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Wai 2180 #A1

Wai 1510 #A1

WAIOURU DEFENCE LANDS

RESEARCH SCOPING REPORT

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Ministry of Justice

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SUMMARY OF KEY RECOMMENDATIONS

This report develops two main research options: (1) extending this scoping report to meet an 'expedited' timeframe, or (2) commissioning 'interim' reports from a standard research programme, beginning with Oruamatua Kaimanawa and surrounding areas.

The 'expedited' option of extending this scoping report to a full research report would take 2-3 months, depending on the extent of research assistance available. The 'interim' option would require agreement and co-ordination with the CFRT research programme that is about to begin early next year.

The 'interim' option would probably require one year, but would bring the benefit of increasing our understanding of the wider context of the Taihape inquiry district. This may be particularly necessary in understanding the wider tribal landscape affecting events in the lands that became part of the Waiouru defence areas.

In fact, neither of these options necessarily excludes the other, and the Tribunal may be well advised to both extend this scoping report to a full report, and to liase with CFRT to see whether its research programme could begin with the northern end of the Taihape inquiry district wherever possible.

These recommendations are made on the assumption that the parties to the inquiry will also be providing oral evidence by tangata whenua witnesses as well as any research that is presented.

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THE AUTHOR

The author is named after his paternal forebears who came to Hokitika, via Ballarat, from their ancestral village of Nieder-Wiesel, near Frankfurt-am-Main, in Hesse. On his mother's side, the author is descended from the Wilson family, who emigrated to Katikati and later resettled in Warkworth, establishing the Wilson's Cement Company.

The author has graduated to the degree of Master of Arts with Distinction in Political Science, reading aspects of the history of political thought, social, political and jurisprudential theory, and political philosophy under Professor Mark Francis at the University of Canterbury. He earlier graduated to the degree of Bachelor of Arts with First Class Honours in Political Science, reading aspects of the history of Māori social and political thought to honours level under Doctors Roger Maaka and Lyndsay Head at the University of Canterbury.

Disclosure: The author previously worked as an Archives Officer at the NZ Defence Force Personnel Archives in Trentham Military Camp for around six months before taking up his present employment at the Waitangi Tribunal Unit, Ministry of Justice. He was also previously a member of the school cadets (NZ Cadet Corps) and once attended a bushcraft survival course in the 'Paradise Valley' in the northern part of the Army Training Area at Waiouru.

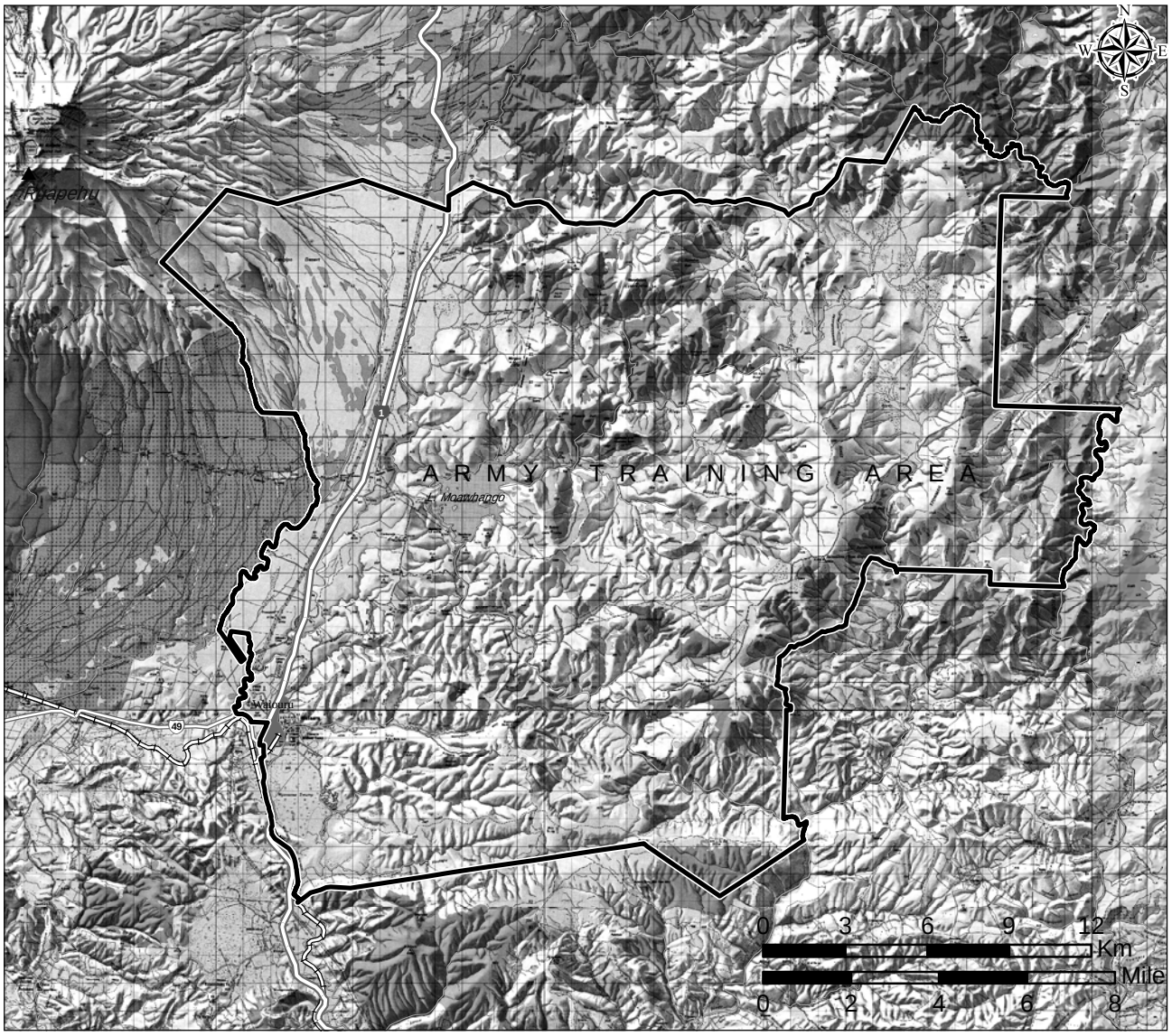

Figure 1: Army Training Area, Waiouru (NZMS 261 topographical map series)

1. Introduction

This report was commissioned by the Waitangi Tribunal on 24 November 2009. On the basis of preliminary work dating back to 1 October 2009, the author was directed to report back by 16 December 2009 on the scope of any research required for a Tribunal inquiry on the Waiouru Defence Lands' (Wai 2180 #2.3.1). The report is to:

- Identify and clarify the Defence lands research issues raised or implied by statements of claim and submissions of parties to date.
- Identify and assess the existing research and published literature concerning Defence lands relevant to the issues identified, drawing conclusions on its adequacy for addressing Defence lands issues.
- Where the assessment reveals research gaps or inadequacy, recommend what further research might be required.
- Recommend how any further potential research should be organized, including a brief outline of any report(s) and the time required to undertake them;
- Identify the main sources that are available to address the issues to be covered in any further research.

Before we begin, it is necessary to clarify what we mean by 'Waiouru defence lands', and the place of any research recommendations within a Tribunal inquiry.

The lands in question

By the phrase 'Waiouru defence lands', we mean the lands acquired for defence purposes around Waiouru. Nowadays, the Waiouru defence lands consist of the Waiouru Military Camp and associated army training area, and also the HMS Irirangi wireless station. The army training area is marked on topographical maps with a red line around the perimeter (Figure 1, above). It lies either side of the Desert Road (State Highway 1). The Waiouru defence lands lie within an area once known as 'Inland Patea' or, perhaps, 'Mokai Patea'. ('Inland' was affixed to 'Patea' in colonial times to distinguish the Pātea in what is now Taihape from the Pātea in Taranaki).

The Waiouru army training area is bounded to the north by the Rangipō desert and the Kaimanawa mountain range. To the west of the Desert Road, the army training area skirts Karioi forest and extends to the lower flanks of Mount Ruapehu. To the east of the Desert Road, the army training area crosses the Moawhango River and at its furthest extent reaches several stretches of the upper Rangitīkei River. The Moawhango River is now dominated by Lake Moawhango, an artificial lake that was formed by damming the river as part of the Tongariro Power Development Project. Various waters are diverted to Lake Moawhango and then fed into Lake Rotoaira (much further to the north) via underground tunnels.

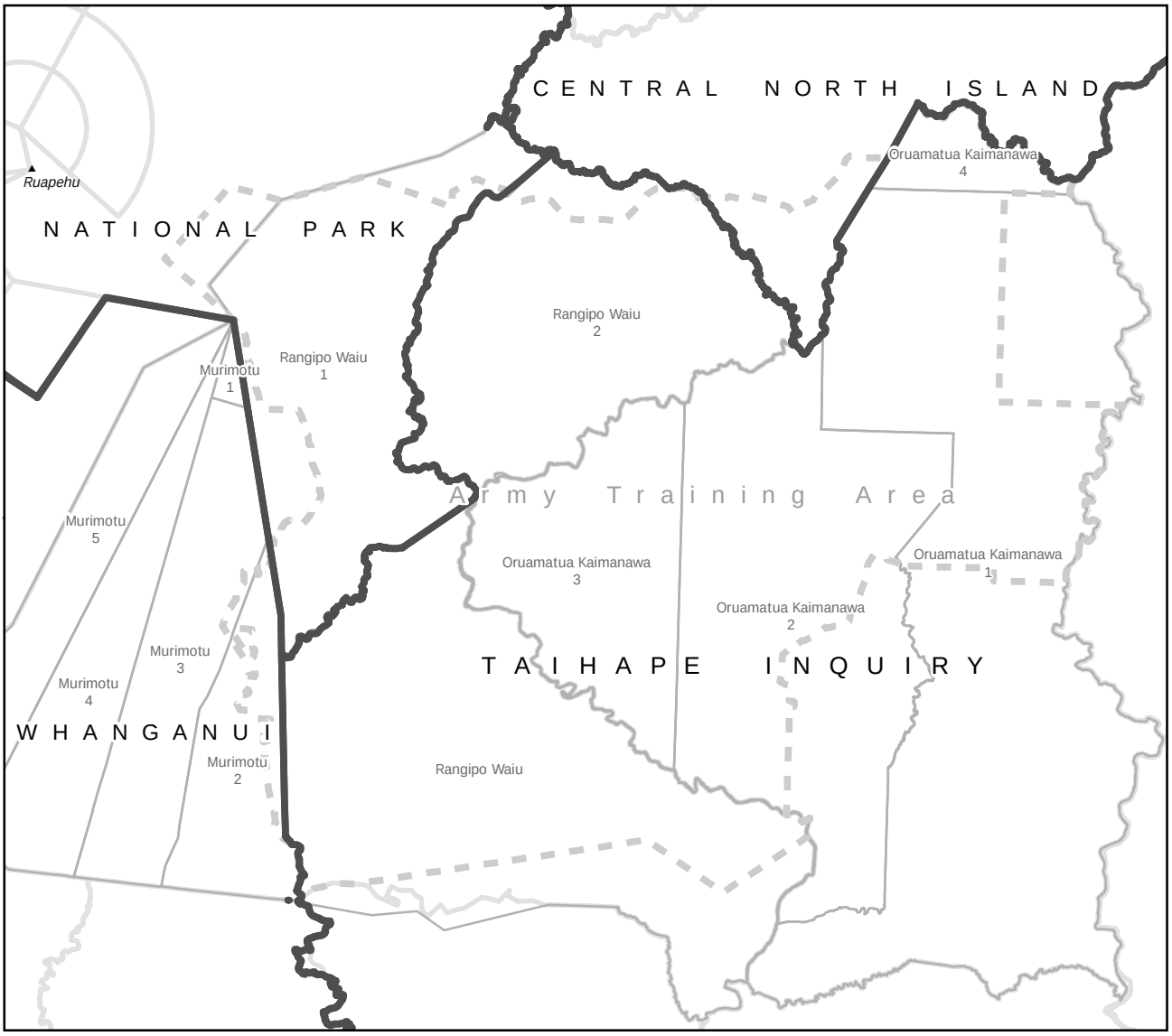

Figure 2: Waitangi Tribunal inquiry districts and original Maori land titles in the Waiouru area

Implications of submissions and memoranda to date

The problem of inquiring into Māori claims arising in the area now known as the Waiouru defence lands arises because this area intersects across four Tribunal inquiry districts – the Central North Island, National Park, Whanganui and Taihape inquiries (Figure 2, above). This has made it difficult for claimants to address this topic as an ordered whole. The original Māori land titles concerned are:

- Central North Island – Kaimanawa 3
- National Park – Rangipō North, Rangipō Waiu 1
- Whanganui – Murimotu, Rangipō Waiu (Ngāti Rangi interests), Raketapauma
- Taihape – Rangipō Waiu (non-Ngāti Rangi interests), Rangipō Waiu 2, Oruamatua Kaimanawa 1-4

In the preliminary phases of establishing a Taihape inquiry, the boundaries recognised a defence lands 'overlap' area in the Central North Island, National Park and Whanganui inquiry districts to enable the defence lands to be heard as a single issue across the established boundaries.

The Rangipō Waiu area makes up nearly half the area now in the Waiouru defence lands. The National Park inquiry has already heard significant amounts of evidence covering around one third of that area, namely the Rangipō Waiu 1 block. Defence issues, however, were reserved for a future inquiry, as the bulk of the defence issues lay in the potential Taihape inquiry district (Wai 1130 #2.3.23, s 2.1).

During the preliminary stages of organising a Tribunal inquiry in the Taihape, Manawatū and Porirua areas (Wai 1510), claimant counsel made repeated requests for an expedited hearing into the Waiouru defence lands. The Tribunal subsequently decided to organise a separate inquiry for the Taihape or 'inland Patea' area and to commission a report on the scope of any research required for an expedited inquiry – or possibly even a 'joint report' – on the Waiouru Defence Lands (Wai 2180 #2.5.9, s 7). The Crown Forestry Rental Trust has also indicated it is pursuing research scoping reports and research assistance projects that cover the whole of the Taihape and Porirua ki Manawatū inquiry districts (Wai 1510 #6.2.1).

It is not entirely clear what an 'expedited inquiry' or a 'joint report' on the Waiouru defence lands might entail. This author has not been commissioned to report on such possibilities, but this question does form part of the background of forming realistic and useful research recommendations. As this report has been written in advance of any detailed discussions on the matter, the author has taken the liberty of proceeding with four possible forms of inquiry in mind:

- An 'expedited' inquiry into the Waiouru defence lands only, conducted without delay, possibly involving the National Park and Whanganui inquiry panels.
- An 'interim' report on the Waiouru defence lands by a Taihape inquiry panel, to be later incorporated in any final report published by the Taihape inquiry.
- A 'stage one' report focusing on the Waiouru defence lands and a limited number of burning issues as part of a 'modular' or multi-stage Taihape inquiry.
- A 'comprehensive' Taihape inquiry, in which the Waiouru defence lands forms one of several topics for inquiry.

This 'research scoping' report has therefore taken a certain structure in light of the possibility that the research recommendations might have to apply either to an expedited enquiry in which the public works takings only are covered, or to some wider form of inquiry in which intersecting issues concerning the Waiouru lands are also covered. The author has attempted to sketch out events and circumstances in greater detail than might, perhaps, have been expected, to give the Tribunal the benefit of the wider context surrounding the public works issue in Waiouru. Furthermore, it has been assumed, should a joint report between inquiry panels be

considered feasible, that research that has already been tabled and is being reported on in the National Park and Whanganui inquiries is already sufficient for those purposes.

What wider issues, then, might intersect with the Waiouru defence lands? This report identifies from the statements of claim a number of standard topics that intersect with both the Waiouru defence lands and the wider Inland Pātea area:

- People – Who are the peoples of Inland Pātea and the Waiouru area in particular? What existing documentary evidence should the Tribunal be cognizant of?
- Land – What is the history and circumstances of Maori land ownership, retention and alienation in Inland Pātea and the Waiouru area in particular?
- Public Works – How were the Waiouru defence lands acquired? How much Māori land was acquired when, and by what process? How did that process compare with any general lands acquired? Are any lands taken still being used for the purpose for which they were acquired?
- Environment – are there any concerns for wāhi tapu and waterways or other environmental factors?

This report will address the above topics in turn before making some specific research recommendations with the various inquiry parameters in mind. First, however, we will examine the claims concerning the Waiouru defence lands.

2. The Claims

This section examines the claims that mention lands or events that in some way relate to the Waiouru defence lands. This is a deliberately wide selection to ensure that the Tribunal is aware of all possible aspects of claims relating to the Waiouru defence lands. Listing the claims in this manner does not necessarily mean that the Tribunal should or would hear all possible aspects of these claims if it proceeded to hear the claims concerning the Waiouru defence lands in an expedited manner. That would be for the Tribunal to decide.

Claims concerning the Waiouru locality raise a number of topics besides the acquisition of the Waiouru lands for defence purposes. Those topics may be summarised as:

- Rohe
- Native Land Court title investigations
- Land alienation
- Public Works – Defence Lands
- Public Works – Tongariro Power Development
- Environment - Downstream effects of TPD / Moawhango Dam
- Environment – Kaimanawa Wild Horses
- Environment – Wāhi tapu

The amount of specific information included in the statements of claim can vary according to whether or not they have been involved in other inquiry districts so far. The Ngāti Tūwharetoa comprehensive claim (Wai 575) and the Ngāti Waewae claim (Wai 1260), for instance, have given detailed particulars of their claims relating to the Central North Island, National Park, and Whanganui inquiries, and in places have touched on the Waiouru defence lands. None the less, no claimants have yet lodged comprehensive and detailed particulars of their claims concerning the Waiouru defence lands and the particularised statements of claims received for other inquiry districts do not necessarily carry any more weight than others concerning the Waiouru defence lands.

The claims identified as being of some relevance to the Waiouru defence lands are listed below (Table 1). They were identified because they mentioned the defence lands or the Rangipō North, Rangipō Waiu, Kaimanawa or Oruamatua Kaimanawa blocks in some way. It is important to bear in mind that although some claims (such as Wai 1262, for instance) may mention interests in a large block such as Rangipō North, it does not necessarily follow that they possessed or were recognised as possessing interests in those areas acquired for the Waiouru defence lands.

Although these claims were identified because they touched upon a geographic location – the Waiouru defence lands – it is important to recall that the groups concerned may have had similar or related experiences of public works takings for defence purposes. They may well consider that those related experiences are a more important defining feature than mere geography. In particular, the Ngāti Tūwharetoa comprehensive claim (Wai 575) and the Ngāti Waewae claim (Wai 1260) listed their defence claims in the context of the National Park inquiry as being (1) 1913 takings to the north-west of Mount Ruapehu between National Park township and Whakapapa Village, and (2) 1942 takings to the south-west of Mount Ruapehu at Waiouru. Such instances have been included below in case the Tribunal wishes to understand the broader context of a

particular group's experience. They have not been considered in detail, however, because of their geographic location outside Waiouru. If the Tribunal decided to cover other locations in detail it would need to be cognizant of a number of claims by other groups – such as Ngāti Hikairo, for instance – concerning those other events and locations.

We now turn to examine the claims in sequence.

Table 1: Registered claims concerning the Waiouru defence lands

Wai No.	Group	Claim documents	Whanganui Inquiry documents	National Park Inquiry documents
61	Rotoaira Forest Trust	Wai 61 #1.1	Wai 903 # 1.1.67	Wai 1130 #1.2.14
151	Ngāti Rangi	Wai 151 #1.1		
575	Ngāti Tūwharetoa comprehensive	Wai 575 #1.1	Wai 903 # 1.1.67	Wai 1130 #1.2.14
588	Ngāti Tama Whiti	Wai 588 #1.1		
1260	Ngāti Waewae	Wai 1260 #1.1	Wai 903 #1.1.65	Wai 1130 #1.2.15a
1262	Ngāti Hikairo ki Tongariro	Wai 1262 #1.1	Wai 903 #1.1.66/ #1.2.41	
1639	Mokai Patea	Wai 1639 #1.1.1		
1705	Mokai Patea	Wai 1705 #1.1.1		
1835	Ngāti Paki & Ngāti Hinemanu	Wai 1835 #1.1.1		

Claims concerning the Waiouru defence lands

Wai 61 – Rotoaira Forest Trust

Claim number 61, dated 9 June 1988, was filed by the Trustees of the Rotoaira Forest Trust, which represented a number of Ngāti Tūwharetoa hapū, including Ngāti Waewae and Ngāti Hikairo. Among other things, the Trust laid claim to areas in the Rangipō North, Rangipō Waiu and Oruamatua Kaimanawa blocks that were acquired for defence purposes. Wai 61 is now clustered together with several other claims as part of Wai 575, the Ngāti Tūwharetoa comprehensive claim (see below).

Wai 151 – Ngāti Rangi

Claim number 151 was filed by Tumanako Gray, Matiu Mareikura, James Akapita and Ropata Gray in July 1990, on behalf of the descendants of Rangituhia, Rangiteauriea and Uenukumanawawiri. They made a number of allegations concerning the Waiouru defence lands. They ask that the Tribunal hear this claim at Maungarongo Marae, where many descendants of the original owners reside.

Wai 575 – Ngāti Tūwharetoa comprehensive claim

Claim number 575, dated 26 April 1996, was filed by the late Sir Hepi Te Heu Heu and the Tūwharetoa Trust Board on behalf of the hapū of Ngāti Tūwharetoa. They state the Ngāti Tūwharetoa rohe was defined by Te Heu Heu Tukino at the Taupo-nui-a-tia title investigation on 16 May 1886. Part of that description applies to the lands now in the Waiouru Army Training Area: an area stretching from the Mohaka River to the Oruamatua block, to Waitangi 'the boundary of Rangipō' (Wai 575 #1.1, s 1.2).[1]

An amended statement of claim, dated 26 July 2005, was filed by Te Ariki Te Heuheu Tukino VIII Tumu on behalf of Ngā Hapū o Ngāti Tūwharetoa (Wai 575 #1.1F). Wai 575 now incorporates a cluster of claims, including Wai 61 on behalf of the Lake Rotoaira Forest Trust, discussed above. The claim makes a number of allegations concerning defence lands, some on the north-western side of the National Park inquiry district between National Park township and Whakapapa Village, others to the south-east of the National Park inquiry district, in the Waiouru Army Training Area. An amended statement of claim, dated 13 March 2006, was filed for the Whanganui inquiry (Wai 575/903 #1.1.67).

Wai 588 – Ngāti Tama Whiti

Claim number 588, dated 22 May 1996, was made by Ike Hunter on behalf of Ngāti Tamakopiri and Ngāti Whitikaupeka (Ngāti Tama Whiti). This claim initially concerned the Kaimanawa Wild Horses, alleging that the Crown violated Ngāti Tama Whiti's rangitiratanga over their ancestral lands and the products of those lands by lifting the protection zone status over the herd's range (Wai 588 #1.1, p 1). An application for urgent hearing of the claim was also made (Wai 588 #2.3, 2.4), to which the Crown responded (Wai 588 #2.5); the application for urgency was declined (Wai 588 #2.6).

An amended statement of claim, dated 29 October 1996, then sought to extend the claim to not only include the Kaimanawa Wild Horses but also the defence land they ranged upon – the Oruamatua Kaimanawa block that now forms part of the Waiouru Training Area (Wai 588 #1.1A, p 1). This block lies between the Moawhango and the Rangitīkei Rivers. It is mostly undulating tussock land with occasional patches of

[1] Taupō Minute Book, vol 4 p 34

indigenous bush and forest, interspersed with occasional wetlands. Some steep hills suffer serious erosion. The climate is harsh and severe at this altitude, especially in winter (Wai 588 #1.1A, p 2).

Wai 588 claims that Ngāti Tamakopiri and Ngāti Whitikaupeka were the original inhabitants of Oruamatua Kaimanawa. They used to gather kiore, kiwi, weka, titi, kakapo, tuna and various freshwater fish in this area (Wai 588 #1.1A, pp 2-3). They claim the mauri of the Moawhango River originates at Waipahihi, in the Kaimanawa State Forest Park, flowing south-east to the Rangitīkei River near Taihape, and that the kaitiaki is Tarapikau of Ngāti Tama Whiti, who is 'synonomous' with the conflict over the Kaimanawa Wild Horses (Wai 588 #1.1A, p 3).

Wai 1260 – Ngāti Waewae

Claim number 1260, dated February 2005, was made by John Reweti and Louis Chase on behalf of Ngāti Waewae of Ngāti Tūwharetoa. They claim Ngāti Waewae has suffered land, spiritual, cultural and economic losses as a result of various acts and omissions by the Crown (Wai 1260, #1.1, p 2). The claim asserts that Ngāti Waewae are a Ngāti Tūwharetoa hapū with wider links to Ngāti Rakeipoho, Ngāti Rangituhia, Tawiri and Ngāti Tama.[2] These whakapapa connections stretch across Taupō and Whanganui (Wai 1260 #1.1D, p 5). A Ngāti Waewae community lives at Te Reureu near Marton, where they were sent to stop further land sales in that area (Wai 1260 #1.1D, p 7). The Waitangi River – which crosses the Murimotu and Rangipō Waiu blocks – formed a significant natural boundary between Ngāti Waewae on the northern side and Ngāti Rangituhia on the southern side. However, both groups did possess hunting and fowling rights on both sides of this river (Wai 1260 #1.1D, p 7).[3]

The area claimed for Ngāti Waewae intersects the Central North Island, National Park, Whanganui, Taihape and Manawatū-Porirua inquiry districts, and amended statements of claim have been filed giving specific details of the claims applying to the first three of these districts. An amended statement of claim, dated 5 August 2005, was filed for the National Park inquiry district and gives some particulars of the claim concerning Rangipō Waiu, Rangipō North, and the Tongariro Power Development Project. An amended statement of claim, dated 3 March 2006, was supplied for the Whanganui inquiry district (Wai 903 #1.1.65). The Whanganui inquiry district organised a generic statement of claim to cover all common aspects of the claims in that district, so the particularised statements of claim for Whanganui were comparatively sparse. This amended statement of claim notes that Ngāti Waewae assert customary interests in the east and south-east of the Whanganui inquiry district in the Waimarino and Murimotu/Rangipō Waiu area (Wai 903 #1.1.65, p 3). An amended statement of claim, dated 29 August 2008, was filed for Ngāti Waewae claims within the Central North Island inquiry district. Given that the Waitangi Tribunal published its report in June 2008, this amendment was presumably to ensure that all aspects of the claims were filed before the September 2008 historical claims deadline.

Wai 1262 – Ngāti Hikairo ki Tongariro

Claim number 1262, dated 2 June 2005, was made by Tyronne Smith, Te Ngaehe Wanikau, Ngaiterangi Smallman and Brenda Pakau on behalf of Ngāti Hikairo ki Tongariro of Ngāti Tūwharetoa. They claim Ngāti Hikairo ki Tongariro suffered land, spiritual, cultural, social and economic losses as a result of Crown acts and omissions in a number of areas, including the Rangipō North and Kaimanawa blocks (Wai 1262 # 1.1, ss 2.3-2.5). It is not clear from the claim alone whether or not this included interests in the areas acquired for the Army Training Area, Waiouru. An amended statement of claim, dated 10 March 2006, was filed for the Whanganui inquiry, but casts no further light on the Waiouru Army Training Area (Wai 903 #1.1.66/#1.2.41).

[2] Ballara, Wai 1130 #A2, pp 167-168, 665, 702
[3] Ballara, Wai 903 #A40, pp 170-171

Wai 1705 – Mokai Pātea Claims Committee

Claim number 1705, dated 29 August 2008, was made by Isaac Hunter, Hari Benevides, Utiku Potaka, Maria Taiuru, Jordan Winiata-Haines, Peter Steedman, Barbara Ball and Richard Steedman on behalf of the Mokai Pātea Claims Committee. They state that the peoples of Mokai Pātea are descended from Ngāti Hauiti and Ngāi Te Ohuake, being Ngāti Paki and Ngāti Hinemanu, and Ngāti Tamakopiri and Ngāti Whitikaupeka (Wai 1705 #1.1.1, s 1.3). They possessed customary interests in a number of areas, including the Rangipō Waiu and Oruamatua Kaimanawa blocks, and the Rangitīkei, Moawhango and Hautapu rivers (Wai 1705, #1.1.1, ss 1.7, 2.1). Wai 1705 is represented by Peter Johnston and Campbell Duncan of Rainey Collins.

Wai 1835 – Ngāti Paki and Ngāti Hinemanu

Claim number 1835, dated 25 August 2008, was made by Lewis Winiata, Ngahapeaparatuae Roy Lomax, Patricia Anne Te Kiriwai Cross and Christie Teariki on behalf of Ngāti Paki and Ngāti Hinemanu. The rohe of Ngāti Paki and Ngāti Hinemanu extends eastwards from the headwaters of the Hautapu and Moawhango Rivers and includes customary interests in the Rangipō Waiu and Oruamatua Kaimanawa blocks, among others (Wai 1835 #1.1.1, ss 1.7, 1.10). Wai 1835 is represented by Annette Sykes of Rangitauira & Co.

Summary of claims by topic

In the absence of any statement of issues covering the Waiouru area, the author has taken the liberty of grouping aspects of the various claims noted above by the sorts of issue topics that arise in most inquiry districts.

Customary interests

A number of groups claim customary interests in the following blocks in connection with the Waiouru defence lands:

- Rangipō North —Ngāti Tūwharetoa, Ngāti Waewae, Ngāti Rangi, Ngāti Hikairo ki Tongariro.
- Rangipō Waiu — Ngāti Tūwharetoa, Ngāti Rangi, Ngāti Waewae, Ngāti Tama Whiti, Ngāti Paki and Ngāti Hinemanu.
- Oruamatua Kaimanawa — Ngāti Tūwharetoa, Ngāti Rangi, Ngāti Waewae, Ngāti Tama Whiti, Ngāti Paki and Ngāti Hinemanu.
- Kaimanawa — Ngāti Tūwharetoa, Ngāti Waewae, Ngāti Hikairo ki Tongariro.
- Raketapauma 1G — Ngāti Rangi.

Land alienation / Native Land Court

National Park inquiry district:

- The Native Land Court awarded interests to Ngāti Waewae individuals rather than the hapū in Rangipō North 6, Rangipō Waiu 1, and Kaimanawa 3 – among others (Wai 1260/1130 #1.2.015A, pp 20, 26, 32, 49).[4]
- The Crown acquired nearly half of Rangipō North 6 (8,256 out of 20,800 acres) for survey costs and by purchasing individual interests (Wai 1260/1130 #1.2.015A, pp 49, 73).[5]

[4] Berghan, Wai 1130 #A5, p 216

- The Crown acquired around 4/5 of Rangipō Waiu 1 (21,526 out of 26,000 acres), with the non-selling owners' interests being partitioned out into Rangipō Waiu 1B (Wai 1260/1130 #1.2.015A, p 49).

Taihape inquiry district:

- The Crown introduced a Native Land Court system that did not recognise the true extent of customary interests in Mokai Pātea and did not ensure these peoples retained sufficient lands for their present and future needs (Wai 1705, #1.1.1, ss 3.1a-3.1b).
- The Crown introduced a Native Land Court system that did not recognise the true extent of Ngāti Paki and Ngāti Hinemanu customary interests and did not ensure they retained sufficient lands for their present and future needs (Wai 1835, #1.1.1, ss 3.1a-3.1b).

Whanganui inquiry district:

- Ngāti Tūwharetoa lost their customary rights in border areas where there were multiple and overlapping interests such as in the Ohura South, Waimarino and Rangipō blocks (Wai 575/903 #1.1.67, p 6).

Public Works – Defence

General:

- The Crown acquired lands for the Defence department in Rangipō Waiu, Rangipō North, Oruamatua Kaimanawa, and the land now known as Tongariro State Forest No. 42 (Wai 575 #1.1, s 2.5.3).
- The Crown took land for defence purposes using Public Works legislation; did not compensate – or did not compensate in a timely manner – for taking these lands; and did not return those lands when no longer used for the purposes for which they were taken. (Wai 1260 #1.1(d), para 40).

Rangipō Waiu and Rangipō North blocks:

- The Crown took parts of Rangipō Waiu and Rangipō North 6C in 1942. Either the same land or neighbouring areas in Rangipō North 6C were again affected by public works in 1973 and 1991, and possibly also for roading in 1962 (Wai 1260/1130 #1.2.015A, pp 83-85).
- The Crown took Rangipō Waiu 1B for defence purposes in 1942. Even then – three decades after the fact – [the Native Trustee] had not yet paid out some compensation monies for the Mahuia B and Tawhai North defence takings from 1913 (Wai 1260/1130 #1.2.015A, p 87).[6]
- The Crown took areas in the Rangipō Waiu and Rangipō North blocks for the Army Defence Lands north and north-east of Waiouru Township under the Public Works Act (Wai 61 #1.1, p 1).
- The Crown took part Rangipo North 6C (748.9 ha) under the Public Works Act in 1942 for defence purposes. Rangipo Waiu 1B (1,811 ha) was taken in 1942 for defence purposes. No compensation was paid (Wai 575/1130 #1.2.14, ss 99.2-99.3).
- The Crown acquired 33,794 acres in Rangipo Waiu A and 9242 acres in the native reserve Rangipo Waiu B on 16 November 1939 under the Public Works Act 1928. These are the Army Defence lands lying East and South East of Waiouru township (Wai 151, #1.1, p 1).

Oruamatua Kaimanawa block:

- The Crown acquired areas of the Oruamatua Kaimanawa block for the Defence Department (Wai 61 #1.1, p 1).

[5] Berghan, Wai 1130 #A5, p 216
[6] Berghan, Wai 1130 #A5, p 24

- From the 1930s onwards, the Crown was interested in purchasing Māori-owned land in Oruamatua Kaimanawa to expand military capability at Waiouru. In 1950, cabinet approved a proposal made by the defence department in 1949 to acquire 42,000 acres of land in the Oruamatua Kaimanawa area. 32,000 acres of this total were owned by Māori. The Māori owners were reluctant to sell but were willing to exchange lands with the Crown. In ten years of negotiation, the Crown was only able to purchase 3,282 acres for £1,600. The Crown was unable to purchase the remaining 29,000 acres of land from its owners and took the land instead under the Public Works Act. The Crown paid £9,125 in compensation to the owners. The defence department has since exchanged areas of the lands taken with other Crown agencies (Wai 588 #1.1A, p 1).

Other blocks:

- The Crown acquired various areas in Raketepauma 1G for Defence Purposes (Wai 151, #1.1, p 1).
- The Crown acquired 475 acres, being the Waiouru Reserve in Waiouru Township, under the Primary Education Act. This was later acquired for the Waiouru defence lands (Wai 151, #1.1, p 1).

Wāhi tapu

- Army training has desecrated sensitive areas containing wāhi tapu (Wai 575/1130 #1.2.14, s 100)
- The Waiu Pa site is a significant wāhi tapu within the Waiouru Army Training Area, lying on the southern border of Rangipō Waiu. Fighting trenches can still be seen today. Some say that Ngāti Tama Whiti was the Ngāti Tūwharetoa group responsible for defending Rangipō Waiu from Whanganui incursions here. An old walking track nearby is said to be an ancestral pathway from Taupō to Heretaunga (Hawkes Bay) via Moawhango. The Hautapu stream originates near here (Wai 588 #1.1A, pp 7-8).

Environment – Moawhango Dam, Tongariro Power Development project

- The Ministry of Works and the Electricity Department constructed a dam on the Moawhango River in 1965-1968 as part of the Tongariro Power Development project. The Defence Department, Ministry of Works and the Electricity Department never consulted Ngāti Tama Whiti about damming the Moawhango River. Ngāti Tama Whiti would have objected to dam construction for cultural and spiritual reasons. The Moawhango dam has caused lower water levels downstream, affecting indigenous fish species that were once abundant food sources for Ngāti Tama Whiti. The Electricity Department had the ability to maintain the river levels by releasing water but chose not to (Wai 588 #1.1A, p 2).
- The Crown diverted and dammed rivers and waterways, and did not protect mahinga kai and freshwater fisheries (Wai 1705, #1.1.1, ss 3.1d-3.1e).
- The Crown did not protect mahinga kai, freshwater fisheries, wāhi tapu and other significant sites (Wai 1835, #1.1.1, ss 3.1d-3.1e).

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- The Tongariro Power Development project has polluted the mauri of Lake Rotoaira by diverting and mixing waters from the Rangitikei, Whanganui, Whangaehu and Tongariro River systems into the lake. The western diversion feeds eight intakes (including Lake Moawhango) into Lake Rotoaira (Wai 1260/1130 #1.2.015A, pp 97-98).[7]

[7] Kirkpatrick, Belshaw, Campbell, Wai 1130 #, pp 309-409

Summary and Conclusion

The Tribunal has received a number of claims concerning the Waiouru locality in one way or another. Some aspects of these claims have already been heard in the National Park inquiry district. We have few details on the Waiouru defence lands themselves. The claims are yet to be particularised and at this stage can only point to general research topics. No claims are yet sufficiently detailed to produce a statement of issues for an expedited enquiry.

In sum, the main points raised in the claims to date are:

- A number of groups assert customary interests in the general Waiouru area.
- Native Land Court/ land alienation – The Native Land Court created individualised titles in Rangipō Waiu and Oruamatua Kaimanawa. The Crown acquired the vast bulk of the Rangipō Waiu area around 1900-1905.
- The Crown began to acquire lands around Waiouru in the 1930s. Parts of the few remaining areas of Rangipō Waiu and Rangipō North were taken under the Public Works Act.
- The Crown acquired large areas of Oruamatua Kaimanawa after 1960. Unlike Rangipō Waiu, the bulk of this area was still owned by Māori. The possibility of purchasing or exchanging land was discussed, but the land was eventually taken under the Public Works Act when the Māori owners did not agree to sell their land.
- Army exercises may have damaged wāhi tapu.
- The Crown constructed the Moawhangao dam on the Waiouru defence lands as part of the Tongariro Power Development scheme. The mauri of the Moawhango River and Lake Rotoaira is affected by diverting and mixing water that would otherwise flow into the Rangitīkei river system. Low water levels in the Moawhango River affect aquatic life downstream of the dam.

3. People and Land

This section concerns the people and the land in the area around modern Waiouru that was later acquired for defence purposes. There are a number of general issues that recur in Tribunal inquiries time and time again, and that are potentially applicable to the particular lands in question here. They are:

- Who were the tangata whenua?
- Who were awarded legal property rights by the Native Land Court?
- What was the pattern of Māori land loss in the area?

The central documentary records of the peoples concerned are from the Native Land Court investigations of title and consequent awards for the Murimotu, Rangipō Waiu and Oruamatua Kaimanawa lands. By 1901, the areas in question had acquired a distinct shape in relation to the future Waiouru defence lands (Figure 5). The Crown had by then acquired the vast bulk of Rangipō Waiu that four decades later would form the core of the Waiouru defence lands. Areas of the Murimotu block also acquired by the Crown would later become part of the future defence lands (and also the Karioi State Forest). Lands remaining in Māori ownership to the north-west and north-east of the Crown lands would later be acquired for the Waiouru defence lands – Rangipō Waiu 1B, awarded to Ngāti Waewae non-sellers, and Rangipō Waiu 2B, awarded to Ngāti Tama non-sellers. The general Oruamatua Kaimanawa area had been leased since the late 1860s, but the freehold for the lower half of the block began to be acquired from the mid-1890s onwards.

The Rangipō Waiu lands have already been well-researched in regards to Ngāti Waewae and Ngāti Rangi as part of the National Park and Whanganui inquiries. The situation is quite different for Ngāti Tama in Rangipō Waiu 2 specifically and the peoples of the Oruamatua Kaimanawa area. The existing state of knowledge for the Waiouru defence lands area, therefore, is quite uneven. In accordance with clauses 2(b) and 2(e) of the commission, this section will generally review the existing research for Rangipō Waiu and then sketch out in greater detail the sorts of information that might balance the picture for Oruamatua Kaimanawa, should the parties to the inquiry wish to develop further research on these topics.

Existing maps from the National Park and Whanganui inquiry districts only cover Murimotu and Rangipō Waiu. For the purposes of this discussion, I have created a new map series that also covers Oruamatua Kaimanawa at several key points:

- 1875 – after the creation of the original Murimotu and Kaimanawa Oruamatua titles (Figure 3);
- 1895 – after the creation of the four new Oruamatua Kaimanawa titles, the original three Rangipō Waiu titles, and the first division of Murimotu into five titles (Figure 4);
- 1901 – after partitioning out the Crown interests in the Murimotu and Rangipō Waiu lands and the partitioning of the Oruamatua Kaimanawa lands (Figure 5);
- 1930 – prior to the first takings for defence purposes (Figure 6);
- 2009 – following the last takings for defence purposes (Figure 7);

The maps show parcels only as we can date their creation and supersession with reasonable confidence from the survey plans. Dating the transfer of ownership of those parcels requires further work and is not attempted here.

Table 2: Existing research on Rangipō Waiu and Murimotu

Author	Title	Dated	Document No.
Paula Berghan	Block Narratives of the Whanganui District, 1865-2000	Jul-03	Wai 903 #A37
Paula Berghan	Block Narratives of the Tongariro National Park District, 1865-2000	Jul-04	Wai 1130 #A35
Nicholas Bayley	Murimotu and Rangipō Waiu 1860-2000	Jun-04	Wai 1130 #A56a
Nicholas Bayley	Murimotu and Rangipō Waiu: Summary	Jan-06	Wai 903 #A56b
Marian Horan	Government lease negotiations for Murimotu, Ruanui, Rangiwaea and Rangipō-Waiu, 1874-1875	Nov-05	Wai 1130 #A52
Marian Horan	Summary of Government lease negotiations for Murimotu, Ruanui, Rangiwaea and Rangipō-Waiu, 1874-1875	Nov-06	Wai 1130 #A52c
Tony Walzl	Ngāti Rangi land issues	Sep-04	Wai 903 #A69
Tony Walzl	Ngāti Rangi land issues Summary	Oct-08	Wai 903 #A69a
Angela Ballara	Tribal Lanscape Overview	Oct-03	Wai 903 #A40
Robyn Anderson	Whanganui Iwi and the Crown 1865-1880	Nov-04	Wai 903 #A70
Robyn Anderson	Summary of Whanganui Iwi and the Crown 1865-1880	Mar-08	Wai 903 #A70a
Cross & Bargh	The Whanganui District, Waitangi Tribunal Rangahaua Whanui Series	Apr-96	Wai 903#A18
Mitchell & Innes	Whanganui and National Park Alienation Study	Nov-04	Wai 903 #A58

Figure 3: Land parcels in 1875

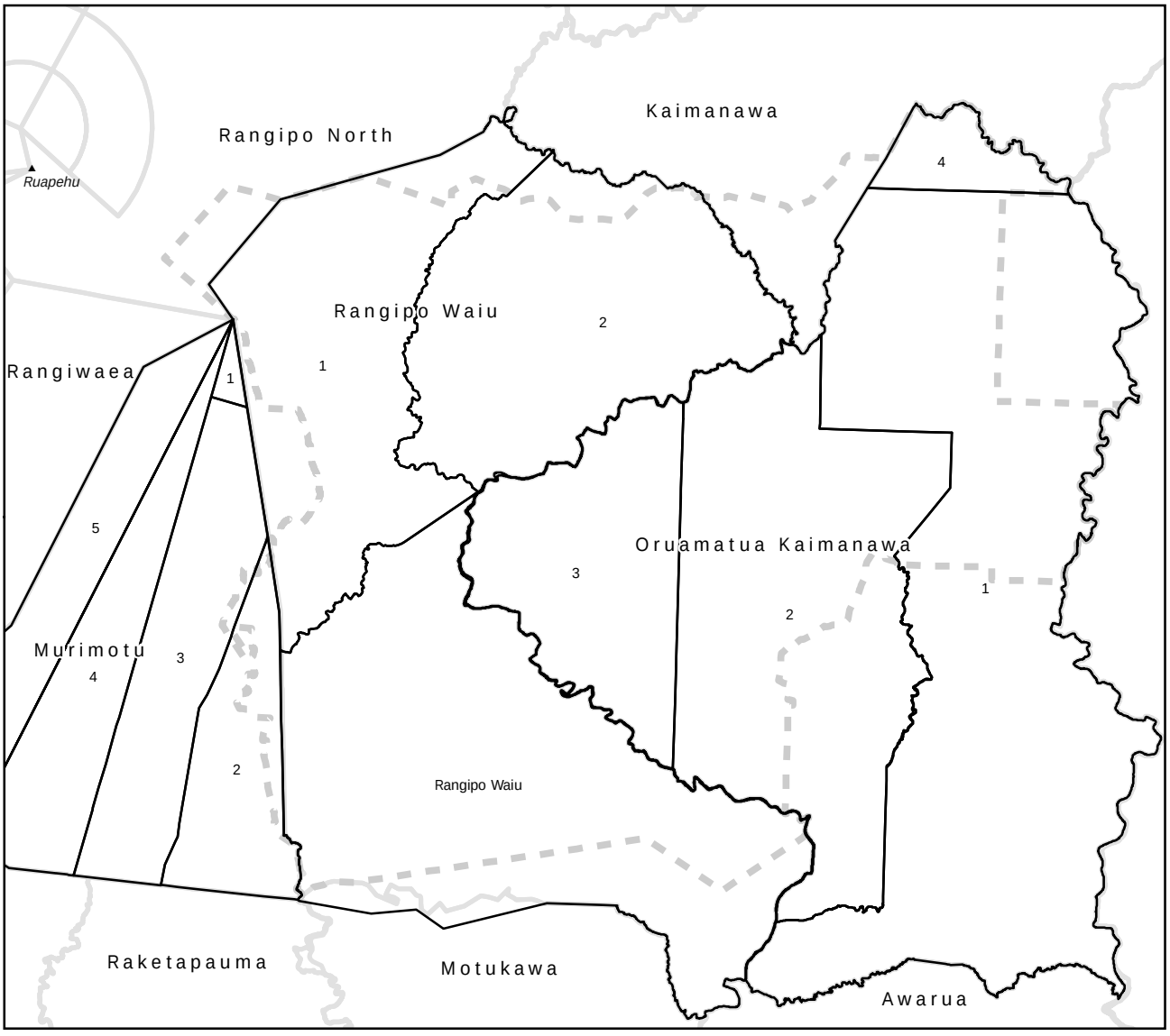

Figure 4: Land parcels in 1895

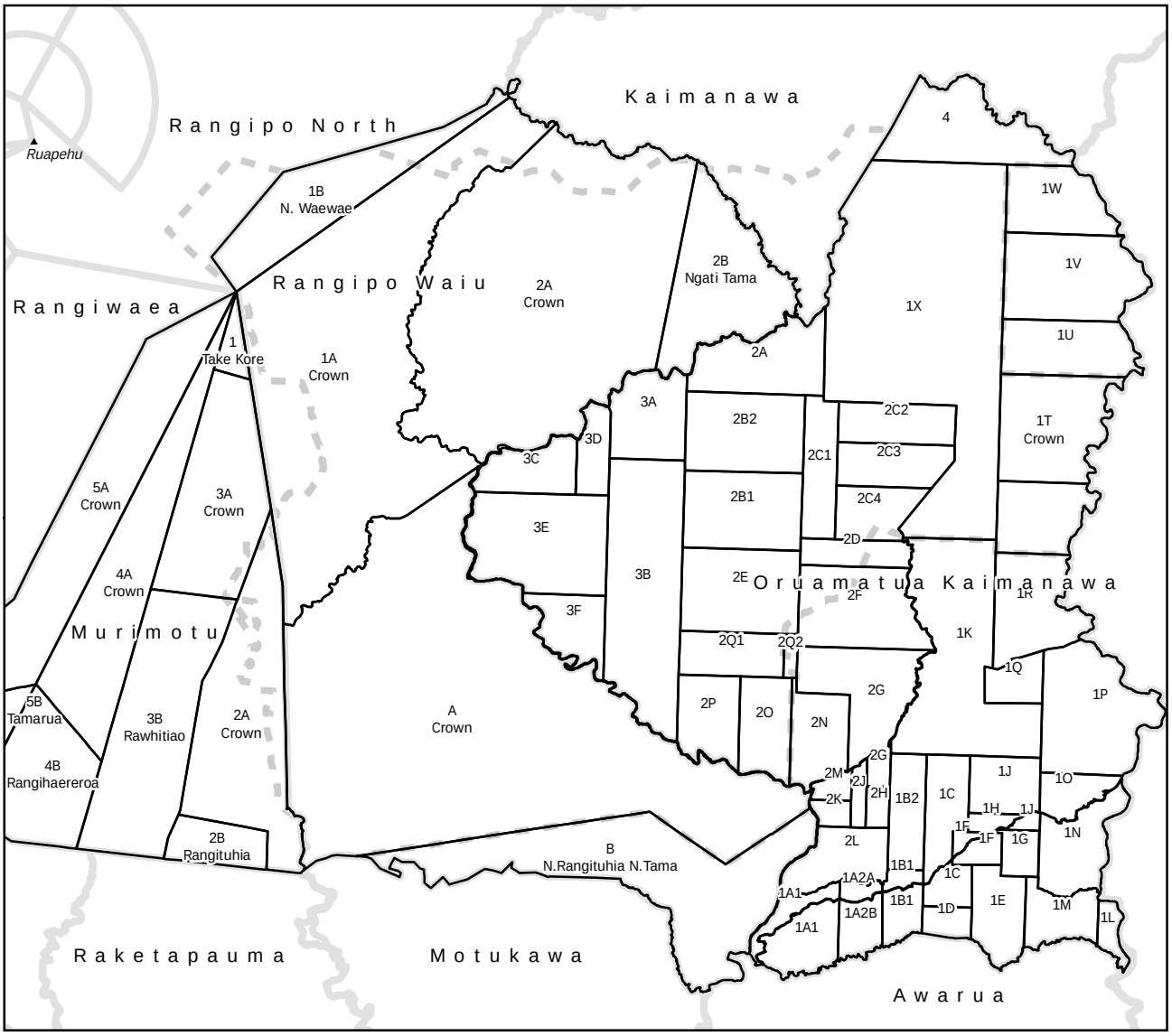

Figure 5: Parcels in 1901

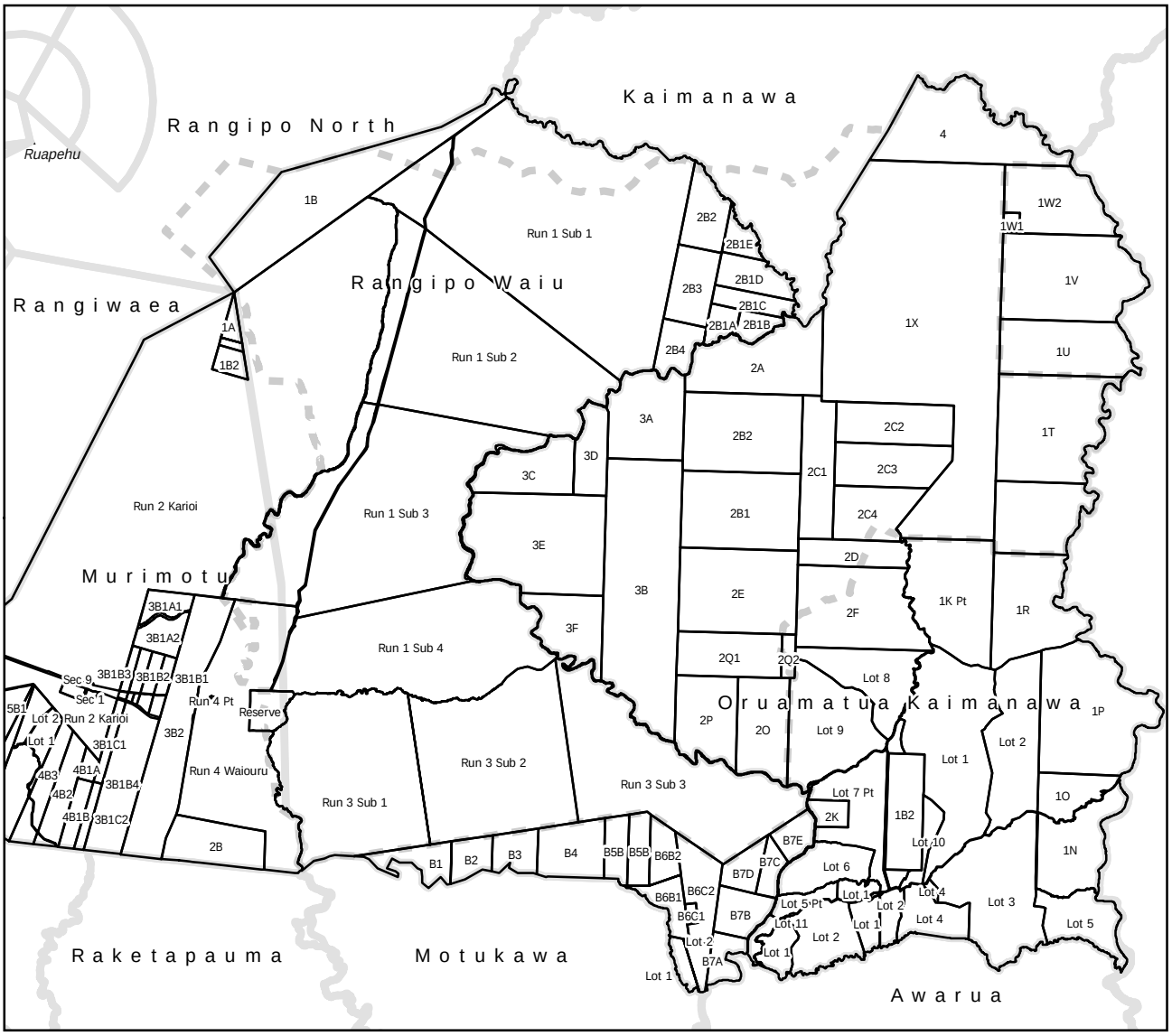

Figure 6: Land Parcels in 1930

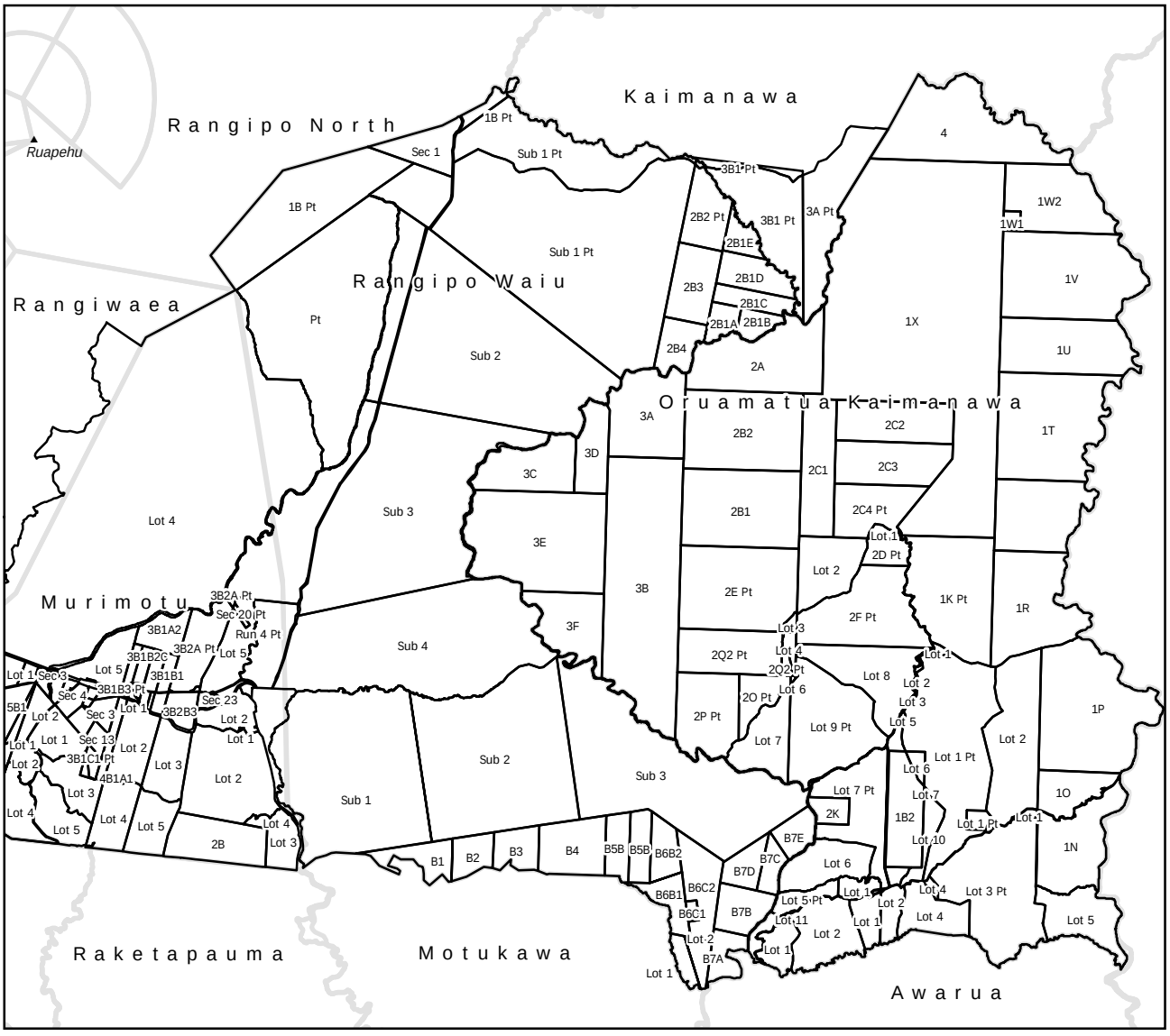

Figure 7: Land Parcels in 2009

Rangipō Waiu and Murimotu –Whanganui and National Park inquiry districts

The existing research on Rangipō Waiu and Murimotu was developed for the National Park and Whanganui inquiries. We shall briefly outline that research where it bears on the history of the lands later acquired for defence purposes in Rangipō Waiu and Murimotu. This body of research is so complete that there are no research recommendations directly arising from this section; rather it shows up by comparison the sorts of research that might be done for Oruamatua Kaimanawa.

The advent of runholding

The existing reports begin their narratives with the Murimotu title investigation by the Native Land Court. Obtaining legal title to the land was necessary to complete prior leasing arrangements. Private leasing negotiations began several years earlier in Murimotu. Competing bids arose and Government and Provincial Council agents also became embroiled in the mix. The eventual solution reached required an act of Parliament to finalise it.

Negotiations for private leases in Murimotu began as early as 1867 or 1868, first made by John Buller, who would later act for the Wellington Provincial Council from mid-1873.[8] Edward Moorhouse, at least, was also in the area in 1868, negotiating on behalf of the Studholmes for land in Murimotu and Patea.[9] The situation became more complicated still, with the Wellington Provincial Council becoming involved as well.

By 1872, one Government agent was under instructions to negotiate a lease on behalf of the Provincial Council,[10] while another was considering purchasing the lands for the Provincial Council.[11] That same year, 1872, Ngāti Tama were later said by some of their opponents to have crossed the Moawhango River for the first time, and to have stocked ('depastured') sheep on Rangipō-Waiu.[12] More contemporaneous sources attributed the sheep to Renata Kawepo.[13]

By mid-1873, the Government and Provincial agents found they were in serious competition with private land companies – most notably with one formed by John Studholme, Thomas Morrin, Thomas Russell and Edward Moorhouse.[14]

At the same time, the Native Land Court awarded the Murimotu block to Ngāti Rangi (including Ngāti Rangi Tuhau and Ngāti Rangi Poutaka).[15] An unsuccessful counter claim had been made by Tōpia Tūroa on behalf of Ngāti Tama, Ngāti Waewae, Ngāti Tuuwharetoa, Ngāti Te Ika and Ngāti Turoa. And yet, the hapū identifications were so imprecise that title orders were not made out for nearly a decade afterwards. The land was in a legal limbo and could not be bought or sold.

The competition between private, provincial and Government agents was clearly heating up. Studholme was a member of the Legislative Council and an acquaintance of Donald McLean: he wrote directly to McLean in late 1873 and 1874 complaining of Government interference in his dealings, and also suggesting a compromise where if he would not be allowed to lease the land directly from the Māori parties, then he ought to be able to lease it through the Government.[16]

[8] Horan, *Government lease negotiations for Murimotu, Ruanui, Rangiwaea and Rangipō Waiu, 1874*-1885, November 2005, (Wai 1130 #A51)pp 27-28
[9] Horan, pp 38-39
[10] Bayley, *Murimotu and Rangipō Waiu 1860*-2000, January 2006, (Wai 1130 #A4a), p 40
[11] Horan, p 30
[12] Berghan, *Block Research Narratives of the Whanganui District*, *1865-2000*, July 2003 (Wai 903 #A37) pp 731-732
[13] Horan, p 81, n 215
[14] Berghan, pp 359-360; Horan, pp 32-39
[15] Judge Smith, 'Judgement – Murimotu', 11 July 1873, Whanganui Minute Book, Volume 1D, pp 654-656. Cited in Berghan, pp 358-359
[16] Horan, pp 51-52

The result was an agreement reached between the Morrin & Studholme partnership and the Native Minister in 1874. In the '1874 agreement', Morrin & Studholme promised to abandon private purchases or leases and to instead support Government acquisition, in return for the right to lease the land for 14 years from the Government itself.[17] The Provincial Council would be allotted 25% of the Murimotu and Rangipō Waiu area and the remaining 75% would be allotted to the partnership. Legislation would be required to give effect to the agreement. No agreement, however, had yet been reached with the potential Māori lessors.

Meetings with potential Māori lessors were held in March, April and September 1874 about the leasing of Murimotu and inland Patea.[18] Tōpia Tūroa represented Ngāti Tama at the March meeting. He argued that the 100,000 acre block (Rangipō Waiu) ought to be surveyed and put through the Native Land Court to settle the disputed interests in it.[19] An 'agreement to lease' was made in September and covered Murimotu, Rangiwaea, Rangipō Waiu and Ruanui.[20] The deed was initially signed by Te Keepa, Winiata Te Puhaki, Tōpia Tūroa and Heperi Pikirangi, but was also signed by others in subsequent years.[21] Renata Kawepo soon opposed these arrangements in a telegram:

> I wish to know whether what I have heard be true or not, that is, that Te Keepa had handed Murimotu [Rangipō Waiu?] over to you, if what he says be true, it is a very wrong proceeding as he and I came to a decision between ourselves about that land.[22]

In any case, a proclamation was soon made banning private purchases or leases in the area except from the Crown.[23] Tōpia Tūroa was paid rent for the 100,000 acre Rangipō Waiu block the next year, in June 1875.[24]

The dispute between Te Keepa, Tōpia Tūroa and Renata Kawepo over Rangipō Waiu escalated in 1875.[25] Renata had demanded Moorhouse remove his sheep from Rangipō Waiu, and when further sheep were instead added to the block, one of Renata's relatives Te Paki killed some of the sheep and the rest were driven off onto Murimotu.[26] Te Paki and others were requested not to interfere with the shearing season.[27] They replied, however, that the problems had arisen with the Government favouring Tōpia, and he had broken down their sheep yards.[28]

Attempts to survey Rangipō Waiu in 1875 and 1877 were blocked by Renata Kawepo and Tōpia Tūroa at different times. Tōpia Tūroa and others signed further deeds to lease Rangipō Waiu in 1875 and 1877.[29] The 1877 deed acknowledged the present occupation of Studholme & Co, required Ngāti Tama to survey the land and obtain title in the Native Land Court; the land would be leased to the Government and thence to Studholme & Co immediately after.[30]

Another attempted survey in 1880 sparked open hostilities with Te Keepa, who objected to the (valuable) sheep run being surveyed rather than tribal boundaries, and he occupied a pā called Auahitotara: Ngāti Whiti built two opposing pā at Waiu.[31] The Historic Places Trust regards the Waiu pā as having 'considerable archaeological significance as one of the last gunfighter pā ever to be constructed…. There are very few

[17] Berghan, p 364; Bayley p 61
[18] Bayley, pp 70-71; Horan, pp 80-82
[19] Topia Turoa, cited by Booth, 1 April 1875. Berghan, p 371; Bayley, p 71
[20] Horan, p 82
[21] Horan, pp 84-85
[22] Renata Kawepo to Donald McLean, 16 September 1874. Cited in Berghan, p 369; Horan, p 81 n 215
[23] Horan, p 83
[24] Horan, p 85, Table 4
[25] Berghan p 371; Bayley p 73
[26] Horan, p 94
[27] Berghan, p 371; Horan, pp 94-95
[28] Berghan, p 371; Horan, pp 94-95
[29] Horan, pp 97-98
[30] Horan, pp 100-102
[31] Anderson, pp 42-44; Bayley, pp 106-107; Horan, pp 121-128

examples of gunfighter pā that post-date the New Zealand Wars period'.[32] Although hostilities ceased, tensions still remained high over who had the right to obtain rental monies for Rangipō Waiu. Te Keepa blocked wool reaching Whanganui and threatened to burn down some sheds.

The Rangipō Waiu title investigation was finally held in April and May 1881. Tōpia Tūroa was deemed the 'claimant' as he was the only party to produce a survey plan: he claimed the northern end, Rangipō, through Tūwharetoa and the southern end, Waiu, through Tamakopiri.[33] The counter-claimants were then deemed to be Te Heuheu Tukino, Meiha Keepa, Nika Waiata, Wineti Paranihi and Arapeta Haeretuterangi. The court awarded the north-eastern parcel (Rangipō Waiu 1) to Ngāti Waewae, and the rest (Rangipō Waiu 2 and Rangipō Waiu) jointly to Ngāti Tama and Ngāti Rangituhia.

Tōpia Tūroa applied for a rehearing but it was abandoned. However Tōpia now began to stop the wool leaving Rangipō Waiu, drawing a complaint from Renata Kawepo and a threat to stop wool leaving Murimotu in retaliation.[34] The dispute was eventually resolved in December 1882, with an agreement between Tōpia and Donnelly (who may have been acting for Renata Kawepo – he later married Renata's niece, Airini, against Renata's will).[35]

Earlier that year, the Native Land Court had finally settled the subdivision of Murimotu into 5 parcels, in May 1882.[36] These parcels were awarded to the following Ngāti Rangi hapū: (1) Ngāti Take Kore (no claim): 500 acres: (2) Ngāti Rangituhia: 8822 acres; (3) Ngāti Rawhitiao: 13,000 acres; (4) Ngāti Rangihaereroa: 11,000 acres; (5) Ngāti Tamarua: 13,031 acres.

By August, Government agents had been able to secure updated lease agreements, signed by most of Ngāti Rangi in Murimotu, most of Ngāti Waewae in Rangipō Waiu 1 and most of Ngāti Rangituhia in Rangipō Waiu 2 and Rangipō Waiu.[37] Ngāti Tama signatures were not obtained due to the opposition of Tōpia and Donnelly while they awaited the outcome of the rehearing application. Following the abandonment of the Rangipō Waiu rehearing, the Rangipō-Murimotu Agreement Validation Act was passed on September 1882, to bring the earlier 'agreements to lease' into effect.[38]

Government agents further updated the lease agreements in 1884, and that July sought confirmation by the Court to define the Crown's leasehold interest. Some people who had signed the 1877 agreement to lease but not the 1884 lease agreement were eventually held by the Court to be included in the lease. The remaining owners who had never signed any lease agreements had their interests cut out of the leased area. Around 1/3 of Murimotu 3 was cut out of the leased area, and around 1/12 in Murimotu 4 and 5.[39] In the Rangipō Waiu area, the crown had the interests of the Ngāti Waewae non-signatories to the lease cut out of Rangipō Waiu 1, and the Ngāti Tama non-signatories' interests cut out of the north-eastern corner of Rangipō Waiu 2 and the south-eastern corner of Rangipō Waiu.[40] 4,000 acres were cut out of the south-eastern corner of Rangipō Waiu to cover the 'houses, cultivations, and sheep' of the people residing there'.[41]

Even before the leases had been confirmed, some members of Ngāti Rangituhia had consented to sell their land interests in Rangipō Waiu and Rangipō Waiu 2, in early July 1884.[42] Before the end of the year, Crown

[32] Historic Places Trust, Register Number 7651, 'Waiau Pā – Waiouru Military Camp, Waiouru' (available at: http://www.historic.org.nz/TheRegister/RegisterSearch/RegisterResults.aspx?RID=7651)
[33] Berghan, p 735; Bayley, p 115; Horan, p 139
[34] Horan, p 141
[35] Horan, pp 142-145
[36] Berghan, pp 380-381; Bayley, pp 70
[37] Horan, pp 160-161
[38] Berghan, p 745; Bayley, p 134; Horan, p 151
[39] Bayley, pp 151-154
[40] Berghan, pp 745-750; Bayley, pp 168-175; Horan, pp 171-174
[41] Berghan, p 749; Bayley, p 174
[42] Berghan, p 745; Bayley, p 191

agents began steps to purchase the freehold.[43] Sixteen years later, the Crown had acquired enough interests to have the freehold partitioned out for the Murimotu and Rangipō Waiu blocks in December 1900. [44]

Almost all the lands that would later be taken for Waiouru defence purposes in the Murimotu and Rangipō Waiu areas were in fact awarded to the Crown in December 1900 (Figure 5, p 25, above). The exceptions were Rangipō Waiu 1B (Ngāti Waewae) and Rangipō Waiu 2B (Ngāti Tama), which still remained in Māori ownership at the time of the defence takings in the 1930s and 1940s. Much of the land south of the defence takings, in Rangipō B, is now being considered for a wind farm.[45]

Oruamatua Kaimanawa

This section focuses on Oruamatua Kaimanawa. This block of land is in the Taihape inquiry district only and has not been the subject of any research to date. Events are summarised and sketched in greater detail here to provide the fullest possible context in the time available, just in case the Tribunal and parties to the inquiry elect to proceed to an 'expedited' inquiry without further delay.

Early contacts with inland Patea

The earliest cross-cultural contacts with inland Pātea are said to have been by missionaries. The first successful contact was by Richard Taylor from the Whanganui mission station, in February 1845 – almost exactly the same time as William Colenso's first, unsuccessful expedition in 1845.[46] Taylor's expedition travelled from Whanganui up the Rangitikei River to the junction of the Moawhango River, staying at Matuku Pa nearby.

> As [Richard Taylor] entered the pā the entire population of about 100 was drawn up to receive him, and conducted him to a dais with a clean mat on it and the surround carpeted with mats. There was a little church in which he later preached, and he had a long talk with the teacher Paul, who had been baptized by Mr Williams at Ahuriri.[47]

The party went north to a settlement called Ongaengae, 'of a different tribe than the hill-top pā' then crossed the Moawhango 'accompanied by the Chief, Pohe, and his wife', and travelled west to the Whangaehu River, which they followed down to Whanganui.

Colenso's first expedition was mounted in 1845, climbing up Te Atua o Mahuru from Heretaunga through the Ngaruroro River. Two of his Māori companions or guides gained an outlying eastern village of Patea, called Te Awarua, on the upper Rangitikei River, but it was uninhabited.[48] The expedition turned back – presumably because they relied on Māori hospitality for their food supplies. On the way up, they saw the koiwi of a Ngāti Tūwharetoa tāua that had fallen to their deaths. This would cause some difficulty on the second expedition as it was felt they had traversed a wāhi tapu. The second expedition travelled via the Mohaka River and Lake Taupō. While there they learnt that only sporadic contacts were maintained between Taupō and inland Patea, with the last contact having been made two or three years earlier.[49] Their guide from Taupō seemed unsure of the way once they moved past the Rangipō desert. The land was described as 'burnt' but the source of the fire was not mentioned. Colenso's party reached Matuku village after crossing a deep gorge on the Moawhango

[43] Berghan, pp 751-763; Bayley, pp 153-155
[44] Berghan, pp 394, 754; Bayley, pp 195, 207
[45] Opus International Consultants, 'Archaeological Assessment: Proposed Central Wind Farm', prepared for Meridian Energy, 19 June 2000 (available at:).
[46] Mead, AD, *Richard Taylor: Missionary Tramper* (Wellington: AH & AW Reed, 1966) , cited in Opus International Consultants, 'Archaeological Assessment: Proposed Central Wind Farm', prepared for Meridian Energy, 19 June 2000 (available at:). William Colenso, *An account of visits to and crossings over the Ruahine mountain range, Hawke's Bay New Zealand, and of the natural history of that region, performed in 1845-1847, cum multis alis*.
[47] Mead, *Richard Taylor: Missionary Tramper*, p 68
[48] Colenso, *Crossings over the Ruahine*, pp 18-19
[49] Colenso, *Crossings over the Ruahine*, p 38

River on a single log bridge. They returned to the Heretaunga mission station over the Ruahine ranges via an 'abrupt and stony hill' called Mokai-Patea.[50]

Sheep farming, war and gold

Azim and William Birch began sheep farming on Oruamatua Kaimanawa in 1867-1868.[51] It was described by Samuel Locke, the land purchasing officer in January 1868:

> Birch has got an excellent run of about thirty or forty thousand acres, and has got about four hundred sheep on the ground and is now driving up three or four thousand more – there is a good deal more land open here yet but the natives don't seem very anxious to lease, although I think a little persuasion will change them. [?] Ormond and [?] McLean *ought to come as quickly as possible* as there are people coming from the west coast. They should come by the Ngaruroro road – Karaitiana & Ihakara have nearly everything to say – they are very jealous of Renata and Noa….[52]

Ormond drew a sketch map of the area being treated for at the time (Figure 8, below). Negotiations began or were already underway for a large expanse of country stretching from Karioi (Murimotu), Rangipō Waiu, Oruamatua Kaimanawa and Owhaoko. Acquiring Rangipō Waiu was necessary because it was the only 'winter country' in the blocks under negotiation.[53]

A year and a half later, Locke made another report after meeting up with Renata Kawepo and Henare Tomoana's fighting column chasing Te Kooti at Tokaanu. Locke described an agreement to open up the Kaimanawa Ranges for gold mining:

> At Rotoaira I met Hare Tauteka and Kingi Te HereKiekie with te Parea, Karaitiana te Rango and Ihakara from Pātea & other Chiefs from that District. There was also Renata Kawepo with about one hundred and thirty followers. … I took great pains to thoroughly explain the intentions of the Government to him and the Pātea Chiefs.
> Hare Tauteka and the Pātea Chiefs are the principal owners of the Kaimanawa Country, and with them the final agreement was made for the handing over of the whole country, about 300,000 acres to the Government [for gold fields].[54]

Several months later, Captain Azim Birch wrote to McLean, wishing him every success in his hunt for Te Kooti, and complaining about the progress of prospecting parties in the district.[55] The prospect of alluvial gold 'from which a poor man's field might be expected' had been ruled out, yet Birch still hoped some might be found and that he might benefit from the resulting increased population. He also suggested a business partnership with McLean and that the country might benefit from building roads ('opening up lines of communication') from Napier to Whanganui. At present all supplies and the entire wool clip had to be transported on horseback down the Ngaruroro. Settlers in the district could also assist in the pacification of the country: 'troops could threaten any part of the interior of the Island', especially the tribes at the back of Whanganui and around Taupō.

Robert Bately worked for the Birches on Oruamatua Kaimanawa, then later established a store in what is now Moawhango. There were actually four small settlements in the Moawhango valley, with urupa on the hill-tops:

[50] Colenso, *Crossings over the Ruahine*, p 50
[51] Bately dates the first agreement to 1867. Cited in Opus, 'Archaeological Assessment', p 8
[52] Locke to McLean, Patea, 17 Jan 1868, McLean Collection, ATL
[53] John Davies Ormond to Samuel Locke, 17 February 1868, McLean Collection, ATL
[54] Locke to McLean, 'Report', Napier, 27 September 1869, Archives NZ, AGG-HB 1 1*1/223
[55] AS Birch to McLean, Patea, 6 March 1870, McLean Collection, ATL

- Te Manikairakau – Henare Keepa's settlement at Willow Flat
- Papapowhatu – Hiraka Te Rango's settlement near the Tikirere Falls
- Te Riuopuanga – Horima Paerau's settlement in the main portion of what was to become Moawhango settlement
- Moawhangoiti – Heperi Pikirangi's settlement in the corner of the Motukawa block[56]

Richard Boast noted substantial Māori sheep farming in the area, although the total Māori flocks in the entire Hawke's Bay region amounted to less than Donald McClean's single flock at Maraekakaho:

> Ani Kingi ran 6000 sheep in 1886 at the Wainui run, Moawhango [Run 3 Rangipō Waiu?]; Henara Kepa had 5500 sheep, also at Moawhango; and Renata Kawepo and his partner, Broughton, ran 7000 sheep on a property in Hastings.[57]

[56] RAL Bately, *Moawhango Valley and School: a short history of the Inland Pātea* (Taihape, Moawhango School Jubilee Committee, 1958), p 23; cited in Opus, 'Archaeological Assessment' 2008, p 9

[57] Richard Boast, *Buying the Land, Selling the Land: Goverments and Māori Land in the North Island 1865-1921* (Wellington: Victoria University Press, Victoria University of Wellington Law Review, 2008), pp 285-286

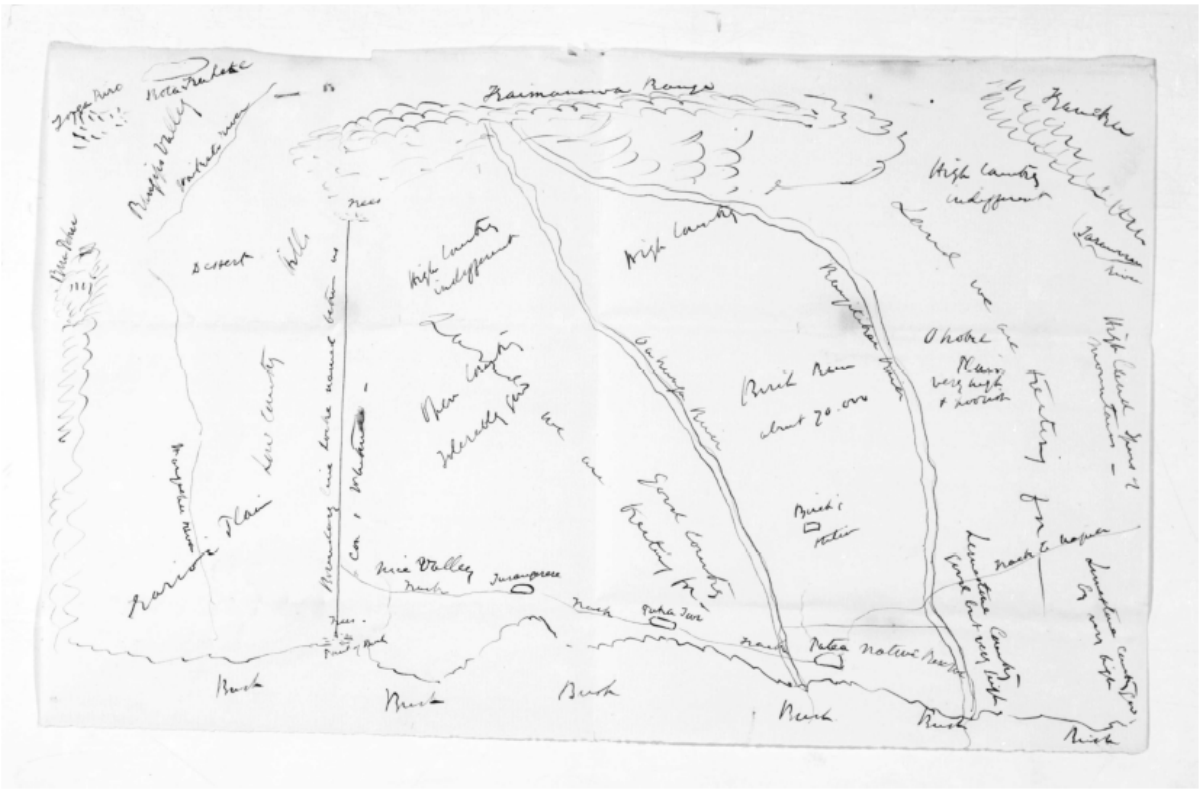

Figure 8: 'Sketch Plan of land being treated for: Murimotu, Rangipō Waiu, Birch's Run (Oruamatua Kaimanawa), Owhaoko: 17 Feb 1868' (McClean Collection, Alexander Turnbull Library)

Figure 9: 'Sacks of wool being transported on horseback, through bush, to Napier', 1895, (Part of J Studholme, Photographs of Owhaoko Station), Alexander Turnbull Library, Timframes, PAColl-7113-2

Figure 10:'Oruamatua [Marae] Patea: Herima Paerau's whare puni, Moawhango', c 1880s, Alexander Turnbull Library, Timeframes, PAColl-7081-20

Oruamatua Kaimanawa in the Native Land Court

Title investigation, 1875

Judge Rogan awarded title to the 115,110 acre 'Kaimanawa and Oruamatua' block (as it then was known) in the Native Land Court at Napier in September 1875. The proceedings were very brief and the award was considered scandalous when the details became widely known a decade later. Renata Kawepo was the claimant:

> I live at Omahu. I belong to the Ngāti Te Upokoiri and Ngatiwhiti hapus. These are hapus of the Ngati Kahungunu tribe. The Ngati te Upokoiri have lived and are at present located at Omahu – I understand the map before the Court, but have not been on the land – I have travelled over it, along the track. Myself and Karaitiana te Rango ordered the survey – the boundaries were pointed out by Karaitiana te Rango – no person interfered with the survey – I have a claim to the block – these are the owners with me –
> (Renata Kawepo)
> Karaitiana te Rango
> Ihakara te Raro
> Te Retimana te Raro
> Horima te Ahunga
> These are all of whose claim I am aware – I claim from my ancestors. Others – Noa Huke will trace the genealogy.[58]

Noa Huke then traced Renata's whakapapa to Te Pokaitara, a chief who belonged to Ngāti Whiti and who was born on the land. Noa then made a statement that lay at the heart of the later scandal:

> There are natives who are not present who have a claim. The people now living on the land have a claim. About twenty people, men women and children are living on the land. Three of the people are *kaumatuas*; namely Matiu Taruarau, the others are included in Renata's list.[59]

Objectors were called: Te Hapuku stated there were none. Judge Rogan stated that he would make an order once a map arrived from Auckland (it was on its way).[60] That was the end of the proceedings. The court then went on to hear Renata's claim for Owhaoko, on the other side of the Rangitīkei. Two days later, Judge Rogan ordered a memorial of ownership, on 18 September 1875.[61]

Subdivision, 1885

The title investigation in 1875 was perfunctory; further details about Oruamatua Kaimanawa only emerged in the later hearing to subdivide the block a decade later in November 1885, at Hastings. The proceedings were very different this time. It was a much more substantial hearing, covering 45 pages of the minute book. James Carroll acted for Renata Kawepo; Hiraka acted for his opponents, Ihakara te Raro and others.[62] Key aspects emerged on leasing the Oruamatua Kaimanawa block and who had the rights to distribute rents. The counter-claim was that Ngāti Whiti had organized the lease with Captain Birch: Renata had only acted later.

[58] Renata Kawepo, 'Kaimanawa and Oruamatua', 16 September 1875, Napier Minute Book, Vol 4, pp 3-4
[59] Noa Huke, 'Kaimanawa and Oruamatua', 16 September 1875, Napier Minute Book, Vol 4, pp 4-5
[60] Judge Rogan, 'Kaimanawa and Oruamatua', 16 September 1875, Napier Minute Book, Vol 4, pp 5-6
[61] Order, 'Kaimanawa and Oruamatua', 18 September 1875, Napier Minute Book, Vol 4, p 20
[62] 'Oruamatua Kaimanawa', 24 November 1885, Napier Minute Book, Vol 11, p 13

Paramena te Naonao of Ngāti Whiti was sworn on Monday 24 November 1885. He lived at Pātea and Omahu. He claimed that the genealogy for Oruamatua Kaimanawa was the same as for the Owhaoko block, but through the female line. Whitikaupeka and his wife were owners of this land – Whitikaupeka resided there permanently – and the land 'descended to their descendants'.[63] Paramena lived at Pātea before the block was surveyed and brought before the court in 1875. He and his wife Raita belonged to Ngāti Whiti, but she also belonged to Ngāti Tama as well. He did not gain his rights through his wife but through his descent from Whitikaupeka.

> The Ngai Te Upokoiri were living in at Manawatū when I returned from Waikato. … When I returned to Pātea I found N' Whiti, N' Poru, N' Matikepeka & N' Paki (but no N' Upokoiri) living there. N' Te Upokoiri signed the Treaty of Waitangi at Kapiti. Anaru & others of them have come to live at Patea. They (N'Te Upokoiri) would offer to defend Pātea with N'Whiti, if attacked. They had no claim to the land whatever.[64] …
> Horima and Karaitiana leased the land I have heard. I have heard that Renata was concerned in that lease & that he receives rent. Don't know if he had to do with the first lease. I know he receives rent and distributes it among N'Whiti with Karaitiana. Have heard of a meeting of N'Whiti about leasing the land. Have also heard they wanted an equal division of rent but Renata would not agree. Have heard of Renata leasing this land to Mr Birch for £800 a year. Mr Birch wanted to give £250 but Renata threatened to drive sheep off. They were put on the land before terms were settled. Don't know what year they were driven on I was at Te Houhou. N'Whiti agreed for £250 but it was Renata who raised it to £800 in at the time of the fight at Taupo. In '70 Renata received £800 and sent £600 to be distributed.[65] …
> Kaipo of N'Te Upokoiri, or to represent it, was left on the land when they went to Kapiti. He was a distant relative of Renata's. Potaka, Iraia Moiroa & others of N'Whiti remained on the land to represent N'Whiti & Renata when they went away.
> Although N'Whiti was living at Patea, their 'mana' was not so great as Te Whanikau's. Only were in one of the tribes of which he was Chief. He was a fugitive to Taupo with N'Tuwharetoa. N'Whiti were not defeated as they had the protection of Te Uamairangi. N'Te Upokoiri were presently defeated besides at Te Otiti. N'Whiti had no 'mana' tho' they went with N' Te Upokoiri to avenge the death of Te Hohuirangi. Te Uamairangi did hand over one of his subject hapus as food. My ancestor & Puhara did protest against it. Renata's capture was attempted to be avenged by N'Te Upokoiri, N'Raukawa, N'Tūwharetoa, Waikato, N'Whiti & others.[66]

Anaru Te Wanikau appeared as a witness on Wednesday 25 November 1885. He lived at Pātea and Omahu, and belonged to Ngai Te Horomoka and Ngai te Haumoetehaupa.

> Te Wanikau inherited his 'mana' …. N'Whiti was living under his 'mana'. His own hapus were Ngae Honomokai & Ngae Te Haumoetehaupa. Have never heard that anyone else had a habitation here. It was a place to collect food only – too cold for regular settlement. The food collectors returned to their own settlements after work. Settlements were formed by different parties near the forest for shelter during the time of work. N'Whiti had such settlements. They are living at present on this side of the Moawhango. It is only lately they have gone there to live – since Ihakara's time. My forefathers lived in the settlement [?] mentioned & I have lived there. I was quite an infant then. After years I returned cultivated & kept sheep there. I kept sheep at Kaiaparoa close by. This land was then leased. I was on the boundary. N'Whiti did not interfere with my sheep. Raita & I had words, but my sheep were not driven off. Renata gave me the sheep to put on the land. He was the

[63] Paramena Te Naonao, 'Oruamatua Kaimanawa', 24 November 1885, Napier Minute Book, Vol 11, p 13
[64] Paramena Te Naonao, 'Oruamatua Kaimanawa', 24 November 1885, Napier Minute Book, Vol 11, p 14
[65] Paramena Te Naonao, 'Oruamatua Kaimanawa', 24 November 1885, Napier Minute Book, Vol 11, p 15
[66] Paramena Te Naonao, 'Oruamatua Kaimanawa', 24 November 1885, Napier Minute Book, Vol 11, p 17

> only one who gave us all sheep, to N'Whiti, Noa & to others. He received the rents & distributed them.[67]
> I was at Manawatū when Renata went to meet Te Heuheu with regard to this land. This block is included in Patea. When Te Heuheu came to take this land N'Whiti were on it. He took possession of this land as well as of the inhabitants. Renata recovered the land & the inhabitants returned. I & my parents went from this land to Manawatu. We took food with us then for Te Wanikau.[68]

Renata Kawepo was sworn as a witness on Thursday 26 November 1885. He claimed through ancestry and mana.

> My forefathers lived on this land & I did as a child. … Te Wanikau also lived there. N'Te Horomokai, N' Te Hereiao [?], N' te Haumoetahanga were the hapus that lived there. There were no settlements on this block when we lived there. Near this block were settlements at Mangaohane.[69]

He described his assumption of mana following his return from captivity:

> I was taken prisoner at Rotoatara. That battle was fought between N' Te Upokoiri, N' Tuwharetoa & N' Kahungunu. N' Whiti did not join N' Te Upokoiri in that fight. They did in others. At Te Whitiota N' Whiti were among those defeated & they fled to Taupo with N' Te Upokoiri. Te Wanikau was also defeated there. After Rotoatara, this land was left vacant as no-one was able to live on it. The Ngai te Upokoiri went to Kapiti and Manawatu. N'Kahungunu went to Te Mahia & N'Whiti went to Taupo. A few remnants of each were living as fugitives in the bush. A few of N'Kahungunu went to the island of Ahuriri and a few went to Patea. These last were scattered in the bush. 3 of my relatives being with them. Upon the scattering of the people N' Te Upokoiri & N' Raukawa returned for the purpose of killing people here. … N Kahungunu came from Mahia & killed the Manawatu natives…. N' Kahungunu people went to Taupo & defeated the natives there. … Ngae Te Upokoiri & Raukawa returned & killed …. Pairoa's head was taken by Ngae Te Upokoiri. Wanikau sent it back & a female prisoner was at the same time returned alive. That was the cause of peace. This was shortly before Christianity was introduced. According to native custom the defeat at Rotoatara was more than avenged by the deaths of these principal people.[70] …
> From the time of my being taken prisoner to the time of my return these lands were more or less uninhabited. I thought of my land & held to it after my return. I then went to Pātea having heard of Te Heuheu having taken possession of it during my absence.[71] …
> We then went on to Te Awahou. I found N'Te Upokoiri, N' Raukawa, N'Tuwharetoa & N' Rangatahi, N' Pikiao, N' Maniapoto. … Te Heuheu was speaking of this land at Patea. Ngae Te Upokoiri were insisting that Te Heuheu should not take Pātea but he wd not consent. … I & Te Heuheu had words & soon came to blows, but a sister of the great Te Heuheu said, 'Who can take your land? Keep it'. Te Heuheu & the Waikato tribes returned to Taupo. One of Te Heuheu's tribes remained in Patea. It was N'Pikiao. But they removed from Pātea to the back of the Manawatū river when the Govt gave them land.[72]

Renata also gave the particulars of his taking control of the lease and distributing the rents:

> I remember when this land was first leased. I leased it. Some one leased it before – Karaitiana – I did not approve of that lease. When I heard it was for £250 a year I wd not agree to it. I told Karaitiana

[67] Anaru Te Wanikau, 'Oruamatua Kaimanawa', 25 November 1885, Napier Minute Book, Vol 11, pp 19-20
[68] Anaru Te Wanikau, 'Oruamatua Kaimanawa', 25 November 1885, Napier Minute Book, Vol 11, pp 20-21
[69] Renata Kawepo, 'Oruamatua Kaimanawa', 26 November 1885, Napier Minute Book, Vol 11, pp 20-23
[70] Renata Kawepo, 'Oruamatua Kaimanawa', 26 November 1885, Napier Minute Book, Vol 11, pp 23-24
[71] Renata Kawepo, 'Oruamatua Kaimanawa', 26 November 1885, Napier Minute Book, Vol 11, p 24
[72] Renata Kawepo, 'Oruamatua Kaimanawa', 26 November 1885, Napier Minute Book, Vol 11, p 25

> to his face that I wd not agree to it. It may have been 2 or 3 years in existence – I forget. I then said I shall drive the sheep of the European off the land. The others said not to do so but to come & see the man. I went to him & he asked me not to be too hard on him. I reminded him that he had not given me any rent for 2 houses on my land that he had used as woolsheds. … I then [later] began negotiations with him for the new lease. N' Whiti did not appoint me to do so – no one in those days dared to dictate to me. I told the man if he gave me £800 a year I wd let him remain. He said he wd agree but did not wish to pay any rent until the land had gone thru' the Court. I said if that was his thought he could go as I know nothing of Court which belongs to Europeans. He ultimately gave in & paid me £800. The old lease became void.[73]
>
> I received the £800 and the £250 Karaitana's rent & the books containing the accounts. After setting up a/cs I saw Karaitiana had taken all but £60. After matters were finally settled by paying off his debts I returned him the £60 & he gave me £20. After that I gave Karaitiana the £800. He divided it into two lots & said N' Whiti wd have one lot & the other wd be for him & myself. The £400 he divided into £200 each, gave me £200 & put the other with the N'Whiti portion. The next year's rent (£800) I drew & sent for the other parties. I put before them all the money. They divided their money without any interference on my part & gave me my portion. I forget how the division was made. I also received the 3rd year's rent & left it for them to divide being indifferent as to my share. I was more anxious to receive the rent. I did not approve of the way the first year's rent was divided, but said nothing. I thought I was entitled to the largest share. The 2nd lease was in existence about 3 years before the land was put thru the Court. I applied to have the land put thru: I put in the names that appear in the memorial of ownership, partly because I considered they had a right. They all have a right in the land. There were ancestral boundaries in the block, but I don't know where they are.[74]

Renata was cross-examined by Hiraka and spoke of his captivity and return to Pātea as a preacher:

> It was during my captivity that Christianity was introduced & I was a teacher of the gospel. I was not in captivity when the Treaty of Waitangi was signed. I was at Nukutarua. I was living with my captives. The natives of Heretaunga were Christianised when I returned from captivity. I was a preacher of the Gospel when I returned. Mr Colenso was a Minister here. I accompanied him to Pātea to preach. That was the first occasion of my visit to Pātea after my return from captivity. … There were Christian preachers among the Pātea natives – they may have been Christianised. Hakopa was a native preacher at Pātea when I went there. I went there to preach but I could not see my land taken. I acted in the same way as regards Hapuku. I correct myself. I did not go with Mr Colenso. He made one journey & I another. We went on several occasions. Some of the natives who went with Mr Colenso said they had seen Hakopa.[75]
>
> I consider we had occupation from ancestral times, were driven off in war, and returned after the introduction of Christianity. It was this war that Te Wanikau, N' Haumeotehaupa & N' Hineiao went to live at Kapiti. This was before Christianity was introduced. These 2 tribes were in Heretaunga when I was taken prisoner, and also at Patea. N' Te Upokoiri, N' Awa, N' Raukawa avenged the defeat in which I was taken prisoner. N' Tama, N' Hinemanu & N'Whiti killed Pari Kawau before my return from captivity. They were people who were living in secret places on this land after Te Wanikau had left with the general body of the people. I heard of it when I returned from captivity. It took place before the introduction of Christianity.[76]
>
> I did not inform the other 4 in this block that I had leased it. I did it on my own responsibility & invited them afterwards to share the rent. Karaitiana was the only one who made a show of interference. I invited them over to share the rent. None of them was displeased. I cannot remember

[73] Renata Kawepo, 'Oruamatua Kaimanawa', 26 November 1885, Napier Minute Book, Vol 11, p 26
[74] Renata Kawepo, 'Oruamatua Kaimanawa', 26 November 1885, Napier Minute Book, Vol 11, pp 26-27
[75] Renata Kawepo, 'Oruamatua Kaimanawa', 26 November 1885, Napier Minute Book, Vol 11, p 27
[76] Renata Kawepo, 'Oruamatua Kaimanawa', 26 November 1885, Napier Minute Book, Vol 11, pp 28-29

> the year that I leased the land. I was not acting as agent of all interested. They did not dispute the matter with me & I had the 'mana' in those days. Mandy was living at Omahu then, and Donnelly as well. They & I were on friendly terms: we fell out afterwards.[77]
> No complaints came from Karitiana or Ihakara after this block was first put thru the Court. Some of the N' Tama objected. I consider that these had no right to the land.[78]

Ihakara Te Raro was sworn on Friday 27 November 1885 on behalf of himself, Retimana Karaitiana & Horima. His advocate Hiraka stated that N' Whiti were not represented in the title investigation for Owhaoko and Oruamatua Kaimanawa. Ihakara lived at Riu o puanga, Moawhango and claimed by ancestry and occupation:

> I remember the conference about leasing the land to Europeans. It was when Mr Birch came to us to arrange for a lease. Te Retimana was at Rangitikei at the time. This meeting was at Pakihiroa. I, Karaitiana and others were present. The people consented to the lease. He was to pay £250 a year. He offered a low rent he said because he was short of money, but wd increase it. Renata was not present. I remember the period of lease & that Karaitiana was appointed to receive the rent. N' Whiti & N' Tama signed the lease without exception. Karaitiana received the rent for 7 years. When Renata was on his return from the meeting at Turangarere, he asked to be allowed to receive the rent & it was agreed to, as he knew how to deal with Europeans. He had, besides, two good advisers in Donnelly & Mandy. Dr Butler was another.[79]
> I deny Renata's statement that N' Whiti & N' Tama went to Taupo when N' Te Upokoiri went to Manawatu. N' Tama & N' Whiti were living on this block at the time. N' Hinemanu were living at Te Awarua on this side of the Rangitikei.[80]

Retimana Te Rango was sworn on Wednesday 2 December 1885. He lived at Pātea and claimed through ancestry and occupation. He claimed to have been left out of the second lease and had obtained an injunction against their distribution. He claimed that Renata had no actual rights to the block but had been admitted because of his ability to manage the Europeans.[81] Retimana had been living in the Rangitīkei when the first lease was made, then made a return to Riu o puanga (Moawhango). He also claimed people had actually lived on the land:

> When the 1st lease was made I am sure there were houses & people at Ohinewairua. Whangaiopotiki was also a settlement, or rather a camping place when hunting pigs.[82]

Hepiri Pikirangi was also sworn that day. He lived at Pātea – Te Riuopuanga. He knew Ihakara's, Retimana's, Karaitiana's, and Horimia's right to the land from the ancestors of Ngāti Tama.

> Statements on Renata's side of occupation on this land from ancestral times is incorrect. They have no one living there at present to keep their fires alight. N' Te Upokoiri went to Taupō & Pātea as fugitives. …
> N' Te Upokoiri properly belong to Heretaunga. On their return from Manawatu they resided at Heretaunga, where Renata came after his captivity.[83]

Judgement was given on 10 December 1885, after giving judgment on the subdivision of the Owhaoko block. The Oruamatua Kaimanawa judgement referred to a dispute between the people on the original memorial of ownership – the people and the dispute were much the same in the Owhaoko subdivision. The dispute had

[77] Renata Kawepo, 'Oruamatua Kaimanawa', 26 November 1885, Napier Minute Book, Vol 11, p 29
[78] Renata Kawepo, 'Oruamatua Kaimanawa', 26 November 1885, Napier Minute Book, Vol 11, p 29
[79] Ihakara te Raro, 'Oruamatua Kaimanawa', 27 November 1885, Napier Minute Book, Vol 11, p 33
[80] Ihakara te Raro, 'Oruamatua Kaimanawa', 27 November 1885, Napier Minute Book, Vol 11, p 33
[81] Retimana te Rango, 'Oruamatua Kaimanawa', 2 December 1885, Napier Minute Book, Vol 11, p 41
[82] Retimana te Rango, 'Oruamatua Kaimanawa', 2 December 1885, Napier Minute Book, Vol 11, p 40
[83] Hepiri Pikirangi, 'Oruamatua Kaimanawa', 2 December 1885, Napier Minute Book, Vol 11, pp 42-43

become so bad that the rents were no longer distributed & the land was brought before the court for division. The purpose of the hearings was to determine Renata's interest, 'the other party being all of one "hapu" or family'. The genealogies, evidence and judgement in the Owhaoko case also applied to Oruamatua-Kaimanawa.

> The 'mana' exercised by Renata's ancestors over this portion of the Pātea country does not appear to have been so powerful as it was over Ohaoko, but the action taken by Renata himself in resisting Te Heuheu's attempt to appropriate Patea, and the prominent part which he took in the survey and subsequent dealings with the land can only be regarded as distinct assertions of his 'mana', nor do we find that it was ever questioned in any way by any of his co-owners in the block until within the last four or five years.[84]

The court considered that Renata was therefore entitled to the largest share and awarded him the 28,775 acres block of Oruamatua-Kaimanawa No. 1. The others were awarded 86,325 acres of Oruamatua Kaimanawa. The rent would be apportioned upon production of the lease.

Discussion

Angela Ballara has written extensively on the peoples of inland Patea, and some of the events by which Renata claimed mana over the district: namely the meetings at Te Awahou, Kokako, and Turangarere. Much of her narrative is drawn from the Native Land Court hearings for the Owhaoko block.

According to Ballara, Ngāi Te Upokoiri and Ngāti Hinemanu were two hapū with sections in Heretaunga and inland Patea. Upper Rangitikei was considered by some to be their western-most boundary: Judge Brabant for instance found it particularly meaningful that the Taruarau and Ngaruroro rivers flowed into Heretaunga.[85] Ngai Te Upokoiri had become a separate hapū in the lifetime of Te Upokoiri's son Te Mumuhu o te rangi, and Te Upokoiri's grandson Te Umairangi became the leading figure of a number of hapū in inland Patea.[86] Ngāti Hauiti were closely associated with Ngāi Te Upokoiri and Ngāti Hinemanu as Hauiti was closely related to Whitikaupeka and Hinemanu.[87] Utiku Potaka stated the particularly close relationship between the peoples of inland Patea: 'Ngāti Hauiti, Ngāti Hinemanu, Ngāti Whiti, Ngāti Tama, Ngāti Ngarara – all descend from Hauiti'.[88]

Ngāti Tama and Ngāti Whiti were hapū of inland Patea, but unlike Ngāi Te Upokoiri and Ngāti Hinemanu, they did not stretch to Heretaunga as well.[89] They are said to have been driven from Mohaka by Ngāti Maruwahine, and to themselves have driven out Ngāti Hotu from inland Pātea in turn.[90] At the time of the migration into Mohaka, the people who would become known as Ngāti Whiti were then known as Ngāti Raehu, after the sister of Tamakōpiri.[91] Ngāti Tama and Ngāti Whiti became so intermixed in inland Pātea that by the 19th century it was possible to say: 'Ngatitama are Ngatiwhiti, and N' Whiti are N' Tama. The people are now mixed and their lands are now mixed also'.[92]

Ngāti Tama and Ngāti Whiti are of Ngāti Kahungunu descent, Ballara continues; intermarriage with Ngāti Tūwharetoa began with the capture of Ripoārangi, a wahine rangatira.[93] Although war was raged in retaliation,

[84] Judge Mair, 'Judgement: Oruamatua Kaimanawa', Napier Minute Book, Volume 11, pp 55-56
[85] Judge Brabant's Minute Book, vol 4, p 298; cited in Ballara, *Origins of Ngāti Kahungunu*, pp 201-202
[86] Ballara, *Origins of Ngāti Kahungunu*, p 203
[87] Winiata Te Whaaro, Whakapapa, 'Owhaoko', Napier Minute Book, vol 13, pp 60-1, cited in Ballara, *Origins of Ngāti Kahungunu*, p 204
[88] Utiku Potaka, '[?]', Napier Minute Book, vol 5, p 129, cited in Ballara, *Origins of Ngāti Kahungunu*, p 206
[89] Ballara, *Origins of Ngāti Kahungunu*, p 206
[90] Ballara, *Origins of Ngāti Kahungunu*, p 208
[91] Ballara, *Tribal Landscape Overview*, p 151; Ballara, *Iwi*, p 166
[92] Te Hau-paimārire, 'Rangipō Waiu', Taupo Minute Book, vol 2, pp 170-171, cited in Ballara, *Tribal Landscape Overview*, p 152
[93] Ballara, *Tribal Landscape Overview*, p 153

the children of Ripoārangi became regarded as kin by Ngāti Tūwharetoa and a group of Ngāti Tama and Ngāti Whiti moved to Rotoāira with her, and also became known as Ngāti Tama (of Tamakaitangi).[94]

> Ripoarangi … was a N' Tuwharetoa woman & also of N' Kurapoto and N' Maruwahine. She was taken captive by N' Whiti & N' Tama. After this she was married to Tamakaitangi of N' Whiti and N' Tama. When children were born to them they were called N' Tuwharetoas & were included in the mana of that tribe & lived at Rotoaira. Their children were saved alive by N' Tuwharetoa when N' Whiti and N' Tama were killed, & were cherished by N' Tuwharetoa & were so treated until [the] days of Christianity.[95]

Ballara went into considerable detail on the arrival of Ngāti Tama at Rotoāira in her *Tribal Landscape Overview*, because their claims were denied in various Tauponuiatia title investigations.[96] These were the Ngāti Tama of Tōpia Tūroa of the Rangipō Waiu title investigation.[97]

Ballara has particularly written of the community of Te Uamairangi and Te Wanikau of Heretaunga and Patea.[98] Te Uamairangi was of Ngāi Te Upokoiri and Ngāti Honomokai descent, among others. His pā seem to have been mainly based in the Heretaunga area; Ngāti Tama, Ngāti Whiti, Ngāti Hauiti and Ngāti Hinemanu may have maintained a distinct community under Pokaitara during Te Uamairangi's lifetime.[99] They may have sought aid from Te Uamairangi from time to time. His grandson Te Wanikau certainly had a number of pā in Patea. Ballara argues that Te Wanikau not only inherited Te Uamairangi's land and people, but also became chief over Ngāti Tama and Ngāti Whiti after the death of Pokaitara.[100]

> When Wanikau resided on this land [Mangaohane block] N' Honomokai, N' Haumoetahanga & N' Te Ngarara lived under him: they never moved from this block: when Wanikau went to live at Pakaue [sp?] N' Whiti and N' Tama were the hapus who lived under him there: and when he went to live at Awarua N' Te Upokoiri, N' Hinemanu and N' Te Ngarara lived with him there.[101]

After the battle of Te Roto ā Tara, at which the young Renata Kawepo was captured, Te Wanikau sought refuge at Taupō; Mananui Te Heuheu was allied to him through marriage and had previously assisted him in battle.[102] Te Wanikau eventually led his people to settle in the Manawatū on the invitation of Te Whatanui of Ngāti Raukawa. Ngai te Upokoiri also settled with Rangitāne and Ngāti Apa on the Ahuatūranga block and at Himatangi and built pā at Te Iritau and Puktōtara, where they had the use of eel weirs.[103] Ngāi te Upokoiri were allied to Ngāti Raukawa at the battle of Haowhenua in 1834, and Te Wanikau eventually moved to Kāpiti where he lived with Te Rauparaha. Te Wainikau died while still in exile; his remains were buried at Tongariro.[104]

Te Wanikau's nephew Renata Kawepo was of Ngāi Te Upokoiri descent on his mother's side and Ngāti Hinemanu descent through his father, with connections to Ngāti Whiti, Ngāti Tama, Ngāti Honomokai and Ngāti Mahuika.[105] As a child he had spent time at Te Awarua (Hogan). Renata was captured at Te Roto ā Tara in the mid-1820s and spent a decade as a high-ranking captive in Nukutaurua, and then the Bay of Islands, where

[94] Ballara, *Tribal Landscape Overview*, p 154
[95] Rawhiri Te Aramoana, '[?]', Napier Minute Book, vol 12, pp 241-242, cited in Ballara, *Origins of Ngāti Kahungunu*, pp 208-209
[96] Ballara, *Tribal Landscape Overview*, p 155
[97] Ballara, *Tribal Landscape Overview*, p 154
[98] Angela Ballara, *The Origins of Ngāti Kahungunu*, PhD Thesis, Victoria University of Wellington, 1991, pp 268-290
[99] Ballara, *Origins of Ngāti Kahungunu*, pp 270-272
[100] Ballara, *Origins of Ngāti Kahungunu*, p 284
[101] Paramena Te Naonao, Napier Minute Book, Vol 9, p 194, cited in Ballara, *Origins of Ngāti Kahungunu*, pp 284-285
[102] Ballara, *Origins of Ngāti Kahungunu*, p 286
[103] Otaki Minute Book, Vol 1D, pp 445, 455-456, 501-502, cited in Ballara, *Origins of Ngāti Kahungunu*, p 286
[104] Ballara, *Origins of Ngāti Kahungunu*, p 287
[105] Angela Ballara & Patrick Parsons, 'Kawepo, Renata Tama-ki-Hikurangi ? – 1888', *The People of Many Peaks: The Māori Biographies from The Dictionary of New Zealand Biography, Volume 1, 1769-1989* (Wellington: Bridget Williams Books/Department of Internal Affairs, 1990), pp 26-28

he was among those who converted to Christianity and were released from captivity. Renata learnt to read and write there and trained to become a mission teacher.

In 1843, Renata accompanied Bishop Selwyn and others on a journey through the North Island.[106] They travelled as far south as Tongariro before being blocked by flood waters: they turned back to Taupō and travelled down the Whanganui. After staying at Whanganui and Otaki, the party visited Te Rewarewa, a significant centre of Christianity on the Manawatū, and the location of Renata's people, Ngāi Te Upokoiri.[107] Renata described this in his own writing: his visit was affected by arriving on a Sunday and the customary welcome could not be performed until after the Sabbath had ended:

> Ka moe. Ka ao te rā, kātahi anō ahau ka tīkina mai, ka haere atu. Kātahi ka tangi. Ka mutu te tangi, ka whakatika mai te tangata kōrero ki ahau.
> Ka mea mai ki ahau, 'E kore koe e tukua kia hoki ki tōu kāinga; ka tae mai anō koe, ka noho'.
> Ka mea atu ahau ki a rātou, 'E kore ahau e noho. Heoi anō. Ka kite ahau i a koutou, e kore ahau e noho. Mehemea i ki ahau i tōku haerenga mai, kia noho ahau I runga nei, ka tika. Tēnā ko tēnei, e kore e mahue i ahau a Te Kātene rāua ko te Pīhopa, ka riri rātou ki ahau'.
> Ka mea, 'E kore koe e tukua e mātou'.
> Ka kī atu ahau, 'E kore ahau e noho. Heoi anō'.
> Ka noho ahau i reira, e toru wiki i noho ai ahau i reira. Kātahi ahau ki Pōneke.
>
> *We slept, Next morning, only then did they come to fetch me, and I went forward. Then we wept. When the weeping was over, a spokesman stood up. He said, 'You will not be permitted to return home; now you have come here you must stay'.*
> *I answered them, 'I will not stay. That is that. I visited you and I am not staying. If I had said when we set off that I would be staying down here that would have been all right. But as it is, I will not leave Cotton and the Bishop, for they would be angry with me'.*
> *They said, 'We won't let you go'.*
> *I said, 'I will not stay. That's an end to it'.*
> *I stayed there; [just] for three weeks I stayed. Then I set out for Wellington.*[108]

Ballara speculates this may have been the time when Renata confronted Mananui Te Heuheu Tukino II and demanded that inland Pātea be returned to his people.[109] Around 1843 or 1844 Te Heuheu sent a group of Ngāti Maniapoto and a section of Ngāti Whiti from Rotoāira to Pātea to prevent Ngāti Apa's land sales spreading inland; Renata's clash with Te Heuheu may have been one cause of the move of Ngāti Waewae and Ngāti Pikiahu to Te Reureu around 1849.[110] Renata was supported in this clash by Te Moananui of Ngāti Kahunguni: several years later, Renata and Te Moananui also fetched the remains of Te Wanikau to repatriate them in Heretaunga, which disgusted Colenso.[111] Through these actions, Ballara argues, Renata assumed Te Wanikau's mana under the mantle of Te Moananui.[112]

The Kōkako boundary hui in 1860 was held to arrange tribal boundaries, especially the inland boundary of the Whanganui iwi.[113] The Kōkako hui was referred to several times in the Rangipō Waiu title investigation:

> The meeting was to lay down the boundary line of the land belonging to the Whanganui people. The line was laid down because N' Apa were selling their lands – also N' Raukawa N' Te Upokoiri & N'

[106] Helen Hogan, *Renata's Journey: Ko te Haerenga o Renata,* translated, edited and annotated by Helen Hogan (Christchurch: Canterbury University Press, 1994), p 43
[107] Hogan, *Renata's Journey*, p 15
[108] Renata Kawepo, trans Helen Hogan, *Renata's Journey*, pp 54-55, 105-106.
[109] Ballara & Parsons, 'Kawepo, Renata Tama-ki-Hikurangi', *The People of Many Peaks*, pp 26-27
[110] Ballara, *Tribal Landscape Overview*, pp 384-385
[111] Colenso Papers, Vol 3, Journal, 25 December 1850, cited in Ballara, *Origins of Ngāti Kahungunu*, pp 287-288
[112] Ballara, *Origins of Ngāti Kahungunu*, p 288
[113] Ballara, *Tribal Landscape Overview*, pp 443-446

> Kahungunu & because some of N' Whiti & N' Tama had intermingled with the N' Kahungunu & N' Te Upokoiri in agreeing to sell land and because the Tuwharetoa were joining to the King.[114]

Renata Kawepo recited these events himself in September 1875, just days before the original Kaimanawa and Oruamatua title investigation, here, however, he spoke of his clash with Te Heuheu at Te Awahou as concerning Otamakapua rather than the inland blocks in Patea:

> E hoa e tenei e aue nei; I whea ra koe e ngaro aua i enei tau kua pahure ake nei, käore pea koe i rongo ki ta maua whawhai ko te Heuheu i te Awahou, i Manawatu. Te take mo enei whenua, mo Otamakapua, mo Kawatau, no reira ka whati mai nga iwi i kiia e te Heuheu i noho mo aua whenua, noho rawa mai i te Reureu.
> I te tau 1860, 22 o nga ra o Maehe, ka tut e hui ki Kokako, wahi o Patea, kia rohea te whenua, a mana tonu taku kupu I taua ra, a, tu ana ki Pikitara, ko Whiti Kaupeka te ingo o taku pou, a he aha ra ahau i kore ai e rongo i to auetanga i reira e ana nei koe i tenei ra. No taku takiwa enei riri.
> *Friend, the man who is making a noise, where were you hid in years gone past, perhaps you did not hear of the battle between Te Heu-Heu and I, at Te Awa Hou, and at Manawatu. And this battle was on account of the lands known as Otamakapua and Kawatau. And hence the people who were sent by Te Heu-Heu to occupy those blocks, came back to Te Reu-Reu.*
> *In the year 1860, March 22, a great meeting was held by the Maoris at Kokako, in the district of Patea. And I spoke my words in the hearing of all that assembly, that the land be divided, and my word that day was agreed to. And at Pikitara my post called Whiti Kaupeka was put up; then why did I not hear your moan at that place in those days[?] Those were battles in my own district.*[115]

The Turangarere meeting was held to decide the boundary between Whanganui iwi and Ngāti Tama and Ngāti Whiti, Ballara notes.[116] This was probably with Te Keepa concerning Murimotu and Rangipō Waiu; Renata may have been talking about the Turangarere meeting when he telegraphed McLean about Murimotu: '[Te Keepa] and I came to a decision between ourselves about that land'.[117]

In 1885, Renata Kawepo had been awarded almost 29,000 acres in Oruamatua Kaimanawa 1 on account of his mana. Within a year that patrimony was challenged in parliament and select committee, and within three years Renata himself had passed away. Within a decade one of the two successors to his will, Arini Donnelly, refused to present her case in the Oruamatua Kaimanawa title reinvestigation.

The Owhaoko and Oruamatua Kaimanawa select committee

The situation concerning the Oruamatua Kaimanawa and Owhaoko blocks was referred to a select committee in 1886. Sir Robert Stout made a statement to the House of Representatives: his memorandum and the subsequent select committee report were later published in the parliamentary papers.[118] Stout emphasised two statements by Noa Huke during both title investigations.

[114] Winiata Te Pūhaki, 'Rangipō Waiu', Taupo Minute Book, vol 2, p 121, cited in Ballara, *Tribal Landscape Overview*, p 444
[115] Renata Kawepo, 'He Utu Korero mo te reta a Hunia Te Hakeke: Answer to the letter from Hunia Te Hakeke' (trans *Te Wananga*), *Te Wananga*, vol 2, no 18, pp 195-196; Cited in Ballara, *Tribal Landscape Overview,* p 445, n 150; Ballara, *Iwi*, pp 285-286
[116] Hēperi Pikirangi, 'Owhaoko' [?], Judge Brabant's Minute Book, vol 4, pp 364-365, cited in Ballara, *Iwi*, p 286
[117] Renata Kawepo to Donald McLean, 16 September 1874, cited in Berghan p 369, Horan, p 81 n 215
[118] R. Stout, 'Memorandum on: Owhaoko and Kaimanawa Native Lands', AJHR 1886 G-9; 'Report of Owhaoko and Kaimanawa Native Lands Committee, together with minutes of proceedings and evidence, and appendix', AJHR 1886, I-8

In Kaimanawa Oruamatua:

> I have been on this land. There are Natives who are not present who have a claim. The people now living on the land have a claim. About twenty people – men, women, and children – are living on the land.[119]

In Owhaoko:

> There are a great many more living in Patea. We three are all here. I will give a long explanation with respect to those absent, all of whom have settled that this block of land [Owhaoko 1] is to be set apart for a school endowment. It is to be inalienable. That is the reason this portion has been taken from the large survey – so that the other portion may be for the people.[120]

Stout was particularly incensed that the judge concerned could order a memorial of ownership, despite knowing that there were other people residing on the land, simply because no objectors had appeared at the hearing.

The rest of Stout's memorandum concerned the goings on in Owhaoko and raised a number of questions of Chief Judge Fenton's conduct in that matter, many of which were subsequently rebutted by the now-retired Fenton in his appearances before the select committee called to investigate the matter. The committee heard from two of the absent owners in Kaimanawa Oruamatua and the son of another. One of the central issues was that the resident owners had only received notice of the hearing too late to attend.

Hiraka Te Rango appeared on behalf of his father Ihakara Te Rango.[121] His father did not approve of the judgment in these blocks because Renata Kawepo and the others 'who had no claims' should never have been admitted to the title, but by the time Ihakara had arrived at court those parties had already been awarded title to the lands. Hiraka himself had also petitioned Parliament in 1886 about Judge Mair's subdivision of Oruamatua Kaimanawa: 'He said, in giving his judgement, that why he gave Renata so much was because Renata was a man of influence and because of a dispute between Te Heuheu and Renata'. When Renata was admitted to Oruamatua Kaimanawa he received £250 of the rent. Ihakara belonged to Ngati Whitikaupeka me Ngāti Tama; Renata belonged to Ngāti Kahungunu. Ngāti Whiti and Ngāti Tama were about 170-strong. Renata, Hiraka argued, had no claim to Oruamatua Kaimanawa because he and his ancestors 'never occupied the land, and never lighted fires on it'. Renata was entitled to a small piece in Owhaoko, Hiraka accepted, 'because some of Renata's people occupied a place called Te Riuopuanga' in ancient times. Karaitiana Te Rango, brother of Hiraka (they shared a mother), also appeared.[122] He sought a rehearing because 'all the people had not assembled at the Court when the judgment was given'.

Te Retimana appeared on behalf of his father Te Retimana Te Raro.[123] He spoke of their dispute with Renata.

> The dispute arose through the land being leased to Paki [Birch] formerly, and the rent that we were to receive for it was £250 a year. … About two or three years afterwards, Renata said that he thought that we were receiving too little rent for the land, and it was left in his hands to state what amount of rent we ought to receive. The Ngatiwhiti agreed to that. The tribe agreed to that; and it was left to Renata to get a bigger rental for the ground, and that was how it was that Renata became a claimant to it; and after that there was a Court held. Renata asked that there should be a Court held, and we never saw anything of it. By the time that Hiraka's father and those belonging to the tribe arrived, the judgment had been given in the case. … And so our people never knew anything about the case,

[119] Cited in Stout, AJHR 1886 G-9, p 2
[120] Cited in Stout, AJHR 1886 G-9, p 2
[121] Hiraka Te Rango, 'Minutes of Evidence', 12 July 1886, AJHR 1886 I-8, pp 37-39
[122] Karaitiana Te Rango, 'Minutes of Evidence', 12 July 1886, AJHR 1886 I-8, pp 39-40
[123] Te Retimana, 'Minutes of Evidence', 12 July 1886, AJHR 1886 I-8, pp 40-41

> and that is how the trouble arose between us over these blocks of land. When the division took place at the last Court, Renata gave up his first claims by an ancestor to the land, and brought forward fresh ones when the division was made.[124]

Captain Azim Birch had also appeared before the committee several days earlier to give evidence on his own behalf.[125] He was the lessee of Kaimanawa Oruamatua. He first drove sheep there on the condition that the Māori parties would pass the land through the Court; he was residing on the land himself by the time that occurred in 1875. Birch argued that three days' notice of the hearing was more than sufficient: the journey took him 14 hours on horseback; the Māori parties had plenty of horses. Their kainga were some distance from the land itself, but they did have 'huts' there to use when they were travelling from one kainga to another. Birch had initially signed an 'agreement to lease' when he occupied the land. 23 persons had signed that agreement and he had afterwards paid rent to Karaitiana te Rango from 1868–1875, but after the memorial of ownership was given he paid the rent to Renata Kawepo. Birch had always understood Renata to have had 'a say in it': when he was negotiating the area to be leased in 1867, Karaitiana had returned to Pātea and said 'You shall not let him have Owhaoko, because that would displease Renata; but, if you like, we will rent him Oruamatua, which will not displease Renata'. An addendum to Birch's evidence listed the signatures to the 1867 agreement to lease:

> Karaitiana Terango, Horima Teahunga, Kakapa Tehokmutu, Aperahama Teahunga, Ihaka Tekonga, Rota Tewhakaihopo, Te Wawwaw, Te Taiimu Pirimiha, Tamakaitangi Heperi, Terangihuamui, Tehirauka Teraro, Wereta Patea, Rawiri Pikirangi, Hika te Rangi, Whakamanunu, Ihakara te Kohiti, Hohepa te Atarau, Henare te Ratarewa, Eruini Matarewa, Hoana Nga Muka, Kingi Topia, and Kieta te Rango.

Judge Rogan also appeared on the preceding days and again several days later.[126] Sir Robert Stout closely examined him on why he had made a memorial of ownership when he knew that there were 20 other people living on the land who were not on the list. Judge Rogan argued that he had discussed this problem with the Assessor Hone Peti, who had advised:

> You have got all the names which these chiefs will give you. They will not give you any more. Then, order this memorial; because Renata is a chief of great responsibility, and if he makes any mistake the mistake will be his, and the responsibility not ours.[127]

Judge Rogan's own notes were destroyed in a fire. These remarks were not recorded in the clerk's minute book. Judge Rogan also clarified later that in those days it was usual to understand a chief as speaking for the people, as a general agent for the tribe: 'There were chiefs in those days, but there are very few of them left'.[128]

Judge Fenton had also explained earlier in the proceedings some of the recent context surrounding the application for rehearing of the Owhaoko block:

> A large block of land at Pukehamoamoa had come before the Court, and a very distressing state of things had been divulged. Renata was the chief of the tribe. I must explain this at some length. This tribe, Ngatiupokoiri – I think that was the name – in the old days was a hapu of the Ngati[kahungunu]. It was one of those unfortunate tribes that had been in great distress during the whole of its existence. The Court – i.e. Mr O'Brien, and I, and the Assessor – found during the hearing

[124] Te Retimana, 'Minutes of Evidence', 12 July 1886, AJHR 1886 I-8, p 41
[125] Captain Birch, 'Minutes of Evidence', 7 July 1886, AJHR 1886 I-8, pp 25-28
[126] Judge Rogan, 'Minutes of Evidence', 2 July, 5 July, 15 July 1886, AJHR 1886 I-8, pp 17-25, 50-54
[127] Hone Peti, cited by Judge Rogan, 'Minutes of Evidence', 2 July 1886, AJHR 1886 I-8, p 18
[128] Judge Rogan, 'Minutes of Evidence', 15 July 1886, AJHR 1886 I-8, p 54

> of the case that it had been attacked by the Ngatituwharetoa, from Taupō; by the Ngatiporou, from the East Cape; by the [Arawas], from the Lakes; slightly by the Waikato tribes; and ultimately by the Ngapuhi, from the Bay of Islands, who came down in great force and took Renata prisoner. He was a man of rank and great spirit. He was one of the loyal chiefs in our wars and fought for us most strenuously. He was not only the father of the tribe, but during all these wars he was the preserver of the tribe. They would have all gone into slavery but for the remarkable energy and military skill of this single man. When we were sitting on this Pukehamoamoa Block we found that all the younger members of his family – his first cousins once removed, and others – had all turned against him. A European [Donnelly] had married one of them and had got up an agitation which was entirely destructive of the old chief's mana and happiness, and they tried even to turn him out of all this land. … This left such a strong impression on my mind that I resolved I would do all I could to prevent this land (Owhaoko) also from being disturbed in the same way.[129]

Renata's niece, Airini Tonore (Donnelly) made a statement of her situation soon after:

> I remember when the Native Land Court sat to investigate Owhaoko. … Renata at that time was strongly opposed to the sale of Native lands, and had taken an active part in endeavoring to put an end to sales. It was Renata's request that we should not urge our claims at the investigation. He admitted our claims. When the land was leased, Renata recognized our claim by paying us money – viz. £200 to Ane Kanara, £200 to Teira Tiakitai, £200 to Haromi, and £200 to myself. These sums were out of the first year's rent. Subsequently I married, contrary to the wishes of Renata Kawepo. He quarreled with myself, my mother, and others who adhered to me, and he refused to give us any share of the money, nor did he appear to recognize our claim to the block. In consequence of this I took steps, in conjunction with my husband, to have the rents paid to the Public Trustee, as I was in hopes of having a rehearing of the case, and took these steps to protect the interests of myself and my relatives; or in the event of that failing, I might bring pressure on Renata to give up a portion of the money. Subsequently Renata and I arranged matters peaceably. He then suggested that he, Renata, and I should take the money and divide the shares of Ihakara and the Pātea people. After this Renata renewed his quarrel with me, and matters have remained in this state ever since.[130]

A statement by Renata Kawepo was afterwards tabled in the Appendix:

> I was taken prisoner by the Ngapuhis, at Rotoatara, Te Aute, when quite a boy, probably about seventeen. I was taken by that tribe to Nukutaurua, Table Cape, which place they then occupied. I remained in captivity there for many years. I was tattooed there. When the Ngapuhis left Nukutaurua and returned to [the] Bay of Island I accompanied them, in captivity. I remained there about seven years and became a Christian. The Rev. Mr Williams, afterwards Bishop of Waiapu, wishing to send missionaries and native teachers to the southern parts of the Island, I was selected to accompany the Rev. Mr Colenso to this district. I found that my own tribe had been driven to Manawatu by the same tribe by whom I was taken captive. The inland tribes under Te Hapuku had retreated to Te Mahia for protection. The whole of the inland country was deserted. The Napier hills, being close to the sea, were occupied by Tareha's father and other Natives. At that time Pātea was occupied by Te Heuheu, of Taupō. I drove him out of that country about a year after. I occupied that country myself. Many years after this the late Sir Donald McLean was purchasing land from the Natives for the government. The chiefs Te Hapuku and others were selling the land. Had they continued doing so the Natives would have been dispossessed of all their lands. They continued to sell. I objected, and wished the title of the parties to be ascertained by law. After failing to induce them to stop selling, I said, 'The guns shall adjudicate the land'. I fought them at Te Pikiaka and beat

[129] Judge Fenton, 'Minutes of Evidence', 2 July 1886, AJHR 1886 I-8, p 12
[130] Airini Donnelly, 'Statement of Airini Tonore', dated 9 July 1886, 'Minutes of Evidence', AJHR 1886 I-8, pp 54-55

> them. Several of the chiefs were slain, and I held the land. I was in complete authority over the land. Then I brought my own tribe back from Manawatu, where they had been driven by Ngapuhi. … I was the only descendant of the people who held the mana of the land. I had re-established this mana by driving Te Heuheu off the land, and also keeping Te Hapuku and others from selling the land.[131]

The select committee recommended rehearings for Kaimanawa-Oruamatua, Owhaoko 1, Owhaoko 2, and Owhaoko. The Owhaoko and Kaimanawa-Oruamatua Reinvestigation of Title Act 1886 was passed soon after, in August that year.[132] A lengthy preamble described the circumstances requiring a title reinvestigation. Section 2 enabled a reinvestigation of title by declaring the land to be Native land and subject to the jurisdiction of the Native Land Court Act 1880. There was a proviso however: any existing alienations ('demises') to John and Michael Studholme in Owhaoko or Azim and William Birch in Kaimanawa Oruamatua were deemed to be 'good and effectual' alienations by those whom the Native Land Court might find to be owners, and no back rents were payable.[133]

Title reinvestigation

The reinvestigation of title to Oruamatua Kaimanawa did not occur for another eight years, at Moawhango in 1894, by which time Renata Kawepo and many of the other original protagonists had passed away. The hearings took up nearly 600 densely handwritten pages in Napier Minute Books volumes 30-31. They were vastly more sophisticated by then and gave a far greater weight to the recitation of tribal histories, which is a striking contrast to the perfunctory investigation of 1875 that seemed to give most weight to current ownership and mana of the persons before the court. The cases were conducted by lawyers or advocates. The minutes of the proceedings are too dense and lengthy to detail, which would be a study in its own right. Instead, I shall just highlight some points at the beginning and the end of the record.

The Court began by selecting one party to be the claimant, in order of the date of claims. This was Arini Donnelly, but she withdrew her case because the court would not transfer the place of hearing away from Moawhango: she and her witnesses would depend on Ngāti Whiti hospitality for food and shelter.[134]

Hiraka Te Rango was then taken as the claimant and sworn as a witness on 23 January 1894. He lived at Moawhango. He claimed a right to this land through ancestry and continuous occupation: he and his father had only ceased to collect food on the land since it had been leased to Mr Birch. Hiraka argued that Ngati Whiti only had rights to the land from Te Ohuake, the same as in Awarua 2.[135]

Upon hearing this, Winiata Te Whaaro withdrew his claim to Oruamatua Kaimanawa. It is not clear what his case might have been. He had been admitted in Awarua 3 & 4 through 'aroha', but was not admitted in Awarua 2. There was no point in proceeding if the judgement was going to proceed on the same grounds as Awarua 2. Winiata Te Whaaro hoped that Ngāti Whiti 'will act in a chieftanlike manner and not oppose him on the other side of the Rangitikei river [Owhaoko?]'.[136]

Katarina Hira claimed Oruamatua Kaimanawa through ancestry, conquest, and permanent occupation by her ancestors.[137] She claimed through Tumahaurangi and Te Ohuake: 'N' Whiti & N' Upokoiri are the tribes through which I have rights to this land. … My father was living with N Upokoiri when he was in Patea. They came from Heretaunga & went on to Taupo and Rotoaira'. The conquest was that of Tamakopiri over Hotu. Katarina was born at Manawatu and went to Heretaunga when young. Afterwards she lived to Taupo. She

[131] Renata Kawepo, 'Statement of Renata Kawepo re Owhaoko and Kaimanawa Blocks', dated 23 July 1886, 'Appendix', AJHR 1886 I-8, pp 83-84
[132] This act is appended to Wai 263, a claim by Marei Apatu dated 21 October 1991, concerning Te Koau block in the Ruahine Ranges.
[133] Owhaoko and Kaimanawa-Oruamatua Reinvestigation of Title Act 1886, s 2
[134] Napier Minute Book, vol 30, p 6
[135] Hiraka Te Rango, 'Oruamatua Kaimanawa', Napier Minute Book, vol 30, pp 12-13
[136] Napier Minute Book, vol 30, pp 14-15
[137] Napier Minute Book, vol 30, pp 15-18

came to Awarua 2 after she married to Te Hau, a Ngati Tama. Her father lived at Taupō, Rotoaira, Pātea & Heretaunga. Katarina was born when her parents were visiting Manawatū.

Toa Aperahama claimed rights through ancestry, conquest bravery mana. The ancestors were Tumakaurangi and Tutakamaiwaho.[138]

Hori Te Tauri claimed through ancestry, mana, bravery and occupation. He claimed through the ancestors Tumakaurangi, Tuwhakapuru, and Whitikaupeka.[139]

Tamaiti Tautuhi claimed through ancestry, conquest, mana, bravery in holding the land, and permanent occupation. The ancestors were Tumakaurangi and Wharepurakau.[140]

The court decided to hear the cases remaining in order: Ngāti Tama 'tuturu', descendants of Taenui, Hou Te Tauri, Anaru Te Wanikau, Teati Pohe and Ngāti Whiti – the claimants. The judgement was given on 31 March 1894.[141] I have quoted it in its entirety as it sums up the nearly 600 pages of proceedings. One of the most striking things is that the evidence given seems irreconcilable with that given in the previous title investigation and subdivision hearings, and, perhaps with the title investigations to the surrounding blocks – this was so much the situation that the judgment stated that the Court could not be blamed 'if substantial justice is not done to all the parties'.

> The title to this block was originally investigated by the Native Land Court on the 16th of September 1875 on the application of Renata Kawepo and a memorial of ownership was ordered on the 21st of the same month in favour of
> Renata Kawepo
> Karaitiana Te Rango
> Ihakara Te Raro
> Retimana Te Rango and
> Houma Te Ahunga
> As descendants of Te Pokaitara.
> In 1885 the land was subdivided under the Native Land Division Act 1882.
> Renata Kawepo claimed from Wharepurakau… The other four owners contending that Tumakaurangi was the ancestor from whom the title was derived. One fourth of the block was awarded to Renata Kawepo and the balance to the other owners. … In the following year the Owhaoko and Kaimanawa Oruamatua reinvestigation of title act was passed…. …
> The block is claimed by seven parties. … It is admitted by all the parties before us that the tract of country now known as Oruamatua Kaimanawa and which is the subject of this enquiry has never been occupied permanently and was prized chiefly for the native game found upon it. The evidence is clear that from ancient times down to the advent of the Europeans it was used solely for hunting & fishing purposes and that there were never any pa's or settlements of a permanent nature on the land. We do not therefore expect such conclusive evidence of occupation as we would if investigating the title to land permanently resided upon by natives.
> In this as in other cases affecting Pātea lands a considerable amount of time has been occupied with evidence of the alleged conquests of a tribe called N' Hotu by Tamakopiri and his people and several generations later by Tumakaurangi, Whitikaupeka and others.
> The story of these conquests as told to us does not differ materially from that given in previous courts but no one can supply any reliable information about them. None of the witnesses either in this or other cases have been able to give the name of any of the principle men of N' Hotu who lived in Pātea with N' Tamakopiri between the first and final conquest nor can we hear of any

[138] Napier Minute Book, vol 30, p 20
[139] Napier Minute Book, vol 30, p 20
[140] Napier Minute Book, vol 30, p 21
[141] Napier Minute Book, vol 31, pp 204-212

intermarriages between members of the N' Hotu and N' Tamakopiri, or who composed the followers of Tamakopiri and assisted in the subjugation of a tribe always referred to as numerous.
The tradition seems to us so full of improbabilities that we cannot attach much credence to it and as in our opinion the present native title is not affected by the alleged conquests we need not again allude to the subject.
Several of the parties seem to rely to some extent upon the mana of one or more of their ancestors as a 'take' to this land. The nature of the mana referred to has not been made clear to us; in fact the evidence regarding it is of a very flimsy character and we may say at once that mana is a ground of claim to which we attach no importance. Without going at length to the general question we will content ourselves with the fact that we have never known an instance where mana has conferred a title to land. It will not therefore be necessary to refer again to this quote 'take' in our judgment.
We will now state the grounds of claim preferred by each of the parties to the sack taking the claimants first
The N' Whiti, Ihakara Te Raro and others claim the whole block to the exclusion of all others except…..
Katarina Hira claims by descent from Te Ohuake and Tumakaurangi by the conquest of Tamakopri over N' Hotu and by occupation
N' Tama Tuturu claimed that they have rights over the whole block, ancestrally from Tumakaurangi & Tutakamaiwaho by conquest of N' Hotu, bravery, mana, and occupationof the land through successive generations down to the present time. They deny the rights of N'Whiti as descendants of Te Ohuake through Wharepurakau but admit that they have rights through Hineroio a woman of N Tama who married Wharepurakau. They contend that the rights of Te Ohuake were confined to the east side of the Rangitikei river.
N Te Taenui claim rights over the whole block by descent from Te Ohuake and Tumakaurangi and by occupation.
Hori Te Tauri and party claim from the ancestors Tumakaurangi and Tuwhakapuru & by mana bravery and occupation.
Anaru Te Wanikau and his sister claim by descent from Te Ohuake through Wharepurakau and by occupation.
The Pohe family claim from Tumakaurangi and Wharepurakau, by conquest over N Hotu, mana, bravery in holding the land and permanent occupation.
We may say here that in coming to our decision we have not been guided by the evidence adduced before us only. We have studied the evidence given in previous Courts by the witnesses who have appeared before us and by others on their behalf in cases affecting Pātea lands and have given it the most careful consideration. We have found on comparing the evidence given in previous cases with that we have heard here, the most glaring discrepancies and inconsistencies so much so that we have had the greatest difficulty in arriving at a conclusion and if substantial justice is not done to all parties, the court cannot be blamed.
Now as to the claim of Katarina Hira. We find by her evidence that neither her parents or herself made use of this land, that the only time she visited it was at the invitation of others and that she did not come to live permanently in Pātea until after her marriage with Te Haupaimania. Probably about 1874. We do not consider that she has established a right and therefore dismiss her claim.
As to the claim put forward by the N' Tama tuturu. It is contended on their behalf that the descendants of Tumakaurangi and Tamakaitangi, as such, are alone entitled to this land. They deny that the N' Whiti have any rights other than those derived from these ancestors. They also assert that they themselves have never imperiled their rights to lands in the Pātea district although admitting that for generations they intermarried with N' Tuwhareto and have resided more or less at Rotoaira. Further than this they assert that their elders always joined with N' Whiti in the defence of the district. They also say that there are camping places on the block formerly made use of by their

ancestors while collecting food. As well as other signs of ownership and that they have also hunted and fished on it.

The N' Whiti and N' Te Taenui on the other hand while admitting that the ancestors Tumakaurangi & Tamakaitangi had rights to this land and excercised them, contend that this branch of their descendants have never done so and that in the time of Te Whakaheke they abandoned the Pātea country, went to Taupo and were not allowed to return. Te Pakaitara who was displeased at their deserting him having placed an aukati at Rangipo to prevent their doing so. They allege that none of the N Tama tuturu returned to Pātea until after Te Taenui had come back and made peace and then only on to the Motukawa block and that they never occupied this or the Awarua No 2 block which the N Whiti assert were all one land with no ancestral boundary between them. It cannot be denied that this section of the N' Tama have intermarried with N' Tuwharetoa for generations back and that they have lived mostly at Rotoaira but still we do not consider that they have entirely lost the rights undoubtedly possessed by their forefathers. The story of the aukati we disbelieve and that the N' Tama tuturu could have returned to Pātea at any time and in fact did occasionally do so. The N Whiti evidently admitted their rights when this block was subdivided in 1885 and cannot now in common fairness deny them. The N' Tama do not appear to have an extensive knowledge of the block, nor have they made the same use of it as N' Whiti, in fact it must be admitted that their occupation has been of an intermittent nature, but we are of opinion that those of them who have proved occupation have established a right and we will award them the proportion of the block to which we believe them to be entitled.

Dealing now with the claim preferred by N' Te Taenui, the descendants of Rangipawhatiu, elder brother of Te Ikatakitahi, through Te Taenui. Owing to the illness and death of Retimana Te Rango, Messrs Cliff and Vogel who appeared for them were unable to have the attendance of witnesses in support of their case and elected to rely on the evidence they could elicit in cross examination of those called by the other parties. Excepting that Tumakairangi was set up as conferring a right in addition to Te Ohuake, the claim is similar to that of N' Whiti. Their occupation since the return of Te Taenui is unquestioned. We found the claim proved and an award will be made in their favour.

With reference to the claim of Hori Te Tauri and party, their occupation of the block is denied by N' Whiti and N' Te Taenui and is not admitted by any of the parties to the case. The evidence brought forward in their behalf is certainly weak but that their elders have occasionally collected food on the block without interruption we think they are entitled to a small area at the Northern area of the block.

As to the claims of Anaru Te Wanikau and his sister which is opposed by the N' Whiti on the ground there has been no occupation of this block by them since the time of their great grandfather Te Ngarara, we are of opinion that they have proved a right both by ancestry and occupation and a share of the land will be awarded to them.

With regard to the claim of the Pohe family. Their case is also opposed by the N' Whiti on the ground of the want of occupation but we do not think the contention can be upheld. It is admitted by Ihakara Te Raro in his evidence that Teahi Pohe senior erected houses & cultivated on the Awarua No 2 block which according to Ihakara was a part of this block. It is also clear that he took a leading part in all matters of importance affecting the district and we do not think the rights of the children can now be set aside, a portion of the block will therefore be awarded to them.

As to N' Whiti we consider that by ancestry & occupation they are the largest owners in the block and that the living representative of Te Kohiti is entitled to the largest individual interest in the land.

The award of the court is

To Ngatitama Tuturu	16,500 acres
To Ngati Te Taenui, Karaitana Te Rango and others	28,000 acres
Te Hori Te Tauri & party	3,420 "
To Anaru Te Wanikau & his sister	6,500 "

> To the Pohe family 7,000 “
> To Ihakara Te Raro & ors of Ngati Whiti (Claimants) 54,000 “
> Orders will be made in accordance with these awards.
> All other applications for the investigation of title to this land are dismissed.

Māori Land retention and alienation

We have covered Oruamatua Kaimanawa up to the point of the title reinvestigation in 1895. The land had not been occupied by its various Māori owners since 1867-1868 when it had been leased to Captain Azim Birch. Sub-division or partition of Oruamatua Kaimanawa, therefore was not concerned with occupation rights so much as with the apportionment of rental income. The four new Oruamatua Kaimanawa blocks were soon partitioned in 1897, and some of the new parcels were partitioned again in 1898 and 1899.

The divisions were made according the various apportions of interests and were almost certainly made at the time on the assumption that all the land was of equal value. The land soon proved not to be of equal value for farming, and a distinct pattern of land retention and alienation emerged over time up until the acquisition of almost all of the Māori land remaining for defence purposes in the 1960s and 1970s. One different area was the Oruamatua Kaimanawa 1W block where gold prospecting occurred and a historic mine is recognised in the archaeological site records.

While the dates and acreages of the partitions and their eventual disposition can be ascertained very rapidly from the Māori Land Court’s record sheets, discovering the exact dates of alienation requires further study. Nonetheless, we can present an approximation of land ownership from just before the Waiouru defence takings and at the present day.

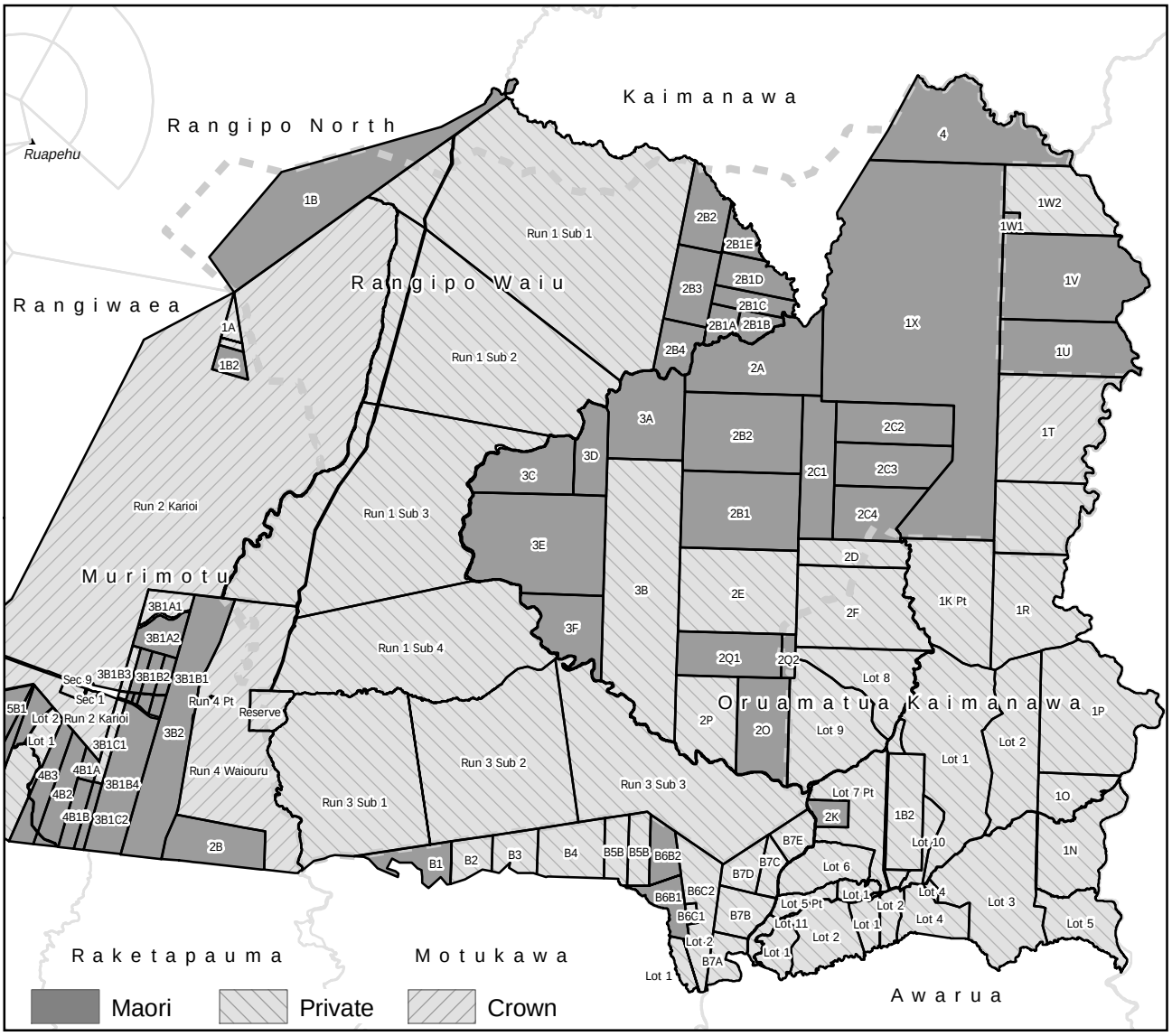

Figure 11: Probable distribution of land ownership categories in 1930

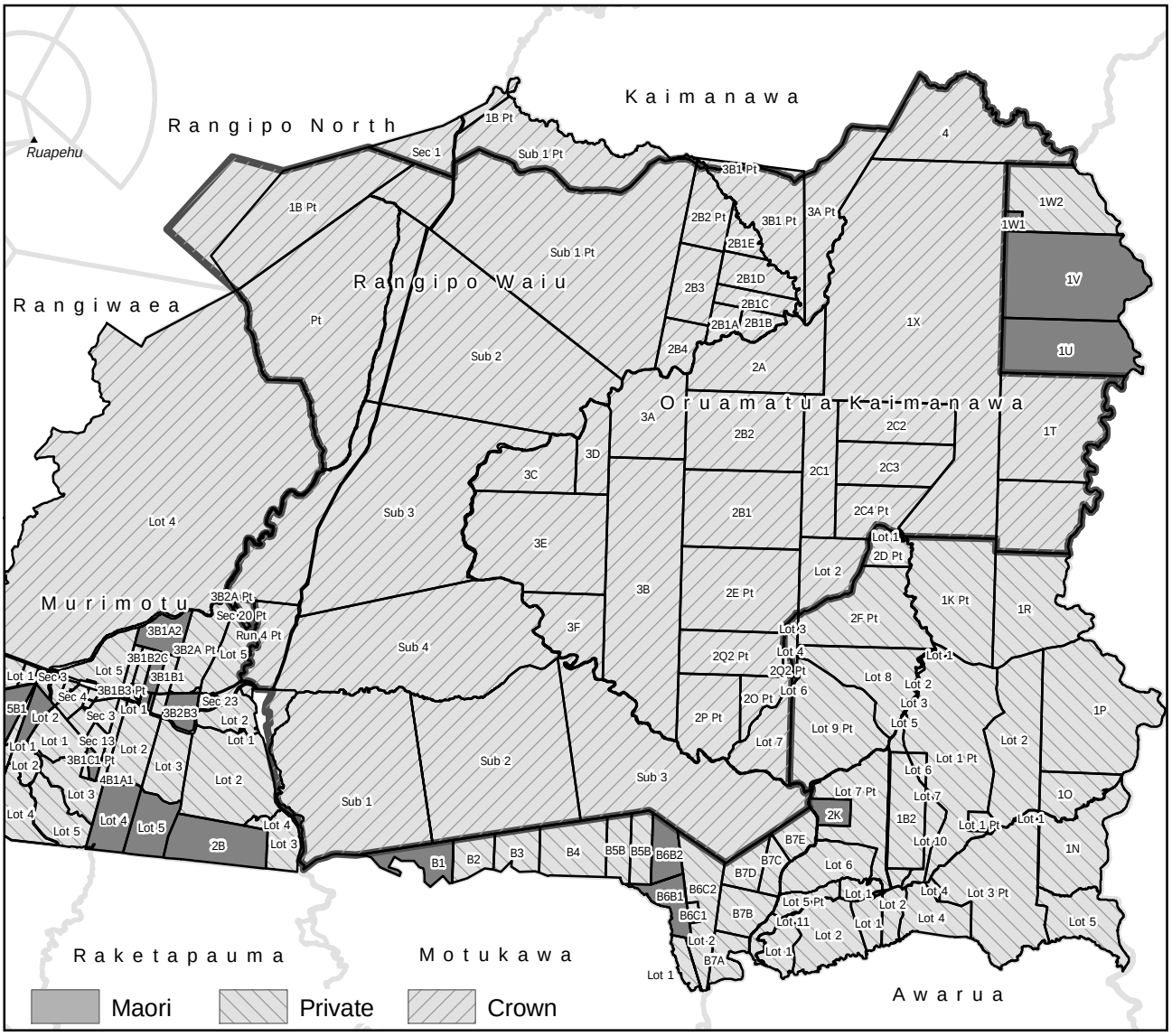

Figure 12: Probable distribution of land ownership categories in 2009

Summary and conclusion

Research concerning the lands later acquired for defence purposes around Waiouru falls into two categories. (1) The Rangipō Waiu, Murimotu, Rangipō North and Kaimanawa lands have already been covered in depth in the National Park, Whanganui and Central North Island inquiries. (2) The Oruamatua Kaimanawa lands have not yet been covered by any district inquiry research programme.

This section briefly summarised the existing research where it touched upon the Rangipō Waiu and Murimotu lands later acquired or surrounded by the Waiouru defence takings. These lands in the late 19th century were vexed by competition for leaseholding by government and private agents, and competing Māori claims to be entitled to distribute and receive the rents. Titles were eventually created by the Native Land Court, and the lands were divided along hapū lines. Various Ngāti Rangi hapū were awarded the whole of Murimotu, while non-leasing Ngāti Waewae, Ngāti Tama and Ngāti Rangituhia owners were partitioned out to the margins of the Rangipō Waiu lands. By 1901, the Crown had the freehold interests it had acquired partitioned out of Murimotu and Rangipō Waiu.

The Crown awards in Murimotu and Rangipō Waiu were reorganized into four large runs and leased and sold to runholders wherever possible (Run 2, Karioi, became a state forest). Sheepfarming was probably a marginal proposition at best, and Run 1, Run 3, and most of Run 4 would later form the vast bulk of the land later acquired for defence purposes around Waiouru.

After the Crown's interests were partitioned out in Rangipō Waiu, the Ngāti Waewae non-sellers' interests were located in the small area remaining in the north-western portion, and Ngāti Tama non-sellers' interests were located in the remaining portions in the north-east and the south. It is not clear how many Ngāti Rangituhia non-sellers remained in the southern portion of Rangipō Waiu B. Most of those southern areas bordering Motukawa were gradually alienated in the early decades of the 20th century. However, the north-western and north-eastern portions (Rangipō Waiu 1B and 2B, respectively) cannot have been viable farming propositions and remained in Māori ownership until acquired for defence purposes in 1939.

The picture for Oruamatua Kaimanawa is far less clear due to the lack of existing research. A number of sources were drawn on to sketch out the general details.

Oruamatua Kaimanawa had also been part of the demand for sheep runs stretching in a broad swathe across Murimotu and inland Pātea as far as the Owhaoko block on the border of the Kaweka ranges. These large runs were delineated by the rivers running from the mountain ranges and there was little or no need for fencing. The right to receive and distribute rents was disputed in Oruamatua Kaimanawa too. The award of title to Renata Kawepo and other leading people of Ngāti Whiti in the absence of other owners was disputed and the block later became subject to a select committee investigation. New titles were finally ordered after a reinvestigation in 1894. There was not the same demand for land by the Crown in Oruamatua Kaimanawa as in Rangipō Waiu and Murimotu. Interests were acquired there by private purchasing instead. In the absence of any systematic alienation study it is not possible to date those acquisitions with any precision, but by the 1930s it seems reasonably clear that the freehold had been obtained to the lower half of Oruamatua Kaimanawa. It is not clear for how long leasing arrangements persisted over the northern half of the Oruamatua Kaimanawa lands. It was those remaining Māori lands in Oruamatua Kaimanawa that formed the majority of the lands acquired for defence purposes in the 1960s and 1970s, although some private freehold and leasehold lands were acquired too.

The documentary evidence on the tangata whenua in and around the Oruamatua Kaimanawa lands has been pieced together largely from existing research by Angela Ballara. Nonetheless, the picture remains scanty and is heavily weighted towards groups living in Heretaunga and Patea, and most of the source material is drawn from the Owhaoko cases. The Oruamatua Kaimanawa title reinvestigation occurred near the end of the 19th

century, and there are many references to the existing evidence in the surrounding Awarua, Owhaoko, Mangaohane and Motukawa title investigations. If the Tribunal were to proceed with the Waiouru defence land claims before block history reports were compiled on those surrounding blocks, it might not be in possession of all the relevant documentary evidence on the tangata whenua of this area.

While this scoping report has focused only on the existing research and associated documentary evidence, it should be noted that the National Park, Whanganui and Central North Island inquiries have had the benefit of oral and traditional evidence given by the tangata whenua in those districts, and there have been no comparable depositions for the peoples of inland Patea. If the tangata whenua of inland Pātea were requested to give evidence immediately, they might be at a comparative disadvantage with those already heard in the other inquiry districts as they alone would not have been in receipt of a comprehensive research programme.

If a comprehensive inquiry were to be held into the Taihape district it would generally be expected that the Tribunal would have the benefit of land alienation, block history and tribal landscape reports on the peoples of inland Patea, as well as specific research on specific issues like the Waiouru defence takings. If it were wished to expedite that standard pattern, one possibility might be to begin the standard research with interim reports on Oruamatua Kaimanawa before continuing with the remainder of the Taihape district in successive volumes.

4. Public Works: Waiouru Defence Lands Acquisition

This section turns to consider the acquisition of the Waiouru defence lands by successive proclamations under the Public Works Act. I have utilised the term 'acquisition' as well as 'taking' in this discussion because Crown lands that were acquired for (or later disposed from) defence purposes in Waiouru seem not to have been taken under the Public Works Act but rather to have had their designated purpose changed by proclamation – presumably the Crown cannot 'take' land from itself.

The claims

The specific claims concerning the Waiouru defence lands were listed previously (at section 2 above) but are worth summarising here for the sake of clarity:

- The Crown took land for defence purposes using Public Works legislation; did not compensate – or did not compensate in a timely manner – for taking these lands; and did not return those lands when no longer used for the purposes for which they were taken. These were:
    - Rangipō North 6C (748.9 ha) in 1942
    - Rangipō Waiu 1B (1,811 ha) in 1942
    - Rangipō Waiu A (33,794 acres) in 1939
    - Rangipō Waiu B (9,242 acres) in 1939
    - Waiouru Reserve (475 acres), initially reserved under the Primary Education Act
    - Oruamatua Kaimanawa blocks (29,000 acres)
    - Various areas in Raketepauma 1G
- Some areas taken have since been exchanged with other Crown agencies
- Army training desecrated sensitive areas containing wāhi tapu

This scoping report has only focused on the Waiouru lands acquired for defence purposes, but it is important to bear in mind that these are only a subset of some of the defence-related issues raised by some of the claims. The takings of Mahuia B and Tawhai North (near Whakapapa Village) in 1913 are particularly vexing for some because compensation had still not been received when the Rangipō and Rangipō Waiu lands were taken three decades later on the other side of Tongariro. Other issues raised by the claims concern the lack of lands allocated to returned servicemen. That issue has been well researched in the National Park and Whanganui inquiry districts; it may arise again in the Taihape district in regards to the Owhaoko gift blocks. Those issues have not been pursued here as they lie outside the commission for the Waiouru defence lands.

Existing research

Phillip Cleaver's report on Public Works Takings for the Whanganui inquiry district is the only substantial research that directly covers the acquisition of the Waiouru Defence Lands. Although the report was commissioned for the Whanganui inquiry, Cleaver covered the acquisition of the Oruamatua Kaimanawa lands as well.

Cleaver discusses a number of Crown, Māori and General lands taken for defence purposes and the processes involved. Cleaver utilised various archives files on the takings themselves, and referred to the Gazette notices for the lands returned. Cleaver particularly focuses on the takings of Maori lands in 1942 and 1961 in his introduction, but does cover other takings – including Crown and general lands – in the body of this chapter. Cleaver found ownership details in the archives files and in the Maori Land Court records on the compensation proceedings – ownership cannot be attributed from the name of the land alone.

Outline

We begin by summarising Cleaver's information on what lands were acquired, supplemented by some further research. We have the benefit of bulk data from the LINZ Landonline information system, which includes information on current property boundaries and gazette references for lands subject to statutory actions. From cross-checking this source against the survey plans listed, we find a small number of other takings for the Defence Lands. At the same time, we can also identify a number of areas that are no longer defence lands or no longer solely set aside for defence purposes.

We then turn to examine a number of research issues. We summarise Cleaver's work on the process of taking the Māori land under the Public Works Act, which we supplement with maps and some comparisions on various general lands that were also acquired.

Table 3: Summary of Gazette notices for Waiouru Defence Lands

Date		Year	No.	Page	Purpose	Acres (a)	Area (Ha)	Effect	Description	Land System	Cleaver (p)
16	Nov	1939	138	3662	Defence	51,000		Acquisition	Most of Run 1 and all of Run 3	General	118
19	Jun	1942	61	1652	Defence	16,000		Acquisition	Remainder of Run 1	General	118
9	Jul	1942	68	1886	Defence	6,000		Acquisition	Rangipo North 6C and Rangipo Waiu 1B, and various sections in Waiouru Township also taken	Maori General	122
25	Mar	1943	19	357	Defence	9,000		Acquisition	State forest, and other areas of Crown Land	Crown	122
13	Dec	1945	79	1551	Purposes				Clarifies the purposes of previous takings		
14	May	1959	27	611	Defence	3,000		Acquisition	Oruamatua Kaimanawa 2E	General	
11	Aug	1960	49	1166	Defence				Notification of intention to take additional land		149
23	Feb	1961	14	315	Defence	43,000		Acquisition	Various Kaimanawa, Rangipo Waiu and Ouramatua Kaimanawa titles	Crown Maori General	151
15	Mar	1962	16	417	Defence	9		Acquisition	Waiouru Domain	Crown	
8	Jul	1965	38	1101	Defence	65		Acquisition	Various Murimotu titles	General Crown	
22	Nov	1973	107	2427	Defence	24,000		Acquisition	Oruamatua Kaimanawa	Maori General	153
6	Sep	1979	83	2628	Defence		900	Acquisition	Kaimanawa 3A	Crown	
					State Forest		1,400	Disposal	Defence land in Rangipo Waiu and Kaimanawa	Crown	
13	Nov	1980	133	3315	National Park		300	Re-disposal	Defence land once set apart for Forestry now set apart for National Park	Crown	
21	May	1981	62	1419	Forest Park		1,400	Re-disposal	Defence land set apart for Forestry now added to Kaimanawa State Forest Park	Crown	
7	Jul	1983	97	2083	Defence		0.3	Acquisition	Tongariro Street indicated in survey plans of 1942 takings but not previously gazetted.	Crown?	
13	Dec	1990	217	4669	Defence		1,200	Acquisition	Oruamatua Kaimanawa	General	

Table 4: Existing research on the Waiouru defence lands acquisitions

Author	Title	Dated	Document No.
Philip Cleaver	The taking of Maori land for Public Works in the Whanganui Inquiry District: 1850–2000, Sep 04	Sep-04	Wai 903 #A57
Philip Cleaver	Summary of the taking of Maori land for Public Works in the Whanganui Inquiry District: 1850–2000, Sep 04	Feb-08	Wai 903 #A57a
Philip Cleaver	Written responses to easily corrected factual matters	Apr-08	Wai 903 #A57a
Transcript	Transcript of 8th Hearing 28 April– 2 May 2008 at Mangamingi Marae, Raetihi		Wai 903 #4.1.8

November 1939 & June 1942 acquisitions

In 1932, the military began investigating the potential of three Waiouru land runs lying either side of the Desert Road.[142] None of the runs investigated were in Maori ownership. Run 1 and Run 3, east of the Desert Road, were held by a runholder who had not kept up the required payments under his deferred payment license, except for subdivision 1 of Run 1, which he had purchased outright. Run 2, west of the Desert Road, was a state forest.

From 1934, the runholder allowed the military to utilise Runs 1 and 3 for artillery practices for 3 months each year without charge – possibly in return for not having his runholdings forfeited to the Department of Lands and Survey.[143]

The general lands taken in November 1939 and June 1942 had been at risk of forfeiture for arrears on their purchase under a deferred payment license, except for Run 1 Subdivision 1 which had been purchased outright.[144] The Minister of Defence noted that the land was not actually being farmed and sought to acquire the land under the Public Works Act 1928. Purchase does not seem to have been considered; the reason is unclear. The Minister of Lands expressed disappointment that the land had not simply been forfeited: the runholder seems to have paid just enough to avoid forfeiture but not enough to clear the arrears. The taking was. There is no mention of notification prior to the takings being gazetted in November 1939.

The deferred license lands in Runs 1 and 3 (Subdivisions 2-4 and 1-3 respectively) were taken for defence purposes in November 1939.[145] The remaining land, being Subdivision 1 of Run 1, was owned outright but was not a viable farming proposition on its own. It was later taken in June 1942 (Figure 14).[146]

Negotiations on compensation were fruitless. The runholder sought £134,000 and the case eventually went before the Compensation Court, which awarded £56,226. £48,813 was deducted from the final payment to cover the arrears on the deferred payment license and land taxes.

[142] Cleaver, *Whanganui Public Works Takings*, p 115
[143] Cleaver, *Whanganui Public Works Takings*, p 116
[144] Cleaver, *Whanganui Public Works*, p 116
[145] Cleaver, *Whanganui Public Works Takings*, p 118
[146] NZ Gazette: 16 November 1939, p 3062; 18 June 1942, p 1651

Figure 13: 'Artillery target practice at Waiouru Army Training Camp', c 1933, (from Morton, Errol Cliff, Photographs and negatives of Western Desert, World War 2), Alexander Turnbull Library, Timeframes, ½-180115-F

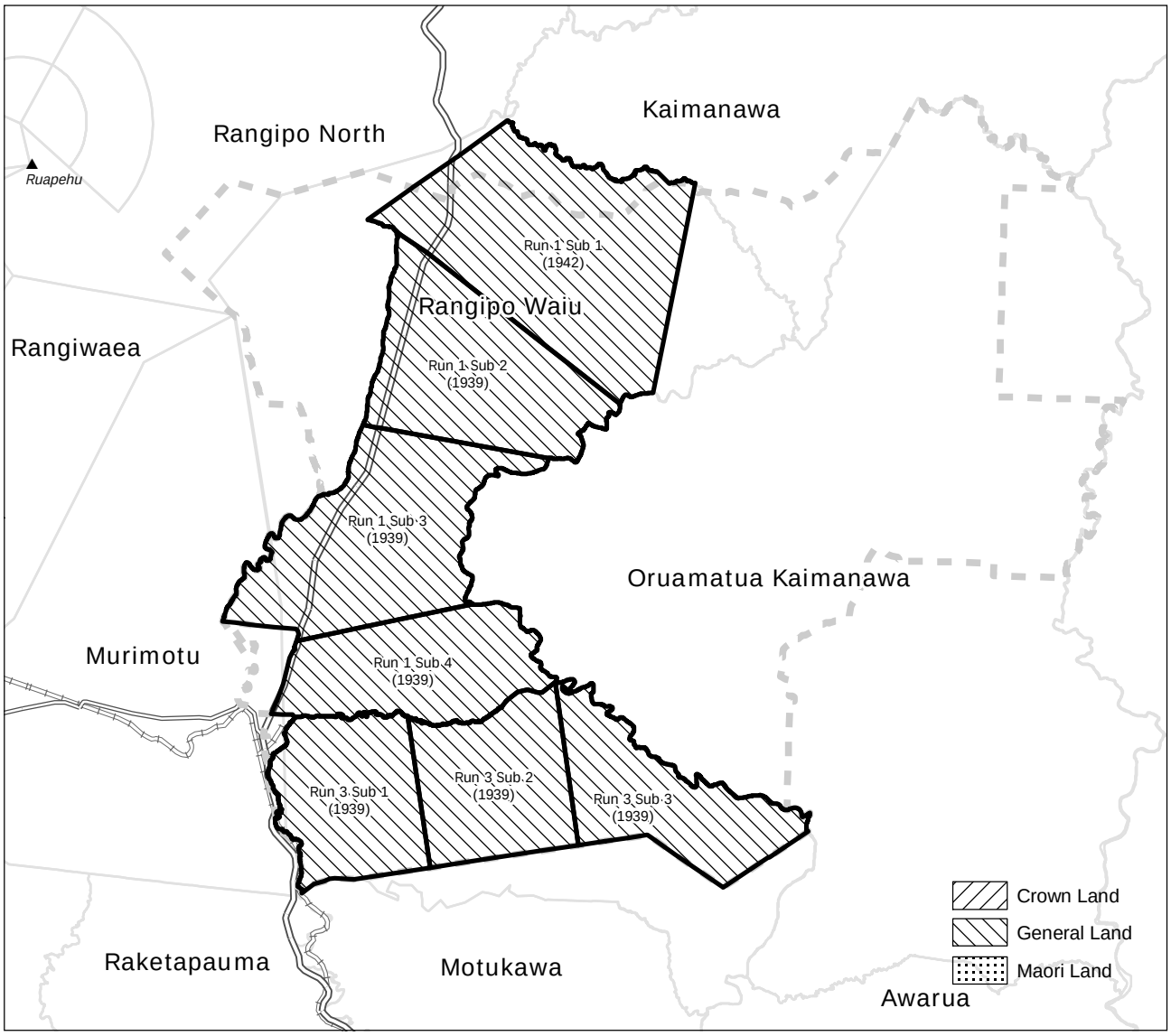

Figure 14: Waiouru defence land acquisitions, 1939 & 1942

Figure 15: 'Waiouru Military Camp' [1940-1941], Alexander Turnbull Library, Timeframes, PAColl-6075-46

July 1942 & March 1943 acquisitions

In 1941 the military sought to expand the Waiouru training area further.[147] The State Forest lands on Run 2 to the west of the Desert Road, and nearby Maori Lands on Rangipō North and Rangipō Waiu were required to expand the artillery range. Lands surrounding the Waiouru Domain were required for parade grounds. Other Crown lands surrounding the Township to the east and west of the Desert Road were also required. Defence Headquarters corresponded with the Department of Māori Affairs, but there is no indication of any meetings or discussions with the assembled owners.[148] By the time the takings were proclaimed, the military may have already been using many of the lands required.[149] This could possibly have been under the Defence Emergency Regulations 1939.[150] The takings occurred in two stages. The Māori lands in Rangipō Waiu 1A and Rangipō North 6B, several sections in Waiouru township, and the leasehold over several parts of Run 4 on either side of Waiouru were taken in July 1942. The Crown lands – surrounding Waiouru township, parts of Run 4 (including the former leasehold lands reacquired in 1942), and the State Forest on Run 2 – were then set apart for Defence purposes in March 1943. The purpose of many of these takings was later clarified in a wash-up proclamation in December 1945 (Figure 16).[151]

Cleaver focuses on the Māori lands of Rangipō Waiu 1B and Rangipō North 6C that were acquired in 1942.[152] These lands were required along with part of the Karioi State Forest to extend the artillery firing range. The Native Department was involved in discussions from an early stage, in January 1941. A meeting of assembled owners had previously resolved to sell Rangipō Waiu 1B in 1913, but alienations were restricted to leases only. The Registrar suggested holding informal meetings with the owners, but nothing ever seems to have come of this. Cabinet approved the permanent acquisition of the various Māori, General and Crown lands sought in October 1941.

Compensation for the taking was considered by the Māori Land Court in 1943. The lands were encumbered with survey liens totaling £155. A recommendation to offer £250 was approved by Cabinet around August 1943, but the Registrar proposed that some of the survey liens be released as they were 'out of all proportion to the value of the lands'. Cleaver could not find anything further on the matter of compensation and considered that no compensation had ever been paid. Mr Cleaver informs me he retracted that conclusion during his cross-examination when he was shown documents by the Crown.[153]

Cleaver did not further examine the acquisition of part of the Karioi State Forest for the expanded artillery ranges. The matter may have been considered by a select committee in 1942.[154]

[147] Cleaver, *Whanganui Public Works Takings*, p 119
[148] Cleaver, *Whanganui Public Works Takings,* pp 120-121
[149] Cleaver, *Whanganui Public Works Takings*, p 121
[150] see Cleaver, *Whanganui Public Works Takings*, p 120, *passim*
[151] NZ Gazette: 9 July 1942, pp 1886-1887; 25 March 1943, pp 357-358;13 December 1945, pp 1551-1556
[152] Cleaver, *Whanganui Public Works*, pp 119-125
[153] I cannot locate the transcript; it may have been at a National Park hearings.
[154] LE 1 1214* 1942/143 – Proposal to revoke the permanent State Forest Reservation over part of Run 2 – Archives NZ

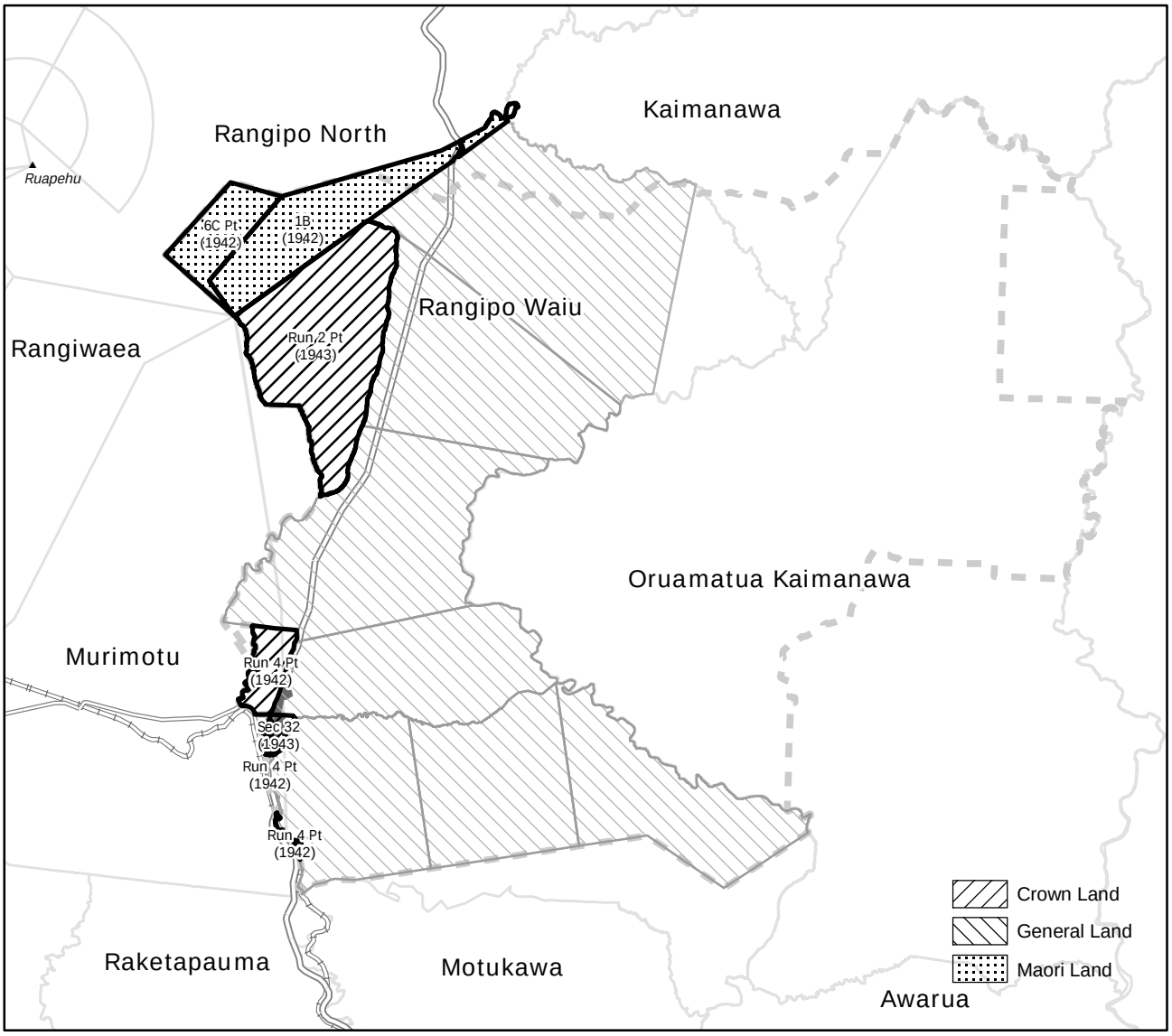

Figure 16: Waiouru defence land acquisitions, 1942 & 1943

Figure 17: 'K Force guns and transport under air attack while assembling for a move in convoy during the final manoeuvres', November 1950, (from K Force negatives), Alexander Turnbull Library, Timeframes, K-0064-F

May 1959 & February 1961 acquisitions

In 1949, the military considered further expansion to the east of the existing training grounds to enable large-scale live-firing field exercises including armour and artillery without endangering public safety.[155] The further lands required in Rangipō Waiu were all in Māori ownership, while the lands required in Oruamatua Kaimanawa were a mix of Maori and General ownership.[156] From 1950-1953, and also up until 1959, the feasibility of exchanging Crown land for Maori land was investigated at the Maori owners' request, but was ultimately ruled impractical.[157] Notice of intention to take was given in August 1960, even though it was not legally required for multiply-owned Māori land. Notice was also given to the General land owners.[158] The lands required were taken by proclamation in February 1961.[159] A separate area of General Land had already been acquired in May 1959 (Figure 18).[160]

The Māori Land Court was first informed of the Army's intentions to acquire these lands in August 1949, and the Registrar suggested holding informal meetings to discuss the proposals with the owners. The Army sought Cabinet approval first, before engaging the Ministry of Works to conduct negotiations. One factor for seeking to obtain the freehold rather than the leasehold was the amount of damage to the land that could be expected to occur: the military would be liable for any damage caused during a lease. The Ministry of Works recommended compulsory acquisition under the Public Works Act due to the difficulty of negotiating with multiple Māori owners, but the Māori Affairs department urged that negotiations ought to be attempted before taking action under the Public Works Act. By May 1950, Cabinet had authorised expenditure of around £10,000 for acquiring the lands. The owners were to be asked to agree to the lands being taken under the Public Works Act 1928 – they were not being asked to sell the land. The Works Department would, however, seek to negotiate the purchase of the general lands involved.

The 'principal Māori owners' of the various Rangipō Waiu 2B and Oruamatua Kaimanawa 2 & 3 lands were identified as belonging to Ngāti Tūwharetoa and living in Tokaanu; at a meeting there in September 1950 they opposed any taking and proposed exchange instead.[161] Subsequent enquiries could not find any Government department willing to exchange land. In April 1951 the Army sought Cabinet approval for compulsory acquisition. The Māori Affairs department only learnt of that proposal a month later, in May 1951.

J Asher approached the Minister of Māori Affairs on behalf of the owners in July that year, advocating for their counter-proposal for an exchange rather than compulsory acquisition. Asher pursued the matter further in September 1952, and suggested a number blocks in the Taupō area that might be suitable for exchange. The Director General of Lands, however, argued that all of the suggested blocks were required for one purpose or another, and suggested purchasing the Rangipō Waiu and Oruamatua Kaimanawa lands instead. The Army now sought approval for the purchase of nearly 43,000 acres for around £14,000, which was approved by Cabinet in March 1953.

The Board of Māori Affairs approved the purchase proposal in January 1957, but attempts to arrange meetings of assembled owners do not seem to have come to anything by November that year. Some owners responded that travel expenses involved were 'out of all proportion' to the monetary value of the interests involved and suggested taking by proclamation and leaving it to the Māori Land Court to assess compensation.[162] The Assistant District Officer suggested gazetting a notice of intention to take which could then be mailed to the

[155] Cleaver, *Whanganui Public Works Takings*, pp 125-126
[156] Cleaver, *Whanganui Public Works Takings,* table, p 127
[157] Cleaver, *Whanganui Public Works Takings,* pp 132-148
[158] Cleaver, *Whanganui Public Works Takings*, p 149
[159] Cleaver, *Whanganui Public Works Takings*, p 151
[160] NZ Gazette:14 May 1959, p 611;11 August 1960, p 49; 23 February 1961, pp 315-316
[161] Cleaver, *Whanganui Public Works Takings*, p 132
[162] Cleaver, *Whanganui Public Works*, p 145

owners with known addresses. The Commissioner of Works subsequently advised acquiring both the Māori and European lands in question by compulsory acquisition.

The Minister of Māori Affairs, Walter Nash, agreed in March 1959 that compulsory acquisition was the preferred course of action.[163] He argued, however, that the owners should first be notified of the intention to take. He also took up a renewed suggestion that compensation might be in the form of land rather than cash, but several months later accepted that was not feasible. In July that year he advised the Minister of Defence to proceed.

Notice of intention to take was given in July 1960, even though notification was apparently not required for defence takings.[164] Copies were printed in the local papers and mailed to the owners. One objection was made on behalf of a major owner in Oruamatua Kaimanawa 3F on the grounds that the land had farming potential; it was probably being grazed at the time if the later valuations are any guide. The objection was dismissed as being 'poorly grounded'.[165] The actual taking was proclaimed in February 1961, and included a mix of Māori, General, and Crown land.[166] Another general land parcel had been acquired two years earlier in May 1959.

Compensation for the Māori land taken was assessed by the Māori Land Court in October 1961. The parcels were land-locked with no physical access and mainly covered in tussock, but some areas had been grazed and were awarded higher valuations.[167] Those areas were probably Oruamatua Kaimanawa 2B1, 2O, 2Q1, 3E, and 3F. Oruamatua Kaimanawa 2B1 was leased to HA Anderson for £68 per annum for 21 years from 1935; 2E was leased to the Forest Land Company for £123 per annum for 50 years from 1906, and 2O was also leased to the Forest Land Company for £63 per annum for 50 years from 1906.[168]

Cleaver does not examine the compensation negotiated or awarded for the general lands taken; but it does arise in relation to another issue raised: leasing the lands after they were acquired. The total compensation for all the Māori land parcels taken amounted to £9,195. The compensation for the freehold of the general land parcels, and the leasehold over some of the Māori land parcels, however, were higher as they were part of the Ohinewairua Station. The Army Department does not seem to have been able to afford to purchase those areas outright, and had to accept continued leasing at little or no rent (the Army was even required to pay the Rabbit Rates) as part of the compensation package.[169] The Army did, however, gain guaranteed annual access to the land and could end the lease without notice in a national emergency. Perhaps those ongoing restrictions made it more essential to gain complete access over the unencumbered Māori lands to the north of Ohinewairua Station.

[163] Cleaver, *Whanganui Public Works*, p 147
[164] Cleaver, *Whanganui Public Works*, p 149
[165] Cleaver, *Whanganui Public Works*, p 150
[166] Cleaver, *Whanganui Public Works*, p 150
[167] Cleaver, *Whanganui Public Works*, pp 152-153
[168] Land Purchase Officer to District Officer, Valuation Department, 'Land for Army Department: Waiouru', 8 July 1953. AATC 5114 W3497 400 50/0 (Waiouru Military Camp, Māori Land), Archives NZ
[169] ABFK 7291 W4776 33 204/232/10 Part 1 (Rifle Ranges General Policy, Waiouru Camp Rifle Range, Ohinewairua Station) Archives NZ

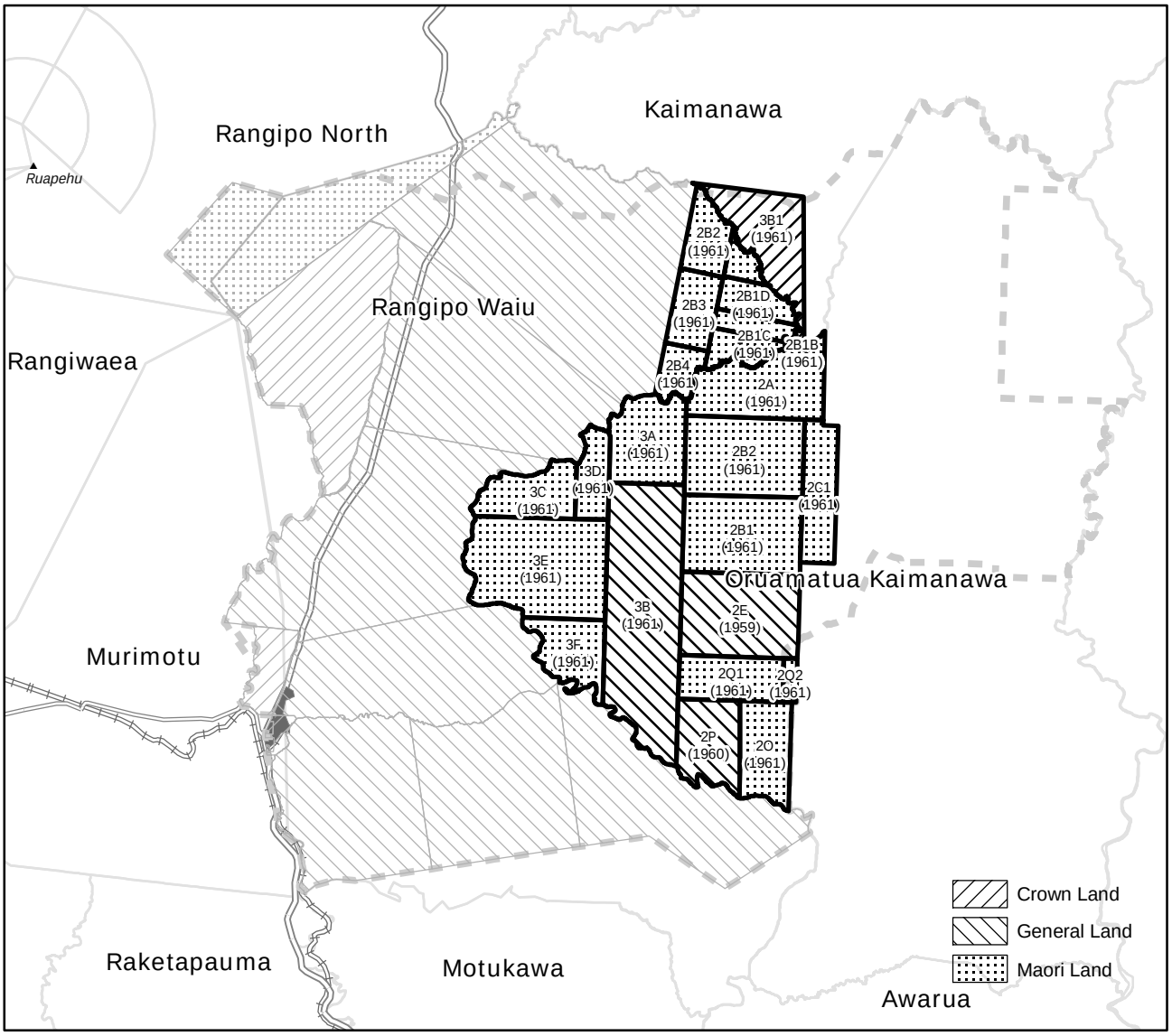

Figure 18: Waiouru defence land acquisitions, 1959 & 1961

1962 & 1965 acquisitions

In 1962 and 1965 the Waiouru domain and the Waiouru airstrip respectively were acquired (Figure 19).[170] The leasehold to the airstrip was acquired from Waiouru Station, which also leased various areas in the Waiouru defence lands. The NZ Forest Service may have had some involvement or possessed the freehold title.[171]

[170] NZ Gazette: 15 March 1962, p 417; 8 July 1965, pp 1101-1102
[171] AANS 6095 W5491 389 6/11/178 (Reserves, General, Waiouru Military Camp, E Airfield, 1963-1972), Archives NZ

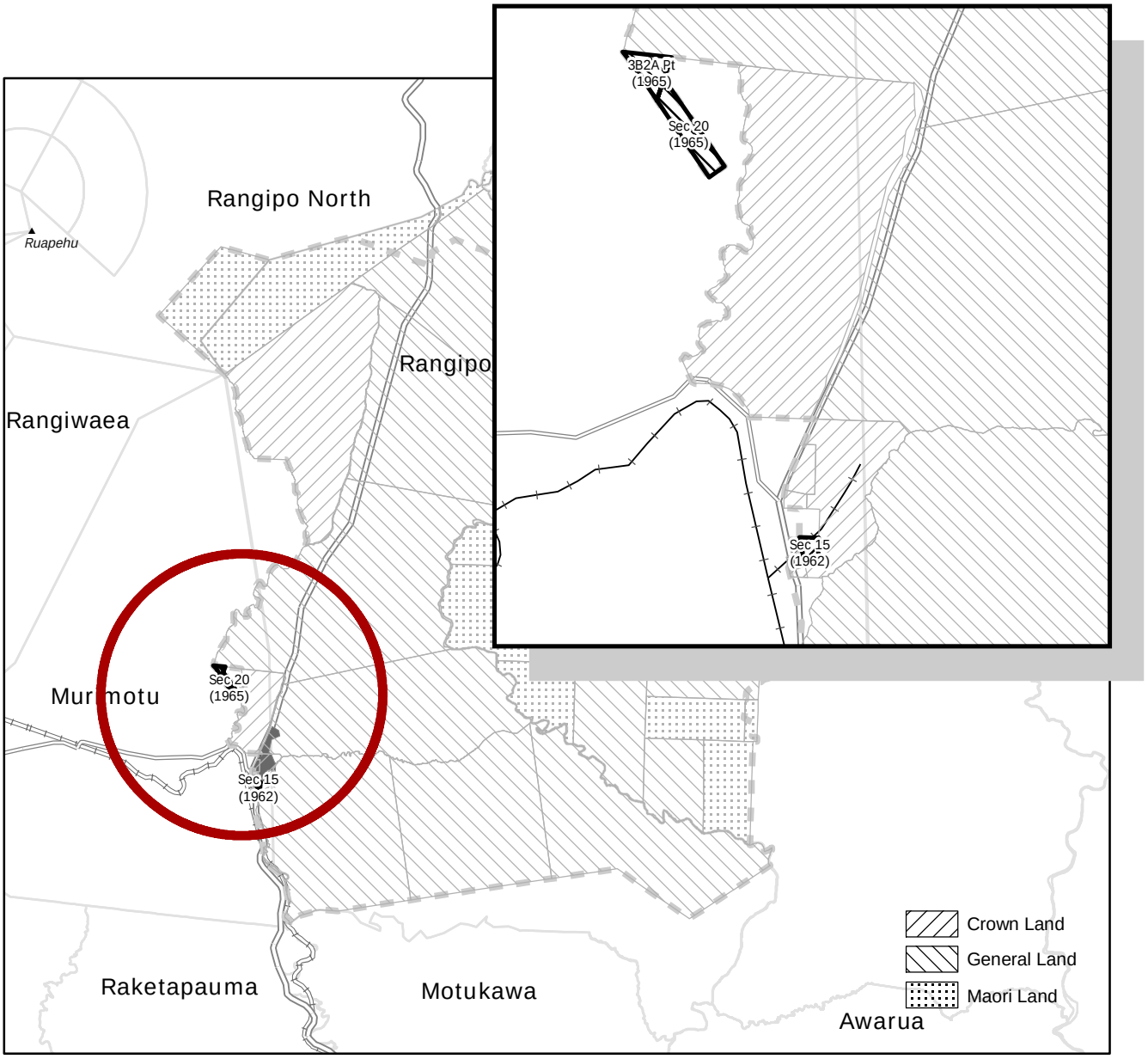

Figure 19: Waiouru defence land acquisitions, 1962 & 1965

Figure 20: 'Vietnam force training with field guns, Waiouru, June 1965', (From Hill, Morrie, Negatives of Wellington and national events and personalities), Alexander Turnbull Library, Timeframes, 35mm-18191-29-F

November 1973 acquisition

The 1973 taking (Figure 21)[172] followed the restriction of live firing exercises on the western defence lands either side of the desert road, which were now affected by the Tongariro power development scheme.[173] Further lands were now required to expand the live firing ranges to the east.[174] The military may have first sought to purchase the general and Māori lands concerned, but these lands were eventually taken in October 1973. Compulsory acquisition of the Māori lands was probably seen as necessary for the same reasons as in 1961, but was utilised to acquire the General land because the owner refused to sell.

Philip Cleaver did not explore the general land acquisition further, but Nicholas Koroneef had begun the Whenuarangi station in 1971, just two years before the takings for defence purposes.[175] His father was said to be a White Russian, while his part-Māori wife had assisted him in purchasing enough interests to become the majority owner of Oruamatua Kaimanawa 1X. The station was land-locked and was intended to be used as a fishing and hunting lodge for tourists as an airstrip made it accessible from Rotorua. Koroneef was made aware of the Army's intention to acquire the land soon after he had acquired it himself, but he continued to push the development of the station and had housing materials airlifted to the site. Koroneef waged a very public battle in the newspapers, and stressed the environmental damage that would occur once the artillery started shelling the area. The Cabinet Environment Committee called for a soil and water conservation report in response, but the crucial driver for the Army was the loss of 1500 acres from the creation of Lake Moawhango as part of the Tongariro Power Development scheme.

Koroneef refused to accept a negotiated offer and the matter was eventually referred to the Administrative Division of the Supreme Court (now the High Court).[176] The Court noted that Koroneef had purchased the land for $7,280 in 1971 and was now claiming $244,155 for the taking and further amounts for disturbance. Evidence given by local farmers stated that the high-altitude lands had no farming potential whatsoever and little hunting potential. The land was actually a 'death trap' for sheep because there were no lower pastures for stock to shelter on. The nearest farm paddocks actually indicated the maximum altitude for seasonal grazing. The Court awarded Koroneef $56,000 'about 7 times what the claimant paid for the land some 2 years before the date of acquisition'.

The Māori Trustee held off settling the compensation claim for the owners of Oruamatua Kaimanawa 2C2, 2C3 and 2C4 until the Koroneef claim was settled.[177] Settling the valuation of Oruamatua Kaimanawa 4 was much more difficult due to its remoteness and high altitude. The trustees took a case to the Valuation Tribunal after waiting for the Koroneef decision. The Valuation Tribunal recognised an airstrip value of $5,000 and awarded 10% interest backdated from the date of taking.[178]

[172] NZ Gazette, 22 November 1973, pp 2427-2428
[173] Cleaver, *Whanganui Public Works Takings*, p 153
[174] Cleaver, *Whanganui Public Works Takings*, p 154
[175] ABFK W4312 4 (Newspaper cuttings – Waiouru, Taking land for Defence purposes), Archives NZ
[176] Supreme Court of New Zealand, Administrative Division, M 97/76, 'In the matter of the Public Works Act 1928 and in the matter of a claim under Part III of that Act between Wenuarangi Land Company Limited, Claimant, and the Minister of Works and Development, Respondent: Judgement 22 April 1977: Oral Judgement of Wild CJ and MB Cooke. AAQB W3950 105 23/406/1/9
[177] AAQB W3950 105 23/406/1/8 (Defence – Waiouru Military Camp: land taken for Defence, Ohinewairua station claim, Forest Land Company Limited and Tussock Land Company: Also Māori lands), Archives NZ
[178] AAQB W4073 70 23/406/1/10 (Waiouru Military Camp: Claim: Julie Moana Morton, Awahina katarina, Timu Te Heuheu, Kurihawa Maniapoto), Archives NZ

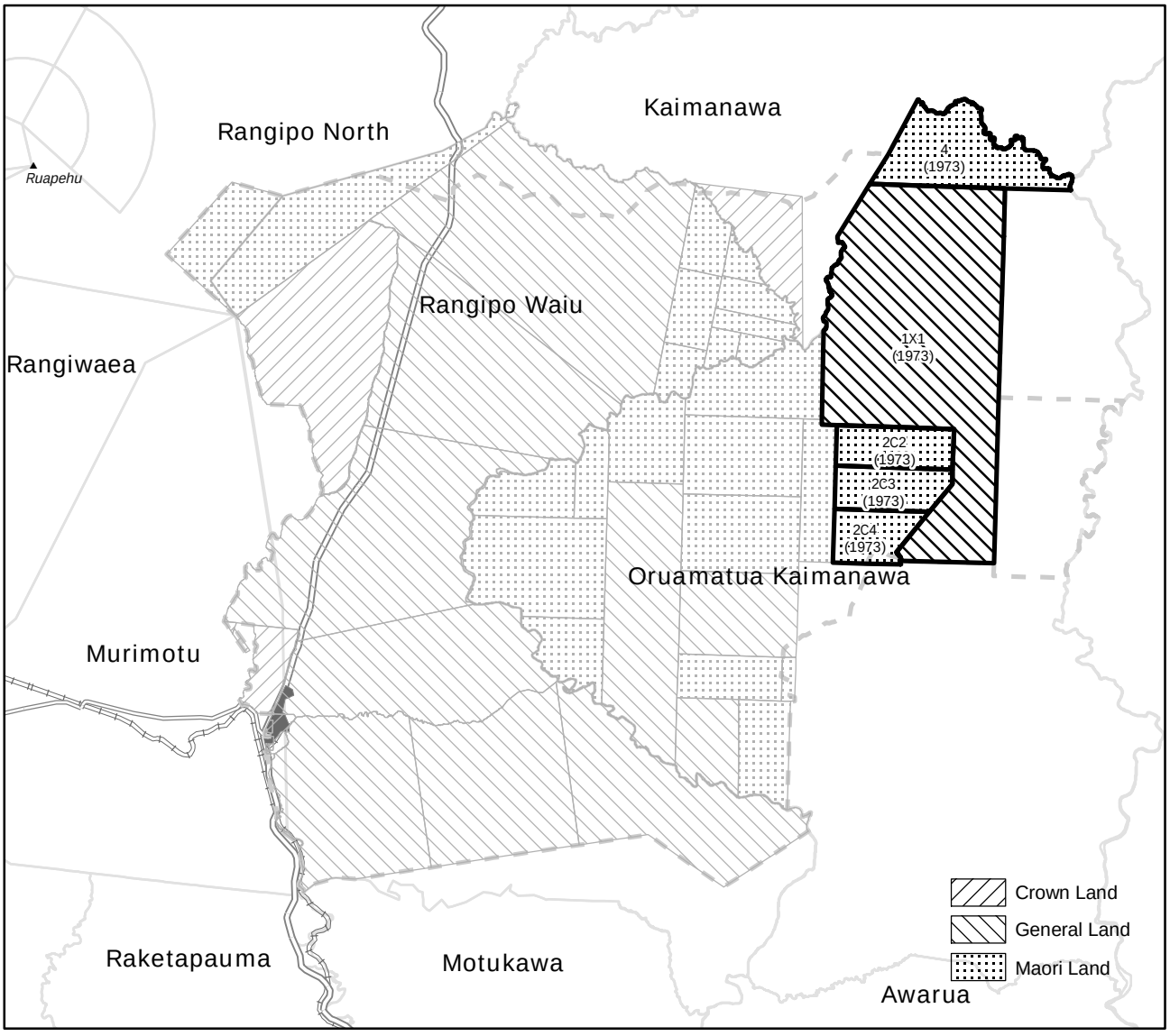

Figure 21: Waiouru defence land acquisitions, 1973

September 1979 acquisition and re-designation

Several of the defence lands bounding Tongariro National Park and Kaimanawa Forest Park were set aside for forestry purposes in 1979 and 1980, then added to the above parks in 1981 (Figure 22).[179] Part Kaimanawa 3A was added to the defence lands, in a land swap between government departments. One the reason for the swap was the need to provide for a walking track into the Kaimanawa Forest Park without having to cross Army land.[180]

[179] NZ Gazette: 6 September 1979, p 2628; 13 November 1980, p 3313; 21 May 1981, p 1420
[180] ABFK 7291 W4776 33 204/232/10 Part 1 (Rifle Ranges General Policy, Waiouru Camp Rifle Range, Ohinewairua Station) Archives NZ

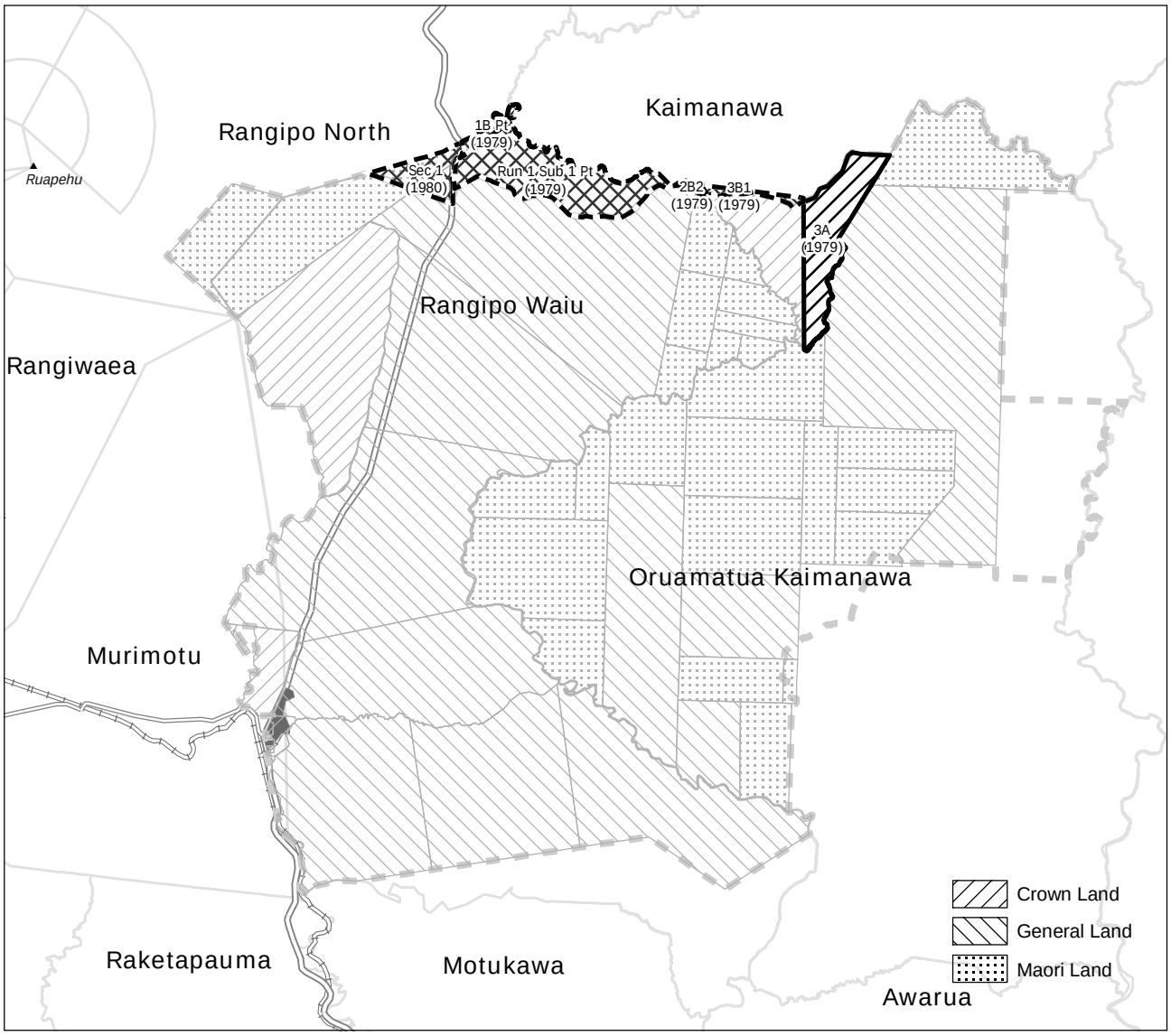

Figure 22: Waiouru defence land acquisitions and re-designation, 1979 & 1981

December 1990 acquisitions

In December 1990, over 1200 hectares were acquired on the far eastern side of Oruamatua Kaimanawa, bordering the Owhaoko block (Figure 23).[181] Another 500 hectares or so were acquired on the eastern edge of the earlier Oruamatua Kaimanawa takings further south. I have not yet been able to ascertain the reason for this acquisition.

There seems to have been some form of land swap in adjacent portions of Oruamatua Kaimanawa lands (Figure 24).[182] These parcels are not currently in Crown title according to Landonline. and some lands in Waiouru township are also not in Crown title. This may indicate some form of disposal or boundary-adjusting process has occurred, or possibly that some of the takings did not proceed on the ground as initially indicated on paper.

[181] NZ Gazette, 13 December 1990, p 4669
[182] ABFK 7291 W4776 18 203/192/1/5 Part 1 (Works and Buildings, Waiouru Military Camo: Proposed exchange with Ohinewairua station)

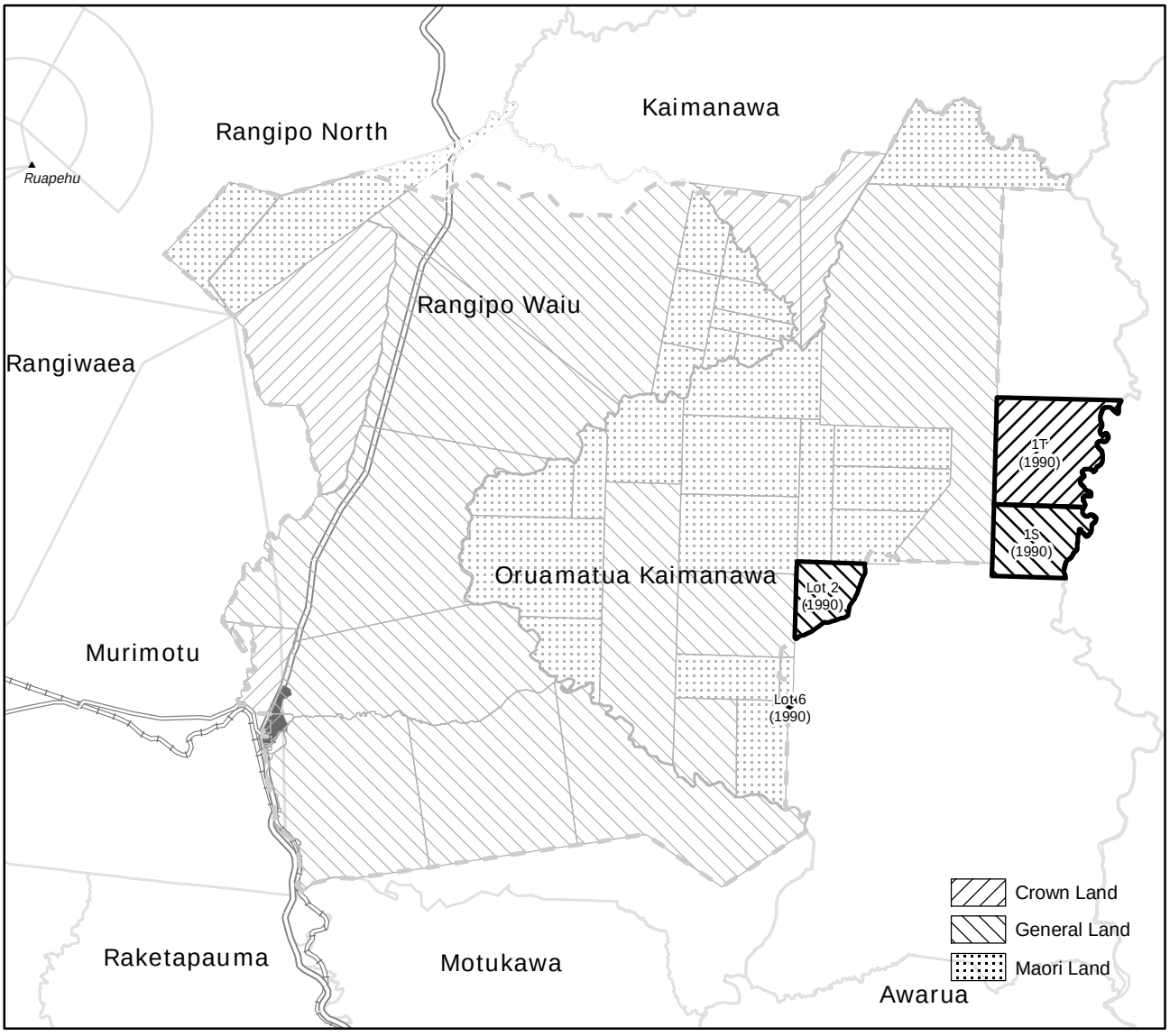

Figure 23: Waiouru defence land acquisitions 1990

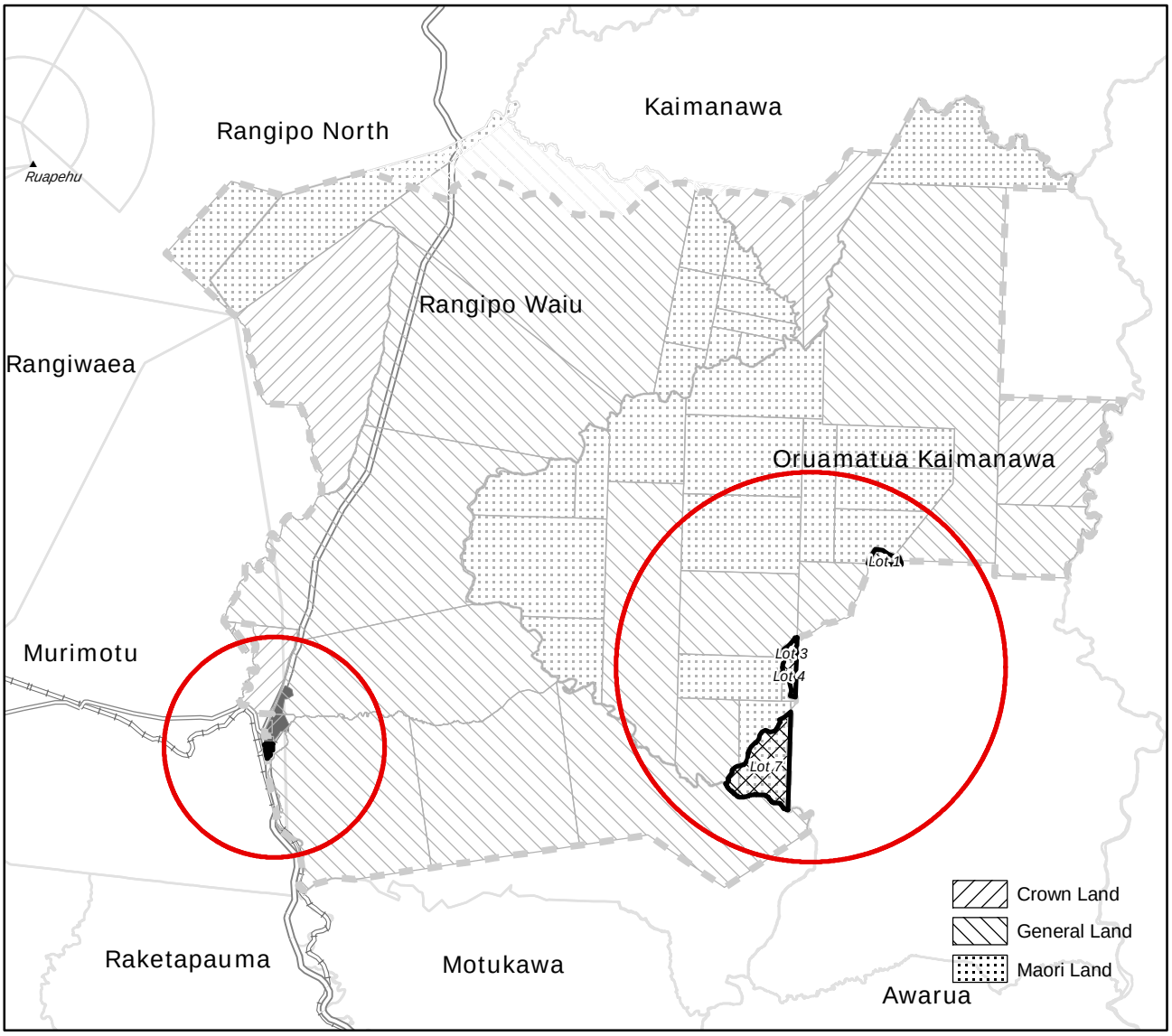

Figure 24: Possible Waiouru defence land redesignations

Summary and conclusion

The acquisition of lands for defence purposes in Waiouru has already been covered by Philip Cleaver in his report on Public Works takings in the Whanganui inquiry district. This section has summarised that work and supplemented it with location maps and further information on takings found in the current parcels in Landonline. Those supplementary remarks could be further expanded, if desired, focusing on how the acquisition and compensation of general lands for Waiouru compared to the acquisition of the Māori lands. Various mentions were made of how the 'principal' owners in the Rangipō Waiu 2B and Oruamatua Kaimanawa blocks were Ngāti Tūwharetoa persons living in Tokaanu. It would be useful to identify group affiliations and resident locations for owners that can be traced at the time of the takings: perhaps that would be best left to the tangata whenua concerned.

The Waitangi Tribunal has recently released a pre-publication report on public works in the Wairarapa ki Tararua inquiry district.[183] That report restated the emerging Treaty jurisprudence dating from the Te Maunga railways report in 1994. Tribunal reports have repeatedly turned to the 'fundamental right' of Maori owners to keep their land 'until they wish to sell it'.[184] The necessities of 'kawanatanga' sometimes driving compulsory acquisitions need to be balanced with the property guarantee in article 2, and the various Tribunal reports have consistently developed a basic principle:

> … the compulsory acquisition of Māori land for public works can be justified in Treaty terms only in exceptional circumstances, where the national interest is at stake and there is no other option. This is now the test that every compulsory acquisition must meet in order to be legitimate in Treaty terms.[185]

We have seen how compulsory acquisition under the Public Works Act was employed for the Waiouru defence lands as a means of addressing the perceived problem of negotiating with multiple Māori owners possessing sometimes fragmentary interests, and not necessarily very co-operative with the acquisition of their remaining interests. There is no existing research in the Taihape inquiry district on institutional options for managing multiply-owned Māori land such as was available the Central North Island inquiry.

It may well be arguable that the Waiouru defence takings were indeed in the national interest. Research may not be able to answer the question of what constitutes the 'national interest' – that may well be a subject for legal argument – but the research could explore further the military necessities that were part of the context for needing increased training areas for modern weapons and manouveres: the expansion of the Territorial Army in the early 1930s; the Second New Zealand Expeditionary Force (2 NZEF – WW2); J Force (Japan); K Force (Korea); Malaysia and Vietnam. Information on those increased military training needs may, perhaps, best be supplied by the Crown.

[183] Waitangi Tribunal, Wairarapa ki Tararua pre-publication report, (Available at: www.waitangitribunal.govt.nz)
[184] Waitangi Tribunal, Wairarapa ki Tararua pre-publication report, p 3
[185] Waitangi Tribunal, Wairarapa ki Tararua pre-publication report, p 3

Table 5: Parcels acquired for defence purposes in Waiouru

Full Appellation	Gazette	Year	Page	Purpose	Acres	Hectares	Proclaimed	Effective	Category	Title/Plan Ref
Run 1 Sub 2	NZGZ	1939	3662	Defence	15850	0	16/11/1939	17/11/1939	General	SO RP629
Run 1 Sub 3	NZGZ	1939	3062	Defence	11730	0	16/11/1939	17/11/1939	General	SO RP629
Run 1 Sub 4	NZGZ	1939	3062	Defence	7900	0	16/11/1939	17/11/1939	General	SO RP629
Run 3 Sub 1	NZGZ	1939	3062	Defence	7200	0	16/11/1939	17/11/1939	General	SO RP629
Run 3 Sub 2	NZGZ	1939	3062	Defence	7275	0	16/11/1939	17/11/1939	General	SO RP629
Run 3 Sub 3	NZGZ	1939	3062	Defence	7275	0	16/11/1939	17/11/1939	General	SO RP629
Run 1 Sub 1	NZGZ	1942	1652	Defence	15850	0	19/06/1942	22/06/1942	General	SO 20875
Pt Rangipo North 6C	NZGZ	1942	1886	Defence	1850	0	9/07/1942	13/07/1942	Maori	SO 20875
Pt RUN 4	NZGZ	1942	1887	Defence	4.25	0	9/07/1942	13/07/1942	Crown	SO 20882
Pt RUN 4	NZGZ	1942	1887	Defence	0.25	0	9/07/1942	13/07/1942	Crown	SO 20882
Pt RUN 4	NZGZ	1942	1887	Defence	24	0	9/07/1942	13/07/1942	Crown	SO 20882
Pt RUN 4	NZGZ	1942	1887	Defence	0.21	0	9/07/1942	13/07/1942	Crown	SO 20882
Pt Run 4	NZGZ	1942	1887	Defence	1.25	0	9/07/1942	13/07/1942	Crown	SO 20882
Pt Run 4	NZGZ	1942	1887	Defence	4.75	0	9/07/1942	13/07/1942	Crown	SO 20899
Pt Sec 1 Blk IV Town of Waiouru	NZGZ	1942	1886	Defence	0.25	0	9/07/1942	13/07/1942	General	SO 20882
Rangipo Waiu 1B	NZGZ	1942	1886	Defence	4474	0	9/07/1942	13/07/1942	Maori	SO 20875
Sec 14 BLK IV Town of Waiouru	NZGZ	1942	1886	Defence	6.25	0	9/07/1942	13/07/1942	General	SO 20882
Sec 2 BLK IV Town of Waiouru	NZGZ	1942	1886	Defence	0.25	0	9/07/1942	13/07/1942	Maori	SO 20882
Sec 3 BLK IV Town Of Waiouru	NZGZ	1942	1886	Defence	0.25	0	9/07/1942	13/07/1942	General	SO 20882
Pt RUN 4	NZGZ	1943	357	Defence	1017	0	25/03/1943		Crown	SO 20899
Crown Land	NZGZ	1943	357	Defence	203.5	0	25/03/1943		Crown	SO 20882
Pt RUN 2	NZGZ	1943	357	Defence	7820	0	25/03/1943		Crown	SO 20934
Parts RUN 4	NZGZ	1943	357	Defence	105	0	25/03/1943		Crown	SO 20882
Pt RUN 4	NZGZ	1943	357	Defence	10	0	25/03/1943		Crown	SO 20882
Pt Sec 6 SO 15334	NZGZ	1943	357	Defence	7.75	0	25/03/1943		Crown	SO 20882
Pt Sec 8 SO 15334	NZGZ	1943	357	Defence	23.5	0	25/03/1943		Crown	SO 20882
Oruamatua Kaimanawa 2E	NZGZ	1959	611	Defence	3282	0	14/05/1959		General	All WN CT 165/219

Full Appellation	Gazette	Year	Page	Purpose	Acres	Hectares	Proclaimed	Effective	Category	Title/Plan Ref
Kaimanawa 3B1	NZGZ	1961	316	Defence	2355	0	23/02/1961		Crown	All WN CT 424/56
Oruamatua Kaimanawa 2A	NZGZ	1961	315	Defence	2712.5	0	23/02/1961		Maori	ML 1581
Oruamatua Kaimanawa 2B1	NZGZ	1961	315	Defence	3000	0	23/02/1961		Maori	All WN CT 112/4
Oruamatua Kaimanawa 2B2	NZGZ	1961	315	Defence	3080	0	23/02/1961		Maori	Bal. WN CT 112/3
Oruamatua Kaimanawa 2C1	NZGZ	1961	315	Defence	1570	0	23/02/1961		Maori	ML 1581
Oruamatua Kaimanawa 2O	NZGZ	1961	315	Defence	1695	0	23/02/1961		Maori	
Oruamatua Kaimanawa 2P	NZGZ	1960	315	Defence	1695	0	23/02/1961		General	
Oruamatua Kaimanawa 2Q1	NZGZ	1961	315	Defence	1516	0	23/02/1961		Maori	
Oruamatua Kaimanawa 2Q2	NZGZ	1961	315	Defence	200	0	23/02/1961		Maori	
Oruamatua Kaimanawa 3A	NZGZ	1961	315	Defence	2112	0	23/02/1961		Maori	Bal. WN CT 91/67
Oruamatua Kaimanawa 3B	NZGZ	1961	315	Defence	6334	0	23/02/1961		General	All WN CT 460/210
Oruamatua Kaimanawa 3C	NZGZ	1961	315	Defence	1467	0	23/02/1961		Maori	Bal. WN CT 91/67
Oruamatua Kaimanawa 3D	NZGZ	1961	315	Defence	910	0	23/02/1961		Maori	Bal. WN CT 91/67
Oruamatua Kaimanawa 3E	NZGZ	1961	315	Defence	4402	0	23/02/1961		Maori	Bal. WN CT 91/67
Oruamatua Kaimanawa 3F	NZGZ	1961	315	Defence	1467	0	23/02/1961		Maori	Bal. WN CT 91/67
Rangipo Waiu 2B1A	NZGZ	1961	315	Defence	332.25	0	23/02/1961		Maori	ML 3620A
Rangipo Waiu 2B1B	NZGZ	1961	315	Defence	332.3	0	23/02/1961		Maori	ML 3620A
Rangipo Waiu 2B1C	NZGZ	1961	316	Defence	498.4	0	23/02/1961		Maori	ML 3620A
Rangipo Waiu 2B1D	NZGZ	1961	316	Defence	762.2	0	23/02/1961		Maori	ML 3620A
Rangipo Waiu 2B1E	NZGZ	1961	316	Defence	379.65	0	23/02/1961		Maori	ML 3620B
Rangipo Waiu 2B2	NZGZ	1961	315	Defence	3000	0	23/02/1961		Maori	
Rangipo Waiu 2B3	NZGZ	1961	316	Defence	1107.6	0	23/02/1961		Maori	ML 3620A
Rangipo Waiu 2B4	NZGZ	1961	316	Defence	664.34	0	23/02/1961		Maori	
Sec 15 Blk IV Town of Waiouru	NZGZ	1962	418	Defence	9.25	0	15/03/1962		Crown	
Pt Murimotu 3B2A	NZGZ	1965	1101	Defence	25	0	8/07/1965		General	
Pt Sec 20 Blk IX Moawhango Survey District	NZGZ	1965	1101	Defence	40.45	0	8/07/1965		General	
Oruamatua Kaimanawa 1X	NZGZ	1973	2427	Defence	16277	0	22/11/1973		General	All WN CT 10A/1143
Oruamatua Kaimanawa 2C2	NZGZ	1973	2427	Defence	1570	0	22/11/1973		Maori	All WN CT 9D/716
Oruamatua Kaimanawa 2C3	NZGZ	1973	2427	Defence	1571	0	22/11/1973		Maori	ML 1581

Full Appellation	Gazette	Year	Page	Purpose	Acres	Hectares	Proclaimed	Effective	Category	Title/Plan Ref
Oruamatua Kaimanawa 2C4	NZGZ	1973	2427	Defence	1353	0	22/11/1973		Maori	ML 1581
Oruamatua Kaimanawa 4	NZGZ	1973	2427	Defence	3452	0	22/11/1973		Maori	All WN CT 89/120
Pt Rangipo Waiu 2B2	NZGZ	1979	2628	State Forest	0	7.018	6/09/1979		Crown	SO 31064
Pt Kaimanawa 3A	NZGZ	1979	2628	Defence	0	896.36	6/09/1979		Crown	SO 31064
Pt Kaimanawa 3B1	NZGZ	1979	2628	State Forest	0	80.95	6/09/1979		Crown	SO 31064
Pt Rangipo Waiu 1B	NZGZ	1979	2628	State Forest	0	95.86	6/09/1979		Crown	SO 31063
Pt Subdivision 1 Run 1	NZGZ	1979	2628	State Forest	0	1219	6/09/1979		Crown	SO 31063
Sec 1 SO 32267	NZGZ	1980	3315	National Park	0	338.71	13/11/1980		Crown	SO 32267
Lot 2 DP 69111	NZGZ	1990	4669	Defence	0	514.5548	13/12/1990	13/12/1990	General	DP 69111
Lot 5 DP 69113	NZGZ	1990	4669	Defence	0	3.4785	13/12/1990	13/12/1990	General	DP 69113
Lot 6 DP 69113	NZGZ	1990	4669	Defence	0	3.4785	13/12/1990	13/12/1990	General	DP 6113
Oruamatua Kaimanawa 1S	NZGZ	1990	4669	Defence	0	830.8196	13/12/1990	13/12/1990	General	All WN CT E2/1051
Oruamatua Kaimanawa 1T	NZGZ	1990	4669	Defence	0	1449.9886	13/12/1990	13/12/1990	Crown	All WN CT F2/1003

5. Environment

This section briefly examines the available evidence on two environmental issues arising in the Waiouru defence lands: (1) the downstream effects of the Moawhango dam, part of the Tongariro Power Development Scheme, and (2) the Kaimanawa Wild Horses. The Tongariro Power Development scheme has already been comprehensively addressed in the National Park inquiry, so this section briefly summarises that research. The Kaimanawa wild horses were the subject of an application for urgent hearing by Wai 588 in July 1996 to prevent the culling of the herd.[186] The application for an urgent hearing was declined later that month,[187] but it is not clear whether the Kaimanawa wild horses are still a pressing issue for the claimants.

Claims

The claims were outlined above in the introduction but are repeated here for the sake of clarity:

- The Ministry of Works and the Electricity Department constructed a dam on the Moawhango River in 1965-1968 as part of the Tongariro Power Development project. The Defence Department, Ministry of Works and the Electricity Department never consulted Ngāti Tama Whiti about damming the Moawhango River. Ngāti Tama Whiti would have objected to dam construction for cultural and spiritual reasons. The Moawhango dam has caused lower water levels downstream, affecting indigenous fish species that were once abundant food sources for Ngāti Tama Whiti. The Electricity Department had the ability to maintain the river levels by releasing water but chose not to.
- Army training has desecrated sensitive areas containing wāhi tapu.
- The Kaimanawa Wild Horses Plan (1995) to cull the herd, as approved by the Minister of Conservation in May 1996, violates the right of Ngāti Tama Whiti to exercise rangatiratanga over their ancestral lands and the Kaimanawa Wild Horses as the products of those lands, and affects Ngāti Tama Whiti's rights over the tourist potential of the horses.

We discussed previously how the construction of the Moawhango dam drove the Army to seek further lands to the east of its existing training grounds (November 1973 acquisition, p 75, above). We now deal with the environmental impacts of the Moawhango dam.

The Moawhango dam

The environmental effects of the Tongariro Power Development scheme were comprehensively addressed by Tony Walzl for the National Park inquiry.[188] The section on the eastern diversion, which affected the Moawhango river, is summarised here.

Lake Moawhango was filled in 1979 following the construction of the Moawhango dam as part of the Tongariro Power Development Scheme in 1972–1975.[189] Feasibility studies for the scheme as a whole dated

[186] Wai 588 #2.4 Application for urgency
[187] Wai 588 #2.6 Direction declining urgency
[188] Tony Walzl, *Environmental Impacts of the Tongariro Power Development Scheme*, Walghan Partners, July 2006, (Wai 1130 #E12)
[189] Walzl, *Environmental Impacts of the Tongariro Power Development Scheme*, pp 48-49

back to the mid 1950s and 60s.[190] The Wahianuo aqueduct diverts water from the Whangaehu catchment on the south-western flanks of Mount Ruapeha to Lake Moawhango, and the Moawhango-Tongariro tunnel transports waters collected there to the Tongariro River, from which they are diverted to Lake Rotoaira by the Rangipō dam (Figure 27).

The Moawhango dam caused significant effects on the Moawhango River below the dam. Downstream water flow has been reduced by approximately 17% at the junction of the Moawhango and Rangitīkei Rivers.[191] (The Moawhango-Rangitīkei river junction was sketched by James Crawford c. 1882 - Figure 25). Walzl summarised the downstream effects thus:[192]

> - Sedimentation: … The greatly reduced flows of the Moawhango river has led to the build up of fine sediment in localized pools which, when combined with decomposing organic matter within the pools, has given off strong odours.
> - Aquatic habitat: reductions in the amount and quality of habitat for macro invertebrates and fish has been recorded but only as being localized to the area around the intakes.
> - Water quality: Changed chemical composition and increases in temperature were found in Lake Moawhanga and subsequently in the Moawhango River but these changes are unlikely to be of any ecological significance.
> - Indigenous fish: native fish populations have been suggested as being very limited despite tangata whenua evidence to the contrary.
> - Trout fishery: whilst there has been acknowledgement of a negative impact of acclimatized fisheries in the Eastern diversion these impacts have been viewed as being small due to these recreational fisheries being limited.
> - Blue Duck: had declined in this location since the commissioning of the Rangipō Dam [further north] in 1983.

The Resource Management Act 1991 brought a new era in consultation with tangata whenua during the later resource consents process.[193] Consultation hui with Ngāti Whitikaupeka and Ngāti Tamakopiri and the Electricity Corporation New Zealand (ECNZ) were held at Moawhango in 1996 and 1997.[194] Later, Genesis Energy supported the preparation of a confidential Cultural Impact Assessment. Ngāti Whitkaupeka and Ngāti Tamakopiri negotiated an agreement with Genesis Energy in 2002-2002, after which they withdrew their submissions to The Taupō Power Development Hearing Committee and supported a 35-year resource consent.

Ngāti Hauiti also completed a confidential Cultural Impact Assessment report, but continued to oppose the resource consent sought.[195] They continued to oppose diverting the Whangaehu headwaters into Lake Moawhango, which affected the mauri and mana of the formerly separate Whanganui and Rangitīkei river systems. In olden times the Whangaehu headwaters were considered tapu and the old people would not venture there or even gaze on those waters: diverting those waters made the Moawhango ‘noa’ and detrimental to Ngāti Hauiti health and wellbeing.[196] Genesis eventually negotiated an agreement with Ngāti Hauiti as well.

Ngāti Rangi were also consulted on the eastern diversion, but consultation seems to have broken down, with the result that Ngāti Rangi opposed the consent application during the hearings.[197]

[190] Walzl, *Environmental Impacts of the Tongariro Power Development Scheme*, pp 26-28
[191] Walzl, *Environmental Impacts of the Tongariro Power Development Scheme*, p 228
[192] Walzl, *Summary of Environmental Impacts of the Tongariro Power Development Scheme,* pp 10-11
[193] Walzl, *Environmental Impacts of the Tongariro Power Development Scheme*, pp 253-279
[194] Walzl, *Environmental Impacts of the Tongariro Power Development Scheme*, pp 254-255
[195] Walzl, *Environmental Impacts of the Tongariro Power Development Scheme*, pp 255-258
[196] Neville Lomax, cited in Walzl, *Environmental Impacts of the Tongariro Power Development Scheme*, p 258
[197] Walzl, *Environmental Impacts of the Tongariro Power Development Scheme*, pp 258-279

Figure 25: James Coutts Crawford, Moawhanga junction with Rangitikei [20 January 1862], Alexander Turnbull Library, Timeframes, E-041-021

Figure 26: 'Tongariro Hydro Scheme', Evening Post 8 October 1965 (from The Dominion Post: Photographic negatives and prints of the Evening Post and Dominion newspapers), Alexander Turnbull Library, Timeframes, EP-Energy-Hydro Electricity-Tongariro Hydro Scheme-01

'View down into a steep valley and the Moawhango River, now the site of the upper area of the Moawhango dam. On one side of the valley, and spanning the river can be seen walkways where men from the Ministry of Works used drilling equipment to test the rock structures of the site'.

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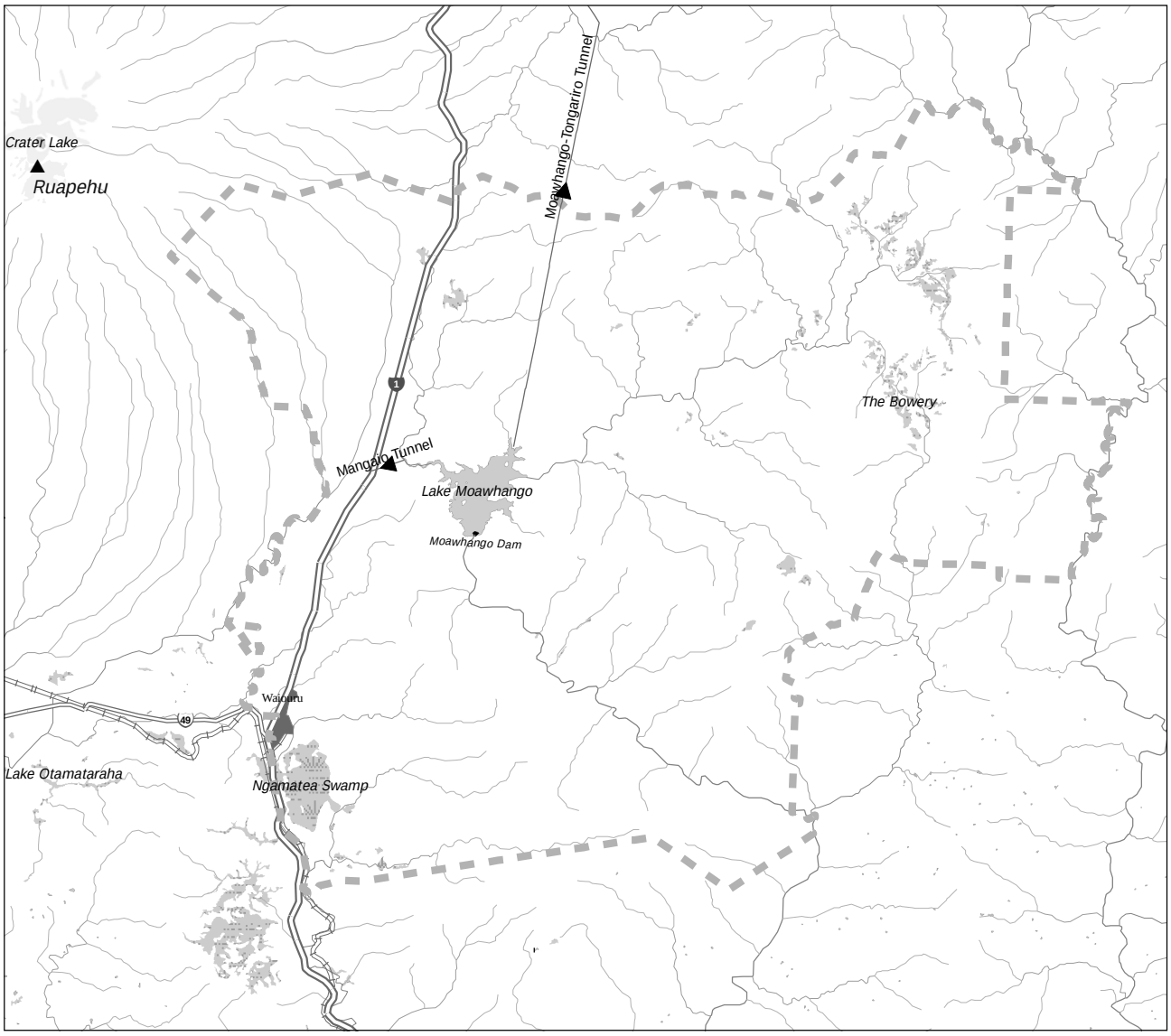

Figure 27: Waterways in the Waiouru defence lands and surrounding areas

Wāhi tapu

The mention above of the Whangaehu headwaters being tapu possibly gives some context to the claim by Turoa Karatea during the National Park hearings that army exercises had desecrated wāhi tapu on the flanks of Ruapehu:

> … during my time in the army we regularly live fired onto the area known as Rangipō Waiu 1B with artillery [and] with the air force doing bombing runs. … Rangipō Waiu runs onto the slopes of Ruapehu and I would hate to know what damage was done to Wāhi tapu and other traditional sites from the explosions from these weapons. I guess what I am saying is the Crown never had any remorse about those sites and the sacredness that our People held for the Maunga by allowing live firing practices over them. [198]

The Confidential Ngāti Tuuwharetoa traditional history report may perhaps give specific information on wāhi tapu in the area.[199]

The Waiau pā site was previously discussed above (p 32). The Historic Places Trust regards the Waiu pā as having 'considerable archaeological significance as one of the last gunfighter pā ever to be constructed…. There are very few examples of gunfighter pā that post-date the New Zealand Wars period'.[200] Much of the surrounding land south of the defence takings, in Rangipō B, is now being considered for a wind farm.[201]

The Kaimanawa wild horses

The *Kaimanwa Wild Horses Plan*, dated December 1995, as approved by the Minister of Conservation in May 1996,[202] was supplied by the Crown in response to the application for an urgent hearing in July 1996. It has since been updated by the Kaimanawa Wild Horses Working Plan 2004-2009, which was published in 2004.[203]

The Kaimanawa Wild Horses Plan 1995

Horses were first introduced to the Central North Island in 1844 with a horse being presented to 'a son of Te Heu Heu Tukino'.[204] The wild herd probably originated in a deliberate release by Sir Donald McClean of a stallion and some mares on the Kaimanawa plains in the 1870s. The army was responsible for increasing the heard in 1941 by loosing cavalry horses into the area. Nicholas Koroneef is said to have introduced an Arab and a Palomino stallion into the herd in the 1970s. There are many anecdotes of other informal releases of domestic horses into the herd over the decades.

The 1995 plan focused on 'threatened, rare and local plants' in the 'Moawhango Ecological Region'.[205] The report was particularly concerned with plants existing in unique tussock grassland habitats (below the treeline) arising in basins, flush zones and peat bogs, which, due to the effects of cold air inversion and poor drainage,

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[198] Turoa Karatea, Brief of Evidence dated 28 September 2006, (Wai 1130 #G26), p 15, paras 54, 56
[199] Ngāti Tūwharetoa, *Te Taumarumarutanga o Ngāti Tuwharetoa. The Shadow of Ngāti Tuwharetoa. A Traditional and Oral History Report*. (Confidential), September 2006 (Wai 1130 #G17)
[200] Historic Places Trust, Register Number 7651, 'Waiau Pā – Waiouru Military Camp, Waiouru' (available at:)
[201] Opus International Consultants, 'Archaeological Assessment: Proposed Central Wind Farm', prepared for Meridian Energy, 19 June 2000 (available at:).
[202] Department of Conservation, *Kaimanawa Wild Horses Plan*, dated December 1995, (Wanganui: Department of Conservation Wanganui Conservancy, 1995)
[203] Department of Conservation, *Kaimanawa Wild Horses Plan 2004-2009* (Wanganui: Department of Conservation Wanganui Conservancy, 2004). This only seems to currently be available online in HTML format: http://www.doc.govt.nz/publications/conservation/threats-and-impacts/animal-pests/kaimanawa-wild-horses-working-plan-2004-2009/ (accessed December 2009)
[204] Department of Conservation, *Kaimanawa Wild Horses Plan*, 1995, pp 30-31
[205] Department of Conservation, *Kaimanawa Wild Horses Plan*, 1995, pp 21-22

had 'probably never supported forests since the last glaciation'.[206] Those areas of 'hard tussock' in the northern half of the ecological region were distinguished from areas of red tussock in the southern areas that were probably in the process of natural forest regeneration. The report proposed to remove all horses in the ecological zone except for a residual herd of around 500 wild horses in the 'Argo' zone in the south-east corner of the Army Training Area, Waiouru. The Department of Conservation would also negotiate with private landowners in the surrounding (Māori) land to ensure 'compatible' herd management; the horse population would need to be controlled to prevent migration back into the protection zones.[207] The plan also called for assistance to establish a 'Kaimanawa Wild Horse Trust' to assist in the management of any herd maintained outside the Army land.[208]

Consultation

The working party responsible for developing the 1995 plan consisted mainly of officials from the Department of Conservation, plus others from the Kaimanawa Wild Horse Preservation Society, The Royal Forest & Bird Protection Society, and the SPCA.[209] Māori groups seem noticeably absent from the composition of the working party. Submissions from the public were received in response to a Draft Management Strategy (1991) and a Draft Plan (1994).

The Crown response to the Wai 588 application for urgency stated that consultation had been undertaken with members of Ngāti Tūwharetoa and Ngāti Rangi, and that various representatives had been involved in the decision-making process – they either consented to or did not oppose the proposals.[210] Other discussions were held with a representative of the owners for Oruamatua Kaimanawa 1U and 1V in late 1995. Attempts had been made to consult with Ike Hunter, the named claimant for Wai 588, but were unsuccessful. The Crown suggested that iwi may choose to join or work together with the proposed Kaimanawa Wild Horse Trust.

The Kaimanawa Wild Horses Working Plan 2004-2009

The *Kaimanawa Wild Horses Plan* (1995) was updated with a further *Working Plan* (2004). The herd had been culled in 1997 to around 500 horses ranging in the southern (Argo) section of the Army Training Area, Waiouru.[211] A Kaimanawa Wild Horse Trust had never eventuated, and a Kaimanawa Wild Horse Advisory Group had been established instead. That group included the 'Oruamatua Kaimanawa Trust' or the 'Oruamatua Kaimanawa 1U & 1V landowners'.

The Oruamatua Kaimanawa 1V Trust is an ahu whenua trust established in 1998.[212] Nicholas Koroneff appeared during the vesting application as a majority owner. The trust was being established to manage the land as an existing lease by the Department of Conservation expired that day. Mr Koroneeff stated that he previously held the leasehold over the land and that the leasehold was 'taken' by the Forestry department, which then sought to acquire the freehold from the owners. There was an (existing?) obligation for the lessee to fence the land, which Mr Koroneef stated the Department of Conservation had never complied with.

[206] Department of Conservation, *Kaimanawa Wild Horses Plan*, 1995, p 21
[207] Recommendations 7–9, Department of Conservation, *Kaimanawa Wild Horses Plan*, 1995, p 74
[208] Recommendation 1, Department of Conservation, *Kaimanawa Wild Horses Plan*, 1995, p 70
[209] Department of Conservation, *Kaimanawa Wild Horses Plan*, 1995, p 16
[210] Memorandum of Crown Counsel in response to application for urgency, paras 17-17a
[211] Department of Conservation, 'Introduction', *Kaimanawa Wild Horses Working Plan 2004-2009*
[212] 'Oruamatua Kaimanawa 1V', 30 June 1998, (Deputy Chief Judge NF Smith), Aotea Minute Book, Vol 83, pp 232-234. (MLIS ID:55570). The terms of the trust were updated later that year on 30 October 1998: Aotea Minute Book, Vol 86, pp 166-167

The 'Horse Talk' website reported that the Oruamatua Kaimanawa Trust was protesting against the Department of Conservation's intention to cull around 20 horses that had strayed from the adjoining Māori land; the Trust sought permission to herd the horses back onto Māori land (Oruamatua Kaimanawa 1V).[213]

The *Kaimanawa Wild Horses Working Plan 2004-2009* (2004) recommended maintaining a population of around 500 wild horses in the Argo area only, and negotiations with the owners of adjoining private lands containing wild horses, to ensure 'compatible' horse management.

[213] *Horse Talk*, 12 June 2003, cached: http://74.125.155.132/search?q=cache:e_oZESMPq4QJ:www.horsetalk.co.nz/archives/news-jun2003.shtml+oruamatua+kaimanawa+trust&cd=5&hl=en&ct=clnk&gl=nz (accessed December 2009)

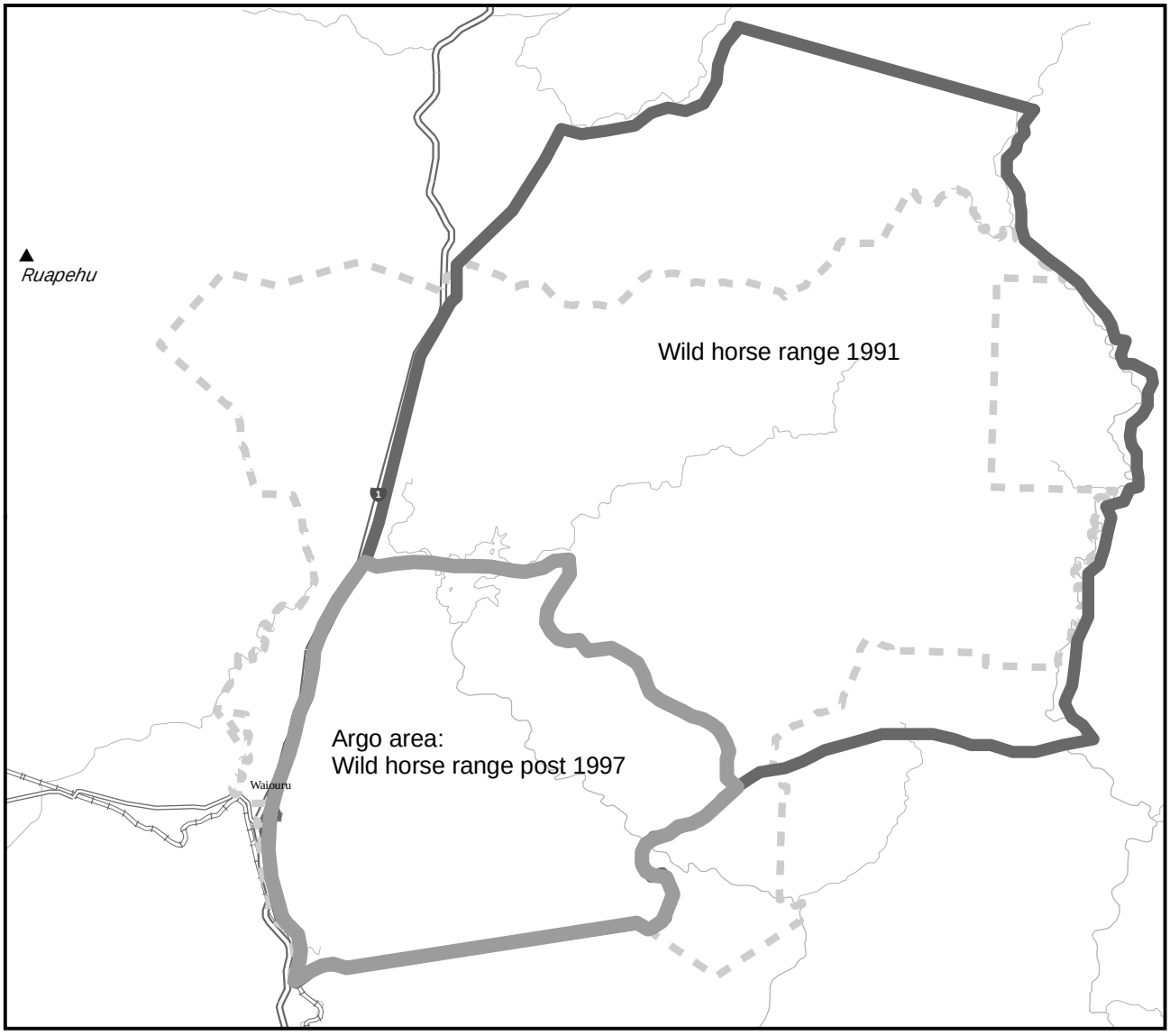

Figure 28: Range of the Kaimanawa Wild Horses, 1991 and 1997

Summary and conclusion

Comprehensive research on the environmental effects of the Moawhango dam has already been presented in the National Park inquiry. Research, therefore, is not lacking but it is possible that any Taihape inquiry on this issue would want to hear tangata whenua evidence from the peoples of inland Pātea. Wāhi tapu are another issue that might require tangata whenua testimony rather than further research. It is not clear whether or not the Kaimanawa Wild Horses are still a live issue. The Tribunal might benefit from tangata whenua evidence on this topic as well.

6. Summary and Recommendations

This section offers a number of alternative options depending on the type of inquiry the Waiouru defence lands issue may be incorporated into. In the course of this paper we have already noted a number of areas that may benefit from further research: to what extent that is pursued would depend largely on the time available for further research.

Implications of submissions of parties (and Tribunal memoranda)

Clause 2(a) of the commission required the author to identify and clarify any research issues raised or implied by submissions of parties to date, as well of registered statements of claim. In the introduction to this report, the author focused on repeated calls for an 'expedited' inquiry into the Waiouru defence lands and the subsequent memorandum by Judge Wainwright that the Tribunal remains 'open to the possibility of an expedited inquiry or even a joint report' between the National Park, Whanganui and Taihape inquiry panels (Wai 1510 #2.5.9, para 7). This was made in the context of establishing a wider Taihape: Rangitīkei ki Rangipō inquiry district (para 4), and encouraging the Crown Forestry Rental Trust to undertaking a research scoping assessment for the wider Taihape and Porirua ki Manawatū inquiry districts (para 11).

What exactly an 'expedited' inquiry or even a 'joint report' between inquiry panels might require has not yet been defined, so the author has had to rely on his own assumptions. Those assumptions concerning the possible uses of these research requirements were:

- An 'expedited' inquiry into the Waiouru defence lands only, conducted without delay, possibly involving the National Park and Whanganui inquiry panels.
- An 'interim' report on the Waiouru defence lands by a Taihape inquiry panel, to be later incorporated in any final report published by the Taihape inquiry.
- A 'stage one' report focusing on the Waiouru defence lands and a limited number of burning issues as part of a 'modular' or multi-stage Taihape inquiry.
- A 'comprehensive' Taihape inquiry, in which the Waiouru defence lands forms one of several topics for inquiry.

That first assumption, that an 'expedited' inquiry might be conducted without delay and might even involve a joint report by the National Park and Whanganui inquiry panels has determined the main structure of this report. In particular, the existing research that has been presented and cross-examined in those inquiries is assumed to already be broadly sufficient. That is, the Rangipō Waiu, Murimotu, Rangipō North and Kaimanawa land blocks have already been covered in existing Tribunal inquiries; the main focus of this report, therefore has been on the people, land and events concerned with the Oruamatua Kaimanawa block, which has not been covered by any Tribunal inquiry to date.

Issues raised by statements of claim

Clause 2(a) of the commission also required the author to identify and clarify the defence lands issues raised or implied by the statements of claim received to date. Chapter 2 of this report summarised the statements of

claim received and then grouped those claims by the sorts of issue topics that have arisen in other inquiry districts. It should be noted that no particularized statements of claim have yet been developed for claims located in the Taihape inquiry district, nor any agreed statement of issues, and so only general topics can be indicated here.

Chapter 2 noted that a number of general issue topics intersect with the Waiouru lands besides the specific issue of lands being acquired under the Public Works Act. These were:

- Customary interests – a number of groups assert customary interests in the areas that were later acquired for defence purposes around Waiouru
- The Native Land Court and Māori land alienation – the Crown acquired title to much of the Waiouru area by around 1900
- Public Works – the compulsory acquisition of the few remaining Māori lands for defence purposes
- Environment – wāhi tapu, effects of the Moawhango Dam as part of the Tongariro Power Development scheme, and the Kaimanawa Wild Horses

Gaps in the existing research and publications

Clause 2(b) of the commission requires the author to identify and assess the existing research and published literature concerning the Waiouru defence lands and to draw conclusions on its adequacy. This report did so under the topics of people and land (Chapter 3), Public Works (Chapter 4), and Environment (Chapter 5). In doing so, this report proceeded on its stated assumption that, having already been presented and cross-examined, the material already on the record of the Whanganui, National Park, and Central North Island inquiries is already adequate for a Tribunal inquiry. The existing research in those inquiry districts was summarised in order to create a comparable framework for the sorts of topics that might also be covered for Oruamatua Kaimanawa. The Oruamatua Kaimanawa lands, by contrast, have not been the subject of any systematic research programme at all.

Research gaps may therefore be deemed to exist for the Oruamatua Kaimanawa lands (as for the entire Taihape inquiry district) in relation to the following standard topics:

- Tribal landscape
- Native Land Court and Māori land alienation

In addition, a very narrow ‘gap’ in the existing research might be deemed to exist on:

- a comparison of the compulsory acquisition of Māori and general land for defence purposes

The Taihape inquiry district has not yet had the benefit of the standard block history, land alienation and tribal landscape reports on the peoples of Inland Patea of the sort that were completed for the surrounding Central North Island, National Park and Whanganui inquiries. In particular the existing research for those inquiries has already covered the Rangipō Waiu and Murimotu lands in depth, and the Rangipō North and Kaimanawa lands too. The Oruamatua Kaimanawa lands, in contrast, have not been covered by any existing research programme as they lie entirely within the Taihape district.

Existing research on the tangata whenua in and around the Oruamatua Kaimanawa lands seems to consist solely of work by Angela Ballara that was performed for other purposes and in other inquiry districts. Most of the relevant source material is drawn from the Owhaoko title investigations. The Oruamatua Kaimanawa title investigation and reinvestigation alone may not be sufficient on this point as there are many cross-references to evidence in the surrounding title investigations. The Tribunal may need to refer to those surrounding title investigations in the Awarua, Owhaoko, Mangaohane and Motukawa blocks if it is to have a sufficient

understanding of the surrounding tribal landscape as it intersected with the lands later acquired for defence purposes in and around Waiouru.

The 'taking' of Māori lands around Waiouru is already well covered by Phillip Cleaver's report as he ranged beyond the boundaries of the Whanganui inquiry district to cover the topic in its entirety. The Waiouru acquisitions also involved Crown and General lands as well, which naturally raises questions as to whether there were any significant differences in the approaches. That was a question raised by Judge Wainwright during Philip Cleaver's cross-examination, and was also an issue considered by the Tauranga inquiry. This scoping report has pointed to some of the available archival sources that cast light on the acquisition of general lands and subsequent leasing arrangements. The issue can be quite complex as it is necessary to distinguish between the acquisition of the leasehold from the freehold. This scoping report has not covered any inter-departmental negotiations on the redesignation of Crown lands for defence purposes, nor on later land exchanges with the surrounding state forests.

Although this scoping report is only tasked with examining existing research and publications, it should be noted that while research on the Waiouru defence lands inside the National Park and Whanganui inquiry boundaries may be considered adequate, the Tribunal has not had the benefit of any oral evidence by the tangata whenua of inland Pātea, and would almost certainly need to hear such evidence from the people concerned.

Further research

Clause 2(c) of the commission requires the author to recommend what further research might be required where any research gaps exist, while clause 2(d) required the author to recommend how any further research might be organised. Clause 2(e) also required the author to identify the main sources that are available for any further research. Those recommendations are dependent on what sort of inquiry the research is required for.

Given the possibility of an 'expedited' inquiry in which little or no time is available for further research, this scoping report went beyond a minimal interpretation of clause 2(e) of the commission – not only to simply 'identify' the main sources that might be used, but also to identify the material within those sources in as much detail as possible in the time available. This led the author to suggest that, at minimum, this exercise be extended for another one or two months to finalise some remaining details on the Oruamatua Kaimanawa title reinvestigation and subsequent alienations to private parties.

In that case, the work already begun in this scoping report could be extended in three areas:

- Finalising land alienation details, writing them up and constructing tables and a map book would take up to a month at the most, but could largely be done concurrently with other lines of work if a research assistant were available. This would involve checking land alienation files in Archives NZ, block order files remaining in the Whanganui Māori Land Court (and possibly also in the Hastings Māori Land Court), historic title certificates held in Archives NZ and in LINZ Landonline, and cross-checked with the tables of lands purchased in the AJHRs.
- Completing the summary and transcription of the Oruamatua Kaimanawa title reinvestigation would take around two weeks.
- Extending the comparison with the general lands acquired under the Public Works Act, on the use of continuing leases, and also on subsequent inter-departmental exchanges of land would take around another month.

This 'expedited' option would entail a possible disadvantage in that the Tribunal and the claimants would not have the benefit of a wider understanding of the available documentary evidence on the peoples of inland Pātea that would come with the completion of a standard research programme.

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An alternative 'interim' option might be to re-organise the standard pattern of research to begin with interim reports on Oruamatua Kaimanawa and surrounding blocks before continuing with the remainder of the Taihape district in successive volumes. Standard reports would presumably cover (at the least):

- Tribal landscape
- Land history and alienation
- Public Works
- Environment
- Socio-economic conditions

The Crown Forestry Rental Trust is already organising research assistance projects to create document banks of the essential primary sources (Wai 1510 #6.2.1). Those projects are expected to take around six months (20 weeks). There would be some benefit to claimants and the Tribunal in having a better understanding of the wider picture. Perhaps the Trust could be approached to see if any projects could begin with Oruamatua Kaimanawa and Owhaoko and work their way south from there. That would not always be possible where the source material is not organised geographically. If researchers were available for 'standard' reports they might be able to begin work on the northern end of the inquiry district once that primary material begins to be assembled, but that is a risky assumption. It could well take the rest of the year before any 'interim' reports on Oruamatua Kaimanawa and the surrounding areas could be produced.

Conclusion

This section has developed two main research options: (1) extending this scoping report to meet an 'expedited' timeframe, or (2) commissioning 'interim' reports from a standard research programme, beginning with Oruamatua Kaimanawa and surrounding areas. The 'expedited' option of extending this scoping report to a full research report would take 2-3 months, depending on the extent of research assistance available. The 'interim' option would require agreement and co-ordination with the CFRT research programme that is about to begin early next year. The 'interim' option would probably require one year, but would bring the benefit of increasing our understanding of the wider context of the Taihape inquiry district. This may be particularly necessary in understanding the wider tribal landscape affecting events in the lands that became part of the Waiouru defence areas. In fact, neither of these options necessarily excludes the other, and the Tribunal may be well advised to both extend this scoping report to a full report, and to liase with CFRT to see whether its research programme could begin with the northern end of the Taihape inquiry district wherever possible. These recommendations are made on the assumption that the parties to the inquiry will also be providing oral evidence by tangata whenua witnesses as well as any research that is presented.

7. Select Bibliography

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Opus International Consultants – 'Archaeological Assessment: Proposed Central Wind Farm', prepared for Meridian Energy, 19 June 2000

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Buller, Walter Lawry (Sir), 1838-1906: Papers (MS-Papers-0048)

Studholme, John: Papers (MS-Papers0-0272)

Archives NZ

Agent for the General Government, Hawkes Bay [record group]

AGG-HB-1--1*1/223--	27 September 1869 - Locke, Napier - Report on his trip to Taupo to conciliate the chiefs in that area and to come to an agreement with native proprietors over opening up of the Kaimanawa ranges for mining. Poihipi Tukairangi fully in favour of the operation proposed above, concurred with Government arrangements re gold fields and drew a map for McLean showing his views on the subject. All chiefs at Tokaut - Hataraka, Te Whetu, Henare, Holepa etc - in favour of such action and grateful for Government protection from Te Kooti. Hane Tauteka and Patea chiefs principal owners of Kaimanawa country and agreed to hand over 300,000 acres to Government. Anticipates that once fighting is abated there will be no shortage of labour for further development and Maori-Pakeha relations will be tremendously improved.	1869-1869

Army Department [record group]

-----	Rifle Range - Camp - Military - Waiouru	-1944
-----	Rifle Range - Camp - Military - Waiouru	-1944
-----	Rifle Range - Camp - Military - Waiouru	-
-----	Rifle Range - Camp - Military - Waiouru	-
-----	Rifle Range - Camp - Military - Waiouru	1940-
AD-1--1082-203/192/1-2	Defence Works - Waiouru Military Camp - Taking of land	1946-1961
AD-1--1091-204/232-1	Rifle Range - Camp - Military - Waiouru	1940-
AD-14--1--	Annex to ATG [Army Training Group] 6.400 - Summary of correspondence on Koreneff land acquisition held at Army Training Group, Waiouru	1972-1972

AD-31--7*28/50--		-
AD-65--2*16--	Army Control Camps - Waiouru	-
AD-66 MISC---2-	Maps/Plans - Karioi, Kaimanawa, Ruapehu and Moawhango SD's [Southern Districts] - 1" to 1 mile	1926-1926
AD-66 MISC---3-	Maps/Plans - [Soil report on Waiouru and adjacent runs] - 140 chains [chs] to 1"	1943-1943
AD-66--Folder 14-G2291/4-	Waiouru, key plan of all land taken, 82,989 acres	-
AD-66--Folder 21-G3481-	Waiouru area showing position of guns and range	-
AD-66--Folder 4-G923-	Sketch showing tenure of land adjoining military reserve Waiouru, block IX Moawhango SD [Southern District]	-

Central Military District, Wellington [record group]

AD-W-6-W1965-17-52/120-	Buildings - Artillery range and camping ground: Waiouru	1936-1942
AD-W-6-W2599-1-37773-1	Land lease: Waiouru: CA Gillett	1945-1954
AD-W-6-W2599-1-38139-1	Land lease: Waiouru: WR Harding	1949-1958
AD-W-6-W2599-1-38504-1	Land lease: Waiouru: J Macrae	1947-1951
AD-W-6-W2599-1-39965-1	Land: Waiouru camp: Policy	1955-1962
AD-W-6-W2599-1-39965-2	Land: Waiouru camp: Policy	1962-1968
AD-W-6-W2599-1-40695-1	Land: Waiouru: Training areas	1952-1958
AD-W-6-W2599-1-40695-2	Land: Waiouru: Training areas	1958-1970
AD-W-6-W2599-1-40695-3	Land: Waiouru: Training areas	1970-1972
AD-W-6-W2600-1-38139-2	Land Waiouru: WR Harding Lease	1960-1978
AD-W-6-W2600-1-39234-1	Waiouru Water Supply Sewerage	1946-1961
AD-W-6-W2600-1-39965-3	Land Waiouru Acquisition and Disposal Policy	1968-1974
AD-W-6-W2600-1-40695-4	Land: Waiouru training areas	1972-1975

Department of Conservation, Head Office

AANS-6095-W5491-389-6/11/178-	Reserves - General - Waiouru Military Camp	1939-1963
AANS-6095-W5491-389-6/11/178-	Reserves - General - Waiouru Military Camp - E-Airfield	1963-1972
AANS-6095-W5491-397-39180-	Reserves - General - Waiouru Run	1929-1941
AANS-828-W5491-851-9/3/321-	Acquisition of Private Lands - Proposed Acquisition of Land - Kaimanawa S.F. [State Forest] - Oruamatua -Wellington Conservancy	1971-1980
AANS-828-W5491-851-9/3/322-	Acquisition of Private Lands - Proposed Acquisition of Land - Kaimanawa S.F. [State Forest] - Oruamatua -Wellington Conservancy	1971-1980
AANS-828-W5491-851-9/3/323-	Acquisition of Private Lands - Proposed Acquisition of Land - Kaimanawa S.F. [State Forest] - Oruamatua -Wellington Conservancy	1972-1980
AANS-828-W5491-853-9/3/367-	Acquisition of Private Lands - Acquisition of Land - Kaimanawa S.F. [State Forest] - Oruamatua - Wellington Conservancy	1973-1980
AANS-828-W5491-854-9/3/411-	Acquisition of Private Lands - Access Easement through Oruamatua Kaimanawa IP Block - Springvale Ltd. [Limited] - Kaimanawa F.P. [Forest Park] - Wellington Conservancy	1975-1980
AANS-828-W5491-854-9/3/412-	Acquisition of Private Lands - Acquisition of Black Hill Station including Oruamatua Kaimanawa IR Block (Bareacre) from Estate C.R. Heatley - Public Trustee also Oruamatua - Kaimanawa in 619 Blocks	1975-1978
AANS--W3832-37-33/5/69-2	Wildlife Other Than Game Birds - Protection of - Protection Against Predatory and Destructive Animals and Birds - Kaimanawa Wild Horses	1985-1986

Department of Internal Affairs, Head Office

AAAC--W3179-34-46/74/1-	Wildlife Service - Kaimanawa State Forest Park	1966-1966
AAAC--W3207-80-WIL 33/5/69-	Kaimanawa Wild Horses	1979-1983

Department of Lands

AAQU-889-W3428-586-24/5089-1	Forest Service - Kaimanawa: Acquisition of Leasehold in Oruamatua - Kaimanawa 4 Block NC Korenefe	1975-1979

Department of Lands and Survey, Head Office

AADS--W3680-21-NZMS 13-16	(WN) [Wellington] Kaimanawa	1956-1956
AADS--W3732-F14-71-	Kaimanawa Ranges/Mangamaire/Owhaoko Block/Timahanga Block	-

Department of Lands and Survey, Head Office [record group]

LS-1--1581-16/1276-	Roads - Kaimanawa-Hikutaia	-

Department of Maori Affairs [record group]

MA-1--340-39832-	Oruamatua Kaimanawa 2 Q1 - Appointment of O.S. Watkins and W.H. Turnball as Trustees for Raumaewa Te Rango and Ani Paki	1898-1944
MA-13--85-50A[e]-	Murimotu and Rangipo, Special File No.80 - Correspondence relating to Bank Receipts - Dispute relating to Southern Boundary of Rangipo Waiu Block in Maori and translated	1888-1900
MA-13--85-50A[f]-	Murimotu and Rangipo, Special File No.80 - Correspondence relating to Bank Receipt and Rent due in Maori and translated - Including Map of Rangipo - Waiu area [Sep]	1891-1891
MA-1--69-47243-	Rangipo North 6 G Rangipo Waiu 1B - Purchase by Army Department - Defence purchase at Waiouru	1941-1941
MA-1--69-47243-	Rangipo North 6 G Rangipo Waiu 1B - Purchase by Army Department - Defence purchase at Waiouru	1941-1941
MA-1--75-24963-	Waiouru Military Camp - Acquisition of additional land by Army Department	1949-1962
MA--W2459-213-22420-	Whitikaupeka Water Supply - Oruamatua-Kaimanawa IS and IX	1936-1936

Headquarters New Zealand Defence Force

ABFK-7291-W4776-18-203/192/1/2-1	Works and Buildings - Waiouru Military Camp - Northern Boundary Adjustments	1977-1979
ABFK-7291-W4776-18-203/192/1/3-1	Works and Buildings - Waiouru Military Camp - Preservation of Wild Horses	1978-1980
ABFK-7291-W4776-18-203/192/1/5-1	Works and Buildings - Waiouru Military Camp - Proposed Exchange with Ohine-Wairua Station	1979-1980
ABFK-7291-W4776-19-203/192/13-6	Works and Buildings - Waiouru Military Camp - Oruamata Kaimanawa Blocks Negotiations Koreneff and Others	1978-1979
ABFK-7291-W4776-19-203/192/13-6	Works and Buildings - Waiouru Military Camp - Oruamata Kaimanawa Blocks Negotiations Koreneff and Others	1978-1979
ABFK-7291-W4776-19-203/192/2-5	Works and Buildings - Waiouru Military Camp - Noxious Weeds and Pinus Contorta Control	1977-1980
ABFK-7291-W4776-21-203/192/220/1-1	Works and Buildings - Waiouru Military Camp - Maowhango Reserve - Effects on Grazing Leases	1979-1983
ABFK-7291-W4776-21-203/192/220-1	Works and Buildings - Waiouru Military Camp - Maowhango Reserve - Public Use	1976-1979
ABFK-7291-W4776-21-203/192/220-2	Works and Buildings - Waiouru Military Camp - Maowhango Reserve - Public Access Control	1979-1981

ABFK-7291-W4776-21-203/192/226-1	Works and Buildings - Waiouru Military Camp - Use of Non-Defence Land for Military Training	1971-1980
ABFK-7291-W4776-32-204/232/2-3	Rifle Ranges - General Policy - Waiouru Camp Rifle Range - Lease Of - By W.R. Harding	1975-1980
ABFK-7291-W4776-32-204/232/5-2	Rifle Ranges - General Policy - Waiouru Camp Rifle Range - W.E. and E. Fernie Lease	1955-1980
ABFK-7291-W4776-32-204/232/6-2	Rifle Ranges - General Policy - Waiouru Camp Rifle Range - E.A. Peters Lease	1970-1978
ABFK-7291-W4776-33-204/232/10-1	Rifle Ranges - General Policy - Waiouru Camp Rifle Range - Ohine Wairua Stn [Station]	1961-1980
ABFK-7291-W4776-33-204/232/7-2	Rifle Ranges - General Policy - Waiouru Camp Rifle Range - W.A. Harding Lease	1965-1980
ABFK-7291-W4776-33-204/232/9-1	Rifle Ranges - General Policy - Waiouru Camp Rifle Range - Gravel Licence	-
ABFK-7560-W4982-13-7795/6/7/440-1	Works - Rifle Ranges - Kaimanawa Block 4 - Waiouru	1980-1988
ABFK-7560-W4982-15-7816/1/440-4	Works - Leases - Defence Property - Revenue - ATG [Army Training Group] Waiouru	1983-1988
ABFK-7560-W4982-15-7816/1/440-5	Works - Leases - Defence Property - Revenue - ATG [Army Training Group] Waiouru	1984-1985
ABFK-7607-W5056-27-7805/B36-1	Works and Real Estate - Acquisition and Disposal of Land and Buildings - Waiouru Army Training Group	1980-1982
ABFK-7607-W5056-28-7816/B36/11/E-1	Works and Real Estate - Leases Defence Property Revenue - Waiouru Station Ltd Waiouru Army Training Group (Eastern)	1980-1982
ABFK-7607-W5056-29-7816/B36/12-1	Works and Real Estate - Leases Defence Property Revenue - Trustees - Fernie Estate Army Training Group Waiouru	1980-1984
ABFK-7607-W5056-29-7816/B36/14-1	Works and Real Estate - Leases Defence Property Revenue - Waiouru (Ohinewairua Station Ltd)	1978-1984
ABFK-7607-W5548-275-7631/B36-1	Works And Real Estate - Long Term Development Plan - Waiouru	1981-1983
ABFK-7607-W5548-276-7638/B36/2-1	Works And Real Estate - Control - Pests, Noxious Weeds, Trees And Animals - Waiouru - Control Of Wild Horses	1981-1981
ABFK-7607-W5548-313-7805/B36/1-1	Works And Real Estate - Acquisition And Disposal Of Land And Buildings - Army Training Group Waiouru (Excluding Moawhango Dam)	1982-1982
ABFK-7607-W5548-313-7805/B36/1-2	Works And Real Estate - Acquisition And Disposal Of Land And Buildings - Army Training Group Waiouru (Excluding Moawhango Dam)	1990-1994
ABFK-7607-W5548-313-7805/B36/3-1	Works And Real Estate - Acquisition And Disposal Of Land And Buildings - Waiouru Atg [Army Training Group] - HMNZS Irirangi - Area Within Atg Area	1991-1993
ABFK-7607-W5548-339-7816/B35/1-1	Works And Real Estate - Defence Property Revenue - HMNZS [Her Majesty's New Zealand Ship] Irirangi - Post Office Cable Easement Waiouru - Taihape	1982-1982
ABFK--W3593-3-37043-1	Waiouru: Lease - B A Peters	1945-1978
ABFK--W3593-3-38139-3	Waiouru: Lease - W R Harding	1978-1979
ABFK--W3593-3-38869-1	Waiouru: Leased for Civic Purposes	1962-1971
ABFK--W3593-3-39965-4	Waiouru: Policy on Acquisition and Disposal	1974-1979
ABFK--W3593-3-40695-5	Waiouru: Training Areas	1977-1979
ABFK--W3593-4-15128-2	Waiouru: Control of Pinus Contorta	1977-1979
ABFK--W3593-4-46174-1	Waiouru: Army Hut Site - Mount Ruapehu	1956-1979
ABFK--W3593-4-47270-2	Waiouru: Tongariro Power Development	1979-1979
ABFK--W4312-4--	Newspaper Cuttings - [Waiouru - taking Land for Defence Purposes]	1971-1972
ABFK--W4395-22--	Kaimanawa subdivision Part A	1901-1901
ABFK--W4395-22--	Kaimanawa subdivision Part B	1901-1901

Land Corporation Limited, Wellington District Office

AAMA-619-W3150-19-20/153-	Wellington - Rangipo Waiu	1881-1888
AAMA--W4320-56-GP 136-	Tussock Land Co. Limited (Ohinewairua Station) - Part Oruamatua-Kaimanawa 2P and 20, Blocks 7, 8, 11 and 12, Moawhango Survey District	1961-1984

Land Information New Zealand, National Office

ABWN-6095-W5021-255-7/841-1	Kaimanawa Nos 1 & 2 Blocks, Kaimanawa 3B 2A & 3B 2B Blocks	1936-1974
ABWN-6095-W5021-259-7/933-1	Auckland Land District - Kaimanawa IE 2B - Mere Pahemata, Tu Pahemata, Perepe Tua Pahemata	1945-1958
ABWN-6095-W5021-308-10/95/18-1	Wellington Land District - Proposed Provisional State Forest Blocks in Ruapehu, Kaimanawa, Karioi, Moawhango, Murimotu, Rangiwaea and Rangipo Waiu Survey Districts (too many details of blocks - won't fit)	1925-1986
ABWN-6095-W5021-308-10/95/18-1	Wellington Land District - Proposed Provisional State Forest Blocks in Ruapehu, Kaimanawa, Karioi, Moawhango, Murimotu, Rangiwaea and Rangipo Waiu Survey Districts (too many details of blocks - won't fit)	1925-1986
ABWN-6095-W5021-558-22/707-1	Wellington Land District - Oruamatua Kaimanawa - Block 4	1914-1976
ABWN-6095-W5021-558-22/707-1	Wellington Land District - Oruamatua Kaimanawa - Block 4	1914-1976

Landcorp Farming Limited, Head Office

AAMX-6095-W3529-18-22/1000-1	General - Oruamatua - Kaimanawa 1st Block Oruamatua - Kaimanawa 1st & IV Block	1915-1976

Landcorp Property Ltd, Palmerston North District Office

ABTG-7388-W4590-18-S 219-1	Waiouru Station Limited	1981-1994
ABTG-7388-W4590-28-LO 144-1	Waiouru Station Limited	1965-1988
ABTG-7388-W4590-6-DPF 449-1	Waiouru Station	1940-1955
ABTG-7388-W4590-6-DPF 449-2	Waiouru Station	1956-1972
ABTG-7388-W4590-6-DPF 449-3	Waiouru Station	1973-1987
ABTG-7388-W4590-6-DPF 449-4	Waiouru Station	1987-1989

Legislative Department [record group]

LE-1--1214*-1942/143-	Accounts and Papers - Schedule of Accounts and Papers laid upon the table During Session - Forests Act, 1921-1922, proposal to revoke the permanent State Forest Reservation over part of run number 2, containing 7,820 acres, situated in Kaimanawa and Moawhango Survey Districts, Wellington land district	1942-1942
LE-1--245*-1886/7-	Committees - Owhaoko and Kaimanawa-Oruamatua	1886-1886
LE-1--245*-1886/7-	Committees - Owhaoko and Kaimanawa-Oruamatua	1886-1886
LE-1--251*-1886/140-	Accounts and Papers - Owhaoko and Kaimanawa Blocks, Correspondence	1886-1886

Maori Affairs District Office, Wanganui [record group]

MA-WANG--W2140-36-Wh. 596-1	Oruamatua Kaimanawa [Use copy Micro 2163] - 20 December 1914 to 21 December 1939	1914-1939
MA-WANG--W2140-36-Wh. 596-2	Oruamatua Kaimanawa [Use copy Micro 2163] - 12 February 1947 to 2 April 1954	1947-1954
MA-WANG--W2140-36-Wh. 596A-	Oruamatua Kaimanawa [Use copy Micro 2163] - 4 February 1875 to 6 March 1918	1875-1918

MA-WANG--W2140-38-Wh. 603-	Rangipo Waiu - 14 February 1907 to 15 February 1918	1907-1918
MA-WANG--W2140-38-Wh. 603A-	Rangipo Waiu - 2 July 1942 to 1March 1955	1942-1955
MA-WANG--W2140-38-Wh. 603B-1	Rangipo Waiu - 28 May 1881 to 26 February 1907	1881-1907
MA-WANG--W2140-38-Wh. 603B-2	Rangipo Waiu - 19 May 1909 to 13 June 1945	1909-1945
MA-WANG--W2140-57-Wh. 838-	Section 9 Block V Town and Section 9 of Block 3 Suburban[?] Waiouru Township [Use copy Micro 2171] - 7 March 1952 to 29 August 1952	1952-1952

Maori Land Court, Aotea (Wanganui District) [record group]

MLC-WG--W1645-111-3/701-	Rangipo Waiu, B - 9 May 1910 - 28 February 1925	1910-1925
MLC-WG--W1645-11-3/1911/130-	Rangipo Waiu, B2 - 26 April 1911 - 14 December 1915	1911-1915
MLC-WG--W1645-119-3/1323-	Oruamatua Kaimanawa, 2E - 2 June 1908 - 28 August 1906	1906-1908
MLC-WG--W1645-119-3/1325-	Oruamatua Kaimanawa, 2G - 29 September 1897 - 13 July 1906	1897-1906
MLC-WG--W1645-119-3/1326-	Oruamatua Kaimanawa, 2K - 27 September 1897 - 1 August 1906	1897-1906
MLC-WG--W1645-119-3/1327-	Oruamatua Kaimanawa, 2O - 29 September 1897 - 13 July 1906	1897-1906
MLC-WG--W1645-119-3/1328-	Oruamatua Kaimanawa, 2Q1 - 27 June 1899 - 4 June 1906	1899-1930
MLC-WG--W1645-121-3/1470-	Oruamatua Kaimanawa, 1T - 30 September 1897 - 11 February 1915	1897-1915
MLC-WG--W1645-131-3/2046_-	Rangipo Waiu, B5, Pt - 30 June 1921 - 27 August 1926	1921-1926
MLC-WG--W1645-13-3/1911/212-	Oruamatua-Kaimanawa, 2P - 15 August - 7 November	1911-1911
MLC-WG--W1645-137-3/2538_-	Rangipo Waiu, B5A - 15 September 1927 - 26 May 1928	1927-1928
MLC-WG--W1645-14-3/1911/264-	Rangipo Waiu, 1A1 - 14 November - 17 November	1911-1911
MLC-WG--W1645-144-3/3144_-	Rangipo Waiu, B7E - 7 August 1912 - 6 June 1929	1912-1929
MLC-WG--W1645-144-3/3145_-	Rangipo Waiu, B6, C2 - 6 March 1917 - 19 August 1930	1917-1930
MLC-WG--W1645-145-473781-	Rangipo Waiu, B7D - 7 January 1929 - 2 May 1929	1929-1929
MLC-WG--W1645-15-3/1912/4-	Oruamatua-Kaimanawa, 1H - 29 November 1911 - 12 April 1912	1911-1912
MLC-WG--W1645-16-3/1912/66-	Oruamatua-Kaimanawa, 2N - 21 August 1906 - 17 April 1912	1906-1912
MLC-WG--W1645-17-3/1912/80-	Rangipo Waiu, B 6A - 28 February 1912 - 2 may 1923	1912-1923
MLC-WG--W1645-183-1128661-	Oruamatua Kaimanawa, 3B - 20 April 1920 - 16 November 1937	1920-1937
MLC-WG--W1645-183-1131948-	Oruamatua Kaimanawa, 3F - 10 May 1935 - 8 September 1954	1935-1954
MLC-WG--W1645-19-3/1912/212-	Rangipo Waiu, 1B - 13 July 1912 - 15 August 1960	1912-1960
MLC-WG--W1645-19-3/1912/213-	Rangipo Waiu, 2B - 5 February - 21 July 1913	1913-1913
MLC-WG--W1645-210-1446056-	Oruamatua Kaimanawa, 2C 2 etc - 19 July 1937 - 16 February 1954	1937-1954
MLC-WG--W1645-218-1565491-	Rangipo Waiu, B6C, Number 1 - 10 September 1943 - 27 May 1949	1943-1949
MLC-WG--W1645-223-1631234-	Rangipo Waiu, B4 - 5 February 1947 - 23 October 1951	1947-1951
MLC-WG--W1645-225-1668124-	Rangipo Waiu, B2 B3 B4 - 6 July 1948 - 17 February 1950	1948-1950
MLC-WG--W1645-226-1694787-	Oruamatua-Kaimanawa, 3E - 20 May 1920 - 18 October 1950	1920-1950

MLC-WG--W1645-230-1748843-	Rangipo Waiu, B2, etc - 17 December 1951 - 13 February 1952	1951-1952
MLC-WG--W1645-276-454454-	Rangipo, Waiu, B 7 E - 30 October 1929 - 15 October 1937	1929-1937
MLC-WG--W1645-276-454819-	Rangipo, Waiu, B6 C2 - 11 July 1929 - 15 February 1937	1929-1937
MLC-WG--W1645-288-1446087-	Oruamatua Kaimanawa, 2C2 etc	1935-1947
MLC-WG--W1645-290-1565522-	Rangipo Waiu, B6C1	1949-
MLC-WG--W1645-32-3/1914/260-	Oruamatua-Kaimanawa, 1G - 24 July 1906 - 22 March 1915	1906-1915
MLC-WG--W1645-42-3/1916/103-	Oruamatua-Kaimanawa, 1P - 12 June - 9 August	1916-1916
MLC-WG--W1645-42-3/1916/106-	Oruamatua-Kaimanawa, 2J - 11 June 1906 - 9 November 1917	1906-1917
MLC-WG--W1645-42-3/1916/86-	Oruamatua Kaimanawa - 15 April 1915 - 4 September 1916	1915-1916
MLC-WG--W1645-45-3/1916/311-	Rangipo Waiu, B 7C - 15 August 1910 - 20 February 1917	1910-1917
MLC-WG--W1645-47-3/1917/122-	Oruamatua-Kaimanawa - 4 December 1916 - 5 May 1922	1916-1922
MLC-WG--W1645-8-3/1910/250-	Oruamatua-Kaimanawa, 1L - 29 June 1906 - 9 February 1911	1906-1911

Maori Trust Office [record group]

MA-MT-12--121--	Sketch of Lower Taupo, Kaimanawa, and Rangitikei, showing route of the Whanganui Company's exploring party etc, G F Swainson, surveyor, 1 January 1870	1870-1870
MA-MT-1--74-1894/1706-	Native Reserves - Regarding monies paid to Te Rua Te Kau, a minor, for shares in the sale of the Rangipo Waiu Block	1894-1894
MA-MT-1--80-1901/1464-	Native Reserves - Regarding monies paid to Toia Ngarangi for rent for Rangipo Waiu Block	1901-1901

Ministry of Defence Headquarters

AALJ-7291-W3508-16-203/192/1-2	Buildings: Waiouru - Land	1961-1971
AALJ-7291-W3508-16-203/192/13-1	Buildings: Waiouru - Land: Army Requirement to Additional Land, Oruamatua, Kaimana Blocks; Negotiations Mr N Koreneff and Others	1970-1972
AALJ-7291-W3508-16-203/192/14-2	Buildings: Waiouru - Land: Army Requirement to Additional Land, Oruamatua, Kaimana Blocks; Negotiations Mr N Koreneff and Others	1972-1972
AALJ-7291-W3508-16-203/192/15-3	Buildings: Waiouru - Land: Army Requirement to Additional Land, Oruamatua, Kaimana Blocks; Negotiations Mr N Koreneff and Others	1972-1973
AALJ-7291-W3508-17-203/192/16-4	Buildings: Waiouru - Land: Army Requirement to Additional Land, Oruamatua, Kaimana Blocks; Negotiations Mr N Koreneff and Others	1973-1977
AALJ-7291-W3508-17-203/192/17-5	Buildings: Waiouru - Land: Army Requirement to Additional Land, Oruamatua, Kaimana Blocks; Negotiations Mr N Koreneff and Others	1974-1978
AALJ-7291-W3508-35-204/232/1-1	Rifle Ranges: Waiouru Camp Land, Lease To - C A Gillett	1940-1954
AALJ-7291-W3508-35-204/232/2-2	Rifle Ranges: Waiouru Camp Land, Lease To - W R Harding 3017 Acres	1956-1975
AALJ-7291-W3508-35-204/232/6-1	Rifle Ranges: Waiouru Camp Land, Lease To - E A Peters	1944-1969
AALJ-7291-W3508-36-204/232/11-1	Rifle Ranges: Waiouru Camp Land, Lease To - W R Harding: Ngamatea Swamp Area	1964-1976
AALJ-7291-W3508-36-204/232/8-1	Rifle Ranges: Waiouru Camp Land, Lease To - Waiouru Royal New Zealand Electrical and Mechanical Engineers Testing Range	1954-1955

Ministry of Justice, Head Office

ABVP-500-W4927-8-J 7-3-23-	Land and Buildings - Hautu Prison - Suggested exchange of Hautu and Rangipo Reserve for 28,000 acres of Maori Land taken over by Ministry of Works adjoining Waiouru Military Camp	1950-1950

Ministry of Works and Development Residual Management Unit, Head Office

AATE-889-W3321-113-74/5/4/7-	Reserves: Waiouru Experimental Area: Headwaters Moawhango and Rangitikei Rivers	1977-1978
AATE-889-W3321-113-74/5/4/7-1	Reserves: Waiouru Experimental Area: Headwaters Moawhango and Rangitikei Rivers	1946-1973
AATE-889-W3321-114-74/5/4/7-2	Reserves: Waiouru Experimental Area: Headwaters Moawhango and Rangitikei Rivers	1973-1974
AATE-889-W3321-114-74/5/4/7-3	Reserves: Waiouru Experimental Area: Headwaters Moawhango and Rangitikei Rivers	1974-1975
AATE-889-W3321-114-74/5/4/7-4	Reserves: Waiouru Experimental Area: Headwaters Moawhango and Rangitikei Rivers	1975-1976

Ministry of Works and Development Residual Management Unit, Wanganui District Office

AATC-5114-W3457-220-15/22-	Waiouru Military Camp Gravel Pit	1958-1958
AATC-5114-W3457-354-44/270-	Rangipo - Waiu	1926-1926
AATC-5114-W3457-380-46/32-	Waiouru	1950-1979
AATC-5114-W3457-400-50/0-	Waiouru Military Camp - Maori Land	1950-1960
AATC-5114-W3457-401-50/1-	Waiouru Military Camp - General	1960-1964
AATC-5114-W3457-401-50/1-	Waiouru Military Camp - General	1964-1977
AATC-5114-W3457-401-50/1-	Waiouru Military Camp - General	1977-1982
AATC-5114-W3457-401-50/1/1-	Waiouru Military Camp - Conferences between PWD [Public Works Department] and Army	1941-1945
AATC-5114-W3457-486-74/24/6-	Eradication of Pinus Contorta (Waiouru)	1947-1985
AATC-5114-W3457-494-74/60/10/1-	Applications by the Crown in Respect of Natural Water - Waiouru Military Camp	1975-1985
AATC--W3413-51-R 15/22-W3413	Waiouru Military Camp - Gravel Pit	1958-1982
AATC--W3414-11-LB23-	Waiouru Military Camp	1959-1959
AATC--W3414-17-LB538-	Waiouru Military Camp	1940-1940
AATC--W3414-17-LB593-	Waiouru Military Camp	1948-1948
AATC--W3414-1-FB16-	Waiouru Military Camp	-

Ministry of Works and Development, Head Office

AADX--W3810-f74-11494-	Waiouru Military Camp	1943-1943

Native Land Purchase Department, Wanganui [record group]

MA-MLP-WG-1--2*2--	Outward files relating to Hawkes Bay and Wairarapa, Kaimanawa, Mangawhero Ngatitara and Native Hostel, New Plymouth	-

Nature Conservation Council

AAZU--W3619-13-52/6/72-	Army Training Area, Waiouru	1972-1972
AAZU--W3619-14-52/6/72-	Acquisition and Designation of Land - Waiouru	1972-1972
AAZU--W3619-36-28716-	Drainage Scheme - Ngamatea Swamp, Waiouru	1978-1979

New Zealand Forest Service [record group]

F-1-W3129-16-1/1/7/3/8-1	Policy and Administration - Possible Land for Kaimanawa Forest Park - Oruamatua, Kaimanawa Blocks Rangitikei River Area	1972-1972

New Zealand Timberlands Ltd, Northern Region, Hawke's Bay

ABDT--W3092-44-90/9-	Kaimanawa Wild Horse Herds	1977-1982

Office of the Clerk of the House of Representatives

ABGX-16127-W5189-183-1993/625-	Planning and Development Committee - Petition of Isabel Park on behalf of the Kaimanawa Wild Horse Preservation Society Inc.	1996-1996

Public Works Department [record group]

W-1--706-23/406/1/1-1	Defence Works and Buildings - Waiouru Military Camp - Compensation claims - Forest Farm Products	1939-1944
W-1--706-23/406/1/1-2	Defence Works and Buildings - Waiouru Military Camp - Compensation claims - Forest Farm Products	-
W-1--706-23/406/1/2-	Defence Works and Buildings - Waiouru Military Camp - Compensation claim - MA Hardings	1941-1950
W-1--706-23/406/1/3-	Defence Works and Buildings - Waiouru Military Camp - Compensation claim - Mrs C and Miss OD McCawley	1942-1944
W-1--706-23/406/1/4-	Defence Works and Buildings - Waiouru Military Camp - Compensation claim - Mrs AE McCormick	1942-1944
W-1--706-23/406/1/6-	Defence Works and Buildings - Waiouru Military Camp - Compensation claim - EA Peters	1943-1947
W-1--706-23/406/1/7-	Defence Works and Buildings - Waiouru Military Camp - Compensation claim - DE Christie; CSH Marshall	1958-1959
W-1--706-23/406-1	Defence Works and Buildings - Mobilisation Camp, Waiouru	1933-1940
W-1--706-23/406-2	Defence Works and Buildings - Mobilisation Camp, Waiouru	1940-1942
W-1--712-23/406/27/3-	Defence Works and Buildings - Waiouru Military Camp - HMNZS "Irirangi" (ship) - Compensation claim - Mr KC Webster	1943-1945
W-1--713-23/406/27/6-	Defence Works and Buildings - Waiouru Military Camp - Compensation claim - JW Sinclair	1955-1955
W--W2813-f2-AER/DR-	Waiouru Military Camp	1943-1943

R Corporation Ltd., Head Office

AAQB--W3950-104-23/406/1/5-	DEFENCE - Waiouru Military Camp: Leases, Tenancies and Land Dealings Other Than Acquisitions, Either Permanent or Temporary	1941-1946
AAQB--W3950-104-23/406/1/8-	DEFENCE - Waiouru Military Camp: Land Taken for Defence, Ohinewairua Station: Claim: Forest Land Company Limited and Tussock Land Company: Also Maori Lands	1975-1979
AAQB--W3950-104-23/406/1/8-1	DEFENCE - Waiouru Military Camp: Land Taken for Defence, Ohinewairua Station: Claim: Forest Land Company Limited and Tussock Land Company: Also Maori Lands	1960-1975
AAQB--W3950-104-23/406/1-1	DEFENCE - Waiouru Military Camp: Acquisition of Land	1939-1958
AAQB--W3950-104-23/406/1-2	DEFENCE - Waiouru Military Camp: Acquisition of Land	1958-1973
AAQB--W3950-104-23/406-1	DEFENCE - Waiouru Military Camp: General (Development etc)	1945-1980
AAQB--W3950-105-23/406/1/9-	DEFENCE - Waiouru Military Camp: Claim: Koreneff N - Whenua-Rangi Station	1974-1979
AAQB--W3950-105-23/406/1/9-1	DEFENCE - [Waiouru Military Camp: Claim: Koreneff N - Whenua-Rangi Station]	1971-1972
AAQB--W3950-105-23/406/1/9-2	DEFENCE - [Waiouru Military Camp: Claim: Koreneff N - Whenua-Rangi Station]	1972-1976
AAQB--W3950-105-23/406/1/9-3	DEFENCE - [Waiouru Military Camp: Claim: Koreneff N - Whenua-Rangi Station] Minutes	1972-1976
AAQB--W3950-105-23/406/1/9-4	DEFENCE - [Waiouru Military Camp: Claim: Koreneff N - Whenua-Rangi Station] Minutes	1975-1977
AAQB--W4073-69-23/406-	Defence - Waiouru Military Camp	1980-1986
AAQB--W4073-69-23/406/1-	Waiouru Military Camp - Land	1973-1984

AAQB--W4073-70-23/406/1/10-	Waiouru Military Camp - Claim - Jurie Moana Morton, Awahina Katarina Time Te Heu Heu, Kurihawa, Maniapoto	1978-1985
AAQB--W4073-70-23/406/12/17-	Waiouru Headquarters - Defence Camp	1943-1984
AAQB--W4073-70-23/406/12/17-	Waiouru Headquarters - Defence Camp	1943-1984
AAQB--W4073-70-23/406/12/17-	Waiouru Headquarters - Defence Camp	1943-1984

Royal New Zealand Air Force Museum

CAMU-3146-CH269-7f--	Waiouru military camp	1943-1943

Works Consultancy Services Ltd, Head Office

ABKK-889-W4357-459-54/851-	Land for Roading - Gravel Pits, Claim: Maori Trustees, Rangipo North and Kaimanawa, Wanganui	1974-1975

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Wai 575 #1.1F — Fourth Amended Statement of Claim by Te Ariki Te Heuheu Tukino VIII Tumu on behalf of Ngā Hapū ō Ngāti Tūwharetoa, dated 26 July 2005 (Wai 1130 #1.2.14).

Wai 903 #1.1.66 — Statement of claim of Ngāti Hikairo ki Tongariro to the Whanganui Inquiry, dated 10 March 2006 (Wai 903 #1.2.41)

Wai 903 #1.1.65 — Statement of Claim for Ngāti Waewae to the Whanganui District Inquiry, dated 3 March 2006.

Wai 903 #1.1.66 — Statement of Claim of Ngāti Hikairo ki Tongariro to the Whanganui inquiry, dated 10 March 2006

Wai 903 #1.1.67 — Statement of Claim of Ngāti Tūwharetoa (Wai 575) to the Whanganui District Inquiry, dated 13 March 2006.

Wai 903 #1.2.41 — Statement of claim of Ngāti Hikairo ki Tongariro to the Whanganui Inquiry, dated 10 March 2006 (Wai 903 #1.1.66)

Wai 903 #A40 — Ballara 'Tribal Landscape Overview, c1800-c1900 Taupō, Rotorua, Kaingaroa, National Park Overlap Sub-District', Crown Forestry Rental Trust, 31 October 2003 (formerly Wai 903, A15)

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Wai 1130 #A58a — R Kirkpatrick, K Belshaw & J Campbell, 'Summary of "Land Based Cultural Resources and Waterways & Environmental Impacts, (Rotorua, Taupo & Kaingaroa) 1840 – 2000"', Crown Forestry Rental Trust, Wellington, 28 July 2006.

Wai 1260 #1.1C — Amended Statement of Claim for Ngāti Waewae to the National Park inquiry, dated 5 August 2005 (Wai 1130 #1.2.015A)

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Ngāti Tūwharetoa, *Te Taumarumarutanga o Ngāti Tuwharetoa. The Shadow of Ngāti Tuwharetoa. A Traditional and Oral History Report*. (Confidential), September 2006 (Wai 1130 #G17)

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WAITANGI TRIBUNAL

CONCERNING: The Treaty of Waitangi Act 1975

AND: Taihape: Rangitīkei ki Rangipō

DIRECTION COMMISSIONING RESEARCH

1. Pursuant to clause 5A of the second schedule of the Treaty of Waitangi Act 1975, the Tribunal commissions Adam Heinz, a member of the Tribunal's research staff, to prepare a research scoping report on the Waiouru Defence Lands for the Taihape: Rangitīkei ki Rangipō district inquiry.

2. The commission will:

   a) identify and clarify the Defence lands research issues raised or implied by statements of claim and submissions of parties to date;

   b) identify and assess the existing research and published literature concerning Defence lands relevant to the issues identified, drawing conclusions on its adequacy for addressing Defence lands issues;

   c) where the assessment reveals research gaps or inadequacy, recommend what further research might be required;

   d) recommend how any further potential research should be organised, including a brief outline of any report(s) and the time required to undertake them;

   e) identify the main sources that are available to address the issues to be covered in any further research.

3. The commission commenced on 1 October 2009. The commission ends on 16 December 2009, at which time a copy of the final report must be submitted for filing in unbound form, together with indexed copies of any supporting documents or transcripts. An electronic copy of the report should also be provided in Word or Adobe Acrobat format, together with any data tables in Excel or Access format and maps in a standard graphics file format. The report and any subsequent evidential material based on it must be filed through the Registrar.

4. At the discretion of the Presiding Officer the commission may be extended if one or more of the following conditions apply:

   a) The terms of the commission are changed so as to increase the scope of work;

   b) More time is required for completing one or more project components owing to unforeseeable circumstances, such as illness or denial of access to primary sources;

   c) The Presiding Officer directs that the services of the commissionee be temporarily reassigned to a higher priority task for the inquiry; or

d) The commissionee is required to prepare for and/or give evidence in another inquiry during the commission period.

5. The report may be received as evidence and the author may be cross-examined on it.

6. The Registrar is to send copies of this direction to:
   Adam Heinz
   Claimant counsel and unrepresented claimants in the Taihape: Rangitīkei ki Rangipō Inquiry
   Chief Historian, Waitangi Tribunal Unit
   Manager – Research/ Report Writing Services, Waitangi Tribunal Unit
   Inquiry Facilitator, Waitangi Tribunal Unit
   Inquiry Supervisor, Waitangi Tribunal Unit
   Solicitor General, Crown Law Office
   Director, Office of Treaty Settlements
   Chief Executive, Crown Forestry Rental Trust
   Chief Executive, Te Puni Kōkiri

Dated at Wellington this 24th day of November 2009

Judge C M Wainwright
Deputy Chairperson
WAITANGI TRIBUNAL

WAITANGI TRIBUNAL

CONCERNING the Treaty of Waitangi Act 1975

AND the Taihape: Rangitīkei ki Rangipō Inquiry

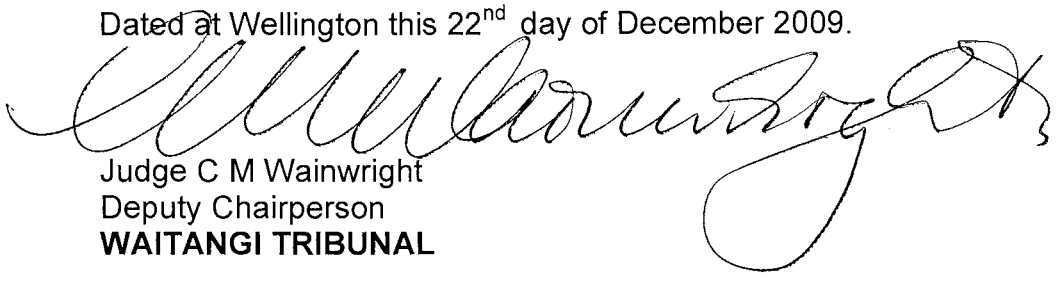
DIRECTION RELEASING COMMISSIONED RESEARCH

1. On 24 November 2009, the Tribunal commissioned Adam Heinz, a member of the Tribunal's research staff, to prepare a research scoping report on Waiouru Defence Lands for the Taihape: Rangitīkei ki Rangipō district inquiry. A report has now been received and the registrar is directed to have it entered on the Wai 2180 Record of Inquiry. The title of the report is:

   Waiouru Defence Lands – research scoping report
   December 2009

2. The Registrar is to send copies of the report and this direction to:
   Adam Heinz
   Claimant counsel and unrepresented claimants in the Taihape: Rangitīkei ki Rangipō Inquiry
   Chief Historian, Waitangi Tribunal Unit
   Manager – Research/Report Writing Services, Waitangi Tribunal Unit
   Inquiry Facilitator, Waitangi Tribunal Unit
   Inquiry Supervisor, Waitangi Tribunal Unit
   Solicitor General, Crown Law Office
   Director, Office of Treaty Settlements
   Chief Executive, Crown Forestry Rental Trust
   Chief Executive, Te Puni Kōkiri

Dated at Wellington this 22nd day of December 2009.



Judge C M Wainwright
Deputy Chairperson
WAITANGI TRIBUNAL