, and that waste from local meat-works made the river “run red”. The Crown further acknowledges that gravel extraction from the Waitara River, and deforestation of its upper catchment have contributed to the environmental degradation of the river’s ecology, water quality, and some fisheries and caused Ngāti Maru great distress.
- 3.15 The Crown acknowledges that, together, its breaches of te Tiriti o Waitangi/the Treaty of Waitangi and its principles during the nineteenth and twentieth centuries significantly undermined Ngāti Maru’s traditional systems of authority and knowledge, and the rituals and art forms associated with their maintenance and development, compromised their economic capacity, and threatened the physical, cultural, and spiritual well-being of the iwi. The Crown acknowledges that its failure to protect the rangatiratanga of Ngāti Maru was in breach of its obligations under Article Two of te Tiriti o Waitangi/the Treaty of Waitangi and has led to Ngāti Maru’s intense sense of enduring loss and disconnection from their treasured whenua.
- 3.16 The Crown acknowledges that the lands and other resources confiscated from Ngāti Maru have made a significant contribution to the wealth and development of Taranaki as a region, and New Zealand as a whole.

APOLOGY

- 3.17 For generations, Ngāti Maru’s relationship with the Crown has been characterised by the loss of land, of life, and of identity.
- 3.18 The Crown’s many breaches of te Tiriti o Waitangi/the Treaty of Waitangi left Ngāti Maru feeling like refugees in their own homeland.
- 3.19 Accordingly, to the tūpuna, descendants, hapū, and whānau of Ngāti Maru, the Crown offers the following long-overdue apology:

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3: TE PŪEATANGA KI TE AO / ACKNOWLEDGEMENTS AND APOLOGY

- 3.20 The Crown regrets its actions that led to the outbreak of war in Taranaki, and apologises for the destructive and demoralising effects these actions had upon Ngāti Maru peoples.
- 3.21 For its unjust raupatu in Taranaki, the Crown apologises unreservedly. Its confiscation of half of the rohe of Ngāti Maru was indiscriminate and unwarranted, and the Crown deeply regrets this 'confiscation without cause'.
- 3.22 For the suspension of the ordinary course of law and the unjust treatment and exile of Ngāti Maru peoples imprisoned for taking part in campaigns of peaceful resistance, the Crown expresses profound remorse and apologises.
- 3.23 For its unconscionable actions at Parihaka and the ensuing hardship and heartache Ngāti Maru peoples suffered as a result, the Crown is deeply sorry.
- 3.24 For those actions which rendered your iwi almost completely landless, severed your connection to your whenua, and inflicted economic hardship and suffering on generations of your people, the Crown sincerely apologises.
- 3.25 And for the ways the Crown's breaches of te Tiriti o Waitangi/the Treaty of Waitangi have threatened your Marutanga, offended against your ancestors, undermined your communities and your leadership, and compromised your cultural and spiritual well-being, the Crown humbly apologises.
- 3.26 The Crown recognises that the resilience of Ngāti Maru iwi is connected intrinsically to the whenua, awa, and taonga of their rohe. Through this settlement, and with this apology, the Crown commits to building an enduring relationship of mutual trust, respect and cooperation with Ngāti Maru based on te Tiriti o Waitangi/the Treaty of Waitangi and its principles.

4 MARU ORA / SETTLEMENT

He ata ki runga, he ata ki raro
He ata ki te whakatūtū
He ata ki te whakaritorito
He ata whiwhia
He ata rawea
He ata taonga!

The dawn light appears above and below
And creates the bright red morning light
Its warmth blankets the land
Emerging the gifts of a new day
Whose symbolism inspires resilience and draws us to new pathways,
new horizons and new opportunities!

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 Maru is not possible; and
 - 4.1.3 Ngāti Maru 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 Maru and the Crown (in terms of the Treaty of Waitangi, its principles, and otherwise).
- 4.2 Ngāti Maru 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.

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

4: MARU ORA / SETTLEMENT

REDRESS

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

IMPLEMENTATION

- 4.6 The settlement legislation will, on the terms provided by sections 15 to 18 and 21 and 22 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 a redress property, exclusive RFR land referred to in section 120(a) of the draft settlement bill, the shared RFR land, the Tahora Bus Stop property or any land in the exclusive RFR area; or
- (b) for the benefit of Ngāti Maru or a representative entity; and
- 4.6.4 require any resumptive memorial to be removed from any record of title for a redress property, exclusive RFR land referred to in section 120(a) of the draft settlement bill, the shared RFR land, the Tahora Bus Stop property and any allotment solely within the exclusive RFR 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 Te Kāhui Maru Trust: Te Iwi o Maruwharanui Trust may hold or deal with property; and
- (ii) the Te Kāhui Maru Trust: Te Iwi o Maruwharanui may exist; and
- 4.6.6 require the chief executive of the Office for Māori Crown Relations - Te Arawhiti 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.

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

- 4.8 The settlement legislation will, on the terms provided by section 19 and 20 of the draft settlement bill, provide that –

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

4.8.2 unless specifically provided for, nothing in the settlement legislation overrides the provisions of that Act, including the status under the Conservation Act 1987 or the Reserves Act 1977 of part of the bed of the Whanganui River declared under section 42(1) of the Te Awa Tupua (Whanganui River Claims) Settlement Act 2017.

- 4.9 In this part –

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

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

5 MARU ROTO / CULTURAL REDRESS

Tuia a nuku
Tuia a rangi
Tuia te here
Te here whakatipu-a-nuku
Te here whakatipu-a-rangi
Te here tangata
Tuia kia ū
Tuia kia mou

Bind the natural forces from above and below
Weave the dynamism of our natural world
Tied to our human origins and experience
Enduring and everlasting

TARANAKI MAUNGA

- 5.1 Ngāti Maru and the Crown acknowledge that Taranaki Maunga is of great traditional, cultural, historical and spiritual importance to iwi of Taranaki.
- 5.2 This deed does not provide for an apology, or any cultural redress, by the Crown in relation to any of the historical claims that relate to Taranaki Maunga as that is yet to be developed in conjunction with Ngāti Maru and the other seven iwi of Taranaki.
- 5.3 Ngāti Maru and the Crown agree that:
- 5.3.1 Ngāti Maru and the Crown will, as soon as practicable, work together with the mandated representatives of other iwi of Taranaki to develop an apology, and cultural redress, for Ngāti Maru and the other seven iwi of Taranaki in relation to the historical claims, and the historical claims of other iwi of Taranaki, that relate to Taranaki Maunga; and
- 5.3.2 the apology and cultural redress for Ngāti Maru in relation to the historical claims that relate to Taranaki Maunga will not include any financial or commercial redress.
- 5.4 Ngāti Maru acknowledge that the Crown is not in breach of this deed if the redress referred to in clauses 5.2 and 5.3 has not been provided by any particular date if, on that date, the Crown is still willing to negotiate in good faith in an attempt to provide the redress.
- 5.5 For the purposes of clauses 5.1 to 5.3, "Taranaki Maunga" includes other maunga of significance to Ngāti Maru located within Egmont National Park.

WHANGANUI NATIONAL PARK NEGOTIATIONS

- 5.6 The Crown acknowledges that Whanganui National Park is of cultural, spiritual, historical and traditional importance to Ngāti Maru and other iwi and hapū with interests in Whanganui National Park.
- 5.7 The Crown and Ngāti Maru acknowledge that other iwi and hapū have interests in Whanganui National Park and agree that, should they wish to, those iwi and hapū may actively engage in separate collective redress discussions to provide arrangements for the benefit of the iwi and hapū with interests in Whanganui National Park. It is envisaged that this will include all iwi and hapū with interests in Whanganui National Park agreeing upon a process to negotiate collective redress arrangements recognising their interests in Whanganui National Park.
- 5.8 The Crown is committed to undertaking collective negotiations for cultural redress with the iwi and hapū with interests in Whanganui National Park.
- 5.9 To avoid doubt, the settlement legislation will settle all historical Ngāti Maru Treaty of Waitangi claims in relation to Whanganui National Park.

WHIRINGA AUKAHA

- 5.10 Ngāti Maru is seeking a relationship with Ngāti Hāua based on shared whakapapa, whanaungatanga and mutual interest. The parties will record this relationship through Te Whiringa Aukaha which will set out the shared whakapapa, principles, values and objectives to guide the ongoing relationship of the parties. Te Whiringa Aukaha is intended to assist the parties to exercise their respective responsibilities with the utmost cooperation to achieve over time the outcomes sought by the parties in relation to matters of shared and overlapping interest.

STATUTORY ACKNOWLEDGEMENT

- 5.11 The settlement legislation will, on the terms provided by sections 30 to 37 and 39 to 41 of the draft settlement bill, –
- 5.11.1 provide the Crown's acknowledgement of the statements by Ngāti Maru of their particular cultural, spiritual, historical, and traditional association with the following areas:
- (a) Autawa Road Conservation Area (as shown on deed plan OMCR-024-06):
 - (b) Jury Conservation Area (as shown on deed plan OMCR-024-07):
 - (c) Kerekeringa Conservation Area (as shown on deed plan OMCR-024-08):
 - (d) Kirai Scenic Reserve (as shown on deed plan OMCR-024-09):
 - (e) Kirikiri property (as shown on deed plan OMCR-024-02):

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- (f) Manganui River and its tributaries within the area of interest (as shown on deed plan OMCR-024-10):
- (g) Mataru Scenic Reserve (as shown on deed plan OMCR-024-12):
- (h) Matau Conservation Area (as shown on deed plan OMCR-024-13):
- (i) Marginal Strip – Waitara River (as shown on deed plan OMCR-024-11):
- (j) Ngatoto Conservation Area (as shown on deed plan OMCR-024-15):
- (k) Okau Scenic Reserve (as shown on deed plan OMCR-024-16):
- (l) Part Moki Conservation Area (as shown on deed plan OMCR-024-14):
- (m) Part Pouiatua Conservation Area (as shown on deed plan OMCR-024-18):
- (n) Part Rerekapa Falls Recreation Reserve (as shown on deed plan OMCR-024-19):
- (o) Part Tāngarākau Forest Conservation Area (as shown marked A and B on deed plan OMCR-024-03):
- (p) Part Waitaanga Conservation Area (as shown on deed plan OMCR-024-20):
- (q) Part Whangamōmona Forest Conservation Area (as shown on deed plan OMCR-024-22):
- (r) Patea River and its tributaries within the area of interest (as shown on deed plan OMCR-024-17):
- (s) Tāngarākau River and its tributaries within the area of interest (as shown on deed plan OMCR-024-04):
- (t) Waitara River and its tributaries within the area of interest (as shown on deed plan OMCR-024-21):
- (u) Whangamōmona River and its tributaries (as shown on deed plan OMCR-024-05):
- (v) Whetu Conservation Area (as shown on deed plan OMCR-024-23); and

5.11.2 require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement; and

5.11.3 require relevant consent authorities to forward to the governance entity –

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- (a) summaries of resource consent applications for an activity within, adjacent to or directly affecting a statutory area; and
- (b) a copy of a notice of a resource consent application served on the consent authority under section 145(10) of the Resource Management Act 1991; and

5.11.4 enable the governance entity, and any member of Ngāti Maru, to cite the statutory acknowledgement as evidence of Ngāti Maru's association with an area.

5.12 The statements of association are in part 1 of the documents schedule.

DEEDS OF RECOGNITION

5.13 The Crown must, by or on the settlement date, provide the governance entity with a copy of each of the following:

5.13.1 a deed of recognition, signed by the Minister of Conservation and the Director-General of Conservation, in relation to the following areas:

- (a) Autawa Road Conservation Area (as shown on deed plan OMCR-024-06):
- (b) Jury Conservation Area (as shown on deed plan OMCR-024-07):
- (c) Kerekeringa Conservation Area (as shown on deed plan OMCR-024-08):
- (d) Kirai Scenic Reserve (as shown on deed plan OMCR-024-09):
- (e) Marginal Strip – Waitara River (as shown on deed plan OMCR-024-11):
- (f) Manganui River and its tributaries within the area of interest (as shown on deed plan OMCR-024-10):
- (g) Mataru Scenic Reserve (as shown on deed plan OMCR-024-12):
- (h) Matau Conservation Area (as shown on deed plan OMCR-024-13):
- (i) Ngatoto Conservation Area (as shown on deed plan OMCR-024-15):
- (j) Okau Scenic Reserve (as shown on deed plan OMCR-024-16):
- (k) Part Moki Conservation Area (as shown on deed plan OMCR-024-14):
- (l) Part Pouiatoa Conservation Area (as shown on deed plan OMCR-024-18):

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- (m) Part Rerekapa Falls Recreation Reserve (as shown on deed plan OMCR-024-19):
- (n) Part Tāngarākau Forest Conservation Area (as shown marked B on deed plan OMCR-024-03):
- (o) Part Waitaanga Conservation Area (as shown on deed plan OMCR-024-20):
- (p) Part Whangamōmona Forest Conservation Area (as shown on deed plan OMCR-024-22):
- (q) Patea River and its tributaries within the area of interest (as shown on deed plan OMCR-024-17):
- (r) Waitara River and its tributaries within the area of interest (as shown on deed plan OMCR-024-21):
- (s) Whetu Conservation Area (as shown on deed plan OMCR-024-23):

5.13.2 a deed of recognition, signed by the Commissioner of Crown Lands, in relation to the following areas:

- (a) Manganui River and its tributaries within the area of interest (as shown on deed plan OMCR-024-10):
- (b) Patea River and its tributaries within the area of interest (as shown on deed plan OMCR-024-17).
- (c) Waitara River and its tributaries within the area of interest (as shown on deed plan OMCR-024-21).

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

5.15 A deed of recognition will provide that the Minister of Conservation and the Director-General of Conservation, or the Commissioner of Crown Lands, as the case may be, must, if undertaking certain activities within an area that the deed relates to, –

5.15.1 consult the governance entity; and

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

FORM AND EFFECT OF DEEDS OF RECOGNITION

5.16 Each deed of recognition will be –

5.16.1 in the form in part 2 of the documents schedule; and

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5.16.2 issued under, and subject to, the terms provided by sections 38 to 41 of the draft settlement bill.

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

PROTOCOLS

5.18 The primary industries protocol must, by or on the settlement date, be signed and issued to the governance entity by the responsible Minister.

5.19 The protocol sets out how the Crown will interact with the governance entity with regard to the matters specified in it.

RELATIONSHIP AGREEMENTS

5.20 On or before the settlement date, the governance entity will enter into relationship agreements with –

5.20.1 the Department of Conservation; and

5.20.2 the Ministry for Business, Innovation and Employment in relation to petroleum and Crown minerals; and

5.20.3 the Ministry for the Environment; and

5.20.4 the Ministry of Justice and the New Zealand Police.

5.21 Each relationship agreement will be in the form set out in parts 4.1, 4.2, 4.4 and 4.5 respectively of the documents schedule.

5.22 The Crown and Ngāti Maru will work co-operatively and in good faith through each relationship agreement.

5.23 The relationship agreements at clauses 5.20.1, 5.20.2 and 5.20.4 include dispute resolution processes if one party considers that there has been a breach of the agreement.

5.24 A failure by the Crown to comply with a relationship agreement is not a breach of this deed.

WHAKAAETANGA TIAKI TAONGA

5.25 The Culture and Heritage Parties and the governance entity must, by or on the settlement date, sign the Whakaaetanga Tiaki Taonga.

5.26 The Whakaaetanga Tiaki Taonga –

5.26.1 sets out how the Culture and Heritage Parties will interact with the governance entity with regard to the matters specified in it; and

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- 5.26.2 will be in the form set out in part 4.3 of the documents schedule.
- 5.27 Appendix B of the Whakaaetanga Tiaki Taonga –
- 5.27.1 sets out how Manatū Taonga - Ministry for Culture and Heritage will interact with the governance entity with regard to matters relating to taonga tūturu; and
- 5.27.2 is issued pursuant to the terms provided by section 28 of the draft settlement bill.
- 5.28 A failure by the Crown to comply with Appendix B of the Whakaaetanga Tiaki Taonga is not a breach of this deed.

LETTER OF RELATIONSHIP WITH LAND INFORMATION NEW ZEALAND

- 5.29 Land Information New Zealand will, on or before the settlement date, write a letter of relationship to Ngāti Maru, as set out in part 6 of the documents schedule, which sets out matters on which the two groups will collaborate and how they will develop an enduring relationship.

LETTERS OF INTRODUCTION

- 5.30 The Chief Executive of the Office for Māori Crown Relations – Te Arawhiti will, on or before the settlement date, write a letter of introduction in the form set out in part 7 of the documents schedule to each of the following entities, to introduce the governance entity and encourage each entity to establish or enhance an ongoing relationship with Ngāti Maru:

Core Crown Organisations

- 5.30.1 Ministry of Social Development:
- 5.30.2 Oranga Tamariki:
- 5.30.3 Ministry of Education:
- 5.30.4 Ministry of Business, Innovation and Employment:
- 5.30.5 Ministry of Housing and Urban Development:
- 5.30.6 Ministry of Justice:
- 5.30.7 Ministry of Transport:
- 5.30.8 Department of Corrections:

Non-Core Crown Organisations and Non-Crown Organisations

- 5.30.9 Taranaki Regional Council:

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- 5.30.10 New Plymouth District Council:
- 5.30.11 Stratford District Council:
- 5.30.12 South Taranaki District Council:
- 5.30.13 Ruapehu District Council:
- 5.30.14 Manawatu-Wanganui Regional Council (Horizons Regional Council):
- 5.30.15 Whanganui District Council:
- 5.30.16 Kāinga Ora–Homes and Communities:
- 5.30.17 Taranaki District Health Board:
- 5.30.18 Ngā Taonga Sound & Vision:
- 5.30.19 New Zealand Transport Agency:
- 5.30.20 Transpower New Zealand Limited:
- 5.30.21 KiwiRail Holdings Limited.

Sensitive land sales

- 5.31 The Minister for Treaty of Waitangi Negotiations will, on or before the settlement date, write a letter, as set out in part 7 of the documents schedule, introducing Ngāti Maru to the Associate Minister of Finance and the Minister for Land Information, as the responsible Ministers under the Overseas Investment Act 2005 in relation to sensitive land sales.

CULTURAL REDRESS PROPERTIES VESTED IN THE GOVERNANCE ENTITY

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

In fee simple

- 5.32.1 the fee simple estate in each of the following sites:
 - (a) former Matau School House property:
 - (b) former Tarata School property:
 - (c) former Tarata School House property:
 - (d) Purangi Domain property:
 - (e) Tahora Railways property:

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- (f) Tarawai property:
- (g) Te Kerikeringa - Toetoe Road property; and

As a scenic reserve

5.32.2 the fee simple estate in each of the following sites as a scenic reserve, with the governance entity as the administering body:

- (a) Pūrangi property:
- (b) Tarata property; and

5.32.3 the fee simple estate in the Te Kerikeringa – River property as a scenic reserve –

- (a) with New Plymouth District Council as the administering body to administer the reserve as if the reserve were vested in the Council under section 26 of the Reserves Act 1977; and
- (b) while the New Plymouth District Council is the administering body, within five years of settlement date the Council and the governance entity must jointly prepare and approve a separate management plan for the reserve; and

As a historic reserve

5.32.4 the fee simple estate in each of the following sites as a historic reserve, with the governance entity as the administering body:

- (a) Tāngarākau River property:
- (b) Waitara River No 3 property:
- (c) Whangamōmona River property; and

As a local purpose (esplanade) reserve

5.32.5 the fee simple estate in the Stratford Railway Strip property as a local purpose (esplanade) reserve with Stratford District Council as the administering body to administer the reserve as if the reserve were vested in the Council under section 26 of the Reserves Act 1977; and

As a recreation reserve

5.32.6 the fee simple estate in the Tarata Domain property as a recreation reserve, –

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- (a) with New Plymouth District Council as the administering body to administer the reserve as if the reserve were vested in the Council under section 26 of the Reserves Act 1977; and
- (b) while the New Plymouth District Council is the administering body, within five years of settlement date the Council and the governance entity must jointly prepare and approve a separate management plan for the reserve.

Improvements on Tarata Domain property

- 5.33 The settlement legislation will, on the terms provided by section 54(7) of the draft settlement bill, provide that despite the vesting of the Tarata Domain property set out in clause 5.32.6, the improvements on that property do not vest in the governance entity.

JOINT CULTURAL REDRESS PROPERTY VESTED IN THE GOVERNANCE ENTITY AND THE NGĀTI HĀUA GOVERNANCE ENTITY

- 5.34 The settlement legislation will, on the terms provided by section 59 of the draft settlement bill, provide that –

- 5.34.1 the fee simple estate in the Tāngarākau marginal strip property, will vest as undivided half shares, with one half share vested in each of the following as tenants in common:

- (a) the governance entity;
- (b) the Ngāti Hāua governance entity; and

- 5.34.2 the Tāngarākau marginal strip property will vest as a historic reserve to be administered by a joint management body comprising representatives of the governance entity and the Ngāti Hāua governance entity; and

- 5.34.3 the Tāngarākau marginal strip property will vest on the later of the following dates –

- (a) the settlement date; and
- (b) the settlement date under the Ngāti Hāua settlement legislation.

GENERAL PROVISIONS IN RELATION TO CULTURAL REDRESS PROPERTIES

- 5.35 Each cultural redress property is to be –

- 5.35.1 as described in schedule 2 of the draft settlement bill; and

- 5.35.2 vested on the terms provided by –

- (a) sections 43 to 74 of the draft settlement bill; and

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- (b) part 2 of the property redress schedule; and
- 5.35.3 subject to any encumbrances, or other documentation, in relation to that property –
- (a) required by clause 5.32 to be provided by the governance entity; or
 - (b) required by the settlement legislation; and
 - (c) in particular, referred to by schedule 2 of the draft settlement bill.

CULTURAL MATERIALS PLAN

- 5.36 The settlement legislation will, on the terms provided by sections 97 and 98 of the draft settlement bill, provide for the Minister of Conservation (or delegate) and the governance entity to develop a cultural materials plan, within five years of settlement date, setting out –
- 5.36.1 how the governance entity will provide a member of Ngāti Maru with written authorisations to collect the following cultural materials from conservation land within the area of interest:
- (a) pākohe and pūrangi;
 - (b) flora material; and
- 5.36.2 the circumstances in which Ngāti Maru may possess dead protected wildlife.

CULTURAL FUND

- 5.37 On the settlement date, the Crown will pay the governance entity \$1,023,454 for cultural revitalisation purposes, in addition to the financial and commercial redress amount.

CULTURAL REDRESS GENERALLY NON-EXCLUSIVE

- 5.38 The Crown may do anything that is consistent with the cultural redress, including entering into, and giving effect to, another settlement that provides for the same or similar cultural redress.
- 5.39 However, the Crown must not enter into another settlement that provides for the same redress as set out in clauses 5.32 and 5.33.

6 MARU PAE / NATURAL RESOURCES

Poua ki tāmōre more nui nō Rangi
Poua ki tāmōre more nui nō Papa
E rongō he āio
He tawhito pou ka tū!
E kore e uea, e kore e wharara
E tū nei te pou!

Affirm our connection with our place and the origins of our identity
Permanent
Ancient and unbroken!

BACKGROUND

- 6.1 The Crown acknowledges the Ngāti Maru aspiration to enhance their standing as kaitiaki over their rohe with a focus on environmental monitoring of rivers and petroleum and minerals exploration and development.
- 6.2 The Waitara River is particularly significant to Ngāti Maru as a traditional source of transport, habitation, and sustenance. Almost all of its catchment lies in the Ngāti Maru rohe.

Statutory acknowledgement and deeds of recognition over waterways

- 6.3 This deed provides for a statutory acknowledgement and deeds of recognition over the Waitara River and its tributaries, the Manganui River and its tributaries and the Patea River and its tributaries (clauses 5.11 to 5.15 refer).

Whanganui River redress under Te Awa Tupua settlement legislation

- 6.4 The Crown acknowledges Ngāti Maru have interests in a number of tributaries of the Whanganui River, including the Whangamōmona and the Tāngarākau Rivers.
- 6.5 Ngāti Maru, amongst other groups, are considered an 'iwi with interests in the Whanganui River' under the Whanganui River deed of settlement / Ruruku Whakatupua – Te Mana o Te Awa Tupua (the Te Awa Tupua settlement).
- 6.6 The Te Awa Tupua settlement provides redress for iwi with interests in the Whanganui River, including –
- 6.6.1 participation in the nomination of one of two persons comprising the office of Te Pou Tupua (the 'human face' of Te Awa Tupua) and in the appointment of both persons; and
- 6.6.2 a representative on Te Karewao, a three member body which advises and supports Te Pou Tupua on an as-required basis, along with a Whanganui Iwi and local authority representative (where Te Karewao performs a function relating to a discrete part of the river, Te Karewao must also include one

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- person appointed by the iwi and hapū with interests in that part of the river, for the purpose of providing advice and support about that function); and
- 6.6.3 up to five representatives on Te Kōpuka, a group of up to 17 members (deemed a permanent joint committee of Horizons Regional Council, Whanganui District Council, Ruapehu District Council, and Stratford District Council) which develops, approves and monitors the strategy for the river (Te Heke Ngahuru); and
- 6.6.4 the ability to nominate persons for the Te Awa Tupua register of hearings commissioners; and
- 6.6.5 the opportunity to participate in collaborative processes post-settlement to consider river surface activities, fisheries coordination, and customary food gathering; and
- 6.6.6 the opportunity to apply for funding from Te Korotete o Te Awa Tupua, a \$30 million contestable fund to promote the health and wellbeing of the river.
- 6.7 Notwithstanding the redress outlined in clause 6.6 above, although the Te Awa Tupua settlement settles the historical Treaty of Waitangi claims of Whanganui Iwi in relation to the Whanganui River, it does not settle the historical claims of any other iwi, including Ngāti Maru, in relation to the Whanganui River.

Regional Council representation

- 6.8 The Crown and Ngāti Maru note the settlements reached with Ngāruahine, Te Ātiawa, and Taranaki Iwi provide arrangements for the iwi of Taranaki, including Ngāti Maru, to participate in the decision-making processes of the Taranaki Regional Council.
- 6.9 The objectives of these arrangements are to encourage and enable the iwi of Taranaki to –
- 6.9.1 participate directly in the decision-making processes of the Council; and
- 6.9.2 contribute directly to a wide range of the Council's policy, regulatory, and advocacy functions; and
- 6.9.3 have an effective and workable representation that is cost-effective for the Council and of benefit to both the Council and the iwi of Taranaki.
- 6.10 The agreed mechanism to achieve this purpose is direct iwi representation on the following standing committees of the Taranaki Regional Council:
- 6.10.1 the Policy and Planning Committee:
- 6.10.2 the Consents and Regulatory Committee
- (together the **relevant committees**).

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- 6.11 The iwi of Taranaki have the right to nominate three members for appointment to each of the relevant committees. The Taranaki Regional Council must appoint the members nominated by iwi.
- 6.12 The functions of the Policy and Planning Committee are to –
- 6.12.1 deal with all matters of policy developed either in-house or by third parties; and
 - 6.12.2 prepare and review regional policy statements, plans and strategies and convene as a hearing committee as and when required for the hearing of submissions; and
 - 6.12.3 monitor plan and policy implementation; and
 - 6.12.4 develop biosecurity policy; and
 - 6.12.5 undertake and develop other policy initiatives; and
 - 6.12.6 advocate, as appropriate, for the Taranaki region; and
 - 6.12.7 develop and endorse submissions prepared in response to the policy initiatives of other organisations, including central government and local government.
- 6.13 The functions of the Consents and Regulatory Committee are to –
- 6.13.1 deal with all matters in relation to resource consents, compliance monitoring and pollution incidents; and
 - 6.13.2 consider and make decisions on resource use consent applications under the Resource Management Act 1991; and
 - 6.13.3 ensure adequate compliance, monitor resource consents and receive information on enforcement actions undertaken in the event of non-compliance under the Resource Management Act 1991; and
 - 6.13.4 consider and make decisions on monitoring associated with plant and animal pest management and receive information on enforcement action undertaken in the event of non-compliance with the Biosecurity Act 1993; and
 - 6.13.5 undertake other functions related to the above matters.
- 6.14 The iwi of Taranaki have agreed a process for the nomination and appointment of iwi representatives to the relevant committees. This process was endorsed by the Taranaki Regional Council, the eight iwi of Taranaki and the Minister for Treaty of Waitangi Negotiations as the responsible Minister.

Waitara River Committee

6.15 The New Plymouth District Council (Waitara Lands) Act 2018 established the Waitara River Committee as a standing committee of the Taranaki Regional Council.

6.16 The Waitara River Committee comprises –

6.16.1 five members nominated by the Taranaki Regional Council; and

6.16.2 four members nominated by the Waitara River Authorities; and

6.16.3 one member nominated by Te Kōwhatu Tū Moana.

6.17 The functions of the Waitara River Committee include –

6.17.1 to determine the amounts and purposes of distributions of 70% of the TRC income toward the restoration, protection, and enhancement of the environmental, cultural, and spiritual health and well-being of the Waitara River and the Waitara River catchment; and

6.17.2 to determine the amounts and purposes of distributions of 30% of the TRC income toward any matter in Waitara or in the lower catchment of the Waitara River; and

6.17.3 to make a determination that the Taranaki Regional Council –

(a) accumulate amounts of TRC income until a purpose set out in clause 6.17.1 arises; or

(b) apply the amounts:

(i) for the purpose of the Lower Waitara River Flood Control Scheme; or

(ii) if expenditure under subclause (i) is impracticable, for a purpose that benefits the Waitara community or any part of the Waitara community; or

(iii) if expenditure under subclauses (i) and (ii) is impracticable, for non-commercial purposes that benefit the Taranaki community generally, including the Waitara community.

MARU TAI AO PLAN

6.18 The Crown acknowledges the role of Ngāti Maru as kaitiaki over their area of interest (**Maru Taiao area**) as shown on OMCR-024-01.

6.19 The settlement legislation will, on the terms provided by section 75A of the draft settlement bill, provide for the Crown to acknowledge –

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- 6.19.1 the longstanding traditional, cultural and historical association of Ngāti Maru with the Maru Taiao area; and
- 6.19.2 the Ngāti Maru statement of association with the Maru Taiao area, the text of which is set out in part 1 of the documents schedule.
- 6.20 The settlement legislation will, on the terms provided by sections 76 and 77 of the draft settlement bill, provide that –
- 6.20.1 Ngāti Maru may from time to time prepare a plan in relation to the Maru Taiao area (**Maru Taiao plan**) and lodge it with the relevant local authority; and
- 6.20.2 the purpose of the Maru Taiao plan is to identify –
- (a) the values and principles of Ngāti Maru in relation to the Maru Taiao area; and
- (b) the resource management issues of significance to Ngāti Maru in relation to the Maru Taiao area.
- 6.21 The settlement legislation will, on the terms provided by sections 78 and 79 of the draft settlement bill, provide that a relevant local authority must, when reviewing or preparing a policy statement or plan –
- 6.21.1 take into account the Maru Taiao plan, to the extent it is relevant to resource management issues and relates to the Maru Taiao area within the local authority's jurisdiction; and
- 6.21.2 include in the policy statement or plan a statement of the resource management issues of significance to Ngāti Maru as set out in the Maru Taiao plan; and
- 6.21.3 refer to the Maru Taiao plan to the extent that it is relevant in an evaluation of a proposed statement or proposed plan under section 32 of the Resource Management Act 1991.
- 6.22 The settlement legislation will, on the terms provided by sections 79 and 80 of the draft settlement bill, provide that –
- 6.22.1 the Maru Taiao plan does not have the effect of granting or creating rights under the Marine and Coastal Area (Takutai Moana) Act 2011; and
- 6.22.2 Ngāti Maru may lodge the Maru Taiao plan with any government department which has a role in the management of land and natural resources (excluding fisheries resources managed under the Fisheries Act 1996) in the Maru Taiao area; and
- 6.22.3 if the Maru Taiao plan is lodged under clause 6.22.2, that government department must have regard to the Maru Taiao plan when exercising powers and functions –

- (c) within the Maru Taiao area; and
 - (d) that relate to the purpose of the Maru Taiao plan.
- 6.22.4 the Ministry for the Environment will, following a request by Ngāti Maru, review the initial Maru Taiao plan.

JOINT MANAGEMENT AGREEMENT OVER WAITARA RIVER CATCHMENT

Preamble

- 6.23 The parties have agreed that a joint management agreement is to be in force between the Taranaki Regional Council and the governance entity.
- 6.24 The scope of the joint management agreement will include –
- 6.24.1 delegating some of Taranaki Regional Council's environmental monitoring responsibilities over the Waitara River to the Waitara River Committee, to enable this function to be exercised jointly with those iwi who have interests in the river; and
 - 6.24.2 providing for enhanced consultation with the iwi members of the Waitara River Committee (i.e. the Waitara River Authorities) in relation to resource consent applications, and opportunities to have input into planning documents, regarding the Waitara River; and
 - 6.24.3 providing for the governance entity to be notified of any environmental issues with abandoned petroleum wells, or consent applications for mining activities, should they come to the attention of Taranaki Regional Council.

Joint management agreement

- 6.25 The settlement legislation will, on the terms provided by sections 81 to 96 of the draft settlement bill, provide that –

Obligation to enter joint management agreement

- 6.25.1 a joint management agreement ("**joint management agreement**") will be in force between Taranaki Regional Council and the governance entity no later than 6 months after the settlement date, unless the parties agree in writing to extend that period; and

Scope of joint management agreement

- 6.25.2 the joint management agreement –
- (a) may only include matters relating to the Waitara River and activities within its catchment affecting the Waitara River; and

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- (b) must cover the matters referred to in clause 6.25.3; and
 - (c) may cover matters in addition to the matters referred to in clause 6.25.3 which are agreed in accordance with clauses 6.25.41 and 6.25.45; and
- 6.25.3 the joint management agreement will provide for Taranaki Regional Council and the governance entity to work together in relation to the exercise of the following functions, powers and duties under the Resource Management Act 1991 –
- (a) monitoring and enforcement in accordance with clauses 6.25.5 and 6.25.6; and
 - (b) functions, powers or duties under Part 6 of the Resource Management Act 1991 in relation to applications for resource consents in accordance with clauses 6.25.8 to 6.25.11; and
 - (c) participation in the preparation, review or variation of Resource Management Act 1991 planning documents in accordance with clause 6.25.12; and
 - (d) monitoring of abandoned petroleum wells and notification of resource consents in relation to mining in accordance with clauses 6.25.14 and 6.25.15; and

Principles for development and operation of joint management agreement

- 6.25.4 Taranaki Regional Council and the governance entity will, in working together to develop the joint management agreement, and in working together under the joint management agreement, act in a manner consistent with the following guiding principles:
- (a) promoting the overarching purpose of this deed to restore and maintain the quality and integrity of the waters that flow into and form part of the Waitara River for present and future generations:
 - (b) respecting the mana of Ngāti Maru:
 - (c) recognising the intrinsic value of the Waitara River as a taonga:
 - (d) reflecting a shared commitment to –
 - (i) work together in good faith and a spirit of co-operation; and
 - (ii) open, honest and transparent communication; and
 - (iii) use their best endeavours to ensure that the purpose of the joint management agreement is achieved in an enduring manner:

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- (e) recognising that the joint management agreement operates within statutory frameworks, and the importance of complying with those statutory frameworks, meeting statutory timeframes, and minimising delays and costs; and

Monitoring and enforcement

- 6.25.5 clause 6.25.6 applies in relation to monitoring and enforcement relating to the Waitara River and activities within its catchment affecting the Waitara River; and
- 6.25.6 the section of the joint management agreement in relation to monitoring and enforcement will provide for the Waitara River Committee to –
 - (a) meet no less than twice each year to –
 - (i) discuss and agree the priorities for the monitoring of those matters set out in section 35(2)(a)-(e) of the Resource Management Act 1991; and
 - (ii) discuss and agree the methods for and extent of the monitoring of those matters set out in section 35(2)(a)-(e) of the Resource Management Act 1991; and
 - (iii) discuss the opportunities for the participation of the Waitara River Authorities in the monitoring of those matters set out in section 35(2)(a)-(e) of the Resource Management Act 1991; and
 - (b) meet no less than twice each year to discuss appropriate responses to address the outcomes of the monitoring of those matters set out in section 35(2)(a)-(e) of the Resource Management Act 1991, including –
 - (i) the potential for the review of Resource Management Act 1991 planning documents; and
 - (ii) enforcement under the Resource Management Act 1991, including criteria for the commencement of prosecutions, applications for enforcement orders, the service of abatement notices or the service of infringement notices; and
 - (c) agree appropriate procedures for reporting back to the Waitara River Committee on the enforcement action taken by Taranaki Regional Council; and
 - (d) discuss and agree the role of the Waitara River Authorities in the 5 yearly review provided for in section 35(2A) of the Resource Management Act 1991; and

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- (e) discuss the opportunities for persons nominated by the Waitara River Authorities to participate in enforcement action under the Resource Management Act 1991; and
- 6.25.7 the cost of carrying out the matters provided for in clause 6.25.6 will be paid out of the TRC income established by the New Plymouth District Council (Waitara Lands) Act 2018 (being the the amount of accumulated and future income from Waitara Endowment Land allocated to Taranaki Regional Council under the New Plymouth District Council (Waitara Lands) Act 2018), in accordance with section 33 of that Act; and

Resource consent process

- 6.25.8 clauses 6.25.9 and 6.25.10 apply to applications for resource consents for the activities specified in clause 6.25.11; and
- 6.25.9 the section of the joint management agreement in relation to the resource consent process will provide that –
- (a) Taranaki Regional Council must provide to the Waitara River Authorities a summary of applications for resource consents received by Taranaki Regional Council; and
 - (b) the information provided under clause 6.25.9(a) will be –
 - (i) the same as would be given to affected persons through limited notification under section 95B of the Resource Management Act 1991, or as may be agreed between the Waitara River Authorities and the relevant local authority from time to time; and
 - (ii) provided as soon as reasonably practicable after the application is received and before a determination is made in accordance with sections 95A to 95C of the Resource Management Act 1991; and
 - (c) Taranaki Regional Council and the Waitara River Authorities will jointly develop and agree criteria to assist local authority decision-making under the following processes or sections of the Resource Management Act 1991:
 - (i) best practice for pre-application processes:
 - (ii) section 87E (request that application be determined by the Environment Court rather than consent authority):
 - (iii) section 88(3) (incomplete application for resource consent):
 - (iv) section 91 (deferral pending additional consents):
 - (v) section 92 (requests for further information):

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- (vi) section 95 to 95F (notification of applications for resource consent):
- (vii) sections 127 and 128 (change, cancellation or review of consent conditions):
- (d) Taranaki Regional Council must actively encourage applicants to consult early with the Waitara River Authorities before lodging an application, including facilitating participation in pre-lodgement hui with iwi:
- (e) Taranaki Regional Council must give appropriate weight to any comments received from the Waitara River Authorities within agreed timeframes in making decisions on applications, in light of the requirement under section 6(e) of the Resource Management Act 1991 to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga:
- (f) Taranaki Regional Council may use the Waitara River Committee as the forum to undertake any of the actions under clause 6.25.9; and

6.25.10 to avoid doubt, the criteria developed and agreed under clause 6.25.9(c) are –

- (a) additional to, and must not derogate from, the existing criteria to be applied by Taranaki Regional Council under the Resource Management Act 1991; and
- (b) do not impose any requirement on a consent authority to change, cancel or review consent conditions; and

6.25.11 clauses 6.25.9 and 6.25.10 apply to –

- (a) applications to the Taranaki Regional Council for resource consent for the following activities:
 - (i) take, use, dam or divert water from or in the Waitara River:
 - (ii) discharge any contaminant or water into the Waitara River:
 - (iii) discharge any contaminant onto or into land in circumstances which will result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering the Waitara River:
 - (iv) use, erect, reconstruct, place, alter, extend, remove, or demolish any structure or part of any structure in, on, under, or over the bed or banks of Waitara River:

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- (v) excavate, drill, tunnel, or otherwise disturb the bed or banks of the Waitara River:
 - (vi) introduce or plant any plant or any part of any plant (whether exotic or indigenous) in, on, or under the bed or banks of the Waitara River:
 - (vii) deposit any substance in, on, or under the bed or banks of the Waitara River:
 - (viii) reclaim or drain the bed of the Waitara River:
 - (ix) enter onto or pass across the bed of the Waitara River:
 - (x) damage, destroy, disturb, or remove a plant or a part of a plant, whether exotic or indigenous, in, on, or under the bed or banks of the Waitara River;
 - (xi) damage, destroy, disturb, or remove the habitats of plants or parts of plants, whether exotic or indigenous, in, on, or under the bed or banks of the Waitara River:
 - (xii) damage, destroy, disturb, or remove the habitats of animals or aquatic life in, on, or under the bed or banks of the Waitara River; and
- (b) applications to a relevant territorial authority for resource consent for the use of or activities on the surface of the water in the Waitara River; and
- 6.25.12 the joint management agreement will record the agreement of Taranaki Regional Council about –
- (a) how a Waitara River Authority may participate in the preparation or change of a policy statement or plan, including the use of any of the pre-notification, collaborative, or streamlined planning processes under Schedule 1 of the Resource Management Act 1991; and
 - (b) how the Taranaki Regional Council will undertake consultation requirements, including the requirements of section 34A(1A) and clause 4A of Schedule 1 of the Resource Management Act 1991; and
- 6.25.13 the Waitara River Authorities and Taranaki Regional Council will each bear their respective costs in carrying out the matters provided for in clause 6.25.9; and

Engagement on abandoned petroleum wells and resource consents for mining activities

- 6.25.14 the joint management agreement will include a commitment from the Taranaki Regional Council to –

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- (a) provide timely notice to the governance entity of any environmental issues with abandoned petroleum wells within the rohe of Ngāti Maru which may come to the Council's attention; and
- (b) acknowledge Ngāti Maru as an affected party regarding mining activities within the rohe of Ngāti Maru and provide timely notice to the governance entity of receipt of any applications for consents relating to mining activities within the rohe and a summary of any application for such a consent; and

6.25.15 the commitment in clause 6.25.14 will be limited to the extent that the Taranaki Regional Council has a statutory role in relation to abandoned petroleum wells or mining activities, as the case may be; and

Process for finalising joint management agreement

6.25.16 no later than 30 business days after the settlement date, Taranaki Regional Council and the governance entity will convene a joint committee which will be responsible for the process of finalising the joint management agreement; and

6.25.17 the governance entity and Taranaki Regional Council will work together in a positive and constructive manner to finalise the joint management agreement with facilitation by the Crown within the timeframe specified in clause 6.25.1 having particular regard to the principles set out in clause 6.25.4; and

6.25.18 the governance entity and Taranaki Regional Council may resort to any other facilitation, mediation or process considered by them to be appropriate in the process of finalising the joint management agreement; and

6.25.19 no later than 12 months after the settlement date, Taranaki Regional Council and the governance entity will give notice to the Minister for the Environment –

- (a) confirming that all matters relating to the joint management agreement have been finalised; or
- (b) identifying that there are issues in dispute that the parties have not been able to resolve, the nature of any issue in dispute and the position of the respective parties on any issue in dispute; or
- (c) notifying an agreement in writing under clause 6.25.1 to extend the date by which a joint management agreement will be in force; and

6.25.20 where notice is given under clause 6.25.19(a), that notice must also specify that date upon which the joint management agreement is to come into force;

6.25.21 where notice is given under clause 6.25.19(b), the Minister for the Environment and the governance entity, in consultation with Taranaki Regional Council, will work together to resolve any issue in dispute; and

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- 6.25.22 the process referred to in clause 6.25.21 may continue for a period of no more than two months, unless otherwise agreed in writing by the Minister for the Environment and the governance entity; and
- 6.25.23 where, at the expiration of the two month period referred to in clause 6.25.22, all matters relating to the joint management agreement have been resolved, the governance entity and Taranaki Regional Council will finalise the joint management agreement and will give notice to the Minister for the Environment specifying the date upon which the joint management agreement is to come into force; and
- 6.25.24 where, at the expiration of the two month period referred to in clause 6.25.22, there remains any issue in dispute in relation to the joint management agreement –
- (a) the Minister for the Environment will make a determination on the issue in dispute; and
 - (b) on the basis of that determination, the governance entity and Taranaki Regional Council will finalise the joint management agreement and will give notice to the Minister for the Environment specifying the date upon which the joint management agreement is to come into force; and
- 6.25.25 in making any determination under clause 6.25.24, the Minister for the Environment will have particular regard to the principles set out in clause 6.25.4; and
- 6.25.26 the Minister for the Environment may appoint a facilitator or take any other action considered appropriate to promote the resolution of any issues in dispute between the governance entity and Taranaki Regional Council; and
- 6.25.27 where notice has been given under clause 6.25.19(c), not less than four months before the extended date by which a joint management agreement will be in force the governance entity and Taranaki Regional Council will give notice in writing to the Minister for the Environment and the governance entity –
- (a) confirming that –
 - (i) all matters relating to the joint management agreement have been agreed; and
 - (ii) the joint management agreement will be in force on the extended date; or
 - (b) identifying that there are issues in dispute that the parties have not been able to resolve, the nature of any issue in dispute and the position of the respective parties on any issue in dispute; and
- 6.25.28 where notice is given under clause 6.25.27(b), the Minister for the Environment and the governance entity, in consultation with Taranaki

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

6: MARU PAE / NATURAL RESOURCES

Regional Council, will work together to resolve any issue in dispute and the provisions of clauses 6.25.21 to 6.25.26 will apply with any necessary modification; and

- 6.25.29 the governance entity and Taranaki Regional Council may agree that a joint management agreement is to come into force in stages; and
- 6.25.30 at the time that notice is given of the date upon which a joint management agreement is to come into force, the governance entity and Taranaki Regional Council must also provide a copy of that agreement to the Minister for the Environment; and

Suspension of joint management agreement

- 6.25.31 Taranaki Regional Council and the governance entity may from time to time agree in writing to suspend, in whole or in part, the operation of the joint management agreement; and
- 6.25.32 in reaching any agreement under clause 6.25.31, the parties must specify the scope and duration of any such suspension; and
- 6.25.33 to avoid doubt, there is no right to terminate a joint management agreement; and

Waiver of rights under joint management agreement

- 6.25.34 the governance entity may notify Taranaki Regional Council from time to time that it waives any rights provided for under the joint management agreement; and
- 6.25.35 in giving any notice under clause 6.25.34, the governance entity must specify the extent and duration of any such waiver; and
- 6.25.36 the governance entity may at any time revoke a notice of waiver by notice in writing to Taranaki Regional Council; and

Legal framework for joint management agreement

- 6.25.37 nothing in sections 36B to 36E of the Resource Management Act 1991 apply to the joint management agreement; and
- 6.25.38 the performance or exercise of a function, power or duty under the joint management agreement has the same legal effect as a power, function or duty performed or exercised by Taranaki Regional Council; and
- 6.25.39 Taranaki Regional Council will not use the special consultative procedure under section 83 of the Local Government Act 2002 in relation to the joint management agreement; and
- 6.25.40 the joint management agreement is enforceable between the parties to it; and

Extension of joint management agreement

- 6.25.41 the governance entity and Taranaki Regional Council may extend the joint management agreement to cover any other functions, powers or duties as may be agreed between the two parties; and
- 6.25.42 in the event that the parties agree to extend the joint management agreement to cover any other functions or powers –
- (a) that extended part of the joint management agreement will be subject to clauses 6.25.2 to 6.25.4 and 6.25.31 to 6.25.40; but
 - (b) despite clause 6.25.33, that extended part of the joint management agreement may be terminated in whole or in part by one party giving to the other party 20 business days' notice; and
 - (c) to avoid doubt, no termination under clause 6.25.42(b) will affect the remaining part of the joint management agreement; and
 - (d) prior to either party exercising a right of termination under clause 6.25.42(b), the parties will work together to seek to resolve any issue in a manner consistent with the principles set out in clause 6.25.4 and the dispute resolution process contained in the joint management agreement; and

Review and amendment of joint management agreement

- 6.25.43 the governance entity and Taranaki Regional Council may agree at any time in writing to undertake a review of the joint management agreement; and
- 6.25.44 where, as a result of a review, Taranaki Regional Council and the governance entity agree in writing that the joint management agreement should be amended, those parties may amend the joint management agreement without further formality; and
- 6.25.45 following an amendment to the joint management agreement, the governance entity and Taranaki Regional Council will –
- (a) give notice in writing of such amendment to the Minister for the Environment; and
 - (b) provide a copy of the amended joint management agreement to the Minister for the Environment; and

Transfers, delegations and joint management agreements

- 6.25.46 to avoid doubt, the provisions in this clause 6.25 relating to joint management agreements do not preclude Taranaki Regional Council from effecting a transfer or delegation, entering into any other joint management agreement with the governance entity under the Resource Management Act 1991, or

engaging in any other co-management arrangement with the governance entity under any other legislation; and

Exercise of powers in certain circumstances

6.25.47 where a statutory power or function is affected by this joint management agreement, but a statutory timeframe for the exercise of that function or power is not able to be complied with under the joint management agreement, or an emergency situation arises, Taranaki Regional Council may exercise that power or function on its own account and not in accordance with the joint management agreement.

Crown involvement

6.26 The Crown must, in facilitating the process of finalising the joint management agreement (as referred to in clause 6.25.17) –

6.26.1 maintain involvement in discussions to finalise the joint management agreement, including committing officials' resources and, where appropriate, inviting the relevant district councils to be involved in discussions relating to specific matters (e.g. wastewater); and

6.26.2 consider a one-off Crown contribution to Taranaki Regional Council's costs in establishing the joint management agreement; and

6.26.3 ensure that the joint management agreement records the details of the resources required for the administration of the joint management agreement and how these administrative costs will be met.

MINERALS

Environmental monitoring of petroleum and minerals exploration and development

6.27 This deed addresses Ngāti Maru aspirations to enhance their kaitiaki role in relation to environmental monitoring of petroleum and minerals exploration and development by –

6.27.1 providing for a relationship agreement with the Ministry for Business, Innovation and Employment in relation to petroleum and Crown minerals, which, amongst other matters, includes decommissioning as a standing item at the Annual Forum (clause 5.20.2 refers); and

6.27.2 including monitoring of abandoned petroleum wells, and engagement on applications for resource consents relating to mining activities, within the scope of the joint management agreement (clauses 6.25.14 and 6.25.15 refer).

Pākohe and Pūrangi

6.28 In clauses 6.29 and 6.30, –

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

6: MARU PAE / NATURAL RESOURCES

- 6.28.1 **conservation land** means land that is –
- (a) vested in the Crown or held in fee simple by the Crown; and
 - (b) held, managed or administered by the Department of Conservation under the conservation legislation; and
- 6.28.2 **conservation legislation** means the Conservation Act 1987 and the enactments listed in Schedule 1 of that Act; and
- 6.28.3 **former riverbed** means a riverbed that is dry as a result of –
- (a) natural changes in the flow of the river, tributary, stream, or other natural watercourse; or
 - (b) artificial diversion of water from the river, tributary, stream, or other natural watercourse; and
- 6.28.4 **pākohe** means metamorphosed indurated mudstone (otherwise known as argillite); and
- 6.28.5 **pūrangi** means a highly indurated, green-grey, very fine-grained sandstone; and
- 6.28.6 **relevant area** means a riverbed or former riverbed on conservation land that –
- (a) is within the area of interest; and
 - (b) is not included in Schedule 4 of the Crown Minerals Act 1991; and
 - (c) is not part of the Whanganui River or its tributaries (Te Awa Tupua); and
- 6.28.7 **riverbed** means land that the waters of a river, tributary, stream, or other natural watercourse cover at its fullest flow without flowing over its banks.
- 6.29 The settlement legislation will, on the terms provided by sections 99 to 104 of the draft settlement bill, provide for –
- 6.29.1 the Crown to acknowledge –
- (a) the longstanding cultural, historical, spiritual and traditional, association of Ngāti Maru with pākohe and pūrangi; and
 - (b) the Ngāti Maru statements of association with pākohe and pūrangi set out in part 1 of the documents schedule; and
- 6.29.2 any member of Ngāti Maru who has written authorisation from the governance entity to access riverbeds or former riverbeds within the relevant area –

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6: MARU PAE / NATURAL RESOURCES

- (a) for the purposes of searching for and removing Crown-owned pākohe or pūrangi by hand; and
 - (b) without authorisation under conservation legislation; and
 - (c) without a permit under section 8(1)(a) of the Crown Minerals Act 1991; and
 - (d) in accordance with the Ngāti Maru cultural materials plan to be agreed in accordance with clause 5.36; and
- 6.29.3 that any person exercising a right under clause 6.29.2 must comply with all other lawful requirements, including under the Resource Management Act 1991; and
- 6.29.4 that the rights under clause 6.29.2 do not apply to any part of a riverbed or former riverbed that is –
- (a) an ecological area declared under section 18 of the Conservation Act 1987; or
 - (b) an archaeological site (as defined by section 6 of the Heritage New Zealand Pouhere Taonga Act 2014).
- 6.30 The Crown will not seek the return of or assert ownership interests in the minerals removed by an authorised person in accordance with clauses to 6.28 and 6.29 and the settlement legislation.

7 MARU MUA / FINANCIAL AND COMMERCIAL REDRESS

He tāpapa whakaritorito
Ka tuputupu nunui
Ka tuputupu roroa
Ka tuputupu rau matomato

A foundation for growth
Abundant
Intergenerational
Prosperous

FINANCIAL REDRESS

- 7.1 The Crown must pay the governance entity on the settlement date \$3,845,000, being the financial and commercial redress amount of \$30,000,000 less –
- 7.1.1 \$15,000,000, being the on-account payment that was paid on 5 September 2018 to the governance entity on account of the settlement; and
- 7.1.2 \$1,000,000, being the on-account payment that was paid on 7 September 2020 to the governance entity on account of the settlement; and
- 7.1.3 \$6,500,000, being the on-account payment to be made under clause 7.2; and
- 7.1.4 \$3,655,000, being the transfer value of the licensed land.

ON-ACCOUNT PAYMENT

- 7.2 Within 10 business days of the date of introduction of the settlement bill to the House of Representatives, the Crown will pay \$6,500,000 to the governance entity on account of the financial and commercial redress amount.

LICENSED LAND

- 7.3 The licensed land is to be –
- 7.3.1 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 8 of the property redress schedule; and
- 7.3.2 as described, and is to have the transfer value provided, in part 3 of the property redress schedule.

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7: MARU MUA / FINANCIAL AND COMMERCIAL REDRESS

- 7.4 The transfer of the licensed land will be –
- 7.4.1 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
 - 7.4.2 subject to the governance entity providing to the Crown before the registration of the transfer of the licensed land a right of way easement in gross in the form set out in part 5 of the documents schedule (subject to any variations in the form necessary only to ensure its registration).
- 7.5 The parties to the easement referred to in clause 7.4.2 are bound by the easement terms from the settlement date.
- 7.6 The settlement legislation will, on the terms provided by sections 106 and 113 to 118 of the draft settlement bill, provide for the following in relation to the licensed land:
- 7.6.1 its transfer by the Crown to the governance entity:
 - 7.6.2 it to cease to be Crown forest land upon registration of the transfer:
 - 7.6.3 the governance entity to be, on the settlement date, in relation to the licensed land, –
 - (a) a confirmed beneficiary under clause 11.1 of the Crown forestry rental trust deed; and
 - (b) entitled to the rental proceeds since the commencement of the Crown forestry licence:
 - 7.6.4 the Crown to give notice under section 17(4)(b) of the Crown Forest Assets Act 1989 terminating the Crown forestry licence, in so far as it relates to the licensed land, at the expiry of the period determined under that section, as if –
 - (a) the Waitangi Tribunal had made a recommendation under section 8HB(1)(a) of the Treaty of Waitangi Act 1975 for the return of the licensed land to Māori ownership; and
 - (b) the Waitangi Tribunal's recommendation became final on settlement date:
 - 7.6.5 the governance entity to be the licensor under the Crown forestry licence, as if the licensed land had been returned to Māori ownership on the settlement date under section 36 of the Crown Forest Assets Act 1989, but without section 36(1)(b) applying: and
 - 7.6.6 for rights of access to areas that are wāhi tapu.

TE HIRINGA TAKETAKE DEED OF SETTLEMENT
7: MARU MUA / FINANCIAL AND COMMERCIAL REDRESS

DEFERRED SELECTION PROPERTIES

- 7.7 The governance entity may during the deferred selection period for each deferred selection property, give the Crown a written notice of interest in accordance with paragraph 6.1 of the property redress schedule.
- 7.8 Part 6 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.
- 7.9 Stratford Police Station (land only) is to be leased back to the Crown, immediately after its purchase by the governance entity, on the terms and conditions provided by the lease for that property in part 9.2 of the documents schedule (being a registrable ground lease for the property, ownership of the improvements remaining unaffected by the purchase).

POTENTIAL DEFERRED SELECTION PROPERTIES – SCHOOL SITES

- 7.10 The governance entity, for 2 years from the settlement date, has a right to select from the list of potential deferred selection properties set out in part 5 of the property redress schedule, in accordance with selection criteria set out in part 7 of the property redress schedule, properties to be available as deferred selection properties.
- 7.11 Each potential deferred selection property that has been validly selected becomes a deferred selection property that –
- 7.11.1 may be purchased by the governance entity on, and subject to, the terms and conditions in part 8 of the property redress schedule; and
 - 7.11.2 is to be leased back to the Crown immediately after its purchase by the governance entity, on the terms and conditions provided by the lease for that property in part 9.1 of the documents schedule (being a registrable ground lease of the property, ownership of the improvements remaining unaffected by the purchase) and its transfer is subject to the provision to the Crown, by or on the DSP settlement date, of the Crown leaseback.
- 7.12 Part 7 of the property redress schedule, amongst other things, sets out the criteria applying to the selection by the governance entity of the potential deferred selection properties to be available as deferred selection properties.
- 7.13 Clause 7.14 applies in respect of a DSP school house site if, before the settlement date, the board of trustees of the related school site relinquishes the beneficial interest it has in the DSP school house site.
- 7.14 If this clause applies to a DSP school house site –
- 7.14.1 the Crown must, within 10 business days of this clause applying, give notice to the governance entity that the beneficial interest in the DSP school house site has been relinquished by the board of trustees; and

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- 7.14.2 the potential deferred selection property that is the related school site will include the DSP school house site; and
- 7.14.3 all references in this deed to a potential deferred selection property that is the related school site are to be read as if the potential deferred selection property were the related school site and the DSP school house site together.
- 7.15 In the event that any potential deferred selection property becomes surplus to the land holding agency's requirements, the Crown may, at any time before the governance entity has given a selection notice in respect of the property that is valid in accordance with paragraph 7.2 of the property redress schedule, give notice to the governance entity that the right to select the property to be available as a deferred selection property under clause 7.10 no longer applies to the property.
- 7.16 The right to select a potential deferred selection property under clause 7.10 no longer applies in respect of the potential deferred selection property on the date of receipt of the notice by the governance entity under clause 7.15. To avoid doubt, the governance entity will continue to have a right of first refusal in relation to the property in accordance with clause 7.18.

SETTLEMENT LEGISLATION

- 7.17 The settlement legislation will, on the terms provided by sections 106 to 112 of the draft settlement bill, enable the transfer of the licensed land and the deferred selection properties.

EXCLUSIVE RFR FROM THE CROWN

- 7.18 The governance entity is to have a right of first refusal in relation to a disposal of exclusive RFR land, being –
- 7.18.1 land in the exclusive RFR area, that on the settlement date is –
- (a) vested in the Crown; or
 - (b) the fee simple for which is held by the Crown; or
 - (c) is a reserve vested in an administering body that derived title from the Crown and that would, on the application of section 25 or 27 of the Reserves Act 1977, revert in the Crown; and
- 7.18.2 land listed in part 4 of the attachments that, on the settlement date is –
- (a) vested in the Crown; or
 - (b) the fee simple for which is held by the Crown, Kāinga Ora–Homes and Communities, Fire and Emergency New Zealand, or New Zealand Railways Corporation; or

TE HIRINGA TAKETAKE DEED OF SETTLEMENT
7: MARU MUA / FINANCIAL AND COMMERCIAL REDRESS

- (c) is a reserve vested in an administering body that derived title from the Crown and that would, on the application of section 25 or 27 of the Reserves Act 1977, revert in the Crown.

7.19 The right of first refusal is –

7.19.1 to be on the terms provided by sections 119 to 149 of the draft settlement bill; and

7.19.2 in particular, to apply –

(a) for a term of 180 years on and from the settlement date; but

(b) only if the exclusive RFR land is not being disposed of in the circumstances provided by sections 128 to 137 or under a matter referred to in section 138(1) of the draft settlement bill.

**SHARED RFR WITH THE TE KOROWAI O WAINUIĀRUA GOVERNANCE ENTITY
AND THE NGĀTI HĀUA GOVERNANCE ENTITY**

7.20 In clauses 7.21 to 7.23, **commencement date** means the earlier of –

7.20.1 the date that is 36 months after the settlement date; and

7.20.2 the date that is the later of the settlement date under the Te Korowai o Wainuiārua settlement legislation and the settlement date under the Ngāti Hāua settlement legislation.

7.21 The governance entity, the Te Korowai o Wainuiārua governance entity and the Ngāti Hāua governance entity are to have a shared right of first refusal in relation to the shared RFR land, being land listed in part 5 of the attachments that on the commencement date –

7.21.1 is vested in the Crown; or

7.21.2 is held in fee simple by the Crown; or

7.21.3 is a reserve vested in an administering body that derived title from the Crown and that would, on the application of section 25 or 27 of the Reserves Act 1977, revert in the Crown.

7.22 The shared right of first refusal is –

7.22.1 to be on the terms provided by sections 119 to 149 of the draft settlement bill; and

7.22.2 in particular, to apply –

(a) for a term of 180 years from the commencement date; and

TE HIRINGA TAKETAKE DEED OF SETTLEMENT
7: MARU MUA / FINANCIAL AND COMMERCIAL REDRESS

- (b) only if the shared RFR land is not being disposed of in the circumstances provided by sections 128 to 137 or under a matter referred to in section 138(1) of the draft settlement bill.

7.23 The settlement legislation will provide that –

7.23.1 any shared right of first refusal either the Te Korowai o Wainuiārua governance entity or Ngāti Hāua governance entity may have in accordance with clause 7.21 is subject to the settlement legislation relating to that governance entity being passed approving those rights; and

7.23.2 the rights in clause 7.22.1 shall, in respect of each of those governance entities, commence on and from the settlement date under the settlement legislation for that governance entity.

7.24 Ngāti Maru express their intention to work with Te Korowai o Wainuiārua and Ngāti Hāua to develop a tikanga-based process for making decisions in relation to any offer of shared RFR land.

7.25 For the avoidance of doubt, any tikanga-based process arising out of clause 7.24 does not bind the Crown and so does not alter the Crown's obligations or rights in relation to the shared RFR land.

SHARED RFR WITH THE TE KOROWAI O WAINUIĀRUA GOVERNANCE ENTITY

7.26 In clauses 7.27 to 7.29, **commencement date** means the earlier of –

7.26.1 the date that is 36 months after the settlement date; and

7.26.2 the settlement date under the Te Korowai o Wainuiārua settlement legislation.

7.27 The governance entity and the Te Korowai o Wainuiārua governance entity are to have a shared right of first refusal in relation to the Tahora Bus Stop property as listed in part 6 of the attachments if, on the commencement date, it is vested in or held in fee simple by the Crown.

7.28 The shared right of first refusal is –

7.28.1 to be on the terms provided by sections 119 to 149 of the draft settlement bill; and

7.28.2 in particular, to apply –

(a) for a term of 180 years from the later of the commencement date, but

(b) only if the Tahora Bus Stop property is not being disposed of in the circumstances provided by sections 128 to 137 or under a matter referred to in section 138(1) of the draft settlement bill.

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7: MARU MUA / FINANCIAL AND COMMERCIAL REDRESS

7.29 The settlement legislation will provide that –

7.29.1 any shared right of first refusal the Te Korowai o Wainuiārua governance entity may have in accordance with clause 7.27 is subject to the Te Korowai o Wainuiārua settlement legislation being passed approving those rights; and

7.29.2 the rights in clause 7.28.1 in respect of Te Korowai o Wainuiārua shall commence on and from the Te Korowai o Wainuiārua settlement date.

7.30 Ngāti Maru express their intention to work with Te Korowai o Wainuiārua to develop a tikanga-based process for making any decision in relation to any offer of the Tahora Bus Stop property.

7.31 For the avoidance of doubt, any tikanga-based process arising out of clause 7.30 does not bind the Crown and so does not alter the Crown's obligations or rights in relation to the Tahora Bus Stop property.

RIGHT OF FIRST REFUSAL OVER QUOTA

7.32 The Crown agrees to grant to the governance entity a right of first refusal to purchase certain quota as set out in the RFR deed over quota.

Delivery by the Crown of a RFR deed over quota

7.33 The Crown must, by or on the settlement date, provide the governance entity with two copies of a deed (the "RFR deed over quota") on the terms and conditions set out in part 8 of the documents schedule and signed by the Crown.

Signing and return of RFR deed over quota by the governance entity

7.34 The governance entity must sign both copies of the RFR deed over quota and return one signed copy to the Crown no later than 10 business days after the settlement date.

Terms of RFR deed over quota

7.35 The RFR deed over quota will –

7.35.1 relate to the RFR area; and

7.35.2 be in force for a period of 50 years on and from the settlement date; and

7.35.3 have effect on and from the settlement date as if it had been validly signed by the Crown and the governance entity on that date.

Crown has no obligation to introduce or sell quota

7.36 The Crown and the governance entity agree and acknowledge that –

7.36.1 nothing in this deed, or the RFR deed over quota, requires the Crown to –

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

7: MARU MUA / FINANCIAL AND COMMERCIAL REDRESS

- (a) purchase any provisional catch history, or other catch rights, under section 37 of the Fisheries Act 1996; or
- (b) introduce any applicable species (being species referred to in Schedule 1 of the RFR deed over quota) into the quota management system (as defined in the RFR over deed quota); or
- (c) offer for sale any applicable quota (as defined in the RFR deed over quota) held by the Crown; and

7.36.2 the inclusion of any applicable species (being the species referred to in Schedule 1 of the RFR deed over quota) in the quota management system may not result in any, or any significant, holdings by the Crown of applicable quota.

8 NGĀ TURE O TE HIRINGA TAKETAKE / SETTLEMENT LEGISLATION, CONDITIONS, AND TERMINATION

SETTLEMENT LEGISLATION

- 8.1 The Crown must propose the draft settlement bill for introduction to the House of Representatives.
- 8.2 The settlement legislation will provide for all matters for which legislation is required to give effect to this deed of settlement.
- 8.3 The draft settlement bill proposed for introduction to the House of Representatives –
- 8.3.1 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
 - 8.3.2 must be in a form that is satisfactory to Ngāti Maru and the Crown.
- 8.4 Ngāti Maru and the governance entity must support the passage of the draft settlement bill through Parliament.

SETTLEMENT CONDITIONAL

- 8.5 This deed, and the settlement, are conditional on the settlement legislation coming into force.
- 8.6 However, the following provisions of this deed are binding on its signing:
- 8.6.1 clauses 8.4 to 8.10:
 - 8.6.2 paragraphs 1.3, 2.2.2 and 2.3.2 and parts 4 to 7, of the general matters schedule.

EFFECT OF THIS DEED

- 8.7 This deed –
- 8.7.1 is “without prejudice” until it becomes unconditional; and
 - 8.7.2 may not be used as evidence in proceedings before, or presented to, the Waitangi Tribunal, any court, or any other judicial body or tribunal.
- 8.8 Clause 8.7.2 does not exclude the jurisdiction of a court, tribunal, or other judicial body in respect of the interpretation or enforcement of this deed.

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

**8: NGĀ TURE O TE HIRINGA TAKETAKE / SETTLEMENT LEGISLATION, CONDITIONS
AND TERMINATION**

TERMINATION

- 8.9 The Crown or the governance entity may terminate this deed, by notice to the other, if –
- 8.9.1 the settlement legislation has not come into force within 36 months after the date of this deed; and
 - 8.9.2 the terminating party has given the other party at least 40 business days' notice of an intention to terminate.
- 8.10 If this deed is terminated in accordance with its provisions –
- 8.10.1 this deed (and the settlement) are at an end; and
 - 8.10.2 subject to this clause, this deed does not give rise to any rights or obligations; and
 - 8.10.3 this deed remains "without prejudice"; but
 - 8.10.4 the parties intend that the on-account payments are taken into account in any future settlement of the historical claims.

9 NGĀ KĀTŪ WHAKAMĀRAMA / GENERAL, DEFINITIONS, AND INTERPRETATION

GENERAL

- 9.1 The general matters schedule includes provisions in relation to –
- 9.1.1 the implementation of the settlement; and
 - 9.1.2 the Crown's –
 - (a) payment of interest in relation to the settlement; and
 - (b) tax indemnities in relation to redress; and
 - 9.1.3 giving notice under this deed or a settlement document; and
 - 9.1.4 amending this deed.

HISTORICAL CLAIMS

- 9.2 In this deed, historical claims –
- 9.2.1 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 Maru, or a representative entity, had at, or at any time before, the settlement date, or may have at any time after the settlement date, and that –
- (a) is, or is founded on, a right arising –
 - (i) from the Treaty of Waitangi or its principles; or
 - (ii) under legislation; or
 - (iii) at common law, including aboriginal title or customary law; or
 - (iv) from fiduciary duty; or
 - (v) otherwise; and
 - (b) arises from, or relates to, acts or omissions before 21 September 1992 –
 - (i) by, or on behalf of, the Crown; or
 - (ii) by or under legislation; and

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

9: NGĀ KĀTŪ WHAKAMĀRAMA / GENERAL, DEFINITIONS, AND INTERPRETATION

9.2.2 includes every claim to the Waitangi Tribunal to which clause 9.2.1 applies that relates exclusively to Ngāti Maru or a representative entity, including the following claims:

- (a) Wai 136 – Ngāti Maru Land claim:
- (b) Wai 1609 – Ngāti Maru (Burrows and Hohaia) claim; and

9.2.3 includes every other claim to the Waitangi Tribunal to which clause 9.2.1 applies, so far as it relates to Ngāti Maru or a representative entity, including the following claims:

- (a) Wai 54 – Ngā Iwi o Taranaki claim:
- (b) Wai 126 – Motunui Plant and Petrocorp claim:
- (c) Wai 131 – Taranaki Māori Trust Board claim:
- (d) Wai 134 – Taranaki Iwi Land claim:
- (e) Wai 139 – Taranaki Lands Confiscation claim:
- (f) Wai 143 – Taranaki claims:
- (g) Wai 583 – Te Iwi o Ngāti Maru Inc. claim:
- (h) Wai 889 – Kaitiaki Tangata o Te Whenua Tapu claim:
- (i) Wai 2158 - Descendants of Tamakehu claim:
- (j) Wai 2159 - Ngaa Ariki (Moffitt) claim:
- (k) Wai 2317 - Te Puranga (Rata Pue) Crown Minerals claim.

9.3 However, historical claims does not include the following claims:

9.3.1 a claim that a member of Ngāti Maru, or a whānau, hapū, or group referred to in clause 9.6.2, may have that is, or is founded on, a right arising as a result of being descended from an tupuna who is not referred to in clause 9.6.1:

9.3.2 a claim that a representative entity may have to the extent the claim is, or is founded, on a claim referred to in clause 9.3.1.

9.4 To avoid doubt, clause 9.2.1 is not limited by clauses 9.2.2 or 9.2.3.

9.5 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.

NGĀTI MARU

9.6 In this deed, **Ngāti Maru** means –

9.6.1 the collective group composed of individuals who descend from one or more of Ngāti Maru tupuna; and

9.6.2 every whānau, hapū, or group to the extent that it is composed of individuals referred to in clause 9.6.1, including the following groups:

(a) Ngāti Maruwharanui;

(b) Ngāriki;

(c) Ngāti Hinemōkai;

(d) Ngāti Kōpu/Kōpua;

(e) Ngāti Kui;

(f) Ngāti Tamatāpui;

(g) Ngāti Tamakehu;

(h) Ngāti Te Ika; and

9.6.3 every individual referred to in clause 9.6.1.

9.7 For the purposes of clause 9.6.1 –

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

(a) birth; or

(b) legal adoption; and

9.7.2 **Ngāti Maru tupuna** means an individual who –

(a) exercised customary rights by virtue of being descended from –

(i) Maruwharanui; or

(ii) a recognised ancestor of any of the groups listed in clause 9.6.2; and

(b) exercised customary rights predominantly in relation to the Ngāti Maru area of interest after 6 February 1840.

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

9: NGĀ KĀTŪ WHAKAMĀRAMA / GENERAL, DEFINITIONS, AND INTERPRETATION

9.7.3 **customary rights** means rights according to tikanga Māori (Māori customary values and practices), including –

- (a) rights to occupy land; and
- (b) rights in relation to the use of land or other natural or physical resources.

MANDATED NEGOTIATORS AND SIGNATORIES

9.8 In this deed –

9.8.1 **mandated negotiators** means the following individuals:

- (a) Andrew (Anaru) Waiora Marshall, Waitoriki, Negotiator:
- (b) Nathan Dean Peri, New Plymouth, Negotiator; and

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

- (a) Holden Brent Hohaia, Wellington, Manager:
- (b) Tamzyn Rose Pue, Waitara, Broadcaster:
- (c) Bronwyn Puata-Koroheke, Pirongia:
- (d) Eileen Sandra Hall, New Plymouth, Manager:
- (e) Samuel Hamiora Tamarapa, Waitara, Manager:
- (f) Raymond William Tuuta, Whanganui:
- (g) Jamie Tuuta, Wellington, Specialist Advisor:
- (h) Paretutaki Hayward-Howie, Wellington, Historian:
- (i) Rowena Ramari Henry, Inglewood, Advisory Trustee and Administrator.

ADDITIONAL DEFINITIONS

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


INTERPRETATION

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

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

SIGNED as a deed on 27 Febraury 2021

SIGNED for and on behalf
of **NGĀTI MARU** by
the mandated signatories in the
presence of –



Andrew (Anaru) Waiora Marshall





Nathan Dean Peri

WITNESS



Name: Ray Henry


Will Peri


Name:

Occupation: Retired

Address: 45 Redvers Dr
Belmont
Lower Hutt

Pekaira Jue Rū
Rangitapu Rangitapu.



TE HIRINGA TAKETAKE DEED OF SETTLEMENT

SIGNED by the TRUSTEES OF
TE KĀHUI MARU TRUST: TE IWĪ O
MARUWHARANUI
in the presence of -

H. Hohaia

Holden Brent Hohaia

T. Rose Pue

Tamzyn Rose Pue

Bronwyn Puata-Koroheke

Bronwyn Puata-Koroheke

Eileen Sandra Hall

Eileen Sandra Hall

S. Hamora Tamarapa

Samuel Hamora Tamarapa

Raymond William Tuuta

Raymond William Tuuta

WITNESS

Liam Reber Foster

Name: Liam Reber Foster

Occupation: Fabricator welder

Address: 13 Richmond street

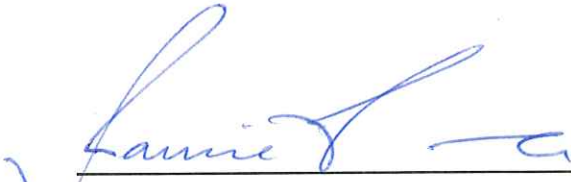
*Pekaira Jade Rei
Ranginiwa Rangitapater
Witi Peri*

vm

AA

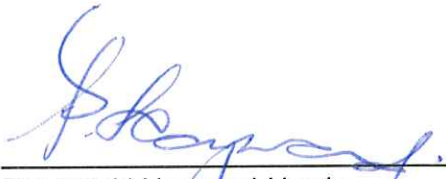
TE HIRINGA TAKETAKE DEED OF SETTLEMENT

SIGNED by **Jamie Tuuta** as specialist
advisor in the presence of -



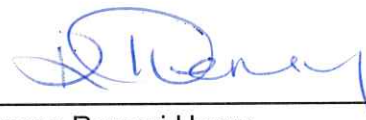
Jamie Tuuta

SIGNED by **Paretutaki Hayward-Howie**
as historian in the presence of -



Paretutaki Hayward-Howie

SIGNED by **Rowena Ramari Henry** as
advisory trustee in the presence of -



Rowena Ramari Henry

WITNESS



Name: *Lynette Ann Wilkinson*

Occupation: *Remote Area Nurse*

Address: *32a Anakiwa Road,
Anakiwa,
Pekairua Jude Rei
Ranginiwa Rangitapuru
Wiri Peri*

TE HIRINGA TAKETAKE DEED OF SETTLEMENT

SIGNED for and on behalf of THE CROWN by –

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



Hon Andrew James Little

WITNESS



Name: David Tapscott

Occupation: Director

Address: Robrua

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



Hon Grant Murray Robertson

WITNESS



Name:

Occupation:

Address:

Jelt de Jong
Public Servant
Wellington