

**TE ARAWA**

**and**

**ARAWA MĀORI TRUST BOARD**

**and**

**HER MAJESTY THE QUEEN**

**in right of New Zealand**

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**DEED TO AMEND DEED OF SETTLEMENT OF THE  
TE ARAWA LAKES HISTORICAL CLAIMS AND  
REMAINING ANNUITY ISSUES**

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15 February 2006



## DEED TO AMEND DEED OF SETTLEMENT

THIS DEED is made on the 15<sup>th</sup> day of February 2006

### BETWEEN

- (1) TE ARAWA
- (2) ARAWA MĀORI TRUST BOARD
- (3) HER MAJESTY THE QUEEN in right of New Zealand acting by the Minister in Charge of Treaty of Waitangi Negotiations and the Minister of Māori Affairs.

### BACKGROUND TO THIS DEED

- A. The Crown, Te Arawa and Arawa Māori Trust Board are parties to a Deed of Settlement dated 18 December 2004.
- B. The parties wish to ensure that the Deed of Settlement, where necessary, is consistent with the Settlement Legislation in the form it is to be proposed by the Crown for introduction to Parliament.
- C. The parties have agreed to vary the Deed of Settlement, as set out in this Deed.
- D. Te Arawa Lakes Trust has been established as the Governance Entity under clause 3.4 of the Deed of Settlement and, by virtue of clause 3.8 of the Deed of Settlement, the trustees of that Trust are authorised to enter into this Deed to Amend on behalf of Te Arawa.

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## 1. DEFINITIONS AND CONSTRUCTION

### TERMS DEFINED IN THIS DEED

- 1.1. In this Deed, *Deed of Settlement* means the Deed of Settlement described in Background A above.

### DEFINITIONS AND INTERPRETATION FROM DEED OF SETTLEMENT

- 1.2. Unless the context requires otherwise:
- 1.2.1 the terms defined in the Deed of Settlement have the same meaning in this Deed; and
  - 1.2.2 the rules of interpretation set out in the Deed of Settlement apply to the interpretation of this Deed.

## 2. AMENDMENT TO THE DEED OF SETTLEMENT

### DEED OF SETTLEMENT AMENDED AS SET OUT IN FIRST SCHEDULE

- 2.1 The clause or Schedule of the Deed of Settlement referred to in column 1 of the First Schedule to this Deed is amended, or inserted as a new clause or Schedule, as set out in column 2 of that First Schedule.

### DEED OF SETTLEMENT OTHERWISE UNCHANGED

- 2.2 Except as expressly provided in this Deed, the Deed of Settlement remains unchanged.

**EXECUTED** as a deed on the 15<sup>th</sup> day of February 2006

Handwritten signatures in the bottom right corner of the page.

EXECUTED for and on behalf  
of TE ARAWA by Putu Mihaka  
as Chairman of the  
TE ARAWA LAKES TRUST

Putu Mihaka

in the presence of:

WITNESS

Paul Hixon Hanon

Name: PAUL HIXON HANON

Address: 74 Hawako Point Road  
Rotorua

Occupation: PROPERTY MANAGER  
TE ARAWA MAORI TRUST BOARD

EXECUTED for and on behalf  
of TE ARAWA by Andrew Wharehuia Rangiheuea  
as Trustee of the  
TE ARAWA LAKES TRUST

Andrew Wharehuia Rangiheuea

in the presence of:

WITNESS

Paul Hixon Hanon

Name: PAUL HIXON HANON

Address: 74 Hawako Point Road  
Rotorua

Occupation: PROPERTY MANAGER  
TE ARAWA MAORI TRUST BOARD

*Am*

EXECUTED for and on behalf  
of TE ARAWA by William Emery  
as Trustee of the  
TE ARAWA LAKES TRUST

W Emery  
in the presence of:

WITNESS

Paul Hixon Hamon  
Name: PAUL HIXON HAMON  
Address: 74 KAWAKA POINT ROAD.  
          ROTOAUA.  
Occupation: PROPERTY MANAGER  
              TE ARAWA MAORI TRUST BOARD

EXECUTED by the ARAWA  
MĀORI TRUST BOARD by  
affixing its common seal  
in the presence of:



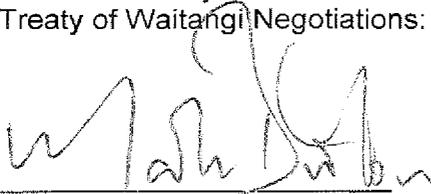
Andrew Wharehuia Rangiheuea  
Andrew Wharehuia Rangiheuea  
Chairman of the Board

Poiti Arama Karaka Pirika  
Poiti Arama Karaka Pirika  
Deputy Chairman of the Board

Roku Adrian Mihinui  
Roku Adrian Mihinui  
Secretary and General Manager of the Board

*[Handwritten signature]*

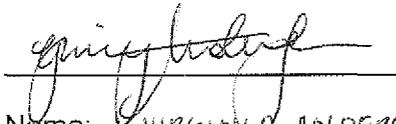
**SIGNED** for and on behalf of **HER MAJESTY THE QUEEN** in right of New Zealand by the Minister in Charge of Treaty of Waitangi Negotiations:



Honourable Mark Burton

in the presence of:

**WITNESS**



Name: VIRGINIA ANDERSEN

Occupation: PRIVATE SECRETARY

Address: WELLINGTON

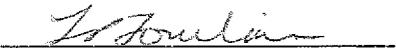
**SIGNED** for and on behalf of **HER MAJESTY THE QUEEN** in right of New Zealand by the Minister of Māori Affairs:



Honourable Parekura Horomia

in the presence of:

**WITNESS**



Name: Louise Peti Tomlin

Occupation: Private Secretary

Address: WELLINGTON



**FIRST SCHEDULE  
(Amendments)**

Clause or Schedule of the Deed Of Settlement	Amendment to the Deed of Settlement
Clause 1.15.2	Clause 1.15.2 is deleted and replaced by: "includes any right of the Arawa Māori Trust Board to receive the Annuity for the period on and from the Date of this Deed".
Clause 2.12	The words "with effect from the Date of this Deed" are deleted.
Clause 8.9	<p>The second and third words of the third line and the sixth line are joined together so they read "arohanuitia", on each occasion.</p> <p>The word "e" is inserted after the word "ana" in the third line.</p> <p>The word "tikanga" is deleted from the fourth line and replaced by "mātāpono".</p> <p>The words "kino ai" are inserted after the word "papā" in the sixth line.</p>
Clause 9.2.1	<p>Clause 9.2.1 is deleted and replaced by:</p> <p>"no later than the Settlement Date, the Rotorua District Council and the Bay of Plenty Regional Council must establish the Rotorua Lakes Strategy Group, whose members are appointed by the Organisations;"</p>
Clause 9.2.5	<p>Subclause (c) is deleted and replaced by:</p> <p>"(c) clauses 30(5), (7) and (9)(b)".</p>
Clause 9.2.6	The clause reference "6.1(b)" is deleted and replaced by "6(1)(b)".
Clauses 9.5.3, 9.8.3, 9.11 and 9.14	<p>The words "grant, create or provide evidence" are deleted and replaced by:</p> <p>"have the effect of granting, creating or providing evidence".</p>
Clause 10.1.1	<p>The definition of <b>Crown Stratum</b> is amended to read:</p> <p>"<b>Crown Stratum</b> means the space occupied by water and the space occupied by air above each Te Arawa Lakebed;"</p>
Clause 10.1.3	<p>The definition of <b>Te Arawa Lakebed</b> is amended to read:</p> <p>"<b>Te Arawa Lakebed</b> means, in respect of each Te Arawa Lake except Lake Ōkaro, the stratum comprising the land</p>

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	<p>defined by the legal description for that lakebed in <b>Subpart B of Part 1</b> of the <b>Cultural Redress Schedule</b>, including the subsoil beneath that land and plants attached to that land, but excluding:</p> <p>(a) the Crown Stratum;</p> <p>(b) any submerged land not owned by the Crown;</p> <p>(c) any land that is not submerged land, whether or not owned by the Crown, including any island in the relevant lake;</p> <p>(d) any aquatic life in the relevant lake, except plants attached to that lakebed;</p> <p>(e) any Existing Structure situated in or on that lakebed (or in the Crown Stratum); and</p> <p>(f) the Ohau Channel between Lakes Rotorua and Rotoiti;”.</p>
Clause 10.1.4	The words “at the Settlement Date” are inserted immediately before the first colon and are deleted from subclause 10.1.4(b).
Clause 10.1.14	The word “transfer” is deleted and replaced by “dispose of or alienate, or grant or create a mortgage or other charge in or over,”.
Clause 10.1.16	The words before the colon are deleted and replaced by:  “despite the inclusion of plants in the definition of Te Arawa Lakebed under clause 10.1.3”.
Clause 10.1.21A	The following clause is inserted as a new clause 10.1.21A immediately after clause 10.1.21:  “to avoid doubt, an activity of a kind described in items 7 and 8 in <b>Subpart C of Part 1</b> of the <b>Cultural Redress Schedule</b> must be treated as an existing commercial activity, whether or not: (a) the activity has, in whole or in part, a commercial purpose; or (b) any pecuniary gain results from carrying out the activity;”
Clause 10.1.23	The words “is in or on a Te Arawa Lakebed and” are inserted after the word “it” in the first line.
Clause 10.1.23	The words “including (but without limitation)” are deleted from subclause (a) and replaced by “which may include”.
Clause 10.1.24	The words “or not being correctly described” are inserted after the word “described” in the third line.
Clause 10.1.25	Delete the word “otherwise”.
New clause 10.1.28A	The following clause is inserted as a new clause 10.1.28A immediately after clause 10.1.28:  “ <b>clause 10.1</b> and <b>clause 10.2</b> do not limit or otherwise affect a right or authorisation provided by or under any Enactment that does not require the consent of the Governance Entity as owner of a Te Arawa Lakebed”.
Clause 10.1.29	The words “statutory right” are deleted from the first line and

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	replaced by:  "right or authorisation by or under any Enactment".
Clause 10.1.31(a)	The words "or rule of law" are inserted after the word "Enactment".
Clause 10.1.32	Clause 10.1.32 is deleted and replaced by:  "where a Public Utility Authority has a right or authorisation by or under any Enactment to do anything referred to in <b>clause 10.1.29</b> , and the Enactment requires the consent of the owner of a Te Arawa Lakebed to the exercise of the right or authorisation, the Governance Entity must not:  (a) unreasonably withhold that consent, despite any Enactment or rule of law; or (b) impose a charge, whether as a condition of the grant of that consent or otherwise, except as expressly permitted under any Enactment;"
Clause 10.1.33	Clause 10.1.33 is deleted and replaced by:  "the Resource Management Act applies except to the extent the Settlement Legislation expressly excludes its application;"
Clause 10.1.34	Clause 10.1.34 is deleted and replaced by:  "a <b>Public Utility</b> under <b>clause 10.1.29</b> means a structure or thing made, or an activity carried on, for the purposes of public utility, and includes: (a) a network utility operation as defined in section 166 of the Resource Management Act; (b) any project or works relating to electricity generation; (c) harbourmaster functions carried out, and harbour works made, under the Local Government Act 1974; (d) navigation aids and any activity of or on behalf of the Crown, a Local Authority, or a statutory body that is necessary for the purpose of assisting or improving the navigation of vessels over the Te Arawa Lakebeds; (e) public works, including reclamations, carried out by or on behalf of the Crown or a Local Authority; (f) structures made, or activities or works carried on, by or on behalf of a Local Authority for the control of water levels and the avoidance and control of flooding; and (g) structures and activities of the National Institute of Water and Atmospheric Research Limited, the Institute of Geological and Nuclear Sciences Limited and the Department of Conservation;"
Clause 10.1.36	Clause 10.1.36 is deleted and replaced by:  " <b>clauses 10.1.17 and 10.1.19</b> do not apply to any Public Utility;"

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<p>New clause 10.1.36A</p>	<p>The following clause is inserted as a new clause 10.1.36A immediately after clause 10.1.36:</p> <p>"<b>clause 10.1.20</b> does not apply in the case of an Existing Commercial Activity that is also a Public Utility, unless that Existing Commercial Activity is of a kind described in item 7 of <b>Subpart C of Part 1</b> of the <b>Cultural Redress Schedule</b> (other than a structure or activity of the Department of Conservation, the Institute of Geological and Nuclear Sciences Limited, or the National Institute of Water and Atmospheric Research Limited);".</p>
<p>New clause 10.1.36B</p>	<p>The following clause is inserted as a new clause 10.1.36B immediately after clause 10.1.36A:</p> <p>"<b>clauses 10.1.29 to 10.1.32</b> do not apply to a Public Utility that is also an Existing Commercial Activity of a kind described in item 7 of <b>Subpart C of Part 1</b> of the <b>Cultural Redress Schedule</b> (other than a structure or activity of the Department of Conservation, the Institute of Geological and Nuclear Sciences Limited, or the National Institute of Water and Atmospheric Research Limited);".</p>
<p>Clause 10.1.43</p>	<p>Clause 10.1.43 is deleted and replaced by: "despite any Enactment or rule of law to the contrary, the consent of the Governance Entity as owner of a Te Arawa Lakebed is not required for a structure, activity, or other matter in, on, or otherwise affecting, the Te Arawa Lakebed, except as set out in clauses 10.1.27, 10.1.30 and 10.1.32."</p>
<p>New clause 10.1.43A</p>	<p>A new heading <b>Limits as to consent required</b> is inserted immediately below <b>clause 10.1.42</b> and below <b>clause 10.1.43</b> the following new clause is inserted as <b>clause 10.1.43A</b>.</p> <p>"despite any Enactment or rule of law to the contrary, the consent of an occupier is not required for a structure, activity, or other matter in or on, or otherwise affecting, a Te Arawa Lakebed or the Crown Stratum;"</p>
<p>New clause 10.1.43B</p>	<p>The following clause is inserted as a new <b>clause 10.1.43B</b> immediately after new <b>clause 10.1.43A</b>:</p> <p>"in <b>clause 10.1.43A</b>, <b>occupier</b> means a person lawfully occupying, or lawfully exercising rights over, all or part of a Te Arawa Lakebed under a lease, licence, easement, or <i>profit à prendre</i> granted by the Governance Entity;"</p>
<p>New clause Clause 10.2.8</p>	<p>The full stop at the end of clause 10.2.7 is replaced by a semi-colon and the following is inserted as a new clause 10.2.8 immediately after clause 10.2.7: "nothing in the Settlement Legislation limits the application of the provisions of the Historic Places Act 1993 in relation to the Te Arawa Lakebeds."</p>
<p>New clause</p>	<p>The following is inserted as a new clause 10.1.1A immediately</p>

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10.11A	<p>after clause 10.11:</p> <p><b>“Settlement Legislation may omit provisions</b></p> <p>Despite anything to the contrary in this Deed, the Settlement Legislation may omit to provide for the matters specified in <b>clauses 10.1.16(b) and 10.1.24.</b>”</p>
Clause 11.1.2	The words “a reference to” are inserted immediately before “the text”.
Clause 11.5.2	<p>Clause 11.5.2(a) is deleted and replaced by:</p> <p>“may be by reference to the relevant provisions of the Settlement Legislation or by setting out the Statutory Acknowledgement in full; and”.</p>
Clause 11.5.2	The word “notice” is deleted from subclause (b) and replaced by “information”.
Clause 11.8.1	The words “legislation or a bylaw” are deleted from subclause (a) and replaced by “an Enactment”.
Clause 11.8.2	The words “legislation or a bylaw” are deleted and replaced by “an Enactment”.
Clause 11.19	<p>Clause 11.19 is deleted and replaced by:</p> <p>“The Regulations shall prevail over:</p> <p>11.19.1 regulation 70 of the Freshwater Fisheries Regulations 1983 , to the extent that that regulation applies to the Included Species;</p> <p>11.19.2 regulation 71 of the Freshwater Fisheries Regulations 1983, to the extent that that Regulation applies to:</p> <p style="padding-left: 40px;">(a) the taking of an Included Species for human consumption; and</p> <p style="padding-left: 40px;">(b) the sale or trade of koura or its possession for the purpose of sale or trade;</p> <p>11.19.3 the Fisheries (Amateur Fishing) Regulations 1986, to the extent they apply to the Included Species; and</p> <p>11.19.4 the Fisheries (Kaimoana Customary Fishing) Regulations 1998, to the extent that they apply to the Included Species.”</p>
New clause 11.19A	<p>The following clause is inserted as a new clause 11.19A immediately after clause 11.19:</p> <p>The regulations specified in <b>clause 11.19.1 to 11.19.3</b></p>

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	continue to apply to the Te Arawa Lakes that do not have a management structure appointed to manage customary food gathering under <b>clause 11.20.2.</b> "
Clause 11.21	<p>Clause 11.21 is deleted and replaced by:</p> <p><b>"If the Minister of Fisheries receives a recommendation under clause 11.20.4:</b></p> <p>11.21.1 the Minister must act in a manner that is consistent with the Treaty of Waitangi (Fisheries Claims) Settlement Act;</p> <p>11.21.2 the Minister must consult with the Minister of Conservation and take into account that Minister's views on:</p> <ul style="list-style-type: none"> <li>(a) the information required to set a total allowable catch and total allowable commercial catch for the relevant Included Species;</li> <li>(b) the sustainable utilisation of the relevant Included Species;</li> <li>(c) the impact of commercial fishing for the relevant Included Species on the conservation of species managed under the Conservation Act;</li> <li>(d) the impact of commercial fishing for the relevant Included Species on the ecosystem of the Te Arawa Fisheries Area;</li> </ul> <p>11.21.3 any commercial fishing allowed must continue to be administered by the Ministry of Fisheries in accordance with the Fisheries Act 1996."</p>
Clause 11.23.2	<p>Clause 11.23.2 is deleted and replaced by:</p> <p>"provide for the management structure nominated by the Governance Entity to:</p> <ul style="list-style-type: none"> <li>(a) keep, and submit to the Minister of Fisheries, accurate records of the quantities of included species taken by persons authorised to take and possess included species for customary food gathering; and</li> <li>(b) report in writing to the Governance Entity on: <ul style="list-style-type: none"> <li>(i) its management of customary food gathering;</li> <li>(ii) the number of authorisations it granted in the preceding year; and</li> <li>(iii) the quantity of included species taken under authorisations issued in the previous year."</li> </ul> </li> </ul>
New clause	The following is inserted as a new clause 11.23.2A

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11.23.2A	<p>immediately after clause 11.23.2:</p> <p>"require the Governance Entity to hold a meeting with Te Arawa to advise members on:</p> <p>(a) the management of customary food gathering;</p> <p>(b) any restrictions or prohibitions in force for that year under bylaws made under this subpart; and</p> <p>(c) if available, information on the quantity of Included Species taken under the bylaws in the previous year; and".</p>
Clause 11.23.3	<p>The following is inserted at the end of clause 11.23.3:</p> <p>"and for defences to those offences, including where any Included Species is taken as an inevitable consequence of fishing lawfully".</p>
New clause 11.23.4	<p>The following is inserted as a new clause 11.23.4 immediately after clause 11.23.3 (from which "." is deleted and replaced by "; and"):</p> <p>"provide for other matters necessary or desirable to achieve compliance with, and the proper administration of, the Regulations."</p>
Clause 11.25	<p>Clause 11.25 is deleted and replaced by:</p> <p>"Bylaws made under the Regulations may restrict or prohibit:</p> <p>11.25.1 the included Species that may be taken or possessed;</p> <p>11.25.2 the quantity of each Included Species that may be taken or possessed;</p> <p>11.25.3 the taking or possession of Included Species that are smaller or larger than a specified size;</p> <p>11.25.4 the method by which an Included Species may be taken;</p> <p>11.25.5 the area or areas from which an Included Species may or may not be taken;</p> <p>11.25.6 any other matter that the Governance Entity considers necessary for this sustainable utilisation of Included Species."</p>
New clause 11.27A	<p>The following is inserted as a new clause 11.27A immediately after clause 11.27:</p> <p>"Bylaws deposited under <b>clause 11.27</b> must include advice that submissions:</p> <p>11.27A.1 may be made on bylaws by any person, and</p> <p>11.27A.2 must be forwarded to:</p> <p>(a) the place where the bylaws are deposited; and</p> <p>the Governance Entity, at the address specified."</p>
Clause 11.37	<p>Clause 11.37 is deleted and replaced by:</p>

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	<p>"The Settlement Legislation will provide:</p> <p>11.37.1 that no person may engage in commercial fishing in the Te Arawa Fisheries Area;</p> <p>11.37.2 that regulations may be made in accordance with <b>clauses 11.25 to 11.36</b> despite section 17B of the Fisheries Act 1996 and section 10(d) of the Treaty of Waitangi (Fisheries Claims) Settlement Act; and</p> <p>11.37.3 for such other matters as required to give effect to <b>clauses 11.16 to 11.36.</b>"</p>											
Clause 16.1	<p>"<b>commercial fishing</b>" is inserted as a term in clause 16.1 and "<b>section 2(1) Fisheries Act</b>" is inserted opposite that term as the defining section.</p>											
Clause 16.4	<p>The definition of "<b>Disclosure Information</b>" is deleted and replaced by:</p> <p><b>"Disclosure Information:</b></p> <p>(a) means the information relating to the Te Arawa Lakes provided by, or on behalf of, the Crown to Te Arawa; and</p> <p>(b) includes the list of structures enclosed in a [letter dated [ ] from OTS to Te Arawa Lakes Trust] as amended by Notice from the Crown at any time prior to the Settlement Date."</p>											
Clause 16.4	<p>The definition of "<b>Encumbrance</b>" is deleted and replaced by:</p> <p><b>"Encumbrance</b> means the rights or restrictions affecting a Te Arawa Lakebed and described in <b>Subpart B of Part 1 of the Cultural Redress Schedule</b> in relation to that lakebed;"</p>											
Clause 16.4	<p>A new definition of Aquatic Life is inserted as follows:</p> <p><b>"Aquatic Life</b>, except for the purposes of <b>clauses 11.16 to 11.37</b>, has the same meaning as in section 2(1) of the Conservation Act;"</p>											
New clause 16.6 14A	<p>The following is inserted as a new clause 16.6.14A immediately after clause 16.6.14:</p> <p>"where the Governance Entity is established by a trust deed, references to the Governance Entity include a reference to the trustees appointed (from time to time) under the trust deed in their capacity as trustees;"</p>											
Schedule 2	<p>The table in <b>Subpart A of Part 1</b> is deleted and replaced by:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Lake</th> <th style="text-align: left;">Reserve site</th> <th style="text-align: left;">Gazette notice declaring site to be reserve</th> </tr> </thead> <tbody> <tr> <td>Lake Ngāpouri</td> <td>Lake Ngapouri Wildlife Management Reserve</td> <td>Gazette 1988 page 2728</td> </tr> <tr> <td>Lake Ōkareka</td> <td>Lake Okareka Scenic Reserve</td> <td>Gazette 1930 page 3616 (noted or Gazette Notice</td> </tr> </tbody> </table>			Lake	Reserve site	Gazette notice declaring site to be reserve	Lake Ngāpouri	Lake Ngapouri Wildlife Management Reserve	Gazette 1988 page 2728	Lake Ōkareka	Lake Okareka Scenic Reserve	Gazette 1930 page 3616 (noted or Gazette Notice
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			H.515184)
	Lake Ōkātaina (parts)	Lake Okātaina Scenic Reserve	<i>Gazette</i> 1931 page 1685 (registered as Proclamation 8001)
	Lake Rerewhakaaitu (part)	Lake Rerewhakaaitu Recreation Reserve	<i>Gazette</i> 1985 page 1237 (Part <i>Gazette</i> Notice H.581685)
	Lake Rotomahana (parts)	Waimangu Scenic Reserve  Unnamed scenic reserve	<i>Gazette</i> 1910 page 3825 (Part <i>Gazette</i> Notice H.306305) <i>Gazette</i> 1908 page 612
	Lake Tarawera (eastern part)	Lake Tarawera Scenic Reserve	<i>Gazette</i> 1974 page 13 (registered as <i>Gazette</i> Notice S.643146)
	Lake Tutaeinanga	Lake Tutaeinanga Wildlife Management Reserve	<i>Gazette</i> 1986 page 458
Schedule 2	"753.0200" is deleted from the legal description of the Bed of Lake Rotomahana in <b>Subpart B</b> of <b>Part 1</b> and is replaced by "755.3350".		
Schedule 2	Items 9 to 12 and the "Example" column are deleted from <b>Subpart C</b> of <b>Part 1</b> .		
Schedule 2	<b>Part 3</b> is deleted and replaced by the new <b>Part 3</b> in the form set out in the Second Schedule to this Deed		
Schedule 2	In <b>Part 4</b> the following four amended place names are inserted in the second column in substitution for the name listed opposite the amended place name below:		
	<b>Replacement Amended Place Name</b>	<b>Previous Amended Place Name</b>	
	Lake Rotorua/Te Rotorua nui ā Kahumatamomoe	Lake Rotorua/Te Rotorua nui a Kahumatamomoe	
	Lake Rotoiti/Te Roto kite ā Ihenga i ariki ai Kahu	Lake Rotoiti/Te Rotokite a Ihenga i ariki ai a Kahumatamomoe	
	Ōkahutoroa Bay	Okahutoroa Bay	
	Ngāheretā Bay	Ngaheretā Bay	

**SECOND SCHEDULE**  
**(Replacement Statement of Association)**

**KO TE WHANAUNGATANGA**

**Te Whanau**

Ka moe te tāne me te wahine kua kiia kua kotahi i roto i Te Atua. He whakatūhonotanga tēnei i a rāua e taea ai te hanga tangata, hei noho ki te ao mārama. Kaare e roa e noho tahi ana te tokorua kua tūhonotia, ā, mea rawa āke, kua noho he tangata ki te kōpu o te mea wahine; kua hapu.

Kei roto i te iwa marama kua whānau te tamaiti hei poipoitanga, hei atawhaitanga mā ngā pakeke; kei muri kua haere te korero i roto i te iwi, i te mea kua whānau te wahine ā mea. Ā te wā e whakawhānau ana te wahine, ka noho tētehi ki te taha ki te āwhina i ā ia. Kaare he tikanga mena he wahine no tētehi o ngā kāinga e noho tata āna; ki te kore e kitea tētehi, kua riro mā te tāne tonu hei whakawhānau. Ahakoa ko wai, mā te pai o te āwhina i te wahine me te pēpi ka ora tahi rāua; koira te mea nui.

Kua puta mai he pēpi mā te tokorua nei, ko te kiia, kua tu he whānau. Kei muri, kia whanawhānau mai anō he uri, kua kaha te haere o te kōrero rarā, 'Arā ko te whānau a Mere rāua ko Rīhari tēra.' Ēngari kia tokomaha tonu ngā tamariki kātahi ka tino mārama te kōrero o te whakatu whānau. Ko te tikanga, nāna kotahi noa iho te tamaiti, e rua tekau rānei ngā tamariki a te tāne me te wahine, he whānau tēra.

**Ko Te Whakawhanaungatanga**

Kua tokomaha haere nga tamariki, me āta hangaia anō he kaupapa hei whakatutuki i ngā whakaaro. Kia kōrero mō te mate tangata, kua nuku atu te whānau ki te marae noho ai kia māmā ai te whakarite i ngā tikanga o nehe, mō te tangi aitua. Kei ngā wā pēnei, tēra e pokea ai te marae e te manuhiri e haere mai ana ki te ngaki mate. Kua kimi me pēhea rā e taea te whāngai i te tangata i te kaha tokomaha. Heoi kua haere mai tēna o te whānau me tāna poaka, tēna o te whānau me tāna tāna hipi pēke riwai, tēna, he aha rānei hei whakarahi ake i ngā kai mo te marae. Ko taua kōrero rarā, 'Ma tāu rourou, ma tāku rourou, ka ora te manuhiri.'

Kia tūpono kē ki te raruraru i runga i te marae, kua kitea ngā mahi o reira; arā, ko te whakatika i te wai o ngā wharepaku, ko te kimi tēpu mo te wharekai kia rahi atu, ko te tiki wahie mo te hāngi. Ko ēnei ngā wā e kitea ai te whakawhanaungatanga, pēnei i te harihari rawa mai i ngā kāinga ake o te tangata, ara ko te taraka hei totō i ngā rākau, ko te kani hei tapahi wahie, he hinu e huri ai te mihini, hāunga ngā ringaringa hei whakatutuki i te mahi. Mā te kotahi o ngā whakaaro o te whānau, ka taea noatia te whakarite i ngā hiahia nei.

Na ngā here whanaungatanga, kua piritahi katoa te whānau hei whakau i a rātau ano. Koira ko te kōrero rarā, 'Whakapūpūngia ngā rākau kia kore e whati.' Kei roto i te whānau ngā mātauranga katoa, mō te tuhi kōrero, mō te tatau moni, mō te mahi whare, mō te whakamārama i te ture, mō te arahi i te hapū. Kei runga i ēnei āhuatanga, kua tiroiro ngā uri ki o rātau tata, tētehi ki tētehi; nā wai i korero noa iho, mea rawa āke kua puta ki ngā whakapapa ki te titiro i nga tūpuna i taki heke iho ai rātau. Nā te hiahia kia mōhio, kua kite i ngā tūpuna no te waka kē, no te iwi kē

### **Ko Te Hapu**

Kei roto i te tokomaha o te tangata ngā kaupapa huhua noa atu e noho ana kia riro mā tētehi hei whakaoho ake. He pēra mō te whakatū kapa haka. Kei reira ōna toa mō te taki i te ngeri, i te waiata, i te pao i te aha ake. Huihui rawa ake ngā tāngata ki te whakaari i ngā taonga rarā, e whanaunga katoa ana. Ka toro tēnei mea te whanaungatanga ki hea noa atu rere ai. Kua tawhiti atu i ngā mātua me ngā tamariki ake, kua tokomaha rawa, ina rā hoki kua whā, kua rima ke ngā whānau; ko te kiia tēra, he hapū. Ka piri pēra i te whānau i runga i te kukume o te whanaungatanga.

Ma te whanaungatanga ka mau ngā tāngata ki a rātau anō. Koira kei ngā haere ki waho, he haere a-hapū tonu; nāna ki te tangihanga, ki te Koroneihana, ki te hui whenua, ki te hura kōhatu, ki hea noa atu rānei.

I māmā ai te whakatū i te Roopu 28 a Tūmatauenga i te Pakanga Tuarua o te Ao, nā te whanaungatanga, ara na te here tangata. Ko ngā here o roto i te whānau, me o te hapū i te whakakotahi i ngā hoia. Nā ngā wehewehenga i roto i te Roopu nei, ka whakaarahia ake ngā kamupene hei whakakao haere i a rātau. I pērātia, nā te here-tangata. Ka mutu, ko ngā uri o te Taitokerau i whakanōhia hei Kamupene 'A'; ko Te Arawa i noho hei Kamupene 'B'; a Ngāti Porou hei Kamupene 'C'; ko te rerenga o te Motu hei Kamupene 'D.'

### **Ko Ngā Moana me Ōna Taonga**

Ko te kaupapa tēnei o te rangatiratanga o ngā moana o Te Arawa i takoto ai te kōrero, no Te Arawa ōna moana; ko te take, he wāhi mahinga kai ngā moana nei nō te iwi, he wāhi tikinga wai hei unu; he mahinga otaota, hei kākahu mo te tangata. E mahi ana me te whakaaro ake anō ki ēra o ngā whanaunga kei kore mō rātau. Ka āta mau ki ngā tohutohu ā ngā koeke, kua e moumou i te taonga.

Ko te kaupapa tēnei i whakatauria ai e te hapū, mā te rangatira anō hei karanga mo āhea timata ki te rama koura (kei te takiwā ki Noema); a, mo āhea anō hoki e mutu ai tēra mahi (kei a Pēpuere).

Kia kitea ai te tohu o ā rātau manaaki i ngā tikanga o te hapū, ka ū katoa ki taua manaakitanga; kare kau he kōwae. Kua riro mā tēna, mā tēna o te hapū hei whakatūpato kēi hē ngā mahi i te moana. Engari e mahi ana me te whakaaro ake anō ki ētehi, kei kore mo rātau. Arā, kia aroha ki ngā whanaunga.

He moana, kei reira ōna tikanga, ōna āhuatanga hei whakatūpato mā te tangata. Koira kei te Rotoiti, ko te rohe ki Tapuaeharuru mai i Koro-ki-te-Wao tae noa ki Te Tawa, ko te mahinga kai tēnei o Ngāti Tamateatutahi/Kawiti. E rama koura ai tēnei iwi, ki konei anahē, ka mutu. Kaare i kō atu. Ka pēra anō a Ngāti Rongomai; timata mai i Hingarae, tae noa ki Tapuaekura, ka mutu. Nā, he pēra a Te Rotoiti huri i ngā tahataha o ngā wai. Kei a Ngāti Te Tākinga; kei a Ngāti Hinekura, kei a Ngāti Kawiti e roherohe haeretia ana.

### **Ko Te Takahi Tikanga**

I runga i te tikanga, e kore e taea te haere a tētehi ki te rohe o te hapū kē mahi kai ai māna. Kei poka noa ia, kua mate tēra o ngā hapū, kua pau te koura, te aha rānei i āna mahi. Ka hē ai ēra tikanga.

Ehara kau i te mea, ka patua e te tangata, ka hahaungia rānei ki te rakau, kāo. Ēngari, ka hangaia he kōrero hei hāhani i taua hunga takahi tikanga rā, ā, katahi ka tukuna aua amuamu rarā kia haere ana i te takiwā. Mutu rawa āke kua mōhio katoā ngā iwi āe, he tangata raweke kai a mea, he tangata kore mōhio ki te whakaaro ki ētehi. Ka mau tēra kōrero hāhani ki runga i taua hunga rā, ā mate noa. Kei reira, kua heke aua hāhanitanga ki ngā uri, arā ki tana whānau.

Ēngari, he pai ake pea tēnei tikanga i tā ngā tūpuna o mua. Kei tā rātau, kua kite kua takahi tikanga te tangata, kua titoa he pātere hei taunu i te hunga rā; e puta ai ngā kohukohu, ngā whakatumautanga mo taua tangata. Kā mutu, ka haere tēna pātere, waiatāngia haeretia ai i te nuku o te whenua, hei whakarongotanga mā ngā iwi. Aue, te whakamā i ahau e!

### **Ko Te Taniwha me Te Mauri**

I mua, e noho karapoti ana ngā kāinga o te hapū i ngā tahataha o te moana, me te manaaki a ngā tāngata i ngā wai, kia kua e tukinotia. Me tika hoki tā rātau tiaki, ina rā hoki, kua hiainu wai, kua pai te tiki atu i te moana, mo te haere ki te mahi koura kua haere, kua rama; kua pirangi paopao hei mahi whāriki, kua tuku ki te wai, kua tiki atu. Nā te matapopore ki te tāonga, i mahi nui ki te tiaki, kua pirangi mea, nā, kua tae atu ki te tiki. Kotahi tonu te whakaaro e hua ake ana i roto i te hapū, ko te tiaki i te wai o te moana i kiia ai ko rātau ngā kaitiaki.

Kā ngana a Ngāti Pikiao ki te tiaki i o rātau moana, ka pera hoki a Ngāti Rangiwewehi, a Tuhourangi, a Ngāti Rangitahi, a Uenukukōpako, a katoa noa iho. Ko te tohu ra hoki tēnei o te rangatiratanga o te iwi, ko ōu moana. Kei turikore te hapū ki te tiaki i te moana, tēra e tukinotia e te rāwaho, kua raruraru ngā kai o roto.

Kei ngā tohutu a ngā koeke, ko te tino hunga kei a ia te kaitiakitanga o te moana, he taniwha. He hunga manaaki tēnei; he atawhai tāna i te tangata; kei roto i te wai tōna kainga, kei tētehi wāhi e mōhioia ana e ngā uri nō rātau taua moana. He wā kua kitea e rerē ana i roto i te wai, ēngari mā ngā uri anō, ka mōhioia ko te taniwha tēra. Ko tōna kaupapa, he tiaki i te iwi; me te aha, he whakamauru tonu te hapū ki a ia hei hāpai i ō rātau whakaaro. Koira, kei roto i ngā mahara o te iwi, ko te manaaki i te taniwha. Ko taua manaaki i te taniwha, ko te moana katoa atu tēra.

### **Te Wairua**

Kei whakahāwea mai te tauhou ki te taniwha e kōrerohia ake nei, notemea kaare e kitea. Nō hea hoki e mōhio ai, e pēhea ana te āhua o te taniwha, e hia ōna waewae me ōna ringaringa, e pēhea ana te hanga o te kanohi, he mau huruhuru rānei, he aha rānei. Koinei katoa ngā mea ka patapataingia.

Kei ngā mea matatau ki a ia, kua karanga mai, āe, i konei i Te Pāpātu e noho ana; ka hia nei ngā marama e noho ana i konei; ēngari kua heke inaianei kei Pāteko e noho ana. Arā he heke tonu te taniwha.

E kore ai e kitea nā te mea he wairua kē. Ka hikoi ana te taniwha ki tētehi wāhi o te moana, kua hurihia tōna āhua ki te rākau ā, ko ia tēra e tere ana i te wai. He wā ano, kua whakakitea mai me te tumu putoetoe nei te āhua. He pēra tēnei tāonga; he wairua kē te haere.

He kōrero tēnei mō te wairua taniwha. Otirā, he wairua anō tō te moana. E ora ana te wai, kua ora katoa ngā kai me ngā otaota o roto. Nā taua ora rarā, kua piataata te moana kia ātaahua ai ki te tirohanga tangata. Kei konei, kua uru mai te hari o te ngākau o te tangata mo te pai o te moana me ōna āhuatanga katoa.

### **Te Tohu Rangatira**

Mā te whanaungatanga, ka taka ngā āhuatanga katoa o ngā moana ki raro i te mana o tēna hapū, o tēna hapu, o tēna hapu. Kia hui te iwi, kua mene katoa mai i raro i te mana o te rangatira, ahakoa he take māmā, he take uaua rānei.

I kiia ai, ko te mana o te iwi kei te rangatira; he whanaunga tēnei kei runga i a ia te ure tārewa i mohiotia ai ko ia tō rātau tuakana i roto i ngā whakapapa.

Ka hui kau ana, kua puta ngā kōrero a tēna, a tēna; ka pai hoki ki te whakarongo atu. Kia haere ngā kōrero o te hui, he mana tonu ngā hamumu ā ngā hunga tūtū ki kōrero.

Kia tae ki tōna takiwā i te hui, kua tū ake te rangatira kei roto rā i te whakaminenga e noho puku ana, kua hōmai i tēna whakataui i runga i ngā kōrero i rongō ai ōna taringa. Ahakoa kaare anō kia mōtinihia te take, kia takoto rānei he whakataunga kōrero, kua puta tēna whakataui, kua mutu te kōrero mo taua take. Nāna tika, kaare rānei e tika āna ki ētehi, kua naomia atu e te hapū, kua kiia nā rātau katoa tēra kōrero.

Ka tau ki runga i te rangatira te kawē i ngā āhuatanga o te whanaungatanga; ina rā hoki, ahakoa nāna te kōrero whakamutunga i runga āke nei, ēngari e whakaputa ana ia i ngā whakaaro o te tokomaha o te hapū. Nā konei, ka whakamauru atu ai tana iwi ki a ia, he manaaki nōna i a rātau. Nā ēnei tikanga a te rangatira, kua ūhia ki runga i ā ia ōna pepeha:

Ko Matawhāura te maunga,  
Ko Te Rotoiti te moana,  
Ko Ngāti Pikiao te iwi,  
Ko Tieri te tangata.

Ka hōrapa katoa tēnei tikanga i ngā iwi katoa o Te Arawa i runga i te mōhio iho, he rangatira kei tēnā iwi, he rangatira kei tēnā iwi, he rangatira kei tēnā iwi. He mea tauiratia mai i Hawaiki-Nui rā anō. Ka rewa mai a Ngāti Ohomairangi i runga i te waka o Te Arawa e noho ana ko Tamatekapua kei te Ihu, ko Ngātoro-i-rangi kei te Kei. Tau rawa mai ki Aotearoa nei, kua waiho tonu tēnei ahuatanga hei turī mai i Maketu ki Tongariro.

### **Ko Te Reo**

Mā te reo Māori rawa katahi anō ka puta ngā whakaaro o te tangata. I pēnei ai te kōrero, e uaua ana te whakamārama a te reo Pākeha i ngā take Māori. Anei tonu e

kōrerohia nei mō te taniwha me ōna āhuatanga. Ko te mate nui e kore nei e taea e te reo Pākeha, he kore nō tauwi e whakaponono ki tēnei mea te taniwha; me te aha, e pōhara ana tēra iwi ki ngā kupu hei whakamārama i tā te Māori e whakaponohia ana.

Koira te take me tiki atu i to tātau reo kia taea te whakahuahua i ngā taonga o nehe. Ahakoa he aha, he makere noa mai ngā tāonga mā tō tatau reo. Tēna kia waiho ki te reo Pākeha, kua āhua kati kē i ngā kōrero, kua kore e kitea.

He nui ngā kōrero tawhito mō ō tātau moana kei roto i ngā waiata i whakarere iho e ngā mātua tūpuna. Mā te reo Māori anake e kitea ai. Anei tonu tēnei kōrero:

“Nā Hākomiti mai to ara, ko Paripari-te-tai. Ko te Roto-kite-a-Ihenga-i-ariki-ai-Kahu.”

Ko tōna whakamārama, ko te huarahi tēnei mai i Maketū, i takahia mai e Ihenga, arā, i mā Ohākomiti, kātahi kā tau atu ki Paripari-te-tai kei te Rotoiti. Kia tangohia anō i tētehi atu o ngā waiata:

“Ngā tuāone i raro o Pūremu.. Ko te wai tēna, i tahuri atu ai.  
Te Uru-o-Te Whetu e, kia kai tākiri. Tangaroa i te wai e, i hāoa mai koe...”

Hei whakaatu tēnei i te nui o te kōrero kei ngā waiata, engari mātua me mōhio rawa ki te reo o tātau tūpuna. E kii ana rātau, he reo rangatira tō tātau reo.

#### **Te Pataka Kai**

Kua kōrerohia tēnei take i runga ake nei mō te kai i rari noa i te moana hei mahinga mā te iwi. Ngā moana i noho ai te inanga i haongia i te taha moana; ko te koura i ramahia i ngā po o te Raumati; ko te kākahi, ko te tuna, ko te morihana ko te kōaro i ora ai te iwi.

Mahi kai ai te whānau i raro i te mana o te Koeke o te hapū. Kua kīia, kua tae ki te wā mo tētehi kai, nā, kua tae ki te moana tiki ai. Kua pau te tau mo ēra kai, kua haere te reo o te koeke, kia whakamutua aua mahi kai.

#### **Te Huarahi Nui**

Ka pa tēnei kaupapa ki ō tātau moana i hōea ai ngā tūpuna mai i tētehi pito ki tētehi pito. Haere mai ai ngā iwi o Maketū e takī haere atu ana ki Taupo. Whai haere mai rātau mā te awa o Kaituna, kātahi kā peka mā te Kaharoa kia tae ki te huarahi o Ohākomiti; mā reira kua heke atu ki te moana o Te Rotoiti. Kua piki te whānau ki runga i te waka hoe ai tō rātau huarahi ki tāwāhi atu ki Te Ruato. Kua tuku i konei, kua takī haere mā raro ki Ōkataina. Ko te huarahi tawhito tēnei o ngā tūpuna mai iho; he haere mā runga i te moana.

Kua tae ki Ōkataina, arā, ki Tauranganui, kua eke anō ki runga i te waka, hoe atu ai ki Ōtangimoana, kei tēra pito ki te Tonga. He māmā noa iho te hikoī mā raro i reira, kia tae ki te moana o Tarawera. Heoi, mā te whānau kakari, kua hōea ano te waka kia whiti atu ki tēra taha ki te Tonga, arā, ki te Whanga o Rāpatu. He hanga noa iho



DEED TO AMEND TE ARAWA LAKES DEED OF SETTLEMENT

te haere mā raro, kua tae ki tēra o ngā moana ki Rotomāhana. Kua hoe anō i ngā waka, ā, kua tuku ki tēra whaitua o te moana kua takahia to rātau huarahi ki Taupo ki reira whakatutukihia ai te take i haerengia ai.

Ko te tikanga tēnei a ngā tūpuna mō te haere; he haere tawhiti, kua tere atu mā te waka i runga i te moana. Kua noho te whānau rara ki Taupo, kua tutuki pai te take i haerengia ai, kua hoki ki te kainga, ki Maketū. Koirā anō te ara hokinga ātu i mā aua moana anō.

KA MUTU

A handwritten signature in the bottom right corner of the page, consisting of stylized, cursive letters.

## RELATIONSHIPS

### The family

A man takes a woman to wife and in the eyes of God they are one. Destiny had ordained that they should be united as a way of replicating the species and so settle the earth. Time will see the female conceive and become pregnant.

A period of nine months will elapse before the child is born to become an object of love and affection for the couple. Once the infant is born, it will be announced to the community that So and So's wife had given birth. People at such times are careful to ensure that a person is available to stand in as a midwife. It is often the case that a woman from the neighbourhood plays this role; otherwise, the husband stands in. In the event, it doesn't really matter who assists as long as the role is carried out with care.

On the birth of the child, the couple will, technically speaking, have established a whānau. In the course of time, other children are born to the young couple that will give cause for people to say, 'Over yonder live the whānau of Mary and Richard.' Of course once the family begins to expand and especially when children in time take spouses, then will it be readily said and with much validity, that the couple have indeed given rise to a whānau. Whether, however, there is merely one child or twenty children, a whānau is deemed to have been established.

### Relationships

With the growing numbers of the whānau through the arrival of grandchildren on the scene, new demands and facilities require accommodation. When, therefore, a bereavement strikes the whānau, people move to the marae to give the iwi better access to the deceased and where the values of the ancestors can be better fulfilled. Here the numbers of those attending the tangi will increase to many hundreds of people. Pressures arise whereby eating facilities are stretched to their limits.

Under such circumstances, individual whānau will contribute a pig from one, a sheep from another, a bag of potatoes from another and so on it goes that the crowds are dined. This gives rise to the adage, "With your contribution and my contribution, the visitors will eat well".

However, sometimes the more difficult problems arise on the day of such meetings and hui. There is no water in the ablutions; there are insufficient tables for the dining room; wood is required for the hāngi. It is at such times that whanaungatanga surfaces as when resources from people's homes are brought to the fore, the truck to cart the wood, the chainsaw to cut the logs, the fuel for the machines, the manpower to carry out the work.

Without doubt, the close ties people have with each other, is encouraging and self-supporting. As they say from time to time;

'Place the sticks together in one bundle so that they will not break.'

Under this mantle of cooperation, individuals display their talents; the talent for writing, the talent for accounting, for house maintenance, for understanding



legislation, and for giving direction to the hapū. The interest which then arises in each other, leads to inquiring after their relationships within the group; from simple discussions, they are then lead into genealogy and the discovery of certain ancestors from whom they are all descended. This discovery finds that some ancestors are, in fact, from other canoes.

#### **The Hapū**

Always from time to time, there arises within the hapū, issues which require action and determination. This would apply to the setting up of a kapa haka team. On such occasions, skills and expertise are seen such as those who are competent at reciting ngeri (poems), singing, and performing the patere (song of derision) and pao (lullabies) and others. At the point when people are all assembled to begin to train, relationships become evident. At times, relationships have a way of leading into other hapū and iwi which were otherwise unknown. Once relationships extend beyond great-grandchildren, the tendency is to break off into other whānau so that a group of four and five whānau will constitute a hapū. As with the whānau, individuals will link and tie in with each other as before, albeit that, overtime, they are each a degree further apart in their relationship.

Such is the way that whanaungatanga attracts people to each other. It is with these connections and links in mind that people, when travelling to other distant parts, do so as a hapū. Going to tangihanga, to the Coronation, to land meetings, to unveilings and wherever.

The establishment of the 28<sup>th</sup> Māori Battalion during World War 2 was conceived in a similar way. Whanaungatanga surfaced to link and draw soldiers together. Companies were created in the same principle, that of close affinal ties. Thus, all soldiers from Northland were enlisted as A Company, those from Te Arawa as B Company, those from Ngāti Porou as C Company and the rest of the country as D Company.

#### **The Lakes and Food chains**

It is upon this similar relationship that the Tino Rangatiratanga (title) of the Te Arawa lakes is guarded and protected that we say we own these lakes. Customary usage has seen members of the iwi take food from its waters; it is a source of water for the people; material for making clothing and mats is obtained from the same waters. In the usage of the resources, it is axiomatic that all who do so have consideration for others lest they are left without. The Māori adage will serve to remind us - never waste that which others could use.

Stringent measures were set in place in order to police the usage of the food from the lakes. It was normal for the koeke (elder) of the iwi to announce the commencing date for taking koura which was about the month of November; he would also announce when the season would be closed - about February.

In this way, people were able to adhere to the set dates for taking koura and they would, without deliberately spying or going out of their way to check each other, still play a monitoring role and thus assist in the policing of the system. By so carefully caring for the resources, all were able to share.



Each lake had its own set procedures and protocols which all were required to adhere to. In Lake Rotoiti for instance, the stretch of lake-shore from Koro-ki-te-Wao to Te Tawa was the established territory of the Ngāti Tamateatutahi. These people took koura from the area and from that area only and never any other part of the lake. The Ngāti Rongomai had their own lake-shore territory which extended from Hingarāe to Tapuaekura; no more and no less. In a similar way to Rotoiti was the whole lake-shore divided and shared amongst Ngāti Te Tākinga, Ngāti Kawiti, Ngāti Hinekura and Ngāti Te Rangiuuora.

#### **The Infringement of Tikanga Rights**

It would be an abuse of tikanga rights for a person to trespass on other people's food-taking preserves. To do so would deprive the owners of that food preserve of their rights; not to mention the abuse of local mana.

It is not that people will be physically chastised. But what will follow is that rumour will be put about slighting the offender's reputation. He will be known as a person who will take other people's share of food, a person who cares not for the welfare of others. Such a reputation will be associated with that person's name until he dies. Unfortunately however, for his children and subsequent generations, they will be tarred with his ill-fame.

This may perhaps be a more reasonable fate to endure than what used to take place traditionally. Time was whenever anyone infringed a tikanga, a patere (ballad) would be composed by some woman or male who had taken umbrage over the offence. Running through the strains of the poem would be words of castigation and slander targeting the person's reputation and genealogy. In time, that patere would travel the country-side for all to hear of the disreputable actions of the offender. Worse still would happen when people from other parts of the country, would take to and learn the poems as well. Alas, the shame.

#### **The Taniwha and the Mauri**

Time was when people lived on the shores of the lakes where they cared for the state of the water by preventing it from being disturbed by outsiders. They were most conscious in carrying out their duties in this respect, thereby enabling people to take water for drinking; allowing people to torch for koura at night; and to harvest the paopao (rush weed) for making floor mats. This they did by entering the water. In a sense it was really devotion to the task of accessing the resources that stringent care of the waters was taken. From the responsibility that was thus carried out, people regarded themselves as the guardians of the lakes.

With this objective in mind did Ngāti Pīkiao guard their lakes, as did Ngāti Rangiwewehi, Tuhourangi, Ngāti Rangitahi and Ngāti Uenukukōpako. So it was with all other hapū. In the minds of the people concerned was the ever present thought that the symbol of tribal sovereignty was the lakes.

Be that as it may, it was maintained quite openly by the elders now long departed, that the real guardian of the lakes was the taniwha. He was a benevolent agent who actually cared for people. His home was in the water in place known only to the hapū descendants. At times he would be seen to be floating over the waters, noticeable only to members of the hapū. Its sole purpose it was said, was to see to



the safety of the people. For this reason, the taniwha was regarded with the powers to protect users of the lake and to resolve their problems. Conversely, accidents on the waters might well be ascribed to abuse of the taniwha and his way of retribution. Uppermost in the minds of people would be the consideration for the welfare of this tribal guardian. In extending measures to protect the taniwha, the health and betterment of the lakes would be maintained and therefore, its mauri.

### **The Spirit**

A stranger may well laugh at the idea that a taniwha existed in the lakes simply because it could not be seen. How, if it couldn't be seen, would one know what it looked like, how many arms and legs it possessed, what sort of face it would have. Does it have hair on its body or what? These would be the sorts of questions that could well be asked.

Those who know of its existence have been known to say that it used to live near Te Pāpātu, where it had been for some considerable time. It is now however, living near Pāteko Island. This will illustrate that it does move about the lake.

It cannot be seen because it is a spirit. Whenever it has been seen to move about on the waters, it has done so by transforming itself into a log. On other occasions, it has been known to change its form to that of a floating toetoe clump. Because it is a spirit, it has the capacity to transform itself.

So much for the taniwha spirit. In a similar way do the lakes have a spirit. This spirit is reflected in the healthy and pure state of the waters where food is taken and where vegetation grows abundantly. Healthy water will be seen to glisten and shine and become a pleasure to behold. At such time the minds and souls of human beings are overtaken by the wonders and glory of nature's gifts to the world.

### **The Symbol of Chieftainship**

Through the concept of whanaungatanga, all the benefits of the lakes are transmitted to each and every hapū. At times people may come together to meet, for whatever purpose. It has been said already that the authority within the iwi lies with the rangatira or chief. His status is attained from his derivation from the senior male line of descent that makes him the tuakana, that is, being of the senior lineage.

At a meeting called to discuss hapū business, all and sundry will talk in turn. Comments which follow are often most interesting to listen to. And so they should be in the sense that people, knowing that they are entitled to time on the floor, will dwell long on what they wish to say prior to standing.

At a given point in the meeting, the chief who might be sitting amidst a group of people, might say nothing. Eventually, he would at long last stand to express his thoughts, based upon what would have transpired during the meeting. While no motion or resolution may have been passed by the assembly, his statement of opinion, regardless, becomes the final word on the issue under discussion. At this point it is binding upon everyone and embraced by all.

Truly the responsibility for the welfare of the hapū is vested in the chief. As herein mentioned, notwithstanding that the final statement of opinion on the issue was his



and his alone, he is articulating nevertheless, that which is in the best interests of the hapū. So it is with the lakes that any issue affecting the waterways is for the hapū to deliberate on in the presence of the chief. Because of his commitment to their health and wellbeing, the people will incline to his views at all times. It is for this reason that the hapu will speak of him as follows:

Matawhāura is the mountain;  
Rotoiti is the lake,  
Ngāti Pikiāo is the iwi,  
And Tieri is the chief.

Given that each and every iwi of Te Arawa had its hereditary chief, protocols like this were found throughout Te Arawa. Its tradition harked back to Hawaiki-Nui. As it happened Ngāti Ohomairangi traversed across the oceans aboard the Te Arawa canoe with Tamatekapua at the prow and Ngatoro-i-rangi at the stern. On settlement in Aotearoa the principle of chieftainship and its protocols became the measure of right and wrong from Maketu to Tongariro.

### The Language

It is only through the indigenous languages that Māori are truly able to make themselves understood. This claim is made on the understanding that matters which pertain to Māori culture cannot be easily explained, if at all, in English. An example of this may be taken from the earlier discourse on the taniwha. Pakeha people may find it difficult to explain what a taniwha is since this concept does not exist in that culture. Given this observation, there is little wonder that words and terms to express relevant thoughts and ideas are not readily available.

It makes good sense therefore, to be resorting to the language of the Māori to explain matters of yesteryear. Māori language has a way of simplifying cultural expressions and concepts, where as the English language has a tendency to impede and indeed, constrain dialogue.

Considerable information abounds within the words of waiata left by our forebears. Such information can, of course, only be released through use of the Māori language. For example

"It was by the Ohākomiti track that you arrived at Paripari-te-tai;  
and thereby reached Lake Rotoiti."

In brief, this statement explains that Ihenga left Maketū and travelled along the Ohākomiti track to Paripari-te-tai to arrive at Lake Rotoiti. We might again take the following waiata:

"There lay the beach below Pūremu. It was there that the heirloom called Te Uru-o-te-Whetu was lost in the waters. From these same waters of Tangaroa, the tāonga was ensnared in the fishing net, that it was retrieved by the people."

This hopefully, will demonstrate the abundance of information contained within our waiata, which information could only be released through knowledge of the Māori

language. Our ancestors have often said that our language is a very sophisticated language.

#### **The Food Cupboard**

This point was made earlier regarding the lakes, in which there was an abundance of food to be harvested by the hapū. There was the whitebait to be netted along the shores, the koura to be caught by torching at night during Summer, there was the kākahi, the eel, the gold-fish and the kōaro. Always food was taken following the declaration by the chief who would define when certain food was ready to be taken. Upon reaching the end of the season, the chief would in due course announce its closure.

#### **The Main Highway**

It was par for the course for people to travel from point A to point B whenever possible by canoe. Hence, in planning a journey from Maketū to Taupo, the trip would take them up the Kaituna river diverting onto the Kaharoa track to reach Ohākomiti. From there, the journey by canoe would traverse the waters of Rotoiti, arriving at Ruato Bay on the southern shores. A hike over the hills was then taken, along the route long trodden by our ancestors to Lake Ōkātina to the landing place of Tauranganui and on again by canoe to Ōtangimoana on the southern side of the lake. A ten minute walk and the party will have arrived at Lake Tarawera. A canoe trip across the waters to Rapatu Bay and then on to Lake Rotomahana still proceeding southwards will bring people to the last lap of the journey on foot.

There on arrival at Taupo the business of the day is discussed and resolved and once again people make plans for the return to Maketū. As with the journey southwards, the northward trip home is without incident as the tracks and land marks along the way, have long been identified by previous generations of travellers that, as the main highway, it had become part of customary usage.

THE END

