



# Deed of

Deed of Settlement  
between the Crown and  
Ngāti Rangiwewehi

# Settlement

## General background

Ngāti Rangiwewehi is an Iwi of the Te Arawa waka, based in the Rotorua area.

Ngāti Rangiwewehi is represented in negotiations by Te Maru o Ngāti Rangiwewehi Iwi Authority who, together with the Tapuika Iwi Authority, signed joint terms of negotiation with the Crown on 14 August 2008. The Crown recognised their mandate on 30 October 2008. The Ngāti Rangiteaorere Claims Committee joined the negotiations in 2009 and the three together form the collective Ngā Punawai o Te Tokotoru. While the three iwi have worked collaboratively during negotiations, each iwi has negotiated separate Treaty settlements. On 16 June 2011, the Crown signed an Agreement in Principle with Te Maru o Ngāti Rangiwewehi Iwi Authority.

The Crown and Te Maru o Ngāti Rangiwewehi Iwi Authority initialled a Deed of Settlement on 11 October 2012. The Deed was then ratified and signed on 16 December 2012.

The Office of Treaty Settlements, with the support of the Department of Conservation and other government agencies, represented the Crown in day-to-day negotiations. The Minister for Treaty of Waitangi Negotiations, Hon Christopher Finlayson, represented the Crown in high-level negotiations with Te Maru o Ngāti Rangiwewehi Iwi Authority.

## Summary of the historical background to the claims of Ngāti Rangiwewehi

The historical account describes the constructive relationship that developed between the Crown and Ngāti Rangiwewehi in the 1840s and 1850s. However, when the Crown brought war to Tauranga in 1864, members of Ngāti Rangiwewehi went to assist their traditional allies. The Crown regarded Māori who fought in the Tauranga battles as rebels and confiscated 290,000 acres of land around Tauranga including land in which Ngāti Rangiwewehi had customary interests. The Crown retained 50,000 acres and returned the remainder to Māori. However, all customary interests in the returned lands were compulsorily extinguished.

Kereopa Te Rau was a member of Ngāti Rangiwewehi. In 1864, during the Waikato war, his wife and daughter were killed by Crown forces. In the Eastern Bay of Plenty in 1865 a group of Māori killed a missionary who had previously sent the Crown a plan of the pā where Kereopa's whānau were killed. In 1871, Kereopa was convicted of the murder of the missionary and sentenced to death.

The historical account also discusses the impact on Ngāti Rangiwewehi of the land laws introduced in the 1860s and how in the 1870s Ngāti Rangiwewehi leaders criticised these laws, and unsuccessfully called for tribal control of land and resources. In 1880, Ngāti Rangiwewehi were among the Māori signatories to an agreement made with the Crown to establish a township at Rotorua. A committee of local chiefs concluded Ngāti Rangiwewehi had interests in the township block but the Native Land Court did not award Ngāti Rangiwewehi any interests there.

The Crown acquired most of the lands of Ngāti Rangiwewehi prior to 1909. In the 1890s the Crown purchased individualised shares in a block in the core Ngāti Rangiwewehi rohe before the block had been partitioned and the specific holdings of hapū and whānau had been defined. In 1896 the Crown applied to have its interests in the block defined and was awarded roughly a third of the block, including the most valuable land in the block and freshwater springs near Hamurana which are taonga for Ngāti Rangiwewehi.

The historical account concludes with a description of the 1966 taking from Ngāti Rangiwewehi of a block near Ngongotaha. This block, which was compulsorily acquired by a local authority for waterworks purposes, contains springs known collectively as Taniwha Springs which are central to Ngāti Rangiwewehi traditions and identity as an iwi. A pump station was built over the springs where it remains today. The local authority had previously sought an alternative source of water from the Crown but the Crown refused to make it available.

For a full description of the historical grievances please refer to the historical account in the deed.

# Settlement

## Summary of the Ngāti Rangiwewehi Settlement

### Overview

The Ngāti Rangiwewehi Deed of Settlement provides for full and final settlement of all historical Treaty of Waitangi claims of Ngāti Rangiwewehi resulting from acts or omissions by the Crown prior to 21 September 1992, and includes:

- an agreed historical account, Crown acknowledgments and apology
- cultural redress
- financial and commercial redress.

The benefits of the settlement will be available to all members of Ngāti Rangiwewehi wherever they may live.

### Crown acknowledgements and apology

In the deed, the Crown acknowledges that it breached the Treaty of Waitangi and its principles in its dealings with Ngāti Rangiwewehi. These breaches include the Crown's responsibility for initiating hostilities in Tauranga in 1864 and subsequent loss of life for Ngāti Rangiwewehi; the compulsory extinguishment of Ngāti Rangiwewehi customary interests through the Tauranga raupatu of the 1860s; the erosion of the traditional tribal structures of Ngāti Rangiwewehi as a result of native land laws; and the Crown's failure to provide Ngāti Rangiwewehi with an effective form of corporate title prior to 1894. The deed also includes an apology from the Crown to Ngāti Rangiwewehi for these breaches of the Treaty of Waitangi.

Please refer to the deed for the full text of the Crown acknowledgements and Crown apology to Ngāti Rangiwewehi.

### Cultural redress

1. Recognition of the traditional, historical, cultural and spiritual associations Ngāti Rangiwewehi has with places and sites within their area of interest. The cultural redress package consists of the vesting of sites of significance, other site specific redress and relationship redress.

#### 1(A) VESTING OF SITES OF SIGNIFICANCE

##### HAMURANA SPRINGS

In recognition of the importance of Hamurana Springs to Ngāti Rangiwewehi, the settlement vests this key site (37.22 ha) in the Ngāti Rangiwewehi post-settlement governance entity in two portions.

The larger portion will be vested as a recreation reserve. The Rotorua District Council water supply is specifically excluded from the transfer and will remain in Crown ownership.

The second portion (1.32 ha), which contains a pā site, will be vested as a historic reserve.

#### TE RIU O NGATA

Te Riu o Ngata (formerly Penny Road Scenic Reserve), a 18.41 hectare site, will be vested in the Ngāti Rangiwewehi post-settlement governance entity subject to a conservation covenant for biodiversity values and public access with a provision for the cultural harvest of flora. This will enable Ngāti Rangiwewehi to share their history, culture and to educate and train people about conservation and flora harvesting/cultivating.

#### NGĀ TINI ROIMATA A RANGIWEWEHI

Ngā Tini Roimata a Rangiwewehi (formerly part of Mangapouri Scenic Reserve), a 2.5 hectare site, will be vested in the Ngāti Rangiwewehi post-settlement governance entity as a scenic reserve.

#### TE RIU O KERERU

Ngāti Rangiwewehi will acquire approximately 6 hectares of the Taumata Scenic Reserve in two portions. These properties are being vested in the Ngāti Rangiwewehi post-settlement governance entity in recognition of their strong cultural association with these sites.

Te Riu o Kereru A (a 0.5 ha site) will vest in the Ngāti Rangiwewehi post-settlement governance entity in fee simple title only to enable Ngāti Rangiwewehi to establish a native plant nursery on the site.

Te Riu o Kereru B (5.5ha) will vest in the Ngāti Rangiwewehi post-settlement governance entity as a scenic reserve.

#### TE TAITA

The Crown will also vest an area within the Te Matai Conservation Forest (6 ha), to be known as Te Taita, jointly in the Ngāti Rangiwewehi post-settlement governance entity and the Tapuika Iwi Authority Trust as a scenic reserve.

## Relationships

#### 2A. PROTOCOLS, LETTER OF INTRODUCTION & PROMOTION OF RELATIONSHIPS

The Ngāti Rangiwewehi deed of settlement includes protocols in relation to taonga tūturu (Minister of Conservation), conservation (Minister of Conservation) and Crown minerals (Minister of Energy and Resources).

The deed also provides that should Ngāti Rangiwewehi form an independent mandated iwi organisation. The Minister for Primary Industries will enter into a protocol with the Ngāti Rangiwewehi PSGE.

The deed of settlement also provides for letters of introduction to be provided from the Minister for Treaty of Waitangi Negotiations to a number of agencies, local authorities and third parties to promote an enhanced relationship between the iwi and the organisation concerned.

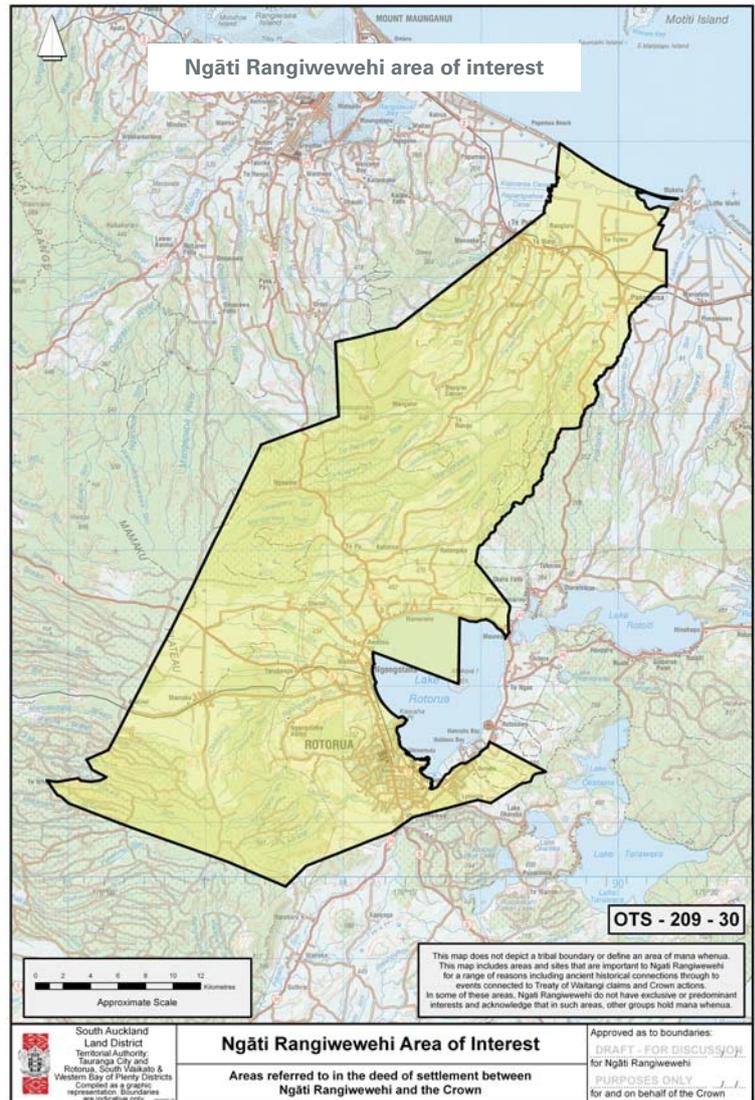
## Financial and commercial redress

- This redress recognises the losses suffered by Ngāti Rangiwewehi arising from breaches by the Crown of its Treaty obligations. The financial and commercial redress is aimed at providing Ngāti Rangiwewehi with resources to assist them to develop their economic and social well being.

Ngāti Rangiwewehi will receive financial and commercial redress of \$6,000,000, comprising an on-account amount paid in 2008, a cash amount and commercial properties.

Ngāti Rangiwewehi will have the option to purchase a Crown-owned property following settlement date.

In addition Ngāti Rangiwewehi will also have a right of first refusal over 1.3364 ha of land held by the Ministry of Education, (Kaharoa Primary School, Kaharoa Road). This right continues for 171 years from the settlement date.



# Q&A

## Questions and Answers

### 1. What is the total cost to the Crown?

The total cost to the Crown of redress offered to Ngāti Rangiwewehi is \$6,219,000, which includes financial redress and interest on quantum.

### 2. Is there any private land involved?

No.

### 3. Are the public's rights affected?

Generally, no. Where land is transferred with a reserve classification then the relevant provisions of the Reserves Act, including those concerning public access, will continue to apply.

Part of Taumata Scenic Reserve (0.5ha) will vest in Ngāti Rangiwewehi in fee simple title.

### 4. Are any place names changed?

Yes. Hamurana Stream will be renamed through the Ngāti Rangiwewehi settlement as Kaikaitahuna Stream.

### 5. Does Ngāti Rangiwewehi have the right to come back and make further claims about the behaviour of the Crown in the 19th and 20th centuries?

No. If a Deed of Settlement is ratified, signed and supported by legislation, both parties agree it will be a final and comprehensive settlement of all historical (relating to events before 21 September 1992) Treaty of Waitangi claims of Ngāti Rangiwewehi. The settlement legislation, once passed, will prevent Ngāti Rangiwewehi from re-litigating the claim before the Tribunal or the courts.

### 6. What happens to memorials on private titles?

The legislative restrictions (memorials) placed on the titles of Crown properties, and some former Crown properties now in private ownership, will be removed once all Treaty claims in the area have been settled.

### 7. What are Statutory Acknowledgments and Deeds of Recognition?

Statutory Acknowledgments acknowledge areas or sites with which iwi have a special relationship, and will be recognised in any relevant proceedings under the Resource Management Act. These provisions aim to avoid past problems where areas of significance to Māori, such as burial grounds, were simply cleared or excavated for public works or similar purposes without permission or consultation with iwi. Statutory Acknowledgments do not convey a property right and are non-exclusive.

Deeds of Recognition set out an agreement between the administering Crown body (the Minister of Conservation) and a claimant group in recognition of their special association with a site and specify the nature of their input into the management of the site.

Statutory Acknowledgments and Deeds of Recognition are included in most Treaty settlements.

### 8. Who benefits from the settlement?

All members of Ngāti Rangiwewehi, wherever they may now live.

This and other settlement summaries are available at [www.govt.nz](http://www.govt.nz)