

APPENDIX 10 – STATUTORY ACKNOWLEDGEMENT AREAS – NGATI TUWHARETOA

Attachment of information to the Opertaiwe Waitomo District Plan in accordance with Sections 29 to 33, 35 and 36 of the Ngati Tuwharetoa Claims Settlement Act 2018. The information is for the purpose of public information only and is not part of the District Plan or subject to the provisions of Schedule 1 of the Resource Management Act 1991.

Section 34(1) of the Ngati Tuwharetoa Claims Settlement Act 2018 requires Council to record the statutory acknowledgement on all statutory plans.

Section 34(2) states that the information attached to a statutory plan must include:

- (a) a copy of sections 29 to 33, 35, and 36; and
- (b) descriptions of the statutory areas wholly or partly covered by the plan; and
- (c) the statement of association for each statutory area.

The statements of association are the particular cultural, spiritual, historical, and traditional associations of Ngati Tuwharetoa.

For more information please refer to Ngati Tuwharetoa Claims Settlement Act 2018.

Sections from the Ngati Tuwharetoa Claims Settlement Act 2018.

29 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association for the statutory areas.

30 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are—

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in accordance with sections 31 to 33; and
- (b) to require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 34 and 35; and
- (c) to enable the trustees and any member of Ngāti Tūwharetoa to cite the statutory acknowledgement as evidence of the association of Ngāti Tūwharetoa with a statutory area, in accordance with section 36.

31 Relevant consent authorities to have regard to statutory acknowledgement

- (1) This section applies in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity.
- (3) Subsection (2) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

32 Environment Court to have regard to statutory acknowledgement

- (1) This section applies to proceedings in the Environment Court in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public.
- (3) Subsection (2) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

33 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement

- (1) This section applies to an application made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within a statutory area.
- (2) On and from the effective date, Heritage New Zealand Pouhere Taonga must have regard to the statutory acknowledgement relating to the statutory area in exercising its powers under section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the application.
- (3) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area—
 - (a) in determining whether the trustees are persons directly affected by the decision; and
 - (b) in determining, under section 59(1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, an appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application.
- (4) In this section, **archaeological site** has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

34 Recording statutory acknowledgement on statutory plans

- (1) On and from the effective date, each relevant consent authority must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area.
- (2) The information attached to a statutory plan must include—
 - (a) a copy of sections 29 to 33, 35, and 36; and
 - (b) descriptions of the statutory areas wholly or partly covered by the plan; and
 - (c) the statement of association for each statutory area.
- (3) The attachment of information to a statutory plan under this section is for the purpose of public information only and, unless adopted by the relevant consent authority as part of the statutory plan, the information is not—
 - (a) part of the statutory plan; or
 - (b) subject to the provisions of Schedule 1 of the Resource Management Act 1991.

35 Provision of summary or notice to trustees

- (1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:

- (a) if the application is received by the consent authority, a summary of the application; or
 - (b) if notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.
- (2) A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under section 95B of the Resource Management Act 1991 or as may be agreed between the trustees and the relevant consent authority.
- (3) The summary must be provided—
- (a) as soon as is reasonably practicable after the relevant consent authority receives the application; but
 - (b) before the relevant consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.
- (4) A copy of a notice must be provided under subsection (1)(b) not later than 10 working days after the day on which the consent authority receives the notice.
- (5) The trustees may, by written notice to a relevant consent authority,—
- (a) waive the right to be provided with a summary or copy of a notice under this section; and
 - (b) state the scope of that waiver and the period it applies for.
- (6) This section does not affect the obligation of a relevant consent authority to decide,—
- (a) under section 95 of the Resource Management Act 1991, whether to notify an application;
 - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

36 Use of statutory acknowledgement

- (1) The trustees and any member of Ngāti Tūwharetoa may, as evidence of the association of Ngāti Tūwharetoa with a statutory area, cite the statutory acknowledgement that relates to that area in submissions concerning activities within, adjacent to, or directly affecting the statutory area that are made to or before—
- (a) the relevant consent authorities; or
 - (b) the Environment Court; or
 - (c) Heritage New Zealand Pouhere Taonga; or
 - (d) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991.
- (2) The content of a statement of association is not, by virtue of the statutory acknowledgement, binding as fact on—
- (a) the bodies referred to in subsection (1); or
 - (b) parties to proceedings before those bodies; or
 - (c) any other person who is entitled to participate in those proceedings.
- (3) However, the bodies and persons specified in subsection (2) may take the statutory acknowledgement into account.
- (4) To avoid doubt,—
- (a) neither the trustees nor members of Ngāti Tūwharetoa are precluded from stating that Ngāti Tūwharetoa has an association with a statutory area that is not described in the statutory acknowledgement; and
 - (b) the content and existence of the statutory acknowledgement do not limit any statement made.

Statutory Acknowledgement Areas and Areas of Interest

Statutory Area

Location

Ngati Tuwharetoa Area of Interest

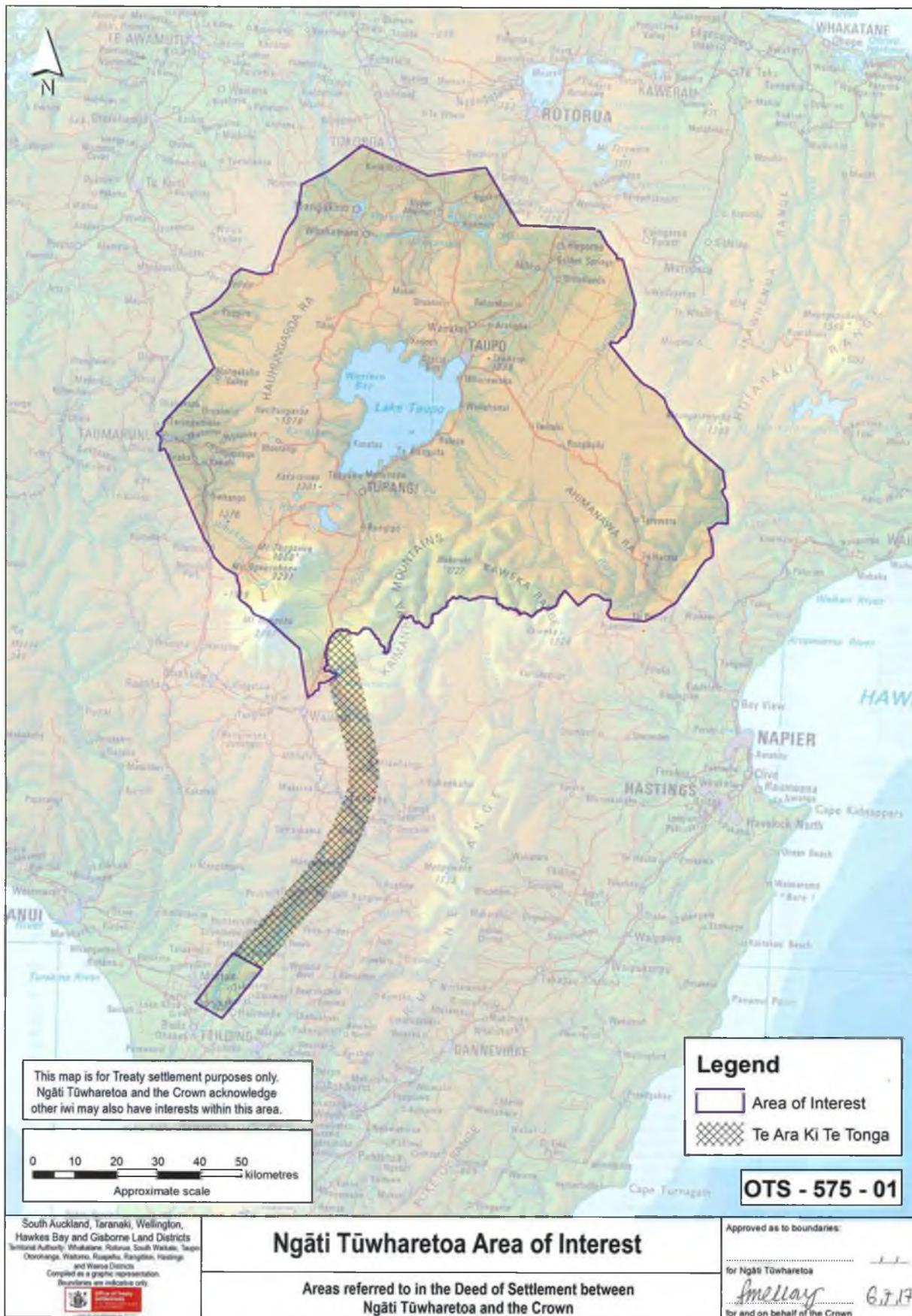
As shown on OTS-575-01

Pureora

As shown on OTS-575-41

NGĀTI TŪWHARETOA DEED OF SETTLEMENT:
ATTACHMENTS

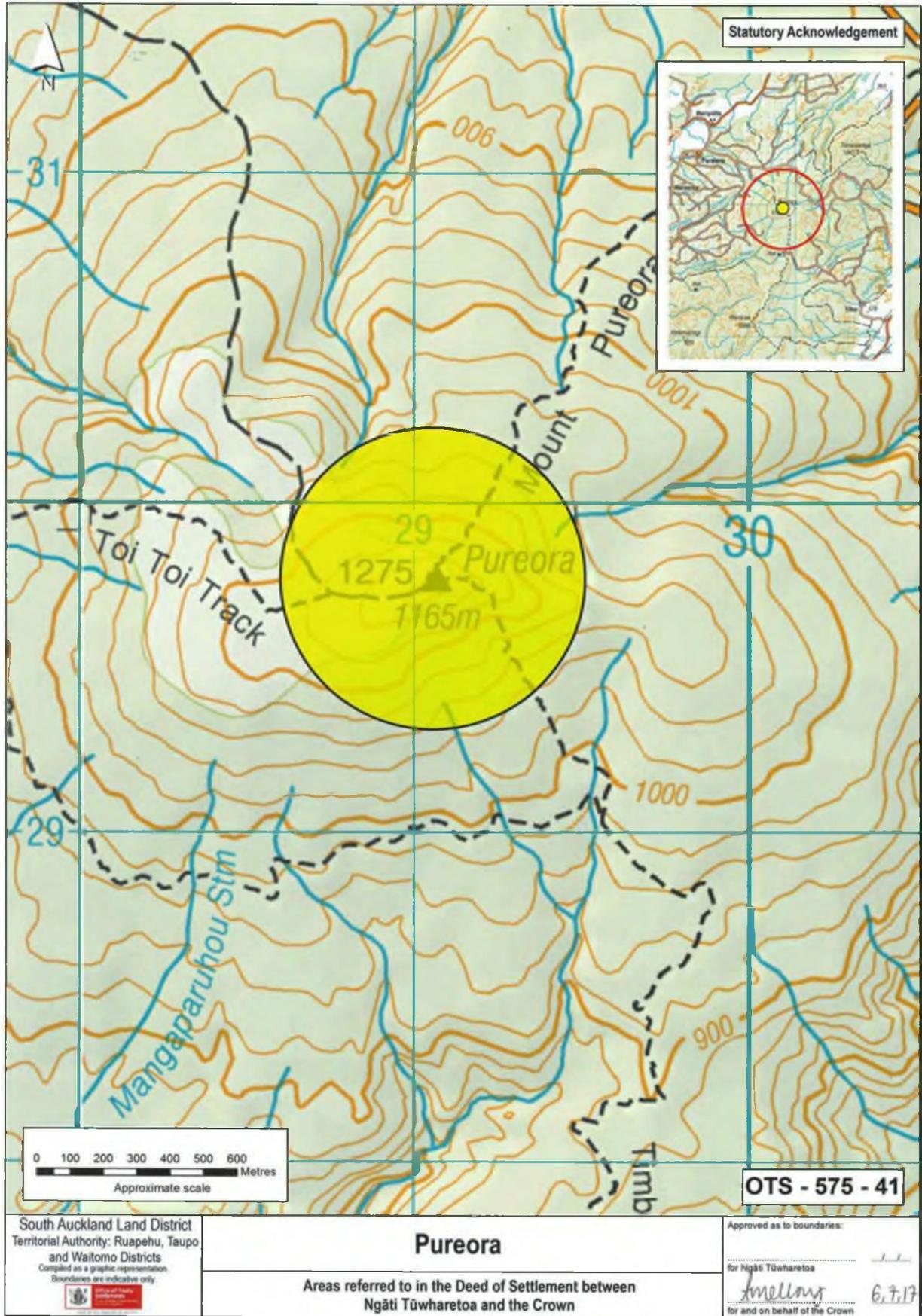
1: AREA OF INTEREST



Ngāti Tuwharetoa Area of Interest (OTS-575-01)

NGĀTI TŪWHARETOA DEED OF SETTLEMENT:
ATTACHMENTS

2: DEED PLANS



Ngati Tuwharetoa - Pureora (OTS-575-41)

Statement of Association and Areas of Interest

3.2 PROTECTION PRINCIPLES FOR PART PUREORA FOREST PARK (WITHIN THE AREA OF INTEREST)

3.2: PROTECTION PRINCIPLES FOR PART PUREORA FOREST PARK (WITHIN THE AREA OF INTEREST)

Protection Principles for part Pureora Forest Park (within the area of interest) (as shown on deed plan OTS-575-35)

The following Protection Principles are directed at the Minister of Conservation avoiding harm to, or the diminishing of Ngāti Tūwharetoa values related to part Pureora Forest Park (within the area of interest):

1. **He whenua tūpuna, he mana, he tapu, he mauri anō tōna** (An ancestral land, with its own mana, tapu and mauri):
 - (a) protection of wāhi tūpuna, indigenous flora and fauna, traditional materials and resources, water and the wider environment within part Pureora Forest Park (within the area of interest).
2. **He tangata whenua: Ko te whenua he pou whakapapa, he pou herenga nā Ngāti Tūwharetoa i te ahi kā roa, te kaitiakitanga, te rangatiratanga** (The people of the land: The land is a repository of whakapapa, connecting Ngāti Tūwharetoa with their ancestral fires, kaitiakitanga and rangatiratanga):
 - (a) recognition of the mana, kaitiakitanga and tikanga of Ngāti Tūwharetoa with regard to part Pureora Forest Park (within the area of interest);
 - (b) respect for Ngāti Tūwharetoa tikanga and kaitiakitanga within part Pureora Forest Park (within the area of interest);
 - (c) respect for the relationship of Ngāti Tūwharetoa with part Pureora Forest Park (within the area of interest), and encouraging others to respect that relationship;
 - (d) accurate portrayal of the association of Ngāti Tūwharetoa with part Pureora Forest Park (within the area of interest); and
 - (e) recognition of the interest of Ngāti Tūwharetoa in actively protecting native species within part Pureora Forest Park (within the area of interest) including, but not limited to, kererū and pikopiko.
3. **Kua toro te mate, me whakaora rawa** (the wellbeing of part Pureora Forest Park (within the area of interest) must be restored).

Actions by the Director-General of Conservation in relation to the Protection Principles

The following actions will be taken by the Department of Conservation in relation to the Protection Principles:

- (a) Department of Conservation staff, contractors, conservation board members, concessionaires and the public will be provided with information about Ngāti Tūwharetoa values and the existence of the overlay classification and will be encouraged to respect the association Ngāti Tūwharetoa have with part Pureora Forest Park (within the area of interest);
- (b) the Department of Conservation will work with Ngāti Tūwharetoa on the design and location of new signs to discourage inappropriate behaviour, including vehicle access through and across part Pureora Forest Park (within the area of interest), fossicking, the modification of wāhi tapu sites and disturbance of other taonga;

3.1: PROTECTION PRINCIPLES FOR WHENUAKURA

- (c) the public will be informed that the removal of all rubbish and wastes from part Pureora Forest Park (within the area of interest) is required;
- (d) Ngāti Tūwharetoa association with part Pureora Forest Park (within the area of interest) will be accurately portrayed in all new Department of Conservation information and educational material;
- (e) Te Kotahitanga will be consulted regarding any proposed Department of Conservation public information or educational material relating to part Pureora Forest Park (within the area of interest), and the Department of Conservation will only use Ngāti Tūwharetoa cultural information with the consent of Te Kotahitanga;
- (f) significant earthworks and disturbances of soil and/or vegetation will be avoided wherever possible;
- (g) where significant earthworks and disturbances of soil and/or vegetation cannot be avoided, Te Kotahitanga will be consulted at an early stage and particular regard will be had to their views, including those relating to kōiwi (human remains) and archaeological sites;
- (h) any kōiwi (human remains) or other taonga found or uncovered by the Department of Conservation will be left untouched and Te Kotahitanga informed as soon as possible to enable Ngāti Tūwharetoa to deal with the kōiwi or taonga in accordance with their tikanga;
- (i) the Department of Conservation will work with Te Kotahitanga to identify opportunities to involve Ngāti Tūwharetoa in programmes within part Pureora Forest Park (within the area of interest), including native species management programmes, pest control and ranger duties; and
- (j) the Department of Conservation will ensure that applicants for concessions, permits and any other rights affecting part Pureora Forest Park (within the area of interest) engage at an early stage with Ngāti Tūwharetoa.

4.1 STATEMENTS OF ASSOCIATION FOR PUREORA AND TĪTĪRAUPENGA

4.1: STATEMENTS OF ASSOCIATION FOR PUREORA AND TĪTĪRAUPENGA

The statements of association of Ngāti Tūwharetoa are set out below. These are statements of the particular cultural, spiritual, historical and traditional association of Ngāti Tūwharetoa with identified areas.

Pureora and Tītīraupenga

The following Statement of Association by Ngāti Tūwharetoa applies to part of Pureora maunga, part of Pureora Forest and Tītīraupenga.

Ngāti Tūwharetoa interests within the Pureora Forest Park lie within the Taupō moana (Lake Taupo) and Waikato River watersheds. The Ngāti Tūwharetoa tupuna Tūtetawhā gave the following kōrero after travelling into the western watershed and meeting a rangatira of another iwi:

"Mai te tihi o ngā maunga o Hauhungaroa, ki Hurakia, ki te tihi o Pureora Maunga, tae atu ki te taumata o Tītīraupenga, ko te marangai e rere ki roto ngā awa i te rawhiti o ēnei wai tapu mō te Inanga, mō te Kōaro, mō te Kōkopu. Ngā awa e rere ki te taha hauauru o ngā tihi o ngā maunga, i waihotia mō te Koura, te Tuna me te Piharau."

"From the peak of the mountain Hauhungaroa, to Hurakia, to the peak of Pureora mountain, to the peak of Tītīraupenga, the waters that flow into the eastern rivers are set aside for the Inanga, the Koaro, and the Kokopu. The rivers that flow to the west of these mountains are set aside for the Koura, the Tuna and te Piharau."

Although Ngāti Tūwharetoa also have interests beyond this rohe, this Statement of Association focuses on the area described by Tūtetawhā. It includes the Māori land blocks known as Pouakani, Tthoi, Waihāhā, Hauhungaroa and Waituhi Kuratau.

Ngāti Tūwharetoa hapū associated with the Pureora Forest Park, include Ngāti Hinemihi, Ngāti Manunui, Ngāti Te Maunga, Ngāti Parekaawa, Ngāti Whēoro, Ngāti Tarakaiahi, Ngāti Te Kohera, Ngāti Hā, Ngāti Wairangi and Ngāti Moekino.

The Tītīraupenga, Pureora, Tūhua, Hurakia and the Hauhungaroa range were renowned for their dense forestry (including tōtara, rimu, mataī and kahikatea) and the rich bird life including kererū, kākā and kōkako.

Tītīraupenga and Pureora-a-Tia

After the arrival of Te Arawa waka, a number of tūpuna journeyed inland. Tia and his group initially travelled towards the east of Taupōnui-a-Tia but eventually they turned towards the west of the lake. There are a number of place names commemorating Tia's journey including Te Tīhoi a Tia (the place where Tia wandered aimlessly) and Pureora-a-Tia (the cleansing ritual of Tia). Tia then ascended Tītīraupenga, erecting an altar and claiming the lands for his descendants. When Tia died, he was interred at Tītīraupenga.

Kāinga close to both Tītīraupenga and Pureora include Kaiwhā and Pukerimu. Important pā sites include Ahirara, Horaaruhe and Tūtakamoana. Tūtakamoana was a fortified pā and a stronghold of Ngāti Te Kohera and their whanaunga hapū. From Te Weri, Ngāti Tarakaiahi and their whanaunga hapū had access to the Hurakia and Hauhungaroa range to hunt birds. Te Raro was the most important bird-snaring area at Tītīraupenga. It was here that a priestess of bird lore would open the bird-snaring season each year.

4.1: STATEMENTS OF ASSOCIATION FOR PUREORA AND TĪTĪRAUPENGA

Hauhungaroa

Hauhungaroa is the name of a range of hills situated to the west of Lake Taupo. Hauhungaroa means the long, frosted breath. A Ngāti Tūwharetoa tradition records that the ranges were named by Tia when he awoke one very cold morning and observed his breath in the cold air.

The Ngāti Tūwharetoa hapū associated with this area tended to be mobile. At certain parts of the year they lived on the shores of Lake Taupo and the Waikato River, where they gathered kai such as kōkopu, kōaro and kōura. Maraekōwhai was a stronghold of Ngāti Parekaawa and Ngāti Te Kohera, and Waihāhā was a stronghold for Ngāti Tarakaiahi and Ngāti Wheoro. In other times of the year, they moved to kāinga within Hauhungaroa. Pā and kāinga associated with these areas included Kākaho, Te Pou a te Piki, Te Harure, Te Putu, Te Whāiti and Te Hirata.

Ngāti Tūwharetoa greatly valued the forests growing along the Hauhungaroa range, which contained extensive strands of mataī, tōtara, rimu and a range of ferns. There were also a number of streams in this area, providing water, mahinga kai and other resources. Hākuhanui (the eponymous ancestor of the Ngāti Hā hapū) was a mokopuna of Tia who lived at Kākaho. One day when crossing a stream, he slipped and the feather ornaments of his taiaha became wet, hence the name of the stream Huruhurumāku (wet feathers) which runs from Tīhoi to the Mangakino River.

The foods gathered within Hauhungaroa included birds, kiore (rat), pikopiko (fern), miro berries and other foods and rongoā (medicine). The kōtukutuku and the miro trees produced sweet berries that enticed kererū and other birds to be snared. Ngāti Tūwharetoa highly valued kererū as a bountiful and important traditional food. Birds were gathered only at particular times of the year and only in accordance with tikanga. Important karakia and rituals were performed by tohunga to open the bird season each year. One of the first tasks carried out by Herea Te Heuheu Tūkinu I after his appointment as Ariki was to mark the opening of the birding season at Waituhi on the Hauhungaroa range.

Te Hiapō was an ancient kāinga on the Hauhungaroa block for those who were taught the bird rituals. Te Aputa was another area where bird lore was learnt. Different families and rangatira were associated with particular birding trees and waka manu. A waka manu is a wooden container, filled with freshwater and placed in a tree. Birds were snared as they stopped to drink from the waka manu. The birds' tail feathers were removed and buried, and the birds were preserved in their own huahua (fat). Certain feathers were set aside and used in clothing and for adornment.

Ngāti Tūwharetoa gathered a range of food and delicacies from the Hauhungaroa Range for a number of important hui. Providing kai enabled hapū to exercise manaakitanga and rangatiratanga. Birds were sent to Maraekōwhai at the time of Parekaawa's death. Birds from Hauhungaroa fed the thousands that attended the Pūkawa hui known as Hīnana ki uta, Hīnana ki Tai to appoint a Māori king.

Many of the Hauhungaroa blocks, formerly in Ngāti Te Maunga customary ownership, have been incorporated into the Pureora Forest Park. A section of the Part Hauhungaroa 2D2 block is included in the Pureora Forest Park.

Whenuakura

The Whenuakura Ecological Area is an area at the southern end of the Pureora Forest Park. It is particularly associated with Ngāti Te Maunga, a hapū of Ngāti Tūwharetoa, who maintain their ahi kā roa (long, undisturbed occupation) based on hereditary and whakapapa rights derived

4.1: STATEMENTS OF ASSOCIATION FOR PUREORA AND TĪTĪRAUPENGA

from ahikaroa (long, undisturbed occupation). Ngāti Te Maunga's eponymous tupuna Te Maunga, inherited mana in respect of the Hauhungaroa lands from her father Kikoreka and her grandmother Parekaawa.

Whenuakura literally means precious lands. It is a taonga whenua, rich in tribal histories. Ngāti Tūwharetoa value Whenuakura for its abundant ecology and for their customary relationship with the natural environment and our kaitiaki responsibilities to it.

Ngāti Tūwharetoa tūpuna lived in a number of kāinga built at strategic points, including Whanganui Bay, Te Rawatanga, Ruahine, Pukeiahua and Ōruaiwi. These kāinga gave ready access to Whenuakura's rich mahinga kai and resources. Ruahine was home to the Ngāti Tūwharetoa tupuna Parekaawa, and it is the resting place of Te Maunga.

Within Whenuakura there are nineteen streams and springs, containing freshwater mahinga kai. There is also a mature native forest, which provided Ngāti Tūwharetoa with abundant kererū and other edible birds. Birding places within Whenuakura include Putaohore, Te Pāhoahoa, Te Kowhai Waione, Tekopae a Hape, Panapa, Te Ruapōtaka and Te Puka.

Whenuakura also provided a corridor through which peaceful iwi groups travelled in waka, up the Whanganui River from the south, or from the north via the Taringamotu River, branching into the Pungapunga River and up the Pungapunga Valley to Te Parekura, before crossing by foot along the upper reaches of the Whenuakura Plains.

Te Pūtahitanga is a small lake at the source of the Pungapunga and Whanganui Streams. It is the sight of a significant battle between Ngāti Te Maunga, supported by their whanaunga allies, against another iwi. This was a rare occurrence. The other iwi was defeated and their dead buried in the wetlands on the Whenuakura Plains. The wetland was renamed Te Parekura.

There are a number of pā associated with and close to Whenuakura. This includes Waiapu pā.

Tūhua

In 1913, Tūreiti Te Heuheu Tūkino V repeated the words of his grandfather Mananui Te Heuheu Tūkino II:

"One time he considered his body to be similar to the land, one of his thighs on Tītōkura, the other on Ōtairi, one of his arms on Pare te tai tonga, one on Tūhua mountains, his head on Tongariro, his body lying on Taupō. That his word made sacred the land, a region of his mana, a region where Pākehā were forbidden to enter, land never to be lost to the Pākehā. This was the greatest concern to him."

As described by Tūtetawhā, Tūhua is part of the western boundary of Ngāti Tūwharetoa. Ngāti Tūwharetoa hapū Ngāti Hinemihi, Ngāti Manunui and Ngāti Tarakaiahi all maintain their kaitiakitanga and mana in respect of Tūhua.

There are numerous streams in this area running towards the Whanganui River, including the Waipare, Pungapunga and Taringamotu Rivers. The Waituhi Stream flows into the Kuratau River towards Lake Taupo. The Waituhi Stream was named because of fallen trees that form natural water troughs after the southerly wind has blown.