

TE ĀTIAWA O TE WAKA-A-MĀUI

and

TE ĀTIAWA O TE WAKA-A-MĀUI TRUST

and

THE CROWN

**DEED OF SETTLEMENT SCHEDULE:
DOCUMENTS**

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1. STATEMENTS OF ASSOCIATION

1.1 QUEEN CHARLOTTE SOUND KAITIAKI

1.1: QUEEN CHARLOTTE SOUND KAITIAKI

Te toto o te tangata, he kai; te oranga o te tangata, he whenua

A person's blood is obtained from the food eaten, and it is from the land that sustenance is derived

Te Ātiawa o Te Waka-a-Māui has exercised kaitiakitanga with the strongest customary authority over the Queen Charlotte Sound and Islands, including the inherent responsibilities associated with the sustainable management of the environmental resources and taonga.

The Queen Charlotte natural environment is of the utmost importance to Te Ātiawa o Te Waka-a-Māui. Our iwi maintain a continuing relationship with the land, the environment and the moana, as well as between the people and the spiritual and cosmological bodies. The land, valleys, hills, bays, rocks, water and seaways are viewed as not only resources, but more importantly as a collective identity. They are essential roots that entwine the components of what it means to be Te Ātiawa o Te Waka-a-Māui.

Queen Charlotte Sound and Islands are taonga which must be protected. Te Ātiawa o Te Waka-a-Māui has a role as kaitiaki to safeguard ngā taonga tuku iho (the treasures passed down from our ancestors) for present and future generations, and we are aware of the significant efforts that are required to protect and nurture native species of flora and fauna for future generations.

The Powelliphanta is found in the Queen Charlotte Sound and the Kahurangi National Park, and is a taonga of great importance to Te Ātiawa o Te Waka-a-Māui. They are carnivorous land snails that feed on native worms, and their oversize shells come in an array of colours and patterns ranging from hues of red and brown to yellow and black.

Te Ātiawa o Te Waka-a-Māui have kaitiaki responsibilities for every bay, point, island and waterway within Queen Charlotte Sound and the Islands. This is about our obligation to care for these resources, as well as our relationship with land and the natural world that is widely articulated by tangata whenua with regard to environmental responsibilities. These responsibilities are often explained as emanating from the spiritual realm, with obligations to care for the land, which in turn ensures the wellbeing of the people. Hapū and whānau traditions of knowledge of land and waters, and mātauranga Māori, are integral to Te Ātiawa o Te Waka-a-Māui.

The coastal marine area in Queen Charlotte Sound is approximately forty-nine kilometres in length from its head at the Grove to the entrance at Cape Jackson. Kura te Au (the Tory Channel) is twenty kilometres long and is known as a food basket for Te Ātiawa o Te Waka-a-Māui.

Kura te Au and Arapaoa Island are named after the great Māori ancestors Kupe and Te Wheke. Te Ātiawa o Te Waka-a-Māui have several pā sites, papakāinga and burial sites within the Channel. Tidal streams can be very strong through the east entrance to Tory and great care must be taken. At its western end it joins the larger Queen Charlotte Sound, which it meets halfway along the latter's length. Its eastern end meets Cook Strait close to the latter's narrowest point.

The many bays within Queen Charlotte Sound vary in depth with headland reefs, cobble fringes, sub-tidal slopes and deep mud flats. The many sheltered bays in Queen Charlotte Sound are valued for scallops, crayfish and green shell mussels, mainly on the northern side. The kaimoana found within Queen Charlotte Sound is of immense significance to Te Ātiawa o Te Waka-a-Māui, and Te Ātiawa o Te Waka-a-Māui have an obligation as kaitiaki to ensure

1.1: QUEEN CHARLOTTE SOUND KAITIAKI

the kaimoana resources are passed on in a better condition for the next generation.

During the 1800's and 1900's, Queen Charlotte Sound was a hive of activity with many Te Ātiawa o Te Waka-a-Māui residing in the various bays and coming into Waitohi and later on into Waikawa to tend cultivations, as well as for political, social and economic reasons. Often staying days or weeks, Te Ātiawa o Te Waka-a-Māui whānau would then begin their journey back to their papakāinga taking supplies and calling into other bays to visit whānau.

Since our arrival into Te Waka-a-Māui, Te Ātiawa o Te Waka-a-Māui have travelled throughout Queen Charlotte Sound via waka, often rowing from Waikawa to Arapaoa. Often whānau would walk to a bay and wait for the next waka to take them on the next stage of their journey. More recently many whānau have adopted the use of motorised boats.

Te Ātiawa o Te Waka-a-Māui iwi were dependant of the many and various resources that Tōtaranui had to offer, and the sustainable use of these resources was and continues to be central to Te Ātiawa o Te Waka-a-Māui prospering.

Te Ātiawa o Te Waka-a-Māui o Te Waka-a-Māui are by geographical choice and necessity coastal dwellers that have placed high cultural and historical values upon the foreshore, seabed, coastal and maritime waterways within Tōtaranui. Te Ātiawa o Te Waka-a-Māui hapū relationships with te takutai moana (the coastal marine area) are captured in memories, ingrained in hearts, and passed on in practice, stories and waiata to children and grandchildren who will one day be the next kaitiaki of the coastal domain. Te Ātiawa o Te Waka-a-Māui consider the resources of the sea as gifts from the sea god, Tangaroa, and have developed complex management systems (tikanga) to prevent over-exploitation.

For Te Ātiawa o Te Waka-a-Māui, land and water are an indivisible whole. The land is connected to the water resources which flow in, on, or under it, as is the water related to the land that surrounds it, including the foreshore and seabed. Both the lands and waters are in turn connected to the people. As tangata whenua, Te Ātiawa o Te Waka-a-Māui have kaitiaki responsibilities to protect these spiritually important dimensions. Te Ātiawa o Te Waka-a-Māui are kaitiaki of the sea, lands, waters and associated resources within our rohe and are charged to look after them for future generations.

1.2 STATEMENT OF ASSOCIATION WITH THE TUTURIWHATU (BANDED DOTTEREL)

1.2: STATEMENT OF ASSOCIATION WITH THE TUTURIWHATU (BANDED DOTTEREL)

The Tuturiwhatu (banded dotterel) is a handsome little bird, held in high esteem by Te Ātiawa o Te Waka-a-Māui who have responsibilities as kaitiaki in the Motueka, Whakatū and Mōhua rohe where this treasured taonga nests. The vast Tasman coastline supports many sandspit nesting sites for the Tuturiwhatu, particularly Farewell Spit, Whanganui Harbour, Motupipi, Tākaka, Riuwaka, Motueka and Waimea Estuary.

Te Ātiawa o Te Waka-a-Māui Motueka whānau have had a kaitiaki relationship with the Tuturiwhatu since Te Ātiawa o Te Waka-a-Māui arrived in Te Waka-a-Māui. The Motueka River delta consisting of the river mouth, the Motueka sandspit and the Kumara estuary, including Raumanuka, are very important areas for the Tuturiwhatu. The whole area is ecologically important - it has extensive areas of rush land and salt marsh where whitebait spawn. It is rich in shellfish and a major feeding area for the Tuturiwhatu who roosts on the sandspit over summer. Te Ātiawa o Te Waka-a-Māui kaitiaki role includes an obligation to ensure that the ecological environment is maintained for the survival of this important taonga.

**1.3 STATEMENTS OF ASSOCIATION FOR STATUTORY ACKNOWLEDGEMENTS
AND DEEDS OF RECOGNITION**

**TE ĀTIAWA O TE WAKA-A-MĀUI DEED OF SETTLEMENT:
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**1.3: STATEMENTS OF ASSOCIATION FOR STATUTORY ACKNOWLEDGEMENTS
AND DEEDS OF RECOGNITION**

The statements of association of Te Ātiawa o Te Waka-a-Māui are set out below. These are statements of the particular cultural, spiritual, historical and traditional association of Te Ātiawa o Te Waka-a-Māui with identified areas.

1.3: STATEMENTS OF ASSOCIATION FOR STATUTORY ACKNOWLEDGEMENTS AND DEEDS OF
RECOGNITION

QUEEN CHARLOTTE SOUND / TŌTARANUI AND ISLANDS

Ko Papatūānuku te matua o te tangata

Papatūānuku is the parent of all mankind

Tōtaranui (Queen Charlotte Sound) covers the area from the coastal tip of Arapaoa Island, known as Cape Koamaru, which forms the most northern point, across to the western boundary to the coastal tip of Cape Jackson, the papa tupu of Ngāti Hinetuhi, and then south to Watiura (Mt Oliver), the kāinga tuku iho of Ngāti Rahiri, the most inland point, now known as Anakiwa. From Anakiwa the boundary extends to the southern shore of Ngakuta and then turns northeast taking in Waitohi, Waikawa and Whatamango, along Kura Te Au to the West Head. It then turns across the East Head and along all bays in Arapaoa inside Tōtaranui, including East Bay, the whenua matua of Puketapu and Ngāti Te Whiti, and back to Cape Koamaru.

Tōtaranui is the anchor of Te Ātiawa o Te Waka-a-Māui identity. Its many wāhi tapu, pā sites, mahinga kai and whakapapa to the whenua are of immense cultural significance to Te Ātiawa o Te Waka-a-Māui. The traditions of Te Ātiawa o Te Waka-a-Māui illustrate the physical, cultural, historical and spiritual associations with Tōtaranui.

Tōtaranui is encapsulated by Te Ātiawa o Te Waka-a-Māui contemporary Māori world-view, which is strongly based on traditional cultural beliefs, knowledge, concepts and values. These traditional concepts and values, derived from mātauranga Māori, are fundamentally important in the way Te Ātiawa o Te Waka-a-Māui view our relationship with Tōtaranui.

Tōtaranui holds an important place in Te Ātiawa o Te Waka-a-Māui tribal history, as this location was one of the tribe's major triumphant battles with the previous occupiers. These particular skirmishes in the early 1800's gave Te Ātiawa o Te Waka-a-Māui a kaitiaki role throughout Tōtaranui.

The unextinguished native customary rights of Te Ātiawa o Te Waka-a-Māui in Tōtaranui gave our iwi responsibilities and gives meaning and effect to the customs of kaitiaki, tikanga and manaakitanga. This includes acknowledging the history of the whenua, the moana, the awa, the many various taonga and the tāngata and wāhi Māori of Tōtaranui. Te Ātiawa o Te Waka-a-Māui manaakitanga seeks common ground upon which an affinity and sense of sharing and respect can grow. It is a deep-rooted concept in Te Ātiawa o Te Waka-a-Māui culture.

Te Ātiawa o Te Waka-a-Māui kaitiaki role involves recognising the responsibilities passed down from our tūpuna to protect places of significance, such as wāhi tapu, natural resources and the many other various taonga within Tōtaranui. It is an obligation of the hapū and whānau who are kaitiaki of the land to look after and protect the physical and spiritual wellbeing of all treasured resources, places and sites of significance.

Besides being a legendary battle ground, Tōtaranui was an important site of a permanent settlement acting as a focal point for food gathering (both whenua and moana). It has consequently played a vital part in Te Ātiawa o Te Waka-a-Māui history as a major arrival and departure point for all those engaged in exploration, trade, warfare and migration.

Te Ātiawa o Te Waka-a-Māui has close ties to both the moana and the whenua of Tōtaranui. For Te Ātiawa o Te Waka-a-Māui, the coastal and marine resources (kaimoana) are regarded as treasures from the sea (Tangaroa). Whales, dolphins and seals were regular visitors to Tōtaranui and are treasured taonga for Te Ātiawa o Te Waka-a-Māui.

**TE ĀTIAWA O TE WAKA-A-MĀUI DEED OF SETTLEMENT:
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**1.3: STATEMENTS OF ASSOCIATION FOR STATUTORY ACKNOWLEDGEMENTS AND DEEDS OF
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Raupatu and settlement

Te Ātiawa o Te Waka-a-Māui took possession of Tōtaranui (Queen Charlotte Sound) through raupatu under the chiefs Te Manutoheroa of the Ngāti Hinerauhua hapū of Puketapu and Rihari Tahuaroa of the Puketapu hapu, Huriwhenua of the Ngāti Rahiri hapū, Reretāwhangawhanga, father of Wiremu Kingi Te Rangitaake of the Manukorihi, Ngāti Tuaho and the Waitara hapū, and Tamati Ngarewa of Ngāti Hinetuhi. One of the first locations to be settled in Tōtaranui was Whekenui and Okukari. Whetikau, one of the leading Te Ātiawa o Te Waka-a-Māui chiefs, took possession of land at Whekenui and put it under cultivation. Chief Ropama Te One of Ngāti Tuaho settled at Waitohi with several other leading Te Ātiawa o Te Waka-a-Māui chiefs.

The Northern Entrance

The Northern Entrance is important to Te Ātiawa o Te Waka-a-Māui not only as a waka route, but also because of the historical gardens in the area where the cultivation of taewa (potato varieties) and kūmara (sweet potato) was a specialist activity. There are important kaitiaki links to the pātiki (flounder/sole) and tāmure (snapper) breeding grounds, as well as other fish resources. The highly prized kiwi, kererū, eels, īnanga and the pāua slug are traditional resources found in Tōtaranui. Various types of clay used for dyeing muka and a range of temperate zone flora were also available to Te Ātiawa o Te Waka-a-Māui from this area, including beech, rātā, rimu and a variety of ferns.

The Northern Entrance is resourced from Te Moana o Raukawakawa with seaweed like macrocystis and karengo, the bull kelp which was a favourite for Te Ātiawa o Te Waka-a-Māui for their sea gardens, and sponges (brizones) which were used for various healing methods. One of the seaweed species was chewed by Te Ātiawa o Te Waka-a-Māui as a gargle or spray for sore throats.

At the entrance to Tōtaranui there are colonies of rare shag, the king shag, which are prized taonga to Te Ātiawa o Te Waka-a-Māui along with the precious fītī accessed by Te Ātiawa o Te Waka-a-Māui whānau.

Te Ātiawa o Te Waka-a-Māui had an established pā at Point Jackson and another at Anahou (Cannibal Cove). In 1839 there was between eighty and ninety people at Anahou under Ngarewa during Dieffenbach's visit, with large cultivations areas. Anahou was a central papakāinga for Te Ātiawa o Te Waka-a-Māui moving to Point Jackson, providing shark, supplejack, pāua, kina and other types of kaimoana including seaweed.

Ship Cove is a wāhi tapu and significant urupā for Te Ātiawa o Te Waka-a-Māui and the walking tracks from Ship Cove provided Te Ātiawa o Te Waka-a-Māui with easy access to Cape Jackson, Port Gore and Endeavour Inlet.

Endeavour Inlet is a large bay with various bays inside the Inlet. This particular Inlet was used as a hunting area for Te Ātiawa o Te Waka-a-Māui, particularly for the kererū (pigeon) and the shearwater which has been enticed there by fish species. Both are valuable taonga for Te Ātiawa o Te Waka-a-Māui. Kōkopu was caught around the stream in Endeavour and often preserved by Te Ātiawa o Te Waka-a-Māui.

Ruakākā was an early settlement site for Ngāti Hinetuhi and Ngāti Kura. This area was also a nesting place of the ākā and a good source of fern root. The hapū who resided in Ruakaka also utilised the resources in the Bay of Many Coves as this Bay also provided many species of kaimoana.

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**1.3: STATEMENTS OF ASSOCIATION FOR STATUTORY ACKNOWLEDGEMENTS AND DEEDS OF
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Te Ātiawa o Te Waka-a-Māui had various kāinga within Tāhuahua (Blackwood Bay), Tūnoamai, Kumutoto, Kaipākirikiri (Double Bay) and Toreamoua; these areas also contain many wāhi tapu and urupā. Toreamoua was also a waka track across to the Pelorus and a favoured walking track. Scallops were plentiful in Kumutoto Bay. There are also a number of underwater burial caves present in Tāhuahua.

In the 1830s through to the 1860s, Iwituaroa was the home of the Ngāti Rahiri people, where they cultivated their vegetable gardens and fished for tuere, kōiro and other species of fish that were plentiful.

The Ngakuta Pā area is associated with various Te Ātiawa o Te Waka-a-Māui hapū. The name Ngakuta refers to an edible seaweed which could be cooked with fish or other meat in the hangi. Kaireperepe Bay (near Governors' Bay) was so named because of the elephant fish which come into this Bay to lay their eggs. Momorangi (the name means "offspring of heaven" and was possibly the name of a Māori chief who lived there) was a wānanga for tamariki belonging to Ngakuta Pā and became a papakāinga for Te Ātiawa o Te Waka-a-Māui. Ducks and bird life were abundant in these areas, and the bush provided the hapū with fern roots as a major kai source.

Wedge Point and Shakespeare Bay are significant areas to Te Ātiawa o Te Waka-a-Māui with various wāhi tapu and underwater urupā. Shakespeare Bay was an area also renowned for pipi and kopakopa, as well as being a good spawning area for mussels due to its location and weather, where the northerly winds blow the spat into the bay. These areas were also tauranga waka and mahinga kai sites for Te Ātiawa o Te Waka-a-Māui.

Kaipupu Point and the Waitohi (Picton) foreshore and marina are highly significant areas within Waitohi for Te Ātiawa o Te Waka-a-Māui. These areas were a main food source for Te Ātiawa o Te Waka-a-Māui particularly for the kopakopa, pipi and other shellfish that were gathered.

The Waitohi estuary followed into Waitohi harbour and had an abundance of kaimoana and freshwater species which provided the Waitohi pā with ample food. The Victoria Domain was another important mahinga kai where sardines were plentiful.

Bobs Bay and Shelly Beach are significant areas and were ideal nursery gardens for kopakopa. Kaimoana was also harvested. Waitohi and the surrounding bays were large papakāinga, mahinga kai and kaimoana gathering areas. Te Ātiawa o Te Waka-a-Māui had extensive tauranga waka sites within these areas. The two estuaries which used to flow into the Waitohi harbour were bountiful with fish and shellfish, which provided kai for the hapū at various times of the year.

Waikawa

Waikawa Bay is rich in history for Te Ātiawa o Te Waka-a-Māui. It was a main tauranga waka site for the whānau who resided in the Sounds. Te Ātiawa o Te Waka-a-Māui was relocated from Waitohi to Waikawa in 1856, and Te Ātiawa o Te Waka-a-Māui set up several papakāinga in the area. The mouth of the Waikawa Stream supplied the iwi with freshwater mussels, koura and tuna.

The Waikawa Stream estuary yielded valuable resources and was a culturally significant site for Te Ātiawa o Te Waka-a-Māui. Plants for rāranga include harakeke and raupō. Foods from the wetlands included roots and pollen from raupō, berries from kahikatea, mātai, supplejack, fruit from kie kie, the trunk pith and from stems of mamaku (black tree fern), and fluid and

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honey from harakeke (flax). Flax was also used as a fibre (muka) for binding and manufacturing into cordage and textiles. Certain varieties found at Waikawa Stream were brought down from Taranaki.

Waikawa Bay was the food cupboard of Te Ātiawa o Te Waka-a-Māui and is historically, culturally and spiritually significant. Due to the location it was readily accessible in all weather conditions for kai gathering, weaving resources such as dyes, and as a waka corridor to Tōtaranui. The Bay was intensively fished and actively managed by Te Ātiawa o Te Waka-a-Māui to ensure that the Bay remained an abundant food and weaving resource. There are wāhi tapu, wāhi taonga and mahinga kai within Waikawa Bay. The philosophy of the hapū and whānau was based on the importance of protecting the mahinga kai grounds and the whenua and its resources for all future generations.

The Kawakawa tree is another important resource, which was prevalent throughout Queen Charlotte Sound and in particular at the head of Waikawa Bay. It was a resource customarily gathered for use at tangihanga and also for medicinal purposes.

The name Whatamango refers to the stage of a storehouse on which dog fish or sharks were dried. The oil from the shark was used as a method for preserving the carvings and for remedial purposes. Ahuriri (Hauriri) Bay at the head of Whatamango Bay is where Te Ātiawa o Te Waka-a-Māui hapū used a weir dyke to capture fish and shark. Te Ātiawa o Te Waka-a-Māui has many wāhi tapu and wāhi taonga including urupā located in this Bay. Whatamango was a resource for all Te Ātiawa o Te Waka-a-Māui in the area as it was rich in pipi beds along with mussels and various cultivations on adjacent lands. Apoka Bay is a small inlet on the north eastern side of Whatamango Bay named after Apoka who once lived there.

In Whatamango, flounder were speared by Te Ātiawa o Te Waka-a-Māui using flax torches in the late evening. The seashore, littoral zone and estuaries contained a wide range of culturally significant shellfish species, including pipi, cockles, scallops, pāua and mudwhelks.

Tory Channel

Kura te Au (Tory Channel) is highly valued by Te Ātiawa o Te Waka-a-Māui for its spiritual and cultural associations and long time association with the area. As well as providing food, work and income, it is a source of tribal identity, mana and pride. Te Ātiawa o Te Waka-a-Māui unextinguished native customary rights over Kura te Au and the privileges bestowed upon the iwi since the raupatu of this particular significant waterway is still and always will remain in effect. Kura te Au is a highly prized kaimoana source and a nursery garden for shellfish, crustacean, fish species and various seaweed species.

A rock formation in Tory Channel, opposite Mōioio Island, is known as Te Kakau o te Toki o Kupe (The Handle of Kupe's Axe), and an especially glittery rock within Kura te Au called Te Uira Karapa (The Lightning) is said to have frozen the flash of Kupe's axe when it struck Te Wheke a Maturangi. Kura te Au is the kaitiaki of the pā called Mōioio, while on the adjacent mainland is another, Kaihinu. Ngāti Rahiri through their chief Huriwhenua were the kaitiaki of both Mōioio and Kaihinu, and these still remain today under the mantle of Te Ātiawa o Te Waka-a-Māui nui tonu.

Whaling was a large component of Te Ātiawa o Te Waka-a-Māui history, and was the local economy with principal stations in Tory Channel at Te Awaiti and Jacksons Bay. Whaling and the significance of the whale can be seen in the wharenui at Waikawa and the gateway to the Marae. Te Ātiawa o Te Waka-a-Māui witnessed the last harpooning of the great whale from a rowboat at Dieffenbach in Kura te Au.

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**1.3: STATEMENTS OF ASSOCIATION FOR STATUTORY ACKNOWLEDGEMENTS AND DEEDS OF
RECOGNITION**

There is some evidence to suggest the Treaty of Waitangi may have been signed at Merokihengahenga. According to Reverend Ironside, a pā that belonged to Te Tūpē was at Te Awaiti, and he was one of the signatories to the Treaty.

Te Awaiti (the name means “a little river”) is a central iconic bay and Te Ātiawa o Te Waka-a-Māui whānau have maintained ahi kā roa in its purest sense since our arrival to Te Tau Ihu. The sheltered waters of Te Awaiti have the ideal space to haul ashore a reasonable number of waka away from the pounding waters of Te Moana o te Raukawakawa.

Te Awaiti was a large settlement for many Te Ātiawa o Te Waka-a-Māui traveling across Te Tau Ihu and across Te Moana o te Raukawakawa. Te Awaiti was used for whaling and as a meeting place for manuhiri and Crown officials. Te Awaiti was a large working village for Te Ātiawa o Te Waka-a-Māui, and was the main pā site for Te Ātiawa o Te Waka-a-Māui during the raupatu of Te Tau Ihu. Heberley describes seeing human remains, obviously the product of a recent feast, after the invasion of Tōtaranui by Te Ātiawa o Te Waka-a-Māui. Te Awaiti was a central point for whaling and repairs and maintenance of waka and whale boats. A Methodist chapel was also built in the early 1800s. Virtually all Te Ātiawa o Te Waka-a-Māui have a link to this bay.

Pūponga Point (Breaching Whale), between Te Awaiti and Fishing Bay, was named after one of the Keenan descendants because of the shape of the ridgeline to the shore. There is also a narrative account of a friendly whale guiding waka back to the Kura te Au (Tory Channel). The ridgeline contains remnants of the pit dwellers. Te Awaiti has several wāhi tapu, wāhi taonga and many Te Ātiawa o Te Waka-a-Māui primary ancestors were resident and buried there. Our descendants still maintain the ahi kā roa today as kaitiaki.

Deep Bay (Umukuri) had an abundant supply of oysters. Motukina, a bay within Tory Channel, owes its name to the abundance of kina customarily gathered there. Giant petrels or stinkpots were abundant around the old whaling station, where up to 200 at a time would feed on offal along with the penguin who were regular visitors to Kura te Au.

Hitaua Bay urupā is an important bay because there are several flat areas which were used extensively for smoking (preservation) fish. Missionary Bay, a small cove near Opuā Bay, was an inland walking track for Te Ātiawa o Te Waka-a-Māui to the Wairau settlement.

Te Rua (Yellerton) is where Te Ātiawa o Te Waka-a-Māui obtained the dye from the yellow clay for weaving and carvings. There was also a renowned Te Ātiawa o Te Waka-a-Māui skirmish in this bay. Te Tio/Oyster Bay was a nursery ground for the sea gardens. Cockles and oysters were an important shellfish in the Te Ātiawa o Te Waka-a-Māui diet.

Whekenui and Okukari were large Te Ātiawa o Te Waka-a-Māui settlements, with a population of about one hundred and fifty. Their well-fenced gardens contained potatoes and taro and a large number of pigs. This area has important wāhi tapu and wāhi taonga. Whekenui is notorious for its fast tidal water and bull kelp.

Te Weu Weu, or Eliza Keenan Bay, near Te Pangu Bay is a tapu area named after a chief who drowned while fishing the area. The kēhua (spirit) will sometimes emerge in the form of a shark or wheke as a warning that the tapu still holds.

On the ridge above Onepua Bay is where Te Manutoheroa saved the life of Te Rauparaha. Onepua means blossom or foam of the sea, which refers to the algae blooms that usually start first in this area. At the head of Māretai is a place called Tikimaeroero which refers to the

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legend of those living on the wilds. Many of these legends can be verified by the middens on the ridges of the Sounds.

East Bay and Arapaoa (Arapawa)

Ipapakareru is extremely important to Te Ātiawa o Te Waka-a-Māui because in 1841 the great Te Ātiawa o Te Waka-a-Māui fighting chief Te Manutoheroa resided there.

Te Umu Wheke is so named as part of the wheke (octopus) of Maturangi was cooked in an earth oven there, and for Te Ātiawa o Te Waka-a-Māui this area was a mahinga kai. Coastal forests which produced edible resources occurred in fringes along the coast in the lower reaches of the bay towards the shoreline. Manuka grew in more exposed areas, on cliffs and promontories.

Wharehunga Bay is an ancestral area for Te Ātiawa o Te Waka-a-Māui and was used for gathering kai and other resources. There were settlements within the Bay and also abundant birdlife. Seabirds included seagull, shags, pied stilts, pied oyster catchers and godwits, and penguins were frequent visitors.

There were two villages situated at Ngakuta. The main pā was at the head of the Bay while another situated on the Peninsula served as a refuge when under attack. An urupā was situated on the Peninsula. Rihari Tahuaroa, who was living in Ngakuta in the 1880s and 90s, revealed that the Puketapu lived at Mokopeke and cultivated the land there, as they did in other parts of East Bay and the Northern Entrance along with Ngāti Te Whiti. At the top of the hill in East Bay there is a lookout point where messages could be sent across the Straits by lighting a fire.

According to Puketapu tradition, an old Te Ātiawa o Te Waka-a-Māui kuia used to live on the hill above Mokopeke and had her own crops, one of which was Māori potato brought from Taranaki. These potatoes are an important species to Te Ātiawa o Te Waka-a-Māui. Te Ātiawa o Te Waka-a-Māui harvested their own mussels and shellfish from gardens (farms) in East Bay.

There were large Te Ātiawa o Te Waka-a-Māui settlements at Otanerau, Mokopeke and Oamaru. Ernst Dieffenbach described being offered roast potatoes, pork and 'excellent dried barracuda [barracouta]', all procured from the immediate vicinity by the inhabitants of the kāinga. Mangareporepo is a stream flowing into Te Aroha Bay which provided freshwater to the Bay. Fresh waterways provided Te Ātiawa o Te Waka-a-Māui with methods of preservation of their tīī, kererū, pāua and crayfish and the kiekie provided flavour to the kererū when preserved. The slippery seaweed growing on the rocks was also used as part of the preservation process and in healing methods. Oamaru was a main waka landing for those crossing the Strait and often Te Ātiawa o Te Waka-a-Māui hauled our waka ashore and then followed a track over the hill into East Bay.

Clarke Point, Kōtukutuku, Coopers Point and Paparoa Point up to Cape Koamaru were main lookout points in times of warfare, and these areas held vast quantities of pāua and crayfish. Te Ātiawa o Te Waka-a-Māui had considerable knowledge of trails and tauranga waka, places for gathering kai and other taonga within these areas, ways in which to use the resources of the sea, the relationship of people with the moana and whenua, their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Te Ātiawa o Te Waka-a-Māui today.

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Islands

All of the numerous islands and rocks within Tōtaranui, regardless of size, are of great importance, and each has its own unique significance to Te Ātiawa o Te Waka-a-Māui. These islands were at one time occupied by Te Ātiawa o Te Waka-a-Māui for defence, papakāinga, urupā, cultivations and/or mahinga kai.

Motuara Island is an iconic national site. On 31 January 1770, James Cook hoisted the British Flag both at Ship Cove and on Motuara Island and officially named Queen Charlotte Sound. On the Hipa Pā, south of Motuara, the tūpuna of Kereopa lived up until around 1893. The last two children born on the Island were Amiria and Richard Arthur. After 1893 the Island became uninhabitable due to sanitary reasons. Both Motuara and Long Island were fortified pā sites, and also had extensive cultivation areas. Motuara Island Bird Sanctuary has blue penguins, South Island saddleback, kererū, yellow-crowned parakeets (kākāriki), bellbirds and the South Island robins.

Te Ketu (Long Island) was once a fortified pā site and it has several wāhi tapu and wāhi taonga. On the rocks around the coastline are numerous oysters, mussels, catseye, pāua, (abalone), kina (sea egg) and crayfish.

Amerikiwhati Island, an old fortified pā site, has twenty-five distinct terraces, most measuring six metres by four, although one is fifteen by five metres. There are pits within the terraces, some of which would have been occupied and others used as storage pits. The more bulbous pits may have been water reservoirs, as there is no fresh water source on the Island.

Motungārara Island has accepted tikanga and procedures governing how and when tītī (muttonbirds) were taken. Tītī are a customary delicacy that Te Ātiawa o Te Waka-a-Māui harvested annually from approximately March through to Easter. These precious resources are also on Islands such as Cabbage Island and the Island within Island Bay (Glasgow).

In addition to the Tītī Islands in Tōtaranui, the White Rocks and the twins Amerikiwhati are marker points for the waka across Te Moana o te Raukawakawa, Te Tai Aorere and Te Tai Tapu. Komokohua has significant cultural, and an intimate spiritual and physical relationship, to the king shag, a great taonga to Te Ātiawa o Te Waka-a-Māui.

In Kura te Au there is Tokakaroro (seagull rock), which was used as a weather indicator, and Tarangakawau the resting place for the shag who oversees Kura te Au. To Te Ātiawa o Te Waka-a-Māui, Te Kawau a Toru was a sacred bird loyal to Kupe. Possessing a huge wingspan, he was reputed to be 'the eye of the ancestor', a special bird with insights into ancient knowledge.

Anatoia Island, sitting inside Anatohia Bay, was used by the whānau for burial until the early 1900s, and the saddleback and kōkako were once plentiful in the Bay.

The largest island is Arapawa (Arapaoa) ("the path of the fierce downward blow"), which refers to Kupe's axe striking Te Wheke a Maturangi. Arapaoa and its surrounding bays have extensive sites of significance, including the traditional trails of the tūpuna in the area, the places for gathering kai and other taonga, and the ways in which the resources of the whānau were gathered. These histories reinforce iwi identity, connection and continuity between generations and between the whānau of Te Ātiawa o Te Waka-a-Māui iwi. Te Ātiawa o Te Waka-a-Māui had vast kāinga, pā and wānanga on Arapaoa along with extensive tauranga waka. Arapaoa was not only the spiritual moutere tapu for Te Ātiawa o Te Waka-a-Māui, but home for many.

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Summary

As a result of Te Ātiawa o Te Waka-a-Māui historical occupation, there are a number of urupā and wāhi tapu associated with Tōtaranui. Urupā are the resting places of Te Ātiawa o Te Waka-a-Māui tūpuna and, as such, are the focus for whānau traditions. Urupā and wāhi tapu are places holding the memories, traditions, victories and defeats of Te Ātiawa o Te Waka-a-Māui tūpuna, and are frequently protected by keeping their location secret. Te Ātiawa o Te Waka-a-Māui have many silent files on the location of several urupā and underwater caverns within Tōtaranui.

Tōtaranui is also an important mahinga kai, and Te Ātiawa o Te Waka-a-Māui continued to rely on a vast array of land-based resources to engage in a range of customary practices, such as hunting and weaving which were central to our cultural identity. Tōtaranui was a nursery ground for many species, such as birds, shellfish, crustaceans, fish and various seaweed, mammals and plants. In particular the tui, pigeons, parakeet, kererū, bellbird, tomtit, brown creeper, silvereye, fantail, weka, grey warbler and falcons, as well as a number of ducks, seabirds and shags were once plentiful in Tōtaranui. Some of the native freshwater fish of the Tōtaranui waterways are the longfin eel, lamprey, giant kōkopu and shortjaw kōkopu

Te Ātiawa o Te Waka-a-Māui tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of Tōtaranui, the relationship of people to Tōtaranui and their dependence on it, and tikanga for the proper and sustainable utilisation of resources.

For Te Ātiawa o Te Waka-a-Māui, histories of Tōtaranui reinforce tribal identity and solidarity and continuity between generations, and document the events which shape us as an iwi.

We view ourselves as part of the natural flora and fauna within Tōtaranui and the wonderful taonga which have been bestowed upon Tōtaranui. The relationship Te Ātiawa o Te Waka-a-Māui has with these taonga is central to our identity and our cultural and spiritual wellbeing. Mana, mauri, whakapapa and tapu are all important elements of the spiritual relationship of Te Ātiawa o Te Waka-a-Māui with Tōtaranui. All of these values remain important to the people of Te Ātiawa o Te Waka-a-Māui. One of the roles of Te Ātiawa o Te Waka-a-Māui as kaitiaki is to protect the mauri of the Tōtaranui. Whakapapa defines the genealogical relationship of Te Ātiawa o Te Waka-a-Māui to Tōtaranui. Tapu describes the sacred nature of the area to Te Ātiawa o Te Waka-a-Māui.

Tōtaranui is an important natural resource that Te Ātiawa o Te Waka-a-Māui identifies and protects as a taonga (treasure) for current and future generations. The use of natural resources is governed and regulated through cultural lore and traditions of tapu, rāhui and noa (sanction).

Tōtaranui represents the links between the cosmology and the gods and present generations. These histories and customs reinforce our tribal identity, solidarity and continuity through the generations, and document the events that have shaped the environment of Tōtaranui and Te Ātiawa o Te Waka-a-Māui as an iwi.

KAKA POINT

Whatungarongaro te tangata toi tu whenua

Kaka Point and the surrounding area is pivotal to Te Ātiawa o Te Waka-a-Māui and is a wāhi tapu. Kaka Point is of special significance to Te Ātiawa o Te Waka-a-Māui whānau through

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their ancestral and spiritual links to the natural world. The mauri of Kaka Point embodies the life force that binds the spiritual world with the physical world.

Kaka Point was important in the lives of Te Ātiawa o Te Waka-a-Māui tūpuna and remains central to the lives of whānau in the present. Kaka Point extends its influence onto various papakāinga at Kaiteriteri across to Riuwaka, Motueka, and Separation Point. Beneath Kaka Pā gaze, generations of whānau have lived, cultivated land, collected resources and harvested food.

Kaiteriteri attractiveness was sufficient for a defended pā to be built on Kaka Point. A series of ditches were constructed across the narrow area between the Point and the rest of the mainland. On the Point itself were terraces for house sites and pits for food storage. The steep cliffs provided strong natural defences, and are protected on the inland side by a deep ditch. The area around Kaka Point is highly erodible, weathered Separation Point granite.

Kaka Point has one of the several recorded pā sites on the coast between the mouth of the Riuwaka River and Otuwhero Inlet, and is the largest recorded pā in the Motueka area. The sites along the foreshore are believed to have been mainly associated with cooking and food preparation, however, other activities were also occurring in the area indicated by argillite flakes and a chisel being found there.

The mauri of Kaka Pā represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Te Ātiawa o Te Waka-a-Māui with the area. While Kaka Point is to be returned to the Crown as a gift back to the people of New Zealand, Te Ātiawa o Te Waka-a-Māui consider that the mauri of Kaka Point remains with Te Ātiawa o Te Waka-a-Māui.

Kaka Point is an important natural resource that Te Ātiawa o Te Waka-a-Māui identifies and protects as a taonga (treasure) for current and future generations. The use of natural resources is governed and regulated through cultural lore and traditions of tapu, rāhui and noa (sanction).

Our tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of Kaka Point. All of these values remain important to Te Ātiawa o Te Waka-a-Māui today. Te Ātiawa o Te Waka-a-Māui strongly associate to Kaka Point and it is often referred to in whaikōrero by kaumātua and other iwi members.

Te Ātiawa o Te Waka-a-Māui has mana, whakapapa associations and history here, and we have tikanga and kawa which involve tapu and noa in this area. Te Ātiawa o Te Waka-a-Māui mana, take tūpuna and our intense relationship with Kaka Point incorporates our cultural values, and Te Ātiawa o Te Waka-a-Māui exercises customary authority over this area.

KAITERITERI SCENIC RESERVE

Mai i ngā pakanga nui i te hekenga Niho Mango, he waahi tino whakahirahira a Kaiteriteri ki a Te Ātiawa o Te Waka-a-Māui. Mai i tērā wā ka mau tonu a Te Ātiawa o Te Waka-a-Māui i te mana o taua whenua. I reira te hui tuatahi i waenga i te Kamupene o Aotearoa me Te Ātiawa o Te Waka-a-Māui kia whakatau ai ngā whakaritenga mo te taenga mai o te Pākehā ki o mātou whenua. Me kii, ko ngā painga ki a Te Ātiawa o Te Waka-a-Māui; Ko ngā wahi ngahuru mo Te Ātiawa o Te Waka-a-Māui, ko ngā rāhui i ngā whenua tapu, ngā whenua noho

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me ngā whenua kai; ko ngā tohutohu o Te Ātiawa o Te Waka-a-Māui ki te hunga Pākehā mo a rātou nohoanga; me te homai o etahi taonga Pākehā kia whakanui ai te mana o ngā kōrero.

Since the victorious battles of the migration Niho Mango, Kaiteriteri has been a very significant place to Te Ātiawa o Te Waka-a-Māui. It was here that the first meeting between the New Zealand Company and Te Ātiawa o Te Waka-a-Māui was held to cement the terms for the settlement of Pākehā on our lands. Specifically, the benefits to Te Ātiawa o Te Waka-a-Māui, the Tenths land proposal, the exclusion of tapu, occupation and food resource sites, Te Ātiawa o Te Waka-a-Māui instructions on the terms and places of Pākehā settlement, and the gifting of Pākehā objects to formally recognise this agreement.

Te Ātiawa o Te Waka-a-Māui exercises kaitiakitanga with the strongest customary authority over Kaiteriteri. Kaiteriteri is central to Te Ātiawa o Te Waka-a-Māui identity, our solidarity, our kaitiakitanga, our mana, our whakapapa, our history, our tikanga and kawa which include tapu and noa. Kaiteriteri symbolises the intense nature of the relationship Te Ātiawa o Te Waka-a-Māui has with the environment and the mauri that is contained in all parts of the natural environment that binds the spiritual and physical worlds. The special relationship Te Ātiawa o Te Waka-a-Māui has with Tangaroa and the coastal waters adjoining Kaiteriteri has great spiritual significance vested in mana Atua. It also has practical values, as such practices and elements that defile the mauri and the mana of the sea are seen as abhorrent.

Kaiteriteri is a significant natural resource that Te Ātiawa o Te Waka-a-Māui identifies and protects as a taonga for past, present and future generations. The use of natural resources is governed and regulated through cultural lore and traditions of tapu, rāhui and noa.

Te Ātiawa o Te Waka-a-Māui derived mana over Kaiteriteri through take raupatu. As a tangata whenua iwi, Te Ātiawa o Te Waka-a-Māui has a role is to protect all wāhi tapu and occupation sites within Kaiteriteri.

The conquered territories of western Te Tau Ihu extended from the sea coast Tasman Bay to valleys some miles inland. There were networks of side trails through the landscape linking those inland valleys to each other and to the coast. Te Ātiawa o Te Waka-a-Māui became familiar with these trails, some of which had been established for centuries, through their own explorations and through the guidance of others. The major routes were a complexity of trails by which Te Ātiawa o Te Waka-a-Māui accessed far southern districts, ventured to the inland lakes, rivers and streams for seasonal harvests of birds and plants, and quarried minerals (kokowai, pounamu, flints, etc) or accessed the coast for seafood.

Kaiteriteri is a strategic landform, a physical marker that is steeped in ancestral history. The mātauranga and wāhi tapu associated with Kaiteriteri are taonga along with the traditions associated with Kaiteriteri. Its resources have been integral to the expression of Te Ātiawa o Te Waka-a-Māui as kaitiaki. This kaitiaki role has the responsibilities passed down from tūpuna for Te Ātiawa o Te Waka-a-Māui to take care of places, natural resources and other taonga within our rohe. Undisturbed occupation of the whenua over generations by Te Ātiawa o Te Waka-a-Māui has instilled connections and expressions of value into the whenua, space and resources. It is an obligation of the hapū and whānau who have an association with the whenua to look after and protect the physical and spiritual wellbeing of all treasured resources, places and sites of significance.

For Te Ātiawa o Te Waka-a-Māui, Kaiteriteri is an area of great cultural, spiritual, historical, and traditional values, and represents the links between the cosmology, the gods and present generations. These histories reinforce our mana, our iwi identity, solidarity and continuity

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through the generations, and document the events that have shaped the environment of Kaiteriteri and Te Ātiawa o Te Waka-a-Māui as tangata whenua of Kaiteriteri.

Te Ātiawa o Te Waka-a-Māui is charged to look after the sea, lands, waters and associated resources within Kaiteriteri for future generations. These taonga are what our tūpuna fought for and what gave Te Ātiawa o Te Waka-a-Māui customary authority of Kaiteriteri.

Kaiteriteri and Kaitiakitanga for Te Ātiawa o Te Waka-a-Māui is about preserving what our tūpuna fought for and attained. Kaitiakitanga it is both a right and responsibility acquired by proving an ability to give effect to trusteeship and management - it is intertwined with customary authority and exercising protection of the environment.

MAUNGATAPU

Maungatapu reigns above the eastern side of Tasman Bay. As the name suggests, Maungatapu is a sacred mountain, a wāhi tapu of great significance to Te Ātiawa o Te Waka-a-Māui. Through our ancestral and spiritual links to the natural world, Te Ātiawa o Te Waka-a-Māui is connected with the mauri of Maungatapu, the life force that binds the spiritual world with the physical world.

Maungatapu has been important to the identity and lives of Te Ātiawa o Te Waka-a-Māui for generations. Beneath the gaze of this maunga Te Ātiawa o Te Waka-a-Māui cultivated land, collected resources and harvested food. Traditionally, Maungatapu was rich in manu, rongoā and tuna. Te Ātiawa o Te Waka-a-Māui used these resources to sustain their wellbeing. The significance of Maungatapu is recognised in the Te Ātiawa o Te Waka-a-Māui pepehā “Ko Maungatapu te maunga ...”

Traditionally, Te Ātiawa o Te Waka-a-Māui used Maungatapu as a boundary marker. It was a geographical landmark for tūpuna living to the west of Te Tau Ihu, forming one point in a triangle of peaks which dominate the Tasman Bay landscape.

Maungatapu is part of a network of trails that were used in order to ensure the safest journey, and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by Te Ātiawa o Te Waka-a-Māui and is regarded as a taonga. The traditional mobile lifestyle of our people led to their dependence on the resources of the land.

Maungatapu is the location of a well known tool-manufactory or quarry that is on the spur about a mile from the Forks where the track passes over a small hummock, beyond which there lies a curious hollow in the ridge. This basin encloses a shallow pool of water surrounded by a belt of rushes from which the place takes its modern name - the Rush Pool.

All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Te Ātiawa o Te Waka-a-Māui with this area. The mauri of Maungatapu represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life.

LAKE ROTOITI, NELSON LAKES NATIONAL PARK

Lake Rotoiti is highly significant to Te Ātiawa o Te Waka-a-Māui. Te Ātiawa o Te Waka-a-Māui tūpuna had considerable knowledge of whakapapa, traditional trails, and the best places for gathering kai and other taonga. We also developed well established tikanga for the proper and sustainable utilisation of resources acknowledging the relationship of our people with the

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Lake and their dependence on it. The Lake was used as a highway for travelling into the interior, and provided many resources to sustain Te Ātiawa o Te Waka-a-Māui on that journey. All of these values remain important to Te Ātiawa o Te Waka-a-Māui today.

The mahinga kai values of Lake Rotoiti were particularly important to Te Ātiawa o Te Waka-a-Māui parties travelling to various parts of our rohe. This included areas identified for a range of activities, such as camping overnight and gathering kai. Knowledge and maintenance of these trails continues to be held by whānau and hapū and is regarded as a taonga by Te Ātiawa o Te Waka-a-Māui. Kai and other materials were processed on site and transported back to coastal papakāinga for later use or elsewhere for trading.

The Nelson Lakes are the source of the Kawatiri, Motueka, Motupiko, Waiaau-toa and Awatere Rivers. Te Ātiawa o Te Waka-a-Māui has responsibilities and obligations as kaitiaki to the Lakes and the source of the rivers, including their cultural, historic, spiritual and traditional values.

All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Te Ātiawa o Te Waka-a-Māui with this Lake. The mauri of Lake Rotoiti represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life.

The spiritual and cultural integrity of the waterways throughout the rohe of Te Ātiawa o Te Waka-a-Māui are inseparable from the essence of our identity as an iwi. Te Ātiawa o Te Waka-a-Māui have an inalienable whakapapa connection with freshwater that is recorded, celebrated and perpetuated across the generations.

LAKE ROTOROA, NELSON LAKES NATIONAL PARK

Lake Rotoroa is highly significant to Te Ātiawa o Te Waka-a-Māui. Te Ātiawa o Te Waka-a-Māui tūpuna had considerable knowledge of whakapapa, traditional trails, places for gathering kai and other taonga. We also developed well established tikanga for the proper and sustainable utilisation of resources acknowledging the relationship of our people with the Lake and their dependence on it. The Lake was used as a highway for travelling into the interior, and provided many resources to sustain Te Ātiawa o Te Waka-a-Māui on that journey.

The mahinga kai values of Lake Rotoroa were particularly important to Te Ātiawa o Te Waka-a-Māui parties travelling to various parts of our rohe. This included areas identified for a range of activities, such as camping overnight and gathering kai. Knowledge and maintenance of these trails continues to be held by whānau and hapū and is regarded as a taonga by Te Ātiawa o Te Waka-a-Māui. Kai and other materials were processed on site and transported back to coastal papakāinga for later use or elsewhere for trading.

Lake Rotoroa provided a plentiful supply of food and other resources needed to replenish supplies. Freshwater mussels, a highly valued mahinga kai, were collected from Lake Rotoroa. Tuna, whio, and other birds such as kōkako, weka and bush wren were also abundant. The shrub neinei was also found in this location.

The Nelson Lakes are the source of the Kawatiri, Motueka, Motupiko, Waiaau-toa and Awatere Rivers. Te Ātiawa o Te Waka-a-Māui have responsibilities and obligations as kaitiaki to protect the Lakes and the source of the rivers, including their cultural, historic, spiritual and traditional values.

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All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Te Ātiawa o Te Waka-a-Māui with this Lake. The mauri of Lake Rotoroa represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life.

The spiritual and cultural integrity of the waterways throughout the rohe of Te Ātiawa o Te Waka-a-Māui are inseparable from the essence of our identity as an iwi. Te Ātiawa o Te Waka-a-Māui have an inalienable whakapapa connection with freshwater that is recorded, celebrated and perpetuated across the generations.

WESTHAVEN (TE TAI TAPU) MARINE RESERVE AND WESTHAVEN (WHANGANUI INLET) WILDLIFE MANAGEMENT RESERVE

Westhaven Marine Reserve (Te Tai Tapu) and Westhaven Wildlife Reserve (Whanganui Inlet) are of immense historical, traditional and cultural significance to Te Ātiawa o Te Waka-a-Māui. Te Ātiawa o Te Waka-a-Māui are coastal people and we have a strong association with the sea and the water within our rohe as well as the mountains that watch over us. As tangata whenua we have obligations and responsibilities to this place and its cultural, spiritual, historical and traditional values.

Te Ātiawa o Te Waka-a-Māui have whakapapa connections with Te Tai Tapu. We also have long standing knowledge of traditional trails, tauranga waka, the best places for gathering kai and other taonga, and developed well established tikanga for the proper and sustainable utilisation of resources acknowledging the relationship of our people with Te Tai Tapu and the Whanganui Inlet and their dependence on it.

There are a number of Te Ātiawa o Te Waka-a-Māui wāhi taonga within the wetland area, including middens and other evidence of historical occupation. These are important places holding the memories of Te Ātiawa o Te Waka-a-Māui. Toiere, on the southern shores of Whanganui Inlet, was a Te Ātiawa o Te Waka-a-Māui pā site. Rakopi was a traditional fishing camp for Te Ātiawa o Te Waka-a-Māui.

Middens and ovens as well as rock and cave shelters recorded along Te Tai Tapu coast mark both longer-term habitation sites and the campsites of Te Ātiawa o Te Waka-a-Māui who came to gather resources from Whanganui Inlet for their journey south to Te Tai Poutini.

Te Ātiawa o Te Waka-a-Māui whānau living in Mōhua and across Te Tau Ihu made seasonal journeys to Te Tai Tapu/Whanganui Inlet to collect mahinga kai, rongoā and other natural materials. In earlier times, whole Te Ātiawa o Te Waka-a-Māui communities would relocate their villages to harvest resources from this huge and abundant food basket. Te Ātiawa o Te Waka-a-Māui gatherings occurred frequently, depending on the seasonal resources available for harvest from land and sea. Each season of the year brought different resources to fruition for harvest.

A natural wonder, with a thriving estuary and marine life, Whanganui Inlet is home to a huge number of shellfish, crabs and other invertebrates. Te Ātiawa o Te Waka-a-Māui collected tuangi (cockles), pipi, tuatua, pūpū, kūtai (mussels) and tio (rock oysters) from the mud, sand and tidal rocks; īnanga, tuna and kōkopu were harvested from the rivers and streams. Around thirty fish species use the Inlet at some stage in their lifecycle. In the breeding seasons, the waters can be seen literally “boiling” with shoaling fish, including snapper/bream, mullet, herrings, flounder, sole, sharks, kahawai, southern mackerel, conger eels, piharau and warehou.

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The estuary also provides food and shelter for an array of wading birds, including the godwit, oystercatcher and the banded rail. Saltmarsh communities fringe the shoreline and eelgrass beds dominate the tidal flats. Dunes, cliffs, islands and underwater reefs contribute to the huge range of habitats and species found within Whanganui Inlet. Much of the Inlet is still bordered by coastal forest including pukatea, rata, kahikatea, beech, rimu and nikau palm.

Land based resources were also gathered, harvested or quarried on traditional whānau trips. Plants for weaving, such as aka (supplejack) were harvested for crayfish pots, hīnaki for eeling, and kiekie and pingao for other weaving. The swamps provided thousands of hectares of tough harakeke for whāriki (mats), especially at Rakopi and near Mangarakau. Kiekie fruits were a delicacy as were hinau berries and other fruit trees. Long straight stands of hinau and lance-wood provided exceptionally strong shafts for fishing spears, spars and poles.

Te Ātiawa o Te Waka-a-Māui has responsibilities and obligations to protect the cultural, spiritual, historical and traditional values of Te Tai Tapu and Whanganui Inlet, and to pass these onto the next generations; these are the tools of iwi.

PARAPARA PEAK

Parapara is a prominent and majestic peak, clearly visible from a number of vantage points in Mōhua and Onetahua. It is a wāhi tapu - a sacred maunga of special significance to Te Ātiawa o Te Waka-a-Māui whānau through our ancestral and spiritual links to the natural world. As with all principal maunga, Parapara Peak is imbued with the spiritual elements of Rangī and Papa, in tradition and practice it is regarded as an important link to the primeval parents. Originally, Huriawa, the taniwha of Te Waikoropupū, was buried on Parapara until she was called forth to guard the waterways and caves of Te Waikoropupū.

Parapara Peak was important in the lives of Te Ātiawa o Te Waka-a-Māui tūpuna and remains central to the lives of whānau in the present. Parapara extends its influence onto papakāinga at Pariwhakaoho, Parapara Inlet, Onekaka and Tukurua. Beneath Parapara gaze, generations of whānau have lived, cultivated land, collected resources and harvested food. Parapara Inlet was a renowned special resource area and rich in mahinga kai. The legend of Kaiwhakauaki, the taniwha of Parapara Inlet, served as a warning to outsiders who might be tempted to exploit the valuable resources there.

Te Pariwhakaoho, the awa that carries the sacred waters from Parapara to the sea, is a taonga. These cleansing waters carry the kōkōwai stone in all tones of red. This red glow can be seen in the sands at the edges of the awa. The kōkōwai deposits at Parapara are considered to be the blood of Papatūānuku. Therefore, the river runs red with blood from the separation of Papatūānuku and Ranginui. The kōkōwai deposits are a sacred link with ngā tupuna - a wāhi tapu to Te Ātiawa o Te Waka-a-Māui.

Since their occupation of the land below Parapara Peak, Te Ātiawa o Te Waka-a-Māui whānau have looked to the Peak for indications of changing weather and seasonal patterns. Parapara was also a geographical marker, linking the people to the land. Its significance is recognised in the pepehā of Mōhua people - “Ko Parapara te maunga ...”

Te Ātiawa o Te Waka-a-Māui arikitanga of Parapara Peak gives our iwi responsibilities and gives meaning and effect to the customs of kaitiaki and manaakitanga. This includes acknowledging the history of the maunga, what is buried and arises from the maunga, the many various taonga and the tāngata and wāhi Māori of Parapara Peak. There are a number of tomo (sacred caves) within this maunga.

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Te Ātiawa o Te Waka-a-Māui has a strong historical tradition of customary responsibility to the wāhi tapu, wāhi taonga (significant sites) and mahinga kai (food and resource gathering species, sites and practices) of Parapara Peak. The relationship Te Ātiawa o Te Waka-a-Māui has with the Parapara Peak taonga is central to our identity and our cultural and spiritual wellbeing.

Te Ātiawa o Te Waka-a-Māui environmental world-view of Parapara Peak has always been strongly based on traditional cultural beliefs, knowledge, concepts, and values. These traditional concepts and values, derived from traditional Māori knowledge (mātauranga Māori), have been maintained as fundamentally important in the way Te Ātiawa o Te Waka-a-Māui view their relationship with Parapara Peak.

PUKEONE / MOUNT CAMPBELL

Pukeone is highly significant and provides Te Ātiawa o Te Waka-a-Māui iwi with a sense of identity, solidarity and purpose. Pukeone is a principal maunga for Te Ātiawa o Te Waka-a-Māui and its prominent and majestic peak is clearly visible from a number of vantage points in Motueka. Pukeone has been a part of the lives of Te Ātiawa o Te Waka-a-Māui since our arrival in Te Tai o Aorere. The ancestor embodied in the mountain remains the physical manifestation of Pukeone and is the link between the supernatural and the natural world.

Pukeone has a life force or mauri of its own. This life force binds the spiritual world with the physical world and connects the iwi to the maunga. Mauri is a critical element of the spiritual relationship of Te Ātiawa o Te Waka-a-Māui with Pukeone.

For Te Ātiawa o Te Waka-a-Māui, maunga such as Pukeone are linked by whakapapa to the Atua (gods). Being the closest earthly elements to Rangi (the sky father), they are likened to the children of Rangi and Papa (the earth mother) reaching skyward. The maunga is imbued with the spiritual elements of Rangi and Papa. In both tradition and practice, Pukeone is regarded as an important link to the primeval parents.

Pukeone, the translation of Sand Hill, can be linked to the practice of carrying sand to the summit of the maunga where signal fires were lit to tell of special occasions. A fire was lit on Pukeone following Wakefield's acceptance of Nelson as a settlement site.

Traditionally, Pukeone was a boundary marker for Te Ātiawa o Te Waka-a-Māui. Pukeone was also a strategic landmark from which Te Ātiawa o Te Waka-a-Māui would signal to each other across the rohe as it could be seen from Mōhua and Whakapuaka. In the times of pre-European colonisation the signalling related mostly to war, or the threat of war. But later fires signalled other important events, such as hui at marae across the rohe. The remnants of these huge fires can still be found on top of Pukeone in the form of charcoal remains. The maunga is often referred to as "Brown Acre". Pukeone has always anchored Te Ātiawa o Te Waka-a-Māui to our rohe.

Te Ātiawa o Te Waka-a-Māui have a kaitiaki role over Pukeone establishing continuous responsibilities and obligations passed down from our tūpuna to take particular care of this place, the natural resources found here, and the tangible and intangible taonga of this ancestor. All of the indigenous plants and animals at Pukeone are culturally significant to Te Ātiawa o Te Waka-a-Māui.

Te Ātiawa o Te Waka-a-Māui has a strong historical tradition of customary responsibility for the wāhi tapu, wāhi taonga (significant sites) and mahinga kai (food and resource gathering species, sites and practices) at Pukeone. Te Ātiawa o Te Waka-a-Māui environmental world-

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view of Pukeone has always been strongly based on traditional cultural beliefs, knowledge, concepts and values. These traditional concepts and values derived from traditional Māori knowledge (mātauranga Māori) have been maintained as they are fundamentally important to the way Te Ātiawa o Te Waka-a-Māui view their relationship with Pukeone.

Te Ātiawa o Te Waka-a-Māui was very prominent in the conquest of the western side of Te Tau Ihu. The Puketapu hapū, Ngāti Komako and Ngāti Hinetuhi conquered the former occupiers and, in a later wave of migration, came Puketapu, Kaitangata, Mitiwai and Ngāti Rāhiri, all of whom have maintained unbroken ahi kaa roa.

Te Ātiawa o Te Waka-a-Māui arikitanga of Pukeone gives our iwi responsibilities and gives meaning and effect to the customs of kaitiaki and manaakitanga and the obligations as tangata whenua of Motueka.

WHAREPAPA / ARTHUR RANGE

*Ko Pukeone, ko Tuao Wharepapa ngā Maunga
Ko Motueka te awa*

Wharepapa reigns proudly over Te Tai o Aorere (Tasman Bay) and provides Te Ātiawa o Te Waka-a-Māui with a “sense of place” and belonging to the rohe. For Te Ātiawa o Te Waka-a-Māui this maunga is a precious taonga. As with all principal maunga, Wharepapa is imbued with the spiritual elements of Rangī and Papa, and in tradition and practice regarded as an important link to the primeval parents.

Wharepapa has cast its influence over the iwi living in the rohe for hundreds of years. Wharepapa is also a boundary marker for Te Ātiawa o Te Waka-a-Māui iwi of Motueka and it is still customary practice for Te Ātiawa o Te Waka-a-Māui, when speaking in a formal setting, to identify where they come from and to recite their relationship with Wharepapa that connects them to the natural world.

Wharepapa has a mauri of his own, and his life force binds the spiritual world with the physical world. All elements of the natural world have a life force and it is this life force that connects our people with this maunga.

Wharepapa is a natural reservoir of high-quality fresh water. The water that flows from Wharepapa as the snow melts is sacred. Water is an essential element of life, a taonga that is considered to transcend life itself. Wai is necessary to ensure the physical and spiritual survival of all things. It also represents the lifeblood of Papatūānuku and the tears of Ranginui. Ngā awa carry this lifeblood from Wharepapa to Tangaroa.

Te Ātiawa o Te Waka-a-Māui has a kaitiaki role over Wharepapa passed down from our tūpuna. As kaitiaki we have obligations and responsibilities to take particular care of this place, the natural resources found here and the tangible and intangible taonga of this ancestor.

Wharepapa is home to a wide range of plant and animal species which are of great significance to Te Ātiawa o Te Waka-a-Māui. Two notable species are the Mountain Neinei, which is the longest living indigenous tree, and the Powelliphanta (land snail). The Neinei was used to manufacture the wet weather capes worn by our tūpuna. These taonga were highly valued by tūpuna and remain culturally significant to Te Ātiawa o Te Waka-a-Māui whānau today.

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There are a number of tomo (sacred caves) situated within this maunga. It is an obligation of hapū and whānau who retain customary rights over the land to look after it and protect the physical and spiritual wellbeing of all treasured resources, places and sites of significance upon, in, under and above Wharepapa.

The significance of Wharepapa to Te Ātiawa o Te Waka-a-Māui is illustrated in our pepehā - “Ko Wharepapa te maunga ...” Wharepapa is also recognised through waiata.

Te Ātiawa o Te Waka-a-Māui has a strong historical tradition of customary responsibility to the wāhi tapu, wāhi taonga (significant sites) and mahinga kai (food and resource gathering species, sites and practices) of Wharepapa. The relationship Te Ātiawa o Te Waka-a-Māui has with Wharepapa is a taonga central to our identity and our cultural and spiritual wellbeing.

Te Ātiawa o Te Waka-a-Māui has an environmental world-view of Wharepapa strongly based on traditional cultural beliefs, knowledge, concepts and values. These traditional concepts and values, derived from traditional Māori knowledge (mātauranga Māori), have been maintained as fundamentally important in the way Te Ātiawa o Te Waka-a-Māui view our relationship with Wharepapa.

Te Ātiawa o Te Waka-a-Māui has maintained unbroken ahi kaa roa over Wharepapa. Te Ātiawa o Te Waka-a-Māui arikitanga of Wharepapa gives our iwi responsibilities and gives meaning and effect to the customs of kaitiaki and manaakitanga and the obligations we have as tangata whenua of Motueka.

WHAREHUNGA BAY RECREATION RESERVE (ON ARAPAOA ISLAND)

Wharehunga is extremely significant to Te Ātiawa o Te Waka-a-Māui. Strategically placed in Tōtaranui, the Pā was defended by a ditch and wall system. The Wharehunga area has been occupied by Te Ātiawa o Te Waka-a-Māui since raupatu and is the site of numerous wāhi tapu.

Wharehunga Bay was used as a Pā, as well a site for gathering kai and other resources within the Bay. There once was abundant birdlife, including shags, pied stilts, pied oyster catchers and godwits, and penguins were frequent visitors. The Pā site has an impressive series of pits located on its spur, including forty-four terraces and a large grassed area. There is also evidence of argillite working areas, as well as middens at the bay.

Te Ātiawa o Te Waka-a-Māui whānau have a long standing tradition of gathering kai and other taonga, and utilising the resources of the whenua, moana and motu by Wharehunga.

All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Te Ātiawa o Te Waka-a-Māui with the area. The mauri of Wharehunga represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life.

Te Ātiawa o Te Waka-a-Māui is connected to Wharehunga by our long standing association and cultural values that reinforce Te Ātiawa o Te Waka-a-Māui whakapapa, associations and history within Te Waipounamu and especially Tōtaranui.

WEST OF SEPARATION POINT / TE MATAU

Kia mau koe ki ngā kupu o ou Tūpuna

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Te Matau (Separation Point) is a strategic landform - a physical marker that is steeped in ancestral history. Te Matau defines the various takiwā within our rohe. Te Matau lies northwest of Nelson on the northern coast of the South Island, and separates Tasman Bay from Golden Bay. Wakatū, Waimea, Motueka, Mōhua, Te Tai Tapu have been broken into two areas - Wakatū to Te Matau, to Te Tai Tapu and the West Coast. Te Ātiawa o Te Waka-a-Māui had rights in all of these regions at 1840 through raupatu. Today the Mōhua whānau and Motueka/Wakatū whānau use Te Matau as their takiwā indicator.

Te Ātiawa o Te Waka-a-Māui o Te Waka-a-Māui, by geographical choice and necessity, are coastal dwellers who have placed high cultural and historical values upon the foreshore, seabed, and coastal and maritime waterways. Te Ātiawa o Te Waka-a-Māui view the coastline as our gardens, and the kaimoana are the fruits of our gardens.

The lands in the bays around Separation Point and the abundance of natural resources all contribute to its significance. Te Ātiawa o Te Waka-a-Māui occupation sites can still be found around Te Matau today and are an indication of the decades of Māori traditional and cultural history.

Te Matau has a mauri of its own - this life force binds the spiritual world with the physical world. All elements of the natural world have a life force and it is this life force that connects our people with this maunga. Mauri is therefore the basis of the spiritual relationship of Te Ātiawa o Te Waka-a-Māui with Te Matau.

Traditionally, this area had abundant moss animals or lace corals, which were thought to provide habitat for juvenile finfish such as snapper or terakihi. The nearby beach provided a plentiful number of seals for harvest, and the number of small caves sheltered tūpuna as they cleaned and sewed up sealskins. Blue penguins fed at sea during the day and returned to burrows at night. Bellbirds, fantails, and kererū (wood pigeons) were also an important resource for Te Ātiawa o Te Waka-a-Māui.

Te Ātiawa o Te Waka-a-Māui whānau and extended whānau gatherings occurred frequently, depending on seasonal resources available for harvest from land and sea. Each season of the year brought different resources to fruition for harvest. These harvests were an opportunity to renew social and familial ties, but many people were also needed to carry out the jobs associated with the harvest.

The traditions associated with the area and its resources have been integral to the expression of kaitiakitanga. Kaitiakitanga for Te Ātiawa o Te Waka-a-Māui is about preserving what our tūpuna fought for and attained, it is both a right and responsibility acquired by proving an ability to give effect to trusteeship and management. Kaitiakitanga is intertwined with customary authority and exercising protection of the environment.

The mātauranga and wāhi tapu associated with Te Matau are taonga Te Ātiawa o Te Waka-a-Māui wish to protect for future generations. The relationship Te Ātiawa o Te Waka-a-Māui has with Te Matau is as important to present day whānau as it was to our tūpuna.

Te Ātiawa o Te Waka-a-Māui tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of Te Matau and the surrounding districts, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Te Ātiawa o Te Waka-a-Māui today. Te Ātiawa o Te Waka-a-Māui strongly associate to the Motueka and it is often referred to in whaikōrero by kaumātua and other iwi members.

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Te Matau is highly significant to Te Ātiawa o Te Waka-a-Māui as iwi, hapū and whānau. Te Ātiawa o Te Waka-a-Māui has mana, whakapapa associations and history, and we have tikanga and kawa which involve tapu and noa in this area. Te Ātiawa o Te Waka-a-Māui mana, take tūpuna and our intense relationship with Te Matau incorporates our cultural values. Te Ātiawa o Te Waka-a-Māui exercises customary authority over Te Matau.

TE ANAMĀHANGA / PORT GORE

Port Gore is the papa tupu of Ngāti Hinetuhi and is the anchor of Te Ātiawa o Te Waka-a-Māui identity. Port Gore is a bay and natural harbour. It is directly to the west of the entrance to Port Gore (Queen Charlotte Sound) and the western end of Cook Strait.

This Statutory Acknowledgement covers the foreshore and shoreline from the coastal tip of Alligator Head to Cape Jackson tip. Port Gore's many wāhi tapu, pā sites, mahinga kai and whakapapa to the whenua are of immense cultural significance to Te Ātiawa o Te Waka-a-Māui. The traditions of Te Ātiawa o Te Waka-a-Māui illustrate the physical, cultural, historic and spiritual associations with Port Gore.

Port Gore is encapsulated by Te Ātiawa o Te Waka-a-Māui contemporary Māori world-view, which is strongly based on traditional cultural beliefs, knowledge, concepts and values. These traditional concepts and values, derived from mātauranga Māori, are fundamentally important in the way Te Ātiawa o Te Waka-a-Māui view their relationship with Port Gore.

Port Gore holds an important place in Te Ātiawa o Te Waka-a-Māui tribal history, as this location was one of the tribe's major triumphant battle sites. These particular skirmishes in the early 1800's gave Te Ātiawa o Te Waka-a-Māui a kaitiaki role over Port Gore.

The unextinguished native customary rights of Te Ātiawa o Te Waka-a-Māui in Port Gore gave our iwi responsibilities, and gives meaning and effect to the customs of kaitiaki, tikanga and manaakitanga. This includes acknowledging the history of the whenua, the moana, the awa, the many various taonga and the tāngata and wāhi Māori of Port Gore. Te Ātiawa o Te Waka-a-Māui manaakitanga seeks common ground upon which an affinity and sense of sharing and respect can grow. It is a deep-rooted concept in Te Ātiawa o Te Waka-a-Māui culture.

Te Ātiawa o Te Waka-a-Māui kaitiaki role involves recognising the responsibilities passed down from our tūpuna to protect places of significance such as wāhi tapu, natural resources and the many other various taonga within Port Gore. It is an obligation of the hapū and whānau who are kaitiaki of the land to look after and protect the physical and spiritual wellbeing of all treasured resources, places and sites of significance.

Port Gore was an important site of a permanent settlement, acting as a focal point for food gathering (both whenua and moana). It has consequently played a vital part in Te Ātiawa o Te Waka-a-Māui history as a major arrival and departure point for all those engaged in exploration, trade, warfare and migration.

Port Gore was a main settlement for Te Ātiawa o Te Waka-a-Māui with lookout points at Cape Jackson, Cape Lambert and Alligator Head, which cover the Cook Strait inland areas. The hills were used as signal points.

Te Ātiawa o Te Waka-a-Māui has close ties to both the moana and the whenua of Port Gore. For Te Ātiawa o Te Waka-a-Māui, the coastal and marine resources (kaimoana) are regarded as treasures from the sea (Tangaroa). Whales, dolphins and seals were regular visitors to Port Gore and are treasured taonga for Te Ātiawa o Te Waka-a-Māui.

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When the heke of Te Ātiawa o Te Waka-a-Māui arrived from Taranaki, it is told that Te Ātiawa o Te Waka-a-Māui planted titoki trees in Port Gore on the hills, the descendants of which still stand there. The blooming of these trees was used as a natural indicator for a season of abundant hapuku. The flowering of the white manuka suggested crayfish was ready, which was popular in Port Gore, and that the kina were fat. The flowering of other plants also indicated that it was time to harvest, for example, when the cabbage tree flowered, mussels were said to be plump and ready for collection.

A number of caves along the coastline in Port Gore were used for food storage and urupā purposes.

At Anamāhanga (Port Gore) there is a flat rock called Te Ope o Kupe (The Expedition of Kupe) which is said to bear the footprints of Kupe and his dogs. Two large rocks nearby are named after his daughters - Mata and Ihara. Inside Jackson's Head is Te Kupenga o Kupe (The Net of Kupe) where he hung his net to dry on the cliffs. Such landmarks are of special cultural significance to Te Ātiawa o Te Waka-a-Māui and to New Zealand Māori as a whole.

Te Ātiawa o Te Waka-a-Māui view ourselves as part of the natural flora and fauna within Port Gore and the wonderful taonga which have been bestowed upon Port Gore. The relationship of Te Ātiawa o Te Waka-a-Māui with these taonga is central to our identity and our cultural and spiritual wellbeing.

Mana, mauri, whakapapa and tapu are all important elements of the spiritual relationship of Te Ātiawa o Te Waka-a-Māui with Port Gore. All of these values remain important to Te Ātiawa o Te Waka-a-Māui. One of the roles of Te Ātiawa o Te Waka-a-Māui as kaitiaki is to protect the mauri of Port Gore. Whakapapa defines the genealogical relationship of Te Ātiawa o Te Waka-a-Māui to Port Gore. Tapu describes the sacred nature of the area to Te Ātiawa o Te Waka-a-Māui.

Port Gore is an important natural resource that Te Ātiawa o Te Waka-a-Māui identifies and protects as a taonga (treasure) for current and future generations. The use of natural resources is governed and regulated through cultural lore and traditions of tapu, rāhui and noa (sanction).

Port Gore represents the links between the cosmology and the gods and present generations. These histories and customs reinforce our tribal identity, solidarity and continuity through the generations, and document the events that have shaped the environment of Port Gore and Te Ātiawa o Te Waka-a-Māui as an iwi.

AWA / RIVERS STATEMENT

Te Ātiawa o Te Waka-a-Māui traditions represent the links between the cosmological world of the Gods and present generations. These histories reinforce tribal identity and solidarity, continuity between generations, and document the events which shaped the environment of Te Tau Ihu and Te Ātiawa o Te Waka-a-Māui as an iwi. Ngā awa are the ribs of the tūpuna, which plunge from the maunga down to the sea, creating wetlands and swamps on their way.

Te Ātiawa o Te Waka-a-Māui believes that wai is a taonga provided by ngā tūpuna, as it carries the lifeblood of Papatūānuku and the tears of Ranginui. Wai symbolises the spiritual link between the past and present. This tradition illustrates the central principle of whakapapa - the connectedness and interdependence of all living things in the natural world.

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The mauri of ngā awa represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Te Ātiawa o Te Waka-a-Māui Whānui with the river.

Te Ātiawa o Te Waka-a-Māui maintains mana over the land within the rohe of Te Tau Ihu. This includes the treasured resources associated with the land, such as rivers. Ngā awa have provided iwi with essential sustenance for generations. For tūpuna, fish and waterfowl were especially significant due to the absence of land based mammals. Customary traditions and practices cannot be separated from water. Wai is therefore a central component of iwi identity.

The following species and resources are associated with all rivers with which Te Ātiawa o Te Waka-a-Māui has an association:

Tuna

Tuna are taonga, a species which has been central to the lives of Te Ātiawa o Te Waka-a-Māui for generations. The places where tūpuna harvested eels were important tribal areas, and the gathering and processing of tuna was a customary practice that strengthened the kinship of iwi and whānau. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated according to the seasons.

Pūrākau of Te Tau Ihu o te Waka-a-Māui tell of the origins of tuna. Māui killed a taniwha called Tuna. Māui enticed Tuna across nine skids and repeated a karakia as Tuna crossed each skid. When Tuna reached the ninth skid, Māui killed him. This story is similar to other Te Waka-a-Māui iwi who believe that the head of Tuna became the tuna (river eel) and his body, Koiro (conger eel).

Ngā manu

The birdlife associated with awa was plentiful. Kererū, kākāpō, tui, korimako, weka, kaka and kiwi were found in the forests which hugged the river valleys and pūkeko and ducks were harvested from the wetland areas. The Blue Duck or Whio was common on the faster flowing waters. Ngā manu were not only important as a source of food, but were also valued for their plumage which was used for decorative purposes.

Harakeke

Mahinga harakeke associated with the awa provided raw products, such as building materials, rongoā and weaving materials. The harekeke wetland areas and lowland forests associated with the river catchments provided an important habitat for nesting birds and fish species. A large number of freshwater fish species were harvested, including kōkopu, paraki (smelt), īnanga, piharau (lamprey), tuna and kōaro.

Traditionally, papakāinga along the river had an abundant supply of timber. The river flats were heavily forested with totara and rimu, along with lush dense stands of other native timbers. Trees also provided a source of food. A vast range of edible products were harvested from the forests, including karaka berries, ngaio, kawakawa, rimu, matai, supplejack, hinau, miro and totara, as well as the young leaves, hearts and shoots of the nikau palm. Rata blossom honey, the fruit of kiekie, the trunk pith and frond stems of mamaku (black tree fern), and the taproots of cabbage trees were all harvested by tūpuna.

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Mātauranga associated with the collection of resources from ngā awa o Te Tau Ihu was central to the lives of Te Ātiawa o Te Waka-a-Māui tūpuna and remains a significant part of the cultural identity of whānau today. This mātauranga is part of Te Ātiawa o Te Waka-a-Māui unextinguished native customary rights to the present day and exemplifies the tikanga and kawa associated with gathering and utilising resources. Examples include the collection of plants for medicinal purposes (rongoā), the harvesting of different species according to the seasons or tohu (signs), and the collection of plants for dying and weaving kete. Mātauranga Māori is intertwined with awa and the many resources associated with their waters.

Ngā awa are important mahinga kai, known particularly as a source of tuna (eel) and whitebait. Our tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Te Ātiawa o Te Waka-a-Māui today.

MAITAI RIVER AND ITS TRIBUTARIES

Mahitahi te awa is sacred to Te Ātiawa o Te Waka-a-Māui. Traditionally, the Mahitahi River provided a wealth of resources to sustain our tūpuna. The name “Mahitahi” is thought to relate to tūpuna working as ‘one’ with the pakohe (argillite) to produce tools. Mahitahi means ‘hard’, or ‘excellent’ in Māori. The high-grade pakohe found in the valley became known as Mahitahi, as the stone was hard and excellent for working into weapons and fine tools.

The Mahitahi River was rich in mahinga kai, rongoā, weaving and building materials. The natural resources available in the catchment attracted tūpuna from as far away as Motueka. Whānau would camp and harvest the plentiful supply of resources found in the estuary, the channels and wetlands at the mouth of the Mahitahi and the adjacent lowland valley forests.

A favourite site was Matangi Āwhio. Established by Pohea in the 15th century, this flat north-facing kāinga was used by succeeding iwi, hapū and whānau for hundreds of years. Pikimai and Koputirana are other sites in the lower Mahitahi catchment where kāinga were occupied on a semi-permanent basis. Te Ātiawa o Te Waka-a-Māui maintained kāinga on higher ground adjacent to the mouth of the Mahitahi.

Extensive tracts of harakeke were present along the flats and hills of the Mahitahi. The wetter areas were also associated with kahikatea and raupō. These rich ecosystems provided habitats for many different bird, plant and fish species. Podocarp forest stands extended from near the river mouth upstream to Branford and Hanby Parks. This forested area provided ngā iwi with tall trees for building and carving purposes. Te Ātiawa o Te Waka-a-Māui tūpuna gathered berries and other materials and hunted the manu associated with the forests.

The Mahitahi River and its tributaries provided Te Ātiawa o Te Waka-a-Māui tūpuna with a natural pathway or Ara through the rohe. The main route to Wakapuaka and to Marlborough was via the Mahitahi Valley. The Wakapuaka Ara followed the Mahitahi upstream as far as the Waitarake (Sharlands and Packers Creeks) before joining the route over to the Lud and Teal Valleys. The Marlborough Ara followed the Waitarake before dropping over a small hill to rejoin the Mahitahi. After passing a camping area at Mill Creek the Ara ascended Maungatapu on the Dun Mountain side.

Argillite, known to Māori as pakohe, is found along the Nelson Mineral Belt, including the Mahitahi Valley, and formed an important resource for Te Ātiawa o Te Waka-a-Māui. Traditionally, it was a highly valued taonga - a mineral of great hardness and strength which

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could be manufactured into all manner of tools and weapons, such as adzes. The tools fashioned from this taonga were used to collect and prepare kai and other natural materials gathered from the land and sea.

The Mahitahi River is immersed in Te Ātiawa o Te Waka-a-Māui history. There are numerous wāhi tapu associated with this abundant food basket linking present day Te Ātiawa o Te Waka-a-Māui iwi physically and emotionally with their tūpuna. The cultural identity of Te Ātiawa o Te Waka-a-Māui is intertwined with this awa and with the maintenance of associated customs and traditions paramount to Te Ātiawa o Te Waka-a-Māui wellbeing.

Te Ātiawa o Te Waka-a-Māui has mana, whakapapa and history here. We have tikanga and kawa which involve tapu and noa in this catchment. We have responsibilities and obligations to this place and its cultural, spiritual, historical and traditional values as tangata whenua of the area.

WAIMEA, WAIROA AND WAI-ITI RIVERS AND THEIR TRIBUTARIES

The Waimeha River is sacred to Te Ātiawa o Te Waka-a-Māui. Traditionally, the Waimeha River provided a wealth of resources to sustain Te Ātiawa o Te Waka-a-Māui tūpuna. The name Waimeaha was originally “Waimeha”, which means brackish or insipid water. This name relates to the nature of the river as it passes swamp and mudflats on its way to sea.

Te Ātiawa o Te Waka-a-Māui association with the Waimeha River includes the entire catchment, from the waters flowing from the mountains, Kahukura (Gordon Range, Eastern slopes of the Kahukura (Richmond) and Bryant Ranges and the Dun mountain) through the flood plains to coastal waters and out to sea.

The Waimeha provided Te Ātiawa o Te Waka-a-Māui with kumara, dried snapper and argillite tools, as well as other valuable taonga for trading for pounamu.

The harakeke (flax) wetlands on the fringe of the Waimeha estuary extended up the Valley towards Brightwater. This extensive area contained pockets of wooded areas, with kahikatea and pukatea in the wetter sites and totara, matai and rimu on drier sites. The Waimeha River mouth provided Te Ātiawa o Te Waka-a-Māui with a plentiful supply of harakeke, of which there were four varieties. The fine long-fibred variety was suitable for net making. A coarser long-fibred type was suitable for ropes and cords; an intermediate type for kete; and a finer short-fibre variety for more delicate work, such as kākahu (cloaks) and tāniko (borders and other decorative work). Waimeha supplied Te Ātiawa o Te Waka-a-Māui with raw products, including rongoā and weaving materials. The two main industries associated with Waimeha, pakohe and fishing, utilised large quantities of flax.

The harekeke wetland areas and associated lowland forests provided an important habitat for nesting birds and fish species. A large number of freshwater fish species were harvested including kōkopu, paraki (smelt), īnanga, piharau (lamprey), tuna and kōaro.

Waimeha was also an important eel harvesting site for Te Ātiawa o Te Waka-a-Māui. Gathering and processing tuna was a customary practice that strengthened the kinship of iwi and whānau. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated according to the seasons.

Mātauranga associated with the collection of resources from ngā awa is central to the lives of Te Ātiawa o Te Waka-a-Māui. The Waimeha River is immersed in Te Ātiawa o Te Waka-a-Māui history and there are numerous wāhi tapu associated with this abundant food basket,

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linking present day iwi physically and emotionally with our tūpuna. Waimeha is intertwined with the cultural identity of Te Ātiawa o Te Waka-a-Māui.

Te Ātiawa o Te Waka-a-Māui has mana, whakapapa and history here. We have tikanga and kawa which involve tapu and noa in this catchment. We have responsibilities and obligations to this place and its cultural, spiritual, historical and traditional values as tangata whenua of the area.

MOTUEKA RIVER AND ITS TRIBUTARIES

Ko Motueka te awa, Ko Te Ātiawa o Te Waka-a-Māui te Iwi

For Te Ātiawa o Te Waka-a-Māui the Motueka River is an Awa Tupuna. Te Ātiawa o Te Waka-a-Māui ancestral ties bind us to one another and to our ancestor - the Motueka River. Te Ātiawa o Te Waka-a-Māui has mana, whakapapa and history within the Motueka River and its tributaries. Te Ātiawa o Te Waka-a-Māui has kaitiaki responsibilities for the Motueka River and its tributaries.

The Motueka River is part of a complex framework connecting all levels of our identity as an iwi. Our landscape defines us and our customary use of traditional resources is the context in which we most often engage with the natural world, thus providing for the transmission of intergenerational knowledge and the maintenance of identity. Our tikanga is the manifestation of our responsibilities and interests, including access and use, water quality, regulation of prohibited behaviours and maintenance of activities, sacred sites, ceremonies and rituals. The Motueka River is a central element to our hospitality, and is linked to all of the customary foods of the land and sea.

The health of the Motueka River is integral to our health and cultural identity. The health and the mauri of the River, as well as Tasman Bay, derives from the need for flowing water from the head of the River and its tributaries to the point where it meets the sea.

The Motueka River is of immense significance to Te Ātiawa o Te Waka-a-Māui iwi. Te Ātiawa o Te Waka-a-Māui tūpuna had an intimate knowledge of navigation, river routes, and landing places, and the locations of food and other resources on and around the Motueka River. The relationship Te Ātiawa o Te Waka-a-Māui has with the Motueka taonga is central to Te Ātiawa o Te Waka-a-Māui identity and our cultural and spiritual wellbeing.

The first heke into the Motueka area was led by Te Manu Toheroa and Horoatua of the Puketapu hapū (Ngātiawa). From the Moutere, the taua went to Motueka. Te Manu Toheroa saw the wood then called Te Matu Ka tuku-tukua ki te hokowhitu o Ngati Kamako. Te Manu Toheroa and Horoatua were the Rangatira of that hapū. Manukino of Ngātirahiri got a waka called Tuhere at Motueka.

The heke moved on to Riuwaka and settled along the coast between Riuwaka and the Motueka River mouth, and a Pā named Hui Te Rangiora was established. Horoatua claimed formal possession of the district and had a particular interest in the south bank of the Motueka River. Two subsequent heke included Merenako and her brother Te Karara, and also Wi Parana, Rawiri Putaputa, Rangiauru and their families, all of Puketapu descent.

The significance of the Motueka River to Te Ātiawa o Te Waka-a-Māui is illustrated in the carvings in the main whare at Te Awhina Marae in Motueka. The river is also recognised in the pepehā of Motueka whānau, “Ko Motueka te awa, Ko Te Ātiawa o Te Waka-a-Māui te Iwi ...”

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Wāhi tapu sites found in the Motueka River catchment include the area from the Motueka Wharf to Thorpe Street, which was once an extensive garden where the raised sand dunes provided natural shelter for the crops. Just south of the Motueka River mouth was Raumanuka, a kāinga, which was permanently inhabited. Traditionally, Raumanuka was the host marae for group gatherings and water was sourced from the river.

Further south along the Motueka River was Kōkiri, a seasonal kāinga from which Te Ātiawa o Te Waka-a-Māui tūpuna harvested coastal and wetland resources. From Staples Street north to the mouth of the Motueka River was an area Te Ātiawa o Te Waka-a-Māui tūpuna used to gather pingao for weaving. Established gardens were also associated with blocks on nearby higher ground.

There were numerous Pā sites and kāinga associated with the Motueka River catchment. One Pā named Pounamu was located at Staple St on the southern side of the awa. Whakapaetuarua Pā was situated on the north bank of the Motueka River. “Whakapaetuarua” superseded the old Pā “Hui Te Rangiora”, which was situated at the mouth of the Riuwaka River.

The Motueka River is central to the lives of Te Ātiawa o Te Waka-a-Māui and carries the lifeblood of the Motueka whenua. The wai flowing through the Motueka River is the lifeblood of Papatūānuku and the tears of Ranginui; the spiritual link between the past and present. The wai of the Motueka River is a taonga provided by ngā tūpuna. The Motueka River is central to Te Ātiawa o Te Waka-a-Māui whakapapa and the connectedness and interdependence of Te Ātiawa o Te Waka-a-Māui to all things animate and inanimate derives from this special taonga.

Te Ātiawa o Te Waka-a-Māui believes that the Motueka River is the source of life which sustains the physical and spiritual wellbeing of our ancestral lands in Motueka. The awa supports the lifeforms which are an integral part of the identity of Te Ātiawa o Te Waka-a-Māui, and can therefore not be separated from them. The Motueka River is revered by Te Ātiawa o Te Waka-a-Māui and has a mauri, wairua, tapu and mana unique to it. The relationship of Te Ātiawa o Te Waka-a-Māui to the Motueka River relates to the entire catchment. The health of the Motueka River reflects the health of Te Ātiawa o Te Waka-a-Māui people who live in the rohe.

The Motueka waterway was very important in the transportation of pounamu from inland areas down to settlements on the coast, from where it was traded, and thus there were numerous tauranga waka (landing places) along it. The waterway was an integral part of a network of trails which were used in order to ensure the safest journey, and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails is held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the waterway.

The Motueka River and the swamps and wooded areas associated with the river support a huge food basket. When the river floods it replenishes and fertilises the catchment.

Traditionally, the Motueka River and its tributaries were full of tuna, kōkopu and īnanga. Tuna formed an important part of the customary diet. Pokororo was an important tribal area where tūpuna harvested eels, and was also a significant birding site. The gathering and processing of tuna was a customary practice that strengthened the kinship of iwi and whānau. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated according to the seasons.

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The Motueka headwaters are linked to the legend of Ngahue and Poutini. This pūrākau is significant as it illustrates that from the very earliest times, tribes from all over the country knew of the precious resources to be found in Te Tau Ihu. Ngahue and his taniwha Poutini were the guardians of pounamu (greenstone). A dispute between Ngahue and his adversary Hine-tu-ahoanga entangled their taniwha; Poutini was driven out of Hawaiki by Whatipu (Hine-tu-ahoanga's taniwha) and pursued to different places around Aotearoa. One place Poutini found temporary refuge was at the eastern headwaters of the Motueka River.

Grey/black argillite, known to Māori as pakohe, is unique to Te Tau Ihu and was found in the Motueka River valley. It was a highly valued taonga, a mineral of great hardness and strength, which could be manufactured into all manner of tools and weapons, such as adzes. The tools fashioned from this taonga were used to collect and prepare kai and other natural materials gathered from the land and sea. Argillite was also a valued item for trade. In the upper Motueka River valley, clusters of argillite working areas and source sites indicate the importance of this stone to tūpuna. Buried boulders, hammer stones and adzes found in the river valley illustrate the traditional stone working techniques.

The Motueka River discharges into Tasman Bay, a productive and shallow coastal body of high cultural, economic and ecological significance. The important west flank tributaries include the Riuwaka, L. Sydney, Brooklyn, Shaggery, Rocky, Pokororo, Graham and Pearse, and the important east flank tributaries are the Waiwhero, Orinoco and Dove. The major headwater tributaries are the Baton, Wangapeka, including the Dart and Sherry, the Tadmor, the Motupiko, the Upper Motueka and the Stanley Brook. All these tributaries have major significance to Te Ātiawa o Te Waka-a-Māui as we have tikanga and kawa which involve tapu and noa within these tributaries. These tributaries also have cultural values for Te Ātiawa o Te Waka-a-Māui.

Mātauranga Māori is intertwined with the Motueka River and the many resources associated with its waters. Mātauranga associated with the collection of resources from the Motueka River is central to the cultural identity of Te Ātiawa o Te Waka-a-Māui and is essential for maintaining the unbroken customary practices, including the tikanga and kawa associated with gathering and utilising the resources of the awa.

Te Ātiawa o Te Waka-a-Māui has a relationship with the Motueka River as kaitiaki. This is a continuous responsibility passed down from Te Ātiawa o Te Waka-a-Māui tūpuna to take particular care of this awa, the natural resources found there and its tangible and intangible taonga. It is a traditional obligation of the hapū and whānau associated with this area to look after and protect the physical and spiritual wellbeing of all treasured resources, places and sites of significance upon, inside, under and above Motueka.

Central to the spiritual values of the Motueka River is the maintenance of customary practices and the sustainable use of the natural resources. This kaitiaki role is an all-encompassing one, providing for the protection of biodiversity, the utilisation of resources, the maintenance of resources for present and future generations, and the restoration and enhancement of damaged ecosystems.

The Motueka River is pivotal to Te Ātiawa o Te Waka-a-Māui rohe. This awa is central to our identity. As kaitiaki, Te Ātiawa o Te Waka-a-Māui monitor all aspects of the river, including the gravel extractions, to ensure the mauri of the awa is protected and enhanced.

Te Ātiawa o Te Waka-a-Māui tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of Motueka, the relationship of people with the river and their dependence on it, and

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tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Te Ātiawa o Te Waka-a-Māui today. Te Ātiawa o Te Waka-a-Māui strongly associate to the Motueka River and it is often referred to in whaikōrero by kaumātua and other iwi members.

This awa is highly significant to Te Ātiawa o Te Waka-a-Māui iwi, hapū and whānau. Te Ātiawa o Te Waka-a-Māui has mana, whakapapa associations and history, and we have tikanga and kawa which involve tapu and noa here. Te Ātiawa o Te Waka-a-Māui mana, take tūpuna and our intense relationship with the Motueka River incorporates our cultural values.

Te Ātiawa o Te Waka-a-Māui exercises kaitiakitanga with the strongest customary authority over the Motueka River, delta and catchment. Kaitiakitanga is both a right and a responsibility associated with lands and environmental resources, as well as material treasures within the Motueka River.

Te Ātiawa o Te Waka-a-Māui, as kaitiaki of Motueka te Awa, is concerned with protecting the mauri of the awa. Te Ātiawa o Te Waka-a-Māui must ensure that the mauri of the awa is safe and that removal of any taonga must be under Te Ātiawa o Te Waka-a-Māui tikanga and kawa. The lifeorce and the resources of the awa are the responsibilities of Te Ātiawa o Te Waka-a-Māui.

TĀKAKA RIVER AND ITS TRIBUTARIES

Tākaka te awa is sacred and highly significant to Te Ātiawa o Te Waka-a-Māui. The relationship Te Ātiawa o Te Waka-a-Māui has with the Tākaka River relates to the protection and use of numerous resources associated with this taonga, and encompasses both the spiritual and physical realms. The spiritual realm is reflected in the legend of Huriawa.

Huriawa is a tupuna and kaitiaki taniwha (guardian) who works her way through the lands of Mōhua. Mōhua is the domain of Hine Tu Ahoanga (the Sandstone Lady). There are large areas all over the region showing the handiwork of Hine Tu Ahoanga, including rock formations, tunnels and caves. These were all places that acted as shelter for both the living and those who had passed on. Huriawa lives and travels in the waters that flow through the domains of this Lady of the Stone. Through whakapapa, she has connections between Mōhua, the northern areas of the North Island and Te Wai Pounamu. Huriawa is also the kaitiaki of the sacred carved prow piece of the waka "Uruao" that was ceremoniously invested in the mouth of the Waitapu River; the river that was once called Ngā Waitapu o Uruao (the sacred waters of the Uruao).

Huriawa travels across Te Tau Ihu clearing the waterways from the effects of storms. She tosses fallen trees and tangled vegetation out of the rivers to free the flow, and with the help of her children she guards the top of the waka (canoe). When the rains come, Huriawa dives deep beneath the land and sea. It is she who churns up the waters when fresh water is found rising through the sea far from shore.

The waters in the Tākaka River catchment where Huriawa resides are sacred. These waters are used for ceremonies, offerings, blessings and for healing purposes. For generations, Te Ātiawa o Te Waka-a-Māui have talked about the significance of the area as a mahinga kai, and of the abundance and variety of food to be gathered there. The Tākaka River includes the Cobb, Anatoki and Waingaro tributaries, and each have a special significance to Te Ātiawa o Te Waka-a-Māui.

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The wāhi tapu and mahinga kai associated with the Tākaka River links present day Te Ātiawa o Te Waka-a-Māui physically and emotionally with our tūpuna. The maintenance of the customs and traditions associated with these awa is therefore paramount to the wellbeing of Te Ātiawa o Te Waka-a-Māui.

Te Ātiawa o Te Waka-a-Māui has mana, whakapapa and history here. We have tikanga and kawa which involve tapu and noa in this catchment. We have responsibilities and obligations to this place and its cultural, spiritual, historical and traditional values as tangata whenua of the area.

AORERE RIVER AND ITS TRIBUTARIES

Aorere te awa is sacred to Te Ātiawa o Te Waka-a-Māui. Traditionally, Aorere te awa provided a wealth of resources to sustain Te Ātiawa o Te Waka-a-Māui tūpuna. Our tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, and developed tikanga for the proper and sustainable utilisation of resources that also recognised the relationship of the people with the river and their dependence on it. All of these values remain important to Te Ātiawa o Te Waka-a-Māui today.

The Aorere is a large river, 43 kilometres in length, which drains the Wakamarama and Haupiri ranges, and once provided an important mahinga kai resource for Te Ātiawa o Te Waka-a-Māui. Traditionally, the river was known for its tuna (eel), īnanga (whitebait), and the giant and short-jawed kōkopu. Sadly, however, those resources are almost depleted. Aorere refers to the name of the place at the mouth of the Aorere River and encompasses the hinterland areas along the River. The name derives from (ao), cloud or mist, and (rere), flying or swift moving.

The Aorere River Valley also provided a natural inland Ara (pathway) to Te Tai Poutini. This pathway was an important greenstone trail used by tūpuna in search of this valuable taonga and item of trade. The route followed the Aorere River before meeting the head of the Heaphy River and emerging just north of Karamea on the West Coast.

There are several wāhi tapu on the Aorere River. These sacred wāhi tapu sites are places holding the memories, traditions and victories for Te Ātiawa o Te Waka-a-Māui tūpuna, and are often protected by keeping their location secret.

The wide estuary at the Aorere River mouth provided Te Ātiawa o Te Waka-a-Māui with a wide range of culturally significant shellfish species, including pipi, cockles, scallops and mudwhelks. Te Ātiawa o Te Waka-a-Māui would dig trenches at the side of river and lay flax nets at the bottom of each trench to catch īnanga. To catch tuna, weirs and eel traps (hīnaki) and nets (kupenga) were placed strategically in or at the sides of streams and rivers. Other freshwater treasures included kōkopu and bulley.

Aorere was an important kāinga for Te Ātiawa o Te Waka-a-Māui tūpuna beginning at the mouth of the river and stretching up the valley for at least five kilometres. Bird life was plentiful and birds were often stored in fat for later periods of need.

Aorere Pā was situated at the mouth of the Aorere River, on the tip of the promontory now called Collingwood. Marino, a Te Ātiawa o Te Waka-a-Māui tūpuna, exercised manaakitanga during the gold rushes, providing all who came to the diggings with food and entertainment, although he eventually had to limit his hospitality to Māori miners. As well as providing a base for surveyors and other travellers, Aorere Pā supplied river transport.

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The Aorere goldfields were extensive. Auriferous gravels were found in many tributary rivers, streams, valleys and gullies, from the Aorere river mouth at Collingwood to the headwaters and ranges more than sixty kilometres inland. Māori miners were dominant in number, especially at sites where access was difficult. Te Ātiawa o Te Waka-a-Māui tūpuna used river waka to reach inland sites.

Aorere te awa is immersed in Te Ātiawa o Te Waka-a-Māui history. There are numerous wāhi tapu associated with this abundant food basket linking present day Te Ātiawa o Te Waka-a-Māui physically and emotionally with our tūpuna. The cultural identity of Te Ātiawa o Te Waka-a-Māui is intertwined with this awa and with the maintenance of associated customs and traditions paramount to Te Ātiawa o Te Waka-a-Māui wellbeing.

Te Ātiawa o Te Waka-a-Māui has mana, whakapapa and history here. We have tikanga and kawa which involve tapu and noa in this catchment. We have responsibilities and obligations to this place and its cultural, spiritual, historical and traditional values as tangata whenua of the area.

TE HOIERE / PELORUS RIVER AND ITS TRIBUTARIES

Te Hoiere (The Pelorus) is an important and significant awa for Te Ātiawa o Te Waka-a-Māui. At the head of the Pelorus River a number of escapees were caught and killed at Titi-rakawa (Pelorus Bridge) by Te Koihua of Te Ātiawa o Te Waka-a-Māui and others. Te Ātiawa o Te Waka-a-Māui has mana and history here.

Since the Raupatu, Te Ātiawa o Te Waka-a-Māui tūpuna have harvested resources from the Pelorus River catchment. Traditionally, the Pelorus was well stocked with tuna which formed a part of the customary diet of Te Ātiawa o Te Waka-a-Māui tūpuna. Tuna are a taonga – a species which has been central to the lives of Te Ātiawa o Te Waka-a-Māui for generations. The places where tūpuna harvested eels were important tribal areas – gathering and processing tuna was a customary practice that strengthened the kinship of iwi and whānau. Customary management practices followed the lifecycle of the tuna, and harvesting was regulated according to the seasons.

Mahinga harakeke associated with the Pelorus provided raw products including rongoā and weaving materials. The harekeke wetland areas and forests provided an important habitat for nesting birds and fish species. A large number of freshwater fish species were harvested, including kōkopu, paraki (smelt), īnanga, korokoro (lamprey), tuna and kōaro. Although freshwater fish and tuna have been severely depleted, they are still an important resource for Te Ātiawa o Te Waka-a-Māui today.

For generations, Te Ātiawa o Te Waka-a-Māui have talked about the significance of this area as a battle site and a mahinga kai. The wāhi tapu and mahinga kai associated with Te Hoiere links present day Te Ātiawa o Te Waka-a-Māui physically and emotionally with our tūpuna. The maintenance of the customs and traditions associated with this awa is therefore paramount to the wellbeing of Te Ātiawa o Te Waka-a-Māui.

Te Ātiawa o Te Waka-a-Māui has maintained customary practices associated with Te Hoiere for many generations. The taonga, wāhi tapu and customary practices associated with this awa were integral to the spiritual and cultural well being of Te Ātiawa o Te Waka-a-Māui iwi. Te Ātiawa o Te Waka-a-Māui have responsibilities to this place and its cultural, spiritual, historical and traditional values.

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RIUWAKA RIVER, AND RESURGENCE, AND ITS TRIBUTARIES

The Riuwaka River is a taonga to Te Ātiawa o Te Waka-a-Māui. The name Riuwaka refers to “Riu” meaning basin, and is a reference to the puna or pool where the river emerges from the ground. There are a series of pools below the resurgence and each pool had a specific cultural purpose for the iwi. Te Puna o Riuwaka had special mana or status, because from here springs “wai ora”, or the waters of life. For generations, Te Ātiawa o Te Waka-a-Māui whānau have come to the pools for cleansing and healing, following the footsteps of our tūpuna. The whole area associated with this awa is one of the most sacred sites in Te Tai o Aorere. The Riuwaka River has sustained Te Ātiawa o Te Waka-a-Māui spiritually and has always been regarded with awe.

After heavy rains, water would fall through the marble/karst landscape of Tākaka Hill and pour out from the Riuwaka Resurgence. The roaring sound made by the water was attributed to the roaring of the taniwha associated with the Tākaka Hill and caves below. Traditionally, the Tākaka Hill was also regarded as a supernatural place and was greatly respected and feared. The coastline stretching from Puketawai northwards was believed to be home of the Patu-paiarehe, or fairy folk and kehua (ghosts). Te Ātiawa o Te Waka-a-Māui particularly feared the limestone rocks and bluffs at Puketawai as some had the appearance of skulls.

Oral traditions identify the Riuwaka River mouth as the resting place of Hui Te Rangiora, an explorer who travelled to the shores of New Zealand before the waves of Polynesian migration. It is recounted that Hui Te Rangiora stopped to repair his waka and heal himself with the sacred waters of the Riuwaka River. This tradition is depicted in the carving at the top of the meeting house at Te Awhina Marae. The whare tupuna called Turangapeke has a tekoteko of Hui Te Rangiora looking out for land. At the entrance to the source of the Riuwaka, a carved waharoa represents Te Ātiawa o Te Waka-a-Māui on the left, Ngāti Rārua on the right and Hui Te Rangiora at its apex.

The Riuwaka River cannot be separated from the Te Ātiawa o Te Waka-a-Māui Pā site, Puketawai, a low hill located at the mouth of the Riuwaka River within Tapu Bay, as both are intertwined. Puketawai, also known as Pā Hill or Pā Point, is culturally significant. A former harbour, pā site and kāinga, it is a wāhi tapu associated with the Riuwaka River. Tamati Parana, a revered tohunga, lived at the northern end of Tapu Bay at a site close to the tapu Riuwaka River. As a tohunga, he placed his tūāhu (altar) near to the Riuwaka River in order to be close to the source of his medicine: the white healing stones within its waters. These stones also continue to be of great cultural significance to Te Ātiawa o Te Waka-a-Māui for healing purposes.

In the early 1800s, the main concentration of Te Ātiawa o Te Waka-a-Māui settlement was located around the Riuwaka River, with two kāinga situated below the main Pā at Puketawai. On the south side of Puketawai was a lagoon fed by the Riuwaka River catchment where a number of waka of different sizes could land.

Merenako, a Te Ātiawa o Te Waka-a-Māui kuia, explored the Riuwaka Valley in early 1830s. She began her journey at Puketawai and followed the hillside up the Riuwaka valley up to the area now named Dehra Doon. The Riuwaka swamp extended over a large part of the valley and this made her journey difficult and her knees tired. Riuwaka was originally called Turi Auraki because of this event.

Traditionally, the Riuwaka River catchment was an abundant food basket with diverse ecosystems and species associated with those habitats. The estuary area, where the Riuwaka River flows into the sea, was rich in pipi, tuangi (cockles), tio (oyster), titiko (mud

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snails) and other shellfish. Pātiki (flounder), kanae (mullet) and kawhai were plentiful, but tāmure (snapper) dominate the middens in the area.

The lowland forest along the River's edge consisted of many species that provided building materials and rongoā for the tūpuna living there. Matai, totara and rimu were used for building and carving. Karaka seeds were soaked and steamed in an umu to remove toxins before being dried and ground to make flour for cakes. Tawa berries could be eaten and titoki was highly valued for its oil. Cabbage trees provided a source of sugar. Te Ātiawa o Te Waka-a-Māui had hectares of gardens in the Riuwaka. The main crop was probably kumara, but gourd, taro and yam were also grown.

The Riuwaka River catchment is steeped in history, and the wāhi tapu and taonga associated with this sacred awa are numerous. Wāhi tapu and taonga link present day whānau with our tūpuna. The cultural identity and spiritual wellbeing of Te Ātiawa o Te Waka-a-Māui is intertwined with this awa and the associated resources.

The kaitiaki role Te Ātiawa o Te Waka-a-Māui has over the Riuwaka is a continuous responsibility passed down from our tūpuna to take particular care of this awa, the natural resources found there, and its tangible and intangible taonga. It is an obligation on hapū and whānau associated with the land to look after and protect the physical and spiritual wellbeing of all treasured resources, places and sites of significance upon, inside, under and above Riuwaka.

Although sourced in spiritual values, the kaitiaki role of Te Ātiawa o Te Waka-a-Māui over the Riuwaka is a practical solution for the regulation and control of human activities regarding this taonga. Central to this kaitiaki role is the maintenance of customary practices and the sustainable use of these natural resources. This role is an all-encompassing one providing for the protection of biodiversity, the utilisation of resources, while also maintaining these resources for present and future generations, and requiring the restoration and enhancement of its damaged ecosystems. All of the indigenous plants and animals at Riuwaka are culturally significant to Te Ātiawa o Te Waka-a-Māui.

The relationship Te Ātiawa o Te Waka-a-Māui has with the Riuwaka taonga is central to our identity and to our cultural and spiritual wellbeing. This relationship is essential in maintaining Te Ātiawa o Te Waka-a-Māui customs and traditions associated with this taonga.

The Riuwaka awa and Resurgence is immersed in Ātiawa history. There are numerous wāhi tapu associated with this abundant food basket linking present day Te Ātiawa o Te Waka-a-Māui physically and emotionally with our tūpuna. The cultural identity of Te Ātiawa o Te Waka-a-Māui is intertwined with this awa and with the maintenance of associated customs and traditions paramount to Te Ātiawa o Te Waka-a-Māui wellbeing.

As tangata whenua of Riuwaka te awa and the Resurgence these areas are highly significant to Te Ātiawa o Te Waka-a-Māui iwi, hapū and whānau. Te Ātiawa o Te Waka-a-Māui has mana, whakapapa associations and history, and we have tikanga and kawa which involve tapu and noa in this area. Te Ātiawa o Te Waka-a-Māui mana, take tūpuna and our intense relationship with Riuwaka te awa incorporates our cultural values.

Te Ātiawa o Te Waka-a-Māui as kaitiaki have strong customary interests in the Riuwaka River and monitor all the resources - material, human and spiritual. These are all are part of Te Ātiawa o Te Waka-a-Māui kaitiakitanga, and through these processes innumerable relationships between the sacred and profane, between the past and present, and between

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groups are protected. Te Ātiawa o Te Waka-a-Māui have inherent responsibilities associated with the Riuwaka, including both environmental resources as well as material treasures.

WAIKAWA STREAM AND ITS TRIBUTARIES

Waikawa te awa was a tauranga waka site and kaimoana gathering site for Te Ātiawa o Te Waka-a-Māui before the iwi was relocated from Waitohi to Waikawa. Waikawa te awa and the mahinga kai which it provided fell under the mana of Te Ātiawa o Te Waka-a-Māui as a result of the raupatu.

Waikawa Stream has traditional, cultural, historical and spiritual significance to Te Ātiawa o Te Waka-a-Māui. The resources of the river once supported the Waikawa pā.

Fishing in freshwater environments was a significant part of Te Ātiawa o Te Waka-a-Māui culture and a major source of kai (food). Waikawa te awa contained an abundance of eels (tuna), smelt, freshwater crayfish (koura) and whitebait (īnanga). Te Ātiawa o Te Waka-a-Māui would dig trenches at the side of awa and lay flax nets at the bottom of each trench to catch īnanga. The mouth of the Waikawa Stream supplied the iwi with freshwater mussels, kōru and tuna, including kōkupu and bulley.

Tuna was plentiful in Waikawa te awa and Te Ātiawa o Te Waka-a-Māui used a night time spearing technique where the black part of the tree fern was used as the spear. The Stream was also used for dyeing flax for weaving, and the fresh water mussel shells were utilised as implements for the weavers. Flax was plentiful along the Stream which also was used as a wānanga for weaving and for eel weirs.

Piharau (lamprey), which Te Ātiawa o Te Waka-a-Māui considers to be a delicacy, swarm upstream. Lamprey live on whitebait and proceed up the river until they find their passage barred by rocks, and to these rocks they cling with their sucker-like mouths and are easily caught.

Waikawa te awa, the estuary and associated coastline were significant mahinga kai, with kai moana, particularly shellfish, taken at the mouth. Te Ātiawa o Te Waka-a-Māui tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of Waikawa te awa, the relationship of people with Waikawa te awa and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Te Ātiawa o Te Waka-a-Māui today.

WAITOHI RIVER AND ITS TRIBUTARIES

Waitohi te awa is historically, culturally, spiritually and traditionally significant to Te Ātiawa o Te Waka-a-Māui. Te Ātiawa o Te Waka-a-Māui believe that Waitohi te awa carries its own mauri guarded by separate spiritual kaitiaki and iwi kaitiaki, and has its own status or mana.

Waitohi Stream has spiritual significance to Te Ātiawa o Te Waka-a-Māui as demonstrated by the tohi rite that was performed over our warriors before and after battle. This process involved dipping the branch of a karamū shrub in the water. The branch was used to strike each warrior on the right shoulder and then the tohunga would call on Tūmataua through karakia to protect each warrior in the battle ahead. Traditionally totoi bushes lined the stream representing those who had been lost in battle, and they became the kaitiaki of the awa. The last time this tohi rite was performed was for the 28th Māori Battalion troops before they departed the shores of Aotearoa to fight in the Second World War.

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For Te Ātiawa o Te Waka-a-Māui, histories such as this reinforce tribal identity and solidarity, continuity between generations, and document the events which shaped Te Ātiawa o Te Waka-a-Māui as an iwi.

There are a number of Te Ātiawa o Te Waka-a-Māui wāhi tapu along Waitohi te awa and the estuary. These sacred wāhi tapu sites are places holding the memories, traditions and victories of Te Ātiawa o Te Waka-a-Māui tūpuna, and are frequently protected by keeping their location secret. Waitohi te awa and the estuary was a significant mahinga kai, particularly for tuna, koura and various species of shellfish.

Te Ātiawa o Te Waka-a-Māui tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of Waitohi, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Te Ātiawa o Te Waka-a-Māui today. Te Ātiawa o Te Waka-a-Māui strongly associate to the Waitohi, and it is often referred to in whaikōrero by kaumātua and other iwi members.

PATURAU RIVER AND ITS TRIBUTARIES

Paturau te awa is sacred and highly significant to Te Ātiawa o Te Waka-a-Māui. The mouth of the Paturau was a tauranga waka from which sea voyages were launched to and from a variety of locations in and around Te Tau Ihu. There was also a large settlement at the mouth of the Paturau River.

Te Ātiawa o Te Waka-a-Māui had an intimate knowledge of the awa, including navigable river routes, landing places and the locations of food and other resources on and around the Paturau. The River was an integral part of a network of trails which were used in order to ensure the safest journey, and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by Te Ātiawa o Te Waka-a-Māui and is regarded as a taonga. The traditional mobile lifestyle of our people led to their dependence on the resources of the River. Traditionally, the Paturau River provided kai and other materials to sustain Te Ātiawa o Te Waka-a-Māui.

The name Paturau can be translated as “the place to lie in a long heap”, or “where a mat of leaves was made.”

Although there is little archaeological information on the kāinga and pā at Paturau, oral traditions tell of numerous habitation sites and areas of significant resource use. Also associated with these settlements were cultivation areas, mahinga kai and urupā.

The wāhi tapu and mahinga kai associated with the Paturau River link present day Te Ātiawa o Te Waka-a-Māui physically and emotionally with our tūpuna. The maintenance of the customs and traditions associated with this awa is therefore paramount to the wellbeing of Te Ātiawa o Te Waka-a-Māui.

Te Ātiawa o Te Waka-a-Māui has mana, whakapapa and history here. We have tikanga and kawa which involve tapu and noa in this catchment. We have responsibilities and obligations to this place and its cultural, spiritual, historical and traditional values as tangata whenua of the area.

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ANATORI RIVER AND ITS TRIBUTARIES

Anatori te awa and the associated coastline was a significant mahinga kai for Te Ātiawa o Te Waka-a-Māui. Kai moana, particularly pāua, was gathered at the mouth of the river. Our tūpuna had considerable knowledge of whakapapa, traditional trails, tauranga waka, places for gathering kai and other taonga, and ways in which to use the resources of the River. They also developed tikanga for the proper and sustainable utilisation of resources, and that recognised the relationship of our people with the River and their dependence on it. All of these values remain important to Te Ātiawa o Te Waka-a-Māui today.

There are a number of Te Ātiawa o Te Waka-a-Māui urupā and wāhi tapu along the River and associated coastline. Urupā are the resting places of Te Ātiawa o Te Waka-a-Māui tūpuna and, as such, are a focal point for whānau traditions. Urupā and wāhi tapu are places holding the memories, traditions and victories of Te Ātiawa o Te Waka-a-Māui tūpuna, and are frequently protected by keeping the location of these sites secret.

The Anatori River mouth was a locality where Te Ātiawa o Te Waka-a-Māui tūpuna lived, camped and harvested resources on the Te Tai Tapu coast. During the times of extensive alluvial gold mining in the 1860s, Māori owners issued licences to mine in the River. The Anatori was an important base for harvesting resources, such as birds and plant materials from the river mouth, estuary areas and associated lowland forests.

The Anatori River rises as two streams (north and south branch) in the Wakamarama Range, running northwest then north. Traditionally, the Anatori River was well stocked with fish and water birds, and these formed parts of the customary diet of Te Ātiawa o Te Waka-a-Māui tūpuna.

The Anatori River is immersed in Te Ātiawa o Te Waka-a-Māui history. There are numerous wāhi tapu associated with this abundant food basket linking present day Te Ātiawa o Te Waka-a-Māui iwi physically and emotionally with their tūpuna. The cultural identity of Te Ātiawa o Te Waka-a-Māui is intertwined with this awa and with the maintenance of associated customs and traditions paramount to Te Ātiawa o Te Waka-a-Māui wellbeing.

Te Ātiawa o Te Waka-a-Māui has mana, whakapapa and history here. We have tikanga and kawa which involve tapu and noa in this catchment. We have responsibilities and obligations to this place and its cultural, spiritual, historical and traditional values as tangata whenua of the area.

TUAMARINA RIVER AND ITS TRIBUTARIES

Tuamarino te awa begins at the head of the Waitohi valley and winds itself through the valley. For the greater part of the length of Para Swamp, the Tuamarino River traverses it in a channel with banks only two to three feet high and slowly winds itself into the Wairau River.

The correct name is Tuamarino, tua meaning beyond, and marino meaning clear or open, or smooth, referring to the early explorers view of the plains from the hills. The Koromiko Stream, named after the veronica flowering plant, and the Para Swamp which has various meanings, including frostfish (pāra); fragments; dust, remains; a tuber; a large edible fern-root; a kind of cordyline (ti-para); to make a clearing in the bush, are important connections into the Tuamarino River.

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For Te Ātiawa o Te Waka-a-Māui, Tuamarino te awa is highly significant to the iwi and in particular to the Waitohi, Ngākuta and Waikawa Pā, as Tuamarino supplied these Pā sites with many valuable resources.

This outstanding natural wetland and awa is home to spawning trout, fresh water flounder, adult whitebait and a range of vulnerable flora species. The bird species include grey teal, pūkeko, mallard, grey duck, shoveller and Australasian bittern.

Tuamarino, Koromiko and the Para Swamp were good gathering grounds for the particular type of flax necessary for weaving. Te Ātiawa o Te Waka-a-Māui whānau would travel down to Waikawa from Taranaki and gather harakeke to take home because of its excellent quality.

Eels were often collected from the area using the common technique of spearing. Tines of hardwood or the hard black part of the tree fern would be used as spears. Eels were speared all year round usually at night. Both the Turamarino and Koromiko were favoured Te Ātiawa o Te Waka-a-Māui sites for tuna. Fresh water mussels were another important food sources for the Pā.

Te Ātiawa o Te Waka-a-Māui tūpuna had considerable knowledge of the whakapapa, traditional trails and places for gathering kai and other taonga. They also developed tikanga based on the relationship between the people and the resources of this area to ensure the sustainable utilisation of resources. All of these values remain important to Te Ātiawa o Te Waka-a-Māui today.

MOUTERE RIVER AND ITS TRIBUTARIES

Moutere te awa is an important and significant awa for Te Ātiawa o Te Waka-a-Māui. At the mouth of the Moutere River is the tidal Moutere Inlet, once a forest, which is highly significant to Te Ātiawa o Te Waka-a-Māui.

Traditionally, Moutere te awa and inlet provided a wealth of resources to sustain Te Ātiawa o Te Waka-a-Māui tūpuna. Moutere te awa and the Inlet had many important fish and abundant shellfish such as oysters, cockles, pāua, mussels and waders or shorebirds and black phase oystercatchers.

Te Ātiawa o Te Waka-a-Māui has maintained customary practices associated with the Moutere River for many generations. The taonga, wāhi tapu and customary practices associated with this awa were integral to the spiritual and cultural wellbeing of Te Ātiawa o Te Waka-a-Māui iwi.

TURIMAWIWI RIVER AND ITS TRIBUTARIES

The Turimawivi River and the associated coastline was a significant mahinga kai for Te Ātiawa o Te Waka-a-Māui. Kai moana, particularly pāua, was collected at the mouth of the awa.

Te Ātiawa o Te Waka-a-Māui tūpuna had considerable knowledge of the whakapapa, traditional trails, places for gathering kai and other taonga. They also developed tikanga based on the relationship between the people and the resources of this area to ensure the sustainable utilisation of resources. All of these values remain important to Te Ātiawa o Te Waka-a-Māui today.

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RECOGNITION**

There are a number of Te Ātiawa o Te Waka-a-Māui urupā and wāhi tapu along the river and associated coastline. Urupā are the resting places of Te Ātiawa o Te Waka-a-Māui tūpuna and, as such, are the focus for whānau traditions. Urupā and wāhi tapu are places holding the memories, traditions and victories of Te Ātiawa o Te Waka-a-Māui tūpuna, and are frequently protected by keeping the location of these sites secret.

Generations of Te Ātiawa o Te Waka-a-Māui have lived, camped and harvested resources at the Turimawiwi River mouth and on the Te Tai Tapu coast. Te Ātiawa o Te Waka-a-Māui Pariwhakaoho whānau maintained extensive cultivations along the coast at Turimawiwi and Taumaro.

The wāhi tapu and mahinga kai associated with the Turimawiwi River links present day Te Ātiawa o Te Waka-a-Māui physically and emotionally with our tūpuna. The maintenance of the customs and traditions associated with this awa is therefore paramount to the wellbeing of Te Ātiawa o Te Waka-a-Māui.

Te Ātiawa o Te Waka-a-Māui have continually maintained ahi kaa within this catchment area, and the whenua and wai are integral to Te Ātiawa o Te Waka-a-Māui identity as an iwi. We have tikanga and kawa that involves tapu and noa in this area. The wāhi tapu incorporate our cultural values and take tūpuna. Te Ātiawa o Te Waka-a-Māui have responsibilities and obligations to this place and its cultural, spiritual, historical and traditional values as tangata whenua of the area.

TITI ISLAND NATURE RESERVE

Tītī Island is located off Port Lambert in the Marlborough Sounds and is of traditional, cultural, spiritual and historical significance to Te Ātiawa o Te Waka-a-Māui and a great taonga for our iwi.

Ngāti Hinetuhi, a hapū of Te Ātiawa o Te Waka-a-Māui who resided in Port Gore, utilised a range of the resources found on Tītī Island, although primarily the tītī (sooty shearwater/mutton bird). Te Ātiawa o Te Waka-a-Māui tikanga was meticulously followed by Te Ātiawa o Te Waka-a-Māui when harvesting tītī. No fires could be lit during the taking of the birds and women were prohibited on the islands. It was said that if these rules (tapu) were broken then the birds would desert the islands for years.

Tītī was a customary food for Te Ātiawa o Te Waka-a-Māui. Te Ātiawa o Te Waka-a-Māui have memories of the harvesting process, which occurred once a year, and of how the birds were cooked and consumed or preserved for use at a later date.

Tītī Island is now home to the tuatara that was transferred fourteen years ago from the Brothers Islands (Ngā Whatu Kaipono) by Te Ātiawa o Te Waka-a-Māui as a gift to the Island. Te Ātiawa o Te Waka-a-Māui maintain that the tuatara plays an important cultural role as it is the kaitiaki of knowledge, children, tapu places, and tapu objects. This tradition is at once ancient, modern, and reciprocal. Tuatara is kaitiaki of the tangata whenua, while the tangata whenua are kaitiaki of tuatara. The ongoing conservation of the species on Tītī Island is of the utmost importance to Te Ātiawa o Te Waka-a-Māui to ensure the survival of the species that was once unique to Ngā Whatu Kaipono.

All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Te Ātiawa o Te Waka-a-Māui with Tītī Island, the tītī and the tuatara. The mauri of Tītī Island represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life.

**TE ĀTIAWA O TE WAKA-A-MĀUI DEED OF SETTLEMENT:
DOCUMENTS SCHEDULE**

**1.3: STATEMENTS OF ASSOCIATION FOR STATUTORY ACKNOWLEDGEMENTS AND DEEDS OF
RECOGNITION**

Te Ātiawa o Te Waka-a-Māui and Ngāti Hinetuhi have an extremely close association with Tītī Island. Our role as kaitiaki of this area is extremely important to the tribe as a whole. Te Ātiawa o Te Waka-a-Māui has mana, whakapapa and history here and we have tikanga which involves tapu and noa in this place.

Te Ātiawa o Te Waka-a-Māui has considerable knowledge of this area. Over time we have developed appropriate tikanga to ensure the sustainable utilisation of Tītī Island's wealth, including for gathering kai and the other various resources of the motu and surrounding moana.

HURA (ON ARAPAOA ISLAND)

Te Hura is immensely significant to Te Ātiawa o Te Waka-a-Māui and a highly treasured taonga. Te Ātiawa o Te Waka-a-Māui tūpuna had considerable knowledge of whakapapa, traditional trails, places for gathering kai and other taonga, and other ways in which to use the resources of Te Hura. For Te Ātiawa o Te Waka-a-Māui, the coastal and marine resources (kaimoana) along Te Hura are regarded as treasures from the sea (Tangaroa).

The Te Ātiawa o Te Waka-a-Māui chief, Hura, occupied this area, and in the 1840s he was buried in the Tamarewa area, hence why the cliffs of Arapaoa Island facing onto Te Moana te Raukawakawa (Cook Strait) are called the 'Hura'.

Te Hura encompasses the whenua along the back of Arapaoa, which curves into Te Moana te Raukawakawa. Most of the coastline in this area is cliff face with only very small pockets that could be used for shelter. Because of the location of Te Hura in Te Moana te Raukawakawa, Te Ātiawa o Te Waka-a-Māui established strategic sentinel sites along the hilltops and tauranga waka sites on the shorelines, and the many caverns had various usages. The coastal area was visited and occupied by many other iwi who through conflict and alliance have merged in the whakapapa (genealogy) of the area. However, Te Ātiawa o Te Waka-a-Māui has maintained mana, whakapapa and history in this area.

Te Hura is an integral part of a network of trails on Arapaoa which were used in order to ensure the safest journey, and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of Te Ātiawa o Te Waka-a-Māui led to their dependence on the resources of Te Hura.

There are a number urupā and wāhi tapu in Te Hura and many remain known only to Te Ātiawa o Te Waka-a-Māui whānau of the area. Urupā are the resting places of Te Ātiawa o Te Waka-a-Māui tūpuna and, as such, are the focus for whānau traditions. Urupā and wāhi tapu are places holding the memories, traditions and victories of Te Ātiawa o Te Waka-a-Māui tūpuna. They are frequently protected by secret locations.

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

Often when Te Ātiawa o Te Waka-a-Māui waka crossed the Strait from the North Island, the crews had to wait for the seas to calm before they could round Cape Koamaru. While they were waiting they would go to Te Hura and haul their waka ashore. To protect them from the crashing seas they stood them on end and sheltered them, always between the same special rocks.

**TE ĀTIAWA O TE WAKA-A-MĀUI DEED OF SETTLEMENT:
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**1.3: STATEMENTS OF ASSOCIATION FOR STATUTORY ACKNOWLEDGEMENTS AND DEEDS OF
RECOGNITION**

According to Te Ātiawa o Te Waka-a-Māui, strangers crossing from the North Island to Cape Koamaru had to be blindfolded so that they would not see the Brothers Islets (Ngā Whatu Kaipono) or 'pupils of the eye'. On arrival by Tawhaimoa, the blindfolded stranger was led to a cave and the chief or leader of the party gave a 'karakia' or incantation to remove the 'tapu' so that calamity would not overtake the stranger. The blindfold was then removed.

At the top of the hill there was a look-out point where messages could be sent across the Straits by lighting a fire. There is a clear view of Te Moana te Raukawakawa from this point. Beacon fires were lit at strategic points along the coast to carry prearranged messages between settlements both in Te Tau Ihu and across Te Moana te Raukawakawa.

Another place of significance is Kipiora. Waka crews often left their waka at Kipiora - essentially it was a waka landing place. The men dragged their canoes ashore and then followed a track over the hill into East Bay. Further down the coastline there was another settlement called Tungongo.

The whole of the eastern side of Arapaoa Island was omitted from the map attached to the 9 February 1856 Deed of Sale, as was southwards of the narrow spit which makes up the southern headland of Kura te Au.

Te Hura is of traditional and cultural significance to Te Ātiawa o Te Waka-a-Māui, and is also known for the small yellow coloured potato that grows like watercress in a stream at the site. This is the only site that these potatoes have been located in the area. The potato plant was introduced by Te Ātiawa o Te Waka-a-Māui who settled in the area in the 1820s. Occupation of the whenua over generations by Te Ātiawa o Te Waka-a-Māui has instilled connections and expressions of value into the whenua, space and resources. These traditional relationships have developed over generations of close interaction by Te Ātiawa o Te Waka-a-Māui with the environment of Te Hura and remain an important part of Te Ātiawa o Te Waka-a-Māui culture.

A range of indigenous and native plants and animals have been identified as being of cultural significance to Te Ātiawa o Te Waka-a-Māui. For Te Ātiawa o Te Waka-a-Māui, in the environmental area, the contemporary Māori world-view is strongly based on traditional cultural beliefs, knowledge, concepts and values. These traditional concepts and values, derived from traditional Māori knowledge (mātauranga Māori), remain important to Te Ātiawa o Te Waka-a-Māui today.

Te Ātiawa o Te Waka-a-Māui has extensive knowledge of various places along Te Hura and this knowledge is important to our iwi today. As tangata whenua in the area, Te Ātiawa o Te Waka-a-Māui maintain the whenua, moana and various motu within Te Hura. Each of the various islands have major significance to Te Ātiawa o Te Waka-a-Māui and the use of the resources on ngā motu and moana incorporate our cultural values of take ahi ka.

Te Ātiawa o Te Waka-a-Māui has tikanga and kawa which involves tapu and noa within Te Hura, ngā motu and moana. We have responsibilities and obligations to this place and its cultural, spiritual, historical and traditional values as tangata whenua of the area.

1.4 STATEMENT OF VALUES FOR THE COASTAL AND MARITIME INSTRUMENT

1.4: STATEMENT OF VALUES FOR THE COASTAL AND MARITIME INSTRUMENT

Toitu te marae a Tane, Toitu te marae a tangaroa, Toitu te iwi

If the realms of Tane and Tangaroa are sustained, then so too will iwi

Te Ātiawa o Te Waka-a-Māui o Te Waka-a-Māui, by geographical choice and necessity, are coastal dwellers that have placed high cultural and historical values upon the foreshore, seabed, coastal and maritime waterways. Te Ātiawa o Te Waka-a-Māui consider the coastline our gardens, and the kaimoana the fruits of our gardens. Kaitiakitanga for Te Ātiawa o Te Waka-a-Māui is about preserving what our tūpuna fought for and attained - it is both a right and responsibility acquired by proving an ability to give effect to trusteeship and management. Kaitiakitanga is intertwined with customary authority and exercising protection of the environment.

Te Ātiawa o Te Waka-a-Māui is a seafaring iwi known for our great navigated sea voyages from Te Waka-a-Māui to Wellington, Waikanae, Taranaki and the Chatham Islands. Te Ātiawa o Te Waka-a-Māui o Te Waka-a-Māui view the land and water as an indivisible whole. The land is connected to the water resources which flow in, on and under it, as is the water related to the land that surrounds it, including the foreshore and seabed. Both the lands and waters are in turn connected to the people as the mana whenua, mana moana, mana tangata in this rohe.

Tangaroa, god of the sea, is the tuakana (elder brother) of Tāne Mahuta (god that dwells on the land) in both birth sequence and size. The land comes from the sea and returns back to the sea, whether this is through erosion on the coast or via the wai tapu (rivers) that carry the land and then empty into the sea. The sea and the land cannot be separated, but each has its own healing powers, each has its own food, and each has its own wairua tapu. Each of the gods has his own individual kawa (protocol) that connects with his brothers'. Even where the land and the sea merge, at no point is there a void, the land mass moves under the seawaters where they connect until the continental shelf drops off.

For Te Ātiawa o Te Waka-a-Māui this means that the land eventually gives way to the Tasman Sea, Tasman Bay, Port Gore, Tōtaranui (Queen Charlotte Sound), Tory Channel, Te Moana o Raukawa (Cook Strait) and Te Moananui A Kiwa (the Pacific Ocean), but it does not mean that one is given more importance than the other. As tangata whenua, Te Ātiawa o Te Waka-a-Māui have kaitiaki responsibilities to protect the mauri of both the land and adjoining seas. Te Ātiawa o Te Waka-a-Māui are kaitiaki of the sea, lands, waters and associated resources within our rohe, and are charged to look after them for future generations. The rivers connect the entire landscapes from the mountains to the sea. Forests, streams, lakes and oceans have their own mauri, and their wellbeing is reflected in the productivity and abundance of birds, fish and other life. The waters of the sea and rivers are as much roads and gardens as the roads and gardens on land.

Te Ātiawa o Te Waka-a-Māui hapū relationships with te takutai moana are captured in memories, ingrained in hearts and passed on in practice, stories and waiata to children and grandchildren who will one day be the kaitiaki of the coastal domain. Te Ātiawa o Te Waka-a-Māui view the resources of the sea as gifts from Tangaroa, and have developed complex management systems (tikanga) to prevent over-exploitation.

Te Ātiawa o Te Waka-a-Māui are a coastal iwi and continue to move freely across Te Tau Ihu o Te Waka-a-Māui and other Te Ātiawa o Te Waka-a-Māui takiwā as sailors, captains, fishers, gatherers and whānau. Te Ātiawa o Te Waka-a-Māui successfully made the transition from oceanic to coastal navigation, and mastered the difficult art of traversing the turbulent and unpredictable coastal waters, which along with the foreshore and seabed are of particular importance for the gathering of kaimoana or food from the sea. Stretches of coastline were

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clearly acknowledged and recognised as belonging to, and being defended by, a particular hapū and, although there has since been widespread urbanisation of Māori, strong cultural connections and ties with the coast remain.

The coastal and marine area is an integral part of our rohe in Te Tau Ihu. Te Ātiawa o Te Waka-a-Māui migrations to Te Waka-a-Māui, when and how they took place, form the basis for present Te Ātiawa o Te Waka-a-Māui membership. When territorial boundaries were determined they were often derived from the waka tāua journey. The actual waka route often formed the basis of coastal boundaries; the naming of features by the canoe passengers gives them claim to those areas; and incidents occurring along the way were interpreted as signs from the gods that certain locations were meant to be avoided or settled. The sites of waka landings are still tapu areas.

Areas of particular cultural significance in the coastal and marine area include Kahurangi, Turimawiri, Whanganui Inlet, Te One Tuhua, Pūponga, Pakawau, Parapara, Te Matau, Te Tai Aorere (Tasman Bay), Motueka, Whakatū, Waimea, Tarakaipa Island, the area around the Brothers Islands, Port Gore, Tōtaranui, Arapaoa Island, White Bluffs and Cook Strait.

Te Ātiawa o Te Waka-a-Māui established many permanent settlements, including pā (fortified settlements), kāinga, fishing stations and nohoanga in many areas on the coastline throughout Te Tau Ihu o Te Waka-a-Māui. Te Ātiawa o Te Waka-a-Māui have strong and unbroken traditional, historical, cultural and spiritual associations with this long coastline and the associated sea areas with rich ecosystems. These associations remain today and are central to the identity and mauri of our iwi.

Te Ātiawa o Te Waka-a-Māui have associations along the West Coast gathering kaimoana, customary harvesting from the forests, the rivers and the coast, and Poharamu Hotu who resided at Kararoa and whanaunga of Wiremu Kingi Te Koihua lived at various West Coast kāinga. On the East Coast, Te Ātiawa o Te Waka-a-Māui often gathered ducks and eels from Kaparatehau, and customary fished these waters ways.

Te Ātiawa o Te Waka-a-Māui also has an important association with the migratory seabird, the tītī. Young tītī were caught by Te Ātiawa o Te Waka-a-Māui as an annual delicacy. When the fledglings are harvested from the burrows the tītī are fat with the oils of the fish eaten and regurgitated by their parents. The parent birds come home every night having eaten pilchards, shrimps, sprats and small squid, and the young birds gobble down their oily dinner and quickly grow very fat. Generations of Te Ātiawa o Te Waka-a-Māui whānau have made the annual pilgrimage to the islands to harvest tītī by reaching down into the bird's underground burrow.

In the old days, tītī were often preserved in poha. Inside the poha is a waterproof bag made of bull kelp. The birds were cooked and then placed in the bag in their own cooked fat (a process known as tahu). Air pockets were squeezed out by hand to create a vacuum seal that kept the food fresh for two to three years. The inner kelp bag was protected by an outer wrapping of harakeke (flax), tied together with the bark of the totara tree.

Mōhua

Te Ātiawa o Te Waka-a-Māui ventured within Kahurangi and travelled along its coastline in search of pounamu. Kahurangi is geologically complex – most of it is sedimentary rock laid down on an ancient sea-bed then faulted, uplifted and scoured by glaciers. Te Ātiawa o Te Waka-a-Māui knew the area well, including the dangers of limestone caves, bluffs and sinkholes. The coastline had Nikau palms and inland from the coast lush Podocarp forest with ferns and vines reaching to the Beech forests. Along the coastline there are many species of birds, including the now endangered rock Wren and the spotted Kiwi. There are twenty

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different species of carnivorous land snail (*Powelliphanta*) in Kahurangi, which feed on native worms. The *Powelliphanta* is taonga of great importance to Te Ātiawa o Te Waka-a-Māui.

After skirmishes with Te Tai Poutini, Te Ātiawa o Te Waka-a-Māui whānau frequently moved along the coastline keeping a watchful eye on the territory and to protect their patch, often staying for a time at the Arahura River mouth settlement for the pounamu, and also at Kararoa before returning back to Mōhua. Te Ātiawa o Te Waka-a-Māui kept vigil along the West Coast waiting for the migration of the sperm whale. Seals, once common along much of the coast, formed a valuable resource.

Large complexes of pā, cultivations and fishing areas were located at river mouths all along the coastal margins although many were seasonal. The river mouth settlements also provided Te Ātiawa o Te Waka-a-Māui with access to inland settlements and mahinga kai areas, including the Nelson Lakes. Another method of travelling down the West Coast was via the Mawhera River, or by the Buller River and the Lakes.

The Paturau, Anatori and Turimawiwi are all volatile rivers which dissect the land and flow into the Tasman Sea. In the past, Te Ātiawa o Te Waka-a-Māui would use boulders to stop the river mouth eroding into the sea. Kahurangi Point to Paturau was once heavily forested with large Rimu trees, and the coastline supplied Turimawiwi pā with crayfish, whitebait and eels amongst other resources from the land and sea. The Turimawiwi River flows northwest from the Wakamarama Range. The Anaweka River is a small river and its source is on the slopes of Mount White in the Wakamarama Range and weaves out to the Tasman Sea.

Estuaries at Paturau and Whanganui were especially prized sources of kaimoana, including for snapper and flounder. Whanganui Inlet was a particularly significant site. Pūponga is an important shark fishery.

Pākawau was the home of Te Koihua who migrated to Kapiti with Te Heke Niho Puta in the 1820s and killed the Ngāti Kuia high chief Pakauwera at Hikapu in Pelorus Sound¹, and captured another chief Whioi at West Whanganui.² Te Koihua remained in control of northwest Nelson while Te Ātiawa o Te Waka-a-Māui battled south into Te Tai Poutini. Te Koihua went to Kapiti to support Te Ātiawa o Te Waka-a-Māui in the battles of Haowhenua in 1834 and Kuititanga in 1839, crossing the waters using his great navigation skills.

Onekaka was a signal point and used to contact Taranaki, Motueka and the Sounds. From Parapara, Kaitangata (a hapū of Te Ātiawa o Te Waka-a-Māui) would launch their waka heading back to Maunga Taranaki. Te Ātiawa o Te Waka-a-Māui were frequent travellers across these waterways maintaining ahi kaa on both isles, they would leave from Tukurua, the Parapara or Aorere and head north navigating by the winds and stars often taking the tīfī freshly caught or preserved for the journey.

The Archway Islands, off Wharariki Beach, are home to a seal colony, and the tidal pools serve as a nursery for the seal pups. Farewell Spit is a highly valued resource and taonga for Te Ātiawa o Te Waka-a-Māui and home to many species like the Godwit and the Banded Dotterel which is also a prized taonga for Te Ātiawa o Te Waka-a-Māui.

Farewell Spit is relatively isolated, and is the biggest Godwit habitat. At any one time, over summer, there may be 10,000 Bar-tailed Godwits on the sand flats inside the spit. There are 80 square kilometres of mud or sand flats exposed at low tide and the Godwits share this vast feeding ground with about 90 other species of migratory and local birds, such as large black

¹ Minute Book of the Nelson Native Land Court (NMB: No.2), pp309-310.
² NMB: No. 2, pp290, 301.

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Swans, Caspian or White Fronted Terns, Knots and Spoonbills. Whilst gathering flax at Farewell Spit, the whānau would look across and smile when the Maunga Taranaki hat was uplifted.

Golden Bay from Farewell Spit, including Pūponga Point, Te Rae, Pākawau, Waikato, Collingwood, Ruataniwha Inlet, Parapara Inlet, Patons Rock, Rangihaeata Head, Tākaka River, Pōhara, Motupipi Estuary, Ligar Bay, Tata Island and Taupo Point are all associated with Te Ātiawa o Te Waka-a-Māui whānau as pā sites, tauranga waka sites and mahinga kai sites, as well as for other resources such as the puponga quartzite which was quarried for knives. Kaitangata also extracted valuable red and black pigments for dyeing at Parapara. This was another taonga that Te Hunahuna and Tangotango often took to Waikanae and Taranaki whānau.

The entire western coastline from Farewell Spit to Separation Point, including Golden Bay, has provided Te Ātiawa o Te Waka-a-Māui whānau with an abundance of birds and fish, argillite for weapons and tools, and fertile soils. The finding of minerals, particularly gold, brought huge excitement and a race to some of the region's most isolated areas.

Sealing and whaling was once a major economic activity for Te Ātiawa o Te Waka-a-Māui. Harvesting of the trees used for ship building was also economically important. As kaitiaki, Te Ātiawa o Te Waka-a-Māui must ensure that all these resources are protected for future generations.

Motueka

Tasman Bay, from Separation Point across to Stephens Island, formed part of the maritime highways of Te Ātiawa o Te Waka-a-Māui. Our ships would leave Mōhua bound for Queen Charlotte Sound navigating across these waters. The 34-foot schooner of Tamati Pirimona Marino, named the Erena, shipped coal from Massacre Bay, pigs and potatoes from Queen Charlotte Sound, and passengers to the North Island.

Separation Point to Marahau suited the mobile lifestyle of Te Ātiawa o Te Waka-a-Māui which was based on seasonal fishing gathering and horticulture. This area had easily accessible bays and estuaries, afforded fresh water and a range of food resources. The lands were comparatively sheltered and contained pockets of sandy flat land suitable for horticulture.

Te Ātiawa o Te Waka-a-Māui had sites right around the coast with the majority of occupation sites located in the sheltered bays. Kumara storage pits were sited on readily accessible well-drained ridges around the living areas. Pā were placed on natural defensive features (cliffs) with a panoramic outlook, such as prominent headlands, particularly where the headlands were accessible only by a narrow and therefore easily defended ridge.

Te Ātiawa o Te Waka-a-Māui had occupation sites from Awaroa to Anapai and also occupied Taupo Point, Mutton Cove, Mosquito Bay, Boundary Bay, Torrent Bay, Te Pukatea Bay, Bark Bay, Awaroa, Tōtaranui, and Whariwharangi, Adele and Fishermans Islands. Te Ātiawa o Te Waka-a-Māui papkāinga at Tōtaranui was on the peninsula adjoining the lagoon at the north end of the bay.

Pā, kāinga and fishing settlements occupied much of the peninsula at Te Matau which is one of the boundary points between the various hapū within Te Ātiawa o Te Waka-a-Māui. Awaroa, the papkāinga of Mere Nako and her whānau, was a favoured fishing ground, and Mere also gathered harakeke for weaving at this site. Along the coastline Te Ātiawa o Te Waka-a-Māui hunted an abundance of bird life, including the kōkako in the forests around Torrent Bay, and pūkeko around the beaches, estuaries and wetlands. A range of wading

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birds stalk the estuaries for fish and shellfish while offshore gannets shags and terns can be seen diving for food, and the little blue penguins feed at sea during the day and return to their burrows.

The fishing within Tasman Bay was pristine due to the lowland nature of the area and its proximity to the sea. The rivers and streams along the coastline have a diversity of native freshwater fish, such as the short-jawed and giant kōkopu, as well as long-finned eels. The regular influx of nutrients from the sea tides also supports food for a range of coastal birds.

The rocky coastline habitants like the periwinkles, tubeworms, neptunes necklace, pink algae, sea urchins, turban shells and seaweed were important kaimoana for the hapū. The fur seals that gathered along the coast on the more remote granite headlands of Separation Point, Tonga Island and Pinnacle Island, provided clothing for Te Ātiawa o Te Waka-a-Māui.

Along the coastline, black beech is the natural cover of the dry ridges and headlands close to the sea, with hard beech further inland where more moisture is available. Kanuka occurs where there have been windfalls or a history of fires. Manuka occurs where repeated burning has degraded the soil. Tree ferns, kiekie and supplejack remain in the gullies and are leading the regeneration process.

Marahau and Sandy Bay are both important mahinga kai for Te Ātiawa o Te Waka-a-Māui whānau. Kaiteriteri formed another extensive occupation, cultivation and fishing station complex. The cliffs contain burial caves with a tauranga waka at the mouth of the stream running beside the cliff. Tamati Parana and Wi Parana had cultivation sites in the Sandy Bay, Marahau area, but also had tauranga waka sites to access the waterways for kaimoana and other coastal resources.

The Riuwaka River is inseparably connected with Puketawai, a Te Ātiawa o Te Waka-a-Māui pā site, located on a low hill at the mouth of the Riuwaka River within Tapu Bay. Tamati Parana, a revered tohunga, lived at the northern end of Tapu Bay at a site close to the tapu Riuwaka River. As a tohunga, he placed his tūāhu (altar) near to the Riuwaka in order to be close to the source of his medicine: the white healing stones within its waters. These stones continue to be of great cultural significance to Te Ātiawa o Te Waka-a-Māui for healing purposes.

Traditionally, the Riuwaka River catchment was an abundant food basket with diverse ecosystems and species associated with its habitats. The estuary area where the Riuwaka River flows into the sea was rich in pipi, tuangi (cockles), tio (oyster), titiko (mud snails) and other shellfish. Pātiki (flounder), kanae (mullet) and kawhai were all plentiful, and tāmure (snapper) dominate the middens in the area.

Pā sites and kāinga associated with the Motueka River catchment were plentiful. One pā named Pounamu was located at what is now known as Staple St on the southern side of the awa. Whakapaetuara Pā was situated on the north bank of the Motueka River. "Whakapaetuara" superseded the old pā "Hui Te Rangiora", which was situated at the mouth of the Riuwaka River.

The Motueka estuary, sandspit, Kumara estuary, including Raumanuka, and the Motueka River delta consisting of the river mouth are very important areas for the Tuturiwhatu (the banded dotterel) and for Te Ātiawa o Te Waka-a-Māui who lived, gardened and navigated these waterways. The Godwits stay for seven months at Motueka, and can easily be seen in the low dunes and feeding in the nearby estuaries. The whole area is ecologically important with extensive areas of rush land and salt marsh where whitebait spawn. Te Ātiawa o Te

1.4: STATEMENT OF VALUES FOR THE COASTAL AND MARITIME INSTRUMENT

Waka-a-Māui continue to monitor the impact of aggregate (gravel) extraction on the environment.

Moutere Inlet was another important source of kaimoana. Traditionally, Moutere te awa and Inlet provided a wealth of resources to sustain Te Ātiawa o Te Waka-a-Māui tūpuna with many important fish, abundant shellfish, such as oysters, cockles, pāua and mussels, and numerous bird species, including waders, shorebirds and black phase oystercatchers.

Whakatū

Mackay's Bluff, near Nelson on the landward end of the Boulder Bank, was an important fishing station. Whakapuaka was a popular watering hole for Te Ātiawa o Te Waka-a-Māui kaitangata visting whānau.

Whakatū and its environs contained many important fishing stations and tauranga waka. Matangi Āwhio was one of the most important sites in the Whakatū area. It consisted of a large pā and kāinga complex overlooking a beach where waka could be safely landed.

Rabbit Island was another important seasonal campsite, particularly for the resources from the Estuary and the close proximity to the Waimea Gardens and walking trail to the lakes. Bells Island and Best Island were also important sites due to the bird life that these isles attracted.

Waimea and Mahitahi Estuary were both rich in mahinga kai, rongoā and weaving and building materials. The natural resources gathered in the catchment attracted tūpuna from as far as Motueka and the Lakes. Whānau would camp and harvest the plentiful supply of resources found in the estuary, the channels and wetlands at the mouth of the Mahitahi and Waimea, and the adjacent lowland valley forests. Several pakohe quarry and flinting sites are found along and nearby the Mahitahi River, such as the Rush Pools Quarry.

Fishing stations could be found all along the eastern coast of Te Tai Aorere/Tasman Bay. Among the most important of these was Waimea renowned for its kaimoana and extensive gardens.

Queen Charlotte Sound

Te Anamāhanga is a landing place of te waka a Kupe - Te Matahourua - and indentations made by his footprints are visible at the tauranga waka at Te Ope-a-Kupe. This place is central to the identity of Te Ātiawa o Te Waka-a-Māui hapū Hinetuhi in Te Tau Ihu. Te Anamāhanga was also a tauranga waka where many important Hinetuhi tūpuna first came ashore and took up residence until called back to defend Te Ātiawa o Te Waka-a-Māui tūturu. Te Anamāhanga was also an important fishing area providing access to koura, pāua, karengo and kokapoko.

The coastline of Arapaoa Island borders Cook Strait, Queen Charlotte Sound (Tōtaranui) and the Tory Channel (Kura-te-au). Every bay and coastline on Arapaoa is important to Te Ātiawa o Te Waka-a-Māui, and is the spiritual home to many. During the early days of occupation of Te Tau Ihu, Arapaoa was the main port-of-call as the iwi moved between various takiwā to ensure that the whole of Te Tau Ihu was occupied. After various battles, Te Ātiawa o Te Waka-a-Māui would return to Arapaoa and prepare for further battles and ensure that the tribe had sufficient resources.

Meretoto (Ships Cove), Whatamango, Te Rae-o-te-Karaka, Punaruawhiti (Endeavour Inlet), Te Anaho and Motuara Island are some of the areas of importance to Te Ātiawa o Te Waka-a-Māui. Many of these were battle sites and today Te Ātiawa o Te Waka-a-Māui are the kaitiaki

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of these areas.

Eastern Coastline

Alligator Head, a marker point for Te Ātiawa o Te Waka-a-Māui, in close proximity to Tītī Island and into Waitui Bay, Cape Lambert across to Cape Jackson, is the area known as Port Gore (Anamāhanga) – home to Ngāti Hinetuhi and their whānau. This particular area is extremely important as the slow currents and the seaweed swept in from the Cook Strait sanctioned these areas to be ideal nursery grounds for Te Ātiawa o Te Waka-a-Māui kaimoana.

Cape Jackson across to Cape Koamoru encapsulates Queen Charlotte Sound (Tōtaranui), and from Waihi Point, Kempe Point (Anakakata Bay) each and every bay and the whole coastal area is of great significance to Te Ātiawa o Te Waka-a-Māui. Inside Tōtaranui are several isle, some small, some large, but all equally great and significant. At the entrance to Tōtaranui lie Kōmakohua Island, the twins and Motungarara Island majestic to Te Ātiawa o Te Waka-a-Māui.

Onehunga, Oamaru, and Amaru Bay wind swept from the Cook Strait, but extremely important for kaimoana, are embraced by Te Ātiawa o Te Waka-a-Māui. Tewaimoa, Tungongo, Kipirita and the Hura are also important coastal areas for Te Ātiawa o Te Waka-a-Māui. Opposite Narawhia reserves sites Raukawa Rock, warning our sailors of the impending dangers of the waters along the shoreline.

The East and West Head guard the entrance to the Tory Channel (Kura-te-au), the first settlement for Te Ātiawa o Te Waka-a-Māui o Te Waka-a-Māui and remains today as the papakāinga to many. Kura-te-au is the main source of kaimoana for Te Ātiawa o Te Waka-a-Māui whānau and Waikawa Marae. Te Ātiawa o Te Waka-a-Māui fishermen fished and still fish these waters, but they always ensure that sufficient kaimoana remains for the next generation.

Jordy Rocks is of significance to Te Ātiawa o Te Waka-a-Māui whaling whānau and is also a maritime marker for our fisherman as they cross from the North or up from the South. Fighting Bay, Rununder Point, Bushy Point and Lucky Point coastal areas are ideal for sheltering and recreational fishing. In times of old, Glasgow Bay was known to Te Ātiawa o Te Waka-a-Māui as little Island Bay. Glasgow Island is a waterhole for Te Ātiawa o Te Waka-a-Māui and often our fisherman would shelter behind the Island and moor their boats whilst catching tītī.

Port Underwood is an ideal sheltering bay, and the gathering of kaimoana would often take place here. The sandy bays were ideal for shellfish and the Wairau Lagoon was ideal for duck hunting. The Wairau River and mouth was ideal for whitebait and kahawai. The White Bluff, a nursery ground, was also used by Te Ātiawa o Te Waka-a-Māui fishers for crayfish and mooring, Kapara Te Hau for medicinal purposes, and further southward for the chasing of the whales and crayfish.

Cook Strait (Te Moana o Raukawakawa)

The bottom topography of the Strait is complex. To the north-west of the Cook Strait Canyon, in the Cook Strait Narrows, lies the Narrows Basin where depths of water between 150 and 200 fathoms predominate. Leading into the Narrows Basin from the north-west is the North West Trough, a rather shallow submarine “valley” lying across the northern end of the Marlborough Sounds. Its head lies near the centre line of Tasman Bay. Near shore on both coasts from the Narrows both to north and west, the bottom topography is most irregular, particularly around the coast of the South Island where the presence of offshore islands,

1.4: STATEMENT OF VALUES FOR THE COASTAL AND MARITIME INSTRUMENT

submerged rocks, and the entrances to the Sounds, create violent eddy conditions. Cases in point are Koamaru Hole, 100 fathoms off the entrance to Queen Charlotte Sound, and Jacksons Hole, 150 fathoms off Cape Jackson, which Te Ātiawa o Te Waka-a-Māui has been mindful and take great caution. For generations, Te Ātiawa o Te Waka-a-Māui have fished these waters with great care and many are still fishing these waters both customary and commercially. Te Ātiawa o Te Waka-a-Māui as kaitiaki have great concerns for our fisherman and all who sail on these waters as Tangaroa must always be respected.

Te Ātiawa o Te Waka-a-Māui have many lookout points along Te Moana o Raukawakawa and several of these lookout points are still utilised today. Te Ātiawa o Te Waka-a-Māui have special kaimoana areas which are nurtured by iwi members. Today some whānau still utilise their own waka to move across Te Tau Ihu and to the North Island. This taonga symbolises for Te Ātiawa o Te Waka-a-Māui people the intense nature of their relationship to the environment and the mauri or life force that is contained in all parts of the natural environment and binds the spiritual and physical world.

Te Moana o Raukawakawa incorporates the cultural value of Te Ātiawa o Te Waka-a-Māui mauri. Te Ātiawa o Te Waka-a-Māui has mana, whakapapa associations and history associated with this taonga. Te Ātiawa o Te Waka-a-Māui has tikanga and kawa that involves tapu and noa, and responsibilities and obligations to this taonga and its cultural, spiritual, historical and traditional values.

Maritime

From Golden Bay or Arapaoa Island on a fine day, Te Ātiawa o Te Waka-a-Māui would often look towards Maunga Taranaki and see the maunga calling them home. The long Taranaki coastline is open to the Tasman Sea, and Golden Bay forms a shallow inlet off Cook Strait separated from the open sea in the north by Farewell Spit and sheltered in the south by the Pikikiruna, Onekaka and Wakamarama Ranges. Te Ātiawa o Te Waka-a-Māui frequently travelled back and forward from Te Tau Ihu and Te Ika a Maui and were skilled mariners in these waters.

While travelling north to Taranaki, Waikanae, or Wellington from Mōhua, Motueka, Whakatū or Tōtaranui, our maritime fishers often caught cod, roughy and hoki. At the turn of the 19th or 20th century, Te Ātiawa o Te Waka-a-Māui became commercial whalers.

Te Ātiawa o Te Waka-a-Māui travellers across Te Tau Ihu often called into Delaware Bay or Horoirangi for water, later travelling onwards around Cape Soucis into Croisille Harbour passing by D'Urville and Stephens Islands and Admiralty Bay. The Chetwode and Forsyth Islands were often used for shelter, fishing and watering in the Pelorus Sounds before passing Alligator Head and taking the opportunity to catch up with the Port Gore whānau then moving into the Queen Charlotte Sound or across to Wellington.

Climbing on top of Cape Koamaru gave a good indication of the rips working at peak flow, particularly around the Brothers. Te Ātiawa o Te Waka-a-Māui were very experienced on the water and knew timing was extremely important. The best tides to travel on meant leaving the Cape an hour before low tide at Waikawa, to be level with the Brothers around slack water and to catch the east going tidal stream in the eastern Strait. Second best would be leaving an hour before high tide at Picton, as it is more important to have slack water around the Brothers than the east going stream, which is neither reliable nor strong. Cape Koamaru was a rugged stretch to Raukawa Rock and often Arapaoa Island sheltered the mariner travelling from Cook Strait. Te Ātiawa o Te Waka-a-Māui had several special camp sites along this stretch of water waiting for the winds and waters to slacken.

1.4: STATEMENT OF VALUES FOR THE COASTAL AND MARITIME INSTRUMENT

The White Rocks and Fishermans Rocks are important maritime navigation points for our whānau, so too are Sentinel Rock, McManaway Rock, Witts Rock and the Jag Rocks. The knowledge of the sea was important for survival, for example taking the south side of the rock could mean landing at Waikanae or going southwards.

Ngā Whatu-kai-ponu, the Eyes that Stand as Witness to the Deeds of Kupe (the Brothers Islands), are the eyes of the octopus (wheke), Maturangi, cast into the sea by Kupe after he had killed the creature. The tapu associated with these Islands required travellers to recite karakia when crossing Te Moana o Raukawakawa and only the descendants of Kupe, persons of great mana or tohunga could gaze upon them.

Te Ātiawa o Te Waka-a-Māui through conquest has inherited various places Kupe travelled within Te Tau Ihu, however today as kaitiaki of these places Te Ātiawa o Te Waka-a-Māui shares the travels of Kupe with all of Aotearoa as they belong to all.

As a coastal tangata whenua kaitiaki Te Ātiawa o Te Waka-a-Māui have an obligation to ensure that the coastal and marine areas are sustained. Coastal areas have always had considerable significance for Te Ātiawa o Te Waka-a-Māui in terms of te kauae runga (things spiritual) and te kauae raro (things earthly). The kaimoana, as with other resources, is important not only in economic value, but also in cultural and spiritual terms. The right to occupy an area and utilise its resources is inseparable from individual and collective mana. For Te Ātiawa o Te Waka-a-Māui, the coastal and maritime area is a symbol of kaitiakitanga, mātaihai and mahinga mātaihai as tangata whenua based upon tikanga and mātauranga Māori. Te Ātiawa o Te Waka-a-Māui place very high spiritual and cultural values upon the coastline and these values.

Te Ātiawa o Te Waka-a-Māui tūpuna attained an advanced understanding of the lifecycles of the fish that they caught for food. They knew that with the first signs of winter approaching fish would start their journeys from inland waterways down to the coastal river mouths. In the autumn, cooler air temperatures gave the adults a signal to begin moving downstream, whereas in spring the melting snows told juveniles to move upstream.

Te Ātiawa o Te Waka-a-Māui itinerant lifestyle was based on harvests at certain times of the year, for fishing and hunting seasons, for planting crops, for whānau or political reasons, because of conflict or scarce resources. However, customary practice of whakaarahi to maintain ahi kaa roa, and to confirm tribal dominance of territories, was expressed through this travelling lifestyle. From the lakes, the rivers, the coastline, Tasman Sea, the Cook Strait and the Pacific Ocean, all this preserving what our tūpuna fought for and attained, it is both a right and responsibility associated with coastline and maritime of Te Waka-a-Māui.

Coastal Areas of great importance for Te Ātiawa o Te Waka-a-Māui

- Skinner point
- Ratakura Point
- Waiharakeke Bay
- Awaroa inlet, sandspit
- The Pinnacle
- Tonga Bay
- Tonga Island
- Whale Rock
- Mosquito Bay
- Bark Bay
- South Head

1.4: STATEMENT OF VALUES FOR THE COASTAL AND MARITIME INSTRUMENT

- North Head
- Totara rocks
- Boundary Bay
- Torrent Bay
- Pitt Head
- Te Pukatea Bay
- Hāpuku island
- Te Kāretu Point
- Six foot rock
- Adele Island
- Astrolable Roadstead
- Fishermans Island
- Huffam Rock
- Marahau
- Otuwhero Inlet
- Tokongawha Point
- Split Apple Rock
- Ngaio Island
- Breaker Bay
- Kaka Island
- Kaiteriteri
- Torlesse Rock
- Anawera Point
- Alligator Head
- Cape Lambert
- Cape Jackson
- Cape Koamoru
- Arapaoa Island
- Queen Charlotte Sounds
- Tory Channel
- Island Bay
- Brothers Islands
- Shag Harbour
- Boulder Point
- Wharf Rock
- Reef Point
- Tonga Bay

1.5 STATEMENT OF VALUES FOR TE TAI TAPU

1.5: STATEMENT OF VALUES FOR TE TAI TAPU

Te Tai Tapu is pivotal to Te Ātiawa o Te Waka-a-Māui identity and their relationship with the whenua and wai. The area signifies the intense nature of the relationship Te Ātiawa o Te Waka-a-Māui has to the environment, and the mauri or life force that is contained in all parts of the natural environment and binds the spiritual and physical world. The connection of Te Ātiawa o Te Waka-a-Māui with Te Tai Tapu began during the raupatu of the 1820s and 1830s when they and their allies moved swiftly into Golden Bays and Te Tai Tapu. Te Ātiawa o Te Waka-a-Māui intermarried with some of the people who were residing in the area and continue to embody the traditions of their Tūpuna. In the Native Land Court in 1883 chief Rihari Tahuaroa of the Puketapu Hapū claimed Te Tai Tapu by right of conquest along with other great chiefs like Te Kohua and Henare Tatana Te Keha. Te Ātiawa o Te Waka-a-Māui had papakainga within Te Tai Tapu. As tangata whenua of Te Tai Tapu, Te Ātiawa o Te Waka-a-Māui has mana, history and whakapapa here. We have developed tikanga and kawa which involve tapu and noa in this area.

Our tūpuna such as Mere Nako, Henare Te Keha, Matiaha and others setup occupation sites with their new companions around important mahinga kai areas of Te Tai Tapu, such as the estuarine areas of Anatori and Turimawiwi and along the coastline. Te Ātiawa o Te Waka-a-Māui are by geographical choice and necessity, coastal dwellers that have placed high cultural and historical values upon the foreshore, seabed, coastal and maritime waterways. Pahi (seasonal and temporary camps) were also set up in inland areas for hunting, gardening and food gathering.

Te Tai Tapu was deliberately kept out of the blanket Te Waipounamu purchases of 1853-1856 and remained as unalienated original customary title until 1884. It was the scene of a small gold rush in the 1860s, during which the Maori owners initially issued mining licences. Te Ātiawa o Te Waka-a-Māui developed considerable knowledge of places for gathering kai and other taonga, and ways in which to use the resources of the moana and tikanga for the proper and sustainable utilisation of resources. Te Tai Tapu remains an important cultural asset to Te Ātiawa o Te Waka-a-Māui and the histories of Te Tai Tapu remind the iwi of the importance of the area to their tribal identity.

2. DEEDS OF RECOGNITION

2: DEEDS OF RECOGNITION

THIS DEED is made by **THE CROWN** acting by the Minister of Conservation and the Director-General of Conservation, which agrees as follows:

1. INTRODUCTION

1.1 The Crown has granted this deed as part of the redress under a deed of settlement with:

1.1.1 Te Ātiawa o Te Waka-a-Māui; and

1.1.2 Te Ātiawa o Te Waka-a-Māui Trust.

1.2 In the deed of settlement, Te Ātiawa o Te Waka-a-Māui made statements of its particular cultural, spiritual, historical and traditional association with the following areas (the **statutory areas**):

1.2.1 Queen Charlotte Sound / Tōtaranui and islands (as shown on deed plan OTS-202-59);

1.2.2 Kaiteriteri Scenic Reserve (as shown on deed plan OTS-202-122);

1.2.3 Maungatapu (as shown on deed plan OTS-202-44);

1.2.4 Lake Rotoiti, Nelson Lakes Park (as shown on deed plan OTS-202-46);

1.2.5 Lake Rotoroa, Nelson Lakes Park (as shown on deed plan OTS-202-47);

1.2.6 Parapara Peak (as shown on deed plan OTS-202-49);

1.2.7 Pukeone / Mount Campbell (as shown on deed plan OTS-202-50);

1.2.8 Wharepapa / Arthur Range (as shown on deed plan OTS-202-51);

1.2.9 Hura (on Arapaoa Island) (as shown on deed plan OTS-202-60);

1.2.10 Wharehunga Bay Recreation Reserve (Arapaoa Island) (as shown on deed plan OTS-202-62);

1.2.11 West of Separation Point / Te Matau (as shown on deed plan OTS-202-90);

1.2.12 Te Anamāhanga / Port Gore (as shown on deed plan OTS-202-92);

1.2.13 Titi Island Nature Reserve (as shown on deed plan OTS-202-52);

1.2.14 Maitai River and its tributaries (as shown on deed plan OTS-202-64);

1.2.15 Waimea River, Wairoa River, and Wai-iti River and their tributaries (as shown on deed plan OTS-202-66);

1.2.16 Motueka River and its tributaries (as shown on deed plan OTS-202-67);

1.2.17 Tākaka River and its tributaries (as shown on deed plan OTS-202-68);

1.2.18 Aorere River and its tributaries (as shown on deed plan OTS-202-69);

2: DEEDS OF RECOGNITION

- 1.2.19 Te Hoiere / Pelorus River and its tributaries (or Te Hoiere River near Havelock) (as shown on deed plan OTS-202-70);
 - 1.2.20 Riuwaka River, and Resurgence, and its tributaries (as shown on deed plan OTS-202-71);
 - 1.2.21 Waikawa Stream and its tributaries (as shown on deed plan OTS-202-72);
 - 1.2.22 Waitohi River and its tributaries (as shown on deed plan OTS-202-73);
 - 1.2.23 Paturau River and its tributaries (as shown on deed plan OTS-202-74);
 - 1.2.24 Anatori River and its tributaries (as shown on deed plan OTS-202-75);
 - 1.2.25 Tuamarina River and its tributaries (as shown on deed plan OTS-202-99);
 - 1.2.26 Moutere River and its tributaries (as shown on deed plan OTS-202-100); and
 - 1.2.27 Turimawiwi River and its tributaries (as shown on deed plan OTS-202-101).
- 2.2 Those statements of association are:
- 2.2.1 in the documents schedule to the deed of settlement; and
 - 2.2.2 copied, for ease of reference, in the schedule to this deed.
- 2.3 The Crown has acknowledged the statements of association in the [**name**] Act [**year**], being the settlement legislation that gives effect to the deed of settlement or, in the case of Titi Island Nature Reserve, in the deed of settlement.

3. CONSULTATION

- 3.1 The Minister of Conservation and the Director-General of Conservation must, if undertaking an activity specified in clause 3.2 in relation to a statutory area, consult and have regard to the views of the Te Ātiawa o Te Waka-a-Māui Trust concerning the association of Te Ātiawa o Te Waka-a-Māui with that statutory area as described in a statement of association.
- 3.2 Clause 3.1 applies to the following activities (the identified conservation activities):
- 3.2.1 preparing a conservation management strategy, or a conservation management plan, under the Conservation Act 1987 or the Reserves Act 1977; or
 - 3.2.2 preparing a national park management plan under the National Parks Act 1980; or
 - 3.2.3 preparing a non-statutory plan, strategy, programme, or survey in relation to a statutory area that is not a river for any of the following purposes:
 - (a) to identify and protect wildlife or indigenous plants; or
 - (b) to eradicate pests, weeds, or introduced species; or
 - (c) to assess current and future visitor activities; or

2: DEEDS OF RECOGNITION

- (d) to identify the appropriate number and type of concessions; or
- 3.2.4 preparing a non-statutory plan, strategy, or programme to protect and manage a statutory area that is a river; or
- 3.2.5 locating or constructing structures, signs, or tracks.
- 3.3. The Minister and the Director-General of Conservation must, when consulting the Te Ātiawa o Te Waka-a-Māui Trust under clause 3.1, provide the Te Ātiawa o Te Waka-a-Māui Trust with sufficient information to make informed decisions.

4. LIMITS

- 4.1 This deed:
 - 4.1.1 relates only to the part or parts of a statutory area owned and managed by the Crown; and
 - 4.1.2 does not require the Crown to undertake, increase, or resume any identified conservation activity; and
 - 4.1.3 does not prevent the Crown from not undertaking, or ceasing to undertake, any identified conservation activity; and
 - 4.1.4 is subject to the settlement legislation.

5. TERMINATION

- 5.1 This deed terminates in respect of a statutory area, or part of it, if:
 - 5.1.1 the Te Ātiawa o Te Waka-a-Māui Trust and the Crown agree in writing; or
 - 5.1.2 the relevant area is disposed of by the Crown; or
 - 5.1.3 responsibility for the identified conservation activities in relation to the relevant area is transferred from the Minister or the Director-General of Conservation to another Minister or Crown official.
- 5.2 If this deed terminates under clause 5.1.3 in relation to an area, the Crown will take reasonable steps to ensure the Te Ātiawa o Te Waka-a-Māui Trust continues to be consulted on any identified conservation activities in relation to the area.

6. NOTICES

- 6.1 Notices to the Te Ātiawa o Te Waka-a-Māui Trust and the Crown are to be given under this deed in accordance with part 5 of the general matters schedule to the deed of settlement, except that the Crown's address where notices are to be given is:

Conservator
Nelson Marlborough Conservancy
Department of Conservation
Private Bag 5
Nelson 7042

2: DEEDS OF RECOGNITION

7. **AMENDMENT**

7.1 This deed may be amended only by written agreement signed by the Te Ātiawa o Te Waka-a-Māui Trust and the Crown.

8. **NO ASSIGNMENT**

8.1 The Te Ātiawa o Te Waka-a-Māui Trust may not assign its rights or obligations under this deed.

9. **DEFINITIONS**

9.1 In this deed:

concession has the meaning given to it in section 2 of the Conservation Act 1987; and

Crown has the meaning given to it by section 2(1) of the Public Finance Act 1989; and

deed means this deed of recognition as it may be amended from time to time; and

deed of settlement means the deed of settlement dated 21 December 2012 between Te Ātiawa o Te Waka-a-Māui, the Te Ātiawa o Te Waka-a-Māui Trust and the Crown; and

Director-General of Conservation has the same meaning as Director-General in section 2(1) of the Conservation Act 1987;

identified conservation activities means the activities specified in clause 3.2; and

Minister means the Minister of Conservation; and

person includes an individual, a corporation sole, a body corporate, and an unincorporated body; and

Te Ātiawa o Te Waka-a-Māui has the meaning given to them by clause 8.9 of the deed of settlement; and

settlement legislation means the Act referred to in clause 2.3; and

statement of association means the statements in part 2 of the documents schedule to the deed of settlement and copied, for ease of reference, in the schedule to this deed; and

statutory area means an area referred to in clause 2.1, the general location of which is indicated on the deed plan referred to in relation to that area (but which does not establish the precise boundaries of the statutory area); and

writing means representation in a visible form on a tangible medium (such as print on paper).

2: DEEDS OF RECOGNITION

10. INTERPRETATION

- 10.1 The provisions of this clause 10 apply to this deed's interpretation unless the context requires otherwise.
- 10.2 Headings do not affect the interpretation.
- 10.3 Terms defined by:
- 10.3.1 this deed have those meanings; and
- 10.3.2 the deed of settlement, or the settlement legislation, but not by this deed, have those meanings where used in this deed.
- 10.4 All parts of speech and grammatical forms of a defined word or expression have corresponding meanings.
- 10.5 The singular includes the plural and vice versa.
- 10.6 One gender includes the other genders.
- 10.7 Something, that must or may be done on a day that is not a business day, must or may be done on the next day.
- 10.8 A reference to:
- 10.8.1 this deed or any other document means this deed or that document as amended, novated, or replaced; and
- 10.8.2 legislation is to that legislation as amended, consolidated, or substituted.
- 10.9 If there is an inconsistency between this deed and the deed of settlement, the deed of settlement prevails.

SIGNED as a deed on **[date]**

SIGNED

by the Minister of Conservation
in the presence of:

Signature of Witness

Witness Name:

Occupation:

Address:

TE ĀTIAWA O TE WAKA-A-MĀUI DEED OF SETTLEMENT:
DOCUMENTS SCHEDULE

2: DEEDS OF RECOGNITION

SIGNED

by the Director-General of Conservation
in the presence of:

Signature of Witness

Witness Name:

Occupation:

Address:

2: DEEDS OF RECOGNITION

Schedule

[Name of area] (as shown on deed plan [number])

[statement of association]

[Name of area] (as shown on deed plan [number])

[statement of association]

2: DEEDS OF RECOGNITION

THIS DEED is made by **THE CROWN** acting by the Commissioner of Crown Lands.

1. INTRODUCTION

1.1 The Crown has granted this deed as part of the redress under a deed of settlement with:

1.1.1 Te Ātiawa o Te Waka-a-Māui; and

1.1.2 Te Ātiawa o Te Waka-a-Māui Trust.

1.2 In the deed of settlement, Te Ātiawa o Te Waka-a-Māui made statements of its particular cultural, spiritual, historical, and traditional association with the following areas (the **statutory areas**):

1.2.1 Maitai River and its tributaries (as shown on deed plan OTS-202-64);

1.2.2 Waimea River, Wairoa River and Wai-iti River and their tributaries (as shown on deed plan OTS-202-66);

1.2.3 Motueka River and its tributaries (as shown on deed plan OTS-202-67);

1.2.4 Tākaka River and its tributaries (as shown on deed plan OTS-202-68);

1.2.5 Aorere River and its tributaries (as shown on deed plan OTS-202-69);

1.2.6 Te Hoiere / Pelorus River and its tributaries (as shown on deed plan OTS-202-70);

1.2.7 Riuwaka River, and Resurgence, and its tributaries (as shown on deed plan OTS-202-71);

1.2.8 Waikawa Stream and its tributaries (as shown on deed plan OTS-202-72);

1.2.9 Waitohi River and its tributaries (as shown on deed plan OTS-202-73);

1.2.10 Paturau River and its tributaries (as shown on deed plan OTS-202-74)

1.2.11 Anatori River and its tributaries (as shown on deed plan OTS-202-75);

1.2.12 Tuamarina River and its tributaries (as shown on deed plan OTS-202-99);

1.2.13 Moutere River and its tributaries (as shown on deed plan OTS-202-100); and

1.2.14 Turimawiwi River and its tributaries (as shown on deed plan OTS-202-101).

1.3 Those statements of association are:

1.3.1 in the documents schedule to the deed of settlement; and

1.3.2 copied, for ease of reference, in the schedule to this deed.

1.4 The Crown has acknowledged the statements of association in the [**name**] Act [**year**], being the settlement legislation that gives effect to the deed of settlement.

2: DEEDS OF RECOGNITION

2. CONSULTATION

- 2.1 The Commissioner of Crown Lands must, if undertaking an activity specified in clause 2.2 in relation to a statutory area, consult and have regard to the views of the Te Ātiawa o Te Waka-a-Māui Trust concerning its association with that statutory area as described in a statement of association.
- 2.2 Clause 2.1 applies to any of the following activities (the identified activities):
- 2.2.1 considering an application for a right of use or occupation (including renewing such a right);
 - 2.2.2 preparing a plan, strategy, or programme for protection and management;
 - 2.2.3 conducting a survey to identify the number and type of users that may be appropriate;
 - 2.2.4 preparing a programme to eradicate noxious flora and fauna.
- 2.3 The Commissioner of Crown Lands must, when consulting the Te Ātiawa o Te Waka-a-Māui Trust under clause 2.1:
- 2.3.1 provide the Te Ātiawa o Te Waka-a-Māui Trust with sufficient information to make informed decisions, and
 - 2.3.2 inform the Te Ātiawa o Te Waka-a-Māui Trust of an application referred to in clause 2.2.1, but may withhold commercially sensitive information and material including within, or relating to the application.

3. LIMITS

- 3.1 This deed:
- 3.1.1 relates only to the part or parts of a statutory area owned and managed by the Crown; and
 - 3.1.2 if it relates to a river or stream (including a tributary) it applies only to the bed of the river or stream, meaning the land that the waters of the river or stream cover at its fullest flow without flowing over its banks, but to avoid doubt does not apply to:
 - (a) a part of the bed of the river or stream that is not owned and managed by the Crown; or
 - (b) the bed of an artificial water course;
 - 3.1.3 does not require the Crown to undertake, increase, or resume any identified activity; and
 - 3.1.4 does not prevent the Crown from not undertaking, or ceasing to undertake, any identified activity; and
 - 3.1.5 is subject to the settlement legislation.

2: DEEDS OF RECOGNITION

4. TERMINATION

- 4.1 This deed terminates in respect of a statutory area, or part of it, if:
- 4.1.1 the Te Ātiawa o Te Waka-a-Māui Trust and the Commissioner of Crown Lands agree in writing; or
 - 4.1.2 the relevant area is disposed of by the Crown; or
 - 4.1.3 responsibility for the identified activities in relation to the relevant area is transferred from the Commissioner of Crown Lands to another Minister and/or Crown official.
- 4.2 If this deed terminates under clause 4.1.3 in relation to an area, the Crown will take reasonable steps to ensure the Te Ātiawa o Te Waka-a-Māui Trust continues to have input into the activities referred to in clause 2.2 in relation to or within the area concerned through negotiation with the new person or official within the Crown that is responsible for those activities.

5. NOTICES

- 5.1 Notices to the Te Ātiawa o Te Waka-a-Māui Trust and the Crown are to be given under this deed in accordance with part 5 of the general matters schedule to the deed of settlement, except that the Crown's address where notices are to be given is:

Commissioner of Crown Lands
[**address**].

6. AMENDMENT

- 6.1 This deed may be amended only by written agreement signed by the Te Ātiawa o Te Waka-a-Māui Trust and the Commissioner of Crown Lands.

7. NO ASSIGNMENT

- 7.1 The Te Ātiawa o Te Waka-a-Māui Trust may not assign its rights under this deed.

8. DEFINITIONS

- 8.1 In this deed:

Commissioner of Crown Lands means Her Majesty the Queen in right of New Zealand acting by and through the Commissioner of Crown Lands; and

Crown means Her Majesty the Queen in right of New Zealand; and

deed means this deed of recognition as it may be amended from time to time; and

deed of settlement means the deed of settlement dated 21 December 2012 between Te Ātiawa o Te Waka-a-Māui, the Te Ātiawa o Te Waka-a-Māui Trust and the Crown; and

identified activities means the activities specified in clause 2.2; and

2: DEEDS OF RECOGNITION

person includes an individual, a corporation sole, a body corporate, and an unincorporated body; and

Te Ātiawa o Te Waka-a-Māui has the meaning given to them by clause 8.8 of the deed of settlement; and

settlement legislation means the Act referred to in clause 1.4; and

statement of association means the statements in part 2 of the documents schedule to the deed of settlement and copied, for ease of reference, in the schedule to this deed; and

statutory area means an area referred to in clause 1.2, the general location of which is indicated on the deed plan referred to in relation to that area (but which does not establish the precise boundaries of the statutory area); and

writing means representation in a visible form on a tangible medium (such as print on paper).

9. INTERPRETATION

9.1 The provisions of this clause 9 apply to this deed's interpretation unless the context requires otherwise.

9.2 Headings do not affect the interpretation.

9.3 Terms defined by:

9.3.1 this deed have those meanings; and

9.3.2 the deed of settlement, or the settlement legislation, but not by this deed, have those meanings where used in this deed.

9.4 All parts of speech and grammatical forms of a defined word or expression have corresponding meanings.

9.5 The singular includes the plural and vice versa.

9.6 One gender includes the other genders.

9.7 Something, that must or may be done on a day that is not a business day, must or may be done on the next business day.

9.8 A reference to:

9.8.1 this deed or any other document means this deed or that document as amended, novated, or replaced; and

9.8.2 legislation is to that legislation as amended, consolidated, or substituted.

9.9 If there is an inconsistency between this deed and the deed of settlement, the deed of settlement prevails.

TE ĀTIAWA O TE WAKA-A-MĀUI DEED OF SETTLEMENT:
DOCUMENTS SCHEDULE

2: DEEDS OF RECOGNITION

SIGNED as a deed on [*date*]

SIGNED for and on behalf of **HER MAJESTY
THE QUEEN**

by the Commissioner of Crown Lands
in the presence of: _____

Signature of Witness

Witness Name:

Occupation:

Address:

3. KAHUKIWI

3.1 KAHUKIWI CREATED OVER EAST HEAD

Clause 5.14.1(a)

3.1: KAHUKIWI CREATED OVER EAST HEAD

1. DESCRIPTION OF AREA

- 1.1 Marlborough Land District - Marlborough District. 60.7028 hectares, more or less, being Section 129 Block V Arapawa Survey District. As shown on OTS-202-37.

2. PREAMBLE

- 2.1 Pursuant to section 57 of the draft settlement bill (clause 5.14.1(a) of the deed of settlement) the Crown acknowledges the statement by Te Ātiawa o Te Waka-a-Māui of their cultural, spiritual, historic and/or traditional values relating to East Head, Arapaoa Island - Local Purpose Reserve - Public Utility - as set out below.

3. TE ĀTIAWA O TE WAKA-A-MĀUI VALUES

The concept of Kahukiwi derives from Te Ātiawa o Te Waka-a-Māui traditional custom where Rangatira extend their mana over whenua or tangata by placing their cloak over them.

- 3.1 Ngātata Kahukiwi is a statement of Te Ātiawa o Te Waka-a-Māui cultural, spiritual, historic and traditional values relating to the Ngātata (East Head). The exceptional landscape and location of Ngātata is of special importance and value to Te Ātiawa o Te Waka-a-Māui.
- 3.2 Ngātata is situated on Arapaoa (Arapawa) Island, where Kura te Au (Tory Channel) meets Te Moana o Raukawakawa (Cook Strait), the great highway of Te Ātiawa o Te Waka-a-Māui, and connects into Okukari Bay. Te Moana o Raukawakawa is a natural wind funnel with strong tidal streams which are affected by prolonged periods of strong winds and the shoreline configuration which can cause counter currents close inshore. Broken water is caused by the cold bottom current being forced to the surface by the steep slopes of submarine canyons at the eastern entrance of the Kura te Au (the tauranga ika of Te Ātiawa o Te Waka-a-Māui).
- 3.3 Ngātata is extremely important to Te Ātiawa o Te Waka-a-Māui as it is the gateway to Kura te Au, a highly valued fishing ground and kāinga of Te Ātiawa o Te Waka-a-Māui. Te Ātiawa o Te Waka-a-Māui has occupied this area for generations, and utilised various mahinga kai within Kura te Au. Te Ātiawa o Te Waka-a-Māui has many wāhi tapu sites and a strong association through the large network of pā sites along both sides of Kura te Au from Ngātata.
- 3.4 Ngātata has an extraordinary rock formation facing into Te Moana o Raukawakawa that holds the stories of tragedy and victory since the arrival of Te Ātiawa o Te Waka-a-Māui, who have appreciated this area since the first taua of raupatu. Ngātata is significant to Te Ātiawa o Te Waka-a-Māui and particularly to Te Ātiawa o Te Waka-a-Māui whaling whānau for its many tapu sites which hold memories, traditions and victories of ngā tūpuna.
- 3.5 Te Okukari Pā, which encompassed Ngātata, was used as a kāinga, an observation point, a tauranga waka and as a beacon. Accordingly, there are various tapu sites within Ngātata. Te Ātiawa o Te Waka-a-Māui warriors would place their waka over the rock formation in Te Moana o Te Raukawakawa in order to launch swiftly in turbulent times, or wait patiently in the calmer waters of Okukari Bay for the unsuspecting visitors or whales.

3.1: KAHUKIWI CREATED OVER EAST HEAD

- 3.6 In the early 1800s and during times of warfare, Te Ātiawa o Te Waka-a-Māui utilised this area as a sentinel lookout for watching movements in Te Moana o Te Raukawakawa and along the coast and towards Lake Grassmere (Kaparatehau). Ngātata was also used as a signal area to call for support, or to advise various hapū what was going on in the area.
- 3.7 A very important feature of the area are the rock cliffs. Te Ātiawa o Te Waka-a-Māui developed a unique fishing method using the ledges hewn out by nature at the bottom of these cliffs. Mako (shark), tāmure (snapper) and arara (trevalli) were caught off these ledges in abundance.
- 3.8 Ngātata is an important natural resource that Te Ātiawa o Te Waka-a-Māui identifies and protects as a taonga (treasure) for current and future generations. The use of natural resources is governed and regulated through cultural lore and traditions of tapu, rāhui and noa (sanction). Occupation of Ngātata and Kura te Au by generations of Te Ātiawa o Te Waka-a-Māui has instilled our connections and values into the whenua and moana, as well as the resources they provide. These traditional relationships have developed over generations of close interaction by Te Ātiawa o Te Waka-a-Māui with the environment at Ngātata, and they remain an important part of Te Ātiawa o Te Waka-a-Māui culture.
- 3.9 Ngātata Kahukiwi represents the links between the cosmos, the gods and present generations. These histories and customs reinforce our mana, our arikitanga, our tribal identity, solidarity and continuity through the generations, and documents the events that have shaped the environment of Ngātata and Te Ātiawa o Te Waka-a-Māui as a tangata whenua iwi of the area.

4. PROTECTION PRINCIPLES

- 4.1 The following protection principles are directed at the Minister of Conservation avoiding harm to, or the diminishing of Te Ātiawa o Te Waka-a-Māui values related to East Head, Arapaoa Island - Local Purpose Reserve - Public Utility:
- (a) protection of wāhi tapu, indigenous flora and fauna and the wider environment of East Head, Arapaoa Island - Local Purpose Reserve - Public Utility;
 - (b) recognition of the Te Ātiawa o Te Waka-a-Māui mana, kaitiakitanga and tikanga within East Head, Arapaoa Island - Local Purpose Reserve - Public Utility;
 - (c) respect for Te Ātiawa o Te Waka-a-Māui environmental values, tikanga, conservation tikanga and kaitiakitanga within East Head, Arapaoa Island - Local Purpose Reserve - Public Utility;
 - (d) encouragement and respect for the association of Te Ātiawa o Te Waka-a-Māui with East Head, Arapaoa Island - Local Purpose Reserve - Public Utility;
 - (e) accurate portrayal of the association and kaitiakitanga relationship of Te Ātiawa o Te Waka-a-Māui with East Head, Arapaoa Island - Local Purpose Reserve - Public Utility; and
 - (f) recognition of the relationship of Te Ātiawa o Te Waka-a-Māui with the wāhi tapu and wāhi whakahirahira within East Head, Arapaoa Island - Local Purpose Reserve - Public Utility.

3.1: KAHUKIWI CREATED OVER EAST HEAD

5. ACTIONS BY THE DIRECTOR-GENERAL OF CONSERVATION IN RELATION TO SPECIFIC PRINCIPLES

- 5.1 Pursuant to clause 5.14.7 of the Deed of Settlement, the Director-General has determined that the following actions will be taken by the Department of Conservation in relation to the specific principles:
- (a) Department of Conservation staff, volunteers, contractors, conservation board members, concessionaires and the public (including local landowners) will be provided with information about the values of Te Ātiawa o Te Waka-a-Māui related to the East Head, Arapaoa Island - Local Purpose Reserve - Public Utility and will be encouraged to respect the association of Te Ātiawa o Te Waka-a-Māui with the Reserve;
 - (b) the association of Te Ātiawa o Te Waka-a-Māui with the East Head, Arapaoa Island - Local Purpose Reserve - Public Utility will be accurately portrayed in all new Department of Conservation information, signs and educational material;
 - (c) Te Ātiawa o Te Waka-a-Māui Trust's designated contact person will be consulted regarding the provision of such material to accurately reflect the cultural values of Te Ātiawa o Te Waka-a-Māui;
 - (d) significant earthworks and disturbances of soil and/or vegetation will be avoided wherever possible; and
 - (e) where significant earthworks and disturbances of soil and/or vegetation cannot be avoided, Te Ātiawa o Te Waka-a-Māui Trust's designated contact person will be consulted, and particular regard will be had to their views, including those relating to kōiwi (human remains) and archaeological sites. Any kōiwi or other taonga found or uncovered will be left untouched and contact made immediately with Te Ātiawa o Te Waka-a-Māui to ensure representation is present on site and tikanga followed.

3.2 KAHUKIWI CREATED OVER THE BROTHERS

Clause 5.14.1(b)

3.2: KAHUKIWI CREATED OVER THE BROTHERS

1. DESCRIPTION OF AREA

- 1.1 The Brothers as shown on OTS-202-38, 12.0773 hectares, more or less being Crown land Block XXII Gore Survey District, SO 4903: comprising all of The Brothers Islands Wildlife Sanctuary (*Wildlife Sanctuary (The Brothers Islands) Order 1970 (SR1970/87)*), noting that for the Brothers Islands North group not within the Nature Reserve, the land is primarily held for navigational and safety purposes with a secondary use of Wildlife Sanctuary, and the overlay classification will apply to the extent that it is compatible with the primary purpose for which the land is held; and the Brothers Islands (South Group) Nature Reserve (*Gazette 1975 page 880*).

2. PREAMBLE

- 2.1 Pursuant to section 57 of the draft settlement bill (clause 5.14.1(b) of the deed of settlement) the Crown acknowledges the statement by Te Ātiawa o Te Waka-a-Māui of their cultural, spiritual, historic and/or traditional values relating to the Brothers as set out below.

3. TE ĀTIAWA O TE WAKA-A-MĀUI VALUES

The concept of Kahukiwi derives from Te Ātiawa o Te Waka-a-Māui traditional custom where Rangatira extend their mana over whenua, tangata or taonga by placing their cloak over them.

- 3.1 Te Ātiawa o Te Waka-a-Māui hold Ngā Whatu Kai Pono (the Brothers) in high esteem, and this Kahukiwi is a statement of Te Ātiawa o Te Waka-a-Māui cultural, spiritual, historic and traditional values relating to Ngā Whatu Kai Pono.
- 3.2 The jagged features of Ngā Whatu Kai Pono, and taonga such as the Tuatara, are of immense significance and value to Te Ātiawa o Te Waka-a-Māui. Guarding the entrance of Tōtaranui (Queen Charlotte Sound), the sentinel isles of Ngā Whatu Kai Pono are at the northern tip of Arapaoa (Arapawa Island) in Te Moana o Raukawakawa (Cook Strait), the great highway of Te Ātiawa o Te Waka-a-Māui.
- 3.3 Aotearoa iwi kōrero explains that Kupe killed Te Wheke-a-Muturangi at Kura te au (Tory Channel) and cast the eyes, Whatu Tipare and Whatu Kai Pono (Ngā Whatu Kai Pono), into Te Moana o Raukawakawa. When crossing Te Moana o Raukawakawa, paddlers would cover their eyes with leaves from the kawakawa tree to avoid looking at the tapu islets. Te Ātiawa o Te Waka-a-Māui through arikitanga and kaitiakitanga protect the traditional, historical, cultural and spiritual values of Ngā Whatu Kai Pono, and through manaakitanga recognise the importance of Ngā Whatu Kai Pono to all Aotearoa iwi.
- 3.4 Te Ātiawa o Te Waka-a-Māui are coastal people and have the greatest respect for Tangaroa. Te Ātiawa o Te Waka-a-Māui used Ngā Whatu Kai Pono as a navigational guide along with the stars and other landscape features. Ngā Whatu Kai Pono are in the direct pathways of Te Ātiawa o Te Waka-a-Māui tāua from Waikanae, Taranaki, Kapiti Island, or Te Whanganui a Tara to Arapaoa, or Kura te au or to the northern parts of Tōtaranui, or Whakatū.
- 3.5 Ngā Whatu Kai Pono are a historical navigating waypoint not only in transiting the 'Strait', but also during the whaling period as activities on the sea evolved into commercial fishing. Ngā Whatu Kai Pono are one of Te Ātiawa o Te Waka-a-Māui prime fishing areas that have been worked for several generations hauling crayfish and

3.2: KAHUKIWI CREATED OVER THE BROTHERS

hapuka. Te Ātiawa o Te Waka-a-Māui occupation of the moana over generations has instilled connections and expressions of value into the whenua, space and resources. These traditional relationships have developed over generations of close interaction by Te Ātiawa o Te Waka-a-Māui with the environment of Ngā Whatu Kai Pono, and they remain an important part of Te Ātiawa o Te Waka-a-Māui culture.

- 3.6 The Northern Brothers Island is home to a particular species of Tuatara (*sphenodon guntheri*). Te Ātiawa o Te Waka-a-Māui uphold that the Tuatara plays an important cultural role as it is the kaitiaki of knowledge, of children, tapu places and tapu objects. This tradition is ancient, modern, and reciprocal. Tuatara is kaitiaki of the tangata whenua, while the tangata whenua are kaitiaki of Tuatara. In carvings, Tuatara often represent guardians, signify calamity and death, or warn that something monstrous is about to occur and, thus, are used as a social control. Hence the carving that graces the entrance to Waikawa whareniui.
- 3.7 Tuatara are most abundant on the northern face and the south-western face of the Northern Brothers Island. The Northern Brothers Island is steep, but accessible and is heavily burrowed by nesting seabirds. The principal burrowing bird is the fairy prion or dove petrels that are numerous. The Tuatara, blue penguin, geckos and skinks share burrows with the petrels. Red billed gulls also nest on the Island. The relationship Te Ātiawa o Te Waka-a-Māui has with these taonga is central to our identity and our cultural and spiritual wellbeing.
- 3.8 The Brothers, named by Captain James Cook, were charted in 1773. They are anchored in Te Moana o Raukawakawa and connect the Tasman Sea on the west with the South Pacific Ocean on the east. In 1773, the Endeavour nearly ran aground on rocks, the Brothers, but the breeze and ebb-tide combined to save the ship and carry it through the Cook Strait (named by Joseph Banks).
- 3.9 Te Ātiawa o Te Waka-a-Māui has great pride in the abilities and mana of the powerful Ariki and forceful warriors who migrated to Te Tau Ihu. The mana that those tūpuna possessed has been handed down to form part of the mana that Te Ātiawa o Te Waka-a-Māui uphold and remember with great affection. Ethos and identity are often quite intangible elements that define an iwi. Te Ātiawa o Te Waka-a-Māui derives its uniqueness and character from the fundamental concept of mana. All of these elements are essentially traditional but inextricably linked to Te Ātiawa o Te Waka-a-Māui history, identity and our kaitiaki role over Ngā Whatu Kai Pono.

4. PROTECTION PRINCIPLES

- 4.1 The following protection principles are directed at the Minister of Conservation avoiding harm to, or the diminishing of, Te Ātiawa o Te Waka-a-Māui values related to The Brothers.
- 4.1.1 protection of wāhi tapu, indigenous flora and fauna and the wider environment within the Brothers;
 - 4.1.2 recognition of the mana, kaitiakitanga and tikanga of Te Ātiawa o Te Waka-a-Māui over, and within, the Brothers;
 - 4.1.3 recognition of Te Ātiawa o Te Waka-a-Māui as kaitiaki over the Brothers mahinga kai and other traditional resources;

3.2: KAHUKIWI CREATED OVER THE BROTHERS

- 4.1.4 respect for Te Ātiawa o Te Waka-a-Māui tikanga / kawa in regard to the Brothers;
- 4.1.5 respect for the association of Te Ātiawa o Te Waka-a-Māui with the Brothers;
- 4.1.6 recognition of the relationship of Te Ātiawa o Te Waka-a-Māui with their wāhi tapu, wāhi taonga and sites of significance; and
- 4.1.7 Recognition of and respect for the relationship of Te Ātiawa o Te Waka-a-Māui with the Tuatara; and protection of the Tuatara and respect for the involvement of Te Ātiawa o Te Waka-a-Māui with the Tuatara as kaitiaki.

5. ACTIONS BY THE DIRECTOR-GENERAL OF CONSERVATION IN RELATION TO SPECIFIC PRINCIPLES

- 5.1 Pursuant to clause 5.14.7 of the Deed of Settlement, the Director-General has determined that the following actions will be taken by the Department of Conservation in relation to the specific principles:
 - (a) Department of Conservation staff, contractors, conservation board members, concessionaires and the public will be provided with information about the Te Ātiawa o Te Waka-a-Māui values and the existence of the overlay classification, and will be encouraged to respect the association of Te Ātiawa o Te Waka-a-Māui with the Ngā Whatu Kaiponu (The Brothers).
 - (b) The association of Te Ātiawa o Te Waka-a-Māui with Ngā Whatu Kaiponu, including the traditional, historical, cultural and spiritual significance of Ngā Whatu Kaiponu to Te Ātiawa o Te Waka-a-Māui, and the relationship of Te Ātiawa with the Tuatara as Kaitiaki, will be accurately portrayed in all new Department of Conservation information and educational material.
 - (c) Te Ātiawa o Te Waka-a-Māui will be consulted regarding the provision of all new Department of Conservation public information or educational material, and the Department of Conservation will only use Te Ātiawa o Te Waka-a-Māui cultural information with the consent of Te Ātiawa o Te Waka-a-Māui;
 - (d) Department staff will consult Te Ātiawa o Te Waka-a-Māui and particular regard will be had to their views over any proposed introductions or removal of indigenous species to and from Ngā Whatu Kaiponu;
 - (e) The ecosystems, flora and fauna of Ngā Whatu Kaiponu will be protected by the Department of Conservation through measures to monitor the health of, and threats to, Ngā Whatu Kaiponu, and where necessary take steps to protect the indigenous flora and fauna of the area; and
 - (f) Significant earthworks and disturbances of soil and/or vegetation will be avoided wherever possible. Where significant earthworks and disturbances of soil and/or vegetation cannot be avoided, Te Ātiawa o Te Waka-a-Māui will be consulted and particular regard will be had to their views, including those relating to kōiwi (human remains) and archaeological sites. Any kōiwi or other taonga found or uncovered by the Department of Conservation will be left untouched and Te Ātiawa o Te

3.2: KAHUKIWI CREATED OVER THE BROTHERS

Waka-a-Māui informed as soon as possible to enable Te Ātiawa o Te Waka-a-Māui to deal with the kōiwi or taonga in accordance with their tikanga.

3.3 KAHUKIWI CREATED OVER TE WAIKOROPUPŪ SPRINGS SCENIC RESERVE

Clause 5.14.1(c)

3.3: KAHUKIWI CREATED OVER TE WAIKOROPUPŪ SPRINGS SCENIC RESERVE

1. DESCRIPTION OF AREA

- 1.1 Nelson Land District - Tasman District. 25.6936 hectares, more or less, being Parts Lot 1 DP 6769, Lot 1 DP 11091, Section 1 SO 13886 and Sections 301 and 302 Tākaka District. As shown on deed plan OTS-202-31.

2. PREAMBLE

- 2.1 Pursuant to section 57 of the draft settlement bill (clause 5.14.1(c) of the deed of settlement) the Crown acknowledges the statement by Te Ātiawa o Te Waka-a-Māui of their cultural, spiritual, historic and traditional values relating to the Waikoropupū Springs / Pūpū Springs Scenic Reserve as set out below.

3. TE ĀTIAWA O TE WAKA-A-MĀUI VALUES

The Kahukiwi concept derives from the traditional Te Ātiawa o Te Waka-a-Māui custom where Rangatira extend their mana over the whenua, taonga or tangata by placing their cloak over them.

*Waikoropupū, Waikoropupū
Pupū ake te whenua
Pupū ake ko ngā waiora
Waikoropupū
Ngā puna wai o Tākaka
Ngā puna roimata wairua
Waikoropupū, Waikoropupū*

- 3.1 Te Waikoropupū symbolises the powerful relationship that Te Ātiawa o Te Waka-a-Māui has with water, the land and the environment. Te Waikoropupū is pivotal to Te Ātiawa o Te Waka-a-Māui identity, our solidarity, our kaitiakitanga, our mana, our whakapapa, our history, our tikanga and kawa including tapu and noa.
- 3.2 Te Waikoropupū is a large karst resurgence consisting of a collection of Springs, and is a precious taonga which has outstanding water quality reflecting the wāhi tapu nature of this important taonga tuku iho.
- 3.3 Te Ātiawa o Te Waka-a-Māui tūpuna maintained kaitiakitanga over these precious waters for generations, and traditional practises have been handed down through the generations. Central to kaitiakitanga is the maintenance of the mauri and wairua of Te Waikoropupū. Te Ātiawa o Te Waka-a-Māui whakapapa, traditions and history of the whānau and hapū are closely intertwined with the environment. Te Waikoropupū is part of our heritage and identity that has been handed down to us by our ancestors.
- 3.4 Te Waikoropupū is the legendary home of the female taniwha, Huriwa, a diver of land and sea, travelling deep beneath the earth to clear blocked waterways. She is brave and wise and rests in the waters of Te Waikoropupū when she is not away attending to business.
- 3.5 Water represents the lifeblood of Papatūānuku formed by the tears of Ranginui and the mauri of water is sacred. Water symbolises the spiritual link between the past and the present, and Te Ātiawa o Te Waka-a-Māui regard Te Waikoropupū with immense reverence. The spiritual and cultural integrity of the waterways throughout the rohe of Te Ātiawa o Te Waka-a-Māui are the essence of our identity as an iwi. The relationship

3.3: KAHUKIWI CREATED OVER TE WAIKOROPUPŪ SPRINGS SCENIC RESERVE

between Te Ātiawa o Te Waka-a-Māui and freshwater is founded in our whakapapa which is the foundation for an inalienable relationship between iwi and freshwater that has been recorded, celebrated and perpetuated across the generations.

- 3.6 Te Waikoropupū Springs are a taonga and wāhi tapu for Te Ātiawa o Te Waka-a-Māui; the Springs are wairou, the purest form of water which is the wairua and the physical source of life. The Springs provide water for healing, and in the past were a place of ceremonial blessings at times of birth and death and the leaving and returning of travellers. Te Ātiawa o Te Waka-a-Māui customary lore and tikanga regulate the way in which water resources are used and conserved in order to protect and sustain the mauri of the water body for future generations.
- 3.7 Alongside Te Waikoropupū Springs and Stream are a variety of native terrestrial plants, ferns and trees and a variety of bush and water birds. The main Spring, Dancing Sand Spring, Fish Creek and associated Springs and their outflows support an abundance and diverse community of native aquatic plants. Koura is found in the faster flowing water downstream of the main Spring bowl and both the long and short fin eel are also found here.
- 3.8 The customary practice of gathering food and other resources from Te Waikoropupū and the Tākaka River catchment has long been a part of life for Te Ātiawa ki Mōhua. Traditionally, mahinga mātaimai (food gathering sites) throughout the catchment were used to sustain the spiritual and physical wellbeing of Te Ātiawa o Te Waka-a-Māui. Although fewer mahinga mātaimai exist today they are still an important part of cultural life for Te Ātiawa o Te Waka-a-Māui. Te Ātiawa ki Mōhua in particular continue to maintain their customary practices, including the harvest of plants and other materials for medicinal or weaving purposes.
- 3.9 Te Waikoropupū has always been of cultural significance to Te Ātiawa ki Mōhua whose ancestral connections with Te Waikoropupū encompass both the spiritual and the physical realms. Te Ātiawa o Te Waka-a-Māui have maintained these connections through customary practices, such as using the sacred waters for ceremonial, blessing and healing purposes. Looking after Te Waikoropupū requires Te Ātiawa o Te Waka-a-Māui as kaitiaki to carry out their responsibilities based on mātauranga Māori (traditional Māori knowledge) and following tikanga and customary practices handed down from tūpuna.
- 3.10 For Te Ātiawa ki Mōhua and the wider iwi Te Waikoropupū Springs are seen as part of the larger Tākaka River catchment. Therefore, looking after Te Waikoropupū involves looking after the whole catchment from the source through the network of tributaries to the estuaries along the coast where the freshwater meets the saltwater. Te Waikoropupū and the interconnected Tākaka River system have a mauri and mana of their own. They are entities in their own right and have a distinct essence and identity. The health of the system reflects the health and wellbeing of the people that live around it.
- 3.11 Te Waikoropupū is one of many aspects of Te Ātiawa o Te Waka-a-Māui cultural heritage that reinforces our identity as tangata whenua. We therefore have an obligation to future generations to protect and maintain our cultural heritage. It is these living relationships that give meaning and cultural value to a taonga like Te Waikoropupū, and enables Te Waikoropupū to fulfil its function of reinforcing the mana, identity and tikanga of Te Ātiawa o Te Waka-a-Māui.

3.3: KAHUKIWI CREATED OVER TE WAIKOROPUPŪ SPRINGS SCENIC RESERVE

4. PROTECTION PRINCIPLES

4.1 The following protection principles are directed at the Minister of Conservation avoiding harm to, or the diminishing of Te Ātiawa o Te Waka-a-Māui values related to Waikoropupū Springs / Pūpū Springs Scenic Reserve:

- (a) protection of wāhi tapu, indigenous flora and fauna and the wider environment of Waikoropupū Springs / Pūpū Springs Scenic Reserve;
- (b) recognition of Te Ātiawa o Te Waka-a-Māui mana, kaitiakitanga and tikanga within Waikoropupū Springs / Pūpū Springs Scenic Reserve;
- (c) respect for Te Ātiawa o Te Waka-a-Māui tikanga and kaitiakitanga within Waikoropupū Springs / Pūpū Springs Scenic Reserve;
- (d) encouragement of respect for the association of Te Ātiawa o Te Waka-a-Māui with Waikoropupū Springs / Pūpū Springs Scenic Reserve;
- (e) accurate portrayal of the association and kaitiakitanga relationship of Te Ātiawa o Te Waka-a-Māui with Waikoropupū Springs / Pūpū Springs Scenic Reserve;
- (f) recognition of the relationship of Te Ātiawa o Te Waka-a-Māui with the wāhi tapu and wāhi whakahirahira within Waikoropupū Springs / Pūpū Springs Scenic Reserve; and
- (g) recognition of the interest of Te Ātiawa o Te Waka-a-Māui in actively protecting species within Waikoropupū Springs / Pūpū Springs Scenic Reserve.

5. ACTIONS BY THE DIRECTOR-GENERAL OF CONSERVATION IN RELATION TO SPECIFIC PRINCIPLES

5.1 Pursuant to clause 5.14.7 of the deed of settlement, the Director-General has, determined that the following actions will be taken by the Department of Conservation in relation to the specific principles:

- (a) Department of Conservation staff, contractors, conservation board members, concessionaires and the public will be provided with information about Te Ātiawa o Te Waka-a-Māui values, and will be encouraged to respect Te Ātiawa o Te Waka-a-Māui associations with Waikoropupū Springs / Pūpū Springs Scenic Reserve;
- (b) the Te Ātiawa o Te Waka-a-Māui association with Waikoropupū Springs / Pūpū Springs Scenic Reserve will be accurately portrayed in all new Department of Conservation information and educational material;
- (c) Te Ātiawa o Te Waka-a-Māui will be consulted regarding the provision of all new Department of Conservation public information or educational material, and the Department of Conservation will only use Te Ātiawa o Te Waka-a-Māui cultural information with the consent of Te Ātiawa o Te Waka-a-Māui;
- (d) where significant earthworks and disturbances of soil and/or vegetation cannot be avoided, Te Ātiawa o Te Waka-a-Māui will be consulted and particular regard will be had to their views, including those relating to kōiwi (human remains) and archaeological sites;

3.3: KAHUKIWI CREATED OVER TE WAIKOROPUPŪ SPRINGS SCENIC RESERVE

- (e) any kōiwi (human remains) or other taonga found or uncovered by the Department of Conservation will be left untouched and Te Ātiawa o Te Waka-a-Māui will be informed as soon as possible to enable Te Ātiawa o Te Waka-a-Māui iwi to deal with the kōiwi or taonga in accordance with their tikanga, subject to any procedures required by law; and
- (f) the Department of Conservation will ensure that Te Ātiawa o Te Waka-a-Māui are informed of any indigenous species management programmes, and will identify opportunities for involvement of Te Ātiawa o Te Waka-a-Māui.

3.4 KAHUKIWI CREATED OVER FAREWELL SPIT NATURE RESERVE

Clause 5.14.1(d)

3.4: KAHUKIWI CREATED OVER FAREWELL SPIT NATURE RESERVE

1. DESCRIPTION OF AREA

- 1.1 Nelson Land District - Tasman District. 11423.4662 hectares, approximately, being Parts Section 3 Block III, Part Section 4 and Section 5 Block VIII Onetahua Survey District, and Crown land Onetahua Survey District. As shown on deed plan OTS-202-32.

2. PREAMBLE

- 2.1 Pursuant to section 57 of the draft settlement bill (clause 5.14.1(d) of the deed of settlement) the Crown acknowledges the statement by Te Ātiawa o Te Waka-a-Māui Trust of their cultural, spiritual, historic and/or traditional values relating to Farewell Spit Nature Reserve as set out below.

3. TE ĀTIAWA O TE WAKA-A-MĀUI VALUES

Kahukiwi concept derives from the traditional Te Ātiawa o Te Waka-a-Māui custom where Rangatira extend their mana over the whenua, taonga or tangata by placing their cloak over them.

- 3.1 Onetāhua is central to Te Ātiawa o Te Waka-a-Māui identity, our solidarity, our kaitiakitanga, our mana, our whakapapa, our history, our tikanga and kawa which include tapu and noa. Onetāhua symbolises the intense nature of the relationship Te Ātiawa o Te Waka-a-Māui has with the environment and mauri that is contained in all parts of the natural environment binding the spiritual and physical worlds. Te Ātiawa o Te Waka-a-Māui has a special relationship with Tangaroa and the coastal waters adjoining Onetāhua. This area has great spiritual significance as well as important practical values. Therefore any practices or activities that defile the mauri and the mana of the sea are seen as abhorrent.
- 3.2 Onetāhua is a significant natural resource that Te Ātiawa o Te Waka-a-Māui identifies and protects as a taonga for past, present and future generations. The use of natural resources is governed and regulated through cultural lore and traditions of tapu, rāhui and noa.
- 3.3 Onetāhua is the departing place o te wairua o ngā tangata o te Waipounamu. The departure point of the spirits of the dead is the promontory known as Te Reinga. Onetāhua has also been linked to Mauī Tikitiki-a-Taranga (Mauī) who cast his line from a headland near the southern end of Onetāhua to snare and battle with his giant fish. As kaitiaki and tangata whenua, Te Ātiawa o Te Waka-a-Māui maintain and protect these narratives.
- 3.4 Pounamu can be found in the bays and coves of Onetāhua and on the long western beach itself. This pounamu originates from the southwest Nelson and Westland watersheds, pushed north by the prevailing northerly along-shore currents. Pounamu is a taonga and an important item for trade and gifting.
- 3.5 Onetāhua is a major icon for Te Ātiawa o Te Waka-a-Māui. From the Spit, whānau can observe movements and signal across Te Tau Ihu. Our tūpuna were adept at the art of signalling, and made considerable use of signal fires. Traditionally, Te Ātiawa o Te Waka-a-Māui whānau valued Onetāhua for the variety of resources gathered there. Seasonal camps were frequently used to harvest shellfish, fish and bird life.

3.4: KAHUKIWI CREATED OVER FAREWELL SPIT NATURE RESERVE

- 3.6 Onetāhua is also a burial ground and a resting place for whales that stranded and died there. Te Ātiawa o Te Waka-a-Māui has a long association with the whale which is considered a highly valued taonga. Traditionally every part of a whale was used.
- 3.7 At the base of the Spit there were plentiful numbers of seals to harvest and a number of small caves sheltered tūpuna as they cleaned and sewed up sealskins. Onetāhua also provides an ideal habitat for birdlife and is rich in bird species – some fly from as far as Siberia to feed from this prolific mahinga mātaītai. Traditionally, birds were harvested by tūpuna for a range of uses, including food and the use of their feathers for decorating garments.
- 3.8 Onetāhua is a strategic landform, a physical marker that is steeped in ancestral history. The mātauranga and wāhi tapu associated with Onetāhua are taonga themselves. Along with the traditions associated with Onetāhua, its resources have been integral to the expression of Te Ātiawa o Te Waka-a-Māui as kaitiaki. Our obligations as kaitiaki are passed down from our tūpuna requiring us to take care of places, natural resources and other taonga within our rohe. Occupation of the whenua by generations of Te Ātiawa o Te Waka-a-Māui has instilled connections and expressions of value into the whenua, space and resources. Kaitiakitanga places an obligation on the hapū and whānau who have an association with the whenua to look after and protect the physical and spiritual wellbeing of all treasured resources, places and sites of significance.
- 3.9 For Te Ātiawa o Te Waka-a-Māui, Onetāhua is an area of great cultural, spiritual, historic and traditional values, and represents the links between the cosmos, the gods and present generations. These histories reinforce our mana, our iwi identity, solidarity and continuity through the generations, and document the events that have shaped the environment of Onetāhua and Te Ātiawa o Te Waka-a-Māui as tangata whenua of Onetāhua.

4. PROTECTION PRINCIPLES

- 4.1 The following protection principles are directed at the Minister of Conservation avoiding harm to, or the diminishing of Te Ātiawa o Te Waka-a-Māui values related to Farewell Spit Nature Reserve:
- (a) protection of wāhi tapu, indigenous flora and fauna and the wider environment of Farewell Spit Nature Reserve;
 - (b) recognition of Te Ātiawa o Te Waka-a-Māui mana, kaitiakitanga and tikanga within Farewell Spit Nature Reserve;
 - (c) respect for Te Ātiawa o Te Waka-a-Māui tikanga and kaitiakitanga within Farewell Spit Nature Reserve;
 - (d) encouragement of respect for the association of Te Ātiawa o Te Waka-a-Māui with Farewell Spit Nature Reserve;
 - (e) accurate portrayal of the association and kaitiakitanga relationship of Te Ātiawa o Te Waka-a-Māui with Farewell Spit Nature Reserve;
 - (f) recognition of the relationship of Te Ātiawa o Te Waka-a-Māui with the wāhi tapu and wāhi whakahirahira at Farewell Spit Nature Reserve; and

3.4: KAHUKIWI CREATED OVER FAREWELL SPIT NATURE RESERVE

- (g) recognition of the interest of Te Ātiawa o Te Waka-a-Māui actively protecting indigenous species within Farewell Spit Nature Reserve.

5. ACTIONS BY THE DIRECTOR-GENERAL OF CONSERVATION IN RELATION TO SPECIFIC PRINCIPLES

5.1 Pursuant to clause 5.14.7 of the Deed of Settlement, the Director-General has determined that the following actions will be taken by the Department of Conservation in relation to the specific principles:

- (a) Department of Conservation staff, contractors, conservation board members, concessionaires and the public will be provided with information about Te Ātiawa o Te Waka-a-Māui values, and will be encouraged to respect Te Ātiawa o Te Waka-a-Māui associations with Farewell Spit Nature Reserve;
- (b) Te Ātiawa o Te Waka-a-Māui association with Farewell Spit Nature Reserve will be accurately portrayed in all new Department of Conservation information and educational material;
- (c) Te Ātiawa o Te Waka-a-Māui will be consulted regarding the provision of all new Department of Conservation public information or educational material, and the Department of Conservation will only use Te Ātiawa o Te Waka-a-Māui cultural information with the consent of Te Ātiawa;
- (d) where significant earthworks and disturbances of soil and/or vegetation cannot be avoided, Te Ātiawa o Te Waka-a-Māui will be consulted and particular regard will be had to their views, including those relating to kōiwi (human remains) and archaeological sites;
- (e) any kōiwi or other taonga found or uncovered by the Department of Conservation will be left untouched and Te Ātiawa o Te Waka-a-Māui will be informed as soon as possible to enable Te Ātiawa o Te Waka-a-Māui iwi to deal with the kōiwi or taonga in accordance with their tikanga, subject to any procedures required by law; and
- (f) Department of Conservation will ensure that Te Ātiawa o Te Waka-a-Māui are informed of any indigenous species management programmes, and will identify opportunities for involvement of Te Ātiawa o Te Waka-a-Māui.

**3.5 KAHUKIWI CREATED OVER THE HEAPHY TRACK
(NORTHERN PORTION)**

Clause 5.14.1(e)

3.5: KAHUKIWI CREATED OVER THE HEAPHY TRACK (NORTHERN PORTION)

1. DESCRIPTION OF AREA

- 1.1 Nelson Land District - Tasman District. Heaphy Track (Northern Portion) as shown on OTS-202-87.

2. PREAMBLE

- 2.1 Pursuant to section 57 of the draft settlement bill (clause 5.14.1(e) of the deed of settlement) the Crown acknowledges the statement by Te Ātiawa o Te Waka-a-Māui of their cultural, spiritual, historic and/or traditional values relating to the Heaphy Track as set out below.

3. TE ĀTIAWA O TE WAKA-A-MĀUI VALUES

The concept of Kahukiwi derives from the traditional Te Ātiawa o Te Waka-a-Māui custom where Rangatira extend their mana over whenua, taonga or tangata by placing their cloak over them.

- 3.1 This Kahukiwi outlines Te Ātiawa o Te Waka-a-Māui cultural, spiritual, historic and traditional values relating to the Heaphy Track. The Heaphy Track landscape features are of special importance and value to Te Ātiawa o Te Waka-a-Māui.
- 3.2 Te Ātiawa o Te Waka-a-Māui conquered territories of western Te Tau Ihu including the Heaphy Track, lands traverse by the Heaphy Track, the adjoining landscapes to the east (Boulder Lakes, Cobb River and Valleys etc), and the adjoining territories ranging westwards to the sea coast, accessed by an extensive network of established trails.
- 3.3 There were networks of side trails through the landscape linking those inland valleys to each other and to the coast. Te Ātiawa o Te Waka-a-Māui became familiar with these trails, some of which had been established for centuries, through our own explorations and/or through the guidance of others. The actual line of the Heaphy Track, as laid out today, was but one major route in a complexity of trails by which Te Ātiawa o Te Waka-a-Māui accessed far southern districts, ventured to the inland lakes, rivers and streams for seasonal harvests of birds and plants, and quarried minerals (kokowai, pounamu, flints etc), or accessed the coast for seafood. The complex trails including parts or all of the Heaphy Track continue to serve as access to and from southern districts.
- 3.4 For generations, Te Ātiawa o Te Waka-a-Māui, hapū and iwi travelled to central Westland seeking pounamu for tools, weapons and ornaments. Leaving their Te Tai Tapu kāinga, our tūpuna followed the trail over Goulard Downs from the Aorere to the Whakapoai (Heaphy River) where they had their settlement. Our tūpuna also travelled the treacherous coast north of the Heaphy River mouth risking wave-swept beaches and rounding huge bluffs using flax ladders.
- 3.5 The Heaphy Track starts in lowland forest, climbs through a variety of habitat to a sub-alpine plateau, and eventually finishes in coastal forest with the world's most southern palm trees fringing its beaches. Today, the mana, the arikitanga, the ahi kaa roa, and the kaitiaki responsibilities over the Heaphy Track by the whānaunga of Te Ātiawa o Te Waka-a-Māui, Ngāti Rārua and Ngāti Tama, is recognised and respected.
- 3.6 The Heaphy Track is an important natural resource that Te Ātiawa o Te Waka-a-Māui identifies and protects as a taonga (treasure) for current and future generations. The use of natural resources is governed and regulated through cultural lore and traditions of tapu, rāhui and noa (sanction).

3.5: KAHUKIWI CREATED OVER THE HEAPHY TRACK (NORTHERN PORTION)

- 3.7 The Heaphy Track represents the links between the cosmos, the gods and present generations. These histories and customs reinforce our mana, our tribal identity, solidarity and continuity through the generations, and document the events that have shaped the environment of the Heaphy Track and Te Ātiawa o Te Waka-a-Māui as an iwi.
- 3.8 Te Ātiawa o Te Waka-a-Māui have an obligation to future generations to protect and maintain our cultural heritage. It is the living relationships that give meaning and cultural value to a taonga, and enable the taonga to fulfil its function of reinforcing the identity and tikanga of Te Ātiawa o Te Waka-a-Māui and the Heaphy Track.

4. PROTECTION PRINCIPLES

- 4.1 The following protection principles are directed at the Minister of Conservation avoiding harm to, or the diminishing of Te Ātiawa o Te Waka-a-Māui values related to the Heaphy Track (Northern Portion):
- (a) protection of wāhi tapu, indigenous flora and fauna and the wider environment of the Heaphy Track (Northern Portion);
 - (b) recognition of the distinct Te Ātiawa o Te Waka-a-Māui mana, kaitiakitanga and tikanga within the Heaphy Track (Northern Portion);
 - (c) respect for the distinct Te Ātiawa o Te Waka-a-Māui tikanga and kaitiakitanga within the Heaphy Track (Northern Portion);
 - (d) encouragement of recognition and respect for the particular association of Te Ātiawa o Te Waka-a-Māui with the Heaphy Track (Northern Portion);
 - (e) accurate portrayal of the separate and distinct associations and kaitiakitanga relationship of Te Ātiawa o Te Waka-a-Māui with the Heaphy Track (Northern Portion); and
 - (f) respect for and recognition of the distinct relationship of Te Ātiawa o Te Waka-a-Māui with the wāhi tapu and wāhi whakahirahira at Heaphy Track (Northern Portion).

5. ACTIONS BY THE DIRECTOR-GENERAL OF CONSERVATION IN RELATION TO SPECIFIC PRINCIPLES

- 5.1 Pursuant to clause 5.14.7 of the Deed of Settlement, the Director-General has determined that the following actions will be taken by the Department of Conservation in relation to the specific principles:
- (a) Department of Conservation staff, volunteers, contractors, conservation board members, concessionaires and the public (including local landowners) will be provided with information about the separate and distinct values of Te Ātiawa o Te Waka-a-Māui related to the Heaphy Track (Northern Portion), and will be encouraged to respect the separate and distinct association of Te Ātiawa o Te Waka-a-Māui with the Heaphy Track (Northern Portion);

**TE ĀTIAWA O TE WAKA-A-MĀUI DEED OF SETTLEMENT:
DOCUMENTS SCHEDULE**

3.5: KAHUKIWI CREATED OVER THE HEAPHY TRACK (NORTHERN PORTION)

- (b) Te Ātiawa o Te Waka-a-Māui will be consulted regarding the provision of all new Department of Conservation public information or educational material related to the Heaphy Track (Northern Portion);
- (c) The separate and distinct association of Te Ātiawa o Te Waka-a-Māui with the Heaphy Track (Northern Portion) will be accurately portrayed in all new Department of Conservation information and educational material related to the Heaphy Track (Northern Portion); and
- (d) Any kōiwi (human remains) or other taonga found or uncovered by the Department of Conservation within the overlay classification area will be left untouched and Te Ātiawa o Te Waka-a-Māui informed as soon as possible to enable the Iwi/Hapū with a recognised relationship to the kōiwi or taonga to deal with the kōiwi or taonga in accordance with their tikanga, subject to any procedures required by law.

4. PROTOCOLS

4.1 CONSERVATION PROTOCOL

Clause 5.29.1

4.1: CONSERVATION PROTOCOL

**A PROTOCOL ISSUED BY THE CROWN THROUGH THE
MINISTER OF CONSERVATION REGARDING INTERACTION WITH
TE ĀTIAWA O TE WAKA-A-MĀUI ON SPECIFIED ISSUES**

Department of Conservation Protocol

1. Under the Deed of Settlement dated 21 December 2012 between **Te Ātiawa o Te Waka-a-Māui (Te Ātiawa)** and the Crown (the “**Deed of Settlement**”), the Crown agreed that the Minister of Conservation (the “**Minister**”) would issue a Protocol (the “**Protocol**”) setting out how the Department of Conservation (the “**Department**”) will consult with the **Te Ātiawa o Te Waka-a-Māui** [Trustees] (the “**Governance Entity**”) on matters specified in the Protocol. These matters are:
 - (a) implementation and communication;
 - (b) business planning;
 - (c) Management Plans;
 - (d) cultural materials;
 - (e) taonga minerals and landforms;
 - (f) historic resources - wāhi tapu;
 - (g) species management;
 - (h) marine mammals;
 - (i) freshwater fisheries;
 - (j) marine reserves;
 - (k) pest control;
 - (l) Resource Management Act 1991;
 - (m) visitor and public information;
 - (n) concession applications;
 - (o) statutory land management; and
 - (p) consultation.
2. Both the Department and Te Ātiawa o Te Waka-a-Māui (Governance Entity) are committed to establishing and maintaining a positive and collaborative relationship that gives effect to the principles of the Treaty of Waitangi as provided for in section 4 of the Conservation Act 1987. Those principles provide the basis for an ongoing relationship between the parties to the Protocol to achieve and maintain over time the conservation policies, actions and outcomes sought by both the Governance Entity and the Department, as set out in this Protocol.

4.1: CONSERVATION PROTOCOL

3. The purpose of the Conservation Act 1987 is to enable the Department “to manage for conservation purposes, all land, and all other natural and historic resources” under that Act and to administer the statutes in the First Schedule to the Act (together, the “**Conservation Legislation**”). The Minister and Director-General, or their delegates, are required to exercise particular functions, powers and duties under that legislation.
4. Te Ātiawa has great responsibilities to the lands, waters and all its resources. The landscape defines Te Ātiawa and our customary use of traditional resources is the context in which Te Ātiawa most often engage with the natural world thus providing for the transmission of intergenerational knowledge, the maintenance of identity and the manifestation of our custodial responsibilities.
5. Te Ātiawa o Te Waka-a-Māui is a primary tangata whenua within their rohe, and Te Ātiawa sees the environment as an ancestral landscape that encapsulates sites of significance. Te Ātiawa o Te Waka-a-Māui views the land and water as an indivisible whole. The land is connected to the water resources which flow in, on or under it, as is the water related to the land that surrounds it. Both the lands and waters are in turn connected to the people as the mana whenua in this rohe.
6. Te Ātiawa o Te Waka-a-Māui as a primary Tangata Whenua undertakes the responsibility as Kaitiaki under tikanga Māori to preserve, protect, and manage natural and historic resources with spiritually important dimensions within their rohe for future generations. The use of the lands, waters and associated resources is conducted under special codes in accordance with responsibilities as kaitiaki. These principles ensure the maintenance of these taonga, and the avoidance of overuse, greed and disrespect.

PURPOSE OF THE PROTOCOL

7. The purpose of this Protocol is to assist the Department and Te Ātiawa o Te Waka-a-Māui (the Governance Entity) to exercise their respective responsibilities with the utmost cooperation to achieve and maintain over time the conservation policies, actions and outcomes sought by both.
8. This Protocol sets out a framework that enables the Department and Te Ātiawa to establish a constructive and lasting working relationship that gives effect to section 4 of the Conservation Act. It provides for Te Ātiawa to have meaningful input into policy, planning and decision-making processes in the Department’s management of conservation lands and fulfilment of statutory responsibilities within the Te Ātiawa Protocol Area.
9. Te Ātiawa and the Department consider that this Protocol should contribute to achieving the following aspirations of Te Ātiawa:
 - (a) acknowledgment and recognition by the Department of the customary, traditional, spiritual and historical interests of Te Ātiawa within their Protocol Area;
 - (b) the development by Te Ātiawa of capacity and capability to exercise an effective kaitiaki role over and participate in the management of lands and resources of customary, traditional, spiritual and historical significance to Te Ātiawa; and

4.1: CONSERVATION PROTOCOL

- (c) acknowledgement and recognition of Te Ātiawa Kaitiakitanga which finds continuity in Maori kin based communities as it weaves together ancestral, environmental and social threads of identity, purpose and practice.

PROTOCOL AREA

10. The Protocol applies across the **Te Ātiawa o Te Waka-a-Māui** Protocol Area which means the area identified in the map included in Attachment A of this Protocol.

TERMS OF ISSUE

11. This Protocol is issued pursuant to section 32 of the [] Act [] (the “**Settlement Legislation**”) and clause [] of the Deed of Settlement. The provisions of the Settlement Legislation and the Deed of Settlement specifying the terms on which this Protocol is issued are set out in Attachment B of the Protocol.

IMPLEMENTATION AND COMMUNICATION

12. The Department will seek to establish and maintain effective and efficient communication with Te Ātiawa on a continuing basis by:
- (a) maintaining information on the Governance Entity’s office holders, and their addresses and contact details;
 - (b) providing a primary departmental contact for each Area Office for the Governance Entity who will act as a liaison person with other departmental staff;
 - (c) providing opportunities for the Governance Entity to meet with departmental managers and staff;
 - (d) training relevant staff and briefing Conservation Board members on the content of the Protocol; and
 - (e) holding alternate meetings hosted by the Department and a Te Ātiawa marae or other venue chosen by the Governance Entity to discuss issues that may have arisen every six months, unless otherwise agreed.
13. The parties may also:
- (a) annually review implementation of the Protocol; and
 - (b) led by the Governance Entity, arrange for an annual report back to the Te Ātiawa iwi and hapu of the Governance Entity in relation to any matter associated with the implementation of this Protocol.
14. The Department will where reasonably necessary inform conservation stakeholders about this Protocol and the Te Ātiawa o Te Waka-a-Māui settlement and provide ongoing information as required.
15. The Department will advise the Governance Entity of any departmental policy directions and the receipt of any research reports relating to matters of interest to Te Ātiawa within the Protocol Area, and provide copies or the opportunity for the Governance Entity to study those reports (subject to clause 80).

4.1: CONSERVATION PROTOCOL

BUSINESS PLANNING

16. The Department's annual business planning process determines the Department's conservation work priorities and the Department will as part of the annual business planning meeting with Te Ātiawa in clause 18(a) present a synopsis of the Department's proposed work programme and its implementation as it relates to the Protocol Area for Te Ātiawa's information and subsequent feedback.
17. Te Ātiawa o Te Waka-a-Māui seeks to pursue projects in the future that will enhance the rohe of Te Ātiawa and preserve the whenua and indigenous species for future generations.
18. The process for the Te Ātiawa o Te Waka-a-Māui to identify and/or develop specific projects for consideration by the Department is as follows:
 - (a) the Department and Te Ātiawa will on an annual basis identify priorities for undertaking specific projects requested by Te Ātiawa. The identified priorities for the upcoming business year will be taken forward by the Department into its business planning process and considered along with other priorities.
 - (b) the decision on whether any specific projects will be funded in any business year will be made by the Conservator, after following the co-operative processes set out above.
 - (c) if the Department decides to proceed with a specific project request by Te Ātiawa, both parties may meet again to finalise a work plan and a timetable before implementation of the specific project in that business year, in accordance with the resources which have been allocated in the business plan.
 - (d) if the Department decides not to proceed with a specific project it will communicate to Te Ātiawa the factors that were taken into account in reaching that decision.
19. The Department will consider inviting Te Ātiawa to participate in specific projects, including the Department's volunteer and conservation events which may be of interest to Te Ātiawa.

MANAGEMENT PLANNING

20. The Department will provide opportunities for the Governance Entity to input into the Conservation Management Strategy reviews or Management Plans, if any, within the Protocol Area.
21. The Department will advise Te Ātiawa in the event that any vacancies occur on boards or committees within the Protocol Area where the Minister or Department is responsible for making appointments and where public nominations are sought; but this shall not preclude Te Ātiawa persons being appointed to fill those vacancies.

CULTURAL MATERIALS

22. For the purpose of this Protocol, cultural materials are plants, plant materials, and materials derived from animals, marine mammals or birds for which the Department is responsible within the Protocol Area and which are important to Te Ātiawa in maintaining and expressing its cultural values and practices.

4.1: CONSERVATION PROTOCOL

23. Current legislation means that generally some form of concession or permit is required for any gathering and possession of cultural materials.
24. In relation to cultural materials, the Minister and/or Director-General will:
- (a) work in collaborative partnership with the Governance Entity to develop and agree a process to authorise members of Te Ātiawa to access and use cultural materials within the Protocol Area when required for cultural purposes, in accordance with the relevant legislation. Where it is consistent with conservation objectives and relevant legislation, multi-site and/or multi-take authorisations may be granted;
 - (b) consult with Te Ātiawa in circumstances where there are competing requests between Te Ātiawa and Non Te Ātiawa persons or entities other than those of Te Ātiawa for the use of cultural materials, for example for scientific research purposes;
 - (c) agree, where appropriate and taking into consideration the interest of other representatives of tangata whenua, for Te Ātiawa to have access to cultural materials which become available as a result of departmental operations such as track maintenance or clearance, or culling of species, or where materials become available as a result of accidental death or otherwise through natural causes;
 - (d) identify areas administered by the Department which may be suitable as sites where revegetation planting of indigenous plants suitable for cultural use and establishment of pa harakeke may be appropriate; and
 - (e) provide, as far as reasonably practicable, advice to Te Ātiawa for the management and propagation of plant stock for propagation to reduce the need for plants to be gathered from land administered by the Department and to provide advice to Te Ātiawa in the establishment of its own cultivation areas.
25. Where long lived indigenous trees may become available for cultural use under clause 24(c), the Department will as soon as practicable notify Te Ātiawa and discuss:
- (a) possible cultural uses for any useable timber;
 - (b) the practicality and cost of recovering any timber;
 - (c) who will bear the cost of recovering the timber; and
 - (d) the possibility of planting replacement endemic tree species.
26. The Department and Te Ātiawa shall discuss the development of procedures for monitoring levels of use of cultural materials in accordance with the relevant legislation and appropriate tikanga.

TAONGA MINERALS AND LANDFORMS

27. Te Ātiawa asserts it has an interest in upholding and protecting the mana and mauri of taonga minerals and limestone karst and cave landforms within its rohe.

4.1: CONSERVATION PROTOCOL

28. In recognition of Te Ātiawa's association with its taonga minerals within its rohe the Department will inform Te Ātiawa of any plans or policy statements on which the Department will be actively working that directly affects those minerals and limestone karst and cave landforms.

HISTORIC RESOURCES - WĀHI TAPU

29. Te Ātiawa asserts it has kaitiaki responsibilities to the lands, waters and associated resources, particularly over the listed important sites in Appendix B, which Te Ātiawa are culturally accountable as traditional custodians.
30. Te Ātiawa consider that their wāhi tapu and other places of cultural heritage significance are taonga (priceless treasures), and the Department will respect the great significance of these taonga by fulfilling the obligations contained in this clause of the Protocol.
31. As referred to in clause 5.29 of the Deed of Settlement, places that are sacred or significant to Te Ātiawa o Te Waka-a-Māui within Te Tai Tapu, include, but are not limited to, those places listed in Appendix C.
32. The Department has a statutory role to conserve historic resources in protected areas and will, within the resources available, endeavour to do this for sites of significance to Te Ātiawa in association with the Governance Entity and according to Te Ātiawa tikanga.
33. The Department accepts that non-disclosure of locations of places and other places known to Te Ātiawa may be an option that the Governance Entity chooses to take to preserve the wāhi tapu nature of places. There may be situations where the Governance Entity will ask the Department to treat information it provides on wāhi tapu sites in a confidential way.
34. The Department and the Governance Entity will work together to establish processes for dealing with information on wāhi tapu sites in a way that recognises both the management challenges that confidentiality can present and provides for the requirements of Te Ātiawa.
35. The Department will work with the Governance Entity at the Area Office level to respect Te Ātiawa values attached to identified wāhi tapu and other places of significance on lands administered by the Department by:
- (a) discussing with the Governance Entity, by the end of the second year of this Protocol being issued and on a continuing basis, practical ways in which Te Ātiawa can exercise kaitiakitanga over ancestral lands, natural and historic resources and other taonga managed by the Department within the Protocol Area;
 - (b) managing sites of historic significance to Te Ātiawa according to standards of conservation practice which care for places of cultural heritage value, their structures, materials and cultural meaning, as outlined in the International Council on Monuments and Sites (ICOMOS) New Zealand Charter 1993, and in co-operation with Te Ātiawa;
 - (c) informing the Governance Entity if koiwi are found within the Protocol Area and;

4.1: CONSERVATION PROTOCOL

- (d) assisting in recording and protecting wāhi tapu and other places of cultural significance to Te Ātiawa where appropriate, to seek to ensure that they are not desecrated or damaged.

SPECIES MANAGEMENT

- 36. One of the Department's primary objectives is to ensure the survival of indigenous species and their genetic diversity. An important part of this work is to prioritise recovery actions in relation to the degree of threat to a species. The Department prioritises recovery actions at both a national and local level.
- 37. In recognition of the cultural, spiritual, historical and/or traditional association of the governance entity with species found within the Protocol Area for which the Department has responsibility, the Department shall in relation to any species that Te Ātiawa may identify as important to them (including, but not limited to, the Fluttering and Sooty Shearwater (Titi), the Duvaucel's and Common Gecko on The Brothers and Powelliphanta snails, godwits, King Shag and banded dotterel (tuturiwhatu) throughout the Protocol Area).
 - (a) where a national recovery programme is being implemented (including translocations) within the Protocol Area, where reasonably practicable, inform and provide opportunities for Te Ātiawa to participate in that programme;
 - (b) advise Te Ātiawa in advance of any Conservation Management Strategy amendments or reviews or the preparation of any statutory or non-statutory plans, policies or documents that relate to the management of those species within the Protocol Area;
 - (c) where research and monitoring projects are being carried out by the Department within the Protocol Area, where reasonably practicable, provide Te Ātiawa with opportunities to participate in those projects; and
 - (d) advise Te Ātiawa of the receipt of any completed research reports relating to any species within the Protocol Area and provide copies of such report to Te Ātiawa.

MARINE MAMMALS - STRANDINGS

- 38. Ngāti Kōata has a tikanga responsibility in relation to the preservation, protection and disposal of marine mammals within the Protocol Area to ensure cultural protocols are observed in the interaction with and handling of these mammals.
- 39. The Department's approach to strandings must be consistent with the Marine Mammals Protection Act 1978 and the Marine Mammals Regulations 1992, and is guided by the Marine Mammal Action Plan and, at a Conservancy level, Marine Mammal Stranding Contingency Plans.
- 40. The Protocol will assist Te Ātiawa and the Department to co-operate in managing strandings in the core area of interest.
- 41. The Protocol also aims at assisting the conservation of cetacean species by contribution to the collection of specimens and scientific data of national and international importance while meeting the cultural interests of Te Ātiawa, such as the

4.1: CONSERVATION PROTOCOL

- recovery by Te Ātiawa of bone (including teeth and/or baleen) and other material for cultural purposes from dead marine mammals.
42. There may be circumstances during a stranding in which euthanasia is required, for example if the animal is obviously distressed or refloating has been unsuccessful and live animals have irretrievably stranded.
43. Before euthanasia is carried out, Te Ātiawa representatives may wish to perform certain rituals. For this reason, it is important that all reasonable efforts are made to inform Te Ātiawa well in advance of any decision to euthanise. However, in the interests of humane treatment of the marine mammals, if Te Ātiawa representatives are not present at the time, a decision to euthanise, is the sole responsibility of an officer or person authorised by the Minister of Conservation.
44. Upon the death of a stranded marine mammal, Te Ātiawa, with the advice of an officer or person authorised by the Minister of Conservation will assess the following:
- (a) cultural requirements, such as parts to be retained;
 - (b) scientific requirements such as, identification, sampling or autopsy in accordance with clauses 47 and 48, and Schedule 1; and
 - (c) the degree and nature of work required to recover the above, and who will undertake it.
45. Both Te Ātiawa and the Department accept responsibility for working together to ensure that the entire stranding management process, including the safe and proper disposal of cadaver and clean-up of the beach after the stranding meets all public health and safety standards and quality conservation management guidelines. However, legislative responsibility rests with authorised officers or persons.
46. Both the Department and Te Ātiawa acknowledge the scientific importance of information gathered at strandings and the role of the Department in assisting the conservation of marine mammal species by contributing to the collection of specimens and scientific data of national and international importance. Decisions concerning the exact nature of the scientific samples required and the subsequent disposal of any dead animals, including their availability to Te Ātiawa, will depend on the species.
47. Category 1 Species (see Schedule 1) are known to strand most frequently on New Zealand shores. In principle these species should be available to Te Ātiawa for the recovery of teeth, bone and baleen once scientific data and samples have been collected (usually on site). If there are reasons why this principle should not be followed, they must be discussed between the parties to the Protocol.
48. Category 2 Species (see Schedule 1) are either not commonly encountered in New Zealand waters, or may frequently strand here but are rare elsewhere in the world. For these reasons their scientific value has a higher priority. In most instances, possession by Te Ātiawa of materials from category 2 species will follow an autopsy, which may occur on site. Depending on the species involved the autopsy team may request the removal of all or part of the animal for the purpose of an autopsy or for the retention of the skull or animal. The Department must discuss such requests with and seek the support of Te Ātiawa first.

4.1: CONSERVATION PROTOCOL

49. The Department will endeavour to ensure that any decision on an application for marine mammal material (such as the retention by the autopsy team or Te Papa/Museum of New Zealand of parts or whole animals) from the Protocol Area will be made with the support of Te Ātiawa.
50. The Minister, in approving the provision of any marine mammal from the Protocol Area to Te Papa/Museum of New Zealand or the New Zealand Wildlife Health Centre (Massey University), makes the provision on the condition that if those agencies no longer require that marine mammal (at some future date) the skeletal remains will be returned to Te Ātiawa.
51. If Te Ātiawa does not wish to recover the bone or otherwise participate the Governance Entity will notify the Department whereupon the Department will take sole responsibility for disposing of the cadaver.
52. Subject to the prior agreement of the Conservator, where disposal of a dead marine mammal is carried out by Te Ātiawa, the Department will meet the reasonable costs incurred up to the estimated costs that would otherwise have been incurred by the Department to carry out the disposal.
53. Te Ātiawa will provide the Department with contact information for authorised key contact people who will be available at short notice to make decisions on the desire of Te Ātiawa to be involved when there is a marine mammal stranding.
54. The Department will:
 - (a) make all reasonable efforts to promptly notify the key contact people of all stranding events;
 - (b) discuss, as part of the disposal process, burial sites and, where practical, agree sites in advance which are to be used for disposing of carcasses in order to meet all the health and safety requirements and to avoid the possible violation of Te Ātiawa tikanga; and
 - (c) consult with Te Ātiawa if developing or contributing to research and monitoring of marine mammal populations within the Protocol Area.
55. Te Ātiawa will promptly notify the Department's Area Office contact person of any stranding event.
56. In areas of overlapping interest, Te Ātiawa will work with the relevant iwi and the Department to agree on a process to be followed when managing marine mammal strandings.

FRESHWATER FISHERIES

57. Freshwater fisheries are managed under two sets of legislation: the Fisheries Act 1983 and 1996 (administered by the Ministry of Fisheries) and the Conservation Act 1987 (administered by the Department of Conservation). The Department's functions include the preservation of freshwater fisheries and habitats. The whitebait fishery is administered by the Department under the Whitebait Fishing Regulations 1994, made under the Conservation Act.

4.1: CONSERVATION PROTOCOL

58. The Department shall consult with Te Ātiawa and provide for its participation where reasonably practicable in the conservation and management (including research) of customary freshwater fisheries (in particular fresh water mussels, whitebait, koura and eels) and freshwater fish habitats.
59. The Department shall work at Area Office level (or where appropriate, at Conservancy level) to provide for the active participation of the Te Ātiawa in the conservation, management and research of customary freshwater fisheries and freshwater fish habitats by:
- (a) seeking to identify areas for co-operation in advocacy, such as proposals for taiapure and mataitai under Fisheries legislation, and areas consistent with clause 66 (a) of this Protocol focusing on fish passage, minimum flows, protection and enhancement of riparian vegetation and habitats, water quality improvement and in the restoration, rehabilitation or enhancement of customary freshwater fisheries and their freshwater habitats;
 - (b) consulting with Te Ātiawa in developing or contributing to research and monitoring programmes that aim to improve the understanding of the biology of customary freshwater fisheries and their environmental and habitat requirements;
 - (c) considering Te Ātiawa as a possible science provider or collaborator for research projects funded or promoted by the Department in the same manner as other potential providers or collaborators; and
 - (d) processing applications for the transfer and release of freshwater fish species, including eels, according to the criteria outlined in section 26ZM of the Conservation Act 1987.

MARINE RESERVES

60. Marine Reserves are managed under the Marine Reserves Act 1971. The purpose of the Marine Reserves Act is to preserve for scientific study areas of New Zealand's territorial sea that contain underwater scenery, natural features or marine life of such distinctive quality, or which are so typical or beautiful or unique that their continued preservation is in the national interest.
61. Within the Protocol Area, the Department will work at both the Conservancy and Area Office level to:
- (a) notify Te Ātiawa prior to undertaking any investigative work towards an application by the Department, or upon receipt of any application by a third party, for the establishment of a marine reserve;
 - (b) provide Te Ātiawa with any assistance it may request from the Department in the preparation of an application for the establishment of a marine reserve;
 - (c) provide Te Ātiawa with all information, to the extent reasonably practicable, regarding any application by either the Department or a third party for the establishment of a marine reserve;

4.1: CONSERVATION PROTOCOL

- (d) seek input from Te Ātiawa on any application for a marine reserve within the Protocol Area and use reasonable efforts to address any concerns expressed by Te Ātiawa;
- (e) involve Te Ātiawa in any marine protection planning forums affecting the Protocol Area; and
- (f) involve Te Ātiawa in the management of any marine reserve created.

PEST CONTROL

- 62. A key objective and function of the Department is to prevent, manage and control threats to natural, historic and cultural heritage values from animal and weed pests.
- 63. This is to be done in a way that maximises the value from limited resources available to do this work. The Department will:
 - (a) seek and facilitate early consultation with the Governance Entity on pest control activities within the Protocol Area, particularly in relation to the use of poisons;
 - (b) provide the Governance Entity with reasonable opportunities to review and assess programmes and outcomes; and
 - (c) where appropriate, consider co-ordinating its pest control programmes with those of the Governance Entity when the Governance Entity is an adjoining landowner.

RESOURCE MANAGEMENT ACT 1991

- 64. Te Ātiawa and the Department both have concerns with the effects of activities controlled and managed under the Resource Management Act 1991.
- 65. From time to time, the Governance Entity and the Department will seek to identify issues of likely mutual interest for discussion. It is recognised that the Department and the Governance Entity will continue to make separate submissions in any Resource Management Act processes.
- 66. In carrying out advocacy under the Resource Management Act 1991, the Department will:
 - (a) discuss with the Governance Entity the general approach that may be taken by Te Ātiawa and the Department in respect of advocacy under the Resource Management Act, and seek to identify their respective priorities and issues of mutual concern;
 - (b) have regard to the priorities and issues of mutual concern identified when the Department makes decisions in respect of advocacy under the Resource Management Act; and
 - (c) Make non-confidential resource information available to the Governance Entity to assist in improving their effectiveness in resource management advocacy work.

4.1: CONSERVATION PROTOCOL

VISITOR AND PUBLIC INFORMATION

67. The Department has a role to share knowledge about natural and historic heritage with visitors, to satisfy their requirements for information, increase their enjoyment and understanding of this heritage, and develop an awareness of the need for its conservation.
68. In providing public information, interpretation services and facilities for visitors on the land it manages, the Department acknowledges the importance to Te Ātiawa of their cultural, traditional and historic values, and the association of Te Ātiawa with the land the Department administers within the Protocol Area.
69. The Department will work with the Governance Entity at the Area Office level to encourage respect for Te Ātiawa cultural heritage values by:
- (a) seeking to raise public awareness of any positive conservation partnerships between the Governance Entity, the Department and other stakeholders, for example, by way of publications, presentations, and seminars;
 - (b) ensuring that information contained in the Department's publications is accurate and appropriate by:
 - (i) obtaining the consent of the Governance Entity for disclosure of information from it, and
 - (ii) consulting with the Governance Entity prior to the use of information about Te Ātiawa values for new interpretation panels, signs and visitor publications.

CONCESSION APPLICATIONS

70. For the purpose of the protocol Te Ātiawa has identified that concessions and access arrangements for exploration or mining of its taonga minerals on land administered by the Department (to the extent that the Department or Minister has authority to enter into such arrangements) as a category of concession that paragraph 72 will apply to.
71. By the end of the second year of this Protocol being issued and on a continuing basis, the Department will work with the Governance Entity to identify other categories of concessions that may impact on the cultural, spiritual or historic values of Te Ātiawa.
72. In relation to the concession applications within the categories identified by the Department and Governance Entity under clause 70 and 71, the Minister will:
- (a) encourage applicants to consult with Te Ātiawa in the first instance;
 - (b) consult with the Governance Entity with regard to any applications or renewals of applications within the Protocol Area, and seek the input of the Governance Entity by:
 - (i) providing for the Governance Entity to indicate within 2 working days whether an applications for a One Off Concession has any impacts on Te Ātiawa cultural, spiritual and historic values; and

4.1: CONSERVATION PROTOCOL

- (ii) providing for the Governance Entity to indicate within ten working days whether other applications have any impacts on Te Ātiawa cultural, spiritual and historic values; and
- (iii) if the Governance Entity indicates that an application has any such impacts, allowing a reasonable specified timeframe (of at least a further ten working days) for comment;
- (c) when a concession is publicly notified, the Department will at the same time provide separate written notification to the Governance Entity;
- (d) prior to issuing concessions to carry out activities on land managed by the Department within the Protocol Area, and following consultation with the Governance Entity, the Minister will advise the concessionaire of Te Ātiawa tikanga and values and encourage communication between the concessionaire and the Governance Entity if appropriate; and
- (e) ensure when issuing and renewing concessions that give authority for other parties to manage land administered by the Department, that those parties:
 - (i) be required to manage the land according to the standards of conservation practice mentioned in clause 35(b); and
 - (ii) be encouraged to consult with the Governance Entity before using cultural information of Te Ātiawa.

STATUTORY LAND MANAGEMENT

- 73. From time to time, the Minister may consider vesting a reserve in an appropriate entity; or appoint an appropriate entity to control and manage a reserve. Such vestings or appointments are subject to the test under the Reserves Act 1977 which is 'for the better carrying out of the purposes of the reserve'. When such an appointment or vesting is contemplated for sites in the Protocol Area, the Department will consult with Te Ātiawa at an early stage on their views on the proposed vesting or appointment.
- 74. The Department will consult, at an early stage, with Te Ātiawa when considering the classification, or change in classification, of a reserve within the Protocol Area.
- 75. If the Department is considering entering into a management agreement, other than a vesting or control and management appointment, with any entity in respect of any land that is the subject of a Statutory Acknowledgment or Deed of Recognition within the Protocol Area, it will consult at an early stage with Te Ātiawa about the proposed management arrangement and whether the arrangement should be subject to any conditions.

CONSULTATION

- 76. Where the Department is required to consult under this Protocol, the basic principles that will be followed by the Department in consulting with the Governance Entity in each case are:
 - (a) ensuring that the Governance Entity is consulted as soon as reasonably practicable following the identification and determination by the Department of the proposal or issues to be the subject of the consultation;

4.1: CONSERVATION PROTOCOL

- (b) providing the Governance Entity with sufficient information to make informed discussions and submissions in relation to any of the matters that are subject of the consultation;
 - (c) ensuring that sufficient time is given for the effective participation of the Governance Entity, including the preparation of submissions by the Governance Entity, in relation to any of the matters that are the subject of the consultation;
 - (d) ensuring that the Department will approach the consultation with an open mind and genuinely consider any views and/or concerns that the Governance Entity may have in relation to any of the matters that are subject to the consultation.
77. Where the Department has consulted with the Governance Entity as specified in clause 76, the Department will report back to the Governance Entity on the decision made as a result of any such consultation.
78. When the Department requests cultural and/or spiritual practices to be undertaken by Te Ātiawa within the Protocol Area the Department will make a contribution, subject to prior mutual agreement, to the costs of undertaking such practices, but will not otherwise pay for consultation required or anticipated under this Protocol.

DEFINITIONS

79. In this Protocol:

Conservation Management Strategy has the same meaning as in the Conservation Act 1987;

Conservation Legislation means the Conservation Act 1987 and the statutes in the First Schedule of the Act;

Crown means Her Majesty the Queen in right of New Zealand and includes, where appropriate, the Ministers and Departments of the Crown that are involved in, or bound by the terms of the Deed of Settlement to participate in, any aspect of the redress under the Deed of Settlement;

Department means the Minister of Conservation, the Director-General and the Departmental managers to whom the Minister of Conservation's and the Director-General's decision-making powers can be delegated.

Governance Entity has the meaning given to it in the Deed of Settlement and, where appropriate, means the trustees for the time being of the Te Ātiawa o Te Waka-a-Māui Trust;

Te Ātiawa has the meaning set out in clause 8.9.1 of the Deed of Settlement;

Kaitiaki means environmental guardians and cultural custodians;

One Off Concession means a concession granted under Part 3B of the Conservation Act 1987 for an activity that-

- (a) does not require a lease or licence; and

4.1: CONSERVATION PROTOCOL

- (b) is assessed as having very low effects; and
- (c) complies with all relevant legislation, the relevant Conservation Management Strategy and Conservation Management Plans; and
- (d) where relevant, has clearly defined numbers of trips and/or landings; and
- (e) does not involve permanent structures; and
- (f) does not have a duration of more than three months; and
- (g) does not take place more than twice in any given six month period;

Protocol means a statement in writing, issued by the Crown through the Minister of Conservation to the Governance Entity under the Settlement Legislation and the Deed of Settlement and includes this Protocol;

Tikanga Māori refers to Te Atiawa customary practice.

PROVISION OF INFORMATION

80. Where the Department is to provide information to the Governance Entity under this Protocol, this information will be provided subject to the Official Information Act 1981.

4.1: CONSERVATION PROTOCOL

Appendix A

Fresh Water Bodies of Significance

- Waikawa Stream
- Waitohi River
- Tuamarina River and its tributaries
- Buller River
- Lake Rotoiti
- Lake Rotoroa
- Lake Chalice
- Lake Stanley
- Lake Sylvester
- Lake Lindsay
- Kōkopu Creek
- Webb Stream
- Diamond Lakes
- Te Hoiere / Pelorus River
- Cobb River
- Maitai River (Mahitahi River)
- Motupiko River
- Motueka River
- Anatoki River
- Marahau River
- Otuwhero River
- Waimea River
- Riuwaka River
- Awaroa River
- Turimawiwi River
- Kahurangi River
- Anatori River
- Aorere River
- Tākaka River
- Heaphy River
- Wai-iti River
- Whangapeka River
- Dart River
- Pearse River
- Pokororo River
- Brown River

4.1: CONSERVATION PROTOCOL

Appendix B

Wāhi Tapu Places

- Arapaoa Island
- Queen Charlotte Sound
- Ship Cove
- Matapara / Pickersgill Island
- Awaroa
- Adele Island
- Fisherman Island
- Pariwhakaoho
- Tata Islands
- Goulard Downs
- Motupipi
- Otuwhere Inlet
- Marahau
- The Brothers
- Te Ope-a-Kupe (Anamāhanga / Port Gore)
- Puhikereru Maunga / Mount Fumeaux (Anamāhanga / Port Gore)
- Titi Island Nature Reserve
- Nelson Boulder Bank
- Kaiteriteri
- Te Matau (Separation Point)
- Te Tai Tapu
- Riuwaka source
- Te Pukatea (Abel Tasman)
- Wairima (Bark Bay)
- Wainui
- Onetahua
- Tonga Island
- Tapu Bay
- Mt Arthur
- Torrent Bay
- Shag Harbour
- Brown Hutt Flat

4.1: CONSERVATION PROTOCOL

Appendix C

Te Tai Tapu: Wāhi Tapu Sites

1. Big River, Anaweka, Turimawiwi and Anatori River mouth areas (all proximate to papakainga areas, burial caves Anatori)
2. Knuckle Hill summits (maunga, guardian of Whanganui Inlet)
3. Mt Stevens summit(highest peak, Taonga Tuku Ihi o Te Ao Turoa)
4. Lake Otuhie (mahinga kai, burial caves nearby)
5. Peninsula and islands at south west end of Whanganui inlet (papakainga, mahinga kai, waahiu taonga)
6. Brown River added along with the area by the Brown Hut as a papakainga
7. Turimawiwi the 2 miles stretch which was the pa site of Te Ātiawa whānau & reports of finds in sand dunes- m25-99
8. Perry Saddle - pahi site
9. The Gorge of Cave Brook - special watering area
10. Kahurangi Point - Ovens/Flakes/Middens - pahi site
11. Te Hapū - occupation site / middens - m25 - 105
12. Whakapoui / Heaphy river - pahi site
13. Awa Ruatoha - mahinga kai and pahi
14. Rakopi - pahi
15. Te Rae - papakainga
16. Kaituna river - mahinga kai
17. Anaweka - occupation site
18. Paturau - occupation
19. Maungarakau - occupation
20. on the true right at the mouth of the Turamawiwi River
21. burial at Lake Otuhie
22. The clusters of sites at Toiere and Rakopi, and neighbouring bays around the Inlet testify to the significance of these localities as does the retention in Maori ownership of the Occupation Reserves there.
23. The cave/rock shelters and associated middens just south of Sandhills Creek, especially M25-109 containing matting, kokowai, and bird, dog and rat bones

4.1: CONSERVATION PROTOCOL

24. The cluster of ancient sites (middens, ovens, pits, terraces) associated with Wharariki.
25. The area known as Te Tai Tapu Block, is bounded on west coast between southern side of entrance of West Whanganui Inlet and Kahurangi Point; thence inland to the ridge of the Wakamarama Range;
 - a. eastern boundary follows the Wakamarama Range north to Knuckle Hill; thence to entrance of West Whanganui Inlet, is extremely important to Te Atiawa.
 - b. Turamawiwi: Valley and River in southern Te Tai Tapu block.
 - c. Anaweka: River and locality in southern Te Tai Tapu block.
 - d. Kohaihai: River and valley north of Karamea, Buller; beginning of Heaphy Track.
 - e. Raukawa: Raukawa Stream is near Anaweka River in southern Te Tai Tapu block.
 - f. Toiere Reserve (a.k.a. Tuara) of 200 acres was set aside at Kaihoka, on the western side of West Whanganui Inlet, spanning the tongue of land on the northern side of the Inlet and the open sea.

4.1: CONSERVATION PROTOCOL

Schedule 1

**Marine Mammals - Categories of species for
purpose of scientific samples and autopsy**

Category 1 species are:

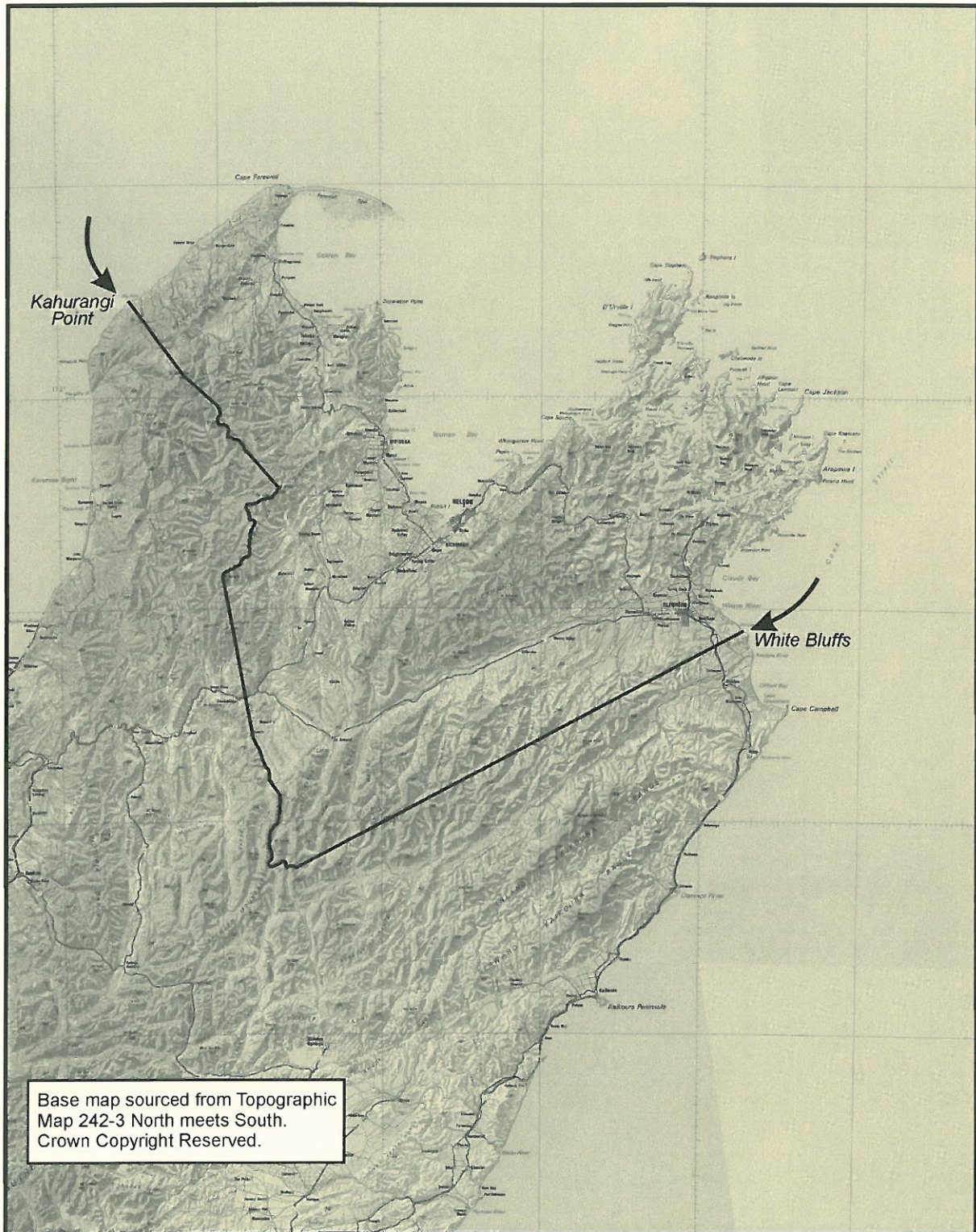
Common dolphins (*Delphinus delphis*)
Long-finned pilot whales (*Globicephala melas*)
Sperm whales (*Physeter macrocephalus*).

Category 2 species are:

All baleen whales
Short-finned pilot whale (*Globicephala macrorhynchus*)
Beaked whales (all species, family Ziphiidae)
Pygmy sperm whale (*Kogia breviceps*)
Dwarf sperm whale (*Kogia simus*)
Bottlenose dolphin (*Tursiops truncatus*)
Maui's dolphin (*Cephalorhynchus hectori maui*) (North island)
Hector's dolphin (*Cephalorhynchus hectori hectori*) (South Island)
Dusky dolphin (*Lagenorhynchus obscurus*)
Risso's dolphin (*Grampus griseus*)
Spotted dolphin (*Stenella attenuata*)
Striped dolphin (*Stenella coeruleoalba*)
Rough-toothed dolphin (*Steno bredanensis*)
Southern right whale dolphin (*Lissodelphis peronii*)
Spectacled porpoise (*Australophocoena dioptrica*)
Melon-headed whale (*Peponocephala electra*)
Pygmy killer whale (*Feresa attenuata*)
False killer whale (*Pseudorca crassidens*)
Killer whale (*Orcinus orca*)
Any other species of cetacean previously unknown or rarely strand in New Zealand waters.

4.1: CONSERVATION PROTOCOL

ATTACHMENT A
CONSERVATION PROTOCOL AREA



4.1: CONSERVATION PROTOCOL

ATTACHMENT B

SUMMARY OF THE TERMS OF ISSUE

This protocol is subject to the deed of settlement and the settlement legislation. A summary of the relevant provisions is set out below.

1. Amendment and cancellation

1.1 The Minister may amend or cancel this protocol, but only after consulting with the Te Ātiawa o Te Waka-a-Māui trustees and having particular regard to its views (*section 32*).

2. Noting

2.1 A summary of the terms of this protocol must be noted in the conservation documents affecting the protocol area, but the noting:

2.1.1 is for the purpose of public notice; and

2.1.2 does not amend the conservation documents for the purposes of the Conservation Act 1987 or the National Parks Act 1980 (*section 36*).

3. Limits

3.1 This protocol does not:

3.1.1 restrict the Crown from exercising its powers, and performing its functions and duties, in accordance with the law and government policy, including:

(a) introducing legislation; or

(b) changing government policy; or

(c) issuing a protocol to, or interacting or consulting with, anyone the Crown considers appropriate, including any iwi, hapū, marae, whānau, or representative of tangata whenua (*section 33*); or

2.1.2 restrict the responsibilities of the Minister or the department or the legal rights of Te Ātiawa o Te Waka-a-Māui (*section 33*); or

2.1.3 grant, create, or evidence an estate or interest in, or rights relating to:

(a) land held, managed, or administered under the conservation legislation; or

(b) flora or fauna managed or administered under the conservation legislation (*section 35*).

4. Breach

4.1 Subject to the Crown Proceedings Act 1950, the Te Ātiawa o Te Waka-a-Māui Trust may enforce this protocol if the Crown breaches it without good cause, but damages or monetary compensation will not be awarded (*section 34*).

4.2 A breach of this protocol is not a breach of the deed of settlement (*clause 5.33*).

4.2 FISHERIES PROTOCOL

Clause 5.29.2

**A PROTOCOL ISSUED BY THE CROWN THROUGH THE MINISTER OF FISHERIES
AND AQUACULTURE REGARDING INTERACTION WITH
TE ĀTIAWA O TE WAKA A MAUI ON FISHERIES ISSUES**

1 INTRODUCTION

- 1.1 The Crown, through the Minister for Primary Industries (the “**Minister**”) and Director-General of the Ministry for Primary Industries (the “**Director-General**”), recognises that Te Ātiawa o Te Waka-a-Māui as tangata whenua are entitled to have input and participation in fisheries planning processes that affect fish stocks in the Te Ātiawa o Te Waka-a-Māui Fisheries Protocol Area (the “**Fisheries Protocol Area**”) and that are managed by the Ministry for Primary Industries (the “**Ministry**”) under the Fisheries Act 1996. Te Ātiawa o Te Waka-a-Māui have a special relationship with all species of fish, aquatic life and seaweed found within the Fisheries Protocol Area, and an interest in the sustainable utilisation of all species of fish, aquatic life and seaweed.
- 1.2 Under the Deed of Settlement dated 21 December 2012 between Te Ātiawa o Te Waka-a-Māui and the Crown (the “**Deed of Settlement**”), the Crown agreed that the Minister would issue a Fisheries Protocol (the “**Protocol**”) setting out how the Ministry will interact with Te Ātiawa o Te Waka-a-Māui trustees in relation to matters specified in the Protocol. These matters are:
- 1.2.1 recognition of the interests of Te Ātiawa o Te Waka-a-Māui in all species of fish, aquatic life or seaweed that exist within the Fisheries Protocol Area that are subject to the Fisheries Act 1996;
 - 1.2.2 input into and participation in the Ministry’s fisheries plans;
 - 1.2.3 iwi fisheries plan;
 - 1.2.4 participation in iwi fisheries forums;
 - 1.2.5 customary non-commercial fisheries management;
 - 1.2.6 contracting for services;
 - 1.2.7 employment of Ministry staff with customary non-commercial fisheries responsibilities;
 - 1.2.8 information exchange;
 - 1.2.9 rāhui; and
 - 1.2.10 changes to policy and legislation affecting this Protocol.
- 1.3 For the purposes of this Fisheries Protocol, the Te Ātiawa o Te Waka-a-Māui Trust is the body representative of the whānau, hapū and iwi of Te Ātiawa o Te Waka-a-Māui who have an interest in the sustainable utilisation of fish, aquatic life and seaweed that live within the Fisheries Protocol Area. Te Ātiawa o Te Waka-a-Māui hold traditional and customary rights over fisheries in the Fisheries Protocol Area. Te Ātiawa o Te Waka-a-Māui have a responsibility in relation to the preservation, protection and management of their customary non-commercial fisheries within the Fisheries Protocol Area. The Te Ātiawa o Te Waka-a-Māui trustees also have an interest in the sustainable utilisation (including customary, commercial and recreational activities) of fish, aquatic life and

4.2: FISHERIES PROTOCOL

seaweed that exist within the Fisheries Protocol Area. This is inextricably linked to whakapapa and has important cultural and spiritual dimensions.

- 1.4 The obligations of the Ministry in respect of fisheries are to ensure sustainability, to meet Te Tiriti o Waitangi/Treaty of Waitangi and international obligations, to enable efficient resource use, and to ensure the integrity of fisheries management systems.
- 1.5 The Ministry and Te Ātiawa o Te Waka-a-Māui are seeking a relationship consistent with Te Tiriti o Waitangi/Treaty of Waitangi and its principles. The principles of Te Tiriti o Waitangi/Treaty of Waitangi provide the basis for the relationship between the parties to this Fisheries Protocol. The relationship created by this Fisheries Protocol is intended to assist the parties to exercise their respective responsibilities with the utmost cooperation to achieve over time the outcomes sought by both.
- 1.6 The Minister and the Director-General have certain functions, powers and duties in terms of the **Fisheries Legislation**. With the intention of creating a relationship that achieves, over time, the fisheries policies and outcomes sought by both Te Ātiawa o Te Waka-a-Māui and the Ministry consistent with the Ministry's obligations as set out in clause 1.4, this Protocol sets out how the Minister, the Director-General and the Ministry will exercise their functions, powers and duties in relation to matters set out in this Protocol. In accordance with this Protocol, the Te Ātiawa o Te Waka-a-Māui trustees will have the opportunity for meaningful input into the policy and planning processes relating to the matters set out in this Protocol.
- 1.7 The Ministry will advise the Te Ātiawa o Te Waka-a-Māui trustees whenever it proposes to consult with Te Ātiawa o Te Waka-a-Māui or with another iwi or hapū with interests inside the Fisheries Protocol Area on matters that could affect the interests of Te Ātiawa o Te Waka-a-Māui.

2 TE ĀTIAWA O TE WAKA-A-MĀUI FISHERIES PROTOCOL AREA

- 2.1 This Fisheries Protocol applies across the Te Ātiawa o Te Waka-a-Māui Fisheries Protocol Area which means the area identified in the map included as Attachment A of this Protocol, together with the adjacent waters.

3 SUMMARY OF THE TERMS OF ISSUE

- 3.1 This Protocol is issued pursuant to section 32 of the [*insert the name of the Settlement Legislation*] (the "**Settlement Legislation**") that implements clause [*insert clause number*] of the Deed of Settlement and is subject to the Settlement Legislation and the Deed of Settlement.
- 3.2 This Protocol must be read subject to the summary of the terms of issue set out in Attachment B.

4 IMPLEMENTATION AND COMMUNICATION

- 4.1 The Ministry will meet with the Te Ātiawa o Te Waka-a-Māui trustees within three months of the Minister issuing this Protocol, to commence the development of a strategy to implement this Fisheries Protocol. The strategy may include:

- 4.1.1 any matters raised in this Protocol;

4.2: FISHERIES PROTOCOL

- 4.1.2 reporting processes to be put in place, including an annual report to be provided by the Ministry to the Te Ātiawa o Te Waka-a-Māui trustees;
 - 4.1.3 the development of an implementation plan that sets out the Ministry's obligations to the Te Ātiawa o Te Waka-a-Māui trustees arising from this Protocol. The implementation plan would identify the relevant Ministry business group responsible for delivering each obligation, and any agreed actions and timeframes; and
 - 4.1.4 meetings between the Te Ātiawa o Te Waka-a-Māui trustees and the Ministry to review the operation of the Protocol, when required (as agreed in the implementation plan).
- 4.2 The implementation strategy described in clause 4.1 of this Protocol will have effect from the date specified in the strategy.
- 4.3 The Ministry will establish and maintain effective consultation processes and communication networks with the Te Ātiawa o Te Waka-a-Māui trustees by:
- 4.3.1 maintaining, at national and regional levels, information provided by the Te Ātiawa o Te Waka-a-Māui trustees on the office holders of the Te Ātiawa o Te Waka-a-Māui Trust, addresses and contact details;
 - 4.3.2 providing reasonable opportunities for the Te Ātiawa o Te Waka-a-Māui trustees to meet with, Ministry managers and staff (as might be agreed in the implementation plan); and
 - 4.3.3 providing reasonable opportunities for the Te Ātiawa o Te Waka-a-Māui trustees to participate, if they choose to, in regional forums that are established to interact with the Ministry on fisheries issues that affect the Fisheries Protocol Area.
- 4.4 The Ministry will:
- 4.4.1 consult and involve the Te Ātiawa o Te Waka-a-Māui trustees in the training of relevant staff on this Protocol and provide on-going training as required; and
 - 4.4.2 as far as reasonably practicable, inform fisheries stakeholders about this Protocol and the Deed of Settlement, and provide on-going information as required.

5 PARTICIPATION IN IWI FISHERIES FORUMS

- 5.1 The Ministry will provide opportunities for Te Ātiawa o Te Waka-a-Māui to have input into and participate in any Iwi Fisheries Forums relating to the Fisheries Protocol Area, where the Ministry will engage with Iwi on fisheries management activities. The Te Ātiawa Iwi Fisheries Plan will guide the input of Te Ātiawa o Te Waka-a-Māui into those forums. The Ministry will provide assistance, within the available resources, to those Iwi participating in the forums to develop forum fisheries plans. The operation and development of such forums, however, will not preclude direct contact between the Te Ātiawa o Te Waka-a-Māui trustees and the Ministry.

4.2: FISHERIES PROTOCOL

6 STATEMENT OF TE ĀTIAWA O TE WAKA-A-MĀUI OBJECTIVES

6.1 The fisheries management objectives of Te Ātiawa o Te Waka-a-Māui in relation to the Fisheries Protocol Area include:

6.1.1 Ability to implement customary management practices such as rāhui, mātaimai, marine reserves and marine gardens;

6.1.2 Customary fisheries management consistent with the Fisheries (South Island Customary Fishing) Regulations 1999, including;

6.1.2.1 Customary fisheries practices consistent with Te Ātiawa o Te Waka-a-Māui tikanga that upholds Te Ātiawa o Te Waka-a-Māui rights guaranteed under Te Tiriti o Waitangi;

6.1.2.2 Establish customary fisheries management areas consistent with Te Ātiawa o Te Waka-a-Māui customary practices.

6.2 Te Ātiawa o Te Waka-a-Māui consider all species in their Fisheries Protocol Area to be taonga, but have a strong traditional association with the species listed in the table below:

Māori Name	Common name	Scientific name
Kina	Kina/ sea egg	<i>Evechinus species</i>
Pāua	Pāua	<i>Haliotis iris</i>
Koura	Rock lobster	<i>Jasus edwardsii</i>
Tuna	Eels	<i>Anguilla species</i>
Hapuka	Hapuka	<i>Polyprion oxygeneois</i>
Tuere	Hagfish / blind eel	<i>Eptatretus cirrhatus</i>
Rimurimu	seaweeds	<i>Various</i>

6.3 The Crown and Te Ātiawa o Te Waka-a-Māui trustees agree that the Te Ātiawa o Te Waka-a-Māui objectives (as set out in the Te Waka a Maui me Ona Toka Forum Plan, at the time of signing this Protocol and clause 6.1):

6.3.1 are intended only to provide a context for this Protocol;

6.3.2 do not affect how the Minister, the Director-General and the Ministry will exercise their powers, functions and duties in relation to the matters specified in this Protocol; and

6.3.3 do not prevent the Minister, the Director-General and the Ministry from interacting with other iwi or hapū with interests in the Fisheries Protocol Area.

7 INPUT INTO AND PARTICIPATION IN THE MINISTRY'S NATIONAL FISHERIES PLANS

7.1 Te Ātiawa o Te Waka-a-Māui are entitled to input into and participation in the Ministry's national level fisheries plans that relate to the Fisheries Protocol Area, where these are being developed. The Ministry's national fisheries plans will reflect the high level goals and outcomes for a fishery. The plans will guide annual identification of the measures (which may include catch limits, research and compliance services) required to meet these goals and outcomes. Te Ātiawa o Te Waka-a-Māui input and participation will be recognised and provided for through the iwi fisheries plan referred to in clause 8, which

4.2: FISHERIES PROTOCOL

the Ministry must have particular regard to when developing national fisheries plans that relate to the Fisheries Protocol Area.

- 7.2 Where it is intended that any sustainability measures will be set or varied that relate to the Fisheries Protocol Area and are not addressed in any Ministry national fisheries plan, the Ministry will ensure that the input and participation of Te Ātiawa o Te Waka-a-Māui is provided for.

8 IWI FISHERIES PLAN

- 8.1 The Te Ātiawa o Te Waka-a-Māui trustees will develop an iwi fisheries plan that relates to the Fisheries Protocol Area.

- 8.2 The Ministry will assist the Te Ātiawa o Te Waka-a-Māui trustees, within the resources available to the Ministry, to develop an iwi fisheries plan that relates to the Fisheries Protocol Area.

- 8.3 The Ministry and the Te Ātiawa o Te Waka-a-Māui trustees agree that the iwi fisheries plan will address:

8.3.1 the objectives of Te Ātiawa o Te Waka-a-Māui for the management of their customary, commercial, recreational and environmental interests in fisheries resources within the Fisheries Protocol Area;

8.3.2 Te Ātiawa o Te Waka-a-Māui views on what constitutes their kaitiakitanga within the Fisheries Protocol Area;

8.3.3 how the Te Ātiawa o Te Waka-a-Māui trustees will participate in fisheries planning processes in the Fisheries Protocol Area; and

8.3.4 how the customary, commercial and recreational fishing interests of the Te Ātiawa o Te Waka-a-Māui trustees will be managed in an integrated way.

- 8.4 The Ministry and the Te Ātiawa o Te Waka-a-Māui trustees agree to meet within three months of the Minister issuing this protocol, to discuss:

8.4.1 the content of the iwi fisheries plan, and how it will protect and recognise the kaitiakitanga and mana of Te Ātiawa o Te Waka-a-Māui; and

8.4.2 ways in which the Ministry will work with the Te Ātiawa o Te Waka-a-Māui trustees to develop and review the iwi fisheries plan.

9 MANAGEMENT OF CUSTOMARY NON-COMMERCIAL FISHERIES

- 9.1 The Ministry undertakes to make available to the Te Ātiawa o Te Waka-a-Māui trustees such information and assistance, within the resources available to the Ministry, as may be necessary for the proper administration of the Fisheries (South Island Customary Fishing) Regulations 1999. This information and assistance may include, but is not limited to:

9.1.1 discussions with the Ministry on the implementation of the Fisheries (South Island Customary Fishing) Regulations 1999 within the Fisheries Protocol Area;

4.2: FISHERIES PROTOCOL

- 9.1.2 make available existing information, if any, relating to the sustainability, biology, fishing activity and fisheries management within the Fisheries Protocol Area; and
- 9.1.3 training the appropriate representatives of Te Ātiawa o Te Waka-a-Māui to enable them to administer and implement the Fisheries (South Island Customary Fishing) Regulations 1999.

10 CONTRACTING FOR SERVICES

- 10.1 The Ministry will consult with the Te Ātiawa o Te Waka-a-Māui trustees in respect of any contract for the provision of services that may impact on the management of customary fisheries within the Fisheries Protocol Area, if the Ministry is proposing to enter into such a contract.
- 10.2 The level of consultation shall be relative to the degree to which the contract impacts upon the customary fishing interests of other iwi as well as those of Te Ātiawa o Te Waka-a-Māui, and may be achieved by one or more of the following:
 - 10.2.1 the Ministry may notify the Te Ātiawa o Te Waka-a-Māui trustees of a contract for fisheries services;
 - 10.2.2 the Ministry may notify the Te Ātiawa o Te Waka-a-Māui trustees of an invitation to tender for fisheries services; and
 - 10.2.3 the Ministry may direct a successful contractor to engage with the Te Ātiawa o Te Waka-a-Māui trustees as appropriate, in undertaking the relevant fisheries services.
- 10.3 If the Te Ātiawa o Te Waka-a-Māui trustees is contracted for fisheries services then clause 10.2.3 will not apply in relation to those fisheries services.

11 EMPLOYMENT OF STAFF WITH CUSTOMARY FISHERIES RESPONSIBILITIES

- 11.1 The Ministry will consult with the Te Ātiawa o Te Waka-a-Māui trustees on certain aspects of the employment of Ministry staff if a vacancy directly affects the customary fisheries interests of Te Ātiawa o Te Waka-a-Māui in relation to the Fisheries Protocol Area.
- 11.2 The level of consultation shall be relative to the degree to which the vacancy impacts upon the customary fishing interests of other iwi as well as those of Te Ātiawa o Te Waka-a-Māui, and may be achieved by one or more of the following:
 - 11.2.1 consultation on the job description and work programme;
 - 11.2.2 direct notification of the vacancy;
 - 11.2.3 consultation on the location of the position; and
 - 11.2.4 input into the selection of the interview panel.

4.2: FISHERIES PROTOCOL

12 CONSULTATION

- 12.1 Where the Ministry is required to consult in relation to this Protocol, the basic principles that will be followed by the Ministry in consulting with the Te Ātiawa o Te Waka-a-Māui trustees in each case are:
- 12.1.1 ensuring that the Te Ātiawa o Te Waka-a-Māui trustees is consulted as soon as reasonably practicable following the identification and determination by the Ministry of the proposal or issues to be the subject of the consultation;
 - 12.1.2 providing the Te Ātiawa o Te Waka-a-Māui trustees with sufficient information to make informed decisions and submissions in relation to any of the matters that are the subject of the consultation;
 - 12.1.3 ensuring that sufficient time is given for the participation of the Te Ātiawa o Te Waka-a-Māui trustees in the decision making process including the preparation of submissions by the Te Ātiawa o Te Waka-a-Māui trustees in relation to any of the matters that are the subject of the consultation; and
 - 12.1.4 ensuring that the Ministry will approach the consultation with the Te Ātiawa o Te Waka-a-Māui trustees with an open mind, and will genuinely consider their submissions in relation to any of the matters that are the subject of the consultation.
- 12.2 Where the Ministry has consulted with the Te Ātiawa o Te Waka-a-Māui trustees as specified in clause 12.1, the Ministry will report back to the Te Ātiawa o Te Waka-a-Māui trustees, either in person or in writing, on the decision made as a result of any such consultation.

13 RĀHUI

- 13.1 The Ministry recognises that rāhui is a traditional use and management practice of Te Ātiawa o Te Waka-a-Māui and supports their rights to place traditional rāhui over their customary fisheries.
- 13.2 The Ministry and the Te Ātiawa o Te Waka-a-Māui trustees acknowledge that a traditional rāhui placed by the Te Ātiawa o Te Waka-a-Māui trustees over their customary fisheries has no force in law and cannot be enforced by the Ministry, and that adherence to any rāhui is a matter of voluntary choice. Te Ātiawa o Te Waka-a-Māui undertakes to inform the Ministry of the placing and the lifting of a rāhui by Te Ātiawa o Te Waka-a-Māui over their customary fisheries, and also the reasons for the rāhui.
- 13.3 The Ministry undertakes to inform a representative of any fishery stakeholder groups that fish in the area to which the rāhui has been applied, to the extent that such groups exist, of the placing and the lifting of a rāhui by Te Ātiawa o Te Waka-a-Māui over their customary fisheries, in a manner consistent with the understandings outlined in clause 13.2 above.
- 13.4 As far as reasonably practicable, the Ministry undertakes to consider the application of section 186B of the Fisheries Act 1996 to support a rāhui proposed by Te Ātiawa o Te Waka-a-Māui over their customary fisheries for purposes consistent with the legislative requirements for the application of section 186B of the Fisheries Act 1996, noting these requirements preclude the use of section 186B to support rāhui placed in the event of a drowning.

4.2: FISHERIES PROTOCOL

14 INFORMATION EXCHANGE

- 14.1 Te Ātiawa o Te Waka-a-Māui and the Ministry recognise the benefit of mutual information exchange. To this end, the Ministry and Te Ātiawa o Te Waka-a-Māui will as far as possible exchange any information that is relevant to the management of the Fisheries Protocol Area.
- 14.2 The Ministry will make available to Te Ātiawa o Te Waka-a-Māui all existing information held by, or reasonably accessible to, the Ministry where that information is requested by Te Ātiawa o Te Waka-a-Māui for the purposes of assisting them to exercise their rights under this Fisheries Protocol.
- 14.3 The Ministry will make available to Te Ātiawa o Te Waka-a-Māui all existing information held by, or reasonably accessible to the Ministry, concerning the management of species or stocks that are of significance to Te Ātiawa o Te Waka-a-Māui.

15 DISPUTE RESOLUTION

- 15.1 If either the Ministry or the Te Ātiawa o Te Waka-a-Māui trustees considers there has been a problem with the implementation of the Protocol, then that party may give written notice to the other party that they are in dispute. The following process will be undertaken once notice is received by the other party to this Protocol:
- 15.1.1 Within 15 working days of being given written notice under clause 15.1, the relevant contact persons from the Ministry and the Te Ātiawa o Te Waka-a-Māui trustees will meet to work in good faith to resolve the issue;
- 15.1.2 If the dispute has not been resolved within 30 working days of receipt of the notice referred to in clause 15.1 the Director-General of the Ministry and representative of the Te Ātiawa o Te Waka-a-Māui trustees will meet to work in good faith to resolve the issue;
- 15.1.3 If the dispute has not been resolved within 45 working days of receipt of the notice referred to in clause 15.1 despite the process outlined in clauses 15.1.1 and 15.1.2 having been followed, the Ministry and Te Ātiawa o Te Waka-a-Māui trustees may seek to resolve the dispute by asking an agreed trusted third party to mediate the dispute with a view to reaching a mutually satisfactory outcome for both parties.
- 15.2 In the context of any dispute that has been initiated under clause 15.1 the Ministry and the Te Ātiawa o Te Waka-a-Māui trustees will place the utmost importance on the fact that the Ministry and Te Ātiawa o Te Waka-a-Māui are, in accordance with clause 1.5 of this Protocol, seeking a relationship consistent with Te Tiriti o Waitangi/Treaty of Waitangi and its principles, and such a relationship is intended to assist both parties to exercise their respective responsibilities with the utmost cooperation to achieve the outcomes sought by both over time.

4.2: FISHERIES PROTOCOL

16 CHANGES TO POLICY AND LEGISLATION AFFECTING THIS PROTOCOL

16.1 If the Ministry consults with iwi on policy development or any proposed legislative amendment to the Fisheries Act 1996 which impacts upon this Protocol, the Ministry shall:

16.1.1 notify the Te Ātiawa o Te Waka-a-Māui trustees of the proposed policy development or proposed legislative amendment upon which iwi will be consulted; and

16.1.2 make available to the Te Ātiawa o Te Waka-a-Māui trustees the information provided to iwi as part of the consultation process referred to in this clause; and

16.1.3 report back to the Te Ātiawa o Te Waka-a-Māui trustees on the outcome of any such consultation, either in writing or in person.

17 DEFINITIONS

17.1 In this Protocol:

Crown means The Sovereign in right of New Zealand and includes, where appropriate, the Ministers and Departments of the Crown that are involved in, or bound by the terms of the Deed of Settlement to participate in, any aspect of the redress under the Deed of Settlement;

Fisheries Legislation means the Fisheries Act 1983, the Fisheries Act 1996, the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992, the Māori Commercial Aquaculture Claims Settlement Act 2004, and the Māori Fisheries Act 2004, and any regulations made under these Acts including the Fisheries (South Island Customary Fishing) Regulations 1999;

Protocol means a statement in writing, issued by the Crown through the Minister to the Te Ātiawa o Te Waka-a-Māui trustees under the Settlement Legislation and the Deed of Settlement and includes this Fisheries Protocol;

ISSUED on []

SIGNED for and on behalf of)
THE SOVEREIGN in right of New Zealand)
by the Minister for Primary Industries)
in the presence of:) _____

Signature of witness

Witness Name

Occupation

TE ĀTIAWA O TE WAKA-A-MĀUI DEED OF SETTLEMENT:
DOCUMENTS SCHEDULE

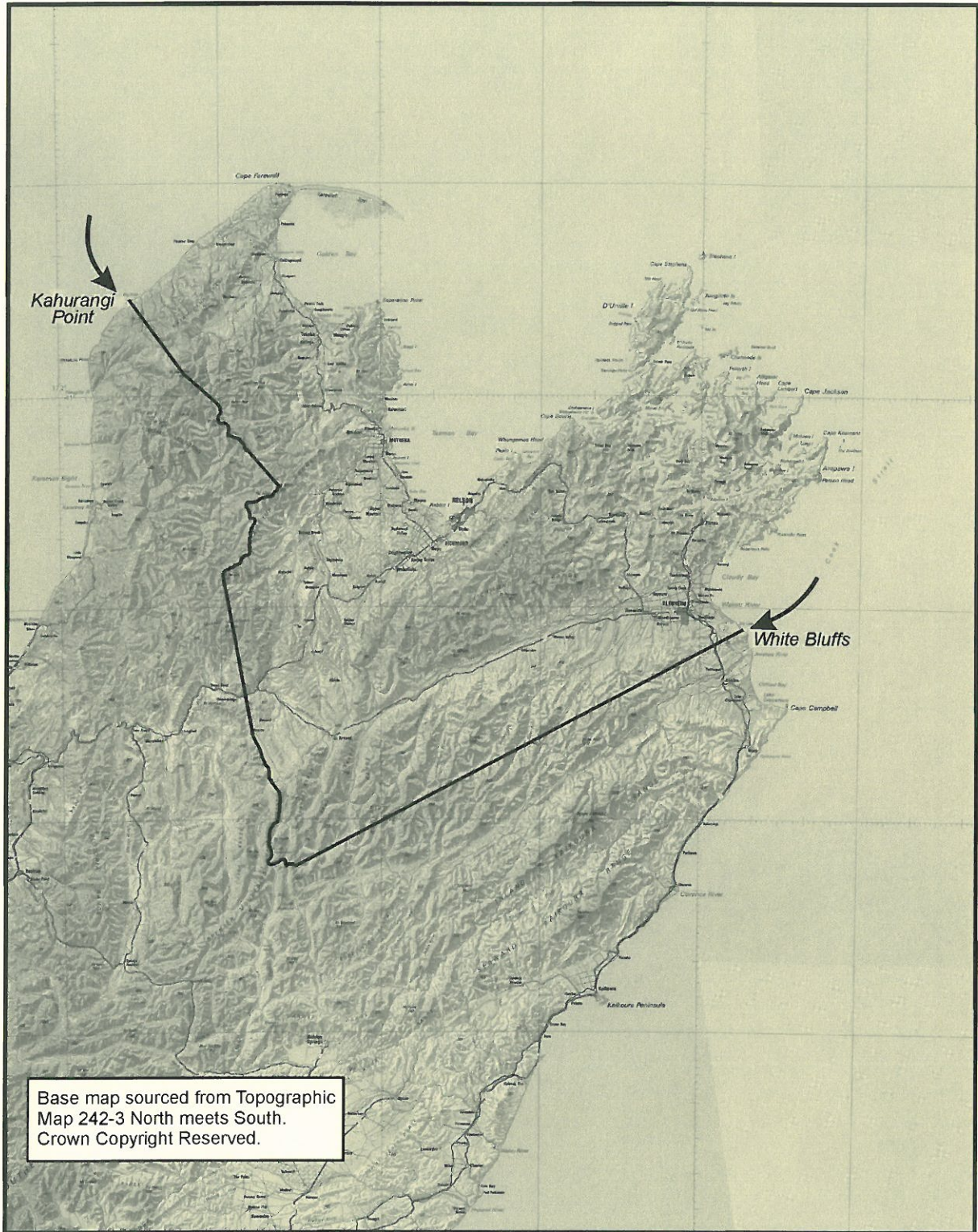
4.2: FISHERIES PROTOCOL

Address

TE ĀTIAWA O TE WAKA-A-MĀUI DEED OF SETTLEMENT:
DOCUMENTS SCHEDULE

4.2: FISHERIES PROTOCOL

ATTACHMENT A
FISHERIES PROTOCOL AREA



ATTACHMENT B

SUMMARY OF THE TERMS OF ISSUE

This protocol is subject to the deed of settlement and the settlement legislation. A summary of the relevant provisions is set out below.

1. **Amendment and cancellation**

- 1.1 The Minister may amend or cancel this protocol, but only after consulting with the Te Ātiawa o Te Waka-a-Māui trustees and having particular regard to its views (*section 32*).

2. **Noting**

- 2.1 A summary of the terms of this protocol must be noted in the fisheries plans affecting the protocol area, but the noting:

2.1.1 is for the purpose of public notice only; and

2.1.2 does not amend the fisheries plans for the purposes of the Fisheries Act 1996 (*section 36*).

3. **Limits**

- 3.1 This protocol does not:

3.1.1 restrict the Crown from exercising its powers, and performing its functions and duties, in accordance with the law and government policy, including:

(a) introducing legislation; or

(b) changing government policy; or

(c) issuing a protocol to, or interacting or consulting with anyone the Crown considers appropriate, including any iwi, hapū, marae, whānau, or representative of tangata whenua (*section 33*); or

3.1.2 restrict the responsibilities of the Minister or the Ministry or the legal rights of Te Ātiawa o Te Waka-a-Māui (*section 33*); or

3.1.3 grant, create, or evidence an estate or interest in, or rights relating to, assets or property rights (including in relation to fish, aquatic life, or seaweed) under:

(a) the Fisheries Act 1996; or

(b) the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992; or

(c) the Maori Commercial Aquaculture Claims Settlement Act 2004; or

(d) the Maori Fisheries Act 2004 (*section 35*).

4.2: FISHERIES PROTOCOL

4. **Breach**

- 4.1 Subject to the Crown Proceedings Act 1950, the Governance Entity may enforce this protocol if the Crown breaches it without good cause, but damages or monetary compensation will not be awarded (*section 34*).
- 4.2 A breach of this protocol is not a breach of the deed of settlement (*clause 5.33*).

4.3 TAONGA TŪTURU PROTOCOL

Clause 5.29.3

4.3: TAONGA TŪTURU PROTOCOL

TAONGA TŪTURU PROTOCOL

A PROTOCOL ISSUED BY THE CROWN THROUGH THE MINISTER FOR ARTS,
CULTURE AND HERITAGE REGARDING INTERACTION WITH TE ĀTIAWA O TE
WAKA-A-MĀUI ON SPECIFIED ISSUES

1. INTRODUCTION

- 1.1 Under the Deed of Settlement dated 21 December 2012 between Te Ātiawa o Te Waka-ā-Māui, the Te Ātiawa o Te Waka-a-Māui Trust and the Crown (the “**Deed of Settlement**”), the Crown agreed that the Minister for Arts, Culture and Heritage (the “**Minister**”) would issue a protocol (the “**Protocol**”) setting out how the Minister and the Chief Executive for Manatū Taonga also known as the Ministry for Culture and Heritage (the “**Chief Executive**”) will interact with the Te Ātiawa o Te Waka-a-Māui Trust on matters specified in the Protocol. These matters are:
- 1.1.1 Protocol Area - Part 2;
 - 1.1.2 Terms of issue - Part 3
 - 1.1.3 Implementation and communication - Part 4
 - 1.1.4 The role of the Chief Executive under the Protected Objects Act 1975 - Part 5
 - 1.1.5 The role of the Minister under the Protected Objects Act 1975 - Part 6
 - 1.1.6 Te Ātiawa o Te Waka-a-Māui Ngā Taonga Tūturu held by Te Papa Tongarewa - Part 7
 - 1.1.7 Effects on Te Ātiawa o te Waka a Māui interests in the Protocol Area - Part 8
 - 1.1.8 Registration as a collector of Ngā Taonga Tūturu - Part 9
 - 1.1.9 Board Appointments - Part 10
 - 1.1.10 National Monuments, War Graves and Historical Graves - Part 11
 - 1.1.11 History publications relating to Te Ātiawa o te Waka a Māui- Part 12
 - 1.1.12 Cultural and/or Spiritual Practices and Tendering - Part 13
 - 1.1.13 Consultation - Part 14
 - 1.1.14 Changes to legislation affecting this Protocol -Part 15
 - 1.1.15 Definitions - Part 16
- 1.2 For the purposes of this Protocol the Te Ātiawa o Te Waka-a-Māui Trust is the body representative of the whānau, hapū, and iwi of Te Ātiawa o te Waka-a-Māui who have an interest in the matters covered under this Protocol. This derives from the status of the Te Ātiawa o Te Waka-a-Māui Trust as tangata whenua in the Protocol Area and is inextricably linked to whakapapa and has important cultural and spiritual dimensions.

4.3: TAONGA TŪTURU PROTOCOL

- 1.3 Manatū Taonga also known as the Ministry (the Ministry) and the Te Ātiawa o Te Waka-a-Māui Trust are seeking a relationship consistent with Te Tiriti o Waitangi/the Treaty of Waitangi and its principles. The principles of Te Tiriti o Waitangi/the Treaty of Waitangi provide the basis for the relationship between the parties to this Protocol, as set out in this Protocol.
- 1.4 The purpose of the Protected Objects Act 1975 is to provide for the better protection of certain objects by, among other things, regulating the export of Taonga Tūturu, and by establishing and recording the ownership of Ngā Taonga Tūturu found after the commencement of the Act, namely 1 April 1976.
- 1.5 The Minister and Chief Executive have certain roles in terms of the matters mentioned in Clause 1.1. In exercising such roles, the Minister and Chief Executive will provide the Te Ātiawa o Te Waka-a-Māui Trust with the opportunity for input, into matters set out in Clause 1.1.

2. PROTOCOL AREA

- 2.1 This Protocol applies across the Protocol Area which is identified in the map included in Attachment A of this Protocol together with adjacent waters (the “**Protocol Area**”).

3. TERMS OF ISSUE

- 3.1 This Protocol is issued pursuant to section 32 (Te Ātiawa o Te Waka-a-Māui) Claims Settlement Act XXX (“**the Settlement Legislation**”) that implements the Te Ātiawa o Te Waka-a-Māui Deed of Settlement, and is subject to the Settlement Legislation and the Deed of Settlement.
- 3.2 This Protocol must be read subject to the terms of issue set out in Attachment B.

4. IMPLEMENTATION AND COMMUNICATION

- 4.1 The Chief Executive will maintain effective communication with the Te Ātiawa o Te Waka-a-Māui Trust by:
 - 4.1.1 maintaining information provided by the Te Ātiawa o Te Waka-a-Māui Trust on the office holders of the Te Ātiawa o Te Waka-a-Māui Trust and their addresses and contact details;
 - 4.1.2 discussing with the Te Ātiawa o Te Waka-a-Māui Trust concerns and issues notified by the governance entity about this Protocol;
 - 4.1.3 as far as reasonably practicable, providing opportunities for the Te Ātiawa o Te Waka-a-Māui Trust to meet with relevant Ministry Managers and staff;
 - 4.1.4 meeting with the Te Ātiawa o Te Waka-a-Māui Trust to review the implementation of this Protocol at least once a year, if requested by either party;
 - 4.1.5 as far as reasonably practicable, training relevant employees within the Ministry on this Protocol to ensure that they are aware of the purpose, content and implications of this Protocol;

4.3: TAONGA TŪTURU PROTOCOL

- 4.1.6 as far as reasonably practicable, inform other organisations with whom it works, central government agencies and stakeholders about this Protocol and provide ongoing information; and
- 4.1.7 including a copy of the Protocol with the Te Ātiawa o Te Waka-a-Māui Trust on the Ministry's website.

5. THE ROLE OF THE CHIEF EXECUTIVE UNDER THE PROTECTED OBJECTS ACT 1975

General

- 5.1 The Chief Executive has certain functions, powers and duties in terms of the Act and will consult, notify and provide information to the Te Ātiawa o Te Waka-a-Māui Trust within the limits of the Act. From the date this Protocol is issued the Chief Executive will:
 - 5.1.1 notify the Te Ātiawa o Te Waka-a-Māui Trust in writing of any Taonga Tūturu found within the Protocol Area or identified as being of Te Ātiawa o Te Waka-a-Māui origin found anywhere else in New Zealand;
 - 5.1.2 provide for the care, recording and custody of any Taonga Tūturu found within the Protocol Area or identified as being of Te Ātiawa o Te Waka-a-Māui origin found anywhere else in New Zealand;
 - 5.1.3 notify the Te Ātiawa o Te Waka-a-Māui Trust in writing of its right to lodge a claim with the Chief Executive for ownership of any Taonga Tūturu found within the Protocol Area or identified as being of Te Ātiawa o Te Waka-a-Māui origin found anywhere else in New Zealand;
 - 5.1.4 notify the Te Ātiawa o Te Waka-a-Māui Trust in writing of its right to apply directly to the Māori Land Court for determination of the actual or traditional ownership, rightful possession or custody of any Taonga Tūturu found within the Protocol Area or identified as being of Te Ātiawa o Te Waka-a-Māui origin found anywhere else in New Zealand, or for any right, title, estate, or interest in any such Taonga Tūturu; and
 - 5.1.5 notify the Te Ātiawa o Te Waka-a-Māui Trust in writing of any application to the Māori Land Court from any other person for determination of the actual or traditional ownership, rightful possession or custody of any Taonga Tūturu found within the Protocol Area or identified as being of Te Ātiawa o Te Waka-a-Māui origin found anywhere else in New Zealand, or for any right, title, estate, or interest in any such Taonga Tūturu.

Applications for Ownership

- 5.2. If the Te Ātiawa o Te Waka-a-Māui Trust lodges a claim of ownership with the Chief Executive and there are no competing claims for any Taonga Tūturu found within the Protocol Area or identified as being of Te Ātiawa o Te Waka-a-Māui origin found anywhere else in New Zealand, the Chief Executive will, if satisfied that the claim is valid, apply to the Registrar of the Māori Land Court for an order confirming ownership of the Taonga Tūturu.
- 5.3 If there is a competing claim or claims lodged in conjunction with the Te Ātiawa o Te Waka-a-Māui Trust's claim of ownership, the Chief Executive will consult with the Te

4.3: TAONGA TŪTURU PROTOCOL

Ātiawa o Te Waka-a-Māui Trust for the purpose of resolving the competing claims, and if satisfied that a resolution has been agreed to, and is valid, apply to the Registrar of the Māori Land Court for an order confirming ownership of the Taonga Tūturu.

- 5.4 If the competing claims for ownership of any Taonga Tūturu found within the Protocol Area or identified as being of Te Ātiawa o Te Waka-a-Māui origin found anywhere else in New Zealand, cannot be resolved, the Chief Executive at the request of the Te Ātiawa o Te Waka-a-Māui Trust may facilitate an application to the Māori Land Court for determination of ownership of the Taonga Tūturu.

Applications for Custody

- 5.5 If no ownership application is made to the Māori Land Court for any Taonga Tūturu found within the Protocol Area or identified as being of Te Ātiawa o Te Waka-a-Māui origin found elsewhere in New Zealand by the Te Ātiawa o Te Waka-a-Māui Trust or any other person, the Chief Executive will:

- 5.5.1 consult the Te Ātiawa o Te Waka-a-Māui Trust where there is any request from any other person for the custody of the Taonga Tūturu;
- 5.5.2 consult the Te Ātiawa o Te Waka-a-Māui Trust before a decision is made on who may have custody of the Taonga Tūturu; and
- 5.5.3 notify the Te Ātiawa o Te Waka-a-Māui Trust in writing of the decision made by the Chief Executive on the custody of the Taonga Tūturu.

Export Applications

- 5.6 For the purpose of seeking an expert opinion from the Te Ātiawa o Te Waka-a-Māui Trust on any export applications to remove any Taonga Tūturu of Te Ātiawa o Te Waka-a-Māui origin from New Zealand, the Chief Executive will register the Te Ātiawa o Te Waka-a-Māui Trust on the Ministry for Culture and Heritage's Register of Expert Examiners.
- 5.7 Where the Chief Executive receives an export application to remove any Taonga Tūturu of Te Ātiawa o Te Waka-a-Māui origin from New Zealand, the Chief Executive will consult the Te Ātiawa o Te Waka-a-Māui Trust as an Expert Examiner on that application, and notify the Te Ātiawa o Te Waka-a-Māui Trust in writing of his or her decision.

6. THE ROLE OF THE MINISTER UNDER THE PROTECTED OBJECTS ACT 1975

- 6.1 The Minister has functions, powers and duties under the Act and may consult, notify and provide information to the Te Ātiawa o Te Waka-a-Māui Trust within the limits of the Act. In circumstances where the Chief Executive originally consulted the Te Ātiawa o Te Waka-a-Māui Trust as an Expert Examiner, the Minister may consult with the Te Ātiawa o Te Waka-a-Māui Trust where a person appeals the decision of the Chief Executive to:
- 6.1.1 refuse permission to export any Taonga Tūturu, or Ngā Taonga Tūturu, from New Zealand; or
 - 6.1.2 impose conditions on the approval to export any Taonga Tūturu, or Ngā Taonga Tūturu, from New Zealand;

4.3: TAONGA TŪTURU PROTOCOL

6.2 The Ministry will notify the Te Ātiawa o Te Waka-a-Māui Trust in writing of the Minister's decision on an appeal in relation to an application to export any Taonga Tūturu where the Te Ātiawa o Te Waka-a-Māui Trust was consulted as an Expert Examiner.

7. TE ĀTIAWA O TE WAKA Ā MĀUI NGA TAONGA TUTURU HELD BY TE PAPA TONGAREWA

7.1 The Chief Executive will invite Te Papa Tongarewa to enter into a relationship with the Te Ātiawa o Te Waka-a-Māui Trust, for the purposes of Te Papa Tongarewa compiling a full inventory of Taonga Tūturu held by Te Papa Tongarewa, which are of cultural, spiritual and historical importance to Te Ātiawa o Te Waka-a-Māui; and

7.2 associated costs and/or additional resources required to complete the obligations under paragraph 7.1 will be funded by Te Papa Tongarewa, as resources allow.

8. EFFECTS ON TE ĀTIAWA O TE WAKA Ā MĀUI INTERESTS IN THE PROTOCOL AREA

8.1 The Chief Executive and the Te Ātiawa o Te Waka-a-Māui Trust shall discuss any policy and legislative development, which specifically affects Te Ātiawa o Te Waka-a-Māui interests in the Protocol Area.

8.2 The Chief Executive and the Te Ātiawa o Te Waka-a-Māui Trust shall discuss any of the Ministry's operational activities, which specifically affect Te Ātiawa o Te Waka-a-Māui interests in the Protocol Area.

8.3 Notwithstanding paragraphs 8.1 and 8.2 above the Chief Executive and the Te Ātiawa o Te Waka-a-Māui Trust shall meet to discuss Te Ātiawa o Te Waka-a-Māui interests in the Protocol Area as part of the meeting specified in clause 4.1.4.

9. REGISTRATION AS A COLLECTOR OF NGĀ TAONGA TŪTURU

9.1 The Chief Executive will register the Te Ātiawa o Te Waka-a-Māui Trust as a Registered Collector of Taonga Tūturu.

10. BOARD APPOINTMENTS

10.1 The Chief Executive shall:

10.1.1 notify the Te Ātiawa o Te Waka-a-Māui Trust of any upcoming ministerial appointments on Boards which the Minister for Arts, Culture and Heritage appoints to;

10.1.2 add the Te Ātiawa o Te Waka-a-Māui Trust's nominees onto Manatū Taonga/Ministry for Culture and Heritage's Nomination Register for Boards, which the Minister for Arts, Culture and Heritage appoints to; and

10.1.3 notify the Te Ātiawa o Te Waka-a-Māui Trust of any ministerial appointments to Boards which the Minister for Arts, Culture and Heritage appoints to, where these are publicly notified.

4.3: TAONGA TŪTURU PROTOCOL

11. NATIONAL MONUMENTS, WAR GRAVES AND HISTORIC GRAVES

- 11.1 The Chief Executive shall seek and consider the views of the Te Ātiawa o Te Waka-a-Māui Trust on any national monument, war grave or historical grave, managed or administered by the Ministry, which specifically relates to Te Ātiawa o Te Waka-a-Māui interests.
- 11.2 The Chief Executive will provide for the marking and maintenance of any historic war grave identified by the Te Ātiawa o Te Waka-a-Māui Trust, which the Chief Executive considers complies with the Ministry's War Graves Policy criteria; that is, a casualty, whether a combatant or non-combatant, whose death was a result of the armed conflicts within New Zealand in the period 1840 to 1872 (the New Zealand Wars).

12. HISTORY PUBLICATIONS RELATING TO TE ĀTIAWA O TE WAKA Ā MĀUI

- 12.1 The Chief Executive shall:

12.1.1 provide the Te Ātiawa o Te Waka-a-Māui Trust with a list of all history publications commissioned or undertaken by the Ministry that relates substantially to Te Ātiawa o Te Waka-a-Māui, and will supply these on request; and

12.1.2 discuss with the Te Ātiawa o Te Waka-a-Māui Trust any work the Ministry undertakes that deals specifically or substantially with Te Ātiawa o Te Waka-a-Māui.

13. PROVISION OF CULTURAL AND/OR SPIRITUAL PRACTICES AND PROFESSIONAL SERVICES

- 13.1 When the Chief Executive requests cultural and/or spiritual practices to be undertaken by Te Ātiawa o Te Waka-a-Māui within the Protocol Area, the Chief Executive will make a contribution, subject to prior mutual agreement, to the costs of undertaking such practices.
- 13.2 Where appropriate, the Chief Executive will consider using the Te Ātiawa o Te Waka-a-Māui Trust as a provider of professional services.
- 13.3 The procurement by the Chief Executive of any such services set out in Clauses 13.1 and 13.2 is subject to the Government's Mandatory Rules for Procurement by Departments, all government good practice policies and guidelines, and the Ministry's purchasing policy.

14. CONSULTATION

- 14.1 Where the Chief Executive is required to consult under this Protocol, the basic principles that will be followed in consulting with the Te Ātiawa o Te Waka-a-Māui Trust in each case are:
- 14.1.1 ensuring that the Te Ātiawa o Te Waka-a-Māui Trust is consulted as soon as reasonably practicable following the identification and determination by the Chief Executive of the proposal or issues to be the subject of the consultation;

4.3: TAONGA TŪTURU PROTOCOL

- 14.1.2 providing the Te Ātiawa o Te Waka-a-Māui Trust with sufficient information to make informed decisions and submissions in relation to any of the matters that are the subject of the consultation;
- 14.1.3 ensuring that sufficient time is given for the participation of the Te Ātiawa o Te Waka-a-Māui Trust in the decision making process including the preparation of submissions by the Te Ātiawa o Te Waka-a-Māui Trust in relation to any of the matters that are the subject of the consultation;
- 14.1.4 ensuring that the Chief Executive will approach the consultation with the Te Ātiawa o Te Waka-a-Māui Trust with an open mind, and will genuinely consider the submissions of the Te Ātiawa o Te Waka-a-Māui Trust in relation to any of the matters that are the subject of the consultation; and
- 14.1.5 report back to the Te Ātiawa o Te Waka-a-Māui Trust, either in writing or in person, in regard to any decisions made that relate to that consultation.

15. CHANGES TO POLICY AND LEGISLATION AFFECTING THIS PROTOCOL

- 15.1 If the Chief Executive consults with Māori generally on policy development or any proposed legislative amendment to the Act that impacts upon this Protocol, the Chief Executive shall:
 - 15.1.1 notify the Te Ātiawa o Te Waka-a-Māui Trust of the proposed policy development or proposed legislative amendment upon which Māori generally will be consulted;
 - 15.1.2 make available to the Te Ātiawa o Te Waka-a-Māui Trust the information provided to Māori as part of the consultation process referred to in this clause; and
 - 15.1.3 report back to the Te Ātiawa o Te Waka-a-Māui Trust on the outcome of any such consultation.

16. DEFINITIONS

- 16.1 In this Protocol:

Chief Executive means the Chief Executive of the Ministry for Culture and Heritage and includes any authorised employee of the Ministry for Culture and Heritage acting for and on behalf of the Chief Executive;

Crown means the Sovereign in right of New Zealand and includes, where appropriate, the Ministers and Departments of the Crown that are involved in, or bound by the terms of the Deed of Settlement to participate in, any aspect of the redress under the Deed of Settlement;

Expert Examiner has the same meaning as in section 2 of the Act and means a body corporate or an association of persons;

Found has the same meaning as in section 2 of the Act and means:

in relation to any Taonga Tūturu, means discovered or obtained in circumstances which do not indicate with reasonable certainty the lawful ownership of the Taonga

4.3: TAONGA TŪTURU PROTOCOL

Tūturu and which suggest that the Taonga Tūturu was last in the lawful possession of a person who at the time of finding is no longer alive; and 'finding' and 'finds' have corresponding meanings;

Ngā Taonga Tūturu has the same meaning as in section 2 of the Act and means two or more Taonga Tūturu;

Protocol means a statement in writing, issued by the Crown through the Minister to the governance entity under the Settlement Legislation and the Deed of Settlement and includes this Protocol;

Taonga Tūturu has the same meaning as in section 2 of the Act and means an object that:

- (a) relates to Māori culture, history, or society; and
- (b) was, or appears to have been:
 - (i) manufactured or modified in New Zealand by Māori; or
 - (ii) brought into New Zealand by Māori; or
 - (iii) used by Māori; and
- (c) is more than 50 years old;

Te Ātiawa o Te Waka-a-Māui has the meaning set out in clause 8.9 of the Deed of Settlement; and

Te Ātiawa o Te Waka-a-Māui Trust has the meaning given to it in the Deed of Settlement and where appropriate means the trustees for the time being of the Te Ātiawa o Te Waka-a-Māui Trust.

ISSUED on

SIGNED for and on behalf of **THE SOVEREIGN** in right of New Zealand by the Minister for Arts, Culture and Heritage:

WITNESS

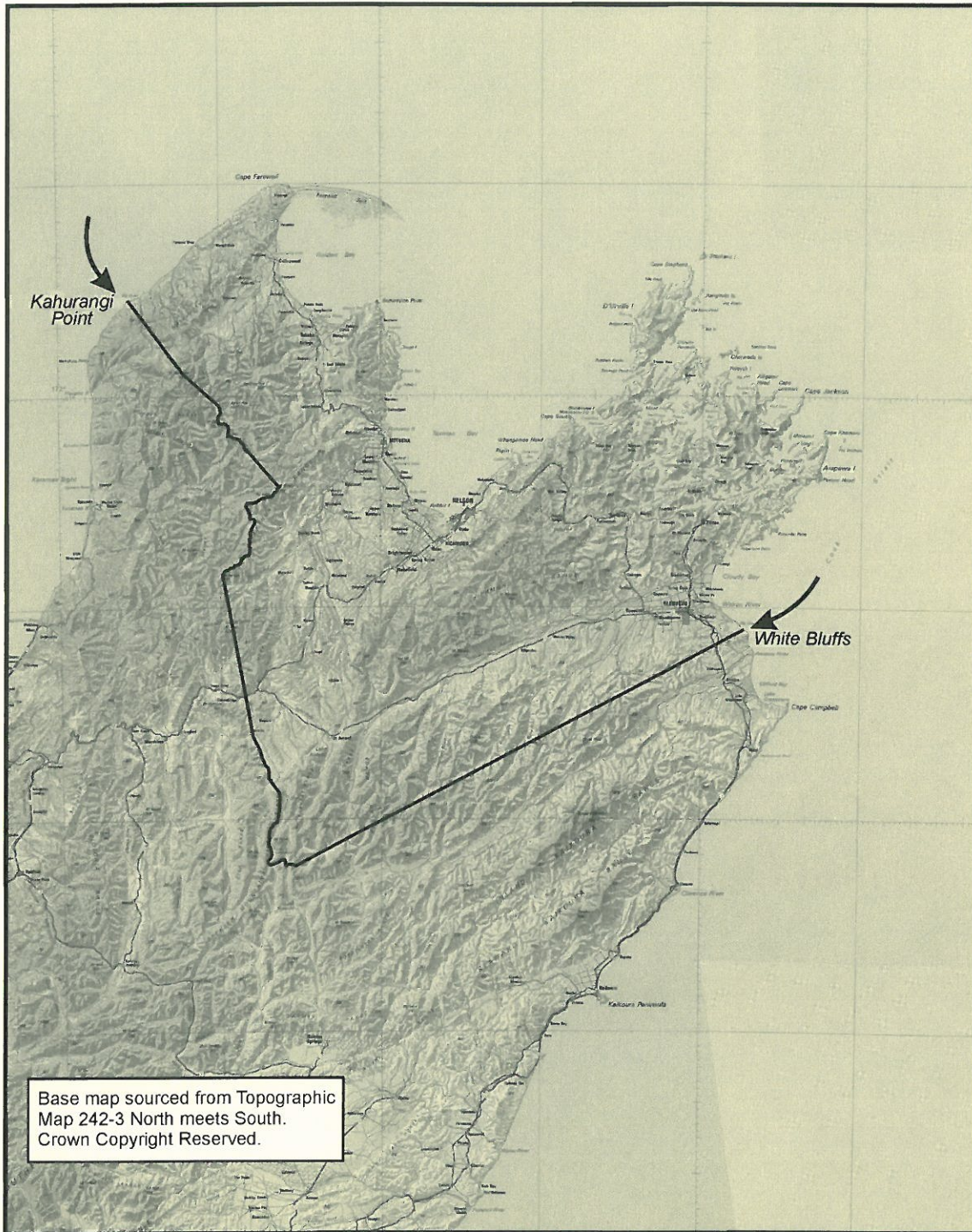
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Address:

4.3: TAONGA TŪTURU PROTOCOL

ATTACHMENT A
TOANGA TŪTURU PROTOCOL AREA



4.3: TAONGA TŪTURU PROTOCOL

ATTACHMENT B

SUMMARY OF THE TERMS OF ISSUE

This protocol is subject to the deed of settlement and the settlement legislation. A summary of the relevant provisions is set out below.

1. **Amendment and cancellation**

1.1 The Minister may amend or cancel this protocol, but only after consulting with the Te Ātiawa o Te Waka-a-Māui trustees and having particular regard to its views (*section 32*).

2. **Limits**

2.1 This protocol does not:

2.1.1 restrict the Crown from exercising its powers, and performing its functions and duties, in accordance with the law and government policy, including:

(a) introducing legislation; or

(b) changing government policy; or

(c) issuing a protocol to, or interacting or consulting with anyone the Crown considers appropriate, including any iwi, hapū, marae, whānau, or representative of tangata whenua (*section 33*); or

2.1.2 restrict the responsibilities of the Minister or the Ministry or the legal rights of Te Ātiawa o Te Waka-a-Māui (*section 33*); or

2.1.3 grant, create, or evidence an estate or interest in, or rights relating to, taonga tūturu (*section 35*).

3. **Breach**

3.1 Subject to the Crown Proceedings Act 1950, the Governance Entity may enforce this protocol if the Crown breaches it without good cause, but damages or monetary compensation will not be awarded (*section 34*).

3.2 A breach of this protocol is not a breach of the deed of settlement (*clause 5.33*).

4.4 MINERALS PROTOCOL

Clause 5.29.4

4.4: MINERALS PROTOCOL

PROTOCOL ISSUED BY THE CROWN THROUGH THE MINISTER OF ENERGY AND RESOURCES REGARDING CONSULTATION WITH TE ĀTIAWA O TE WAKA-A-MĀUI BY THE MINISTRY OF BUSINESS, INNOVATION AND EMPLOYMENT ON THE ADMINISTRATION OF CROWN OWNED MINERALS

1. INTRODUCTION

- 1.1 Under the Deed of Settlement dated 21 December 2012 between Te Ātiawa o Te Waka-a-Māui (“**Te Ātiawa**”), the Te Ātiawa o Te Waka-a-Māui Trust and the Crown (the “**Deed of Settlement**”), the Crown agreed that the Minister of Energy and Resources (the “**Minister**”) would issue a Protocol (the “**Minerals Protocol**”) setting out how the Ministry of Business, Innovation and Employment (the “**Ministry**”) will consult with the Te Ātiawa o Te Waka-a-Māui trustees on matters specified in the Minerals Protocol.
- 1.2 For the purposes of this Protocol the Te Ātiawa o Te Waka-a-Māui trustees are the body representative of the whānau and iwi of Te Ātiawa who have interests and responsibilities in relation to the Protocol Area. These interests and responsibilities are inextricably linked to whakapapa and have important cultural and spiritual dimensions.
- 1.3 The Ministry and Te Ātiawa o Te Waka-a-Māui are seeking a healthy and constructive relationship based on the principles of Te Tiriti o Waitangi/the Treaty of Waitangi.
- 1.4 The purpose of the Crown Minerals Act 1991 (the “**Act**”) is to restate and reform the law relating to the management of Crown owned minerals. Section 4 of the Act requires all persons exercising functions and powers under the Act to have regard to the principles of Te Tiriti o Waitangi/the Treaty of Waitangi.
- 1.5 The Minister is responsible under the Act for the preparation of mineral programmes, the grant of minerals permits, and monitoring the effect and implementation of minerals programmes and minerals permits. The Ministry administers the Act on behalf of the Minister.
- 1.6 This Minerals Protocol will affect the Ministry’s administration of Crown owned minerals under the Act in the Minerals Protocol Area.

2. TE ĀTIAWA VALUES

- 2.1 Te Ātiawa o Te Waka-a-Māui asserts that Te Ātiawa o Te Waka-a-Māui rangatiratanga over the whenua has great responsibilities to the lands, waters and all its resources. The landscape defines Te Ātiawa o Te Waka-a-Māui and their customary use of traditional resources is the context in which Te Ātiawa o Te Waka-a-Māui most often engage with the natural world thus providing for the transmission of intergenerational knowledge; the maintenance of identity; and the manifestation of their custodial responsibilities.
- 2.2 Te Ātiawa o Te Waka-a-Māui assert their kaitiaki interests in upholding and protecting the mana and mauri of taonga minerals and limestone karst and cave landforms within its rohe. As kaitiaki of taonga minerals and landform in Te Tau Ihu, Te Ātiawa o Te Waka-a-Māui believes the environment is seen as an ancestral landscape that encapsulates sites of significance.

4.4: MINERALS PROTOCOL

- 2.3 Te Ātiawa o Te Waka-a-Māui is tangata whenua within the rohe (Appendix A), and Te Ātiawa o Te Waka-a-Māui sees the environment as an ancestral landscape that encapsulates sites of significance. Te Ātiawa o Te Waka-a-Māui views the land and water as an indivisible whole. The land is connected to the water resources which flow in, on or under it, as is the water related to the land that surrounds it. Both the lands and waters are in turn connected to the people as the mana whenua in this rohe.
- 2.4 Te Ātiawa o Te Waka-a-Māui asserts that Te Ātiawa o Te Waka-a-Māui undertakes the responsibility as kaitiaki under tikanga Māori to preserve, protect, and manage natural and historic resources these spiritually important dimensions within their rohe (Appendix A). As a tangata whenua iwi, Te Ātiawa o Te Waka-a-Māui is charged to look after them for future generations. The use of the lands, waters and associated resources is conducted under special codes in accordance with responsibilities as kaitiaki. These principles ensure the maintenance of these taonga, and the avoidance of overuse, greed and disrespect.

3. PURPOSE OF THIS PROTOCOL

- 3.1 This Minerals Protocol sets out how the Ministry will have regard to the rights and interests of Te Ātiawa o Te Waka-a-Māui while exercising its functions, powers, and duties in relation to the matters set out in this Minerals Protocol.
- 3.2 Te Ātiawa o Te Waka-a-Māui will have the opportunity for input into the policy, planning, and decision-making processes relating to the matters set out in this Minerals Protocol in accordance with the Act and the relevant minerals programmes issued under the Act.

4. PROTOCOL AREA

- 4.1 This Minerals Protocol applies across the Minerals Protocol Area which means the area identified in the map included in Attachment A of this Minerals Protocol together with the waters (including foreshore and seabed) of the coastal areas adjacent to the coastal boundary shown on that map within the Territorial Sea (as defined in the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977).

5. TERMS OF ISSUE

- 5.1 This Minerals Protocol is issued pursuant to section 32 of [insert the name of the Settlement Legislation] (the "**Settlement Legislation**") that implements clause 5.30 of the Deed of Settlement, and is subject to the Settlement Legislation and the Deed of Settlement.
- 5.2 This Minerals Protocol must be read subject to the terms of issue set out in Attachment B.

6. CONSULTATION

- 6.1 The Minister will ensure that the Te Ātiawa o Te Waka-a-Māui are consulted by the Ministry:

New minerals programmes

- 6.1.1 on the preparation of new minerals programmes which relate, whether wholly or in part, to the Minerals Protocol Area;

4.4: MINERALS PROTOCOL

Petroleum exploration permit block offers

6.1.2 on the planning of a competitive tender allocation of a permit block for Petroleum exploration (being a specific area with defined boundaries available for allocation as a permit in accordance with section 24 of the Act and the relevant minerals programme), which relates, whether wholly or in part, to the Minerals Protocol Area;

Other petroleum exploration permit applications

6.1.3 when any application for a petroleum exploration permit is considered, which relates, whether wholly or in part, to the Minerals Protocol Area, except where the application relates to a block offer over which consultation has already taken place under clause 6.1.2;

Amendments to petroleum exploration permits

6.1.4 when any application to amend a petroleum exploration permit, by extending the land or minerals to which the permit relates, is considered, where the application relates, wholly or in part, to the Minerals Protocol Area;

Permit block offers for Crown owned minerals other than petroleum

6.1.5 on the planning of a competitive tender allocation of a permit block for Crown owned minerals other than Petroleum (being a specific area with defined boundaries available for allocation as a permit in accordance with section 24 of the Act and any relevant minerals programme) which relates, whether wholly or in part, to the Minerals Protocol Area;

Newly available acreage

6.1.6 when the Secretary proposes to recommend that the Minister grant an application for a permit for newly available acreage in respect of minerals other than petroleum, which relates, whether wholly or in part, to the Minerals Protocol Area; and

Other permit applications for Crown owned minerals other than petroleum

6.1.7 when any application for a permit in respect of Crown owned minerals other than petroleum is considered, which relates, whether wholly or in part, to the Minerals Protocol Area, except where the application relates to a competitive tender allocation of a permit block offer over which consultation has already taken place under clause 6.1.6;

Amendments to permits for Crown owned minerals other than petroleum

6.1.8 when any application to amend a permit in respect of Crown owned minerals other than petroleum, by extending the land or minerals covered by an existing permit is considered; and

6.1.9 where the application relates, wholly or in part, to the Minerals Protocol Area.

6.2 Each decision on a proposal referred to in clause 6.1 will be made having regard to any matters raised as a result of consultation with the Te Ātiawa o Te Waka-a-Māui trustees,

4.4: MINERALS PROTOCOL

and having regard to the principles of Te Tiriti o Waitangi/the Treaty of Waitangi, particularly as those principles are set out in the relevant minerals programme from time to time, and taking into account the circumstances of each case.

6.3 Where the Te Ātiawa o Te Waka-a-Māui trustees request that the Minister exclude land from a permit or competitive tender referred to in clause 6.1, the Minister will ordinarily consider the following matters:

6.3.1 the particular importance of the land to Te Ātiawa o Te Waka-a-Māui;

6.3.2 whether the land is a known waahi tapu site;

6.3.3 the uniqueness of the land (for example, whether the land is mahinga kai (food gathering area) or waka tauranga (a landing place of the ancestral canoes));

6.3.4 whether the importance of the land to Te Ātiawa o Te Waka-a-Māui has already been demonstrated (for example, by Treaty claims or Treaty settlements resulting in a statutory acknowledgment or other redress instrument under settlement legislation);

6.3.5 any relevant Treaty claims or settlements;

6.3.6 whether granting a permit over the land or the particular minerals would impede the progress of redress of any Treaty claims;

6.3.7 any Te Ātiawa o Te Waka-a-Māui management plans that specifically exclude the land from certain activities;

6.3.8 the ownership of the land;

6.3.9 whether the area is already protected under an enactment (for example, the Resource Management Act 1991, the Conservation Act 1987, or the Historic Places Act 1993); and

6.3.10 the size of the land and the value or potential value of the relevant mineral resources if the land is excluded.

7. IMPLEMENTATION AND COMMUNICATION

7.1 The Crown has an obligation under the Act (as provided for in minerals programmes) to consult with parties whose interests may be affected by matters described in clause 6.1 of this Minerals Protocol. The Ministry will consult with the Te Ātiawa o Te Waka-a-Māui trustees in accordance with this Minerals Protocol and in accordance with the relevant minerals programme if matters described in clause 6.1 and clause 7 of this Minerals Protocol Area may affect the interests of Te Ātiawa.

7.2 The basic principles that will be followed by the Ministry in consulting with the Te Ātiawa o Te Waka-a-Māui trustees in each case are:

7.2.1 ensuring that the Te Ātiawa o Te Waka-a-Māui trustees are consulted as soon as reasonably practicable following the identification and determination by the Ministry of the proposal or issues in relation to any matters under clause 6 of this Minerals Protocol;

4.4: MINERALS PROTOCOL

- 7.2.2 providing the Te Ātiawa o Te Waka-a-Māui trustees with sufficient information to make informed decisions and submissions in relation to any of the matters described in clause 5 of this Minerals Protocol;
 - 7.2.3 ensuring that sufficient time is given for the participation of the Te Ātiawa o Te Waka-a-Māui trustees in the decision making process and the consideration by the Te Ātiawa o Te Waka-a-Māui trustees of its submissions in relation to any of the matters described in clause 5 of this Minerals Protocol; and
 - 7.2.4 ensuring that the Ministry will approach the consultation with the Te Ātiawa o Te Waka-a-Māui trustees with an open mind, and will genuinely consider the submissions of the Te Ātiawa o Te Waka-a-Māui trustees in relation to any of the matters described in clause 5 of this Minerals Protocol.
- 7.3 Where the Ministry is required to consult the Te Ātiawa o Te Waka-a-Māui trustees as specified in clause 7.1, the Ministry will report back in writing to the Te Ātiawa o Te Waka-a-Māui trustees on the decision made as a result of such consultation.
- 7.4 The Ministry will seek to fulfill its obligations under this Minerals Protocol by:
- 7.4.1 maintaining information on the Te Ātiawa o Te Waka-a-Māui trustees' address and contact details as provided from time to time by the Te Ātiawa o Te Waka-a-Māui trustees;
 - 7.4.2 as far as reasonably practicable, ensuring relevant employees within the Ministry are aware of the purpose, content and implications of this Minerals Protocol;
 - 7.4.3 nominating relevant employees to act as contacts with the Te Ātiawa o Te Waka-a-Māui trustees in relation to issues concerning this Minerals Protocol; and
 - 7.4.4 providing the Te Ātiawa o Te Waka-a-Māui trustees with the names of the relevant employees who will act as contacts with the Te Ātiawa o Te Waka-a-Māui trustees in relation to issues concerning this Minerals Protocol.

8. CHANGES TO POLICY AND LEGISLATION

- 8.1 If the Chief Executive consults with Māori generally on policy development or any proposed legislative amendment to the Minerals Act that impacts upon this Protocol, the Chief Executive shall:
- 8.1.1 notify the Te Ātiawa o Te Waka-a-Māui trustees of the proposed policy development or proposed legislative amendment;
 - 8.1.2 make available to the Te Ātiawa o Te Waka-a-Māui trustees the information provided to Māori as part of the consultation process referred to in this clause; and
 - 8.1.3 report back to the Te Ātiawa o Te Waka-a-Māui trustees on the outcome of any such consultation.

4.4: MINERALS PROTOCOL

9. DEFINITIONS

9.1 In this Minerals Protocol:

Act means the Minerals Act 1991 as amended, consolidated or substituted;

Crown means the Sovereign in right of New Zealand and includes, where appropriate, the Ministers and Departments of the Crown that are involved in, or bound by the terms of the Deed of Settlement to participate in, any aspect of the redress under the Deed of Settlement;

Crown owned minerals means any mineral (as defined below) that is the property of the Crown in accordance with sections 10 and 11 of the Act or over which the Crown has jurisdiction in accordance with the Continental Shelf Act 1964;

Deed of Settlement means the Deed of Settlement dated 21 December 2012 between the Crown and Te Ātiawa o Te Waka-a-Māui;

Land includes land covered by water; and also includes the foreshore and seabed to the outer limits of the territorial sea;

Mineral means a naturally occurring inorganic substance beneath or at the surface of the earth, whether or not under water, and includes all metallic minerals, non-metallic minerals, fuel minerals (including coal and Petroleum), precious stones, industrial rocks and building stones within the meaning of the Act and a prescribed substance within the meaning of the Atomic Energy Act 1945;

Minister means the Minister of Energy and Resources;

Ministry means the Ministry of Business, Innovation and Employment;

Te Ātiawa has the meaning set out in clause 8.9.1 of the Deed of Settlement;

Te Ātiawa o Te Waka-a-Māui trustees means the trustees for the time being of the Te Ātiawa o Te Waka-a-Māui Trust;

Petroleum means:

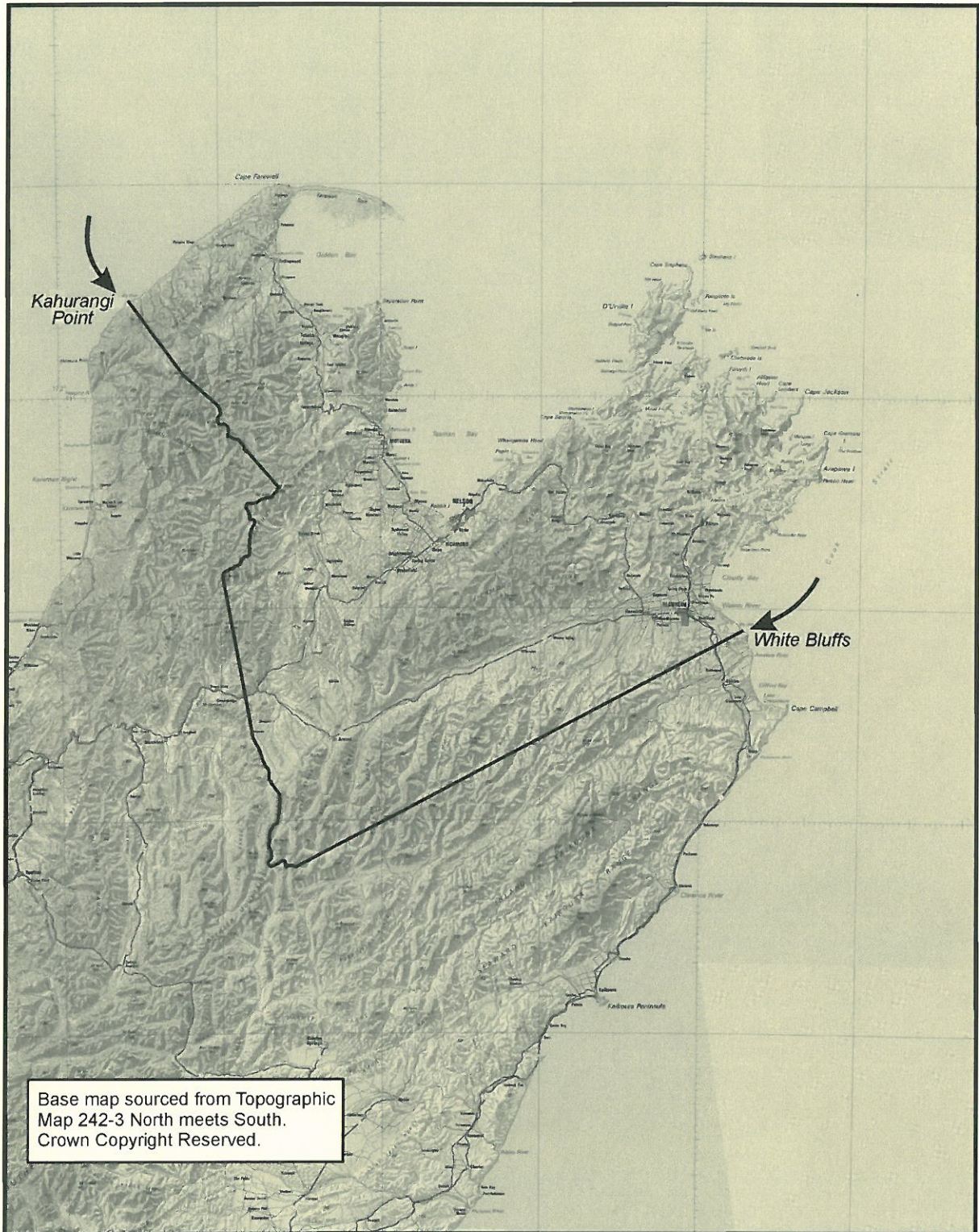
- (a) any naturally occurring hydrocarbon (other than coal) whether in a gaseous, liquid, or solid state; or
- (b) any naturally occurring mixture of hydrocarbons (other than coal) whether in a gaseous, liquid, or solid state; or
- (c) any naturally occurring mixture of hydrocarbons (other than coal) whether in a gaseous, liquid, or solid state, and one or more of the following, namely hydrogen sulphide, nitrogen, helium, or carbon dioxide;

and, except in sections 10 and 11 of the Act, includes any petroleum as so defined which has been mined or otherwise recovered from its natural condition, or which has been so mined or otherwise recovered, but which has been returned to a natural reservoir for storage purposes in the same or an adjacent area; and

TE ĀTIAWA O TE WAKA-A-MĀUI DEED OF SETTLEMENT:
DOCUMENTS SCHEDULE

4.4: MINERALS PROTOCOL

ATTACHMENT A
MINERALS PROTOCOL AREA



ATTACHMENT B: SUMMARY OF THE TERMS OF ISSUE

This Minerals Protocol is subject to the Deed of Settlement and the Settlement Legislation. A summary of the relevant provisions is set out below.

1. Amendment and cancellation

- 1.1 The Minister may amend or cancel this Minerals Protocol, but only after consulting with the Te Ātiawa o Te Waka-a-Māui trustees and having particular regard to its views (section 32).

2. Noting

- 2.1 A summary of the terms of this Minerals Protocol must be added:

2.1.1 in a register of protocols maintained by the chief executive; and

2.1.2 in the minerals programme affecting the Minerals Protocol Area when those programmes are replaced;

but the addition;

2.1.3 is for the purpose of public notice only; and

2.1.4 does not amend the minerals programmes for the purposes of the Crown Minerals Act 1991 (section 36).

3. Limits

- 3.1 This Minerals Protocol does not:

3.1.1 restrict the Crown from exercising its powers, and performing its functions and duties, in accordance with the law (including the Crown Minerals Act 1991) and government policy, including:

(a) introducing legislation; or

(b) changing government policy; or

(c) issuing a Protocol to, or interacting or consulting with, anyone the Crown considers appropriate, including any iwi, hapu, marae, whanau, or representative of tangata whenua (section 33); or

3.1.2 restrict the responsibilities of the Minister or the Ministry under the Crown Minerals Act 1991 or the legal rights of Te Ātiawa o Te Waka-a-Māui or a representative entity (section 33); or

3.1.3 grant, create, or provide evidence of an estate or interest in, or rights relating to Crown owned minerals (section 35).

- 3.2 In this Summary of the Terms of Issue, “representative entity” has the same meaning as it has in the Deed of Settlement.

4.4: MINERALS PROTOCOL

4. **Breach**

- 4.1 Subject to the Crown Proceedings Act 1950, the Governance Entity may enforce this Minerals Protocol if the Crown breaches it without good cause, but damages or monetary compensation will not be awarded (section 34).
- 4.2 A breach of this Minerals Protocol is not a breach of the Deed of Settlement (clause 5.33).