

14 Hineuru Statutory Acknowledgements

In accordance with Section 39 of the Hineuru Claims Settlement Act 2016, information recording the Statutory Acknowledgements is hereby attached to the Bay of Plenty Regional Policy Statement. This information includes the relevant provisions from the schedules to the Hineuru Claims Settlement Act 2016 in full, the description of the statutory areas and the statement of association as recorded in the Statutory Acknowledgements.

14.1 Statutory areas within the Bay of Plenty

The statutory areas for which Hineuru has Statutory Acknowledgments wholly or partly in the Bay of Plenty region are:

Statutory Area	Location
Rangitāiki Conservation Area	As shown on OTS-205-13
Kokomoka Forest	As shown on OTS-205-15
Whirinaki Te Pua-ā-Tāne Conservation Park (Whirinaki Conservation Park) within Hineuru area of interest	As shown on OTS-205-16
Te Kohu Ecological Area	As shown on OTS-205-22
Statutory areas that are watercourses	Location
Rangitaiki River and its tributaries within Hineuru area of interest	As shown on OTS-205-27

14.2 Statutory Acknowledgement for Rangitāiki Conservation Area

14.2.1 Statutory Area

The area to which this Statutory Acknowledgement applies is Rangitāiki Conservation Area as shown on deed plan OTS-205-13.

14.2.2 Statement of Association

Preamble

Under Section 34, the Crown acknowledges the statement by Hineuru of association with Rangitāiki Conservation Area.

Association of Hineuru with Statutory Area

Whakapapa genealogy connects us as Hineuru people to the earth, the sky and all that lies in between. Our Hineuru whakapapa through Apa Hapaitaketake, connects us to this land area in particular, and to those ancestors who occupied this area. While whakapapa determines our biological descent, it is also a primary structuring framework that not only articulates our rights to this area, but our obligations as tangata whenua, people of the land, to ensure this area is protected and maintained sustainably in accordance with our customary practices and principles.

For Hineuru, the Rangitaiki Conservation Area and its environs are integral to the distinct identity and mana of the iwi. The importance of the Rangitaiki Conservation Area derives predominantly from its use as a mahinga kai, rather than as an area of ongoing, permanent settlement.

The Rangitaiki Conservation Area is located within the boundaries of the former Runanga 2 block. It was an area rich in natural resources, although due to its volcanic origin, not to the same degree as the nearby settlement areas such as Tarawera, Te Haroto and Pohokura. For this reason the Runanga block was utilised in a more seasonal, temporal way. One period of concentrated settlement however, occurred following Te Kooti's passage through the central North Island and Hawke's Bay interior. According to tribal history, Hineuru lived at Runanga after they were forced from their Heruiwi lands by Te Kooti, before resettling at Tarawera.

Omeruiti is an important Maunga located to the north of the Rangitaiki Conservation Area, and along with Te Ngakau o Hinekuku and the Rangitaiki River, is one of the significant landmarks in the region.

The loss of the land

The Runanga blocks were surveyed by the Crown in 1872. According to the traditions of Hineuru, Hineuru's interests in Runanga 2 were ignored by the Native Land Court. From the outset, Hineuru objected to the survey of the blocks and the Runanga case being heard by the Court but were essentially forced to participate. Because of their recent involvement with Te Kooti and the battle of Omarunui, Hineuru were still widely scattered at the time and found it difficult to attend and therefore unable to assert interests in the Native Land Court.

Within Runanga 2, is one of the seven Armed Constabulary redoubts constructed along what was to be the Taupō–Napier Road. The Armed Constabulary was formed to recruit men for the purpose of putting down rebellion, quelling disturbances, preserving the peace, preventing robberies and other felonies. The Crown clearly saw the strategic advantage of Hineuru's rohe which straddled the Tarawera corridor, and by 1869, the Government had established redoubts which housed several hundred Armed Constabulary between 1870 and 1885.

The loss of the land and militarisation of the Runanga block in the 1870s, which included what is now the Rangitaiki Conservation Area, was a blow to the mana and identity of Hineuru. Hineuru whakapapa defines us as kaitiaki of this land, and our ability to assert our rights and responsibilities was forcibly severed.

Mahinga kai

The land within the Runanga blocks was covered in rough tussock and bracken, with light pumice and volcanic ash soil. Because it was so difficult to cultivate, only very hardy settlers lived on this land. Hunting was common however, and many would travel to Runanga from their permanent settlements to hunt horses, pigs, many bird species and occasionally deer, which were plentiful.

There were some swamp and wetland areas located within the conservation area and the resources of the wetlands, including harakeke and birdlife were also a crucial element of iwi sustenance systems. Harekeke supplied material for rongoa, weaving, other construction such as clothing, mats, kits and ropes, and trading; raupo supplied material for thatching and dried moss was used as bedding; they also provided a habitat for many forms of life. The whio (native duck) was caught in the wetlands and were not only an important food source but provided the iwi with feathers which were used for many purposes.

Hineuru regard all natural resources as being gifts from nga atua kaitiaki. Tangaroa-i-te-Rupetu (Tangaroa) is the spiritual guardian of the water bodies and all that lives within them and Tane-nui-a-rangi is the spiritual guardian of the ngahere and all life forms within. These guardians were central to the lives of iwi tipuna and remain culturally significant to the whanau living in the present day.

The rights and responsibilities to this land, which was bestowed on us through our whakapapa, meant that matauranga associated with the collection of resources from nga awa and ngahere was central to the lives Hineuru tipuna. Matauranga and associated tikanga and kawa and karakia are all essential for maintaining customary traditions regarding the gathering and utilisation of resources. Our tipuna had considerable knowledge of whakapapa, traditional tracks, places for gathering kai and other taonga, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Hineuru today.

Hineuru have cultural, spiritual, traditional and historic associations with the conservation area and its environs, its waters, associated land and flora and fauna. Hineuru iwi have a responsibility as kaitiaki to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to Hineuru people today as it was to Hineuru tipuna. 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 continued recognition of the iwi, our identity, traditions and status as kaitiaki is entwined with the Rangitaiki Conservation Area.

14.2.3 Purposes of Statutory Acknowledgement

Under Section 35, and without limiting the rest of this schedule, the only purposes of this Statutory Acknowledgement are:

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to this Statutory Acknowledgement, in accordance with sections 36 to 38; and
- (b) to require relevant consent authorities to record the Statutory Acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 39 and 40; and
- (c) to enable the trustees and any member of Hineuru to cite the Statutory Acknowledgement as evidence of the association of Hineuru with a statutory area, in accordance with Section 41.

14.2.4 Relevant Consent Authorities to have regard to Statutory Acknowledgement

Under Section 36, relevant consent authorities must have regard to the Statutory Acknowledgement relating to a statutory area in deciding, under Section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to an activity within, adjacent to, or directly affecting a statutory area.

14.2.5 Environment Court and Heritage New Zealand Pouhere Taonga to have regard to Statutory Acknowledgement

Under Section 37, the Environment Court must have regard to the Statutory Acknowledgement relating to the statutory area in deciding, under Section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public, in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.

Under Section 38, if an application is made under sections 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within the statutory area, Heritage New Zealand Pouhere Taonga must have regard to the Statutory Acknowledgement relating to the statutory area.

The Environment Court, in determining under Section 59 (1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the Statutory Acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.

In this section, archaeological site has the meaning given in Section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

14.2.6 Limitations

Except as expressly provided for in sections 35 to 38 and 41:

- (a) this Statutory Acknowledgement does not affect, and must not be taken into account by, a person exercising a power or performing a function or duty under an enactment or a bylaw; and
- (b) a person, in considering a matter or making a decision or recommendation under an enactment or a bylaw, must not give greater or lesser weight to the association of Hineuru with a statutory area, than that person would give if there were no Statutory Acknowledgement or deed of recognition for the statutory area.

The Statutory Acknowledgement does not:

- (a) affect the lawful rights or interests of a person who is not a party to the deed of settlement or;
- (b) have the effect of granting, creating or providing evidence of an estate or interest in, or rights relating to, a statutory area.

14.3 Statutory Acknowledgement for Kokomoka Forest

14.3.1 Statutory area

The area to which this Statutory Acknowledgement applies is Kokomoka Forest as shown on deed plan OTS-205-15.

14.3.2 Statement of Association

Preamble

Under Section 34, the Crown acknowledges the statement by Hineuru of association with Kokomoka Forest.

Association of Hineuru with Statutory area

Whakapapa genealogy connects us as Hineuru people to the earth, the sky and all that lies in between. Our Hineuru whakapapa through Apa Hapaitaketake connects us to this land area in particular, and to those ancestors who occupied this area. While whakapapa determines our biological descent, it is also a primary structuring framework that not only articulates our rights to this area, but our obligations as tangata whenua, people of the land, to ensure this area is protected and maintained sustainably in accordance with our customary practices and principles.

The Kokomoka Forest, is integral to the distinct identity and mana of Hineuru. The importance of the land within the Kokomoka Forest which is located in the former Runanga 1 block, is derived from its role as a physical and symbolic place of connection to the people and lands to the north of our rohe.

In more recent times, the Kokomoka Forest has not been a site of concentrated settlement. Rather, it has been utilised as a mahinga kai and an important hub of walkways and tracks which led to the lands to the north of our rohe. Our whanaunga connections to the people that reside in the north are very important to Hineuru, and they give mana to us as a people. The Kokomoka Forest is therefore important not only as a means of physical connection to our whanaunga, it also serves as a symbolic representation of that connection.

Mahinga kai

The rivers and streams within the Kokomoka Forest were abundant with fish species resources, including tuna, trout and the freshwater koura. Hangi stones were also an important resource which was gathered. The gathering and processing of tuna, trout and koura was a customary practice that strengthened cultural systems and whanaunga.

Up until the early-mid twentieth century, the Kokomoka Forest area was a plentiful and commonly used hunting area and horses, pigs and occasionally deer were caught there.

The ngahere within the Kokomoka Forest were very dense. The matai, kouka, kanuka, flax, kahikatea, rimu, kowhai, miro, tutu bush and manuka dominated the ngahere, and were used for various purposes. The ngahere were prolific with birdlife and berries, both of which were an important food source. The feathers from all birds were also collected and used for many purposes. Hineuru people would observe the feeding patterns of the birdlife and learn from them what plant was safe to consume. Kiore were hunted in the ngahere and were still relatively common in the mid-twentieth century. The forests were not only an important source of kai, they were also the source of traditional rongoa. For much of the year, the Hineuru rohe was an extremely cold place to reside; the ngahere provided toitoi or bracken for bedding; both the toitoi and the bark of the totara tree were used as insulation; and kanuka and manuka were burnt along with hangi stones to heat residences.

Hineuru regard all natural resources as being gifts from nga atua kaitiaki. Tangaroa-i-te-Rupetu (Tangaroa) is the spiritual guardian of the water bodies and all that lives within them and Tane-nui-a-rangi is the spiritual guardian of the ngahere and all life forms within. These guardians were central to the lives of Hineuru tipuna and remain culturally significant to the whanau living in the present day.

The rights and responsibilities to this land, which was bestowed on us through our whakapapa, meant that matauranga associated with the collection of resources from nga awa and ngahere was central to the lives of Hineuru tipuna. Matauranga and associated tikanga and kawa and karakia are all essential for maintaining customary traditions regarding the gathering and utilisation of resources. Our tipuna had considerable knowledge of whakapapa, traditional tracks, places for gathering kai and other taonga, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Hineuru today.

Hineuru have cultural, spiritual, traditional and historic associations with the Forest and its environs, its waters, associated land and flora and fauna. Hineuru iwi have a responsibility as kaitiaki to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to Hineuru people today as it was to their tipuna. 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 continued recognition of the iwi, our identity, traditions and status as kaitiaki is entwined with the Kokomoka Forest and associated lands and resources.

14.3.3 Purposes of Statutory Acknowledgement

Under Section 35, and without limiting the rest of this schedule, the only purposes of this Statutory Acknowledgement are:

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to this Statutory Acknowledgement, in accordance with Sections 36 to 38, and
- (b) to require relevant consent authorities to record the Statutory Acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 39 and 40, and
- (c) to enable the trustees and any member of Hineuru to cite the Statutory Acknowledgement as evidence of the association of Hineuru with a statutory area, in accordance with Section 41.

14.3.4 Relevant Consent Authorities to have regard to Statutory Acknowledgement

Under Section 36, relevant consent authorities must have regard to the Statutory Acknowledgement relating to a statutory area in deciding, under Section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to an activity within, adjacent to, or directly affecting a statutory area.

14.3.5 Environment Court and Heritage New Zealand Pouhere Taonga to have regard to Statutory Acknowledgement

Under Section 37, the Environment Court must have regard to the Statutory Acknowledgement relating to the statutory area, in deciding, under Section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public, in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.

Under Section 38, if an application is made under Section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014, for an authority to undertake an activity that will, or may modify or destroy an archaeological site within the statutory area, Heritage New Zealand Pouhere Taonga must have regard to the Statutory Acknowledgement relating to the statutory area.

The Environment Court, in determining under Section 59 (1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014 any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the Statutory Acknowledgement relating to the statutory area, including, in making a determination as to whether the trustees are persons directly affected by the decision.

In this section, archaeological site has the meaning given in Section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

14.3.6 Limitations

Except as expressly provided for in sections 35 to 38 and 41:

- (a) this Statutory Acknowledgement does not affect, and must not be taken into account by, a person exercising a power or performing a function or duty under an enactment or a bylaw, and

- (b) a person, in considering a matter or making a decision or recommendation under an enactment or a bylaw, must not give greater or lesser weight to the association of Hineuru with a statutory area than that person would give, if there were no Statutory Acknowledgement or deed of recognition for the statutory area.

The Statutory Acknowledgement does not:

- (a) affect the lawful rights or interests of a person who is not a party to the deed of settlement, or
- (b) have the effect of granting, creating or providing evidence of an estate or interest in, or rights relating to, a statutory area.

14.4 Statutory Acknowledgement for Whirinaki Te Pua-ā-Tāne Conservation Park (Whirinaki Conservation Park) within Hineuru Area of Interest

14.4.1 Statutory Area

The area to which this Statutory Acknowledgement applies is Whirinaki Te Pua-ā-Tāne Conservation Park (Whirinaki Conservation Park), within Hineuru area of interest as shown on OTS-205-16.

14.4.2 Statement of Association

Preamble

Under Section 34, the Crown acknowledges the statement by Hineuru of association with Whirinaki Te Pua-ā-Tāne Conservation Park (Whirinaki Conservation Park) within Hineuru area of interest.

Association of Hineuru with Statutory Area

Whakapapa genealogy connects us as Hineuru people to the earth, the sky and all that lies in between. Our Hineuru whakapapa through Apa Hapaitaketake connects us to this land area in particular, and to those ancestors who occupied this area. While whakapapa determines our biological descent, it is also a primary structuring framework, that not only articulates our rights to this area, but our obligations as tangata whenua, people of the land, to ensure this area is protected and maintained sustainably in accordance with our customary practices and principles.

The Whirinaki Te Pua-ā-Tāne is integral to the distinct identity and mana of Hineuru. The importance of the Whirinaki Te Pua-ā-Tāne which is located within the former Heruiwi blocks, is derived from its being the location of many historical settlements and sites of significance, and its role as a physical and symbolic place of connection to the people and lands to the north of our rohe.

Our ancestor Apa Hapaitaketake, originally conquered the land now known as the Whirinaki Te Pua-ā-Tāne and it has been permanently occupied by the iwi since the time of our ancestress Hineuru, who left her sons behind on Heruiwi to settle the land. Her oldest son, the chief Rangihurutini established himself on Heruiwi 4B, where he was eventually buried. Her second son, Tokowaru, occupied Heruiwi 4A.

Hineuru chose the name Heruiwi to commemorate a bird-snaring miro tree, which looked like her comb. The first husband of Hineuru, Kirapakeke, was buried in the Heruiwi 1 block. Kirapakeke was a direct descendant of Whakamouhara, the first ancestor of Apa to live on this block. Ancient sites such as kainga, bird troughs, whare and wahi tapu, are located in great numbers throughout the Heruiwi 4A and 4B blocks.

The Hineuru occupation of Heruiwi was disturbed in 1869 due to the ongoing hostilities between Te Kooti and the Crown. During this time the fighting was brought directly into the Heruiwi district. Numerous sources cite the fact that Te Kooti took the Hineuru people of Heruiwi as prisoners and they were forced to travel with him to Taupo. Following this incident a number of factors meant that Hineuru ceased to occupy their traditional lands at Heruiwi. Those who had not been taken by Te Kooti began to face pressure from the Crown to leave, because they were suspected of having Hauhau connections and generally being disloyal. Additionally, “the constant military activity on the eastern side of Te Urewera after 1869, meant that remaining Hineuru people at Heruiwi judged it unsafe to stay in the area and they left the area for Tarawera”.

Our peoples forced resettlement from this land now known as the Whirinaki Te Pua-ā-Tāne, was a blow to the mana and identity of Hineuru. Hineuru whakapapa defines us as kaitiaki of this land, and our ability to assert our rights and responsibilities was forcibly severed.

The Whirinaki Te Pua-ā-Tāne has always been utilised as a mahinga kai and an important hub of walkways and tracks, which led to the lands to the north of our rohe. Our whanaunga connections to the people that reside in the north are very important to Hineuru, and they give mana to us as a people. The Whirinaki Te Pua-ā-Tāne is therefore important, not only as a means of physical connection to our whanaunga, it also serves as a symbolic representation of that connection.

Mahinga kai

The rivers and streams within the Whirinaki Te Pua-ā-Tāne were abundant with fish species resources, including tuna, trout and the freshwater koura. Hangi stones were also an important resource which was gathered. The gathering and processing of tuna, trout and koura was a customary practice that strengthened cultural systems and whanaunga.

Up until the early mid-twentieth century, the Whirinaki Te Pua-ā-Tāne area was a plentiful and commonly used hunting area and horses, pigs and occasionally deer were caught there.

The ngahere within the Whirinaki Te Pua-ā-Tāne were very dense. The matai, kouka, kanuka, flax, kahikatea, rimu, kowhai, miro, tutu bush and manuka dominated the ngahere, and were used for various purposes. The ngahere were prolific with birdlife and berries, both of which were an important food source. The feathers from all birds were also collected and used for many purposes. Hineuru people would observe the feeding patterns of the birdlife and learn from them what plant was safe to consume. Kiore were hunted in the ngahere and were still relatively common in the mid-twentieth century. The forests were not only an important source of kai, they were also the source of traditional rongoa. For much of the year, the Hineuru rohe was an extremely cold place to reside; the ngahere provided toitoi or bracken for bedding; both the toitoi and the bark of the totara tree were used as insulation; and kanuka and manuka were burnt along with hangi stones to heat residences.

Hineuru regard all natural resources as being gifts from nga atua kaitiaki. Tangaroa-i-te-Rupetu (Tangaroa) is the spiritual guardian of the water bodies and all that lives within them and Tane-nui-a-rangi is the spiritual guardian of the ngahere and all life forms within. These guardians were central to the lives of Hineuru tipuna and remain culturally significant to Hineuru living in the present day.

The rights and responsibilities to this land, which was bestowed on us through our whakapapa, meant that matauranga associated with the collection of resources from ngā awa and ngahere was central to the lives of Hineuru tipuna. Matauranga and associated tikanga and kawa and karakia are all essential for maintaining customary traditions regarding the gathering and utilisation of resources. Our tipuna had considerable knowledge of whakapapa, traditional tracks, places for gathering kai and other taonga, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Hineuru today.

Hineuru have cultural, spiritual, traditional and historic associations with Whirinaki te Puā-ā-Tāne and its environs, its waters, associated land and flora and fauna. Hineuru iwi have a responsibility as kaitiaki to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to Hineuru people today as it was to their tipuna. 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 continued recognition of the iwi, our identity, traditions and status as kaitiaki, is entwined with the Whirinaki Te Pua-ā-Tāne and associated lands and resources.

14.4.3 Purposes of Statutory Acknowledgement

Under Section 35, and without limiting the rest of this schedule, the only purposes of this Statutory Acknowledgement are:

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga, to have regard to this Statutory Acknowledgement, in accordance with Sections 36 to 38, and
- (b) to require relevant consent authorities, to record the Statutory Acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 39 and 40, and
- (c) to enable the trustees and any member of Hineuru to cite the Statutory Acknowledgement as evidence of the association of Hineuru with a statutory area, in accordance with Section 41.

14.4.4 Relevant Consent Authorities to have regard to Statutory Acknowledgement

Under Section 36, relevant consent authorities must have regard to the Statutory Acknowledgement relating to a statutory area, in deciding under Section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to an activity within, adjacent to, or directly affecting a statutory area.

14.4.5 Environment Court and Heritage New Zealand Pouhere Taonga to have regard to Statutory Acknowledgement

Under Section 37, the Environment Court must have regard to the Statutory Acknowledgement relating to the statutory area in deciding, under Section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.

Under Section 38, if an application is made under Section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014, for an authority to undertake an activity that will, or may modify or destroy an archaeological site within the statutory area, Heritage New Zealand Pouhere Taonga must have regard to the Statutory Acknowledgement relating to the statutory area.

The Environment Court, in determining under Section 59 (1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014 any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the Statutory Acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.

In this section, archaeological site has the meaning given in Section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

14.4.6 **Limitations**

Except as expressly provided for in sections 35 to 38 and 41:

- (a) this Statutory Acknowledgement does not affect, and must not be taken into account by, a person exercising a power or performing a function or duty under an enactment or a bylaw, and
- (b) a person, in considering a matter or making a decision or recommendation under an enactment or a bylaw, must not give greater or lesser weight to the association of Hineuru with a statutory area, than that person would give if there were no Statutory Acknowledgement or deed of recognition for the statutory area.

The Statutory Acknowledgement does not:

- (a) affect the lawful rights or interests of a person who is not a party to the deed of settlement, or
- (b) have the effect of granting, creating or providing evidence of an estate or interest in, or rights relating to, a statutory area.

14.5 **Statutory Acknowledgement for Te Kohu Ecological Area**

14.5.1 **Statutory Area**

The area to which this Statutory Acknowledgement applies is Te Kohu Ecological Area as shown on deed plan OTS-205-22.

14.5.2 **Statement of Association**

Preamble

Under Section 34, the Crown acknowledges the statement by Hineuru of association with Te Kohu Ecological Area.

Association of Hineuru with Statutory Area

Whakapapa genealogy connects us as Hineuru people to the earth, the sky and all that lies in between. Our Hineuru whakapapa through Apa Hapaitaketake, connects us to this land area in particular, and to those ancestors who occupied this area. While whakapapa determines our biological descent, it is also a primary structuring framework that not only articulates our rights to this area, but our obligations as tangata whenua, people of the land, to ensure this area is protected and maintained sustainably in accordance with our customary practices and principles.

The Te Kohu Ecological Area is integral to the distinct identity and mana of Hineuru. The importance of the land within the Te Kohu Ecological Area is derived from its role as a physical and symbolic place of connection to the people and lands to the North of our rohe.

The Te Kohu Ecological Area has never been a site of concentrated Hineuru settlement. Rather, it has been utilised as a mahinga kai and an important hub of walkways and tracks which led to the lands to the north of our rohe. Our whanaunga connections to the people that reside in the north are very important to Hineuru, and they give mana to us as a people. The Te Kohu Ecological Area is therefore important, not only as a means of physical connection to our whanaunga, it also serves as a symbolic representation of that connection.

Mahinga kai

The rivers and streams within the Te Kohu Ecological Area were abundant with fish species resources, including tuna, trout and the freshwater koura. Hangi stones were also an important resource which was gathered. The gathering and processing of tuna, trout and koura was a customary practice that strengthened cultural systems and whanaunga.

Up until the early-mid twentieth century, the Te Kohu Ecological Area was a plentiful and commonly used hunting area and horses, pigs and occasionally deer were caught there.

The ngahere within the Te Kohu Ecological Area were very dense. The matai, kouka, kanuka, flax, kahikatea, rimu, kowhai, miro, tutu bush and manuka dominated the ngahere, and were used for various purposes. The ngahere were prolific with birdlife and berries, both of which were an important food source. The feathers from all birds were also collected and used for many purposes. Hineuru people would observe the feeding patterns of the birdlife and learn from them what plant was safe to consume. Kiore were hunted in the ngahere and were still relatively common in the mid-twentieth century. The forests were not only an important source of kai, they were also the source of traditional rongoa. For much of the year, the Hineuru rohe was an extremely cold place to reside; the ngahere provided toitoi or bracken for bedding; both the toitoi and the bark of the totara tree were used as insulation; and kanuka and manuka were burnt along with hangi stones to heat residences.

Hineuru regard all natural resources as being gifts from nga atua kaitiaki. Tangaroa-i-te-Rupetu (Tangaroa) is the spiritual guardian of the water bodies and all that lives within them and Tane-nui-a-rangi is the spiritual guardian of the ngahere and all life forms within. These guardians were central to the lives of iwi tipuna and remain culturally significant to the whanau living in the present day.

The rights and responsibilities to this land, which was bestowed on us through our whakapapa, meant that matauranga associated with the collection of resources from ngā awa and ngahere was central to the lives of Hineuru tipuna. Matauranga and associated tikanga and kawa and karakia are all essential for maintaining customary traditions regarding the gathering and utilisation of resources. Our tipuna had considerable knowledge of whakapapa, traditional tracks, places for gathering kai and other taonga, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Hineuru today.

Hineuru have cultural, spiritual, traditional and historic associations with the Forest and its environs, its waters, associated land and flora and fauna. Hineuru iwi have a responsibility as kaitiaki to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to Hineuru people today as it was to their tipuna. 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 continued recognition of the iwi, our identity, traditions and status as kaitiaki is entwined with the Te Kohu Ecological Area and associated lands and resources.

14.5.3 Purposes of Statutory Acknowledgement

Under Section 35, and without limiting the rest of this schedule, the only purposes of this Statutory Acknowledgement are:

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to this Statutory Acknowledgement, in accordance with sections 36 to 38, and
- (b) to require relevant consent authorities to record the Statutory Acknowledgement on statutory plans, that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 39 and 40, and
- (c) to enable the trustees and any member of Hineuru to cite the Statutory Acknowledgement as evidence of the association of Hineuru with a statutory area, in accordance with Section 41.

14.5.4 Relevant Consent Authorities to have regard to Statutory Acknowledgement

Under Section 36, relevant consent authorities must have regard to the Statutory Acknowledgement relating to a statutory area in deciding, under Section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to an activity within, adjacent to, or directly affecting a statutory area.

14.5.5 Environment Court and Heritage New Zealand Pouhere Taonga to have regard to Statutory Acknowledgement

Under Section 37, the Environment Court must have regard to the Statutory Acknowledgement relating to the statutory area in deciding, under Section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public, in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.

Under Section 38, if an application is made under Section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014, for an authority to undertake an activity that will, or may modify or destroy an archaeological site within the statutory area, Heritage New Zealand Pouhere Taonga must have regard to the Statutory Acknowledgement relating to the statutory area.

The Environment Court, in determining under Section 59 (1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014 any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the Statutory Acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.

In this section, archaeological site has the meaning given in Section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

14.5.6 Limitations

Except as expressly provided for in sections 35 to 38 and 41:

- (a) this Statutory Acknowledgement does not affect, and must not be taken into account by, a person exercising a power or performing a function or duty under an enactment or a bylaw; and

- (b) a person, in considering a matter or making a decision or recommendation under an enactment or a bylaw, must not give greater or lesser weight to the association of Hineuru, with a statutory area than that person would give if there were no Statutory Acknowledgement or deed of recognition for the statutory area.

The Statutory Acknowledgement does not:

- (a) affect the lawful rights or interests of a person who is not a party to the deed of settlement. or
- (b) have the effect of granting, creating or providing evidence of an estate or interest in, or rights relating to, a statutory area.

14.6 **Statutory Acknowledgement for Rangitaiki River and its tributaries within Hineuru area of interest**

14.6.1 **Statutory Area**

The area to which this Statutory Acknowledgement applies is Rangitaiki River and its tributaries within Hineuru area of interest, as shown on OTS-205-27.

14.6.2 **Statement of Association**

Preamble

Under Section 34, the Crown acknowledges the statement by Hineuru of association with Rangitaiki River and its tributaries within Hineuru area of interest.

Association of Hineuru with statutory area

The awa that are located within the Hineuru rohe have great spiritual importance, they are important in their own right, and in their connections to one another. Just as every element of the natural world has its own mauri, each awa in the Hineuru rohe has its own mauri and wairua which is unique to that awa. The wai that flows through the awa symbolises the link between the past and the present and acts as a force of connection: nga awa are the ribs of our tipuna, which flow from the Maunga carrying the lifeblood of Papatuanuku and the tears of Ranginui. The wai in nga awa, therefore create a unifying connection for the iwi with the awa, the spiritual world, and the Maunga itself. Our awa are a significant taonga, they are life-giving and provide both physical and spiritual sustenance.

The tangible linkages between the awa provided the iwi with a system of nga ara, or pathways throughout the rohe, and allowing iwi access the inland. River travel was important to Hineuru for both economic and social reasons.

In the north-eastern outskirts of the Hineuru rohe, the Rangitaiki River acted as the boundary between the Kaingaroa blocks to the west and the Heruiwi 1, Pukahunui and Runanga 1 blocks to the east. In this northern area, the significance of the river was both as a boundary and a landmark; it was not heavily utilised. However further south, the river, originating in the Ahimanawa Range in the heart of Hineuru lands, marked the boundary between the Runanga 1 and 2 blocks. In these lands, the river served as an important mahinga kai and resource.

The Rangitaiki Conservation Area lies within the former Runanga 2 block; the Runanga lands were a part of the core Hineuru rohe, being the location of numerous sites of significance including wahi tapu, kainga and mahinga kai. The lands adjoining the Rangitaki associated wetlands were of particular cultural and historical significance.

The land which was known as the Runanga 2 block was an area rich in natural resources, although due to its volcanic geography, not to the same degree as the nearby settlement areas such as Tarawera, Te Haroto and Pohokura. For this reason the Runanga block was utilised in a more seasonal, temporal way. The richest part of the block was the southern portion which bordered the Rangitaiki River and the Tarawera block. This land was in Hineuru ownership for many generations; it was the site of numerous sites of significance including wahi tapu, kainga and mahinga kai.

Mahinga kai

The Rangitikei River and tributaries were abundant with fish species resources, including tuna, trout and the freshwater koura. Hangi stones were also an important resource which were gathered and used to heat dwellings as well as to cook food.

The gathering and processing of tuna, trout and koura was a customary practice that strengthened cultural systems and whanaunga.

The river provided the people with drinking water, the importance of which should not be underestimated. It was a source of wairua, and the river was felt to have healing properties. For example, it was thought to aid with the healing of women after they had given birth. Rivers also provided spiritual cleansing, and the waters were used for the washing of Tupapaku and were also an important part of the process of ta moko. Every river had its own taniwha, and identity and

14.6.3 Purposes of Statutory Acknowledgement

Under Section 35, and without limiting the rest of this schedule, the only purposes of this Statutory Acknowledgement are:

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to this Statutory Acknowledgement, in accordance with sections 36 to 38, and
- (b) to require relevant consent authorities to record the Statutory Acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 39 and 40, and
- (c) to enable the trustees and any member of Hineuru to cite the Statutory Acknowledgement as evidence of the association of Hineuru with a statutory area, in accordance with Section 41.

14.6.4 Relevant Consent Authorities to have regard to Statutory Acknowledgement

Under Section 36, relevant consent authorities must have regard to the Statutory Acknowledgement relating to a statutory area in deciding, under Section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to an activity within, adjacent to, or directly affecting a statutory area.

14.6.5 Environment Court and Heritage New Zealand Pouhere Taonga to have regard to Statutory Acknowledgement

Under Section 37, the Environment Court must have regard to the Statutory Acknowledgement relating to the statutory area in deciding, under Section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public, in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.

Under Section 38, if an application is made under Section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within the statutory area, Heritage New Zealand Pouhere Taonga must have regard to the Statutory Acknowledgement relating to the statutory area.

The Environment Court, in determining under Section 59 (1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014 any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the Statutory Acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.

In this section, archaeological site has the meaning given in Section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

14.6.6 Limitations

Except as expressly provided for in sections 35 to 38 and 41:

- (a) this Statutory Acknowledgement does not affect, and must not be taken into account by, a person exercising a power or performing a function or duty under an enactment or a bylaw; and
- (b) a person, in considering a matter or making a decision or recommendation under an enactment or a bylaw, must not give greater or lesser weight to the association of Hineuru with a statutory area than that person would give if there were no Statutory Acknowledgement or deed of recognition for the statutory area.

The Statutory Acknowledgement does not:

- (a) affect the lawful rights or interests of a person who is not a party to the deed of settlement or;
- (b) have the effect of granting, creating or providing evidence of an estate or interest in, or rights relating to, a statutory area.

14.7 Statutory areas close, but outside of the Bay of Plenty region

The statutory areas for which Hineuru has statutory acknowledgments which are outside of the Bay of Plenty but considered by the Bay of Plenty Regional Council to be close to the regional boundary (within approximately 1 km) are:

Statutory Area	Location
Waipunga Forest	As shown on OTS-205-14
Statutory areas that are watercourses	Location
Ripia River and tributaries	As shown on OTS-205-25
Waipunga River and tributaries	As shown on OTS-205-26
Te Hoe River and tributaries	As shown on OTS-205-28

It is deemed appropriate to include them as any effects of proposed activities on a given statutory area, regardless of the region they are in, must be considered.

Maps showing the location of all the statutory areas (whether within the Bay of Plenty Region (either wholly or partly), or 'close too' but outside the region) are provided at the end of this section.

14.8 Statutory Acknowledgement for Waipunga Forest

14.8.1 Statutory Area

The area to which this Statutory Acknowledgement applies is Waipunga Forest, as shown on OTS-205-14.

14.8.2 Statement of Association

Preamble

Under Section 34, the Crown acknowledges the statement by Hineuru of association with Waipunga Forest.

Association of Hineuru with Statutory Area

Whakapapa genealogy connects us as Hineuru people to the earth, the sky and all that lies in between. Our Hineuru whakapapa through Apa Hapaitaketake connects us to this land area in particular, and to those ancestors who occupied this area. While whakapapa determines our biological descent, it is also a primary structuring framework that not only articulates our rights to this area, but our obligations as tangata whenua, people of the land, to ensure this area is protected and maintained sustainably in accordance with our customary practices and principles.

The Waipunga Forest (Park), which takes its name from the Waipunga River, is integral to the distinct identity and mana of Hineuru. The importance of the land within the Waipunga Forest (Park), which is located in the former Pohokura block, is derived from its role as a physical and symbolic place of connection to the people and lands to the North of our rohe.

Hineuru's interests in the Waipunga Forest (Park) arise from the original conquest of our ancestor, Apa Hapaitaketake, followed by the ongoing occupation of Hineuru. Ancient Hineuru ancestress Raumatiroa occupied land within the Waipunga Forest (Park), and her rights were solidified by her marriage to her first husband Paeahi, who also had rights to the land; a rock located on Pohokura No. 9 is named Paepae a Paeahi after him. Generations later Te Whetuki, Raumatiroa's descendant, married Hinerawaho, and gifted her brother, a descendant of Tureia the land now known as the Waipunga Forest (Park).

In more recent times, the Waipunga Forest (Park) has not been a site of concentrated settlement. Rather, it has been utilised as a mahinga kai and an important hub of walkways and tracks which led to the lands to the north of our rohe. Our whanaunga connections to the people that reside in the north are very important to Hineuru, and they give mana to us as a people. The Waipunga Forest (Park) is therefore important not only as a means of physical connection to our whanaunga, it also serves as a symbolic representation of that connection.

Mahinga kai

The rivers and streams within the Waipunga Forest (Park) were abundant with fish species resources, including tuna, trout and the freshwater koura. Hangi stones were also important resource which was gathered. The gathering and processing of tuna, trout and koura was a customary practice that strengthened cultural systems and whanaunga.

Up until the early-mid twentieth century, the Waipunga Forest (Park) area was a plentiful and commonly used hunting area and horses, pigs and occasionally deer were caught there.

The ngahere within the Waipunga Forest (Park) were very dense. The matai, kouka, kanuka, flax, kahikatea, rimu, kowhai, miro, tutu bush and manuka dominated the ngahere, and were used for various purposes. The ngahere were prolific with birdlife and berries, both of which were an important food source. The feathers from all birds were also collected and used for many purposes. Hineuru people would observe the feeding patterns of the birdlife and learn from them what plant was safe to consume. Kiore were hunted in the ngahere and were still relatively common in the mid-twentieth century. The forests were not only an important source of kai, they were also the source of traditional rongoa. For much of the year, the Hineuru rohe was an extremely cold place to reside; the ngahere provided toitoi or bracken for bedding; both the toitoi and the bark of the totara tree were used as insulation; and kanuka and manuka were burnt along with hangi stones to heat residences.

In 1938 the cutting rights to the ngahere in the Waipunga Forest (Park) were sold and the Pohokura Mill established. The mill was an important source of employment for Hineuru, but it was highly unstable and insecure employment. The Pohokura Mill closed down in 1964 and the livelihoods of many people were affected by the closing of the mills at Te Haroto, Tarawera and Pohokura. This was an extremely difficult time for Hineuru, socially, economically and culturally as our people were forced to leave their traditional homes and seek employment elsewhere.

The milling of the Waipunga Forest (Park) also had a devastating effect on the native ngahere and ecosystem. Hineuru whakapapa defines us as kaitiaki of this land, and our connection to the land was irreparably damaged.

Hineuru regard all natural resources as being gifts from nga atua kaitiaki. Tangaroa-i-te-Rupetu (Tangaroa) is the spiritual guardian of the water bodies and all that lives within them and Tane-nui-a-rangi is the spiritual guardian of the ngahere and all life forms within. These guardians were central to the lives of iwi tipuna and remain culturally significant to the whanau living in the present day.

The rights and responsibilities to this land, which was bestowed on us through our whakapapa, meant that matauranga associated with the collection of resources from ngā awa and ngahere was central to the lives of Hineuru tipuna. Matauranga and associated tikanga and kawa and karakia are all essential for maintaining customary traditions regarding the gathering and utilisation of resources. Our tipuna had considerable knowledge of whakapapa, traditional tracks, places for gathering kai and other taonga, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Hineuru today.

Hineuru have cultural, spiritual, traditional and historic associations with the Forest and its environs, its waters, associated land and flora and fauna. Hineuru iwi have a responsibility as kaitiaki to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to Hineuru people today as it was to Hineuru tipuna. 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 continued recognition of the iwi, our identity, traditions and status as kaitiaki is entwined with the Waipunga Forest (Park) and associated resources.

14.8.3 Purposes of Statutory Acknowledgement

Under Section 35, and without limiting the rest of this schedule, the only purposes of this Statutory Acknowledgement are:

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to this Statutory Acknowledgement, in accordance with sections 36 to 38, and
- (b) to require relevant consent authorities to record the Statutory Acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 39 and 40; and
- (c) to enable the trustees and any member of Hineuru to cite the Statutory Acknowledgement as evidence of the association of Hineuru with a statutory area, in accordance with Section 41.

14.8.4 Relevant Consent Authorities to have regard to Statutory Acknowledgement

Under Section 36, relevant consent authorities must have regard to the Statutory Acknowledgement relating to a statutory area in deciding, under Section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to an activity within, adjacent to, or directly affecting a statutory area.

14.8.5 Environment Court and Heritage New Zealand Pouhere Taonga to have regard to Statutory Acknowledgement

Under Section 37, the Environment Court must have regard to the Statutory Acknowledgement relating to the statutory area in deciding, under Section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public, in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.

Under Section 38, if an application is made under Section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will, or may modify or destroy an archaeological site within the statutory area, Heritage New Zealand Pouhere Taonga must have regard to the Statutory Acknowledgement relating to the statutory area.

The Environment Court, in determining under Section 59 (1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the Statutory Acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.

In this section, archaeological site has the meaning given in Section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

14.8.6 Limitations

Except as expressly provided for in sections 35 to 38 and 41:

- (a) this Statutory Acknowledgement does not affect, and must not be taken into account by, a person exercising a power or performing a function or duty under an enactment or a bylaw; and

- (b) a person, in considering a matter or making a decision or recommendation under an enactment or a bylaw, must not give greater or lesser weight to the association of Hineuru with a statutory area, than that person would give if there were no Statutory Acknowledgement or deed of recognition for the statutory area.

The Statutory Acknowledgement does not:

- (a) affect the lawful rights or interests of a person who is not a party to the deed of settlement or,
- (b) have the effect of granting, creating or providing evidence of an estate or interest in, or rights relating to, a statutory area.

14.9 **Statutory Acknowledgement for Ripia River and tributaries**

14.9.1 **Statutory Area**

The area to which this Statutory Acknowledgement applies is Ripia River and tributaries, as shown on OTS-205-25.

14.9.2 **Statement of Association**

Preamble

Under Section 34, the Crown acknowledges the statement by Ngāti Hineuru of association with Ripia River and tributaries.

Association of Hineuru with Statutory Area

The awa that are located within the Hineuru rohe have great spiritual importance, they are important in their own right, and in their connections to one another. Just as every element of the natural world has its own mauri, each awa in the Hineuru rohe has its own mauri and wairua which is unique to that awa. The wai that flows through the awa symbolises the link between the past and the present and acts as a force of connection: nga awa are the ribs of our tipuna, which flow from the Maunga, carrying the lifeblood of Papatuanuku and the tears of Ranginui. The wai in nga awa, therefore create a unifying connection for the iwi with the awa, the spiritual world, and the Maunga itself. Our awa are a significant taonga, they are life-giving and provide both physical and spiritual sustenance.

The tangible linkages between the awa provided the iwi with a system of nga ara, or pathways throughout the rohe, and allowing iwi access the inland. River travel was important to iwi for both economic and social reasons.

The Ripia River is of great significance to Hineuru. The river is a major tributary of the Mohaka River, and flows south-east from the Ahimanawa Range into the Mohaka River. It acts as a boundary between the Te Matai block and the Tarawera block, which are both of importance to Hineuru.

The Ripia River was utilised as a mahinga kai, rather than being a focal point of settlement. Orangikapua, however, was a kainga and wahi tapu, located on the Mohaka River very near to its junction with the Ripia River. According to traditional sources there were people killed here, and it was the site of a large cemetery.

Mahinga kai

The Ripia River and tributaries were abundant with fish species resources, including tuna, trout and the freshwater koura. Hangi stones were also an important resource which were gathered and used to heat dwellings as well as to cook food.

The gathering and processing of tuna, trout and koura was a customary practice that strengthened cultural systems and whanaunga.

The Tunamaro River, a tributary of the Ripia River was an important river for spiritual reasons. It was home to the longest and finest eels in the area, and the forests surrounding that river were also the habitat of many kiwi.

The resources alongside the river including harakeke and much birdlife were also a crucial element of iwi sustenance systems. Harekeke supplied material for rongoa, weaving, other construction such as clothing, mats, kits and ropes, and trading; toitoi supplied material for thatching and dried moss was used as bedding; they also provided a habitat for many forms of life. Pakura (pukeko) and native ducks were caught along the river and were not only an important food source but provided the iwi with feathers which were used for many purposes.

The river provided the people with drinking water, the importance of which should not be underestimated. It was a source of wairua, and the river was felt to have healing properties. For example, it was thought to aid with the healing of women after they had given birth. Rivers also provided spiritual cleansing, and the waters were used for the washing of tupapaku and were also an important part of the process of ta moko. Every river had its own taniwha, and identity and potential use, and it was up to the individual or community to utilise it as appropriate to the particular circumstances. Springs were used particular for more utilitarian washing purposes.

14.9.3 Purposes of Statutory Acknowledgement

Under Section 35, and without limiting the rest of this schedule, the only purposes of this Statutory Acknowledgement are:

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to this Statutory Acknowledgement, in accordance with sections 36 to 38, and
- (b) to require relevant consent authorities to record the Statutory Acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 39 and 40, and
- (c) to enable the trustees and any member of Hineuru to cite the Statutory Acknowledgement as evidence of the association of Hineuru with a statutory area, in accordance with Section 41.

14.9.4 Relevant Consent Authorities to have regard to Statutory Acknowledgement

Under Section 36, relevant consent authorities must have regard to the Statutory Acknowledgement relating to a statutory area in deciding, under Section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to an activity within, adjacent to, or directly affecting a statutory area.

14.9.5 Environment Court and Heritage New Zealand Pouhere Taonga to have regard to Statutory Acknowledgement

Under Section 37, the Environment Court must have regard to the Statutory Acknowledgement relating to the statutory area in deciding, under Section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public, in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.

Under Section 38, if an application is made under Section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will, or may modify or destroy an archaeological site within the statutory area, Heritage New Zealand Pouhere Taonga must have regard to the Statutory Acknowledgement relating to the statutory area.

The Environment Court, in determining under Section 59 (1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the Statutory Acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.

In this section, archaeological site has the meaning given in Section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

14.9.6 **Limitations**

Except as expressly provided for in sections 35 to 38 and 41:

- (a) this Statutory Acknowledgement does not affect, and must not be taken into account by, a person exercising a power or performing a function or duty under an enactment or a bylaw, and
- (b) a person, in considering a matter or making a decision or recommendation under an enactment or a bylaw, must not give greater or lesser weight to the association of Hineuru with a statutory area than that person would give, if there were no Statutory Acknowledgement for the statutory area.

The Statutory Acknowledgement does not:

- (a) affect the lawful rights or interests of a person who is not a party to the deed of settlement, or
- (b) have the effect of granting, creating or providing evidence of an estate or interest in, or rights relating to, a statutory area.

14.10 **Statutory Acknowledgement for Waipunga River and tributaries**

14.10.1 **Statutory area**

The area to which this Statutory Acknowledgement applies is Waipunga River and tributaries, as shown on OTS-205-26.

14.10.2 **Statement of Association**

Preamble

Under Section 34, the Crown acknowledges the statement by Hineuru of association with Waipunga River and tributaries.

Association of Hineuru with statutory area



The awa that are located within the Hineuru rohe have great spiritual importance, they are important in their own right, and in their connections to one another. Just as every element of the natural world has its own mauri, each awa in the Hineuru rohe has its own mauri and wairua which is unique to that awa. The wai that flows through the awa symbolises the link between the past and the present and acts as a force of connection: nga awa are the ribs of our tipuna, which flow from the Maunga, carrying the lifeblood of Papatuanuku and the tears of Ranginui. The wai in nga awa, therefore create a unifying connection for the iwi with the awa, the spiritual world, and the Maunga itself. Our awa are a significant taonga, they are life-giving and provide both physical and spiritual sustenance.

The tangible linkages between the awa provided the iwi with a system of nga ara, or pathways throughout the rohe, and allowing iwi access the inland. River travel was important to iwi for both economic and social reasons.

The Waipunga River and Valley, including its tributaries and waterfalls, is one of Hineuru's most important taonga and is associated with many important mahinga kai, kainga and pa.

The Waipunga River acted as a boundary between the Tarawera and Tatarakina blocks, and the settlement of Tarawera was located on the river itself. Hineuru have a long-standing association with the blocks and the settlement through rights of ahi kaa and ancestry.

The land along the Waipunga River was part of the area originally conquered by our ancestor Apa Hapaitaketake, and it has been permanently occupied by Hineuru iwi since the time of our ancestress Hineuru. The marriage of Hineuru's son Rangihurituni, to Te Amionga was a significant moment in the history of the iwi as it united the two key ancestral lines. According to traditional history Rangihurituni, Te Amionga and their family settled at Pohoi, a Te Mumuhu in the Tarawera block. Hineuru whakapapa defines our connection to this land, and our responsibility as kaitiaki; and makes this land of great importance to our iwi.

The Waipunga River created the valley which forms a key part of the Tarawera 'corridor', and countless Hineuru settlements and historical sites are located along the river.

Lake Puharau, a lake with a plentiful eel population, was located near the northern mouth of the Waipunga River. A kainga and cultivation area of the same name were also located there. The Waipunga Falls were further south, in the Pohokura block. The Waipunga Falls were a landmark and taonga of great beauty, which features three parallel columns of water. The Waipunga Hot Springs were further south as well, near the Tarawera township, and were used for bathing, rongoa and cooking.

Many settlements were located at the upper reaches of the Waipunga River within the Tarawera block, but there were also many other important sites downstream. In totality, there are literally hundreds of sites of significance along this extensive river.

Some of the recorded sites located along the river are: Te Ahimotumotu Pa; Kopitanui/Kopitonui kainga and wahi tapu; Whananganga Pa; Piripirau fighting Pa; Whakanae kainga; Hikawera Pa; Hopemutu Pa; Ohinekonehu Pa and wahi tapu; Matawhero Pa; Parua Pa; Taranaki Pa; Taupounamu kainga; Waiariki kainga and hot spring; Tukiatea kainga; Paraumu kainga; Waipuhipuhi fighting Pa; Mangauwhio/Mangauhio Pa; Porimeke Pa; and Papakopuru kainga.

Mahinga kai

The Waipunga River and tributaries were abundant with fish species resources, including tuna, trout and the freshwater koura. Hangi stones were also an important resource which were gathered and used to heat dwellings as well as to cook food.

The gathering and processing of tuna, trout and koura was a customary practice that strengthened cultural systems and whanaunga.

The resources alongside the river including harakeke and much birdlife were also a crucial element of iwi sustenance systems. Harekeke supplied material for rongoa, weaving, other construction such as clothing, mats, kits and ropes, and trading; toitoi supplied material for thatching and dried moss was used as bedding; they also provided a habitat for many forms of life. Pakura (pukeko) and native ducks were caught along the river and were not only an important food source but provided the iwi with feathers which were used for many purposes.

The river provided the people with drinking water, the importance of which should not be underestimated. It was a source of wairua, and the river was felt to have healing properties. For example, it was thought to aid with the healing of women after they had given birth. Rivers also provided spiritual cleansing, and the waters were used for the washing of tupapaku and were also an important part of the process of ta moko. Every river had its own taniwha, and identity and potential use, and it was up to the individual or community to utilise it as appropriate to the particular circumstances. Springs were used particular for more utilitarian washing purposes.

The ngahere that surrounded the river were very dense. The toitoi, matai, kouka, kahikatea, kohukohu, koromiko, and kotukutuku dominated the ngahere which were prolific with birdlife and berries, both of which were an important food source. The feathers from all birds were also collected and used for many purposes. Hineuru people would observe the feeding patterns of the birdlife and learn from them what plant was safe to consume. Animal and bird hinu was used to preserve kai. Kiore were hunted in the ngahere and were still relatively common in the mid-twentieth century. Kereru were very highly prized delicacies which were consumed with great ritual. They were served by the women and the men would always eat first, kereru were never to be eaten with a knife. This was a ritual passed down through the generations.

The forests were not only an important source of kai, they were also the source of traditional rongoa. For example, the kouka, manuku, toitoi and kanuka were used for vapour baths and chest infections, horopito for treating skin disease, the ferns were used to treat fever and inflammation. For much of the year, the Hineuru rohe was an extremely cold place to reside; the ngahere provided toitoi fern for bedding; both the toitoi and the bark of the totara tree were used as insulation; and kanuka and manuka were burnt along with hangi stones to heat residences.

Matauranga associated with the collection of resources from nga awa and ngahere was central to the lives of Hineuru tipuna. Matauranga and associated tikanga and kawa and karakia are all essential for maintaining customary traditions associated with gathering and utilising resources. Our tipuna had considerable knowledge of whakapapa, traditional tracks, 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 Hineuru today.

Hineuru have cultural, spiritual, traditional and historic associations with the rivers and their environs, and associated land and flora and fauna. Hineuru iwi have a responsibility as kaitiaki to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to Hineuru people today as it was to their tipuna. 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 continued recognition of the iwi, our identity, traditions and status as kaitiaki is entwined with the rivers in our rohe and associated lands, and associated resources.

14.10.3 Purposes of Statutory Acknowledgement

Under Section 35, and without limiting the rest of this schedule, the only purposes of this Statutory Acknowledgement are:

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to this Statutory Acknowledgement, in accordance with sections 36 to 38, and
- (b) to require relevant consent authorities to record the Statutory Acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 39 and 40, and
- (c) to enable the trustees and any member of Hineuru to cite the Statutory Acknowledgement as evidence of the association of Hineuru with a statutory area, in accordance with Section 41.

14.10.4 Relevant consent authorities to have regard to Statutory Acknowledgement

Under Section 36, relevant consent authorities must have regard to the Statutory Acknowledgement relating to a statutory area in deciding, under Section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to an activity within, adjacent to, or directly affecting a statutory area.

14.10.5 Environment Court and Heritage New Zealand Pouhere Taonga to have regard to Statutory Acknowledgement

Under Section 37, the Environment Court must have regard to the Statutory Acknowledgement relating to the statutory area in deciding, under Section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.

Under Section 38, if an application is made under Section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will, or may modify or destroy an archaeological site within the statutory area, Heritage New Zealand Pouhere Taonga must have regard to the Statutory Acknowledgement relating to the statutory area.

The Environment Court, in determining under Section 59(1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the Statutory Acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.

In this section, archaeological site has the meaning given in Section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

14.10.6 Limitations

Except as expressly provided for in sections 35 to 38 and 41:

- (a) this Statutory Acknowledgement does not affect, and must not be taken into account by, a person exercising a power or performing a function or duty under an enactment or a bylaw, and
- (b) a person, in considering a matter or making a decision or recommendation under an enactment or a bylaw, must not give greater or lesser weight to the association of Hineuru with a statutory area than that person would give, if there were no Statutory Acknowledgement or deed of recognition for the statutory area.

The Statutory Acknowledgement does not:

- (a) affect the lawful rights or interests of a person who is not a party to the deed of settlement, or
- (b) have the effect of granting, creating or providing evidence of an estate or interest in, or rights relating to, a statutory area.

14.11 Statutory Acknowledgement for Te Hoe River and tributaries

14.11.1 Statutory area

The area to which this Statutory Acknowledgement applies is Te Hoe River and tributaries as shown on deed plan OTS-205-28.

14.11.2 Statement of Association

Preamble

Under Section 34, the Crown acknowledges the statement by Hineuru of association with Te Hoe River and tributaries.

Association of Hineuru with Statutory Area



The awa that are located within the Hineuru rohe have great spiritual importance, they are important in their own right, and in their connections to one another. Just as every element of the natural world has its own mauri, each awa in the Hineuru rohe has its own mauri and wairua which is unique to that awa. The wai that flows through the awa symbolises the link between the past and the present and acts as a force of connection: nga awa are the ribs of our tipuna, which flow from the Maunga carrying the lifeblood of Papatuanuku and the tears of Ranginui. The wai in nga awa, therefore create a unifying connection for the iwi with the awa, the spiritual world, and the Maunga itself. Our awa are a significant taonga, they are life-giving and provide both physical and spiritual sustenance.

The tangible linkages between the awa provided the iwi with a system of nga ara, or pathways throughout the rohe, and allowing iwi access the inland. River travel was important to Hineuru for both economic and social reasons.

The Hautapu River flows into the Te Hoe River, which is located in the far eastern reaches of the Hineuru rohe. Both rivers act as a natural boundary to other iwi and hapu. The Te Hoe flows along the eastern boundary of Heruiwi 4, Pohokura 1 and Tatarakina.

The significance of Te Hoe stems from its importance as a traditional boundary marker, and a mahinga kai resource. Where it meets the Mohaka River, there is a concentration of sites of significance.



Located in this area was, Pahiakai; a site known as one of 'Te Kooti's lookouts'. According to traditional history, Pahiakai was an important wahi tapu site. There were caves within the hill in which many dead were interred.

Ngatapa was an important Hineuru pa located on the junction of the Te Hoe and Hautapu Rivers. It was settled permanently by the descendants of Whakaekenga, the grandson of Hineuru and Kiripakeke. According to traditional sources, Ngatapa was also the site of cultivations and wahi tapu site where dead are buried. Kaumatua recall that, during the 1950s, there were still extensive cultivations. Potato, kumara, corn, maize, pumpkin, marrow, logan berries, gooseberries, strawberries, cabbages, leeks and turnips were all grown at Ngatapa.

Hineuru whakapapa defines our connection to this land, and our responsibility as kaitiaki; that is why the sites located along the Te Hoe River are important to Hineuru.

Urupa were located to the south at the confluence of the Te Hoe and Mohaka Rivers. This was significant to Hineuru, as a wahi tapu.

Mahinga kai

The Te Hoe River and tributaries were abundant with fish species resources, including tuna, trout and the freshwater koura. Hangi stones were also an important resource which were gathered and used to heat dwellings as well as to cook food.

The gathering and processing of tuna, trout and koura was a customary practice that strengthened cultural systems and whanaunga.

The river provided the people with drinking water, the importance of which should not be underestimated. It was a source of wairua, and the river was felt to have healing properties. For example, it was thought to aid with the healing of women after they had given birth. Rivers also provided spiritual cleansing, and the waters were used for the washing of tupapaku and were also an important part of the process of ta moko.

Every river had its own taniwha, and identity and potential use, and it was up to the individual or community to utilise it as appropriate to the particular circumstances. Springs were used particularly for more utilitarian washing purposes.

The ngahere that surrounded the river were very dense. The toitoi, matai, kouka, kahikatea, kohukohu, koromiko, and kotukutuku dominated the ngahere which were prolific with birdlife and berries, both of which were an important food source. The feathers from all birds were also collected and used for many purposes. Hineuru people would observe the feeding patterns of the birdlife and learn from them what plant was safe to consume. Animal and bird hinu was used to preserve kai. Kiore were hunted in the ngahere and were still relatively common in the mid-twentieth century. Kereru were very highly prized delicacies which were consumed with great ritual. They were served by the women and the men would always eat first, kereru were never to be eaten with a knife. This was a ritual passed down through the generations.

The forests were not only an important source of kai, they were also the source of traditional rongoa. For example, the kouka, manuku, toitoi and kanuka were used for vapour baths and chest infections, horopito for treating skin disease, the ferns were used to treat fever and inflammation. For much of the year, the Hineuru rohe was an extremely cold place to reside; the ngahere provided toitoi fern for bedding; both the toitoi and the bark of the totara tree were used as insulation; and kanuka and manuka were burnt along with hangi stones to heat residences.

Matauranga associated with the collection of resources from nga awa and ngahere was central to the lives of Hineuru tipuna. Matauranga and associated tikanga and kawa and karakia are all essential for maintaining customary traditions associated with gathering and utilising resources. Our tūpuna had considerable knowledge of whakapapa, traditional tracks, 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 Hineuru today.

The iwi have cultural, spiritual, traditional and historic associations with the rivers and their environs, and associated land and flora and fauna. The iwi have a responsibility as kaitiaki to restore, protect and manage all those natural and historic resources and sites. This relationship is as important to Hineuru people today as it was to their tipuna. 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 continued recognition of the iwi, our identity, traditions and status as kaitiaki is entwined with the rivers in our rohe and associated lands, and associated resources.

14.11.3 Purposes of Statutory Acknowledgement

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14.11.4 **Relevant consent authorities to have regard to Statutory Acknowledgement**

Under Section 36, relevant consent authorities must have regard to the Statutory Acknowledgement relating to a statutory area in deciding, under Section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to an activity within, adjacent to, or directly affecting a statutory area.

14.11.5 **Environment Court and Heritage New Zealand Pouhere Taonga to have regard to Statutory Acknowledgement**

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Under Section 38, if an application is made under Section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will, or may modify or destroy an archaeological site within the statutory area, Heritage New Zealand Pouhere Taonga must have regard to the Statutory Acknowledgement relating to the statutory area.

The Environment Court, in determining under Section 59(1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the Statutory Acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.

In this section, archaeological site has the meaning given in Section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

14.11.6 **Limitations**

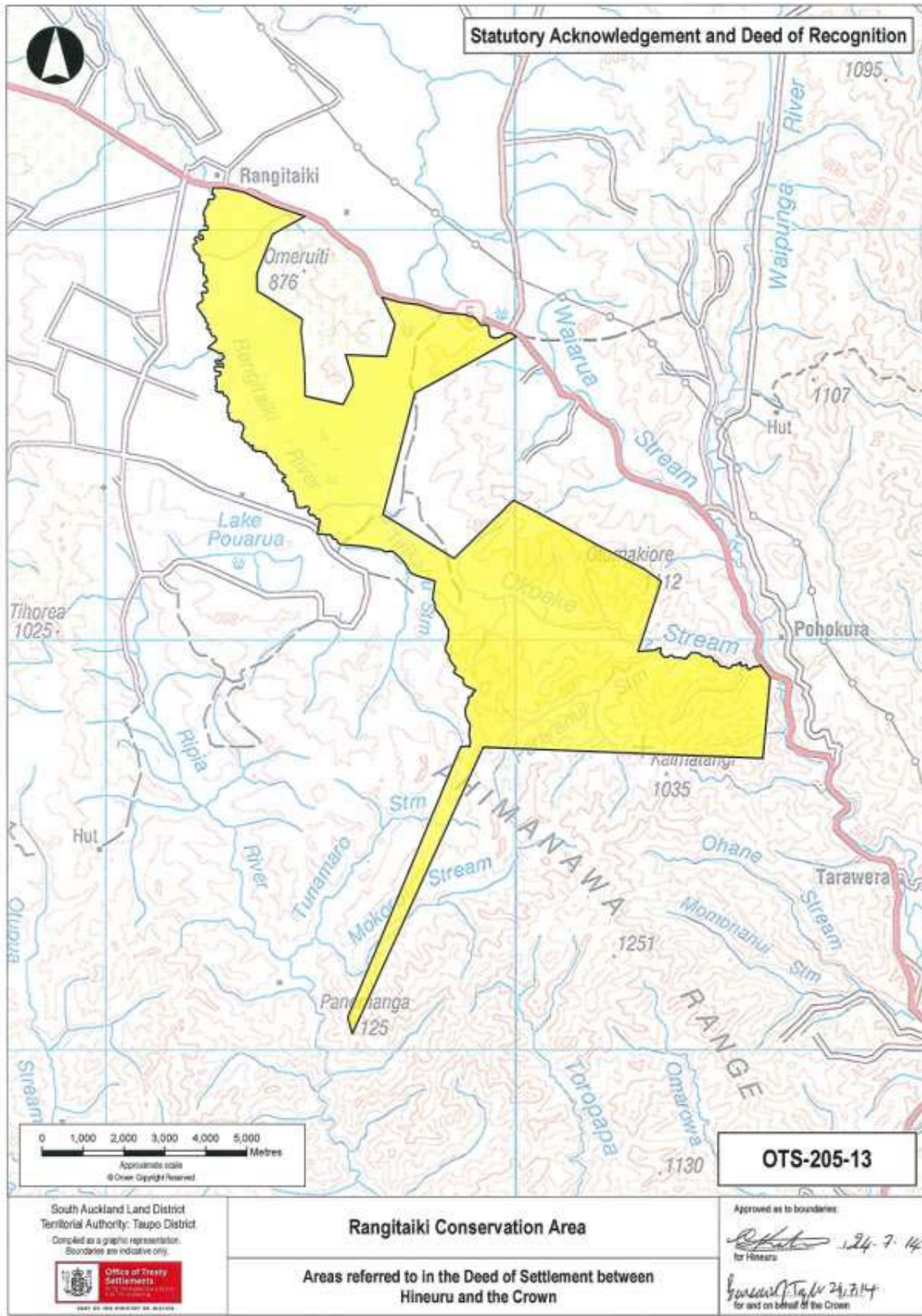
Except as expressly provided for in sections 35 to 38 and 41:

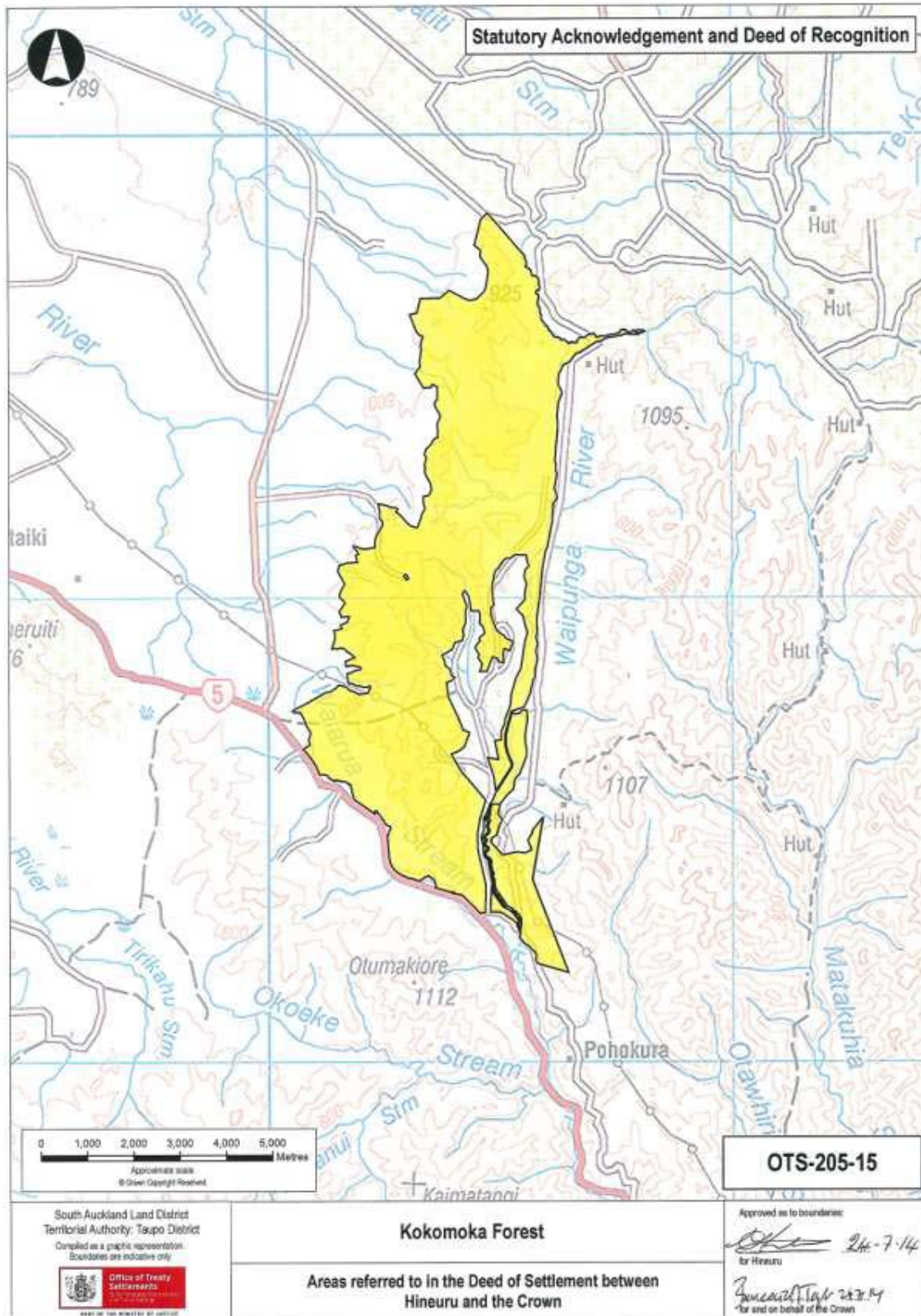
- (a) this Statutory Acknowledgement does not affect, and must not be taken into account by, a person exercising a power or performing a function or duty under an enactment or a bylaw, and
- (b) a person, in considering a matter or making a decision or recommendation under an enactment or a bylaw, must not give greater or lesser weight to the association of Hineuru with a statutory area than that person would give, if there were no Statutory Acknowledgement for the statutory area.

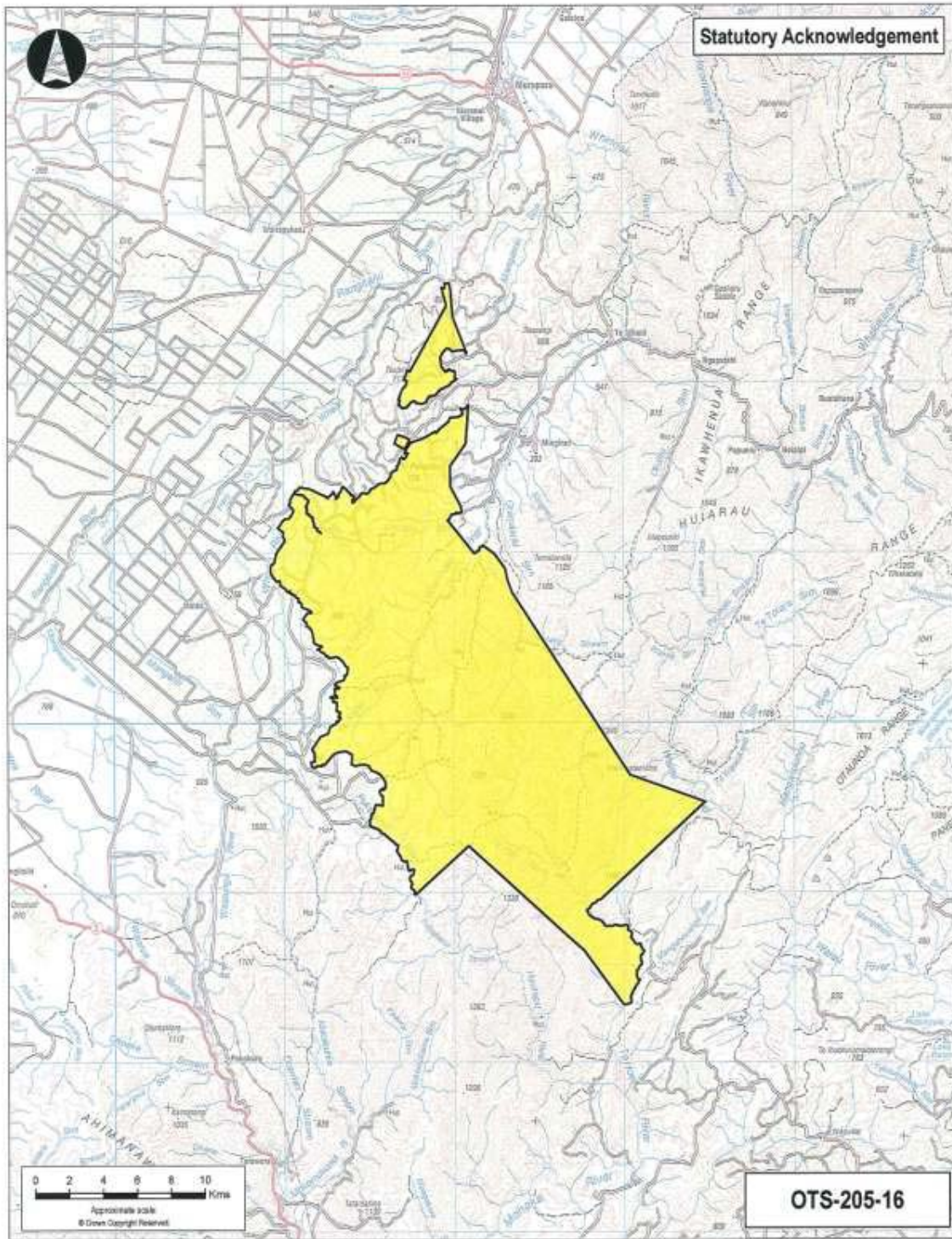
The Statutory Acknowledgement does not:

- (a) affect the lawful rights or interests of a person who is not a party to the deed of settlement, or
- (b) have the effect of granting, creating or providing evidence of an estate or interest in, or rights relating to, a statutory area.

14.12 Maps of Hineuru Statutory Areas







Statutory Acknowledgement

OTS-205-16

South Auckland Land District
Territorial Authority Waikato, Whakatane
and Taupo District.

Compiled as a graphic representation
Boundaries are indicative only.



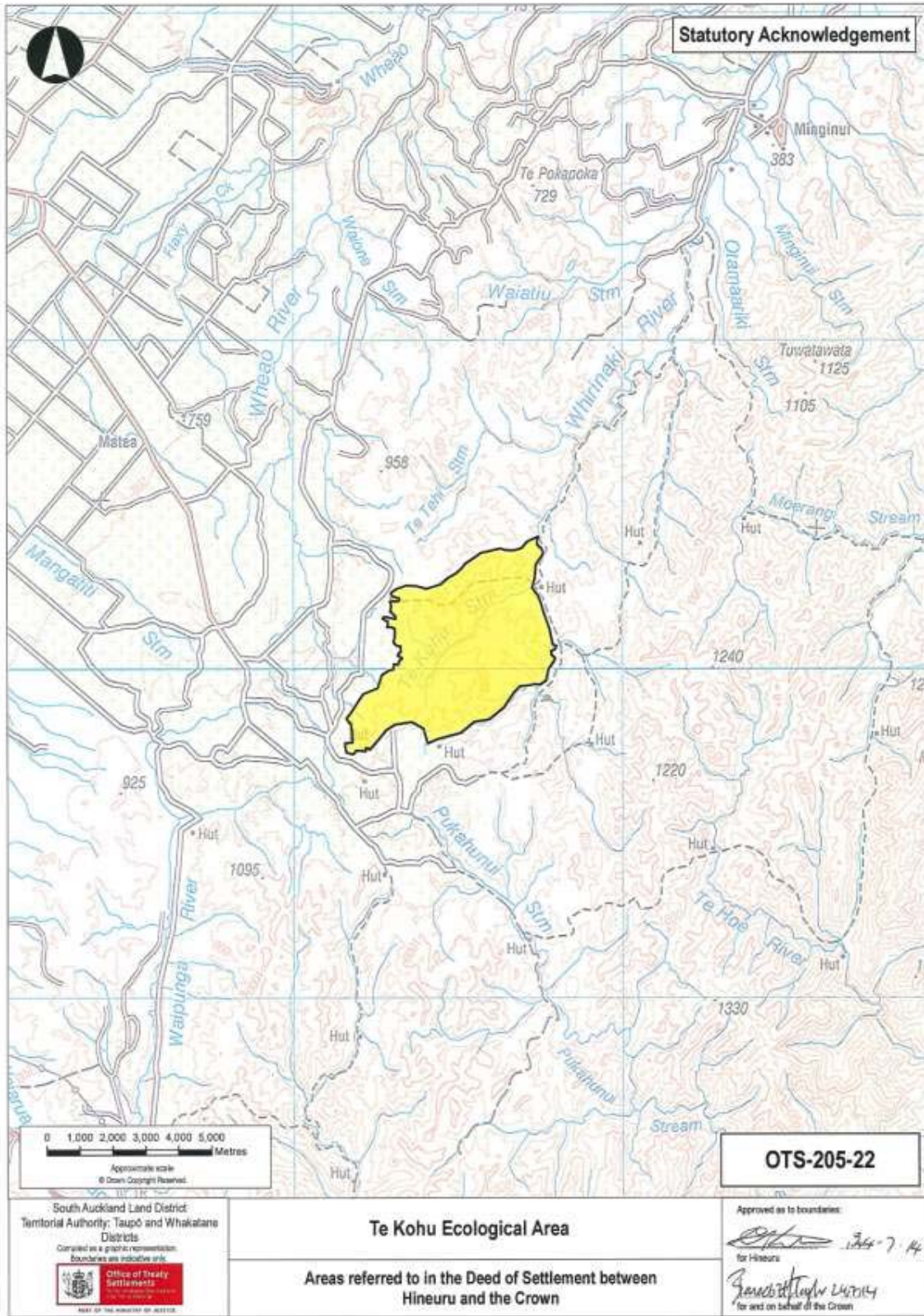
Part of Whirinaki Te Pua-ā-Tāne Conservation Park

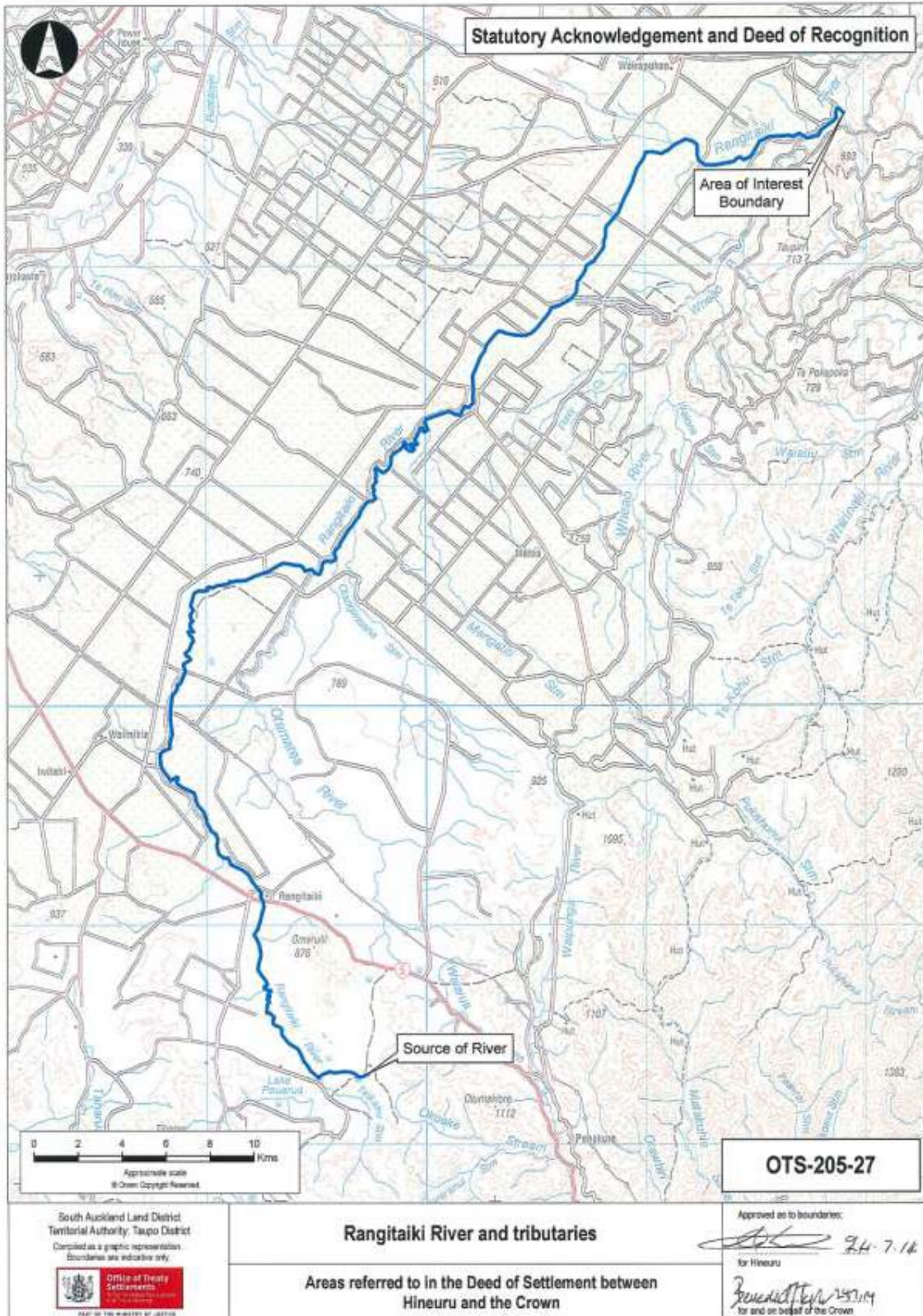
**Areas referred to in the Deed of Settlement between
Hineuru and the Crown**

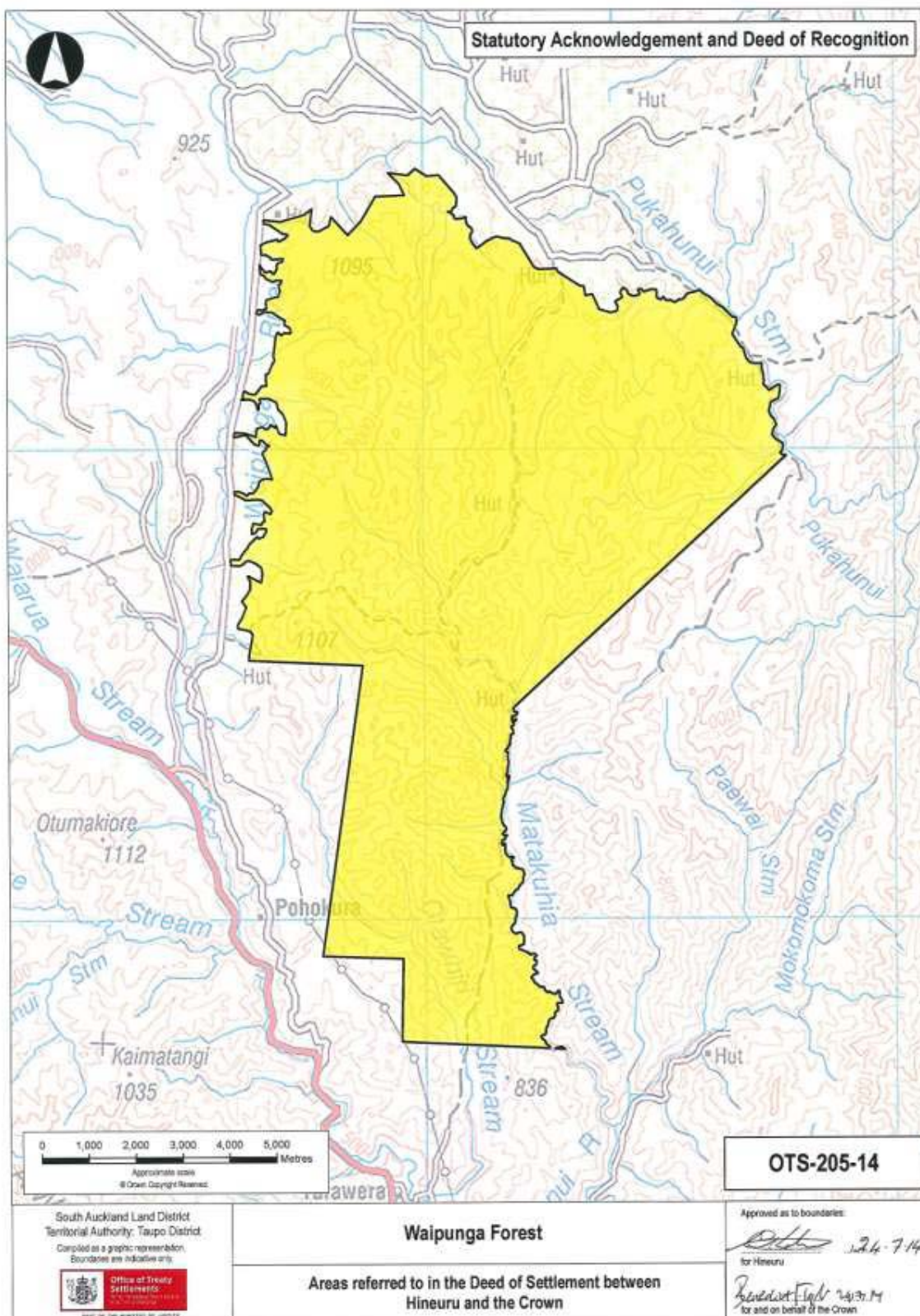
Approved as to boundaries:

[Signature] 24.7.14
for Hineuru

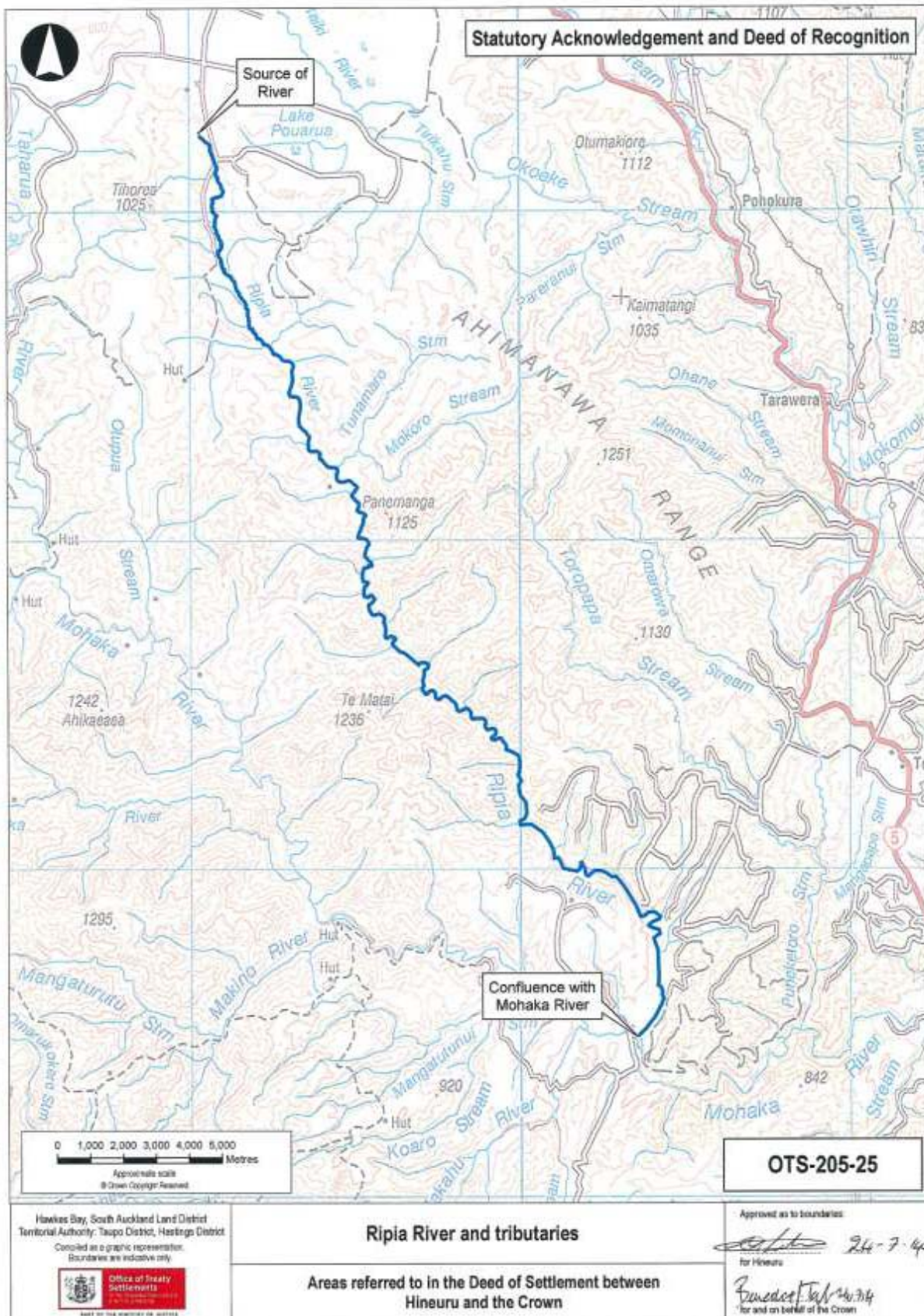
[Signature] 24.7.14
for and on behalf of the Crown



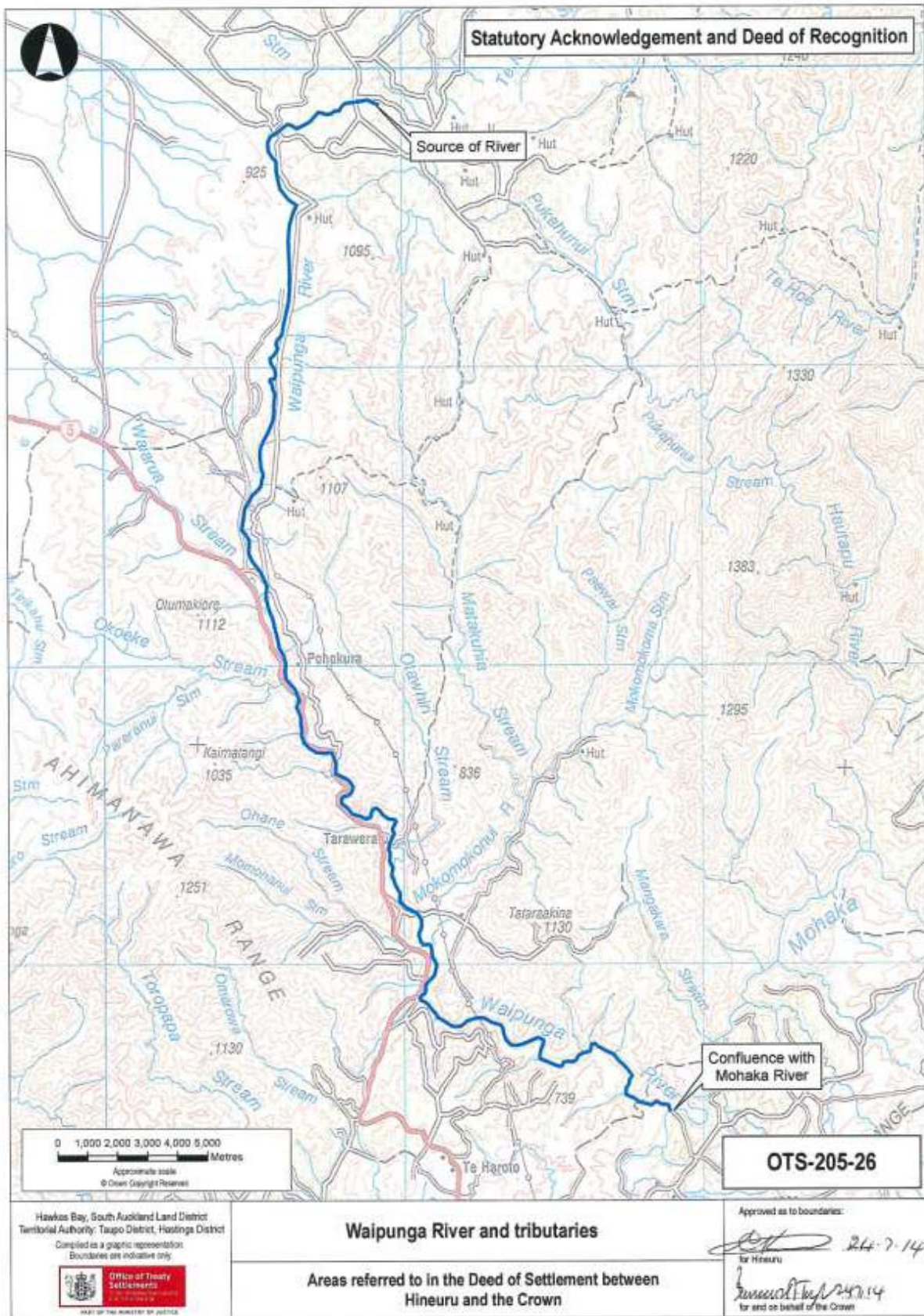




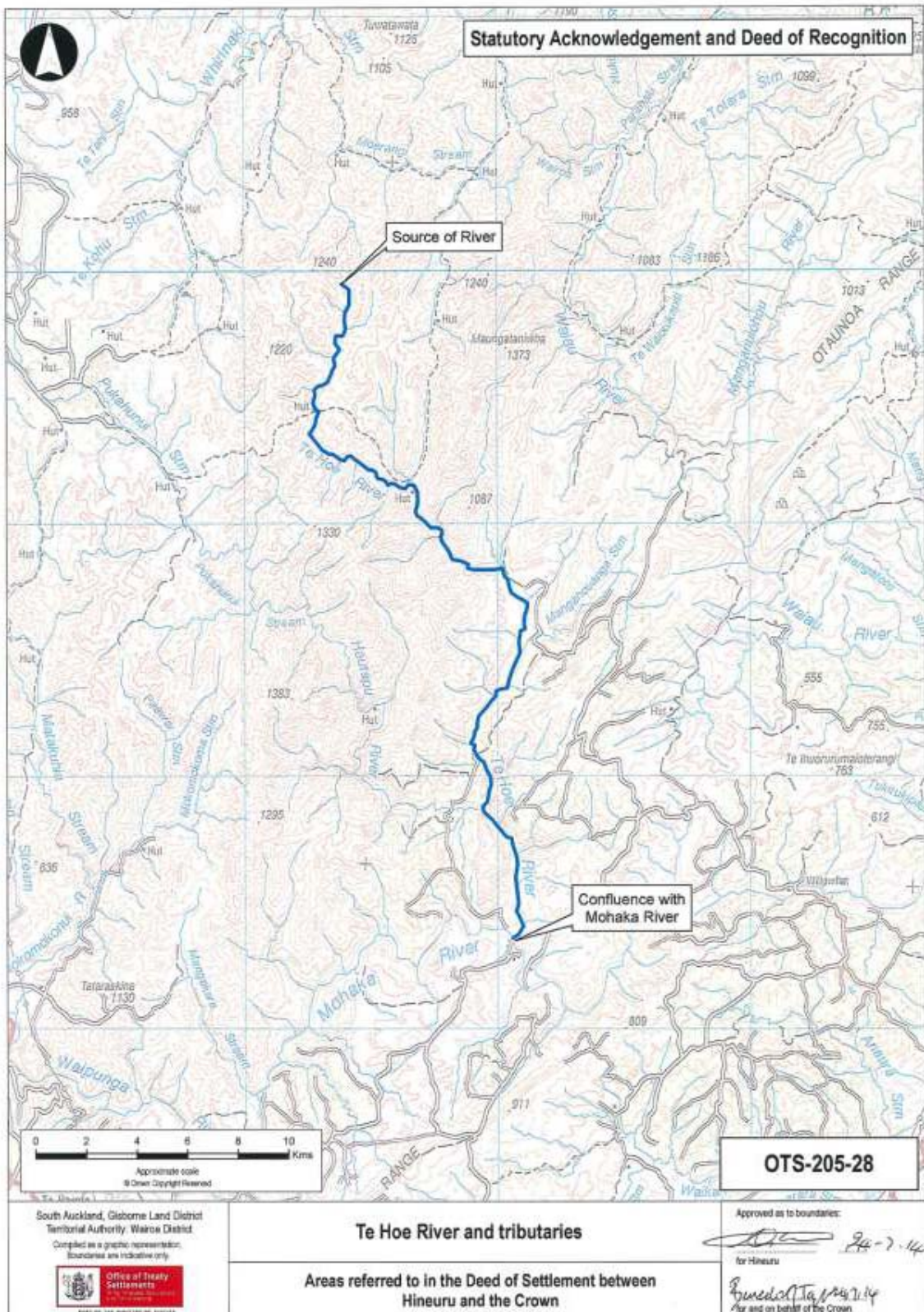
Note: Waipunga Forest (OTS-2015-14) is outside of the Bay of Plenty region but parts of it are close (within approximately 1 km) of the regional boundary.



Note: Ripia River and tributaries (OTS-2015-25) is outside of the Bay of Plenty region but parts of it are close (within approximately 1 km of the regional boundary).



Note: Waipunga River and tributaries (OTS-2015-26) is outside of the Bay of Plenty region but parts of it are close (within approximately 1 km of the regional boundary).



Note: Te Hoe River and tributaries (OTS-2015-28) is outside of the Bay of Plenty region but parts of it are close (within approximately 1 km of the regional boundary).