

HWC 358-H08 Wai's 686,349,720,778- 1  
Brownlee R 29<sup>th</sup> July-02<sup>nd</sup>  
August 2002  
Evidence on behalf of claimants, whanau &  
hapu of Ngati Tamatera  
**BEFORE THE WAITANGI TRIBUNAL  
TE ROOPU WHAKAMANA I TE  
TIRITI O WAITANGI**

**Wai 686 #W7  
Wai 349 #A17  
Wai 720 #A7  
Wai 778 #A17**

**IN THE MATTER** of the Treaty of Waitangi Act 1975

**AND**

**IN THE MATTER** of the Hauraki Inquiry District

**AND**

**IN THE MATTER** of a claim by **Te Wiremu Mataia Nicholls, Tamatehura  
Mataia Nicholls, Wharenui Piahana and Te Runanga  
o Ngati Tamatera for and on behalf of themselves  
and all the descendants, whanau and hapu and the  
constituent whanau and hapu of the NGATI  
TAMATERA of the MARUTUAHU TRIBAL  
CONFEDERATION**

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**BRIEF OF EVIDENCE OF RAWINIA RUTH BROWNLEE  
DATED 29 JULY 2002**

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1. My name is **RAWINIA RUTH BROWNLEE**. I live in Paeroa. I whakapapa to a number of the hapu of Marutuahu. I have been involved with all the Resource Consents from Local, Regional and National levels of Government on behalf of Ngati Tamatera.

## **NGATI TAMATERA AND THE ENVIRONMENT**

2. The union of Rangi and Papatuanuku created all things that are below, upon and above the earth.
3. Gold is an inextricable part of our ancestral lands as it forms a part of the body of Papatuanuku. Our ancestors saw the gold as a part of Papatuanuku who had been concealed and whose spirit had then chosen to be seen. Ngati Tamatera have maintained their rights to the land and all natural resources, despite the fact that our rangatiratanga over these rights has to a large extent now been usurped by the Crown.
4. We believe that the Treaty of Waitangi is the founding document of Aotearoa which allowed the British to establish a settlement and gave them a conditional legal sovereignty without subsuming or negating our rights to "Te Tino Rangatiratanga" over those lands.

## **HISTORICAL: NGATI TAMATERA AND GOLD**

5. In 1852, Paora te Putu of the Te Matewaru hapu of Ngati Tamatera, was the principal right holder of the gold field discovered at Kikowhakarere, north of Coromandel. So our iwi have been dealing with the issues relating to gold and the mining of it in Hauraki for over one hundred and fifty years. '
6. In these early days, there was a variety of opinion amongst the chiefs regarding the extraction of gold, but their views hardened into opposition.
7. The Patapata Agreement was signed in Nov 1852. which allowed the Crown to lease some lands to the Crown for goldmining. Our chiefs Paora te Putu, Taraia and Te Moananui refused to lease any of their lands. Paora would not lease Tokatea, and the wider Ngati Tamatera would not lease lands at Moehau or Waikawau.

8. There was a very limited and small scale involvement in the northern Coromandel area, where Riria Karepe and Paora te Putu at first allowed prospecting, but not mining. However, it soon became dear that any advantage to Ngati Tamatera would be minimal, problematic and outweighed by severe problems.
9. In 1858 Paora te Putu was in financial difficulty, and Preece, (the Native land Purchasing Officer) advised McLean, (the Native Minister) not to advance a loan, but instead to use the debt to force the sale of land. So for Ngati Tamatera from here onwards, Crown pressure for access to gold became inextricably linked to its parallel pressure to acquire land.
10. In 1861, Paora's nephew Te Hira and other Te Matewaru, patrolled the Tokatea block boundary to keep miners out. George Grey used threats and strong-arm tactics to force Riria Karepe to allow mining. Although Te Hira was compensated, he was very angry with the situation.
11. James Mackay sought the gold-bearing lands of Ohinemuri, and used a clever system of creating debt against the land, by advancing Crown monies to Ngati Tamatera in order to force the opening up of the Ohinemuri Block. He did this first in regard to lands at Moehau and Waikawau, and gathered signatures on a Deed which tied the debt to the land.
12. By March 1873 advances of nearly £14,000 had been made, and the Waikawau and Moehau lands were insufficient to settle the debt. Most of these lands were awarded to the Crown in 1878. By 1875 there was a debt of £11,000 listed against Ohinemuri itself, and although there was no provision in the Land Acts for taking land in lieu of debt, this is the pressure which was being applied by Mackay.
13. This system led to the breakdown of Ngati Tamatera resistance to sale or lease of the Ohinemuri lands, and they reluctantly allowed a mining lease to the Crown, which signed over 132,000 acres in Feb 1875. The terms of the lease included coal, timber and agricultural leases.
14. The boundaries extended from the southern boundary of McCaskill's grant, the southern boundary of Whangamata No's 3 and 4, to te Papiri thence by the sea coast to Ngakuri-a-Whare, thence to the south to the Tauranga district boundary, thence to the Waitawheta Stream to the Te Aroha block, to

Mangaiti, west to Tikirahi, to Rauwharangi, to Te Karaka, to Omatao, to Te Koutu, to Wharerata, to Te Paeroa, to Te Komata, and to Ku rere. <sup>ii</sup>

15. From this time onwards there has been a continuing battle for Ngati Tamatera peoples in their attempts to preserve their values and practices regarding the Ohinemuri River and the goldfields.
16. Te Ruunanga a Iwi o Ngati Tamatera have remained opposed to all gold and other mining-related activities in Hauraki and Coromandel on spiritual, historical and cultural grounds.

### **WATER AND THE RIVER**

17. The waters of Ohinemuri and the Waihou are of deep spiritual significance to the Ngati Tamatera people. There are two accounts on how the name Ohinemuri came into being within our history, both versions are accepted by kaumatua and both are valid. The first reflects the story of Te Waitangi O Hinemuri, translated as "the weeping waters of Hinemuri, the youngest daughter" and the second account tells of Ohinemuri translated as "the daughter who was forsaken".
18. Historically, the mining companies have since the last century polluted the waters of the rivers and streams through the discharge of toxic waste, particularly the mine tailings when many thousands of tons of battery residue were dumped into the Ohinemuri River. The lower reaches became unable to be navigated, most of the fish were killed, and major flooding occurred in 1898, 1907, and 1910. <sup>iii</sup>
19. In 1985 a Ngati Tamatera hui, attended by 450 people condemned the pollution from the mining.

### **PUBLIC WORKS ACTS**

20. There has been an irreversible impact on the lifestyle, health and food gathering patterns of local Maori living in their communities near the river-sides. The Public Works Acts and "development" on the rivers cleared the rivers for traffic, and eel weirs were removed. Cultivations were affected by

flooding and silting, and the river delta areas lost mahinga kai; for fishing and birding. <sup>iv</sup>

21. The river used to be dredged to remove the silt from the mine tailings, and this was used to build up the stopbanks to prevent flooding. The people who were affected the most and who lived along the river banks were Ngati Tamatera, and Ngati Tawhaki and Tara Tokanui.

### **TRADITIONAL VALUES FOR WATERWAYS AROUND THE WAIHI AREA**

22. Pukewa: A number of waterways around this area were reserved for use for specific different purposes. Wiremu Mataia Nicholls spoke in the Environment Court in 1998 defining these, and the right of Ngati Tamatera to speak as kaitiaki in this area. The Waitete Stream, Mangatoetoe stream, and the Ruahorehore were all use for quite different purposes. These uses were quite separate from the streams used for a permanent food source.

*"There were so many waahi tapu areas in the gold-mining places at Waihi., that during a visit we had to karakia day and night."*

23. Matekino Tukukino Royal spoke of the dead having been buried there following the fighting at Ngaiterangi. The mining had destroyed the use of the area for traditional medicines. <sup>v</sup>

### **THE 20<sup>TH</sup> CENTURY**

24. In the early 20<sup>th</sup> century the Government was alerted to the negative impact which mining was having in the Waihou/Ohinemuri area. The main problem was the creation of "sludge channels" in 1895 under mining legislation that allowed mine tailings of debris and cyanide to be dumped into the rivers.
25. Many thousands of tons of battery residue were dumped into the Ohinemuri river. The build up of sludge was so extreme that this contributed to the floods in 1898. 1907, and 1910, the lower reaches were unable to be navigated, and most of the fish were killed.

26. The water supply for the Paeroa Maori community was polluted Tareranui and 38 others petitioned the Crown in 1906 and complained that the river had become

*"contaminated and so polluted as to be unfit for use by man or beast."*

This petition noted that silting had led to:

*"cultivation grounds being easier flooded than formerly was the case, and places not previously submerged within the memory of our old people are now reached by the flood waters."*

The floods left a damaging silt cover such that:

*"A very slight covering of water will destroy growing potatoes, and many of your petitioners have lost the whole of their crops by such floods."*

Furthermore

*"the deposit of cyanide sludge has killed all our eels in the river. This appears to be a breach of the Treaty of Waitangi as our fisheries were by it specially reserved for our use and enjoyment."*

27. Before the 1910 Waihou and Ohinemuri River Silting Commission, Ngati Tamatera chief Tareranui said 500 acres of land had been destroyed. Also Maori had not been consulted re sludge channel designation.
28. The Commission recommended that Maori land along the riverbanks be purchased or treated the same as European land and subject to taxes and upkeep of public works. The Commission also recommended on stopbanks and compensation for flood damage, some of which was eventually paid. This action allowed the land to be taken for Public works, however.
29. Tareranui complained later that the compensation was inadequate and that homes kept being flooded.
30. Henrietta Te Moananui in her evidence before the Environment Court in 1998 referred to the Karangahake mine, and the cyanide poisoning of the Ohinemuri River. All the normal river kai died; eels, toitoi and whitebait.

*"We saw them floating dead on the river."*

31. During this period, the method of preserving corn by making kangawai, by setting it in running water, had to be stopped because of the risk of poisoning. Watercress had formerly been plentiful.

Our people have become nomads as a result of having to shift from their lands near the rivers.

#### **THE RESOURCE MANAGEMENT ACT: THE DOC ESTATE**

32. We get consulted by DOC about tourist and historical issues. In the main we have been able to negotiate a good working relationship with DOC over the past seven years. One recent failure however concerned the Whitianga Waterways, when the Minister of Conservation took a uni-lateral decision to allow the Whitianga Waterways to proceed despite our objections. We looked for support from the Minister, and from all our Maori MP's but they did not give it. It is a weakness of the current Hauraki Gulf Marine Park legislation that the Minister has the power to over-rule any objections made by organisations like our Runanga.
33. We objected to whale and dolphin watching proposals. This is because of the special relationship we have with these species. Why should we allow people to disturb the patterns of these creatures by going amongst them in boats, which to us is a breach of spiritual tikanga. Despite this, DOC and the District Councils, as the Consent Authorities, have given out licences to tourism initiatives, which take into account only commercial and recreational considerations.
34. The Resource Management Act does not work well to protect our intrinsic values, as it only shall recognise and provide for...The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. The Act merely "has regard to" significant issues concerning Maori, and "shall take into account the principles of the Treaty of Waitangi." This language is not sufficiently strong to ensure that our kaitiakitanga is recognised and implemented.
35. Regulations and monitoring of our waterways under the Resource Management Act are inadequately provided for at present. Fines for any

breaches of consent are not sufficiently serious to act as a deterrent. We are not always notified about monitoring for breaches of any conditions that we request.

## **NGATI TAMATERA AND CURRENT MINING ACTIVITIES**

36. Mining activities affecting the Ohinemuri River have ceased with the closure of Coeur Gold enterprise at Waikino, which had threatened a major environmental disaster, and which was closed only through local Maori and public pressure.
37. Gold mining at Waihi recommenced in the 1980's and continues with prospects of further mining for another twenty years. Current legislation of the Resource Mining Act allows for tangata whenua to have input into the granting of a "Mining Consent". Future application will be opposed by Te Ruunanga a Iwi o Ngati Tamatera, as a matter of policy, but our submissions appear to have little effect on decisions.
38. For example: After taking the matter to the appeal Court we were able to negotiate a Memorandum of Understanding with Waihi Gold Mines Limited. However this is a far cry from accommodating our opposition to all mining.
39. Mining is now administered by the Ministry of Economic Development which can grant a mining permit for exploration. This Government agency gives Te Ruunanga a Iwi o Ngati Tamatera only token acknowledgement, which they define as having regard to "the principles of the Treaty of Waitangi". They write to us with guidelines for submissions that restrict our response to the parameters of their definitions and perception. Thus our tikanga basis for submissions is ignored as irrelevant.
40. For example: in November 2001 a letter was received by the Ruunanga from Robert Smillie at the Ministry in which he stated
41. *"Under the Crown Minerals Act 1991. tangata whenua may request protection of certain areas of land which are of importance to them and covered by this application. For example, part of the application area may be important to the mana of the tangata whenua because it is a known waahi tapu site or that it has some other traditional significance."*



42. However, the reality for us is that this is merely "lip-service" and following a procedure, rather than having any substance, because the issues we raise are usually ignored.
43. Te Ruunanga A iwi O Ngati Tamatera have remained opposed to all mining related activities, including gold and coal metallic and non-metallic minerals, in Hauraki and the Coromandel, on spiritual, historical and cultural grounds.
44. A number of submissions were made by Ngati Tamatera to the Ministry of Commerce with regard to the Crown Minerals Act 1991. These were in regard to the Draft Minerals program for Metallic and non-Metallic Minerals, Industrial Rocks and Building Stones, the Draft Minerals program for coal. One Ngati Tamatera submission stated
45. *"The Draft Mineral Programme and the Crown Minerals Act 1991 are just another attempt by the Government to substantiate their claim of retaining the possession of stolen goods, and therefore erode the mana and wairua or the Pare Hauraki claims before the Waitangi Tribunal."*
46. I would like the mana of our tino rangatiratanga restored to our people.

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**RAWINIA RUTH BROWNLEE**

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**DATE:**

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<sup>i</sup> Anderson, Robyn. 686. A8. Vol 1 The Crown, the Treaty and the Hauraki Tribes. 1800-1885. pp 77-87. 100. 218-226.

<sup>ii</sup> The Ohinemuri Gold Field Act Agricultural Leases Validation Act. 1876

<sup>iii</sup> Ecology of the Ohinemuri River: Historical changes and Current Status. NIWA. July 2001 WAI 686/714

<sup>iv</sup> Anderson, ibid. Vol 2. pp 109-118

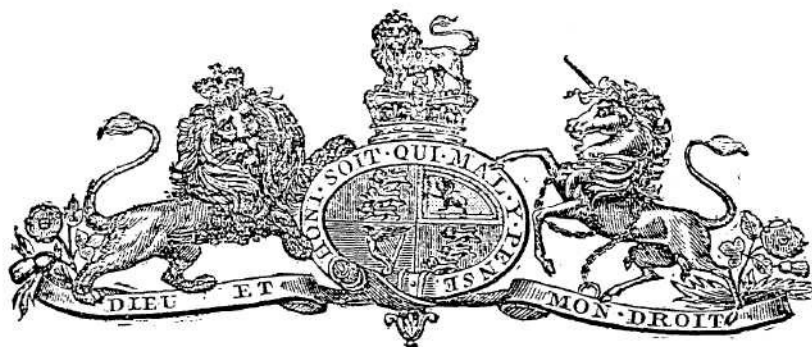
Kaumatua and kuia evidence. Supplementary paper. <sup>x</sup>

Kaumatua and Kuia evidence. Supplementary Paper.



NEW ZEALAND.

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QUADRAGESIMO

VICTORIÆ REGINÆ.

No. LXXXIV.

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## ANALYSIS.

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| <p>Title.<br/>Preamble.<br/>1. Short Title.<br/>2. Part V., and sections 33 to 39 inclusive, of "The Gold Fields Act, 1866," to be deemed to have been in operation in the Province of Auckland from the 14th day of July, 1875.<br/>3. Regulations and amendments made by the Superintendent of the Province of Auckland validated.<br/>4. Acts done and rights acquired under the said regulations and amendments validated.</p> | <p>5. Leases granted by the Superintendent of the Province of Auckland validated, and terms granted thereunder to be deemed to have been held subject to the payment of the rent reserved by and the covenants &amp;c. contained and implied in the leases granting the same.<br/>6. Part V. of "Gold Fields Act, 1866," to be part of this Act and of "Gold Mining Districts Act, 1873."<br/>7. Term of lease may be extended.<br/>8. No pre-emptive right or title to compensation. Schedule.</p> |
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AN ACT to validate certain Agricultural Leases of Title.  
Lands within a certain District known as the  
Ohinemuri Gold Field, granted by the Super-  
intendent of the Province of Auckland.

[31st October, 1876.]

WHEREAS by "The Gold Fields Act, 1866," it is provided that, in Preamble.  
the construction and for the purposes of the said Act, the  
words "Crown lands" shall be construed to mean and include not only  
the demesne lands of the Crown in New Zealand, but also all other  
land whatever over which the Governor shall, by lease agreement or  
otherwise, have obtained power to authorize gold mining thereon :  
And whereas by the third section of the said Act it is provided that it  
shall be lawful for the Governor from time to time, by Proclamation,  
to constitute any portion of the colony to be a gold field under the  
provisions of the said Act, and it is by the said third section provided  
that whenever any district shall have been proclaimed a "gold field"  
the same shall be subject to the provisions of the said Act, but  
private lands shall be exempt from the operations of the said Act,  
except where special provision to the contrary is made therein : And  
whereas by the one hundred and ninth section of the said Act it is  
enacted that it shall be lawful for the Governor in Council, under his  
hand and the Public Seal of the Colony, from time to time to delegate

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to the Superintendent of any province, or to such other person as the Governor may deem fit, all or any of the powers vested in the Governor or the Governor in Council by the said Act, except the powers conferred by sections twenty-two, forty, forty-eight, sixty, ninety-six, and one hundred and seven thereof, subject or not to any limitations or restrictions as he may think fit, and in like manner to alter or revoke any such powers: And whereas on or about the eighteenth day of February, one thousand eight hundred and seventy-five, by an agreement or instrument in writing purporting to be made between His Excellency the Most Honorable George Augustus Constantine, Marquis of Normanby and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom, and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland, a Member of Her Majesty's Most Honorable Privy Council, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, of the one part, and the chiefs and people of the tribe Ngatitamatera, therein named and described, of the other part, it was witnessed that the said parties to the said agreement or instrument of the second or other part, and each of them, did thereby demise lease grant and assure unto the said Governor, for gold mining purposes within the meaning of the said Act and the various amendments thereto, or any Act for the regulation of gold mining for the time being in force within the Province of Auckland or the Colony of New Zealand, the block of land described in the First Schedule hereto, to have and to hold the said land and premises thereby demised leased granted or expressed so to be, unto the said Governor, his successors and assigns, for such term as the said Governor, his successors and assigns, shall require to use the same for gold or other mining purposes, subject to the conditions mentioned and set forth in the said agreement or instrument: And whereas on the third day of March, one thousand eight hundred and seventy-five, by Proclamation published in the Auckland Provincial Government *Gazette*, the said block of land described in the said First Schedule hereto was constituted and appointed to be a gold field under the provisions of the said Act: And whereas on the thirteenth day of April, one thousand eight hundred and seventy-five, the Governor in Council, by an instrument under his hand and the Public Seal of the Colony, in exercise of the power vested in him in that behalf by the said Act, did delegate unto Sir George Grey, Knight Commander of the Most Honorable Order of the Bath, as Superintendent of the Province of Auckland, all the powers vested in him under or by virtue of the said Act, with certain exceptions limitations and restrictions therein specified, to have hold and exercise the said powers within the Province of Auckland so long as he should continue and remain Superintendent of the Province of Auckland and no longer: And whereas by the thirty-ninth section of the said Act it is provided that it shall be lawful for the Governor from time to time to make regulations prescribing the mode in which applications may be made for leases of land for agricultural purposes, the quantity of land not exceeding fifty acres which shall and may be granted in a lease in any particular block, the amount of deposit to be paid by any applicant and by any objector thereto, the terms and conditions upon which such leases may be held occupied assigned transferred forfeited and cancelled, the amount of rent payable therefor, and the times and places of payment, the conditions upon and the manner in which entry to search for gold or for any metal or mineral upon any land so leased may be

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authorized, and the terms and conditions upon which holders of miners' rights may be permitted to mine upon land the lease for which shall have been determined on account of its auriferous character, and such regulations from time to time to amend alter and revoke: And by the fortieth section of the said Act it is provided that, notwithstanding anything in the said Act before contained or expressed, the Fifth Part of the said Act, including sections thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, and thirty-nine, and in section fifty-two, and relating to agricultural leases, shall have no force or effect upon any gold field until after the Governor shall, by Proclamation in the *New Zealand Gazette*, have proclaimed and extended the operation of the said Part and sections to the province wherein such gold field shall be situate; and such Proclamation shall only be made upon the application of the Superintendent and Provincial Council of a province, and the said Part and sections of the said Act shall thereafter be of force and effect within such province only: And whereas the Provincial Council of the Province of Auckland met in session on the tenth day of May, one thousand eight hundred and seventy-five, and continued sitting therein until the twenty-eighth day of May, one thousand eight hundred and seventy-five, when the same was prorogued by the Superintendent of the Province of Auckland: And whereas the said Superintendent and Provincial Council did not make application to the Governor to proclaim and extend the Fifth Part of the said "Gold Fields Act, 1866," including sections thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, and thirty-nine, to the said Province of Auckland; and it became inconvenient and impracticable for the said Provincial Council to meet in session thereafter within a reasonable time: And whereas during and after the time of the said sitting of the said Provincial Council as aforesaid, divers persons, professing to intend engaging in agricultural pursuits within the said gold field, made application to the said Superintendent, as such delegate as aforesaid, for leases for agricultural purposes of land within the said gold field, and the said Superintendent, in order to encourage and facilitate such pursuits, on the fifteenth day of July, one thousand eight hundred and seventy-five, by instrument in writing under his hand, did make or purport to make "Regulations for the Granting of Agricultural Leases within the Ohinemuri Gold Field," which said regulations were published in the Auckland Provincial Government *Gazette* on the nineteenth day of July, one thousand eight hundred and seventy-five, and on the twenty-eighth day of July, one thousand eight hundred and seventy-five, by instrument in writing under his hand, did make "Amendments in the said Regulations for the Granting of Agricultural Leases within the Ohinemuri Gold Field," which said amendments were published in the Auckland Provincial Government *Gazette* on the thirtieth day of July, one thousand eight hundred and seventy-five: And whereas divers acts deeds matters and things have been done, and rights titles and interests acquired, and leases granted, under and in pursuance of the said regulations and amendments, and it is expedient to validate the same:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act shall be "The Ohinemuri Gold Field Agricultural Leases Validation Act, 1876." Short Title.

2. Notwithstanding anything in the said Act contained or expressed, the operation of the said Fifth Part of the said Act, including sections thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, Part V., and sections 33 to 39 inclusive, of "The Gold Fields Act, 1866," to be



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deemed to have been in operation in the Province of Auckland from the 14th day of July, 1875.

Regulations and amendments made by the Superintendent of the Province of Auckland validated.

Acts done and rights required under the said regulations and amendments validated.

Leases granted by the Superintendent of the Province of Auckland validated, and terms granted thereunder to be deemed to have been held subject to the payment of the rent reserved by and the covenants &c. contained and implied in the leases granting the same.

Part V. of "Gold Fields Act, 1866," to be part of this Act and of "Gold Mining Districts Act, 1873."

thirty-eight, and thirty-nine, shall be deemed held for all intents and purposes whatever to have been proclaimed and extended to the Province of Auckland on as and from the fourteenth day of July, one thousand eight hundred and seventy-five, as fully and effectually as if the Governor had, on the said fourteenth day of July, one thousand eight hundred and seventy-five, in pursuance of an application of the Superintendent and Provincial Council of the Province of Auckland, by Proclamation in the *New Zealand Gazette*, proclaimed and extended the operation of the said Part and sections of the said "Gold Fields Act, 1866," to the said Province of Auckland.

3. The said regulations and amendments hereinbefore recited or referred to are hereby respectively declared to have been in as full force and effect from and after the time of the publication thereof in the said Auckland Provincial Government *Gazette* as if the same had respectively been duly made and published after the Governor had, by Proclamation in the *New Zealand Gazette* duly and lawfully proclaimed and extended the operation of the said Fifth Part of the said Act, and sections thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, and thirty-nine thereof, to the said Province of Auckland, notwithstanding that no such Proclamation has been made, and that there had been no application by the Superintendent and Provincial Council of the said Province of Auckland that such Proclamation should be made.

4. Every act deed matter and thing done or purporting to have been done, and every right title or interest acquired or purporting to have been acquired, under or in pursuance of the said regulations and amendments, shall be deemed to be and to have been as valid and effectual to all intents and purposes as the same would have been had the said regulations and amendments respectively at the time of the doing of such act deed matter or thing, or the acquirement of such right title or interest, been duly and lawfully made and published after the Governor having received such application by the Superintendent and Provincial Council as aforesaid, and by Proclamation in the *New Zealand Gazette* proclaimed and extended the operation of the said Part and sections of the said Act to the said Province of Auckland.

5. Every lease of land within the said gold field heretofore granted or purporting to have been granted by the said Superintendent under or by virtue of the said Part and sections of the said Act, and the said regulations and amendments, shall be deemed to have been from the execution thereof as valid and effectual to all intents and purposes as the same would have been had the Governor previously, by Proclamation in the *New Zealand Gazette*, duly and lawfully proclaimed and extended the operation of the said Part and sections of the said Act to the said Province of Auckland, and had the said regulations and amendments, after such Proclamation and before the granting of such lease, been duly and lawfully made and published; and the term granted by any such lease shall be deemed to be and to have been held from the time of the granting of the same, subject to the payment of the rents and the observance and performance of the covenants provisoes conditions and agreements reserved contained and implied in and by the lease granting the same and the regulations aforesaid, and which on the part of the lessee ought to be paid observed and performed.

6. And whereas under "The Gold Mining Districts Act, 1873," there is no provision made for the granting of agricultural leases, it is hereby enacted that this Act shall be deemed to have been and shall be and shall continue in force as a part of the said "Gold Mining Districts Act, 1873," and shall be held to have been in opera-

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tion and force from the day when the said "Gold Mining Districts Act, 1873," came into force in all gold mining districts in the Province of Auckland; and that Part V. of "The Gold Fields Act, 1866," including sections thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, and thirty-nine, shall be deemed to be part of the said "Gold Mining Districts Act, 1873," and all regulations made thereunder shall be deemed to be regulations made under this Act and under "The Gold Mining Districts Act, 1873," as if it and they were included in that Act so far as the Province of Auckland is concerned: Provided always that the words "gold field" in the said Part V. of the said "Gold Fields Act, 1866," and the so recited sections shall mean and be read gold mining district; and that all things done or applications made heretofore in relation to agricultural leases in the Ohinemuri Gold Mining District shall be taken to have been done under this Act and "The Gold Mining Districts Act, 1873," amended as aforesaid.

7. The term for which agricultural leases may be granted under this Act may be in all cases twenty-one years, notwithstanding the words "seven years" in the said clause thirty-five.

Term of lease may be extended.

8. No person who shall become lessee of any lands under this Act shall have any right or title to purchase the lands so held, nor shall he have any claim to compensation at the expiry of his lease for any improvements effected by him or his heirs executors administrators or assigns on the said lands during the term of the lease of the said land.

No pre-emptive right or title to compensation.

SCHEDULE.

Schedule.

ALL that block of land in the District of Hauraki, in the Province of Auckland, and the Colony of New Zealand, known as "The Ohinemuri Block." Bounded towards the North from Kurere by lines known as "Tole's line," forming the southern boundary of part of the Hikutaia Number Three Block, the southern boundary of part of the land granted to Mr. McCaskill, the southern boundary of other part of the Hikutaia Number Three Block, the southern boundary of the Whangamata Number Three Block, and the southern boundary of the Whangamata Number Four Block, to Te Papiri, on the East Coast of the North Island of New Zealand, as the same are more particularly described in the plans lodged in the Inspector of Surveys' Office at Auckland; thence towards the East by the sea coast from Te Papiri to Ngakuri-a-whare; thence towards the South by a line forming the northern boundary of the Tauranga District, eighty-six thousand four hundred and eighty-nine links, to the Waitawheta Stream; thence by that stream to the north-east angle of the Aroha Block; thence by lines forming part of the northern boundary of the Aroha Block, seven thousand one hundred and forty-seven links and twenty-seven thousand five hundred and thirteen links respectively, to Mangaiti; thence towards the West by a line to Tikirahi, twenty thousand two hundred and thirty-one links; thence by a line, ten thousand six hundred and sixty links, to Rauwharangi; thence by a line, fourteen thousand and eighty links, to Te Karaka; thence by a line, seven thousand nine hundred and forty-five links, to Omatao, on the bank of the River Ohinemuri; thence by that river to Te Koutu; thence by a line, six thousand two hundred and sixty-eight links, to Wharerata; thence by a line, three thousand and seven links, to Te Paeroa; thence by a line, twenty-six thousand five hundred and ninety links, to Te Komata; and thence by a line, twenty-two thousand eight hundred and ten links, to Kurere, the point of commencement.

WELLINGTON, NEW ZEALAND:

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# The New Zealand Gazette.

Published by Authority.

SATURDAY, JUNE 28, 1862.

## A PROCLAMATION

*Proclaiming Coromandel a Gold Field.*

By His Excellency Sir GEORGE GREY,  
Knight Commander of the Most  
Honorable Order of the Bath,  
Governor and Commander-in-  
Chief in and over Her Majesty's  
Colony of New Zealand, and its  
Dependencies, and Vice-Admiral  
of the same, &c., &c., &c.

**W**HEREAS by an Act of the General  
Assembly, intituled the "Gold Fields  
Act, 1858," it is enacted that it shall be lawful  
for the Governor from time to time, by Pro-  
clamation, to constitute and appoint any portion  
of the Colony to be a Gold Field under the  
provisions of the said Act:

And whereas an application has been made  
to the Governor for proclaiming the District of  
Coromandel as a Gold Field:

Now therefore, I, Sir George Grey, the  
Governor as aforesaid of the said Colony, do  
hereby, in pursuance of the said power and  
authority, constitute and appoint all that Ter-  
ritory hereinafter described to be a Gold Field  
under the provisions of the said Act, that is to  
say:—All land, being Waste Lands of the  
Crown, situate within that part of the Coromandel  
Peninsula lying to the North of a line  
drawn from the mouth of the Waihou River  
on the West to the mouth of the Whitianga  
River on the East, thence following the  
Whenua kite River to its source, and thence  
by a straight line to the Hoho point.

And I declare that this Proclamation shall  
come into operation and take effect on the

thirtieth day of June, One thousand eight  
hundred and sixty-two.

Given under my hand, at the Govern-  
ment House, at Auckland, and  
issued under the Seal of the  
Colony of New Zealand, this  
twenty-fifth day of June, in  
the year of Our Lord One  
thousand eight hundred and  
sixty-two.

G. GREY.

By His Excellency's command,  
WILLIAM FOX.

GOD SAVE THE QUEEN!

## ORDER IN COUNCIL.

AT GOVERNMENT HOUSE, AT AUCKLAND, ON  
SATURDAY, THE TWENTY-EIGHTH DAY OF  
JUNE, 1862.

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

*Rules and Regulations for the management  
of the Coromandel Gold Fields.*

**P**URSUANT to the authority conferred on  
him in that behalf by the "Gold Fields  
Act, 1858," His Excellency the Governor and  
the Executive Council do make and issue the  
following Regulations.

Miners' Rights on the Coromandel Gold  
Field shall be signed and issued by the Com-  
missioner of Crown Lands, and shall be in the  
form hereunder annexed.

1873-75]

THAMES DISTRICT.

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Made and declared at Shortland in the  
Province of Auckland, Colony of New  
Zealand, the twenty-fifth day of February,  
in the year one thousand eight hundred  
and seventy-three. Before me—

E. W. PUCKEY,  
One of Her Majesty's Justices of the Peace in and for the  
Colony of New Zealand.

HIKUTAIA NO. III.  
continued.

I, WILLIAM HENRY GRACE, of Shortland, in the Province of Auckland, Colony of New Zealand, a duly licensed Native Interpreter, do hereby solemnly and sincerely declare:—

1. That I was present together with Gerald O'Halloran, of Shortland aforesaid, Land Agent, a male adult, and did see Te Koukou Tutere and Henare Whanui, mentioned and described in the within-written Deed, duly sign and execute the same, each by exhibiting his respective mark or cross thereto, they being illiterate persons and unable to write.

2. That the mark or cross "x" set opposite to the name of the said Te Koukou Tutere was made by him the said Te Koukou Tutere, and the mark or cross "x" set opposite to the name of the said Henare Whanui was made by the said Henare Whanui, and that both marks or crosses were made by the said Te Koukou Tutere and Henare Whanui in my presence and in the presence of the said Gerald O'Halloran.

3. That the signatures "W. H. Grace" and "Gerald O'Halloran" subscribed to the said Deed are of the proper handwriting of the said Gerald O'Halloran and of me this declarant.

4. That immediately before the execution of the said Deed by the said Te Koukou Tutere and Henare Whanui I did interpret the same to them into the Maori language, and that my translation was correct and was understood by them. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of "The Native Lands Act, 1867," "The Native Lands Act Amendment Act, 1868," "The Native Lands Act, 1869," "The Native Lands Act Amendment Act, 1870," and "The Justices of the Peace Act, 1866."

W. H. GRACE.

Made and declared at Shortland in the  
Province of Auckland, Colony of New  
Zealand, the twenty-seventh day of February,  
one thousand eight hundred and  
seventy-three. Before me,

E. W. PUCKEY,  
A Justice of the Peace in and for the Colony of New Zealand.

3987D.

Received for Registration at 2 P.M., 21 July, 1874.  
(L.S.)

M. HAMILTON,  
Dep. Registrar.

Registration.

A True Copy of Original Deed, Declarations, and Endorsement.

H. HANSON TUBTON.

Wellington, December 22nd, 1874.

Deeds—No. 391 A.

OHINEMURI BLOCK (GOLD MINING LEASE), THAMES DISTRICT.

THIS DEED made at Ohinemuri this eighteenth day of February one thousand eight hundred and seventy five between His Excellency George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby and Baron Mulgrave of Mulgrave all in the County of York in the Peerage of the United Kingdom and Baron Mulgrave of New Ross in the County of Wexford in the Peerage of Ireland a Member of Her Majesty's most Honorable Privy Council Knight Commander of the most distinguished order of Saint Michael and Saint George, Governor and Commander in Chief in and over Her Majesty's Colony of New Zealand and its Dependencies and Vice Admiral of the same (hereinafter called the said Governor) on the one part and the Chiefs and people of the tribe Ngatitamatera of Hauraki, aboriginal Natives of the Colony of New Zealand (hereinafter called the Grantors) of the other part, Witnesseth that in consideration of the Covenants hereinafter contained and of the sum of Ten shillings paid by James Mackay the younger Government Land Purchase Agent on behalf of the said Governor to the Grantors (the receipt whereof is hereby acknowledged) the Grantors Do and each of them Doth hereby demise lease grant and assure unto the said Governor for Gold Mining purposes within the meaning of the statute intituled "The Gold Fields Act 1866" and the various amendments thereto or any Act for the regulation of Gold Mining for the time being in force within the Province or Colony, All that piece or parcel of land containing by admeasurement one hundred and thirty two thousand one hundred and seventy five acres or thereabouts known or called The Ohinemuri Block as the same is more particularly described in the Schedule hereto and delineated on the plan drawn on the back of this Deed and colored red, Together with all the coal

1875.  
18 February.

THAMES DISTRICT.  
OHINEMURI.  
Gold Mining lease.



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**OHINEMURI**  
continued.

and other metals or minerals and all rights of way all water courses, rights easements and all appurtenances thereunto belonging. To have and To hold the said land and premises hereby demised, leased granted or expressed so to be unto the said Governor his successors and assigns for such term as the said Governor his successors and assigns shall require to use the same for Gold or other mining purposes subject to the conditions following namely :

1. Any person mining for Gold on or otherwise occupying any part of the said Ohinemuri Block shall be the holder of a " Miner's Right " issued for the said block under the Provisions of " The Gold Fields Act 1866 " or any Act for the regulation of Gold Mining for the time being in force within the Province or Colony.

2. Any person mining for any metal or mineral other than Gold within the Ohinemuri Block shall pay a rent or royalty for the same equivalent to that prescribed by the Waste Lands Act for the time being in force within the Province of Auckland or Colony of New Zealand.

3. Any person holding a Miner's Right shall be entitled to cut timber (other than Kauri) within the Ohinemuri Block, provided such timber is used by himself for mining and domestic purposes. Any person cutting timber for sale must be the holder of a Timber License duly authorizing him in that behalf for which he shall pay a fee of Five pounds (£5) for any area not exceeding Twenty acres so occupied by him and all labourers employed by him shall be holders of Miners' Rights.

4. All Kauri timber now standing on the Ohinemuri Block shall be sold in lots by public auction to the highest bidder subject to the right of any holder of a Miner's Right to at any time purchase any trees required for mining purposes for the sum or price of one pound five shillings for each tree.

5. Gold Mining and Agricultural Leases of land situated within the Ohinemuri Block shall be granted on such terms and conditions as shall from time to time be prescribed by regulations to be made in accordance with " The Gold Fields Act " then being in force in the Province or Colony.

6. Lands required for Townships within the Ohinemuri Block shall be reserved and proclaimed. Any person occupying any allotment in such township for business purposes shall pay a Business License fee of Five pounds (£5) annually. Any person occupying any allotment for residence shall pay a fee of one pound (£1) annually.

7. Any person digging for Kauri gum within the Ohinemuri Block or doing any act of occupation not herein specified shall be the holder of a " Miner's Right ".

8. Reserves for Native occupation and residence at Waihi and Mataora shall be set aside and proclaimed and such reserves shall not be subject to the provisions of The Gold Fields Act.

9. All rents royalties monies and fees (other than registration fees) payable to the Receiver of Gold fields Revenue to be appointed for the Ohinemuri block whether the same shall arise or accrue under The Gold Fields Act or in accordance with the terms of this Deed shall be deemed to be the property of the Native owners of the lands comprising the Ohinemuri Block, subject to the repayment to the Colonial Treasury of the sum of Fifteen thousand pounds (£15000) advanced on behalf of the said Governor to the Grantors by James Mackay the younger on and after the repayment to the Colonial Treasury of the said sum of Fifteen thousand pounds (£15000) all such monies arising under this Deed shall be paid to the Native owners of the Ohinemuri block quarterly on the thirty first day of March, thirtieth day of June, thirtieth day of September, and thirty first day of December in each year of the continuance of this Deed. In Witness of the content of the Grantors to all the terms and conditions of this Deed they have hereunto signed their names or made their marks, and in witness of the consent of the said Governor in his part to all the terms and conditions hereof the name of James Mackay the younger, Government Land Purchase Agent is subscribed.

Receipt for £15,000.

Hareata x her mark.	Mere Ana te Papu.
Maraka.	Tuibana Tahuna x her mark.
Ngato x her mark.	Hapainga x her mark.
Taraipene x her mark.	Wikitoria Rangipiki x her
Te Hiriani x her mark.	mark.
Te Keepa Babarui.	Te Tuhi a te Rangi x his mark
Wata Tipa.	Nehapotiki.
Rikipaka.	Rakena Tuhoiti.
Hohepa Kapene.	Piahana.
Turiwhati te Pobo x his mark.	Ekiera Potiki x his mark.
Parepumate.	Hoani te Kiripakeke x his
Riria Ani x her mark.	mark.
Te Whareuenu x his mark.	Hirawa te Moananui.
Rota Tamatea x his mark.	Tehira Tara x his mark.
Tarapipipi te Kopara.	Haora Tareranui.
Mihi Tarapipipi x her mark.	Keremeneta. Matchaere x hi
Herewini Matehare.	mark.
Hori Pokai Rakena.	Nepihana Tuiri.
Rapata te Pokiha.	Wharara.
Ribi te Ao x her mark.	Teretiu Kingi.
Na Ngatai.	Paora Kingi.
Karauria x his mark.	Horopapera x his mark.
Pita te Hangi x his mark.	Whiu.

1875]

## THAMES DISTRICT.

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Paraiana x his mark.	Hone Ngatara.
Te Warana x his mark.	Hira.
Tupeka te Whakamau x his mark.	Pereniki te Kokako x his mark.
Tererehu.	Te Hira te Tuiri x his mark.
Haera Temimiha.	Riria Karepe x her mark.
Pera Reweti.	Ta Kerei te Putu.
Renata Tamati.	Perereka te Putu x his mark.
Te Mimiha x his mark.	Honi te Ngatete.
Rewi te Manawa x his mark.	Ema te Aouru.
Makutu Tamati.	Harata Patene x her mark.
Pohipi Kiatine.	Whakitoria Nohohau.
Hapi Rewi.	Arama Karaka x his mark.
Hirawani te Kara.	Hara Ngatai.
Miriama Nganeko x her mark.	Pukepoto Pokai.
Kararaina Motutarata x her mark.	Aperahama Pokai.
Te Wano Te Paura x his mark.	Wiremu Hoeta Keepa.
Matiu Paoro.	Haira x his mark.
Wiremu Hopihana te Popo.	Bewieri te Hautaoku.
Karaitiana Kihau.	Ani Paratene te Hapa x her mark.
Ruibana Kawhero x his mark.	Pikaka.
Mataia x his mark.	Wiremu Ututangata.
Wi Kokaunahi.	Maraea te Huia x her mark.
Peneamine Te Hikaiti x his mark.	Te Whetu Patara x his mark.
Mere Kuru x her mark.	Paora Patara x his mark.
Mere Titia x her mark.	Hana Hopehona x her mark.
Aherata Te Mihimui x her mark.	Peta te Heihei x his mark.
Hemi Kaihe x his mark.	Tini Poaka te Ngako.
Wi Kotero x his mark.	Pereniki te Amokete x his mark.
Tamati Paetai.	Rini Wiremu Karaka x his mark.
Hakipene Huira.	Pete Oriwia x her mark.
Te Ake Ake x his mark.	Remihia x his mark.
Te Amo Paetai x his mark.	Koroneho Kotia.
Wikiriwhi Hautonga.	Winikerei Patara x his mark.
Na Timoti te Huia.	Ririani Wetuhi x her mark.
Na Mehau.	Ropata No Ngatai.
Honana Potiki.	Te Amokura x her mark.
Paraku te Uia x his mark.	Ereatara Taraia x his mark.
Hoera Tupaea.	Maringi Karauria x her mark.
Hera Hapiona x.	Ihimaira x his mark.
Tahana Potiki x.	Hariata Tana Parepumate x her mark.
Peke Haora x.	Ranapia x his mark.
Tineia.	Ripeka Kemara x her mark.
Kemara ti Reruatine.	Mihi Pokai x her mark.
Karauria Paka.	Rawiri te Wakaiti x his mark.
Arapata Hira x his mark.	Peka Panapa x his mark.
Renepene te Piau x his mark.	Himiona Haia x his mark.
Hunia te Weni.	Paraone te Maupu x his mark.
Hone Mete x his mark.	Tanara te Kuna.
Tewa te Puru x his mark.	Ti Miniha Ngatikoi.
Ngahana Koraria.	Ngakapa Wanaunga.
Harata Paraone x her mark.	Waituruturu x his mark.
Ruiha Kemara x her mark.	Hemi te Kuri.
Miriama Kawhe x her mark.	Winiata Whaingā Erekaia.
Timotiu te Aumaoria.	Kepi Hanama Koare.
Peneaha Warekoba.	Timoti te Huia x his mark.
Hata Poka.	Kahupeka Putai x her mark.
Bihitoto Mataia.	Oriwia Paeuma x her mark.
Wiremu Maihi x his mark.	JAMES MACKAY, Jr.
Tareranui x his mark.	

OHINEMURI  
continued.

## THE SCHEDULE REFERRED TO ON THE OTHER SIDE HEREOF.

ALL that Block of land in the Province of Auckland and Colony of New Zealand containing by estimation one hundred and thirty two thousand one hundred and seventy five acres or thereabouts known by the name of Ohinemuri and Bounded towards the North from Kurere by lines known as "Tole's line" forming the Southern boundary of part of the Hikutaia number three block, the Southern boundary of part of the land granted to Mr. McCaskill the Southern boundary of other part of the Hikutaia number three block, the Southern boundary of the Whangamata number three block and the Southern boundary of the Whangamata number four block to Te Papiri on the East Coast of the North Island of New Zealand as the same are more particularly described in the plans lodged in the Inspector of Surveys' office at Auckland. Thence towards

Boundaries.  
[132,175 acres.]



**OHINEMURI**  
continued.

the East by the sea coast from Te Papiri to Nga-kuri-a-whare thence towards the South by a line forming the Northern boundary of the Tauranga District, eighty six thousand four hundred and eighty nine links, to the Waitawheta stream, thence by that stream to the North East angle of the Aroha block, thence by lines forming part of the Northern boundary of the Aroha block seven thousand one hundred and forty seven links and twenty seven thousand five hundred and thirteen links respectively to Mangaiti. Thence towards the West by a line to Tikirahi twenty thousand two hundred and thirty one links thence by a line ten thousand six hundred and sixty links to Rauwharangi thence by a line fourteen thousand and eighty links to Te Karaka thence by a line seven thousand nine hundred and forty five links to Omatao on the bank of the river Ohinemuri, thence by that river to Te Koutu, thence by a line six thousand two hundred and sixty eight links to Wharerata thence by a line three thousand and seven links to Te Paeroa thence by a line twenty six thousand five hundred and ninety links to Te Komata and thence by a line twenty two thousand eight hundred and ten links to Kurere the point of commencement.

Signed by Te Hora te Tuiri, Riria Karepe, Takerei te Puta, Perereka te Putu, Hori te Ngatete, Ema te Aoruru, Harata Patene, Wikitoria Nohohau, Arama Karaka, Hatarata Ngatai, Pukepoto Pokai, Aperahama Pokai, Wiremu Hoete Keepa, Te Wano te Paura, Matiu Poona Meha, Honana Potiki, Paraku te Uia, Haora Tupaca, Hera Hopihona, Tahana Potiki, Peke Haora Tineia, Kemara Tiraruahine, Karauria Paka, Arapata Hira, Rupene Te Piau, Hunia te Weu, Hone Mete, Teira te Puru, Ngahana Koraria, Harata Paraoone, Ruia Kemara, Miriama Kawehe, Timotiu te Aumoana, Wiremu Hopihona te Popo, Karaitiana Kibau, Ruihana Kawhero, Mataia Wi Koka Uirahi, Penamine te Hikaiti, Mere Kuru, Mere Titia, Aberata te Mihinui, Hemi Kaihi, Wi Kotero, Tamati Potai, Hakipene Hura, Te Ake Ake, Te Amo Paetai, Wikiriwhi Hautonga, Wikitoria Rangipiki, Te Tuhi o te Rangi, Neha Potiki, Rakana Tuhaiti, Pihana, Ekiera Potiki, Hone te Kiripakeke, Hirawa te Moauanui, Te Tara Tara, Haora Tareranui, Kereminita Matchaore, Nepihana Tuiri, Wharara Teretiu Kingi, Tareranui, Paora Kingi, Horapapera, Hone Ngatara, Hira, Pereniki te Kokako, Karauria Pita te Hanga, Paraiana Te Warana, Tupeka te Whakamau, Te Rerehu, Hoera te Mimiha, Pera Reweti, Renata Tamati te Mimiha, Rewi te Manawa, Makutu Tamati, Pohipi Kohua, Hapi Rewi, Hirawini te Karawhiu, Miriama Nganeko, Kararaina Motutarata, Mereana te Papu, Tuihana Tahana, Hapainga Tarapene, Te Hiriani, Te Keepa Raharuhi, Wata Tipa and James Mackay Junior, in the presence of—

Daniel Pollen.

Donald McLean.

George H. Davies, Clerk, Native Office, Wellington.

E. W. Puckey, Native Agent, Thames, and

George T. Wilkinson, Licensed Native Interpreter, Shortland.

Signed by Rawiri te Hautaku, Ani Patene te Hapa, Pikaka, Wiremu Ututangata, Maraea te Huia, and Te Whetu Patara in the presence of—

George T. Wilkinson, Licensed Interpreter, Shortland, and  
W. Robinson, Journalist, Shortland.

Signed by Ribitoto Mataia and Wiremu Maihi in the presence of—

George T. Wilkinson, Licensed Native Interpreter, Shortland, and  
Litton Forbes, M.D., Ohinemuri.

Signed by Hariata, Marakai, Ngato, Rihi Paka, Hohepa Kapene, Turiwhati te Poho, Parepumate, Kiria Ani, Te Whareumu, Rota Tamatea, Tarapipipi te Kopara, Mihi

1875]

THAMES DISTRICT.

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Tarapipipi, Herewini Matehaere, Hori Pokai Rakena, Rapata te Pokiha, Rihī te Ao and Ngatai in the presence of—

George T. Wilkinson, Licensed Native Interpreter, Shortland, and  
Gerald O'Halloran, Land Agent, Shortland.

Signed by Paora Patara, Hana Hopihana, Tini poska te Ngako, Pita te Heihei, Pereneki te Amokete, Rini Wiremu Karaka, Peti Oriwia, Remihia, Te Koroneho Kotia, Wini Kerei Patara, Ririani Whetui, Ropata Ngatai, Te Amokura, Ereata Taraia, Maringi Karauria, Ihimaira, Hariata Tana, Parepumatē, Ranapia, Ripeka Kemara, Mihi Pokai, Rawiri te Wakaiti, Peka Panapa, Himiona Haira, Parone te Maupu, Tamara Takuna, Timiuhā Ngatikoi, Ngakapa Whanaunga, Waituruturu, Hemi te Kuri, Winiata Whaiapu, Hata Paka, Pineaha Wharekowhai, Erekanā, Kapihana Makaore, Timoti te Huia, Kahupeka Paetai and Oriwia Pacumu in the presence of—

George T. Wilkinson, Licensed Native Interpreter, Shortland, and  
J. W. B. Guilding, Licensed Native Interpreter, Shortland.

OHINEMUHI—  
continued.

I, GEORGE THOMAS WILKINSON, of Shortland, in the Province of Auckland and Colony of New Zealand, a duly authorized Interpreter under "The Native Lands Act, 1865," "1867," "1869," and "1870," do solemnly and sincerely declare—

Interpreter's  
declaration.

1. That I was present together with Daniel Pollen, of Auckland aforesaid, Donald McLean, of Wellington in the Province of Wellington, George H. Davies, also of Wellington, and Edward Walter Puckey, of Shortland aforesaid, all male adults, and did see Te Hoia te Tuiri, Riria Karape, Takerei te Putu, Perereka te Putu, Hori te Ngatete, Ema te Aoru, Harata Patene, Wikitoria Nohohau, Arama Karaka, Hatara Ngatai, Pukepoto Pokai, Wiremu Heete Keepa, Te Wano te Paura, Matiu Poono, Meha, Honana Potiki, Paraku te Uia, Haora Tupaea, Hera Hopihana, Tahana Potiki, Peke Haora, Tineia, Kemara Tiraruaheine, Karauria Paka, Arapeta Hoia, Rupene te Piau, Hunia te Weu, Hone Mete, Teira te Puru, Ngahana Koraria, Harata Paraone, Ruia Kemara, Miriama Kawehe, Timotiu te Aumoana, Wiremu Hopihona te Popo, Karaitiana Kihau, Ruihana Kawhero, Mataia, Wi Koka Unahi, Peneamine te Hikaiti, Mere Kuru, Mere Titia, Aherata te Mihinui, Hemi Kaihi, Wi Kotero, Tamati Paetai, Hakipene Hura, Te Ake Ake, Te Amo Paetai, Wikiriwhi Hautonga, Wikitoria Rangipiki, Te Tuhi-o-te-rangi, Neha Potiki, Rakana Tuhaiti, Piahana, Ekiera Potiki, Hone te Kiripakeke, Hirawa te Moananui, Te Teira Tara, Haora Tareranui, Keremenita Matehaere, Nepihana Tuiri, Wharara, Teretiu Kingi, Tareranui, Te Paroa Kingi, Horopapera, Hone Ngatara, Hoia, Pereniki te Kokako, Karauria Tairoa, Pita te Hangi, Paraiana, Te Warana, Tupeka te Whakamaui, Te Rerehu, Hoera te Mimiha, Pera Reweti, Renata Tamati, Te Mimiba, Rewi te Manawa, Makutu Tamati, Pohipi Hobua, Hapi Rewi, Hirawini te Karawhiu, Miriama Nganeko, Kararaina Motutarata, Mereana te Popu, Tuhihana Tahana, Hapainga Taraipene, Te Hiriani, Te Keepa Raharuhi, Waata Tipa, designated as Grantors in the annexed Deed, duly sign and execute the same.

2. That I was also present together with William Robinson, of Shortland aforesaid, a male adult, and did see Rawiri te Hautaku, Ani Patene te Hapa, Pikaka, Wiremu Utu-tangata, Maraea te Huia, and Te Whetu Patara, also designated as Grantors in the annexed Deed, duly sign and execute the same.

3. That I was also present together with Litton Forbes, of Ohinemuri, in the Province of Auckland, a male adult, and did see Ribitoto Mataia and Wiremu Maihi, also designated as Grantors in the annexed Deed, duly sign and execute the same.

4. That I was also present together with Gerald O'Halloran, of Shortland aforesaid, a male adult, and did see Hariata Marakai Ngato, Riki Paka, Hohepa Kapene, Turiwhāti te Poho, Parepumatē, Ririaani, Te Whareumu, Rota Tamatea, Tarapipipi te Kopara, Mihi Tarapipipi, Herewini Matehaere, Hori Pokai Rakena, Rapata te Pokiha, Rihī te Ao, and Ngatai, also designated as Grantors in the annexed Deed, duly sign and execute the same.

5. That I was also present together with John William Richard Guilding, of Shortland aforesaid, a male adult, and did see Paora Patara, Hana Hopihana, Tinipoaka te Ngako, Pita te Heihei, Pereneki te Amokete, Rini Wiremu Karaka, Peti Oriwia, Remihia, Tekoroneho Kotia, Wini Kerei Patara, Ririani Whehihi, Ropata Ngatai, Te Amokura, Ereata Taraia, Maringi Karauria, Ihimaira, Hariata Tana Parepumatē, Ranapia, Ripeka Kemara, Mihi Pokai, Rawiri te Wakaiti, Peka Panapa, Himiona Haira, Paraone te Maupu, Tamara Takuna, Timiuhā Ngatikoi, Ngakapa Whanaunga, Waituruturu, Hemi te Kuri, Winiata Whaiapu, Hata Paka, Pineaha Wharekowhai, Erekanā, Kapihana Makaore, Timoti te Huia, Kahupeka Paetai, and Oriwia Paemuri, also designated as Grantors in the annexed Deed, duly sign and execute the same.

6. That all the signatures and marks of the said Grantors were made by them respectively, and in my presence.

**OHINEMURI**  
continued.

7. That before the execution of the said annexed Deed by them, the said Grantors, I did translate the same to them into the Maori language, and that my translation thereof was correct, and was perfectly understood by them the said Grantors respectively.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the above-mentioned Acts, and by virtue of an Act of the General Assembly of New Zealand intituled "The Justices of the Peace Act, 1866."

GEORGE T. WILKINSON.

Made and declared at Ohinemuri, in the Province aforesaid, this twenty-fourth day of March, one thousand eight hundred and seventy-five. Before me—

ALBERT J. ALLOM,

One of Her Majesty's Justices of the Peace in and for the Colony of New Zealand.

A True Copy of Original Deed and Declaration.

H. HANSON TURTON.

Wellington, March 27th, 1876.



**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of two appeals under section 120 of the Act

**BETWEEN** **COROMANDEL HAURAKI ADVOCATES  
INC (RMA 352/98)**

Appellant

**AND** **TE RUNANGANUI A IWI O NGATI  
TAMATERA INC (RMA 406/98)**

Appellant

**AND** **WAIKATO REGIONAL COUNCIL**

Respondent

**AND** **WAIHI GOLD COMPANY**

Applicant

**EVIDENCE OF TE WIREMU MATAIA NICHOLLS**

**Moehau te Maunga ki Te Aroha  
Tikapa te moana  
Ohinemuri te awa  
Ngati Tamatera te Iwi  
Marutuahu te tangata**

**Tihe Maori ora**

1. I am a Kaumatua of Ngati Tamatera. My hapu is Ngati Taiuru. I am 72 years old. I grew up here in Paeroa here, who's right name is really "Ruawehea".
2. I am a senior Kaumatua of Hauraki and whakapapa to all the Marutuahu iwi.

2A. I am here to represent standards which have been passed to me by tupuna. These standards are based upon tikanga which in a sense is like the Common Law of England. The principle standards in brief are as follows:

- (a) Ranginui - Skyfather (the heaven's and everything in it etc.).
- (b) Papatuanuku - Mother earth - the sustenance & nurturing of all life etc.
- (c) Tanemahuta - Flora and fauna & water etc.
- (d) Tangaroa - Marine life and its bounty etc.
- (e) Tumatauenga - Man's governing law's etc.
- (f) Tawhirimatea - Wind and storms etc.
- (g) Whakatiri - lightning etc.
- (h) Ruaimoko - Earthquake or earth movement etc.

3. Waihi has a special significance to our people.
4. The mining by Waihi Gold has been and is planned to go on at the maunga called Pukewa.
5. Ngati Tamatera are the tangata whenua of Pukewa through take raupatu (conquest) and ahi ka (occupation).
6. Pukewa was in ancient times a Pa. When those hapu that lived there, they lived with the environment around them, the bush, the waterways, the animals, plants, insects etc for everyday life. They also carried out ceremonial activities. The dead were buried in the urupa (graveyard) at Pukewa, but after the Pa was abandoned as a fortification they were buried in and around Pukewa. Also on Pukewa is a natural cave that Moa inhabited before the hill was occupied by Maori. This cave is a waahi tapu. There are examples of people taking items from this cave and having physical problems. Pukewa is a very important waahi tapu for Ngati Tamatera.
7. Also important to us is the Ohinemuri River where the discharges from the Martha Mine go into. The Ohinemuri River is a tupuna and a taonga. It is enshrined in our tribal sayings and waiata.



Evidence on behalf of claimants, whanau & hapu of Ngati Tamatera

There are taniwha along the River. As kaitiaki of the River, and the other waahi tapu in and around Pukewa, our mana is tied to upholding our duty to preserve the mauri of these taonga. Whenever their mauri is trampled on or demeaned our mana is trampled on.

8. Other waterways surrounding Pukewa also had waahi tapu in them. There were many water tributaries and streams where ceremonies took place. Examples are:

- **Waitete Stream** was a bathing place for women during their cycle time. Because at this time they were tapu no one else was permitted to use the water for whatever reason from that area of the stream. This included anything from the surrounding land banks and area in the vicinity.
- **Mangatoetoe Stream** was a stream where the bodies of the dead were washed and certain ceremonies were carried out on the dead. This stream was chosen for this activity because of its nearness to the Pa site and area.
- **Ruahorehore Stream** was a stream where ceremonial washing of babies, and the burial places of the afterbirth and umbilical cord were washed and buried on the banks and surrounding area of the stream. Normally under a tree.

9. These waterways were separate to the streams that were used for a permanent food source. But like the thermal springs some of these streams have disappeared since mining began.

10. These various waahi tapu on the land and in the water are sacred to us. This has been stated from the time when there was the first decision to mine for gold at Pukewa. This was ignored by those early miners and their companies. These waahi tapu are still there.

Evidence on behalf of claimants, whanau & hapu of Ngati Tamatera

11. Waihi was quite a significant place for harvesting plants for Maori medicine and most of them here went up to Waihi to get their medicines, up into the bush. The early miners cut down all the trees up on the hills where we used to get medicine from the bushes, from the roots, from the leaves of the different trees for our sicknesses. Before the doctors arrived here that's what we used.
12. These places are gone now, there aren't many places left at all now. They've all been cut down from Waihi all the way through.
13. What I used to see here when I was young all along the Stop-Bank here in Paeroa starting from Thorps Farm come up to the Ohinemuri bridge from there right up to the railway bridge, which has been pulled down now, and then straight along around to Patete and follow the Stop-bank right along till it comes to our Meeting House, Te Pae o Hauraki.
14. In those days the Catchment Board had a big Dredge, and it was a Dredge that dredged the Ohinemuri River to deepen it and" they used the filling for the Stop-Bank. In those days they had people there with wheel-barrows like Denton and some others. They were the people working around here to build up the Stop-Bank with wheel-barrows.
15. With all those trees being cut up in the gorge there (Karangahake Gorge) and on the gold mining places every time there was heavy rain it used to flood all across Paeroa here, before they built the Stop-Banks a big higher.
16. I remember in my place between Rotokohu Road and the road going to Te Aroha that it used to be all flooded there and during the flooding period we had a chap named Jim Peke here. He used to get his horse with a couple of big sacks, those big sacks in the olden days and put them in front of the motor so when he was towing the cars through the flood area it would stop the water from getting into the engine through the radiator and he would tow the cars across the flooded area, and we'd be behind pushing

Evidence on behalf of claimants, whanau & hapu of Ngati Tamatera

the cars. In those days we used to get two shillings, one and six for helping them to push the cars.

17. In those days the miners used to let out the cyanide into the rivers and in those days you could see the eels sticking their heads out of the water because of the pollution. They would try and hurry up to make their way to the tributary sheltered creeks where there was less pollution, no cyanide. Well some of them couldn't get there in time and they got eaten up by the cyanide.
18. In one case, one of our tupuna Tangitereina it was, she told me before she died that just about a hundred yards from the bridge here (Ohinemuri Bridge) at Paeroa that a chap came back drunk and he fell into the water and he got eaten up by the cyanide and when they found him there wasn't much left of him because he'd all been eaten by the cyanide.
19. There is a definite decrease in the water levels of the Ohinemuri River and I think if you went along there and had a look at the old tinsel or water line you should be able to find out how far up that water should go to, but you can't these days.
20. In those days all those rocks in the Ohinemuri River, they weren't visible. It was just full of water in those days. I remember the time we used to go with our uncles like Huhurere Tukukino, Tete Brown, Lionel Brown and all those chaps used to work in the Karangahake and we used to go in the old Essex and I used to go for a ride when I was a kid, and they'd drop them off there to go into the Karangahake mine which was the Talisman mine. That's where they used to go and mine in there.
21. The water quality of the river has altered a lot from those days and I mean to say from here, and you know our people used to fish for mullet out of the river here, and kahawai, they used to come right up and flounders used to come right up the river too. But there's nothing now.

Evidence on behalf of claimants, whanau & hapu of Ngati Tamatera

22. Clearly, the tangata whenua have been badly treated at the hands of the mining industry. Ngati Tamatera are one of the worst affected. This is evident in our oral histories and the amount of resources we had during the 1860's, at the turn of the century, compared to the amount of resources we have now and the control we have over those resources. Goldmining has been the single greatest destructive force to our traditional lifestyle in the Ohinemuri area as opposed to any other affect of colonialism.
23. I have lodged a Waitangi claim on behalf of Ngati Tamatera over various parts of Hauraki including Waihi. Most of the mine is Crown owned land and we expect to get it back. We don't want a bigger mine than is already there now to be given back.
24. Waihi Gold have been mining on Pukewa since the late 1980s. Our waahi tapu have been desecrated and our mana demeaned. I know a lot of work has been done by Waihi Gold to keep the mining going on for another seven years. They have spent a lot of money to get to this point. It seems we haven't got a chance of "preserving the rest of Pukewa, our waahi tapu and our sacred waters. We say enough is enough. Waihi Gold should be happy with the millions of dollars they have made to date. Leave us with some dignity.
25. If we were to try and turn a blind eye to our waahi tapu, then we would be denying ourselves our identity, traditions and culture. This is the main reason we must object to gold mining. We are obliged and duty bound to do our best to protect our waahi tapu. Its that simple.

Evidence on behalf of claimants, whanau & hapu of Ngati Tamatera

**IN THE ENVIRONMENT COURT**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of two appeals under section 120 of the Act

**BETWEEN** **COROMANDEL HAURAKI ADVOCATES  
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Appellant

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Respondent

**AND** **WAIHI GOLD COMPANY**

Applicant

**EVIDENCE OF MATEKINO TUKUKINO ROERA**

1. I am a kuia of Ngati Tamatera. My hapu is Ngati Kiriwera. My marae is Te Pae o Hauraki in Paeroa.
2. I was born in Paeroa in about 1919 and have lived here all my life and over those years I have seen the bad affects that gold mining has had in Hauraki.
3. We used to go backwards and forwards to Waihi when we were young to visit our relations there, like the Ranga family.
4. For Ngati Tamatera there is a real wairua there. A lot of our families like ourselves we got land over there.
5. When we used to go over to Waihi to dances and entertainment, when mum would find out we were going over there she would

Evidence on behalf of claimants, whanau & hapu of Ngati Tamatera

take us outside and bless us with water before we would go over and we'd wonder what the hell she was doing? She didn't tell us till well after.

6. She blessed us so nothing spiritual would harm us over there because of all those waahi tapu there. We would wonder what the devil she was doing and even Cora (Korekoreko Tukukino) was one of them, she used to bless us with water, no half pai bless either, Cora used to stay with us.
7. I remember along the banks around Waihi we used to go there and get ferns and get some Maori flowers and mum used to tell us off, because we were not allowed to take them from around that area (Pukewa). We were not allowed to touch anything around Pukewa because there are quite a few waahi tapu in that area.
8. Pukewa is a waahi tapu because it is a burial ground. In more recent times (last century) our people used to fight Ngai Te Rangi. of Tauranga and the dead would be buried at Pukewa.
9. We used to get plants from parts of Waihi. Mum and them would tell us to get some plants, which was good for medicine. We got Maori medicine plants like Kawakawa and Tataramoa there because all the Maori in the area were suffering from kohikohi (tuberculosis) that's like consumption, it is like a thing in your chest and we would also go up there and get the plants for boils because a lot of our people used to get boils and all that from the sickness in the rivers.
10. They would go up to the bush and get the medicine at Waihi, there were heaps of medicine plants at Waihi, Waihi was a herbal medicine harvesting place for the Maori, but the gold mining there has taken it away.
11. We were walking back from Waihi one day when we were young and one of us said "Ooh" and we said "What's the matter?" The

Evidence on behalf of claimants, whanau & hapu of Ngati Tamatera

reply was "this is hot here". And there was thermal steam. I don't know what happened after that because after the gold mining started I haven't seen steam in the town anymore.

12. We used to go up to the gold mines and we saw what was going on. The leakage of their water was coming down the hill side. We had a look at the piping too and found out that it was going into a reservoir.
13. They had built their site right beside the Ohinemuri River. Each time we would go up to the place, the place and the water kept changing. The water from their leakage was running into a stream, which had become only a small stream, and this was all going into the Ohinemuri River.
14. Quite a few of us attended the meeting about it.
15. From their discharges of cyanide, it flowed or came into the Ohinemuri River. They were using cyanide and this was affecting the people who had houses by the river and it was killing their kai, like whitebait, and their eels.
16. We did have a meeting at Te Pae o Hauraki about this when my brother (Te Huhurere Tukukino) was alive, and the mining company said that they would try to divert the water somehow, but where can they diver it because it had to come back to the river. And that' what happened.
17. When Talisman Gold Mining was in the Karangahake we had a bid meeting, this is going back some years now, when I was about 17. We had trouble with the gold mining because all their waste water was going into the Ohinemuri River. The gold mining made the water greyish, and I'd say it was because of the cyanide that was in the river.
18. We used to swim a lot in the river. This was when it was lovely and clean. This was at our house at Patete just north of Te Pae o Hauraki and we used to go for a swim but our old people ended up stopping us from swimming because the river turned dirty and

Evidence on behalf of claimants, whanau & hapu of Ngati Tamatera

greyish. My mother (Parehuia Tukukino) said it was" cyanide. The kids all around were getting sores and bad eyesight and that went on for quite some years.

19. As we got older I remember having a meeting at Te Pae o Hauraki and they got all the miners around, and they stopped what was coming from the Talisman Gold Mining Dam.
20. The environment has changed and the rivers have changed and everything has changed.
21. With their gold mining they dig up a hole, I seen it done, I seen the place, it's like a huge pit I seen the one at Waihi Gold and we went over there to look at it and I got this creepy feeling so I said, "we're not going any further, stop the bus, stop the bus, we're not going any further". So everyone got out of the bus and I got out and stood beside the bus and all you could see was this big pit, and across the other side men were working. I don't like what has been done to the earth and where they have dug could have been a urupa (graveyard) site. They changed the environment ad they dug over waahi tapu.
22. They took us around the back road in the Karangahake and showed us the Ohinemuri River and all that was there was little stream and they said that was the Ohinemuri River. The water level had dropped and I'm not sure but I think this was because of gold mining. That part of the stream used to be like to Komata stream, but it was now just trickling over the stones.
23. I do not want to see more mining go on at Pukewa. The Waihi Gold have had a good go at it. It is time to stop and respect our waahi tapu.



Evidence on behalf of claimants, whanau & hapu of Ngati Tamatera

**IN THE ENVIRONMENT COURT**

**IN THE MATTER** of the Resource Management Act 1991

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Respondent

**AND**

**WAIHI GOLD COMPANY**

Applicant

**EVIDENCE OF HENRIETTA TE MOANANUI**

1. I am a kuia of Ngati Tamatera and I have lived in Paeroa for most of my life. I am in my eighties.
2. Along the river lived Ngati Tamatera, Ngati Tawhaki te hapu and Tara Tokanui. These were the people that were affected the most that lived by the river. Some of these people got sick from the water in those days and are still the same now. There are some of their tapu places down by the river.

3. These tangata whenua have a lot of wairua to do with the river and those places.
4. The native bush was thick and beautiful before the gold mining. There use to be real bush and trees all over the place. From the top right back and down to the bottom right through the Karangahake. There were plenty of wildlife living in those bushes and you could hear them right across the other side of the river. The Tui used to come right down all the time and it's sad you know. With the trees and bush being cut and burnt these birds are nearly gone now.
5. When they made the houses and the train rails and buildings for the miners they used the trees from here to make those things. The miners used to cut down the trees for building and for firewood to chuck it on the fire. We saw this because we lived close to the side of the hill.
6. Some of our people when they finished their kai they tie all our kete and kono (flax eating baskets) together and chuck it" in the river to clean them and some would put the dishes in a empty flour bag and chuck that in the river to clean them. Our people here would wash their dishes in an old kerosine can or in a container.
7. The river was very important to our people for many reasons. It was our life source. Further down the river our people would travel by waka. When we were living in Mill Road we had a waka but I don't know where it is now. When my Kaumatua died that was the last I seen or thought about that waka we used to travel up and down the river in.
8. When our people died we used to put the tupapaku (corpse) in the waka and travel to the urupa with them. They used to lie in "home made coffins", not like the coffins of these days. You have no money to buy them out but, you gotta get it or you go to Court. In the old days you just make one and put the body in. It was harder in those days.

9. In the old days the boats would come with kai from Auckland and we would get some and put some kai on. The boat used to go to Puke and my Aunty Kara and George Gage went to Puke once for one night. In the morning they unloaded the boat, put it on their horse and cart and took the kai to Waihi. Not like the trucks today. There were no proper roads they were mud and metal. Sometimes there was no roads and the wheels would get stuck in the dirt on the way. But we got em out. Taking the food to Waihi, Mackay town and the Karangahake.
10. We went over to Waihi once, us Kaumatua of Ngati Tamatera in a bus. They gave some stone over there, that's where I got mine. I don't like gold mining but to the Pakeha it's a good thing I suppose. They have taken over all over the place.
11. There are waahi tapu in Waihi. That's where there are many urupa and waahi tapu, in Waihi. They took a lot of gold out of Waihi and the Karangahake and the Waikino. Waihi though came after the others.
12. All the time we had prayers, every day and every night Maori prayers and blessings from our Kaumatua to look after us. If we didn't have prayers we couldn't go anywhere, and then at night they would have prayers again. This was to protect us from those tapu areas and the gold mining places.
13. The first gold mine I know of was at the Karangahake. It looked like a city with the amount of people working there, like a real city with houses coming up everywhere and some small houses that people stayed inside of and then go to work over there at the mine.
14. It was the first goldmine that began to dirty the Ohinemuri river that runs through the Karangahake. They took the gold to Waikino to the battery and then they sorted it out over there and that's where all the cyanide would go into the river. That's when all our kai in the river died like the Whitebait, Toitoi (a small native fish) and eels.

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15. From Monday to Friday you could see the eels floating the river here. We tried to get them when we were young but our Kaumatua's stopped us. This was because of the cyanide. There was no Toitoi and no Whitebait they were all dead.
16. Before the gold mining came we used to eat all these, we'd catch it and eat it. This is how we catch those Toitoi which were about six inches long. There was a plant growing at the river crossing with hair on it. It's the Toetoe plant, and it had a flower on it. Well we used to go and get those Toetoe plants and put them in the water and the Toitoi fish would get stuck on it, quite easily.
17. Where there was rock pools in the river and when the tide would go out the Toitoi would get caught in those pools. That's where we would stick those things inside the pool to catch them. We used to get a bucket of them, take it home to eat, the water was clean then. But when this Martha mine started like the gold mining back at Waikino, the cyanide killed all the eels and that. no more kai in the water over here in the river.
18. The watercress were plentiful where the drains were but with the gold mining and the pollution of the water in the drains we weren't allowed to pick it in some places. The pikopiko were destroyed in many places when they built the mine and the towns that came with the mining.
19. The gold mining from those areas killed all the eels and other kai in the Ohinemuri river here in Paeroa. It killed the whitebait and when the water became too polluted to use the they gave us some water by putting in a water tap.
20. When our Kaumatua had to get water they would take as much as they could from the cleaner parts of the river like in some places the side and from the top, otherwise we have no water. And then they would boil the water so we had something to drink. They would not give it to us straight out of the river. Because of this the Council gave us a tap for water because the water in the river was too dirty because of the cyanide mainly. They gave



Evidence on behalf of claimants, whanau & hapu of Ngati Tamatera

everybody a tap to use. They gave us some water which came from the Waitawheta river in the hills. They piped it- through the hills and the fields to our place.

21. We used to use the river for drinking, cooking, washing clothes and bathing and you see there was all these houses down here that use to use the water from the river. It made us sick to use the water from the river after the gold mining and when it rained the river would get even more dirty from the stuff washed down the hills. The trees had been cut down for the gold mine and the houses, dirt and other things in the dirt would get washed down into the river.
22. The Council came out to see our Kaumatua to give us some water because of the change in the river with all the cyanide going through. The river stayed too dirty for five days of the week. On Saturday they finished dumping and on Sunday the cyanide had been washed away enough for us to use the river for a bit. Then the same for the next week.
23. Mackay town was a real big place there like Paeroa here. So many houses there. It was from the two mines, one here and one at Waikino. There was a lot of houses. Mackay town was where the miners lived that worked in the mines. The train used to take these people to work. It use to stop out there (along Rotokohu Rd). They would get on and go from there to Waihi, Waikino and the Karangahake. They cut down all trees in the hills for the building of those houses and the mine. This was when the flooding really got worse.
24. The river used to flood when it rained and sometimes we used to sit in the water in the paddocks. What they did in the end was they went around and cut the little trees around the river bank and left the big trees so that the ground wouldn't break up and cause flooding. The scrub cutters did it. Mackay town was hardly affected by the flooding because it was on higher ground.



Evidence on behalf of claimants, whanau & hapu of Ngati Tamatera

25. We use to grow our vegetables like potato, corn, pumpkin marrow, just about everything, but, when it flooded it used shoot water through the -trees and under the fences and wash it all away. It was really ground and it would go to waste. It wasn't a good place for gardening and that.
26. It is time for Waihi Gold to stop with their present mining. I don't want my mokopuna to have to carry the burden that my tupuna and my generation have had to bear.



