

# Te Ture Whakamana ngā Iwi o Taitokerau

Statutory acknowledgements in Northland - Oct 2018



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1	To accompany making the Regional Policy Statement operative		May 2016	Ben Lee
2	Updated for notification of the Proposed Regional Plan.	Remove links to maps with images.	September 2017	Ben Lee
3	Updated with Ngāti Pūkenga and Ngatikahu ki Whangaroa settlements		October 2018	Ben Lee



# 1. Introduction

## 1.1 What are statutory acknowledgements?

A *statutory acknowledgement* is a formal acknowledgement by the Crown of the mana of tangata whenua in relation to a specified area.

It recognises the particular cultural, spiritual, historical, and traditional association of an iwi or hapū with the site, which is identified as a *statutory area*. In some instances there may be more than one hapū or iwi who is recognised as having an association with a given area.

Statements of association with a statutory acknowledgement/area are set out in Treaty of Waitangi settlement legislation. The text for each statutory acknowledgement includes:

- identification and description of the statutory area.
- a statement of association detailing the relationship between the relevant iwi or hapū and the statutory area.
- the specific requirements of the statutory acknowledgement.

*Statutory areas* only relate to Crown-owned or administered land and include areas of land, geographic features, lakes, rivers, wetlands, and parts of the coastal marine area.

## 1.2 The purpose of statutory acknowledgements

While there may be minor variations in the legislation for each settlement, the purposes of a statutory acknowledgement will generally include the following.

### 1.2.1 Notification of resource consent applications

Consent authorities, the Environment Court, and the Historic Places Trust are required to have regard to a statutory acknowledgement when determining whether the relevant iwi or hapū may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on the statutory area.

### 1.2.2 Environment Court proceedings

The Environment Court must have regard to a statutory acknowledgement relating to a statutory area in determining whether the relevant iwi or hapū has an interest greater than that of the general public in respect of an application for a resource consent for activities within, adjacent to, or impacting directly on the statutory area.

### 1.2.3 Summaries of resource consent applications

Consent authorities are required to forward summaries of resource consent applications to the relevant iwi or hapū for activities within, adjacent to or impacting directly on any statutory area. This information must be the same as would be given to any affected persons under limited notification in accordance with section 95B of the Resource Management Act 1991 (RMA), unless otherwise agreed between the consent authority and the relevant iwi or hapū.

The information is to be provided to the relevant iwi or hapū as soon as reasonably practicable after the consent authority has received the application, and prior to making any determination as to notification of the application.

This requirement does not affect the obligation of a consent authority to notify an application in accordance with section 95 to 95F of the RMA, or to form an opinion as to whether the relevant iwi or hapū is adversely affected under those sections.

### 1.2.4 Submissions

In submissions to, and proceedings before, a consent authority, the Environment Court, or the Historic Places Trust, the relevant iwi or hapū governance entity and any member of that iwi or hapū, may cite a statutory acknowledgement as evidence of association with a statutory area, where those proceedings concern activities that are within, adjacent to, or impacting directly on, any statutory area.

### 1.2.5 Statutory plans

Information recording statutory acknowledgements for statutory areas covered wholly or partly by a statutory plan must be attached to the relevant statutory plans. Settlement legislation enacted recently has required statutory plans to include the relevant provisions of the settlement legislation in full, the description of the statutory area, and the statement of association. Earlier legislation only required plans to record relevant statutory acknowledgements with a reference to the relevant provisions of the settlement legislation.

To provide consistency throughout this document, the relevant provisions of the settlement legislation, the description of the statutory area, and the statement of association have been provided in full for all statutory acknowledgements within Northland.

Statutory plans are also required to specify that information provided in relation to statutory acknowledgements is for the purposes of public information only, does not form part of the plan and is not subject to the provisions of Schedule 1 of the RMA.

### 1.2.6 Limitations of statutory acknowledgements

Subject to the specific settlement legislation, the limitations on the effect of statutory acknowledgements are:

- statutory acknowledgements do not affect, and are not able to be taken into account by, any person exercising a function or duty under legislation or a bylaw.
- statutory acknowledgements do not affect the lawful rights or interests of any person.
- statutory acknowledgements do not grant, create, or provide evidence of an estate or interest in or rights relating to, a statutory area.

## 2. Statutory acknowledgements in Northland

Treaty of Waitangi settlement legislation containing statutory acknowledgments has been enacted for the following iwi and hapū within Northland:

Iwi / hapū	Settlement date	Statutory acknowledgements in Northland
Te Uri o Hau	17 October 2002	6
Te Roroa	29 September 2008	2
Ngāti Manuhiri	19 November 2012	1
Ngāi Takoto	22 September 2015	9
Ngāti Kuri	22 September 2015	4
Te Aupōuri	22 September 2015	6
Te Rarawa	22 September 2015	8
Ngāti Pūkenga	14 August 2017	1
Ngatikahu ki Whangaroa	21 August 2017	4

## 3. Statutory acknowledgements for Te Uri o Hau

In accordance with Section 63 of the Te Uri o Hau Claims Settlement Act 2002, information regarding statutory acknowledgements is hereby attached to the:

- Operative Regional Policy Statement for Northland;
- Operative Regional Water and Soil Plan for Northland;
- Operative Regional Coastal Plan for Northland; and
- Operative Regional Air Quality Plan for Northland; and
- Proposed Regional Plan for Northland.

### 3.1 Statutory areas

Statutory area	Location
Pouto	SO Plan 70051
Mangawhai	SO Plan 70049
Oruawharo River	SO Plan 70050
Pukekaroro	SO Plan 70042
Kaipara Harbour	SO Plan 70053
Mangawhai Harbour	SO Plan 70054

Maps of the statutory areas can be found in the document *Te Uri o Hau and Her Majesty the Queen in right of New Zealand: Deed of Settlement of the Historical Claims of Te Uri o Hau Historical Claims: Attachments*: <https://www.govt.nz/dmsdocument/6259.pdf>

### 3.2 Statements of association

#### 3.2.1 Pouto stewardship area

Te Uri o Hau have a very special relationship with this area. It is recognised as a major Wahi Tapu (sacred area) because many of our tupuna (ancestors) are buried here. Many urupa (burial grounds) and taonga (treasures) rest beneath the whenua (land) in this region as a result of the many battles that were fought here throughout Te Uri o Hau history. During extreme weather conditions wheua (human bones) are often exposed.

Traditionally Te Uri o Hau used this region extensively for gathering kai (food). The fresh water lakes provided an abundance of kai for Te Uri o Hau. In 1909 a Te Uri o Hau rangatira said “These lakes are where we fish for eels, net mullet and snare birds for our food. They have been with us since the beginning, handed down by our tupuna to our parents and to us today.”



For Te Uri o Hau, histories such as these represent the links and the continuity between past and present generations. They reinforce tribal identity and solidarity, and document the events that shaped Te Uri o Hau as a people.

Traditionally there were many Nohoanga (temporary settlements) within this area. Te Uri o Hau whanau (families) from the Pouto peninsula and from other marae around the Kaipara Harbour would camp here catching tuna (eels) and kanae (mullet) from the lakes and gathering manu (birds), harakeke (flax), and berries from the wetlands and surrounding area.

Te Uri o Hau are the kaitiaki (guardians) of this area. Knowledge of the traditional trails and Nohoanga sites handed down from generation to generation is a taonga (treasure) to Te Uri o Hau. A hikoi (walk) along the trails allows Te Uri o Hau to rebury wheua (human remains) and taonga (treasures) should they become exposed by the drifting sand.

The mauri (life force) of this region represents the essence that binds the physical and spiritual elements of all things together, generating and upholding life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Te Uri o Hau with this region.

### 3.2.2 Mangawhai marginal strip

The land now known as the Mangawhai marginal strip is of great importance to Te Uri o Hau.

This area was traditionally used by Te Uri o Hau as one of the many areas where kaimoana (seafood) was gathered during certain periods of the year. Mahinga kai and Nohoanga sites are prevalent throughout the Mangawhai area. Te Uri o Hau traditionally participated in many fishing expeditions from the coastline.

Around 1825, the battle known as Te Ika Ranganui began at Mangawhai and progressively moved inland towards Otamatea and on into the Kaipara Harbour. The battle was fought between the tangata whenua and northern iwi.

For many years following the battle, this area was tapu (sacred) to Te Uri o Hau. The bones of our people who died during the battle or as a result of the battle are scattered throughout this area.

The mauri (life force) of the Mangawhai and adjacent coastline represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Te Uri o Hau with the Mangawhai coast.

### 3.2.3 Oruawharo River stewardship area

Te Uri o Hau whaikorero (oration) about this area goes back to the era of our eponymous ancestor, Haumoewaarangi, when Te Uri o Hau first resided in the north Kaipara region. This area is very important to Te Uri o Hau because of the Wahi Tapu (sacred ground) and the urupa (burial grounds) where our tupuna (ancestors) rest.

A wahine (woman) named Te Hana lived at Mahipatua Pā on the Pouto peninsula. Her whakapapa (genealogy) links were from a different tribe that lived peacefully among Te Uri o Hau at that time. Te Hana was betrothed to Rangiwhapapa, brother of Haumoewaarangi, who resided at a nearby kainga (village) called Rangitane Pā.

A warrior from Oporo Pā, which was located at the mouth of the Oruawharo River on the Okahukura peninsula, had heard of this beautiful woman that lived across the Wairoa River at Mahipatua Pā. He visited Te Hana's kainga in the hope of gaining her affections for himself. As Te Hana was puhi (a virgin of noble family who was kept for the right match) she could not participate in the ceremonies but could only watch from a distance.

Te Uri o Hau traditions state that the visiting warrior cast a spell of atahu (love charm) over Te Hana so that her affections would be diverted to him. In time the spell began to weave its magic. Early one morning Te Hana and her maid sneaked down to the Wairoa River. They swam across the Wairoa River to the Okahukura peninsula, stopping to rest on the sandbanks on their way. While crossing the first channel, Te Hana's maid looked back to the Pouto peninsula and subsequently drowned. Te Hana, however, made it over to the other side and landed on Manukapua Island where she was found and taken to Oporo Pā.

On hearing of Te Hana's disappearance, and knowing where she had gone, Rangiwhapapa and his taua (war party) left Pouto for Okahukura. It is said that the waters of the Wairoa were black with canoes in their quest to retrieve Te Hana. A great battle took place and many lives were lost from both sides. The battle was fought along the ridge from Oporo Pā to Whakahuranga Pā and the invading taua from Pouto pushed the inhabitants of Okahukura out of the region. Te Hana was taken back to Pouto where she married Rangiwhapapa. The area known as the Oruawharo stewardship area is still tapu (sacred) today.

For Te Uri o Hau, histories such as this represent the links and the continuity between past and present generations. They reinforce tribal identity and solidarity, and document the events that shaped Te Uri o Hau as a people.

Until recently, the shores and banks of this area were used as Nohoanga (temporary settlements) by Te Uri o Hau when they returned to this area from the Pouto peninsula, Manukapua Island and the Kaipara Harbour after gathering kai (food) for the people. As kaitiaki (guardians) Te Uri o Hau would also keep watch over the Wahi Tapu sites in this area during their journeys around the Kaipara Harbour.

The mauri (life force) of this area represents the essence that binds the physical and spiritual elements together, generating and upholding all life. All elements of the natural environment possess a life force and all life is related. Mauri is a critical element of the spiritual relationship of Te Uri o Hau with the Oruawharo River stewardship area.

### 3.2.4 Pukekaroro scenic reserve

The maunga (mountain) Pukekaroro is of great importance to Te Uri o Hau. Pukekaroro was a key strategic site for Te Uri o Hau, as from the very top you are able to see the Mangawhai Heads to the east and the Kaipara Harbour entrance to the west. Traditionally Te Uri o Hau used the timber that grew on the mountain to build waka, which were renown for their seaworthiness.

During the battle known as Te Ika Ranganui in 1825, Karoro, a rangatira who had a Pā site at the very top of the mountain, retrieved many Te Uri o Hau dead and wounded from the surrounding area and carried them up to the Pā so they would not be found by the enemy. Pukekaroro is of special spiritual significance to Te Uri o Hau because of the many Wahi Tapu (sacred area) sites on the mountain. The mountain has been tapu (sacred) since that battle and remains so today.

The mauri (life force) of Pukekaroro represents the essence that binds the physical and spiritual elements together, generating and upholding all life. All elements of the natural environment possess a life force and all life is related. Mauri is a critical element of the spiritual relationship of Te Uri o Hau with Pukekaroro.

### 3.2.5 Kaipara Harbour coastal area

Te Uri o Hau has used the Kaipara Harbour for food and other resource gathering since long before 1840 and continue to do so today. Te Uri o Hau are kaitiaki (guardians) of the harbour and its resources.

There are many traditional land blocks surrounding the harbour that take their names from indigenous species that live within the Kaipara Harbour environs. There are natural features, which

include sandbanks and reefs that have also been named after tupuna of Te Uri o Hau. Many whanau have also been given names that refer to these features. Indeed, the very name given to the harbour, Kai meaning food and Para meaning king fern, is our acknowledgment of the sustenance obtained by our people in and around the harbour.

The Kaipara Harbour is a primary source of life and well being for Te Uri o Hau. The harbour has provided kaimoana (seafood) as well as communication routes. This is obvious in the placement of nga marae tuturu (the ancestral marae) of Te Uri o Hau at the headlands and on the foreshores of the harbour. Te Uri o Hau believe that water is the very life force of our people, a basic and core element providing for our own existence.

The harbour is a flowing together of the waters of many rivers as elaborated in the whaikorero (oral history) of our tupuna (ancestors) and honoured by each generation thereafter. The harbour has always been of the utmost importance to Te Uri o Hau.

### **Oruawharo River**

The Oruawharo River was named after a rangatira, Ruawharo, who resided in the area around the river. The land adjoining the river, where the Te Uri o Hau marae “Rangimarie” is sited is also named Oruawharo.

Te Uri o Hau have long gathered kaimoana (seafood) from this river and continue to do so today, particularly from the oyster reserve located on the river.

It was on this river that the first settlement of Albertlanders from Manchester was established in the Kaipara area. This settlement not only provided Te Uri o Hau with a market for their goods, but also enabled Te Uri o Hau and the settlers to interact with each other and learn from each other.

As you travel from the mouth of the Oruawharo River, towards the east, you reach the Topuni River, meaning the Rainbow River. Sometimes a rainbow forms above the meeting point of the Oruawharo River and the Topuni River. This rainbow, which can be seen at night as well as in the daylight, is vertical rather than a bow. When this rainbow is present, Te Uri o Hau believe that war is inevitable.

The mauri (life force) of the Oruawharo River represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Te Uri o Hau with the Oruawharo River.

### **Wairoa River**

The Wairoa River is one of the traditional communication links for all of Te Uri o Hau marae around the Kaipara Harbour. The awa (river) was used extensively throughout Te Uri o Hau history and last century prior to roads being established. Te Uri o Hau Pā (fortified villages) sites, urupa (burial grounds) and Wahi Tapu (sacred areas) line the shores of the Wairoa River. The Waikaretu Marae was formerly located on the banks of the Wairoa River. It has now been relocated to higher ground.

The association of Te Uri o Hau with the Wairoa River has always been part of our history. Because it is the major transportation river of the northern Kaipara Harbour, many of Te Uri o Hau traditional histories involve the Wairoa. The numerous sandbanks and reefs along the length of the Wairoa River feature in many aspects of Te Uri o Hau history. Rongomai (Ariki of the Mahuhu ki te Rangi our ancestral waka) drowned on the west side of the Wairoa River; Mahanga (a Te Uri o Hau tupuna) and his people drowned at sandbanks now called “Te Wai a Mahanga” (the waters of Mahanga) and Te Hana (an important maiden in Te Uri o Hau history) rested on three sandbanks of the Wairoa during her swim to Okahukura. Te Uri o Hau kaumatua and kuia also speak of the taniwha (river guardians) whose presence may be observed at times.

For Te Uri o Hau, histories such as these represent the links and the continuity between past and present generations. They reinforce tribal identity and solidarity, and document the events that shaped Te Uri o Hau as a people.

The resources of the Wairoa River have sustained Te Uri o Hau for generations and still do today, although to a lesser degree. The kaimoana (seafood) of the Wairoa River is special to Te Uri o Hau and is considered a taonga (treasure). Te Uri o Hau historically guarded this taonga with extreme jealousy, threatening to kill anyone caught taking their resources without permission, especially if those caught did not belong to the tribe.

The mauri (life force) of the Wairoa River represents the essence that binds the physical and spiritual elements of all things together, generating and upholding life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Te Uri o Hau with the Wairoa River.

### **Otamatea River**

The Otamatea is a tidal tributary of the Kaipara Harbour. The land block known as “Ranganui” meaning the great spur divides the eastern end of the Otamatea into the Wairau River flowing northeast and the Kaiwaka River flowing southeast.

Te Uri o Hau know the part of the Otamatea River that is in front of the Ranganui as the Ranganui River. This part of the Otamatea River was crucial to Te Uri o Hau transportation and communication routes when travelling around the inner parts of their rohe. Traditionally Te Uri o Hau would travel by waka, past Ranganui, onto the Kaiwaka Creek, and then on to Mangawhai to gather kaimoana. As you travel down the Ranganui River toward the northeast you arrive at the Wairau River, which takes you into the township of Maungaturoto. To the southeast, the Ranganui River flows into the Kaiwaka River, which flows into the Kaiwaka township.

Otamatea was named after Tamatea, a visitor from a distant region who traveled extensively throughout Aotearoa. When Tamatea came to the Ranganui River he found footprints along the banks of the tidal creek running from Kaiwaka into the Ranganui River, which indicated that the area was inhabited. In fact, the area was inhabited by Te Uri o Hau of Ngati Whatua who claimed to have been in the area since before the great migration.

Tamatea did not see Te Uri o Hau as they surrounded him. But he soon realised that he was surrounded and had no way to escape but to swim the river. Tamatea decided to call his God, Raiera, to come and protect him. Raiera came to him in the shape of a rock by the bank. Tamatea climbed on the rock and it drifted into the middle of the river. Out of curiosity Te Uri o Hau stormed the foreshore and induced Tamatea to return ashore. Tamatea accepted their invitation and thereafter Tamatea was greatly welcomed.

Before returning to the eastern coast, Tamatea said “In recognition of your kindness and hospitality, I will leave my God, Raiera, in this river as a bridge for my descendants in days to come”. It is called Te Toka Turangi (the Rock of Tamatea) and the river was thereafter called Otamatea. Raiera has been seen at low tide, where the Kaiwaka Creek meets the Ranganui River and then on to the Otamatea River. It was last seen washed ashore at half tide mark outside Aotearoa Marae when Arama Karaka Haututu the Second died in the late 19th or early 20th century.

Some years after Tamatea left, his son lived in the Kaipara area for many years, before returning to the eastern coast. His descendants reside at Otamatea and Oruawharo today.

The Otamatea River played an important part in the life of Te Uri o Hau as part of their traditional communication routes in ancient times and continues to be important today. The Otamatea River is of great spiritual importance to Te Uri o Hau as there are many Pā, Wahi Tapu (sacred areas) and urupa (burial sites) along both sides of the river. This river is also renowned for the many species of kaimoana that Te Uri o Hau used.

The mauri (life force) of the Otamatea River represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Te Uri o Hau with the Otamatea River.

## **Arapaoa River**

The Arapaoa River received its name, which in translation means Smoky Pathway, when Te Uri o Hau burnt off the scrub around the river once the land around the river was recognised as having good soil for planting crops. Te Uri o Hau Kaumatua and Kuia have said that the smoke was so thick that you had to take every precaution when travelling up the river.

The Arapaoa River flows east into the Pahi River and Paparoa Creek moving in a northerly direction. Te Uri o Hau have a spiritual connection with the Arapaoa River, which is evident today by the many Wahi Tapu (sacred area) sites that can be seen along the river. The river was also one of the main kaimoana (seafood) gathering places, and many Nohoanga (temporary settlements) sites were established along both sides of the river.

Many of Te Uri o Hau wounded from the battle known as Te Ika Ranganui in 1825 died along the shores of the Arapaoa River.

The mauri of the Arapaoa River represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Te Uri o Hau with the Arapaoa River.

## **Whakakei River**

Whakakei means “to lift the harvest” or to “lift the nets”. The Whakakei was well known for the big snapper that could be caught there due to the shellfish and worms found only in this area. The shellfish were similar to the toheroa and the shells of these species are still found today on the land as well as in the tidal mud flats. Because of the tremendous resources of this river, Pakarahaki, a rangatira of Te Uri o Hau, reserved it as his own fishing ground.

Te Uri o Hau have spiritual connections to the Whakakei river as seen by the many Wahi Tapu (sacred areas) sites on both sides of the river. The many kaimoana (seafood) species that Te Uri o Hau would seasonally gather from the river are evident from the many middens within the traditional Nohoanga (temporary settlements) areas.

As you travel towards the interior of the Whakakei, you pass the land known as Tuhirangi. The land along the river was very fertile and was used by Te Uri o Hau for many horticultural activities. Because of the fertility of the soil, Te Uri o Hau gifted some of this land to the Reverend William Gittos and his family as a show of friendship and so they would stay in the Kaipara area.

The mauri (life force) of the Whakakei River represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is the critical element of the spiritual relationship of Te Uri o Hau with the Whakakei River.

## **3.2.6 Mangawhai Harbour**

Te Uri o Hau have an important spiritual relationship with Mangawhai Harbour due to the many Wahi Tapu (sacred areas) sites in the area. Traditionally, prior to the battle of Te Ika a Ranganui, Te Uri o Hau gathered kaimoana (seafood) from the harbour. We also gathered materials for making tools for tattooing and cutting hair, flax fibres for use in certain types of weaving, and coastal grass species for tukutuku panels (woven panels) from the harbour and surrounding area.

There are many Te Uri o Hau traditional Nohoanga (temporary settlements) within the Mangawhai area, where we would camp to enable us to gather what we required. We would then travel back to our kainga (villages) beside the Kaipara Harbour. The Mangawhai Harbour is on the eastern rim of Te Uri o Hau’s rohe and played a role as a major resource kete (food basket).

In 1825 the battle known as Te Ika Ranganui began in this area. A great many Te Uri o Hau people died during this battle. As a result of this battle, Te Uri o Hau consider that the area from and including the Mangawhai Harbour to Kaiwaka and beyond is tapu (sacred).

The mauri (life force) of the Mangawhai Harbour represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is the critical element of the spiritual relationship of Te Uri o Hau with the Mangawhai Harbour.



## 4. Statutory acknowledgements for Te Roroa

In accordance with Section 73 of the Te Roroa Claims Settlement Act 2008, information regarding statutory acknowledgments is hereby attached to the:

- Operative Regional Policy Statement for Northland;
- Operative Regional Water and Soil Plan for Northland;
- Operative Regional Coastal Plan for Northland; and
- Operative Regional Air Quality Plan for Northland; and
- Proposed Regional Plan for Northland.

The information that must be attached:

- a) a copy of sections 68 to 72, 74 and 75 of the Te Roroa Claims Settlement Act 2008; and
- b) descriptions of the statutory areas; and
- c) the statement of association for each statutory area.

### 4.1 Provisions

#### 68 Statutory acknowledgements by the Crown

- 1) The Crown acknowledges the statements of association.
- 2) In this subpart, **statements of association** means the statements,—
  - a) made by Te Roroa, of the particular cultural, spiritual, historical, and traditional association of Te Roroa with each statutory area; and
  - b) that are in the form set out in Part 3 of Schedule 1 of the Deed of Settlement.

#### 69 Purposes of statutory acknowledgements

- 1) The only purposes of the statutory acknowledgements are—
  - a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgements, as provided for in [sections 70 to 72](#); and
  - b) to require relevant consent authorities to forward summaries of resource consent applications to the trustees of the Manawhenua Trust, as provided for in [section 74](#); and
  - c) to enable the trustees of the Manawhenua Trust and a member of Te Roroa to cite the statutory acknowledgements as evidence of the association of Te Roroa with the relevant statutory areas, as provided for in [section 75](#).
- 2) This section does not limit the operation of [sections 76 to 79](#).

## **70 Relevant consent authorities to have regard to statutory acknowledgements**

- 1) On and from the effective date, a relevant consent authority must have regard to a statutory acknowledgement relating to a statutory area in forming an opinion, in accordance with [sections 93 to 94C](#) of the Resource Management Act 1991, as to whether the trustees of the Manawhenua Trust are persons who may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on the statutory area.
- 2) Subsection (1) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

## **71 Environment Court to have regard to statutory acknowledgements**

- 1) On and from the effective date, the Environment Court must have regard to a statutory acknowledgement relating to a statutory area in determining under [section 274](#) of the Resource Management Act 1991 whether the trustees of the Manawhenua Trust are persons having an interest in the proceedings greater than the public generally in respect of an application for a resource consent for activities within, adjacent to, or impacting directly on the statutory area.
- 2) Subsection (1) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

## **72 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgements**

- 1) If, on or after the effective date, an application is 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,—
  - a) Heritage New Zealand Pouhere Taonga, in exercising its powers under [section 48](#), [56](#), or [62](#) of that Act in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area; and
  - b) the Environment Court, in determining under [section 59\(1\)](#) or [64\(1\)](#) of that Act any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area, including in making a determination as to whether the trustees of the Manawhenua Trust are persons directly affected by the decision.
- 2) In this section, **archaeological site** has the meaning given in [section 6](#) of the Heritage New Zealand Pouhere Taonga Act 2014.

## **74 Distribution of resource consent applications to trustees of Manawhenua Trust**

- 1) A relevant consent authority must, for a period of 20 years from the effective date, forward to the trustees of the Manawhenua Trust a summary of resource consent applications received by that consent authority for activities within, adjacent to, or impacting directly on a statutory area.
- 2) The information provided under subsection (1) must be—
  - a) the same as would be given under [section 93](#) of the Resource Management Act 1991 to persons likely to be adversely affected, or as may be agreed between the trustees of the Manawhenua Trust and the relevant consent authority; and
  - b) provided as soon as is reasonably practicable after the application is received, and before a determination is made in accordance with [sections 93 to 94C](#) of the Resource Management Act 1991.

- 3) The trustees of the Manawhenua Trust may, by notice in writing to a relevant consent authority,—
  - a) waive their rights to be notified under this section; and
  - b) state the scope of that waiver and the period it applies for.
- 4) For the purposes of this section, a regional council dealing with an application to carry out a restricted coastal activity in a statutory area must be treated as if it were the relevant consent authority in relation to the application.
- 5) This section does not affect the obligation of a relevant consent authority to—
  - a) notify an application in accordance with [sections 93 and 94C](#) of the Resource Management Act 1991:
  - b) form an opinion as to whether the trustees of the Manawhenua Trust are persons that are likely to be adversely affected under those sections.

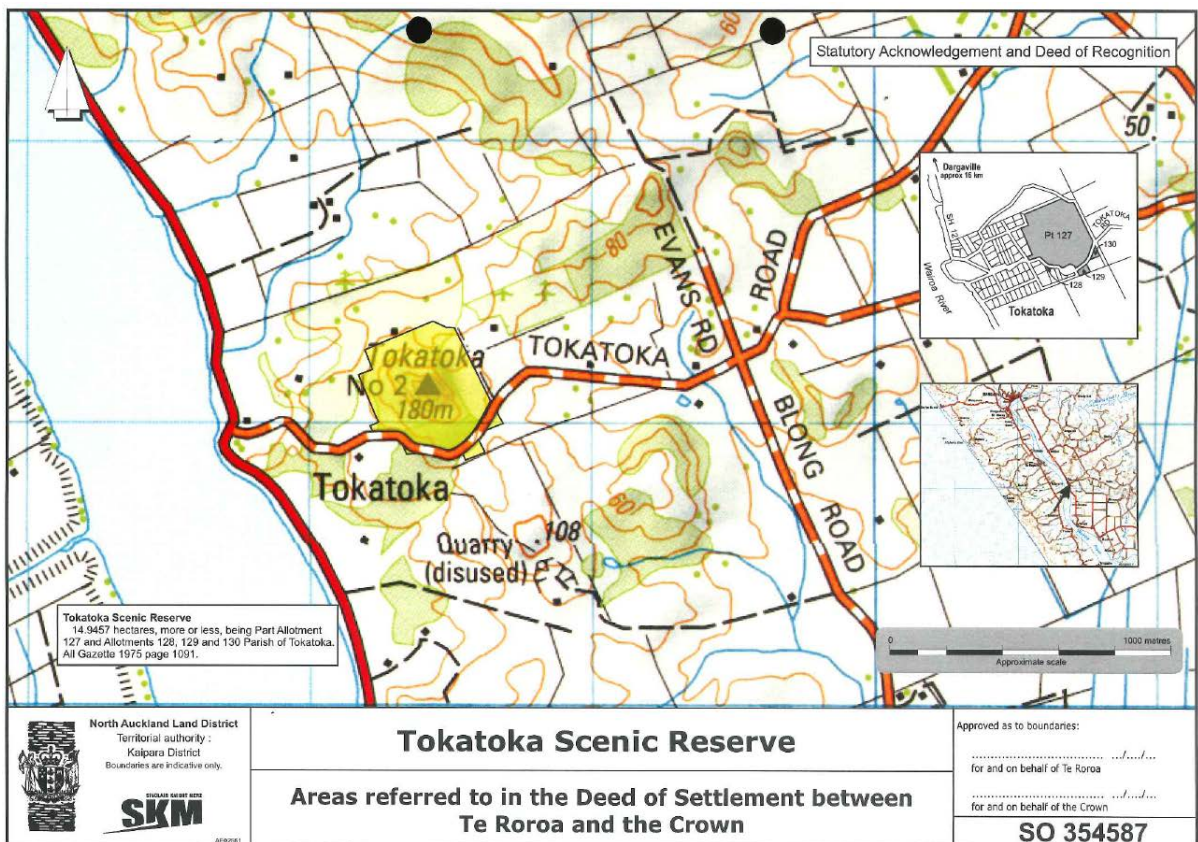
## 75 Use of statutory acknowledgements

- 1) The trustees of the Manawhenua Trust and a member of Te Roroa may, as evidence of the association of Te Roroa with a statutory area, cite the relevant statutory acknowledgement in submissions to, and in proceedings before, a relevant consent authority, the Environment Court, or Heritage New Zealand Pouhere Taonga concerning activities within, adjacent to, or impacting directly on, the statutory area.
- 2) The content of the statement of association is not, by virtue of the statutory acknowledgement, binding as deemed fact on—
  - a) a relevant consent authority:
  - b) the Environment Court:
  - c) Heritage New Zealand Pouhere Taonga:
  - d) parties to proceedings before those bodies:
  - e) any other person able to participate in those proceedings.
- 3) Despite subsection (2), the statutory acknowledgement may be taken into account by the bodies and persons specified in that subsection.
- 4) Neither the trustees of the Manawhenua Trust nor a member of Te Roroa are precluded from stating that Te Roroa has an association with a statutory area that is not described in the statutory acknowledgements.
- 5) The content and existence of the statutory acknowledgements does not limit a statement made under subsection (4).

## 4.2 Statutory areas

Statutory area	Location
Arai-te-Uru Recreation Reserve	SO Plan 354586
Tokatoka Scenic Reserve	SO Plan 354587





## 4.3 Statements of association

### 4.3.1 Arai-te-Uru Recreation Reserve

Located at the south head of the Hokianga Harbour, Arai-te-Uru contains several historic features. The whare of Ruanui, captain of Mamari waka was built here. In direct line of descent from Ruanui, was Te Waianga, a noted tohunga and recognised guardian of the entrance to Hokianga Harbour.

Te Waianga descended from Rangitauwawaro through his father Pahau, married back into Te Roroa (Maro), then further strengthened the Te Roroa links via the marriage of his daughter Marara Mahuhu to the Te Roroa rangatira Tiopira.

This marriage was the cause of the last battle in the Waimamaku area. Marara had been betrothed to another, but chose Tiopira.

After losing to Te Roroa, the defeated group left the Waimamaku valley.

Descendants of Te Waianga continue to inhabit the Hokianga harbour to the north and the Waimamaku valley to the south of Arai-te-Uru, upholding and practising the kaitiaki role inherited from their tupuna.

### 4.3.2 Tokatoka Scenic Reserve

“Tokatoka te maunga

Te Wairoa te awa

Taoho te tangata

te puru o te Kaipara”

Tokatoka is the mountain

Wairoa is the river

Taoho the pre-eminent person

The blockade of the Kaipara

*Te puru o te Kaipara* is a reference both to the geological/volcanic plug of Tokatoka, and also a metaphor for the chief Taoho who acted as the plug/blockade against an incursion from northern iwi into the Kaipara.

Built by another iwi, the Pā at Tokatoka was subsequently taken and occupied by Toa of Te Roroa. In succeeding generations, occupation was maintained by Toa’s grandsons Te Waiata and Te Maunga, through to Te Waiata’s son Taoho. It is through the fighting chief Taoho’s association with Tokatoka Pā that the area is most well known.

It was from here (circa 1807), that Taoho observed the smoke signal from Maunganui Bluff warning of the presence of a taua (war-party) in the area. He called his warriors to rise in preparation for what was to be the biggest battle fought on the west coast. That was the battle of Moremunui, known also as Te Kai o te Karoro and Te Haenga o te Onepu. Along with their allies, Te Roroa gained victory over the northern iwi.

Taoho’s marriage to Pataea, of Ngati Whiu, Te Kopuru, further consolidated this connection with Tokatoka.

Through waiata, and iwi hikoi, Te Roroa has maintained a presence over this very important landmark.

# 5. Statutory acknowledgements for Ngāti Manuhiri

In accordance with Section 32 of the Ngāti Manuhiri Claims Settlement Act 2012, information regarding statutory acknowledgments is hereby attached to the:

- Operative Regional Policy Statement for Northland;
- Operative Regional Water and Soil Plan for Northland;
- Operative Regional Coastal Plan for Northland; and
- Operative Regional Air Quality Plan for Northland; and
- Proposed Regional Plan for Northland.

This information includes the relevant provisions from the schedules to the Ngāti Manuhiri Claims Settlement Act 2012 in full, the description of the Statutory Area and the statements of association for the statutory areas.

## 5.1 Provisions

Section 32(2)(a) of the Ngāti Manuhiri Claims Settlement Act 2012 requires sections 26 to 31 and 33 to 36 to be included in full.

### 26 Interpretation

In this subpart,—

**relevant consent authority**, for a statutory area, means a consent authority of a region or district that contains, or is adjacent to, the statutory area

**statements of association** means the statements —

- a) made by Ngāti Manuhiri of their particular cultural, spiritual, historical, and traditional association with the statutory areas; and
- b) that are in the form set out in part 2 of the documents schedule

**statutory acknowledgement** means the acknowledgement made by the Crown in [section 27](#) in respect of each statutory area, on the terms set out in this subpart

**statutory area** means an area described in [Schedule 1](#), with the general location (but not the precise boundaries) indicated on the deed plan referred to in relation to the area.

### 27 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association.

### 28 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, as provided for in [sections 29 to 31](#); and



- b) to require relevant consent authorities to forward summaries of resource consent applications, or copies of notices of resource consent applications, to the trustees, as provided for in [section 33](#); and
- c) to enable the trustees and members of Ngāti Manuhiri to cite the statutory acknowledgement as evidence of the association of Ngāti Manuhiri with a statutory area, as provided for in [section 34](#).

## **29 Relevant consent authorities to have regard to statutory acknowledgement**

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

## **30 Environment Court to have regard to statutory acknowledgement**

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

## **31 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement**

- 1) If, on or after the effective date, an application is 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,—
  - a) Heritage New Zealand Pouhere Taonga, in exercising its powers under [section 48](#), [56](#), or [62](#) of that Act in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area; and
  - b) the Environment Court, in determining under [section 59\(1\)](#) or [64\(1\)](#) of that Act any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.
- 2) In this section, **archaeological site** has the meaning given in [section 6](#) of the Heritage New Zealand Pouhere Taonga Act 2014.

## **33 Provision of summaries or notices of certain applications to trustees**

- 1) Each relevant consent authority must, for a period of 20 years starting on 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) The information provided in a summary of an application 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) A summary of an application must be provided under subsection (1)(a)—
  - a) as soon as is reasonably practicable after the consent authority receives the application; but
  - b) before the consent authority decides under [section 95](#) of the Resource Management Act 1991 whether to notify the application.
- 4) A copy of a notice of an application must be provided under subsection (1)(b) no later than 10 working days after the day on which the consent authority receives the notice.
- 5) This section does not affect a relevant consent authority's obligation,—
  - a) under [section 95](#) of the Resource Management Act 1991, to decide whether to notify an application, and to notify the application if it decides to do so; or
  - b) under [section 95E](#) of that Act, to decide whether the trustees are affected persons in relation to an activity.

### **34 Use of statutory acknowledgement**

- 1) The trustees and any member of Ngāti Manuhiri may, as evidence of the association of Ngāti Manuhiri with a statutory area, cite the statutory acknowledgement that relates to that area in submissions to, and in proceedings before, a relevant consent authority, the Environmental Protection Authority or a board of inquiry under [Part 6AA](#) of the Resource Management Act 1991, the Environment Court, or Heritage New Zealand Pouhere Taonga concerning activities within, adjacent to, or directly affecting the statutory area.
- 2) The content of a statement of association is not, by virtue of the statutory acknowledgement, binding as fact on—
  - a) relevant consent authorities:
  - b) the Environmental Protection Authority or a board of inquiry under [Part 6AA](#) of the Resource Management Act 1991:
  - c) the Environment Court:
  - d) Heritage New Zealand Pouhere Taonga:
  - e) parties to proceedings before those bodies:
  - f) 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 Manuhiri are precluded from stating that Ngāti Manuhiri 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.

### **35 Trustees may waive rights**

- 1) The trustees may waive the right to be forwarded summaries, and copies of notices, of resource consent applications under [section 33](#) in relation to a statutory area.

- 2) Rights must be waived by written notice to the relevant consent authority stating—
  - a) the scope of the waiver; and
  - b) the period for which it applies.
- 3) An obligation under this subpart does not apply to the extent that the corresponding right has been waived under this section.

### **36 Application to river or stream**

- 1) If any part of the statutory acknowledgement applies to a harbour, that part of the acknowledgement also applies to the bed of the harbour and everything above the bed.
- 2) If any part of the statutory acknowledgement applies to a river or stream, that part of the acknowledgement—
  - a) applies only to—
    - i. the continuously or intermittently flowing body of fresh water, including a modified watercourse, that comprises the river or stream; and
    - ii. the bed of the river or stream, meaning the land that the waters of the river or stream cover at its fullest flow without flowing over its banks; but
  - b) does not apply to—
    - i. a part of the bed of the river or stream that is not owned by the Crown; or
    - ii. an artificial watercourse; or
    - iii. a tributary flowing into the river or stream.

## **5.2 Statutory areas**

Section 32(2)(b) of the Ngāti Manuhiri Claims Settlement Act 2012 requires the descriptions of the statutory areas wholly or partly covered by the plan to be included. There is only one statutory area in the Northland region:

- Coastal statutory acknowledgement area, as shown on OTS–125–06

A map of the statutory areas can be found in the document *Ngāti Manuhiri and The Crown Deed of Settlement: Attachments*: <https://www.govt.nz/dmsdocument/4830.pdf>

## **5.3 Statements of association**

Section 32(2)(c) of the Ngāti Manuhiri Claims Settlement Act 2012 requires the statements of association for the statutory areas wholly or partly covered by the plan to be included. This is the statement of association of the Coastal Statutory Acknowledgement Area.

### **Statutory Area**

The area to which this Statutory Acknowledgement applies is the Ngāti Manuhiri Coastal Acknowledgement Area, as shown on the accompanying map. This statutory acknowledgment should be considered alongside the Ngāti Manuhiri statutory acknowledgments for the adjoining coastal environment, rivers and the offshore islands.

### 5.3.1 Statement of Association for the Ngāti Manuhiri Coastal Statutory Acknowledgement Area

The coastal marine area and the coastal environment adjoining are central to the origins, mana and identity of Ngāti Manuhiri as an iwi, and as part of the ocean-focused tribal grouping Ngāti Wai ki te Moana.

Ngāti Manuhiri have an important ancestral relationship with the coastal marine area extending from Mangawhai (the Mangawhai Harbour) to Matakana (the Matakana Estuary). Broader and shared ancestral interests are also maintained within a coastal area covering the seaway known as Te Moana Nui ō Toi – the great sea of Toi (the central and northern Hauraki Gulf). In the north, Ngāti Manuhiri share ancestral relationships and interests from Paepae ō Tū (Bream Tail) on the eastern coastline, out to the islands of Tūturu (Sail Rock) and Pokohinu (the Motuhinau Islands group).

The Ngāti Manuhiri coastal statutory acknowledgement area encompasses the islands of Hauturu ō Toi (Little Barrier Island), and Aotea (Great Barrier Island), where Ngāti Manuhiri have shared ancestral interests, including on Rangiahua (Flat Island), Motu Mahuki, Motu Taiko, and their marine environs. Ngāti Manuhiri accept that their relatives, Ngāti Rehua, act as primary kaitiaki of these interests at Aotea.

The southern boundary of the Ngāti Manuhiri coastal statutory acknowledgement area extends from the south western extremity of Aotea (Great Barrier Island) through the seas known traditionally as Taitūmata and Te Awanui ō Hei, to Takapou (Channel Island). It then runs westward through the seaway known as Moana Te Rapu, to the south of the Whāngaparāoa Peninsula, to reach the eastern coastline of the Auckland region at Ōkura. There are places of spiritual, historical, cultural and economic importance to Ngāti Manuhiri along the entire coastline between Ōkura and Paepae ō Tū (Bream Tail). Seaways of particular significance to Ngāti Manuhiri include Waimiha (Ōmaha Bay), which was associated with the annual whale migrations described below, Moanauriuri (Kawau Bay), and Waihi (the North Channel of Kawau Bay). This latter area is a place of particular mana associated with the landmarks and ritually important areas of Karangatuoro, Matatūahu, Tangaroa and Tokatū.

### 5.3.2 Te Moana Nui ō Toi Te Huatahi – The Great Sea of Toi Te Huatahi

Ngāti Manuhiri trace descent from the famous early Māori ancestor and voyager Toi Te Huatahi, after whom Te Moana Nui ō Toi (the central and northern Hauraki Gulf) is named. This ocean area, and its mauri or spiritual essence, kaitiaki or spiritual guardians, biodiversity, seaways, islands, and traditions, lie at the heart of the identity of Ngāti Manuhiri. Te Moana Nui ō Toi, and its islands and coastal margins are also associated with the earliest ancestral origins of Ngāti Manuhiri, through descent from the ancestors Maui Pae, Manaia, and Tahuhuniorangi. This seaway was also associated with the arrival of the Tainui and Aotea waka in the region, and the renowned ancestors Rakataura and Turi from whom the eponymous ancestor Manuhiri descends.

The importance of the coastal area to Ngāti Manuhiri over many generations is reflected by ancient whakataukī and waiata, traditions associated with the ocean, the sailing and navigational skills of the tribe, and the adornment of Ōmaha Marae as the present day focal point of the iwi today. Tradition tells us that Te Moana Nui ō Toi was a place of arrival for famous ancestral voyaging canoes, a place intimately associated with the early ancestors of Ngāti Manuhiri, a place that is watched over by kaitiaki or spiritual guardians, and a vast economic resource that was jealously guarded and coveted over many generations.

### 5.3.3 Ngā Pōito ō Te Kupenga ō Toi Te Huatahi – The Floats of the Fishing Net of Toi Te Huatahi

The motu (islands), motu nohinohi (islets) and kōhatu (rocks) that lie within the coastal area of significance to Ngāti Manuhiri are known collectively as Ngā Pōito ō Te Kupenga ō Toi Te Huatahi – “the floats of the fishing net of Toi Te Huatahi”. Several of them are particularly significant as they carry the name of the ancestor Toi, with examples being Ngā Taratara ō Toi (the Needles at the northern tip of Aotea), Te Kawau Tūmārō ō Toi (Kawau Island), and Te Hauturu ō Toi (Little Barrier Island). The following waiata oriori (lullaby) illustrates the collective spiritual unity of these islands, and their importance to Ngāti Manuhiri, who occupied Hauturu ō Toi until 1896.

“Me piki taua ki te tihi	Let us climb to the summit
ō Hauturu muia ao.	of Hauturu wreathed in cloud.
Ka matakita taua	Here we can view
ki ngā pōito ō te kupenga	the floats of the fishing net
ō Toi Te Huatahi.	of Toi Te Huatahi.
E tama tangi kine, ē!”	Oh child crying distressfully, e!

The larger islands were occupied permanently, provided a wide range of food and were protected by fortified Pā. Of particular importance were the manu oi (mutton bird species) that were harvested in early summer and preserved in their own fat. This delicacy was traditionally offered to distinguished guests and was central to the identity of Ngāti Manuhiri. The widespread introduction of pests such as the ship rat, and the alienation of the islands in the nineteenth century, made it difficult for Ngāti Manuhiri and others to obtain manu oi. Ngāti Manuhiri continued to accompany their relatives to harvest tītī from Pokohinu (the Mokohinau Island Group) until wartime restrictions were introduced around 1940.

### 5.3.4 Ngā Tohorā Kaitiaki ā Manaia – The Guardian Whales of Manaia

Several of the islands located within Te Moana nui ō Toi hold significance to Ngāti Manuhiri as descendants of the renowned northern ancestor Manaia I. Ngāti Manuhiri tradition explains that the ancestor Manaia I communed with the vast numbers of whales that migrated through the seas off the eastern coast of the region. A retinue of whales always accompanied him on his voyages and became his mōkaikai (pets). Prior to his death, Manaia I turned several of these whales into stone and placed them throughout his ancestral domain as markers of the area over which he held mana, and as kaitiaki (guardians) for his descendants. The kaitiaki that are associated with Ngāti Manuhiri and their close relatives include: Te Tohorā ā Manaia (an islet of the south western end of Aotea), and Te Mau Tohorā ā Manaia (Motuora Island) located to the north of the Mahurangi Harbour entrance.

The annual whale migrations through Te Moana nui ō Toi were of major significance to Ngāti Manuhiri, and remain so. They symbolise ancestral associations, the changing of the seasons, and the rich marine biodiversity contained within this vast ocean area. The coastal seaways between Whāngaparāoa (the bay of the sperm whales), and Tokatū Point, provided a resting place for migrating whales and their calves. The seaway lying to the north of Tāwharanui, and extending towards Hauturu ō Toi (Little Barrier Island), was known traditionally as Waimiha or Te Aumiha. This name has layers of meaning relating to the whale calves that rested in the coastal waters, the ambergris cast ashore by the whales, and the heavy seas that arise in this area. Whales often stranded on this part of the coast, in particular on the northern side of the Tokatū Peninsula, bringing a rich bounty for Ngāti Manuhiri. On occasions whales were also caught by the young men of the tribe, both as a symbol of manhood and as a resource.

The name of the nineteenth century Ngāti Manuhiri leader Te Kiri Kaiparaoa symbolises this activity and the exercise of rangatiratanga:

**“He reirei ngā niho parāoa, he parāoa ngā kauae.”**

If you wear a necklace of sperm whale teeth, you need the jaws of a sperm whale to carry them.

### 5.3.5 Te Ao ō Tangaroa - The Realm of Tangaroa

The seas of Te Moana Nui ō Toi provided a vast source of food for Ngāti Manuhiri over the generations, including sea mammals, a great variety of fish, shellfish, seaweed and sea birds. Knowledge relating to the location and resources of individually named tauranga ika (fishing grounds) was handed down over the generations until this practice was disrupted by the introduction of modern sonar devices. Of particular importance to Ngāti Manuhiri were tauranga ika associated with whāpuku (groper), tarakihi, tawatawa (mackerel), tāmure (snapper), kahawai, and haku (kingfish). The tauranga mango (shark fishing grounds) of Kawau Bay were used by Ngāti Manuhiri and others to catch the school shark species known locally as muri. This important winter food source was coveted by iwi and became the cause of significant conflict in the eighteenth century. Ngāti Manuhiri continued to harvest muri from this area regularly until the establishment of a shark oil processing factory at Sandspit in the late nineteenth century, and periodically until the 1920s.

### 5.3.6 Te Takutaimoana – The Coastline

The coastline extending between the Whāngaparāoa Peninsula and Paepae ō Tū (Bream Tail) includes a wide range of rocky, sandy and estuarine marine habitats, once rich in a variety of inshore fish species, koura and shellfish. Ngāti Manuhiri were traditionally reliant on this kaimoana resource, which was harvested seasonally according to strict customary practices until the alienation of most of the Ngāti Manuhiri tribal domain by the late nineteenth century. In spite of this, the Ngāti Manuhiri rangatira Te Kiri Kaiparaoa continued to assert rights over the resources of the coastline between Tokatū and Pākiri until his death in 1873. Prior to the introduction of animal pest species, deforestation and land clearance in the mid nineteenth century, the coastal environment also contained seal colonies, for example Te Pūrei Kekenō at Hāwera (Tī Point). There were also large seabird breeding colonies on most of the larger coastal headlands from which birds and eggs were harvested. Settlement was focused around sheltered bays, harbours and river mouths, with fortified pā protecting the resources of each of these communities.

Places of special significance to Ngāti Manuhiri on this coastline include: Tiritiri Mātangi Island, named after the Waikato birthplace of the eponymous ancestor Manuhiri, Whangaparāoa, “the bay of the sperm whales”, Motu Mahurangi (Mahurangi Island), Awa Waiwerawera (the Waiwera River), Te Awa Pūhoi (the Pūhoi River), Te Muri ō Tarariki, Waihē (the Mahurangi River), Te Korotangi (a fortified pā), Ōpahi, Motu Kororā (Saddle Island), Matakanakana (a fortified pā), Awa Matakanakana (Matakana Harbour and River), Purahurawai (Scandrett’s Bay/Mullet Point), and the islands of Te Mau Tohorā ā Manaia (Motuora), Moturekareka, Motumanu, Motuketekete, Taungamārō, Takangaroa, Ruakoura, Tangaroa, and Te Kawau Tūmārō ō Toi (Kawau Island).

The coastline extending from Matakanakana northward around the Tokatū Peninsula to Whāngateau contains numerous areas of significance to Ngāti Manuhiri. These include traditional inshore fishing grounds, netting and kaimoana gathering areas, pā, kāinga, wāhi tapu, tūahu, and navigational and historical landmarks. Examples are provided by: Waimarumarū, Wai ihe, Pākaraka, Karangatuoro, Te Ngaere, Waikauri, Matatūahu, Ōponui (a fortified pā), Mangatāwhiri, Pāhī (a fortified pā), Tokatū, Waikōkōwai, Pukeruhiruhi (a fortified pā), Waimaru, Waitapu, Te Kiekie, Te Wairenga and Te Taumutu (Ōmaha Spit), Whāngateau, Waikōkopu, Uruhau, Pātito (a fortified pā), Koekoea (a fortified pā), Hāwera, Te Pūrei Kekenō, Piupiu (a fortified pā), Kohuroa (Matheson Bay), Whānga ō maha (Leigh Harbour), Panetiki, Motururu, Wakatūwhenua, Motu Hāwere, Ōkākari (a



fortified pā), Pitokuku, Taumata (a fortified pā), Ngā One Haea (Pākiri Beach), Te Ārai ō Tāhuhu (a fortified pā), Mangawhai, and Paepae ō Tū (Bream Tail). Several of these coastal sites, including the main harbours and the region's longest east coast beach, are of particular significance to Ngāti Manuhiri as outlined below.

### 5.3.7 Mangawhai Harbour

Mangawhai – “the estuary of the whai” (stingray) – is of major historical, cultural and spiritual importance to Ngāti Manuhiri. Mangawhai was one of the homes of Kahikatearoa, the son of Manuhiri. The estuary provided shelter for those travelling by canoe from Mahurangi to Whāngarei. An overland pathway also linked the head of the harbour at Ōawatea with the Ōruāwharo area on the Kaipara Harbour. A variety of fish were netted from the harbour, although this did not include the whai which is a kaitiaki to Ngāti Manuhiri. Following the battle of Ika ā Ranganui fought against a combined northern force near Kaiwaka in 1825, heavy losses were sustained by Ngāti Manuhiri at Mangawhai and Te Ārai. As a result the area became tapu and was not permanently occupied at the time of early European settlement.

### 5.3.8 Ngā One Haea – Pākiri Beach

The coastline adjoining Ngā One Haea (Pākiri Beach) has long been renowned for its high quality “glistening white sand”, which is the origin of its traditional name. The beach provided an important coastal pathway until the mid nineteenth century and remains emblematic to the identity of Ngāti Manuhiri. Settlements were located right along the beach, with a focus on the stream mouths and the dune-impounded freshwater lakes. These settlements were protected by fortified pā, including: Ōkakari, Pākiri and Taurere o Rei in the south, Whetūmākurukuru, Ōpuāwanga and Putukākā in the central area, and Te Ārai ō Tāhuhu in the north.

Kaimoana taken from the seas adjoining Ngā One Haea sustained Ngāti Manuhiri over the generations, and continues to enable the provision of hospitality at Ōmaha Marae. A particular feature were tuatua harvested from the beach, as well as paua and kūtai (mussels) taken from Pitokuku, Wakatūwhenua and Motururu. Pākiri was famed for the snapper run that took place in September, with thousands of fish being dried and smoked. Kanae (mullet) were netted in large numbers along the beach and in the Pākiri River, and kahawai were caught around the river and stream mouths. Makawhiti (herrings) and inanga (whitebait) were also prolific in the Pākiri River.

The coastline adjoining the southern end of Ngā One Haea is associated with the largest remaining Ngāti Manuhiri community at Pākiri, and is of symbolic importance as the last piece of coastal land on the east coast remaining in Māori ownership between Auckland and Whāngarei. The Ngāti Manuhiri relationship with Pākiri-Mangawhai coastal sand resource was recognised by the Planning Tribunal in 1993.

### 5.3.9 Whānga ō Maha – Leigh Harbour

Whānga ō Maha is the traditional name for Leigh Harbour. This name refers to the importance of the harbour and the wide variety of natural resources that it offered. It gives its name to Ōmaha Marae and the Ōmaha Block located on the northern side of the harbour. This name of major significance to Ngāti Manuhiri became mis-located to the Whāngateau area in the late nineteenth century. The harbour offered a wide variety of kaimoana resources. It provided a sheltered anchorage and hauling out place for waka, and later for sailing vessels and fishing launches operated by Ngāti Manuhiri. The islet of Panetiki at the harbour entrance remains in the ownership of Ngāti Manuhiri, as does a coastal landing place providing access to Ōmaha Marae and Urupā.

### 5.3.10 Whāngateau Harbour

Whāngateau, ‘the harbour of the strong tidal current’, is a place of considerable historical and cultural significance. The traditional importance of this large harbour is illustrated by the fact that its resources were protected by six fortified pā. The sandbanks of the lower harbour and the Waikōkopu Inlet provided the most important source of pipi and tuangi (cockle) shellfish within the Ngāti Manuhiri rohe. A wide variety of fish could be caught around the harbour entrance and koura (crayfish) were taken from the rocky coastline surrounding Hāwera (Tī Point). A special delicacy traditionally associated with Whāngateau was the kūaka (godwit) that was harvested in summer. The coastal land surrounding Whāngateau was part of the controversial ‘Dacre’s Claim’. Ngāti Manuhiri occupied Whāngateau until the late nineteenth century, and continue to harvest resources there today.

### 5.3.11 Waihē – Mahurangi Harbour

Ngāti Manuhiri have a shared ancestral interest in Waihē (the Mahurangi Harbour) as descendants of Maki and his wife Rotu who occupied Te Korotangi Pā at the southern harbour entrance. Places of particular significance to Ngāti Manuhiri include: the island pā of Maunganui (Casnell Island), Motu Kauri (Grant’s Island), Puhinui (the waterfalls at Warkworth), and Pukapuka Cemetery which remains in use at the head of the harbour. The traditional name for the harbour originates from the fact that its resources were jealously guarded and fought over down the generations.

#### **Kō te iti ō Waihē, he puta kino nui**

Even though Waihē (the disputed harbour) is not large, it has been the cause of great trouble.

### 5.3.12 Ongoing Association with the Coastal Area

Following the alienation of most of their coastal land in the nineteenth century, Ngāti Manuhiri continued to utilise the resources of the coastal marine area. The Ngāti Manuhiri rangatira Te Kiri Kaiparaoa operated the coastal trading vessel *Industry* from 1858. His son in law Tenetahi Te Riringa was a renowned sailing captain, operating such vessels as the *Rangatira*, and his sons Wi Taiawa and Kiri Paraone ran a trading service and commercial fishing operation out of Whānga ō Maha (Leigh Harbour) for many years. Ngāti Manuhiri were involved in commercial fishing operations in the area until recently, and continue to hold significant commercial fishing interests through the Ngāti Wai Trust Board. Ngāti Manuhiri were associated with the establishment and operation of the Hauraki Gulf Maritime Park in 1967, and have more recently played an active role on the Hauraki Gulf Forum established under the provisions of the Hauraki Gulf Marine Park Act 2000.

In their role as kaitiaki, Ngāti Manuhiri continue to play an active role in coastal planning, monitoring and management processes administered by the Auckland Council and the Department of Conservation.

Ngāti Manuhiri has also played an active partnership role with the Auckland Council in the establishment and management of the Tāwharanui Open Sanctuary ecological restoration project, and its associated Marine Protection Area. As the iwi develops further capacity it looks forward to being fully engaged in exercising kaitiakitanga in partnership with other iwi, the Crown and the wider community, within its coastal acknowledgement area.

## 6. Statutory acknowledgements for NgāiTakoto

In accordance with Section 112 of the NgāiTakoto Claims Settlement Act 2015, information regarding statutory acknowledgments is hereby attached to the:

- Operative Regional Policy Statement for Northland;
- Operative Regional Water and Soil Plan for Northland;
- Operative Regional Coastal Plan for Northland; and
- Operative Regional Air Quality Plan for Northland; and
- Proposed Regional Plan for Northland.

The information that must be attached:

- a) a copy of sections 107 to 111, 113, and 114 of the NgāiTakoto Claims Settlement Act 2015; and
- b) descriptions of the statutory areas wholly or partly covered by the plans; and
- c) the statement of association for each statutory area.

### 6.1 Provisions

Sections 107 to 111, 113, and 114 of the NgāiTakoto Claims Settlement Act 2015:

#### **107 Statutory acknowledgement by the Crown**

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

#### **108 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 109 to 111](#); 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 112](#) and [113](#); and
- c) to enable the trustees and any member of NgāiTakoto to cite the statutory acknowledgement as evidence of the association of NgāiTakoto with a statutory area, in accordance with [section 114](#).

#### **109 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](#).

#### **110 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](#).

#### **111 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.

#### **113 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.

#### **114 Use of statutory acknowledgement**

- 1) The trustees and any member of NgāiTakoto may, as evidence of the association of NgāiTakoto 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 NgāiTakoto are precluded from stating that NgāiTakoto have 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.

## 6.2 Statutory areas

Statutory area	Location
Lake Rotoroa	As shown on OTS-073-02
Lake Heather (Wai Te Huahua)	As shown on OTS-073-03
Lake Waikaramu	As shown on OTS-073-04
Kowhai Beach	As shown on OTS-073-05
Whangatane Spillway	As shown on OTS-073-06
Awanui River	As shown on OTS-073-07
Rarawa Beach Campground	As shown on OTS-073-08
Southern part of Waipapakauri Conservation Area	As shown on OTS-073-09
Lake Ngatu Recreation Reserve	As shown on OTS-073-01

Maps of the statutory areas can be found in the document *NgāiTakoto and The Crown Deed of Settlement: Attachments*: <https://www.govt.nz/dmsdocument/5211.pdf>

## 6.3 Statements of association

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

### 6.3.1 Lake Rotoroa and Lake Heather (Wai Te Huahua)

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

### 6.3.2 Lake Waikaramu

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

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

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



### 6.3.3 Kowhai Beach

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

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

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

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

### 6.3.4 Whangatane Spillway

The Whangatane River, part of which was constructed into a spillway to help drain adjacent land and protect it from flooding, flows into the Rangaunu Harbour. The land on both sides of the river was swamp before the spillway was built. Construction took two years and the spillway was completed in 1933. Whānau from the nearby communities helped to build it.

NgāiTakoto sees the Whangatane River and the spillway as a natural boundary between NgāiTakoto iwi and their kin in other iwi to the east. Like other rivers in the NgāiTakoto rohe it provides the lifeblood that sustains NgāiTakoto. It is said that the NgāiTakoto rangatira Tikiahi was laid to rest in the swamps of the Whangatane River such was his mana and affiliation to the area.

The Whangatane River sustained the papakainga that were established along its banks for the purposes of allowing NgāiTakoto to cultivate their gardens and establish their residences. The swamp was used for taro gardens and provided eels, fern root and other foods as well as harakeke.

### 6.3.5 Awanui River

The Awanui River flows through Kaitaia to the Rangaunu Harbour. It is the lifeblood that sustains NgāiTakoto and flows through the NgāiTakoto whenua (Papatuanuku). The river was the main mode of transport for NgāiTakoto historically and provided fresh water for people living in the various NgāiTakoto Pā and papakainga above and alongside the river especially Waimanoni and Mahimaru. It was also a source of food including eel, kopupu, inanga and mullet. The river provided access to the seasonal campsites both inland and on the coast. NgāiTakoto travelled the river inland to the Mangamuka Range, to the Raunganu Harbour and to Te Oneroha Tohe. Awanui River is the junction between the east and west, and south and north rohe of NgāiTakoto. After European settlement the river became a significant port for commerce that took place in the iwi's rohe.

### 6.3.6 Rarawa Beach Campground

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

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

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

NgāiTakoto residing on the Houhora Peninsula also harvested the kai moana in the inner Rangaunu Harbour. The water drains out of the harbour during low tide and the pipi beds in the middle of the harbour were substantial. Porpoises, seals penguins and whales also came into the harbour during certain seasons and they also contributed to the local NgāiTakoto tribal diet.

The presence of these fish species is reflected in the traditions encapsulated in NgāiTakoto histories. Maunga Tohoraha also features prominently in the iwi's tribal histories as the maunga of significance to NgāiTakoto living in the Houhora area.

### 6.3.7 Southern Part of Waipapakauri Conservation Area

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

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

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

### 6.3.8 Lake Ngatu Recreation Reserve

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

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

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

## 7. Statutory acknowledgements for Ngāti Kuri

In accordance with Section 115 of the Ngāti Kuri Claims Settlement Act 2015, information regarding statutory acknowledgments is hereby attached to the:

- Operative Regional Policy Statement for Northland;
- Operative Regional Water and Soil Plan for Northland;
- Operative Regional Coastal Plan for Northland; and
- Operative Regional Air Quality Plan for Northland; and
- Proposed Regional Plan for Northland.

The information that must be attached:

- a) a copy of sections 110 to 114, 116, and 117 of the Ngāti Kuri Claims Settlement Act 2015 ; and
- b) descriptions of the statutory areas wholly or partly covered by the plans; and
- c) the statement of association for each statutory area.

### 7.1 Provisions

Sections 110 to 114, 116, and 117 of the Ngāti Kuri Claims Settlement Act 2015:

#### **110 Statutory acknowledgement by the Crown**

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

#### **111 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 112 to 114](#); 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 115](#) and [116](#); and
- c) to enable the trustees and any member of Ngāti Kuri to cite the statutory acknowledgement as evidence of the association of Ngāti Kuri with a statutory area, in accordance with [section 117](#).

#### **112 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](#).

#### **113 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](#).

#### **114 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.

#### **116 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.

### **117 Use of statutory acknowledgement**

- 1) The trustees and any member of Ngāti Kuri may, as evidence of the association of Ngāti Kuri 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 Kuri are precluded from stating that Ngāti Kuri have 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.



## 7.2 Statutory areas

Statutory area	Location
Motuopao Island	As shown on OTS-088-04
Kermadec Islands (Rangitāhua) (recorded name being Kermadec Islands)	As shown on OTS-088-05
Manawatāwhi / Three Kings Islands	As shown on OTS-088-06
Paxton Point Conservation Area (including Rarawa Beach camp ground)	As shown on OTS-088-07

Maps of the statutory areas can be found in the document *Ngāti Kuri and The Crown Deed of Settlement: Attachments*: <https://www.govt.nz/dmsdocument/4920.pdf>

## 7.3 Statements of association

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

### 7.3.1 Motuopao Island

Motu o Pao is an offshore island that can be sighted on the west coast and in close proximity to Te Rerenga Wairua. As such, Motu o Pao is a significant Ngāti Kuri territorial marker. It remains today a most sacred Ngāti Kuri site with many ancient burial sites where numerous Ngāti Kuri paramount chiefs were buried. It is told by Ngāti Kuri kaumātua and kuia that this island was once occupied by a high ranked Ngāti Kaha rangatira and Ngāti Kuri ancestor, Rehua. Rehua's son Pao was born there, and the island was named after him: Te Motu o Pao.

### 7.3.2 Kermadec Islands (Rangitāhua)

Rangitahua stands as a sentinel territorial marker of Ngāti Kuri. Ngāti Kuri trace their whakapapa twenty three generations back from the principal Ariki who first settled Te Hiku o Te Ika, including those who arrived from the Pacific via Rangitahua on the great ancestral voyaging waka, Kurahaupo. On its journey to Aotearoa, Kurahaupo approached an island and while observing volcanic activity, Mounāroa, the Ariki on the Kurahaupo at this time named the island Rangitahua (The Burning Sky). As the Kurahaupo sustained some damage on its journey, repairs were innovatively made at Rangitahua by using the hīoko (hides) of the kuri moana (seal) caught in nets on the voyage, as well as the tamata kōrari (flax mats) bound by taura kaha (sling lineswoven fibre). The crew of the Kurahaupo lived on Rangitahua for a long period of time as they went through many long and strenuous months of repairing their waka and waiting for favourable weather conditions before journeying on. This whole challenging episode was of sufficient significance to characterise the strength and endurance of the crew of Kurahaupo which led them to being identified as Ngāti Kaha. This also represented the strength of the materials they used to repair the waka Kurahaupo. The use of kuri moana hides in the repair of the Kurahaupo was another identifying factor which contributed and became a precursor to there being a name change over time from Ngāti Kaha to Ngāti Kuri.

### 7.3.3 Manawatāwhi / Three Kings Islands

Manawatāwhi is a cluster of islands of spiritual, cultural and customary significance to Ngāti Kuri. Ōhau is the main island, and known to Ngāti Kuri as an ancient island fortress and a significant

offshore territorial marker. Ōhau is surrounded by a cluster of smaller islands. On a calm and clear day, the islands of Ōhau, Moekawa, and Ōromaki are clearly visible from Te Rerenga Wairua. Up until the mid 1800s these islands were occupied by Te Māhoe, a hapū of Ngāti Kuri. These people moved to and from Manawatāwhi sporadically with a final move to the mainland for a short time staying at Taki Whetū and then to Takapaukura.

### 7.3.4 Paxton Point Conservation Area (including Rarawa Beach camp ground)

The area known as Wharekapua features prominently in Ngāti Kuri history. According to Ngāti Kuri tūpuna, our association to this area began when Ruatāmore landed his waka Taikōria on the southern end of the Tokerau beach at a place called Waitaha. Wharekapua is in close proximity to the landing site of the Taikōria. According to the history of Ngāti Kuri tūpuna, Ruatāmore's Pā was strategically hidden and constructed, so that while inside one could only view the clouds above. Hence the name "Wharekapua". The remnants of Ruatāmore's Pā remain to this day. This pā, together with surrounding lands, became a strategic kāinga of Ngāti Kaha who were the descendents from the waka Kurahaupo. History confirms that several attempts were made by Ngāti Awa to force Ngāti Kaha from this pā. In one of these engagements, Ihutara, a high ranked Ariki, came to the aid of Ngāti Kaha. Ihutara was slain in the ensuing battle, and it was when Ngāti Awa had been overcome that his son Taihaupapa found that his father had fallen. Taihaupapa carried his father's body north to a small island in the Pārengarenga Harbour. Three kuri (dogs) which were a highly prized possession of high ranking rangatira of this time were taken to this island to sacrifice as part of the ritual (whāngai hau) for the death of Ihutara. The name Ngāti Kuri, it has been stated, was further reinforced by these actions. As a result of all the accumulated past information regarding the material from the kuri moana and the kuri in this ceremony, the name Ngāti Kuri came into popular use. This island Ngāti Kuri knows today as Motu Whāngai Kuri (Dog Island). The battle field north of Wharekapua where Ihutara fell is known to Ngāti Kuri in commemoration of his son's actions as Hikitama (the lifting and carrying of Ihutara by his son).

## 8. Statutory acknowledgements for Te Aupōuri

In accordance with Section 117 of the Te Aupouri Claims Settlement Act 2015, information regarding statutory acknowledgments is hereby attached to the:

- Operative Regional Policy Statement for Northland;
- Operative Regional Water and Soil Plan for Northland;
- Operative Regional Coastal Plan for Northland; and
- Operative Regional Air Quality Plan for Northland; and
- Proposed Regional Plan for Northland.

The information that must be attached:

- a) a copy of sections 112 to 116, 118, and 119 of the Te Aupōuri Claims Settlement Act 2015; and
- b) descriptions of the statutory areas wholly or partly covered by the plans; and
- c) the statement of association for each statutory area.

### 8.1 Provisions

Sections 112 to 116, 118, and 119 of the Te Aupouri Claims Settlement Act 2015:

#### **112 Statutory acknowledgement by the Crown**

The Crown acknowledges the statements of association.

#### **113 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 114 to 116](#); 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 [section 118](#); and
- c) to enable the trustees and any member of Te Aupouri to cite the statutory acknowledgement as evidence of the association of Te Aupouri with a statutory area, in accordance with [section 119](#).

#### **114 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](#).

#### **115 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](#).

#### **116 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.

#### **118 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.

#### **119 Use of statutory acknowledgement**

- 1) The trustees and any member of Te Aupouri may, as evidence of the association of Te Aupōuri 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 Te Aupōuri are precluded from stating that Te Aupōuri have 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.

## 8.2 Statutory areas

Statutory area	Location
Manawatāwhi / Three Kings Islands (known to Te Aupōuri as Manawatāwhi, Ohau, Moekawa, and Oromaki)	As shown on OTS-091-01
Raoul Island, Kermadec Islands (known to Te Aupōuri as Rangitāhua)	As shown on OTS-091-02
Simmonds Islands (known to Te Aupōuri as Motu Puruhi and Terākautūhaka)	As shown on OTS-091-03
Paxton Point Conservation Area including Rarawa Beach Campground (known to Te Aupōuri as Wharekāpu / Rarawa)	As shown on OTS-091-04
Kohurōnaki Pā	As shown on OTS-091-05
North Cape Scientific Reserve	As shown on OTS-091-06

Maps of the statutory areas can be found in the document *Te Aupōuri and The Crown Deed of Settlement: Attachments*: <https://www.govt.nz/dmsdocument/5884.pdf>

## 8.3 Statements of association

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

### 8.3.1 Manawatāwhi, Ohau, Moekawa and Oromaki (Three Kings Islands)

The importance of Manawatāwhi, Ohau, Moekawa and Oromaki to Te Aupōuri stems from the traditional relationship the iwi has with these islands, their cultural practices and spiritual associations and from historical events of significance. Maintaining this association helps uphold Te Aupōuri Iwi identity, connects past and present generations, links the people and the whenua and acknowledges inter-tribal relationships.

Manawatāwhi was occupied and cultivated by Māori when Abel Tasman anchored there in 1643. According to Te Aupōuri oral tradition Rauru was the original inhabitant of Manwatāwhi. Rauru swam some 30 miles from the mainland to reach the islands. He struggled ashore, gasping for breath and so the main island was named Manawatāwhi or 'Panting breath.'

In the eighteenth century, Te Aupōuri were a part of the war party that attacked and killed the previous inhabitants of the islands. One woman named Te Poinga was spared. She was taken by Taiakiaki, one of the leaders of the war party, as his wife.

Taiakiaki and Te Poinga had at least three children - a son named Tongahake and two daughters named Rangitāhua and Maea. Taiakiaki did not live on the islands. However his son Tongahake and his descendants occupied the islands from time to time through the 19th century. Tongahake's daughter, Roihi Tūrangakāhu, married a Māori whaler named Pataea (Obadiah) Pinekore but better known as Tom Bowline or Tame Porena. They lived and cultivated on Manawatāwhi and for a time and collected birds from the smaller islands. In 1848 they returned to Takapaukura on the mainland which is today known as Tom Bowling's Bay.



When ownership of the islands was determined by the Native Land Court in 1880 they were awarded to four daughters of Tom Bowline and Tūrangakāhu whose descendants include many Te Aupōuri families.

The Three Kings Islands are surrounded by rich fishing grounds and were also a source of seabirds, eggs and other food including goats which were introduced by whalers who visited the islands in the early nineteenth century.

The Three Kings Islands are of spiritual significance to Te Aupōuri and other Māori in that they are the last point of land on Te Ara Wairua, the spirit path laid down by Kupe. According to tradition, after diving into the sea at Te Rerenga Wairua the wairua emerge at the western most island of Ohau where they take their last look back to Aotearoa before proceeding to their ancestral home in Hawaiki.

### 8.3.2 Rangitāhua (Raoul Island, Kermadec Islands)

The importance of Rangitāhua to Te Aupōuri stems from the traditional relationship Te Aupōuri has with the islands. It is also based on cultural practices and spiritual associations, and from historical events of significance. Maintaining this association helps uphold Te Aupōuri Iwi identity, connects past and present generations, links the people and the whenua and acknowledges inter-tribal relationships.

Rangitāhua is especially significant to Te Aupōuri and other Māori in that it served as one of the only stop-over points that allowed migratory waka to make the long and dangerous journey between the Cook Islands and Aotearoa.

The Kurahaupō is one of the principal waka from which the iwi of Te Aupōuri descend. Rangitāhua is especially significant to Te Aupōuri and other iwi of Te Hiku o te Ika who descend from those members of the crew of the Kurahaupō who occupied Rangitāhua for a period of time. On its arrival at Rangitāhua the Kurahaupō was badly damaged. Most of the crew, including the original captain, continued on to Aotearoa aboard the larger Aotea and Mataatua canoes. The remaining crew stayed at Rangitāhua and repaired the Kurahaupō which eventually continued the journey to Aotearoa captained by Pōhurihanga. After much hardship those who had remained at Rangitāhua made landfall in Aotearoa at Wākura near North Cape.

On arrival in Aotearoa, Pōhurihanga married a woman named Maieke. Their descendants include well known ancestors like Tōhē and Te Kura who are in turn tūpuna of Te Ikanui and his wives, Tihe and Kohine, from whom the iwi of Te Aupōuri descend. Thus Rangitāhua played an important role in the origins of Te Aupōuri.

In a spiritual sense for Te Aupōuri, Rangitāhua represents a link to Hawaiki, to a bygone era of long-distance ocean voyaging and discovery, and their earliest Polynesian origins.

### 8.3.3 Motupuruhi and Te Rākautūhaka (Simmonds Islands)

The importance of Motupuruhi and Te Rākautūhaka to Te Aupōuri stems from the traditional relationship of Te Aupōuri to these islands, their cultural practices and spiritual associations and from historical events of significance. Maintaining this association helps uphold Te Aupōuri Iwi identity, connects past and present generations, links the people and the whenua and acknowledges inter-tribal relationships.

Motupuruhi literally means flea (puruhi) island (motu), possibly in reference to its size. Te Rākautūhaka means trees (rākau) standing (tū) low to the ground (hakahaka). There is also a blowhole called Te Ana puhipuhi which literally means the water spouting cave.

The islands are said to have originally belonged to the ancestor Tūwhakaterere, an important tūpuna for a number of iwi, including Te Aupōuri. Tūwhakaterere married Tūpoia and had a son named

Wahanui. Wahanui married Te Tuhira and had a daughter named Kuraheke. Kuraheke married Kurī and had a daughter named Te Awa. Te Awa married Mōre Te Korohunga and a son named Te Ikanui. Te Ikanui married Tihe and Kohine. These are the forebears of Te Aupōuri.

Generations of Te Aupōuri used the islands as fishing grounds, especially for tarakihi, and supply of other foods including prized delicacies such as muttonbirds (ōi) and seabird eggs. The islands were also used by Te Aupōuri in the late seventeenth century as a base and lookout for whales on their migratory path along the east coast of the peninsula.

Te Aupōuri applied to the Māori Land Court to formalise their customary ownership of Motupuruhi and Te Rākautūhaka based on their ancestral rights and occupation. In 1967 the Maori Land Court made an order vesting the islands in the management and control of the Aupōuri Maori Trust Board for the benefit of the Aupōuri tribe and for the enjoyment of the peoples of New Zealand generally.

In 1971 the Aupōuri Maori Trust Board gifted the land to the Crown for a flora and fauna reserve on the condition that the Crown would obtain the consent of the Board before changing the purpose of the reserve and would return the land without delay to the Board should it be no longer required as a reserve.

### 8.3.4 Rarawa and Wharekāpu area

The importance of the Rarawa and Wharekāpu area to Te Aupōuri stems from our traditional relationship, our cultural practices, our spiritual associations and historical events of significance. Maintaining this association is important in upholding Te Aupōuri Iwi identity, connecting past and present generations, linking the people and the whenua and acknowledging inter-tribal relationships.

Rarawa and Wharekāpu are the names of the two hills located at either end of Rarawa Beach. Rarawa is at the southern end, above Ngatāki Stream. Wharekāpu is at the northern end between Rarawa Beach and Tokerau (Great Exhibition Bay). A well known expression that refers to these hills is, “Tū kē Rarawa, tū kē Wharekāpu” (Rarawa stands alone and Wharekāpu stands alone). This refers to the fact that the two hills will always be apart. This expression is sometimes used to describe two people who will always be opposed to one another.

Rarawa and Wharekāpu were significant kāinga and continue to be used seasonally to this day. With limited access to rocks and associated shellfish species such as kina, crayfish and paua on the central peninsula Te Aupōuri value these places for gathering seafood. Depending on the weather, the tide, the wind, the moon and the season, Te Aupōuri move between the west coast, the east coast and the harbours in search of food and other resources.

Wharekāpu is the coastal extreme of what was a larger traditional settlement which stretched inland along the banks of the Taoha Stream to the cultivations of Waimārama and the inland pā of Te Tomo-a-Tāwhana.

Approximately 15 generations ago, battles took place at Rarawa and Wharekāpu. Ihutara, an ancestor from Whangapē, was killed at Wharekāpu during these fights. Ihutara had two sons - Taiawarua and Taihaupapa. Taiawarua had Pārera, who had Taimānia, who had Mangakauati, who had Te Amongaariki. Te Amongaariki had two daughters named Tihe and Kohine, who both married Te Ikanui. Te Aupōuri of Te Kao are the descendants of the children of Te Ikanui from his marriages to Tihe and Kohine, the daughters of Te Amongaariki.

The famous Te Aupōuri warrior Te Houtaewa is said to have trained his warriors on the slopes of Wharekāpu.

Following the last major battle on Te Oneroa-a-Tōhē at Hukatere in the 1820s, Te Aupōuri withdrew across the peninsula to Wharekāpu, Rarawa and Otaipango on the east coast. The women and children left Hukatere ahead of the men. Initially when the men reached the coast they could not

find the women and children. Mistakenly thinking that his wife had been killed, the Te Aupōuri chief Te Ihupango is said to have returned.

### 8.3.5 Kohurōnaki Pā

The importance of Kohurōnaki to Te Aupōuri stems from our traditional relationship, our cultural practices, our spiritual associations and historical events of significance. Maintaining this association is important in upholding Te Aupōuri Iwi identity, connecting past and present generations, linking the people and the whenua and acknowledging inter-tribal relationships.

Kohurōnaki is a pā site and is a prominent feature on the northern Pārengarenga skyline. Its central inland location provided its occupants with access to Te Oneroa-a-Tōhē (via Te Paki Stream), Pārengarenga Harbour (via Waitiki Stream), Whanga-a-Kea and Kapowairua, while at the same time protecting them from sudden coastal attacks.

One event of historical significance that took place at Kohurōnaki occurred in the 1820s. Te Aupōuri and Ngāti Waioira were living at Kohurōnaki and were attacked by a taua (war party) led by Pōroa of Te Rarawa. Te Ngō of Ngāti Waioira was on watch duty and alerted the people with the following whakaaraara (watch cry): “Tēnei te pā; Tēnei te tiwatawata; Tēnei te aka te hauwhia nei; Ko roto ko au e... ia!” (Here is the fort; Here the palisades; Here the lashings to hold me safe within!).

Although they found themselves in battle against one another, Te Aupōuri and Ngāti Waioira had previously fought under Pōroa’s command in major war expeditions and carried a deep respect for his leadership and sense of honour. When Te Rarawa ran out of ammunition, Te Ngō saw that Te Rarawa could not fight back and would be defeated in a less than honourable way. So Te Ngō threw down his gun to Pōroa’s son, Motu. Motu grabbed the gun and shot Te Ngō’s son, Tainui, dead. Te Ngō in his grief publically farewelled his son, “Haere atu hei takapau matenga mō ō mātua” (Farewell, you are the burial mat for your fathers who will soon join you). The fighting stopped and Te Rarawa returned home.

Pōroa remembered the selfless action of Te Ngō towards Te Rarawa at Kohurōnaki and the loss of his son. So, when Te Ngō, Awarua, Te Māhia and their people later came into major conflict with other northern iwi and were about to seek temporary refuge in Whangaroa, Pōroa sent a messenger to Pārengarenga to invite Te Ngō and his people to stay with him at Whārō (Ahipara).

On reaching Rangaunu, some of the hapū were afraid that if they went to Whārō they would be killed by Pōroa. Te Ngō reassured his people that Pōroa would not betray their trust, saying “Let us go to Whārō where the descendants of Hinepāwhero (a common ancestress) will meet in safety.” Some of the people decided to remain at Rangaunu and some decided to carry on to Whangaroa. But Ngāti Waioira, Te Riumākutu and Te Whānau Pani under the leadership of Te Ngō, Awarua and Te Māhia proceeded to Whārō where they were indeed welcomed and protected until it was safe for them to return north to their homes.

Te Ngō and Pōroa’s respect for one another continued and Te Ngō looked after Pōroa as he was dying. On his death bed, Pōroa gifted Te Ngō land in Ahipara and asked him to remain there when Te Aupōuri returned home to Muriwhenua. This series of significant events in the history of Te Aupōuri can be traced back to the actions of Te Ngō at Kohurōnaki.

### 8.3.6 North Cape Scientific Reserve

The importance of North Cape Scientific Reserve to Te Aupōuri stems from our traditional relationship, our cultural practices, our spiritual associations and historical events of significance. Maintaining this association is important in upholding Te Aupōuri Iwi identity, connecting past and present generations, linking the people and the whenua and acknowledging inter-tribal relationships.

The Reserve is located at the northern most point of the North Island. This was the site of some of the earliest Polynesian and European arrivals to Aotearoa. Mahurangi and Tokatoka pā, just to the south of the reserve, are said to be some of the first pā inhabited by the people who arrived aboard the Kurahaupō waka, and from whom Te Aupōuri and other contemporary iwi descend.

The North Cape Scientific Reserve was previously known as Murimotu No. 1 Block. The owners of original Murimotu Block were from Ngāti Waiora who were the principal people of this area and are today dispersed amongst Te Aupōuri and other Muriwhenua iwi. Nuku was the name of the principal Ngāti Waiora chief in the early nineteenth century who established Ngāti Waiora's dominance in this area. The area was previously occupied by a people known as Takakowhatu. After a series of altercations Nuku sought the assistance of his cousin, Te Aupōuri chief Te Kākā, to expel the Takakowhatu people.

A number of places within the Reserve are named after events relating to Nuku and his wife, Moehau. Moehau is said to have been abducted. The people believed that she became a taniwha in the form of a shark and guarded the eastern coast. In grief for his wife, Nuku jumped to his death from the cliffs known today as 'Te Rere-a-Nuku' (The Leaping Place of Nuku). Nuku was a tohunga, and keeper of many sacred karakia and taonga. A man who entered the house of Nuku and Moehau and disturbed their belongings is said to have had his eyeballs eaten by Moehau the taniwha, hence the name of the stream 'Kanakana' (eyeballs).

Other place names along the eastern side of the reserve relate to the well known story of the ancestor Tūmatahina who successfully led his people to safety after they were besieged upon Murimotu Island. He instructed his people to walk in each other's footsteps so that their enemies would think that only one person had escaped. His words, inspired by the cooperation and leadership qualities of the godwit, are quoted to this day by orators throughout Aotearoa.

The earliest recorded European contact with Te Aupōuri originates from this area. In 1793 Governor King of Norfolk Island, visited North Cape aboard 'The Britannia.' Here he entrusted Tukitahua and Ngāhuru, two young Māori men who had been kidnapped from near the Cavalli Islands and taken to Norfolk Island, into the care of Te Kākā of Te Aupōuri. King introduced pigs, wheat and other European crops to the area and Te Aupōuri continued to trade produce from here including vegetables, flax, pigs, and fish to ships mainly en route between Sydney and the Bay of Islands.

Rev. Samuel Marsden visited aboard 'The Active' on more than one occasion and recorded trading with Te Arapiro and Te Ihupango, Te Kākā's son and nephew, at North Cape in 1814.

The hills within the North Cape Scientific Reserve are used as markers to assist in locating deep-sea whāpuku (groper) fisheries. In the past some of the hilltops also served as lookout posts for locating whales which migrated along the east coast of the peninsula.

The North Cape Scientific Reserve is an area steeped in layers of history. From this area Te Aupōuri trace links to both their early Polynesian ancestors and the start of a radical change of life that developed from their first contact at North Cape with European people, customs, language and technology.

## 9. Statutory acknowledgements for Te Rarawa

In accordance with Section 129 of the Te Rarawa Claims Settlement Act 2015, information regarding statutory acknowledgments is hereby attached to the:

- Operative Regional Policy Statement for Northland;
- Operative Regional Water and Soil Plan for Northland;
- Operative Regional Coastal Plan for Northland; and
- Operative Regional Air Quality Plan for Northland; and
- Proposed Regional Plan for Northland.

The information that must be attached:

- a) a copy of sections 124 to 128, 130, and 131 of the Te Rarawa Claims Settlement Act 2015; and
- b) descriptions of the statutory areas wholly or partly covered by the plans; and
- c) the statement of association for each statutory area.

### 9.1 Provisions

#### 124 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association.

#### 125 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 126 to 128](#); 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 129](#) and [130](#); and
- c) to enable the trustees and any member of Te Rarawa to cite the statutory acknowledgement as evidence of the association of Te Rarawa with a statutory area, in accordance with [section 131](#).

#### 126 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](#).

## **127 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](#).

## **128 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.

## **130 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.

### 131 Use of statutory acknowledgement

- 1) The trustees and any member of Te Rarawa may, as evidence of the association of Te Rarawa 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 Te Rarawa are precluded from stating that Te Rarawa have 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.

## 9.2 Statutory areas

Statutory area	Location
Herekino Harbour	As shown on OTS-074-01
Whangape Harbour	As shown on OTS-074-02

Hokianga Harbour	As shown on OTS-074-03
Awaroa River	As shown on OTS-074-04
Takahue River and Awanui River	As shown on OTS-074-05
Te Tai Hauauru / Coastal Marine Area	As shown on OTS-074-06
Tauroa Peninsula	As shown on OTS-074-07
Wairoa Stream	As shown on OTS-074-08

Maps of the statutory areas can be found in the document *Te Rarawa and The Crown Deed of Settlement: Attachments*: <https://www.govt.nz/dmsdocument/5917.pdf>

## 9.3 Statements of association

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

### 9.3.1 Herekino Harbour (known to Te Rarawa as Herekino Owhata Harbour)

#### **Cultural, spiritual, historical and traditional association of Te Rarawa with Herekino Owhata harbour**

The history and traditions of Te Rarawa iwi are inextricably bound with the Herekino Owhata Harbour. Te Rarawa hapū, entwined by whakapapa and history with the Ngāti Kuri rāua ko Ngāti Wairupe hapū, have exercised kaitiaki responsibilities over Herekino Owhata for centuries. These cultural, spiritual, and historical associations reinforce tribal identity, connections and continuity over many generations and confirm the importance of the harbour to the hapū.

#### **Naming**

The original name for Herekino Owhata (Harbour) was Te Rawhitiroa-o-Whata and later it was shortened to Owhata. Rawhitiroa relates to the long sunset observed over the harbour entrance. The names Rawhitiroa and Owhata were given to Māori land blocks in the area, and Owhata continues to be a name that tangata whenua use for the Harbour. The name Herekino originated from an incident where two men were captured and escaped. After being recaptured they were tied up again but ineffectively; hence the name here-kino or bad knot. This incident took place between the Manukau area and the Herekino gorge. Herekino is the name of land adjoining the harbour.

#### **Sites of significance**

The harbour catchment includes the Manukau, Orowhana, Rawhitiroa, Rarotonga, Owhata, Te Paku, Pūhata, and Te Uhiroa lands. There are a number of important sites beside the harbour including the Owhata and Rangikohu Marae, the nearby Manukau marae, and various Pā, all of which relied upon the harbour resources for sustenance. The pā beside the harbour are central to the hapū living here and their histories. The harbour is also important as the location of a number of papakainga, wāhi tapu and urupā situated at key locations.

#### **He Taonga tuku iho**

Herekino Owhata Harbour was important for travel from north to south. It provided abundant food resources including a wide variety of fish, kaimoana, seaweed and other resources. It was an important spawning area for tuna (eels). The harbour also provided the point of departure to reach

a sandbar twenty minutes rowing time from the harbour entrance as well as the launch point for waka heading to numerous off-shore fishing grounds.

The harbour also provided sand and stone that was used for various purposes. Throughout the years Te Rarawa hapū alongside Ngāti Kuri rūa ko Ngāti Wairupe have exercised kaitiakitanga over the harbour and have controlled its resources.

The Herekino Owata Harbour is of great cultural and historical importance to Te Rarawa hapū and Ngāti Kuri rūa ko Ngāti Wairupe. The mauri of the harbour is the life force that binds the physical and the spiritual elements generating and sustaining life. All elements of the natural environment have a mauri and all are connected. Mauri is a critical element of the relationship of Te Rarawa hapū to the Herekino Owata Harbour. The mauri of the harbour is fundamentally connected to the water quality and the use of the adjoining lands.

### 9.3.2 Whangape Harbour

#### **Cultural, spiritual, historical and traditional association of Te Rarawa with Whangape harbour**

The history and traditions of Te Rarawa Iwi are inextricably bound with the Whangape Harbour. Te Rarawa hapū, entwined by whakapapa and history with the Ngāti Kuri rūa ko Ngāti Wairupe hapū, have exercised kaitiaki responsibilities over Whangape for centuries. These cultural, spiritual, and historical associations reinforce tribal identity, connections and continuity over many generations and confirm the importance of the harbour to the hapū. Specific hapū exercised kaitiaki responsibilities over the different parts of the harbour and its catchment.

#### **Reitu and Ueoneone**

The name Whangape has its origin in Waikato, and was the name of the place where famous twin sisters Reitu and Reipae came from. The sisters journeyed north on a bird that was sent by Ueoneone to Waikato in pursuit of a wife. On the way north, Reipae asked the bird to land and remained in what became Whanga-Reipae, now Whangarei. Reitu continued the journey north and became the wife of Ueoneone. They built Te Tomo pā on the peninsula opposite the entrance of the Whangape Harbour.

#### **Te Rarawa kai whare**

Whangape is significant to Te Rarawa as the iwi evolved from an event of retribution or „kawe utu“ for the abduction and slaying of Te Ripo who was a high ranking woman from Whangape. Tarutaru led the retribution against the offending iwi and has been memorialised in the following eulogy, “Tarutaru te rarawa kai whare”, which led to the Iwi name. The retribution addressed the transgression of tapu, which consequentially led to the restoration of mana of Tumoana iwi, who at the time occupied the coastline from Te Rangi in the south to Ahipara in the north. This in turn led to the emergence of Te Rarawa as an iwi. Thus events at Whangape are central to the origins of Te Rarawa.

#### **Te Awaroa and Rotokakahi**

Ihutara, the infamous Tumoana rangatira, built his pā beside the Whangape harbour at the entrance to the Te Awaroa River around the early 1600s. The pā was given the name Rangiputa and became the gateway to the abundant food supplies and other resources obtainable from the harbour. Te Awaroa River flows into the harbour and also provided quick access to the east coast via Takahue situated at the head of the river. The Rotokakahi River also flows into the Whangape Harbour and links it to the Paihia, Rotokakahi, Te Awaroa, and Manganuiowae catchments.

#### **Te Mutunga o te Riri o Te Rarawa ki Hukatere**

Kahi the son of Tarutaru also led a „kawe utu“ connected to Whangape. This was the battle against Ngāti Ruanui for the slaying of Ngataiawa. This historical incident has been memorialised in the event, “Te Mutunga o te Riri o Te Rarawa ki Hukatere, mo te kawē utu mo Ngataiawa.” Ngataiawa

descended from a long line of Tumoana leadership over Whangape. Following the battle Kahi visited his sister Ngamotu at Okakewai while his sons Te Huhu and Papahia and daughters Tiari and Ngakahuwhero went on to Whangape to await their father. However, Kahi was involved in an incident where he was unfortunately killed. A papakainga was established in Whangape on the shores of Te Awaroa River, which was called Okakewai in memory of the incident relating to the death of Kahi „Okakewai Whare Kohuru“. During the tangi for Kahi, Te Huhu was bestowed with the mana of his father and was given the role of rangatira kaitiaki over Whangape.

### **Te Huhu**

Under the authority of Te Huhu, Whangape underwent a complete transformation that led to the transition from Tumoana to Te Rarawa Iwi. The transformation of Whangape continued further at the hands of Peri, the son of Te Huhu. Peri was responsible for the establishment of Te Uri-o-Tai hapū, distinguishing Pawarenga from Whangape, which has maintained the former hapū name of Ngāti Haua.

### **Sites of significance**

There are a number of important sites on the harbour including various pā which are central to Te Rarawa history and have allowed Te Rarawa to maintain occupation of its rohe. The harbour is also important as the location of a number of papakainga and wāhi tapu situated at key locations.

### **He Taonga tuku iho**

The harbour has always been a means of transport for Te Rarawa hapū. Whangape was a main artery for both travels to Hokianga and Muriwhenua and into the hinterland.

It also provided abundant food resources including tuna, fish and other kaimoana as well as access to hunting grounds for manu, and kiore. The harbour also provided sand and stone that were used for various purposes. Throughout the years Te Rarawa hapū have exercised kaitiakitanga over the harbour and have accessed its resources.

The Whangape Harbour is of great cultural and historical importance to Te Rarawa hapū. The mauri of the harbour is the life force that binds the physical and the spiritual elements generating and sustaining life. All elements of the natural environment have a mauri and all are connected. Mauri is a critical element of the relationship of Te Rarawa hapū to the Whangape Harbour. The mauri of the harbour is fundamentally connected to the water quality and the use of the adjoining lands.

## **9.3.3 Hokianga Harbour (known to Te Rarawa as Te Wahapu-O-Hokianga)**

### **Cultural, spiritual, historical and traditional association of Te Rarawa with the Hokianga harbour**

The history and traditions of Te Rarawa iwi are inextricably bound with the Hokianga Harbour. Te Rarawa and Ngāpuhi hapū, entwined by whakapapa and history, have been kaitiaki of the Hokianga for centuries. Te Wahapu-o-Hokianga represents the common beginnings of the Iwi and symbolises the common responsibility. These cultural, spiritual, and historical associations reinforce tribal identity, connections and continuity over many generations and confirm the importance of the harbour to Te Rarawa people.

### **Te Hokianga-nui-a-Kupe**

The name Hokianga is derived from Te Hoki-anga-nui-a-Kupe; the returning place of Kupe. Hokianga was the landing place of the famous explorer and navigator, Kupe, and the place where he left from on his return to Hawaiki. Whakapapa places Kupe more than 45 generations ago. Attracted by the reflection of the setting sun on a mountain peak, he entered the Hokianga Harbour naming it Te Puna-i-te-Ao-Marama (“the spring of the world of light”).

Kupe landed his waka, Matahourua, at a bay near Pakanae. There, below Whiria, Kupe and his companions successfully planted kumara and other crops. Kupe remained on the Harbour for several generations and had a number of children. He left many physical reminders of his stay in the Hokianga with many of his place names still in use today. Before he left, Kupe turned his son Tuputupuwhenua into a taniwha. The place is marked by a freshwater spring in the sandhills on the north side of the Harbour. His parting words were “Hei konei ra e Te Puna o te Ao Marama, ka hoki nei tenei, e kore e hoki anga nui mai” (Farewell Te Puna o Te Ao Marama, I am going home and will not return). It is from these words that the name Te Hoki-anga-nui-a-Kupe is derived.

### **Araiteuru and Niniwa**

Kupe left a legacy of two kaitiaki (guardian) taniwha, Arai-te-Uru a male taniwha, and Niniwa (Niua) a female taniwha, to guard the entrance to the harbour. They had originally accompanied Kupe on his voyage of discovery. He endowed the spirit of Arai-te-Uru within the south headland and Niniwa within the north headland with Tokataa as her basking rock. Some traditions refer to the mobility of Niniwa and her ability to shift her position on the north side. The children of Arai-te-Uru and Niniwa make up the lakes, rivers, islands and tributaries that flow into the Hokianga Harbour. They include Mangamuka, Orira, Waihou, Utakura, Wairere, Waima, Motukaraka, Tapuwae, Wairupe, Omanaia, Whirinaki, Waihou-nui-a Rua, Whakarapa, and Ponehu.

### **Hokianga Whakapau Karakia**

Several generations after Kupe, Nukutawhiti on Ngatokimatawhaorua waka, and Ruanui on Mamari waka, arrived in the Hokianga. When Nukutawhiti landed, he built a shelter, on the northern side of the harbour, at Te Pouahi. His nephew-in-law, Ruanui, built his on the southern side, at Te Whatupungapunga. They were both searching for the best sacrifice to honour their gods and guardians and a whale entered the harbour. Each used prayers and incantations to attract the whale to their side but none worked. The whale left the harbour instead and therefore they wasted their prayers giving rise to the name *Hokianga whakapau karakia*.

### **Sites of significance**

There are a number of important sites on the harbour including maunga which were used for navigational purposes, pā, toka and wāhi tapu. These include healing springs near Kahakaharoa, known as Waimako, Wai-o-te-kauri and Waitapu, which was used for washing the dead. There are many significant pā on the harbour which are central to Te Rarawa history and have allowed Te Rarawa to maintain occupation of its rohe. There are also many wāhi tapu situated at key locations on the Harbour. These sites of significance include Pouahi, Tokataa, Pukerangatira, Maukoro, Te Karaka, Ngamehaua, Te Rewa, Te Patukuaka, Tokangarara, Motukauri, Pakau-o-te-Hokio, Puketoro, Motukaraka, Rongoroa, Tihiputa, Rangai, Rangiora, Te Kohukohu, Oriwa and Te Anatuturu. Some sites of significance are from the time of Kupe and earlier. Within the harbour there are many toka including toka mapuna (rocks below the water that are not seen) and toka akiha (rocks that are periodically exposed to the world). Many of these are markers of kaimoana, important to navigation, and sentinels that have witnessed the history of the Iwi. They are integral to the harbour and they bind the people and the harbour into a whole.

### **Kawehitiki**

Kawehitiki is a wāhi tapu and wāhi whakahirahira of particular significance to the hapū of Te Rarawa and Ngapuhi symbolising common bonds and reconciliation. The remains of tūpuna were interred in its sands and it was the place where hohourongo (peace making) was undertaken by Mohi Tawhai in 1833 after the battle of Te Wai o Te Kauri at Motukauri. This hohourongo led to Ngāti Manawa of Te Rarawa remaining on the northern side of the harbour and Ngāti Korokoro of Ngapuhi remaining on the southern side.

### **Maukoro Pā**

Maukoro Pā overlooking Kawehitiki is an important place in the history of the Iwi. Ruanui II lived there with his four sons Tarauaua, Tuwhenuaroa, Koromaiterangi and Tangaroatupo. The brothers were a united group but after a series of raids they agreed to separate and an exodus occurred. Several moved to various strategic locations both to the north and south. They have been identified as important tūpuna in the determination of mana whenua across the Hokianga and beyond.

### **Unga ki uta**

A number of different *unga ki uta* or landing places have been established on the harbour to allow for the travels of hapū and iwi over the centuries. They are important acknowledgements of the common bonds of whakapapa and history that bind the hapū of Te Rarawa and Ngapuhi. They include Whanui, and Tairutu.

### **He taonga tuku iho**

The harbour has always been a source of sustenance and a means of transport for the hapū living on the harbour. There are many important breeding grounds for fish and there are many tauranga ika or fishing grounds that have sustained the people over centuries. It is considered a taonga and is referred to as “he kapata kai” or a food cupboard in recognition of the abundance of fish, seafood, seaweed and other resources. It was also an important source of sand and stone. Throughout the years Te Rarawa hapū have exercised kaitiakitanga over the harbour jointly with Ngapuhi hapū and have imposed rahui to control its resources. Different hapū have exercised mana whakahaere over the harbour in different areas. Tauranga ika and other places for gathering kai moana include Whatiwhatimatau, Maukoro, Pakopako, Morunga, Onoke, Punehu, Whakatawareare, Pohaturoa, Whanui, Tairutu, Kawehitiki, Motukauri, Te Papa, Te Ruaki, Te Mataa, Te Rewa, Te Wahapu, Te Pakau-o-te-Hokio, Ika Pirau Mahoe and Tumuaki.

The Hokianga Harbour is of great cultural and historical importance to Te Rarawa hapū. The mauri of the harbour is the life force that binds the physical and the spiritual elements generating and sustaining all life. All elements of the natural environment have a mauri and all are connected. Mauri is a critical element of the relationship of Te Rarawa hapū to the Hokianga Harbour. The mauri of the harbour is fundamentally connected to the water quality and the use of the adjoining lands.

## **9.3.4 Awaroa River**

### **Cultural, spiritual, historical and traditional association of Te Rarawa with Te Awaroa River**

The history and traditions of Te Rarawa iwi are inextricably bound with Te Awaroa River. Te Rarawa hapū, entwined by whakapapa and history with the Ngāti Kuri rāua ko Ngāti Wairupe hapū, have exercised kaitiaki responsibilities over Te Awaroa for centuries. These cultural, spiritual, and historical associations reinforce tribal identity, connections and continuity over many generations and confirm the importance of the river to Te Rarawa people. Specific hapū exercised kaitiaki responsibilities over the different parts of the river and its catchment.

### **Rangiputa to Okakewai**

Te Awaroa, named after its physical characteristics (long river), runs from Te Wahapu o Whangape (the Whangape Harbour) on the west coast to Takahue situated inland. The traditional kaitiaki of Te Awaroa were the hapū of Tumoana Iwi. The iwi of Te Rarawa evolved out of Tumoana under the leadership of Tarutaru and continued to exercise kaitiakitanga over Te Awaroa.

Ihutara, an infamous tūpuna and rangatira of Tumoana who lived in the sixteenth century built the famous Rangiputa Pā at the Whangape entrance to Te Awaroa. In more recent times a second pā called Okakewai was built at the Takahue end of Te Awaroa. These pā were heavily fortified to guard the access to Te Awaroa. Te Paa and Ngamotu, who was the daughter of Tarutaru and mother of Poroa, occupied Okakewai Pā in the early part of the nineteenth century.



Kahi, who was the son of Tarutaru and brother of Ngamotu, was killed at Okakewai Pā during his visit to his sister following the well known battle, “Te Mutunga o te riri o Te Rarawa ki Hukatere”. His body was taken back to his papakainga at Waireia by way of Te Awaroa. Later a new papakainga was established on Te Awaroa at Whangape and it was called Okakewai in memory of the incident relating to the death of Kahi.

#### **Sites of significance**

There are a number of important sites on the river including various pā which are central to Te Rarawa history and have allowed Te Rarawa to maintain occupation of its rohe. The river is also important as the location of a number of papakainga and wāhi tapu situated at key locations.

#### **He Taonga tuku iho**

The river has always been a means of transport for Te Rarawa hapū. Te Awaroa was a main artery for both travels to Muriwhenua and into the hinterland. It provided access through the various tributaries, to abundant food resources including manu, kiore, tuna and other fresh water foods. Throughout the years Te Rarawa hapū have exercised kaitiakitanga over the river and have controlled its resources.

The Awaroa River is of great cultural and historical importance to Te Rarawa hapū. The mauri of the river is the life force that binds the physical and the spiritual elements generating and sustaining life. All elements of the natural environment have a mauri and all are connected. Mauri is a critical element of the relationship of Te Rarawa hapū to Te Awaroa River. The mauri of the river is fundamentally connected to the water quality and the use of the adjoining lands.

### **9.3.5 Takahue and Awanui Rivers**

#### **Cultural, spiritual, historical and traditional association of Te Rarawa with the Takahue and Awanui Rivers**

The history and traditions of Te Rarawa iwi are inextricably bound with the Takahue and Awanui Rivers and their tributaries that join together and flow from Takahue through Kaitaia, Tangonge, and Awanui to the Rangaunu harbour. The tributaries flow from Maungataniwha, Takahue, Okahu and other places and converge at the Awanui River in Kaitaia which traditionally fed into the Tangonge wetland system and on to the Rangaunu Harbour through the river. Te Rarawa living in all these places drew significant resources from the rivers.

This river and wetland network link to underground waterways and provided abundant food resources in former times for Te Rarawa hapū who built their kainga beside the Awanui and Takahue river and their tributaries and who managed part of the area as one of the largest swamp gardens in the country covering an area of about 15 square kilometres. The area was used for aquatic and dry crops, and there was a wide range of water fowl and a diverse freshwater fishery. The area supported large numbers of Te Rarawa people in former times. These cultural, spiritual, and historical associations have reinforced tribal identity, connections and continuity over many generations and confirm the importance of the awa and wetlands to Te Rarawa.

The tūpuna Kauri of the *Takitimu* waka is important to the Takahue and Awanui Rivers whose waters flow through Kaitaia and Awanui. He was responsible for naming Tangonge referring to the slowly swaying Kahikatea trees surrounding his taro plantation, and Kaitaia which relates to an abundance of food in the waterways and wetlands of the area. Kauri tried unsuccessfully to building a channel between Tangonge and the West Coast. It was his failed attempt that led to criticism and controversy which culminated in his emigration from the area. Kauri's son Kahuhunuhunu married Hinetapu the daughter of Kura, sister of Tohe, grandson of Pohurihanga, rangatira of the *Kurahaupo* waka.

Toakai, descendant of Tumoana, rangatira of the *Tinana* waka also settled and established his descendants in the area of the waterways and wetlands extending from Takahue through the Awanui River to Rangaunu.

### **Takahue**

Historically the river system provided a link from Whangape across to Muriwhenua and Rangaunu Harbour on the east coast along the Takahue River through Kaitaia, and on into the Awanui River and Awanui. The Takahue River flows through the Takahue valley which was extremely rich in resources and teeming with birdlife and provided a seasonal source of certainty for the hunting and gathering communities that relied upon the river and its tributaries for survival.

### **Sites of significance**

There are a number of important sites to Te Rarawa along the Takahue and Awanui Rivers. These include nohoanga, Pā, battle sites, mahinga kai, and wāhi tapu. The Kaitaia Lintel was unearthed near the Awanui River at Tangonge by Te Rarawa whānau in the 1920's and has become established as the earliest example of East Polynesian style carving in New Zealand giving it international archaeological significance. The whole area is part of a mahinga kai system that was among the largest in Polynesia

### **He Taonga tuku iho**

The river system is important to Te Rarawa spiritually, intellectually and physically. Te Rarawa living in this river catchment have always drawn sustenance from the rivers, and it is considered a taonga and a vast resource.

### **Mauri**

Over the last 160 years the waterways of the area have changed. The mauri of the whenua is a life force that binds the physical and the spiritual elements generating and sustaining life. All elements of the natural environment have a mauri and all are connected. Mauri is a critical element of the relationship of Te Rarawa hapū to the wider Awanui and Takahue River system. The mauri of the river is fundamentally connected to the water quality and the use of the adjoining lands.

## **9.3.6 Te Tai Hauauru / Coastal Marine Area and Tauroa Peninsula**

### **Cultural, spiritual, historical and traditional association of Te Rarawa with the Te Tai Hauauru**

The history and traditions of Te Rarawa iwi are inextricably bound with Te Tai Hauauru or the western coastal marine area from Hokianga to Hukatere. Te Rarawa along with other Te Hiku o te Ika iwi, entwined by whakapapa and history, have occupied the adjoining lands and survived on the bounty of the takutaimoana (coastal marine area) for centuries. These cultural, spiritual, and historical associations reinforce tribal identity, connections and continuity over many generations and confirm the importance of the coast to Te Rarawa people.

### **Takutaimoana**

Te Tai Hauauru for Te Rarawa starts at Te Wahapu o Hokianga and includes the Whangape, and Owkata Harbours, through to Tauroa, and Te Oneroa-a-Tōhe to Hukatere. Many awa drain in to the harbours and a number flow directly to the coast. These include the Waipapa, Waipuna, Waihōpai, Wairoa, Te Waka, Waiparahoanga, Matihetihe, Taikarawa, Waikare, Ngātuna, Waitaha, Kokopurawaru, Hauturu, Puapua, Waikiore, Orongomai, Taumōtara, Waiatua, Waikeri, Mōkau, Hunahuna, Hukatere, Waitaha, Tanutanu, Omatu, Koutumai, Ōkura, Whakataumai, Harihaia, Pukerua, Paripari, Wairoa, Honuhonu, Waingāwha, Karaka and Waihi.

### **Te Oneroa-a-Tōhe**

The name Te Oneroa-a-Tōhe is more than just one generic name for the entirety of the northern-most beach that is part of Te Tai Hauauru. It refers to a lifetime of endeavours resulting in the

naming of every geographic land and sea feature along its length. Tōhe is an eponymous ancestor of the people of Te Hiku o Te Ika whose ancestry traces to the *Kurahaupo* waka and to the original inhabitants of Murimotu on the far north peninsula. During his lifetime, nearly 30 generations ago, he was renowned for his exploits and the many places he named as a consequence. Moreover, each name represents a specific event concerning Tōhe and all of these names for areas within Te Tai Hauauru have survived among Te Rarawa descendants until today. The names are a map of the beach indicating signs and times for a wide range of coastal activities.

### **Te Ara Wairua**

Kupe established the sacred path for Māori spirits to return to Hawaiki known as Te Ara Wairua. Te Ara Wairua (spiritual pathway) emerges on to Te Oneroa-a-Tōhē at Paripari in Ahipara and continues down the beach between the high and low tide mark to its northern reaches. It is of huge significance to Te Rarawa and other iwi.

### **Tauroa Peninsula**

The Tauroa peninsula is a well known icon in Te Rarawa history. Its occupation and use dates back before the time of Kupe who in his time named numerous areas and geographic land features. Twenty generations ago the *Tinana* waka landed at Tauroa under the leadership of Tumoana, ancestor of Te Rarawa and other Te Hiku iwi. It was named Tauroa by Taumoana to indicate the long wait before his departure back to Hawaiki. There is an extensive reef adjoining the Tauroa foreshore and this is one of the most important kaimoana gathering places of the hapū of Te Rarawa.

### **Sites of significance**

There are a number of important sites within or beside Te Taihauaru including toka, tauranga ika, nohoanga, pā, wāhi pakanga (battle sites), mahinga and wāhi tapu. Each hapū have their own histories and traditions and are the kaitiaki of their respective areas. All these hapū relied upon the resources in Te Tai Hauauru.

### **He Taonga tuku iho**

Te Tai Hauauru is of great cultural, physical and historical importance to Te Rarawa hapū. It has always been a source of sustenance and a pathway for the hapū living in all parts of the rohe. It is considered a taonga and is a vast resource with an abundance of fish, seafood, sand, stone, seaweed and other resources. The food gathering practices of Te Rarawa people are determined by astronomical and lunar calendars enhanced by many generations of usage. The food obtained along the coast is a part of the staple diet of Te Rarawa people. Throughout the years Te Rarawa hapū have exercised kaitiakitanga over Te Tai Hauauru and have used rāhui to control its resources.

The mauri of the takutaimoana is a life force that binds the physical and the spiritual elements generating and sustaining all life. All elements of the natural environment have a mauri and all are connected. Mauri is a critical element of the relationship of Te Rarawa hapū to Te Tai Hauauru. The mauri of the coastal marine area is fundamentally connected to the water quality and the use of the adjoining lands.

## **9.3.7 Wairoa Stream**

### **Cultural, spiritual, historical and traditional association of Te Rarawa with Wairoa River**

Te Rarawa has a long history of association with the Wairoa River. Named by Kupe the river is a confluence of a number of tributaries stemming from three separate catchments (Wainui, Te Ngairi, Waiotehu and Roma). The river has been historically utilised by Te Rarawa ancestors as a mahinga kai, for waka travel, as a geographical demarcation point and for domestic use including bathing, recreation and the extraction of water. It is also a place of residence for our local taniwha (Paraweta) and as such there are aspects of the river that remain sacred.

## **Places of significance**

The name Wairoa refers to the geographic nature of the river which begins at Te Hononga (the joining) where three small rivers converge and ends at Lake Waimimiha where the river meets the sea. The natural course of the river is indirect. And at each bend can be seen a further stretch hence the name “Te Wairoa” the long river.

Used by waka travelers in the past there is a particular landing point on the river (opposite the Anglican Church) which is called Tauranga and this is an extremely sacred site. Today the site is used by grave diggers who wash themselves and their tools at Tauranga. Further down the river is a bend known as “Te Puta o Paraweta” where the taniwha Paraweta is said to reside at certain times. He is also known to reside at Lake Waimimiha and has been seen at numerous points within the local networks of waterways.

Further downstream from Paraweta’s lair is a place known as Te Paatu which is a submerged rock in the river. This site has been used by Te Rarawa whānau for many centuries as a washing and bathing location and most Te Rarawa children from Ahipara learnt to swim there.

Downstream from the Te Paatu rock the river turns eastward creating a bend in the river called “Korou Kore” which literally means “no opening” and within the adjoining land there lies a number of unmarked human burial sites. The erosion of the site has led to the exposure of human remains and this created another aspect of sacredness around the river.

Downstream further where the river meets the beach is the area known as Wharo. This name is derived from the ancestor Tohe who at this spot measured the distance between the waterline and the land. This traditional form of measurement by stretching out the body is known as Wharo ki uta wharo ki tai and in this case Wharo Te Oneroa-a-Tōhē. Continuing eastward the river runs alongside land known as Rapata where a small hill was created by Te Rarawa ancestors from the bodies of their adversaries slain in battle at that site. The river then naturally continues towards Lake Waimimiha where it has tended to break out to the sea at various points before reaching the lake. Waimimiha is the term for ambergris and the location has been a customary gathering area for ambergris for use in traditional perfumes and oils.

## **Mahinga Kai**

Te Rarawa whānau have utilised the river as a source of food for centuries. Numerous fresh and salt water species of fish have been caught including; tuna, karawaka, inanga and watercress. The river remains a life source for Te Rarawa and the hapū and whānau of Ahipara.

## **He Taonga tuku iho**

Throughout the years Te Rarawa hapū have exercised kaitiakitanga over the stream and have accessed its resources. The Wairoa Stream is of great cultural and historical importance to Te Rarawa hapū. The mauri of the stream is the life force that binds the physical and the spiritual elements generating and sustaining life. All elements of the natural environment have a mauri and all are connected. Mauri is a critical element of the relationship of Te Rarawa hapū to the Wairoa Stream. The mauri of the stream is fundamentally connected to the water quality and the use of the adjoining lands.

# 10. Statutory acknowledgements for Ngāti Pūkenga

In accordance with Section 34 of the Ngāti Pūkenga Claims Settlement Act 2017, information regarding statutory acknowledgments is hereby attached to the:

- Operative Regional Policy Statement for Northland;
- Operative Regional Water and Soil Plan for Northland;
- Operative Regional Coastal Plan for Northland; and
- Operative Regional Air Quality Plan for Northland; and
- Proposed Regional Plan for Northland.

The information that must be attached:

- a) a copy of sections 29 to 33, 35, and 36 of the Ngāti Pūkenga Claims Settlement Act 2017; and
- b) descriptions of the statutory areas wholly or partly covered by the plans; and
- c) the statement of association for each statutory area.

## 11.1 Provisions

### 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 Pūkenga to cite the statutory acknowledgement as evidence of the association of Ngāti Pūkenga 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.

### **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 Pūkenga may, as evidence of the association of Ngāti Pūkenga 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) The content of a coastal statement of association is not, by virtue of the statutory acknowledgement, binding as fact on—
  - a) Te Ohu Kai Moana Trustee Limited for the purposes of determining coastline entitlements under section 11 and Schedule 6 of the Maori Fisheries Act 2004; or
  - b) the Māori Land Court or any person or body in the determination of a dispute under Part 5 of the Māori Fisheries Act 2004.
- 5) To avoid doubt, the content and existence of the statutory acknowledgement do not—
  - a) imply, and should not be treated as implying, that the association Ngāti Pūkenga has with a statutory area is exclusive; or
  - b) preclude any iwi other than Ngāti Pūkenga from stating that they have, or from being treated as having, an association with, or an interest in, a statutory area; or
  - c) preclude either the trustees or members of Ngāti Pūkenga from stating that Ngāti Pūkenga has an association with a statutory area that is not described in the statutory acknowledgement; or
  - d) limit any statement made by Ngāti Pūkenga, other iwi, or their members.



## 10.2 Statutory areas

Statutory area	Location
Pakikaikutu coastal statutory area	As shown on OTS-060-009

Maps of the statutory areas can be found in the document *Ngāti Pūkenga and The Trustees of Te Tāwharau o Ngāti Pūkenga Trust and the Crown Deed of Settlement: Attachments*:

<https://www.govt.nz/dmsdocument/5539-ngati-pukenga-deed-of-settlement-attachments-7-april-2013>

## 10.3 Statements of association

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

### 10.3.1 Pakikaikutu Coastal Statutory Acknowledgement Area

Ngāti Pūkenga, also known as Te Tāwera, settled the Pakikaikutu block near Pārua Bay in 1838. The area is more commonly known as Tamaterau today. The land was 'tuku whenua' due to the killing of a Ngāti Pūkenga chief at that place.

According to our tribal history Te Tāwera were on their way north in canoes to trade for firearms. On the way one of the crew members, Te Kohupō wished to visit with his sister who had married an important chief of the area. Disembarking near Whāngārei Heads he made his way around the coast, passing through Pārua Bay. Unbeknown to him, he was being stalked by a local warrior and when he took a rest near a small stream he was surprised and killed at Pakikaikutu.

News of Te Kohupō's murder soon reached Te Tāwera in the Bay of Islands. Ready and arming themselves with their recently acquired firepower they set forth heading southwards towards Whāngārei Harbour where they entered intent on 'utu'. Arriving at Pārua Bay they spied a large contingent of people on the shore, and emissaries issued forth carrying with them terms for peace.

The canoes were drawn up on the beach and the entire retinue made their way from Pārua Bay over to Pakikaikutu. The Whāngārei chiefs pointed out the place where Te Kohupō had met his end, rituals were enacted and in recognition of the unwarranted taking of his life, the land was given over to Te Tāwera.

The coastal area, particularly from Waikaraka to Pārua Bay (where the canoes landed), was incredibly important to Ngāti Pūkenga, more so because of the steep nature of the Pakikaikutu block, and the challenges these presented when food needed to be grown, dwellings built, or game taken. The 'kāpata kai', as expressed by Ngāti Pūkenga elders was the moana itself. There were oyster reefs at Tamaterau and Pārua that were utilised by the locals, spots where kina, scallops and mussels could be harvested. Every type of fish imaginable could be caught according to its own season in the shallows and deeper channels around the coast. When transport by water was the main mode of travel, the beaches and small coves provided safe anchorages, and canoes could ply this area taking aboard large seine nets to encircle the large schools of herrings, kahawai, parore, snapper and myriad other species.

The shallows along this coastal strip abounded in various types of pipi, a staple for the people living there, as these could be taken at almost any time of the year regardless of the weather, dried and stored for leaner times, or gathered in quantities to supply the many gatherings, mourning ceremonies or taken as gifts for other iwi and hapu. Indeed, all of the marine mentioned and more

when presented to other tribal groups in the quantities required helped to balance the delicate inter-tribal relationships and ensure the mana of Ngāti Pūkenga was upheld and enhanced.

# 11. Statutory acknowledgements for Ngatikahu ki Whangaroa

In accordance with Section 33 of the Ngatikahu ki Whangaroa Claims Settlement Act 2017, information regarding statutory acknowledgments is hereby attached to the:

- Operative Regional Policy Statement for Northland;
- Operative Regional Water and Soil Plan for Northland;
- Operative Regional Coastal Plan for Northland; and
- Operative Regional Air Quality Plan for Northland; and
- Proposed Regional Plan for Northland.

The information that must be attached:

- a) a copy of sections 28 to 32, 34, and 35 of the Ngatikahu ki Whangaroa Claims Settlement Act 2017; and
- b) descriptions of the statutory areas wholly or partly covered by the plans; and
- c) the statement of association for each statutory area.

## 11.1 Provisions

### 28 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association for the statutory areas

### 29 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 30 to 32; 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 33 and 34; and
- c) to enable the trustees and any member of Ngatikahu ki Whangaroa to cite the statutory acknowledgement as evidence of the association of Ngatikahu ki Whangaroa with a statutory area, in accordance with section 35.

### 30 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.

### **31 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.

### **32 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 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.

### **35 Use of statutory acknowledgement**

- 1) The trustees and any member of Ngatikahu ki Whangaroa may, as evidence of the association of Ngatikahu ki Whangaroa 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 Ngatikahu ki Whangaroa are precluded from stating that Ngatikahu ki Whangaroa 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.

## 11.2 Statutory areas

Statutory area	Location
Coastal marine area	As shown on OTS-116-18
Oruaiti River and its tributaries within the Ngatikahu ki Whangaroa area of interest	As shown on OTS-116-19
Paekauri Conservation Area	As shown on OTS-116-17
Akatārere Historic Reserve	As shown on OTS-116-16

Maps of the statutory areas can be found in the document *Ngatikahu ki Whangaroa and Kahukuraariki Trust and the Crown Deed of Settlement: Attachments*:

<https://www.govt.nz/dmsdocument/6481-ngatikahu-ki-whangaroa-attachments-18-dec-2015>

## 11.3 Statements of association

Ngatikahu ki Whangaroa's statements of association are set out below. These are statements of Ngatikahu ki Whangaroa's particular cultural, spiritual, historical and traditional association with identified areas.

### 11.2.1 Coastal Marine Area

Kō Māmaru te Waka

Kō Parata te Tangata

I moe i a Kahukuraariki

Kō Ngatikahu ki Whangaroa te Iwi

The following Statement of Association from Ngatikahu ki Whangaroa applies to the Coastal Marine Area adjacent to the area of interest.

Ngatikahu ki Whangaroa describe our ancestral lands and tribal boundaries as being between the eastern side of the Mangonui Harbour and the western side of the Whangaroa Harbour. This area covers from Taemāro along the coastline to Ōmata then to Te Whatu (Berghan Pt), south to Tokerau (Doubtless Bay), and Waiaua, then Te Hīhī to Paewhenua Motu (Island), up the Oruaiti River taking in Ōtangaroa, Maunga Taratara, Waihapa, then to Waihapa Bay, following the shoreline along Tōtara North, then northward to Rere Bay, Pekapeka Bay, Kōwhairoa Peninsula, around to Taupo Bay, Tupou Bay, Motukahakaha, Waimahana and then back to Taemaro.

The Coastal Marine Area adjacent to the area of interest includes the Whangaroa Harbour, Pacific Coastline from Kōwhairoa Peninsula in the East, to Tokerau (Doubtless Bay) on the West, and south to Mangonui Harbour. The water, fisheries and other natural resources on the coastline and along the rivers, including Oruaiti and Waihapa Bay and their tributaries, are of extreme cultural significance to Ngatikahu ki Whangaroa. They contain a number of important awaawa mahinga kai (water resources), flora, fauna and fisheries, which were customarily hunted and gathered.

Over twenty generations, Ngatikahu ki Whangaroa have developed tikanga which embody our interdependence with, and respect for, our tribal homelands, and all the life and resources within the rohe, in the waterways, and the adjacent coastal marine area.

These arrangements do not affect the right of iwi, hapū or whānau to apply for the recognition of customary interests including customary marine title (CMT) and protected customary rights (PCR) under the Marine and Coastal Area (Takutai Moana) Act 2011, and to exercise rights under that Act.

### 11.3.2 Oruaiti River and its tributaries within the Ngatikahu ki Whangaroa area of interest

Kō Māmaru te Waka  
Kō Parata te Tangata  
I moe i a Kahukuraariki  
Kō Ngatikahu ki Whangaroa te Iwi

The following Statement of Association from Ngatikahu ki Whangaroa applies to the Oruaiti River and its tributaries.

The Oruaiti River, from Paewhenua in the West to Otangaroa in the south, is of paramount importance as a Ngatikahu ki Whangaroa boundary. The river provided a pathway between the coast and the hinterland for Ngatikahu ki Whangaroa, as well as an important source of kaimoana.

The water and fisheries of the Oruaiti River and its tributaries, as well as other natural resources on the Oruaiti River's banks are of extreme cultural significance to Ngatikahu ki Whangaroa. They contain a number of important awaawa mahinga kai (water resources), flora, fauna and fisheries, which were customarily hunted and gathered.

Over twenty generations, Ngatikahu ki Whangaroa have developed tikanga which embody our interdependence with, and respect for, our tribal homelands, and all the life and resources within it. Oruaiti has always played an important role in sustaining the mana and wairua of Ngatikahu ki Whangaroa physically and spiritually.

These associations reinforce iwi identity, connection and continuity between generations and confirm the on-going importance of this awa.

### 11.3.3 Paekauri Conservation Area

Kō Māmaru te Waka  
Kō Parata te Tangata  
I moe i a Kahukuraariki  
Kō Ngatikahu ki Whangaroa te Iwi

The following Statement of Association from Ngatikahu ki Whangaroa applies to Paekauri Conservation Area.

This maunga is located to the south of Waimahana and Motukahaka, and as such, played an important role as a Pā site.

In particular, the Ngāti Roha, Ngāti Rua, Ngāti Aukiwa, Te Pohitiare and Ngāti Rangimatamomoe hapu maintained residences in these coastal bays, thereby giving access to kaimoana during the appropriate hunting and fishing seasons. However, they would return to inland communities, particularly during harsh weather, around Paekauri. These were sites of intensive community and agricultural activity, as evidenced by archaeological findings.

The Paekauri Pā site provided extensive inland and coastal vistas, to ensure the security of the tribe.

Over twenty generations, Ngatikahu ki Whangaroa have developed tikanga which embody our interdependence with, and respect for, our tribal homelands, and all the life and resources within it. Paekauri, in the heartland, has always played an important role in sustaining the mana and wairua of Ngatikahu ki Whangaroa, physically and spiritually.



These associations reinforce iwi identity, connection and continuity between generations and confirm the on-going importance of this whenua.

### 11.3.4 Akatārere Historic Reserve

Kō Mamaru te Waka  
Kō Parata te Tangata  
I moe i a Kahukuraariki  
Kō Ngatikahu ki Whangaroa te Iwi

The following Statement of Association from Ngatikahu ki Whangaroa applies to Akatārere Historic Reserve.

Akatārere sits in the traditional heartland of the Ngatikahu ki Whangaroa rohe and, in particular for the Ngāti Roha, Ngāti Rua, Ngāti Aukiwa, Te Pohitiare and Ngāti Rangimatamomoe hapū. The iwi maintained residences in the coastal bays, thereby giving access to kaimoana during the appropriate hunting and fishing seasons. However, they would return to inland communities, particularly during harsh weather, around Akatārere. This was a site of intensive community and agricultural activity, as evidenced by archaeological findings. The maunga, Akatārere, was a Pā site that provided extensive inland vistas, to ensure the on-going security of the tribe.

Over twenty generations, Ngatikahu ki Whangaroa have developed tikanga which embody our interdependence with, and respect for, our tribal homelands, and all the life and resources within it. Whatu in the northwest, to Kōwhairoa in the northeast, to Taratara in the South, and Paekauri and Whakaangi in the heartland, have always had an important role in sustaining the people of Ngatikahu ki Whangaroa physically and spiritually.

These associations reinforce iwi identity, connection and continuity between generations and confirm the importance of this whenua, whether returned to our people, in fee simple, or through statutory acknowledgment. Ngatikahu ki Whangaroa also acknowledge the shared mana whenua over over-lapping rohe in the West and South with other iwi.



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Te Kaunihera ā rohe o Te Taitokerau