

Hon Kelvin Davis

MP for Te Tai Tokerau

Minister for Māori Crown Relations: Te Arawhiti

Minister for Children

Minister of Corrections

Associate Minister of Education (Māori Education)



Wiari Rauhina
Chair
Te Kotahitanga o Ngāti Tūwharetoa Trust

29 AUG 2023

By email: patai@tknt.maori.nz

Tēnā koe

Letter of Agreement regarding Statements of Association under the Ngāti Tūwharetoa Deed of Settlement

This letter records the agreement of the Trustees of Te Kotahitanga o Ngāti Tūwharetoa Trust, on behalf of Ngāti Tūwharetoa, and myself, as Minister for Māori Crown Relations – Te Arawhiti, on behalf of the Crown, to two matters relating to Statements of Association under the Ngāti Tūwharetoa Deed of Settlement. These include:

- 1) the addition of the Ngāti Tūwharetoa Statement of Association for Waikato River and its Tributaries (the Waikato River Statement of Association); and
- 2) clarification regarding the Statement of Association for Lake Rotokawa.

Background to this letter

Ngāti Tūwharetoa and the Crown signed a Deed of Settlement on 8 July 2017 (the Deed). As part of the cultural redress package, the Crown agreed that the settlement legislation would provide statutory acknowledgement of the statements by Ngāti Tūwharetoa of their particular cultural, spiritual, historical and traditional association with several lakes, rivers, mountains and geothermal fields within the Ngāti Tūwharetoa area of interest. These included the Waikato River and its Tributaries within the Ngāti Tūwharetoa area of interest and Lake Rotokawa.

The statements of association were prepared by Tūwharetoa representatives in 2017 prior to the Deed being signed. The settlement legislation, passed in 2018, provided statutory acknowledgment of all the agreed statements of association at section 29 of the Ngāti Tūwharetoa Claims Settlement Act 2018 (the Act).

Insertion of Waikato River Statement of Association

In 2019, the Crown was made aware that the Waikato River Statement of Association had been inadvertently omitted from the Deed. This letter therefore records the parties' agreement to include the Waikato River Statement of Association, attached at **Attachment 1**, in the Deed's documents schedule.

The Crown and the Trustees agree that the Waikato River Statement of Association is included as document 4.6 in the Deed's document schedule. It will be published in full as a separate document on the webpage for the Ngāti Tūwharetoa Deed of Settlement alongside the Deed and Documents.

Clarification regarding Lake Rotokawa Statement of Association

In 2019 the Crown was also alerted to an ambiguity in the Deed's documents schedule regarding the Lake Rotokawa Statement of Association. The Statement of Association for Geothermal Resources (document 4.2 of the Deed's document schedule) includes a section addressing Ngāti Tūwharetoa connections with Rotokawa Geothermal Field. The content of this section also covers the connection with Lake Rotokawa as it was intended to be a joint statement of association for both features. However, the documentation does not make this clear.

The Crown and the Trustees agree that the Statement of Association for Geothermal Resources: Rotokawa Geothermal Field covers both Rotokawa Geothermal Field and Lake Rotokawa. The relevant section of the Statement of Association will be duplicated as a separate document on the settlement webpage under the revised heading 'Statement of Association for Geothermal Resources: Rotokawa Geothermal Field and Lake Rotokawa.'

Conclusion

These minor changes to the Deed's documents schedule are to reflect the parties' previous agreements regarding these statements of association. Given this, both parties have agreed that a deed to amend the Deed is not required. A signed copy of this letter and its attachments will also be published on the settlement webpage.

This letter is signed by me, consistent with the spirit of partnership that underpins the Ngāti Tūwharetoa Deed of Settlement. I would be pleased if you would confirm the agreement of both parties to the changes outlined above, by countersigning this letter.

Nāku noa, nā



Hon Minister Davis
Minister for Māori Crown Relations – Te Arawhiti

Dated: 29/8/ 2023

I confirm the agreement of Te Kotahitanga o Ngāti Tūwharetoa Trust to the amendments to the Deed's documents schedule outlined above to include the Waikato River Statement of Association and clarify that the Statement of Association for Lake Rotokawa is included in the Statement of Association for Geothermal Resources Rotokawa Geothermal Field.



Wiari Rauhina
Chair
Te Kotahitanga o Ngāti Tūwharetoa Trust

Dated: 26 January 2023

Attachment 1: Ngāti Tūwharetoa Statement of association for Waikato River and Its Tributaries

**4.6 STATEMENT OF ASSOCIATION FOR WAIKATO RIVER AND
ITS TRIBUTARIES**

NGĀTI TŪWHARETOA DEED OF SETTLEMENT: DOCUMENTS

4.6: STATEMENT OF ASSOCIATION FOR WAIKATO RIVER AND ITS TRIBUTARIES

The following Statement of Association by Ngāti Tūwharetoa applies to the Waikato River and its Tributaries between te Pūau (the river mouth at Nukuhau) and the convergence of the Waikato River and the Waipapa Stream.

Waikato River

According to Ngāti Tūwharetoa oral tradition, the name Waikato was given by the Ngāti Tūwharetoa tupuna Ngatoroirangi, who used the term '*te wai ka to*'; the river that was pulled. This kōrero was associated with an incident in Ngāti Tūwharetoa oral history between Tongariro maunga and Taupiri maunga. Taupiri became ill and sent a kaitiaki to Tongariro to ask for special healing waters. Tongariro assisted by sending healing waters to Taupiri from a special cave. The waters followed the kaitiaki to Taupiri, so were "pulled" or "led" to their destination. Taupiri received the sacred gift from Tongariro and recovered.

Ngāti Tūwharetoa consider that the river is an indivisible whole, from its source on Tongariro (known as Waikatoiti) to te Pūaha (the mouth of the river to the sea). At different places along the length of the river it is associated with other hapū and iwi. Ngāti Tūwharetoa maintain their kaitiakitanga and mana from its source, across Lake Taupo, te Pūau to the river's convergence with the Waipapa Stream. Ngāti Tūwharetoa interests downstream from Te Toka a Tia are primarily on the western bank of the river.

The Waikato River provided sustenance for Ngāti Tūwharetoa in the form of fresh water and an abundance of kai in the form of fish, particularly kōkopu, inanga, tuna and kōaro. In traditional times there were also kōura and particular plants and reeds that were used for consumption.

Kōkopu are rarely seen nowadays, but these were commonly found at Nukuhau. Kōura were plentiful and fish were trapped in the raupō.

Te Pūau

Nukuhau was a very large Ngāti Tūwharetoa pā at te Pūau. Tapuaeharuru was also close to the river mouth and was associated with a number of Ngāti Tūwharetoa tūpuna including Te Urunga and his descendants down to Poihipi Tukairangi. Motutahae (Cherry Island) was a small island kāinga and contained a number of urupā. Te Pā o te Waira is another small island pā site above Te Huka.

Te Huka

Ngāti Tūwharetoa consider Te Huka to be a taonga. It is particularly associated with Ngāti Ruingarangi, Ngāti Te Urunga, Ngāti Rauhoto and Te Kapa o Te Rangiita. The name Te Huka refers to the foaming water that is created by the power of the falls.

Traditionally the area had many small puna (springs) - both hot and cold - which were dotted all around the area. Ngāti Tūwharetoa gathered tī kōuka, mamaku and pikopiko there.

There are also many wāhi tapu associated with Te Huka.

A number of Ngāti Tūwharetoa tūpuna were interred within the caves and crevices near Te Huka. One such ancestor was Tamatehura, elder brother of the great warrior Wairangi.

Ataimuri

When Te Arawa waka came ashore, certain tūpuna travelled inland. When Tia arrived at the Waikato River he saw that the river was dirty, meaning someone was walking upstream from him. Tia realised he was late and named that part of the river Atiamuri (when Tia was behind).

Aratiatia

Further along the Waikato River, Tia arrived at rapids. He named this part of the river Aratiatia (the staircase of Tia).