



Ngati Whakaue ki Maketu



Iwi Resource Management Plan Phase 2

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Table of Contents

EXECUTIVE SUMMARY.....	4
PART 1	5
WHY REVIEW AN EXISTING IWI MANAGEMENT PLAN	5
PURPOSE OF THIS PLAN	6
IWI AUTHORITY ROLES & RESPONSIBILITY	6
SCOPE OF THIS PLAN	7
METHODOLOGY FOR DEVELOPING THIS PLAN	7
RELATIONSHIP WITH OTHER PLANS AND POLICIES	8
WHO SHOULD USE THIS PLAN?	8
ROHE O NGATI WHAKAUE KI MAKETU HAPU.....	8
REGISTERED INTEREST AREA.....	9
TE ARAWA TERRITORIAL BOUNDARY.....	10
PART 2	11
WHAKAPAPA.....	11
<i>Whanau o Whakaue rāua Ko Rangioru</i>	12
ROHE O NGATI WHAKAUE KI MAKETU	12
PART 3	16
INTRODUCTION	16
NGATI WHAKAUE KI MAKETU HAPU (NWKM)	16
<i>Value for Ngati Whakaue ki Maketu Hapu (NWKM)</i>	17
<i>Value to Regional Council</i>	17
<i>Principle Purpose</i>	18
TYPES OF CONSULTATION	18
PART 4	20
INTRODUCTION	20
NATURAL RESOURCES	21
1. <i>Estuarine Margins – Fresh water and salt water (Waimataitai)</i>	21
2. <i>Fresh Water – Both Natural and Unnatural</i>	23
3. <i>Coastal Water</i>	26
4. <i>Repo / Wetlands</i>	28
5. <i>Natural Landscape of Maketu</i>	29
6. <i>Cultural Heritage</i>	30

7. Geothermal Activity	32
8. Energy Sources – Wind, Waves, and Steam	33
9. Aquaculture / Fisheries	34
10. Eel Cultivation	36
11. Land Acquisition	37
13. Plants planted on Leased Land	38
14. Economic Development	40
15. Planning Documentation	41
PART 5	42
HERITAGE INVENTORY	42
ARCHAEOLOGICAL ASSOCIATION SITE RECORDING SCHEME	43
NEW ZEALAND HISTORICAL PLACES TRUST (NZHPT)	44
WĀHI TŪPUNA INVENTORY	44
METHODOLOGY	45
<i>Study Area</i>	45
<i>Criterion for Inclusion</i>	46
SCHEDULE OF RECORDED ARCHAEOLOGICAL SITES	47
SITE DESCRIPTIONS BY TRONWKM	52
OKUREI (TE KURAETANGA O TE IHU O TAMATEKAPUA)	57
PA SITES WITHIN THE MAKETU VILLAGE	58
PART 6	67
LEGAL RIGHTS OF CONSULTATION	67
<i>The Resource Management Act 1991</i>	67
<i>Local Government Act 2002</i>	68
<i>Human Rights Act 1993</i>	71
<i>NZ Bill of Rights Act 1990</i>	72
<i>Historic Place Act 1993</i>	72
<i>Fisheries Act 1996</i>	74
<i>Aquaculture Legislation Amendment Bill (No 3)</i>	77
<i>Maori Commercial Aquaculture Claims Settlement Act 2004</i>	77
<i>Ture Whenua Act 1993 / Maori Land Act 1993</i>	79
<i>Conservation Act 1987</i>	80
<i>Foreshore & Seabed Act 2004</i>	80
<i>Marine & Coastal Area Act 2011</i>	80
<i>Founding Document</i>	812

Executive Summary

This Iwi Management Plan (IMP) is a plan that requires reviewing every five years so that it is a working, living document. The plan's purpose is to consolidate Ngati Whakaue ki Makeu Hapu values, knowledge and perspectives on natural resources, environmental management and kaitiakitanga issues; it is an expression of partnership.

There is a requirement in this IMP to be consulted and informed for the natural resources. The plan has outlined how this consultation should take place and who regional council should be consulting with.

Te Runanga o Ngati Whakaue ki Maketu (TRONWKM) are the Iwi Authority which was formed in 2002 by Ngati Whakaue ki Maketu hapu. They are responsible for a role in ensuring the hapu is consulted by the territorial and local authorities. TRONWKM have representatives on a number of advisory groups including the Waiari Stream and the Tauranga Eastern Link.

This IMP outlines the Ngati Whakaue ki Maketu boundary areas from the historical Te Arawa boundary, a registration of interest boundary and the boundaries which the hapu have mana whenua status.

The coastal areas of Aotearoa are significant to Maori; Maketu typifies this statement given it has high value in cultural, historical, social, environmental and economic reasons which are intrinsic to NWKMH identity. The issues that have been identified in this IMP are essential to increasing the cultural, historical, social, environmental and economic wellbeings for the future.

The heritage inventory is at phase one. The historical pa sites recorded with the NZHPT and researched by TRONWKM is a start to a valuable future resource. Maketu is rich in Te Arawa history and every effort should be taken to record this history for future generations including the hapu being included in monitoring property development of Maketu, which should be funded by the developers.

Legislation that is relevant to NWKMH has been summarized in part six. There are territorial plans that apply to this IMP such as the Regional Policy Statement, Bay of Plenty Coastal Environment Plan and the Annual Plans. We will not rule out other plans that would also fit the purpose of this plan.

Part 1

Why Review an existing Iwi Management Plan

The Iwi Resource Management Plan One (IMP) essentially focused on pre Ngāti Whakaue ki Maketu (*nee ki Tai*) whakapapa and our rights as tangata whenua to Maketu, the natural resource and the legislation.

Subsequently there have been a number of legislative changes or new legislation enacted that impact on the current IMP. Furthermore as part of these legislative changes, Ngāti Whakaue ki Maketu Hapu (NWKMH) have an increased ability to respond and participate in the management of natural and physical resources. Therefore it is timely that a review of that document is undertaken. Putting this review in context with the Treaty of Waitangi (*Te Tiriti o Waitangi*) as the founding document of Aotearoa (*New Zealand*). It recognises the partnership between Māori and the Crown and provides for the exercise of Kawanatanga (*Governance*) by the Crown, while actively protecting Te Tino Rangatiratanga (*Full Tribal Authority*), of the Iwi in respect to their natural, physical, metaphysical and intellectual resources.

In exercising governance, the Crown make laws relating to the promotion of the sustainable management of natural and physical resources and enhancing the role of local government. The relevant legislation requires that in achieving the purpose of the Acts, all persons exercising functions and powers under them shall as a matter of national importance:

- ` recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga as a matter of national importance (Resource Management Act 1991);
- ` have particular regard to Kaitiakitanga (*guardianship*);
- ` recognise and respect the Crown's responsibility to take account of the Treaty of Waitangi under Section 4 of the Local Government Act 2002;
- ` to maintain, improve and provide for opportunities for Māori to contribute to local government decision-making processes (Local Government Act 2002). In that regard local authorities have a significant duty to give effect to these statutory requirements in respect to consultation with, and participation of, all Māori, in local government decision making.

Purpose of this Plan

This Iwi Management Plan Phase 2 (IMP2) is written as a statement that consolidates Ngāti Whakaue ki Maketu Hapu (NWKM) values, knowledge and perspectives on natural resource and environmental management and kaitiakitanga issues; it is an expression of partnership. While this Plan is first and foremost a planning document to assist Te Runanga o Ngāti Whakaue ki Maketu (TRONWKM) in carrying out kaitiaki (*guardian*) roles and responsibilities, it also recognises the role of regional council, and communities in achieving good environmental outcomes and healthy environments, and thus is designed to assist others in understanding tangata whenua (*people of the land*) values and policy. Given this, continued interagency integrated management of resources is essential.

The purpose of the Plan is to:

- ` Describe the values underpinning the relationship between NWKM and the natural environment;`
- identify the primary issues associated with natural resource and environmental management in the Takitāi Moana (coastal), from the perspective of NWKM;
- ` articulate Te Runanga o Ngāti Whakaue ki Maketu (TRONWKM) policies and management guidelines for natural resource and environmental management, wāhi tapu and wāhi taonga. Further, this Plan provides a tool to:
- ` enable TRONWKM to effectively and proactively apply cultural values to the management of natural resources, wāhi tapu and wāhi taonga;
- ` assist regional, territorial and national authorities to understand NWKM values and perspectives, and thus fulfil their statutory obligations under the Resource Management Act 1991,
- ` provide a tool recognising the importance of consultation, but as such does not replace the need for direct communication and dialogue with NWKM.
- ` conflicts of interest in the representation of regional council must be declared in accordance with Council Orders,
- ` this plan is provided to the regional council for knowledge, not for the council to find opposition to its plan;
- ` TRONWKM to be informed of conflicts of interest.

Iwi Authority Roles & Responsibility

Te Rūnanga o Ngāti Whakaue ki Maketu (TRONWKM) is the Iwi Authority and overall representative governing body of NWKM. The Iwi Authority was setup by tangata whenua in 2002 to be the political voice of Ngati Whakaue ki Maketu hapu in voicing concerns to regional and local councils. The environment and the natural resources are treasures (*wāhi taonga*) we tangata whenua (*people of the land*) have managed and considered as our treasures as of right through customary and tribal conquest.

TRONWKM has been tasked in the political area with:

- ‘administrating and coordinating the Iwi Resource Management Plan;
- ‘seeking co-management and kaitiakitanga (guardianship) of the natural resources for Ngati

Whakaue ki Maketu Hapu;

- ‘seeking the inclusion into water management plans and natural resource management strategies;
- ‘being part of the decision making process;
- ‘educating councils in how tangata whenua perceive their role as kaitiaki of the natural resources;
- ‘ensure sustainable practices are implemented;
- ‘reviewing the goals and purpose of the Iwi Management Plan are being met by both Iwi and the councils.’

“Iwi Authorities are important partners with Local Authorities on resource management issues.”ⁱ

Scope of this Plan

This Iwi Management Plan is applicable to RMA 1991 planning processes. However the plan is more encompassing than the Resource Management Act 1991 has a broader ‘environmental’ focus including various other legislation (includes the Local Government Act 2002, Historical Places Act, Aquaculture Legislation Reform Act, Fisheries Act 1996, Conservation Act 1987). Furthermore, the values *and* principles which underpin the Plan (Part Four) also include matters relating to social, economic, health and communities and have subsequently been incorporated within the policy of this Plan.

Methodology for Developing this Plan

The following outlines in brief the methodology followed through design and development of this Plan.

‘Interviews with Kaumatua – The environmental issues outlined in this plan were provided by kaumatua who have had the same concerns for many years;

‘Community Newsletter for hapu members to participate in IMP2;

‘TRONWKM a presentation at the AGM 2010;

‘Hui Whakamarama (June 2011) of NWKMH updated on IMP content, some new concerns;

‘Up-to-date progress provided at AGM 2011;

‘Each part of the Plan – Gives a brief overview and is not a detailed strategy.

‘Sign-off by Te Runanga o Ngati Whakaue ki Maketu.

Relationship with other Plans and Policies

The Iwi Management Plan Phase 2 will function as part of a planning document for TRONWKM in strategic planning. The Plan is intended for use alongside TRONWKM policy and should be a document that advises council; this IMP Phase 2 supersedes the first Iwi Management Plan.

Section 61(2A), 66 (2A) and 74 (2A) of the Resource Management Act requires regional councils and territorial authorities to take into account any relevant planning documents recognised by an iwi authority and lodged with a local authority when preparing or changing policy statements, and regional and district plans.

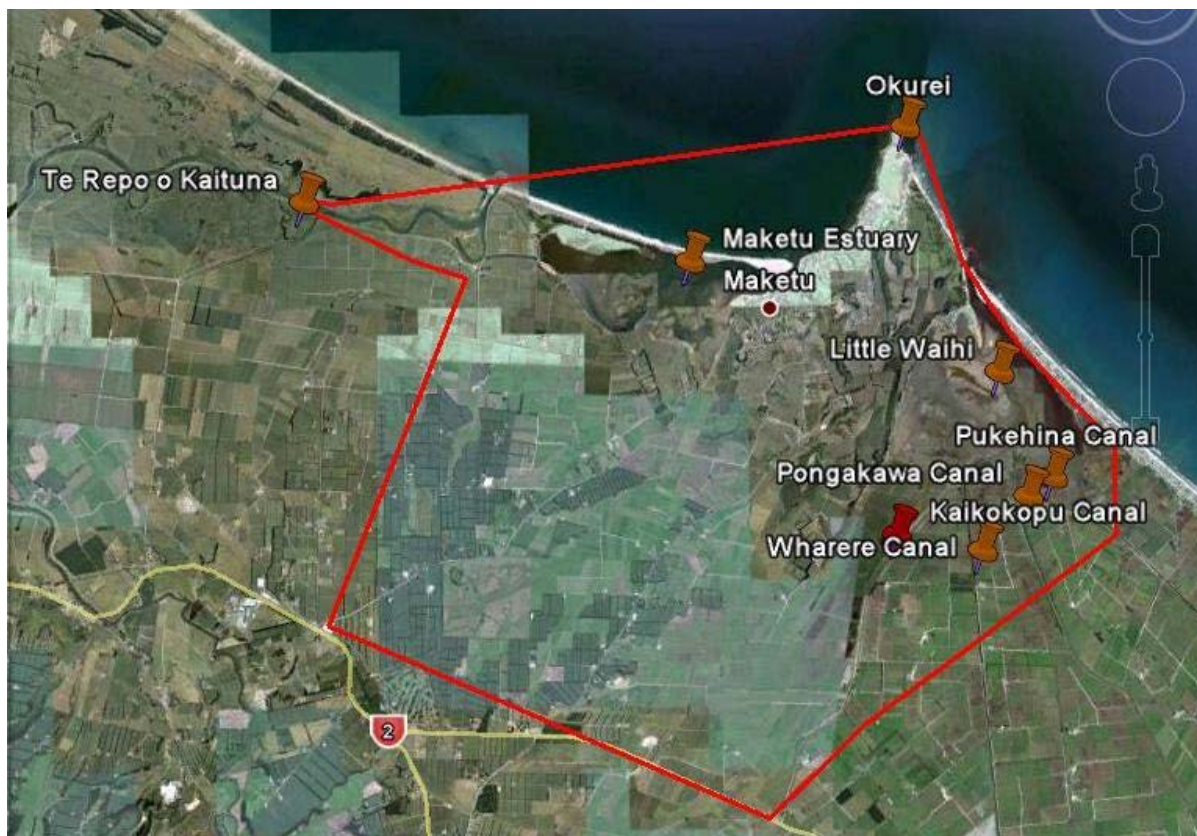
Who should use this Plan?

The content and structure of this Plan reflects its primary purpose: `to provide a living, working document that can assist TRONWKM to eff ectively participate in environmental policy and planning. The information in this Plan also provides a resource for local authorities and other government agencies that have an influence over or manage environmental and natural resources. The plan may be used to: `ensure that TRONWKM, issues and policies are clearly visible in local regional planning documents; `determine the nature and extent of consultation that may be required with regards to particular activities or places of importance; and `determine the kinds of information TRONWKM may require making informed decisions.

Rohe o Ngati Whakaue ki Maketu Hapu



Map 1: Ngati Whakaue ki Maketu Hapu Boundary



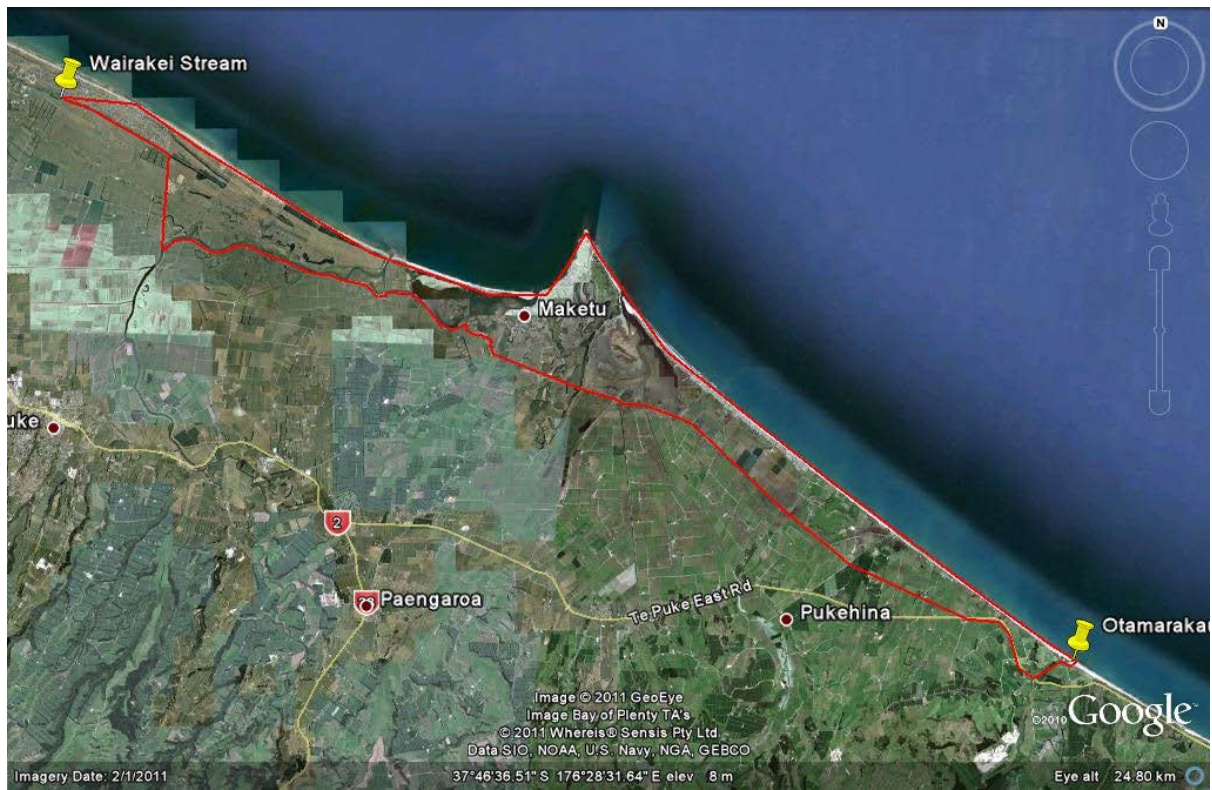
Map 2: Waterways located within Ngati Whakaue ki Maketu Hapu Boundary

Registered Interest Area



Map 3: Registered Area of Interest from Bell Road to Ngati Whakaue ki Maketu Hapu Boundary.

Te Arawa Territorial Boundary



Map 4: Te Arawa ki Tai Boundary – Wairakei Stream to Otamarakau

Part 2

Whakapapa

Te Arawa Waka

Pēpeha

Ko Tongariro te Maunga

Ko Te Awa Kari o Ngatoroirangi te Awa

Ko Te Arawa te Waka

Ko Maketu Te Papa Tapu

Ko Whakaue Kaipapa te Whare Tupuna

Ko Rangiuru te Whare Kuia

Ko Whakaue Kaipapa te Tangata

Ko Ngati Whakaue te Iwi

Ko Whakaue ki Tai (*nee Maketu*) te Hapu

No reira, Tena Koutou Katoa!



Photo taken 2006: Whakaue Kaipapa te Whare Tūpuna, Maketu.

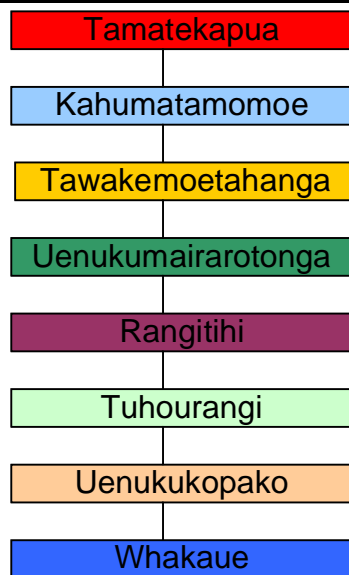


Diagram 1: Whakapapa o Ngati Whakaue

Diagram 1: Is the genealogy of Whakaue extending from Tamatekapua.

Whanau o Whakaue rāua Ko Rangioru

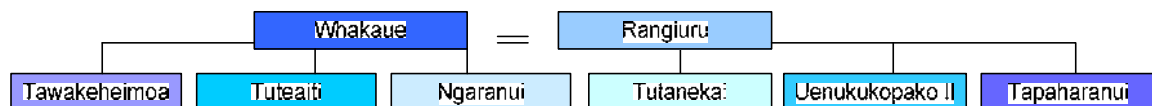


Diagram 2: Ngā tamariki o Whakaue rāua Ko Rangioruⁱⁱ

The most famous son who is well known in New Zealand mythology to both Maori and Pakeha was Tūtānekai. It is Tūtānekai through his leadership of the people that has given him the prominent place in Whakaue history. Where we are different from Whakaue ki Uta is we also recognise Tūteaiti as also being a founder of Whakaue ki Tai.

Rohe o Ngati Whakaue ki Maketu

Historically Ngati Whakaue ki Maketu have three significant boundary areas. The iwi / hapu that originate from Te Arawa waka fought extensively to retain their rights to the coastal areas. Through whakapapa, conquest, kith and kinship, we can say we are tied to this land. Nowadays it is verified through historical accounts and archeological findings that can also tie NWKMH to this land. To be clear in this Iwi Resource Management Plan there are two autonomous Whakaue Iwi both in Maketu and Rotorua. We are known as Whakaue ki Tai (*Maketu / Coastal*) and Rotorua is ki Uta (*Inland*). We do have the same whakapapa

connections to the same ancestors through the connections of kith and kinship. The point of difference however is the settlement of the people where Whakaue ki Tai has held a long occupation in the coastal area.

Stafford (1960) describes the section of the coastline in the Bay of Plenty which is regarded as belonging to the Arawa people extends roughly from Papamoa in the West, to Otamarakau in the East. The extent of Te Arawa inland territory can be approximately gauged by drawing a line running south from Papamoa to Atiamuri; from there in an easterly direction to Kaingaroa and then north again to the beach at Otamarakau (p.3)¹. “...*Te Arawa alone of all the canoes that landed having reached the shores of New Zealand, came here with the definite purpose of colonising the country.*” Significant areas were named by Te Arawa waka as it travelled through the Hauraki gulf. Rangitoto Island was named by Kahumatamomoe who is the founder ancestor of Ngati Whakaue and son of Tama was present on Te Arawa waka when the battle between Tamatekapua and Ruaoⁱⁱⁱ took place. The full name given is ‘Te Rangi Toto o Te Ihu o Tamatekapua’ (*the day the blood spilled from the nose of Tamatekapua*), another area is Moehau (*Coromandel*) a name given by Tamatekapua as his last resting place. Maketu was an original place name brought from Hawaiki; it is also known as ‘Te Ihu o Te Arawa waka’ meaning the nose of the Arawa waka signifying the landing place.

Te Arawa history is consistent with any other people who settled unoccupied territory. We know this again by the traits of the Arawa people who are revered for their oratory skills in genealogy and history. If battles took place for this territory then this history would have been passed down through the generations “*Ko Te Arawa te mangai nui*” a whakatauki (*proverb*) referring to Te Arawa orators having great skills in speech.

Ngati Whakaue ki Tai people (*nee* ki Maketu) are part of the larger Iwi grouping referred to as the Arawa. Another descriptive whakatauki (*proverb*) referred to in whaikorero (*speeches*) when addressing Te Arawa Iwi ‘*Mai Maketu ki Tongariro.*’ Whakautauki passed down through the centuries is also evidence of the settlement.

History recorded in the Maketu Minute Books describes in the early 19th C the occupation of Ngati Whakaue ki Tai in Maketu. One such account by Patene Haukiwaho:

¹ Historical Review (1960) Volume 8, Number 1. Published by Whakatane & District Historical Society Inc.

“²Ngati Whakaue hapu were the first to occupy Maketu. The Ngati Whakaue came to Maketu by way of Te Hakaateuira. It is not on the plan. They worked there, cultivated cleaning bush out of this land, they were there some years, no one else was there. They came on from there to Pongakawa River to Nohongakotuku Pa.

Nohongakotuku is on the western bank of the Pongakawa River and Tikitiki on the Eastern side. We came to take up the land, we cultivated there and we lived permanently at these two places after the occupation of Maketu.” Ngati Whakaue also lived at Te Kawaii, and Te Poroporo. Both Pa were on the land, not in the water, we also lived at Te Kore that is in the river. I heard of no objection to our occupying these places. We also lived at Kahuikuranui and at Haorere.”

“Pongakawa was the boundary between different sections of Ngati Whakaue who were working in the different flax swamps.”

This area that has been described is in the Little Waihi estuary area where once the Pongakawa River meandered. There is also the Kaikokopu and Wharere Streams.

The boundary that takes into account the lower Kaituna River area / Te Tumu ^{iv} given in the Ngati Whakahemo case (pg115 - 116) Timi Waata a Ngati Whakahemo chief, gives his statement in support that *“Ngati Whakaue had plantations up the Kaituna Stream.”* Ngati Whakaue had plantations at Te Tumu and lived at Te Paraoa, and Karaka pa sites (p.117). Timi Waata also states that they Ngati Whakahemo never heard that Te Tumu & Kaituna was sub divided despite being present at every battle that took place in the Te Tumu / Kaituna area in the 19th C. The battle of Te Tumu was the last major battle where Te Arawa took control of their coastal land by conquest despite minor skirmishes taking place between Te Arawa and Ngaiterangi it failed to change the powers of control.

Around 1845 the boundary between the Tauranga people (*Ngaiterangi*) and Te Arawa waka was settled at Papamoa, Wairakei Stream. This boundary line has been honoured by Te Arawa waka Iwi despite there being historical evidence that the Tauranga Lands Act 1867 and the MacClean’s Conquest Act referred to as the ‘Toa Claims’ gave the Crown the power to illegally confiscate lands for settlers.^v

² Maketu Minute Book 2, page 272. Transcript dated Thursday 6 June 1878, Otamarakau Case.

Regional Area of Ngati Whakaue ki Maketu Hapu:

- a) Papamoa (Wairakei Stream) to Otamarakau – NWKMH have an interest as part of Te Arawa waka Iwi.
- b) Te Tumu – NWKMH have a registered interest as Te Arawa ki Tai Iwi.
- c) Lower Kaituna River – Pongakawa Drain – Okurei Point – State Highway 2 – State Highway 39 – This is the Maketu area and the hapu boundary. Ngati Whakaue ki Tai have Mana Whenua status.
- d) Pukehina Beach – Otamarakau – NWKMH has an interest as Te Arawa ki Tai Iwi.



Photo 1: Te Houhou swamp adjacent to the Wairakei Stream, identified as a significant cultural site, the boundary between Te Arawa and Ngaiterangi Iwi. ³

³ Taruanga City Council (2004). Urban Development Strategy – Papamoa East (Wairakei – Te Tumu).

Part 3

Introduction

Whakatane Newspaper – “A Maketu resident and Maori elder Pia Kerr told the Bay of Plenty Regional Council special tribunal, sitting to decide whether the Kaituna River should be re-diverted to the estuary, it had a cheek to demand a water right.”

“You took our food basket, an asset of New Zealand, one of our taonga (treasures),” she said. “I think it’s a cheek to ask for a water right when you took it away without asking us.” Mrs Kerr was referring to the 1958 decision by the Kaituna River Board (now defunct) to take the Kaituna River from the Maketu Estuary and divert it through a man-made channel at Te Tumu.^{vi}

The right to Kaitiakitanga (*Guardianship*) of Maketu in particular the Maketu Estuary and lower Kaituna River lies with Ngati Whakaue ki Maketu. At no time has Ngati Whakaue ki Maketu given up kaitiakitanga (*guardianship*) rights to any other tribe or Government organization. Ngati Whakaue ki Maketu hapu (*sub-tribe*) should be recognized by local, regional and environmental councils as kaitiaki (*guardians*) of the Maketu Estuary and lower Kaituna River.

Kaitiakitanga (*guardianship*) involves taking ownership of the well-being of these resources, NWKMH cannot fulfill this role if it is not in a decision making position. At no time have we given up any rights not to be included in such decision making for the well-being of the natural resources.

Ngati Whakaue ki Maketu Hapu (NWKMH)

In order to progress any relationship with council we view the goal of working together as of primary importance. The outcomes we support and suggest reviewing within a five year period:

1. A relationship of co-operation; and a commitment to work towards solutions with honesty and integrity;
2. Cultural values are recognized, acknowledgement of NWKMH that are co-management rights of the natural resources, with particular emphasis on fresh water, waterways and the use of coastal waterways;

3. To ensure the values held by NWKMH are represented and reflected in regional plans, policies and statements and key national initiatives;
4. NWKMH are part of any co-management group addressing fresh water management;
5. The relationship of tangata whenua and their culture, traditions, ancestral land, wahi tapu sites, wahi whakahirahira, cultural heritage and valued flora and fauna and other taonga are considered in all significant decisions;
6. The Treaty of Waitangi principles are given continued effectiveness in decision making concerning the natural resources;
7. A shared voice on planning and decision making boards and involvement in consent and concession management processes.

Value for Ngati Whakaue ki Maketu Hapu (NWKMH)

- Recognition of mana whenua status by council;
- facilitate the exercising of kaitiakitanga;
- Recognition of tino rangatiratanga;
- Allowing the Runanga to be part of the decision making process;
- Informing regional council what NWKMH will and will not tolerate;
- Ensure the well-being of the natural resources and environment.

Value to Regional Council

- It helps to ensure that resource management issues of relevance to NWKMH are identified and options for various methods of achieving stated objectives are explored in the development of plans and strategies under legislation;
- It enables the exploration of other methods of opportunities for NWKMH to be actively involved in the exercise of kaitiakitanga (guardianship);
- It enables NWKMH to be part of the management process in decision making;
- It assists in the identification of effects and therefore the preparation of assessment of environmental effects (AEE) and cultural impacts assessments (CIA) should be read rather than used as ticking the box;
- It may lead to a resolution and the narrowing of issues;
- It can result in better outcomes and environmental protection;
- It can provide greater certainty in the outcomes.

Principle Purpose

The principle purpose of consultation can be summarized but not limited to the following:

- The nature and object of consultation must be related to the circumstances;
- The purpose of the consultation needs to be made clear at the outset;
- Adequate information on the subject matter is to be provided with ample time given to read, digest and communicate with other members in order to know what the consultation is proposing;
- Those consulted or representing the hapu must have time allocated to present their views;
- Consultation with hapu is never to be treated as perfunctorily or as a formality to tick the boxes;
- Consultation does not necessarily result in a resolution or that an agreement has been reached;
- There is no set form of duration, but neither should be expected to go on indefinitely;
- The process is to be underlain by respect for those involved, reasonableness, fairness and integrity.

Types of Consultation

The types of consultation we would recommend.

- The current process of emailing resource consents is sufficient for consents within the wider region of Waiariki (Bay of Plenty), this provides us with an insight on what is effectively happening in this region.
- Resource Consents that have a direct impact on the waterway / environment within the Maketu area an individual email or phone call followed by the postal notification to raise a priority two awareness of the consent.
- The Kaituna River / Maketu Estuary Strategy consultation with NWKMH is essential. These waterways are extremely significant to the hapu. Advertising in the Mai Maketu newsletter to inform the Hapu of regional council progress (if any) on this strategy is again essential.
- Cultural Heritage wáhi tapu areas that are seaward have not been researched by TRONWKM. We have recorded historical accounts of the historical pa sites located within Maketu.
- Resource consents / information / permits that impact on the natural resources of Maketu; a postal notification to the Iwi Authority is required.
- TRONWKM are an Iwi Authority formed in 2002. The Regional Coastal Environmental Plan 2003 (p.40) there is no mention.

Identify Issue	Outcome	How it can be Achieved
Indirect Resource Consents NOT impacting on the natural resources of Maketu	Emailed weekly resource consents.	This is being achieved to a satisfactory level.
Kaituna River & Maketu Estuary Strategy	Telephone / Postal / email notification to the Iwi Authority to raise awareness. Newsletter information for NWKMH.	Sufficient notification for the Iwi Authority followed by consultation with Hapu.
Cultural Heritage.	Telephone / Postal / email notification to the Iwi Authority to raise awareness.	Sufficient notification to the Iwi Authority.
Consultation on Natural Resources other than the waterways and cultural heritage.	Postal / Email notification to the Iwi Authority to raise awareness.	Sufficient notification for the Iwi Authority to consider next step of consultation.
Regional Council Coastal Environmental Plan (p,40) amendment required to include TRONWKM.	Add TRONWKM to Iwi Authorities.	Update and amend this plan by regional council.

Table 1: Consultation

Part 4

Introduction

From an environmental and spiritual perspective, Maori see the world as a unified whole, where all the elements including tangata whenua are connected. Emphasis is based on maintaining the balance of both the spiritual and physical well-being of the environment while using resources for commercial, recreational, educational and social purposes.^{vii}

The coastal areas of Aotearoa are significant to Maori; Maketu typifies this statement given it has high value in cultural, historical, social, environmental and economic reasons which are intrinsic to NWKMH identity.

Part four, we identify the issues that NWKMH see as significant to the cultural, historical, social, environmental and economic wellbeings. We have not gone into great detail but we have emphasized the main concerns for each natural resource.

1. Estuarine Margins Fresh Water & Salt Water;
2. Fresh Water both Natural & Unnatural;
3. Coastal Water;
4. Wetlands;
5. Natural Landscape of Maketu;
6. Geothermal Energy;
7. Natural Energy;
8. Fisheries Resources;
9. Land Acquisition;
10. Planting on Leased Land;
11. Aquaculture;
12. Economic Development;
13. Planning / Co-Management.

Natural Resources



Photo: Maketu waterways⁴

The natural resources NWKMH have identified of significant importance.

Historically where ever there was fresh water this was where the people would build their kainga and pa sites. Fresh water sustained the ‘mauri’ or life force of the people. The coastal waters and wetlands provided the food required to sustain the people.

1. Estuarine Margins – Fresh water and salt water (Waimataitai)

“...for 33 years we have seen the deterioration where once there was a beautiful marshland and where there grew all that is important to Maori.” “The very life that we once knew has been depleted.”^{viii}

The operative regional costal environment plan 2003 describes the Maketu / Waihi and Okurei Point as having “...large cockle and pipi beds. Significant numbers of juvenile flounder, kahawai, yellow eye mullet, grey mullet and eels found in both estuaries (p.177).” This description is absolutely incorrect of the estuaries today; the cockle’s disappeared in the late 1990’s. The only kaimona (seafood) species you will find are undersized, overpopulated pipi beds.

The estuarine margins consist of small bays, estuaries; swampland and saltmarsh are under increasing pressure from farm run-off, septic tank pollution, and commercial disposal by resource consents. These areas are:

- Maketu Estuary;
- Little Waihi Estuary;

⁴ Tauranga City Council (2004). Urban Development Strategy (Papamoa East – Te Tumu).

- Whareama swampland;
- Te Arawa swampland;
- Te Repo o Kaituna Management Reserve.



Photo taken 2010: Reclaimed land, Maketu.

Core Values for NWKMH

- High cultural significance to tangata whenua;
- ‘Food Bowl’ of Te Arawa waka Iwi;
- Kaimoana, flax, native vegetation, underground mineral value;
- High Maori (native) science values;
- Habitat regeneration;
- High aesthetic value;
- High natural character values associated with vegetation patterns;
- High recreational value.

Identify Issue	Outcome	How it can be Achieved
1. The estuarine margins are suffering individually and collectively. 2. Maketu Estuary – suffering from sedimentation buildup, pollution, lack of native vegetation to create habitats, lack of fresh clean water for the wetlands and estuarine margins.	Implement the Kaituna River / Maketu Estuary Strategy to 2012. Local farmers to fence stock away from existing drains, introduction of new wetlands. Planting of native wetland plants along the riparian margins. Cleaning of the wetland areas from noxious / nuisance weeds.	Regional Council and DOC the lead agencies. Community and Iwi to offer assistance.
Operative Regional Council Environment Plan 2003 outdated in describing the Maketu estuary kaimoana / fish species.	Amendment of the plan to reflect the ‘real’ condition of the Makeu estuary.	Regional Council to amend the plan.



Photo: Lower Kaituna River catchment⁵

2. Fresh Water – Both Natural and Unnatural

Within the NWKMH boundaries there are waterways (aquifers, rivers, streams, tributaries) both natural and unnatural. The unnatural is the man-made drains that feed into the major waterways. There are waters extracted from shallow and deep aquifers. There are resource consents given for bore water to be extracted for farming and horticultural purposes. What future impact is this going to have on the environment, waterways and any water take NWKMH may require.

The Kaituna River was diverted away from the Maketu Estuary in 1957, decreasing the flow of fresh water into the estuary. The Pongakawa River was turned into a canal to reclaim land for farming; this led to limited fresh water flowing into the Waihi Estuary. These past decisions have led to the decline in health of the estuaries. The treatment and disregard for the estuaries over reclaiming land for farming has long been a debatable issue with the NWKMH.

The Kaituna River in the lower catchment suffers from pollution mainly from the nutrient run-off from local farms. Some local farmers continue to allow stock to graze close to the open drains; the cow effluent enters the drains and is washed into the main waterways. Fords land where permanent fencing of stock away from the Kaituna River has been erected has greatly improved the water quality. Visually the water seems to have improvement, the vegetation on the river edges has re-grown, the amount of eel and whitebait numbers are increasing, there is no longer the smell of cow effluent in the air or the scenes of cows drinking and urinating directly into the river.

^{5 5} Tauranga City Council (2004). Urban Development Strategy (Papamoa East – Te Tumu).

The Kaituna River and the Maketu Estuary are joined together, one cannot live without the other, and neither is healthy unless the other is healthy. The major pollutants affecting the Maketu Estuary are from the Kaituna River. The last 20 years there has been a drastic drop-off of seafood in the estuary. The decline is not from the taking but more on the pollution. The pollutants currently in our waterways are:

- *Animal Effluent*
- *Penicillin*
- *Chemicals*
- *Pesticides*
- *Phosphorous*
- *Colostrums*
- *Other pollutants from forestry, horticulture, meat works and other businesses.*

We cannot leave it all up to nature to try and clean up the pollutants. The decision making in the past has severely impacted on the future wellbeing of the Maketu Estuary” (R. Bushell).



Photo 1: Taken in 2007. Dairy stock grazing next to a drain, Kaituna Road, Maketu.



Photo2 taken in 2010. The same drain , Kaituna Road, Maketu. Little has been done to keep the dairy cows away from this waterway.

Core Values to NWKMH

- High monetary value;
- Cultural significance to tangata whenua;
- Sustenance of the people, vegetation, native fish, land animals;
- High natural science values;
- Vital to habitat regeneration;
- High in aesthetic value;
- Vital natural character values;



Photo: Lower Kaituna Catchment taken 2011.

Identify Issue	Outcome	How it can be Achieved
Lack of evidence that bore water resource consents is damaging the environment (includes the waterways).	More information on the water take from both the deep and shallow aquifers. More research conducted on the future impacts water extraction will have on the environment.	Regional Council / GNS Science and TRONWKM involvement.
The well-being of both the natural and unnatural freshwater.	In part the implementation of the Kaituna River / Maketu estuary strategy. A water management strategy for the Waihi estuary / Kaikokopu, Pongakawa, Wharere and Whareama waterways developed.	Regional Council / GNS Science and TRONWKM involvement.
Continue permanent fencing structures to keep live stock away from the drains will improve the quality of water entering the main waterways.	Fencing monitored and improved along the waterways and drains.	Regional council to educate farmers and promote better care of waterways.
Discharge of pollutants. Failure to address the cause of discharge as per S13.2.1 & S13.2.2 of the Operative Regional Coastal Environmental Plan 2003.	Regional and WBOPDC councils taking responsibility and accountability of the condition discharges are causing to the well-being of the waterways.	Regional Council plans being implemented and the rules enforced.



Photo: Maketu coastal waterway taken 2011.

3. Coastal Water

This significant importance of coastal water has been separated into:

- a) representing tangata whenua customary rights;
- b) sustainability for future generations.

We recognise the importance of the marine environment of the coastal areas. And also that NZ has exclusive rights to the 4th largest economic zone in the marine environment in the world.^{ix}

Mataitai areas are important in maintaining the kaimoana stocks, and to sustain the 'mauri' of the NWKMH.

Use of the coastal waters to create an aquaculture farming area will bring about employment opportunities for NWKMH.

The customary or commercial allocation of aquaculture space would greatly assist NWKMH in self determination. Sustainability of the people in Maketu has to include the use of the coastal waters for aquaculture farming.

The coastal waters well-being for future generations can only come from the reduction of pollution flowing into the Kaituna River. The river flows into the Maketu estuary, where pollution during high population periods can be visibly seen floating out to sea. The sand build-up means the estuary is constantly a desert of sand affecting the pipi beds. The Waihi estuary receives pollution coming from the farm land adjacent to the waterways.

Core Values for NWKMH:

- High economic / commercial value for TRONWKM;
- Cultural value to tangata whenua;
- Sustainability of Te Arawa food bowl;
- Well-being of fishes, seafood and ecosystems;
- High in maori science values.

Identify Issue	Outcome	How it can be Achieved
The loss of kaimoana species in the estuaries and coastal shallow waters.	Kaituna River / Maketu estuary strategy commencing in 2012. Sub regional wetland areas introduced in 2012.	Sub regional wetland area implemented. Farmers responsibility to fence off stock from the waterways.
Sand sedimentation buildup still occurring after Kaituna River re-diversion in 1957.	Kaituna River / Maketu estuary strategy commencing in 2012.	Regional Council providing a 2012 timeframe to commence the strategy.
Lack of space customary / commercial for aquaculture farming.	Mataitai space and customary use of coastal space for Aquaculture farming. Commercial aquaculture space for TRONWKM.	Aquaculture Act Reform Bill amendments. Regional Council – Resource consent and AEE report assistance. Ministry of Fisheries – special permit granted. TRONWKM – Allocated space for Aquaculture farming.
Pollution from the local farms entering the drains that feed into the main waterways. Sustainability for the future generations, highly unlikely if the practices of today are not addressed.	Responsibility and accountability of bad practices are addressed. Education programmes introduced into the schools to care for the coastal waters.	Regional Council responsibility. Farmers and consent submitters accountability.



Photo 1: Te Repo o Kaituna

4. Repo / Wetlands

The importance of wetlands for helping to clean and purify the waters from pollutants is of utmost importance. Wetlands and the wetland plants have been undervalued for their capability to improve the waters. There are current resource consents discharging into the Kaituna River, one of the main consents allows the pollution from the Rotorua Lakes to be discharged into the Kaituna River that affects the 'mauri' of the river, the fishes, the ecosystems and the people. Yet it fails to recognise the Kaituna River is connected with the Lakes and should be given the same priority as the lakes. The discharges affect the healthiness of the seafood growing in the Maketu estuary. Resource consent approving a discharge into the waterways; the applicant should discharge the contaminants into a wetland beforehand. This action will reduce the amount of the contaminants entering the waterways. Wetlands help as a natural cleaning system.

“Wetlands are important for improving water quality. They are able to directly improve other ecosystems by absorbing many of the impurities that flow into the wetland. Their role is similar to that of our kidneys, they both help control water flow and cleanse the system (xDepartment of Conservation, 2005 p.6).”

Core Values for NWKMH:

- High cultural significance to tangata whenua;
- A vital natural cleaning water system;
- A natural value stream;
- Vital habitat for native fish species;
- High maori science values;
- Economic value;

- Potential to develop employment opportunities;
- Sustenance value of people, and waterways;
- High in recreational and education value.

Identify Issue	Outcome	How it can be Achieved
Rotorua Lakes pollution discharged into the Kaituna River, contaminating the 'mauri' of fishes, ecosystems and people taking food from the River and the Maketu estuary.	Discharge consent to a wetland at the cost of the submitter.	Regional Council complying with the RMA 1991. Applicants responsibility to create wetlands.
Failure by regional council to recognise the significance of the Kaituna River and the connection it has to the lakes in Rotorua.	Recognise the importance of the Kaituna River in connection with the Rotorua Lakes.	Regional Council amending the RPS and planning documentation.
Creation, restoration, replanting and utilisation of wetlands.	Wetland restoration given a priority and status as important to improve water quality.	Regional Council lead agency for wetland restoration.
Discharges monitored, recorded and this information made available on the council website.	Water management plan to include management of discharge consents.	Regional Council providing resource consent information on the council website.



Photo taken 2010: Landscape from Pukemaire Pa site.

5. Natural Landscape of Maketu

The uniqueness of Maketu both as the historical landing place of Te Arawa waka and potentially a developers dream with the sea views and abundance of undeveloped lands. The sea views enjoyed by the Iwi / hapu will come under pressure with property development. The arrival of the Tauranga Eastern Link sees Maketu as the ideal place to live in the future. The Maketu Community Plan already indicates the retention of the natural landscape of Maketu. Future development is likely to have an impact on NWKMH where land prices will increase, Maketu cultural heritage may be lost and wáhi tapu sites destroyed.

- Unique Views;
- Green Belts;
- Native Flora & Fauna;
- Wáhi tapu;

- Heritage Sites;
- Sea and Estuary Views.

Core Values for NWKMH:

- High cultural value to tangata whenua;
- Vital to maintaining the uniqueness of Maketu;
- Cultural identity '*Mai Maketu ki Tongariro*';
- High property development value.

Identify Issue	Outcome	How it can be Achieved
Natural landscape of Maketu where there is plenty of green space and seaviews to enjoy is maintained.	Land development is planned, taking into account the retention of the uniqueness of Maketu.	Resource consents and property development monitored.
Restricted tree heights in residential areas of Maketu.	Coastal views enjoyed by all.	By Laws amended to include a tree height restriction.
Hapu monitoring funded for property development of lands in accordance with the RMA 1991.	Consultation and inclusion of NWKMH hapu monitoring of undeveloped lands.	Hapu monitoring protocols input into a cultural heritage mangament plan.
Cultural Heritage compnhrensive survey conducted on all lands undeveloped in Maketu before development projects.	Cultural heritage recorded, wāhi tapu areas maintained. Unique landscape protected.	Cultural heritage management plan addressed for Maketu.



Photo^{xl}: Te Kuraetanga o Te Ihu o Tamatekapua (Okurei Pt) Six historical Pa Sites identified.

6. Cultural Heritage

Maketu is the last bastion of Maori history predominately unrecorded. Cultural heritage reports have only just touched the surface for this area. There has not been a comprehensive archeological survey conducted in Maketu to date. There is concern from TRONWKM that the Maori history will be lost from Maketu with increasing pressure coming from the Maketu wastewater system, and new housing development. This is supported by the WBOPDC being fined for unlawful modification and damage to archeological features at Maketu^{xii}.

Hapu monitoring by NWKMH for undeveloped land including land in private ownership is vital to ensure the cultural heritage, artefacts, wáhi tapu are protected and koiwi are reburied appropriately.

We are concerned that Maketu is not being treated with respect in regard to the wealth of Maori heritage / history this area still retains. The Historic Places Trust in connection with TRONWKM and landowners need to come together and record the archeological sites and historical account for the benefit of Maketu. There is also a concern that development of lands is being conducted with little regard for the Historic Places Act 1993 and the RMA 1991. NWKMH want hapu monitoring conducted at the cost to the developer or local authority responsible for the land development.

Development impacts on the history of Maketu completely. This cannot be lost. Maketu is the main rohe for Te Arawa this is an old and strong take with Te Arawa ki Uta. (P. Kerr)

Core Values for NWKMH:

- Vital to record archeological finds;
- Value in regional and national cultural heritage;
- Vital in balancing the history and future development of Maketu.

Identify Issue	Outcome	How it can be Achieved
The preservation of Historical Pa Sites in Maketu being preserved.	Heritage Inventory Pa Sites (esp. Okurei Pt) recognized as significant wáhi tapu.	TRONWKM – monitoring. NZHPT – cultural heritage. Regional Council – monitoring /advocate. TALT landowners.
A comprehensive archeological survey is conducted before any further resource consents are granted in Maketu.	Cultural heritage of Maketu recorded.	Regional Council - funding. WBOPDC - funding. NZHPT - funding. TRONWKM - monitoring / facilitator. TALT – landowners.
Destruction of archeological sites both recorded and unrecorded.	Funded archeological survey conducted. Knowledge of the sites and there whereabouts.	Regional Council - funding. WBOPDC - funding. NZHPT - funding. TRONWKM - monitoring / facilitator. TALT – landowners.
Cultural heritage research conducted.	Historical account and archeological survey are combined in a manner that focuses on the Maori history.	NZHPT – Facilitator / Monitor. TRONWKM – Facilitator / Monitor. Regional Council – Monitor.
Hapu monitoring with property development initiated.	Any artefacts are recorded, and stored in a suitable historical facility. Koiwi finds are given the appropriate cultural service and burial. NWKMH monitors working with archeologist.	TRONWKM – Hapu Monitoring agency. NZHPT – Archeologist and recording of finds. Tauranga Museum – Storage area of artefacts temporary. Regional Council – Resource

		consents approved only when there are protocols in place to protect / record the cultural heritage of Maketu.
The importance of maintaining the links of history, which will connect the whakapapa of the people to the land.	Introduce the ISO 14000s a world wide programme for kids to learn how to save the environment and their cultural heritage.	Regional council – Facilitator. NZHPT – Advocate. Kaumatua / Kuia – Facilitator Maketu School – Facilitator.



Photo: Mokopuna in the early 20th C enjoying the hot water pools of Maketu.⁶

7. Geothermal Activity

The use of the geothermal activity in Maketu has been used by NWKMH since the landing of Te Arawa waka. This energy was hidden from outsiders for some decades including Councils. NWKMH want their rights to this energy honoured before any other individual or commercial entity. We envision using geothermal energy in the future by heating bore water for use in projects.

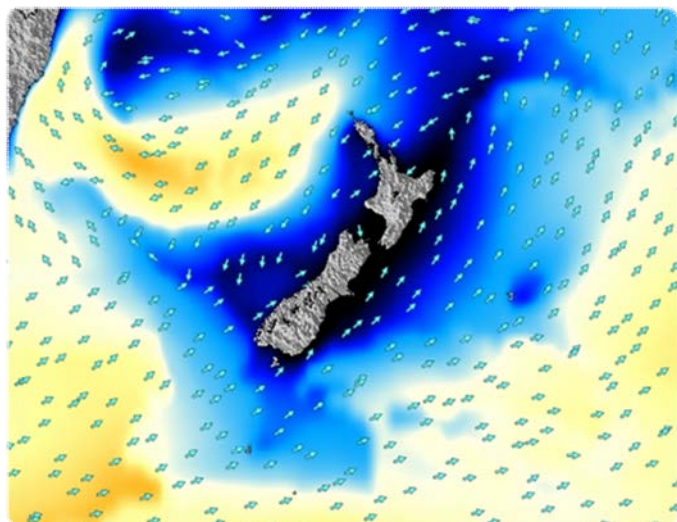
- History of warm flowing springs;
- Future Energy.

Core Values for NWKMH:

- High cultural significance to tangata whenua;
- Vital to maintaining the uniqueness of Maketu;
- Vital resource of tangata whenua for generations;
- High in Ngati Whakaue ki Maketu history;
- Medium value in future tourism ventures;
- Medium to High in natural science;
- High in future energy resource.

⁶ Sourced Maketu historical society.

Identify Issue	Outcome	How it can be Achieved
Certain rights to the geothermal energy in Maketu before any other individual or commercial entity..	Future access to geothermal energy assured for NWKMH.	Input and decision making position into the geothermal management plan.
Research conducted on the geothermal energy contained in Maketu.	Increase in the knowledge of geothermal energy.	Consultaion with TRONWKM, GNS Science.
No input into a geothermal management plan.	Future use of the geothermal energy.	Regional Council and TRONWKM cooperation.
Use of geothermal energy.	Use of the geothermal energy by NWKMH.	Identified in a geothermal management plan.



Max Wave Energy Thursday 21 July 2011.

8. Energy Sources – Wind, Wave, and Steam.

Energy and mineral sources are part of the ‘whakapapa’ (genealogy) of Ranginui and Papatuanuku.

Energy sources such as the wind, waves, and steam are present in Maketu. These are natural resources that are prominent in Maketu depending on the weather. ^{xiii}An example of the wave energy described by the surf forecast:

“Our Maketu Bar surf forecast is unique since it includes wave energy (power) that defines the real feel of the surf rather than just the height or the period. If you surf the same spot (Maketu Bar) regularly then make a mental note of the wave energy combined with our forecast of favourable offshore wind conditions.”

Bay of Connections is the regional economic strategy. This strategy considers ‘energy’ as a key growth area^{xiv}. The real benefits for such energy to Maketu are we are sometimes subject to high winds hitting this coastline in three waves. The light winds blow across the estuary both in Maketu and Little Waihi, the moderate to high winds hit the clifftops of Okurei and bounce to the houses located along parts of Arawa, Ngaparaoa, Kiokio, Whenuariri and above the little Waihi residence land areas. The high to heavy wind

gusts are felt on the hilltops of Te Arawa Avenue where some residence has planted trees as shelter belts to mitigate the impacts of the wind.

Deep Sea Mineral Exploration

Mining exploration surveying was carried out in 2010 from Mauao to Otamarakau. No details have been released to TRONWKM of their findings regarding these surveys. The potential risk of damage to the coastal environment we oppose. We envision other stakeholders benefitting from mining exploration at a Government level which does not include Iwi or NWKMH.

Core Values for NWKMH:

- High need to protect the ‘whakapapa’ of Ranginui and Papatuanuku;
- Potential risk of damage to the ‘mauri’ of the environment and coastal Iwi;
- No benefits to Ngati Whakaue ki Maketu hapu.

Identify Issue	Outcome	How it can be Achieved
Use of wind, wave and steam energy that will impede on the tranquility of Maketu.	Heritage sites are protected from erections, and extraction of energy from land and sea.	Input into an energy management plan.
Deep sea mineral exploration has the potential to damage the marine and coastal environments.	Mineral exploration findings provided to TRONWKM.	Regional Council – Information on mineral exploration .
Information of future energy strategies for Maketu.	Information and planning strategies if any, TRONWKM are consulted.	Regional Council – Providing information to TRONWKM.



Map 1: Te Arawa Rohe Moana – Ministry of Fisheries

9. Aquaculture / Fisheries

Te Runanga o Ngati Whakaue ki Maketu completed a feasibility studies in aquaculture farming in 2009. We have also made inquiries concerning the documents required by council for a coastal consent. Council

required an AEE report, heritage report and an engineers report for structural work. The amount of money to hire the consultants to carry out this work is expensive. This does not include the resource consents costs.

When the regional council first contemplated a regional aquaculture strategy TRONWKM attended; we weren't invited to be part of the Bay of Connections economic strategy for the working committee, that group stated it was a strategy for 'big players' in commercial aquaculture and not customary. We submitted to the strategy which was the only way we could get input. The BOP aquaculture strategy is positive for the eastern Bay of Plenty and commercial fisherman already in the business, but not NWKMH in Maketu.

The Aquaculture Reform Bill (3) has been a go-slow Bill. The National party promised to review the Bill and three years later we are still waiting. Both the Maori Party and Labour Party are pushing for the Maori 20% customary space to be opened up for Iwi and part of this process will be communicating with territorial authorities. Kotahitanga o Te Arawa Fisheries indicate their commercial quota has already been leased out for five years to large fishing companies in the industry. The issue is when will access to both customary space be available to smaller Iwi groups?

Being able to provide employment for NWKMH through aquaculture farming within our own rohe moana (*sea area*) is essential to our hapu well-being. There is no industry growth to retain whanau remaining in Maketu, therefore whanau are moving out of Maketu to the cities and overseas to source work.

Intellectual property rights or protection of information submitted to council on aquaculture farming is of concern. The RPS rejects there should be any protection of information submitted to council, however it is still a concern for TRONWKM that they want any commercial information protected.

Aquaculture farming the research we have conducted indicate the farm will promote a return of fishes to the coastal area. It will enrich the marine environment which further encourages kaimoana growth in the local estuaries. The estuaries have experienced great losses of the variety of kaimoana (seafood) from the Maketu / Little Waihi estuaries. The sea plants we intend to farm actually requires nutrients to thrive, which means the nutrients contaminating the estuaries and fresh waterways can benefit from the aquaculture farm.

The deprivation or loss of seafood is a sour point with tangata whenua. We could sustain the whanau by gathering kaimoana (seafood). In the Maori way of thinking that is what made us rich.
(TW Walters)

10. Eel Cultivation

There is commercial potential for all Iwi / hapu and whanau to benefit from eel cultivation; despite there being some barriers that have to be addressed. Eels are a traditional kai (food) of Maketu. Over the decades there has been a decline in the number of eels migrating to the local waterways. Eel cultivation would economically benefit the Hapu as well as increase the wild harvest stock if managed correctly.

The regional council can offer TRONWKM support in resource consents for use of geothermal energy, and bore water extraction. Given the Waitangi Claims will have an impact economically on this region; it makes sense for the territorial authority to provide assistance to Iwi / Hapu economic development.

“We got eels in abundance, further upstream between Rangiuru and Rotorua there were king eels, there was plenty of white bait and watercress down the river; that was when the river was healthy. Today the overwhelming stench of pollutants can be smelt and seen. The cultural impact this has on Ngati Whakaue ki Maketu hapu is devastating. Our ancestors claimed these natural resources when the Te Arawa waka (canoe) landed here” (TW. Walters).

Core Values for NWKMH:

- High economic significance to tangata whenua;
- Vital to retaining whanau at Maketu;
- Vital to the ‘mauri’ of the NWKMH;
- High in economic value;
- Potential to develop employment for whanau / hapu / iwi.

Identify Issue	Outcome	How it can be Achieved
Commercial information during the resource consent process unprotected.	Protection measures in place to satisfy the application of resource consent process.	Regional Council – addressing and implementing protection of information.
Commercial aquaculture farming supported for Maketu.	Employment opportunities available in Maketu.	Regional Council / TRONWKM.
Aspirations into aquaculture and eel farming supported by Regional Council.	Economic development in a rural area (Maketu) that would benefit NWKMH and be a pilot for other rural coastal NZ areas.	Regional council offering support to TRONWKM in resource consents process.
Commercial eel cultivation barriers addressed.	Future employment and incomes opportunities.	Regional Council and the Iwi Authority working together.



Photo Taken 2010: Te Kuraetanga o Te Ihu o Tamatekapua.

11. Land Acquisition

“ the ‘centre’ or heart of Arawa territory there was no other piece of land that might be considered even more as the ‘poho’ or ‘seat of the affection’ of Te Arawa people. This was Maketu, where the bow of the canoe had rested so very long ago (p.23). ”^{xv}

The Native Land Act 1909 saw lands consolidated within Maketu in the late early 20th C. Maketu lands were subject to the Maori Land Development Scheme founded by Ta Apirana Ngata around 1929 the Minister of Native Affairs. These lands were retained under the ‘kaitiakitanga’ of the Te Arawa Maori Trust Board who are called Te Arawa Lakes Trust today. The Public Works Act 1928 was also responsible for dispossessing hapu of their lands by acts of the Crown.

- a) Ngati Whakaue ki Maketu have seven known Waitangi Claims and a small number of historical claims still being progressed through Te Komiti Nui o Ngati Whakaue. The issues that are in ‘common’ include the Consolidation of Lands in Maketu, and taking of land through the Public Works Act 1928. The ‘common’ objective for the Waitangi claims is the return of lands.
- b) The heritage inventory provided in this report outlines the historical pa sites. The most significant being Te Kuraetanga o te Ihu o Tamatekapua (Okurei). This is a piece of land that has historical significance to Te Arawa waka and should be registered as a wáhi tapu land mark.

History has alot to do with the land. Through genealogy and whakapapa we identify with our land. Maketu is a time bomb waiting to explode. Maketu has not been settled in terms of injustices on what has been going on with hapu wanting their lands returned from the TAMTB and now the Te Arawa Lakes Trust. We have to consider outstanding claims for settlement with the Waitangi Tribunal. (TW Walters)

Core Values for NWKMH:

- Treaty of Waitangi claims process;
- Vital to restoring the balance and 'mauri' of tangata whenua;
- Vital in restoring whakapapa links to the whenua;
- High in whanau / hapu value;
- Protection of wāhi tapu areas.

Identify Issue	Outcome	How it can be Achieved
Waitangi Claims for Ngati Whakaue ki Maketu are still to be brought before the Treaty of Waitangi Tribunal.	Restoration of mana whenua. Restoration of whakapapa links for whanau, hapu and iwi to the land.	Regional Council is aware that resource consents need to take into consideration the Waitangi Claims.
Undeveloped farm land in Maketu; take into consideration Waitangi Claims.	The claims process can proceed without opposition to the consents.	Regional Council is aware that resource consents need to take into consideration the Waitangi Claims.



Photo taken 2009. Ray Bushell and Andy McKay (council) take cuttings of Kotukutuku Trees to replant at Maketu Kotukutuku gully.

13. Plants planted on Leased Land

Plants that are introduced into leased lands, wetland areas where we have registered interest, we should be consulted. The land areas where we would support planting to take place are on the edges of the Kaituna River, the Kaikokopu, the Pongakawa Canal, Wharere, the coastal areas and the gully areas. Native plants on the edges of the river banks should include the flora that will benefit the fishes such as whitebait and eels. Wiwi grasses are used by whitebait to lay their eggs. Native trees overhanging the river banks give shade and dark space to fish species. Native plants species that have been lost from Maketu should be returned by methods of replanting, grafting and re-vegetation.

The wetland plants that once decorated the river banks have to be re-introduced for the well-being of the waterways and the ecosystems. Plants that need to be planted in abundance are wiwi grass, manuka, boumea rushes, kawakawa, harakeke, ponga, fern and watercress (edible quality). Waterbodies that have been adulterated by industry there is no plant that can purify the water body but they can certainly give assistance to the transpo evaporation system.

Maketu is being overrun by serious long term pesty weeds. For example pampus has the ability to self pollinate and produce thousands of seeds, this pest is growing wild along the river banks of the Wharere canal, and Kaikokpu. It is also increasing along the Maketu estuary. Pampus have no value to the aquatic life in the waterways. This pesty weed in particular, if left to grow will get out of control and spread further. Eradication of pesty weeds has to be addressed by both territorial and local councils.

Core Values for NWKMH:

- Vital to native vegetation restoration;
- Vital to eradicating pesty weeds that have long been a nuisance to the landscape of Maketu.

Identify Issue	Outcome	How it can be Achieved
Replanting of native vegetation along the river banks, stopbanks, and ridges of the waterways.	Benefit of replaning for the waterways, ecosystems, environment and people.	A planting programme implemented that concentrates on the river / stream / estuary banks.
Uncontrollable weeds such as pampus spreading along the river / stream / estuary banks.	Monies spent on eradication of pesty weeds.	Regional Council - Eradication of pampus. Time management plan produced.



Photo taken 2011. Eel Cultivation Research

14. Economic Development

- a) The economic development of Waiariki (*Bay of Plenty*) and especially the small coastal rural settlements depend on innovation and a lot of buy-in from councils support. Currently we find councils are too rigid when it comes to utilization of the natural resources which we consider ours of right.

It is essential for Iwi / hapu / whanau dynamics that economic development shows promise for a community to progress. The benefits to the well-being of the NWKMH far outweigh the negative impacts that are presumed will damage the coastal environment.

- b) Economic strategies that would benefit the NWKMH:

- Aquaculture farming;
- Eel Farming.

Future economic development where Ngati Whakaue ki Maketu are informed:

- Smartgrowth;
- Papamoa East Development;
- Tauranga Eastern Link Project.

Future economic growth where Ngati Whakaue ki Maketu are waiting for involvement:

- Rangiuru Business Park.

Core Values for NWKMH:

- High cultural significance to tangata whenua;
- Vital to the 'mauri' of tangata whenua;
- Vital to the sustainable well-being of tangata whenua;
- High in retaining whanau / hapu mana whenua.

Identify Issue	Outcome	How it can be Achieved
Lack of economic development for NWKMH and other coastal communities utilizing the coastal natural resources.	Support for future growth in economic development that will benefit coastal rural communities.	Regional Council, Local Authorities and TRONWKM, Iwi Authorities, Te Kotahitanga implementing a strategy to drive economic development for Takutai Moana.
Inclusion of NWKMH into economic strategies.	Support for future growth in economic development that will benefit coastal rural communities.	Regional Council, Local Authorities and TRONWKM, Iwi Authorities, Te Kotahitanga implementing a strategy to drive economic development for Takutai Moana Iwi.
Continuous information on new future economic developments	A registration of interest in future economic developments from Wairakei to Otamarakau.	A registration of interest lodged with Regional Council for support into a economic strategy for Takutai Moana Iwi.

Future economic growth involvement in the Rangiuru Business Park.	Tangata whenua advised and involved in economic growth within the WBOPDC region.	A registration of interest lodged with Regional Council for support into a economic strategy for Takutai Moana Iwi.
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15. Planning Documentation

Like other Iwi, Ngati Whakaue ki Maketu are determined to seek co-management over the waterways with the territorial authority. The Waitangi Claims seems the only way to address the concerns the people have for the waterways.

The issue is while we can submit to planning and strategies in the public arena that brings little comfort in knowing that policy and planning can reject our submissions. Co-management would allow us to have some decision making for the well-being of the natural resources.

We also want to raise the issue of ‘confidentiality’ of this IMP document between TRONWKM and the Regional Council. TRONWKM should be consulted by any other stakeholders who is interested in this plan.

Core Values for NWKMH:

- High cultural significance to tangata whenua;
- High natural science values;
- Vital to the tino rangatiratanga of tangata whenua;
- High in whanau / hapu value;
- Vital in economic sustainability value;
- TRONWKM IMP remaining ‘confidential.’

Identify Issue	Outcome	How it can be Achieved
Co-Management over the natural resources within the Hapu Boundaries.	Greater input into policy and planning decision making.	Regional Council and TRONWKM cooperation.
This IMP remaining –confidential- between the Iwi Authority and Regional Council. Permission from TRONWKM for other stakeholders viewing this IMP.	Confidential planning document. TRONWKM having control over who is viewing their information.	Regional Council – Maori Policy Analyst team. TRONWKM – Iwi Authority.

Part 5

Heritage Inventory

Maori heritage can be described as *nga taonga tuku iho no nga tupuna = treasures handed down by our ancestors.*

It comprises a wide range of different places and items from the physical and tangible to the natural environment and the intangible.

E toru nga wahanga, ara ko nga taonga a tinana, nga taonga o te taiao me nga taonga wairua. (the three sections are the physical, the environment and the spiritual)

The **physical/tangible** heritage places can be described as those land-based places created, formed or shaped by earlier inhabitants. These can be archaeological sites (eg burials, pa, pits, terraces, oven stones, midden, stone/rock structures, rock-art, house sites, etc) or Maori built heritage places such as marae buildings, including their contents (eg carvings, artworks, photographs, etc) and structures (eg flagpoles, gateways, etc).

Ko enei nga nohonga me nga tohu i hanga i nga tupuna.

Natural heritage places may be natural features associated with traditional activities (eg springs, trees, swamp, caves, etc) or a tribal landmark (eg mountain, river, lands, sea/lake, village, etc) where no human activity is evident.

Ko enei nga ahua o Ranginui raua ko Papatuanuku me a raua tamariki.

The **intangible** heritage places are those places that have intangible characteristics where no visible feature or evidence is present but where a significant event or traditional activity took place (e.g. battlefield, places of meeting, of learning, of ritual, fishing ground, taniwha den, etc)

Ko enei nga wahi o nga tupuna hei tiaki i te mauri o nga wahi tupuna, me nga wahi mahi o nga tupuna.

All or any of the above cultural heritage places may also be considered to be wahi tapu, traditional sites, *wahi taonga*, or others depending on the *iwi*, *hapu* or *whanau* concerned.

Ma te Iwi, Hapu, Whanau ranei i tapaina, i whakarite hoki i nga wahi tuku iho katoa.

Archaeological Association Site Recording Scheme

The New Zealand Archaeological Association (NZAA) Site Recording Scheme was established in 1958 to encourage the recording of information about archaeological sites. It is a paper-based record system that may contain plans, section drawings, photographs, artefact drawings, and field notes. CINZAS (Central Index of New Zealand Archaeological Sites)

is an electronic index to the paper records. NZHPT (New Zealand Historic Places Trust) and the Department of Conservation endorse the site recording scheme as the national record system for archaeological sites.

While reasonable care has been taken in compiling the information, the writers make no warranty or representation, express or implied, with regard to the accuracy, completeness, or utility of the data. NZAA explicitly disclaim any responsibility for any loss or damage incurred due to any use made of the information. Information is provided on the strict understanding that the NZAA and any person associated with the site recording scheme shall not be held liable in respect of any errors or omissions from the data provided. It is important to note the limitations of the data and, in particular, that in any given area there may be undiscovered or unrecorded sites.

The following features of the data should be noted:

- ` a grid reference gives the location of a site, but it does not delimit its extent. The location of sites is usually only recorded to within about the nearest 100 metres but the accuracy may in some cases be less than this;
- ` the absence of data for any particular area should not be taken to mean that it contains no archaeological sites. It may mean that no archaeological survey has been carried out, or that sites were obscured at the time the survey was done. In any given area there may be any number of undiscovered or unrecorded sites;
- ` some recorded sites may no longer exist (they may, for example, have been destroyed since they were recorded);
- ` historical (european period) archaeological sites, in particular, are currently under-represented in the site recording scheme;
- ` not all sites recorded in the site recording scheme are archaeological sites in terms of the Historic Places Act 1993. They may, for example, post-date 1900 or no longer be able, through investigation by archaeological methods, to provide evidence relating to the history of New Zealand;
- ` the formal evaluation of site significance is not a function of the site recording scheme;

` while some archaeological sites may also be considered wāhi tapu, the site recording scheme are not specifically concerned with such places. If information about wāhi tapu is required, it should be obtained from the relevant iwi; information about burial sites will, in some circumstances, be withheld. For many purposes, an inspection by a qualified archaeologist will be required. Information from the site recording scheme is not a substitute for this.

New Zealand Historical Places Trust (NZHPT)

The following reference key (schedule) and maps identify recorded archaeological sites within the rohe o Ngāti Whakaue ki Maketu. The sites identified on the topographical maps provide representation of archaeological areas, kainga, and Pa sites, and some sites of significance. The heritage inventory has begun, according to Archeologist Ken Philips Maketu has not been excavated enough to give a proper record of the archaeological sites in and around NWKMH area.

The maps were prepared for TRONWKM in showing their hapu / iwi boundaries, areas of interest, natural resources, and cultural heritage. While considerable effort has been made to ensure that the information on this map is accurate and current this cannot be guaranteed. The maps should not be used for anything other than its intended use.

The archaeological sites layer is sourced from the NZAA as at December 2007. It should be noted that they are not comprehensive of all archaeological sites but are those recorded by the NZAA.

It is important that rūnanga and iwi are acknowledged as not only key stakeholders but also kaitiaki/guardians in the management and protection of sites. This obligation requires resource management authorities, including heritage and conservation agencies to consult and actively participate with iwi in planning matters affecting archaeological and Māori heritage sites.

Wāhi Tūpuna Inventory

Te Runanga o Ngati Whakaue ki Maketu (TRONWKM) have prepared this inventory to provide an overview of some of the places of cultural heritage value in Maketu. This document is an information resource recognising and providing preliminary information on the identified cultural heritage places. The inventory will be reviewed and added to as time and resources allow.

The scope of this Wāhi Tūpuna Inventory also aligns with the document “*Maketu: A Plan for the Future of Maketu*” (WBOPDC 2007) that seeks to celebrate and acknowledge the unique community of Maketu. Key aspirations of this vision document that relate to this Heritage Inventory include:

- *The significance of Maketu as the landing place of the Te Arawa waka is celebrated;*
- *The significant historical and cultural sites of Maketu are recognised for their prominence and protected for future generations;*
- *Cultural Heritage projects to record the history of Maketu for all to enjoy, now and in the future (Maketu Community Plan, WBOPDC 2007).*

Methodology

TRONWKM Maketu has worked with NZHPT Pouhere Taonga to prepare this first phase of the inventory; the selection of sites is at the discretion of TRONWKM.

This inventory does not include ALL sites of significance to NWKMH; it is considered to be the 1st part of recording Maketu heritage inventory. Consultation with TRONWKM must be undertaken in order to fully understand the cultural heritage richness of Maketu and to ensure NWKMH are kept informed.

An initial list of cultural sites was prepared for this inventory was researched using NZHPT records. Research was then carried out by TRONWKM, various kaumatua and a local archaeologist expert.

We can count at least three phases of history in Maketu. The Pa Sites in this inventory may have had a number of Iwi / hapu that used the old Pa at various times since the landing of the Te Arawa waka to the late 19th century.

The first part of the inventory was to research the Pa Sites within Maketu and GPS such sites. The 2nd part was to research the historical account of the Pa sites, through kaumatua interviews and desktop study. Note there are some names and Pa Sites that have not been matched.

Study Area

The study area is within the Maketu Village area which includes Okurei, Owihara, Little Waihi, Pukemaire, Wilson Road North and Whakaue Kaipapa Marae.

Criterion for Inclusion

This inventory is focussed specifically on heritage places of significance to Maketu within the study area. This include places that are sacred to the Iwi in the traditional, spiritual, religious, ritual, or mythological sense, as well as ancestral lands, water, sites, wahi tapu, and other taonga. Maketu is an area or rich and diverse heritage places, and this inventory will attempt to initially focus on a selection of places at the outset, for further development in the future. The places included in the inventory have various heritage values associated with them, including (but not limited to) the following examples:

- pa (fortified occupation site)
- kainga/papakainga (occupation site)
- Mara (garden cultivations)
- marae buildings and wharehenui
- tauranga waka (ancestral canoe landings)
- mahinga kai (food gathering areas)
- mineral and stone resource sites
- wahi taonga mahi a ringa (resource sites for art materials)
- landscape features which determined the boundaries of iwi or hapu
- ahi karoa (sites associated with claiming land occupation or ownership)
- battle sites and defence sites
- urupa (known burial places)
- whare karakia (religious buildings)
- landforms such as mountains which embody the creation stories and whakapapa

Schedule of Recorded Archaeological Sites

Recorded Site	Survey No.	Pa Site Name	GPS and site record notes.
N68/13	943-502-	Owhara Pa	Headland Pa. Once a large well known site, ploughed.
N68/23	926-547	Fort Colville (Redoubt)	Pukemaire hill location, was a Pa Site before fort.
N68/24	926-508	Takihuahua Pa	Maketu township side and above ridge? Rocky beach and opposite the start of Williams Crescent.
N68/25	922-505	Mokorangi Ridge Pa	Urupa, part destroyed by road. Opposite the end of Otimi St, site overlooks beach road.
N68/45	941-502 Or 941-504	Rifle Pits	North of Owhara Pa by some 3-400 m and along top of cliff face and overlooks outlet of Waihi estuary, Herekaki Pa N68/46 is close by and to the North. Good, ridge site between road and beach.
N68/46	935-510 Or 941-504	Herekaki	North again of the rifle pits. Approx 400 metres from Owhara Pa Site.
N68/47	929-510	Headland Pa	Good ridge site between road and beach opposite Williams crescent.
N68/99	922-501	Pukepoto	In acacia on road to St Thomas Church on the left hand side.
N68/103	922-503	Maketu	A most important pa, built on.
N68/117	930-518 to 936-517	Quarry	Material is found half way along to Town Point around to 2 nd creek north of Newdicks Carpark.
N68/119	942-498	Kainga - Kahurangi	Located Little Waihi camping ground where pines were located to the South in the camping ground, known to be a kainga site in the early 1860's.
Recorded Site	Survey No.	Pa Site Name	Site Record Notes

N68/120	940-497	Flax Mill	Located at Little Waihi and at the built-up housing area just to south west of camp store. Former site is towards end of road which runs off Lyndhurst Ave. This road is a dirt road and nearby road runs off to the east out to the small pens – it is at the junction and on high land further south that the mill was located.
N68/121	931-499	Rifle Pits	Located by the Trig and TAMTB house some 400 m north of the junction of the road leading to Little Waihi. Built by the Tai Rawhiti on their attack/or retreat of Fort Colville.
N68/122	913-490	Terraces / Midden	Located at the Wharekahu area of Maketu. Site is to the South of the mission site. Limited surface evidence of maori occupation.
N68/129	923-506	Pa on Headland	Located above Beech Store, where upon the motor camp and housing the headland bounded on the east by Ngaroma Lane and on the west by the beach cliffs, this headland runs back in a northerly direction.
N68/131	921-502	Pa (2)	Close to the corner of Otimi Street and Kauri Place these two sites are easily found. Both pa sites have been built upon.
N68/133	937-511	Pa	Above high cliff face east of Newdicks Beach. Easy located as whole site covered in macrocarpa.
N68/134	935-514	Marae Karaha / or Karaka Pa	This site is up on the cliffs to the right as the road comes out onto the beach area.
Recorded Site	Survey No.	Pa Site Name	Site Record Notes.
N68/135	937-512	Steps	Newdicks Beach and Maketu. Here on the beach and surrounded by water at mid to high tide several huge boulders,

			some are further out in the waves and some are closer up on the beach but can be seen surrounded by water. Observed were steps cut into the rock on 2 of the boulders allowing one to reach the top. The fact that there are 3 nearby pa sites suggests that the steps were cut out by the occupants to allow line fishing. Boulders are about 2 to 3 metres high. No scoring marks were seen.
<i>Pa Sites not located in Maketu</i>			
N/K	N/K	Hapuhoui	One of 2 pas captured by Te Rangihouhiri prior to fall of Pukemaire Pa.
N/K	N/K	Huirataupoki – Small Pa	One of the many pas captured by Ngati Rangihouhiri.
N/K	N/K	Kurae	Captured by an Arawa Force from Ngati Whakahinga in the early stages to drive the latter tribe from Maketu.
Refer TRONWKM Sites	Refer TRONWKM Sites	Makorangi	Pa of Tatahau immediately above the beach where the Arawa canoe is supposed to have landed.
Refer TRONWKM Sites	Refer TRONWKM Sites	Maraekura	Directly above the monument to landing of Arawa Canoe. See Watt M.S. Where Mitchells house is now.
N/K	N/K	Nihotore	Pa connected with the murder of Werapinaki who killed a girl Punoho having remarked how ugly Werapinaki looked, this started a severe tribal war between Tapuika and Rangihouhiri.
N/K	N/K	Paraoa Paraoa	Given to Ngati Whakahinga on their arrival at Maketu, also the name of the kumara plantation of Tamatekapua. Do not confuse with Paraoa in the lower Kaituna area.
N/K	N/K	Pukaruwhenua	A Ngati Whakahinga Pa captured by Te Rorooterangi, Pa also known as Pukearowhenua.

N68/125	933-516	Okurei or Te Oku	Pa at Maketu likely at Okurei Point. At the extreme end of peninsula Okurei Pa is further on the exact point. The scarp can be readily seen across east west with the pit to the east.
N68/127	935-515	Tirotirowhetu Pa	Site is above and west of Newdicks Beach. It is east of site N68/126.
N68/128	926-505	? Pa	By the road which leads past the Beech Motor Camp. The site is on the right prior to reaching Williams Crescent turn off. Difficult to assess. An odd layout to a Pa, it is also mainly on a slope.
N/K	N/K	Waikato	North West of Trig near Maketu and Little Waihi road. Rangimarere is the flat land to the south of trig.
N/K	N/K	Wharekahue	Te Arawa Book. Refer p112
N/K	N/K	Huraoteahi	Pa at Maketu area.
N/K	N/K	Hukunui	Pa at Maketu area.
N/K	N/K	Te Kapuhoro	Pa at Maketu
		Te Koari	Pa at Maketu, cultivation known as Parawai nearby.
Refer TRONWKM Sites	Refer TRONWKM Sites	Mataitangaroa	Pa at Maketu.
		Ngaihumutu	On a ridge behind old cottage at fork of road.
Recorded Site	Survey No.	Pa Site Name	Site Record Notes.
		Te Ngae	Pa site at Maketu
		Ngahuru	Pa site at Maketu. According to a Waiata Tangi & Pepeha this Pa Site may have been located in the Little Waihi Area and was of Ngati Whakaue. Ngahuru was a Ngati Whakaue chief who died in 1836.

The most visible heritage are the remains of earth works on pa sites; but there are also less obvious urupa (burial sites), kainga (communal housing), a quarry and middens (rubbish dumps). Of these the pa sites and the middens provide the best insight into the past – the pa sites on a large scale show where people lived and what was happening at the time, and middens (rubbish dumps) show things on a smaller scale, such as diet, tools and how people lived. They also provide materials for dating occupation sites.

Kainga contain a lot of information but leave little surface evidence (apart from an occasional possible encircling earthwork) and need archaeological digs to be conducted to unearth any evidence. Urupa are mostly unmarked and need to be located so they can be protected.

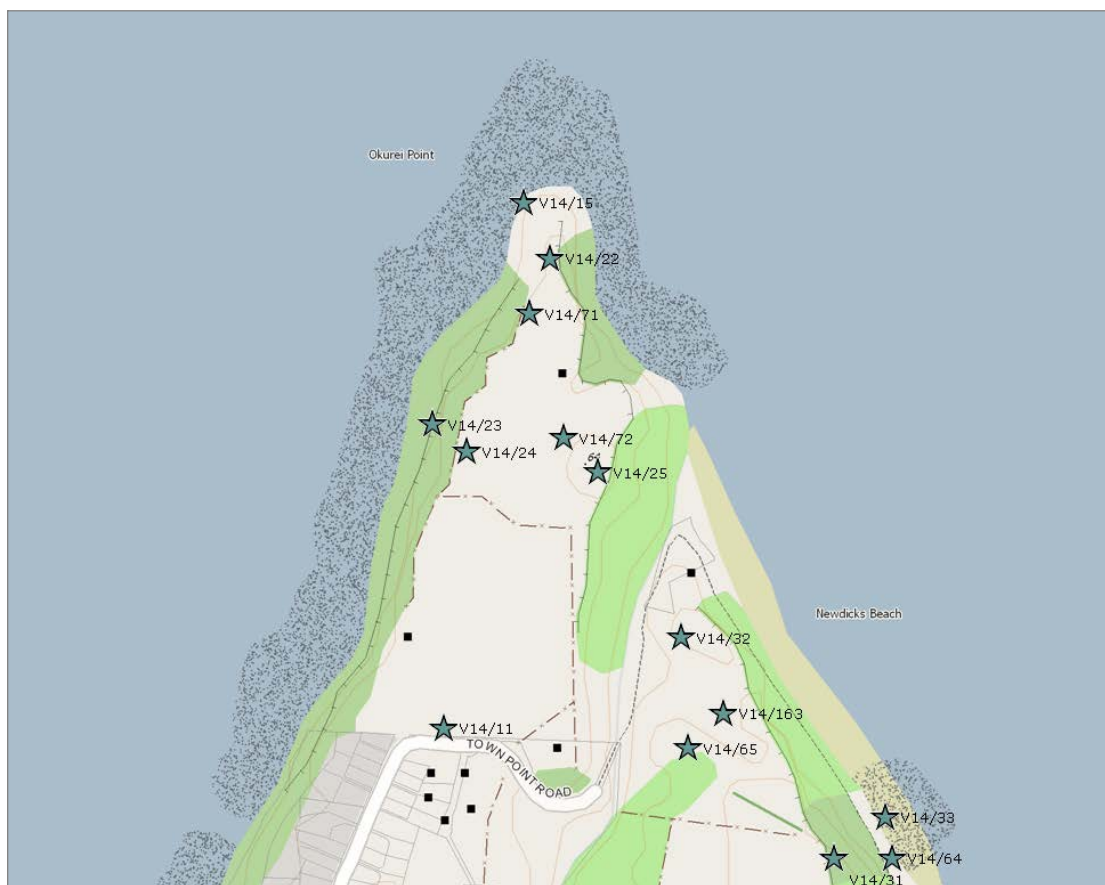


Figure 2: AA Sites Recorded at Okurei Point, Maketu.

Site Descriptions by TRONWKM

The sites have been walked over by the writers and archaeologist to verify there are Pa Sites that can be preserved from this report^{xvi}.

Site 1 Location (V14/22)	GPS Coordinates	Description
Te Kuraetanga o te Ihu o Tamatekapua	S: 37:44:513 E: 176:28:085	Defensive Pa Site First Trench: 3m x 5m deep. Area diameter 150m x 300 m approx.

Description: Terrace on land mass gives an indication it may have been built on at one time. East side at tip of site shows a path leading down to Newdick Beach area. A good site strategically for a defensive Pa. Visibly able to see everywhere East and North seaward a visibility of a definite 180 degrees of clear sea from Mauao in the North West to Whakatane in the East.

Below Cliff edge looking downwards on the North side you can see Kamu's Bay, the water is shallow which indicates the rocks below could well have been used for waka to be tied and stored in the shallow waters below. There is a slight beach area which would have been beneficial for leaving baskets of kaimoana to be hauled upwards to the Pa Site.

Sightings Recorded: Defensive strip definite sighting on the North End of Okurei over the cliff. Possibly fits with historical account of Tamatekapua being able to see Materehua Pa on Motiti which was the pa site of Ngatoroirangi. Track to the beach on the North east of Okurei, Whale island to the right.

Shows the major sites of living detailed surveys required to show exact contours of living areas. Pa Site beautifully preserved, good terracing, classic defensive Pa Site. Little interference with cows grazing or damage done to this site. Photos of terraces and entrance way to Pa Site taken, also of the rocks below this Pa Site and of the trench which goes from the East side to the North side of the Pa site. Entrance way interesting. Placed strategically for easy access if you knew where it was into the Pa, can easily be defended.

The defensive trench goes down eastwards 8m dogleg and then up to get into the Pa site.

Two palisades of defence one before the trench and then one after the trench.

Site 2 Location (V14/23)	GPS Coordinates	Description
Te Kuraetanga o te Ihu o Tamatekapua	S:37:44:467 E:176:28:085	Kainga exposed sites outside of Defensive Pa Site at Okurei.

Description: Exposed site can see land formations that indicate the areas would possibly have been a Kainga designed for a bigger population. Exposed hangi stones photographed approximately 20 metres from trench of defensive Pa Site 1. Dark grass growth where umu may have been located on the left side of the hangi stones. An expectation to find more middens in the area.

Site 3 Location	GPS Coordinates	Description
Te Kuraetanga o te Ihu o Tamatekapua	S:37:44:602 E:176:28:075	Terraced area, may have been an extension of Sites 1 & 2.

Possible the sites 1, 2 & 3 were altogether around the same time. There is a big depression between terraced area which may either be of modern times or if not could have been the makings of a kumara pit. Similar depressions have been found in this area.		
Site 4 Location (V14/25)	GPS Coordinates	Description
Te Kuraetanga o te Ihu o Tamatekapua	S:37:44:614 E:176:28:135	Kainga area possibly close to hangi pit.
Evidence of pits where the grass is greener in areas. Not likely to be modern, hangi stones exposed. An expectation to find middens if the land was excavated.		
Site 5 Location	GPS Coordinates	Description
Te Kuraetanga o te Ihu o Tamatekapua	S:37:44:660 E:176:28:125	Pa Site area, palisade terraces
The effects of cattle grazing have taken place, causing certain interference with this site.		
Site 6 Location	GPS Coordinates	Description
Te Kuraetanga o te Ihu o Tamatekapua	S:37:44:? E:176:28:?	Pa Site close to cliff looks like a defensive Pa.
This looks like a defensive Pa area. Too small for a kainga area. Shallow areas may indicate living space. Where did the important people live? Tohunga / Rangatira. Did they have a whare of their own? Was it in the defensive Pa Sites? Did the rest of the Hapu live on the outer fringes of the Pa in the Kainga during peaceful times and then retreat into the Pa Site during skirmishes? Defensive ditch possible outer limits of kainga area on Okurei. More questions than answers at this time.		
Site 7 Location (V14/24)	GPS Coordinates	Description
Te Kuraetanga o te Ihu o Tamatekapua - North West cliff area, after Pekerau.	S:37:44:591 E:176:28:009	Terrace Area
Oblong site. Why was it close to site 4? Would have to be whanau / hapu connections for people to live this close together. Shows an expansion as the iwi grew in numbers. May have been close to cliff area to protect the entrance from the beach to the Pa.		
Site 8 Location	GPS Coordinates	Description
Te Kuraetanga o te Ihu o Tamatekapua	S:37:44:691 E:176:28:001	Terrain of Pa Site older than those in Site 1-7.
Original boundaries of area still visible, older than the others. Comparisons of steepness, goes from the south west corner of Site 6, no obvious terracing and it has not been ploughed. Very old site looks to be the original boundary of the 1 st pa site at Okurei possibly. Site 6 would have been built after site 8 evidence of trench interruptions. It takes a dog leg back to the cliff. Possible that this and findings at the top of the hill is the same vintage. The ditch folds around the hill to the cliff face and cuts off the point completely.		
Site 9 Location	GPS Coordinates	Description
Te Kuraetanga o te Ihu o Tamatekapua - North Cliff area	S:37:44:57 E:176:28:00	Rocks and Hangi Stones
Rocks piled high, quite a big area around 5m x 1m. The natural lay of the land looks as though it is raised up. Midden area of pipi, mussel and whelk shell remains visibly sighted.		

Site 10 Location	GPS Coordinates	Description
Newdicks Land – Opposite honesty box 20 metres in paddock area.	S:37:44:? E:176:28:?	Unnatural land area
Not GPS'ed. Doesn't look right not natural could either be a big midden area or an Urupa. No solid evidence visible to say it is anything.		
Site 11 Location	GPS Coordinates	Description
Newdicks Beach	S:37:44:741 E:176:28:202	Pa Site
Going on the readings of previous archaeological records it is presumed this is the Maraekahaka or karaka Pa Site. It is gorse protected, impossible to get to. Suffering from erosion looking at the area below. Difficult terrain, cannot see land area or its condition because of covering. Land below this area, does not show any trenches or terraces, but this may be covered by gorse covering. Impossible to know at this stage. It has suffered from bulldozing recently.		
Site 12 Location	GPS Coordinates	Description
Little Waihi area	S:37:45:665 E:176:28:738	Kainga area
According to previous archaeological records this was a kainga area. Ground is flat and has been interfered with. Given the kai is plentiful here more than likely a kainga or many kainga were located in this area for food gathering purposes. Estuaries are rich in kaimoana, fishing, catching eels, and sneering birds.		
Site 13 Location	GPS Coordinates	Description
Owhara – land mass area 100 metres.	S:37:45:607 E:176:28:279	Pa Site defensive.
This Pa Site is to the left walking up the driveway at Owhara. The driveway has cut through this Pa site. Small in size but still has the features of a defensive pa with the trench area visible around the site. Trench around 1.5m deep. The trench starts from the road area and goes towards the west. This Pa is isolated from the other Pa areas at Owhara. Would this Pa have been reserved for important people?		
Site 14 Location	GPS Coordinates	Description
Owhara – land mass area 100 metres.	S:37:45:556 E:176:28:371	Pa Site defensive.
This Pa Site would have been a Palisade Pa area. Little evidence left but you can see the boundaries of the Pa area. The scarp area taken out of the hill is similar to that at Okurei and around the same vintage of site 8 possibly.		
Site 15 Location	GPS Coordinates	Description
Owhara – Facing East along the fence line overlooking Lyndhurst Road.	S:37:45:403 E:176:28:645	Kainga area
Terrain destroyed by farming. Could have been a kainga area below which is south east of Lyndhurst Road. Site is overlooking the estuary area to the south. Easy walk down to the estuary area, and easy to defend. The surrounding area at Owhara has been destroyed by ploughing some terraces are still visible. The cliff area shows clear access from Pukehina for Iwi to cross easily and invade Waihi / Maketu.		
Site 16 Location	GPS Coordinates	Description
Owhara – North East cliff top area	S:37:45:367 E:176:28:625	Pa Site defensive (May be Maraekaraka or Herekaki)

Defensive trench visible going onto site. Similarities of defence trench approximately 5m deep. High ridge area, 200 m2 land area. Pukehina east side drops away down the cliff. Small ledge area. Possible to exit on the North side and to go gather kai at Newdicks Beach area. The Pa Site joins up with the trench area. This site overlooks the mouth of the Pukehina / Little Waihi estuary. There are pine trees planted here a good 50 cover the ground area. This site is approx. 1 km away from Owahara Pa Site at the driveway It has been interfered with but a recommendation for an excavation to take place should occur. We are unsure who the landowners would be either the Ngawhara or Te Arawa Lakes Trusts.

Site 17 Location	GPS Coordinates	Description
Pukemaire – North of Maketu Village, above Maketu Kura	S:37:45:715 E:176:27:498	Pa Site – Pukemaire then turned into Fort Colville

Defensive Trench 4 metres, entrance way located to the South of the Pa, unsure if it is the original entry as this Pa was taken over by the English Soldiers in the 19th Century. Check Fort Colville Plan. A 2nd entrance to the North which has evidence of being a later version. Looks like terracing occurred but we can't be sure for certain. The ground has been levelled for access.

Outside of Pukemaire Pa to the South there is evidence of middens and hangi stones found. GPS S:37:45:722, E 176:27:466. Pit area visible, people lived outside the pa area, as we can see the shelving area. Three pits visible one big, one medium and one small. Also an iron pot piece found (Graeme). GPS S:37:45:735. E:176:27:510.

Site 18 Location	GPS Coordinates	Description
Kauri Road, Morrison Whare	S:37:45:309 E:176:27:421	Pa Site – Original (Maitaitangaroa)

Good steep earthworks Pa Site. Quite a large Pa area would have taken up the section beside this land and maybe opposite the section opposite. Evidence of trench area. Can still see evidence despite housing now on Pa area.

Site 19 Location	GPS Coordinates	Description
Kauri / Otimi Road	S:37:45:356 E:176:27:386	Pa Site – Mokorangi

On Thomas Land. Both Pa Site look as though they may have been separate. Evidence of middens in the area. Across the Road is Mokorangi Urupa which may have been part of the same pa at one time; now the road goes through the site. This urupa may not have been here originally as the graves are not old enough. Also the areas look specific to a purpose or maybe there were alot of small areas for the same purpose.

Site 20 Location	GPS Coordinates	Description
Blue Tides – Te Awhe Road	S:37:45:399 E:176:27:348	Pa Site – Original n/k

Evidence of being a Pa Site despite being developed and built on. We have aerial shots that show trench areas specific to this area. The lands show different levels of land which means this Pa could have been on the edge of Maketu Pa and may have been here before Maketu Pa was built.

Site 21 Location	GPS Coordinates	Description
Te Awhe Road.	S:37:45:464 E:176:27:319	Pa Site – Maketu

Alot of history written on this famous historical Pa Site. However development and all the houses that have been built over the area and the whare have been removed long ago. Lots of evidence of middens outside Te Awhe area. A Pa Site that was reoccupied again and again. First occupation by Arawa around 1830's then after Waharoa the people fled to Mokoia. .

Te Arawa collectively returned to defeat Ngaiterangi at Te Tumu in 1836 Ngati Pikiao then rebuilt Maketu pa and erected 7 gateways. A few months later Whakaue returned to also take up residence again.

Site 22 Location	GPS Coordinates	Description
Te Awhe Road.	S:37:45:464 E:176:27:319	Pa Site – Te Awhe

The only lone wharenui left standing. Rebuilt around 1945 by the Mita Whanau for the housing of Patuwai when coming from Motiti. Original whare was home to Mita Rangituakoha a chief of Ngati Whakahemo (Pukehina). Landshare holdings indicate Ngati Whakahemo / Patuwai has a large share ownership in this land area.

Site 23 Location	GPS Coordinates	Description
Ngaroma Road	S:37:45:248 E:176:27:510	Pa Site – Name n/k

No history known of this Pa Site. Aerial photos show cut off of trenches. Entrance way is Town Point Road, goes in and then angles up.

Site 24 Location	GPS Coordinates	Description
Ngaroma Road	S:37:45:253 E:176:27:503	Pa Site – Name n/k

No history known of this Pa Site. Aerial photos show cut off of trenches division. Entrance way is Town Point Road, goes in and then angles up. Unsure if it is an extension of Site 21 or if it is in the same era

Site 25 Location	GPS Coordinates	Description
Poroporohuamea	S:37:44:985 E:176:28:047	Pa Site

No outer trench area. Location overlooking Newdick beach, an untouched site. Trench area is difficult to climb across. Size of site approx. 60m x 20m. Pine trees growing in the site. The area is overlooking directly to the North end of Newdick. Native grasses growing on the area. Track down the beach on the east side of the Pa. Also trench area between this site and another smaller pa site attached. A pine tree is fallen down showing midden shells underneath. Cut into the dirt area is signs of an oven with shells underneath, then some hangi stones. Smaller area attached GPS S:37:44:385 E:176:26:347. Occupied but not fortified, not big enough for a living area below. It may be good for a garden area, track goes off into the main Pa site.

Site 26 Location	GPS Coordinates	Description
Tirotirowhetu	S: 37:44:784 E:176:26:231	Area of Interest / Pa Site?

A small site lack of evidence for no middens or shells in the area. May have been a lookout point. A definite trench area (4metres wide). Too much gorse to tell what the site is. Evidence of both areas eroding both into the sea and away from the land area. A flat area that could have been a terrace living area.

Note: All the GPS sites between Okurei and Owhara have Pine Trees growing on the sites. Looking at their growth stage they would have been planted around 20 – 25 years ago by the landowners.

Okurei (Te Kuraetanga o Te Ihu o Tamatekapua)



Figure 3: Wáhi Taonga, Okurei Point, Maketu aerial photo.

These sites may be seen clearly on a 1940s aerial photo (Fig 3) and cover a wide time scale. To interpret this site properly will require the services of a professional archaeologist, however from the initial survey it is clear that this site has been used for several centuries.

Pa Sites within the Maketu village



Figure 4: Maketu, Mataitangaroa, Maraekura and Mokoangi pa sites.
Note that the number of building was much lower in the 1940s



Figure 5: Takaihuahua pa, he wáhi taonga.

Takahuahua (Fig 5) have already been built over and partially destroyed. Located in the area of Ngaroma Road above Beeches Motor Camp and may well extend onwards to part of Townpoint Road.



Figure 6: Pukemaire Pa (to the right of the school building).

Pukemaire (Fig 6) was taken over by British troops and turned into a redoubt (Fort Colville) in the 1860s. Prior to this it was a Pa Site that has housed a number of different Iwi / hapu from the recording of Tatahau who was of Tapuika and Te Arawa Iwi descent.

Maketu's history has not always been Ngati Whakaue, or even Te Arawa. It is the landing site for the Arawa Waka and Te Arawa Iwi have occupied Maketu for periods since, but several of the historical pa sites

we have now are relics of other Iwi and Hapu that have also held the site – sometimes for long periods. The waves of history have seen those same sites also house various Iwi periodically throughout history^{xvii}.



Photo provided by NZHPT 2008. Shows definite land markings of historical Okurei Pt, Maketu.



Figure 7: Wāhi Taonga, The deep defensive ditch at Okurei Pt.

The deep defensive ditch cutting off the point that can be seen in Fig 7 (overgrown large dead tree) is a well preserved feature of a pre-musket (and therefore pre-European) headland defence system. This pa site location also matches the historical account of a pa built by Tama as a lookout point. This site has not been

disturbed by farming or development and is in exceptionally good condition, but unfortunately the north and eastern sides seem to be particular prone to erosion and the pa has already lost a considerable amount of land.



Figure 8: Erosion at Okurei Pt showing the north and eastern sides of the point.

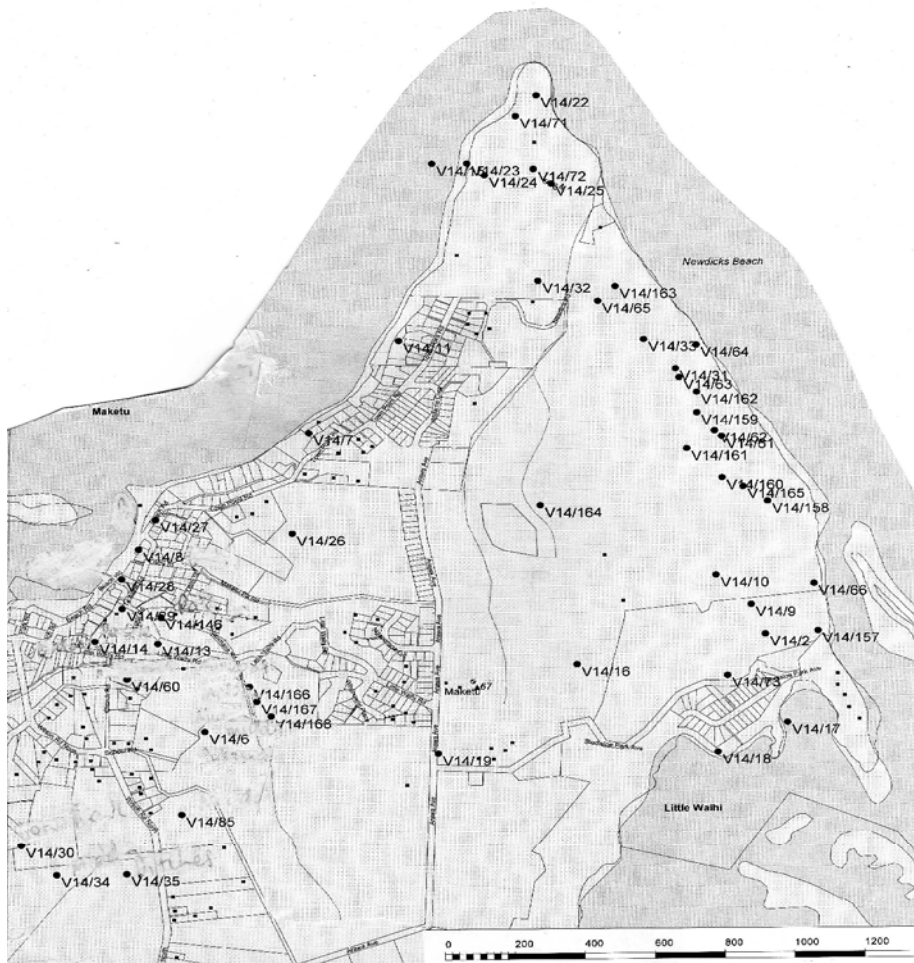


Figure 9: Sites of recorded archaeological finds.

Archaeological records (Fig 9) show a multitude of sites of interest, but many of these are merely places where an artefact (such as a stone tool) was found, the site may not necessarily record anything of major significance.

The oblong site (V14/24) visible overlooking the western cliff is a 'gunfighter' pa and is therefore dated to between 1820 and 1840. There does not appear to be any historic reference to it and it is unknown who built it but, on the grounds that there are records of where the other tribes that possessed muskets at Maketu built pa, it may be hypothesised that it was made as a temporary safe haven by an invading Iwi. Further research may clarify this.



Figure 10: The northern end of the 'gunfighter' pa – Okurei Pt.

The 'gunfighter' pa has cut into and used the western end of a defensive ditch (Fig 10) that runs across the width of the peninsula, indicating that this ditch is an artefact from an earlier occupation and (based on a similar degree of erosion) possibly associated with earthworks on the hill on the eastern side of the peninsula (V14/25) and may have defined a housing area.



Figure 11: The defensive ditch running across the peninsula of Okurei Pt.

Earthworks to the north of the 'gunfighter' pa (V14/23) may also define a housing area associated with the defensive site at the end of the point (V14/22).



Figure 12: Wāhi Kōhatu an exposed area of rock /midden on Okurei Pt.

There are a number of middens / umu (Fig 12) within this area that may enable them to be accurately dated; there are also probably a number of urupa (*burial area*) which have yet to be located. This midden / umu is unusual where the kohatu (*rocks*) have been built up in a pile, indicating there may be something buried below. The usual umu would be a pit that has been dug out.



Photo taken 2006: Whakaue Kaipapa te Whare Tūpuna, Maketu.

In 1926, many years later when Ngatai Tapihana, gave effect to the vision that Ngati Whakaue ki Maketu hapu (*sub-tribe*) should have an established Marae (*maori gathering place*) at Maketu (Caldwell: 2004).

“The naming of Whakaue Kaipapa wharenui (meeting house) in Maketu was instigated by Ngatai. She sold her land shares in Rotorua to pay for the timber to build the meeting house. Whakaue the wharenui (meeting house) was opened in April 1928. Ngatai died before the completion of the building in January 1928.



Photo taken 2008. Te Awhe Wharenui, Maketu.

The original Te Awhe wharenui was built by Mita Te Rangituakoha. The Wharenui ‘*Te Awhe o Te Rangi*’ is named after his grandfather who was the chief of Ngati Whakahemo^{xviii}. The wharenui standing today was re-built in 1945 by his descendants Takuira Mita whanau^{xix}. It has an association with different Iwi/Hapu with links to Mataatua and Te Arawa waka.



Photo taken 2009. Wai Tapu, Te Awa Kari o Ngatoroirangi (Maketu Estuary).

The Maketu Estuary is a significant waterway termed the '*food bowl of Te Arawa.*' During historical times of real hardship (World Wars, Depression Years) it was the food bowl that sustained the people.

Part 6

Legal Rights of Consultation

Ngati Whakaue ki Maketu Hapu acknowledges the importance of certain Acts, Statutes and Torts which are relevant to consultation.

The Resource Management Act 1991

The Resource Management Act 1991 (RMA) is an important Act, for NWKMH in which it gives Maori a right to decision making on the environment. The RMA describes an iwi management plan (IMP) as “...a relevant planning document recognised by an Iwi Authority and lodged with the council.” Section two defines an Iwi Authority as “...the Authority which represents an Iwi and which is recognised by that Iwi as having the Authority to do so.” TRONWKM is the mandated Iwi Authority for NWKMH as per the formation of the Incorporated Society in 2002.

The sections that are relevant to NWKMH at this time but are not limited are:

Section 6 (e), requiring all persons exercising functions and powers under the Act to recognise and provide for the relationship of Maori and their culture and traditions with ancestral lands, water, sites, waahi tapu (*sacred site*) and other taonga (*treasure*).

Section 6 (g), requiring all persons exercising functions and powers to recognize and provide for the protection of customary activities.

Section 7 (a), requiring all persons exercising functions and powers under the Act to have particular regard to kaitiakitanga (*guardianship*).

Section 8, requires all persons exercising functions and powers under the Act to take into account the principles of the Treaty of Waitangi in relation to managing the use, development and protection of natural and physical resources.

Section 35 (a) requiring councils to keep and maintain a record of each Iwi Authority (*Runanga*) and in some cases, groups that represent Hapu (*sub tribe*).

Section 36 (b-e), providing for local and public authorities, Iwi Authorities, and groups that represent Hapu (*sub tribe*) for RMA purposes to enter into joint management agreements about natural or physical resources in relation to any of the local authorities functions, powers or duties.

Section 44 covers the sustainability of fresh water.

Sections 61, 66 and 74 make specific reference to Iwi planning documents recognized by an Iwi Authority.

Section 61:2(a) A regional council, when preparing or changing a regional policy statement must (a) take into account any relevant planning document recognised by an Iwi Authority, and lodged with the council, to the extent that its content has a bearing on resource management issues of the region; and (b) recognise and provide for the management plan for a foreshore and seabed reserve located in whole or in part within its region, once the management plan has been lodged with the council.

Section 165AB - Establishment of aquaculture management areas: An area may be established as an aquaculture management area only in the following ways:

(a) By being included in a regional coastal plan or proposed regional coastal plan in accordance With Section 165c and

(b) By becoming an aquaculture management area under section 44 or 45 of the Aquaculture Reform (Repeals and Transitional Provisions) Act 2004.

Section 165AB: inserted, on 28 September 2008, by section 9 of the Resource Management Amendment Act 2008 (2008 No 95).

Local Government Act 2002

Part 1 (4) Treaty of Waitangi:

In order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes, Parts 2 and 6 provide principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision-making processes.

Part 3 (2) Boundaries of districts:

(1) If any part of the boundary of a district is the sea, that boundary may be between the mean high-water mark and the outer limit of the territorial sea of New Zealand as determined by the Order in Council defining the district.

(2) If a river or stream runs between 2 or more districts, wholly or in part, the boundaries of the relevant districts, for the purposes of this Act, extend to the middle line of the river or stream and follow its natural course.

(3) If the boundaries of a district are altered and all or part of the boundaries concerned were the same as the boundaries of any region,—

(a) the alteration also has effect with respect to the boundaries of that part of the region; and

(b) the boundaries of the region are altered accordingly.

Part 6 (81) Contributions to decision-making processes by Māori:

(1) A local authority must:

(a) establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority;

(b) consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority;

(c) provide relevant information to Māori for the purposes of paragraphs (a) and (b).

(2) A local authority, in exercising its responsibility to make judgments about the manner in which subsection (1) is to be complied with, must have regard to:

(a) the role of the local authority, as set out in section 11;

(b) such other matters as the local authority considers on reasonable grounds to be relevant to those judgments;

(a) establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority; and

(b) consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority; and

(c) provide relevant information to Māori for the purposes of paragraphs (a) and (b).

(2) A local authority, in exercising its responsibility to make judgments about the manner in which subsection (1) is to be complied with, must have regard to:

(a) the role of the local authority, as set out in section 11; and

(b) such other matters as the local authority considers on reasonable grounds to be relevant to those judgments.

Part 6 (83) Special consultative procedure:

(1) Where this Act or any other enactment requires a local authority to use or adopt the special consultative procedure that local authority must:

(a) prepare;

(i) a statement of proposal; and (ii) a summary of the information contained in the statement of proposal (which summary must comply with section 89); and

(b) include the statement of proposal on the agenda for a meeting of the local authority; and

(c) make the statement of proposal available for public inspection at:

(i) the principal public office of the local authority; and (ii) such other places as the local authority considers necessary in order to provide all ratepayers and residents of the district with reasonable access to that statement; and

(d) distribute in accordance with section 89(c) the summary of the information contained in the statement of proposal; and

(e) give public notice, and such other notice as the local authority considers appropriate, of the proposal and the consultation being undertaken; and

(f) include in the public notice a statement about how persons interested in the proposal;

(i) may obtain the summary of information about the proposal; and (ii) may inspect the full proposal; and

(g) include in the public notice a statement of the period within which submissions on the proposal may be made to the local authority; and

(h) ensure that any person who makes a submission on the proposal within that period

(i) is sent a written notice acknowledging receipt of that person's submission; and (ii) is given a reasonable opportunity to be heard by the local authority (if that person so requests); and

(i) ensure that the notice given to a person under paragraph (h)(i) contains information

(i) advising that person of that person's opportunity to be heard; and (ii) explaining how that person may exercise that person's opportunity to be heard; and

(j) ensure that, except as otherwise provided by Part 7 of the Local Government Official Information and Meetings Act 1987, every meeting at which submissions are heard or at which the local authority, community board, or committee deliberates on the proposal is open to the public; and

(k) subject to the Local Government Official Information and Meetings Act 1987, make all written submissions on the proposal available to the public.

(2) The period specified in the statement included under subsection (1)(g) must be a period of not less than 1 month beginning with the date of the first publication of the public notice.

(3) This section does not prevent a local authority from requesting or considering, before making a decision, comment or advice from an officer of the local authority or any other person in respect of the proposal or any submission or both.

Subpart 5 (198) Power to require contributions for developments:

(1) A territorial authority may require a development contribution to be made to the territorial authority when:

(a) a resource consent is granted under the Resource Management Act 1991 for a development within its district;

(b) a building consent is granted under the Building Act 2004 for building work situated in its district (whether by the territorial authority or a building consent authority);

(c) an authorisation for a service connection is granted.

Human Rights Act 1993

Part 1A - Discrimination by Government, related persons and bodies, or persons or bodies acting with legal authority.

Purpose of this Part

The purpose of this Part is to provide that, in general, an act or omission that is inconsistent with the right to freedom from discrimination affirmed by section 19 of the New Zealand Bill of Rights Act 1990 is in breach of this Part if the act or omission is that of a person or body referred to in section 3 of the New Zealand Bill of Rights Act 1990.^{xx}

NZ Bill of Rights Act 1990

Section 27 Right to Justice.

(1) Every person has the right to the observance of the principles of natural justice by any tribunal or other public authority which has the power to make a determination in respect of that person's rights, obligations, or interests protected or recognised by law.

(2) Every person whose rights, obligations, or interests protected or recognised by law have been affected by a determination of any tribunal or other public authority has the right to apply, in accordance with law, for judicial review of that determination.

(3) Every person has the right to bring civil proceedings against, and to defend civil proceedings brought by, the Crown, and to have those proceedings heard, according to law, in the same way as civil proceedings between individuals.

Historic Place Act 1993^{xxi}

Part 1 Protection of Historic Places, Section 5 Heritage orders

Without limiting any of the provisions of the Resource Management Act 1991, the Trust or the Minister may give notice to the relevant territorial authority of a requirement for a heritage order in accordance with that Act to protect—

- (a) the whole or part of any historic place, historic area, wahi tapu, or wahi tapu area; and
- (b) such area of land (if any) surrounding that historic place, historic area, wahi tapu, or wahi tapu area as is reasonably necessary for the purpose of ensuring the protection and reasonable enjoyment of it.

Archaeological sites not to be destroyed, damaged, or modified:

(1) Except pursuant to an authority granted under section 14, it shall not be lawful for any person to destroy, damage, or modify, or cause to be destroyed, damaged, or modified, the whole or any part of any archaeological site, knowing or having reasonable cause to suspect that it is an archaeological site.

(2) Except as provided in section 15 or in section 18, it shall not be lawful for any person to carry out any archaeological investigation that may destroy, damage, or modify any archaeological site.

Part 2 Registration of historic places, historic areas, wahi tapu, and wahi tapu areas: Section 22.

Register of historic places, historic areas, wahi tapu, and wahi tapu areas

- (1) The Trust shall establish and maintain a register of historic places, historic areas, wahi tapu, and wahi tapu areas.
- (2) The purposes of the register shall be as follows:
- (a) to inform members of the public about historic places, historic areas, wahi tapu, and wahi tapu areas;
 - (b) to notify owners of historic places, historic areas, wahi tapu, and wahi tapu areas where necessary for the purposes of this Act;
 - (c) to assist historic places, historic areas, wahi tapu, and wahi tapu areas to be protected under the Resource Management Act 1991;
- (3) The register shall consist of the following:
- (a) a part relating to historic places, comprising the following categories:
 - (i) Category I: places of special or outstanding historical or cultural heritage significance or value;
 - (ii) Category II: places of historical or cultural heritage significance or value;
 - (b) a part relating to historic areas;
 - (c) a part relating to wahi tapu;
 - (d) a part relating to wahi tapu areas;
- (4) The entry in and removal from the register of details of historic places, historic areas, wahi tapu, and wahi tapu areas shall be in accordance with this Part.
- (5) An entry in the register in respect of any historic place may include any chattel or object or class of chattels or objects;
- (a) situated in or on that place; and
 - (b) considered by the Trust to contribute to the significance of that place; and
 - (c) nominated by the Trust.

Part 2, section 32D. Territorial authorities and regional councils must have particular regard to recommendations.

- (1) In respect of any registered historic area, the Trust may make recommendations to the territorial authority and regional council where the historic area is located as to the appropriate measures that the authority or council should take to assist in the conservation and protection of the historic area.

(2) In respect of any registered wahi tapu area, the Council may make recommendations to the territorial authority and regional council where the wahi tapu area is located as to the appropriate measures that the authority or council should take to assist in the conservation and protection of the wahi tapu area.

(3) A territorial authority or regional council receiving recommendations under subsection (i) or subsection (ii) must have particular regard to the Trust's or the Council's recommendations.

Fisheries Act 1996

The purpose of the Act is to provide for the utilization (*conservation*) of fisheries resources while ensuring sustainability. Te Runanga o Ngati Whakaue ki Maketu are the Iwi Authority that mandate individual Iwi / Hapu permit authorisers. Both Iwi and Fisheries want to ensure the kaimoana (seafood) stocks are used for:

Whanau / Iwi / Hapu members can collect and gather kaimoana to feed the people;

The growth and sustainability of kaimoana stocks can be left to grow and replenish;

Able to grow and thrive in a healthy marine environment;

Able to carry out research projects that will identify issues and benefits for species and for economic development;

Iwi / Hapu permit monitors control the permit applications to sustain the stocks for tomorrow.

Part III Section 12 applies to the consultation process insofar as the consultation with such persons or organizations as the Minister considers are representatives of those classes of persons having an interest in the stock or the effects of fishing on the aquatic environment in the area concerned, including Maori, environmental, commercial, and recreational interests and (b) provides for the input and participation of Tangata Whenua (*People of the Land*) having:

A non-commercial interest in the stock concerned, or an interest in the effects of fishing on the aquatic environment in the area concerned and have particular regard to Kaitiakitanga (*Guardianship*).

Section 20 Marine farming permits deemed to be coastal permits:

(1) This section applies to every marine farming permit that;

(a) has been granted under section 67J of the principal Act;

(b) is in force immediately before the commencement of this Act.

(2) On and from the commencement of this Act, each marine farming permit is deemed to be a coastal permit granted under the Resource Management Act 1991 for the species of fish, aquatic life, or seaweed

and area referred to in the permit and on the same conditions as applied to the permit immediately before the commencement of this Act.

(3) The consent authority may, within 12 months after the commencement of this Act;

(a) commence a review of the conditions of a coastal permit referred to in subsection (2); and (b) if it considers it necessary to do so, vary, add, or delete conditions for the purpose of making the conditions consistent with the Resource Management Act 1991;

(4) In exercising the power in subsection (3), the consent authority;

(a) may do so on its own initiative or after a request from the holder of the permit; but (b) must not amend the species or area covered by the coastal permit;

(5) To avoid doubt, a review of conditions under subsection (3) is a review of consent conditions for the purposes of section 120 of the Resource Management Act 1991;

(6) A coastal permit referred to in subsection (2) does not, of itself, authorise the holder to occupy a coastal marine area.

Requirements for aquaculture decision:

(1) An aquaculture decision must;

(a) be in writing; and

(b) define the areas that are subject to the decision; and

(c) provide reasons for the decision; and

(d) if the decision is a determination based on a rule in a regional coastal plan or proposed regional coastal plan that relates to the character, intensity, or scale of occupation of the interim aquaculture management area by aquaculture activities;

(i) specify the rule; and

(ii) state that the rule may not be revoked or amended until the chief executive makes a further aquaculture decision in relation to the area affected by the revocation or amendment; and

(e) be notified to the regional council;

(2) If the chief executive makes a reservation, the reservation must also include -

- (a) whether the reservation relates to customary, recreational, or commercial fishing or a combination of them; and
- (b) if the reservation relates only to commercial fishing, the stocks and areas concerned, specifying any stocks subject to the quota management system, any stocks or species specified in Schedules 4C and 4D, and any stocks for species not subject to the quota management system; and
- (c) any other matters required by regulations to be included;

(3) The chief executive must;

- (a) publicly notify the fact that he or she has made a determination or reservation; and
- (b) in the notice published for that purpose, include
 - (i) the information specified in subsections (1) and (2); and
 - (ii) information about where a copy of the determination or reservation can be obtained;

Section 44 Interim aquaculture management area becomes aquaculture management area following aquaculture decision:

If the chief executive makes an aquaculture decision under section 38, the regional council must amend the regional coastal plan and any proposed regional coastal plan as follows;

- (a) in the case of a determination, by noting on the plan the details of the determination;
- (b) in the case of a reservation;
 - (i) by noting on the plan the details of the reservation; and
 - (ii) if the reservation relates to the sustainability of fisheries resources or effects on customary or recreational fishing, by deleting from the plan the area or areas that the reservation relates to.

(2) However, if, when the aquaculture decision is made under section 38, an interim aquaculture management area is in a regional coastal plan, the regional council must comply with sections 9 to 12 of the Maori Commercial Aquaculture Claims Settlement Act 2004 before it complies with subsection (1).

Section 56 Restriction on erection of structures in coastal marine area:

A coastal permit does not authorise the erection of any structure for the purpose of an aquaculture activity unless;

(a) the area to which the coastal permit relates is in an interim aquaculture management area or an aquaculture management area;

Aquaculture Legislation Amendment Bill (No 3)

This Bill is an omnibus Bill that amends legislation governing aquaculture. The four separate Acts the collectively relate to this Bill; the Resource Management Act 1991, the Fisheries Act 1996, the Maori Commercial Aquaculture Claims Settlement Act 2004, and the Aquaculture Refer (Repeals and Transitional Provisions) Act 2004. The Aquaculture Reform Bill that was to address the 'experimental aquaculture site' outside of an existing AMA is still under a review process.

Maori Commercial Aquaculture Claims Settlement Act 2004

Section 3 Purpose of Act

The purpose of this Act is to -

- (a) provide a full and final settlement of Maori claims to commercial aquaculture on or after 21 September 1992; and
- (b) provide for the allocation and management of aquaculture settlement assets.

Section 6 Settlement of claims

(1) The claims specified in subsection (2) are fully and finally settled, satisfied, and discharged.

(2) Subsection (1) applies to all claims (current and future) -

(a) by Maori in respect of commercial aquaculture activities arising on or after 21 September 1992 in the coastal marine area;

(i) whether the claims are founded on rights arising by or in common law (including customary law and aboriginal title), the Treaty of Waitangi, statute, or otherwise; and

(ii) whether in respect of sea, or coastal, aquaculture activities, including any commercial aspect of traditional aquaculture activities; and

(iii) whether or not the claims have been the subject of adjudication by the courts or any recommendation from the Waitangi Tribunal; and

(b) in respect of, or directly or indirectly based on, rights and interests of Maori in aquaculture activities on or after 21 September 1992.

(3) The obligations of the Crown to Maori in respect of commercial aquaculture activities on or after 21 September 1992 are fulfilled, satisfied, and discharged.

(4) No court or tribunal has jurisdiction to inquire into:

(a) the validity of the claims:

(b) the existence of rights and interests of Maori in commercial aquaculture activities on or after 21 September 1992:

(c) the quantification or the adequacy of the benefits to Maori provided by or under this Act.

Meaning of settlement assets

(1) In this Act, unless the context otherwise requires, **settlement assets**:

(a) means authorisations relating to aquaculture activities, coastal permits to occupy space for aquaculture activities, or the financial equivalent of the authorisations or the permits, transferred or paid or to be transferred or paid to the trustee under this Act; and

(ab) includes payments of money and the transfer of any other benefit to the trustee or an iwi aquaculture organisation under a regional agreement; and

(b) includes any authorisation held by the trustee, an iwi aquaculture organisation, or a company under the Companies Act 1993 wholly owned by 1 or more iwi aquaculture organisations in the same region if:

(i) the authorisation was transferred in exchange for an authorisation referred to in paragraph (a) or received under a previous transfer to which this paragraph applied; and

(ii) notice of both transfers was received by the regional council on the same day; and

(iii) the authorisations exchanged related to the same amount of space in the same region; and (iv) the authorisation transferred to the trustee or an iwi aquaculture organisation related to the occupation of space for aquaculture activities; and

(c) includes any coastal permits held by the trustee, an iwi aquaculture organisation, or a company under the Companies Act 1993 wholly owned by 1 or more iwi aquaculture organisations, being coastal permits obtained from authorisations referred to in paragraph (a) or paragraph (b); and

(d) includes any coastal permit held by the trustee, an iwi aquaculture organisation, or a company under the Companies Act 1993 wholly owned by 1 or more iwi aquaculture organisations in the same region if:

(i) the coastal permit was transferred in exchange for a coastal permit specified in paragraph (a) or paragraph (c) or received under a previous transfer to which this paragraph applied; and

(ii) notice of both transfers was received by the regional council on the same day; and (iii) the coastal permits exchanged related to the same amount of space in the same region; and (iv) the coastal permits transferred related to the occupation of space for aquaculture activities.

(2) However, an authorisation or coastal permit ceases to be a settlement asset if the authorisation or coastal permit is transferred to another person unless the authorisation or coastal permit is transferred: (i) from the trustee to an iwi aquaculture organisation or a company under the Companies Act 1993 wholly owned by 1 or more iwi aquaculture organisations in the same region; or (ii) from an iwi aquaculture organisation or a company under the Companies Act 1993 wholly owned by 1 or more iwi aquaculture organisations in the same region to another iwi aquaculture organisation or company under the Companies Act 1993 wholly owned by 1 or more iwi aquaculture organisations in the same region;

Section 5(1) (ab): inserted, on 30 March 2010, by section 6 of the Maori Commercial Aquaculture Claims Settlement (Regional Agreements) Amendment Act 2010 (2010 No 8).

Space to be allocated must be of economic size:

(1) The new space identified under section 9 must be of an economic size;

(2) However, if it is not possible for a regional council to comply with subsection (1), the regional council must identify new space that is of an economic size even though the new space is not representative;

(3) However, if it is not possible for a regional council to comply with subsection (2), the regional council must identify new space that comprises a single area;

(4) New space identified under subsection (2) or subsection (3) must not have less than average productive capacity compared with the new space it was originally intended to be representative of.

Ture Whenua Act 1993 / Maori Land Act 1993

The Māori Land Court (Te Kooti Whenua Māori) and the Māori Appellate Court (Te Kooti Pīra Māori) are continued under the Te Ture Whenua Māori Act 1993 and have been in existence in one form or another since the passing of the Native Land Act 1862. It has sole jurisdiction to hear matters relating to Māori land with wider jurisdiction in respect of Taipure Tribunals, Trusts (in respect of Māori Land) and applications

under the Māori Fisheries Act 2004, Māori Commercial Aquaculture Claims Settlement Act 2004 and other pieces of legislation. As at September 2009 there was approximately 1.47 million hectares of Māori Customary and Māori Freehold Land which comprise less than five percent of land in New Zealand.

The special bond between Māori people and land is recognised by the Māori Land Court, and the records held by this court form an invaluable part of the whakapapa of all Māori.

This is important to NWKMH as at least 80 percent of the land in Maketu is Te Arawa Iwi / Hapu land under the trusteeship of Te Arawa Lakes Trust.

Conservation Act 1987

Part 1 Preliminary 4 Act to give effect to Treaty of Waitangi

This Act shall so be interpreted and administered as to give effect to the principles of the Treaty of Waitangi.

Repealed sections – policy statement for conservation areas, effect to management plans.

Foreshore & Seabed Act 2004

Foreshore and Seabed Act 2004 No 93 (as at 01 April 2011), Public Act

- a. repealed;
- b. Foreshore and Seabed Act 2004: repealed, on 1 April 2011, by section 5 of the Marine and Coastal Area (Takutai Moana) Act 2011 (2011 No 3).

Marine & Coastal Area Act 2011

Section 3 Outline of Act

(1) This section is a guide to the overall scheme and effect of this Act, but does not affect the interpretation or application of the other provisions of this Act.

(2) This Part -

(a) sets out the purpose of the Act and acknowledges the importance of the marine and coastal area to all New Zealanders and the customary interests of iwi, hapū, and whānau in that area; and

(b) repeals the Foreshore and Seabed Act 2004 and restores any customary interest extinguished by that Act; and

(c) states that, in order to take account of the Treaty of Waitangi, the Act recognises, and promotes the exercise of, the customary interests of iwi, hapū, and whānau in the common marine and coastal area of New Zealand; and

(d) records the scope of the Crown's sovereignty; and

(e) defines terms used in this Act; and

(f) provides that the Act binds the Crown.

Section 4 Part 3

Sets out the customary interests that may be recognised in the common marine and coastal area of New Zealand, namely, -

(a) in subpart 1, the participation of affected iwi and hapū in the specified conservation processes relating to the common marine and coastal area; and

(b) in subpart 2, the scope and effect of protected customary rights that may be recognised by an order of the High Court or under an agreement; and

(c) in subpart 3, the scope and effect of customary marine title that may be recognised by order of the High Court or under an agreement.

Section 6 the 3 Schedules:

The 3 schedules set out:

(a) machinery provisions relevant to;

(i) decision making concerning resource consent applications that may adversely affect the exercise of protected customary rights; and

(ii) the process relating to how new activities become deemed accommodated activities; and

(b) consequential amendments.

Founding Document

Treaty of Waitangi (Māori Version)

The following version of the Treaty is taken from the first schedule to the Treaty of Waitangi Act 1975.

KO WIKITORIA, te Kuini o Ingarani, i tana mahara atawai ki nga Rangatira me nga Hapu o Nu Tirani i tana hiahia hoki kia tohungia ki a ratou o ratou rangatiratanga, me to ratou wenua, a kia mau tonu hoki te Rongo ki a ratou me te Atanoho hoki kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira hei kai wakarite ki nga Tangata maori o Nu Tirani-kia wakaaetia e nga Rangatira maori te Kawanatanga o te Kuini ki nga wahikatoa o te Wenua nei me nga Motu-na te mea hoki he tokomaha ke nga tangata o tona Iwi Kua noho ki tenei wenua, a e haere mai nei. Na ko te Kuini e hiahia ana kia wakaritea te Kawanatanga kia kaua ai nga kino e puta mai ki te tangata Maori ki te Pakeha e noho ture kore ana. Na, kua pai te Kuini kia tukua a hau a Wiremu Hopihona he Kapitana i te Roiara Nawi hei Kawana mo nga wahi katoa o Nu Tirani e tukua aiane, amua atu ki te Kuini e mea atu ana ia ki nga Rangatira o te wakaminenga o nga hapu o Nu Tirani me era Rangatira atu enei ture ka korerotia nei.

Ko te Tuatahi

Ko nga Rangatira o te Wakaminenga me nga Rangatira katoa hoki ki hai i uru ki taua wakaminenga ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu-te Kawanatanga katoa o o ratou wenua.

Ko te Tuarua

Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangitira ki nga hapu-ki nga tangata katoa o Nu Tirani te tino rangtiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otia ko nga Rangatira o te Wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te Wenua-ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

Ko te Tuatoru

Hei wakaritenga mai hoki tenei mo te wakaaetanga ki te Kawanatanga o te Kuini-Ka tiakina e te Kuini o Ingarani nga tangata maori katoa o Nu Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.

(Signed) WILLIAM HOBSON,
Consul and Lieutenant-Governor.

Na ko matou ko nga Rangatira o te Wakaminenga o nga hapu o Nu Tirani ka huihui nei ki Waitangi ko matou hoki ko nga Rangatira o Nu Tirani ka kite nei i te ritenga o enei kupu, ka tangohia ka wakaaetia

katoatia e matou, koia ka tohungia ai o matou ingoa o matou tohu. Ka meatia tenei ki Waiangi i te ono o nga ra o Pepueri i te tau kotahi mano, e waru rau e wa te kau o to tatou Ariki.

Ko nga Rangatira o te wakaminenga.

Treaty of Waitangi (English Version)

The following version of the Treaty is taken from the first schedule to the Treaty of Waitangi Act 1975.

HER MAJESTY VICTORIA Queen of the United Kingdom of Great Britain and Ireland regarding with Her Royal favour the Native Chiefs and Tribes of New Zealand and anxious to protect their just Rights and Property and to secure to them the enjoyment of Peace and Good Order has deemed it necessary in consequence of the great number of Her Majesty's Subjects who have already settled in New Zealand and the rapid extension of Emigration both from Europe and Australia which is still in progress to constitute and appoint a functionary properly authorised to treat with the Aborigines of New Zealand for the recognition of Her Majesty's Sovereign authority over the whole or any part of those islands – Her Majesty therefore being desirous to establish a settled form of Civil Government with a view to avert the evil consequences which must result from the absence of the necessary Laws and Institutions alike to the native population and to Her subjects has been graciously pleased to empower and to authorise me William Hobson a Captain in Her Majesty's Royal Navy Consul and Lieutenant Governor of such parts of New Zealand as may be or hereafter shall be ceded to her Majesty to invite the confederated and independent Chiefs of New Zealand to concur in the following Articles and Conditions.

Article the First

The Chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation cede to Her Majesty the Queen of England absolutely and without reservation all the rights and powers of Sovereignty which the said Confederation or Individual Chiefs respectively exercise or possess, or may be supposed to exercise or to possess over their respective Territories as the sole Sovereigns thereof.

Article the Second

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession; but the Chiefs of the United Tribes and the individual Chiefs yield to Her Majesty the exclusive right of Preemption over such lands as the

proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.

Article the Third

In consideration thereof Her Majesty the Queen of England extends to the Natives of New Zealand Her royal protection and imparts to them all the Rights and Privileges of British Subjects.

W HOBSON Lieutenant Governor.

Now therefore We the Chiefs of the Confederation of the United Tribes of New Zealand being assembled in Congress at Victoria in Waitangi and We the Separate and Independent Chiefs of New Zealand claiming authority over the Tribes and Territories which are specified after our respective names, having been made fully to understand the Provisions of the foregoing Treaty, accept and enter into the same in the full spirit and meaning thereof: in witness of which we have attached our signatures or marks at the places and the dates respectively specified.

Done at Waitangi this Sixth day of February in the year of Our Lord One thousand eight hundred and forty.

[Here follow signatures, dates, etc.]

Signed:

.....

Chairperson

Te Runanga o Ngati Whakaue ki Maketu

Signed:

.....

Board Member

Te Runanga o Ngati Whakaue ki Maketu

Updated: August 2011

Papa kupu Glossary

Ahi kā occupation, land rights; continued occupation, properly ahi kā roa “long burning fire”, one of the most Hui gather, meeting
 Kai moana seafood, especially shellfish etc.
 Kāinga village permanently occupied
 Kaitiaki guardians
 Karakia prayer, charm, incantation
 Kaumātua elders, wise men or women
 Kāwanatanga governance, relating to the exchange of gifts enshrined in the Treaty of Waitangi
 Kawa protocol
 Ki uta ki tai from the mountains to the sea
 Koha gifts, and consequential reciprocal obligations
 Kōiwi tangata human skeletal remains
 Kotahitanga unity
 Mahinga kai food, and places for obtaining natural foods, methods and cultural activities involved
 Mahinga parenga customary use activities
 Manaakitanga support, caring and hospitality, as shown towards guests
 Mana integrity, respect, prestige, authority
 Manamoana tribal authority over the sea coasts and off shore fisheries, generally accepted as extending iwi manawhenua from the traditional tribal land boundaries into the adjacent ocean as far as New Zealand statutory limits-currently 200 miles off shore
 Manawhenua traditional/customary authority or title over land, and the rights of ownership and control of usage on the land, forests, rivers etc. Manawhenua is held by an iwi or hapū rather than individuals. Also the land area (and boundaries, Rohē) within which such authority is held
 Manuhiri visitor
 Māoritanga actions and attributes of being Māori, culture, living according to Māori custom, traditional values, in modern New Zealand
 Marae traditional Māori open meeting ground. and ultimately decided, on their own traditionally
 Mātauranga information, knowledge, education
 Maunga mountains
 Mauri spiritual essence, life force
 Mokopuna grandchildren
 Motu islands adjacent to shore
 Ngāti Whakaue ki Maketu Hapu – Sub Tribe of Whakaue tribe.
 Noa without restriction
 Nohoanga temporary campsite (stopover), for seasonal gathering of food/kai and natural resources
 Pā Tawhito ancient pā sites
 Pōhā a kelp bag in which muttonbirds were preserved and stored
 Pononga servants
 Pūrākau cultural history
 Rāhui restriction, reservation/exclusion under tribal authority, and a marker warning of this; controls, also a statement that a resource is being actively managed, also Rangatiratanga chieftanship, the powers and qualities of chiefly leadership, and exercise of tribal authority. Self determination
 Repo wetlands and swamps
 Ritenga custom, meaning, similarity, style
 Rūnanga Ngāti Whakaue ki Maketu – Iwi Authority entity.
 Taiāpure local fisheries areas. They can be established over areas of special significance to tangata whenua
 Take tūpuna land rights inherited

Takiwā area
 Tāne husband, male, man, manly
 Tangaroa deity of the sea and fish and other marine life
 Tangata whenua people of the land, local owner/occupier, original inhabitant, the people that hold the tūrangawaewae and the manawhenua in an area, according to tribal and hapū custom
 Taonga treasured possession, material or abstract (e.g. language); Māori interest in these is protected by the Treaty of Waitangi and New Zealand statute and common law/lore
 Taonga pounamu greenstone treasures
 Tangata Tiaki Manage customary fisheries in terms of the Fisheries (SI Customary) Fisheries Regulations 1999 and Fisheries Act 1996.
 Tapu sacredness, forbidden, restricted
 Tauranga ika fish ground
 Tauranga waka canoe landing sites
 Tauira students
 Te Reo Māori Māori language
 Tikanga rights, customs, accepted protocol, rule, Māori traditions, lore or law, the correct Māori way
 Tohunga expert
 Tūāhu sacred place used for spiritual purpose
 Tuhituhi Neherā rock drawing sites
 Tūpuna ancestors
 Tūrangawaewae a person's right to stand on a particular piece of land or in a certain place and to speak and be heard on matters affecting them; their relationships to that land and its resources
 Umu oven, earth oven
 Uri descendants
 Urupā burial place, cemetery, often enclosed
 Wāhi ingoa place names
 Wāhi Kōhatu rock formations
 Wāhi Kaitiaki resource indicators from the environment
 Wāhi Mahi Kōhatu quarry sites
 Wāhi Pakanga battle sites / grounds
 Wāhi Pounamu greenstone, jade sources
 Wāhi Tapu sacred places
 Waiaata sing, chant, song, psalm, song poem
 Waimātaitai refers to coastal sea and waters in estuaries where the two waters are mixed, brackish. Also includes areas of coastal swamp
 Waipuna important springs
 Wairua spirit
 Waitapu sacred waters
 Waiwera ngāwhā hot water for healing purposes and recreation
 Waka canoe
 Wānanga place of learning, lore, special knowledge
 Whakaaro think, opinion, feelings, concept
 Whakapapa genealogy, cultural identity
 Whakataukī proverbial saying
 Whānau family (extended). Several whānau may constitute a hapū and several hapū constitute an iwi (tribe); further, several tribes of related descent may comprise a waka (canoe) grouping. Such groupings based on whakapapa (descent) and waka (migratory) .
 Whānaungatanga the relationship which binds people together through common genealogy; unity of purpose and mutual support
 Wharenui big house
 Whenua land, country

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