

NGĀ IWI O TARANAHI

and

TE TŌPUNI NGĀRAHU

and

THE CROWN

TE RURUKU PŪTAKERONGO

1 September 2023

HE KUPU TUKU IHO

HE KARAKIATANGA KŌRERO

Ko Tahuarangi te waka
Ko Maui-mua te tangata
Ko Rangitukutuku te aho
Ko Pikimairawea te matau
Ka mau ki Te Uru-a-Tonganui
Ko Hāhā-te-whenua te ika ki ro wai
Ka ea ki runga, koia i huaina ai te ingoa ko Te Ika roa ha Maui e takoto nei
Nā Maui-roto i kutikuti pekapeka, i whakaraua
Hei whenua mō wai?
Hei whenua mō te Kāhui Maui
Kumea ake te Kāhui Maunga kia hora te marino i te ika, rere iho ai ngā wai i te pō-uriuri, i te pō-
tangotango, i te pō i kimihia
Kei te whakawiniwini ngā tai o te pō
Kei te whakawanawana ngā tai o te ao mārama
Kei te whakarururu ngā tai o pupuke
Ko Pupuke
Ko Mahara
Ko Hiringa a nuku,
Ko Hiringa a rangi,
Ko Hiringa a tau,
Ko Hiringa a Te Manumea
Ko Hunakitangata
Ko Puianuku
Ko Puiarangi
Ko Tūwhenua
Ko Tū Maunga
Ko Tū Parara
Ko Te Hono atu
Ko Parakarukaru
Ko Parawhenuamea
Ko Rua te whanaunga
Ko Rua te Manumea
Ko Ruataranaki ki a Te Rauhototapairu

Tahi tahia te marae, koia ko Tarawainuku
Horahia atu te takapou nei, ko Tapaki marae tōna ingoa
Ko te takotoranga o ngā kōrero tuputupua o ngā matua i ahu mai i te whare nei i Kaimirumiru
E titiro iho ai ki a Tāne i uta, i te ahi a Tahurangi
Uru atu ai au i te paepae roa, i te paepae tapu o te whare a Tāne
Uru atu ai au nei e Tāne ki roto, tiritiria ngā ngārahu tapu ki waho e hai!

TE IHO TĀNGAENGAE: COLLECTIVE STATEMENT OF CONNECTION AND RELATIONSHIP

HE POU WHAKARURU: GUARDIAN

**Ko te kāhui maunga ēnei, he pou here tikanga atua,
he pou here tikanga tangata, he pou whakaruru nō te ao tūroa.
He pou tupua, he pou tūtei kīhei rū, kīhei ngāruē, he pou tūnga roa,
e taumarū ai ngā whakatupuranga me ōna arapaki tū.
He tūtohu whenua, he tūtohu taiao e whai take ai te tini me te mano, ka whāia kia mau, ka
whāia kia piri, kia tata, kia tōpū, he mea paihere nō te kāhui maunga.
He maunga tū noa, i te ao, i te pō. He maunga tapu, tū te ihihi, tū te wehiwehi, tū te
wanawana. He maunga tāmou, he maunga whītiki i te kaupapa tangata.
He maunga tātai, he waha ā-tai e puare ana ki ngā whakatupuranga, e whaimārama ai, e
whaitake nei a tātai tangata i tōna ao, he ara tō tēnā, he ara tō tēnā, Māori mai, Pākehā
mai, he mātāwaiora, he mātāpono, he mātātika.**

The maunga are pou that form a connection between the physical and the social elements of our lived experience. For iwi of Taranaki, the maunga have been ever present and remain personified ancestors, a site of shared history, a physical resource, and the citadel of a unique ecosystem. Wider Taranaki society continues to look upon these maunga as key reference points for the region, shaping an immediate sense of place and social association with mutual identity. Their presence pervades our scenery, projecting mystery, adventure, and beauty, capturing our attention and our imagination in how humanity can be closely bound to a landscape.

The maunga are pou that transcend our perception of time, location, culture and spirit. They help configure how whakapapa, environment, the past and future are understood, engaged with and transmitted to future generations. This is a framework of tangible and intangible resources available to be accessed and applied in our daily lives, and open to be interpreted by various social groupings, Māori and non-Māori, in terms of spiritual, cultural and ethical values.

HE POU TAIORA: PHYSICAL DIMENSION

**Ko te kāhui maunga te iho taketake ki te kūreitanga nei, he ahuahunga i a Rū i te au o
nuku ki pīnekineki, ki māniana, ki papatokatoka, ki papawhenua i uta ki tai.
He ahuahunga i a Tāwhiri nui o rangi i te āwhā, i te hauptūkeri, i te aorangi,
whiua ki uta, whiua ki tai.
He whakaipurangi wai māturuturu i te huhuka o te rangi, te tukutuku o te rangi, te heihei
o te rangi, te mamange o te rangi, he puna wai matara, he papa kōhukehuke,
he kōiora ki te ao tū roa.
Ehara i a maunga kau noa, tēnā anō he tāmoremore nuku, he tāmoremore rangi,
he pou tina, he pou toka, he pou tāiki ki Taranaki.**

The maunga are the essence of this region having shaped the physical landscape with volcanic activity, inclining slopes, expansive plains and rocky shores. They have shaped the very character of weather, wind, rainfall and climate. They have been the source of unceasing artesian waters, mineral deposits and are a rich store of high altitude biodiversity. These maunga are not simply a part of the Taranaki environment, they are its synthesis.

HE POU KURA, HE POU WĀNANGA,

HE POU KŌRERO: SOCIAL DIMENSION

He kāhui maunga, he iho pūtaketake, he aka tāmore, he puia tautau mahei, ki tuitui wai koropupū, ki horanga whenua taurikura, ki pūkāwa māhorahora ki tai.

**He maunga tūtohu i te whenua, he noninga kumu,
he tūranga kāinga, he tūranga wānanga, he tūranga iwi.**

He whare punanga kōrero, he kāpuni reo, he kāpuni tikanga, he kāpuni tangata.

He maunga whānui atu i te tūtohu whenua noa, he tupua, he puna i heke mai ai te tangata, he pūkeinga kōiwi, he okiokinga tūpuna. Ko rātou hō mātou okiokinga ko mātou nei tō rātou okiokitanga.

The maunga are the essence of this region having shaped the human landscape with unflinching springs, fertile lands and an extensive shoreline. They have shaped the very character of geographic reference points, of settlement patterns and boundaries, and have differentiated schools of knowledge of iwi. They have been the source of language, culture and identity. These maunga are not simply landmarks, they are the embodiment of whakapapa, the interment of tūpuna incorporated within iwi whakapapa with names, history and sacred sites.

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TE RURUKU PŪTAKERONGO

THIS DEED is made between

NGĀ IWI O TARANAHI

and

TE TŌPUNI NGĀRAHU

and

THE CROWN

**PART A – KUPU WĀWĀHI: BACKGROUND AND
HISTORICAL ACCOUNT**

1 HE KUPU WĀWĀHI: BACKGROUND

**E kore hoki e taea he mate nō te iwi kotahi
Tukua atu tama kia puta i tua o te tāwhangawhanga
He putanga ariki nō rangi, nō rongō ki te ata tauira
Ko te mate o te Kāhui Tupua me hāna uri kia ea, kia hoki ki te ora
Whiti, whano haere mai te toki
Haumi e hui e, taiki e.**

We will not be overcome if we are united
To overcome and move to a future state
To pursue the noble path of the exemplars,
Rangi and Rongō towards the gleaming dawn
Let adversity and death by Te Kāhui Tupua and their descendants be overcome,
to return to life and wellbeing
We must transcend, proceed with courage and conviction,
let us be bound and united.

NEGOTIATIONS

- 1.1. Through their individual deeds of settlement with the Crown, each of the following iwi comprising Ngā Iwi o Taranaki has settled their historical claims, including claims relating to their Tūpuna Maunga:
 - 1.1.1. Ngaa Rauru Kiihahi;
 - 1.1.2. Ngāruahine;
 - 1.1.3. Ngāti Maru;
 - 1.1.4. Ngāti Mutunga;
 - 1.1.5. Ngāti Ruanui;
 - 1.1.6. Ngāti Tama;
 - 1.1.7. Taranaki Iwi; and
 - 1.1.8. Te Āti Awa.
- 1.2. Those individual deeds of settlement each record that the post-settlement governance entities of each iwi will work with the Crown to develop an apology and cultural redress in respect of their historical claims relating to their Tūpuna Maunga.
- 1.3. The iwi comprising Ngā Iwi o Taranaki have agreed to negotiate collectively with the Crown in relation to that redress.
- 1.4. On 14 March 2017, Ngā Iwi o Taranaki and the Crown agreed the scope, objectives and general procedures for the negotiations by signed terms of negotiation.

TE RURUKU PŪTAKERONGO

1: HE KUPU WĀWĀHI: BACKGROUND

- 1.5. On 20 December 2017, Ngā Iwi o Taranaki and the Crown signed Te Anga Pūtakerongo/Record of Understanding and agreed, in principle, a selection of matters to be provided in a collective redress deed.
- 1.6. Since the signing of Te Anga Pūtakerongo/Record of Understanding, Ngā Iwi o Taranaki and the Crown have had extensive negotiations conducted in good faith towards this collective redress deed, Te Ruruku Pūtakerongo.
- 1.7. Te Ruruku Pūtakerongo provides collective cultural redress to Ngā Iwi o Taranaki with respect to their historical claims relating to their Tūpuna Maunga.
- 1.8. On 31 March 2023, Ngā Iwi o Taranaki and the Crown initialled Te Ruruku Pūtakerongo.

RATIFICATION AND APPROVALS

- 1.9. Ngā Iwi o Taranaki have, since the initialling of Te Ruruku Pūtakerongo, by a majority of the percentage for each iwi in the table below, ratified this deed (including the establishment of Te Tōpuni Ngārahu) and approved its signing on their behalf by the mandated signatories:

Iwi	Approval percentage
Ngāa Rauru Kīitahi	97%
Ngāruahine	97%
Ngāti Maru	97%
Ngāti Mutunga	97%
Ngāti Ruanui	97%
Ngāti Tama	97%
Taranaki Iwi	97%
Te Āti Awa	98%

- 1.10. Each majority referred to in clause 1.9 is of valid votes cast in a ballot.
- 1.11. The Crown is satisfied with the ratification and approvals of each iwi of Ngā Iwi o Taranaki referred to in clauses 1.9 and 1.10.

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; and
 - 1.12.2. agree and acknowledge as provided in this deed.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

- 1.13. The collective redress legislation, Te Ture Whakatupua mō Te Kāhui Tupua, will provide for all matters for which legislation is required to give effect to this deed. Te Pire Whakatupua mō Te Kāhui Tupua, the draft bill in Part 10 of the schedule, is the draft version of Te Ture Whakatupua mō Te Kāhui Tupua.

2 HE KAWA TUPUA: FRAMEWORK UNDERPINNING REDRESS ARRANGEMENTS

Ko Tupua kawa, ko Tawhito kawa, ko Te Matoe o te rangi, tēnei hoki rā he taketake rongō, he taketake maunga, he taketake tangata, tēnei ka hora.

The ancestral connections with traditional practice are the foundation and synthesis of peace and co-operation that bind physical landscape with human existence.

HE KAWA TUPUA

- 2.1. The redress arrangements set out in Parts B and C of the deed give effect to He Kawa Tupua, a new framework comprising:
 - 2.1.1. **Te Mana o Ngā Maunga:** recognising, promoting, and protecting the health and wellbeing of Te Kāhui Tupua and its status; and
 - 2.1.2. **Te Mana o Te Kāhui:** recognising and providing for the mana and relationship of Ngā Iwi o Taranaki with Te Kāhui Tupua.
- 2.2. He Kawa Tupua comprises:
 - 2.2.1. Te Kāhui Tupua as a legal personality;
 - 2.2.2. Ngā Pou Whakatupua (Te Kāhui Tupua values);
 - 2.2.3. Ko Te Kāhui Tupua me Ngā Pou Whakatupua ētia nei He Kōtore Huia, He Pikikōtuku (the effect of Te Kāhui Tupua status and Ngā Pou Whakatupua);
 - 2.2.4. Te Tōpuni Kōkōrangī (the human face and voice of Te Kāhui Tupua);
 - 2.2.5. Te Whakakoretanga o Te Ture Muru (the repeal of the Mount Egmont Vesting Act 1978);
 - 2.2.6. Te Tōpuni Ngārahu (collective governance entity to act for Ngā Iwi o Taranaki for the purposes of He Kawa Tupua);
 - 2.2.7. He Tapanga Whenua (official geographic name changes (Te Papa-Kura-o-Taranaki (the new name for the national park), Taranaki Maunga and other Tūpuna Maunga));
 - 2.2.8. He Tuku Whenua, ko Te Aitanga a Papa (the vesting of land and certain minerals (Ngā Taonga Tūānuku)) and industrial rocks and building stones in Te Kāhui Tupua);
 - 2.2.9. He Kawa Ora (the governance, management and administration of Te Papa-Kura-o-Taranaki, including the preparation and approval of the management plan); and
 - 2.2.10. a range of other matters provided for in this deed.

3 TE PUEATANGA KI TE AO: HISTORICAL ACCOUNT, ACKNOWLEDGEMENTS AND APOLOGY

Haehaea te pō
Kia tū mai ngā whetu
Tākiritia te ārai kapua
Kia tākiri mai ko te pūao o te atatū
Kia ara mai ko te rā i te tihi o Taranaki Maunga
Ka ao, ka ao, ka awatea.

The emergence from darkness
Brings forth the morning stars
The clearing of the clouds
And the new dawn in the eastern sky
The sun rises upon the peak of Taranaki
And light is cast across the land.

HE PŪTAKETANGA KŌRERO MŌ TARANAKI MAUNGA

- 3.1. Kua tuhia te whakaaetanga me te whakapāha a te Karauna ki Ngā Iwi o Taranaki ki ngā rārangi e 3.230 ki te 3.255 i runga i tēnei pūtaketanga kōrero.

Ngā Iwi o Taranaki me te orokohanga mai o Taranaki Maunga

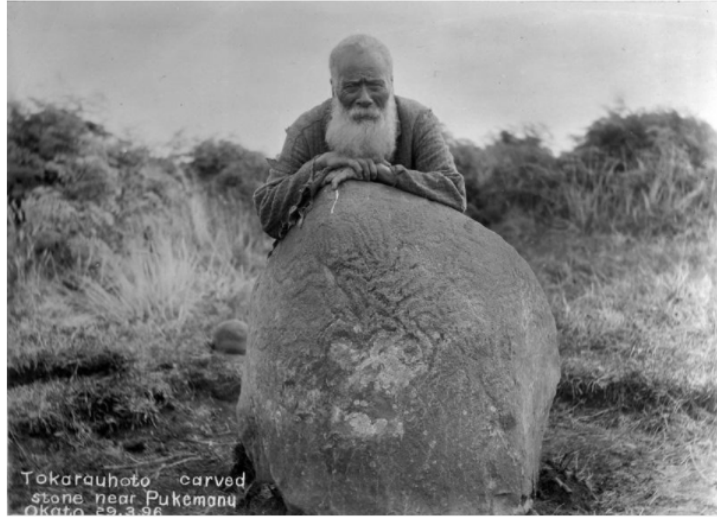
Ko Taranaki, ko Pouākai, ko Kaitake, koia te puna i heke mai ai te tangata. Koia ko hō mātou nei okiokinga, ko mātou nei tō rātou okiokitanga.

Taranaki, Pouākai and Kaitake are a reflection of and the source of our existence, in life and in death.

- 3.2. E ai ki ngā pūtaketanga kōrero a Taranaki, i puta mai ngā uki o tēnei takiwā i ngā tūpuna i mua noa atu i te taenga mai o Taranaki Maunga. Ka tātaia atu te hekenga iho o ēnei iwi i ngā tūpuna i mua noa atu i ngā uruwaka, e mōhiotia ana ēnei tūpuna hei iwi Kāhui. I noho ētehi o ēnei kāhui tangata whenua tawhito i ngā kāinga i ngā Pae Maunga tawhito o Pouākai, o Kaitake, ki ngā kokorutanga hoki o te maunga i reira i mua i te taenga mai o Taranaki Maunga.

I mua, i mōhiotia ai a Taranaki Maunga ko Pukeonaki me Pukehaupapa, ā, i tūtata ki Rotoaira, te takiwā ki Tūrangi, ki a Ruapehu rātou ko Tongariro ko Pihanga. He nui te aroha o Pukeonaki rāua ko Tongariro ki a Pihanga, ā, i tū te whawhai mōna i waenga i a rāua. Whai muri i te whawhai, i heke a Pukeonaki, me ngā mātānawe o te whawhai, ka hou ki raro i te whenua, ā, heke iho i te kōawa o te awa o Whanganui. Ka ārahina atu e ōna hoa haere e Te Rauhiuhi rātou ko Wheoi ko Rauhototapairu, ka komotia te moana. Whakaea rawa mai a Taranaki, ka kite i te pae maunga o Pouākai ki uta, ā, ka hāereere whakarunga i te awa o Hangatahua, i reira noho ai. I whakamaharatia a Rauhototapairu hei kōhatu ārahi, ā, nāna te pūaha o te awa o Hangatahua i tiaki, heke iho nei i ngā tini reanga. Ka noho tonu a Pukeonaki i reira ki te taha o Pouākai, ā, ko ā rātou tamariki i hua mai hei rākau, hei tipu, hei manu, hei ngā awa e rere mai ana i ō rāua pikitanga hoki. Nā te taenga atu o Pukeonaki ki Taranaki ka ngā a Mimi Maunganui ki raro, ā, i whakatōhenehene ētehi o ngā kāinga o Te Kāhui Maunga i te whaitua rā.

3: TE PUEATANGA KI TE AO: HISTORICAL ACCOUNT, ACKNOWLEDGEMENTS AND APOLOGY



Whakaahua 1: Minarapa Kahukura Makuru me te kōhatu āratiki a Rauhototapairu, i te tau 1896.

- 3.3. E kīia ana e ētehi kōrero tuku iho a Taranaki ka tapaina anō a Pukeonaki e ngā iwi o Te Kāhui Maunga, kua whakamaharatia e ngā mahi a ō rātou kaiārahi o taua wā. E tohua ana aua mahi ki te whakawai e whai ake nei:

*He pou tā Maruwhakatere
He ahi tā Tahurangi
He rua tā Ruataranaki
Maruwhakatere anchored and consecrated the mountain
Tahurangi lit the fires of occupation
Rua Taranaki excavated a cave and took up residence on its slopes*

- 3.4. Hei hua o ēnei mahi i whakaūngia ai te ingoa o Rua Taranaki ki te maunga. E kī ana ētehi atu kōrero tuku iho a Taranaki ki te tonga, ko te ingoa taketake o te maunga ko Pukehaupapa, ā, i tapaina ko Taranaki e te hunga nō te waka o Aotea. Ko Aotea tētehi o ngā waka maha i kawē mai i ngā rōpū Poronīhia ki te takiwā. Nāwai rā ka moea haeretia ēnei rōpū ki ngā iwi taketake o Te Kāhui. I roto i ētehiatu o ngā iwi Poronīhia, ko ngā manuheke i whakatere mai ai ki Aotearoa i runga i a Kurahaupō, i a Mataatua, i a Te Rangiuamutu, i a Wakaringaringa, i a Tokomaru, i a Tainui anō hoki.
- 3.5. Ahakoa he kanorau ngā orokohanga mai o ngā iwi o Taranaki, ā, i ētehi wā ka huri rātou ki te whawhai, kua tipu mai anō hoki he hononga i roto i te wā nā te whakapapa, nā te kauanuanu ngātahi ki a Taranaki Maunga. Ko Taranaki Maunga te mātāpuna o te nuinga o ngā manga, o ngā awa o te takiwā, ā, he haumako ōna taonga ki ngā iwi o Taranaki, hei kai, hei tāroki me te waitae, hei rawa taketake mō ngā whare, mō te kākahu, mō te toi, mō te rākau, mō ētehi atu taputapu anō hoki. I whakaponohia kei ngā rongoā i kohia ai i ōna motu ngāherehere he mea tino pākahukahu i pūtaka mai ai i te tapu nui whakaharahara o te maunga. Ko Taranaki Maunga hoki hei kauwaka hoki ka tukuna māna e ngā hapori Māori o reira ngā tikanga me ngā ritenga ā-wairua ki te ao o ngā Atua. I roto i te hia rautau o ta rātou noho i reira, nā ngā iwi o Taranaki ētehi pā, ētehi kāinga i whakatū ki ngā pikitanga o Taranaki Maunga, ki ngā pae maunga e karapotī ana i a ia anō hoki, tae atu ki a Patuhā, ki a Ahukawakawa, ki a Pukehīnau, ki a Pirongia, ki a Te Iringa, ki a Te Maru, ki a Pakihere, ki a Pukekōkako, ki a Kaiauaahi, ki a Karakatonga anō hoki. He nohoanga pūmau, he nohoanga ā-kaupeka hoki ēnei pā, he maioro papare, he papa taunga hoki mō ngā whakataka tiki rawa. Ko ngā ana me ētehi atu wāhi e tika ana i Taranaki Maunga i whakaritea hei urupā, ā, he tino tapu, he pērā anō te tihi ake o Taranaki Maunga.

3: TE PUEATANGA KI TE AO: HISTORICAL ACCOUNT, ACKNOWLEDGEMENTS AND APOLOGY

- 3.6. Nō reira ko Taranaki Maunga te pouwhakarewa o te ao o Taranaki. Ki ngā iwi, ki ngā hapū, ki ngā whānau o Taranaki, he tupuna whaimana te maunga, he mātāpuna o te oranga ā-tinana, ā-ahurea, ā-wairua, ā, he okiokinga whakamutunga anō hoki. Nāwai rā, ka noho a Taranaki Maunga hei tino tohu o te aumangea, o te tuakiri mō te rohe rā anō hoki.

Te tūtakitanga ki te Pākeha

- 3.7. I te Hānuere i te tau 1770, i kitea a Taranaki Maunga e Kāpene Hēmi Kuki i tāna terenga i te taiuru o Te Ika-a-Māui. I whakatau a Kuki kia tapaina te maunga ko "Mount Egmont" hei ingoa whakamāhara mō te Earl of Egmont, he kaitōrangapū nō Peretānia, he First Lord of the Admiralty hoki kua noho hei kaitaunaki matua mō ngā haerenga o Kuki. Kāore a Kuki i ū mai ki Taranaki. Nō muri mai i tana tohu i a Mount Egmont ki tana mahere whenua. Ka haere tonu i tana terenga whakarunga i ngā taimoana.
- 3.8. I pūmau te noho a te Pākehā i Taranaki, i te taetanga mai o ngā kaipatu tohorā i ngā tau 1830. I taua wā anō, ka pae mai ētehi o ngā iwi mau pū ki te rohe. Rokohanga ake, ka timata ētehi o ngā iwi me ngā hapū ki te wehe i ō rātou kāinga puta noa i a Taranaki whānui. Heoi anō, tērā atu ētehi hapū, me ētehi iwi, kaore i wehe, ka noho tonu ki ō rātou kāinga, kia pūmau tonu ai te ahi kaa, arā te taitara tuku iho i runga i te noho. Ko ngā mea i noho tonu ki te takiwā, i whirinaki atu ki te maunga, ki ngā pae maunga hei whakaruruhau, hei whakahaumarutanga i ngā taumahatanga o te wā.

Ngā hokonga whenua

- 3.9. I te marama o Mei, i te tau 1839, i whakatūria Te Kamupene o Niu Tireni ki te hapahapai i te taipūwhenua i a Aotearoa. I mōhio ngā kaitohu o te Kamupene, i te whakakaupapatia e te Karauna o Peretānia te kerēme i te tino rangatiratanga ki Aotearoa, me te whakatū i te tika motuhake mō te Karauna hei hoko whenua. He wawe tā te Kamupene tuku i ngā māngai hei hoko i ngā hōkai nui o te whenua ki Aotearoa, i mua i te taunahatanga. I te Oketopa, i te tau 1839, i te wā e ngaro nui ana ngā Māori i Taranaki, ka kerēmetia e ngā māngai o te Kamupene, te hoko o te rua tekau miriona eka whenua ki Te Puku o te Ika. Ko te katoa o te takiwā o Taranaki, ko Taranaki Maunga kei wenga pū. I tēnei wā, kāore anō ngā Māori o Taranaki kia waia ki ngā tukanga, ki ngā pānga hoki o ngā hokonga whenua e ai ki te ture whenua Ingarihi.
- 3.10. I te Hānuere i te tau 1840, nā Rūtene Kāwana Wiremu Hopihana (William Hobson) te pānui, kāore ngā hokonga tūmataiti o te whenua Māori e whakaaengia e te Karauna, i mua i te tau 1840. Nāna hoki i whakapuaki, ka whakatūria tētehi kōmihana hei tiro tiro i te tūturutanga o ngā hokonga whenua kua oti noa ake i waenganui i te Pākeha me te Māori, tae atu hoki ki ngā tīti a Te Kamupene o Niu Tireni. I te 6 o Pepuere, i te tau 1840, i hainatia te Tiriti o Waitangi, nā konei i whakatū ai te tika motuhake o te Karauna hei hoko whenua i ngā Māori.
- 3.11. I te tīmatanga o te tau 1841, i tae atu tētehi kairūri nō Te Kamupene o Niu Tireni ki Taranaki, ki te whakaroherohe i te whenua hei nohoanga nuitanga mō te Pākeha, ā, i muri tata iho ka pari mai te tai o te Pākeha nō Peretānia kua hokona he whenua hei nohoanga mō rātou. Tae atu ki te tau 1843, tōna 900 tāngata ka tau ki te tāone hou o Niu Paremata, ā, ka ngana ki te whakatū kāinga, pāmu hoki ki ngā whenua tata ki te moana. Tokomaha ngā Māori e noho ana i reira, o ērā hoki nō nākuanei kua hoki mai i wāhi kē atu o te motu, i tautohe atu i te tika o ngā tauhou ki te whenua. He hohe te ātete a ētehi i ngā rūritanga, ā, he pana tā ētehi atu i ō rātou nā whenua, He whakatū he tāmata rānei, ki ngā whenua e taunahatia ana e te Pākeha.
- 3.12. I te tau 1844, nā te Kāwana tētehi kōmihana i whakatū hei tiro tiro i ngā kerēme a Te Kamupene o Niu Tireni ki Taranaki. I muri mai i ngā Kōmihana, nā Kaikōmihana Peina (Spain) i whakatau he "matatika" tā te Kamupene hoko whenua i Taranaki, ā, nāna i tūtohi kia whakawhiwhia te 60,000 eka ki te Kamupene. I kaha whakahē te iwi o Te Atiawa, nō

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rātou te whenua ka whakawhiwhia atu, i tēnei whakataua, ā, i whakapuaki ētehi Pākeha i te āmaimai mō tō rātou haumarutanga. Hei urupare, i haere a Kāwana FitzRoy ki Taranaki, ā, nō muri i te matapaki i ngā āhuetanga ki ngā āpiha Karauna nō taua rohe, i parahako a ia i te tūtohi a Spain. Kātahi ka whakapuakina e te Kāwana tana takune, kia riro mai tētehi poraka paku tata ki Ngāmotu kei reira ka whakanohoia te Pākeha kua tae mai ai. I te Noema i te tau 1844, neke atu i te waru tekau ngā tāne, ngā wāhine hoki nō Te Atiawa i haina i tētehi tīti hoko atu mō te 3,500 eka o te whenua tata ki Ngāmotu, e kīia nei ko te Poraka Pitiroi (FitzRoy).

- 3.13. I te Māehe i te tau 1847, i tūtaki te Kāwana hou o Aotearoa, a Hori Kerei (George Grey), i ngā kaiārahi o ētehi hapū o Te Atiawa, me te whakamōhio atu ki a rātou tana takune, kia riro nui i a ia he whenua atu anō. Nō muri mai, Ka tuhia e Grey he "tokoitī ngā Māori i aro mai, i whakaae hoki ki te whakaritenga nei". Tokomaha anō hoki i kī atu, Ka mautohe te aurara mai a te Pākeha kei tua atu i te Poraka o Pitiroi (Fitzroy). Nā te rangatira nui o Te Atiawa, nā Wiremu Kingi te Rangitāke, i whakamōhio atu i a Grey, ki tana takune ki te hoki mai i Waikanae ki tōna whenua tuku iho ki Waitara, ki te raki o Ngāmotu, hei ārai i te ngaromanga atu. Kua tuhi kē a Kingi ki te Kāwana e whakatūpatō ana i a ia, kei whakarongo ki tētehi e tāpae ana ki te hoko atu i te whenua i Waitara. Ko tā Kāwana Grey urupare ko te whakatuma kia whakanoho i a Kingi ki raro i te tiakitanga, kia whakamōtī rānei i tōna waka mehemea ka whakamātau a ia ki te hoki atu.
- 3.14. I muri tata iho i aua hui, i tohu atu a Grey ki te māngai o te Karauna, ki a Te Mākarini, (Donald McLean) kia whakaritea te 60,000 ki te 70,000 eka ki te hoko hei whakanohoanga mō te Pākeha. I ngā marama i whai ake, i oti i a Te Mākarini me te iwi o Taranaki ngā whiriwhiringa mō te hoko i ngā Poraka o Tataraimaka, o Ōmata hoki. Huia katoatia, ko tōna 15,500 eka ki te tonga o Ngāmotu. I roto i taua wā, i kaha ātetehia e ngā tāngata o Taranaki iwi, ngā whakamātau a te Karauna hei hoko i ngā poraka whenua pēnei te rahi, kei roto rā ko Maunga Taranaki, kei ngā pae maunga o Pouākai, o Kaitake hoki, ā, ko tōna otinga ko te whakatūnga i tētehi hui nui i Ngāmotu, ko Patututahi te ingoa. I te Oketopa i te tau 1847, i hokona e te Karauna te Poraka o Grey e 9,770 eka te rahi ki te raki o Ngāmotu mai i ngā hapū o Te Atiawa. I te Pēpuere i te tau 1848, i hua mai te kaha o te tohe i waenga i ngā hapū o te rohe, i tā te Karauna whakamātau ki te hoko i te whenua atu anō ki te raki o Ngāmotu. Heoi anō, i ū tonu ngā māngai hoko o te Karauna ki ngā rūritanga o te whenua taupatupatu, ā, ko te otinga atu ka puta mai te riri i waenga i a ngāi Māori e tautohe ana i ngā roherohenga.
- 3.15. I te Āperira i te tau 1848, ka aratakina e Wiremu Kīngi te Rangitāke tōna 600 tangata atu i Waikanae, kia hoki atu ki Taranaki. I roto i taua rōpū ko ngā tāngata nō ngā iwi nō ngā tōpito o Taranaki, ā, e ono marama pea te haerenga whakararo i te tai, e whiu ana i ngā kararehe e whia kē mai nei kei mua i a rātou. I hoki atu a Kīngi ki Waitara i te Noema i te tau 1848. Ko te tau i muri mai, ka whakatūria e ngā tāngata nō te hapū o Puketapu o Te Atiawa tētehi pou, e whā-tekau-putu-te-teitei, ki te paretai raki o te awa o Waiwhakaihō, hei tohu rāhui i ngā whenua e ahu atu ana ki Waitara, me kaua e riro ki te hoko. I te tau 1850, i te wā o te toronga tuatoru o te Kāwana ki Taranaki, ka aukatingia tana torotoro i ngā hapū hiahia ki te hoko whenua e tētehi taua mau pū.
- 3.16. Ahakoa i ahu mai te nuinga o te ātete e piki haere ana ki ngā hokonga whenua i ā te Karauna rautaki hoko, i whakahihikotia hoki ngā Māori o Taranaki e te hiahia kia mau tonu mai i te rawaka o te whenua kia whai wāhi atu ki te ōhanga Pākeha e puta mai ana. Ka eke ngā tau 1850, i te whakatipu kararehe, i te whakatipu hua ahuhūwhūwhū hoki ngā Māori puta noa i Taranaki, hei kai mā rātou anō, hei hokohoko atu ki te Pākeha anō hoki. Ehara i te mea, ko te whakahē i te noho a te Pākeha te tino whainga o ngā iwi o Taranaki, engari kē ia, ko te whakahaere ngātahi i te rironga atu o te whenua i runga anō i ō rātou whainga ōhanga hou, whāinga taurikura anō hoki.
- 3.17. I te mimiti haere o te kama ki te hoko whenua i roto i ngā Māori o Taranaki, ka kaha te hiakai a te Pākeha ki te whenua. Nā, ka tīmata ngā māngai o te Karauna ki te whiriwhiri i ngā

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whakaaetanga hokonga ki te Māori kotahi, ki ngā rōpū āpiti paku rānei, i ētehi wā he mea huna ēnei whakaritenga, kāore hoki ngā rangatira o ngā pā kainga, te iwi nui tonu rānei i mōhio ki ngā whakaritenga. Nā ēnei whanonga a te Karauna i kaha puta mai te whakatete nui i roto i ngā hapū i te rohe. I te tau 1852, nā tētehi māngai hoko a te Karauna i tuhi mai i tana rāhiri ki ēnei whakatete nā te mea, he hua nui tō tēnei āhua kia whai matua ai tō rātou rautaki hoko whenua anō.

- 3.18. I ngā tau 1853 me te 1854, i whakaoti i ngā māngai o te Karauna ngā puka hei hoko i te poraka o Waiwhakaiho, 16,500 eka, me te poraka o Hua 14,000 eka. Ka toro atu aua poraka e rua i te tai ki te raki o Ngāmotu, ki ngā hikuwai o ngā awa o Waiwhakaiho, o Mangaoraka, o Mangorei, ki ngā pikitanga raki o Taranaki Maunga anō hoki. Ahakoa te tokomaha o ngā kaihaina Māori o ngā puka e rua, i tohea tonutia te hokonga e ētehi Māori nō rātou hoki ngā whenua. Hei taurira mō tō rātou whakahē, ka nohoia tonutia te poraka o Waiwhakaiho mō ngā tau maha, ahakoa te hokonga atu o te whenua ki te Pākeha.
- 3.19. Nō roto i taua wā, i whakatū hui ngā māngai o ngā iwi o Taranaki huri noa i te takiwā, kia whakaritea he kaupapa kōrero, emana ai te aukati i te hokonga whenua. I tētehi hui whakahirahira i Manawapou i Taranaki ki te tonga i te Āperira i te tau 1854, kotahi marama i muri mai i te hainatanga o te puka hokowhenua o Hua, ka puta te kupu oati o ētehi o ngā iwi o Taranaki kia mutu te hoko whenua ki puku me te tonga o Taranaki. Heoi anō, i ētehi marama i muri mai i te hui o Manawapou, nā ngā tonu o ētehi Māori, kia hokona atu te whenua i te raki o Taranaki, ka tutū te pūehu me te whawhai i waenga i ngā hapū, ka mate te tini o te tangata. Nā, i te mataku a te Pākeha ka tonoa te kāwanatanga ki te whakahaumarū i a rātou. Nō te tau, ko te taenga mai tēnei o ngā hoia o te Emepaea, ka eke ki te 500 hōia ka noho ki Ngāmotu.
- 3.20. Whai muri i te maungārongo poto, Ka tīmata te whawhai anō i waenganui i ngā hapū i te tau 1857. I te tīmatanga o te tau 1858, nā te Kāwana hou, nā Tamati Koa Parone (Thomas Gore Browne), i tuku tētehi pānui e whakatūpato ana kei whai ngā ope taua a te Karauna i ngā "mahi hohe" ki te kitea he tangata tohe pakanga ki ngā whenua o te Karauna. I kaha tonu te whakatete i Taranaki, ā, ko te hua kāore he hokonga anō i te takiwā rā, tae noa atu ki te hainatanga o te puka hoko whenua o Tarurutangi, i te Hānuere i te tau 1859. Ko te whenua o Tarurutangi, ka toro whakautu, mai i te raki o Ngāmotu ki ngā hikuwai o ngā awa o Waiongana me Mangaoraka i ngā pīnekitanga o Taranaki Maunga.

Ka paku te pū, ka katoro te ahi *Ko Taranaki anake kei te mohio*
Ask that mountain. Taranaki saw it all.

- 3.21. I te marama o Pēpuere i te tau 1859, i tuhi atu a Wiremu Kīngi te Rangitāke ki a Te Mākarini (Donald McLean) ki te kī atu, kāore a ia i te whakaae kia hokona atu te whenua i Waitara:

Ko enei whenua ekore e hoatu e matou ki a korua ringaringa ko te Kawana, kei rite matou ki nga manu o te moana e noho ana runga i te kowhatu, ka pari te tai ka ngaromia taua kowhatu e te moana, ka rere nga manu, no te mea kaore he nohoanga mo ratou.

These lands will not be given by us into the Governor's and your hands, lest we resemble the sea-birds which perch upon a rock, when the tide flows the rock is covered by the sea, and the birds take flight, for they have no resting place.

- 3.22. I tētehi hui i Ngāmotu, i te marama whai muri, ka whakapuakina e Kāwana Koa Paraone (Gore Browne) kāore a ia i te whakaae kia hokona te whenua i Taranaki, nei kore he taitara, nei he whenua tautohe. Nō konei, ka tū mai tētehi rangatira o reira me te tāpae atu i tana hiahia ki te hoko atu i te whenua i Waitara. Hei urupare, ka whakapuakina anō e Wiremu Kīngi i tana kore whakaae, i tana tautohe ki taua tāpaetanga hoko. Ka tohea e ia, koia hei rangatira, e noho haepapa ana ia ki te whakahaumarū i ngā tōpūtanga o tōna iwi, kei roto

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nei ko te whenua e pupuritia ngātahitia ana. Heoi anō, i tohe tonu ngā āpiha a te Karauna, ki tā rātou, kāore he tika tō Kīngi ārai i te tangata e hiahia nei ki te hoko i tōnā ake 'wāhanga' o te poraka whenua, ā, waihoki, ka tonoa a Kīngi ki te tohu i ngā wāhanga o te poraka i te hiahiatia e ia kia aweretia i te hokonga. I whakanau a Kīngi i tēnei tonu.

- 3.23. Ahakoa te tauākī o mua a te Kāwana, kia kaua e hoko i te whenua e taupatupatuhia ana, i te Noema i te tau 1859, ka tukuna e te Karauna te utu £100 pauna mō te poraka o Pekapeka i Waitara. I runga i te mōhio, ka māpura mai anō te tautohe ka whakamana mai te kāwanatanga i ngā āpiha o te Kaunihera-a-rohe ki te tonu āwhina i ngā hoia o te Kuini mehemea ka tūpono he ope taua Māori e ātete ana i te rūri o te poraka.
- 3.24. I te 20 o Pēpuere i te tau 1860, i āraihia tā te Karauna whakamātau kia rūri i te Poraka Pekapeka e ngā Māori, he wāhine te nuinga. Ko tā te Karauna whakautu, ko pānuitanga i te ture whawhai kia puta ki Taranaki, me te tonu mai i ngā hoia a te Kuini, kia 'tīmata ā rātou mahi ki ngā Māori'. I tuhi anō a Kīngi ki te Kāwana, me te kī ahakoa tana pīrangī noa kia hoa ai a ngāi Māori ki a ngāi Pākehā, kāore a ia i te whakarere i a Waitara. I te 5 o Māehe, nā ka ū mai te tima me ngā hoia o te Karauna ki te pā o Kīngi, ki te puaha o te awa o Waitara. Nā whai rā, ka whakahaerehia te rūritanga o te poraka o Pekapeka, me tētehi ope taua, i te 13 me te 14 o Māehe. Ka whakautua e Kīngi, ko te whakatūnga i te pā o Te Kohia, i tētehi pito o te poraka i te ahiahipō i te 15 o Māehe. Nā te korenga o Kīngi whakarere atu i taua pā, i te 17 o Māehe 1860, ka eke mai i te 500 hōia kāwanatanga ki te whākuru i taua pā. I te aonga ake, ka uru atu ngā hōia Karauna ki te pā, kua rere kē ngā Māori i waenga pō. Nō konei, ka tīmata te pakanga i Taranaki.
- 3.25. He wawe te uru atu a ētehi atu iwi nō Taranaki, nō wāhi kē atu i Te Ika-a-Māui hoki ki te pakanga hei tautoko i a Wiremu Kīngi me tōna iwi. I te tīmatanga, i tū te nuinga o te whawhai ki te tonga o Ngāmotu, i reira kua whakarauika mai ngā Māori nō te puku, me te tonga o Taranaki, ā, i whakatūria he whakaeke ki te Pakeha, ki ngā pāmu kua whakarerea nei anō hoki. Ka whākurutia ngā pōmu ki ngā pā kāinga ki te tahatika o te moana e ngā tima o te Karauna, ā, i whakaeke ngā hōia Karauna i ētehi kāinga, me te whakamōtī i ngā ngakinga, i ngā mira mahi puehu parāoa, me te tango kararehe hoki. I te Hune, i te tau 1860, i haukerekere ngā toa o Taranaki i ngā hōia o te Kuini e 350 te rahi i Puketakauere, kei uta tonu i Waitara. Whai muri i tēnei, ka whawhai ngā hōia a te Karauna i ētehi riringa, ka whakamōtī ai i ngā pā, i ngā kāinga, i ngā pātaka kai.
- 3.26. Tae rawa atu ki te Hepetema i te tau 1860, kua tōpūtia te ope taua a te Karauna ki te 2,300 hōia i Taranaki. I ngā marama i whai ake nei, i whakatūria e ngā hōia Karauna ētehi whakaeke huri noa i te takiwā me te whāinga kia kotiti i te whakatō huanga kai a te Māori, me te tūmanako mā konei e "tino rauhi, e tino hēmanawa" ai ngā Māori i te takiwā rā. Heoi anō, ko tā te Māori pakanga he whawhai papare whaihua, inarā nā te noho i ngā pā marutuna, tē taea e ngā ope a te Karauna te toa i te pakanga.
- 3.27. I te Āperira i te tau 1861, i muri i te kotahi tau o te whawhai, i whakatutukihia tētehi tatau pounamu nā te whai wāhitanga mai o ngā māngai nō te Kīngitanga. Ko tētehi herenga o taua tatau pounamu, ko te whakawātanga o te Karauna i te hoko o Pekapeka. Ka noho tonu tēnei, hei nawe nui ki ngā tini Māori i Taranaki, taea noatia tēnei rā. I tērā wā, i whakanohia tonutia e ngā ope Karauna te poraka o Pekapeka, ā, ka mau i ngā iwi nō ngā rohe o te puku me te tonga o Taranaki te mana o ngā Poraka o Ōmata, o Tataraimaka hoki kua hokona kētia e te Karauna i te tau 1847.

Te Pakanga Tuarua o Taranaki

- 3.28. I te Māehe, i te tīmatanga hoki o Āperira i te tau 1863, i mua tata mai i te otinga o te whakawā i oatitia mō Pekapeka, ka whakanohia anō e ngā ope Karauna ngā poraka o Ōmata, o Tataraimaka, i runga i ngā whakahau a Kāwana Kerei (Grey). E rua rā ki muri, ka whakataua anō e Grey, te whakarereenga i te hoko o Pekapeka, i runga anō i tāna i mea ai "he meka

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hou" mō ngā tika o Wiremu Kīngi te Rangitāke ki Waitara. Heoi anō, kāore i pānuingia tūmatanuitia taua whakatau tae noa atu ki te 11 o Mei, neke atu i te kotahi marama i muri mai.

- 3.29. Ka kitea e ngā Māori o Taranaki, ko te tōpūtanga anō o te hōia ki Tataraimaka, ki Ōmata, ka pēnei he whakataritari pakanga te mahi. I te 4 o Mei i te tau 1863, i mua i tā Grey whakapuaki i tana whakatau mō te whakarereanga i te hoko o Pekapeka, ka mate tētehi ope hōia i te tahapā Māori, i a rātou e kawē ana i ngā rawa pakanga i te whenua Māori. Tokoiwa ngā hōia i patua. I roto tonu i te toru wiki, kua katoro anō te ahi, kua uru anō ngā hōia Karauna me te Māori i Taranaki ki te whawhai.
- 3.30. Atu i te mutunga o Mei i te tau 1863, i whākurutia anō ngā pōmu e ngā tima o te Karauna ki ngā pā kāinga i te tahatika o te moana ki te tonga o Ngāmotu, ā, i whakaeke ngā hōia i ētehi kāinga Māori i tērā rohe. I te tīmatanga o te tau 1864, ka puta te kauhanga o te riri a te Karauna ki ngā kāinga me ngā whenua Māori, ka puta te kupu a te Karauna e kore tētehi eka kotahi, tētehi ngakinga kotahi e pahure noa, i roto i te rua tekau maero o te tai whakarunga o Ngāmotu. I te marama o Māehe i te tau 1864 ka whakaeke, ka whakamōtī ngā hōia Karauna i te pā o Kaitake i tētehi tuahiwi teitei i te pae maunga o Kaitake (o Pātua rānei). Nā ngā hōia ngā ngakinga pātata i huhuti, ā, i ngā rangi whai muri mai, ka hāereere tonu atu ki ngā pae maunga, ka kitea, ka whakamōtī hoki ētehi atu pā papare. Taro ake ka hangaia e ngā hōia Karauna tētehi paraki ki te wāhi o te pā o Kaitake hei whakahaere i ngā ara tuku rawa matua ki te ākau.
- 3.31. I te roanga atu o te tau 1864, ā, i te tau 1865 anō hoki, i whawhai ngā ope taua a te Karauna me ngāi Māori i ētehi whawhai puta noa i Taranaki, nā ka hua ngā tini mate, me te ngarotanga nui o ngā rawa i roto i ngā iwi o Taranaki. I te tīmatanga o te tau 1865, i hoake ngā ope taua Karauna ki te tonga o Ngāmotu, i rere hoki ki ngā whenua i waenganui i Whanganui me Ngāmotu ki te whakamātau haere i te whakatūnga i ētehi nohoanga hoia i te nukuroa o ngā whenua o Taranaki. I roto i ngā tau o 1865 me 1866, i hāereere anō ngā ope Karauna puta noa i te takiwā o Taranaki, ka āmio haere i Taranaki Maunga, i korā rātou, whakamōtī anō ai i ētehi atu kāinga, i ētehi atu pātaka kai, i ētehi atu kararehe, i ētehi atu huanga kai. Arā noa atu ngā Māori i Taranaki i mauheretia, i panaia, i patua i taua wā.

Te Raupatu

- 3.32. I te marama o Tīhema i te tau 1863, e waru marama i muri iho i te tīmatanga o te Pakanga Tuarua o Taranaki, i whakaturehia e te Whare Pāremata te New Zealand Settlements Act. Nā, ko te kupu whakataki o te Ture e mea ake ana, ko te ara ki te maungārongo ki Taranaki, ko te whakatūnga i te rawaka o ngā nohoanga hoia ki te takiwā hei "ārai i te aranga ake o te riri ". Nā te Ture i āhei ai te Kāwana ki te whakaroherohe i ngā whenua ki tāna i hiahia ai, ka whakaritea aua whenua, kia uru ki raro i te ture whakatū kāinga mō te hoia. Nā, ka kiia i roto i ngā tini pānuitanga o te Kawanatanga i te tau 1865, ko te takiwā o 1.2 miriona eka, mai Parinihi ki Waitōtara ki Taipake, ka murua hei nohonga mō te hoia tiaki i te Pākeha.
- 3.33. I te 2 o Hepetema i te tau 1965, Ka pānuitia e te Kāwana me raupatutia e ia ngā toenga eka whenua katoa o Taranaki, kāore anō kia hokona tikatia e ia. He nui noa atu te rahi o te whenua i raupatungia, i tērā e hiahitia ana kia tutuki ai te take tūturu o te Ture. He mea poka noa hoki te muru mō te wete i te hononga ki ngā whenua tuku iho i ia tangata Māori i Taranaki, ahakoa rānei i uru ki ngā pakanga ki te tohe ki te karauna, kāore rānei. Ko te riro i konei te nuinga o ngā iwi i Taranaki i ō rātou whenua katoa ki te muru.
- 3.34. I riro i te raupatu o te Karauna te katoa o Taranaki Maunga, o ngā pae maunga o Kaitake, o ngā pae maunga o Pouākai anō hoki kāore anō kia hokona e ia. I tino haukotia e tā te Karauna raupatu i Taranaki Maunga, te hononga hōhonu i waenga i ngā Māori o Taranaki, i ō rātou whenua, i ō rātou tūpuna hoki. I wetea ngā iwi o Taranaki i te āheinga ki ngā puna hira o te kai, ki ngā wāhi tuku iho tino whakahahirahira. Nā te kokoraho i te pupuritanga o

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Taranaki Maunga, nā te Karauna te mamae tē taea te ine ki te mana, ki te wairua anō hoki o ngā whānau, o ngā hapū o ngā iwi o Taranaki.

Te Utu Paremat

- 3.35. Ki raro i te New Zealand Settlements Act 1863, i āhei ai ngā Māori ki te whai kapeneihana, kia whakahokia atu he whenua raupatu mā te kerēme ki te Kōti Kapeneihana (Compensation Court) Ka whakatūria ai e te Ture. Me mātua whakaatu e ngā kaikerēme i a rātou pānga ki te whenua raupatu, me te tuku oati anō hoki kia piripono ki te Karauna. Me mātua tae atu ngā kaikerēme ki ngā huinga o te kōti, he uua tērā ki te tokomaha nā te mea i whakatūria ai ngā huinga i Ngāmotu, i Whanganui anake, i te wā e kawea tonutia ana mahi whakarihariha a ngā hoia o te Kawanatanga puta noa i Taranaki.
- 3.36. I te wā i tuku te whakahau a ngā mema o te Kawanatanga ki te Kawana, kia raupatutia a Taranaki i te Hepetema i te tau 1865, ka kiia ake, kua pai te Māori, nō te mea, ka whakahokia ki ngā "hauhau" ngā "tukunga rawaka", ā, ka riro i ngā Māori piripono ki te kuini i ō rātou pūwhenua katoa, ki tā rātou e whakaritea nei mō rātou i taua wā tonu. Ko ngā whenua kaore nei e taea te tuku ki a rātou, ka whakaritea he whenua atu anō e rite tahi nei te nui me te āhua ki wāhi kē atu, ka mō rātou ka utu kapeneihana rānei.
- 3.37. Heoi anō, ka tae ki te wā ka tīmata ngā kōti kapeneihana i te Hune i te tau 1866, kua porowhīua kētia e te Karauna ngā whenua taurikura ki te hoia Pākeha, kua rāhuitia hei hoko atu rānei. Nō reira ko te whenua e wātea tonu ana ki ngā kaikerēme Māori ko te nuinga he uua te tae atu, kāore i te tika rānei mō te -ōhanga. Ka makere hoki te 8,000 eka nō te maunga i runga i te whakaaro, kāore nei ōna hua, "he hakihakiā", ā, "kāore i te tika hei ngakinga". Hui katoa, iti iho i te 80,000 eka (6% paiheneti) te rahi o te whenua i tūtohia e te Kōti Kapeneihana kia whakahokia ki te Māori.
- 3.38. Ko ētehi wāhi whenua i Taranaki i tuku 'poka noa' i raro i ngā whakaritenga o te Kōti Kapeneihana. I te wā o te pakanga, kua kī taurangi whaiaro te Kāwana ki a Wī Kingi Matakatea rāua ko Arama Karaka, arā, he rangatira nō te hapū o Ngāti Haumia nō ngā Iwi o Taranaki (ka whakaahuangia hei "Ngatihauiti" i ngā tuhinga Karauna o te wā) e kore ō rātou whenua e raupatuhia, nō te mea, kua noho piripono rātou ki te Karauna. Heoi anō, kāore te ture o tērā wā i whakaritea kia wehe mai ai ngā whenua o te tangata piripono me te tangata hauhau. Nō reira, ka whakaurua katoatia ngā whenua o Ngāti Haumia ki te raupatu. I te tau 1866, i whakamātau te Karauna kia tukuna he "utunga ōpaki" ki a Ngāti Haumia mā te rāhui i te poraka Opunake e 44,000 eka te rahi mō rātou. I taua wā anō, i whāia hoki e te Karauna te rāhui i te poraka o Hangatahua (Stoney River), he 18,000 eka te rahi ka whakahokia atu ki te hapū o Ngā Mahanga o Taranaki Iwi tētehi o ngā hapū i piri ki ngā pānuitanga me te maungārongo o te Kawanatanga i te tau 1865. I horapa ēnei poraka e rua mai i te tai hauāuru o Taranaki, tae noa atu ki ngā hikuwai o ngā awa o Hangatahua, o Waiweranui, o Moutoti, o Taungatara. Tata ki te 9,000 eka te rahi.

"Takoha" me tā te Karauna hoko whenua raupatu

- 3.39. Tae rawa atu ki te tīmatanga o ngā tau 1870, kāore anō te karauna kia whakatinanatia te raupatu i runga i te whenua. Ko ngā wahanga nui o te raupatu kaore anō kia rūritia hei nohoanga mō te tangata, e whia kē nei ngā wāhi kua tukua ki te Pākeha, kāore anō hoki kia nohoia. Nā reira, ko te tokomaha o te Māori i panaia atu e ngā pakanga o mua, i kaha te hoki mai ki ō rātou noninga, i whakarērea i aua wā. Kāore te Karauna i ngana ki te ārai i tēnei āhuatanga, ā, nā ngā whakapuakitanga hārakiraki a ētehi Minita a te Karauna, i whakapono ai ētehi Māori i Taranaki, ētehi āpiha Karauna anō hoki, kua whakarērea te raupatu.
- 3.40. Atu i te tau 1870, Ka aro te Kawanatanga ki tētehi kaupapa whakawhanake ōhanga, whakatupu rawa i raro i ngā whakahau a te Kaitiaki putea o te Koroni, a Julius Vogel. He wawe tā tēnei hōtaka whakatipu pikinga nui ki te nama a te Karauna, ki tana hiahia mō te

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whenua anō hoki. Atu i te tau 1872, i ngana te Karauna kia whiwhi āheinga ki te whenua raupatu i Taranaki. I waenganui i ngā tau 1872 ki te 1881, i whakapae te Karauna, i tūturu tā rātou hoko i te 650,000 eka i Taranaki, ko te nuinga o ēnei eka, nō roto tonu i te wāhi kua raupatuhia kētia. Ka whakaūngia anō e ēnei hokonga, te pono o te kōrero, kāore i whakatīnanatia, kāore i mana te raupatu.

- 3.41. E toru ngā poraka i hokona e te Karauna, i toro ki roto tonu i ngā whenua i raupatutia atu, ka torona ki roto o Whakaahurangi (Stratford) me Kōhanga Moa (Inglewood) tae atu ki Tahuna-o-Tūtawa, ki ngā pikitanga o te aha rāwhiti o Taranaki Maunga. I hoko te Karauna i te poraka o Moa-Whakangerengere e 32,830 eka te rahi mai i ngā rōpū o Te Atiawa i te Noema i te tau 1873, kātahi ka hoko i te poraka o Waipuku e 7,000 eka i te Māehe i te tau 1874, me te poraka o Waipuku-Patea e 20,700 eka mai i ētehi tāngata nō te hapū o Ahitahi nō Ngāti Ruanui i te Mei i te tau 1874. Kāore te Karauna i aroturuki tika i ngā pānga tuku iho ina hoko a ia i aua poraka, ā, i te noho ētehi o ngā kaihaina Māori i Whakatū, i Waikawa hoki i tērā wā.

Te takenga mai o te rāhui ngahere o Taranaki Maunga

- 3.42. Ko tētehi hua hira o tā Julius Vogel hōtaka whakawhanake ōhanga, whakatupu rawa mō te karauna, ko te tipu a te kitenga i ngā utu taiao o ngā kaupapa hanganga hōkai-rahi, tae atu ki te whakarake whānui i ahu mai i te hiahia nui whakaharahara mō te rākau. I te mutunga o te tau 1873, i kite ā-kanohi a Vogel i te tūkinu i takea mai i te whakarake i tana tawhio i Te Wai Pounamu, ā, i whakawhere ia mō te hiahia ki te whāomoomo ngahere i Aotearoa.
- 3.43. Heoi anō, i taua wā ko te whakaarotau matua o te Kawanatanga-a-rohe o Taranaki, ko te whakawāteatanga i ētehi atu whenua mō te whakaputanga ahumoni, arā ko te whakarake ngahere. I te Mei i te tau 1874, i tuhi te Committee of Colonial Industries ki te katoa o ngā Hupiritene Kawanatanga-a-rohe ki te rapu whakaaro mō te ara tino pai hei whakauka i ngā ngahere o Aotearoa. I whakahoki atu te Hupiritene o Taranaki, nā te mea kua kapi tonu te nuinga o te porowini i te ngahere, kāore he whakaritenga whakauka ōkawa e hiahiatia ana "mō ētehi tau".
- 3.44. I te marama o Hūrae, i te tau 1874, ka whakauru a Julius Vogel, kua Pirimia a ia i tēnei wā, te New Zealand Forests Bill ki te Whare Pāremata. Ko ngā whāinga matua o te Pire nei, kia mau te whakaratonga rākau mō muri ake nei, kia whakahaumarū i te oneone, i te āhuarangi hoki o te whenua nei. Ina whakaturehia te Pire i te Ākuhata i te tau 1874, ka hangaia tētehi Forest Department ā-motu, ā, ka āhei ngā Hupiritene ki te tūtohi i te hanganga i ngā Ngahere ā-Kāwanatanga (State Forests) ki ō rātou takiwā. Ahakoa i pūrongoia e te Hupiritene o Taranaki, me whakapāhunu te waerenga o te ngahere i runga i ngā iwi, i ngā pae maunga rānei, ā, i tūtohia kia kua ngā tipu, ahakoa te momo, e waerea mai i te whā-me-te-haurua ki te rima maero atu i te tihi o Maunga Taranaki", kāore he whakaritenga whakahaumarū i whakatakotoria e te kāwanatanga-a-rohe o Taranaki i mua i tana whakakorenga, tahi ki ērā atu kāwanatanga-a-rohe katoa i te tau 1876.
- 3.45. I te tau 1877, Ka rāhuitia pototia e te Conservator of State Forests me te Hupiritene o Taranaki tētehi wāhi rahi huri noa i Maunga Taranaki, ā, nāna i tūtohi kia whakaturehia tēnei e te kāwanatanga ā-motu, kia "uruhi mārōtia" hoki. Nāna i tūtohi hoki kia whakaukangia ngā ngahere o ngā pae maunga o Pouākai hei whakahaumarū i ngā tini manga ka rere iho i reira.

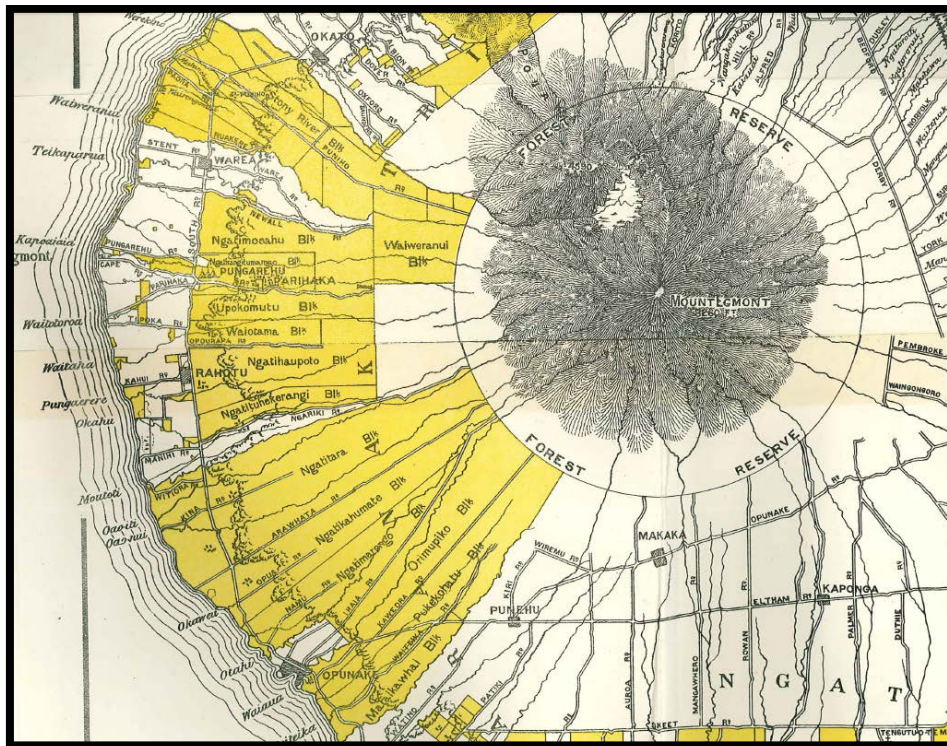
Ngā Whenua Rāhui (Reserves) o Tai Hauāuru

- 3.46. Tae rawa atu ki tēnei wā, kua matekiri a ngāi Māori i Taranaki i te mūhore a te Karauna kia tuku ki a rātou te whenua kua whakawhiwhia ki a rātou e te Kōti Kapeneihana (Compensation Court) nō te tekau mā whā tau ki mua. I te tau 1880, i whakatūria e te Karauna te Kōmihana o te Taiuru hei tiro tiro i ngā nawe a te Māori. Ina whakaputaina e te Kōmihana o te Taiuru tana pūrongo i te tau 1880, i kite ia kua mūhore te Karauna, i roto i ngā tini tau, kia

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whakatinana i ana kī taurangi mō te whakahokinga atu o ngā rāhui Māori. Neke atu i te iwa-tekau-mā-ono ōrau o te whenua kua whakawhiwhia e te Kōti ki a ngāi Māori i Taranaki, kua kore rawa i whakahokia tūturutia e te Karauna. I roto i tēnei ko ngā poraka o te Hangatahua (Stoney River), o Opunake hoki, i te noho tonu aua poraka e rua ki te pupurutanga o te Karauna, nā te mea kua kore rawa i tukuna ngā pānuitanga e hiahiatia ana hei whakahoki atu. Waihoki, ko te 3,500 eka kua whakahokia i tukuna kētia ki ngā tāngata takitahi, kua ki ngā hapū, nā reira i whakaweto ngā momo tuku iho o te pupuri whenua me ngā tika noho pūmau a ngā hapū.

- 3.47. Kātahi ka arotakengia e te Kōmihana o te Taiuru te whenua e toe tonu ana hei whakahokinga ki a ngāi Māori. Nā te Kairūri Matua o te Rohe o Taranaki i whakamōhio atu ki te Kōmihana ko te katoa o te whenua ki roto tonu i te pūtoro e ono-maero o te tihi o Taranaki Maunga kua rāhuitia e te Kāwanatanga-a-rohei o Taranaki, hei ngahere. Pērā i te kōrerorero i mua atu, i te hē tēnei. Heoi anō, ko tōna hua kātahi ka aweretia e te Kōmihana o te Taiuru te katoa o te whenua ki roto tonu i te pūtoro e ono-maero o te tihi o Taranaki Maunga (tirohia Whakaahua 2) i ngā rāhui e tūtohingia ana. I roto i tēnei pūtoro te 3,000 eka o te poraka o Hangatahua (Stoney River), te 6,000 eka o te Poraka o Opunake, te 7,000 eka o te Poraka o Parihaka, te 4,000 eka o te Poraka o Oeo, me te 16,000 eka o te wehenga ngā mania o Waimate. Hui katoa, nā konei ko tōna 36,000 eka whenua huri noa i te tihi o Taranaki Maunga i aweretia hei whai whakaarotanga kia whakahokia atu ki a ngāi Māori. I pēnei ahakoa te āta tono mai a ētehi kaikerēme Māori kia whakaurua e te Kōmihana ētehi wāhanga o Taranaki Maunga ki ō rātou whakawhiwhinga.



Whakaahua 2: Ngā Whenua Rāhui Kōmihana o te Taiuru

- 3.48. I tana pūrongo whakamutunga i te Ākūhata i te tau 1880, nā te Kōmihana o te Taiuru i tūtohi kia whakatūria tētehi kōmihana tuarua hei whakatinana i āna tūtohi. I whakaturehia e te Whare Pāremata te West Coast Settlements (North Island) Act i te marama whai muri mai hei whakarite kia whakatūria ai te kōmihana tuarua.
- 3.49. I mua i te tuku ōkawa i te whenua i tautuhia e te Kōmihana, ka whai mōhio te Karauna kāore anō a Taranaki maunga kia rāhuitia ōkawatia. Ka mahue te whakaaro anō i tana whakatau kia āwere i te whenua i te whakahokinga ki a ngāi Māori, i tukuna e te Karauna tētehi

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pānuitanga, i te Mei i te tau 1881, i rāhuitia taupuatia te whenua katoa ki roto tonu i te pūtoro o te tihi o Maunga Taranaki, i konei i haupunu ai te 72,328 eka, "mō te whakatipu me te whakauka i te rākau." E rua marama i muri iho, i te Hūrae i te tau 1881, i whakatokangia ai te rāhui.

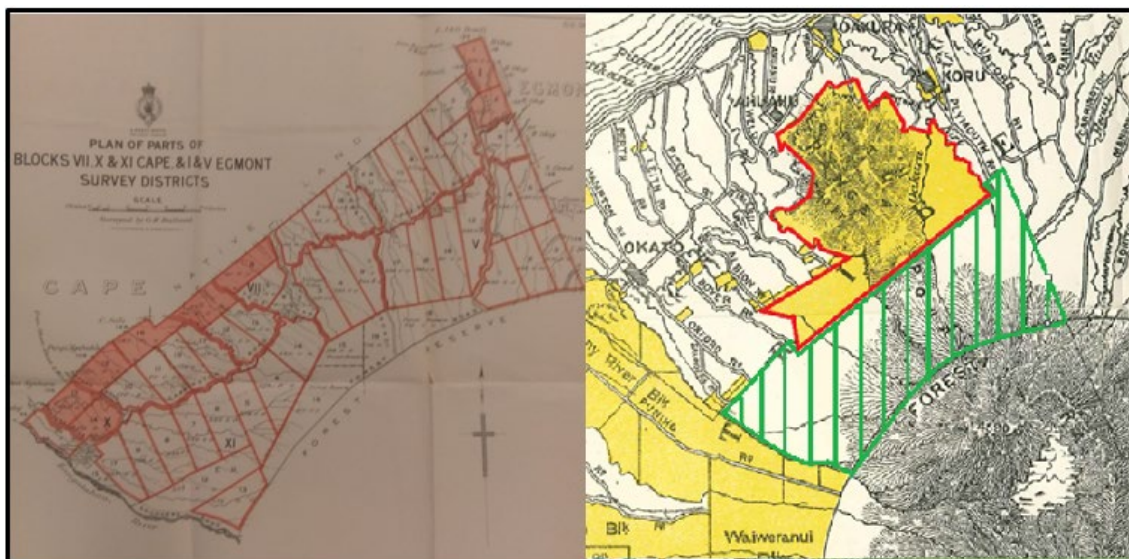
- 3.50. I te tau 1882, i te tau 1883 anō hoki, nā te Karauna i tuku ngā karāti e whakahoki ana i te takiwā o te 200,000 eka ki a ngāi Māori i Taranaki. Heoi ka awere i ngā karāti katoa te wāhi ki roto tonu i te rāhui ngahere Egmont kātahi anō ka whakatūria.

Te Tāpiritanga o ngā Pae Maunga o Patua ki te Rāhui Ngahere o Egmont

- 3.51. Ko ngā wāhi ninihi anake ngā wahi i whakahokia ki te Māori i raro i te ingoa o 'Te Whenua Rāhui o Patua', i mōhiotia ai hoki ko ngā pae maunga o Kaitake. I tukuna taua pīhi whenua ki ngā tangata whitu tekau mā rima, e 8,000 eka te nui. Ka wāhia kia toru ngā wāhanga, i te tau 1883. Heoi, kāore tēnei whenua, pērā i ngā whenua katoa o Taranaki, i whakahokia katoatia ki ngā tangata nō rātou taua whenua, engari kē ia, i whakatakotoria ki raro i te whakahaerenga o te Kaitiaki mō te Katoa. I te tau 1892, i whakawhitia ngā whenua rāhui katoa i raro i te West Coast Settlement Reserves Act ki te Kaitiaki mō te Katoa, hei tautiaki mō te hunga whai pānga Māori. I whakamanahia e te Ture te Kaitiaki mō te Katoa ki te here atu i ngā whenua rāhui nei ki te rīhi. Ko te roa o te rīhi ka riro māna e whakatau, e ai ki tāna i hiahia ai, mō ngā tau e rua-tekau-mā-tahi neke atu-, me te here anō hoki i aua rīhi mō ake tonu atu.
- 3.52. I te tau 1893, ka tuhi te Taranaki Beautification Society ki te Kāwanatanga i ō rātou āwangawanga mō ngā mahere rīhi o te Kaitiaki mō te Katoa mō ngā whenua rāhui o Patua, kei waerea kinotia te motu ngāherehere o taua wāhi o ngā pae maunga. I marohi rātou kia tāpirihia ngā pae maunga o Patua ki te Rāhui Ngahere o Egmont. Ko tā te Society tohe ko te whakauka i te motu ngahere me te whakahaumaru i "ngā wāhi tapu o ngā hapū" – ki tā ratou, he whāinga tēnei i tautokona e ngā Māori o Taranaki, engari kāore ngā Māori i te hiahia ki te whenua mō rātou anō nā te mea kāore he ngakinga i runga taua wāhi o te maunga, ā, he rawaka anō hoki ō rātou whenua ki wāhi kē atu. Ka puta anō hoki he kupu i a te Society e mea nei, mā te whiwhi i ngā pae maunga o Patua e āhei ai te Karauna ki te whenua, ki te hoko rānei i tōna 10,000 eka whenua taurikura, ka noho motuhake nō te mea e karapotia ana e ngā rāhui Māori.
- 3.53. I te tau 1895 i ahu atu ngā mahi a te Karauna ki te whakatinana i tā te Society marohi. I te Noema i taua tau, i whakaturengia e te Whare Pāremata te Reserves Disposal and Exchange Act 1895 i whakaritea ai ko te 4,200 eka o ngā pae maunga o Patua "kia whakawhitihia hei whenua tuku e ai ki te Karauna e ōrite ana te uara", ā, kia "pupuritia hei rāhui mō te whāomoomo i ngā kīrehe me ngā tupu Māori."
- 3.54. Heoi anō, tērā anō ētehi take i puta i ngā tau e whā, i ārai ake i te whakaotinga o te tuku. Inā rā, i tautō te Karauna i tōna whiriwhiringa i te whenua e pai ana hei tuku mō te Rāhui o Pātua. I te tīmatanga, i whāia e ngā āpiha a te Karauna te whakaaro kia tautuhia he whenua, i waho ake i te rohe raupatu o Taranaki. Hei urupare, Ka whakamohiotia te Tari o ngā Whenua o Aotearoa, e te Kairūri Matuae mea nei a ia, ahakoa kāore te Reserves Disposal and Exchange Act 1895 i āta here i te tautuhi me te kōwhiringa i tētehi whenua tuku mō Patua ki roto tonu i te Rohe Raupatu o Taranaki, "ko reira pea te takunetanga o te whakaaro i roto i taua ture, kia mau te kōwhiringa o tētehi whenua tuku ki roto pū i te Rohe o Taranaki". I roto i ngā whakawhiringa kōrero whai muri mai, Ka whakaūngia taua kōrero e ētehi atu āpiha a te Karauna e mea nei, ko te takune o te taua Ture, me pupuru ki te whakaaro kia tohua he whenua ki roto i te Rohe o Taranaki, nō te mea ko ngā ngā rāhui nei ka noho "hei painga mō te hunga o Taranaki".
- 3.55. I te Tīhema i te tau 1896, i rapu whakamāramatanga tētehi āpiha i te Tari o ngā Whenua Karauna mehemea rānei "he toenga whenua o te Karauna e wātea ana i te hikuwai o ngā

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manga o Timaru me Katikara, hei whenua tuku, mai i te whakaturetanga mai i te Reserves Disposal and Exchange Enabling Act 1896, ā, mehemea rānei, he whenua atu anō e wātea ana i Taranaki hei utu". Ko te whenua e tutuhi nei hei utu mō te rāhui o Pouakai, he tūtata tonu ki ngā pae maunga o Patua, ā, he wāhanga hoki o te 10,000 eka kua marohitia e te Taranaki Beautification Society kia whakatuwheratia hei nohoanga mō te tangata ā, mā tētehi tuku whenua ki wāhi kē atui hei utu i taua whakanohonga. (tirohia te mahere i raro nei). Hei urupare, ka tuhia e te Commissioner of Crown Lands i tana tohutohu e mea nei, kua whakarūritia tētehi wāhi hei nohonga, engari kāore anō kia hoko atu. I te Pēpuere i te tau 1897, i whakapuakina e te Kairūri Matua "nā runga i te mea ko ngā whenua kei muri i ngā pae maunga o Patua kua whakaritea ketia hei nohoanga mō te tangata, kāore e pai, kia tohua tērā wāhi hei whenua whakautu (mō te Rāhui o Pouakai).



Whakaahua 3: “Ka Tuwhera mai ngā Whenua Taiwhenua hei Hokonga, hei Tīpakonga rānei i te Rohe o Taranaki”, 8 Hepetema 1897 (mauī) me te mahere e whakaatu ana i te tauwāhi o tēnei wāhi (he kākāriki te hua) me tana hāngai ki te rāhui o ngā Pae Maunga o Pātua (whero) me te Papa Taiao ā-Motu o Egmont

- 3.56. I te Ākumahana i te tau 1897, i tīmata te Oponake Times ki te pānui i ngā tekiana e 46 nō roto i te 10,000-eka kei muri i ngā pae maunga o Patua. Nōte kitenga atu i te pānui mō ngā tekiana, ka tuhi atu te Kairūri Matua ki te Kaikōmihana mō ngā Whenua Karauna, kia uiuia te take e hokona atu ana e te Karauna ēnei whenua kāore anō kia tatū noa ngā whiriwhiringa mō te whakaurunga i ētehi wāhanga o taua poraka ki te Rāhui Ngahere o Egmont. Ka whakautua e te Kaikōmihana, ko te wāhi i waenganui i a Maunga Taranaki me ngā Pae Maunga o Pātua "ehara i te wāhi tika kia haumarutia hei ngāhere motuhake, hei wāhi rerehua....he motuhake kē atu, hei whenua rīhi ki ngā kaipāmu."
- 3.57. Nāwai, ka whai whakaaro anō te Karauna i ētehi atu whenua e wātea ana hei tuku atu. Ko te katoa o ngā poraka i tohua e te Karauna kei uta rā anō i Taranaki Maunga. Ka kiia anō hoki e te māpū wariu whenua o te karauna, ko ngā poraka kua mātaihia e rātou ki roto tonu i te Rohe Whenua o Taranaki, he nui ake te wariu i tō te Rāhui o Pātua, nō reira kāore i te tika hei tuku atu. Engari kē, ka tohua e rātou tētehi poraka tino tata tana wariu ki te Rāhui o Pātua, ko te Poraka o Mangapapa, kei tōna iwa tekau kiromita ki te tonga mā rāwhiti rawa o te Rāhui o Pātua, kei waho i ngā pāhuki o te Rohe Whenua o Taranaki.
- 3.58. I te Āperira i te tau 1898, ka puta te kupu a te Kairūri Matua, he iti ake te wariu o te Pae Maunga o Pātua i tērā o te poraka o Mangapapa. I marohi te kaiwariu a te Karauna kia whakatauhia ai tēnei mā te whakawehe atu i ētehi tekiana o te poraka o Mangapapa, engari i amuamu te Kairūri Matua ka makihunuhunu te whakaritenga e marohitia ana ki te Karauna,

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"nā te mea ka waiho ko te whenua tino kino kei te Kāwanatanga, ka noho ko te whenua tino pai kei te wāhanga i te Kaitiaki mō te Katoa, ā, he rōri i reira, he tauwāhi whare e mōhiotia ana ki ia tekiana anō hoki." Kotahi wiki whai muri mai, ka tohu atu te Kairūri Matua ki te Minita mō ngā Whenua kua oti ngā whakaritenga whakamutunga ki te Poraka o Mangapapa, "[ko tana] whāinga kia pupurutia ngā wāhanga papai rawa atu o te whenua mō te Kāwanatanga."

- 3.59. I te tau 1899, i kiia e te pūrongo ā-tau a te Tari Rūri Whenua ko "te whakaritenga mō te tuku whenua... i tuturu ai ngā ngā whenua o ngā pae maunga o Pātua hei papa taiao tūmatanui, kua oti noa ake i roto i te tau, nā, kua huri te 5,500 eka o tēnei motu ngaherehere hei taonga mō te motu".

Te Whakahaere i te Rāhui Ngahere

- 3.60. Whai muri mai i te hanganga o te Rāhui Ngahere o Egmont i te tau 1881, ka whakatūria ngā Poari Tiaki, hei poari whakahaere i ngā tai e whā o te maunga, ko te taimāuru, ko te taitonga, ko te taiwhakarua me te taimarangai anō hoki. Ka noho te Kaikōmihana mō ngā Whenua Karauna i Ngāmotu, hei mema ki ia Poari Tiaki. Ka whakawhiwhia ia Poari ki ētehi pūtea mai i te kāwanatanga, ā, ka tonoa anō hoki ētehi atu pūtea takoha anō hoki. Kāore he here ā-ture kia noho he kanohi Māori ki ngā Poari.
- 3.61. Ahakoa ko te tino take i whakatūria ai te Rāhui Ngahere o Egmont ko te whakahaumarua i ngā rawa rākau me te tiaki i ngā muriwai o Taranaki, ka kaha te aro o ngā Poari ki te whakatairanga i ngā kaupapa tāpoi. Mai i ngā tau 1880, ka waerea ētehi huarahi huri noa i te maunga mō te urunga mai mō ngā kairūri, mō ngā tangata piki maunga hoki. Nāwhai ā, ka hangaia ngā huarahi nui ake kia pai ai te kawē mai i ngā rawa hanga hōpuni, i ērā atu hanganga hoki. I te tau 1891, ka nekehia tētehi whare i whakatūria hei pariki mō ngā hoia o te kuini i Ngāmotu i te tau 1855 ki ngā pikitanga o te raki o te maunga, ka whakatūria ai hei hopuni mō ngā tangata piki maunga. I ngā tau whai muri mai, he nui ngā hopuni i whakatūria e ngā Poari i ngā parirau o Taranaki Maunga, koia hoki ko te hopuni o Kāhui i whakatūria i roto i tētehi o ngā māra o te pā tapu, o Te Maru, he puninga tawhito i maru ai te tangata i te wā o ngā pakanga o mua.
- 3.62. I te whanaketanga mai o hanganga i runga i te maunga, he tere te piki o te tokopae manuhiri ki Taranaki Maunga, ā, tae rawa atu ki te tau 1900, he tata ki te 3,000 ngā tāngata e toro ana ki ngā hopuni i te maunga ia tau, tokomaha o rātou i tae atu kia piki ake ki te tihi. Ahakoa rā ngā mānukanuka a te Māori mō te piki ake ki te tihi tino tapu o Taranaki Maunga, ki ētehi atu wāhi whakahirahira anō hoki, kāore he paku whakaaro a ngā whakahaere a ngā Poari ki aua mānukanuka, heoti anō tā ratou he whakatuwhera haere i te maunga hei pikitanga mā te tangata.
- 3.63. Nā te nui o ngā tangata piki maunga ka kaha ake te māwetewete o te taura whiri o ngā Māori o Taranaki ki tō rātou maunga. I ngā tau o te 1880, i mukua ngā ingoa tawhito o ētehi wāhi hirahira i Taranaki Maunga ki ngā ingoa e whakahōnore ana i ngā kaipiki Pākehā matua Hei tauira, i tapaina anō a Mangoraukawa, a Panitahi, a Te-Rere-o-Te-Noke hoki, hei Lake Dive, hei Fantham's Peak, hei Dawson Falls. I te tau 1900, i poua e ngā kairūri Karauna tētehi teihana-pākoki rino i te tihi o Taranaki Maunga. Nāwhai ā, ka puta te rongo o te kōrero kua raweketia e ētehi ngā kōiwi tupuna i kitea ki ngā ana me ngā piere o te maunga.

Te whakaurunga mai o ngā riha

- 3.64. Mai i waenga o ngā tau 1880, ka tīmata ngā rōpū whakawaia i Taranaki ki te whakauru mai i ētehi kararehe rāwaho ki te takiwā. Ahakoa kāore te Karauna i whakahaere i ngā rōpū whakawaia nei, he āta whakahau i ā rātou mahi, ā, mai i te tau 1867 ka whakatairangatia tētehi raupapa Ture hei tuku ki ngā rōpū whakawaia nei te mana ā-ture, pūtea hoki. Ko te ture tuatahi i whakaritea ko te Protection of Animals Act 1867, kia rēhitatia ngā rōpū

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whakawaia, ā, kia riro nui ai i a rātou ngā moni e puta ana i ngā take hamene ngā moni e puta ana i ngā rōpū aru kararehe, hī ika anō hoki. Nā tēnei Ture i mana ai te haumarutanga o ngā rāwaho kararehe katoa o te motu.

- 3.65. I whakatūria te rōpū whakawaia tuatahi i Taranaki i te tau 1874. Ahakoa ko ētehi o ngā mahi tuatahi ko te tuku i ngā momo manu e taunga ana ki te hunga nō Īngārangi, i utua te nuinga o ō rātou pūtea ki te tuku i te taraute, i te hāmana hoki ki ngā awa o te takiwā, i runga anō i te tūmanako mā te whanaketanga o ngā mahinga ika taraute me te hāmana e whakapiki ake ai i te tāpoi i Taranaki, mā reira e whakaputa whiwhinga pūtea mō te rōpū mā ngā raihana hī ika. I whakapou hoki i tēnei rōpū ētehi o ana pūtea hei utu i te whakakorenga o ngā manu māori pērā i te kawau, i te kāhu, kei mate ngā ika me ngā kararehe hou i a rātou.
- 3.66. I te tau 1895, i tukua e te rōpū whakawaia o Taranaki ngā pātamu e waru ki ngā Pae Maunga o Kaitake, e pātata ana ki te Rāhui Ngahere o Egmont, me te rima atu anō ki te ngahere e tūtata ana ki Kōhangamoā. Kua tuku kē atu te pātamu ki wāhi kē atu i Aotearoa hei whakamātau ake i te kaha o te ahumahi huruhuru kararehe ki tēnei motu. Heoi anō, nō te wā i tukuna ai te pātamu ki Taranaki, kua puta kē ngā rongō o tētehi niupepa o te rohe, e mea ake ana “kei te whakawhitihiti kōrero ngā kawanatanga o Aotearoa raua ko Ahitereiria mō te riharha mōrearea o ēnei kararehe ki ngā ngahere me ngā uru huarākau i Aotearoa nei”. Nō muri tata mai i te tukunga o ngā pātamu ki Taranaki, Ka pāhia te ture Animals Protection Amendment Act 1895 e whakakore ana i te āhei o te tuku kararehe, kia whakaaetia rāno e te Minita. I te tau 1898, i marohitia e te Rōpū Whakawaia o Taranaki kia riro anō ai i a rātou ētehi atu pātamu "hei whakapiki ake i te nui o te kiri pātamu ki te rārangi hokohoko ki tāwāhi”.

Te hanganga o te Papa Taiao ā-Motu o Egmont

- 3.67. I te mutunga ngā tau 1890, i kōkiritia e te Taranaki Scenic Preservation Society – he rōpū i whakatūria i te tau 1891 ki te whakatairanga me te whakapūmou i ngā wāhi rerehua me ngā wāhi motuhake – ētehi whāinga ki te kāwanatanga kia nui ake te whakahaumarutanga o te Rāhui Ngahere o Egmont. Kua āwangawanga te Society ko te nui o te hiakai ki te whenua hei nohoanga tangata, ka ara ake pea he tikanga hoko whenua ki roto i te Rāhui Ngahere o Egmont. Nā, ka tuhia e ngā mema o te Society i tētehi pire hou ki te kawanatanga, ā, ka whakaturehia taua Pire e te Whare Pāremata i te tau 1900, hei Egmont National Park Act. Nā tēnei Ture i hanga te papa taiao ā-motu tuarua o Aotearoa, ā, kapia katoatia ngā whenua i rāhuitia ai i te tau 1881, me ērā wāhanga o ngā Pae Maunga o Kaitake (Pātua) kua whakawhiwhia ki ngā Māori o Taranaki e te Kōmihana o te Taiuru i te tau 1883, nā wai ka whakawhitia atu mō te whenua Karauna i te tau 1899.
- 3.68. I aukatingia e te Egmont National Park Act 1900 te whānuitanga o ngā mahi i roto i te Papa Taiao, tae noa atu ki te whakakā ahi, ki te whakakino, ki te tango rānei i ngā rawa tipu, i te rākau, i te kōhatu, i te kohuke rānei. Ka whiua pea he utu ki ngā tāngata ka kitea e whakakino ana, e tango ana rānei i tētehi manu, i tētehi kararehe, i tētehi kōhanga, i tētehi hua, e kerī oneone ana anō hoki ki roto tonu i te Papa Taiao. I hangaia e te Ture tētehi Poari Whakahaere mō te Papa Taiao, tekau ōna mema, arā ko te Kaikōmihana mō ngā Whenua Karauna mō Taranaki rātou ko ngā mema e rua ka whakatūria ai e te Kāwana, ko te tokowhitu anō ka kopoua e ngā rangatōpū ā-rohe o Taranaki e whitu: arā e ngā kaunihera tāone o Te Hāwera, o Ngāmotu, o Whakaahurangi (Stratford), ko te poari tāone o Opunake, ko ngā kaunihera kaute o Taranaki, o Te Hāwera, o Whakaahurangi (Stratford) hoki. I whakamana tēnei Ture, i te Poari o te Papa Taiao ā-Motu o Egmont ki te tuku i ōna mana whakahaere ki ngā komiti ā-rohe e whā e ōrite ana ki ērā kua whakahaere i te Rāhui Ngahere o Egmont mai i te tau 1881. Kāti ake, kāore ēnei whakahaere i hangaia i raro i te Ture i āta whakarite i te whakakanohi i te Māori ki ngā Poari mō te Papa Taiao, ki ngā komiti ā-rohe rānei.

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- 3.69. I whakakore anō ēnei whakaritenga i ngā tika tuku iho kua whakatinanatia e ngā iwi o Taranaki ki Taranaki Maunga, ki ngā pae maunga tūtata hoki i roto i ngā rau tau e whia kē. I whakamutua te āheinga o ngā Iwi o Taranaki kia uru atu ki ngā rawa kua noho pūtake i roto i ngā tini reanga ki ā rātou tikanga hira ā-pāpori, ā-ahurea anō hoki, i pērā hoki tō rātou āheinga ki te haere ki ngā wāhi noho tuku iho, ki te nehu hoki i ō rātou tūpāpaku ki te maunga rā. I herea kinotia e ngā whakaritenga whakahaere tō rātou āheinga ki te whakatinana i te kaitiakitanga mō ngā tipu, mō ngā kararehe o Taranaki Maunga, ki te whakahaere i te urunga atu rānei ki ngā wāhi tapu e whia kē ōna.
- 3.70. Whai muri i te whakatūnga o te Papa Taiao ā-Motu o Egmont ka mahia tonutia e tana Poari whakahaere te mahi hei whakawhanake i ngā ara, i ngā wharenoho manuhiri kua tīmatahia e ngā komiti takiwā e whā. I utua tētehi wāhanga o ngā mahinga a te Poari e te utunga o ngā tāke ki ngā waka e uru atu ana ki te Papa Taiao. I whakaemiemi pūtea hoki rātou nā te tuku raihana ki te hunga tawhiti pātamu hei mahi ki roto i te Papa Taiao, nā te tuku tiringa rānei ki ngā kaiaru mō ngā kararehe i tangohia. He puna whai uara o te moni whiwhi te pātamu, nō reira i whāia e te Poari mō te Papa Taiao kia whakahaere, kua kia whakakore, i ngā pātamu ki Taranaki Maunga. Kia pēnei ai i ētehi wā ka whainatia ngā tāngata i te aru pātamu karekau he raihana, ka whakatūria auautia rānei te aukatinga katoa mō te aru pātamu ki roto tonu i te Papa Taiao. Taihoa rawa atu ki ngā tau 1940 ka tīmata te Poari mō te Papa Taiao ā-Motu o Egmont ki te aro atu ki te pātamu hei riha. Engari, kua horapa katoa a Taranaki Maunga i te pātamu, i te koti i pahure i ngā pāmu i ngā parirau o te maunga i ngā tekau tau i muri. Mai i te tau 1943, i tīmata te Poari mō te Papa Taiao ki te utu atu i ngā kaiaru ki te patu pātamu, ā, i te tekau mā ono tau whai muri mai, neke atu i te 280,000 ngā pātamu, i te 25,000 ngā koti hoki i patua ki Taranaki Maunga, ki ngā Pae Maunga o Kaitake hoki.

Ngā tini hanganga whakahaere o te Poari mō te Papa Taiao ā-Motu o Egmont

- 3.71. I te tau 1924, i panonitia e te Karauna te hanganga o te Poari mō te Papa Taiao ā-Motu o Egmont kia whai wāhi mai ko te Kaikōmihana mō ngā Whenua Karauna mō Taranaki rātou ko ngā māngai e rua mō tēnā, mō tēnā o ngā komiti ā-takiwā e whā, ko ngā mema e rua ka kopoua e te Kāwana Tianara. I puritia e te Ture ngā aukatinga o te wā i te whakamahi, i te tango rānei i ngā rawa mai i a Taranaki Maunga, ā, kāore tonu he whakaritenga mō te whakakanohitanga Māori ki te Poari.
- 3.72. I panonitia anō te hanganga whakahaere mō Taranaki Maunga i te tau 1952, i tā te National Parks Act whakatū i te pūnaha e rua ngā kōeke o te mana ki ngā papa taiao ā-motu o Aotearoa. Nā te Ture i hanga tētehi Mana ā-Motu mō ngā Papa Taiao ā-Motu hei tiro i te whakahaerenga o ngā papa taiao ā-motu katoa i Aotearoa, tae atu ki te Papa Taiao ā-Motu o Egmont. Ko te mana ā-Motu ko ngā kopoutanga ā-Minita e whā e whakakanohi ana i Te Apārangi (Royal Society of New Zealand), i Te Reo o te Taiao (Forest and Bird Protection Society), i New Zealand Mountain Clubs, i ngā Poari mō ngā Papa Taiao ā-Motu anō hoki.
- 3.73. Ki te kōeke o te rohe, i whakaritea e te Ture o 1952 kia whai te Poari mō te Papa Taiao ā-Motu o Egmont i ngā mema e iwa: arā ko te Kaikōmihana mō ngā Whenua Karauna mō Taranaki, rātou ko ngā māngai e whā o tēnā, o tēnā o ngā Komiti ā-Rohe nō te Raki, nō te Tonga, nō te Rāwhiti, nō te Hauāuru hoki, ko ngā mema e rua kua kopoua e ai ki te taunaki a te mana ā-motu, ko ngā mema e rua kua kopoua e te Minita mō ngā Whenua e ai ki te taunaki a te Federated Mountain Clubs of New Zealand me te Taranaki Local Bodies Association, nā tēnā tētehi, nā tēnā tētehi. Ko taua āhua kē anō, kāore ngā hanganga whakahaere ā-motu, ā-rohe rānei i āta whakarite kia whai wāhi mai ngā Māori o Taranaki ki te whakahaerenga, ki te manaakitanga rānei o Taranaki Maunga.
- 3.74. Ko te take matua o te National Parks Act 1952 ko te whakarite kia "whakapūmou i ngā papa taiao-ā-motu, i ngā āhuatanga tuturu o te whenua". Arā hoki, ko te whakauka i ngā kīrehe me ngā tipu māori me te whakangaro i ngā kīrehe me ngā tipu rāwaho. Nā te Ture hoki, i

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whakakore i te whakakā ahi, i te wewete manu, kararehe rānei, te whakatō rākau, kākano rānei, te tūkinu, te tango rānei i ngā tipu, te tango i tētehi manu, i tētehi kararehe, i te kiri, i te harakeke, i te kohuke rānei ki roto tonu i te Papa Taiao, nei kore he whakaaetanga a te Poari.

- 3.75. I whakataungia e te Ture o 1952 te whānuitanga o te mana ki te Poari o te Papa Taiao ā-Motu o Egmont i ngā tini āheinga i roto te Papa Taiao. I roto i tērā, ko te mana ki te whakarite mai i tētehi wāhanga o Taranaki Maunga "mō te ngā mahi pārekareka, ngā mahi rēhia rānei a te tokopae", ki te tuku raihana ki ngā pakihī ki roto tonu i te Papa Taiao, ki te hanga wharenoho mō ngā tāngata tiaki, mō ērā atu kaimahi maunga rānei, ki te hanga, ki te whakamana rānei i te hanganga mō te eke reti, ki te mahi hoki "i ērā atu mahi katoa ka hiahiatia pea mō te whakahaerenga, mō te whakaritenga, mō te whakamatuatanga hoki he tōtika, he whai painga hoki".
- 3.76. I ngā tau whai muri mai, i ahu ake ngā tautohetohe mō ēhea rōpū me whakakanohi ki te Poari mō te Papa Taiao ā-Motu o Egmont. I te tau 1966, i tuhia e te Karauna kua tukuna ngā tāpaetanga kia whai wāhi mai ngā māngai mō "ngā kaihi ika me ngā kaiaru tia", mō ngā kaiwhakahaere tāpoi tūmataiti, mō te Automobile Association, mō "ngā tāne kua whakaaturia te kaha ki te ao pakihī". I te tīmatanga o ngā tau 1970, i whakapuakina e te Minita mō ngā Whenua he mea hiahia te kopou i "te hunga taiohi, i te hunga wahine ina wātea mai ngā tāngata whai i ngā pūkenga e hiahiatia ana." I waenga i ngā tau 1970, i tīmata Te Poari Māori o Taranaki ki te hapahapai kia tū he māngai a ngā Māori o Taranaki ki te Poari mō te Papa Taiao ā-Motu o Egmont.

Te Poari Māori o Taranaki

- 3.77. I waenganui i ngā tau 1870 ki te 1930, ka eke pea ki te 262 petihana ka tukuna e ngā Māori o Taranaki, e porotēhi ana i tā te Karauna raupatu i ō rātou whenua tuku iho. I te tau 1926, i whakatūria e te Karauna te Kōmihana Sim hei tiroiro i ngā raupatu i raro i te New Zealand Settlements Act 1863, tae atu rā ki Taranaki. Heoi, he whāiti rawa atu te here i ngā whakataunga mō ngā whakapuakitanga a te Kōmihana. Heoti anō ngā whakaaro ka taea, koia rānei ko te rahi o te whenua i raupatungia, i eke i tērā i tika, i pono ki tā te ture i whakaritea ai. Kāore rawa te Kōmihana i whakaaetia kia ruku ki te tika rānei, te hē rānei o te raupatu, me te ture muru.
- 3.78. Nō roto i ngā kōrero a te kōmihana, ka tū mai a Wiremu Te Kupenga Kahao me tana tono kia whakahokia te mana o Taranaki Maunga, nā te mea i te "whakakanohi a ia i te mana, i te hau" o ngā iwi o Taranaki:

Nō reira e tuku ana au i tēnei tono kia whakahokia te mana o tēnei maunga ki ngā iwi Māori me tēnei tāpiritanga, kia noho te Kāwanatanga hei Kaitiaki, hei whakahaere i ngā take o te maunga. Engari ko te mana mōna, ki ngā iwi Māori.

- 3.79. I tana pūrongo i te tau 1928, i kitea e te Kōmihana Sim he takarepa tā te Karauna hoko i te poraka Pekapeka i Waitara, ā, "kāore he mahi kē atu i te whawhai, kia ora anō ai rātou" i ngā pakanga ka whai muri mai, ā, i "kia kua hoki rātou e whiua ki te raupatu a ō rātou whenua". I tūtohi te Kōmihana Sim kia utua e te Karauna te £5,000 ia te tau hei paremata mō te "hē i whiua e ngā raupatu" i Taranaki. I tūtohi hoki te Kōmihana kia whakatūria tētehi Poari hei whakahaere i ngā moni raupatu. Ka whakatūria Te Poari Māori o Taranaki mō tēnei take i te Hepetema i te tau 1930.
- 3.80. Tokorima ngā mema o Te Poari Māori o Taranaki i te tīmatanga, he mea tohu mārire nā te Kāwana-Tianara, engari nō muri noa mai ka tū ngā mema hei poari whakakanohi i ngā iwi e waru o Taranaki: arā ko Ngāti Tama, rātou ko Ngāti Mutunga, ko Ngāti Maru, ko Te Atiawa, ko Taranaki Iwi, ko Ngaruahine, ko Ngāti Ruanui ko Ngāa Rauru. Nā te Ture i whakatū ai i Te Poari, ā, ka whakataua he mana ki te hoko mai, ki te hoko atu hoki i te whenua, ki te tū

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hoki hei kaiwhakaoati mō te hunga Māori e rapu pūtea taurewa ana. Heoi anō, i muri tata tonu i tana whakatūnga mai, i tīmata a ngāi Māori i Taranaki ki te akiaki i a ratou ki te kōkiri i ngā tini nawe o mua, ngā raupapa kāwanatanga mō te whānuitanga o ngā take, tae atu ki tā rātou whai i te puretumu atu anō mō ngā mahi a te Karauna i muri noa atu. Ka noho tonu tēnei hei āwangawanga matua ki ngā Māori e whia kē i Taranaki, kua kore rawa rātou i whakaae he rawaka te moni-ā-tau o te £5,000, ā, i whakaae kau noa mai rātou ki te tahuri i tērā i muri i tā te Minita mō ngā Take Māori hui tahi ki a rātou i te tau 1929 me te marohi ake ka whai whakaaro anō te moni ina piki ai te ōhanga. Tokomaha o rātou i tae atu ki te hui i whakapuaki i te mariu kia whiwhi whenua kē, kua ko te paremata ahumoni, ā, inā te kōrero a tētehi i tae ake, "heoti anō te mea me whakahoki rawa mai, ko te maunga! "

- 3.81. I ngā tau i waenganui i te 1931 ki te 1944, kāore te Karauna utu i te katoa o te £5,000 ki Te Poari Māori o Taranaki, tērā rānei i utua ngā utu whakahipahipa i ngā wā kōhikohiko. I te tau 1944, i whakarite te Taranaki Māori Claims Settlement Act kia utua katoatia, kia utua ritearitea ai hoki ia te tau ki te Poari te £5,000. Heoi anō, kāore te Ture i whakarite ai kia panonitia te utu e ai ki te tāmi ahumoni. E toru tekau tau whai muri mai, i te tau 1974, i tonu te Heamana o Te Poari Māori o Taranaki rātou ko te 459 tāngata atu anō ki te Karauna kia whakapikia te moni-ā-tau ki te Poari. I kōrerotia e rātou ngā taturanga a te kāwanatanga i tohu ai nō ngā tau mai i te tūtohi a te Kōmihana Sim, nā te tāmi ahumoni kua heke iho te moni ā-tau ki te tata ki te hauwhā o tōna uara taketake. I whakaae te Karauna, ka whai i ngā mahi hei whakapiki i te utu, engari kātahi ka tārewa tēnei tukanga i muri i te hui a tētehi rōpū nō Taranaki, ki roto nei ko te Heamana o Te Poari Māori o Taranaki, ki te Pirimia i te 9 o Hepetema i te tau 1975, ā, e whā ngā marohi i tāpaehia, e toru o ērā i hāngai tōtika atu ki Taranaki Maunga.

Ngā marohi a Te Poari Māori o Taranaki mō Taranaki Maunga

"He roa, he hongehongeā te ara ki te angitu. Heoi anō, ko te angitu, koia tērā ko te whakairinga i te hē kia tika, ko te whakaaronui ki ngā mahinga nuitanga o mua, ngā mahi i oti i ō mātou pahake, ko te hiki i ngā taumahatanga i tau ki runga ki ō mātou iwi anō hoki, kia kua rawa te wā, te whakapau kaha rānei e mimiti iho ai te ngana ki te angitu."

- 3.82. Ko ngā tono e rua a te rōpū i taua wā kia mana anō te ingoa o "Taranaki" ki te maunga, ā, kia whakahokia atu te maunga ki ōna iwi tūturu. Hei wāhanga o te tono tuarua, i marohitia e te rōpū nei, mehemea ka whakahokia te maunga, mā ngā iwi o Taranaki, mā Te Poari, e "tuku i te whakahaerenga o Taranaki ki ngā ringaringa o te Papa Taiao ā-Motu o Egmont". Ko te tono tuatoru "me mātua whai māngai tō mātou iwi hei mema mō ake tonu ki" te Poari mō te Papa Taiao ā-Motu o Egmont. Ko te mea whakamutunga, ka tonu te rōpū ki te utu i te \$10 miriona, i runga i te uara o te whenua kua raupatuhia, ā, kia mahue ake te whakapiki i te utu ā-tau.
- 3.83. I tuhi tāpaetanga hoki Te Poari ki te Pirimia hei whakamārama atu ki ngā take e tukuna ana ēnei tono. Nāna i kī kua hoahoatia ngā marohi kia "ea ngā nawe o mua ", ā, "kia āhei ō mātou iwi o Taranaki ki te whanake mai i te tūāpapa ōrite ki ērā atu ki te hāpori o Aotearoa". I whakaahuangia e te tāpaetanga te āhuatanga ā-hāpori kino rawa o ngā Māori o Taranaki, tae atu ki ō rātou pāpātanga mauhere, ki ō rātou putanga mātauranga kino, ki ō rātou pāpātanga koremahi nui, ki ō rātou whiwhinga pūtea iti. I mua i te aroaro o ēnei taumahatanga, kua heke te wāriu o te moni ā-tau, nā runga i tērā, kua kore hoki he kiko o te mahi whakapiki i te ora o ngā iwi. I whakapuakina e te Poari kua whakamātaungia ngā huarahi katoa, e mou tonu ai i ō rātou whenua, e tahuri mai ai te kawanatanga ki ngā hē o mua, mai anō i te ngā pakanga mau pū, i rere ai te toto, tae atu ki ngā mahi ātete a ngā iwi o Parihaka, kia tau ko te whakaoranga, te rangimārie me te rongomau ki runga i ngā iwi o te ao. Kāore i whai hua te ara kotahi kau. I tēnei horopakī, nā te Poari i kī "e whitawhita tonu ana te wairua o ō mātou iwi nō Taranaki, engari i tēnei wā e tiro atu ana mātou ki ngā whiriwhiringa hei whakatau i tēnei tūkinotanga pūmau roa."

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- 3.84. Iti iho i te kotahi wiki whai muri i te hui, i tuhi te Minita mō ngā Whenua ki te Heamana o Te Poari Māori o Taranaki me te whakapuaki i tana tautoko mō ngā marohi e toru e hāngai ana ki a Taranaki Maunga. I marohitia e ia kia whakatutukihia pea te whakahoki i te ingoa o "Taranaki" me te whakaritenga mō te whakakanohitanga Māori ki te Poari mō te Papa Taiao ā-Motu o Egmont mā ngā panoni ki te National Park Act. I whakapuaki hoki te Minita i tana tautoko mō te whakahokinga atu o Taranaki Maunga e marohitia ana. I marohi a ia kia whakaturehia tētehi Ture motuhake hei tuku i te whenua ki roto i te Papa Taiao ki Te Poari, me te whakarite kia whakahaeretia tonutia hei papa taiao ā-motu.
- 3.85. I runga i te marohi a te Minita, ka i hui tahi ngā māngai o Te Poari Māori o Taranaki ki ngā āpiha a te Karauna ki te kōrerorero tonu i ngā tūtohi. I whakamāramahia e ngā mema o Te Poari ko tā rātou i whai nei kia noho ngā māngai Māori e rua ki te Poari mō te Papa Taiao ā-Motu o Egmont, ko tētehi o rātou he mema nō Te Poari Māori o Taranaki, e whakakanohi ana i ngā iwi katoa o Taranaki, ā, ko tētehi atu nō Te Poari pea, kāore rānei, engari e āhei ana a ia ki te hāpai i ngā kawenga e hiahiatia ana. Ka whakamāramahia hoki e rātou e whāia ana kia panonitia ngā ingoa mō Mount Egmont, mō te Papa Taiao ā-Motu o Egmont anō hoki.
- 3.86. I roto i te hui, i kimi whakamāramatanga hoki ngā āpiha a te Karauna mehemea rānei e marohi ana te Poari kia mau tonu i te whenua ā muri i te tuku anō, mehemea rānei ka whakahokia ki te Karauna ā muri ake. I whakapuaki te Poari, e pai ana ia kia "whakahokia atu ki te hunga o Aotearoa" te whenua mehemea koia tērā e whāia ana ki te whakatutuki i ōna whāinga."
- 3.87. I ngā whiriwhiringa katoa ki te Karauna, i āta whakamāramahia e Te Poari ko te tapa anō i te maunga, ko te tuku ki ngā Māori o Taranaki he wāhi ki te whakahaere i a ia, ko te tuku i te utu mō te muru me te raupatu, ka noho katoa hei mea waiwai kia rongo ai a ngai Māori o Taranaki anō nei kua anganui ki te whakatika i ngā tūkinotanga o ngā raupatu. I te horopaki o ēnei whāinga whānui nei, ka whakaaetia e te Poari kia whakahokia a Taranaki Maunga ki a rātou, kātahi ka takohatia atu ki te Karauna... i runga anō i "te ngākaunui" ka whai painga ai a Aotearoa whānui, ka tūwheratia anō hoki he huarahi e taea ai te whiriwhiri me te whakatau i ētehi atu nawe a te Poari.
- 3.88. Whai muri i tā rātou hui ki Te Poari Māori o Taranaki, i tuhi ngā āpiha a te Karauna ki te Minita mō ngā Whenua (ko ia hoki te Minita mō ngā Take Māori) me te tuturu ngā whakaritenga mō te tākoha i a Taranaki Maunga. I tūtohi hoki rātou i te panoni ingoa mai i te Papa Taiao ā-Motu o Egmont ki te Papa Taiao ā-Motu o Taranaki, me te tāpiritanga o ngā māngai Māori e rua ki te Poari o te Papa Taiao, ka iriiria anō hoki te ingoa o Te "Poari mō te Papa Taiao ā-Motu o Taranaki". Ka tuhia e ngā āpiha, Ko ngā marohi a te Poari nei, he ara ki te whakarite anō i ngā whakahaerenga mō te Papa Taiao ā-Motu o Egmont, kua roa e "hīrawerawe" ana.
- 3.89. I te 29 o Hepetema i te tau 1975, i tuhi te Minita mō ngā Whenua ki te Pirimia e marohi ana kia wawe te tuhi i te Pire hei kawē i ngā whakaritenga kia tere hoki te whakauru ki roto i te Whare Pāremata,, ā, "kia tukuna anō hoki he karere ki ngā iwi o Taranaki e mea nei, ka whakaurua ngā whakaritenga o te ture ā tērā tau". Heoti anō, ka tae te karere a te Pirimia ki Te Poari i te 22 o Oketopa i te tau 1975 ki te whakamōhio atu i ngā whakaaetanga a te Karauna i ngā marohi katoa, ā, ka whakatinanatia aua marohi ā muri i te pōtitanga ā-motu e haere ake nei.
- 3.90. Heoi anō, ko te putanga o te pōtitanga ā-motu i te marama o Noema, ko te aranga ake o tētehi kāwanatanga kē atu. I te wā o te whakatairanga pōtitanga, i kawa te urupare a ētehi kaipōti i Taranaki ki te marohi kia whakahokia te ingoa o Taranaki ki te maunga, ā, i tauākī te kaiārahi o te āpitihana, kāore rawa a ia e tautoko i ngā panonitanga hou. I muri i te pōtitanga, ka tohua e te Minita hou mō ngā Whenua, kia mukua rawatia te Pire me ngā marohitia katoa i waho ake i te hōtaka ture.

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- 3.91. I ngā marama whai muri i te pōtitanga, i ngana ngā māngai o Te Poari Māori o Taranaki kia tīmata anō i ngā kōrerorero ki te Karauna. I te Māehe i te tau 1976, i pānuitia whānuitia e te Minita hou mō ngā Whenua, kāore he hiahia tō tēnei kāwanatanga ki te whakaingoa anō i te maunga, he pānui tēnei ka horapa ki te motu, kāore i whaikōrero ki Te Poari. I te marama o Hune i te tau 1976, ka hākiri ngā āpiha a te Karauna i te marohi a Te Poari mō tētehi utu raupatu, ka tūtohi kē kia whakapikia te moni ā-tau mā te 50% ki te \$15,000. E ai ki ngā tatauranga a te Karauna, ko tēnei whakapikinga tatau, kāore tonu i eke ki te 40% o te wariu o te moni ā-tau i whakataungia i te tīmatanga.
- 3.92. I ngā tau whai muri mai, i mate Te Poari Māori o Taranaki ki te whirinaki ki ngā utu ā-tau mō te whānuitanga o ngā take, tae atu ki te utu i ngā karahipi mātauranga, ki te tuku āwhina āroharoha ki ngā kaumātua, ki ngā kuia o Taranaki, ki te āwhina i ngā tāngata kāore i te māraurau ki ngā pūtea taurewa ahumoni hei whakatū pakihi, ki te tuku hoki i ngā karati āroharoha hei tiaki i ngā marae. I te mutunga o ngā tau 1980, i tū Te Poari ki te arataki me te tautoko i ngā rōpū ā-iwi ki te kawē i ngā kerēme ā-hītori ki Te Rōpū Whakamana i te Tiriti o Waitangi, he mea tīmata i te tau 1990, ā, ka whakaputaina tana pūrongo i waenganui i te tau 1996.
- 3.93. Mai i te tīmatanga o te rautau 2000, me te tautoko a te Poari, ika āta whiriwhiria e ngā iwi o Taranaki mā rātou ake e kawē i ngā whiriwhiringa me ngā whakataunga Tiriti, hei pūtake whakapiki ake i a rātou anō, hei whakapakari anō hoki i a rātou i ngā hinonga ā-iwi. Nā roto i tēnei tukanga, i āta whakahokia atu te tūranga ārataki kua kawē e Te Poari Māori o Taranaki mai i ngā tau 1930 ki ngā Iwi o Taranaki. I te tau 2019, i uru atu Te Poari Māori o Taranaki me te Karauna ki tētehi Whakaaetanga Whakataunga mō te hokonga o te katoa o ngā moni ā-tau ā haere ake nei. I roto hoki i tēnei Whakaaetanga, heutu, mō te whakatau i te take o te iti o te wāriu o te moni-a-tau mai ngā tau maha ake nei, me te kāore i mūhore oa te Karauna ki te utu i te katoa o taua moni-a-tau i waenganui i ngā tau 1931 ki te 1944, i te mūhore hoki ki te whakapiki i te utu tae noa atu ki te tau 1977, i te hekenga o te uara o te moni ā-tau i runga i te tāmi ahumoni hoki.

Ko ngā whakaritenga hou mō ngā Papa Taiao-ā-motu - National Park Amendment Act 1977

- 3.94. I te Hepetema i te tau 1977, i whakaurua e te Karauna ki te Whare Pāremata tētehi National Park Amendment Bill hei hanga anō i te Poari mō te Papa Taiao ā-Motu o Egmont. Kua kore te Pire i kōrerotia ki Te Poari Māori o Taranaki i mua i tana whakaurunga atu, ā, kāore i āta whakaritea e ia te whakakanohitanga Māori ki te Poari mō te Papa Taiao ā-Motu o Egmont. Engari kē ia, ka tangohia e te Pire ngā māngai ā-takiwā e whā, ā, ka whakaritea kia hangaia te Poari ki ngā māngai e rua ka kopoua e te Taranaki Local Bodies Association, ki te mema kotahi i runga i te taunaki a te Federated Mountain Clubs of New Zealand me te New Zealand Ski Association, me ngā mema e rima i runga i te taunaki a te National Parks Authority ā-motu.
- 3.95. I roto i ngā taupatupatunga o te Whare Pāremata, i kaha whakahē ngā mema Māori i te Pire. I kī te Mema mō Northern Māori, me mātua whakakanohi noa ngā Māori o Taranaki ki te Papa Taiao ā-Motu o Egmont i runga i te tika, ā, me mahi he mahi tangetange hei whakahoki atu i te ingoa Māori o te maunga. I whakaahuangia e te Mema mō Eastern Māori te mūhore a te Pire me tana kore whakakanohi i tētehi mema Māori, he whakakanohi kē i "ngā hinonga-a-rēhia noa", me te mea nei he "takahi i ngā pānga o ngā iwi Māori he pāraua tuturu ki a Mt. Egmont, e ingoatia ake nei".
- 3.96. Whai muri i te whakaurunga atu a te Pire, i hui ngā māngai o Te Poari Māori o Taranaki ki te Minita o ngā Take Māori, me te whakapuaki i te pōuri kua "whakakorengia ohoeretia" ā rātou marohi, kua kore he paku kōrerorero. I "whakatūpato" te Minita i Te Poari mehemea ka whakaatu rātou i te "hīkaikai atu anō", e kore te Kāwanatanga e hāpai, e koke whakamua rānei i ā rātou tono. Kātahi ka tohua Te Poari kia tuku atu i tētehi tāpaetanga ki te komiti

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whiriwhiri, engari i marohi a ia kia "kawe i ō rātou nawe mā te ara mārire ngohengohe [nā te mea] kei whakamōreareatia tō rātou kēhi katoa e ngā nonoi mō te utu raupatu, me ngā nawe mō te ingoa".

- 3.97. Ahakoa ēnei kuputohutohu, ko te tāpaetanga a Te Poari kia panonitia te Pire hei whakaata i ngā whakaritenga i whakaaetia i mua ki te Karauna – kia tapaina anō te papa taiao ki a "Papa Taiao ā-Motu o Taranaki", ā, kia whai wāhi ki tana Poari whakahaere ngā māngai o ngā Māori o Taranaki. Hei urupare ki te tāpaetanga a Te Poari, i tohua e ngā āpiha a te Karauna "kāore he take" o te āta whakakanohi i a ngāi Māori ki te Poari mō te Papa Taiao nā te mea e taea ana ngā Māori o Taranaki te kopou mema pērā i ērā atu whakahaere katoa. Heoi anō, i muri i te tū mai a tētehi ope nui nō Taranaki, ki mua i te aroaro o te komiti whiriwhiri hei tautoko i tā Te Poari tāpaetanga, i rerekē ai tā te komiti tirohanga. I te wā i whakaturehia te National Park Amendment Act i te Tihema i te tau 1977, i whakaritea e ia kia kopoua te mema kotahi atu anō ki te Poari mō te Papa Taiao ā-Motu o Egmont i runga i te taunaki a Te Poari Māori o Taranaki. Kāore te Ture i whakahoki atu i te ingoa o "Taranaki".

Ko ture tuku i a Maunga Taranaki - Egmont Vesting Act o te tau 1978

- 3.98. I te Hānuere i te tau 1978, i runga i te tono a te Minita o ngā Take Māori, i tukuna e ngā āpiha a te Karauna tētehi pūrongo e whakarāpopoto ana i ngā kōrerorero o mua a te Karauna ki Te Poari Māori o Taranaki, ā, ka whai whakaaro anō ā rātou tono e tārewa tonu ana, i roto nei ko te whakahoki atu me te takoha mai anō i a Taranaki Maunga. I whakapuakina hētia e te pūrongo, kāore te kāwanatanga o mua i tae atu ki ētehi whakatau mō ngā marohi a Te Poari i mua i te pōtitanga i te tau 1975. Kātahi ka kī te pūrongo ko te whakahoki i te ingoa o "Taranaki" e "kāore e taea, nā ngā tini tōrangapū o te wā", engari ka tūtohi i te takoha mai o Taranaki Maunga e marohitia ana, hei " mahi māmā, utukore engari kē he tino whakahirahira rawa atu". Haunga terā, i tohua e tētehi pūrongo ki te Minita mō ngā Whenua e whā marama whai muri mai, ko "tetuku i te Papa Taiao ā-Motu o Mount Egmont ki Te Poari, ahakoa ka whakahokia tonutia ki te Karauna i taua wā tonu, ka tō mai pea he raruraru i te iwi nui tonu". I whakapuakina hoki e te pūrongo, nā runga i te take kua noho kē tētehi māngai o Te Poari ki te Poari mō te Papa Taiao ā-Motu o Egmont, "kāore he take o te whakatairanga i tētehi ture ki te whakatutuki i tētehi āhuatanga hanga tūtohu noa iho" "
- 3.99. Heoi anō, i te 29 o Mei i te tau 1978, i tuhi te Minita mō ngā Take Māori ki te Kāhui Minita e tūtohi ana kia whakahokia atu, kia takohatia mai anō a Taranaki Maunga. I mea a ia ka tautokona te whakaritenga rā e te nuinga o ngā Heamana o ngā hinonga ā-rohe o Taranaki. I whakaae te Kāhui Minita ki te whakaritenga i muri ake i taua rangi tonu. Kāore anō kia whā wiki whai muri, i te 23 o Hune i te tau 1978, i whakauru te Karauna i te Mount Egmont Vesting Bill ki te Whare Pāremata mō tana pānuitanga tuatahi.

- 3.100. I tautoko te tāpaetanga a Te Poari Māori o Taranaki i te Pire. Heoi anō, i āta whakamāramatia e te tāpaetanga, ko te whakahokinga noao Taranaki Maunga, he pikonga nō te huarahi e anganui ana ki ngā nawe o ngā Māori o Taranaki, ā, e hiahia ana i ētehi whāinga kōrero atu anō:

E tautokona ana tēnei Pire nā tana ahu atu kia whakatika i ētehi o ngā tūkinotanga i taumaha ai ngā iwi o Taranaki. Hei hua o te Pire, kua paku nei te rongō i te hikitanga o te taumaha i ō mātou pakihwi, kua mahea iti nei te kapua pouri i runga i ō mātou upoko. Ko te mahi ki roto i tēnei Pire ko te mahi tuatahi, engari he mahi tūturu hei whakatika i tētehi o ngā nawe whenua Māori tino matatini, tino mauroa hoki.

- 3.101. He kōrero anō tā Te Poari tāpaetanga mō ana whakamātau o mua, kia whakahokia atu te ingoa taketake o te maunga, ā, ka tono kia panonitia te taitara o te Pire kia whai wāhi te ingoa "Taranaki" ki te taha o "Mount Egmont". Ahakoa i panonitia te kupu whakataki a te Pire kia whakauru i tētehi tauākī ko Mount Egmont i "mōhiotia ko Taranaki ki te reo Māori", ka

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noho tonu te taitara o te Ture whakamutunga hei te Mount Egmont Vesting Act. I whakaturehia te Egmont Vesting Act e te Whare Pāremata i te 3 o Oketopa i te tau 1978. I whakaritea e Rārangi 4 o te Egmont Vesting Act kia tukuna a Taranaki Maunga ki te pupuritanga o Te Poari Māori o Taranaki, ā, i whakaritea e Rārangi 5 kia whakahokia te maunga ki Tōna Hōnora te Kuini mō ngā take o te papa taiao ā-motu.

- 3.102. I tuturutia Roera Whakaaetanga i te 11 o Oketopa i te tau 1978. I taua rā, i whakawhitia ōkawatia te pupuritanga o Taranaki Maunga atu i te Karauna ki Te Poari Māori o Taranaki, kātahi ka whakahokia rawatia ki te Karauna i taua wā tonu.

Te tukunga iho o te Mount Egmont Vesting Act o te tau 1987

- 3.103. I muri i te whakaturenga o te Egmont Vesting Act, i marohitia e Te Poari Māori o Taranaki kia whakatūria ai tētehi hui whakanui hei tohu tūmatanui i te whakahoki me te takoha atu i Taranaki Maunga. I whakaarotia e te Poari mā tēnei hui e whakamahara ake i te kāwanatanga ki ngā kōkiritanga a Te Poari mō te utu raupatu, mō te whenua i ngaro i ngā Māori o Taranaki i roto i ngā tau.
- 3.104. I te hui nui mō te ture takoha i te Maunga, i Manukorihi Pā, ki Waitara i te 23 o Hune i te tau 1979, tokopae tonu ngā Māori o Taranaki i tae atu ki te porotēhi i ngā whakaritenga. He whakapae anō ā ētehi, kāore i tino whakapuakingia ngā whakaritenga ki te kawanatanga, ā, i tohe hoki ētehi atu, ehara i te mea me riro te mana o te maunga ki te Karauna e taea ai ngā tangata katoa te totoro, te eke, te haere rānei ki runga i te maunga, he āhuatanga tēnei, ka purutia e ngā iwi o Taranaki.
- 3.105. I te Tihema i te tau 1979, i tae atu te Minita mō ngā Whenua ki tētehi hui o Te Poari Māori o Taranaki hei tuku ki te Poari he kape o ngā taitara ki Taranaki Maunga. Ka whaikōrero te Heamana o Te Poari, "kua tutuki i a te ture tuku o Maunga Taranaki tētehi o ngā petihana o ngā iwi o Taranaki" engari i toaitia e ia, ko te whai tonu te Poari i tō rātou hiahia kia tapaina anōtia te ingoa tuturu ki te maunga, kia utu anō hoki te karauna he moni mō te raupatu.
- 3.106. I te mutunga o te tau 1979, i tāpaehia ngā petihana e rua e whai ana kia whakakorengia te wāhanga e 5 o te 1978 Egmont Vesting Act (nā tērā i whakahoki te pupuritanga ki te Karauna), ā, kia whakahokia te maunga ki tētehi Poari kua hangaia ki ngā māngai e waru nō ngā iwi e waru. Kāore te Karauna i tautoko atu kia hangaia tētehi Poari hou, nā te mea e whakakanohi kē ana Te Poari Māori o Taranaki i ērā iwi anō, ā, ko ia "te poari e whakaaetia ana hei kawē i ngā kerēme whenua o ngā iwi o Taranaki".

Te whakaora anō i te ingoa o Taranaki Maunga

- 3.107. I te marama o Hune i te tau 1983, nā Te Poari Māori o Taranaki i whakatuwhera anō ngā kōrerorero ki te Karauna mō te whakahoki i te ingoa o "Taranaki" ki a "Mount Egmont". Ka kī atu te karauna, kia torona ngā rōpū katoa o te rohe kia rongō i o rātou whakaaro. Nā whai ā, ka tino tautō te ahunga a te kaupapa nei, ā, i te Hānuere i te tau 1985 nā te Ngā Pou Taunaha o Aotearoa – arā ko te hinonga ā-ture e haepapa ana mō ngā ingoa wāhi ki Aotearoa – i tonu hoki ki Te Poari kia tuku i ngā whakaaro i whāia e ratou mō te nui rānei o te tautoko i te rohe, mō te panoni e marohitia ana.
- 3.108. I te Māehe i te tau 1985, i tohu te Poari Māori o Taranaki ki Ngā Pou Taunaha o Aotearoa ahakoa e tautokona ana e te hāpori Māori, e ētehi kaunihera hoki te marohi ki te whakaora i te ingoa o te maunga ki "Mount Taranaki", kāore ētehi o ngā kaunihera ā-tāone, ā-rohe, ā-tāone nui hoki i te whakaae. I taua wā anō, ka nui ngā kupu tautoko ōkawa nei i taua marohi.
- 3.109. I te Ākuhata i te tau 1985, i marohitia e Ngā Pou Taunaha o Aotearoa kia whakaoratia te ingoa o Mount Egmont ki "Mount Taranaki (Egmont)". I roto i ngā pānuitanga, me ngā huihuinga o te rohe, ka kaha whakahē ētehi tāpaetanga i te marohi mō te ingoa, e tohe ana

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ka taka mai te rangirua, ā, "kāore he painga paremata ki tētehi", i te "tino pāngia ki te kaikiri ātete-Pākehā", ā, he "whakamanioro i āta whakaarohia" ki ngā tāngata whai nā rātou "te tūāpori i kawē mai ki Taranaki" I pērā rawa te nui o te whakahē a te iwi whānui i tono atu te Minita mō ngā Whenua ki Ngā Pou Taunaha o Aotearoa kia whai whakaaro anō ki tana kuputohu.

3.110. I te 2 o Mei i te tau 1986, i whakapuakina e te Minita ka panonitia te ingoa ōkawa o Mount Egmont ki "Mount Taranaki or Mount Egmont". Ka waiho mā te tāngata mā ngā rōpū rānei e whiriwhiri ki te ingoa tika mā rātou, engari me mātua tuhi, kōrero rānei i ngā mahere, i ngā tuhinga katoa i raro i te New Zealand Geographic Board Act ko "Mount Taranaki or Mount Egmont", kia pērā te whakatakoto. I whakapuakina e te Minita ko te whakatau kia whakaae ki tēnei ingoa takirua "e whakaū ana i ngā kerēme a ngā kaiwhakahē maha, e kite ana i ngā uara rerekē, heoi he hira anō hoki."

Whakakapi

3.111. He nui whakaharahara te hiranga o Taranaki Maunga ki ngā tāngata whenua o Taranaki. I te tau 1840, i oati te Karauna ki a ngāi Māori te tika ki te whakatinana i te tino rangatiratanga mō ō rātou whenua, mō ō rātou taonga, tae atu ki a Taranaki Maunga, haere tonu ake mō te roanga noa atu e hiahiatia ana e rātou. Iti iho i te rua tekau tau i muri mai, i pēhia ngā Māori o Taranaki kia mautohe i tā te Karauna hokohoko papahueke mā te nonoi i tō rātou tika ki te tino rangatiratanga. Hei whakaharihariae i tāna i oati ai ki Te Tiriti o Waitangi, i urupare atu te Karauna ki te kaha ope tauā, ā, nō muri mai i tā ngā Māori o Taranaki ātete atu, i whiua rātou ki te raupatu me te muru o te tino rahinga o ō rātou whenua tuku iho, tae atu ki tō rātou maunga tapu.

3.112. I te rautau i whai mai i tēnei takahanga nui whakaharahara o te Tiriti o Waitangi, he auau tā te Karauna whakatuturi i ngā tika, i ngā pānga o ngā Māori o Taranaki mō tō rātou maunga tupuna. Whai muri i te raupatu, i whakanau te Karauna ki te whakauru i te maunga ki ngā rāhui i whakahokia ki a ngāi Māori o Taranaki, ā, i pānui kē rātou i te maunga hei papa taiao ā-motu. Nāwai rā, i whakahokia mai e te Karauna ki a ia anō te rohe maunga kotahi kua whakahokia atu e ia ki a ngāi Māori kia tāpirihia hoki tērā rohe ki te papa taiao. Kātahi ka whakatūria e te Karauna tētehi whakaritenga whakahaere i whakaritea ai kia whai wāhi mai te hunga hīkoi maunga, te hunga eke retireti, te hunga aru hoki ki te whakahaerenga o te papa taiao, engari kāore he whakaritenga pērā mō te hunga Māori. I tā ngā Māori o Taranaki whai kia whakahokia atu te ingoa taketake o te maunga, i whakaae ake te Karauna i te tuatahi engari kātahi ka panoni a ia i tōna tūnga i muri i te whaingā o ngā whakaaro ake o te Pākehā nā rātou te tono i whakaahua hei mea kaikiri.

3.113. Nō reira kua kaha whakaheke ngā mahi a te Karauna i te āheinga o ngā Iwi o Taranaki kia eke atu ki tō rātou maunga, kia tūhono ki tō rātou maunga, kia manaaki i tō rātou maunga. Heoi anō, ahakoa te mamae i takea mai, kei te hononga hōhonu i waenganui i ngā tāngata whenua me te maunga o Taranaki he nui ngā āhuatanga tē taea e te Karauna te motu. Puta noa i taua wā, ehara i te mea kua whakauka anake ngā Iwi o Taranaki i ngā tikanga me ngā ritenga e pā ana ki ngā maunga, engari kē kua tīmata hoki ki te whakapakari i aua tikanga, ki te whakahohe anō i ētehi atu kua ngaro. I ngā tau tata nei, kua aratakina e ngā Iwi o Taranaki ētehi kaupapa ka whakahohe anō i ō rātou hononga. I roto i ēnei, ko ngā hōtaka hei tāmi riha, hei atawhai i ngā tipu, i ngā kararehe taketake, hei whakatairanga i te mātauranga Māori, hei whakapiki i te māramatanga pūtaiao o te taiao anō hoki.

3.114. Hui tahi, kua whakapakari hoki ēnei kaupapa i ngā hononga i waenganui i ngā tāngata. Ahakoa ngā mahi i whiua ki a rātou i muri, kua whai ngā iwi o Taranaki kia whakarite ka whai painga te hāpori katoa o Taranaki i te whakaoranga o Taranaki Maunga, ā, ka noho mai hei tauira mō ngā kaupapa ōrite ki wāhi kē atu i Aotearoa. Ina pēnei ana, ehara i te mea kei te whakaora anake ngā hapū rātou ko ngā Iwi o Taranaki i tō rātou hononga ki ō rātou maunga

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tūpuna, engari kē hoki e whakaora hoki ana rātou i te pātuitanga i waenga i ngā iwi i whakatakotoria i Waitangi neke atu i te 180 tau ki muri, ā, kua roa e wawatahia ana e rātou.

He pou tā Maruwhakatare

He ahi tā Tahurangi

He rua tā Rua Taranaki

He pou hoki tā tēnei whakatupuranga?

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HISTORICAL ACCOUNT

- 3.115. The Crown's acknowledgements and apology to Ngā Iwi o Taranaki in clauses 3.230 to 3.255 are based on this historical account.
- 3.116. Some of the place names in the following historical account reflect the spellings that are used in the relevant historical sources.

The iwi of Taranaki and the origins of Taranaki Maunga

Ko Taranaki, ko Pouākai, ko Kaitake, koia te puna i heke mai ai te tangata. Koia ko hō mātou nei okiokinga, ko mātou nei tō rātou okiokitanga.

Taranaki, Pouākai and Kaitake are a reflection of and the source of our existence, in life and in death.

- 3.117. According to Taranaki tradition, the iwi of Taranaki are the descendants of ancestors who occupied the region from a time even before the arrival of Taranaki Maunga. Some iwi of Taranaki trace their descent from pre-waka ancestors known as Kāhui people. Some of these ancient tāngata whenua groups lived in settlements in the ancient Pouākai and Kaitake Ranges, and on the slopes of, the mountain that preceded the arrival of Taranaki Maunga.

Taranaki Maunga was formerly known as Pukeonaki and Pukehaupapa and stood in the area around Lake Rotoaira near Tūrangi, with Ruapehu, Tongariro, and Pihanga. Pukeonaki and Tongariro both loved Pihanga and fought over her. Following the conflict, Pukeonaki, bearing the scars of battle, withdrew underground and down the Whanganui River valley. Led by his companions Te Rauhiuhi, Wheoi and Rauhototapairu they entered the sea. When Taranaki surfaced, he saw the Pouākai Range inland and travelled up the Hangatahua river where he settled. Rauhototapairu became memorialised as a guide stone and for generations guarded the mouth of the Hangatahua River. Pukeonaki remained there with Pouākai and their offspring became the trees, plants, birds and rivers that flow from their slopes. The arrival of Pukeonaki in Taranaki subsumed Mimi Maunganui and disrupted a number of the Te Kāhui Maunga settlements located in the vicinity.

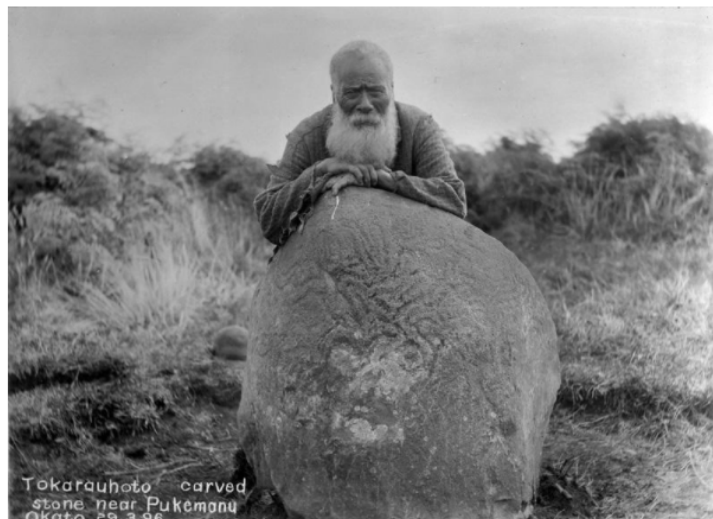


Figure 2: Minarapa Kahukura Makuru with the pilot stone Rauhototapairu, 1896.

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- 3.118. Some Taranaki traditions state that Pukeonaki was renamed by the Te Kāhui Maunga clans, which are memorialised by the deeds of their leaders of the time. These deeds are symbolised in the following whakawai (tribal axiom):

*He pou tā Maruwhakatare
He ahi tā Tahurangi
He rua tā Ruataranaki
Maruwhakatare anchored and consecrated the mountain
Tahurangi lit the fires of occupation
Ruataranaki excavated a cave and took up residence on its slopes*

- 3.119. As a consequence of these events the name of Ruataranaki was fixed upon the mountain. Other south Taranaki traditions state that the maunga was originally called Pukehaupapa, and was named Taranaki by members of the Aotea waka. Aotea was one of many waka that brought Polynesian groups to the region. These groups later forged alliances and intermarried with the original Te Kāhui clans. Other Polynesian groups included migrants who navigated to Aotearoa on Kurahaupō, Mataatua, Te Rangiamutu, Wakaringaringa, Tokomaru, and Tainui.
- 3.120. While the iwi of Taranaki had diverse origins, and at times fell into dispute, they also developed connections that arose over time through whakapapa and a shared reverence for Taranaki Maunga. Taranaki Maunga was the source of almost all the region's streams and rivers and was rich in resources that the iwi of Taranaki came to use for food, as preservatives and dyestuffs, and as raw material for buildings, clothing, art, weapons and other tools. The medicinal plants gathered from its forests were believed to draw particular potency from the mountain's intense tapu. Taranaki Maunga also served as a medium through which local Māori communities directed ritual and spiritual practices to the realm of the Gods. During the centuries of their occupation, the people of Taranaki established a number of pā and seasonal villages on the slopes of Taranaki Maunga and in the surrounding ranges, including Patuhā, Ahukawakawa, Pukehīnau, Pirongia, Te Iringa, Te Maru, Pakihere, Pukekōkako, Kaiuahi, and Karakatonga. These pā were used for permanent and seasonal occupation, as defensive fortifications, and as bases for resource gathering expeditions. Caves and other appropriate locations on Taranaki Maunga were used as urupā and were considered highly tapu, as was the peak of Taranaki Maunga itself.
- 3.121. Taranaki Maunga was therefore the central pillar of Taranaki life. For the iwi, hapū, and whānau of Taranaki, the mountain is an honoured ancestor, a source of physical, cultural, and spiritual sustenance, and a final resting place. Over time, Taranaki Maunga came to be a strong symbol of resilience and regional identity.

Early European contact

- 3.122. In January 1770, the English navigator Captain James Cook sighted Taranaki Maunga while sailing down the western coast of the North Island. Cook decided to name the mountain "Mount Egmont" after the Earl of Egmont, a British politician and First Lord of the Admiralty who had been a key supporter of Cook's voyages. Cook did not make landfall in Taranaki, and after marking Mount Egmont on his chart, continued his journey down the coast.
- 3.123. Permanent European occupation in Taranaki commenced with whalers in the 1830s. Around the same time, incursions from well-armed tribes from elsewhere in New Zealand forced many hapū of Taranaki to move away from the region. However, large communities of Taranaki people remained in the area or returned intermittently, thereby retaining ahi kaa or customary title based on occupation. Some of those who chose to remain in the

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region relied upon the mountain and surrounding ranges for shelter and protection in times of need.

Early land transactions

- 3.124. In May 1839, the New Zealand Company was formed in London to promote the profitable colonisation of New Zealand. The Company's directors were aware that the British Crown planned to claim sovereignty over New Zealand and establish the Crown's sole right to purchase land. The Company hastily despatched representatives to acquire large tracts of land in New Zealand before annexation occurred. In October 1839, at a time when many Māori were absent from Taranaki, Company agents claimed to purchase twenty million acres of land in central New Zealand, encompassing the entire Taranaki region including Taranaki Maunga. At this time, Taranaki Māori were unfamiliar with the process and effects of land purchases according to English land law.
- 3.125. In January 1840, Lieutenant Governor William Hobson proclaimed that no private purchases of Māori land made after that time would be recognised by the Crown. He also announced that a commission would be established to investigate the validity of any land transactions that had already occurred between settlers and Māori, including the New Zealand Company's deeds. On 6 February 1840, the Treaty of Waitangi was signed, establishing the Crown's sole right to purchase land from Māori.
- 3.126. In early 1841, a New Zealand Company surveyor arrived in Taranaki to mark out land for settlement, and British settlers who had purchased land from the Company in Britain began to arrive soon after. By 1843, some 900 British settlers had landed in the new town of New Plymouth and were looking to establish homes and farms on the coastal lands. Many of the local Māori inhabitants and those who had recently returned from other areas of the country disputed the new arrivals' right to land. Some actively resisted surveys, while others escorted settlers off their land or established new cultivations on land settlers were claiming.
- 3.127. In 1844, the Governor established a commission to investigate the New Zealand Company's claims in Taranaki. After the hearings, Commissioner Spain concluded that the Company's purchase of Taranaki lands had been "fair" and recommended an award of 60,000 acres to the Company. Te Āti Awa people, whose land was subject to the award, strongly objected to this conclusion, and some settlers expressed concern about their safety. In response, Governor FitzRoy travelled to Taranaki, and after discussing the situation with local Crown officials, rejected Spain's recommendation. The Governor then announced his intention to secure possession of a small block around New Plymouth upon which those settlers who had arrived could be placed. In November 1844, more than eighty Te Āti Awa men and women signed a deed of sale for 3,500 acres of land around New Plymouth, known as the FitzRoy Block.
- 3.128. In March 1847, the new Governor of New Zealand, George Grey, met with the leaders of various hapū of Te Āti Awa and informed them of his intention to acquire more land. Grey wrote afterwards that "very few of the Natives seemed disposed to assent to this arrangement". Many stated that they would oppose any encroachment by British settlers beyond the FitzRoy Block. The leading Te Āti Awa rangatira, Wiremu Kīngi te Rangitaake, informed Grey of his intention to return from Waikanae to his traditional land at Waitara, north of New Plymouth, to prevent its alienation. Kīngi had already written to the Governor warning him against listening to anyone who offered to sell land at Waitara. Governor Grey responded by threatening to place Kīngi under guard or destroy his waka if he tried to return.
- 3.129. Immediately after these meetings, Grey instructed the Crown agent Donald McLean to begin making arrangements to purchase 60,000 to 70,000 acres in Taranaki for British

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settlement. Over the following months, McLean completed negotiations with members of Taranaki Iwi for the purchase of the Tataraimaka and Ōmata Blocks, which together comprised about 15,500 acres of land south of New Plymouth. During this period, attempts by the Crown to purchase a large block of land that included Mount Taranaki and the Pouākai and Kaitake Ranges was strongly resisted by members of Taranaki Iwi, culminated in a large meeting held in New Plymouth known as Patutūtahi. In October 1847, the Crown purchased the 9,770 acre Grey Block to the north of New Plymouth from hapū of Te Āti Awa. In February 1848, the Crown's attempt to purchase more land north of New Plymouth created strong disagreement among hapū in the area. However, Crown purchase agents persevered with surveys of the disputed land, with the result that fighting broke out among Māori who contested the boundaries.

- 3.130. In April 1848, Wiremu Kīngi te Rangitaake led about 600 people out of Waikanae to return to Taranaki. This group included members of iwi from across Taranaki and took about six months to make the journey up the coast, driving large numbers of livestock before them. Kīngi arrived back at Waitara in November 1848. The following year, members of the Puketapu hapū of Te Āti Awa erected a forty-foot-high pou on the north bank of the Waiwhakaiho River to mark a point beyond which no further sales should occur. In 1850, during the Governor's third visit to Taranaki, a group of armed Te Āti Awa prevented him from visiting hapū who had proposed selling land.
- 3.131. While the growing resistance to land sales arose in large part from concerns about the Crown's purchasing tactics, Taranaki Māori were also increasingly motivated by a desire to retain enough land to participate in the emerging settler economy. By the early 1850s, Māori from across Taranaki were raising livestock and growing agricultural produce both for their own use and to trade with local settlers. Opposition to further land sales was rarely driven by the outright rejection of European settlement, but rather reflected the desire of Taranaki Māori to manage the alienation of land in a way that enabled them to engage with the new economy and secure their future prosperity.
- 3.132. As the willingness to sell land diminished among Taranaki Māori, settlers around New Plymouth applied increasing pressure on the government to acquire more land. Crown agents began to negotiate purchase agreements with individual Māori or small subgroups, sometimes without the consent or knowledge of key leaders or the wider collective, and sometimes despite their strongly stated objections. Such tactics created further significant tension within and between hapū in the area. In 1852, a Crown purchase agent wrote that he welcomed these tensions as they were working "most opportunely" to generate further sales.
- 3.133. In 1853 and 1854, Crown agents concluded deeds of purchase for the 16,500 acre Waiwhakaiho block and the 14,000 acre Hua block, both of which extended from the coast north of New Plymouth into the headwaters of the Waiwhakaiho, Mangaoraka, and Mangorei Rivers on the northern slopes of Taranaki Maunga. While both deeds had large numbers of Māori signatories, some rights-holders protested against the sales. For example, some owners occupied a large part of the Waiwhakaiho block for some years after the purchase was concluded.
- 3.134. Over this period, representatives of the iwi of Taranaki held meetings around the region in an attempt to make more formal arrangements to prohibit further sales. At an important meeting at Manawapou in southern Taranaki in April 1854, a month after the Hua deed was signed, several iwi from Taranaki and neighbouring areas formally committed to opposing further sales within a large area covering most of central and southern Taranaki. However, a few months after the Manawapou meeting, further offers to sell land in northern Taranaki erupted into armed conflict between hapū, resulting in significant loss of life. Fearing for their safety, settlers petitioned the government for armed protection, and by late 1855 approximately 500 Imperial Troops were stationed in New Plymouth.

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- 3.135. After a short peace, further fighting between hapū began in 1857. In early 1858, the new Governor, Thomas Gore Browne, issued a proclamation warning that the Crown's military forces would take "active measures" against any person found bearing arms on Crown land. Tensions in Taranaki remained high, with the result that no further purchases were made in the region until the Tarurutangi deed was signed in January 1859. This block also extended inland from an area north of New Plymouth to the headwaters of the Waiongana Stream and Mangaoraka River on the slopes of Taranaki Maunga.

The First Taranaki War

*Ko Taranaki anake kei te mōhio
Ask that mountain. Taranaki saw it all.*

- 3.136. In February 1859, Wiremu Kīngi Te Rangitaake wrote to Donald McLean to say that he would not agree to the sale of land at Waitara:

Ko enei whenua ekore e hoatu e matou ki a korua ringaringa ko te Kawana, kei rite matou ki nga manu o te moana e noho ana i runga i te kowhatu, ka pari te tai ka ngaromia taua kowhatu e te moana, ka rere nga manu, no te mea kaore he nohoanga mo ratou.

These lands will not be given by us into the Governor's and your hands, lest we resemble the sea-birds which perch upon a rock, when the tide flows the rock is covered by the sea, and the birds take flight, for they have no resting place.

- 3.137. At a gathering in New Plymouth the following month, Governor Gore Browne announced that he would not consent to the purchase of any land in Taranaki that did not have an undisputed title. Immediately after this, a local chief stood and offered to sell some land at Waitara. In response, Wiremu Kīngi declared again that he would never consent to the sale of land at Waitara. He argued that as the rangatira he was responsible for protecting the collective interests of his people, including communally held land. However, Crown officials continued to insist that Kīngi had no right to prevent people with recognised interests in the land from selling their "part", and later asked Kīngi to point out those pieces of the block that he wished to be excluded from the sale. Kīngi refused to do so.
- 3.138. Despite the Governor's previous statement about not purchasing disputed land, in November 1859 the Crown made an initial £100 payment for the Pekapeka block. Aware that further protest was likely, in early 1860 the government empowered local officials to call out the armed militia if any attempts were made to resist the impending survey of the block.
- 3.139. On 20 February 1860, the Crown's attempt to survey the Pekapeka Block was prevented by unarmed Māori, mainly women. The Crown responded by proclaiming martial law in Taranaki and calling out the militia. Kīngi again wrote to the Governor, stating that while he wished only for friendship between Māori and Europeans, he would not give up Waitara. On 5 March, a Crown gunship landed troops at Waitara to occupy Wiremu Kīngi's pā near the river-mouth. The survey of the Pekapeka block was carried out, with a military escort, on 13 and 14 March. Then, on the evening of 15 March, Kīngi's supporters erected a fortified pā at Te Kohia at the south-west extremity of the block. When Kīngi refused to surrender it, on 17 March 1860, some 500 government troops began a bombardment of the pā. The following day, Crown troops entered the pā only to discover that it had been abandoned overnight. This exchange marked the beginning of war in Taranaki.
- 3.140. Other iwi from Taranaki and from elsewhere in the North Island quickly entered the war in support of Wiremu Kīngi and his people. Initially, most fighting took place to the south of New Plymouth, where Māori from central and southern Taranaki had gathered and carried

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out some attacks against settlers and abandoned farms. Crown gunships shelled coastal settlements in the area, and Crown troops attacked several settlements, destroying cultivations, flourmills, and taking livestock. In June 1860, Taranaki fighters defeated a force of 350 British troops at Puketakauere, just inland from Waitara. Following this, Crown troops fought several skirmishes and destroyed abandoned pā, kāinga, and stores of provisions.

- 3.141. By September 1860, the Crown had increased its military forces in Taranaki to about 2,300 troops. Over the following months, Crown troops conducted a series of attacks around the region with the intention of disrupting Māori crop planting, which it was hoped would “greatly distress and dishearten” Māori in the region. However, Māori fought an effective defensive war, particularly through the use of sophisticated pā, and the Crown’s forces were unable to achieve military victory.
- 3.142. In April 1861, after a year of fighting, a peace agreement was reached with the involvement of Kīngitanga representatives. One condition of the agreement was that the Crown would investigate the Pekapeka purchase, which remained a significant grievance for many Māori in Taranaki. In the meantime, Crown forces continued to occupy the Pekapeka block, while iwi of central and south Taranaki retained control of the Ōmata and Tataraimaka Blocks which the Crown had purchased in 1847.

The Second Taranaki War

- 3.143. In March and early April of 1863, before the promised inquiry into Pekapeka had been completed, Crown forces re-occupied the Ōmata and Tataraimaka blocks, on the orders of Governor Grey. Two days later, Grey decided to abandon the Pekapeka purchase, in the light of what he called “new facts” regarding the rights of Wiremu Kīngi Te Rangitāke at Waitara. However, this decision was not publicly announced until 11 May, more than a month later.
- 3.144. Many Taranaki Māori saw the increased deployment of troops to Tataraimaka and Ōmata as an act of war. On 4 May 1863, before Grey had announced his determination on the Pekapeka purchase, an attack was made on a party of soldiers who were carting military supplies across Māori-owned land between the two areas. Nine troops were killed. Within three weeks, Crown troops and Māori in Taranaki were again engaged in fighting.
- 3.145. From late May 1863, Crown warships again shelled coastal pā south of New Plymouth, and soldiers attacked several Māori settlements in the area. In early 1864, Crown troops conducted a scorched earth campaign that they claimed destroyed every acre of Māori cultivation in an area extending twenty miles down the coast from New Plymouth. In March 1864, Crown troops attacked and destroyed the Kaitake pā located on a high ridge of the Kaitake (or Patua) Range. Troops destroyed nearby cultivations, and over subsequent days travelled further into the ranges where they found and destroyed other defensive pā. Crown troops later built a redoubt on the site of the Kaitake pā to control the main supply routes along the coast.
- 3.146. Through the rest of 1864 and into 1865, Crown forces and Māori fought a number of engagements around Taranaki, resulting in significant loss of life and property among the iwi of Taranaki. At the start of 1865, Crown forces embarked south from New Plymouth and north from Whanganui in an attempt to establish military settlements along the length of the Taranaki coast. Through 1865 and 1866, Crown forces again travelled throughout the Taranaki region, including a circumnavigation of Taranaki Maunga during which they destroyed further villages, food stores, livestock and crops. Many more Taranaki Māori were taken prisoner, displaced, or killed during this time.

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Confiscation

- 3.147. In December 1863, eight months after the Second Taranaki War began, Parliament passed the New Zealand Settlements Act. The Act's preamble stated that the best way to achieve peace in Taranaki was to establish enough military settlements in the region to "prevent further insurrection". The Act enabled the Governor to first define districts to which the Act would apply, and to then take land within those districts for the purpose of establishing military settlements. Through a series of proclamations in 1865, the Governor defined several districts in Taranaki, containing approximately 1.2 million acres, as districts within which settlements could be established.
- 3.148. On 2 September 1865, the Governor declared every acre of land within the Taranaki districts that it had not already purchased to be confiscated. The amount of land confiscated enormously exceeded that which was necessary to achieve the original Act's purpose. The confiscations were also indiscriminate in depriving every Māori in Taranaki of their customary lands, regardless of whether they were considered to have been in rebellion. Every iwi in Taranaki lost vast areas of land, and several lost their entire rohe.
- 3.149. The Crown's confiscation took in all of Taranaki Maunga, the Kaitake Range, and the Pouākai Range that it had not already purchased. The Crown's confiscation of Taranaki Maunga fundamentally disrupted the profound connection that existed between Taranaki Māori, their whenua, and their tupuna. It deprived Taranaki Māori of access to important sources of food and sites of profound ancestral significance. By professing to take ownership of Taranaki Maunga, the Crown caused immeasurable harm to the mana and wairua of the whānau, hapū, and iwi of Taranaki.

Compensation

- 3.150. Under the New Zealand Settlements Act 1863, Māori could seek the return of confiscated land by bringing claims to a Compensation Court established by the Act. Claimants had to prove both that they had an interest in the confiscated land, and that they had been loyal to the Crown. Claimants also had to attend hearings, which would have been difficult for many given that hearings were held in New Plymouth and Whanganui only, at a time when Crown forces were still carrying out military attacks across Taranaki.
- 3.151. When recommending the confiscation of Taranaki to the Governor in September 1865, Government Ministers stated that "ample allowances" would be returned to "rebels", and that loyal Māori would receive "as nearly as possible the exact land they are entitled to now". Whatever land was "absolutely necessary to take for settlements" would be replaced with other nearby lands or compensated for through monetary payments.
- 3.152. However, by the time Compensation Court hearings began in June 1866, the Crown had already disposed much of the best land to military settlers or set it aside for sale. The land that remained available for Māori claimants was therefore mostly difficult to access or unsuitable for economic use. A further 8,000 acres of mountainous land was excluded from consideration for return on the basis that it was "worthless" and "unfit for cultivation". In total, the Compensation Court recommended the return of less than 80,000 acres, or approximately 6 per cent of the land that had been confiscated in Taranaki.
- 3.153. Some areas of land in Taranaki were subject to an "informal" compensation process. During the war, the Governor had made a personal promise to Wi Kīngi Matakātea and Arama Karaka, chiefs of the Ngāti Haumia hapū of Taranaki Iwi (described as "Ngatihauimiti" in Crown documents at the time) that none of their land would be confiscated as they had remained loyal to the Crown. However, the existing legislation made no provision for the abandonment of confiscation in this way, and the Ngāti Haumia land was included in the confiscated area. In 1866, the Crown attempted to make "informal

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restitution” to Ngāti Haumia by reserving the 44,000-acre Opunake block for them. At the same time, the Crown also sought to reserve the 18,000-acre Stoney River block for return to the Ngāti Mahanga hapū of Taranaki Iwi, who had surrendered under the Governor’s 1865 peace proclamations. Both blocks extended from the western coast of Taranaki up into the headwaters of the Hangatahua, Waiweranui, Moutoti and Taungatara rivers, and included approximately 9,000 acres of land on the western side of Taranaki Maunga.

“Takoha” and Crown purchasing of confiscated land

- 3.154. By the start of the 1870s, the Crown had still not enforced the confiscation of Taranaki on the ground. Large parts of the confiscated area had never been surveyed for settlement, and many areas that had been granted to settlers had never been occupied. As a result, many Māori who had been displaced by the earlier wars moved back to their abandoned settlements. The Crown did not attempt to prevent this, and inconsistent statements by some Crown Ministers led some Māori in Taranaki, and some Crown officials, to believe the confiscation had been abandoned.
- 3.155. From 1870, the Colonial Treasurer, Julius Vogel, initiated a large-scale economic development programme which included significant investment in public works. This programme quickly generated significant increases in both Crown debt and the demand for land. From 1872, the Crown tried to secure access to the land it had confiscated in Taranaki. Between 1872 and 1881, the Crown purported to purchase nearly 650,000 acres of land in Taranaki across a number of blocks, many of which lay within the area it had already confiscated. These purchases further reinforced the perception that the confiscation had been abandoned.
- 3.156. Three of the blocks purchased by the Crown within the confiscated lands extended from an area between modern-day Stratford and Inglewood up to Te Tahuna-o-Tūtawa (Warwick’s Castle) on the eastern slopes of Taranaki Maunga. The Crown purchased the 32,830 acre Moa-Whakangerengere block from groups of Te Āti Awa in November 1873, and then purchased the 7,000 acre Waipuku block and the 20,700 acre Waipuku-Patea block from members of Ahitahi hapū of Ngāti Ruanui in March and May 1874 respectively. The Crown did not properly investigate customary interests when it made these purchases, and some of the Māori signatories were living in Nelson and Waikawa (near Picton) at the time.

The origins of the Egmont Forest Reserve

- 3.157. An important consequence of Julius Vogel’s national public works programme was an emerging recognition of the environmental costs associated with large-scale construction projects, including the widespread deforestation that arose from the massive demand for timber. In late 1873, Vogel saw first-hand the damage caused by deforestation during a tour of the South Island and became convinced of the need for forest preservation in New Zealand.
- 3.158. However, at that time the main priority of the Taranaki provincial government was to make land available for commercial production, which meant forest clearance, rather than preservation. In May 1874, the Committee of Colonial Industries wrote to all of New Zealand’s Provincial Superintendents seeking ideas about how to best preserve New Zealand’s forests. The Superintendent of Taranaki responded that as most of the province remained covered by forest, no formal preservation measures would be needed “for a few years”.
- 3.159. In July 1874, Julius Vogel, by then Premier, introduced the New Zealand Forests Bill into Parliament. The Bill’s key objectives were to secure a future supply of timber, and to protect the country’s soil and climate. When the Bill was passed into law in August 1874, it created

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a central Forest Department and enabled Provincial Superintendents to recommend the creation of State Forests in their regions. While the Superintendent of Taranaki reported that the removal of bush from the tops of hills or ranges should be discouraged and recommended that no vegetation of any kind should be removed within a distance of “some four-and-a-half to five miles from the summit of Mount Egmont”, no formal protective measures were put in place by the Taranaki provincial government before it was disestablished, along with all other provincial governments, in 1876.

- 3.160. In 1877, the newly created Conservator of State Forests wrote that the Superintendent of Taranaki had “nominally” reserved a large area around Mount Egmont and recommended this should be formalised by central government and “rigidly enforced”. He also recommended that the forests of the “Pouakai Range” should be conserved to protect the many streams that flowed out of them.

The West Coast Reserves

- 3.161. By this time, Māori in Taranaki had become frustrated at the Crown’s failure to grant them the land they had been awarded by the Compensation Court fourteen years earlier. In 1880, the Crown established the West Coast Commission to investigate Māori complaints. When the West Coast Commission published its report in 1880, it found that the Crown had failed, over a number of years, to fulfil its promises about the return of Māori reserves. More than ninety-six percent of the land the Court had awarded to Māori in Taranaki had never actually been returned by the Crown. This included the Stoney River and Opunake blocks, both of which remained in Crown ownership because the proclamations required to return them had never been issued. Further, the 3,500 acres that had been returned had been granted to individuals rather than hapū, thereby extinguishing customary forms of land tenure and long-established hapū occupation rights.
- 3.162. The West Coast Commission then assessed the land that remained available for return to Māori. The Chief Surveyor of the Taranaki District informed the Commission that all the land within a six-mile radius of the peak of Mount Egmont had been reserved by the Taranaki Provincial Government as a forest reserve. As discussed earlier, this was incorrect. However, as a result the West Coast Commission subsequently excluded all land within a six-mile radius of the peak of Mount Egmont (see Figure 2) from the recommended reserves. This radius took in 3,000 acres of the Stoney River block, 6,000 acres of the Opunake Block, 7,000 acres of the Parihaka Block, 4,000 acres of the Oeo Block, and 16,000 acres of the Waimate Plains division. Together, this meant that about 36,000 acres of land around the peak of Taranaki Maunga was excluded for consideration for return to Māori. This was despite several Māori claimants explicitly asking the Commission to include parts of Taranaki Maunga in their grants.

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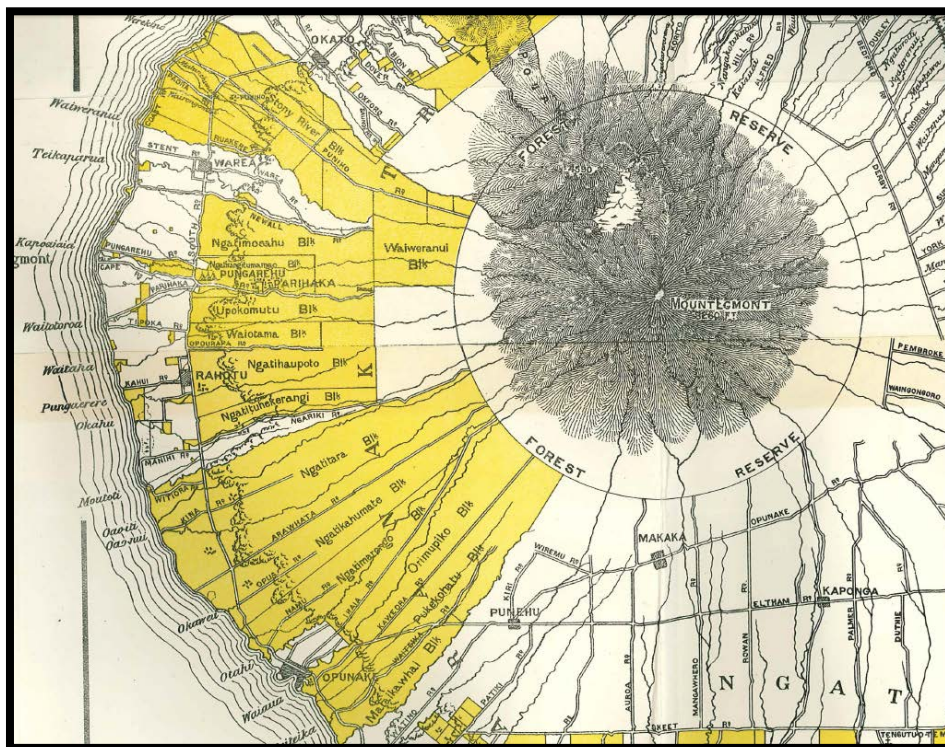


Figure 2: West Coast Commission Reserves

- 3.163. In its final report of August 1880, the West Coast Commission recommended that a second commission be established to implement its recommendations. Parliament enacted the West Coast Settlements (North Island) Act the following month to provide for the second commission to be established.
- 3.164. Before any of the land identified by the West Coast Commission was formally granted, it appears that the Crown became aware that Taranaki Maunga had not actually been formally reserved. Rather than reconsider its decision to exclude the land from return to Māori, the Crown issued a proclamation, in May 1881, which temporarily reserved all the land within a six-mile radius of the summit of Mount Egmont, enclosing 72,328 acres, "for the growth and preservation of timber." Two months later, in July 1881, the reservation was made permanent.
- 3.165. In 1882 and 1883, the Crown issued grants returning just over 200,000 acres of land to Māori in Taranaki. However, all of the grants excluded the area within the newly established Egmont Forest Reserve.

The Addition of the Patua Range to the Forest Reserve

- 3.166. The only mountainous area returned to Māori in Taranaki was the "Patua Ranges Reserve", also known as the Kaitake Range. This area of approximately 8,000 acres was granted to seventy-three individuals in three divisions in 1883. However, this reserve, like all others in Taranaki, was not returned to its Māori owners outright, but was instead placed under the administration of the Public Trustee. In 1892, the West Coast Settlement Reserves Act transferred ownership of the Taranaki reserves to the Public Trustee, to hold in trust for the Māori beneficiaries. The Act empowered the Public Trustee to lease the reserves at his discretion for twenty-one-year periods with the right of perpetual renewal.
- 3.167. In 1893, the Taranaki Beautification Society wrote to the Government to express concerns that the Public Trustee might lease out parts of the Patua Reserve, which could lead to the destruction of valuable forest. They suggested that the Patua Range be added to the

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Egmont Forest Reserve. The Society argued that its objectives – the preservation of forest and the protection of “the sacred places of the hapū” – were shared by Taranaki Māori, but then suggested that Māori did not need the land themselves because they had never cultivated on the mountain and had enough land elsewhere. The Society went on to point out that acquiring the Patua Range would enable the Crown to access and sell approximately 10,000 acres of first-class land that adjoined the Range but which was then inaccessible because it was surrounded by Māori reserves.

- 3.168. In 1895, the Crown made moves to implement the Society’s proposal. In November that year, Parliament passed the Reserves Disposal and Exchange Act 1895 which provided for 4,200 acres of the Patua Range “to be exchanged for lands the Crown deems to be of equal value” and “held as a reserve for the preservation of Native fauna and flora.”
- 3.169. However, various issues prevented the exchange from being finalised for four further years. In particular, the Crown took some time to identify land that it was willing to exchange for the Patua Reserve. Initially, Crown officials explored the possibility of exchanging the Reserve for land outside the Taranaki Land District. In response, the Surveyor General informed the Department of Lands that while the Reserves Disposal and Exchange Act 1895 did not specifically require that the Patua Reserve be exchanged for land in the Taranaki District, “the intention of the legislation when passing the Act was probably to confine the selection of exchange to the Taranaki Provincial District”. In subsequent communications, other Crown officials confirmed that the intention of the Act was to exchange the Reserve for land in Taranaki, as the reserves were intended “for the benefit of the Taranaki people”.
- 3.170. In December 1896, an official at the Department of Crown Lands sought clarification about whether “Crown lands that were available for exchange lying at the head of the Timaru, Katikara [streams] have been disposed of since [the Reserves Disposal and Exchange Enabling Act 1896] was passed, and that no lands are now available in Taranaki for exchange”. This land was immediately adjacent to the Patua Range and was part of the 10,000 acres that the Taranaki Beautification Society had suggested could be opened for settlement via an exchange of the Patua Range four years before (see map below). In response, the Commissioner of Crown Lands wrote that the area had been surveyed in preparation for settlement but had not yet been sold. In February 1897, the Surveyor General stated that “as the lands behind the Patua Range have been, as you say, loaded and prepared for settlement, it would be inadvisable to allow any selection in that part.”

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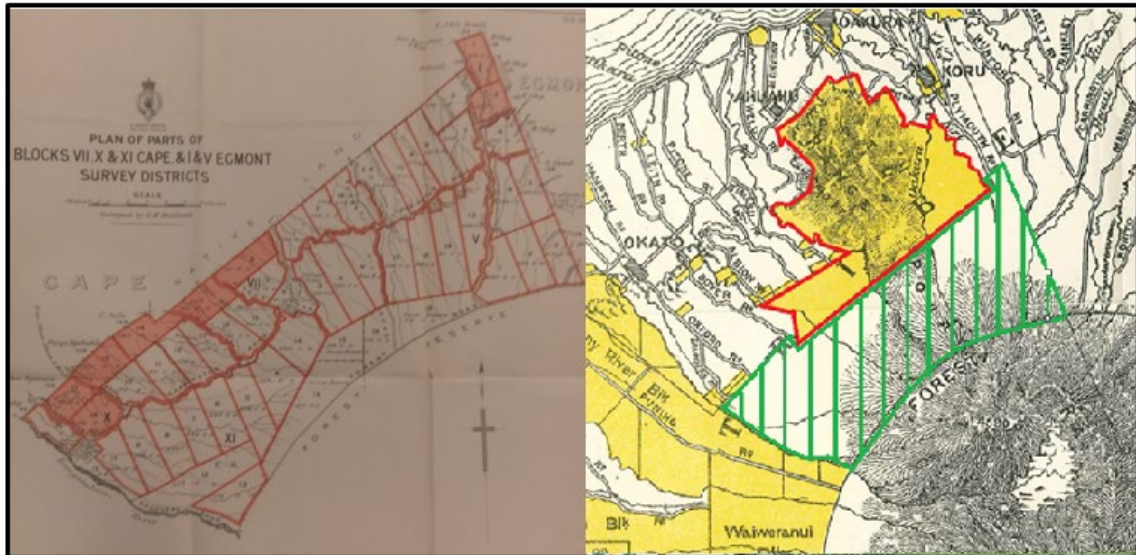


Figure 3: “Rural Lands Open for Sale or Selection in the District of Taranaki”, 8 September 1897 (left) and map showing location of this area (outlined green) relative to Patua Ranges Reserve (red) and Egmont National Park

- 3.171. In August 1897, the Opunake Times began to run advertisements for 46 sections of land in the 10,000-acre area behind the Patua Range. After seeing a plan for the advertised sections, the Surveyor General wrote to the Commissioner of Crown Lands to enquire why the Crown was selling the block while negotiations to include parts of it in the Egmont Forest Reserve were ongoing. The Commissioner replied that the area between Mount Egmont and the Patua Range “was not intended to be included in the area for scenery preservation and would be much more profitably used if let to small farmers.”
- 3.172. The Crown then considered other land that might be available to exchange. All the blocks identified by the Crown were located well inland from Mount Taranaki. The valuers appointed by the Crown concluded that the blocks they had inspected within the Taranaki Land District were all of greater value than the Patua Reserve and were therefore unsuitable for exchange. Instead, they advised that the block nearest in value to the Patua Reserve was the Mangapapa Block, located approximately ninety kilometres to the southeast of the Patua Reserve, outside the boundary of the Taranaki Land District.
- 3.173. In April 1898, the Surveyor General noted that the Patua Range valuation was slightly higher than that of the Mangapapa block. The Crown’s valuer suggested resolving this by subdividing certain sections out of the Mangapapa block, but the Surveyor General complained that the proposed arrangement would be unfair on the Crown, “as it is leaving all the worst land with the Government whilst the Public Trustee’s portion comprises not only the best land but is roaded and has known homestead sites on each section.” A week later, the Surveyor General advised the Minister of Lands that final adjustments to the Mangapapa Block were complete, “[his] endeavour having been to retain as much of the best land as possible for the Government.”
- 3.174. In 1899, the Department of Lands and Survey’s annual report stated that “the exchange of land by which the Patua Range in Taranaki became practically a public park, has been completed during the year, and this 5,500 acres of fine forest mountain has now become a national property.”

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Management of the Forest Reserve

- 3.175. Following the creation of the Egmont Forest Reserve in 1881, Boards of Conservators were established to administer each of the north, east, south and west quarters of the Reserve. The Commissioner of Crown Lands at New Plymouth was a member of each Board. The Boards received some funding from central government, and advertised for local donations and subscriptions. There was no legislative requirement for Māori representation on the Boards.
- 3.176. While the stated rationale for creating the Egmont Forest Reserve was to protect the area's timber resources and preserve the health of the Taranaki watershed, the key focus of the Boards soon came to be the promotion of tourism. From the 1880s, a network of trails was built around the mountain to provide access for surveyors and recreational climbers. More substantial roads were formed later to enable building materials to be brought in for the construction of huts and other infrastructure. In 1891, a building that had been used as barracks by the Armed Constabulary in New Plymouth since 1855 was relocated to the northern slopes of the mountain and used as a hut for climbers. Over the following years, the Boards built several other huts on Taranaki Maunga, including the Kaahui alpine hut, located on the site of Te Maru gardens, an ancient refuge used by Taranaki Māori in times of war.
- 3.177. As the infrastructure developed, the number of visitors to Taranaki Maunga increased rapidly, and by 1900 almost 3,000 people were visiting the huts on the mountain annually, a large number of whom went on to climb to the summit. The deep misgivings that Taranaki Māori had long held about accessing the highly tapu summit of Taranaki Maunga and other significant areas did not appear to be a consideration as the administering Boards worked to open the mountain to climbers.
- 3.178. The increase in recreational climbers undermined the connections of Taranaki Māori to their mountain in other ways. In the 1880s, the ancient names of several significant locations on Taranaki Maunga were replaced by names honouring early Pākehā climbers: Mangoraukawa, Panitahi, and Te Rere-o-Noke, for example, were renamed Lake Dive, Fanthams Peak, and Dawson Falls respectively. In 1900, Crown surveyors built an iron trig-station on the summit of Mount Taranaki. Later, climbers were reported to have disturbed or removed bones they found in caves or crevices on the mountain.

The introduction of pests

- 3.179. From the mid-1880s, acclimatisation societies in Taranaki began to introduce a range of exotic animals into the region. While the Crown did not run acclimatisation societies, it actively encouraged their work, and from 1867 promoted a series of Acts that gave acclimatisation societies statutory recognition and provided some funding. The first such Act, the Protection of Animals Act 1867, provided for acclimatisation societies to be registered, and for some of the fees and fines that accrued from hunting or fishing to be paid to registered societies. The Act and its successors also gave legal protection to many introduced birds, fish, and animals.
- 3.180. The first acclimatisation society in Taranaki was founded in 1874. While early activities included the introduction of bird species familiar to British settlers, most of the Taranaki Acclimatisation Society's funds were spent on the release of trout and salmon into the region's rivers. It was hoped that the development of trout and salmon fisheries would increase tourism in Taranaki, which would in turn generate income for the society through fishing licenses. The Taranaki Acclimatisation Society also used some of its funds to pay for the destruction of native birds such as shags and hawks that posed a threat to introduced fish and animals.

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3.181. In 1895, the Taranaki Acclimatisation Society released eight possums into the Kaitake Range, adjacent to the Egmont Forest Reserve, and a further five into the forest near Inglewood. Possums had already been introduced elsewhere in New Zealand in an attempt to develop a fur industry. However, by the time possums were released in Taranaki, a local newspaper had already reported that the New Zealand government was communicating with Australia about ways to combat what had become “a dangerous pest in the native forests and even orchards” elsewhere in New Zealand. Only weeks after the Taranaki release, the passing of the Animals Protection Act Amendment Act 1895 outlawed the release of any animal or bird without Ministerial permission. In 1898, the Taranaki Acclimatisation Society proposed obtaining more possums for release and “looked forward to the time when Taranaki might add possum skins to its list of exports”.

The creation of Egmont National Park

3.182. At the end of the 1890s, the Taranaki Scenic Preservation Society – established in 1891 to promote the preservation of scenic sites and places of historic interest – lobbied the government for a greater degree of protection for the Egmont Forest Reserve. The Society was becoming concerned that the continuing pressure to open land for settlement might lead to the sale of land within the Egmont Forest Reserve. Members of the Society drafted and submitted a bill to government, which in 1900 was passed by Parliament as the Egmont National Park Act. This Act created New Zealand’s second national park and encompassed all the land that had been reserved in 1881, along with those parts of the Kaitake (Patua) Range that had been awarded to Taranaki Māori by the West Coast Commission in 1883 but exchanged for Crown land in 1899.

3.183. The 1900 Egmont National Park Act prohibited a broad range of activities within the Park, including lighting fires, and damaging or removing any plant material, wood, stones or minerals. Penalties could also be imposed on anyone caught harming or removing any bird, animal, nest, or egg, or even digging soil within the Park. The Act created a ten-member Board of Management for the Park that consisted of the Commissioner of Crown Lands for Taranaki, two members appointed by the Governor, and seven others appointed by seven local Taranaki bodies: the Hawera, New Plymouth and Stratford borough councils, the Opunake town board, and the Taranaki, Hawera and Stratford county councils. The Act enabled the Egmont National Park Board to delegate its management powers to four local committees, similar to those that had managed the Egmont Forest Reserve from 1881. Again, the management structures created under the Act made no express provision for Taranaki Māori representation on the Park Board or the local committees.

3.184. These provisions further negated customary rights that the iwi of Taranaki had exercised on Taranaki Maunga and adjoining ranges for centuries. The ability of the iwi of Taranaki to access resources that had underpinned important social and cultural practices for generations was ended, as was their ability to use traditional sites of occupation, or to inter their deceased on the mountain. The management regime severely limited their ability to exercise kaitiakitanga over the plants and animals of Taranaki Maunga, or to manage access to its many tapu sites.

3.185. Following the establishment of the Egmont National Park, its governing Board continued the work of developing tracks and visitor accommodation begun by the four regional committees. The Board’s operations were funded in part by the payment of tolls by vehicles entering the Park. It also raised funds by issuing licences to possum trappers to operate within the Park, or by charging royalties from hunters on animals taken. As a valuable source of income, the National Park Board therefore sought to manage, rather than exterminate possums on Taranaki Maunga. This sometimes involved prosecuting people who hunted possums without a licence, or periodically imposing total bans on possum hunting within the Park. It was not until the 1940s that the Egmont National Park Board

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began to regard possums as pests. By that time, possums and goats, which had escaped into the national park from surrounding farms over the preceding decades, had completely destroyed the forest in some areas of the Park. From 1943, the Park Board began to pay, rather than charge hunters to kill possums, and over the following sixteen years more than 280,000 possums and 25,000 goats were culled on Taranaki Maunga and in the Kaitake Range.

Changing management structures of the Egmont National Park Board

- 3.186. In 1924, the Crown amended the structure of the Egmont National Park Board to comprise the Commissioner of Crown Lands for Taranaki, two representatives each of the four regional committees, and two members appointed by the Governor General. The Act maintained the existing prohibitions against using or removing any resources from within the Park, and again made no provision for Taranaki Māori representation on the Board.
- 3.187. The management structure for Egmont National Park was amended again in 1952, when the National Parks Act established a two-tier system of authority over New Zealand's national parks. The Act created a central National Parks Authority to oversee the administration of all national parks in New Zealand, including Egmont National Park. The central Authority comprised four Ministerial appointees representing the Royal Society of New Zealand, the Forest and Bird Protection Society, New Zealand's Mountain Clubs, and the National Park Boards.
- 3.188. At the local level, the 1952 Act provided for the Egmont National Park Board to have nine members: the Commissioner of Crown Lands for Taranaki, four representatives of the North, South, East, and West Local Committees, two members appointed on the recommendation of the central authority, and two members appointed by the Minister of Lands on the recommendation of the Federated Mountain Clubs of New Zealand and the Taranaki Local Bodies Association respectively. Once again, neither the central or local management structures made any express provision for Taranaki Māori to participate in the management or care of lands within Egmont National Park.
- 3.189. The over-arching purpose of the 1952 National Parks Act was to ensure that New Zealand's national parks were "preserved as far as possible in their natural state". In general, this meant preserving native fauna and flora while exterminating introduced flora and fauna. The Act also made it an offence for anyone to light fires, release birds or animals, plant trees or seeds, damage or remove plant life, or remove any bird, animal, bark, flax, or mineral within the Park without the Board's permission.
- 3.190. The 1952 Act gave the Egmont National Park Board a range of powers to manage access to the Park and activity within it. These powers included the ability to make any part of the Park available "for the purpose of public amusement or recreation", to grant licences to businesses within the Park, to build accommodation for rangers or other mountain users, to build or authorise infrastructure for skiing, and to do "any other thing that may be requisite for the proper and beneficial management, administration, and control of the park".
- 3.191. Over the following years, debates arose about which groups should be represented on the Egmont National Park Board. In 1966, the Crown noted that submissions had been made to include representatives of "fishermen and deerstalkers", private tourist operators, the Automobile Association, and "men of proven ability in the business world". In the early 1970s, the Minister of Lands stated that it was desirable to appoint "younger people and women when persons with the necessary attributes are available." In the mid-1970s, the Taranaki Māori Trust Board began to advocate for representation of Taranaki Māori on the Egmont National Park Board.

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The Taranaki Māori Trust Board

3.192. Between 1870 and 1930, Taranaki Māori filed at least 262 petitions protesting the Crown's confiscation of their customary lands. In 1926, the Crown established the Sim Commission to investigate the confiscations it carried out under the New Zealand Settlements Act 1863, including in Taranaki. The Commission's terms of reference, however, were limited. It could only consider whether the amount of land confiscated exceeded what was "fair and just" and could not comment on the lawfulness of the confiscations.

3.193. During the subsequent hearings, Wiremu Te Kupenga Kahao appeared before the Commissioners to ask that the mana of Taranaki Maunga be returned, as it "represented the mana or prestige" of the people of Taranaki:

I therefore make this request that the mana of this mountain be returned to the Māori people with this addition, that the Government be the Trustee, to control the affairs of the mountain. But the mana over it, to the Māori people.

3.194. In its 1928 report, the Sim Commission found that the Crown's purchase of the Pekapeka block at Waitara had been flawed, that Taranaki Māori "had no alternative but to fight in their own self-defence" during the wars that followed, and that Taranaki Māori should therefore "ought not to have been punished by the confiscation of any of their lands". The Sim Commission recommended the Crown make a £5,000 annual payment in compensation for the "wrong done by the confiscations" in Taranaki. The Commission also recommended that a Trust Board be established to administer the payments, and the Taranaki Māori Trust Board was established for this purpose in September 1930.

3.195. The Taranaki Māori Trust Board initially consisted of five members appointed by the Governor-General, but later became an elected body representing the eight iwi of Taranaki: Ngāti Tama, Ngāti Mutunga, Ngāti Maru, Te Āti Awa, Taranaki Iwi, Ngāruahine, Ngāti Ruanui and Ngāa Rauru. The Act that established the Trust Board gave it a range of powers including the ability to buy and sell property, and to act as a guarantor for Māori who were seeking loans. Almost immediately after its establishment, however, Māori in Taranaki began to use the Trust Board to advocate for them to successive governments on a range of issues, including their pursuit of further redress for the Crown's historical actions. This remained a key concern for many Māori in Taranaki, who had never agreed that the £5,000 annual compensation payment was adequate, and only agreed to accept it after the Minister of Native Affairs met with them in 1929 and suggested that the figure might be reconsidered when the economy improved. Many of those who attended the meeting expressed a preference to receive land rather than financial compensation, and one attendee told the Minister that "we should at least have the mountain returned".

3.196. In the years between 1931 and 1944, the Crown either failed to pay the Taranaki Māori Trust Board the full £5,000 or made payments at irregular intervals in irregular sums. In 1944, the Taranaki Māori Claims Settlement Act provided for the full and regular annual payment of £5,000 to the Board. However, the Act made no provision for the payment to be adjusted for inflation. Thirty years later, in 1974, the Chairman of the Taranaki Māori Trust Board and 459 others petitioned the Crown for an increase to the Board's annual grant. They cited government statistics which suggested that in the years since the Sim Commission's recommendation, inflation had caused the annual payment to fall to about a quarter of its original value. The Crown agreed and took steps to increase the payment, but then put this process on hold after a deputation from Taranaki, including the Taranaki Māori Trust Board's Chairman, met with the Prime Minister on 9 September 1975 and made four proposals, three of which pertained directly to Taranaki Maunga.

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Taranaki Māori Trust Board proposals regarding Taranaki Maunga

“The pathway to success is often long and tiring. When, however, success means proper recognition of an injustice, a justification of the historical efforts of our forefathers, and the uplifting of a burden placed on our people, then neither time nor effort must diminish our attempts to succeed.”

- 3.197. The deputation’s first two requests were that the name “Taranaki” be restored to the maunga, and that the mountain be returned to its original owners. As part of the second request, the deputation proposed that if the mountain was returned, the people of Taranaki, through the Trust Board, would “vest the administration of Taranaki in the hands of the Egmont National Park Board.” The third request was that the Egmont National Park Board “should have representatives of our people as members for all time.” Finally, the deputation asked for a lump-sum compensation payment of just over \$10 million, based on the value of the land that had been confiscated, rather than an increase to the annual payment.
- 3.198. The Trust Board also made a written submission to the Prime Minister explaining why it was making these requests. It said the proposals were designed to “satisfy a long-standing grievance” and “to enable our Taranaki people to develop on an equal basis with others in New Zealand society”. The submission described the dire social situation of Taranaki Māori, including their high incarceration rates, poor education outcomes, high unemployment rates and low incomes. In the face of these challenges, the devalued annual payment was no longer sufficient for the Trust Board to make any real difference to the lives of Taranaki Māori. The Trust Board stated that Taranaki Māori had tried every means possible to resist the loss of their land and to obtain justice, from armed resistance to the peaceful protests of the community at Parihaka. Nothing had worked. In this context, the Trust Board said that “the spirit of our Taranaki people still burns fiercely, but at this stage looks to negotiations to settle this long-standing injustice.”
- 3.199. Less than a week after the meeting, the Minister of Lands wrote to the Chairman of the Taranaki Māori Trust Board and expressed his preliminary support for the three proposals relating to Mount Egmont. He suggested that the restoration of the name “Taranaki” and the provision for Māori representation on the Egmont National Park Board could be achieved through amendments to the National Park Act. The Minister also expressed support for the proposed return of the mountain. He suggested that a special Act could be passed to vest land within the Park in the Trust Board, and to provide for its continued administration as a national park.
- 3.200. At the Minister’s suggestion, representatives of the Taranaki Māori Trust Board met with Crown officials soon after to further discuss the proposals. The Trust Board’s members clarified that they were seeking two Māori representatives on the Egmont National Park Board, one of whom would be a member of the Taranaki Māori Trust Board, which represented all the tribes of Taranaki, and another who may or may not be from the Trust Board but who would be capable of carrying out the necessary responsibilities. They also clarified that they were seeking name changes for both Mount Egmont and the Egmont National Park.
- 3.201. During the meeting, Crown officials also sought clarification about whether the Trust Board was proposing to keep the land after it was re-vested, or whether it would then be returned to the Crown. The Trust Board stated that it would be comfortable with the land being “returned to the people of New Zealand” if that was necessary to achieve its objectives.”
- 3.202. In all its negotiations with the Crown, the Trust Board made it clear that renaming the maunga, providing Taranaki Māori with a role in its management, and providing a substantial compensation payment would all be necessary if Taranaki Māori were to feel as if the injustice of the confiscations had been addressed. In the context of these broader

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objectives, the Trust Board's willingness to have Mount Egmont returned to them and then gifted back to the Crown was offered as "a gesture of goodwill" that would both benefit all New Zealanders and create a favourable environment within which the Board's other objectives could be successfully negotiated.

- 3.203. Following their meeting with the Taranaki Māori Trust Board, Crown officials wrote to the Minister for Lands (who was also Minister for Native Affairs) formally recommending the return and gift back of Mount Egmont. They also recommended a change of name from Egmont National Park to Taranaki National Park, and the addition of two Māori representatives to the Park's Board, which would also be renamed the "Taranaki National Park Board". Officials noted that the Trust Board's proposals presented an opportunity to reconfigure the current regional administration of Egmont National Park, which a recent report had found to be outdated and "cumbersome".
- 3.204. On 29 September 1975, the Minister for Lands wrote to the Prime Minister recommending that the necessary Bill be drafted and introduced to Parliament "at the earliest opportunity", and that "an undertaking be given to the Taranaki people concerned that the appropriate legislation measures be introduced next year". To this end, the Prime Minister wrote to the Trust Board on 22 October 1975 to advise that the Crown agreed to all of these proposals, and that they would be brought into effect after the upcoming general election.
- 3.205. However, the November general election resulted in a change of government in New Zealand. During the election campaign, some voters in Taranaki had reacted negatively to the proposal to restore the name Taranaki to the mountain, and the leader of the opposition had stated that he would not support the change. After the election, the new Minister for Lands instructed that the Bill proposed by his predecessor be deleted from the legislative programme.
- 3.206. For some months after the election, representatives of the Taranaki Māori Trust Board attempted to resume discussions with the Crown. In March 1976, the new Minister of Lands announced publicly, without first informing the Trust Board, that the government had no intention of renaming the mountain. In June 1976, Crown officials rejected the Trust Board's proposal for a lump-sum payment and instead recommended that the annual grant be increased by 50% to \$15,000. According to the Crown's calculations, even this increased figure still only amounted to less than 40% of the value of the original annuity.
- 3.207. Over the following years, the Taranaki Māori Trust Board used the annuity payments for a broad range of purposes, including funding education scholarships, providing charitable assistance to Taranaki tauheke, helping people who were ineligible for commercial loans to establish businesses, and providing charitable grants for the maintenance of marae. In the late 1980s, the Trust Board took a leading role in supporting iwi groups to bring historical claims before the newly established Waitangi Tribunal, which began its hearings into Taranaki claims in 1990 and published its interim report in 1996.
- 3.208. From the early 2000s, with the Board's support, the iwi of Taranaki negotiated Treaty settlements which provided a basis from which they could re-establish and strengthen themselves as tribal entities. Through this process, the leadership role that the Taranaki Māori Trust Board had exercised since the 1930s gradually transferred back to the iwi of Taranaki. In 2019, the Taranaki Māori Trust Board and Crown entered into a Deed of Settlement for the buy-out of all future annuities. The Deed of Settlement also included payment in acknowledgement of the low value of the original annuity, the Crown's failure to pay the full annuity between 1931 and 1944, the failure to increase the payment until 1977, and the erosion of the annuity's value due to inflation.

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National Park Amendment Act 1977

- 3.209. In September 1977, the Crown introduced into Parliament a National Parks Amendment Bill to reconstitute the Egmont National Park Board. The Bill had not been discussed with the Taranaki Māori Trust Board prior to its introduction and made no express provision for Māori representation on the Egmont National Park Board. Instead, the Bill removed the four regional representatives and provided for the Board to comprise two representatives nominated by the Taranaki Local Bodies Association, one member on the joint recommendation of the Federated Mountain Clubs of New Zealand and the New Zealand Ski Association, and five members at the recommendation of the central National Parks Authority.
- 3.210. In the Parliamentary debate that followed, Māori members objected strongly to the Bill. The Member for Northern Māori stated that Taranaki Māori should be represented on the Egmont National Park Board as of right, and that immediate steps should be taken to restore the mountain's Māori name. The Member for Eastern Māori described the Bill's failure to provide for Māori representation, when it did expressly provide for representation by "ad hoc recreational bodies", as "a flagrant disregard for the interests of Māori people who have a direct interest in Mt. Egmont, as it is now called".
- 3.211. Following the Bill's introduction, representatives of the Taranaki Māori Trust Board met with the Minister of Māori Affairs and expressed disappointment that their proposals had been "summarily dismissed" without discussion. The Minister "warned" the Trust Board that if they showed "further impatience" the Government would take no further action to progress their requests. He then advised the Trust Board to make a submission to the select committee, but suggested they "make their representations in a low key way [as] any demands for compensation or name changes would jeopardise their whole case".
- 3.212. Notwithstanding this advice, the Trust Board's written submission asked that the Bill be amended to reflect the previous agreements reached with the Crown – that the park be renamed "Taranaki National Park", and that its governing Board include representatives of Taranaki Māori. In response to the written submission, Crown officials advised that there was "no justification" for explicit Māori representation on the Park Board because Taranaki Māori could nominate members like any other organisation. However, after a large deputation from Taranaki appeared before the select committee in support of the Trust Board's submission, the committee took a different view. When the National Park Amendment Act was passed in December 1977, it provided for one additional member to be appointed to the Egmont National Park Board at the recommendation of the Taranaki Māori Trust Board. The Act did not restore the name "Taranaki".

The 1978 Egmont Vesting Act

- 3.213. In January 1978, at the request of the Minister of Māori Affairs, Crown officials provided a report which summarised the Crown's previous discussions with the Taranaki Māori Trust Board and reconsidered their outstanding requests, including the return and immediate gift-back of Mount Egmont. The report stated, incorrectly, that the previous government had not reached any decisions about the Trust Board's proposals prior to the 1975 election. The report went on to state that restoring the name "Taranaki" was not "politically possible", but then recommended the proposed return and gift-back of the mountain as "a relatively costless but intensely significant exercise". In contrast, a report provided to the Minister of Lands four months later advised that "any attempt to transfer Mount Egmont National Park to the Trust Board even for immediate return to the Crown could well bring unfavourable reaction from the public". It stated that because a Trust Board representative had been added to the Egmont National Park Board the previous year, "there is no purpose promoting legislation to achieve what can only be a symbolic gesture."

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3.214. However, on 29 May 1978, the Minister of Māori Affairs wrote to Cabinet recommending the return and gift-back of Mount Egmont. He noted that a majority of Taranaki local body Chairs supported the measure. Cabinet approved the arrangement later the same day. Just under four weeks later, on 23 June 1978, the Crown introduced the Mount Egmont Vesting Bill to Parliament for its first reading.

3.215. The Taranaki Māori Trust Board's submission supported the Bill. However, the submission also made it clear that the symbolic return of the mountain addressed only some of the grievances of Taranaki Māori, and that further discussions were needed:

The Bill is supported as it goes some way towards rectifying the injustices suffered by the Taranaki tribes. As a result of the Bill, we feel as if a part of a great weight has been lifted from our shoulders and part of the cloud removed from above our heads. The action within this Bill is a first but tangible step in rectifying what is one of the most complex and oldest of the Māori land grievances.

3.216. The Trust Board's submission referred to its many previous attempts to have the mountain's original name restored and asked that the Bill's title be changed to include the name "Taranaki" alongside "Mount Egmont". While the Bill's preamble was amended to include a statement that Mount Egmont was "known in Māori as Taranaki", the title of the final Act remained the Mount Egmont Vesting Act. The Egmont Vesting Act was passed by Parliament on 3 October 1978. Clause 4 of the Egmont Vesting Act provided for Taranaki Maunga to be vested in the ownership of the Taranaki Māori Trust Board, and Clause 5 provided for the return of the mountain to Her Majesty the Queen for the purposes of a national park.

3.217. The Act received Royal Assent on 11 October 1978. On that day, the ownership of Mount Egmont formally transferred from the Crown to the Taranaki Māori Trust Board, and then immediately reverted back to the Crown.

Aftermath of 1978 Mount Egmont Vesting Act

3.218. After the passing of the Egmont Vesting Act, the Taranaki Māori Trust Board proposed a ceremony be held to publicly mark the return and gift-back of Taranaki Maunga. The Trust Board used the event to remind the newly-elected government that it still sought monetary compensation for the land that Taranaki Māori had lost through confiscation.

3.219. When the ceremony took place at Manukorihi Pā near Waitara on 23 June 1979, a large number of Taranaki Māori attended to protest the arrangement. Some speakers stated that Taranaki Māori had not been adequately consulted over the proposal, while others argued that the ownership of Taranaki Maunga did not have to be returned to the Crown to ensure its continuing availability to the people of New Zealand and should therefore have remained with the iwi of Taranaki.

3.220. In December 1979, the Minister of Lands attended a meeting of the Taranaki Māori Trust Board to present the Trust Board with framed copies of the titles to Mount Egmont. The Chair of the Trust Board responded that the Vesting Act had "fulfilled one of the petitions of the Taranaki tribes" but reiterated that the Board intended to keep pursuing the renaming of Mount Egmont and the provision of compensation.

3.221. In late 1979, two petitions were submitted seeking the repeal of section 5 of the 1978 Egmont Vesting Act (which returned ownership to the Crown) and the return of the mountain to a Board comprising eight representatives of the eight tribes. The Crown did not support the creation of a new Board, as the Taranaki Māori Trust Board already

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represented these tribes and was “the recognised body for dealing with the land claims of the Taranaki people”.

Restoring the name of Taranaki Maunga

- 3.222. In June 1983, the Taranaki Māori Trust Board re-opened discussions with the Crown around restoring the name “Taranaki” to “Mount Egmont”. In response, the Crown encouraged the Trust Board to canvass the views of local Taranaki bodies. The issue then progressed slowly, and in January 1985 the New Zealand Geographic Board – the statutory body responsible for place names in New Zealand – also asked the Trust Board to provide information about the level of local support for the proposed change.
- 3.223. In March 1985, the Taranaki Māori Trust Board advised the New Zealand Geographic Board that while the Māori community and several local bodies supported the proposal to change the mountain’s name to “Mount Taranaki”, a number of Taranaki borough, district, and city councils did not approve. Around the same time, other Māori organisations offered their formal support to the proposal.
- 3.224. In August 1985, the Geographic Board proposed changing the name of Mount Egmont to “Mount Taranaki (Egmont)”. During the public consultation period that followed, several submissions strongly condemned the name change, arguing that it would create confusion “with no compensating benefits to anyone”, was “heavily tainted with anti-European racism”, and was “a calculated insult” against those settlers who “brought civilisation to Taranaki”. The level of public objection was such that the Minister for Lands asked the Geographic Board to reconsider its advice.
- 3.225. On 2 May 1986, the Minister announced that the official name for Mount Egmont would be changed to “Mount Taranaki or Mount Egmont”. Individuals and organisations were free to use either name, but maps and other documents covered by the New Zealand Geographic Board Act had to use “Mount Taranaki or Mount Egmont”, in that form and sequence. The Minister stated that the decision to adopt this dual name “acknowledged the claims made by the many objectors, who recognise different but significant values.”

Conclusion

- 3.226. Taranaki Maunga is of profound significance for the tangata whenua of Taranaki. In 1840, the Crown guaranteed to Māori the right to exercise tino rangatiratanga over their lands and taonga, including Taranaki Maunga, for as long as they desired. Less than twenty years later, Taranaki Māori were pushed to take a stand against relentless Crown purchasing by insisting on their right to tino rangatiratanga. In contempt of the promise it had made in Te Tiriti o Waitangi, the Crown responded with military force, and after Taranaki Māori resisted, they were punished with the confiscation of the vast majority of their traditional lands, including their sacred maunga.
- 3.227. During the century that followed this fundamental breach of te Tiriti o Waitangi, the Crown repeatedly ignored the rights and interests of Taranaki Māori in relation to their ancestral mountain. Following the confiscation, the Crown refused to include the mountain in the reserves it returned to Taranaki Māori, and instead proclaimed the mountain a national park. Later, the Crown took back the one mountainous area it had returned to Māori so that it too could be added to the park. The Crown then established a management regime which ensured that hikers, skiers and hunters were involved in the management of the park but made no such provision for Taranaki Māori. When Taranaki Māori sought to have the mountain’s traditional name restored, the Crown initially agreed but then changed its position after considering the views of Pākehā who described the request as racist.

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- 3.228. The Crown's actions have therefore severely diminished the ability of the iwi of Taranaki to access, connect to, and care for their tūpuna maunga. However, despite the harm caused, the deep relationship between the tangata whenua and the maunga of Taranaki are in many ways beyond the ability of the Crown to break. Throughout this period, the iwi of Taranaki have not only preserved cultural practices and ceremonies related to their tūpuna maunga, but have begun to strengthen those practices and to revitalise others that have been lost. In more recent years, the iwi of Taranaki have led a number of initiatives which further reactivate their connections. These have included programmes to control pests, foster indigenous plants and animals, promote mātauranga Māori, and to improve scientific understanding of the environment.
- 3.229. Together, these initiatives have also strengthened relationships between people. Despite their historical treatment, the iwi of Taranaki have sought to ensure that the restoration of Taranaki Maunga benefits the entire Taranaki community, and serves as a model for similar projects elsewhere in New Zealand. In doing so, the hapū and iwi of Taranaki are not only restoring their connection to their ancestral mountains, but are reviving the partnership between peoples that was set in place at Waitangi over 180 years ago, and to which they have long aspired.

He pou tā Maruwhakatare

He ahi tā Tahurangi

He rua tā Ruataranaki

He pou hoki tā tēnei whakatupuranga?

Maruwhakatare anchored the mountain

Tahurangi lit the fires of occupation

Ruataranaki consecrated the name

What will this generation's legacy be?

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HE TĀPAETANGA I NGĀ HĒ A TE KARAUNA KI NGĀ IWI O TARANAKI

- 3.230. E whakaae ana te Karauna ki te hiranga me te motuhaketanga o ngā maunga o Taranaki ki ngā tāngata whenua o Taranaki. E whia rautau ngā tihi me ngā pae maunga o Taranaki e tū nei hei poutoko, hei pouwhakarewa i ngā āhuatanga katoa o te ao. E tū nei hei puna wai, hei pātaka kai, hei kete rokiroki i ngā maharatanga me ngā mātauranga, ā, ko rātou kei te tūhono i te rangi ki te whenua, otirā, he tūpuna tapu hoki rātou. E whakaae ana te Karauna ki te wāhi nui tonu o te oranga o ngā maunga o Taranaki ki te oranga o ngā iwi o Taranaki.
- 3.231. E whakaae ana te Karauna, nā te matapōkere noa o tāna muru i ngā tihi me ngā pae maunga tapu o Taranaki i kore ai ngā Māori o Taranaki i whai toronga atu ki ngā wāhi e whakahirahira ana ā-ahurea, ā-wairua, ā-hītori hoki, ka mutu, nā reira anō i motu ai ngā hononga kaitiaki i purutia e ngā whānau, e ngā hapū, e ngā iwi o Taranaki mō ngā rautau e whia nei. Nā tana pērā, ka takahia e te Karauna tana kupu taurangi i whakapūmautia ai mā Te Tiriti o Waitangi, e kī nei ka mau tonu i te Māori te tino rangatiratanga o ō rātou whenua katoa e pīrangi nei rātou ki te pupuru. He hē, he hara hoki tā te Karauna murunga o Panitahi, o Patuhā, o Kaitake, o Pouākai, o Taranaki maunga i rongō ai ngā tāngata o Taranaki i te mutunga mai o te pāmamae, ka mutu, he takahanga tērā i te Tiriti o Waitangi me ōna mātāpono.
- 3.232. E whakaae ana te Karauna, kīhei a ia i whakatinana i ngā kupu taurangi ake a te Kāwana i kī rā e kore ētehi whenua whāiti, tae atu rā ki ētehi wāhanga rahi o Taranaki maunga, e murua, ka mutu, kīhei hoki a ia i whakatinana i ngā whakaritenga kia whakahokia aua whenua rā.
- 3.233. E whakaae ana te Karauna, I whaia kahatia e ngā Māori o Taranaki kia whakahokia ngā maunga ki a rātou mai anō i te wā i murua ai. I te tau 1879, ka whakatū te Karauna i te Kōmihana o te Taiuru kia tiroirohia ngā nawe a te Māori e kī nei kāore i whakatinanatia ngā whenua i rāhuitia mō rātou e te Kōti Paremata, kāore hoki i whakatauria te nui o ngā whenua e wātea ana hei whakahokinga atu ki a rātou. I runga i te āhua ki aua tiroirohanga, e whakaae ana te Karauna:
- 3.233.1. i hē tana whakamōhio i te Kōmihana o te Taiuru i te tau 1880 ki te huringa o Taranaki maunga me ōna karapotitanga hei rāhui ngahere;
- 3.233.2. i muri iho, ka āta mahue tā te Kōmihana o te Taiuru whakauru i te katoa o ngā whenua, e ono maero nei te pūtoro huri noa i ngā tihi o Taranaki maunga, ki ōna whakawhiwhinga atu i tūtohungia ai ki ngā Māori o Taranaki;
- 3.233.3. nō te mōhiohanga o te Karauna ki te korenga o te maunga i rāhuitia, kīhei a ia i whakatika i tōna hē, engari, ka mārō tana pānui i te whakataunga o Taranaki maunga hei rāhui ngahere i mua i ngā whakawhiwhinga karaati a te Kōmihana Tuarua o te Taiuru; ā,
- 3.233.4. nā ērā mahi katoa a te Karauna i kore ai e taea te whakahokinga o Taranaki maunga mā te tukanga paremata, ka mutu, he takahanga tērā i te Tiriti o Waitangi me ōna mātāpono.
- 3.234. E whakaae ana te Karauna, nāna i whakakore te toenga o ngā pāraua o ngā Māori o Taranaki ki ngā maunga o Taranaki i te tau 1899 i tana whakatairanga i te whakawhiwhinga o te Rāhui o ngā Pae Maunga o Patuhā, i tukuna ai ki ngā uri o Taranaki nō rātou aua pāraua rā, mō ētehi whenua o waho atu o Taranaki. Ina koa, e whakaae ana te Karauna, i tāna whakatutuki i tēnei whakawhiwhinga:

3: TE PUEATANGA KI TE AO: HISTORICAL ACCOUNT, ACKNOWLEDGEMENTS AND APOLOGY

- 3.234.1. i mōhio katoa a ia, ka noho ngā rāhui o te Taiuru, i tōna tikanga, hei painga mō ngā Māori o Taranaki;
- 3.234.2. i mōhio a ia ki te wātea o ētehi whenua kounga e pātata tonu ana ki te Rāhui o ngā Pae Maunga o Patuhā, engari i whakatau a ia ki te hoko i aua whenua ki ngā Pākehā whakatū kāinga, ka tuku ai i ngā whenua e iwa tekau maero nei te tawhiti atu; ā,
- 3.234.3. ko tana korenga i āta whai ki te tiaki i ngā pārangā o Taranaki maunga tētehi takahanga i te Tiriti o Waitangi me ōna mātāpono.
- 3.235. E whakaae ana te Karauna, nōna e whakarite ana i te Rāhui Ngahere o Egmont, me te Papa Taiao ā-Motu o Egmont i muri mai, kīhei a ia i tuku kia whai wāhi ngā iwi o Taranaki ki ngā kōrero, kīhei hoki a ia i whai whakaaro ki ngā pārangā tuku iho o aua iwi rā. Nā reira, kīhei te Karauna i whakamana i te rangatiratanga o ngā iwi o Taranaki, ā, he takahanga tēnei i te Tiriti o Waitangi me ōna mātāpono.
- 3.236. E whakaae ana anō hoki te Karauna, e whia tau tana korenga i tuku kia whai wāhi tētehi māngai Māori ki te hautūtanga o te Papa Taiao ā-Motu o Egmont. Nā tērā i kore ai i āhehi te whakamahi, te whakahaere rānei a ngā Māori o Taranaki i ngā rawa whaihua nui i raro i ā rātou tikanga, ā, nā reira hoki i aukati tā rātou tū hei kaitiaki i te maha o ngā wāhi tapu. He takahanga tēnei i te Tiriti o Waitangi me ōna mātāpono.
- 3.237. E mihi ana te Karauna ki te kaha o te Poari Māori o Taranaki ki te kake i ngā āhuatanga kino i mahue iho ai i te pakanga, te muru me te raupatu, i te nui hoki o te korenga o te Karauna i whakaae ki ngā nawe o ngā Māori o Taranaki. E mōhio ana anō hoki te Karauna i ngā taumahatanga i pīkautia ai e Te Poari Māori o Taranaki i te ngahuru tau 1970, i a ia e whakamātau ana ki te whakawhiti kōrero e pā ana ki te whakahokinga mai o Taranaki Maunga, ki te whakatūnga o tētehi māngai Māori ki te Poari mō te Papa Taiao ā-Motu o Egmont, ki te whakaturetanga anō hoki o te ingoa o "Taranaki" hei ingoa mō te maunga.
- 3.238. E whakaae ana te Karauna, ko āna tini takahanga i te Tiriti o Waitangi kua motu i ngā hononga kua roa i waenganui i ngā tāngata whenua o Taranaki me ō rātou maunga, ka mutu, kua nui, kua roa hoki te te ngaunga e te mamae.

3: TE PUEATANGA KI TE AO: HISTORICAL ACCOUNT, ACKNOWLEDGEMENTS AND APOLOGY

ACKNOWLEDGEMENTS OF THE CROWN TO NGĀ IWI O TARANAKI

- 3.239. The Crown acknowledges that the mountains of Taranaki are of profound significance to the tangata whenua of Taranaki. For centuries, the peaks and ranges of Taranaki have served as pillars that support and uphold every aspect of life. They are a source of water and food, they are repositories of memory and knowledge, they connect the earth to the heavens, and they are revered ancestors. The Crown acknowledges that the wellbeing of ngā maunga o Taranaki is intrinsic to the wellbeing of ngā iwi o Taranaki.
- 3.240. The Crown acknowledges that its indiscriminate confiscation of the sacred peaks and ranges of Taranaki deprived Taranaki Māori of access to sites of profound cultural, spiritual, and historical significance, and severed relationships of care that the whānau, hapū, and iwi of Taranaki had exercised for centuries. In doing so, the Crown broke its promise, made through Te Tiriti o Waitangi, that Māori would retain the full and undisturbed possession of any land that they wished to retain. The Crown's confiscation of Panitahi, Patuhā, Kaitake, Pouākai, and Taranaki Maunga was wrongful and unjust, caused immeasurable distress to ngā tāngata o Taranaki, and was a breach of the Treaty of Waitangi and its principles.
- 3.241. The Crown acknowledges that it failed to honour the Governor's personal promises that certain lands, including large parts of Taranaki Maunga, would not be confiscated, and then failed to implement the undertakings made to return those lands.
- 3.242. The Crown acknowledges that Taranaki Māori have sought the return of the mountains ever since they were confiscated. In 1879, the Crown established the West Coast Commission to investigate Māori complaints that the reserves they had been awarded by the Compensation Court had not been created, and to determine what land was available for return. With respect to those investigations, the Crown acknowledges that:
- 3.242.1. it incorrectly informed the West Coast Commission in 1880 that Taranaki Maunga and its surrounds had already been made a forest reserve;
 - 3.242.2. the West Coast Commission subsequently excluded all the land within a six-mile radius of the peak of Taranaki Maunga from its recommended awards to Taranaki Māori;
 - 3.242.3. when the Crown realised the Maunga had not been reserved, it failed to correct its error and instead formally declared Taranaki Maunga to be a forest reserve before the Second West Coast Commission's awards were formally granted; and
 - 3.242.4. together, the Crown's actions meant that Taranaki Maunga was never eligible for return to Māori through the compensation processes, in breach of the Treaty of Waitangi and its principles.
- 3.243. The Crown acknowledges that it deprived Taranaki Māori of their last remaining interests in ngā maunga o Taranaki in 1899 when it promoted the exchange of the Patua Ranges Reserve, which had been granted to Taranaki owners in 1883, for land outside Taranaki. In particular, the Crown acknowledges that when it carried out this exchange:
- 3.243.1. it had full knowledge that the West Coast reserves were intended to benefit Taranaki Māori;
 - 3.243.2. it was aware that there was good quality land available immediately adjacent to the Patua Ranges Reserve, but chose to sell that land to settlers and instead provide land ninety miles away; and

3: TE PUEATANGA KI TE AO: HISTORICAL ACCOUNT, ACKNOWLEDGEMENTS AND APOLOGY

- 3.243.3. its failure to actively protect the interests of Taranaki Māori was a breach of the Treaty of Waitangi and its principles.
- 3.244. The Crown acknowledges that when it established the Egmont Forest Reserve, and later the Egmont National Park, it failed to consult the iwi of Taranaki or consider their customary interests. By doing so, the Crown failed to recognise the rangatiratanga of ngā iwi o Taranaki, and this was a breach of the Treaty of Waitangi and its principles.
- 3.245. The Crown further acknowledges that it failed for many years to provide for Māori representation in the governance of Egmont National Park. This left Taranaki Māori unable to use or manage the area's rich resources in accordance with their tikanga, and prevented them from exercising kaitiakitanga over its many sacred places. This was a breach of the Treaty of Waitangi and its principles.
- 3.246. The Crown acknowledges the efforts of the Taranaki Māori Trust Board to overcome the legacy of war and raupatu, and the Crown's consistent failure to recognise the validity of the grievances of Taranaki Māori. The Crown further acknowledges the challenges the Taranaki Māori Trust Board faced in the 1970s when it attempted to negotiate the return of Taranaki Maunga, Māori representation on the Egmont National Park Board, and the restoration of the name "Taranaki" to the maunga.
- 3.247. The Crown acknowledges that its many breaches of the Treaty of Waitangi have severed connections that have long existed between the tangata whenua of Taranaki and their mountains, and have caused immense and enduring harm.

3: TE PUEATANGA KI TE AO: HISTORICAL ACCOUNT, ACKNOWLEDGEMENTS AND APOLOGY

HE KUPU WHAKAPĀHA NĀ TE KARAUNA KI NGĀ IWI O TARANAKI

- 3.248. E tāpae nei te Karauna i te whakapāha e whai ake nei ki ngā uri o Taranaki o mua, o nāianeī hoki.
- 3.249. E tino whakapāha ana te Karauna nā te mea kua raruraru tana hononga ki ngā tāngata whenua o Taranaki mō ngā reanga e hia nā te auau o tō te Karauna korenga i whakatinana i tāna i kī taurangi ai i te Tiriti o Waitangi. E whakapāha ana te Karauna i te tere o te huringa o te wā e tupu ai te pitomata o te patuitanga, i tīmata mai rā i te tau 1840, hei wā mō te rīri, mō te raupatu, mō te hapanga hoki.
- 3.250. E nui whakaharahara ana te whakapāha a te Karauna i tana raupatu i a Taranaki mounga i te tau 1865, i motu ai te roa me te hōhonu o tō koutou hononga ki tō koutou tupuna mounga. I ngā tekau tau ka whai mai, i tua atu o tō te Karauna kore i whakaae ki tō koutou rangatiratanga, i whakaparahakotia hoki e ia taua rangatiratanga nā tana kore i whakaae ki te whakahoki i te mounga ki a koutou, ki te tuku kia whai wāhi koutou ki tōna manaakitanga, ki te whakamana hoki i tōna ingoa e tika ana. E nui whakaharahara ana te āwhitu o te Karauna i ana tini takahanga i te Tiriti o Waitangi me ōna mātāpono, i te kaha me te kino kē atu o te mamae nāna nei i whiu ki runga i ngā whānau, i ngā hapū me ngā iwi o Taranaki.
- 3.251. Kāore e taea aua mamae o mua rā te whakakore. Heoti anō, e tūmanako ana te Karauna, mā tēnei whakapāha, mā ngā whakaritenga hoki i tēnei whakaaetanga e tuia anō ai, e whakapakaringia ai hoki ō koutou hononga ki ngā mounga, e titiro anō ai ngā whakatupuranga o muri nei ki a Taranaki hei tohu mō te aumangea me te tūmanako, tē mahara kē ai ki a ia hei tohu mō te rironga. E anga whakamua ana te Karauna ki tōna wā e tū ai a Taranaki mounga hei tohu, hei whakatinanatanga hoki mō tētehi hononga ki a koutou i runga i te whakapono, i te ngātahi o te whakaaro nui ki te Tiriti o Waitangi me ōna mātāpono.

3: TE PUEATANGA KI TE AO: HISTORICAL ACCOUNT, ACKNOWLEDGEMENTS AND APOLOGY

APOLOGY OF THE CROWN TO NGĀ IWI O TARANAKI

3.252. The Crown offers the following apology to ngā uri o Taranaki, past and present.

3.253. The Crown is deeply sorry that its relationship with the tangata whenua of Taranaki has for generations been blighted by the Crown's repeated failures to honour the commitments it made in the Treaty of Waitangi. The Crown is sorry that the promise of partnership that arose in 1840 so quickly became a history of conflict, confiscation, and neglect.

3.254. The Crown profoundly apologises for its confiscation of Taranaki Maunga in 1865, which severed connections with your ancestral mountain that were ancient and deep. In the decades that followed, the Crown not only failed to recognise your rangatiratanga but treated it with disdain, refusing to return the mountain, to involve you in its care, or to restore its rightful name. The Crown deeply regrets its many breaches of the Treaty of Waitangi and its principles, and the immense and compounding harm they have inflicted on the whānau, hapū, and iwi of Taranaki.

3.255. Much of this harm cannot be undone. However, the Crown hopes that through this apology, and through the arrangements in this deed, your connections to ngā maunga can be restored and strengthened, so that future generations might again look to Taranaki as a symbol of resilience and hope, rather than of loss. The Crown also looks to a future where Taranaki Maunga symbolises and embodies a relationship with you that is founded on trust and a shared respect for the Treaty of Waitangi and its principles.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

3.256. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in clauses 3.230 to 3.255.

PART B – TE MANA O NGĀ MAUNGA

4 TE WHAKAKORETANGA O TE TURE MURU: REPEAL OF MOUNT EGMONT VESTING ACT 1978

**Taranaki Maunga murua katoatia!
Taranaki whenua murua katoatia!
Taranaki moana murua katoatia!
Taranaki tāngata e tū tonu nei!**

Taranaki Maunga, confiscated!
Taranaki land, confiscated!
Taranaki seas, confiscated!
Taranaki communities still stand firm!

- 4.1. Egmont National Park, established in 1900, is the only national park in New Zealand established on confiscated land.
- 4.2. As provided in the historical account:
 - 4.2.1. From 1870, Taranaki Māori submitted more than 260 petitions protesting the Crown's confiscation of their customary lands, including Taranaki Maunga. In 1974, the Taranaki Māori Trust Board formally requested that the Crown return the mountain to Māori ownership. The Board stated that Taranaki Māori had tried every means possible to resist the loss of their land and to obtain justice, from armed resistance to the peaceful protests of the community at Parihaka, but nothing had worked. In this context, the Board said that "the spirit of our Taranaki people still burns fiercely, but at this stage looks to negotiations to settle this long-standing injustice."
 - 4.2.2. After some years of discussion, during which the Crown's position changed several times, the Crown ultimately agreed to an arrangement whereby Taranaki Maunga would be vested in the ownership of the Taranaki Māori Trust Board, but then returned immediately to the Crown "for the purposes of a National Park as a free gift and as a symbol of love to all the people of New Zealand". This arrangement was enacted through the Mount Egmont Vesting Act 1978.
 - 4.2.3. Through those negotiations, in 1976 the Taranaki Māori Trust Board secured a 50% increase in the Crown's annual payment to Taranaki Māori for the wrongs it had inflicted through the confiscation. It also secured Māori representation on the Egmont National Park Board in 1977, and in 1986, the incorporation of "Taranaki" into the mountain's official name. However, the gift and vest back arrangements that were put into place by the 1978 Vesting Act have been a source of grievance for many Taranaki Māori ever since.
- 4.3. To address this, on the effective date, the Mount Egmont Vesting Act 1978 will be repealed.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

- 4.4. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in clause 4.3.

5 TE KĀHUI TUPUA

Te Kāhui Tupua, Rua Tupua, Rua Tawhito, Rua Taranaki He mana, he tupua.

Ancestral authority imbued with that which inspires and pushes boundaries using ancestral knowledge relevant today, a grounded identity in this region.

TE KĀHUI TUPUA RECOGNITION

- 5.1. Te Kāhui Tupua is a living and indivisible whole comprising Taranaki and the other Tūpuna Maunga, including Pouākai and Kaitake, from their peaks down to and including all of the surrounding lands, and incorporating all of their physical and metaphysical elements.

TE KĀHUI TUPUA AS A LEGAL PERSON

- 5.2. Te Kāhui Tupua is a legal person.
- 5.3. Te Kāhui Tupua has all of the rights, powers, duties and responsibilities of a legal person.
- 5.4. The rights, powers and duties of Te Kāhui Tupua must be exercised and performed on behalf of, and in the name of, Te Kāhui Tupua:
- 5.4.1. by Te Tōpuni Kōkōrangī, except where otherwise provided for by this deed and Te Ture Whakatupua mō Te Kāhui Tupua; and
- 5.4.2. in accordance with this deed, Te Ture Whakatupua mō Te Kāhui Tupua and the National Parks Act 1980.
- 5.5. Nothing in this deed or Te Ture Whakatupua mō Te Kāhui Tupua displaces or diminishes the role of individual iwi or hapū of Ngā Iwi o Taranaki in relation to Te Kāhui Tupua or in any other respect.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

- 5.6. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in clauses 5.1 to 5.4.

6 NGĀ POU WHAKATUPUA: VALUES

Poua ki runga
Poua ki raro
Poua ki tāmoremore nui nō papa
Tēnā tawhito pou ka tū
Kīhei rū, kīhei ngāruē
He manawa ū, he manawa piri, he manawa toka
Tēnei tō manawa ka poutaikitia a noho tō manawa he manawa ora!

Embed from above
Embed from below
Embed the firmly rooted foundations in the earth
An ancient longstanding relationship
That will not be shaken or weakened
Draw on the characteristics of conviction, strength and resilience
That provide the basis of wellbeing and prosperity!

6.1. Ngā Pou Whakatupua are:

6.1.1. a set of intrinsic values which represent the essence of Te Kāhui Tupua; and

6.1.2. intended to reflect the cultural, spiritual, ancestral and historical relationships between Ngā Iwi o Taranaki and Te Kāhui Tupua.

6.2. Ngā Pou Whakatupua comprises:

1. Ko Te Kāhui Tupua, he rārangi maunga here ā-nuku, here ā-rangi

Te Kāhui Tupua, the mountain range binding heaven and earth

Te Kāhui Tupua is a living and indivisible whole incorporating all of its physical and metaphysical elements.

2. Ko Te Kāhui Tupua, koia ko ō mātou nei okiokinga, ko mātou nei tō rātou okiokitanga

Te Kāhui Tupua, our embodiment in life and in death

Te Kāhui Tupua represents and upholds the ancestral, historical, cultural and spiritual relationship between Ngā Iwi o Taranaki and their Tūpuna Maunga.

3. Ko Te Kāhui Tupua, ko te puna i heke mai ai te tangata

Te Kāhui Tupua, from which we descend and take our identity

Te Kāhui Tupua and its health and wellbeing are fundamental to the identity, tikanga, reo and health and wellbeing of Ngā Iwi o Taranaki.

6: NGĀ POU WHAKATUPUA: VALUES

4. Ko Tupua Kawa, ko Tawhito Kawa, he kawa ora

The ancestral knowledge, the ancient law, the law of existence

Te Kāhui Tupua is a source of spiritual, cultural and physical wellbeing for both:

- (a) the lands, waters, flora and fauna and other natural resources of Taranaki; and
- (b) the people of Taranaki.

5. Ko Te Kāhui Tupua, he puna koropupū, he manawa whenua, hei mou ake nei i te tini mokopuna

Te Kāhui Tupua, a spring, a source of enduring naturally filtered water and life, protected for future generations

Ngā Iwi o Taranaki, the Crown and all the communities of Taranaki have an intergenerational responsibility to actively protect the health and wellbeing of Te Kāhui Tupua.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

- 6.3. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in clauses 6.1 and 6.2.

7 KO TE KĀHUI TUPUA ME NGĀ POU WHAKATUPUA ĒTIA NEI HE KŌTORE HUIA, HE PIKIKŌTUKU: EFFECT OF TE KĀHUI TUPUA STATUS AND NGĀ POU WHAKATUPUA

**Hāpainga ake me he kakau toki
Ka pā ki tua, ka pā ki waho
Ka pā ki te Kāhui Tupua, ka pā ki te Kāhui Tawhito,
ka pā ki te matua iwi e tū nei.**

Hold in high regard the sacred toki
In acknowledgement of all aspects of the whakapapa of Te Kāhui Tupua,
both ancient and new, our community, past, present and future.

- 7.1. Te Kāhui Tupua status and Ngā Pou Whakatupua are the foundation for the ongoing governance, management and administration of Te Papa-Kura-o-Taranaki in the manner set out in this deed and Te Ture Whakatupua mō Te Kāhui Tupua.
- 7.2. In relation to Te Papa-Kura-o-Taranaki:
- 7.2.1. the National Parks Act 1980 will continue to apply, except as modified by this deed and Te Ture Whakatupua mō Te Kāhui Tupua;
- 7.2.2. in addition to the general purposes specified in section 4(1) of that Act, the National Parks Act 1980 will have effect for the purpose of acknowledging and upholding Te Kāhui Tupua status and Ngā Pou Whakatupua; and
- 7.2.3. in addition to the requirements in section 4(2) of the National Parks Act 1980, Te Papa-Kura-o-Taranaki must be administered and maintained to acknowledge and uphold Te Kāhui Tupua status and Ngā Pou Whakatupua.
- 7.3. In accordance with section 4 of the Conservation Act 1987, Te Papa-Kura-o-Taranaki must be administered under the National Parks Act 1980 (as an Act listed in Schedule 1 of the Conservation Act 1987) so as to give effect to the principles of te Tiriti o Waitangi/the Treaty of Waitangi.
- 7.4. Clause 7.5 applies to any person exercising powers and performing functions and duties under:
- 7.4.1. conservation legislation within Te Papa-Kura-o-Taranaki, to the extent that such powers, functions and duties are not expressly addressed in this deed and Te Ture Whakatupua mō Te Kāhui Tupua;
- 7.4.2. conservation legislation within the surrounding lands outside of Te Papa-Kura-o-Taranaki; and
- 7.4.3. other legislation within Te Papa-Kura-o-Taranaki and the surrounding lands.
- 7.5. Te Kāhui Tupua status and Ngā Pou Whakatupua may be considered by any person when exercising powers and performing functions and duties in relation to Te Kāhui Tupua or matters that may affect Te Kāhui Tupua.

**7: KO TE KĀHUI TUPUA ME NGĀ POU WHAKATUPUA ĒTIA NEI HE KŌTORE HUIA,
HE PIKIKŌTUKU: EFFECT OF TE KĀHUI TUPUA STATUS AND NGĀ POU WHAKATUPUA**

- 7.6. Clauses 7.4 and 7.5 do not limit any obligations arising under section 4 of the Conservation Act 1987 or under any other legislation.
- 7.7. Statements of general policy, including the general policy for national parks, and any conservation management strategy must not derogate from this deed or Te Ture Whakatupua mō Te Kāhui Tupua.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

- 7.8. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in clauses 7.1 to 7.7.

8 TE TŌPUNI KŌKŌRANGI: HUMAN FACE AND VOICE OF TE KĀHUI TUPUA

**Tēnei ka noho i te pakitara o tōku whare, whakamau te titiro
Te tākiritanga o ngā whetu, ngā kanohi o te rangi
Ngā whana tongitongi, mahuta i runga
Kei runga te kawa, kei mania te kawa, he kawa nui, he kawa roa.**

As I sit upon the pillars of my house, I look forward to what the future might reveal, as a foundation and guide towards new ways of being and knowing, exercising new roles, responsibilities and functions for future prosperity.

ESTABLISHMENT OF TE TŌPUNI KŌKŌRANGI

- 8.1. Te Tōpuni Kōkōrangī will be established as a statutory body.

PURPOSE OF TE TŌPUNI KŌKŌRANGI

- 8.2. The purpose of Te Tōpuni Kōkōrangī will be to:
- 8.2.1. be the human face and voice of Te Kāhui Tupua; and
 - 8.2.2. carry out functions in relation to Te Papa-Kura-o-Taranaki in accordance with this deed, Te Ture Whakatupua mō Te Kāhui Tupua and the National Parks Act 1980.

FUNCTIONS OF TE TŌPUNI KŌKŌRANGI

- 8.3. The functions of Te Tōpuni Kōkōrangī will be to:
- 8.3.1. act and speak for, on behalf and in the name of, Te Kāhui Tupua;
 - 8.3.2. uphold and promote Te Kāhui Tupua status, Ngā Pou Whakatupua and the health, wellbeing and interests of Te Kāhui Tupua;
 - 8.3.3. engage with and form relationships with Te Tōpuni Ngārahu, including through written agreements;
 - 8.3.4. form relationships with iwi and hapū of Ngā Iwi o Taranaki;
 - 8.3.5. enter into He Takapou Tupua, the relationship agreement with the Minister of Conservation and the Director-General under clause 12.36;
 - 8.3.6. form relationships with agencies and other bodies, including the Taranaki/Whanganui Conservation Board and the New Zealand Conservation Authority, with functions that impact on Te Kāhui Tupua;
 - 8.3.7. develop and recommend He Kawa Ora for approval;
 - 8.3.8. advise the New Zealand Conservation Authority and the Director-General (as appropriate) on matters relating to Te Papa-Kura-o-Taranaki, including:

8: TE TŌPUNI KŌKŌRANGI: HUMAN FACE AND VOICE OF TE KĀHUI TUPUA

- (a) the effectiveness of the implementation of the general policy for national parks within Te Papa-Kura-o-Taranaki;
 - (b) the interpretation of He Kawa Ora; and
 - (c) any other matter relating to Te Papa-Kura-o-Taranaki; and
- 8.3.9. consider and make decisions with the Minister of Conservation on applications for interests in land concessions and authorisations relating to Te Papa-Kura-o-Taranaki under clause 13.23;
- 8.3.10. perform other land-related functions in relation to Te Papa-Kura-o-Taranaki;
- 8.3.11. perform functions in relation to a company (asset management company) that may be established under clause 12.15 to manage assets on behalf of Te Kāhui Tupua;
- 8.3.12. perform functions delegated to it by the Minister of Conservation under section 57(1) of the Conservation Act 1987; and
- 8.3.13. perform other relevant functions in accordance with this deed and Te Ture Whakatupua mō Te Kāhui Tupua.

ACHIEVING PURPOSE AND PERFORMING FUNCTIONS

- 8.4. In achieving its purpose and performing its functions, Te Tōpuni Kōkōrangī must:
- 8.4.1. act in the interests, and the name, of Te Kāhui Tupua; and
 - 8.4.2. as provided for in Part 7, for Te Papa-Kura-o-Taranaki, act consistently with:
 - (a) Te Kāhui Tupua status and Ngā Pou Whakatupua;
 - (b) the purposes in section 4 of the National Parks Act 1980; and
 - (c) the National Parks Act 1980 as modified by this deed and Te Ture Whakatupua mō Te Kāhui Tupua; and
 - 8.4.3. act consistently with other applicable legislation as modified by this deed and Te Ture Whakatupua mō Te Kāhui Tupua.
- 8.5. Te Tōpuni Kōkōrangī will have full capacity and all the powers reasonably necessary to achieve its purpose and perform its functions.

MEMBERSHIP OF TE TŌPUNI KŌKŌRANGI

- 8.6. Te Tōpuni Kōkōrangī will consist of 8 members as follows:
- 8.6.1. 4 members appointed by Te Tōpuni Ngārahu; and
 - 8.6.2. 4 members appointed by the Minister of Conservation.
- 8.7. In making appointments, an appointer must be satisfied that the members have the mana, standing in the community, skills, knowledge and experience to:
- 8.7.1. participate effectively in Te Tōpuni Kōkōrangī; and

8: TE TŌPUNI KŌKŌRANGI: HUMAN FACE AND VOICE OF TE KĀHUI TUPUA

- 8.7.2. contribute to achieving the purpose and performing the functions of Te Tōpuni Kōkōrangī.
- 8.8. In considering the appointment of members, an appointer must have particular regard to:
- 8.8.1. Te Kāhui Tupua status and Ngā Pou Whakaturua;
 - 8.8.2. the particular features of land in Te Papa-Kura-o-Taranaki;
 - 8.8.3. the relationship of Ngā Iwi o Taranaki with Te Kāhui Tupua;
 - 8.8.4. the proposed member's knowledge and understanding of Te Kāhui Tupua;
 - 8.8.5. the interests of nature conservation, earth sciences, recreation, tourism and the local community; and
 - 8.8.6. the need for the membership of Te Tōpuni Kōkōrangī to reflect a balance of skills, knowledge and experience.
- 8.9. Prior to making an appointment, each appointer must:
- 8.9.1. notify the other appointer of a proposed appointment;
 - 8.9.2. seek any views from the other appointer as to whether the proposed member satisfies the matters in clauses 8.7 and 8.8;
 - 8.9.3. discuss with the other appointer any proposal for a member to be appointed for a fourth, or more, consecutive term; and
 - 8.9.4. consider any views expressed by the other appointer.

CHAIR AND DEPUTY CHAIR OF TE TŌPUNI KŌKŌRANGI

- 8.10. The Chair:
- 8.10.1. for the first term (including any replacement Chair during that term), must be appointed by Te Tōpuni Ngārahu from one of the members that have been appointed by Te Tōpuni Ngārahu; and
 - 8.10.2. for subsequent terms, must be appointed by Te Tōpuni Kōkōrangī from all of its members.
- 8.11. The Chair:
- 8.11.1. is appointed for the same three-year term as the members of Te Tōpuni Kōkōrangī, unless the Chair:
 - (a) resigns as Chair or as a member of Te Tōpuni Kōkōrangī;
 - (b) is removed as a member of Te Tōpuni Kōkōrangī;
 - (c) is removed as Chair by Te Tōpuni Kōkōrangī; or
 - (d) otherwise vacates the Chair role;
 - 8.11.2. may be reappointed as Chair; and

8: TE TŌPUNI KŌKŌRANGI: HUMAN FACE AND VOICE OF TE KĀHUI TUPUA

8.11.3. if appointed during a three-year term to fill a vacancy in the Chair role, is appointed for the residue of that three-year term.

8.12. Te Tōpuni Kōkōrangī:

8.12.1. may at any time appoint one of its members as Deputy Chair to perform the functions of the Chair in the Chair's absence; but

8.12.2. is not required to make that appointment.

8.13. The Chair may vote on any matter but will not have a casting vote.

MEETINGS OF TE TŌPUNI KŌKŌRANGI

8.14. Te Tōpuni Kōkōrangī will:

8.14.1. at its first meeting of each year, agree a meeting schedule for that year; and

8.14.2. review that meeting schedule on a regular basis to ensure that it is sufficient to allow Te Tōpuni Kōkōrangī to achieve its purpose and perform its functions.

8.15. The Chair will preside over meetings of Te Tōpuni Kōkōrangī.

8.16. Except as expressly provided for, Te Tōpuni Kōkōrangī may develop its own procedures including in relation to the conduct of meetings and, without limitation, provide for meetings to be held in person or by other means.

8.17. Meetings of Te Tōpuni Kōkōrangī are open to members of the public and news media unless Te Tōpuni Kōkōrangī makes a decision that:

8.17.1. the attendance of the public or news media at the meeting would be likely to result in the disclosure of information and there is good reason for withholding that information; or

8.17.2. the presence or behaviour of a member of the public or news media is likely to prejudice or continue to prejudice the orderly or efficient conduct of the meeting; and

8.17.3. as a consequence, members of the public or the news media should be excluded from all or part of a meeting.

8.18. The Director-General (or a delegate of the Director-General) is entitled to attend and speak, but not vote, at any meeting of Te Tōpuni Kōkōrangī that concerns matters that involve the Director-General or Minister of Conservation's statutory functions, unless Te Tōpuni Kōkōrangī decides on reasonable grounds that they may not attend part of a meeting.

8.19. A representative of Te Tōpuni Ngārahu is entitled to attend and speak, but not vote, at any meeting of Te Tōpuni Kōkōrangī that concerns matters that involve the statutory functions of Te Tōpuni Ngārahu, unless Te Tōpuni Kōkōrangī decides on reasonable grounds that they may not attend part of a meeting.

QUORUM

8.20. The quorum for a meeting of Te Tōpuni Kōkōrangī is no fewer than 6 members.

8.21. The Chair will not be required to meet the quorum.

8: TE TŌPUNI KŌKŌRANGI: HUMAN FACE AND VOICE OF TE KĀHUI TUPUA

- 8.22. If the Chair or Deputy Chair are not present at a meeting of Te Tōpuni Kōkōrangī, the quorum may appoint an acting Chair (from the members appointed by Te Tōpuni Ngārahu) to preside over that meeting.
- 8.23. If provided for by the procedures adopted by Te Tōpuni Kōkōrangī, a quorum may be achieved for a meeting where some members attend in person, and other members participate by other means.

DECISIONS OF TE TŌPUNI KŌKŌRANGI

- 8.24. The decisions of Te Tōpuni Kōkōrangī must be made in accordance with clause 8.25.
- 8.25. When making a decision Te Tōpuni Kōkōrangī:
- 8.25.1. will strive to achieve consensus amongst its members;
 - 8.25.2. will act in accordance with the matters contained in the declaration of members referred to in paragraph 3.6 of the schedule; but
 - 8.25.3. if, in the opinion of the Chair, consensus is not practicable after reasonable discussion, then a decision of Te Tōpuni Kōkōrangī may be made with the agreement of 75% or more of the members present and voting at the meeting; and
 - 8.25.4. in the case of decisions relating to He Kawa Ora, the Chair may initiate any process (including engaging a third party) to assist Te Tōpuni Kōkōrangī in that decision-making process.

ADMINISTRATION AND PROCEDURES OF TE TŌPUNI KŌKŌRANGI

- 8.26. The provisions in Part 3 of the schedule apply to Te Tōpuni Kōkōrangī.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

- 8.27. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in clauses 8.1 to 8.25.

9 HE TAPANGA WHENUA: OFFICIAL GEOGRAPHIC NAMES (TE PAPA-KURA-O-TARANAKI, TARANAKI MAUNGA AND OTHER TŪPUNA MAUNGA)

**Ko hea ko hea hērā maunga e tū mai rā
Ko Te Kāhui Tupua pea? Nukunuku mai, nekeneke mai ki taku tauaro kikini
ai e ha kēkeke noa, kēkeke noa.**

Who, who are those mountains?
They are Te Kāhui Tupua?
Draw close those matters of significance
Bring forth the ancestral landscapes, hold firmly, embrace as a source of
community identity.

OFFICIAL GEOGRAPHIC NAMES: TE PAPA-KURA-O-TARANAKI AND TARANAKI MAUNGA

- 9.1. On the effective date:
- 9.1.1. Te Papa-Kura-o-Taranaki will be the official geographic name for the national park (see clause 10.1.5);
 - 9.1.2. Taranaki Maunga will be the official geographic name for the Tūpuna Maunga that has the highest peak; and
 - 9.1.3. Egmont National Park and Mount Taranaki or Mount Egmont will cease to be official geographic names.
- 9.2. The naming of Te Papa-Kura-o-Taranaki in clause 9.1.1 will be deemed to have been made under section 7(1)(d) of the National Parks Act 1980 and Part 2 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008.
- 9.3. From the effective date, section 7(1)(d) of the National Parks Act 1980 will no longer apply to Te Papa-Kura-o-Taranaki.

OFFICIAL GEOGRAPHIC NAMES: OTHER TŪPUNA MAUNGA

- 9.4. On the effective date, the official geographic names for each of the following Tūpuna Maunga will be:
- 9.4.1. Pouākai;
 - 9.4.2. Patuhā;
 - 9.4.3. Kaitake; and
 - 9.4.4. Panitahi.
- 9.5. The names referred to in clauses 9.1.2 and 9.4 are listed in the table in clause 15.2 below.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

- 9.6. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in clauses 9.1 to 9.4.

10 HE TUKU WHENUA, KO TE AITANGA A PAPA: VESTING OF LAND AND MINERALS IN TE KĀHUI TUPUA

**Nō wai te mana?
Nō Te Kāhui Tupua te mana
Awhiawhi ki te papa tuatahi
Awhiawhi ki te papa tuarua
Pupuru rā, raru rā
Ki tāmōremore nui nō papa
E rongō he āio
Tēnā tawhito pou ka tū.**

From whence does this authority derive?
Authority derived from Te Kāhui Tupua
Extending beyond our current reality
Embracing our ways of being and knowing
An enduring foundation from the earth itself
Stability and balance
The essence of ancient wisdom realised.

VESTING OF TE WHENUA TAKETAKE AND MINERALS IN TE KĀHUI TUPUA

- 10.1. On the effective date:
- 10.1.1. Te Whenua Taketake ceases to be vested in the Crown;
 - 10.1.2. Te Whenua Taketake ceases to be a national park under the National Parks Act 1980;
 - 10.1.3. the fee simple estate in Te Whenua Taketake vests in Te Kāhui Tupua;
 - 10.1.4. Te Whenua Taketake:
 - (a) is declared to be a national park subject to the National Parks Act 1980 (as if it were constituted under that Act); and
 - (b) is held as Te Whenua Taurikura under, and in accordance with, Te Ture Whakatupua mō Te Kāhui Tupua; and
 - 10.1.5. the national park is named Te Papa-Kura-o-Taranaki (see clauses 9.1.1, 9.1.3 and 9.2 above).
- 10.2. Despite section 11 of the Crown Minerals Act 1991 (minerals reserved to the Crown), the vesting referred to in clause 10.1.3 includes Ngā Taonga Tūānuku and industrial rocks and building stones that are Crown-owned and form part of Te Whenua Taketake.
- 10.3. Section 10(2) of the National Parks Act 1980 (the ability for land to be managed under the Tourist and Health Resorts Control Act 1908) will not apply to land vested in Te Kāhui Tupua as Te Whenua Taurikura under this Part.

**10: HE TUKU WHENUA, KO TE AITANGA A PAPA: VESTING OF LAND AND MINERALS IN
TE KĀHUI TUPUA**

- 10.4. Paragraphs 1.9 to 1.13, 1.16, 1.17, 1.19 to 1.23, and 1.32 to 1.37 of the schedule apply to the vesting referred to in clause 10.1.3.

TE WHENUA TAURIKURA INALIENABLE

- 10.5. Te Whenua Taurikura may not be alienated, mortgaged, charged or otherwise disposed of, except in accordance with Te Ture Whakatupua mō Te Kāhui Tupua.

ADDITION OF LAND TO TE PAPA-KURA-O-TARANAKI

- 10.6. Prior to making a joint recommendation to add Crown-owned land to Te Papa-Kura-o-Taranaki, Te Tōpuni Kōkōrangī must obtain the written approval of Te Tōpuni Ngārahu to the vesting of the land in Te Kāhui Tupua.

- 10.7. When entering into discussions over potential additions of land to Te Papa-Kura-o-Taranaki, by either acquiring private land or transferring the administration of other Crown land, the Director-General must engage with and obtain the agreement of:

10.7.1. Te Tōpuni Kōkōrangī, that it is appropriate to investigate adding the land to Te Papa-Kura-o-Taranaki; and

10.7.2. Te Tōpuni Ngārahu, that it is appropriate to investigate vesting the land in Te Kāhui Tupua.

- 10.8. Te Tōpuni Kōkōrangī will be involved in acquisitions of land for, and additions of land to, Te Papa-Kura-o-Taranaki as follows:

10.8.1. requests to the Director-General under section 8(1) of the National Parks Act 1980 to investigate and report on any of the following proposals, and any prior intention advised to the Minister of Conservation, must be made or given jointly by Te Tōpuni Kōkōrangī and the New Zealand Conservation Authority:

- (a) proposals to add Crown-owned land or Te Whenua Tupu to Te Papa-Kura-o-Taranaki; or
- (b) proposals to acquire private land for the purposes of Te Papa-Kura-o-Taranaki; and

10.8.2. the Minister of Conservation may, only on the joint recommendation of Te Tōpuni Kōkōrangī and the New Zealand Conservation Authority after consulting with the Taranaki/Whanganui Conservation Board and subject to clause 10.6, as applicable:

- (a) acquire the following for national park purposes under section 9 of the National Parks Act 1980:
 - (i) private land that is intended to be added to Te Papa-Kura-o-Taranaki; or
 - (ii) a lease or licence interest in private land that is intended to be administered as if it were part of Te Papa-Kura-o-Taranaki; and
- (b) recommend that the Governor-General make a declaration by Order in Council to add Crown-owned land (including land acquired under clause 10.8.2(a)(i)) or Te Whenua Tupu to Te Papa-Kura-o-Taranaki.

10: HE TUKU WHENUA, KO TE AITANGA A PAPA: VESTING OF LAND AND MINERALS IN
TE KĀHUI TUPUA

Vesting of Crown-owned land in Te Kāhui Tupua

10.9. Following receipt of a recommendation from the Minister of Conservation under clause 10.8.2(b) to add Crown-owned land to Te Papa-Kura-o-Taranaki, the Governor-General may make an Order in Council that:

10.9.1. declares that, on the vesting date:

- (a) any part of the Crown-owned land described in the Order that:
 - (i) is a conservation area under the Conservation Act 1987, ceases to be a conservation area;
 - (ii) is subject to the Tourist and Health Resorts Control Act 1908 or the Tourist Hotel Corporation Act 1974, ceases to be subject to those Acts;
 - (iii) is a reserve under the Reserves Act 1977, has its reserve status revoked;
 - (iv) is land acquired by the Crown for national park purposes, ceases to be held for national park purposes; and
- (b) the Crown-owned land described in the Order ceases to be vested in the Crown;
- (c) the fee simple estate in that land vests in Te Kāhui Tupua;
- (d) that land is:
 - (i) part of Te Papa-Kura-o-Taranaki and subject to the National Parks Act 1980; and
 - (ii) held as Te Whenua Taurikura under, and in accordance with, Te Ture Whakatupua mō Te Kāhui Tupua; and

10.9.2. sets out any other matters relevant to the vesting.

10.10. Immediately prior to the vesting referred to in clause 10.9.1(c), the official geographic name of any Crown-owned land described in the Order that is a Crown protected area ceases in respect of such land, and the New Zealand Geographic Board must amend the *Gazetteer* accordingly.

10.11. Paragraphs 1.9 to 1.11, 1.13 to 1.16, 1.18, 1.19, 1.23, and 1.32 to 1.37 of the schedule apply to the vesting referred to in clause 10.9.1(c).

Addition of Te Whenua Tupu to Te Papa-Kura-o-Taranaki

10.12. Following receipt of a recommendation from the Minister of Conservation under clause 10.8.2(b) to add Te Whenua Tupu to Te Papa-Kura-o-Taranaki, the Governor-General may make an Order in Council that:

10.12.1. adds Te Whenua Tupu to Te Papa-Kura-o-Taranaki; and

**10: HE TUKU WHENUA, KO TE AITANGA A PAPA: VESTING OF LAND AND MINERALS IN
TE KĀHUI TUPUA**

10.12.2. provides that, on and from the date specified in the Order in Council, the land:

- (a) ceases to be Te Whenua Tupu;
- (b) is part of Te Papa-Kura-o-Taranaki and subject to the National Parks Act 1980; and
- (c) is held as Te Whenua Taurikura under and in accordance with Te Ture Whakatupua mō Te Kāhui Tupua.

10.13. Paragraphs 1.9, 1.10, 1.13 to 1.16, 1.18, 1.19 and 2.13 of the schedule apply to the addition of Te Whenua Tupu to Te Papa-Kura-o-Taranaki referred to in clause 10.12.

Vesting of certain minerals in Te Kāhui Tupua

10.14. Despite section 11 of the Crown Minerals Act 1991 (minerals reserved to the Crown):

10.14.1. the vesting referred to in clause 10.9.1(c) will include Ngā Taonga Tūānuku and industrial rocks and building stones that are Crown-owned and form part of the Crown-owned land described in the Order; and

10.14.2. the addition of Te Whenua Tupu referred to in clause 10.12 will include Ngā Taonga Tūānuku and industrial rocks and building stones that are Crown-owned and form part of that land.

EXCLUSION OF LAND FROM TE PAPA-KURA-O-TARANAKI

10.15. Prior to making a joint recommendation to exclude land from Te Papa-Kura-o-Taranaki where that land is to be vested in the Crown or a third party, Te Tōpuni Kōkōrangī must obtain the written approval of Te Tōpuni Ngārahu to that land ceasing to be vested in Te Kāhui Tupua.

10.16. The Minister of Conservation may only propose legislation to exclude land from Te Papa-Kura-o-Taranaki on the joint recommendation of Te Tōpuni Kōkōrangī and the New Zealand Conservation Authority, made after consulting with the Taranaki/Whanganui Conservation Board and subject to clause 10.15, as applicable.

10.17. Legislation proposed by the Minister of Conservation under clause 10.16 to exclude land from Te Papa-Kura-o-Taranaki must provide that:

10.17.1. if land excluded from Te Papa-Kura-o-Taranaki is to be vested in a third party or the Crown, the legislation must:

- (a) enable that vesting; and
- (b) provide that, on and from the date specified in the legislation, the land:
 - (i) ceases to be vested in Te Kāhui Tupua;
 - (ii) ceases to be a national park under the National Parks Act 1980;
 - (iii) is no longer held under, and in accordance with, Te Ture Whakatupua mō Te Kāhui Tupua; and

**10: HE TUKU WHENUA, KO TE AITANGA A PAPA: VESTING OF LAND AND MINERALS IN
TE KĀHUI TUPUA**

10.17.2. if land excluded from Te Papa-Kura-o-Taranaki is to remain held in the name of Te Kāhui Tupua, but as Te Whenua Tupu, the legislation must provide that, on and from the date specified in the legislation, the land:

- (a) ceases to be a national park under the National Parks Act 1980; and
- (b) is Te Whenua Tupu and subject to Te Ture Whakatupua mō Te Kāhui Tupua; and

10.17.3. other matters are addressed, including the ownership of certain minerals vested in Te Kāhui Tupua (Ngā Taonga Tūānuku and industrial rocks and building stones).

10.18. Paragraphs 1.4 and 1.5 of the schedule apply to clause 10.17.1, and paragraphs 2.11 and 2.12 apply to clause 10.17.2.

DEFINITIONS

10.19. In clauses 10.6 to 10.14:

10.19.1. **Crown-owned land** means land that is:

- (a) a conservation area under the Conservation Act 1987; or
- (b) subject to the Tourist and Health Resorts Control Act 1908 or the Tourist Hotel Corporation Act 1974; or
- (c) a reserve under the Reserves Act 1977; or
- (d) land acquired by the Crown for national park purposes; and

10.19.2. **other Crown land** means land owned by the Crown that is not specified in clause 10.19.1.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

10.20. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in clauses 10.1 to 10.19.

11 HE KAWA ORA MŌ TE PAPA-KURA-O-TARANAKI: MANAGEMENT PLAN

**Tūngia te kawa, te kawa mania, te kawa paheke, te kawa rauuhihi, te kawa rau matomato. Rau tāpatu, tēnā te kawa ka eke, ka eke ki te uruora e
Ki runga e i te kawa e...**

Establishing a system and framework, to make progress, to gather momentum, all encompassing, to grow and flourish. Achieving success and realising its purpose.

HE KAWA ORA

- 11.1. There must be a management plan prepared and approved for Te Papa-Kura-o-Taranaki (**He Kawa Ora**).
- 11.2. He Kawa Ora:
 - 11.2.1. must provide for the management of Te Papa-Kura-o-Taranaki consistently with:
 - (a) this deed and Te Ture Whakatupua mō Te Kāhui Tupua, including Te Kāhui Tupua status and Ngā Pou Whakatupua; and
 - (b) the National Parks Act 1980; and
 - 11.2.2. will have the same status and effect as a national park management plan under the National Parks Act 1980.

PREPARATION OF DRAFT HE KAWA ORA

- 11.3. Te Tōpuni Kōkōrangī:
 - 11.3.1. will oversee the preparation of a draft He Kawa Ora (**He Kawa Ora process**); and
 - 11.3.2. may appoint a committee for that purpose.
- 11.4. Te Tōpuni Ngārahu and the Director-General:
 - 11.4.1. must each appoint one lead planner to work together to provide planning advice and drafting services to support Te Tōpuni Kōkōrangī in the He Kawa Ora process (**planning team**);
 - 11.4.2. must meet the reasonable costs of their respective appointees throughout the He Kawa Ora process; and
 - 11.4.3. may agree an alternative approach to that in clause 11.4.1, but must contribute equally to the costs of that process, unless otherwise agreed.
- 11.5. Te Tōpuni Kōkōrangī and the planning team must meet:
 - 11.5.1. to discuss the approach to the He Kawa Ora process; and

11: HE KAWA ORA MŌ TE PAPA-KURA-O-TARANAKI: MANAGEMENT PLAN

- 11.5.2. so that Te Tōpuni Kōkōrangī can provide oversight to the planning team on a draft He Kawa Ora.
- 11.6. Prior to commencing the preparation of a draft He Kawa Ora and, for the first He Kawa Ora no later than 12 months after the effective date or such later date as agreed between Te Tōpuni Ngārahu and the Director-General, Te Tōpuni Kōkōrangī must:
- 11.6.1. begin to engage with and seek the views of the following parties regarding matters that should be addressed in He Kawa Ora:
- (a) Te Tōpuni Ngārahu;
 - (b) iwi and hapū of Ngā Iwi o Taranaki with interests in Te Papa-Kura-o-Taranaki;
 - (c) the New Zealand Conservation Authority;
 - (d) the Taranaki/Whanganui Conservation Board;
 - (e) local authorities within whose boundaries Te Papa-Kura-o-Taranaki is located; and
 - (f) any other persons or organisations Te Tōpuni Kōkōrangī considers appropriate; and
- 11.6.2. give public notice:
- (a) stating that a draft He Kawa Ora is to be prepared; and
 - (b) inviting written comments by a specified date on the matters that should be addressed in He Kawa Ora.
- 11.7. Following the completion of the processes in clause 11.6:
- 11.7.1. Te Tōpuni Kōkōrangī and the planning team must consider any comments received through those processes; and
- 11.7.2. the planning team, under the oversight of Te Tōpuni Kōkōrangī, must prepare a draft He Kawa Ora.

NOTIFICATION OF AND SUBMISSIONS ON DRAFT HE KAWA ORA

- 11.8. Once Te Tōpuni Kōkōrangī is satisfied with a draft He Kawa Ora, it must:
- 11.8.1. give public notice of, and invite submissions on the draft He Kawa Ora in a manner consistent with the process in section 47(2) of the National Parks Act 1980; and
- 11.8.2. provide the draft He Kawa Ora to the parties listed in clause 11.6.1.
- 11.9. Te Tōpuni Kōkōrangī may determine any other processes it considers appropriate to promote awareness of, and obtain views on, the draft He Kawa Ora, after consulting with Te Tōpuni Ngārahu and the Director-General about those proposed processes.
- 11.10. Te Tōpuni Kōkōrangī must keep a summary of any meetings held, and any views obtained on the draft He Kawa Ora through the processes determined under clause 11.9.

CONSIDERATION AND SUMMARY OF SUBMISSIONS AND VIEWS

11.11. Te Tōpuni Kōkōrangī must:

11.11.1. provide persons who wish to be heard on their submission with a reasonable opportunity to appear and be heard before Te Tōpuni Kōkōrangī in a manner consistent with the process in section 47(3) of the National Parks Act 1980;

11.11.2. provide for the planning team to attend the hearings; and

11.11.3. consider all written submissions, views obtained through the processes determined under clause 11.9, and verbal submissions made at the hearing that:

(a) are relevant to the draft He Kawa Ora; and

(b) comply with the conditions for making a submission as set out in the public notice, or for obtaining views through the processes determined under clause 11.9.

11.12. Following the consideration of the submissions and views under clause 11.11.3, the planning team, with oversight from Te Tōpuni Kōkōrangī:

11.12.1. must prepare a summary of submissions and views and recommend how they may be responded to (**summary of submissions and views**);

11.12.2. must seek the views of Te Tōpuni Kōkōrangī on what amendments to the draft He Kawa Ora may be appropriate;

11.12.3. may amend the draft He Kawa Ora in a manner that is considered appropriate; and

11.12.4. must provide the amended draft He Kawa Ora and the summary of submissions and views to Te Tōpuni Kōkōrangī.

11.13. Following receipt under clause 11.12.4, Te Tōpuni Kōkōrangī:

11.13.1. must consider the draft He Kawa Ora; and

11.13.2. may either:

(a) refer the draft He Kawa Ora back to the planning team for further amendment; or

(b) refer the draft He Kawa Ora (together with the summary of submissions and views) to Te Tōpuni Ngārahu and the Minister of Conservation for approval.

REFERRAL TO TE TŌPUNI NGĀRAHU AND MINISTER OF CONSERVATION FOR APPROVAL

11.14. Following receipt under clause 11.13.2(b), Te Tōpuni Ngārahu and the Minister of Conservation must consider the draft He Kawa Ora for approval.

11.15. Following their consideration of the draft He Kawa Ora and summary of submissions and views, and their consideration of any explanation of how their issues have been dealt with under clause 11.16.4 in the event of a referral back under clause 11.15.2(b), Te Tōpuni Ngārahu and the Minister of Conservation must either:

11: HE KAWA ORA MŌ TE PAPA-KURA-O-TARANAKI: MANAGEMENT PLAN

- 11.15.1. agree to refer the draft He Kawa Ora, without any further amendment, to the New Zealand Conservation Authority for comment; or
- 11.15.2. if they do not so agree:
- (a) work together to seek to resolve any issues identified with the draft He Kawa Ora; and
 - (b) then either:
 - (i) together refer the draft He Kawa Ora to Te Tōpuni Kōkōrangī for amendment to address any issues that are resolved; or
 - (ii) if there are issues that are not resolved after 40 working days, or such later date as agreed between the parties, either Te Tōpuni Ngārahu or the Minister of Conservation may, after notifying the other of their intention, refer the draft He Kawa Ora back to Te Tōpuni Kōkōrangī to consider the unresolved issues.
- 11.16. If the draft He Kawa Ora is referred back to Te Tōpuni Kōkōrangī under clause 11.15.2(b), Te Tōpuni Kōkōrangī must:
- 11.16.1. consider the issues raised by either or both Te Tōpuni Ngārahu and the Minister of Conservation;
 - 11.16.2. make any further amendments to the draft He Kawa Ora which are considered by Te Tōpuni Kōkōrangī to be necessary and appropriate to address those issues;
 - 11.16.3. provide the draft He Kawa Ora back to Te Tōpuni Ngārahu and the Minister of Conservation; and
 - 11.16.4. explain how the issues raised by either or both Te Tōpuni Ngārahu and the Minister of Conservation have been addressed.
- 11.17. Clauses 11.14 to 11.15.2(b) apply following a referral back to Te Tōpuni Ngārahu and the Minister of Conservation under clauses 11.16.3 to **Error! Reference source not found.**
- 11.18. To avoid doubt, the process referred to in clauses 11.14 to 11.15.2(b) may be repeated until Te Tōpuni Ngārahu and the Minister of Conservation agree to refer the draft He Kawa Ora to the New Zealand Conservation Authority under clause 11.15.1.
- 11.19. The New Zealand Conservation Authority must:
- 11.19.1. consider the draft He Kawa Ora in accordance with this deed, Te Ture Whakatupua mō Te Kāhui Tupua and the National Parks Act 1980; and
 - 11.19.2. provide any comments to Te Tōpuni Ngārahu and the Minister of Conservation within 40 working days of the referral.
- 11.20. Te Tōpuni Ngārahu and the Minister of Conservation must recognise and provide for the comments from the New Zealand Conservation Authority.
- 11.21. Te Tōpuni Ngārahu and the Minister of Conservation have the discretion to recognise and provide for those comments in the manner that they consider appropriate in the circumstances.

11: HE KAWA ORA MŌ TE PAPA-KURA-O-TARANAKI: MANAGEMENT PLAN

11.22. The obligation in clause 11.20 does not:

11.22.1. limit the discretion of Te Tōpuni Ngārahu and the Minister of Conservation to approve the draft He Kawa Ora; or

11.22.2. require Te Tōpuni Ngārahu and the Minister of Conservation to refer the draft He Kawa Ora to Te Tōpuni Kōkōrangī for further amendment under clause 11.23 if Te Tōpuni Ngārahu and the Minister of Conservation do not consider that to be necessary or appropriate.

11.23. Te Tōpuni Ngārahu and the Minister of Conservation may agree jointly to refer the draft He Kawa Ora back to Te Tōpuni Kōkōrangī for further amendment to address any of the matters raised by the New Zealand Conservation Authority.

11.24. Clauses 11.14 to 11.18 apply following a referral to Te Tōpuni Kōkōrangī under clause 11.23 but, to avoid doubt, the draft He Kawa Ora does not need to be referred back to the New Zealand Conservation Authority for further comment.

APPROVAL OF HE KAWA ORA

11.25. Once the process in clauses 11.15 to 11.23 has been completed, Te Tōpuni Ngārahu and the Minister of Conservation may jointly approve He Kawa Ora.

11.26. Te Tōpuni Ngārahu and the Minister of Conservation must:

11.26.1. jointly give public notice of the date on which He Kawa Ora was approved; and

11.26.2. state in that public notice the date upon which that plan comes into force if they have agreed a later date than the approval date.

11.27. In addition to the requirements in clause 11.26, Te Tōpuni Ngārahu and the Minister of Conservation may make He Kawa Ora publicly available by any means considered appropriate, including electronically.

11.28. In clauses 11.6 to 11.27 and paragraphs 3.2 and 3.31 of the schedule, **public notice** includes the giving of notice by electronic means.

REVIEW OR AMENDMENT OF HE KAWA ORA

11.29. Unless a longer period is agreed between Te Tōpuni Ngārahu and the Minister of Conservation, Te Tōpuni Kōkōrangī must commence a review of a full He Kawa Ora (**full review**) no later than 10 years after:

11.29.1. the approval of the first He Kawa Ora under clause 11.25; or

11.29.2. any subsequent approval of He Kawa Ora following a full review.

11.30. Te Tōpuni Kōkōrangī may, at any time where it considers it necessary or desirable to do so, undertake a review of He Kawa Ora (in whole or in part).

11.31. Following the completion of any review, Te Tōpuni Kōkōrangī may decide whether to:

11.31.1. amend He Kawa Ora; or

11.31.2. prepare a new He Kawa Ora.

11: HE KAWA ORA MŌ TE PAPA-KURA-O-TARANAKI: MANAGEMENT PLAN

11.32. Clauses 11.3 to 11.27 will apply to an amendment or the preparation of a new He Kawa Ora, modified as necessary, except where clause 11.33 applies.

11.33. Where any amendment is of such a nature that Te Tōpuni Kōkōrangī considers that it will not materially affect the objectives and policies expressed in He Kawa Ora or the public interest in Te Papa-Kura-o-Taranaki, the amendment may be dealt with under clauses 11.25 to 11.27 (subject to any necessary modifications).

BYLAWS

11.34. When preparing a draft He Kawa Ora in accordance with this Part, Te Tōpuni Kōkōrangī may:

11.34.1. review any existing bylaws; and

11.34.2. identify any matters in those existing bylaws that may require amendment or replacement; or

11.34.3. identify any matters that are proposed to be regulated by new bylaws.

11.35. If a new bylaw is proposed in respect of Te Papa-Kura-o-Taranaki, or an existing bylaw is proposed to be amended:

11.35.1. those bylaws may only be proposed and approved if they are not inconsistent with a He Kawa Ora approved under clause 11.25; and

11.35.2. before commencing the process, the Director-General must engage with Te Tōpuni Kōkōrangī and Te Tōpuni Ngārahu in relation to the proposed bylaws.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

11.36. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in clauses 11.1 to 11.35.

12 HE TAIPITOPITOTANGA ME NGĀ KAWENGA O TE TŌPUNI KŌKŌRANGI: OTHER MATTERS AND FUNCTIONS OF TE TŌPUNI KŌKŌRANGI

**Toetoea, toetoe tū, toetoe rere, ka herehere tū taku toetoe ki te ninihi i tai
rā ki te hangarau i tai rā
Kia hara mai kia hoaia ki te pū i uta nei, ki te weu i uta nei ki te aka i uta nei
Ki atu whenua i uta kia tū munga i uta, koe whakatonuhia ki tēnei kauhou,
koe whakatonuhia ki tēnei matua iwi e hai!**

Take flight and advance our collective responsibilities and obligations.
Remain focused to move beyond the challenges and barriers.
Establishing a foundation and platform from which to build a thriving and resilient
community.

PROTECTING THE NAME TE KĀHUI TUPUA

- 12.1. No person may, without making a written request to Te Tōpuni Kōkōrangī and receiving written authorisation from Te Tōpuni Kōkōrangī:
 - 12.1.1. cause an incorporated or unincorporated body to be formed or registered under any name, title, style, or designation that includes the name Te Kāhui Tupua;
 - 12.1.2. carry on trade activities under any name, title, style, or designation that includes the name Te Kāhui Tupua; or
 - 12.1.3. in relation to the promotion of any commercial goods or services, display, exhibit, or otherwise use in any business, trade, or occupation, a name, title, style, or designation that includes the name Te Kāhui Tupua.
- 12.2. Clause 12.1 does not apply to any person using the name Te Kāhui Tupua for genuine creative, educational, or historical purposes.
- 12.3. Clause 12.1 applies to the use, in the manner described in clauses 12.1.1 to 12.1.3, of any other name, title, style, or designation that so resembles the name Te Kāhui Tupua as to be likely to mislead, confuse or deceive a person into believing that there is an association with Te Kāhui Tupua.
- 12.4. Clause 12.5 applies to a request under clause 12.1 for written authorisation by Ngā Iwi o Taranaki.
- 12.5. Te Tōpuni Kōkōrangī:
 - 12.5.1. must notify Te Tōpuni Ngārahu of any authorisation requested;
 - 12.5.2. must obtain and consider the view of Te Tōpuni Ngārahu before making a decision on any request for an authorisation under clause 12.1; and
 - 12.5.3. may impose any reasonable conditions on that authorisation that are considered appropriate in the circumstances.

12: HE TAIPITOPITOTANGA ME NGĀ KAWENGA O TE TŌPUNI KŌKŌRANGI: OTHER MATTERS AND FUNCTIONS OF TE TŌPUNI KŌKŌRANGI

- 12.6. Subject to clause 12.5, Te Tōpuni Kōkōrangi must not unreasonably withhold the requested authorisation, if the proposed use:
- 12.6.1. is consistent with Te Kāhui Tupua status and Ngā Pou Whakatupua; and
 - 12.6.2. promotes the health and wellbeing of Te Kāhui Tupua.
- 12.7. If Te Tōpuni Kōkōrangi considers that the name Te Kāhui Tupua is being used in a manner contrary to clauses 12.1 or 12.3, Te Tōpuni Kōkōrangi may:
- 12.7.1. use any relevant statutory process to object to the use of the name;
 - 12.7.2. give written notice to any person:
 - (a) stating that the name Te Kāhui Tupua is being used in a manner contrary to clauses 12.1 or 12.3; and
 - (b) requesting that person to cease further use of the name in that manner; and
 - 12.7.3. apply to a court for:
 - (a) a declaration that the use of the name Te Kāhui Tupua by the person to whom notice was given under clause 12.7.2 is contrary to clauses 12.1 or 12.3; and
 - (b) an order to cease the relevant use of the name.

TAONGA TŪTURU

- 12.8. On or after the effective date:
- 12.8.1. Te Kāhui Tupua is deemed to be a registered collector of taonga tūturu in terms of section 14 of the Protected Objects Act 1975;
 - 12.8.2. any newly found taonga tūturu found in Te Papa-Kura-o-Taranaki will be held under the interim custodianship of Te Kāhui Tupua until ownership is determined under the Protected Objects Act 1975;
 - 12.8.3. clause 12.8.2 will not apply where the chief executive of the Ministry for Culture and Heritage considers that alternative custody is appropriate in the circumstances (for example, where conservation treatment is required);
 - 12.8.4. Te Tōpuni Kōkōrangi will, in accordance with section 11(3) of the Protected Objects Act 1975, notify the chief executive of the Ministry for Culture and Heritage when newly found taonga tūturu found in Te Papa-Kura-o-Taranaki are being held in the interim custody of Te Kāhui Tupua;
 - 12.8.5. the chief executive of the Ministry for Culture and Heritage will notify Te Tōpuni Kōkōrangi of newly found taonga tūturu found in Te Papa-Kura-o-Taranaki that is in the custody of, or notified to, the chief executive; and
 - 12.8.6. at the time of notification under clauses 12.8.4 and 12.8.5, Te Kāhui Tupua will be deemed to have automatically lodged a claim for ownership of the newly found taonga tūturu under section 11 of the Protected Objects Act 1975.
- 12.9. The Ministry for Culture and Heritage will meet any costs agreed between the Ministry and Te Tōpuni Kōkōrangi:

12: HE TAIPITOPITOTANGA ME NGĀ KAWENGA O TE TŌPUNI KŌKŌRANGI: OTHER MATTERS AND FUNCTIONS OF TE TŌPUNI KŌKŌRANGI

- 12.9.1. associated with the remedial conservation or preservation of taonga tūturu found in Te Papa-Kura-o-Taranaki; but
 - 12.9.2. excluding costs associated with the storage and security of taonga tūturu found in Te Papa-Kura-o-Taranaki, unless otherwise provided for under section 11(4) of the Protected Objects Act 1975.
- 12.10. The Department of Conservation may be asked to meet the costs of storage or security for taonga tūturu found in Te Papa-Kura-o-Taranaki if:
- 12.10.1. clause 12.8.3 does not apply;
 - 12.10.2. the Ministry for Culture and Heritage has not agreed to meet the costs under clause 12.9;
 - 12.10.3. another entity (including an iwi or hapū of Ngā Iwi o Taranaki or Te Tōpuni Ngārahu) is not holding the taonga tūturu on behalf of Te Kāhui Tupua; and
 - 12.10.4. no other suitable arrangements of alternative custody, including storage and security can be made.

ASSETS MANAGED ON BEHALF OF TE KĀHUI TUPUA

- 12.11 Te Kāhui Tupua is able to own assets (**assets**) in addition to Te Whenua Taurikura in accordance with clauses 12.12 to 12.31.
- 12.12 The assets must be managed by the asset management company on behalf of Te Kāhui Tupua.
- 12.13 The purpose of the asset management company will be to manage the assets in a manner that:
- 12.13.1 supports the health and wellbeing of Te Kāhui Tupua; and
 - 12.13.2 is consistent with Te Kāhui Tupua status and Ngā Pou Whakatupua.
- 12.14 The asset management company:
- 12.14.1 has full capacity and all powers reasonably necessary to achieve its purpose and undertake its management role (unless otherwise provided for); and
 - 12.14.2 will assume all liabilities arising from its management of any assets as if it were the owner of those assets.

Establishment of asset management company

- 12.15 Te Tōpuni Kōkōrangī may establish the asset management company as a company under the Companies Act 1993.
- 12.16 Te Tōpuni Kōkōrangī will act as the shareholder's representative of the asset management company and perform shareholder functions under the Companies Act 1993 on behalf of Te Kāhui Tupua.
- 12.17 Te Tōpuni Kōkōrangī will appoint the directors of the asset management company.

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- 12.18 In making appointments, Te Tōpuni Kōkōrangī must be satisfied that the directors collectively have:
- 12.18.1 knowledge and understanding of Te Kāhui Tupua status and Ngā Pou Whakatupua; and
 - 12.18.2 commercial expertise and business skills.
- 12.19 The asset management company must have a constitution that:
- 12.19.1 reflects its statutory purpose;
 - 12.19.2 provides that Te Kāhui Tupua will be the sole shareholder and that shares may not be alienated or the subject of any security;
 - 12.19.3 requires it to act in a manner consistent with an asset policy adopted under clause 12.22;
 - 12.19.4 prevents the asset management company from making distributions (within the meaning of section 2(1) of the Companies Act 1993) to Te Kāhui Tupua or Te Tōpuni Kōkōrangī;
 - 12.19.5 despite clause 12.19.4, enables the asset management company to make financial contributions to support the health and wellbeing of Te Kāhui Tupua;
 - 12.19.6 protects the matters set out in clauses 12.16 to 12.18 and 12.19.1 to 12.19.5 from being amended; and
 - 12.19.7 provides for other matters required by the Companies Act 1993, as modified by this deed and Te Ture Whakatupua mō Te Kāhui Tupua.
- 12.20 If Te Tōpuni Kōkōrangī decides to establish the asset management company, it must:
- 12.20.1 draft and approve the constitution of the asset management company; and
 - 12.20.2 register the asset management company along with the constitution.
- 12.21 Despite the Companies Act 1993 or any other legislative requirement, Te Tōpuni Kōkōrangī:
- 12.21.1 is not required to provide initial or future capital or similar funding to the asset management company and is not responsible for the operational costs or liabilities of the asset management company; and
 - 12.21.2 may not propose or consider changes to the protected components of the asset management company constitution listed in clause 12.19.6.

Administration of assets

- 12.22 Te Tōpuni Kōkōrangī must, within 6 months of the establishment of the asset management company under clause 12.15, prepare and adopt a policy (**asset policy**) that:
- 12.22.1 focusses on supporting the health and wellbeing of Te Kāhui Tupua;
 - 12.22.2 identifies the types of assets (including land) that may be acquired and held by the asset management company;

12: HE TAIPITOPITOTANGA ME NGĀ KAWENGA O TE TŌPUNI KŌKŌRANGI: OTHER MATTERS AND FUNCTIONS OF TE TŌPUNI KŌKŌRANGI

- 12.22.3 identifies any criteria to be applied when decisions are made about acquiring or disposing of those assets;
- 12.22.4 identifies policies that apply to the administration or application of those assets; and
- 12.22.5 identifies any reporting requirements.
- 12.23 Te Tōpuni Kōkōrangī must:
- 12.23.1 prepare the asset policy in discussion with the asset management company; and
- 12.23.2 provide the draft asset policy to Te Tōpuni Ngārahu and the Minister of Conservation for comment, prior to adopting the policy.
- 12.24 Te Tōpuni Kōkōrangī may review and amend the asset policy from time to time in a manner consistent with the process in clauses 12.22 and 12.23, including in response to issues raised by the asset management company.
- 12.25 If the asset management company intends to apply any funding for operational activities within the boundaries of Te Papa-Kura-o-Taranaki, the asset management company must work with the Director-General, and where relevant Te Tōpuni Kōkōrangī, including through the processes in clause 13.14 (as appropriate), to plan for how those assets are to be used or applied.
- 12.26 Part 2 of the schedule applies to Te Whenua Tupu held in the name of Te Kāhui Tupua.

Reporting and accountability

- 12.27 The asset management company must undertake reporting requirements under the Companies Act 1993 for the assets it manages on behalf of Te Kāhui Tupua, including preparing an annual report.
- 12.28 The annual report must contain:
- 12.28.1 a summary of the activities of the asset management company for the year;
- 12.28.2 financial statements prepared in accordance with generally accepted accounting practice; and
- 12.28.3 an audit report.
- 12.29 The annual report must be tabled in Parliament by the Minister of Conservation under paragraph 3.55 of the schedule, as an appendix to the annual report of Te Tōpuni Kōkōrangī.
- 12.30 Te Tōpuni Kōkōrangī, Te Tōpuni Ngārahu and the Crown have no accountability or responsibility in respect of the management and use of the assets other than in relation to any functions they may perform under clauses 12.15 to 12.29.
- 12.31 The following Acts will apply to the asset management company:
- 12.31.1 the Companies Act 1993; and
- 12.31.2 the Public Audit Act 2001.

12: HE TAIPITOPITOTANGA ME NGĀ KAWENGA O TE TŌPUNI KŌKŌRANGI: OTHER MATTERS AND FUNCTIONS OF TE TŌPUNI KŌKŌRANGI

PLACE SECTION FOR TE PAPA-KURA-O-TARANAKI IN A CONSERVATION MANAGEMENT STRATEGY

- 12.32 A place section for Te Papa-Kura-o-Taranaki in a relevant conservation management strategy (**place section**) must acknowledge and uphold Te Kāhui Tupua status and Ngā Pou Whakatupua.
- 12.33 Section 17F of the Conservation Act 1987 applies to the preparation of a place section, subject to the modifications set out in clause 12.34.
- 12.34 Te Tōpuni Kōkōrangī will be involved in the preparation of a place section as follows:
- 12.34.1 the Director-General must:
- (a) prior to preparing a draft conservation management strategy that applies to Te Papa-Kura-o-Taranaki, engage with Te Tōpuni Kōkōrangī and the Taranaki/Whanganui Conservation Board to agree the issues to be addressed and processes to apply to the preparation of a draft place section until its approval under section 17F(p)(i) of the Conservation Act 1987;
 - (b) engage with Te Tōpuni Kōkōrangī during the preparation of the draft place section under section 17F(a) of the Conservation Act 1987 in accordance with the processes agreed under clause 12.34.1(a);
 - (c) formally notify Te Tōpuni Kōkōrangī when a draft conservation management strategy that includes a draft place section is publicly notified under section 17F(a) of the Conservation Act 1987; and
 - (d) engage with Te Tōpuni Kōkōrangī if submissions are received in respect of the draft place section under section 17F(c) of the Conservation Act 1987;
- 12.34.2 a representative of Te Tōpuni Kōkōrangī may, together with representatives of the Director-General and Taranaki/Whanganui Conservation Board, hear submissions on the draft place section under section 17F(f) and (g) of the Conservation Act 1987;
- 12.34.3 the role of the Te Tōpuni Kōkōrangī representative in the hearing process will be to advise the representatives of the Director-General and Taranaki/Whanganui Conservation Board on matters including, but not limited to, consistency with He Kawa Ora, Te Kāhui Tupua status and Ngā Pou Whakatupua;
- 12.34.4 after considering the draft place section and summary of submissions prepared by the Director-General, the Taranaki/Whanganui Conservation Board must engage with Te Tōpuni Kōkōrangī before referring the draft conservation management strategy back to the Director-General for revision under section 17F(k) of the Conservation Act 1987; and
- 12.34.5 the New Zealand Conservation Authority must consult Te Tōpuni Kōkōrangī, the Director-General and the Taranaki/Whanganui Conservation Board before it makes an amendment to the draft place section under section 17F(n) or (p) of the Conservation Act 1987.
- 12.35 As provided in clause 7.7, any conservation management strategy that applies to Te Papa-Kura-o-Taranaki must not derogate from this deed and Te Ture Whakatupua mō Te Kāhui Tupua.

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TE TŌPUNI KŌKŌRANGI RELATIONSHIPS

He Takapou Tupua

- 12.36 Not later than 12 months after the effective date (or such later date as agreed between the parties to He Takapou Tupua), Te Tōpuni Kōkōrangī, the Minister of Conservation and the Director-General will enter into He Takapou Tupua that covers, but is not limited to, the following matters:
- 12.36.1 how Te Tōpuni Kōkōrangī, the Minister of Conservation and the Director-General will:
- (a) form a positive and enduring relationship that reflects the principles of te Tiriti o Waitangi/the Treaty of Waitangi; and
 - (b) ensure that the integrity of He Kawa Tupua is upheld, and that those arrangements are successfully implemented;
- 12.36.2 the working principles that will apply to the relationship including in relation to acting in good faith, early engagement and open and transparent communication;
- 12.36.3 how Te Tōpuni Kōkōrangī and the Director-General, and where applicable the Minister of Conservation, will be involved in processes set out in this deed or under legislation affecting Te Papa-Kura-o-Taranaki including:
- (a) discussing and determining the nature and extent of the administrative support to be provided to Te Tōpuni Kōkōrangī under paragraphs 3.48 and 3.49 of the schedule;
 - (b) following the official geographic name change under clauses 9.1.1 and 10.1.5, considering the use and promotion of the new name for the national park (Te Papa-Kura-o-Taranaki), including on Department of Conservation signage, publications and internet information;
 - (c) the He Kawa Ora process set out in Part 11;
 - (d) delivering operational management of Te Papa-Kura-o-Taranaki (including in relation to the statement of priorities and through the provision of adequate information about revenue and expenditure under clause 13.8.3) as set out in clauses 13.1 to 13.18;
 - (e) facilitating the involvement of Te Tōpuni Kōkōrangī in decisions relating to acquiring and adding land to, and excluding land from, Te Papa-Kura-o-Taranaki in accordance with Part 10 and Parts 1 and 2 of the schedule;
 - (f) enabling Te Tōpuni Kōkōrangī and the Minister of Conservation to consider and make decisions on interests in land concessions or authorisations under clause 13.23, including determining what constitutes minor and technical matters under paragraphs 1.6.2 and 3.59.6 of the schedule;
 - (g) enabling a proactive approach to concessions and concession opportunities, including through the use of section 17ZG(2) of the Conservation Act 1987 under clause 13.39.2;
 - (h) following the approval of a new He Kawa Ora under clause 11.25:

12: HE TAIPITOPITOTANGA ME NGĀ KAWENGA O TE TŌPUNI KŌKŌRANGI: OTHER MATTERS AND FUNCTIONS OF TE TŌPUNI KŌKŌRANGI

- (i) providing Te Tōpuni Kōkōrangī with information about how any inconsistencies of concessions with a new He Kawa Ora will be managed by the Director-General (including the notification of concessionaires and any required variations); and
 - (ii) for existing interests in land concessions, determining what variations are required to be agreed by Te Tōpuni Kōkōrangī and the Minister of Conservation;
- (i) preparing a place section for Te Papa-Kura-o-Taranaki in a draft conservation management strategy as set out in clause 12.34;
 - (j) initiating proposals for specially protected areas within Te Papa-Kura-o-Taranaki as set out in paragraph 1.40 of the schedule;
 - (k) determining how existing bylaws will be considered in the preparation of He Kawa Ora under Part 11, and any subsequent review and amendment to those bylaws following its approval under clause 11.25 (see clauses 11.34 and 11.35);
 - (l) determining whether existing bylaws require review in advance of the first He Kawa Ora being approved under clause 11.25 (see clauses 11.34 and 11.35);
 - (m) in addition to the opportunities set out in clause 15.14, agreeing the nature, timing of, and parameters for, engagement on projects involving new, additional, replacement or extended accommodation and related facilities for public and departmental use;
 - (n) developing protocols for communication between the parties concerning urgent unplanned activities such as emergency management; and
 - (o) any other matters as may be agreed between the parties; and
- 12.36.4 a process for some or all of the parties, and other entities or persons as appropriate, to meet from time to time to discuss:
- (a) the health of the relationship;
 - (b) how to ensure and continue the successful implementation of He Kawa Tupua; and
 - (c) any areas or issues of concern.

12.37 To avoid doubt, He Takapou Tupua may be amended from time to time by agreement between Te Tōpuni Kōkōrangī, the Minister of Conservation and the Director-General.

Te Tōpuni Kōkōrangī and Ministry of Business, Innovation and Employment relationship

12.38 The Ministry of Business, Innovation and Employment is committed to:

- 12.38.1 establishing and maintaining a co-operative and enduring relationship with Te Tōpuni Kōkōrangī; and

**12: HE TAIPITOPITOTANGA ME NGĀ KAWENGA O TE TŌPUNI KŌKŌRANGI: OTHER MATTERS
AND FUNCTIONS OF TE TŌPUNI KŌKŌRANGI**

12.38.2 engaging with Te Tōpuni Kōkōrangī when undertaking functions that impact on Te Kāhui Tupua and Te Papa-Kura-o-Taranaki.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

12.39 Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in:

12.39.1 clauses 12.1 to 12.8; and

12.39.2 clauses 12.11 to 12.35.

13 NGĀ RITENGA MŌ TE PAPA-KURA-O-TARANAKI: TE PAPA-KURA-O-TARANAKI MANAGEMENT

**Tū hikitia, Tū hāpainga
Manawa hikitia mai, manawa hāpainga mai
Mā ihi, mā rau a Tū, tikitiki mō te tupua nei
Whiria te kaha i runga, whiria te kaha i raro
Tēnei te ruruku ka ū ki tēnei taura hei ruruku ki tēnei matua iwi e hai!**

Be uplifted, inspired and engaged
Be steadfast, determined, focussed and disciplined
Act with courage and integrity
Act collectively and collaboratively to manifest the aspirations for our tupuna.

OPERATIONAL MANAGEMENT

- 13.1. The operational management of Te Papa-Kura-o-Taranaki must be undertaken in a manner that is consistent with:
- 13.1.1. this deed and Te Ture Whakatupua mō Te Kāhui Tupua, including Te Kāhui Tupua status and Ngā Pou Whakatupua;
 - 13.1.2. the National Parks Act 1980;
 - 13.1.3. He Kawa Ora; and
 - 13.1.4. other relevant legislation and statutory documents.

Ngā Iwi o Taranaki aspirations

- 13.2. Ngā Iwi o Taranaki have the following aspirations for the operational management of Te Papa-Kura-o-Taranaki:
- 13.2.1. to grow the capacity and capability of Ngā Iwi o Taranaki to fulfil their responsibilities as uri (descendants) in respect of Te Kāhui Tupua;
 - 13.2.2. to participate in the operational management of Te Papa-Kura-o-Taranaki in partnership with the Director-General; and
 - 13.2.3. to explore mutual projects and partnerships with the Director-General.
- 13.3. Ngā Iwi o Taranaki and the Director-General will work together in partnership to support the achievement of those aspirations.

Director-General to be responsible for operational management

- 13.4. The Director-General will be responsible for the operational management of Te Papa-Kura-o-Taranaki, subject to any arrangements entered into as a result of clauses 13.13.3 and 13.13.4.

**13: NGĀ RITENGA MŌ TE PAPA-KURA-O-TARANAKI: TE PAPA-KURA-O-TARANAKI
MANAGEMENT**

Role of Te Tōpuni Kōkōrangī in operational management

- 13.5. Te Tōpuni Kōkōrangī, on behalf of Te Kāhui Tupua, will play a role in the operational management of Te Papa-Kura-o-Taranaki as set out in clauses 13.6 to 13.10 below.
- 13.6. Prior to the commencement of the annual operational management planning process, Te Tōpuni Kōkōrangī will:
- 13.6.1. meet with the Director-General to discuss operational management issues and priorities for the year ahead (**operational management year**);
 - 13.6.2. consider and determine priorities for implementing He Kawa Ora for that operational management year; and
 - 13.6.3. provide a statement of those priorities to the Director-General (**statement of priorities**).
- 13.7. The Director-General may discuss the statement of priorities with Te Tōpuni Kōkōrangī:
- 13.7.1. at any stage during the annual operational management planning process; or
 - 13.7.2. during the operational management year to which the statement of priorities applies.
- 13.8. After the end of each operational management year, the Director-General must provide a report to Te Tōpuni Kōkōrangī on:
- 13.8.1. the implementation of He Kawa Ora for that operational management year;
 - 13.8.2. how the statement of priorities has been reflected in the operational management activities for that year;
 - 13.8.3. the total amount of concession revenue and other rents, fees and royalties referred to in clause 13.49, and how that has been applied for the benefit of Te Papa-Kura-o-Taranaki; and
 - 13.8.4. any parts of the statement of priorities that have not been reflected in the operational activities for that year and the reasons for that.
- 13.9. Te Tōpuni Kōkōrangī will consider that report from the Director-General and:
- 13.9.1. report to the Director-General and other parties (as appropriate) on:
 - (a) the effectiveness of the implementation of He Kawa Ora for that year; and
 - (b) the extent to which the statement of priorities has been reflected in the operational management activities for that year; and
 - 13.9.2. make any recommendations to the Director-General that it considers appropriate.
- 13.10. Te Tōpuni Kōkōrangī and the Director-General will then:
- 13.10.1. discuss Te Tōpuni Kōkōrangī's recommendations; and

**13: NGĀ RITENGA MŌ TE PAPA-KURA-O-TARANAKI: TE PAPA-KURA-O-TARANAKI
MANAGEMENT**

13.10.2. consider how those recommendations may inform the future operational management of Te Papa-Kura-o-Taranaki.

13.11. The Crown retains discretion as to its contribution to the operational management of Te Papa-Kura-o-Taranaki, but that must include an amount equivalent to the concession revenue and other rents, fees and royalties received under clause 13.49.

Achieving Ngā Iwi o Taranaki aspirations

13.12. The Director-General and Ngā Iwi o Taranaki will discuss and explore how to achieve the aspirations in relation to operational management referred to in clause 13.2.

13.13. The Director-General will meet with Te Tōpuni Ngārahu early during the annual operational management planning process for Te Papa-Kura-o-Taranaki to:

13.13.1. discuss priorities (including Te Tōpuni Kōkōurangi's statement of priorities) for the operational management year;

13.13.2. discuss planned operational management activities;

13.13.3. explore mutual projects and partnerships;

13.13.4. explore opportunities for Ngā Iwi o Taranaki to grow their capacity and capability to fulfil their responsibilities as uri (descendants) through participation in operational management activities; and

13.13.5. explore other opportunities for increased conservation and cultural outcomes.

13.14. Where projects, partnerships or participation are agreed to under clauses 13.13.3 and 13.13.4, the Director-General will use section 53(2)(i) of the Conservation Act 1987 or other mechanisms (including concessions, authorisations or mechanisms that are developed through future law reform) to give effect to any agreed arrangements.

13.15. The Director-General will notify Te Tōpuni Ngārahu when tendering contracting opportunities or considering contracting third parties for other services within Te Papa-Kura-o-Taranaki, where Te Tōpuni Ngārahu has identified those types of opportunities as being of interest.

13.16. The obligation in clause 13.14 is subject to compliance with all applicable laws and processes relating to procurement.

13.17. The Director-General and Te Tōpuni Ngārahu must, prior to the effective date, discuss:

13.17.1. whether there are certain categories of contracting opportunities that are not of interest and will not trigger the process referred to in clause 13.14;

13.17.2. the types of opportunities for which the process might be modified; and

13.17.3. reasonable timeframes for responses within the process.

13.18. Following that discussion, the Director-General and Te Tōpuni Ngārahu:

13.18.1. must agree in writing how to deal with those matters; and

13.18.2. may review that agreement from time to time.

13: NGĀ RITENGA MŌ TE PAPA-KURA-O-TARANAKI: TE PAPA-KURA-O-TARANAKI
MANAGEMENT

TE TŌPUNI KŌKŌRANGI AND TE TŌPUNI NGĀRAHU ROLES IN DECISION-MAKING
UNDER THE CONSERVATION ACT 1987 AND NATIONAL PARKS ACT 1980

13.19. For the purpose of clauses 13.19 to 13.48:

13.19.1. **application** means an application for:

- (a) a concession that the Minister of Conservation must consider under section 17T(1) of the Conservation Act 1987; or
- (b) an authorisation (not being a concession) for an interest in Te Whenua Taurikura that the Minister of Conservation must consider under the National Parks Act 1980, including a request under section 50(1) of that Act;

13.19.2. **applications for interests in Te Whenua Taurikura** means any application for a lease, easement or licence to occupy within Te Papa-Kura-o-Taranaki;

13.19.3. **concessionaire** has the meaning given in section 2(1) of the Conservation Act 1987;

13.19.4. **grantor** means a person with authority to grant a concession or authorisation for an interest in Te Whenua Taurikura under the Conservation Act 1987 or the National Parks Act 1980; and

13.19.5. **interest in Te Whenua Taurikura** means a lease, easement or licence to occupy within Te Papa-Kura-o-Taranaki.

13.20. Subject to clauses 13.22 to 13.48 and paragraphs 3.59 and 3.60 of the schedule, section 49 of the National Parks Act 1980 and Part 3B of the Conservation Act 1987 will continue to apply to applications to undertake activities within Te Papa-Kura-o-Taranaki.

Pre-application process

13.21. The Director-General must:

13.21.1. encourage potential applicants proposing to submit an application in respect of Te Papa-Kura-o-Taranaki to engage in discussions with iwi and hapū of Ngā Iwi o Taranaki with interests in the area of the proposed application; and

13.21.2. ensure that proposed applicants are informed about this deed and Te Ture Whakatupua mō Te Kāhui Tupua, including the effect of Te Kāhui Tupua status and Ngā Pou Whakatupua.

13.22. An application for an activity within Te Papa-Kura-o-Taranaki must, in addition to the information required by section 17S of the Conservation Act 1987, include:

13.22.1. sufficient information about how the proposed activity is consistent with Te Kāhui Tupua status and Ngā Pou Whakatupua;

13.22.2. for applications for interests in Te Whenua Taurikura, any additional information about how the proposed activity is consistent with this deed and Te Ture Whakatupua mō Te Kāhui Tupua; and

13.22.3. a record of any engagement by the applicant under clause 13.21.1.

**13: NGĀ RITENGA MŌ TE PAPA-KURA-O-TARANAKI: TE PAPA-KURA-O-TARANAKI
MANAGEMENT**

Te Tōpuni Kōkōrangī role in decision-making for interests in Te Whenua Taurikura

- 13.23. The following process applies, in addition to existing processes and criteria under the Conservation Act 1987, the National Parks Act 1980 and the decision-making process set out in clauses 13.41 to 13.47, to all applications for interests in Te Whenua Taurikura that are submitted to the Minister of Conservation after the effective date:
- 13.23.1. Te Tōpuni Kōkōrangī and the Minister of Conservation must decide whether to grant the application;
- 13.23.2. in making a decision on an application, Te Tōpuni Kōkōrangī and the Minister of Conservation must:
- (a) be provided with the application at the same time;
 - (b) throughout the process, receive the same advice from the Department of Conservation subject to any arrangements to ensure that Crown legal privilege is maintained;
 - (c) if either of them seek additional advice from a third party, share that advice with the other party subject to any arrangements to ensure that legal privilege is maintained;
 - (d) engage with each other and discuss their preliminary views on the application;
 - (e) provide a preliminary decision, together with reasons, to the applicant inviting written comments by a specified date; and
 - (f) following the consideration of any comments received by that date:
 - (i) make a final decision; and
 - (ii) grant or decline the application in accordance with that decision.
- 13.24. An application may only be granted under clause 13.23.2(f)(ii) if both Te Tōpuni Kōkōrangī and the Minister of Conservation agree.
- 13.25. Where an application for an interest in Te Whenua Taurikura is made by the asset management company (or an entity in which the asset management company holds an ownership interest):
- 13.25.1. Te Tōpuni Ngārahu (rather than Te Tōpuni Kōkōrangī) and the Minister of Conservation will make the decision whether to grant the application; and
- 13.25.2. the references to Te Tōpuni Kōkōrangī in clauses 13.23, 13.24, 13.26 to 13.31, 13.35 to 13.37 and paragraph 1.6 of the schedule are to be read as references to Te Tōpuni Ngārahu.
- 13.26. To avoid doubt, where the asset management company makes an application which does not seek an interest in Te Whenua Taurikura, that application will be processed and determined in the same manner as any other application.
- 13.27. Where a decision is made to grant an application under clause 13.23.2(f)(ii), that decision constitutes the agreement of Te Tōpuni Kōkōrangī for any interest in land contemplated by

**13: NGĀ RITENGA MŌ TE PAPA-KURA-O-TARANAKI: TE PAPA-KURA-O-TARANAKI
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that application to be registered against the title for Te Whenua Taurikura under paragraph 1.6.1 of the schedule.

Decisions under Part 3B of the Conservation Act 1987

- 13.28. Te Tōpuni Kōkōrangī and the Minister of Conservation will jointly make any decisions that would otherwise be made by the Minister of Conservation under Part 3B of the Conservation Act 1987 in relation to applications for interests in Te Whenua Taurikura under clause 13.23.
- 13.29. Despite clause 13.28, the administrative and procedural decisions listed in paragraph 3.59 of the schedule will continue to be made by the Minister of Conservation.
- 13.30. Te Tōpuni Kōkōrangī or the Minister of Conservation may, either jointly or separately, require an applicant to supply further information in respect of an application for an interest in Te Whenua Taurikura under section 17SD(1) of the Conservation Act 1987.
- 13.31. Te Tōpuni Kōkōrangī and the Minister of Conservation will have 40 working days to make decisions under section 17SB(1) of the Conservation Act 1987 in respect of applications for interests in Te Whenua Taurikura.

Administration and review

- 13.32. Te Tōpuni Kōkōrangī and the Minister of Conservation may agree administrative processes to support their decision-making under clause 13.23 in accordance with clause 12.36.3(f).
- 13.33. Despite the joint nature of the decision in clause 13.23, the Minister of Conservation will be treated as the grantor.
- 13.34. The process in clause 13.23 may be reviewed by Te Tōpuni Kōkōrangī and the Minister of Conservation in consultation with Te Tōpuni Ngārahu within 5 years after the effective date. Te Tōpuni Kōkōrangī, the Minister of Conservation and Te Tōpuni Ngārahu may agree in writing to make any modifications to that process.

Termination of interests in Te Whenua Taurikura

- 13.35. The Minister of Conservation (as grantor) must seek the agreement of Te Tōpuni Kōkōrangī when making a final decision to terminate an interest in Te Whenua Taurikura (or part of an interest) that was granted under clause 13.23.
- 13.36. The agreement of Te Tōpuni Kōkōrangī under clause 13.35 must not be unreasonably withheld.

Te Tōpuni Kōkōrangī and Te Tōpuni Ngārahu roles in hearing processes

- 13.37. Where the Minister of Conservation (or delegate) is to participate in a hearing held in accordance with section 49(2)(c) of the Conservation Act 1987 in respect of an application for an interest in Te Whenua Taurikura submitted under clause 13.23, a representative of Te Tōpuni Kōkōrangī may participate in the hearing in the same manner as the Minister.
- 13.38. If the Director-General is appointing a panel to support a hearing being conducted in accordance with section 49(2)(c) of the Conservation Act 1987 for an application for an interest in Te Whenua Taurikura submitted under clause 13.23, the Director-General must appoint a person recommended by Te Tōpuni Ngārahu to the panel.

**13: NGĀ RITENGA MŌ TE PAPA-KURA-O-TARANAKI: TE PAPA-KURA-O-TARANAKI
MANAGEMENT**

Framework for Te Tōpuni Ngārahu involvement in decision-making

- 13.39. Te Tōpuni Ngārahu and the Director-General must, prior to the effective date or such later date as agreed between the parties, discuss:
- 13.39.1. whether there are certain categories of applications for activities within Te Papa-Kura-o-Taranaki that will not trigger the process referred to in clauses 13.42 to 13.47;
 - 13.39.2. types of applications for activities within Te Papa-Kura-o-Taranaki for which the process might be modified, including through the use of section 17ZG of the Conservation Act 1987;
 - 13.39.3. how the process in clauses 13.42 to 13.47 will respect and support the role of individual iwi and hapū of Ngā Iwi o Taranaki in those decision-making processes; and
 - 13.39.4. reasonable timeframes for responses within the process.
- 13.40. Following the discussion referred to in clause 13.39, Te Tōpuni Ngārahu and the Director-General:
- 13.40.1. must agree in writing how to deal with the matters in clause 13.39; and
 - 13.40.2. may review that agreement from time to time.

Decision-making process

- 13.41. The decision-making process set out in clauses 13.42 to 13.47:
- 13.41.1. applies, in addition to existing processes and criteria under the Conservation Act 1987 and the National Parks Act 1980, to all applications that are submitted to the Minister of Conservation in respect of Te Papa-Kura-o-Taranaki after the effective date; and
 - 13.41.2. does not replace or discharge any obligations of the Minister of Conservation or Director-General to individual iwi or hapū of Ngā Iwi o Taranaki.
- 13.42. The Director-General must notify Te Tōpuni Ngārahu in writing as soon as practicable after an application has been received that complies with section 17T(1)(a) to (d) of the Conservation Act 1987.
- 13.43. The Director-General must at the time of giving that notice:
- 13.43.1. provide Te Tōpuni Ngārahu with information about the nature of the application;
 - 13.43.2. specify a reasonable timeframe within which Te Tōpuni Ngārahu must provide any initial views on the application; and
 - 13.43.3. identify who will be the decision-maker and the local contact person for the application.
- 13.44. Within the specified timeframe, Te Tōpuni Ngārahu must provide any views on the application in writing to the Director-General.

**13: NGĀ RITENGA MŌ TE PAPA-KURA-O-TARANAKI: TE PAPA-KURA-O-TARANAKI
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- 13.45. The Director-General must respond in writing to Te Tōpuni Ngārahu confirming:
- 13.45.1. the Director-General's understanding of any views expressed by Te Tōpuni Ngārahu under clause 13.44;
 - 13.45.2. how the Director-General considers these views will be addressed in the decision-making process; and
 - 13.45.3. any issues that the Director-General has identified as arising from those views.
- 13.46. The decision-maker must, as part of the decision document, record in writing:
- 13.46.1. any views provided by Te Tōpuni Ngārahu;
 - 13.46.2. how the decision provides for those views; and
 - 13.46.3. how the decision reflects section 4 of the Conservation Act 1987 and the matters set out in this deed and Te Ture Whakatupua mō Te Kāhui Tupua.
- 13.47. The decision-maker must forward the decision document to Te Tōpuni Ngārahu, subject to the need to withhold commercial or other sensitive information that the Director-General would otherwise be required to withhold under the Official Information Act 1982.

Review

- 13.48. Te Tōpuni Ngārahu and the Director-General must:
- 13.48.1. maintain open communication as to the effectiveness of the process set out in clauses 13.42 to 13.47; and
 - 13.48.2. no later than two years after the effective date (or any later date agreed between the parties), jointly commence a review of the effectiveness of the process set out in clauses 13.42 to 13.47.

Concession and other revenue obtained within Te Papa-Kura-o-Taranaki

- 13.49. Concession revenue and other rents, fees and royalties paid by third parties under an authorisation for an activity within Te Papa-Kura-o-Taranaki must:
- 13.49.1. be paid into a Crown bank account; and
 - 13.49.2. be applied within, and for the benefit of, Te Papa-Kura-o-Taranaki (see clauses 13.8.3 and 13.11).

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

- 13.50. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in clauses 13.1 to 13.49.

14 HE TAHUA KŌRERO, HE TAHUA WĀNANGA: RESOURCING, REPORTING AND LIABILITIES

**He tahua a nuku, he tahua a rangi
E tū e hōmai nei tō wairua ora, he ora!
He tahua kōrero, he tahua wānanga
Ki te whai ao ki te ao mārama.**

Drawing from our natural resources
Instilling us with energy and vitality for life
Inspiring discourse and new ways of learning and knowing
As a pathway for success.

RESOURCING CONTRIBUTION

- 14.1. The Crown and Ngā Iwi o Taranaki have agreed that the Crown will pay a resourcing contribution of \$35,000,000 plus GST (if any) to Te Tōpuni Ngārahu to support:
- 14.1.1. the health and wellbeing of Te Kāhui Tupua;
 - 14.1.2. the relationship of Ngā Iwi o Taranaki with Te Kāhui Tupua; and
 - 14.1.3. the delivery of the statutory functions of Te Tōpuni Ngārahu and its ongoing administration.
- 14.2. The Crown will pay the following early and partial releases of the resourcing contribution:
- 14.2.1. within 10 working days after the later of the following dates, the Crown will pay the Te Tōpuni Ngārahu Limited Partnership (on behalf of Te Tōpuni Ngārahu) the first early release payment of \$17,500,000 plus GST (if any):
 - (a) the initialling date; or
 - (b) the date upon which the parties agree in writing the form of the draft bill for the purposes of Ngā Iwi o Taranaki ratification; and
 - 14.2.2. within 10 working days after the date the draft bill is introduced into the House of Representatives, the Crown will pay Te Tōpuni Ngārahu the second early release payment of \$8,750,000 plus GST (if any).
- 14.3. Within 10 working days after the effective date, the Crown will pay Te Tōpuni Ngārahu the residual resourcing contribution of \$35,000,000 plus GST (if any) less the:
- 14.3.1. first early release payment of \$17,500,000 plus GST (if any) referred to in clause 14.2.1; and
 - 14.3.2. second early release payment of \$8,750,000 plus GST (if any) referred to in clause 14.2.2.

14: HE TAHUA KŌRERO, HE TAHUA WĀNANGA: RESOURCING, REPORTING AND LIABILITIES

TAX TREATMENT OF TE KĀHUI TUPUA, TE TŌPUNI KŌKŌRANGI AND THE ASSET MANAGEMENT COMPANY

- 14.4. Te Kāhui Tupua, Te Tōpuni Kōkōrangī and the asset management company will be granted a specific tax exemption for the purposes of the Income Tax Act 2007.
- 14.5. Te Kāhui Tupua and Te Tōpuni Kōkōrangī will each be deemed to be the same persons for the purposes of the Inland Revenue Acts and the liabilities and obligations placed on a person under those Acts.
- 14.6. In particular, and to avoid doubt:
- 14.6.1. income derived by Te Kāhui Tupua will be treated as income derived by Te Tōpuni Kōkōrangī;
 - 14.6.2. expenditure incurred by Te Kāhui Tupua will be treated as expenditure incurred by Te Tōpuni Kōkōrangī;
 - 14.6.3. the application of funds attributable to Te Kāhui Tupua will be treated as the application of funds attributable to Te Tōpuni Kōkōrangī;
 - 14.6.4. goods and services supplied by Te Kāhui Tupua will be treated as goods and services supplied by Te Tōpuni Kōkōrangī;
 - 14.6.5. goods and services acquired or used by Te Kāhui Tupua will be treated as goods and services acquired or used by Te Tōpuni Kōkōrangī; and
 - 14.6.6. obligations placed on Te Kāhui Tupua under section 15B of the Tax Administration Act 1994 will be treated as obligations placed on Te Tōpuni Kōkōrangī.
- 14.7. Any income, expenditure, supply, acquisition, or use in clause 14.6 is not income, expenditure, supply, acquisition, or use by Te Kāhui Tupua.
- 14.8. A notice issued by the Commissioner of Inland Revenue to Te Kāhui Tupua will be treated for the purposes of the Inland Revenue Acts as a notice issued to Te Tōpuni Kōkōrangī.
- 14.9. Despite clauses 14.4 and 14.6, Te Kāhui Tupua and Te Tōpuni Kōkōrangī will be jointly and severally liable under the Inland Revenue Acts.
- 14.10. Te Ture Whakaturua mō Te Kāhui Tupua will include provision for an exemption to the Income Tax Act 2007 for Te Kāhui Tupua, Te Tōpuni Kōkōrangī and the asset management company except to the extent that those entities incur an amount of expenditure for a purpose outside the scope and effect of He Kawa Tupua.

APPLICATIONS FOR CHARITABLE STATUS

- 14.11. Te Tōpuni Kōkōrangī will be deemed to be an institution or institutions for the purpose of making an application for charitable status under the Charities Act 2005.
- 14.12. The persons appointed to Te Tōpuni Kōkōrangī will be deemed to be officers of Te Kāhui Tupua for the purpose in clause 14.11.

14: HE TAHUA KŌRERO, HE TAHUA WĀNANGA: RESOURCING, REPORTING AND LIABILITIES

LIABILITIES

Certain liabilities retained

14.13. In relation to Te Whenua Taurikura and Te Papa-Kura-o-Taranaki, the Crown:

14.13.1. rather than Te Kāhui Tupua or Te Tōpuni Kōkōrangī, will retain or assume all existing and future liabilities relating to, or arising from the ownership of, Te Whenua Taurikura, including any liability in respect of:

- (a) any existing and future contamination of Te Whenua Taurikura;
- (b) any water, plants, wildlife, fish or aquatic life on Te Whenua Taurikura, together with any associated biosecurity risks;
- (c) any structures or improvements on Te Whenua Taurikura;
- (d) any existing interests in Te Whenua Taurikura;
- (e) any activity (whether authorised under a consent or designation, as a permitted activity, or by or under any legislation) on Te Whenua Taurikura; and
- (f) any public access to, and use of, Te Whenua Taurikura; and

14.13.2. will retain or assume any other liability arising from the exercise or performance of any statutory powers or functions, or decisions made, by the Department of Conservation, the Director-General and the Minister of Conservation.

14.14. In respect of any existing and future liabilities relating to Te Whenua Taurikura and Te Papa-Kura-o-Taranaki under clause 14.13, the Crown will inform Te Tōpuni Kōkōrangī prior to taking any action.

Rating responsibility

14.15. The Crown will remain responsible for any rating obligations in respect of Te Whenua Taurikura.

Costs of meeting certain liabilities

14.16. Clauses 14.17 to 14.19 apply if Te Tōpuni Kōkōrangī or Te Kāhui Tupua:

14.16.1. has a liability arising from its statutory functions or powers in relation to Te Kāhui Tupua, Te Whenua Taurikura or Te Papa-Kura-o-Taranaki; and

14.16.2. is not able to meet the costs or obligations imposed by the liability.

14.17. Te Tōpuni Kōkōrangī must, at the earliest practicable opportunity, give written notice of the matter to:

14.17.1. Te Tōpuni Ngārahu; and

14.17.2. the Director-General, the Minister of Conservation and the Minister of Finance.

14.18. In its written notice, Te Tōpuni Kōkōrangī may propose options for meeting the costs and other obligations associated with the liability.

14: HE TAHUA KŌRERO, HE TAHUA WĀNANGA: RESOURCING, REPORTING AND LIABILITIES

14.19. Te Tōpuni Ngārahu, the Minister of Conservation and the Minister of Finance:

14.19.1. may propose options, or seek proposals from Te Tōpuni Kōkōrangī, for meeting the liability;

14.19.2. must consider and respond to any proposals any of them may make; and

14.19.3. may agree to provide assistance to Te Tōpuni Kōkōrangī or Te Kāhui Tupua, specifying any condition on that assistance that they consider appropriate.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

14.20. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in clauses 14.4 to 14.19.

PART C – TE MANA O TE KĀHUI

15 TE PUEATANGA KI TE AO: RECONNECTION REDRESS

**Ko te pūtaketanga o te herenga whenua o te herenga tangata
He pata ua nō te rangi ka oti te hīri ki te whenua
He pawa auahi nō te whenua ka oti te hīri ki te rangi
Tangata tōmua, mō muri ko Papatūānuku.**

The foundation of the bond between people and place
The connection between the physical and metaphysical,
the past and the present
The basis for reconnection and a legacy for future generations.

TE IHO TĀNGAENGAE

15.1. The Crown acknowledges Te Iho Tāngaengae, the statement by Ngā Iwi o Taranaki of their particular cultural, spiritual, historical, and traditional association with their Tūpuna Maunga and Te Kāhui Tupua as set out in pages 3 and 4 of this deed and comprising:

15.1.1. He Pou Whakaruru: Guardian;

15.1.2. He Pou Taiora: Physical Dimension; and

15.1.3. He Pou Kura, He Pou Wānanga, He Pou Kōrero: Social Dimension.

OFFICIAL GEOGRAPHIC NAMES

15.2. On the effective date, each of the names listed in the second column will be the official geographic name for the features set out in columns 3 and 4:

Existing Name	New official geographic name	Location (NZTopo50 and grid references)	Geographic feature type
Ahukawakawa (sphagnum moss swamp)	Ahukawakawa	BJ29 906549	Wetland
Bells Falls	Te Rere-o-Tahurangi Falls	BJ29 897538	Waterfall
Fanthams Peak	Panitahi	BJ29 919482	Hill
Kaitake Peak	Kaitake	BH29 840653	Hill
Kaitake Range	Kaitake Range	BH28 839645 (central point)	Range
Karaka Tonga Stream	Karakatonga Stream	BJ29 924530 to BJ29 951557	Stream
Kokowai Stream	Kōkōwai Stream	BJ29 917508 to BJ29 939539	Stream

15: TE PUEATANGA KI TE AO: RECONNECTION REDRESS

Existing Name	New official geographic name	Location (NZTopo50 and grid references)	Geographic feature type
Lake Dive	Mangōraukawa / Lake Dive	BJ29 913455	Lake
Mount Taranaki or Mount Egmont	Taranaki Maunga	BJ29 917498	Hill
Oakura River	Ōākuramatapū River	BJ29 875574 to BH28 827706	River
Patuha	Patuhā	BH28 834648	Hill
Patuha Pa	Patuhā Pā	BH28 830647	Pā site
Pouakai	Pouākai	BJ29 875563	Hill
Pouakai Range	Pouākai Range	BJ29 858566 to BJ29 911565	Range
Stony River (Hangatahua)	Hangatahua River	BJ29 899541 to BH28 707638	River
Te Henui Stream	Te Hēnuī Stream	BH29 892590 to BH29 943773	Stream
The Dome	Te Umu-o-Taomanawa	BJ29 899536	Hill
Warea River (Teikaparua)	Te Ikapārua River	BJ29 865512 to BJ28 669568	River
Warwick Castle	Te Tāhuna-o-Tūtawa	BJ29 933498	Hill

15.3. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the official geographic names on the terms provided by Te Ture Whakatupua mō Te Kāhui Tupua.

CULTURAL TAKE

15.4. Te Tōpuni Ngārahu, or a post-settlement governance entity with delegated authority from Te Tōpuni Ngārahu:

15.4.1. may issue authorisations to members of Ngā Iwi o Taranaki in respect of Te Papa-Kura-o-Taranaki:

- (a) for the cultural take of plant material; or
- (b) for the possession of dead protected wildlife; or
- (c) to access riverbeds or other areas identified under clause 15.8.5 for the cultural take of Ngā Taonga Tūānuku by hand; and

15: TE PUEATANGA KI TE AO: RECONNECTION REDRESS

15.4.2. may issue any such authorisation:

- (a) without the requirement for a permit or other authorisation under conservation legislation or the Crown Minerals Act 1991 (other than permits to access specially protected areas under section 13 of the National Parks Act 1980); and
- (b) despite sections 5, 60 and 71D(1) of the National Parks Act 1980; and

15.4.3. must issue any such authorisation in accordance with He Kawa Ora and the cultural materials plan(s).

15.5. Any person exercising a right authorised under clause 15.4 must comply with all other lawful requirements, including under the Resource Management Act 1991.

15.6. To avoid doubt, authorisations issued under clause 15.4 may not permit hunting or killing live wildlife under the Wildlife Act 1953.

CULTURAL MATERIALS PLAN

15.7. Te Tōpuni Ngārahu and the Director-General will jointly prepare and agree a cultural materials plan (or plans) covering:

15.7.1. the cultural take of plant material and Ngā Taonga Tūānuku within Te Papa-Kura-o-Taranaki; and

15.7.2. the possession of dead protected wildlife found within Te Papa-Kura-o-Taranaki.

15.8. The cultural materials plan(s) will:

15.8.1. provide a statement on behalf of Ngā Iwi o Taranaki in relation to cultural materials;

15.8.2. identify species, areas and permitted methods for the cultural take of plant material;

15.8.3. identify any monitoring requirements for the cultural take of plant material;

15.8.4. identify parameters for the possession of dead protected wildlife;

15.8.5. in respect of the cultural take of Ngā Taonga Tūānuku:

- (a) identify riverbed areas suitable for the cultural take of Ngā Taonga Tūānuku by hand and permitted methods for and quantities of cultural take within those areas;
- (b) identify other suitable areas for the cultural take of Ngā Taonga Tūānuku by hand if particular Ngā Taonga Tūānuku are not found in riverbeds in Te Papa-Kura-o-Taranaki or reasonably accessible from riverbeds by hand, and permitted methods for and quantities of cultural take within those areas;
- (c) include other agreed conditions of access to enable the cultural take of Ngā Taonga Tūānuku; and

15.8.6. include any other matters relevant to the cultural take of plant materials and Ngā Taonga Tūānuku, or the possession of dead protected wildlife.

15: TE PUEATANGA KI TE AO: RECONNECTION REDRESS

15.9. Te Tōpuni Ngārahu and the Director-General:

- 15.9.1. will commence the preparation of the first cultural materials plan (or plans) no later than 12 months after the effective date, or such later date as agreed between Te Tōpuni Ngārahu and the Director-General;
- 15.9.2. will commence a review of the first cultural materials plan (or plans) no later than two years after its approval, or at such later date as agreed between Te Tōpuni Ngārahu and the Director-General; and
- 15.9.3. may commence subsequent reviews of the cultural materials plan(s) from time to time as agreed between the parties, but at intervals of not more than five years following the completion of the last review.

Conservation issues

15.10. Where Te Tōpuni Ngārahu or the Director-General identify any conservation issue arising from or affecting the cultural take of plant material and Ngā Taonga Tūānuku, or the possession of dead protected wildlife for non-commercial cultural purposes pursuant to the cultural materials plan(s), Te Tōpuni Ngārahu and the Director-General:

- 15.10.1. will engage for the purposes of seeking to address that conservation issue; and
- 15.10.2. will endeavour to develop solutions to address that conservation issue, which may include:
 - (a) the Director-General considering restricting the granting of authorisations to persons not covered by the plan for the cultural take of plant material and Ngā Taonga Tūānuku, or the possession of dead protected wildlife;
 - (b) Te Tōpuni Ngārahu considering restricting the granting of authorisations for the cultural take of plant material and Ngā Taonga Tūānuku, or the possession of dead protected wildlife under the plan; and
 - (c) Te Tōpuni Ngārahu and the Director-General agreeing to amend the cultural materials plan(s).

15.11. Where the Director-General is not satisfied that any conservation issue has been appropriately addressed following the process set out in clause 15.10.2:

- 15.11.1. the Director-General may give notice to Te Tōpuni Ngārahu that any identified component of a cultural materials plan is suspended; and
- 15.11.2. from the date set out in the notice under clause 15.11.1, clause 15.4.2(a) will not apply in respect of any component of a cultural materials plan that has been suspended.

15.12. Where the Director-General takes action under clause 15.11, Te Tōpuni Ngārahu and the Director-General will continue to engage and will seek to resolve any conservation issue so that any suspension can be revoked by the Director-General as soon as is practicable.

15.13. For the purposes of clauses 15.4 to 15.12:

- 15.13.1. **cultural take** means the take of materials for non-commercial cultural purposes;

15: TE PUEATANGA KI TE AO: RECONNECTION REDRESS

- 15.13.2. **dead protected wildlife** means the dead body or any part of the dead body of any absolutely protected or partially protected wildlife under the Wildlife Act 1953;
- 15.13.3. **plant** and **plant materials** have the meaning given in section 2 of the National Parks Act 1980, and includes part of a plant; and
- 15.13.4. **riverbed** means the land that the waters of a river, tributary, stream, or other natural watercourse cover at its fullest flow without flowing over its banks.

IWI ACCESS TO FACILITIES WITHIN TE PAPA-KURA-O-TARANAKI FOR CULTURAL PURPOSES

15.14. The parties agree that for non-commercial purposes:

15.14.1. Te Tōpuni Ngārahu:

- (a) will be offered a first right to acquire any surplus buildings owned and administered by the Department of Conservation (excluding any land) within Te Papa-Kura-o-Taranaki; and
- (b) may explore opportunities for the use of any decommissioned or surplus building footprints within Te Papa-Kura-o-Taranaki for purpose-built facilities, subject to that being consistent with He Kawa Ora;

15.14.2. any facilities acquired or built by Te Tōpuni Ngārahu and/or Ngā Iwi o Taranaki under clause 15.14.1 will be required to:

- (a) obtain all necessary authorisations under the National Parks Act 1980 and the Conservation Act 1987 (e.g. a concession); and
- (b) where those facilities are primarily used for accommodation, be made available for public bookings when not in use by Te Tōpuni Ngārahu and Ngā Iwi o Taranaki; and

15.14.3. Te Ahi Ngārahu (the relationship agreement with the Minister of Conservation and the Director-General under clause 16.1) will include a commitment that the Department of Conservation will discuss with Te Tōpuni Ngārahu:

- (a) the potential use of sites identified in He Kawa Ora as requiring an upgrade or replacement; and
- (b) the possibility of the Department of Conservation and Te Tōpuni Ngārahu working together to co-design purpose-built facilities within Te Papa-Kura-o-Taranaki for cultural events.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

15.15. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in clauses 15.1 to 15.13.

16 HE TAURA WHIRI MŌ TE TŌPUNI NGĀRAHU: RELATIONSHIP REDRESS FOR TE TŌPUNI NGĀRAHU

**Whiria te kaha tuatinitini, whiria te kaha tuamanomano
Whiria ki uta, whiria ki tai
Whiria ngā iwi
E whiri rā taku kaha nei
Whiria kia ū, whiria kia mou!**

Weave together our multiple and diverse communities
Weave together the people regionally and nationally
Creating relationships which are strong and enduring.

TE AHI NGĀRAHU

- 16.1. Prior to the effective date (or such later date as agreed between the parties to Te Ahi Ngārahu), Te Tōpuni Ngārahu, the Minister of Conservation and the Director-General will enter into Te Ahi Ngārahu that covers, but is not limited to, the following matters:
- 16.1.1. how Te Tōpuni Ngārahu, the Minister of Conservation and the Director-General will:
- (a) form a positive and enduring partnership based on the principles of te Tiriti o Waitangi/the Treaty of Waitangi; and
 - (b) work together to ensure that the integrity of He Kawa Tupua is upheld, and that those arrangements are successfully implemented;
- 16.1.2. the working principles that will apply to the relationship, including in relation to acting in good faith, early engagement and open and transparent communication;
- 16.1.3. how Te Tōpuni Ngārahu and the Director-General, and where applicable the Minister of Conservation, will be involved in processes set out in this deed or under legislation affecting Te Papa-Kura-o-Taranaki including:
- (a) the He Kawa Ora process set out in Part 11, including the appointment and coordination of a planning team to support the development of He Kawa Ora;
 - (b) annual discussions with the Director-General on operational management planning, priorities and opportunities for Ngā Iwi o Taranaki involvement, and the notification of contracting opportunities under clauses 13.13 to 13.18;
 - (c) in addition to the opportunities set out in clause 15.14, discussing the potential for space being set aside in the booking system for accommodation managed by the Department of Conservation for the use of Te Tōpuni Ngārahu and Ngā Iwi o Taranaki;
 - (d) discussing options for co-designing new, or upgrading existing, facilities where Te Tōpuni Ngārahu has indicated an interest in purpose-built facilities for cultural uses not requiring a concession (as provided in clause 15.14.3);

16: HE TAURA WHIRI MŌ TE TŌPUNI NGĀRAHU: RELATIONSHIP REDRESS FOR TE TŌPUNI NGĀRAHU

- (e) supporting Te Tōpuni Ngārahu and the Minister of Conservation to make a joint decision on an application for an interest in Te Whenua Taurikura as provided for in clause 13.25;
 - (f) implementing the decision-making process under clauses 13.41 to 13.47;
 - (g) if the Director-General is required to hold a hearing under section 49(2)(c) of the Conservation Act 1987 for an application for an interest in Te Whenua Taurikura, discussions regarding:
 - (i) whether a panel is to be appointed in respect of the application;
 - (ii) appointing a person to the panel on the recommendation of Te Tōpuni Ngārahu under clause 13.38; and
 - (iii) procedures to be adopted when conducting a hearing;
 - (h) enabling a proactive approach to concessions and concession opportunities, including through the use of section 17ZG(2) of the Conservation Act 1987 in accordance with clause 13.39.2;
 - (i) discussing opportunities for Te Tōpuni Ngārahu to input into decisions relating to acquiring and adding land to, and excluding land from, Te Papa-Kura-o-Taranaki in accordance with Part 10 and Parts 1 and 2 of the schedule;
 - (j) developing a cultural materials plan (or plans) in accordance with clauses 15.7 to 15.9;
 - (k) initiating proposals for specially protected areas within Te Papa-Kura-o-Taranaki as set out in paragraph 1.40 of the schedule;
 - (l) discussing how Te Tōpuni Ngārahu will contribute to decisions on whether to grant permits to access specially protected areas, and what conditions should be imposed on any permits that are to be granted;
 - (m) discussing proposals for:
 - (i) the release of biological control organisms within Te Papa-Kura-o-Taranaki under paragraph 1.38 of the schedule;
 - (ii) translocation, species protection and scientific research decisions made under the Wildlife Act 1953 and other conservation legislation; and
 - (n) any other matters as may be agreed between the parties;
- 16.1.4. how Te Tōpuni Ngārahu, the Minister of Conservation and the Director-General will work together to:
- (a) identify the areas of interest in any conservation law review and reform process;
 - (b) discuss and agree the nature and extent of any ongoing engagement required within the context of clause 18.14; and

16: HE TAURA WHIRI MŌ TE TŌPUNI NGĀRAHU: RELATIONSHIP REDRESS FOR TE TŌPUNI NGĀRAHU

- 16.1.5. a process for some or all of the parties, and other entities or persons as appropriate, to meet from time to time to discuss:
- (a) the health of their relationship;
 - (b) how to ensure and continue the successful implementation of He Kawa Tupua; and
 - (c) any areas or issues of concern.

16.2. To avoid doubt, Te Ahi Ngārahu may be amended from time to time by agreement between Te Tōpuni Ngārahu, the Minister of Conservation and the Director-General.

UPDATING MAPS TO INCLUDE AREAS OF TE PAPA-KURA-O-TARANAKI

16.3. The Department of Conservation:

- 16.3.1. maintains relationships with the iwi and hapū of Ngā Iwi o Taranaki with interests in Te Papa-Kura-o-Taranaki, including iwi whose individual agreements currently exclude Te Papa-Kura-o-Taranaki; and
- 16.3.2. will, if requested by iwi, work with iwi to review those agreements (on the terms set out in the agreement) and update maps to include the areas of Te Papa-Kura-o-Taranaki that fall within the area of interest in their individual deeds of settlement and/or their rohe.

TE TŌPUNI NGĀRAHU AND MINISTRY OF BUSINESS, INNOVATION AND EMPLOYMENT RELATIONSHIP

16.4. The Ministry of Business, Innovation and Employment is committed to:

- 16.4.1. establishing and maintaining a co-operative and enduring relationship with Te Tōpuni Ngārahu;
- 16.4.2. engaging with Te Tōpuni Ngārahu when undertaking functions that impact on Te Kāhui Tupua and Te Papa-Kura-o-Taranaki; and
- 16.4.3. working with individual iwi to update their Crown minerals protocol areas to include the relevant parts or whole of Te Papa-Kura-o-Taranaki (as required).

17 NGĀ MŌTIKA: NON-DEROGATION AND STANDING

**Ko te tika i titi iho i te rangi, i pupū mai ai i te whenua
Whakatikaia mai kia tika, whakatonuhia mai kia tonu.**

Rights and interests derived from connection and relationship to place
Ensuring they are appropriately acknowledged and maintained.

NON-DEROGATION

17.1. Nothing in this deed or Te Ture Whakatupua mō Te Kāhui Tupua:

17.1.1. usurps or limits:

- (a) the relationships between Ngā Iwi o Taranaki and Te Kāhui Tupua;
- (b) the mana of, or the exercise of rights or responsibilities according to tikanga or customary law by, Ngā Iwi o Taranaki;
- (c) the ability for Ngā Iwi o Taranaki to participate in any statutory or other process that is relevant to Te Kāhui Tupua;
- (d) the ability or requirement for any person or entity to engage with Ngā Iwi o Taranaki; or
- (e) any other rights that Ngā Iwi o Taranaki may have arising:
 - (i) from legislation, Te Tiriti o Waitangi or its principles, the common law, or a fiduciary duty; or
 - (ii) in any other way.

17.1.2. precludes Ngā Iwi o Taranaki from referring to, describing or relying on in any relevant statutory or other process:

- (a) their relationship with Te Kāhui Tupua; or
- (b) the arrangements set out in this deed including:
 - (i) Te Kāhui Tupua status;
 - (ii) Ngā Pou Whakatupua; and
 - (iii) Te Iho Tāngaengae.

17.1.3. extinguishes or limits any extant aboriginal title or customary rights;

17.1.4. limits the ability for a group to apply for or be granted aboriginal title or customary rights;

17.1.5. constitutes or implies an acknowledgement by the Crown that any aboriginal title, or customary right, exists;

17: NGĀ MŌTIKA: NON-DEROGATION AND STANDING

- 17.1.6. limits, diminishes or removes the obligations under section 4 of the Conservation Act 1987; or
- 17.1.7. implies that the obligations under section 4 of the Conservation Act 1987 will be satisfied by complying with this deed or Te Ture Whakatupua mō Te Kāhui Tupua.
- 17.2. Without limiting clause 17.1, and except as provided in clauses 5.1, 6.1, 6.2, 15.1, 17.4 and 17.5, nothing in this deed or Te Ture Whakatupua mō Te Kāhui Tupua applies in the coastal marine area.
- 17.3. Unless expressly provided for in this deed or Te Ture Whakatupua mō Te Kāhui Tupua, nothing in this deed or Te Ture Whakatupua mō Te Kāhui Tupua:
- 17.3.1. limits any existing private property rights;
- 17.3.2. creates, limits, transfers, extinguishes or otherwise affects any rights or interests in water, wildlife, fish, aquatic life or plants; or
- 17.3.3. affects the application of any enactment.

STANDING

- 17.4. Te Tōpuni Ngārahu is to be treated as:
- 17.4.1. an iwi authority and a public authority for the purposes of the Resource Management Act 1991; and
- 17.4.2. a public body for the purposes of the Local Government Act 2002.
- 17.5. For the purpose of a matter relating to or affecting Te Kāhui Tupua under any legislation, and without limiting any other rights that Te Tōpuni Kōkōrangī and Te Tōpuni Ngārahu may have under such legislation:
- 17.5.1. Te Tōpuni Kōkōrangī will be:
- (a) recognised as having an interest in Te Kāhui Tupua greater than, and separate from, any interest in common with the public generally;
- (b) entitled to lodge submissions, if there is a process for lodging submissions in relation to that matter; and
- (c) entitled to be heard, if a hearing, proceeding, or inquiry is to be held in relation to that matter; and
- 17.5.2. Te Tōpuni Ngārahu will be:
- (a) recognised as having an interest in Te Kāhui Tupua greater than, and separate from, any interest in common with the public generally;
- (b) entitled to lodge submissions, if there is a process for lodging submissions in relation to that matter; and
- (c) entitled to be heard, if a hearing, proceeding, or inquiry is to be held in relation to that matter.

17: NGĀ MŌTIKA: NON-DEROGATION AND STANDING

RESOURCE MANAGEMENT ACT 1991

17.6. Clause 17.7 applies where:

17.6.1. a consent authority under the Resource Management Act 1991 determines that Te Kāhui Tupua is an affected person in relation to an application for resource consent relating to Te Kāhui Tupua or activities affecting Te Kāhui Tupua; and

17.6.2. Te Tōpuni Kōkōrangī gives written approval in relation to that application.

17.7. Where clause 17.6 applies, and despite sections 95D(e) and 104(3)(a)(ii) of the Resource Management Act 1991, the consent authority must not disregard any relevant effects on Te Kāhui Tupua.

TE TURE WHENUA MĀORI ACT 1993

17.8. Te Ture Whakatupua mō Te Kāhui Tupua will provide that Te Tōpuni Ngārahu is not a trust constituted in respect of:

17.8.1. any Māori land for the purpose of section 236(1)(b) Te Ture Whenua Māori Act 1993; and

17.8.2. any General land owned by Māori for the purpose of section 236(1)(c) Te Ture Whenua Māori Act 1993.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

17.9. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in clauses 17.1 to 17.8.

**PART D – TE WHAKAKORIKORINGA:
IMPLEMENTATION**

18 HE TŪKANGA WHAKATINANA: IMPLEMENTATION PROCESS, TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA, CONDITIONS AND TERMINATION

**Herea ki mataanuku, herea ki mataarangi
Ki konā koe tū mai ai, tēnei au te whanatu nei
Tū whakatupua, tū whakatawhito, toro te aka, tau te tāmōre,
pipine tū ki te rangi!**

Binding all elements of the arrangements
Firmly established as the foundation to realise growth, prosperity and wellbeing.

IMPLEMENTATION

- 18.1. Te Ture Whakatupua mō Te Kāhui Tupua will:
- 18.1.1. exclude the jurisdiction of any court, tribunal, or other judicial body in relation to this deed; and
 - 18.1.2. provide that the maximum duration of a trust pursuant to the Trusts Act 2019 does not:
 - (a) apply to a document entered into to give effect to this deed; or
 - (b) prescribe or restrict the period during which:
 - (i) the trustees of Te Tōpuni Ngārahu may hold or deal with property; and
 - (ii) Te Tōpuni Ngārahu may exist; and
 - 18.1.3. require the chief executive of the Office for Māori Crown Relations – Te Arawhiti to make copies of this deed publicly available.
- 18.2. Notwithstanding Part 6 of the Trusts Act 2019, Te Tōpuni Ngārahu may not be terminated unless another trust or entity has been established that is able to exercise the powers, perform the functions and fulfil the obligations of Te Tōpuni Ngārahu set out in this deed and Te Ture Whakatupua mō Te Kāhui Tupua.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

- 18.3. The Crown must propose the draft bill for introduction to the House of Representatives.
- 18.4. Te Ture Whakatupua mō Te Kāhui Tupua will provide for all matters for which legislation is required to give effect to this deed.
- 18.5. The draft bill proposed for introduction to the House of Representatives:
- 18.5.1. 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

18: HE TŪKANGA WHAKATINANA: IMPLEMENTATION PROCESS, TE PIRE WHAKATUPUA MŌ TE KĀHUI TUPUA, CONDITIONS AND TERMINATION

18.5.2. must be in a form that is satisfactory to Ngā Iwi o Taranaki and the Crown.

18.6. Ngā Iwi o Taranaki and Te Tōpuni Ngārahu must support the passage of the draft bill through Parliament.

CONDITIONS

18.7. This deed is conditional on Te Ture Whakatupua mō Te Kāhui Tupua coming into force.

18.8. However, clauses 18.6, 18.18 and 18.19 are binding on its signing.

EFFECT OF THIS DEED

18.9. This deed provides collective cultural redress for the historical claims of Ngā Iwi o Taranaki relating to their Tūpuna Maunga. The redress provided under this deed is part of the Treaty settlement of those iwi under their individual deeds of settlement with the Crown.

18.10. Except as provided in this deed, nothing in this deed is intended to affect any action or decision under any legislation and, in particular, under:

18.10.1. Ngaa Rauru Kaitahi Claims Settlement Act 2005;

18.10.2. Ngāruahine Claims Settlement Act 2016;

18.10.3. Ngāti Maru (Taranaki) Claims Settlement Act 2022;

18.10.4. Ngāti Mutunga Claims Settlement Act 2006;

18.10.5. Ngāti Ruanui Claims Settlement Act 2003;

18.10.6. Ngāti Tama Claims Settlement Act 2003;

18.10.7. Taranaki Iwi Claims Settlement Act 2016; or

18.10.8. Te Āti Awa Claims Settlement Act 2016.

18.11. This deed:

18.11.1. is “without prejudice” until it becomes unconditional; and

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

18.12. Clause 18.11.2 does not exclude the jurisdiction of a court, tribunal, or other judicial body in respect of the interpretation, implementation or enforcement of this deed.

FUTURE CHANGES TO RELEVANT LEGISLATION

18.13. The parties acknowledge that this deed and Te Ture Whakatupua mō Te Kāhui Tupua have been developed and agreed:

18.13.1. in the context of, and with express reference to, the conservation legislation existing at the date of deed; and

18.13.2. in the knowledge that the Government has announced an intention to reform aspects of that conservation legislation.

18: HE TŪKANGA WHAKATINANA: IMPLEMENTATION PROCESS, TE PIRE WHAKATUPUA MŌ TE KĀHUI TUPUA, CONDITIONS AND TERMINATION

- 18.14. The parties acknowledge and agree that in undertaking any conservation law review and reform:
- 18.14.1. the integrity, intent and effect of the agreements in, and mechanisms provided through, this deed and Te Ture Whakatupua mō Te Kāhui Tupua must be upheld;
 - 18.14.2. the Crown will engage with Te Tōpuni Ngārahu early in, and throughout, any conservation law review and reform process with the purpose of working through and agreeing in principle what may be required to uphold the integrity, intent and effect of the redress mechanisms within the context of any amended conservation legislation;
 - 18.14.3. the reforms may amend aspects of existing conservation legislation in a manner which enables alternate or additional mechanisms to those provided under this deed and Te Ture Whakatupua mō Te Kāhui Tupua and, in that event, the Crown and Te Tōpuni Ngārahu will explore in good faith the potential for such mechanisms to be developed and agreed;
 - 18.14.4. the Crown and Te Tōpuni Ngārahu will enter into an agreement regarding any amendments to this deed in order to uphold the integrity, intent and effect of those agreements and mechanisms and/or to give effect to any matters agreed under clauses 18.14.2 and 18.14.3;
 - 18.14.5. if required, the Crown will propose for introduction to the House of Representatives a bill to amend Te Ture Whakatupua mō Te Kāhui Tupua, the form of which must be agreed with Te Tōpuni Ngārahu; and
 - 18.14.6. in the event that a bill is introduced under clause 18.14.5, the Crown and Te Tōpuni Ngārahu must support the passage of that bill to amend Te Ture Whakatupua mō Te Kāhui Tupua through Parliament.
- 18.15. To avoid doubt, the processes referred to in clause 18.14 are not intended to prevent the Crown from undertaking any conservation law review and reform process.

DISSOLUTION OF TARANAKI MĀORI TRUST BOARD

- 18.16. The parties agree that the Taranaki Māori Trust Board and the Taranaki Māori Educational Trust will be dissolved on the terms provided by Te Ture Whakatupua mō Te Kāhui Tupua and on the later of the following dates:
- 18.16.1. the effective date;
 - 18.16.2. the date on which the final order made by the Māori Land Court takes effect vesting all Māori freehold land that is beneficially owned by the Taranaki Māori Trust Board in another person or persons;
 - 18.16.3. the date on which the final order made by the Māori Land Court takes effect transferring the administration of all Māori freehold land administered by the Taranaki Māori Trust Board as a responsible trustee to another person or persons or removing the Taranaki Māori Trust Board as a responsible trustee of such land;
 - 18.16.4. the date on which the final order made by the Māori Land Court takes effect vesting all shares in Parininihi ki Waitōtara Incorporation held in the name of the Taranaki Māori Trust Board in another person or persons; and

18: HE TŪKANGA WHAKATINANA: IMPLEMENTATION PROCESS, TE PIRE WHAKATUPUA MŌ TE KĀHUI TUPUA, CONDITIONS AND TERMINATION

18.16.5. the date on which the Minister for Māori Development presents the final report for the Taranaki Māori Trust Board to the House of Representatives.

18.17. On the effective date, the reference to Taranaki Māori Trust Board at section 6P(6)(b) of the Conservation Act 1987 will be replaced with "Te Tōpuni Ngārahu".

TERMINATION

18.18. The Crown or Te Tōpuni Ngārahu may terminate this deed, by notice to the other, if:

18.18.1. Te Ture Whakatupua mō Te Kāhui Tupua has not come into force within minimum of 30 months after the date of this deed; and

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

18.19. If this deed is terminated in accordance with its provisions:

18.19.1. it is at an end; and

18.19.2. subject to this clause, it does not give rise to any rights or obligations; and

18.19.3. it remains "without prejudice".

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

18.20. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in clauses 18.1, 18.2, 18.16 and 18.17.

19 NGĀ TAIPITOPITONGA: GENERAL, DEFINITIONS AND INTERPRETATION

GENERAL

19.1. Parts 4 to 6 of the schedule include provisions in relation to:

19.1.1. the Crown's tax indemnities in relation to redress; and

19.1.2. giving notice under this deed or a document giving effect to this deed; and

19.1.3. amending this deed.

NGĀ IWI O TARANAKI

19.2. In this deed, and subject to clause 19.3, **Ngā Iwi o Taranaki**:

19.2.1. means the collective group comprising the following iwi:

(a) Ngaa Rauru Kiitahi;

(b) Ngāruahine;

(c) Ngāti Ruanui;

(d) Ngāti Maru;

(e) Ngāti Mutunga;

(f) Ngāti Tama;

(g) Taranaki Iwi;

(h) Te Āti Awa; and

19.2.2. includes each of those iwi and their hapū; and

19.2.3. includes the present and future members of one or more of those iwi and their hapū.

19.3. In clauses 1.4 to 1.8, 13.3, 13.12, 18.5.2, 18.6, 19.4 and paragraphs 5.5 and 7.1.72 of the schedule of this deed, **Ngā Iwi o Taranaki** means following iwi acting through their respective post-settlement governance entity:

19.3.1. Ngaa Rauru Kiitahi, as represented by Te Kaahui o Rauru Trust;

19.3.2. Ngāruahine, as represented by Te Korowai o Ngāruahine Trust;

19.3.3. Ngāti Ruanui, as represented by Te Rūnanga o Ngāti Ruanui Trust;

19.3.4. Ngāti Maru, as represented by Te Kāhui Maru Trust: Te Iwi o Maruwharanui;

19.3.5. Ngāti Mutunga, as represented by Te Rūnanga o Ngāti Mutunga Trust;

19.3.6. Ngāti Tama, as represented by Te Rūnanga o Ngāti Tama Trust;

19: NGĀ TAIPITOPITONGA: GENERAL, DEFINITIONS AND INTERPRETATION

19.3.7. Taranaki Iwi, as represented by Te Kāhui o Taranaki Trust; and

19.3.8. Te Āti Awa, as represented by Te Kotahitanga o Te Atiawa Trust.

MANDATED NEGOTIATORS AND SIGNATORIES

19.4. **mandated negotiators** means the following individuals:

19.4.1. Jamie Tuuta, Lead Negotiator, Ngā Iwi o Taranaki;

19.4.2. Liana Poutu, Negotiator, Ngā Iwi o Taranaki;

19.4.3. Hemi Sundgren, Negotiator, Ngā Iwi o Taranaki;

19.4.4. Te Pahunga Davis, Negotiator, Ngā Iwi o Taranaki; and

19.4.5. Haimona Maruera, Negotiator, Ngā Iwi o Taranaki.

19.5. **mandated signatories** means the following individuals:

19.5.1. Michael Neho, Chairperson, Te Kaahui o Rauru Trust;

19.5.2. Holden Hohaia, Chairperson, Te Kāhui Maru Trust: Te Iwi o Maruwharanui;

19.5.3. Jacqui King, Chairperson, Te Kāhui o Taranaki Trust;

19.5.4. Paula Carr, Chairperson, Te Korowai o Ngāruahine Trust;

19.5.5. Liana Poutu, Chairperson, Te Kotahitanga o Te Atiawa Trust;

19.5.6. Jamie Tuuta, Chairperson, Te Rūnanga o Ngāti Mutunga Trust;

19.5.7. Haimona Maruera, Chairperson, Te Rūnanga o Ngāti Ruanui Trust; and

19.5.8. Frances White, Chairperson, Te Rūnanga o Ngāti Tama Trust.

ADDITIONAL DEFINITIONS

19.6. The definitions in Part 7 of the schedule apply to this deed.

INTERPRETATION

19.7. Part 8 of the schedule applies to the interpretation of this deed.

NAME USED IN PLACE OF OFFICIAL GEOGRAPHIC NAME

19.8. In this deed, any reference to "the national park":

19.8.1. is not a reference to the existing official geographic name which, prior to the effective date, is Egmont National Park; and

19.8.2. from the effective date, is a reference to Te Papa-Kura-o-Taranaki.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

19.9. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in clauses 19.2 and 19.3.

SIGNED as a deed on

SIGNED for and on behalf of)
NGĀ IWI O TARANAKI by the mandated)
negotiators, in the presence of:)

Jamie Tuuta, Lead Negotiator

Signature of Witness

Liana Poutu, Negotiator

Witness Name

Hemi Sundgren, Negotiator

Occupation

Te Pahunga Davis, Negotiator

Address

Haimona Maruera, Negotiator

TE RURUKU PŪTAKERONGO

SIGNED for and on behalf of)
TE KAAHUI O RAURU TRUST by the)
mandated signatory, in the presence of:)

Michael Neho, Chairperson

Signature of Witness

Witness Name

Occupation

Address

SIGNED for and on behalf of)
TE KĀHUI MARU TRUST: TE IWĪ O)
MARUWHARANUI by the mandated)
signatory, in the presence of:)

Holden Hohaia, Chairperson

Signature of Witness

Witness Name

Occupation

Address

TE RURUKU PŪTAKERONGO

SIGNED for and on behalf of)
TE KĀHUI O TARANAKI TRUST by the)
mandated signatory, in the presence of:)

Jacqui King, Chairperson

Signature of Witness

Witness Name

Occupation

Address

SIGNED for and on behalf of)
TE KOROWAI O NGĀRUAHINE TRUST by)
the mandated signatory, in the presence of:)

Paula Carr, Chairperson

Signature of Witness

Witness Name

Occupation

Address

TE RURUKU PŪTAKERONGO

SIGNED for and on behalf of)
TE KOTAHITANGA O TE ATIWA TRUST)
by the mandated signatory, in the presence)
of:

Liana Poutu, Chairperson

Signature of Witness

Witness Name

Occupation

Address

SIGNED for and on behalf of)
TE RŪNANGA O NGĀTI MUTUNGA)
TRUST by the mandated signatory, in the)
presence of:

Jamie Tuuta, Chairperson

Signature of Witness

Witness Name

Occupation

Address

TE RURUKU PŪTAKERONGO

SIGNED for and on behalf of)
TE RŪNANGA O NGĀTI RUANUI)
TRUST by the mandated signatory, in the)
presence of:

Haimona Maruera, Chairperson

Signature of Witness

Witness Name

Occupation

Address

SIGNED for and on behalf of)
TE RŪNANGA O NGĀTI TAMA TRUST)
by the mandated signatory, in the)
presence of:

Frances White, Chairperson

Signature of Witness

Witness Name

Occupation

Address

TE RURUKU PŪTAKERONGO

SIGNED by the trustees of)
TE TŌPUNI NGĀRAHU, in the presence of:)
)

Signature of Witness

Michael Neho

Witness Name

Holden Hohaia

Occupation

Jacqui King

Address

Paula Carr

Liana Poutu

Jamie Tuuta

Haimona Maruera

Frances White

SIGNED for and on behalf of the **CROWN**)
by the Minister for Treaty of Waitangi)
Negotiations, in the presence of:)

Hon Andrew James Little

Signature of Witness

Witness Name

Occupation

Address

by the Minister of Conservation, in the)
presence of:)
)

Hon Willow-Jean Prime

Signature of Witness

Witness Name

Occupation

Address

by the Minister of Finance (only in relation)
to the tax indemnities), in the presence of:)
)

Signature of Witness

Hon Grant Murray Robertson

Witness Name

Occupation

Address

SCHEDULE

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1 TE WHENUA TAURIKURA AND RELATED MATTERS

REGISTRATION OF TE WHENUA TAKETAKE IN TE KĀHUI TUPUA

- 1.1. The Registrar-General must, in accordance with a written application by a person authorised by the Director-General:
- 1.1.1. create a record of title for the fee simple estate in Te Whenua Taketake in the name of Te Kāhui Tupua; and
 - 1.1.2. record on the record of title:
 - (a) any interests that are registered, noted, or to be noted, and that are described in the application; and
 - (b) that the land is Te Whenua Taurikura and is subject to Te Ture Whakatupua mō Te Kāhui Tupua and the National Parks Act 1980.

REGISTRATION OF LAND ADDED TO TE PAPA-KURA-O-TARANAKI

- 1.2. The Registrar-General must, in accordance with a written application by a person authorised by the Director-General, amalgamate any land added to Te Papa-Kura-o-Taranaki in accordance with clauses 10.9 or 10.12 with the land in the existing record of title for Te Whenua Taurikura, to the intent that Te Whenua Taurikura is always to be held in one record of title, and the provisions of paragraph 1.1.2 apply with necessary modifications.

REGISTRATION OF LAND EXCLUDED FROM TE PAPA-KURA-O-TARANAKI

- 1.3. If land is excluded from Te Papa-Kura-o-Taranaki in accordance with clauses 10.15 and 10.17, the Registrar-General must, in accordance with a written application by a person authorised by the Director-General, cancel the existing record of title for Te Whenua Taurikura and create a new record of title for Te Whenua Taurikura (being the land in the register immediately before it was cancelled less the excluded land), and the provisions of paragraph 1.1.2 apply with necessary modifications.

REGISTRATION OF LAND EXCLUDED FROM TE PAPA-KURA-O-TARANAKI THAT VESTS IN A THIRD PARTY OR THE CROWN

- 1.4. The Registrar-General must, on written application by a person authorised by the Director-General, create a record of title for the fee simple estate in the land excluded from Te Papa-Kura-o-Taranaki under clause 10.17.1 in the name of the Crown or person in whom the land is vested.
- 1.5. The Registrar-General must ensure that the notations referred to in paragraph 1.1.2(b) are not noted on any record of title for land referred to in clause 10.17.1.

CERTIFICATION OF INSTRUMENTS PROVIDED FOR REGISTRATION

- 1.6. Any instrument provided for the purposes of registering an interest in land that affects Te Whenua Taurikura (other than a written application under paragraphs 1.1 to 1.3) must be certified by a person authorised by the Director-General as either:
- 1.6.1. having the agreement of Te Tōpuni Kōkōurangi (or Te Tōpuni Ngārahu if clause 13.25 applies) to the registration of the instrument; or

1: TE WHENUA TAURIKURA AND RELATED MATTERS

- 1.6.2. being of a minor and technical matter and accordingly not requiring the agreement of Te Tōpuni Kōkōrangi (or Te Tōpuni Ngārahu if clause 13.25 applies).
- 1.7. Despite the registration of land in the name of Te Kāhui Tupua, the Registrar-General may register an interest in land that affects Te Whenua Taurikura provided it has been certified in accordance with paragraph 1.6.
- 1.8. The Registrar-General is entitled to rely on the certification in paragraph 1.6.

EXISTING INTERESTS TO CONTINUE

- 1.9. Notwithstanding any land becoming part of Te Papa-Kura-o-Taranaki, any existing interests will continue to apply, with any necessary modification, until the interest expires or is terminated.
- 1.10. For the purposes of any existing interests (for which there is a grantor or grantee) that affect land that will be part of Te Papa-Kura-o-Taranaki:
- 1.10.1. the Crown will exercise all of the rights of, and be subject to all of the obligations of, the grantor (where land is subject to the relevant interest) or grantee (where the relevant interest benefits land) of such interests, on and from the date the land becomes part of Te Papa-Kura-o-Taranaki; and
- 1.10.2. if the context requires, any references to other legislation will be read as a reference to that legislation as modified by Te Ture Whakatupua mō Te Kāhui Tupua.

OWNERSHIP OF IMPROVEMENTS

- 1.11. The vestings referred to in clauses 10.1.3 and 10.9.1(c) do not include:
- 1.11.1. improvements, including without limitation any walking or vehicle track that has been formed or surfaced; or
- 1.11.2. to avoid doubt, legal roads.

Crown-owned improvements on Te Whenua Taketake at the effective date

- 1.12. Any improvements owned by the Crown and attached to Te Whenua Taketake immediately before the effective date, remain owned by the Crown.

Improvements on Te Whenua Taurikura after the effective date

- 1.13. Unless otherwise agreed between the Crown and a relevant party, or provided for in an existing interest, improvements that are attached to:
- 1.13.1. any land (other than Te Whenua Taketake) prior to that land becoming part of Te Papa-Kura-o-Taranaki, vest in the Crown (or continue to be owned by the Crown, as relevant) on the date that land becomes Te Whenua Taurikura; and
- 1.13.2. any part of Te Whenua Taurikura after the effective date, are owned by the Crown.

1: TE WHENUA TAURIKURA AND RELATED MATTERS

Improvements that revert to the grantor of an existing interest

- 1.14. The ownership of any improvements attached to Te Whenua Taurikura which are subject to an existing interest that provides for the ownership of those improvements to revert to the grantor, will revert to the Crown.
- 1.15. To avoid doubt, paragraph 1.14 will not:
- 1.15.1. preclude the Crown, at any time, from reaching another agreement with respect to those improvements, including under clause 15.14.1; or
 - 1.15.2. apply where an existing interest, or an agreement reached between the Crown and a relevant party, provides otherwise.

Use of Crown-owned improvements

- 1.16. Any improvements owned by the Crown and attached to Te Whenua Taurikura may be used, occupied, accessed, maintained, removed, or demolished by the Director-General, or a person authorised by the Director-General, in a manner that:
- 1.16.1. is not inconsistent with He Kawa Ora; and
 - 1.16.2. is consistent with:
 - (a) the terms of any existing interests;
 - (b) any existing authorisation by the Crown to a third party for the use of the improvements; and
 - (c) any conditions applying to the Crown's acquisition of the improvements.

Other improvements attached to Te Whenua Taketake with consent

- 1.17. The ownership of other improvements attached to Te Whenua Taketake with the consent of the Crown that are not addressed by paragraphs 1.9 to 1.12 will not be affected by the vesting referred to in clause 10.1.3. To avoid doubt, this paragraph is not intended to confer any rights for such improvements to remain on Te Whenua Taurikura.

Other improvements attached with consent to land added to Te Papa-Kura-o-Taranaki after the effective date

- 1.18. The ownership of improvements attached with the consent of the relevant land owner (but not covered by an existing interest), to land added to Te Papa-Kura-o-Taranaki in accordance with clause 10.9 or Te Whenua Tupu that is added to Te Papa-Kura-o-Taranaki in accordance with clause 10.12, will not be affected by:
- 1.18.1. the land being included in Te Papa-Kura-o-Taranaki; or
 - 1.18.2. the vesting of the land referred to in clause 10.9.1(c) (if relevant); or
 - 1.18.3. the vesting of the improvements referred to in paragraph 1.13.1.

To avoid doubt this paragraph is not intended to confer any rights for such improvements to remain on Te Whenua Taurikura.

1: TE WHENUA TAURIKURA AND RELATED MATTERS

1.19. To avoid doubt:

- 1.19.1. in paragraphs 1.11 to 1.19, **improvements** do not include the land beneath the improvements; and
- 1.19.2. any improvements attached to Te Whenua Taurikura will be subject to any other legislative provisions that applied to those improvements immediately prior to the land becoming Te Whenua Taurikura, including the offence, seizure and forfeiture provisions in sections 60 and 61 of the National Parks Act 1980.

EXISTING ARRANGEMENTS AND BYLAWS CONTINUE TO HAVE EFFECT

- 1.20. The vesting referred to in clause 10.1.3 does not affect any plans, agreements or other arrangements granting rights to, or placing obligations on, the Crown that existed immediately before the effective date in respect of Te Whenua Taketake. Where relevant, any such plans, agreements or other arrangements will be interpreted as if the Crown were still the owner and/or occupier of the land. However, on and from the effective date, all such arrangements will be subject to Te Ture Whakatupua mō Te Kāhui Tupua and the National Parks Act 1980.
- 1.21. Any bylaw that applied to Te Whenua Taketake before the vesting referred to in clause 10.1.3 remains in force until it is revoked under the National Parks Act 1980.
- 1.22. Any national park management plan that applied to Te Whenua Taketake before the vesting referred to in clause 10.1.3 remains in force until He Kawa Ora is approved in accordance with clause 11.25.

PROTECTIONS UNDER THE CROWN MINERALS ACT 1991

- 1.23. Te Whenua Taurikura will continue to be land:
 - 1.23.1 excluded from the operation of any minerals programme; and
 - 1.23.2 that cannot be included in any permit issued under the Crown Minerals Act 1991.
- 1.24. The appropriate Minister may not accept or grant an application for an access arrangement under the Crown Minerals Act 1991 in relation to Te Whenua Taurikura without the agreement of Te Tōpuni Kōkōrangī.
- 1.25. No person may access Te Whenua Taurikura under section 49 or 50 of the Crown Minerals Act 1991 without the agreement of Te Tōpuni Kōkōrangī.
- 1.26. Te Ture Whakatupua mō Te Kāhui Tupua will amend the minerals programmes by replacing each instance of "Egmont National Park" and "Mount Egmont National Park" with "Te Papa-Kura-o-Taranaki".

Additional protections for Te Whenua Taurikura

- 1.27. Paragraphs 1.28 to 1.30 apply if legislation or regulations affecting Te Papa-Kura-o-Taranaki minerals were to no longer prohibit the prospecting, exploration or mining of those minerals, and would replace the permission processes for permitting and access arrangements (in part or whole) under the Crown Minerals Act 1991.
- 1.28. The Minister of Conservation (and the Minister of Energy and Resources under section 61(1AA) of the Crown Minerals Act 1991) may not, without the consent of Te Tōpuni

1: TE WHENUA TAURIKURA AND RELATED MATTERS

Kōkōrangī, enter into an access arrangement in respect of Te Whenua Taurikura under the Crown Minerals Act 1991.

- 1.29. No person may, without making a written request to Te Tōpuni Kōkōrangī and receiving written authorisation from Te Tōpuni Kōkōrangī, undertake prospecting, exploration, or mining of any Te Papa-Kura-o-Taranaki minerals and effect a change in ownership of those minerals.
- 1.30. No person may access Te Whenua Taurikura under section 49 or 50 of the Crown Minerals Act 1991 without the agreement of Te Tōpuni Kōkōrangī.

Continued use of industrial rocks and building stones

- 1.31. Despite the vesting of the fee simple estate in Te Kāhui Tupua, and the authorisation requirement in paragraph 1.29, the Department of Conservation may:
- 1.31.1. use or permit the use of industrial rocks and building stones vested in Te Kāhui Tupua for national park purposes under section 8(2) of the Crown Minerals Act 1991; and
- 1.31.2. permit under section 50(2) of the National Parks Act 1980 the use of industrial rocks and building stones incidental to accommodation facilities approved under section 50(1) of the National Parks Act 1980.

APPLICATION OF OTHER ENACTMENTS TO TE WHENUA TAURIKURA

- 1.32. Except as provided by clauses 10.2 and 10.14, the vesting of the fee simple estate in Te Kāhui Tupua as Te Whenua Taurikura does not:
- 1.32.1. limit section 10 or 11 of the Crown Minerals Act 1991; or
- 1.32.2. affect other rights to subsurface minerals within Te Whenua Taurikura.
- 1.33. Nothing in:
- 1.33.1. Part 4A of the Conservation Act 1987 or the Public Works Act 1981 applies to the vesting of the fee simple estate in Te Kāhui Tupua as Te Whenua Taurikura; and
- 1.33.2. Te Ture Whenua Māori Act 1993 applies to Te Whenua Taurikura.
- 1.34. Section 11 and Part 10 of the Resource Management Act 1991 do not apply to:
- 1.34.1. the vesting of the fee simple estate in Te Kāhui Tupua as Te Whenua Taurikura; or
- 1.34.2. any matter incidental to, or required for the purpose of, the vesting.
- 1.35. Statutory memorials placed under Acts of Parliament that have been repealed will not be noted on any record of title for Te Whenua Taurikura.
- 1.36. The following enactments cease to apply to Te Whenua Taurikura:
- 1.36.1. Part 3 of the Crown Forests Assets Act 1989:
- 1.36.2. sections 568 to 570 of the Education and Training Act 2020:

1: TE WHENUA TAURIKURA AND RELATED MATTERS

- 1.36.3. Part 3 of the New Zealand Railways Corporation Restructuring Act 1990:
- 1.36.4. sections 27A to 27C of the State-Owned Enterprises Act 1986:
- 1.36.5. sections 8A to 8HJ of the Treaty of Waitangi Act 1975.
- 1.37. The Registrar-General must ensure that no resumptive memorials that relate to the enactments listed in paragraph 1.36 are entered on a record of title for Te Whenua Taurikura.

INTRODUCTION OF BIOLOGICAL CONTROL ORGANISMS

- 1.38. Prior to approving the introduction of any biological control organisms into Te Papa-Kura-o-Taranaki for pest plant and animal control under section 5A(1) of the National Parks Act 1980, the Minister of Conservation must, in addition to meeting the requirements of section 5A(2) and (3), consult with and have regard to the views of Te Tōpuni Kōkōrangī.

INTRODUCTION OF LIVE AQUATIC LIFE

- 1.39. Prior to approving the introduction of live aquatic life that is not endemic into Te Papa-Kura-o-Taranaki under section 26ZM(3) of the Conservation Act 1987, the Minister of Conservation must, in addition to meeting the requirements of section 26ZM(4), consult with Te Tōpuni Kōkōrangī.

SPECIALLY PROTECTED AREAS

- 1.40. The Minister of Conservation may only make recommendations to the Governor-General to establish, alter or cancel specially protected areas within Te Papa-Kura-o-Taranaki under section 12(1) of the National Parks Act 1980 on the following terms:
- 1.40.1. specially protected areas may only be established if:
- (a) that specially protected area is provided for in He Kawa Ora; or
 - (b) paragraph 1.40.1(a) is not met, with the agreement of Te Tōpuni Kōkōrangī; and
- 1.40.2. specially protected areas within Te Papa-Kura-o-Taranaki may only be cancelled or altered following consultation with Te Tōpuni Kōkōrangī.

NEW ROADS WITHIN TE PAPA-KURA-O-TARANAKI

- 1.41. Prior to giving consent to a new road within Te Papa-Kura-o-Taranaki under section 55 of the National Parks Act 1980 (which can only be consented to in accordance with He Kawa Ora), the Minister of Conservation must consult with and have regard to the views of Te Tōpuni Kōkōrangī.
- 1.42. If a new road is proposed to be formed within Te Papa-Kura-o-Taranaki that requires land to be excluded from Te Papa-Kura-o-Taranaki, that exclusion may only occur in accordance with clauses 10.15 and 10.16.

LAND ACQUIRED FOR NATIONAL PARK PURPOSES THAT IS NOT INTENDED TO BE ADDED TO TE PAPA-KURA-O-TARANAKI

- 1.43. Paragraph 1.44 applies to land, easements, or interests in land that are sought to be acquired by the Crown under section 9 of the National Parks Act 1980 for the purposes of

1: TE WHENUA TAURIKURA AND RELATED MATTERS

managing Te Papa-Kura-o-Taranaki, but are not intended to be added to, or administered as if they were part of, Te Papa-Kura-o-Taranaki.

- 1.44. The New Zealand Conservation Authority must consult with Te Tōpuni Kōkōrangī and the Taranaki/Whanganui Conservation Board prior to making a recommendation under section 9 of the National Parks Act 1980 that the Minister of Conservation acquire any land, easements, or interests in land of the nature described in paragraph 1.43.
- 1.45. All land, easements, or other interests in land acquired in accordance with paragraph 1.44 are, while they are held for the purpose of managing Te Papa-Kura-o-Taranaki, subject to Te Ture Whakatupua mō Te Kāhui Tupua and the National Parks Act 1980.

DEFINITIONS

- 1.46. In Parts 1 and 2 of the schedule, unless the context otherwise requires:
- 1.46.1. **access arrangement** has the meaning given in section 2(1) of the Crown Minerals Act 1991;
- 1.46.2. **interest**, in relation to land, means a lease, tenancy, licence, licence to occupy, easement, covenant, or other right or obligation, affecting that land;
- 1.46.3. **minerals programme**:
- (a) has the meaning given in section 2(1) of the Crown Minerals Act 1991; and
 - (b) includes the Minerals Programme for Minerals (Excluding Petroleum) 2013 and the Minerals Programme for Petroleum 2013;
- 1.46.4. **permit** has the meaning given in section 2(1) of the Crown Minerals Act 1991 and includes permits for prospecting, exploration or mining under that Act;
- 1.46.5. **resumptive memorial** means a memorial entered on a record of title under any of the following sections:
- (a) 27A of the State-Owned Enterprises Act 1986;
 - (b) 568 of the Education and Training Act 2020;
 - (c) 38 of the New Zealand Railways Corporation Restructuring Act 1990; and
- 1.46.6. **Te Papa-Kura-o-Taranaki mineral** means any mineral that is the property of the Crown, Ngā Taonga Tūānuku and industrial rocks and building stones that form part of Te Whenua Taurikura.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

- 1.47. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in paragraphs 1.1 to 1.46.

2 TE WHENUA TUPU

ASSET MANAGEMENT COMPANY TO EXERCISE RIGHTS AND POWERS AND PERFORM DUTIES IN RESPECT OF TE WHENUA TUPU

- 2.1. Despite the registration of the land in the name of Te Kāhui Tupua as Te Whenua Tupu, the asset management company must exercise the rights and powers and perform the duties of the registered owner of that land on behalf of, and in the name of, Te Kāhui Tupua.

TE TŌPUNI NGĀRAHU ROLE IN ACQUISITION AND TRANSFER OF TE WHENUA TUPU

- 2.2. The asset management company must obtain the written consent of Te Tōpuni Ngārahu prior to entering into any agreement, on behalf of Te Kāhui Tupua, to:
- 2.2.1. acquire the fee simple estate in any land that will become Te Whenua Tupu; or
- 2.2.2. transfer the fee simple estate in Te Whenua Tupu to a third party or the Crown.

CONSISTENCY WITH ASSET POLICY

- 2.3. The asset management company must not, unless consistent with the asset management policy, enter into an agreement to:
- 2.3.1. acquire land as Te Whenua Tupu; or
- 2.3.2. alienate (including grant an interest in), mortgage, charge or otherwise dispose of Te Whenua Tupu.

ACQUISITION OF LAND AS TE WHENUA TUPU

- 2.4. Subject to paragraphs 2.2 and 2.3, the asset management company may acquire the fee simple estate in any land on behalf of, and in the name of, Te Kāhui Tupua as Te Whenua Tupu.
- 2.5. The transfer instrument to acquire the land under paragraph 2.4 must include a statement that the land is to become Te Whenua Tupu and subject to Te Ture Whakatupua mō Te Kāhui Tupua upon the registration of the transfer.
- 2.6. The Registrar-General must:
- 2.6.1. have regard to paragraphs 2.1 and 2.4 insofar as those paragraphs relate to the asset management company acting on behalf of, and in the name of, Te Kāhui Tupua; and
- 2.6.2. upon the registration of the transfer of the land under paragraph 2.4, record on any record of title for that land that the land is Te Whenua Tupu and subject to Te Ture Whakatupua mō Te Kāhui Tupua.

ALIENATION OF TE WHENUA TUPU

- 2.7. Subject to paragraphs 2.2 and 2.3, the asset management company may alienate (including grant an interest in), mortgage, charge or otherwise dispose of Te Whenua Tupu.

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- 2.8. Any fee simple estate in Te Whenua Tupu transferred to third party or the Crown under paragraph 2.7:
- 2.8.1. ceases to be Te Whenua Tupu; and
 - 2.8.2. is no longer held under, and in accordance with, Te Ture Whakatupua mō Te Kāhui Tupua.
- 2.9. The transfer instrument for the transfer of the fee simple estate in Te Whenua Tupu to a third party or the Crown must include a statement that the land is no longer Te Whenua Tupu and subject to Te Ture Whakatupua mō Te Kāhui Tupua.
- 2.10. The Registrar-General must, upon registration of the transfer of the land in paragraph 2.9, remove any notation from a record of title for that land that it is subject to the matters in paragraph 2.6.2.

REGISTRATION OF LAND EXCLUDED FROM TE PAPA-KURA-O-TARANAKI THAT BECOMES TE WHENUA TUPU

- 2.11. The Registrar-General must, on written application by a person authorised by the Director-General:
- 2.11.1. create a record of title for the fee simple estate in Te Whenua Tupu referred to in clause 10.17.2 in the name of Te Kāhui Tupua; and
 - 2.11.2. record on the record of title that the land is Te Whenua Tupu and subject to Te Ture Whakatupua mō Te Kāhui Tupua.
- 2.12. The Registrar-General must ensure that the notation referred to in paragraph 1.1.2(b) of the schedule is not noted on any record of title for land referred to in clause 10.17.2.

ADDITION OF TE WHENUA TUPU TO TE PAPA-KURA-O-TARANAKI

- 2.13. The Registrar-General must ensure that the notations referred to in paragraph 2.11.2 are not noted on any record of title for Te Whenua Taurikura.

REGISTRATION OF INSTRUMENTS

- 2.14. If the asset management company is dissolved on the terms provided by paragraphs 3.61 and 3.62, then:
- 2.14.1. either a successor company or Te Tōpuni Ngārahu (as the case may be) may exercise the rights and powers and perform the duties of the registered owner of Te Whenua Tupu on behalf of, and in the name of, Te Kāhui Tupua under paragraph 2.1;
 - 2.14.2. references to the asset management company in this Part are to be read as references to a successor company or Te Tōpuni Ngārahu (as the case may be);
 - 2.14.3. any instrument provided for the purpose of registering a transfer or an interest in land that affects Te Whenua Tupu must include a statement that the successor company or Te Tōpuni Ngārahu (as the case may be) is acting on behalf of and in the name of Te Kāhui Tupua in accordance with Te Ture Whakatupua mō Te Kāhui Tupua; and
 - 2.14.4. the Registrar-General is entitled to rely on the statement in paragraph 2.14.3.

2: TE WHENUA TUPU

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

- 2.15. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in paragraphs 2.1 to 2.14.

3 ADMINISTRATION AND PROCEDURES OF TE TŌPUNI KŌKŌRANGI

APPOINTMENT PROCESSES

- 3.1. Te Tōpuni Ngārahu will determine its own processes to appoint its members under clause 8.6.1.
- 3.2. The process for the appointments by the Minister of Conservation under clause 8.6.2 will be as follows:
- 3.2.1. prior to meeting the obligations under clauses 8.7 to 8.9 and appointing members, the Minister of Conservation will:
- (a) give public notice which will include following matters:
 - (i) that appointments to Te Tōpuni Kōkōrangī need to be made by a specified date;
 - (ii) the number of appointments to be made; and
 - (iii) a request for nominations to be received within 28 working days of the notice; and
 - (b) give that public notice:
 - (i) at least twice in a daily newspaper circulating in the Taranaki region; and
 - (ii) in such other manner and on such occasions as the Minister of Conservation considers appropriate; and
 - (c) consult with the New Zealand Conservation Authority; and
- 3.2.2. in the case of the first appointments following the commencement of Te Ture Whakapua mō Te Kāhui Tupua, the Minister of Conservation must consult the Minister for Treaty of Waitangi Negotiations on the proposed appointments.
- 3.3. The appointment of members by the Minister of Conservation:
- 3.3.1. must be made by notice published in the *Gazette*; and
- 3.3.2. take effect from the date of notice in paragraph 3.3.1, or such later date as may be specified in the notice; or
- 3.3.3. in the case of first appointments following the commencement of Te Ture Whakapua mō Te Kāhui Tupua, take effect from the effective date for a term of three years.
- 3.4. The appointers must meet the costs of their respective appointment processes and any meeting fees or other remuneration for their appointees.
- 3.5. Members appointed by the Minister of Conservation will be paid fees by the Director-General in accordance with the Fees and Travelling Allowances Act 1951 and subject to paragraph 3.50.

3: ADMINISTRATION AND PROCEDURES OF TE TŌPUNI KŌKŌRANGI

DECLARATION FOR PROPOSED MEMBERS

- 3.6. Before an appointment to Te Tōpuni Kōkōrangī takes effect, a proposed appointee must sign a declaration confirming that the member will:
- 3.6.1. act in a manner that achieves the purpose of Te Tōpuni Kōkōrangī and for no other purpose;
 - 3.6.2. act in good faith and not pursue his or her own interests at the expense of the interests of Te Kāhui Tupua or Te Tōpuni Kōkōrangī;
 - 3.6.3. commit to working with other members to assist Te Tōpuni Kōkōrangī to strive for consensus in decision-making;
 - 3.6.4. promote the highest level of good faith engagement and collaboration among members of Te Tōpuni Kōkōrangī;
 - 3.6.5. act with honesty and integrity as a member of Te Tōpuni Kōkōrangī;
 - 3.6.6. exercise the care, diligence, and skill that a reasonable person would exercise in the same circumstances; and
 - 3.6.7. not contravene, or cause the contravention of, or agree to Te Tōpuni Kōkōrangī contravening this deed or Te Ture Whakaturua mō Te Kāhui Tupua.

TERM OF APPOINTMENT

- 3.7. Members of Te Tōpuni Kōkōrangī:
- 3.7.1. are appointed for a term of three years unless the member resigns, is removed by that member's appointer or otherwise vacates that office; and
 - 3.7.2. may be reappointed for consecutive terms.
- 3.8. The first term of Te Tōpuni Kōkōrangī:
- 3.8.1. commences on the effective date; and
 - 3.8.2. terminates at the end of the day preceding the third anniversary of the effective date.
- 3.9. Each subsequent term:
- 3.9.1. commences on the third anniversary of the previous commencement date; and
 - 3.9.2. terminates at the end of the day preceding the third anniversary of the commencement date of that term.
- 3.10. Despite paragraph 3.7.1, at the end of each term, a member will continue to hold office until a new member is appointed to replace that member.

DISQUALIFIED PERSONS

- 3.11. A disqualified person must not be appointed as a member of Te Tōpuni Kōkōrangī.

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- 3.12. If a member becomes a disqualified person during their term, that person is no longer a member of Te Tōpuni Kōkōrangī. Te Tōpuni Kōkōrangī must give written notice of the removal to the member and both appointers.
- 3.13. In paragraphs 3.11 and 3.12, **disqualified person** means:
- 3.13.1. an undischarged bankrupt;
 - 3.13.2. a person who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Companies Act 1993, the Financial Markets Conduct Act 2013 or under any other enactment;
 - 3.13.3. a person who is subject to a property order under the Protection of Personal and Property Rights Act 1988;
 - 3.13.4. a person in respect of whom a personal order has been made under the Protection of Personal and Property Rights Act 1988 that reflects adversely on that person's:
 - (a) competence to manage his or her own affairs in relation to his or her property; or
 - (b) capacity to make or to communicate decisions relating to any particular aspect or aspects of his or her personal care and welfare; or
 - 3.13.5. a person who has been convicted of an offence punishable by imprisonment for a term of 2 years or more, or who has been sentenced to imprisonment for any other offence, unless that person has obtained a pardon, served the sentence, or otherwise suffered the penalty imposed on the person;
 - 3.13.6. a member of Parliament;
 - 3.13.7. a person who is disqualified or prohibited from holding office under another Act, or removed from office under another Act for dishonesty, wilful misconduct, or negligence; or
 - 3.13.8. a person employed by the Department of Conservation under the Public Service Act 2020.

REMOVAL, RESIGNATION OR OTHER VACANCY

- 3.14. A member of Te Tōpuni Kōkōrangī that was appointed by Te Tōpuni Ngārahu may be removed by and at the sole discretion of Te Tōpuni Ngārahu.
- 3.15. A member of Te Tōpuni Kōkōrangī that was appointed by the Minister of Conservation may be removed by that Minister for reasons of:
- 3.15.1. inability to perform the functions of the office;
 - 3.15.2. neglect of duty; or
 - 3.15.3. misconduct.
- 3.16. Where a member is removed under paragraphs 3.14 or 3.15, the relevant appointer must give notice to that member, Te Tōpuni Kōkōrangī and the other appointer.

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- 3.17. A member may resign by notice to both appointers and Te Tōpuni Kōkōrangī.
- 3.18. Where a member is removed or resigns, or that office otherwise becomes vacant, the vacancy is an extraordinary vacancy.
- 3.19. An extraordinary vacancy must be filled in the manner in which the appointment was originally made.
- 3.20. A person appointed to fill an extraordinary vacancy must be appointed for the residue of the term for which the vacating member was appointed.
- 3.21. The ability of Te Tōpuni Kōkōrangī to perform its functions is not affected by:
- 3.21.1. an extraordinary vacancy; or
 - 3.21.2. a failure by an appointer to make an appointment.

LIABILITY OF MEMBERS

- 3.22. A member of Te Tōpuni Kōkōrangī who has acted in good faith in the course of Te Tōpuni Kōkōrangī performing its functions will not be personally liable for any act or default of Te Tōpuni Kōkōrangī or any member.

CONFLICT OF INTEREST

- 3.23. A member of Te Tōpuni Kōkōrangī is required to disclose any actual or potential interest in a matter to Te Tōpuni Kōkōrangī.
- 3.24. Te Tōpuni Kōkōrangī will maintain an interest register and will record any actual or potential interests that are disclosed to it.
- 3.25. Te Tōpuni Kōkōrangī must consider and, if necessary, take steps to manage any actual or potential conflict of interest.
- 3.26. A member of Te Tōpuni Kōkōrangī has an actual or potential interest in a matter if that member:
- 3.26.1. may derive a financial benefit from the matter;
 - 3.26.2. is the spouse, civil union partner, de facto partner, child or parent of a person who may derive a financial benefit from the matter;
 - 3.26.3. may have a financial interest in a person to whom the matter relates;
 - 3.26.4. is a partner, director, officer, board member, or trustee of a person who may have a financial interest in a person to whom the matter relates; or
 - 3.26.5. is otherwise directly or indirectly interested in the matter.
- 3.27. However, a person is not interested in a matter if his or her interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence that person in carrying out his or her responsibilities as a member of Te Tōpuni Kōkōrangī.
- 3.28. A member of Te Tōpuni Kōkōrangī is not precluded from discussing or voting on a matter:
- 3.28.1. by virtue only of the member being affiliated to an iwi or hapū of Ngā Iwi o Taranaki; or

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- 3.28.2. by virtue only of the economic, social, cultural and spiritual values or interests of an iwi or hapū of Ngā Iwi o Taranaki being advanced by or reflected in:
- (a) the subject matter under consideration;
 - (b) any decision by or recommendation of Te Tōpuni Kōkōrangī; or
 - (c) participation in the matter by the member.
- 3.29. To avoid doubt, the affiliation of a member of Te Tōpuni Kōkōrangī to an iwi or hapū of Ngā Iwi o Taranaki, or the fact that a member of Te Tōpuni Kōkōrangī is also a member of the board of an iwi of Ngā Iwi o Taranaki or is a trustee of Te Tōpuni Ngārahu, is not in and of itself an interest that must be disclosed or recorded.
- 3.30. In paragraphs 3.23 to 3.29, **matter** means:
- 3.30.1. Te Tōpuni Kōkōrangī's exercise or performance of its functions and powers; or
 - 3.30.2. an arrangement, agreement, contract, or other right made, entered into or granted (or any consideration of or proposal to do so), by Te Tōpuni Kōkōrangī.

NOTICE OF MEETINGS

- 3.31. Public notice of meetings of Te Tōpuni Kōkōrangī must be given in whatever manner the Chair considers appropriate, including on the internet, no later than 10 working days before each scheduled meeting.
- 3.32. The notice must include:
- 3.32.1. the date, time, and place of the meeting;
 - 3.32.2. where documentation relevant to the meeting may be viewed or obtained; and
 - 3.32.3. the entitlement of members of the public and news media to attend, and when they may be excluded.
- 3.33. The agenda and other documentation relevant to the meeting must be made publicly available at least 2 working days before a meeting.
- 3.34. No meeting of Te Tōpuni Kōkōrangī will be invalid merely because that meeting was not publicly notified in accordance with paragraphs 3.31 and 3.32 or documents were not made publicly available prior to the meeting in accordance with paragraph 3.33.
- 3.35. Where Te Tōpuni Kōkōrangī has not given notice within 10 working days (as required by paragraph 3.31), it must do so as soon as is practicable.
- 3.36. A matter that is not on the agenda may be discussed at a meeting if:
- 3.36.1. Te Tōpuni Kōkōrangī makes a decision to discuss that matter at the meeting; and
 - 3.36.2. the Chair explains immediately after that decision, and at a time when it is open to the public:
 - (a) why the matter is not on the agenda; and
 - (b) why the discussion of the matter cannot wait until the next meeting.

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AVAILABILITY OF INFORMATION

- 3.37. The minutes and reports relating to any meeting of Te Tōpuni Kōkōrangī must be available for public inspection at a time and in a manner determined to be reasonable by the Chair.
- 3.38. Paragraph 3.37 does not apply to any information:
- 3.38.1. that was dealt with at a meeting (or part of a meeting) for which the public or news media was or are to be excluded; or
 - 3.38.2. which, for any other reason, the Chair considers on reasonable grounds should not be available for public inspection.
- 3.39. A request for minutes or reports must be treated as a request under the Official Information Act 1982.

PRIVILEGE

- 3.40. Paragraph 3.41 applies where:
- 3.40.1. a meeting of Te Tōpuni Kōkōrangī is open to the public (in whole or in part) and a member of the public or the news media is supplied with a copy of the agenda (including any reports or explanatory information) for the meeting; or
 - 3.40.2. the minutes of that meeting (or part of it) are made available to any member of the public or the news media.
- 3.41. The publication of any defamatory matter included in the agenda, reports or further information, or in the minutes, is privileged unless in any proceedings for defamation the plaintiff proves that, in publishing the matter, the defendant was predominantly motivated by ill will towards the plaintiff, or otherwise took improper advantage of the publication.
- 3.42. Any oral statement made at any meeting of Te Tōpuni Kōkōrangī in accordance with the rules that have been adopted by Te Tōpuni Kōkōrangī for the guidance and order of its proceedings is privileged, unless in any proceedings for defamation in the plaintiff proves that, in making the statement, the defendant was predominantly motivated by ill will towards the plaintiff, or otherwise took improper advantage of the occasion of publication.
- 3.43. The privilege referred to in paragraph 3.42 is in addition to and not in substitution for or derogation of any other privilege, whether absolute or qualified, that applies by virtue of any other enactment or rule of law to the proceedings of Te Tōpuni Kōkōrangī.

COMMITTEES

- 3.44. Te Tōpuni Kōkōrangī may establish committees to deal with such matters that it decides are appropriate.
- 3.45. Te Tōpuni Kōkōrangī may:
- 3.45.1. appoint committees at any time;
 - 3.45.2. revoke the appointment of a committee;
 - 3.45.3. reappoint or reconstitute a committee;
 - 3.45.4. delegate tasks to a committee; and

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- 3.45.5. replace or amend the terms of appointment of a committee.
- 3.46. Te Tōpuni Kōkōrangī may not delegate final decision-making on any matter to a committee.
- 3.47. A committee:
- 3.47.1. is subject to the direction and control of Te Tōpuni Kōkōrangī; and
 - 3.47.2. must carry out all directions of Te Tōpuni Kōkōrangī.

ADMINISTRATIVE SUPPORT AND OPERATIONAL COSTS

- 3.48. The Director-General will provide Te Tōpuni Kōkōrangī with the administrative support necessary for Te Tōpuni Kōkōrangī to exercise its powers and perform its functions and duties under this deed and Te Ture Whakatupua mō Te Kāhui Tupua.
- 3.49. Persons appointed to support Te Tōpuni Kōkōrangī will be:
- 3.49.1. appointed by the Director-General, subject to the agreement of Te Tōpuni Ngārahu; and
 - 3.49.2. employed or contracted by the Department of Conservation.
- 3.50. The nature and extent of administrative support provided to Te Tōpuni Kōkōrangī will be discussed and determined through any processes set out in He Takapou Tupua in accordance with clause 12.36.3(a).
- 3.51. Except as provided in clause 11.4.2 and paragraph 3.4, the Director-General will meet the reasonable operational costs of Te Tōpuni Kōkōrangī in connection to the exercise of its powers and performance of its functions and duties under paragraph 3.48, including but not limited to:
- 3.51.1. the travel and other expenses of Te Tōpuni Kōkōrangī members;
 - 3.51.2. professional indemnity and public liability insurance for Te Tōpuni Kōkōrangī and its members;
 - 3.51.3. the preparation and publication of any reports by Te Tōpuni Kōkōrangī; and
 - 3.51.4. the provision of legal, accounting and auditing, and other necessary professional services to Te Tōpuni Kōkōrangī.
- 3.52. Te Tōpuni Ngārahu and the Director-General will, in consultation with Te Tōpuni Kōkōrangī, carry out a review of the administrative support and operational costs commencing on the date that is three years after the effective date or at a later date if agreed to by the parties.

REPORTING AND ACCOUNTABILITY

- 3.53. Te Tōpuni Kōkōrangī must adopt and publish an annual report and provide this to the appointers.

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- 3.54. That annual report:
- 3.54.1. must contain:
 - (a) a report on the performance by Te Tōpuni Kōkōrangī of its functions and progress in achieving its purpose;
 - (b) if required, an audit report prepared by an auditor appointed by the Auditor-General in respect of the matters in paragraph 3.54.1(a); and
 - 3.54.2. may contain any other matters that Te Tōpuni Kōkōrangī wishes to report to the appointers.
- 3.55. The annual report must be tabled in Parliament by the Minister of Conservation and append information required by clause 12.28 that relates to the asset management company.
- 3.56. Te Tōpuni Kōkōrangī and the appointers may meet to discuss any matters arising out of the annual report.
- 3.57. Te Tōpuni Kōkōrangī:
- 3.57.1. may, from time to time, publish reports on matters that it considers appropriate to report publicly on without the need to comply with paragraphs 3.55 and 3.56; and
 - 3.57.2. must provide any such reports to the appointers.

APPLICATION OF OTHER ACTS

- 3.58. The following Acts will apply to Te Tōpuni Kōkōrangī:
- 3.58.1. the Official Information Act 1982;
 - 3.58.2. the Ombudsmen Act 1975; and
 - 3.58.3. the Public Audit Act 2001.

ADMINISTRATIVE AND PROCEDURAL DECISIONS

- 3.59. Despite clause 13.28, the following decisions will continue to be made by the Minister of Conservation:
- 3.59.1. to return an incomplete application to an applicant under section 17SA of the Conservation Act 1987;
 - 3.59.2. to publicly notify an application for a lease or licence under section 17SC(1) of the Conservation Act 1987;
 - 3.59.3. to return an application to the applicant under section 17SD(4) of the Conservation Act 1987 if further information is not provided within the specified timeframe;
 - 3.59.4. to provide the applicant with reasonable time to comment on information provided to the applicant under section 17SE(2) of the Conservation Act 1987;

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- 3.59.5. to require a concessionaire to provide a complete statement of audited financial accounts and other relevant information under section 17ZB(1) of the Conservation Act 1987;
 - 3.59.6. to vary the terms of a concession under section 17ZC of the Conservation Act 1987 where the variation complies with section 17ZC(1), including amendments of that nature under section 17ZC(3)(a);
 - 3.59.7. to execute, in accordance with section 17ZC(4) of the Conservation Act 1987, an instrument that provides for a variation or extension to a concession;
 - 3.59.8. to cancel the grant of a concession under section 17ZD(1) of the Conservation Act 1987 if an applicant fails to sign a concession document within one month after being required to do so;
 - 3.59.9. to direct, under section 17ZD(3), that any money paid by an applicant or concessionaire will not be forfeited to the Minister where a concession is cancelled or lapses under section 17ZD(1) and (2) of the Conservation Act 1987;
 - 3.59.10. to transfer or assign an interest in a concession under section 17ZE of the Conservation Act 1987, that does not involve:
 - (a) a sale or other disposition of any interest in the concession to a third party; or
 - (b) a change of control within a concessionaire company representing more than 50% in the shareholding; and
 - 3.59.11. to serve a demand for payment on a concessionaire under section 17ZH(c) of the Conservation Act 1987; and
 - 3.59.12. to exempt a concessionaire from payment of an amount apportioned for the use of services or facilities under section 17ZH, or grant relief in respect of such payments under section 17ZH(f) of the Conservation Act 1987.
- 3.60. The process in clause 13.23 does not apply to a renewal of a concession by a concessionaire if it is on the same terms and conditions as the concession, is consistent with He Kawa Ora, and otherwise meets the contractual requirements for a valid right of renewal.

DISSOLUTION OF ASSET MANAGEMENT COMPANY

- 3.61. If the asset management company is dissolved in accordance with the processes in the Companies Act 1993:
 - 3.61.1. Te Tōpuni Kōkōrangī will decide whether a successor company is to be incorporated;
 - 3.61.2. if a successor company is incorporated, that must be on the same terms as apply for the asset management company;
 - 3.61.3. Te Tōpuni Kōkōrangī must decide whether tax exempt status and any other government decisions are required in relation to the successor company; and
 - 3.61.4. the Minister of Conservation will be responsible for progressing any discussions with other relevant Ministers in relation to proposals requiring government

3: ADMINISTRATION AND PROCEDURES OF TE TŌPUNI KŌKŌRANGI

decisions (including in relation to tax status), to support the incorporation of the successor company.

- 3.62. If the asset management company is dissolved and a successor company has not yet been incorporated:
- 3.62.1. subject to any processes or requirements under the Companies Act 1993, and after any obligations of the asset management company have been provided for, any assets that were managed by the asset management company at the date of dissolution will from that date be managed by Te Tōpuni Ngārahu on the same terms as apply to the asset management company; and
 - 3.62.2. if a successor company is incorporated at a later date, from the date of incorporation of that successor company, the management of any remaining assets will automatically transfer from Te Tōpuni Ngārahu to that successor company.
- 3.63. If either a successor company is incorporated or if Te Tōpuni Ngārahu carries out the management role of the asset management company under clause 3.62, that successor company or Te Tōpuni Ngārahu (as the case may be) may exercise the powers and perform the functions and duties of the asset management company as provided for in this deed or Te Ture Whakatupua mō Te Kāhui Tupua.

TE TURE WHAKATUPUA MŌ TE KĀHUI TUPUA

- 3.64. Te Ture Whakatupua mō Te Kāhui Tupua will provide for the matters set out in paragraphs 3.1 to 3.63.

4 TAX

INDEMNITY

- 4.1. The provision of the resourcing contribution, or an indemnity payment, to Te Tōpuni Ngārahu is not intended to be:
- 4.1.1. a taxable supply for GST purposes; or
 - 4.1.2. assessable income for income tax purposes.
- 4.2. The Crown must, therefore, indemnify Te Tōpuni Ngārahu for:
- 4.2.1. any GST payable by Te Tōpuni Ngārahu in respect of the provision of the resourcing contribution or an indemnity payment; and
 - 4.2.2. any income tax payable by Te Tōpuni Ngārahu as a result of the resourcing contribution, or an indemnity payment, being treated as assessable income of Te Tōpuni Ngārahu; and
 - 4.2.3. any reasonable cost or liability incurred by Te Tōpuni Ngārahu in taking, at the Crown's direction, action:
 - (a) relating to an indemnity demand; or
 - (b) under paragraph 4.13 or paragraph 4.14.1(b).

LIMITS

- 4.3. The tax indemnity does not apply to Te Tōpuni Ngārahu's:
- 4.3.1. use of the resourcing contribution or an indemnity payment; or
 - 4.3.2. payment of costs, or any other amounts, in relation to the resourcing contribution.

ACKNOWLEDGEMENTS

- 4.4. To avoid doubt, the parties acknowledge:
- 4.4.1. the resourcing contribution is provided with no other consideration being provided; and
 - 4.4.2. in particular, the following are not consideration for the resourcing contribution:
 - (a) an agreement under this deed to:
 - (i) enter into an obligation, in relation to the resourcing contribution; or
 - (ii) pay costs (such as rates, or other outgoings, or maintenance costs) in relation to the resourcing contribution:
 - (b) the performance of that agreement; and
 - 4.4.3. nothing in this Part is intended to imply that:

4: TAX

- (a) the provision of the resourcing contribution, or an indemnity payment, is:
 - (i) a taxable supply for GST purposes; or
 - (ii) assessable income for income tax purposes; or
- (b) if Te Tōpuni Ngārahu is a charitable trust, or other charitable entity, it receives:
 - (i) redress, assets, or rights other than for charitable purposes; or
 - (ii) income other than as exempt income for income tax purposes; and

4.4.4. Te Tōpuni Ngārahu is the only entity that this deed contemplates performing a function described in section HF 2(2)(d)(i) or section HF 2(3)(e)(i) of the Income Tax Act 2007.

CONSISTENT ACTIONS

- 4.5. None of Te Tōpuni Ngārahu, a person associated with it, or the Crown will act in a manner that is inconsistent with this Part.
- 4.6. In particular, Te Tōpuni Ngārahu agrees that:
 - 4.6.1. from the effective date, it will be a registered person for GST purposes, unless it is not carrying on a taxable activity; and
 - 4.6.2. neither it, nor any person associated with it, will claim with respect to the provision of the resourcing contribution, or an indemnity payment:
 - (a) an input credit for GST purposes; or
 - (b) a deduction for income tax purposes.

INDEMNITY DEMANDS

- 4.7. Te Tōpuni Ngārahu and the Crown must give notice to the other as soon as reasonably possible after becoming aware that Te Tōpuni Ngārahu may be entitled to an indemnity payment.
- 4.8. An indemnity demand:
 - 4.8.1. may be made at any time after the effective date; but
 - 4.8.2. must not be made more than 20 working days before the due date for payment of the tax, whether that date is:
 - (a) specified in an assessment; or
 - (b) a date for the payment of provisional tax; or
 - (c) otherwise determined; and
 - 4.8.3. must be accompanied by:

4: TAX

- (a) evidence of the tax, and of any other amount sought, which is reasonably satisfactory to the Crown; and
- (b) if the demand relates to GST and the Crown requires, a GST tax invoice (or taxable supply information, as applicable).

INDEMNITY PAYMENTS

- 4.9. If Te Tōpuni Ngārahu is entitled to an indemnity payment, the Crown may make the payment to:
- 4.9.1. Te Tōpuni Ngārahu; or
 - 4.9.2. the Commissioner of Inland Revenue, on behalf of, and for the account of, Te Tōpuni Ngārahu.
- 4.10. Te Tōpuni Ngārahu must pay an indemnity payment received by it to the Commissioner of Inland Revenue, by the later of:
- 4.10.1. the due date for payment of the tax; or
 - 4.10.2. the next working day after receiving the indemnity payment.

REPAYMENT

- 4.11. If it is determined that some or all of the tax to which an indemnity payment relates is not payable, Te Tōpuni Ngārahu must promptly repay to the Crown any amount that:
- 4.11.1. the Commissioner of Inland Revenue refunds or credits to Te Tōpuni Ngārahu; or
 - 4.11.2. Te Tōpuni Ngārahu has received but has not paid, and is not required to pay, to the Commissioner of Inland Revenue.
- 4.12. Te Tōpuni Ngārahu has no right of set-off or counterclaim in relation to an amount payable by it under paragraph 4.11.

RULINGS

- 4.13. Te Tōpuni Ngārahu must assist the Crown with an application to the Commissioner of Inland Revenue for a ruling, whether binding or not, in relation to the provision of the resourcing contribution.

CONTROL OF DISPUTES

- 4.14. If Te Tōpuni Ngārahu is entitled to an indemnity payment, the Crown may:
- 4.14.1. by notice to Te Tōpuni Ngārahu, require it to:
 - (a) exercise a right to defer the payment of tax; and/or
 - (b) take any action specified by the Crown, and confirmed by expert legal tax advice as appropriate action in the circumstances, to respond to, and/or contest:

4: TAX

- (i) a tax assessment; and/or
 - (ii) a notice in relation to the tax, including a notice of proposed adjustment; or
- 4.14.2. nominate and instruct counsel on behalf of Te Tōpuni Ngārahu whenever it exercises its rights under paragraph 4.14.1; and
- 4.14.3. recover from the Commissioner of Inland Revenue any tax paid that is refundable.

DEFINITIONS

- 4.15. In this Part, unless the context requires otherwise:

provision, in relation to redress, includes its payment, credit, transfer, vesting, making available, creation, or grant; and

use, in relation to redress or an indemnity payment, includes dealing with, payment, transfer, distribution, or application.

5 NOTICE

APPLICATION

- 5.1. Unless otherwise provided in this deed, or a deed document, this Part applies to a notice under this deed or a deed document.

REQUIREMENTS

- 5.2. A notice must be:
- 5.2.1. in writing; and
 - 5.2.2. signed by the party giving it; and
 - 5.2.3. addressed to the recipient at its address, facsimile number, or email address as provided:
 - (a) in paragraph 5.5; or
 - (b) if the recipient has given notice of a new address, facsimile number or email address, in the most recent notice of a change of address, facsimile number or email address; and
 - 5.2.4. given by:
 - (a) personal delivery (including by courier) to the recipient's street address; or
 - (b) sending it by pre-paid post addressed to the recipient's postal address; or
 - (c) by faxing it to the recipient's facsimile number; or
 - (d) sending it by electronic mail to the recipient's email address.

TIMING

- 5.3. A notice is to be treated as having been received:
- 5.3.1. at the time of delivery, if personally delivered; or
 - 5.3.2. on the sixth day after posting, if posted; or
 - 5.3.3. on the day of transmission, if faxed or sent by electronic mail.
- 5.4. However, if a notice is treated under paragraph 5.3 as having been received after 5pm on a working day, or on a non-working day, it is to be treated as having been received on the next working day.

5: NOTICE

ADDRESSES

5.5. The address of:

5.5.1. Ngā Iwi o Taranaki and Te Tōpuni Ngārahu is:

50 Devon Street West
NEW PLYMOUTH 4310

5.5.2. the Crown is:

C/- The Solicitor-General
Crown Law Office
Level 3
Justice Centre
19 Aitken Street
PO Box 2858
WELLINGTON

Facsimile No. 04 473 3482

Email address: library@crownlaw.govt.nz

6 MISCELLANEOUS

AMENDMENTS

- 6.1. This deed may be amended only by written agreement signed by Te Tōpuni Ngārahu and the Crown.

ENTIRE AGREEMENT

- 6.2. This deed, and each of the deed documents, in relation to the matters in it:
- 6.2.1. constitutes the entire agreement between the parties; and
 - 6.2.2. supersedes all earlier representations, understandings, and agreements.

NO ASSIGNMENT OR WAIVER

- 6.3. Paragraph 6.4 applies to rights and obligations under this deed or a deed document.
- 6.4. Except as provided in this deed or a deed document, a party:
- 6.4.1. may not transfer or assign its rights or obligations; and
 - 6.4.2. does not waive a right by:
 - (a) failing to exercise it; or
 - (b) delaying in exercising it; and
 - 6.4.3. is not precluded by a single or partial exercise of a right from exercising:
 - (a) that right again; or
 - (b) another right.

7 DEFINED TERMS

- 7.1. In this deed, unless the context otherwise requires:
- 7.1.1. **appointers**, in relation to Te Tōpuni Kōkōrangī, means the trustees of Te Tōpuni Ngārahu and the Minister of Conservation, as provided for in clause 8.6;
 - 7.1.2. **assessable income** has the meaning given in section YA 1 of the Income Tax Act 2007;
 - 7.1.3. **asset management company** means the company that may be established under clause 12.15 with the name Te Kāhui Tupua Limited;
 - 7.1.4. **bylaw** means a bylaw made, or proposed to be made, under conservation legislation;
 - 7.1.5. **coastal marine area** has the meaning given in section 2(1) of the Resource Management Act 1991;
 - 7.1.6. **Commissioner of Inland Revenue** includes, where applicable, the Inland Revenue Department;
 - 7.1.7. **concession** has the meaning given in section 2(1) of the Conservation Act 1987;
 - 7.1.8. **concession revenue** means any rents, fees and royalties within the meaning of section 17Y(1)(a) of the Conservation Act 1987;
 - 7.1.9. **conservation legislation** means the Conservation Act 1987 and the enactments listed in Schedule 1 of that Act;
 - 7.1.10. **conservation management strategy** has the meaning given in section 2(1) of the Conservation Act 1987;
 - 7.1.11. **Crown** has the meaning given in section 2(1) of the Public Finance Act 1989;
 - 7.1.12. **Crown bank account** has the meaning given in section 2(1) of the Public Finance Act 1989;
 - 7.1.13. **Crown minerals protocol areas** means the protocol area maps included in Attachment A of the Crown minerals protocols that form part of individual deeds of settlement between the Crown and individual iwi of Ngā Iwi o Taranaki;
 - 7.1.14. **Crown protected area** has the meaning given in section 4 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008;
 - 7.1.15. **cultural materials plan** means the plan (or plans) jointly prepared and agreed under clause 15.9 or as amended from time to time;
 - 7.1.16. **cultural redress** means the redress provided by or under:
 - (a) Parts 4 to 16 of this deed and Parts 1 to 3 of the schedule; or
 - (b) Te Ture Whakatupua mō Te Kāhui Tupua giving effect to any of those clauses;

7: DEFINED TERMS

- 7.1.17. **date of this deed** means the date this deed is signed by the parties;
- 7.1.18. **deed document** means a document entered into to give effect to this deed;
- 7.1.19. **deed plan** means the deed plan in Part 9 of the schedule;
- 7.1.20. **Director-General:**
- (a) has the meaning given in section 2(1) of the Conservation Act 1987; and
 - (b) includes, where relevant, a delegate appointed by the Director-General, including on the terms provided by section 58 of the Conservation Act 1987;
- 7.1.21. **draft bill** means the draft bill in Part 10 of the schedule named Te Pire Whakatupua mō Te Kāhui Tupua/Taranaki Maunga Collective Redress Bill;
- 7.1.22. **effective date** means the date that is 40 working days after the date on which Te Ture Whakatupua mō Te Kāhui Tupua comes into force;
- 7.1.23. **existing bylaw**, at the date of this deed, means the Egmont National Park Bylaws 1981;
- 7.1.24. **existing interests**, in relation to land that becomes Te Whenua Taurikura:
- (a) means a lawful interest in existence immediately prior to the date on which the relevant land is vested in Te Kāhui Tupua or added to Te Papa-Kura-o-Taranaki; and
 - (b) includes legal rights and/or authorisations to carry out any activity on, or in relation to, that land;
- 7.1.25. **financial statements** has the meaning given in section 6 of the Financial Reporting Act 2013;
- 7.1.26. **first early release payment** means the payment to be paid by the Crown to Te Tōpuni Ngārahu on early release of the resourcing contribution on the terms provided by clause 14.2.1;
- 7.1.27. **Gazetteer** has the meaning given in section 4 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008;
- 7.1.28. **generally accepted accounting practice** has the meaning given in section 8 of the Financial Reporting Act 2013;
- 7.1.29. **GST:**
- (a) means goods and services tax chargeable under the Goods and Services Tax Act 1985; and
 - (b) includes, for the purposes of Part 4 of this schedule, any interest or penalty payable in respect of, or on account of, the late or non-payment of GST;
- 7.1.30. **He Kawa Ora mō Te Papa-Kura-o-Taranaki** and **He Kawa Ora** means a plan prepared and approved for Te Papa-Kura-o-Taranaki in accordance with Part 11;
- 7.1.31. **He Kawa Tupua** means the framework referred to in clauses 2.1 and 2.2;

7: DEFINED TERMS

- 7.1.32. **He Takapou Tupua** means the agreement to be entered into between Te Tōpuni Kōkōrangī, the Minister of Conservation and the Director General under clause 12.36;
- 7.1.33. **historical claims** has the meaning set out in each of the individual deeds of settlement that have been signed between the Crown and the individual iwi of Ngā Iwi o Taranaki;
- 7.1.34. **income tax** means income tax imposed under the Income Tax Act 2007 and includes, for the purposes of Part 4 of this schedule, any interest or penalty payable in respect of, or on account of, the late or non-payment of income tax;
- 7.1.35. **indemnity demand** means a demand made by Te Tōpuni Ngārahu to the Crown under Part 4 of this schedule for an indemnity payment;
- 7.1.36. **indemnity payment** means a payment made by the Crown under Part 4 of this schedule;
- 7.1.37. **individual deeds of settlement** means the individual deeds of settlement of historical claims signed between the Crown and each of the iwi of Ngā Iwi o Taranaki listed in clause 19.2.1;
- 7.1.38. **industrial rocks and building stones** has the meaning given in section 2(1) of the Crown Minerals Act 1991;
- 7.1.39. **Inland Revenue Acts** has the meaning given in section 3(1) of the Tax Administration Act 1994;
- 7.1.40. **kōkawa** means the mineral known as Taranaki andesite;
- 7.1.41. **kōkōwai** means the mineral known as red ochre;
- 7.1.42. **main body of this deed** means all of this deed, other than the schedule;
- 7.1.43. **mandated negotiators** mean the individuals identified as the mandated negotiators by clause 19.4;
- 7.1.44. **mandated signatories** mean the individuals identified as the mandated signatories by clause 19.5;
- 7.1.45. **matā** means the mineral known as black obsidian;
- 7.1.46. **Minister** means a Minister of the Crown;
- 7.1.47. **Minister of Conservation:**
- (a) has the meaning given to Minister in section 2(1) of the Conservation Act 1987; and
 - (b) includes, where relevant, a delegate appointed by the Minister of Conservation, including on the terms provided by section 57 of the Conservation Act 1987;
- 7.1.48. **month** means a calendar month;

7: DEFINED TERMS

- 7.1.49. **national park** has the meaning given in section 2 of the National Parks Act 1980;
- 7.1.50. **national park management plan** means a management plan within the meaning of section 45 of the National Parks Act 1980;
- 7.1.51. **National Parks Act 1980** means the National Parks Act 1980, as modified by this deed and Te Ture Whakaturua mō Te Kāhui Tupua;
- 7.1.52. **New Zealand Conservation Authority** means the authority established under section 6A of the Conservation Act 1987;
- 7.1.53. **New Zealand Geographic Board** has the meaning given to Board in section 4 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008;
- 7.1.54. **Ngaa Rauru Kiitahi** means the iwi of that name as defined in the trust deed of Te Kaahui o Rauru Trust;
- 7.1.55. **Ngā Iwi o Taranaki** has the meaning given in clause 19.2 or clause 19.3 (as the case may be);
- 7.1.56. **Ngā Pou Whakaturua** means the values set out in clause 6.2;
- 7.1.57. **Ngāruahine** means the iwi of that name as defined in the trust deed of Te Korowai o Ngāruahine Trust;
- 7.1.58. **Ngā Taonga Tūānuku** mean kōkawa, kōkōwai, matā, onewa and pākohe;
- 7.1.59. **Ngāti Maru** means the iwi of that name as defined in the trust deed of Te Kāhui Maru Trust: Te Iwi o Maruwharanui;
- 7.1.60. **Ngāti Mutunga** means the iwi of that name as defined in the trust deed of Te Rūnanga o Ngāti Mutunga Trust;
- 7.1.61. **Ngāti Ruanui** means the iwi of that name as defined in the trust deed of Te Rūnanga o Ngāti Ruanui Trust;
- 7.1.62. **Ngāti Tama** means the iwi of that name as defined in the trust deed of Te Rūnanga o Ngāti Tama Trust;
- 7.1.63. **notice** means a notice given under Part 5 of this schedule, or any other applicable provisions of this deed, and **notify** has a corresponding meaning;
- 7.1.64. **official geographic name** has the meaning given in section 4 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008;
- 7.1.65. **onewa** means the mineral known as basalt or greywacke;
- 7.1.66. **pākohe** means metamorphosed indurated mudstone (otherwise known as argillite);
- 7.1.67. **party** means each of the following:
- (a) Ngā Iwi o Taranaki:
 - (b) Te Tōpuni Ngārahu:

7: DEFINED TERMS

- (c) the Crown;
- 7.1.68. **person** includes an individual, a corporation sole, a body corporate, and an unincorporated body;
- 7.1.69. **post-settlement governance entity** means one (or more) of the following trusts;
- (a) Te Kaahui o Rauru Trust;
 - (b) Te Kāhui Maru Trust: Te Iwi o Maruwharanui;
 - (c) Te Kāhui o Taranaki Trust;
 - (d) Te Korowai o Ngāruahine Trust;
 - (e) Te Kotahitanga o Te Atiawa Trust;
 - (f) Te Rūnanga o Ngāti Mutunga Trust;
 - (g) Te Rūnanga o Ngāti Ruanui Trust; and
 - (h) Te Rūnanga o Ngāti Tama Trust;
- 7.1.70. **redress** means:
- (a) the acknowledgements and the apology made by the Crown in clauses 3.230 to 3.255; and
 - (b) the cultural redress;
- 7.1.71. **Registrar-General** has the meaning given to Registrar in section 5(1) of the Land Transfer Act 2017;
- 7.1.72. **resourcing contribution** means the payment described in clause 14.1 that Ngā Iwi o Taranaki and the Crown have agreed will be provided by the Crown to Te Tōpuni Ngārahu in accordance with clauses 14.2 and 14.3;
- 7.1.73. **schedule** means this schedule to the deed;
- 7.1.74. **second early release payment** means the payment to be paid by the Crown to Te Tōpuni Ngārahu on early release of the resourcing contribution on the terms provided by clause 14.2.2;
- 7.1.75. **specialty protected area** has the meaning given in section 2 of the National Parks Act 1980;
- 7.1.76. **surrounding lands** means those lands that form part of Te Kāhui Tupua and are located within the Taranaki region;
- 7.1.77. **taonga tūturu** has the meaning given in section 2(1) of the Protected Objects Act 1975;
- 7.1.78. **Taranaki Iwi** means the iwi of that name as defined in the trust deed of Te Kāhui o Taranaki Trust;

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- 7.1.79. **Taranaki Māori Trust Board** means the Board constituted under section 9 of the Maori Trust Boards Act 1955;
- 7.1.80. **Taranaki region** means the region identified in the Local Government (Taranaki Region) Reorganisation Order 1989 and SO Plan 13043;
- 7.1.81. **Taranaki/Whanganui Conservation Board** means the board established under section 6L of the Conservation Act 1987 whose area of jurisdiction includes Te Papa-Kura-o-Taranaki;
- 7.1.82. **tax** includes income tax and GST;
- 7.1.83. **tax indemnity** means an indemnity given by the Crown under Part 4 of this schedule;
- 7.1.84. **taxable activity** has the meaning given in section 6 of the Goods and Services Tax Act 1985;
- 7.1.85. **taxable supply** has the meaning given in section 2 of the Goods and Services Tax Act 1985;
- 7.1.86. **Te Ahi Ngārahu** means the agreement to be entered into between Te Tōpuni Ngārahu, the Minister of Conservation and the Director General under clause 16.1;
- 7.1.87. **Te Anga Pūtakerongo/Record of Understanding** means the record of understanding referred to in clause 1.5;
- 7.1.88. **Te Āti Awa** means the iwi of that name as defined in the trust deed of Te Kotahitanga o Te Atiawa Trust;
- 7.1.89. **Te Iho Tāngaengae** means the statement set out in pages 3 and 4 of this deed and described at clause 15.1;
- 7.1.90. **Te Kaahui o Rauru Trust** means the trust known by that name and established by a trust deed dated 27 November 2003 or its successor;
- 7.1.91. **Te Kāhui Maru Trust: Te Iwi o Maruwharanui** means the trust known by that name and established by a trust deed dated 13 July 2018 or its successor;
- 7.1.92. **Te Kāhui o Taranaki Trust** means the trust known by that name and established by a trust deed dated 24 June 2013 or its successor;
- 7.1.93. **Te Kāhui Tupua status** means the status of Te Kāhui Tupua as provided for in clauses 5.1 and 5.2;
- 7.1.94. **Te Korowai o Ngāruahine Trust** means the trust known by that name and established by a trust deed dated 20 June 2013 or its successor;
- 7.1.95. **Te Kotahitanga o Te Atiawa Trust** means the trust known by that name and established by a trust deed dated 31 March 2014 or its successor;
- 7.1.96. **Te Papa-Kura-o-Taranaki** means the national park of that name that is located in the Taranaki Region;

7: DEFINED TERMS

- 7.1.97. **Te Rūnanga o Ngāti Mutunga Trust** means the trust known by that name and established by a trust deed dated 14 September 2006 or its successor;
- 7.1.98. **Te Rūnanga o Ngāti Ruanui Trust** means the trust known by that name and established by a trust deed dated 10 December 2001 or its successor;
- 7.1.99. **Te Rūnanga o Ngāti Tama Trust** means the trust known by that name and established by a trust deed dated 20 January 2003 or its successor;
- 7.1.100. **Te Ruruku Pūtakerongo** and **deed** means the main body of this deed and the schedule;
- 7.1.101. **te Tiriti o Waitangi** and **the Treaty of Waitangi** mean the Treaty of Waitangi as set out in Schedule 1 to the Treaty of Waitangi Act 1975;
- 7.1.102. **Te Tōpuni Kōkōrangī** means the statutory body established in accordance with Te Ture Whakatupua mō Te Kāhui Tupua;
- 7.1.103. **Te Tōpuni Ngārahu** means:
- (a) the trust known by that name and established to be the collective governance entity for Ngā Iwi o Taranaki for the purposes of He Kawa Tupua by a trust deed dated 1 September 2023; and
 - (b) any successor trust or entity established to exercise the powers, perform the functions and fulfil the obligations of that trust under this deed or Te Ture Whakatupua mō Te Kāhui Tupua;
- 7.1.104. **Te Ture Whakatupua mō Te Kāhui Tupua** means, if the bill named Te Pire Whakatupua mō Te Kāhui Tupua/Taranaki Maunga Collective Redress Bill proposed by the Crown for introduction to the House of Representatives is passed, the resulting Act;
- 7.1.105. **terms of negotiation** mean the terms of negotiation referred to in clause 1.4;
- 7.1.106. **Te Whenua Taketake** means all that land shown on deed plan OMCR-N699-01 in Part 9 of the schedule and described in schedule 2 of the draft bill;
- 7.1.107. **Te Whenua Taurikura** means land held, from time to time, in the name of Te Kāhui Tupua that forms part of Te Papa-Kura-o-Taranaki;
- 7.1.108. **Te Whenua Tupu** means land held, from time to time, in the name of Te Kāhui Tupua that is not part of Te Papa-Kura-o-Taranaki;
- 7.1.109. **Tūpuna Maunga** means those ancestral mountains that form part of Te Kāhui Tupua and are located within the Taranaki region;
- 7.1.110. **vesting date** means the date specified as the vesting date of the land under an Order in Council prepared subject to Te Ture Whakatupua mō Te Kāhui Tupua;
- 7.1.111. **Waitangi Tribunal** means the tribunal established by section 4 of the Treaty of Waitangi Act 1975;
- 7.1.112. **working day** means a day that is not:
- (a) a Saturday or a Sunday; or

7: DEFINED TERMS

- (b) Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, or Labour Day; or
- (c) if Waitangi Day or Anzac Day falls on a Saturday or Sunday, the following Monday; or
- (d) a day in the period commencing with 25 December in any year and ending with 15 January in the following year; or
- (e) a day that is observed as the anniversary of the province of:
 - (i) Wellington; or
 - (ii) Taranaki; and

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

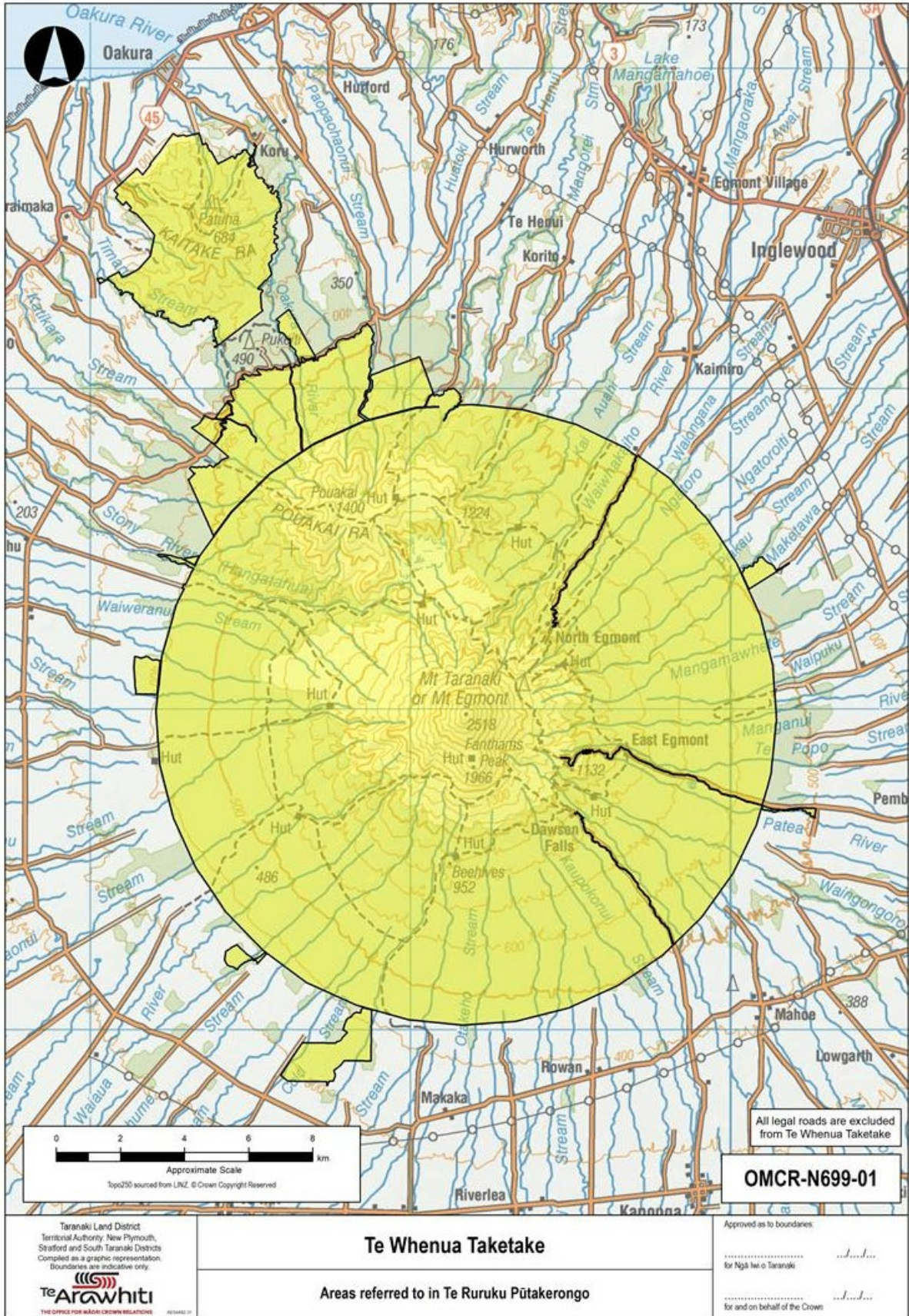
8 INTERPRETATION

- 8.1. This part applies to this deed's interpretation unless the context requires a different interpretation.
- 8.2. Headings do not affect the interpretation.
- 8.3. A term defined by:
- 8.3.1. this deed has the meaning given to it by this deed; and
 - 8.3.2. the draft bill, but not by this deed, has the meaning given to it by that bill.
- 8.4. All parts of speech and grammatical forms of a defined term have corresponding meanings.
- 8.5. The singular includes the plural and vice versa.
- 8.6. One gender includes the other genders.
- 8.7. Any monetary amount is in New Zealand currency.
- 8.8. Time is New Zealand time.
- 8.9. Something that must or may be done on a day that is not a working day must or may be done on the next working day.
- 8.10. A period of time specified as:
- 8.10.1. beginning on, at, or with a specified day, act, or event includes that day or the day of the act or event; or
 - 8.10.2. beginning from or after a specified day, act, or event does not include that day or the day of the act or event; or
 - 8.10.3. ending by, on, at, with, or not later than, a specified day, act, or event includes that day or the day of the act or event; or
 - 8.10.4. ending before a specified day, act or event does not include that day or the day of the act or event; or
 - 8.10.5. continuing to or until a specified day, act, or event includes that day or the day of the act or event.
- 8.11. A reference to:
- 8.11.1. an agreement or document, including this deed, means that agreement or that document as amended, novated, or replaced; and
 - 8.11.2. legislation, including Te Ture Whakatupua mō Te Kāhui Tupua, means that legislation as amended, consolidated, or substituted; and
 - 8.11.3. a party includes a permitted successor of that party; and

8: INTERPRETATION

- 8.11.4. a particular Minister includes any Minister who, under the authority of a warrant or with the authority of the Prime Minister, is responsible for the relevant matter.
- 8.12. An agreement by two or more persons binds them jointly and severally.
- 8.13. If the Crown must endeavour to do something or achieve some result, the Crown:
- 8.13.1. must use reasonable endeavours to do that thing or achieve that result; but
 - 8.13.2. is not required to propose for introduction to the House of Representatives any legislation, unless expressly required by this deed.
- 8.14. Provisions in:
- 8.14.1. the main body of this deed are referred to as clauses; and
 - 8.14.2. this schedule are referred to as paragraphs; and
 - 8.14.3. the draft bill are referred to as sections.
- 8.15. If there is a conflict between a provision that is in the main body of this deed and a provision in the schedule or an attachment, the provision in the main body of the deed prevails.

9 DEED PLAN



**10 TE PIRE WHAKATUPUA MŌ TE KĀHUI TUPUA/TARANAKI
 MAUNGA COLLECTIVE REDRESS BILL**

TE RURUKU PŪTAKERONGO

SIGNATURES IN SUPPORT

TE RURUKU PŪTAKERONGO

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